

**PUBLIC WORKS
AND
TRANSPORTATION COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE**

A regular meeting of the Public Works and Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Tuesday, April 15, 2008.

MEMBERS PRESENT:

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

ALSO IN ATTENDANCE:

George Nolan- Counsel to the Legislature
Kevin Duffy - Budget Review Office
Gil Anderson - Commissioner - DPW
Tom Laguardia - Chief Deputy Commissioner - DPW
Bob Martinez - Aide to Leg. Montano
Kaitlin Boyd - Aide to Chairman Beedenbender
Barbara LoMoriello - Deputy Clerk - SC Legislature
Ben Zwirn - Deputy County Executive
Gail Lolis - County Attorney's Office
Bruce Blower - Director/SC Office of Handicapped Services
Debra Alloncius - AME
Eugene Wishod - JADO Associates
Marc Schneider - Windcrest at Galleria
Robert Debona - Mastic Beach Property Owners Association
Vic Zeleny - CEMB
Paul Breschard - Pattersquash Creek Civic Association
Gale Winsper
Nancy Morr
All Other Interested Parties

MINUTES TAKEN BY:

Lucia Braaten - Court Stenographer

MINUTES TRANSCRIBED BY:

Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 2:33 P.M.*)

CHAIRMAN BEEDENBENDER:

All right, if we could all rise for the Pledge of Allegiance

SALUTATION

Thank you, everybody. You can be seated. All right, first we have a -- well, we have the public portion, but in deference to the Director of Handicapped Services, I'm just going to the presentation first. It shouldn't be a long one. So, Bruce, if you can come on up.

Just as a matter of background for the rest of the committee, IR 1407 was passed last year and it directed the Director of Handicapped Services to come forth with a proposal to the County Legislature with how to implement this new law which required a notification of all users of the SCAT Program. So Bruce is going to come forward and explain to us how they're going to implement that plan. So, Bruce, the floor is yours.

DIRECTOR BLOWER:

Thank you, Mr. Chairman. Is this on?

LEG. LOSQUADRO:

No.

DIRECTOR BLOWER:

Okay. I think you can hear me now, everybody? Okay. Thank you, Ladies and Gentlemen, Mr. Chair. The above cited resolution, which is 1407-2007, requires that the County Office of Handicapped Services present to the committee a proposed implementation plan to notify all eligible SCAT Paratransit riders in writing of any significant changes in SCAT service or policy within 30 days of such change.

At present, there are approximately 13,000 certified eligible Scat Paratransit riders. The only way we can ensure that each of these eligible riders receive written notice is to do a mass mailing via the US mail. In order to do the addressing, printing, folding, inserting and mailing within the 30 days timeframe would be to contract with an outside mail house to do the entire job. We would electronically transmit the names and the addresses, along with the information to be included when they print the notice. The simplest way would be for them to convert our mailing list to their setup for laser imaging and then do a one-sided letter, fold it and insert it so that the laser name and address shows through the window envelope.

We would need assurances from the mail house that this notice would be designed, printed, folded, inserted and mailed at the post office within two weeks of them receiving the information ahead from us, then they would proceed. Of course, the vendor contract through DPW Purchasing Unit would have to have a standard privacy clause to prevent other user sale of the SCAT Paratransit mailing list. This is because that list is protected by the Federal Americans With Disabilities Act and you cannot release information on names and addresses pertaining to individual's disabilities under that Federal Law.

The Office of Handicapped Services does not have the staff or budgetary resources to do this mailing in-house. On April 4th, 2008, I sent a memo to DPW Chief Purchasing Agent, Jean DiNunzio, with a ballpark estimate from a mail house of such costs in doing such a mailing. I also asked whether some other County department already had an existing mail house contract that my office could use to do these now required notice mailings. I further asked that if not, could DPW Purchasing put out an open-ended contract bid to get a mail house on board in case a significant change in SCAT Paratransit comes up that would require mailing written notice. As yet, I do not have an answer. However, the ballpark estimate that I received gave a price of \$10,081 for a 13,000 piece mailing as described earlier. That price includes US postage First-Class mail at 42 cents per letter, which is the

new rate effective May, 2008, equaling postage costs of \$5,460 for a single mailing.

If we increase the quantity mail to include our full SCAT data base of 24,000, that would include the inactives, then the totaling mailing costs jump to \$17,163 of which \$10,080 would be US postage. The Suffolk County Office of Handicapped Services did not budget for this expenditure and does not have any money in the 2008 Budget for it.

Although SCAT Paratransit has been in existence for about 15 years, the last time we mailed out such a notice was about five years ago when the SCAT reservation telephone number was changed, because DPW awarded the contract to a different vendor. That was the last significant change, so we do not know how frequently we would need to send out written notice to Paratransit riders. However, for budgetary purposes, I would anticipate at least one notice mailing per year. Even if we did not have a significant change, that single mailing could be used to notify all SCAT riders of the public hearing and also have a dual purpose of verifying all the current addresses of SCAT eligible Paratransit ID card holders.

This year, DPW is holding a SCAT Paratransit Hearing on Wednesday, May 7th, 2008, in the Media Room of the H. Lee Dennison Building, Hauppauge, from 3:00 p.m. to 6:00 p.m. The traditional way we get this notice out is by placing posters on all Suffolk Transit mainline buses and all SCAT Paratransit buses. This year, we also put a recorded notice on the SCAT Paratransit Reservation No., 631-738-1150, so that the callers for the month prior to the hearing date listen to a recorded notice whenever they call up to make a SCAT reservation.

(*The following was transcribed by Alison Mahoney*)

My office also requested that the Suffolk County Department of Civil Service Public Information Office send out a news bulletin to all departments and everyone on their e-mail contact list; this was done on April 9th, 2008, and that included notice to each Legislator's office. Handicapped Services also sent out e-mail notices to the 30 members of the Suffolk County Disabilities Advisory Board and to 41 other disability organizations in our general contact list. We have asked all of them to widely distribute the notice of the May 7th, 2008 Public Hearing. In the past, SCAT Public Hearings have been well attended with upwards of 50 people coming out and about 30 actually giving testimony. So we think our present system of notification is working well. Would a written notice to all do better? Probably yes, however, we would need the financial resources to make those mailings.

SCAT Paratransit is a very successful program. In 2005, 195,949 trips were made; that jumped to 254,574 trips in 2006. Last year in 2007, there were a total of 318,365 SCAT Paratransit trips made. From a program which began with four paratransit vehicles in March, 1994, to now having 62 Paratransit buses in operation, you can see the tremendous growth in popularity of this program with people that have severe disabilities and had no other way of getting out and getting around the County. Our plan is to continue improving SCAT, to do the written notice mailings that Resolution No. 1407-2007 requires would take the appropriate funding.

The other thing I should mention which isn't in the written comments you have a copy of is that out of the total number of active SCAT eligible riders today, we have 778 of them who are blind or visually impaired. Probably, an estimate, about 95 of them would need the notice sent to them in braille and probably another 250 of them would need the notice sent to them on audio tape. So that would require us doing a little more and, you know, we're willing to do it, we just need the resources to do it. I'll be glad to answer any questions.

CHAIRMAN BEEDENBENDER:

Thank you, Bruce. I just have a couple.

DIRECTOR BLOWER:

Sure.

CHAIRMAN BEEDENBENDER:

Just to start on the point you just made. Do -- is there a sophistication in the list that would allow you to know? I mean, I know you said -- is that an estimate or you know there are 778 and you know which individual those are so you can send them --

DIRECTOR BLOWER:

We know there are 778 blind and visually impaired, we got that from the applications.

CHAIRMAN BEEDENBENDER:

Okay.

DIRECTOR BLOWER:

And that is in our database, we know who they are.

CHAIRMAN BEEDENBENDER:

Okay.

DIRECTOR BLOWER:

What we don't know is how many of them would need the information in braille or how many of them would need it on audio tape, we don't have that.

CHAIRMAN BEEDENBENDER:

Okay.

DIRECTOR BLOWER:

They requested that on the applications but the application form that we are using is not broken down into our database when it was entered.

CHAIRMAN BEEDENBENDER:

Okay.

DIRECTOR BLOWER:

Okay?

CHAIRMAN BEEDENBENDER:

Legislator Losquadro?

LEG. LOSQUADRO:

Yeah, just to follow up on that thought. For those who are blind or visually impaired, is there a mechanism by which perhaps they could be left -- if we could do sort of like the old robo calls, if we could do like an automated message to be left for individuals like that?

DIRECTOR BLOWER:

That would be one way of doing it, yes, sir.

LEG. LOSQUADRO:

Okay.

DIRECTOR BLOWER:

What we envision is changing our application and requesting on the application how they would like information in the future and we would put check-off boxes so we would have like four or five choices and ask them to choose one. That way we could enter it in the database from the get-go and then we could easily run that and know who has to get what.

LEG. LOSQUADRO:

Absolutely. Thank you.

CHAIRMAN BEEDENBENDER:

And that would also probably open up to the point that you might be able to use e-mail or a phone robo-call.

DIRECTOR BLOWER:

Yeah, we wanted to ask everybody's e-mail, the problem is not everybody has an e-mail.

CHAIRMAN BEEDENBENDER:

Right.

DIRECTOR BLOWER:

So that's why I said the only way we could get the notice to make sure it went to everybody was a mailing.

CHAIRMAN BEEDENBENDER:

Okay.

DIRECTOR BLOWER:

Also, also those, while it would be an expense of making the braille notices, the postage on that would be free because that goes as free matter for the blind and visually handicapped under the postal regulations.

CHAIRMAN BEEDENBENDER:

Okay, a couple of more questions. You said -- there was a distinction in your comments about active and non-active users; what is the definition of an active user? Is it in the last year or --

DIRECTOR BLOWER:

Well, the active users are those -- the certification lasts for three year, so those active users have been certified within the last three years from today. So the number I gave, approximately 13,000, as of today it's actually 12,194 active users; those are people that can pick up the phone and request a SCAT trip today. The larger number includes inactives; now, those are people who have requested applications but for whatever reason never returned them. Those are people who had an active ID card but have passed away and we were notified that they are deceased. It also includes those who have moved out of the County or those that were certified in the past but did not recertify; that's how we got up to the 24,000 number.

CHAIRMAN BEEDENBENDER:

Okay. I don't have anymore questions. Is there anybody else on the committee that has a question? Okay, thank you very much, Bruce. I appreciate that.

DIRECTOR BLOWER:

Thank you. Thank you for taking me off the agenda, I appreciate that.

