

**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, June 3, 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 Laguardi - Chief Deputy Commissioner - DPW
Kaitlyn Boyd - Aide to Chairman Beedenbender
Barbara LoMoriello - Deputy Clerk - SC Legislature
Ben Zwirn - Deputy County Executive
Lance Reinheimer - Budget Review Office
Bill Hillman - Chief Engineer - DPW
Linda Bay - Aide to Minority Leader
Paul Perillie - Aide to Majority Leader
Julie Ben-Susan - North Ferry Company
Marc Schneider - Windcrest Galleria Homeowners Association
Dr. Luis Valenzuela - LIIA
Debra Alloncius - AME
All Other Interested Parties

MINUTES TAKEN BY:

Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 2:12 P.M.*)

CHAIRMAN BEEDENBENDER:

All right. If everybody could just rise for the Pledge, we'll call the meeting to order, Pledge of Allegiance led by Legislator Horsley.

SALUTATION

CHAIRMAN BEEDENBENDER:

Everybody can take your seats. We have three cards. The first card is Julie-Ben Susan for the license renewal of the North Ferry. Julie, you can either sit or come to the podium, whichever is easiest for you. You have three minutes.

MS. BEN-SUSAN:

My name is Julie Ben-Susan. I'm the General Manager of the North Ferry. I've appeared before your committee for the last license renewal and for various rate relief requests since 2001. We feel strongly that whenever we're asking you for anything that we should be here and ask in person and answer any questions you might have.

Before you is a petition to renew the licensing agreement which enables the -- enables us to run the North Ferry from the Village of Greenport to Shelter Island and back. We operate 19 hours a day, 365 days a year and carry roughly 300 commuter vehicles daily, plus the delivery and construction traffic, truck traffic, to the island as well as cars and walk-on passengers. North Ferry is one of the two ferries which serves Shelter Island, South Ferry being the other. Together, they represent the only way to get on and off the island.

As you know, Greenport is very much a tourist destination now and intermodal transportation hub and the home of Eastern Long Island Hospital, the nearest emergency room. We have a crew available every night to transport the ambulance to the hospital as well as provide for other emergencies; fire, LIPA, police. We're called upon roughly two dozen times a year to perform that service.

With your help, over the past seven years, we've revitalized the fleet and the company. Just commissioned our third 25-car boat. At this time of year, we also run two of our old 12-car boats. So these five vessels together provide double the lift capacity that we had in 2001. We redid the shore side bulk heading, widened the slips, the terminal buildings. So in total, we've reinvested about \$7 million in our infrastructure. More importantly, we've committed ourselves to customer service. And with this new fleet, what used to be an unpredictable one or two hour wait in line on any given day is now pretty much a drive straight on to the boat. And even on the holiday, we had about a half hour wait for about an hour over Memorial Day.

Obviously, this has improved the quality of life for all of our customers, particularly Shelter Islanders who can now come and go as they please and our commuters who depend on us every day. These boats are quieter, more fuel efficient. And we estimate that by shortening the daily commute wait time by one hour, 50,000 gallons of fuel has been saved, and the carbon load has been reduced by 4 million pounds since 2003.

We respectfully request the longest possible renewal period of our license. The ferry has been operating for roughly a century. And for planning purposes with our bankers and other constituencies, a sense of permanence translates in various ways to better rates for our customers. We hope you'll look favorably upon our petition and vote it out to the full Legislature. I welcome any questions. Thank you very much.

CHAIRMAN BEEDENBENDER:

Thank you, Ms. Ben-Susan. I don't think we have any questions. So the next speaker I have is Dr. Luis Valenzuela. Good afternoon, Doctor.

DR. VALENZUELA:

Good afternoon.

CHAIRMAN BEEDENBENDER:

Did you ever think when you were coaching me in the soccer league I'd be sitting over here?

DR. VALENZUELA:

No. I thought you would be President like you said then.

LEG. ROMAINE:

Give him some time.

CHAIRMAN BEEDENBENDER:

Thank you, Doctor. All right. You have your three minutes.

DR. VALENZUELA:

Okay. First of all, good afternoon, distinguished Legislators. I'm here just to tell you that E-verify is another step in the wrong direction. And to actually just to table it subject to call, kill it straight up and down, whatever. It's a voluntary measure that at the Federal level expires in November. Numerous studies have been done on E-verify. So it would be helpful for you guys to do a little bit of research on it.

There's a lot of independent research by GAO, DHS, SSA. And they are all talking about significant problems with the program at the Federal level. In fact, there's two other studies; one by the Heritage Foundation, which is generally a very conservative think-tank; and also the Cato Institute, which is another conservative think-tank, and they find significant problems with E-verify. And the problems are along two lines; one is the program lies on a floor data-base system that all of these government studies, commission studies, have found to be very, very problematic.