CHAIRMAN BEEDENBENDER:

You got it, Bruce. It's been -- everything's been out of order today, so there's no reason to start -- to stop now.

DIRECTOR BLOWER:

It's a long day for the Legislators. Thank you very much.

CHAIRMAN BEEDENBENDER:

Yes. All right, we're going to move directly to the cards and I do have several. Just as a reminder to everybody, you have three minutes. The first card is Gene Wishod.

MR. WISHOD:

May I use this microphone?

CHAIRMAN BEEDENBENDER:

You could either sit or you could stand. It's to your discretion.

MR. WISHOD:

I'm here to speak on IR 1010 and IR 1023. I assume I have three minutes for each, so I'll try to summarize.

CHAIRMAN BEEDENBENDER:

If you could do the best to do it within three, yeah.

MR. WISHOD:

Yeah. I'll do the best I can, because this has been tabled 20 to 25 times by this committee, and the returning members of the committee are familiar with it. I'll try to summarize it as quickly as I can for the benefit of the new members of the committee.

I represent JADO Associates, Inc. They are the owner/landlord of two restaurants on 347 referred to as the two JADO restaurants; these are Carrabos and Famous Daves. The two restaurants are currently connected to temporary cesspools by commission of the Suffolk County Department of Health Services. And the condition exacted for that permission was the sterilization of other valuable lands. These lands have been sterilized for some four years now and can't be de-sterilized until the two restaurants are connected to a sewage treatment plant, to the Galleria STP. All the lines are in, and all you have to do is unplug a cesspool and connect them.

I'm also authorized to speak on behalf of John Klein, who represents Avalon Bay Communities, Inc, and couldn't be here. Avalon Bay Communities is the current record owner of the Galleria STP. It was built in two phases. It's approximately 180,000 gallons currently, half of which was built by Avalon and half of which was built by my client. Suffolk County Sewer District Number 4 is a County sewer district that was intended to take over this plant ultimately. The district is a paper district. It's never been activated. It has no assets. The approval by -- of the State Comptroller in the formation of the district was based on a representation by the County that the annual usage charge would be \$450. That representation has been superceded by the County's position that the annual charge that the district would render would be, in fact, 1,020, 1,070, but in excess of a thousand dollars.

To my knowledge, the State Comptroller has never approved the new annual charge, which in my opinion, makes the legal status of this paper district highly questionable. The competing resolutions, the County's resolution, which I'm supporting, calls for a public hearing to --

CHAIRMAN BEEDENBENDER:

Which County resolution?

MR. WISHOD:

County of Suffolk, 1010.

CHAIRMAN BEEDENBENDER:

Okay.

MR. WISHOD:

Yeah. That's a resolution introduced on behalf of the County and the Public Works Committee and the Sewer Agency to hold a public hearing to discuss the dissolution of the district based on the theory that the residents of the district would not be happy about a rate in excess of a thousand dollar when they're presently paying anywhere from 200 to \$400.

Legislator Kennedy's competing resolution, 1023, seeks to compel the County to form the district, activate it, based on its original representation to the State Comptroller that the rate would be \$450. During the past year, during the time this has been tabled, 25 years (sic), there have been very many meetings with the constituents of the Windcrest Community that Legislator Kennedy represents. They comprise about one-third of the areas covered by this district. John Klein's client, Avalon, they have 312 apartments, and there were other areas within the -- comprising the other two-thirds.

CHAIRMAN BEEDENBENDER:

Could you just wrap up? We're going to talk about this more, but could you wrap up the comments, please?

MR. WISHOD:

Yeah, I will. I'm pleading that this not be further tabled. It's been tabled enough. There have been meeting after meeting with the Department of Public Works in an attempt to reduce the rate from a thousand dollars. All those have been unsuccessful. We have had a recent effort to try to resolve this. That's going nowhere. There is no way this can be amicably resolved. So I would ask the Public Works Committee to send it for a public hearing and let's see what the public has to say. If the Public Works Committee is hesitant about doing that, then I would ask you to discharge it to the Legislature as an alternative. Thank you for your attention.

CHAIRMAN BEEDENBENDER:

Thank you. All right. Next we have Nancy -- I believe it says Nancy Marr. Nice to have you.

MS. MARR:

Thank you for letting me speak. I'm speaking in favor of Resolution 1186-2008, introduced by Kate Browning and laid on the table March 4th. The Shirley-Mastic community should be commended for completing a plan for their community's improvement. A major component was the reconstruction of Montauk Highway and its redesign according to Smart Growth principles. The plan recommended revitalizing the commercial areas by replacing strip zoning with small centers.

In addition, this portion of Montauk Highway lies near environmentally sensitive wetlands and the Forge River. The importance of sewers for good use planning has been acknowledged recently by many experts, including the Long Island Regional Plan Association, the County's Workforce Housing Task Force and the Rutgers' report. The money to install the sewer lines should be added to the 2008 Capital Budget rather than waiting until the roadway is built when the cost will be greater.

And I understand there's a question about the sewage treatment plant. But it does seem to me ill-advised to open up the roads and fix them and not put the sewer lines in if they should be there. Thank you.

CHAIRMAN BEEDENBENDER:

Okay. Next, I have Marc -- I believe it says Schneider -- representing Windcrest at Galleria. Schneider.

MR. SCHNEIDER:

Yes. Thank you. I'll be very brief. Mr. Wishod has spoken with regard to the two resolutions, 1010 and 1023. And I think that it is important for you to note that Windcrest absolutely wants these -- the STP to be taken over and the district to be created, taken over by the County, and the district to be created. What Mr. Wishod has not expressed to you is that in those meetings, one of the recent meetings we actually had with the County Executive, we discussed the fact that the County Executive was going to have the policies that were put in place with regard to the rate setting for the districts reviewed. I have actually sent the letter to the honorable Steve Levy, to the County Executive, yesterday requesting a status on that.

I am -- I'm hopeful that that's actually being done, because I think once that's done, then we could probably come to the point in which we can determine whether the rate that's being proposed is correct, incorrect, whether it needs to be modified, etcetera. One of the concerns that Mr. Wishod's clients had at that meeting was that they said, "Hey, we don't want to wait for this." So the County Executive directed the County Attorney's Office to look into the possibility of expanding the boundaries so that his two restaurant clients could be hooked up. The County has responded and they've come up with a suggestion and a solution to accomplish that, Mr. Wishod's clients are just not happy with the solution, but it can be done so that his client can no longer be prejudiced.

In order to be brief, because from what I understand, I believe that this matter is likely to be tabled again, I'm just going to restate that the Windcrest -- and not just Windcrest, there's another community that he left out, which is Coventry Manor, which also shares the STP -- does want Resolution 1023 to be put forward or some variation of that once we determine what the true rate should be. Obviously, it's questionable as to whether the County should be charging a rate that's over three times the rate of what a private operator charges, but that's one of the reasons why I believe the County Executive has -- was supposed to be and said he was going to set forth this committee for purposes of establishing and reviewing that rate. So I thank you again for your time.

CHAIRMAN BEEDENBENDER:

Could you just hold one second? Legislator Romaine has a question. In the interest of expediency, we'll do it now.

LEG. ROMAINE:

Very quickly. When you say, "the rate being set," how should that rate be determined in your view?

MR. SCHNEIDER:

That's a very interesting question, because in my view, if we know what this sewage treatment plant operation costs have been for probably now six years or better, I would think that the rate for running that sewage treatment plant or the rate that should be charged to the residents should be somewhere not too far from that, recognizing the fact that certainly if the County takes it over, there will be some increased costs, because there's pensions and benefits that they might not have with a private operator, but I think what you'll find is that there's -- the issue that we have on the table is that there are hard costs and what I would call soft costs. And the soft costs are essentially being allocated amongst various plants and have no correlation to the plant. I think that the costs should have a correlation to what the actual cost is for operating the plant, plus some number that, of course, goes into the -- the benefits, etcetera.

LEG. ROMAINE:

I asked that question because I could not agree with you more. Usually, when plants are -- inquire about being taken over by the County, they get a cost that usually is three to four times the cost of the actual cost of operating the plant. Now, understanding that people with civil service contracts and better monitoring and more staffing and things of that nature will raise your costs, but there's that amorphous administrative fee for which I still cannot get an answer as to what the exact elements are involved in that administrative fee that makes a county-operated plant three to four times more expensive than a private-operated plant. Like you, I concur that there obviously will be more expense, but not by a factor of three or four.

MR. SCHNEIDER:

Correct.

LEG. ROMAINE:

Thank you.

MR. SCHNEIDER:

And that's what I think the County Executive was hoping to get some sort of answer on and was supposed to look into.

LEG. ROMAINE:

I've been working through Budget Review to try to get those answers diligently to try to get an analysis of what those administrative fees -- I have several sewage treatment plants in my district that have examined the possibility of a County takeover. Some of them are relatively new, therefore, there won't be much expense in terms of capital expense in terms of upgrading. And I was amazed that it was by a factor of three to four. And I still can't get the elements involved that would make the administrative fee so expensive, among other -- many other fees that they had in there.

CHAIRMAN BEEDENBENDER:

We're going to discuss this when these bills come up. So if you can stay around, Mr. Schneider, we might need your input as well. Next, I have Bob -- Robert Debona. Robert, on behalf of IR 1186.

MR. DEBONA:

Thank you very much. I am here in support of 1186-2008. I'm here to support Legislator Browning in this effort to get -- or to start a process of installing sewers in our area. I want everyone to know that month after month, we go to meeting for the Forge River trying to save it, trying to come up with some answers as to how we're going to take the -- remove the pollution from it.

The Mastic Beach and Mastic/Shirley area really gets very little out of anything that comes from this district. We're asking for sewers because we have to save our waterfront. We're unable to build anymore. We can't build on Neighborhood Road in Mastic Beach because there's no sewers in there. We need to conform and we need to take this small amount of money -- I know some people think it's a lot, but as far as a sewer district is concerned, we really need to get these pipes in the ground. If you don't start now, it's going to cost millions and millions more later on. We need to come to some kind of an agreement as to where the sewage plant will go.

So I'm asking you to support this today. We have to start somewhere, and we want to start by laying these pipes in the ground. I want to thank you very much. And, Legislator Browning, I want to thank you for all your effort in this procedure.

LEG. BROWNING:

Thank you.

MR. DEBONA:

Thank you.

CHAIRMAN BEEDENBENDER:

Thank you, sir. And next, I have Vic Zeleny. I hope I pronounced your name right, sir. Close enough? Well, I try to be good because people mispronounce my name all the time.

MR. ZELENY:

You made me Irish.

CHAIRMAN BEEDENBENDER:

Mr. Zeleny, you have the floor.

MR. ZELENY:

Sure. Can I just ask one or two questions quick? The pipes that they are they going to be laying down are --

CHAIRMAN BEEDENBENDER:

Just talk into the microphone.

MR. ZELENY:

Sure. The pipes that they are going to be laying down, is this going to hit the residential neighborhoods? Is this going to be for the homes and everything too?

LEG. BROWNING:

It's initially for the business district.

MR. ZELENY:

It's going to be just for the business district.

LEG. BROWNING:

Initially.

MR. ZELENY:

Initially. But it will get to our neighborhoods?

LEG. BROWNING:

We'd like it to.

MR. ZELENY:

All right. Because, you know, like Bob said, we do have a problem with our waterways. I moved out there for the fishing. The fishing has gotten horrible due to the mess we have in the waterways. But if it's just going to be for the business district, I can't really say it's going to be enough. I think it should be more residential than anything else. I mean, I know I have to have my system done once a year, I have to be aerated. And, you know, we do have a pollution problem. And I just don't think that, you know, for the commercial district that's enough, it should be in the residential district also.

CHAIRMAN BEEDENBENDER:

Okay. Well, just so you know, sir, I believe -- and not to put words in the sponsor's mouth -- but it is her intent to have this as the starting point. And Legislator Horsley is the Chair of two or three sewer commissions, I've lost track of how many there are at this point. We are working towards exactly what you're talking about, because, you know, we understand you have to pump out once a year. But the business district, I think the idea here is that this road is getting torn up so that we can put the pipe in now and just begin there. But if you want to respond to that, please do.

MR. ZELENY:

No. No. Like I said, if they're going to do it, I'd like to see it, you know -- because Mastic Road, Neighborhood Road, although close to creeks and everything, there's a lot more houses between Mastic Road and the Forge River, you know, and areas like that that, you know, are going to -- that are being used constantly, that are having more use than would be used in the business district.

CHAIRMAN BEEDENBENDER:

Thank you.

(*The following was transcribed by Alison Mahoney*)

CHAIRMAN BEEDENBENDER:

Okay. Next we have Gale Winsper to talk about the Suffolk County -- about the SCAT System.

MS. WINSPER:

Good afternoon. I'm here to discuss the SCAT Transportation System. Within the past two years my Mom has become disabled. As of January, she has needed to utilize the SCAT Transportation System. I am grateful for this system, but this certainly has been an eye opening experience. There seems to be many issues within this system; the following are some of the issues.

Reservations need to be made seven days in advance. So if I need to make a reservation for my Mom for Monday and Wednesday of next week, I have to call Monday and then I have to call Wednesday; when I call on Monday I can be on the phone for an hour, when I call on Wednesday I can be on the phone for an hour. You can be -- when there are cancellations in the system -- so let's say my Mom is supposed to be picked up today at eight o'clock, if there's a cancellation -- to go to a -- she's supposed to be picked up at 7:20, because this does happen. At 7:20 she's supposed to be picked up to be dropped off at nine o'clock. My Mom has Parkinson's and Dementia, so it's kind of difficult to try to get her sometimes to get up at 5:30. They get her up, they put her on the bus, there's cancellations, so now they drop her off at her program at eight o'clock and there's nobody there and she sits in the cold or the rain because there's nobody there to let her in.

There needs to be some type of an adjustment to this system. I am a Director of Transportation. I think there may be something that I might be able to help with. I will more than volunteer my time and help these people, if they need help. I'm not just here to complain, if you need some advice, some help. When I call I'm told there's not enough vehicles, I am told that the system is deplorable. We have people in -- my Mom worked all her life and I cannot get a bus to drop her off at an appropriate time? I can't believe -- I cannot believe this is happening. We should be ashamed of ourselves, we really should be.

I thank you for listening to me. And if you do need -- you have my phone number; if you need any help, I'd be more than happy to help you. Thank you.

CHAIRMAN BEEDENBENDER:

Well, just to respond, just to give you some information. There's a bus study that's going on right now, it was supposed to be in our hands at the end of March but it's going to be two or three months late, which is almost on time considering it's government. So once we have that in hand, one of the biggest things they were looking at is the SCAT system and the bus system, whether it's lengthening the time and days that it's available.

And one of the other issues that's been brought to my attention, by virtue of being the Chair of this committee, is the length of a holdover and some of the problems with the SCAT program. And I will agree with you, that there are programs -- the tremendous difficulty we find at the Legislature, and hopefully -- as a County and hopefully this study will give us some suggestions is that, for example, with SCAT, I believe it costs us \$36, we charge 3, and I'm not suggesting we charge more, but that's the financial difficulty that we have and we have to find a way to wrestle out of that box.

So I'm committed to doing that and my assistant will give you a card and I have yours, because we've been working on this with several advocates and I'd like to add you to the mix.

MS. WINSER:

And also, maybe you could do something -- because they have to have exact change, so maybe if we could do a prepaid. I would be more than happy to prepay for her like we do on the subway.

CHAIRMAN BEEDENBENDER:

Okay, that's a good idea.

MS. WINSER:

You know, like you get a Metro card and prepay and then -- because if they don't have exact change they won't accept them on the bus.

CHAIRMAN BEEDENBENDER:

Okay.

MS. WINSER:

So something -- you know, maybe thinking outside the box.

CHAIRMAN BEEDENBENDER:

Well, I'd like to schedule time for you to come into my office and sit down. Because like I said, I've met with a bunch of people, but I'd like to add you to the mix. Okay?

MS. WINSPEER:

Okay. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you. Last, I have Paul Breschard representing the Pattersquash Creek Civic Association.

MR. BRESCHARD:

Thank you very much.

CHAIRMAN BEEDENBENDER:

No problem, sir. Go ahead.

MR. BRESCHARD:

I'm here to speak in favor of Resolution 1186. I was curious that you mentioned before how fast government works, you eluded to that. At the press conference held on April 3rd, by Legislators Browning and Horsley, it was led by the Sewer Task Force, I recall the fact that in 1940, the Town of Brookhaven Planning Department -- Planning Board recommended the establishment of a sewer district in Mastic Beach. That's 68 years. So I guess that's pretty fast now, 68 years we're finally thinking about something again. I just hope that this process moves ahead a little faster than 68 years, because 2076, I'm not sure I'm going to be around for that.

CHAIRMAN BEEDENBENDER:

I'm not sure I'll be around either.

MR. BRESCHARD:

I don't think any of us will, not given the rate that things are going on the -- on the Great South Bay. I recall the fact that -- also, that the Forge River is -- has a definite odor to it. If you've ever taken a ride down there, it's one of the most beautiful rivers on the South Shore. It also has a distinct odor now. It's getting a little better, but we're -- we have an environmental disaster on the Forge River. And I live on Pattersquash Creek in Mastic Beach, which is only about a half of a mile to the west. And I'm just hoping that the disaster does not spread.

I also have the privilege of being on the South Shore Estuary Reserve Council, Citizen Advisory Council, and we're looking at an ecological cataclysm for the entire South Shore Estuary if we don't start doing something. And I'd hate to see that this disaster could be traced back to your watch. This is only one step. This resolution is the first step in saving that South Shore. I read that in the paper today that \$70 million is being earmarked for the Southwest Sewer District and the Stony Brook University Sewer District. I don't know why some additional funds cannot be added to this project, the beginning of a sewer district in our community.

You know, if you don't do this, this is going to be the second time that you, the Legislature, have thumbed your noses at the people of Mastic/Shirley area this year. The first time was when Legislator Romaine's resolution requiring the Department of Social Services to follow Local Lousing Law when it places its clients was defeated with no regard for the quality of life or property value of the people in the neighborhoods of Mastic Beach, Mastic and Shirley, of these working families.

Perhaps this time you're not going to be able to thumb your nose, you're going to have to hold your nose when you -- to keep yourself -- I mean, the smell, the stench of the septic tank that Great South Bay, Moriches Bay and the whole South Shore Estuary is going to turn into. So, please, don't let partisan politics override what's best for the health of our lands, our water and our people. And I thank you very much for giving me this time.

CHAIRMAN BEEDENBENDER:

Thank you, sir. Exactly on three minutes. I appreciate that. All right. We will move to the agenda now.

IR 1010. A resolution calling for a public hearing for the purpose of considering the dissolution of the proposed Sewer District Number 4, Smithtown Galleria.

I know we have both these resolutions. Before we entertain a motion, I'd like to have a brief discussion, because I know we've been tabling these since I've gotten to the Legislature. And I'd like to get a sense of if we gave it more time, could anything happen or are we really just king of up against the wall. So, Legislator Kennedy, I know you'd probably like to start.

LEG. KENNEDY:

Thank you, Mr. Chair. And as a matter of fact, I think I'll answer that question directly that, yes, absolutely I believe that with one more cycle, we'll be able to effectuate some positive outcome. And I say that based on a conversation that I had with the County Executive and Chief Deputy Jeff Szabo about ten days ago regarding what has been the most recent determination from Public Works. As a matter of fact, Commissioner Anderson very recently corresponded with me about some positive changes that we may be able to accomplish associated with addressing the two commercial properties that Mr. Wishod's client owns. And I think that all parties have come together to work diligently to try to go ahead and make this district some to fruition.

This has been a process that goes all the way back to 2002 in its commencement. Sewer districts, new ones, as they are coming on line, are facing different challenges than those districts who have long been established. And Legislator Horsley knows that full well. Certainly, I think we all agree that in order to prosper and thrive, we're going to have to be able to embrace creation of and expansion of sewer districts, and at the same time, we have to be able to go ahead and reconcile what our inherent financial challenges are, our housekeeping challenges and come to an amicable agreement in the middle.

So I am going to make the recommendation or the request that we table both 1010 and 1023 on the behalf of all resident of the County, which I like to think that I'm a part of. I'll yield.

CHAIRMAN BEEDENBENDER:

Okay. Well, Commissioner Anderson, I know we have a motion, but could you respond to that? What Legislator Kennedy has said is there could be some progress based on some correspondence that you had given to him. If I could ask what is the nature of that correspondence and what could the remedy possibly be?

COMMISSIONER ANDERSON:

Well, what we looked at the direction of the County Executive was to expand the boundary more or less to facilitate Mr. Wishod's clients, the two restaurants. We looked at the process that was needed to expand that boundary, also, other issue such as the connection fee and the annual cost. The connection fee is something that would be negotiated. We talked about where that would start. Based on our understanding and the -- this was in combination with the County Attorney's Office. And we also spoke about the annual cost to the typical property, which would be reduced down to -- from the \$1070 per homeowner to \$969 per year per the homeowner.