And the other -- on the other side what they found is employer misuse of the E-verify Pilot Program. And that is because the burden that it places on them. The other is the misunderstanding of what it is that employers are supposed to do. And that gives them cause to feel this as another burden. We've already seen our population decreasing, and that is native-born population, because thank goodness we have immigrants that have held our population in Suffolk County steady.

Things are going to just get worse and worse here for us. The economic burden is going to be phenomenal. In Arizona, where the bill -- the law was mandates, you can go on YouTube, look at a fantastic little video that demonstrates the pernicious effects of this bill. Two of the supporters, one being a cosponsor of the Arizona bill are now ready to rescind the bill, recognizing the tremendous economic impact. And they make no qualms about it. They were doing this targeting immigrants. And yet, you hear them very clearly.

And an employer in that little video who without the law, happened a full year, has already lost, estimated, like \$4 million. So he's out of that. Other instances, many newspaper reports of businesses that were going to locate to places where E-verify is in existence have decided not to. The State of Illinois has a ban against it. There's about three other states who are fighting this.

CHAIRMAN BEEDENBENDER:

Can you just wrap up, Doctor?

DR. VALENZUELA:

So, again, this is another step in the wrong direction. This week Long Island Business News has a very, very good article about the impact of our economy. And this is another nail in our coffin, so to speak. It makes Suffolk County look unattractive to investors. We want an inclusive Suffolk County, not a divisive one. Again, get rid of this bill.

CHAIRMAN BEEDENBENDER:

Thank you. Doctor. The next person -- the last card I have is for Marc Schneider about Windcrest Galleria. You're from the Windcrest Homeowner's Association, sir?

MR. SCHNEIDER:

Correct. Thank you very much.

CHAIRMAN BEEDENBENDER:

No problem. You have your three minutes.

MR. SCHNEIDER:

Good afternoon. The last time we were here, we continued to discuss this, I guess, each time that it's come upon your calendar, and I thank you for entertaining my comments. I recently received yesterday a letter from the County Executive's Office, from Mr. Szabo. As you may recall, the last time we were here, we were talking about the fact that the County Executive's Office was going to put in place a committee that was going to review the rates and the manner in which the rates were established for these sewage treatment plant districts -- for the sewer districts.

The letter, in essence, says that they believe that the rate that was established is a fair rate, however, it doesn't address any of the concerns that we addressed and that we've spoken about numerous times over and over again. As you have all heard, the residents of the communities for many reasons want the sewer districts to be created, but be created at a fair and reasonable rate, one that is not three or four times more than what it is presently costing them with a private operator.

And I think that way back when -- many of you may have been here when I spoke about the issues as to why I believe that it is three or four times. I will not bore you with that again today. I do understand that there's probably going to be a request for this to be tabled one more time, so I'm going to leave it at that. But I just wanted to let you know that we got a letter that does not really explain all that much. I have spoken with Legislator Kennedy, and I believe we'll probably hopefully have some dialog between now and the next session with the County Executive regarding the letter that I received. Again, I'm going to be reiterating my strong request and the residents' request that the district be created at the appropriate rate and in favor of the reduced rate. But again, the residents certainly want it to be at a fair and reasonable rate. Thank you.

CHAIRMAN BEEDENBENDER:

Okay. With that, I have no more cards. Is there anybody else in the audience that wishes to speak? Ma'am, just come up to the microphone and make sure you say your name. You have your three minutes.

MS. ROCK:

Hi. Good afternoon. My name is Jessie Rock, and I'm a Suffolk County resident. I'm also a member of LIIA, and my family owns two businesses on Long Island that employ about 75 people. So I feel like I have a good understanding of both the non-profit world and the business world. And so I'm here to speak today about the E-verify Bill along with Dr. Valenzuela.

So the basic pilot, the E-verify, is often portrayed as a magic bullet that would curb the hiring of unauthorized workers. But the program has been plagued with a multitude of problems, which Dr. Valenzuela referenced earlier. So several studies that have been done by INS, by the GAO, the Social Security Administration's Office have found that the basic pilot E-Verify Program has significant weaknesses. The main ones being its reliance on government data bases that have an unacceptably high error rate; and number two, is employer misuse of the program to take adverse action against workers. One example of this is showing that 47% of employers check the status of the workers before they're officially hired, which is not part of the program.