CHAIRMAN BEEDENBENDER:

Okay. Well, I guess, Legislator Kennedy, my question to you would be that's still far in excess of the 200 they're paying and the 450 that was proposed that never -- isn't really realistic. So, I guess, the question -- the sense I'm trying to get is if we table it for a cycle and the number is 969, you said, Commissioner?

COMMISSIONER ANDERSON:

Yes, sir.

CHAIRMAN BEEDENBENDER:

Is that something that we can move forward with, or are we really just at a standstill?

LEG. KENNEDY:

We are in the process of polling the membership -- we are in the process of polling the membership in both Windcrest and Coventry Manor. Informally, I've been given an indication that there is an acknowledgement on the part of all the residential property owners that there does have to be an increase beyond the 450. The 450 was adopted, again, perhaps maybe back in 2003. I've also made contacts and will do follow-up directly with the Comptroller's Office. While I recognize Mr. Wishod's many decades of practice in this area and his proficiency, I'd like to try to go ahead and get my information independently. And I'll be happy to have that dialog directly with the Comptroller's Office to go ahead and add additional dialog. I see no delay, no harm, nor no abdicating of our responsibility at the committee level here to contemplate one more tabling. And I think we definitely have positive movement going forward.

CHAIRMAN BEEDENBENDER:

I guess I have a question for Counsel then. 1010 requires a public hearing, and if at the conclusion of that public hearing there would have to be another resolution before us to officially approve dissolution or reject dissolution, correct?

MR. NOLAN:

I believe that's correct, yes.

CHAIRMAN BEEDENBENDER:

Okay. Well, then I guess my question, Legislator Kennedy, you said isn't this public hearing just a method of polling the individuals in the community where they would come out in a formal setting and let us know whether or not -- I'm not indicating a support for dissolution or rejection of dissolution, but wouldn't the public hearing need this spot where we do that?

LEG. KENNEDY:

I would say to you, at this point, we've really had the opportunity to have quite a bit of input by and through both of the committees -- sorry -- both of the communities through the President and membership of Windcrest, as well an annual meeting that I attended two weeks ago at Smithtown Library on the behalf of Coventry Manor, where I discussed with their membership -- and there was about half of the 29 residents that were there as well. So I've been able to personally get a good sense or a pulse as far where things are at. I've also had extensive conversations directly with -- why can't I think of it? I'm blanking on our former County Executive.

CHAIRMAN BEEDENBENDER:

John Klein.

LEG. KENNEDY:

John Klein, yes. On behalf of Avalon. And I think that we need to be able to bring a more realistic number to be considered by all of the stakeholders and all of the parties before we contemplate dissolution. Dissolution is a fairly radical, drastic, and I might add untested action on our part. If you review the statutes, there has they never been, at least in our time here in Suffolk County, a dissolution of an actually formed County sewer district. And I would disagree with Mr. Wishod's characterization that there's been some type of or announcing of a formation of the district as a result of the nonaction.

So, again, I would say, you know, with concurrence of the County Executive, tabling for one cycle, I think, is going to allow us to continue this process to go forward. And we certainly should have some specificity in the May cycle.

CHAIRMAN BEEDENBENDER:

Mr. Zwirn, is there anything you would like to add on behalf of the County Executive?

MR. ZWIRN:

I'll come all this way to say no. No. I know that Legislator Kennedy has been in meetings with Deputy County Executive Jeff Szabo and the County Exec. So I expect everything he said is probably moving along, and they're trying to get to a resolution. So we would have no objection.

CHAIRMAN BEEDENBENDER:

All right. Well, with that then, I will second the tabling motion with the understanding that I'd like to come to some sort of resolution at the next meeting, because we will be into May at that point, and we would have done a lot -- this has been on the table -- we'll almost get to the point that it's going to expire.

LEG. KENNEDY:

I'll be happy to brief you, Mr. Chair, and let you know what the outcome of our progress is prior to our next round of committee meetings.

CHAIRMAN BEEDENBENDER:

Thank you. Legislator Losquadro.

LEG. LOSQUADRO:

Yes. If you call the vote, but after you do, I have a very similar situation going on in my district. I just want to -- since the Commissioner is here, I just wanted to ask for an update. So call the vote and then we'll --

CHAIRMAN BEEDENBENDER:

All right. We have a motion and a second. All in favor? Opposed? Abstentions? Motion is **TABLED (VOTE: 7-0-0-0)** until the next meeting. And then -- well, we'll do IR 1023, and then we'll do your question.

IR 1023. Directing the Suffolk County Sewer Agency and Department of Public Works to finalize the creation of Sewer District Number 4 - Smithtown Galleria.

LEG. LOSQUADRO:

Same motion.

CHAIRMAN BEEDENBENDER:

Same motion, same second, same vote. **TABLED (VOTE: 7-0-0-0)**. Legislator Losquadro, why don't you go ahead and ask your question.

LEG. LOSQUADRO:

Thank you. To make this brief, Tallmadge Woods Sewer District, the formation, I've had a great deal of conversation and correspondence between my office, Certilman Balin, the attorney for the developer, the Department of Public Works through the Exec's Office, and we've -- we've now reached a point where there has been some pretty heated correspondence between the County Attorney's Office and the attorney for the developer. I have not yet -- there is my understanding that another letter was sent out by the County Attorney's Office. I still have not received a copy of that letter. I did receive your letter, Mr. Anderson.

Is there any update that either of you could give me at this point being that I have not yet received that latest letter from the County Attorney's Office? Where are we? What is still needed? It was my understanding we were going to get a punch list of sorts to give to the developer from the County Attorney. I still do not have that. And I'm rapidly running out of options, because I did actually help to negotiate -- and I saw some of your staff here -- help to negotiate a very good agreement that the community was very satisfied with, which is sort of different from Galleria. Everyone in these communities is actually looking forward to this taking place and paying the rates that we've set

forward. We just can't get this done. So, please, if you have any information.

COMMISSIONER ANDERSON:

From my limited understanding of the issues, the legal issues, and that's pretty much what's left -- it's come to, dotting the I's and crossing the T's. For whatever reason, we're still waiting for mapping --

LEG. LOSQUADRO:

There's a lot of I's and T's, I have to tell you, because it's been going on for some time.

COMMISSIONER ANDERSON:

And the information I've gotten is that, you know, the -- Mr. Balin's office hasn't provided the information to the detail that -- and specificity that the County requires.

LEG. LOSQUADRO:

And, of course, Mr. Balin's office is saying the County Attorney's Office is being unreasonable with their requests and demands, that it's not reasonable and customary for these types of transactions. So as I've said, I've read both of these very heated pieces of correspondence between the two sides. Mr. Zwirn, do you have any new information, or could you please make sure that a copy of that letter that you referred to gets to me so I can -- I can see where we are to try to facilitate this?

MR. ZWIRN:

Sure. I'd be glad to.

LEG. LOSQUADRO:

Do you have any new information since we last spoke?

MR. ZWIRN:

I've seen some of the correspondence that has gone back and forth, and heated is a fair comment, fairly descriptive.

MR. WISHOD:

I can bring you up to date, if you want.

LEG. LOSQUADRO:

No. I'm not going to take comments from the public on this.

MR. WISHOD:

I'm not the public, I'm co-counsel of Tallmadge.

LEG. LOSQUADRO:

Oh, well that's true.

CHAIRMAN BEEDENBENDER:

Well, if you really feel it's necessary, Legislator Losquadro. I think the Deputy -- I don't remember, Mr. Zwirn.

MR. ZWIRN:

It doesn't matter.

CHAIRMAN BEEDENBENDER:

He said he would do it. And Gil. So I think if we can get that information or at least absolve this heated correspondence, as we've described it, to get Legislator Losquadro what he needs before the next committee meeting.

LEG. LOSQUADRO:

I'll speak to you individually, sir. I'd rather not -- we'll try to get this information. But I'll come speak to you individually regarding this. Thank you.

CHAIRMAN BEEDENBENDER:

Okay. Next up is IR 1133, amending the 2008 Capital Budget and Program.

LEG. LOSQUADRO:

1174?

CHAIRMAN BEEDENBENDER:

1133.

COMMISSIONER ANDERSON:

I believe that was taken off.

CHAIRMAN BEEDENBENDER:

We did 1023, the next one is 1133. Did I miss one?

MS. BRADDISH:

That's been removed.

CHAIRMAN BEEDENBENDER:

Do I have a bad agenda? I have a bad agenda. Okay. Somebody get me a good agenda then?

CHAIRMAN BEEDENBENDER:

I think 1133, did we do that last time? Okay. It was just a clerical error. That's my fault.

1174, approving rates established for Davis Park Ferry Company.

I believe this has to be tabled, because I don't think the public hearing was closed.

LEG. ROMAINE:

Motion to table.

CHAIRMAN BEEDENBENDER:

Motion to table by Legislator Romaine.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. All in favor? Opposed? Abstentions?

TABLED (VOTE: 7-0-0-0).

IR 1186-08 - Amending the 2008 Capital Budget & 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).

LEG. ROMAINE:

Motion to approve.

CHAIRMAN BEEDENBENDER:

Motion to approve by Legislator Romaine.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. I believe, Legislator Romaine, would you like to speak?

LEG. ROMAINE:

Very briefly. This is definitely overdue for this community. But in examining this, Legislator Kennedy and I have just instructed Counsel that all future road construction projects in this County, whether they be new roads, extension of new roads, or reconstruction of existing roads that are County roads, should include dry sewer lines. We need to make a commitment that when we open these roads, we incur a little bit more of additional expense and put in dry sewer lines when there aren't existing sewer lines to indicate we are going to begin to deal with treating our waste product in a reasonable and intelligent way instead of polluting our waterways.

So we will be putting this bill in. We absolutely concur with Legislator Browning, but we think it should be done in all other districts. Not all of us are fortunate enough to live within a sewer district yet. Those products pollute our groundwater, they pollute our bays, our rivers, our waterway. So definitely supportive of this, and I hope my colleagues are too.

CHAIRMAN BEEDENBENDER:

Okay. Legislator Montano. No? Okay. Legislator Browning.

LEG. BROWNING:

Yes. I know I'm not on this committee, so I thank you for allowing me to say anything. This district -- and thank you to Legislator Romaine for supporting this. This district is in dire need of sewers. I know we don't have a sewer district yet, but we are working towards that. We have polluted rivers, we need to revitalize our downtowns, we're currently doing that. And I'm going to be working on that with the greater Bellport residents also.

I did get the numbers, \$3 million today. In 2018, it will be \$4.6 million. In 2023, it will be \$5.7 million. And that's not even counting how much it's going to cost to dig up the road. That's just for the sewer line. So I am asking my colleagues to support this. I know that I have had numerous conversations with Gil about the offsets. I believe that we will have to make some amendments to this bill. However, I know that we can go ahead and pass this through committee to make the amendments. And the amendments that we need to have done can be done by, what, two weeks from today?

CHAIRMAN BEEDENBENDER:

Okay. Well, before we get -- I do have a list. I guess my next question would be, rather than approve it, if we're going to amend this, it seems more appropriate to discharge it if there's going to be amendments following the vote of the committee. Lance.

MR. REINHEIMER:

Yes. I just checked the offsets, and I can't find any resolutions that are in conflict with this. And it appears to us from a search of adopted resolution or resolutions that are laid on the table, that the offsets are good and that there are sufficient appropriations to do this as the bill stands today.

LEG. BROWNING:

And I'm sorry. I did want to check on that, because I know that there was two projects, and I know that any resolutions for any of these capital projects have to come through -- gets Legislative approval, and I'd like to know what the resolutions are.

COMMISSIONER ANDERSON:

All right. If I could just --

CHAIRMAN BEEDENBENDER:

Gil, please. I saw you shaking your head.

COMMISSIONER ANDERSON:

Yes. To start off, I want to say we are in full agreement with the intent of the bill. I understand the Legislator's statement to put in dry sewers, but we feel -- I feel -- the department feels that this bill is premature right now. The issue of the offsets, I'm advised by staff that the offsets that are proposed have been already utilized by highways. So we'll have to, again, like you mentioned, work on getting the offsets on that. I don't know if Bill can speak on that at this point, but I can certainly get you more information as to, you know, what was spent on the exact projects.

At a recent meeting with the Legislator, we discussed, and my sanitation staff actively looked into whether to run the sewers within the right-of-way in front of or behind the businesses that front County Road 80. The preliminary data that came back indicates that most of the buildings within this corner have existing sanitary facilities that run to the rear of the lots and away from the road. As such, our cursory recommendation would be to tend -- would be to run the sanitary sewers behind the buildings rather than within the roadway. This will and could cause an increase in cost above the three million originally proposed. The number was developed on running a dry sewer down the center of the road.

There are a number of significant impacts of trying to rerun sanitary facilities outside the front of the building, and there's also the issue that a lot of the buildings have basements. And we would have to make a decision whether we were going to service those basements or not.

CHAIRMAN BEEDENBENDER:

Could you clarify that?

COMMISSIONER ANDERSON:

Well, okay. The estimate that was originally proposed was for a shallow sewer, similar to what is being done in County Road in East Patchogue. If we want to service the -- each of the buildings that has a basement and service the basement, you know, we would either have -- they would either have to pump out from each of the houses or, you know, drop down.

CHAIRMAN BEEDENBENDER:

It's not gravity.

COMMISSIONER ANDERSON:

Right. You know, again, I feel more study is needed on this before we can basically -- to push this resolution through. My biggest concern, and the last one I just want to mention is, the plans for County Road 80, the actual construction plans, are due to the State on June 1st. Any delays could potentially cause the loss of Federal funds. We're having a number of issues, and we're trying to work out with the State the whole issue of fiscal constraints. And marrying this project with the County Road 80 project could impact the actual construction of the road.

CHAIRMAN BEEDENBENDER:

Okay. I know Legislator Browning probably wants to respond, but first, the first issue you brought up was the offsets. Whatever conflicts DPW sees, can you, please, get that, I guess, to Legislator Browning and Counsel as soon as possible so we can amend this in time if it does need it, and we can still move forward on Tuesday, if the Legislature so desires? And then I guess, Legislator Browning, you might want to respond to that.

LEG. BROWNING:

Yeah. As far as the dry sewer line is concerned and where they should be placed, whether it be in front of the buildings or in the back, is Ben still here? Because I would like to know what the cost difference would be. Obviously, we're going to put a dry sewer line in one way or the other, and I would like Ben to respond on what the cost would be if we have to put them behind the businesses rather than in front.

And, again, as far as the projects are concerned, we have Senator Schumer is involved, we have Congressman Bishop involved. They're both ready, willing and able to help to move this project and to make sure that you have the timeline you need to do this.

MR. WRIGHT:

The comparison that we can make in County Road 80 in Patchogue and Mastic, we can use the cost estimates that we utilized in Patchogue, and that can run as high as \$200 per linear foot. And knowing that the distance between William Floyd Parkway and the Forge River might be a little more than a mile and a half, 1.6 miles, and you need it on both sides, if you use \$200 a foot, that's probably about three and a half to \$4 million to do that kind of work.

The implication, I'll say, because it wasn't stated when Gil was discussing the line in the streets and the basements, is that once you drop that, the water situation, where you have to dewater, can double the cost of a pipe. And that's one of the reasons why the sewer on Straight Path in Wyandanch was never implemented, because when you have a well traveled road and a lot of water, it doubles the price of putting a sewer in. So both options are expensive.

LEG. BROWNING:

Okay. So we may have to appropriate more than three million. But at this time, I am asking my colleagues to pass this. I will accept a discharge. However, Mastic-Shirley, it's time. We need sewers, and this is a head start.

CHAIRMAN BEEDENBENDER:

Okay. We have a motion, but we also have a list. So next is Legislator Horsley.

LEG. HORSLEY:

Thank you, Mr. Chairman. And let me first say that I applaud Legislator Browning in her vision for her community. Certainly, it is time that we placed a stake in the ground and start towards sewerage the 70% of Suffolk County that is not presently sewerage. It just -- it seems to me that we've put the hardships again in front of us. We could not pick this to the day is done, but the fact is the Forge River demands that we do it now. And I am wholly supportive of Ms. Browning's resolution, and I believe that it should be passed today.

LEG. BROWNING:

Thank you.

CHAIRMAN BEEDENBENDER:

Okay. Next up is Legislator Stern.

LEG. STERN:

Gil, can you just go back to the issue with federal funding and the potential problem there as far as the time element is concerned?

COMMISSIONER ANDERSON:

There have been -- recently we were advised by the Federal Highway Administration that, in their opinion, federal -- fiscal constraints were mandated under Federal regulations. We've been in discussions with the State, with the Feds. Basically, what happens is if you're appropriated a certain amount of money during a year, you either have to spend it, or the State, who basically doles out the money, has to apply it somewhere else or it goes back to the Feds. In the past, what was done was -- I don't want to say a blanket rollover, but essentially everything was pushed off to the next year, to the next year and to the next year.

Suffolk County, New York, Nassau County, the down-state region was always very fiscally constrained. The rest of the State apparently was not. And the Feds really are clamping down on mandating that these fiscal constraints are held. What essentially has to happen, and what we're --

to put it bluntly, we have to do some horse trading. If in 2008, we didn't spend "X" number of dollars and we want to spend it in 2009, essentially an offset has to be found somewhere else within the State, within the Federal monies that are going to the State to make that money up. There is the potential that you could lose it, and this is our concern.

If we don't have the County Road 80 plans done by June 1st, we have the potential of basically losing those funds that are -- you know, that were for this year. So that's our concern. Now, I realize the Legislator has stated that Senator Schuman -- Schumer and Congressman Bishop are fully behind this, and, you know, we'll work to keep those funds in place, I just, you know, want to state that part of the regulations are if we don't have those in place, we stand a very good chance of losing those funds. And I would like to be able to separate the sewer from the road project.

LEG. STERN:

In going through the process of the redesign, what's the likelihood of having those news plans completed by the deadline?

COMMISSIONER ANDERSON:

Very unlikely.

LEG. STERN:

Okay. Thank you.

MR. HILLMAN:

If I could make a few statements just for informational purposes. I sit on the Forge River Task Force, and I've been attending it for two years now. I can attest without a doubt the Forge River needs help. I agree 100%. Sewers are needed on the Mastic Peninsula probably more than any other area in Suffolk County. It's fact. The Health Department has essentially proven that. So, I don't think anyone at DPW is arguing the fact that Mastic-Shirley sewers.

However, this is before the cart at this point. There is no sewer district, we haven't discussed the issue of legality of using general funds for the sewer districts. In addition, there is no sewer plant. At the Forge River Task Force, there have been arguments from the people on the north and the people on the south. The people on the north say -- because the most likely -- from a design stand point, the most likely area to put a sewer treatment plant is the airport. And the people north of Sunrise Highway say, no way we're going to have a sewer treatment plant to service the 50,000 people in the peninsula, you know, we don't want the sewage treatment plant. So that's not really going to work out too well.

Then you go down south, and the only area that's suitable for a plant is the property that's for sale right and is going to be developed with condos, which is the old golf course. That's really -- so you either have the golf course or the airport for a sewage treatment plant. And the people up north don't want the sewage treatment plant, because it's not really going to service them. And down south, nobody's willing to buy that property at this point. So we're to put in a dry sewer line, not knowing which way to slope the pipe, if it's a gravity feed, and essentially, the \$3 million may be wasted at some point in the future, because we put it in the wrong direction, because we gave it our best guess.

It's not really a good way to design a sewer system. You need to know where your plant is going. Once that's decided, you can effectively design it. Now, we can take our best guess, we might be right. But -- and quite honestly, from my understanding, it takes about ten years to develop a sewer district. In ten years, we're going to be resurfacing that road, another prime opportunity to go in and put the pipe in the ground. I can't see -- it's been my discussions with Mr. Wright that it's probably eight to ten years before a sewer district is formed. That's how long it takes. Again, we'll be resurfacing the road. There'll be plenty of opportunities in the beginning. Nobody is saying that a sewer district is not needed, it is, but it's just too -- you know, we're trying to push this thing too fast, too hard. And if it's passed and it's included in the roadway job, I can

guarantee this job is going to get delayed. And the way the Feds are going and the State are going right now, we're going to end up losing the \$14 million, and this job is -- the roadway job is never going to get built. And I don't think anybody wants that. Thank you.

CHAIRMAN BEEDENBENDER:

Okay. Legislator Kennedy, your next on the list, then Losquadro and Romaine.

LEG. KENNEDY:

You know, as I'm sitting here and I'm listening to the discussion, sewerage has been something that, you know, I've tried to work on for the better part of three years now. You know it firsthand with what we're doing as far as Sewer District 6, where we have the focus on us for the expansion of the plant with the idea of extending the mains once, you know, we progress the project. And I know we have something coming in from Cameron shortly.