So I'll give five specific reasons and then conclude. The first is that inaccurate and outdated Federal data bases can deprive workers of their livelihood, for example, when citizens are mismatched. The second is that employers misuse the program to discriminate against workers, which I'm particularly concerned about. The third is workers privacy could potentially be compromised because DHS data bases do not comply with government and industry-based standards for protecting information. Number four is that current technological structure cannot support mandatory participation by US employers. And the final reason is that making the basic pilot E-Verify mandatory would mire DHS and SSA deeper in bureaucracy and backlogs. So I urge you to please not vote for this. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you, Ms. Rock. Is there anybody else? Hearing that --

LEG. LOSQUADRO:

Mr. Chairman, I'm sorry. I'd like to make a motion to take 1479 out of order, please. I'd ask the committee's indulgence. Unfortunately, I have another meeting to go to this afternoon, and I know with the presentations and the number tabled resolution I probably would be able to stay around that long.

CHAIRMAN BEEDENBENDER:

Okay. I'll second the motion to take it out of order. Actually, all in favor? Opposed? Abstentions? So the motion is now before us. We've taken **1479, Establishing an E-Verify Pilot Program in the Department of Public Works (COOPER)**, out of order and I guess I would ask for a motion.

LEG. LOSQUADRO:

I would make a motion to approve, Mr. Chairman.

CHAIRMAN BEEDENBENDER:

I have a motion to approve by Legislator Losquadro. Do we have a second?

CHAIRMAN BEEDENBENDER:

I will second the motion. And then, I guess, on the motion. Was somebody else's else hand up.

LEG. LOSQUADRO:

I'll be happy to address some of the points that were brought up. First of all, I think the first misconception here is that the E-Verify system is going to absolutely expire in November. I think we finally have something that the Federal Government has done. We have all long lamented the fact that the Federal Government has not been of assistance in a problem that plagues this entire country, and they've finally done something. And I would certainly hope that they are going to extend this program. Else perhaps the majority in Congress ignore the will of this entire country, I certainly don't think they would do that. I'm seeing some sceptical faces over there, but I do have confidence that this program is going to be extended even if modified somewhat, because we've seen a great deal of improvement in this program.

Some of the comments that were made about this program being plagued with problems are taken out of context in the sense that when the program was first rolled out as of any program of this scope as you can imagine, it was very difficult getting multiple data bases to communicate with each other. I think we have seen -- we saw that on September 11th, 2001, that we had a real serious problem between interagency communication in this country. And the Federal Government has done a lot over the past six or seven years to correct those problem. And we now have significant improvement in this program that now includes foreign students here on visas, naturalization data.

And there is mechanism within this program by which an individual can appeal automatically. If you get a mismatch on your Social Security Number or any of that data, you can automatically appeal it, and your appeal will be heard. I think it is very prudent for us to move forward with a pilot program.

I have to agree at the moment that looking to impose this on every contractor that we license in Suffolk County without having a benchmark by which we can establish its effectiveness or its ease of use might be jumping the gun a bit. But to put this in place to safeguard the money that we are expending on contracts, taxpayer dollars that we are expending, I think is prudent and it is absolutely necessary. And as I said Federal Government has finally done something and has something in place that we should have no right to complain about, because all we ever do is complain about them not doing anything and leaving the ball in our court.

So I say we take advantage of what the Federal Government has given us and we move this proposition forward to let the Department of Works implement this. And at the end of that 18th month period, hopefully, with its success, we can move this -- roll this out to a larger audience, so to speak.

CHAIRMAN BEEDENBENDER:

Next I had Legislator Montano.

LEG. MONTANO:

Actually, I had some questions. I have to plead that I'm not fully aware of the program, but I know Dr. Valenzuela indicated earlier that it expires in November. If I could just ask him a couple of questions. Is he in the audience?

CHAIRMAN BEEDENBENDER:

Doctor.

LEG. MONTANO:

Through the Chair.

CHAIRMAN BEEDENBENDER:

No problem.

LEG. MONTANO:

How are you doing, Luis.

DR. VALENZUELA:

Hi.

LEG. MONTANO:

A couple of questions. You said that the program is to expire in November.

DR. VALENZUELA:

That's right.

LEG. MONTANO:

And then there's a note here, successor program, would you just explain what that means?

DR. VALENZUELA:

No, I can't explain about the successor program.

LEG. MONTANO:

Well, is there a program that's going to replace E-Verification as you understand it?

DR. VALENZUELA:

No.

LEG. LOSQUADRO:

If I may, Mr. Chairman.

LEG. MONTANO:

I don't care who answers. I'm just curious.

LEG. LOSQUADRO:

That was my point. We don't have a crystal ball. The program is in place now, and we certainly are expecting that Congress will renew it, or if they do change in some way, that's why the language says any successor program.