But it occurs to me that just as Legislator Browning is looking at County Road 80, and you're probably going to hate my guts for bringing this one up, what about County Road 16. We're looking out there, again, something where I know the clock is ticking mightily, but if you're looking at something that's a major thoroughfare that would have the opportunity to have a tremendous reach to adjoining communities and in the area, particularly on the 12th Legislative District side of the project, where there is an elevated groundwater table and a chronic septic system problem, it would seem to me that's another one where if you're ripping that road up, why aren't you dropping concrete pipe, and what it is going to do to contemplate something like that?

COMMISSIONER ANDERSON:

As mentioned before, I mean, you're looking at a significant setback to a project of that size. Nobody -- as Bill stated, as I've stated, nobody in DPW is going to argue against sewers. We fully believe that they're needed, you know, throughout the Island. Obviously, there are issues that have to be addressed. Without the proper study, just to put a pipe for a symbol, I would strongly argue against. We don't have enough information at this time to push forward something like putting in a sewer if we don't have a district, if we don't have -- you know.

LEG. KENNEDY:

Then let's go this way. And I'm not asking you to embrace the concept solely for just excavating and throwing three foot or four foot wide pipe. What? You have to at least acknowledge that in 24 months from now -- and we're not doing a study there in the Ronkonkoma area, we are over in Smithtown -- we're going to have to rip road up in order to run main up there. And that expands the cost to do that significantly. If you the asphalt, if you've got the roadbed exposed already, you forgo that additional cost.

COMMISSIONER ANDERSON:

But if you --- again, we're looking at a number of years down the road. To create a sewer district, to do the study that's required, takes five, ten years. By that point, you're looking at overlaying, repaving the road. At that time, it would be the optimum time to open up the road, do the trench work, close it up and repave the entire -- you know, the entire road. Will it impact the cost that much or no?

MR. WRIGHT:

If I can just add one more, maybe another factual thing, because the memo I got from my staff was dated yesterday, you know, on walking, you know, the area. And about 80% of the lots are served in the rear side, which, you know, that tends to lead to the conclusion that going to the rear with, you know, maybe an alternate type sewer system was the right way to go. But if the line is put into CR 80, what we have to do -- the information we don't have is to get from the rear of those lots to the front. I mean, that may drive the depth down by itself, because you have to, you know, go by gravity from the rear of the lot. We're just sure. We don't have all the information to make that proper decision.

LEG. KENNEDY:

Do you have any other utilities; do you have gas out there? Is there gas in the street out there?

MR. HILLMAN:

Yeah, there's full utilities; gas, water.

MR. WRIGHT:

You know, whether it's Smithtown, as you mentioned, or Patchogue, I mean, that's -- most of those areas have the septic in the year because the sidewalks and the street are right in the front. You know, that was the reason why Patchogue was looking to go this in the year, because, you know, it would be very difficult to change the plumbing within the buildings, or, you know, drop it lower.

MR. HILLMAN:

If I could just comment on the Federal issues also. We've reached out to State DOT. Highway Transportation Fund are not -- cannot be used for sewerage. So the design and construction would need to be County funded, even if we were to include them in the job, if we were able to, which has not taken place thus far. And again, CR 16, there's \$24 million. If we don't have construction authorization by October 1st, 2008, that \$24 million is most likely gone.

LEG. KENNEDY:

Okay.

CHAIRMAN BEEDENBENDER:

Okay. Next up is Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. You know, I know a lot of times we look at things, and, you know, people use the term planned obsolescence, you know, oh, why didn't we do this the outset. And at first glance, this seems like very forward thinking, and I give a lot of credit for that, for thinking ahead of what a community is going to need. But listening to the engineering side of this, this could be the ultimate planned obsolescence, because inadvertently, the system could be -- and it would just be an educated guess -- designed improperly, not at the right depth, not at the right pitch, not at the right slope, and you would wind up having to incur far greater cost at some point in the future. Instead of going into the roadbed once to do the trench work, you might actually have to potentially go in -- and there's no guarantee at that point you would even be able to reuse the same materials. Most likely you'd have to replace them, most likely you would damage them in the process.

So I think Mr. Hillman was exactly right, I think the cart is very far in front of the horse unfortunately on this. While it's certainly a good idea to look forward, I just don't see this as the opportunity that it would first appear to be. I think that in the next round of resurfacing, if we move forward with the beginnings of creation of this sewer district, I think that should be the direction that we're moving in. I think everyone can agree, I certainly agree that that area of Suffolk County is in desperate need of waste water treatment. And if we move forward to begin that process to create that district, then we should be ready by the next time these roads are ready to be resurfaced.

I mean, you're not -- you're not going all the way into the roadbed. The trench work is the trench work. You're to incur extra cost for that no matter what. You're not going to be digging that trench as a normal function of resurfacing the roadway. So that cost is going to be incurred at some point. I think the real opportunity here would be that we know this project is going to be done, and we know we have an expected life expectancy for that new road surface. To try to get those two time frames to coincide with each other to have a sewer district ready by the time we're ready to go with resurfacing that road, I think would be a great synergy of events. And that's the direction we should really be looking at.

So listening to our experts who are the engineers on this, I have to unfortunately -- as I said, I think at first blush, it seems like a good idea, but unfortunately, I can't agree with this right now,

because I think we could incur far greater costs at some point down the line. Thank you.

CHAIRMAN BEEDENBENDER:

Okay. Next on the list, Legislator Romaine.

LEG. ROMAINE:

I don't believe the cart is before the horse. This County shot the horse a long time ago when it came to sewers. So there is no way that this cart is before the horse. I also believe and trust in the commitment of Kate Browning regarding Congressman Tim Bishop, who is a member of the United States committee -- United States House of Representatives Committee on Transportation, that the money will be there. And I know Congressman Bishop and I know he is a man of his word. Mr. Hillman, could you tell me the last time CR 80 was paved?

MR. HILLMAN:

No, I don't have that information.

LEG. ROMAINE:

Would it surprise you if I said 1985 or '86?

MR. HILLMAN:

No, it would not.

LEG. ROMAINE:

Okay. So it's not going to be done every ten years. In fact, it probably will be done every 30 years or something like that, because it hasn't been paved since that time.

MR. HILLMAN:

Well, the reason --

LEG. ROMAINE:

As far as the pump station, whether the sewer is north of Sunrise Highway or south of Sunrise Highway, first, it doesn't matter. Montauk Highway runs east and west. Wherever it would be -- maybe south, you wouldn't need a pump station, because gravity might take care of that, but north, you simply build a pump station. We know that. You build a pump station to pump it up to the sewage treatment plant, if the sewage treatment plant is, in terms of gravity, higher than the line itself. We have pump stations all over the place. So, you know, that's -- to even mention that, to me, is incredible.

Suffice it to say, we're at the moment of truth. It's long overdue. We have 183 separate sewage treatment plants in this County. We have allowed a proliferation of small uneconomical inefficient sewage treatment plants, because the County would not take the responsibility of looking at sewers and requiring and stepping into the place. My district abuts Kate Browning's. Go north a little bit on William Floyd Parkway, Mr. Breslin or whoever the successor is on the northwest corner of the Expressway and William Floyd will build a mall, he'll need a sewage treatment plant.

Go a little bit south on the southeast corner, there's an industrial park. They're in the process of building a sewage treatment plant. Go a little further down the road, we have Dowling College, they may require a sewage treatment plant. And this County will actually ask all three of them to build three sewage treatment plants within a mile of one another, instead of the County stepping up to the plate and building a sewage treatment plant and charging each one of those three, and then using that plant for excess capacity to drive it into the neighborhoods where you have housing on small lots that can benefit from this.

We have followed a policy of absolute insanity regarding the proliferation of small uneconomical inefficient sewage treatment plants left in private hands that can't deliver. How much longer are we going to do this? Ms. Browning's resolution may be slightly flawed, but its spirit is right on target,

because by putting in dry sewer lines, we commit to one fact that we should have committed to a long time ago. And that report, Paul, was done on March 4th, 1940, and it dealt with water lines and sewage treatment plants. And I read both of those reports. We commit to the fact that we as a County will begin to deal with sewage from a comprehensive purpose instead of dealing with all these small proliferation of plants.

I believe, in fact, I just discussed with Legislator Kennedy and our Counsel George Nolan, that any time we do reconstruction of a roadway, we should be thinking about putting in dry sewer lines, particularly if it's in areas of population. It's something we should think about. This is a signal, a flare. It may be imperfect as it is, but as imperfect as this resolution is, it will set a -- draw a line in the sand and say from this point on, we are changing the sewer policy of Suffolk County.

This resolution is absolutely necessary. And I would urge my colleagues, from the point of view of sanity, something that we left about 30, 40 years ago when the word scandal appeared, from the point of the sanity, to think seriously about policy in this County. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you, Legislator Romaine. Legislator Stern, and then I'm going to try to see if we can't take a move and move on.

LEG. STERN:

Bey quickly, Mr. Chairman. It's a saying that I use all the time regardless of the situation, but it's certainly appropriate here that we're laying pipe for the future, and that's exactly what this is. We can take a look at it and we can say cart before the horse on some of, you know, the details, perhaps as time goes on, that proves to be true. But I think that if we take a look at establishing a sewer district and then filling in the infrastructure along the way, we are adding not just significant time but an inordinate amount of time.

I'd like to take a look at it from the opposite direction and say, if we take that step now and begin the process now, then perhaps we can establish the creation of a sewer district that much sooner rather than later.

CHAIRMAN BEEDENBENDER:

Okay. We have a motion to approve and a second.

COMMISSIONER ANDERSON:

If I could, just one question for Counsel.

CHAIRMAN BEEDENBENDER:

Commissioner.

COMMISSIONER ANDERSON:

In looking at this SEQRA, and I'm not, you know, an officiant in SEQRA, because we're changing the scope of the project, does the SEQRA process have to be restarted or amended?

MR. NOLAN:

This actually was raised by bond counsel before our last General Meeting, whether or not the SEQRA was correct. I spoke to Jim Bagg, and we have amended the SEQRA clause to reference sewers, but -- and I believe CEQ may be looking at this between now and the 29th, but I believe we have the SEQRA provision correct now based on my conversations with Jim Bagg.

CHAIRMAN BEEDENBENDER:

Okay. Like I said, we have a motion to approve and a second. But in considering this disagreement over the offset, I would prefer to just discharge it to the floor, because there's amendments. I think that's been the general practice of the body.