LEG. MONTANO:

Okay. But there's nothing on the table to replace the E-Verify Program at the moment.

LEG. LOSQUADRO:

At the moment, it would just be a simple extension, but that has not yet been done.

CHAIRMAN BEEDENBENDER:

If I could just jump in. There are a bunch -- there are a bevy of bills before Congress. Some of them from the Republicans, some from the Democrats.

LEG. LOSQUADRO:

They're working on it.

LEG. MONTANO:

As I said, I really don't know much about this program. It's set to expire Legislatively in November. There may or may not -- it may be extended, or it may be substituted by another program or it may simply expire without any resolution. Is that the possibility as you understand it?

DR. VALENZUELA:

Clearly that's a possibility. The likelihood may be less.

LEG. MONTANO:

Forget about the likelihood. We don't predict what's going to happen. What is the affect, and I'll ask maybe Counsel or Legislator Losquadro, what is the affect of passing this bill if, in fact, the E-Verify system expires and there is no -- it's not extended and there's no successor program in place. What does that do to the bill that we have in front of us.

LEG. LOSQUADRO:

I would have to defer to Counsel, but I believe it would then be moot because the system would not be available for contractors to use; is that correct, Counsel?

LEG. MONTANO:

That would seem logical.

LEG. LOSQUADRO:

Counsel. I mean, that would be my understanding.

MR. NOLAN:

If it's part of the pilot program, this language goes to the contracts that they are going to comply with E-Verify, but if there's no E-Verify, then obviously they would not have comply with that.

LEG. MONTANO:

Thank you.

CHAIRMAN BEEDENBENDER:

Next, I had Legislator Stern and then, Legislator Kennedy, you're after that.

LEG. STERN:

Thank you, Mr. Chairman. I mean, I agree with many of the points that Legislator Losquadro has made, but as I take a look at this legislation, you know, I look at it from a different perspective perhaps. But my feeling is this is a program as imperfect as it may be. And certainly any improvements in any system upon initial roll out, you know, need to be considered. But I think that the underlying theory here, which is one of verification goes a long way in ensuring that employers who are considering employees or those who have already done their hiring don't take it upon themselves to make their own judgments about information or documentation that they are in receipt or they're asked to review.

I see this as a way, hopefully, to prevent discrimination in the future, that employers knowing that there is system in place would have the opportunity to review the information, review the documentation, know that there is some system that can provide the verification and give them the confidence knowing that the information they're reviewing are valid. I think that, again, this system as imperfect as it may be can help us do a better job of ensuring that discrimination has no place in the work place.

Like any system, you know, there are improvements and hopefully Congress does, whether it's this particular E-Verify system or a successor system thereto in the future, you know, keep in place to help employers to make that determination in an objective way. But I see this as addressing in hopefully a significant way many of the concerns that many of us share that certainly we do what we can to ensure a level playing field, but to also make sure that discrimination has no place in the work place.

LEG. LOSQUADRO:

Absolutely. And if I may, Mr. Chairman, before we go to Legislator Kennedy, just to get back to the basic principle of this, which I neglected to mention earlier, the only information that's required for the E-Verify system is the same information that's gathered for the I-9 form. So there's no additional information taken, this is not delving any further into anyone's personal life or personal information then they are currently required under Federal Law to give the information to fill out the I-9 form. The same information is entered into the E-Verify system and it simply verifies whether or not that information is accurate. And as Legislator Stern rightfully pointed out, we can't ask people to be document experts. And this takes that subjectivity out of it.

CHAIRMAN BEEDENBENDER:

I'll just add before I go to Legislator Kennedy. When I was researching it, for any business that wants to sign up for the program, they have to sign a memorandum of understanding with the government agreeing to their term and conditions that they'll only use it for people you have hired already. And you can't use it retrospectively to research anything else. But that's just another piece of information that I found out. Legislator Kennedy, you wanted to weigh it.

LEG. KENNEDY:

Thank you, Mr. Chair. I agree with and support the premise behind this as well, I think it's our responsibility actually as government to try to go ahead and lead the way. Municipal entities throughout Suffolk County and throughout Long Island are engaged in contracting all the time. And if we can provide a platform to demonstrate the viability of this program, perhaps it may even give impetus to other municipalities adopting it and implementing it.

I had a housekeeping question for Public Works though. Just to ask about whether -- how do they see the ability to go ahead and integrate this? Will it merely be another component in a construction contract or will it be any kind of auditing function that goes on or verification that goes on with Public Works? Anybody.

CHAIRMAN BEEDENBENDER:

Gil, Tom, whomever.

LEG. KENNEDY:

Thank you, Mr. Chair.

CHAIRMAN BEEDENBENDER:

No problem. Looks like we're going to get both.

MR. LAGUARDIA:

Good afternoon.

CHAIRMAN BEEDENBENDER:

Hey, Tom.

MR. LAGUARDIA:

We're going to make a contractual requirement in our contracts as with many of the other requirements that we've placed in apprenticeship training programs and other requirements that the Legislature has passed.

LEG. KENNEDY:

Okay. And so just like any contract, its value is only in its ability to actually be implemented. Will somebody periodically actually go to confirm that employers put this technology in place or is using it or is actually being implemented?

MR. LAGUARDIA:

That's a discussion going on now between the Department of Public Works and the Department of Labor. We already have staff visiting our contractors to determine lawful hiring. So, yes, I believe there will be some -- there will be some type of auditing. What it will be? We don't know yet. We haven't determined that.

LEG. KENNEDY:

But you are going to go ahead and look to some kind of the methodology to externally and objectively confirm that it's being utilized and implemented.

MR. LAGUARDIA:

That's correct.

LEG. KENNEDY:

Okay. Great. Thank you, Mr. Chair.

CHAIRMAN BEEDENBENDER:

Legislator Montano.

LEG. MONTANO:

Yes. Quick question. One or two maybe. Once this provision is made part of your contract, do you anticipate any contractors that would be unwilling to signing a contract that has this clause, or you think it would have no affect on contractors, or you don't know?

MR. LAGUARDIA:

I believe it will have no affect on the contractors. They're already signing local hiring affidavits, which are very stringent legal documents.

LEG. MONTANO:

So it really shouldn't have any affect on anyone's ability to contract with the County is what you're saying.

MR. LAGUARDIA:

That's my initial belief.

LEG. MONTANO:

Thank you.

CHAIRMAN BEEDENBENDER:

Okay. If there are no more comments, I believe we have a motion to approve and a second. So I will call the vote. All in favor? Opposed? Abstentions? Motion passes unanimously.

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

Okay. We're going to back to the beginning, presentations. All the Legislators should have -- I hope BRO was provided with this chart. Did you get a chart from us, Lance. I passed a chart out in front of everybody. And this is -- we're going to go through just briefly, and you can go through it in greater detail later. But this is in relation to the discussion we've been having about Capital Projects that are outstanding. So all Legislators have a copy? All right. If you remember at the last meeting, I handed out a much more detailed chart with all the Capital Projects. What this is is kind of a breakdown of it. So right on the top page, we just have a breakdown of where the money is outstanding.

So you'll see we've appropriated -- and this is as of April 24th, we've appropriated about \$1.8 billion in Capital Projects, and 32 -- about 32% of that, 599 million is outstanding. And 94 million is sewer projects, which is 15% of the balance and so on as you go down.

We have a Community College balance of 35 million, a land acquisition in the non-quarter percent, which is 61 million, and the quarter percent, which was included in this total of 32 million, even though that has a separate funding source, and a 133 million of it is represented by the jail, about 22% of the whole total. So that leaves about 243 million in outstanding balances.

So if you flip to the next page, it lists a potential land acquisition program closeouts. This is a chart that was provided to the Executive Budget Office by the Department of Real Estate. And it lists programs that are either closed out, have expired, for example, the Greenways Program that is the second item. There's \$2.7 million worth of unobligated balance against that, and the program expired in 2006. So even if we wanted to, we don't have ability to charge against it. So the bottom number of the 4.7 million may represent \$4.7 million that we can eliminate from pipeline debt or bonded -- money that we bonded that we could use to pay down debt service.

I have requested a resolution to do just that from Counsel and BRO. And I would -- they're hashing through the numbers to make sure that they agree with this chart from Real Estate. And if all these numbers are useful and all the accounts represent what the balance is that BRO sees -- and I would welcome all my colleagues to join in on that resolution as a cosponsor, because if these are balances that are essentially there, we go anywhere from -- there are some that have no money left, \$180 all the way up to 2.7 million. So that is the first step.

The second -- after that -- the next chart you see is entitled "Capital Projects with Balances over 750,000". It was an arbitrary line to draw, but I had to draw a line somewhere to give us a first glance at the project. And as you go through, it will list a project, the appropriates, the expended and the balance. And the last column is the status of the projects. Now all those explanations were taken from the latest DPW monthly report, they were reviewed by DPW, and then DPW filled in some of the blanks.