LEG. ROMAINE:

A motion to approve.

CHAIRMAN BEEDENBENDER:

Motion to approve, I'm sorry. What did I say?

LEG. ROMAINE:

There's a motion to approve. Roll call.

CHAIRMAN BEEDENBENDER:

Okay. Well, if there's no second to my discharge without recommendation, then we have a motion to approve. If there are no comments? Legislator Horsley?

LEG. HORSLEY:

No.

CHAIRMAN BEEDENBENDER:

All in favor?

LEG. ROMAINE:

Roll call.

CHAIRMAN BEEDENBENDER:

Roll call.

(*Roll Called by Ms. LoMoriello - Deputy Clerk*)

CHAIRMAN BEEDENBENDER:

Yes.

LEG. STERN:

Yes.

LEG. HORSLEY:

Yes.

LEG. KENNEDY:

Yes.

LEG. LOSQUADRO:

No.

LEG. MONTANO:

Yes.

LEG. ROMAINE:

Yes.

MS. LOMORIELLO:

Six.

CHAIRMAN BEEDENBENDER:

Okay.

LEG. BROWNING:

Thank you.

CHAIRMAN BEEDENBENDER:

Okay. The motion is **APPROVED (VOTE: 6-1-0-0 - Legis. Losquadro - opposed)**

IR 1231, adopting a Local Law to prohibit illicit discharges and illicit connections to Suffolk County's Municipal Separate Storm Sewer System.

LEG. STERN:

Motion to approve.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Stern.

LEG. LOSQUADRO:

I'll second that if we can just get an explanation.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Losquadro. Counsel or perhaps Gil?

COMMISSIONER ANDERSON:

Under the Suffolk County Stormwater Management Program, one of the principal tenets is the detection and elimination of illicit discharge charge, as well as illicit connections to the County's storm drainage systems. The law required under the Phase II Stormwater Management Program created under the Federal Clean Water Act provides methods to control these discharges and connections to protect the public health.

This law prepared by combined effort of Public Works, Department of Health, Department of Environment and Energy and the County Attorney's Office provides penalties and means for enforcement through legal proceedings. So to make a long story short, this allow us to go in when we locate somebody who's illegally connected to our storm drains, we can have those connections removed.

MR. ZWIRN:

It also brings us into compliance with Federal EPA standards. Right now, we're out of compliance until this law is adopted.

LEG. LOSQUADRO:

Is that part of Phase II?

COMMISSIONER ANDERSON:

The Phase II Stormwater, yes.

LEG. LOSQUADRO:

Yeah. Okay. Thank you.

CHAIRMAN BEEDENBENDER:

Okay. If there are no further comments, we have a motion and a second. All in favor? Opposed? Abstention?

Motion is **APPROVED (VOTE: 7-0-0-0)**.

Going onto Introductory Resolutions.

IR 1265. Authorizing the purchase and installation of diesel engine emission component upgrades on Suffolk County Transit buses and amending the 2008 Capital Budget and Program and accepting and appropriating Federal Aid and State Aid.

LEG. LOSQUADRO:

I make a motion, and if the Clerk could please list me as a cosponsor.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Losquadro, seconded by Legislator Stern. Please list Legislator Losquadro as a cosponsor. Do we have any question on the motion? Okay. All in favor? Opposed? Abstentions? Motion is **APPROVED (VOTE: 7-0-0-0)**.

IR 1266. Appropriating funds in connection with the purchase of highway maintenance equipment.

LEG. STERN:

Motion to approve.

CHAIRMAN BEEDENBENDER:

Motion to approve by Legislator Stern.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. There's no comments on the motion? All this favor? Opposed? Abstentions? Motion is **APPROVED (VOTE: 7-0-0-0)**.

IR 1267. Appropriating funds in connection with the replacement of Public Works Fleet Maintenance equipment.

LEG. STERN:

Motion to approve.

CHAIRMAN BEEDENBENDER:

We have a motion to approve by Legislator Stern, seconded by Legislator Horsley. And on the motion, Legislator Romaine.

LEG. ROMAINE:

Question for Budget Review Office, in the past, weren't there regulations regarding priority ratings and what could be funded and what could not be funded? I believe that has a rating of 23.

MR. REINHEIMER:

Yes. This has a rank of 23.

LEG. ROMAINE:

And what's the usual policy? Wasn't there a policy in the past regarding what could be funded in terms of priority ratings? And are those resolutions still in effect?

MR. REINHEIMER:

I'm not sure if they're still in effect. That might be a question for Counsel. I know in the past we've appropriated projects above or below a certain ranking. That was several years ago. I don't think that's been the policy in recent years.

LEG. ROMAINE:

Has that policy been suspended? Is that policy still --

MR. REINHEIMER:

I don't think it's formalized by resolution that -- you know, I'd have to defer to Counsel on that.

LEG. ROMAINE:

I'm pretty sure there was a resolution that's established a priority rating and what could be considered or could not be considered, because I know I had to deal with that as County Clerk and was told, quite frankly, the Legislature had passed resolutions that established minimum priority ratings and below which a project probably could not be funded.

CHAIRMAN BEEDENBENDER:

I think our Counsel is taking a look.

MR. REINHEIMER:

I think since that time, too, the ranking system has been changed, the criteria has changed. So I'm not really sure on that too.

CHAIRMAN BEEDENBENDER:

I agree with Legislator --

LEG. ROMAINE:

This is one of the lowest rankings I've seen of any funding to come in front of us for some time, a 23. I remember I struggled to get 58s funded when I was County Clerk.

CHAIRMAN BEEDENBENDER:

I think I'd like the answer too, because I've never even understood why we've ranked them, because it just seems like we go back and forth.

LEG. ROMAINE:

Well, we rank them because a former Legislator by the name of Tonna, I believe, introduced --

CHAIRMAN BEEDENBENDER:

No. I understand that there's a ranking, but it doesn't seem like we follow it is what I'm saying. We just kind of pick and choose.

LEG. ROMAINE:

Well, at this point, I mean, this is a very low ranking for 23 whether it's needed or not. I'm sure the Commissioner would say it's needed. But I'm just, you know, curious. We're taking on so much debt, we're abandoning the pay-as-you-go policy. And when I see a very low ranking, I have to ask what are the rules regarding rankings?

MR. REINHEIMER:

I think one of things, this is in the budget as adopted. We're not amending the budget. So the appropriations are there. We're not amending and funding a project with a low rank that perhaps wasn't in the adopted budget. I don't know if that makes a difference in your question or not.

CHAIRMAN BEEDENBENDER:

While Counsel is looking up the answer to your question, Legislator Romaine, if I could ask, Commissioner, could you just give us a little background?

LEG. ROMAINE:

You don't have to. I'm sure the worthiness of this project is well established. And every department head will tell you that as I would have if I was here and I had a low ranking project. But the bottom line is I just wanted to know what the rules are and if they've changed, because this is one of the lowest ranking projects that I've seen come before us.

CHAIRMAN BEEDENBENDER:

Legislator Kennedy.

LEG. KENNEDY:

Fleet, maintenance and equipment, and I apologize, I don't have the resolution in front of me. What, in particular, are we talking about? Is this tire changes, lube racks, what is it?

COMMISSIONER ANDERSON:

It's actually a lift.

LEG. KENNEDY:

One lift?

COMMISSIONER ANDERSON:

One lift.

LEG. KENNEDY:

Out there in Yaphank?

COMMISSIONER ANDERSON:

I believe so.

LEG. ROMAINE:

I'm going to vote for it because it's obviously needed, but I'm just concerned about the priority rankings if we trip ourselves up legally.

LEG. KENNEDY:

Let me not leave that, let me just stay for a second. And we are continuing to maintain a full mechanic staff that's servicing our heavy equipment in house there?

COMMISSIONER ANDERSON:

Yes.

LEG. KENNEDY:

Okay. Fine.

LEG. ROMAINE:

I'll leave it for Counsel to give us the information after the fact.

MR. NOLAN:

Perfect.

LEG. ROMAINE:

He's bust.

CHAIRMAN BEEDENBENDER:

All right. Well, with that then, if there's more questions on the motion, with that, we have a motion to approve and a second?

MS. LOMORIELLO:

Yep.

CHAIRMAN BEEDENBENDER:

All in favor? Opposed? Abstentions? Motion is
APPROVED (VOTE: 7-0-0-0).

IR 1269, amending the 2008 Operating Budget to transfer funds from Fund 477 Water Quality

Protection, amending the 2008 Capital Budget and Program and appropriating funds in connection with stormwater remediation to Green Creek at County Road 85, Montauk Highway.

LEG. STERN:

Motion to approve by Legislator Stern, seconded by -- seconded by Legislator Losquadro.

LEG. KENNEDY:

On the motion.

CHAIRMAN BEEDENBENDER:

On the motion, Legislator Kennedy.

LEG. KENNEDY:

Just a brief description if we can with this, please.

COMMISSIONER ANDERSON:

This project calls for the installation of some catch basins, but also and primarily for two proposed stormwater treatment systems at the connection to an outfall that runs to Green Creek.

LEG. KENNEDY:

They are what, settling pond, Gil, or are we doing rocks in a box? What are we doing?

COMMISSIONER ANDERSON:

They're swirl separators.

LEG. KENNEDY:

Okay.

COMMISSIONER ANDERSON:

We actually do combine the same sponge unit within the swirl separators, but primarily the main structure is the swirl separator that settles out the solids and the trash, and then with the -- with the sponge item that's thrown in there, that gets rid of some of the oils and the others.

LEG. KENNEDY:

And who's doing the periodic maintenance on those, is that the crews that we had that had previously been in Labor? In other words, you must have --

COMMISSIONER ANDERSON:

Yes.

LEG. KENNEDY:

-- laborers that are out there.

COMMISSIONER ANDERSON:

Yes. The personnel that came from Labor that we have on our force, that's what they're job is.

LEG. KENNEDY:

And you have them on a routine cycle?

COMMISSIONER ANDERSON:

Yeah. They go out throughout the County and maintain these specific items where we have them, as well as catch basins and other storm drainage structures.

LEG. KENNEDY:

Okay.

CHAIRMAN BEEDENBENDER:

Legislator Losquadro.

LEG. LOSQUADRO:

Just a question. Just because people keep referring to them, and I just heard Legislator Kennedy referring to the old rocks in a box, that was an adsorption technology where it actually stuck to the surface. What we're using now is an absorption, right, that sponge-type material?

COMMISSIONER ANDERSON:

Yes. That's part of it.

LEG. LOSQUADRO:

It's much different then what was first proposed.