Now, as you go through you'll notice that there's some projects -- for example, the first one is Capital Project 3044, the replacement DWI Alternative Facility. There's \$2.7 million in the balance, and according to DPW, the project was terminated and completion will be accomplished under Capital Project 3008. So that maybe a project whose balance is no longer needed, and we may be -- it maybe possibly for us to terminate that.

And as you go to the next page, there's three more examples, and I'm not going to go through them all. But the next one is the land acquisition for the Tier II homeless shelter. If everyone remembers, in 2007 -- Ben, was it 2007 -- the County Executive put forth a resolution to use the balance of that construction money for land acquisition. So if there is no money to build, there is probably no reason to leave money to acquire land. So that might be another option.

So when you go through all of the highlighted items and you go through the explanations of them, there's about \$9.1 million in first glance of those projects over 750,000. That might be an opportunity for us to eliminate from the budget. But I think the biggest lesson that I took from this and I would like the committee to take from it as well is while there are a lot of balances -- and when you look through the sheet, there are a lot of projects with millions of dollars available -- when you look at the explanation, I think, at least in my eyes I can say with confidence that DPW is on the ball. I mean, there -- there really aren't example here where DPW dropped ball. There are a lot of things that just simply take a lot of time; there are road projects and things of that nature.

So the next step -- and I just requested this today, I'm going to ask that DPW -- that our Counsel and BRO review this chart. And these numbers were taken from what they gave me, and review whether we can eliminate this additional \$9.1 million from the Capital Program as well, because if it represents money that the County does not need or projects that are terminated, it's either in our pipeline debt, which we have not issued, or we've issued some money, and we could use the remaining bonds to help pay off debt.

Now, what I wanted to ask Lance -- and I know you kind of have this in front of you -- is whether what I just said is correct, because I've been kind of getting conflicting answers. If there's a balance left in a project, if there's a \$10 million project, we bond the 10 million, there's two million left, legally what can we do with that \$2 million balance if it's not needed? It's My understanding that we can use it to pay off other debt service, or is that not the case?

MR. REINHEIMER:

Well, generally, the way Public Works -- and Public Works can speak to this too, but I've heard them several times. There's two issues here; what's appropriated, what are our cash needs and what we're going to bond. Public Works, from my understanding, working with the Comptroller every six months provides the Comptroller with their cash flow needs; which projects are going forward, which projects they will need money for, and the Comptroller goes forward and bonds. Generally, and I mean, there may be exceptions here and there where priorities change, but generally the Comptroller doesn't borrow funds unless the project is going forward.

So a lot of these cases where you have large balances like the Tier II, that was the first one, the second one was used as an offset for land, you're correct. This one was used and appropriated. It's standing there waiting for the Tier II Shelter. It appears that the policy is not going forward. I'm positive money was not bonded for that. That's just an appropriation.

CHAIRMAN BEEDENBENDER:

So if the money was not bonded, simply rescinding it, all that would do is eliminate it from the pipeline debt. It would take that number down.

MR. REINHEIMER:

Correct. There are small balances that I'm sure were bonded because they went forward with the project, they bonded a million dollars, they used \$875,000, there's 125,000 hanging out there, and that would be used to pay down debt. But for the most --

CHAIRMAN BEEDENBENDER:

That was my point.

MR. REINHEIMER:

Right. But those are probably small individual projects. So the most -- so the simple answer is

most of this is in pipeline debt, what we're saying, authorized unissued debt.

CHAIRMAN BEEDENBENDER:

Right. And pipeline debt is one of things that -- I mean, I know we're not talking -- I mean, our pipeline debt is very high. What is the pipeline debt right now?

MR. REINHEIMER:

It's up there.

CHAIRMAN BEEDENBENDER:

It's up there.

MR. REINHEIMER:

The number escapes me right now.

CHAIRMAN BEEDENBENDER:

Right. And so I'm perfectly willing to say that, you know, \$10 million is a drop in the bucket from the entire issue. However, if it's something that's not out there, it's worthy for us to rescind it and not leave it there.

MR. REINHEIMER:

Just so it's on the record, and we're all aware of this, there's \$130 million pipeline debt for the jail. So we have a couple of large projects that, you know, because we're managing our money, we're not borrowing ahead of time. We only borrowed about \$24 million for the jail, because that's all we need at this point. So we're watching it so that we don't borrow ahead of time. So there's a lot out there that, you know, if the project is not going forward, we're not bonding for it. So that's good management.

CHAIRMAN BEEDENBENDER:

Well, I agree. And that's one of the things that I want -- and I guess I should have said to the Comptroller and DPW together have done well, and I think this report kinds of plays that out, because if you look at the number, there's 243 million in what we consider the road projects and the building projects. And if only ten of that is a balance that we could eliminate, you know, from the first cut, that shows that for the most part, things take a little time, building the jail takes time, building a road, land acquisition itself takes about three years. I think we've been doing well, but if there are balances, for example, we have \$1.2 million to pay LIPA, but we won that lawsuit, so we don't have to pay LIPA that money any more. It might not be necessary to leave it in the pipeline debt.

So I just -- I know we have this ongoing conversation as a committee, so I wanted to provide this. This is the first cut. What we'll do next is take the next cut, maybe, you know, everything over \$100,000. But one of the things I think that is very helpful to the committee -- and I'm going to provide this to the whole Legislature as well -- is there's a pretty good detailed explanation of where projects are. So I know that as Legislators sometimes we can get frustrated about length of time it takes to do something, but I don't recall any explanation that's on this chart that doesn't have a defined reason and an approval we're waiting for or a legal proceeding that we're waiting to complete. So I just wanted to present that to committee for informational purposes. If anybody has questions, I'd like to entertain them now. Legislator Kennedy.

LEG. KENNEDY:

First of all, I commend you for going into this and to go ahead and take a look at what may be out there. You know, it's illustrative for all of us. And as a matter of fact, as I went through the sheets, I actually found something relative to Lake Ronkonkoma, which actually is still something viable to work with. But my question -- and that was purpose of the note I jotted to you as well -- is if we identify, like the LIPA settlement, money that may have been bonded that is sitting there that no

longer needs to be kept there, I struggle sometimes with what it is that we're actually talking about. Are we talking about the potential to get the money or the money that's gotten that's sitting that will pay back? What are we really looking at, and particularly when it's been raised by Bond -- you know, General Finance Law limits us to what those funds can be utilized for when they're raised for a particular category.

CHAIRMAN BEEDENBENDER:

Well, my intention was not to use this as an offset for other projects now. My intention was is if it's authorized and unissued and we know the project will never go forward, we should remove it from our pipeline debt. If it's been authorized and bonded for, then -- you know, and the balance is sitting there, but there will be no more incumbrances against it and it is legal to use that to help pay down the debt, then we should pay down debt rather than leave it in the balance. So that was my intention.

LEG. KENNEDY:

Okay. And is that something that looks like it would be a direction we can go?

MR. ZWIRN:

We do this on a regular basis. Carmine Chiusano from the Budget Office, at the end of the year, prepares a housekeeping resolution. We did it last year. Every year we look for the unexpended balances that are in some of these projects, and we draw that money down and take it out so it's not just sitting there and earning interest. We bring down bonds and we apply it toward expenses, and we do it consistently.

But as you notice when you look through the chart, which is very helpful, a lot of this is appropriated debt that -- the jail is going forward this year, you're going to see a lot of money being drawn down. But, again, we appropriated it, it's not being used, there's not interest against it until we need it. And we have individual projects that some of the Legislators have put forward. Legislator Romaine has got the lights, we appropriated money for traffic lights in Manorville. We appropriate money for the tick study. I mean, that has not been spent yet, it's, you know, to be considered pipeline debt, but it's been appropriated, and when the appropriate time comes to spend that money, it will be used.

CHAIRMAN BEEDENBENDER:

I will repeat again. It was not my intention to lay blame on either the County Executive or DPW. And that's why this first chart -- I want to be very clear -- it doesn't include reprioritizing or removing money from programs. It includes money that -- you know, I was suggesting removing money that is just said we might not spend it. Legislator Horsley, you did have --

LEG. HORSLEY:

Just quickly. Lance, so at the end of the year, you basically clean up these balances.

MR. REINHEIMER:

The County Executive does that. In addition, Public Works keeps a cash account. This is appropriations balances. Public Works, on a project by project basis, keeps a cash accounting, so they would know what the cash balance is for a particular project. They work with the County Executive's Office in closing it. So if there's cash, that would go back to pay bonds. If it's an appropriation balance, it just closes the appropriation. As Ben said, this is a normal County Executive function to manage these accounts and projects.

LEG. HORSLEY:

And at the end of the -- that year, does the monies go to pay down debt, is that what I'm gathering, for anything that was bonded.

MR. REINHEIMER:

If there's a cash balance and the project is completed or the priorities have changes and the project

is not going forward, those would be -- that cash would be used to pay down debt. And it's probably a small number. I don't think it's a large dollar amount. You're not looking at millions of dollars.

LEG. HORSLEY:

Okay.