COMMISSIONER ANDERSON:

Yes.

LEG. LOSQUADRO:

We're using the newer technology, correct?

COMMISSIONER ANDERSON:

Yes. Right.

LEG. LOSQUADRO:

Okay. Thank you.

LEG. KENNEDY:

Sponge in a box.

CHAIRMAN BEEDENBENDER:

Thank you, Legislator Losquadro. I just -- adsorption? That's a new word. See, I can add that to my calendar of the day. Okay. If we have no other questions on the motion -- it absorbed into your head, though, it didn't adsorb.

LEG. LOSQUADRO:

I think I got it by osmosis.

CHAIRMAN BEEDENBENDER:

Osmosis. All in favor? Opposed? Abstentions?
Motion is **APPROVED (VOTE: 7-0-0-0)**.

1276. Requesting Department of Public Works to update excess strength surcharges.

Motion by Legislator Horsley, seconded by Legislator Stern. Well, I see Ben Wright. Ben, if you'd like to comment.

COMMISSIONER ANDERSON:

If I could beforehand, and I'll turn it over to Ben.

CHAIRMAN BEEDENBENDER:

Both of you, please.

COMMISSIONER ANDERSON:

You know, our -- my main concern is the statement or the implication that we allow hazardous

waste into our sewers. We do not. We do not allow any hazardous waste to enter our sewers. The conventional pollutants that we, you know, obviously are part of sewage, are the biologicals, oxygen demand, total suspended solids and the chlorine load. Those can be increased, and we do have a surcharge. But I just wanted to make that statement that we do not permit hazardous waste.

CHAIRMAN BEEDENBENDER:

Okay. Ben.

MR. WRIGHT:

That was my --

CHAIRMAN BEEDENBENDER:

That was your comment?

MR. WRIGHT:

That was my comment. I just wanted to clarify, because you could get the impression from reading it that we do allow that. And the existing law, County Code for sewers, does say, you know, just what Gil indicated. It also says, "that nothing that precludes the pretreatment standards from the Federal Government or our local limits is allowed to go into the sewer system."

LEG. HORSLEY:

Maybe I'll refer this to Counsel. Is this something that --

MR. NOLAN:

I'm sorry. I'm not familiar with the resolution.

CHAIRMAN BEEDENBENDER:

IR 1276, Commissioner Anderson was concerned that there was -- it might have the possible insinuation that we're allowing hazardous waste into the system right now. And he said that we are not.

LEG. HORSLEY:

Which I never doubted.

CHAIRMAN BEEDENBENDER:

I gave my copy to Legislator Horsley. Is there a language concern that seems to insinuate that somewhere?

LEG. HORSLEY:

Where is that exactly?

MR. WRIGHT:

The first four Whereases you could read with, you know, a misunderstanding that we do allow it. We're authorized to institute special permits, you know, related to toxic and objectionable waste. And the surcharge really is not for that purpose, it's for the compatible waste that are stronger than typical sanitary wastes, and therefore, would cost more to treat it. So we have to recover those costs from the people that are discharging it.

CHAIRMAN BEEDENBENDER:

Legislator Horsley, I guess, could we just back up and you tell us the impetus behind this and just explain to us why you introduced the resolution so we can get a better idea?

LEG. HORSLEY:

Sure. This culminated out of many conversations concerning the amount of dollars relating to the monitoring and the introduction of toxic waste into the waste stream. However, we've never said that it was allowed or it was to assist. And it was worked on with you, Ben, I believe, right?

MR. WRIGHT:

I never saw --

LEG. HORSLEY:

You never saw the language itself?

MR. WRIGHT:

No. But excess strength surcharge is something that we have in place, but it's many years old and we're in the process of updating it. Because somebody retired, we just put it on the shelf for a while.

LEG. HORSLEY:

Are you concerned about this language? Would you want to readjust it?

MR. WRIGHT:

Just the implication that, you know --

LEG. HORSLEY:

That was never intended.

MR. WRIGHT:

Yes. But somebody else may see it, and, you know, the implication is there that this is something that we do, and we don't.

LEG. HORSLEY:

We don't. I agree you don't. I'll be glad to -- why don't we make a motion to table it, and I'll readjust it?

CHAIRMAN BEEDENBENDER:

Okay.

LEG. HORSLEY:

Would that be all right, George? Could we --

MR. NOLAN:

Yeah. Because of our unusual schedule in this cycle we have until Monday to make --

LEG. HORSLEY:

Oh, that's right. We've got the whole week in between. So you could discharge it and we could certainly tweak the Whereas clauses to make them less objectionable.

CHAIRMAN BEEDENBENDER:

All right. So you're withdrawing your motion to approve and you're making a motion to discharge without recommendation?

LEG. HORSLEY:

That will be fine.

LEG. LOSQUADRO:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Losquadro.

LEG. HORSLEY:

We'll work on that. That certainly wasn't intended.

CHAIRMAN BEEDENBENDER:

All right. So we have a motion to discharge without recommendation, we have a second. All in favor? Opposed? Abstentions? IR 1276 is **DISCHARGED WITHOUT RECOMMENDATION (VOTE: 7-0-0-0)**.

IR 1279. Authorizing the Department of Public Works to employ a maximum of four temporary workers to perform Vector Control functions on Fishers Island.

LEG. ROMAINE:

Motion.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Romaine. I will second the motion. Do we have any discussion on this motion?

LEG. LOSQUADRO:

Yes.

CHAIRMAN BEEDENBENDER:

Legislator Losquadro.

LEG. LOSQUADRO:

Just one question. If we don't find residents of Suffolk County, is there -- are there folks who come in seasonally to the island, is that what the general thought is here?

COMMISSIONER ANDERSON:

Yes.

LEG. ROMAINE:

The island is populated year round. It has about 250 year-round residents. That number more than doubles in the summertime. The ferry -- Fishers Island own its own ferry company. That company -- it's between New London and Fishers Island. So I assume they would come from -- there is no direct ferry service from Suffolk County.

LEG. LOSQUADRO:

Thank you.

CHAIRMAN BEEDENBENDER:

Which always puzzled me as to why it's part of Suffolk County if you can't get there from here.

LEG. LOSQUADRO:

You have to have your own boat.

CHAIRMAN BEEDENBENDER:

Do you have a boat? I don't have a house. I'd like a boat.

LEG. ROMAINE:

In the Town of Southold, little Fishers Island represents 11% percent of the tax base.

CHAIRMAN BEEDENBENDER:

Well, then that sounds like an excellent reason. I just hope they don't want to be their own state. All right. So we have a motion and a second. All in favor? Opposed? Abstentions?

APPROVED (VOTE: 7-0-0-0).

LEG. HORSLEY:

I hear they have a nice golf course.

LEG. ROMAINE:

They have one of the best in the United States. The top ten in the United States.

CHAIRMAN BEEDENBENDER:

That island has a golf course?

LEG. ROMAINE:

It has one of the best in the united -- it's in the top ten golf course of the United States.

CHAIRMAN BEEDENBENDER:

There you go. See, adsorption and Fishers Island has a golf course. All right. **IR 1285, authorizing the transfer of four surplus County computers, four surplus County monitors, four surplus County mice to Tri-CYA of Huntington.**

All right. I will make the motion. Do we have a second? Somebody second it, please?

LEG. KENNEDY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Kennedy. All in favor? Opposed? Abstentions? IR 1285 is **APPROVED (VOTE: 7-0-0-0)**.

IR 1287. Appropriating funds in connection with dredging of County waters.

All right. I will make the motion to approve. I will make the motion to approve, do we have anybody?

LEG. LOSQUADRO:

1287?

CHAIRMAN BEEDENBENDER:

1287.

LEG. LOSQUADRO:

I'll second.

CHAIRMAN BEEDENBENDER:

Legislator Losquadro has seconded the motion. I believe this is Centerport, Gil?

COMMISSIONER ANDERSON:

This is Centerport Harbor. This is the outer part of the Centerport Harbor, not the inner part. And we have the permits submitted. We anticipate their approval this year, and we're asking for these monies to, you know, do the dredging this fall when the permits allow.

CHAIRMAN BEEDENBENDER:

So this dredging will happen?

COMMISSIONER ANDERSON:

Yes.

LEG. LOSQUADRO:

That's what I was going to ask, what was the -- I know DEC always gives us a window in which we can perform this. That window was in the fall?

COMMISSIONER ANDERSON:

Yeah. Late Fall, November 15th through probably -- well, I don't know off the top of my head.

LEG. LOSQUADRO:

All right. Thank you.

CHAIRMAN BEEDENBENDER:

Okay. We have a motion and a second. All in favor? Opposed? Abstentions? IR 1287 is **APPROVED (VOTE: 7-0-0-0)**.

LEG. STERN:

Co.

CHAIRMAN BEEDENBENDER:

Please list Legislator Stern as a cosponsor.

IR 1288. Appropriating funds in connection with the reconstruction of CR 17, Carleton Avenue Early Implementation Project, Town of Islip.

Motion by Legislator Montano, seconded Legislator Kennedy.

LEG. MONTANO:

List me as a cosponsor, please.

CHAIRMAN BEEDENBENDER:

Please list Legislator Montano as a cosponsor. Do we have any questions on the motion? Hearing none, all in favor? Opposed? Abstentions? IR 1288 is **APPROVED (VOTE: 7-0-0-0)**.

IR 1297. Authorizing transfer of surplus County computers, monitors, keyboards, and mouses (sic) to Central Islip Civic Council.

Motion by Legislator Montano, seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 7-0-0-0)**.

I'll take a motion to adjourn.

COMMISSIONER ANDERSON:

Legislator?

CHAIRMAN BEEDENBENDER:

Yes. Gil.

COMMISSIONER ANDERSON:

I just wanted to make everyone aware that we will be submitting a Certificate of Necessity at the next General Meeting. What the resolution is requesting is a \$100,000 for additional fees for repairs at the Shinnecock Canal Locks. Unanticipated work is required on the submerged bottom hinge. We've only discovered that when we basically opened up the -- I guess, copper-dammed the locks. And normally, they don't corrode to this extent, but severe corrosion was noticed and needs to be done. This is an unanticipated cost.

CHAIRMAN BEEDENBENDER:

How much?

COMMISSIONER ANDERSON:

A hundred thousand dollars.

CHAIRMAN BEEDENBENDER:

Okay. With that, I have a motion to adjourn, seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? We are adjourned.

(*THE MEETING WAS CALLED TO ORDER AT 4:18 PM.*)

{ } DENOTES BEING SPELLED PHONETICALLY