CHAIRMAN BEEDENBENDER:

The bigger reason that I supplied the chart is because, you know, I got the chart that mentioned 600 million, I know Legislator Romaine had the chart as well, and I wanted to try to put it in context. That's why we had the chart at the beginning and the explanation. So as body, we would have an understanding of what that means and what really the projects are and the status. But I know that Legislator Romaine wanted to chime in.

LEG. HORSLEY:

Brian, is it your intention then to move this procedure up quicker to spend this down money or to move it over? What --

CHAIRMAN BEEDENBENDER:

Well, my first intention was to make sure that we all had an understanding of what was going on. And, I mean, I think it's important to remove things that we're not going to do, you know, as soon as possible, but I'm certainly open to having a discussion with the Executive Branch if there's a time period or if there's something that the Comptroller will inform me that, you know, we can only do this at a certain point of the year. I just think it's important that as a Legislature we understand, you know, what the numbers mean, where the status is.

So one of the things I'm also going to try to do is continue to pass something like this out, not just with the balances, but so as Legislators we can have a good accounting of where our projects are, because that was one of things that I said at the first meeting that I thought would be important for us to do as a committee, to make sure everything is going as it should. And if there's problems, we'll know about it.

LEG. HORSLEY:

Okay. Well, thanks.

CHAIRMAN BEEDENBENDER:

Legislator Romaine.

LEG. ROMAINE:

Yes. I want to thank the Chairman for his due diligence on this and his effort to educate the committee about this. I would point to an article that appeared in the Long Island Business News, entitles "Levy vs. Legislature over Capital Spending Plan, Tough Times Means Tough Luck for Some Long Term Projects," and the County Executive is quoted in the banner of saying, "Levy..Suffolk won't spend any money he doesn't have. Levy said the County Capital Budget shows there's already too much debt in the pipeline, which is why he is not implementing many of the outstanding projects.

And then he added to that with a memo he sent to all of us, the County Executive sent us a memo on May 28th, and I'll read from the first paragraph, last sentence, "Ironically, this debt continues to climb because of the Executive's request to curtail excessive expenditures. It's consistently opposed by the Budget Review Office and overridden by the Legislature." And it goes on in that vain throughout this.

He says, furthermore, in the beginning of the third paragraph, "The Budget Review Office also failed to engage in type of prioritization when it comes to road construction." And he goes on to indicate that he is economizing while the Legislature doesn't look -- to conclude, "we asked the Legislature

not look at this budget," and he's talking about the Capital Budget, "on a line by line basis." He can determine how much to add to the submitted budget.

Over the past year -- and this is the last paragraph in the memo, "Over the past year, there's been one or two Legislatures made bold statements decrying the carrying of the debt. Now is the chance for those Legislators to match their words with their votes. Don't add to my budget. Don't add to any more capital projects." I'm taking the County Executive's message to heart. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you.

LEG. ROMAINE:

It's our fault and your fault.

CHAIRMAN BEEDENBENDER:

Ben. Ben. Ben. Ben. Ben. Ben. He did you a favor, he read the memo.

MR. ZWIRN:

I was going to thank him.

CHAIRMAN BEEDENBENDER:

There's no need -- you don't have to --

MR. ZWIRN:

All I know is Dr. Valenzuela said to me he's glad you were here, because as a soccer player (indicating thumbs down).

CHAIRMAN BEEDENBENDER:

Well, I was a terrible soccer player. I'll admit that. All right. If we have no other comments from the peanut gallery, we will start with the agenda.

The first resolution on the agenda is **1010, a resolution for a public hearing for the purposes of considering the dissolution of the proposed Sewer District No. 4 - Smithtown Galleria (COUNTY EXEC)**.

Now it's my understanding that this -- we can't vote on this resolution because the public hearing date is incorrect.

MR. ZWIRN:

Right. This has been around so long. We have to change the public hearing date. So we would ask that it just be tabled.

CHAIRMAN BEEDENBENDER:

Ben, are you saying that IR didn't get something right?

MR. ZWIRN:

We didn't get the -- we didn't change the public hearing date.

CHAIRMAN BEEDENBENDER:

I'm just trying to clarify.

MR. ZWIRN:

I know.

CHAIRMAN BEEDENBENDER:

All right. So I'll submit a motion to table.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? IR 1010 is **TABLED (VOTE: 5-0-0-2 - Not present; Legis. Montano and Losquadro)**.

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

LEG. KENNEDY:

I'll make a motion to table relative to some of the commentary that Mr. Schneider had just made about an opportunity to have some more dialog with the administration.

CHAIRMAN BEEDENBENDER:

Okay. Motion to table by Legislator Kennedy, I'll second the motion. All in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-2 - Not present; Legis. Montano and Losquadro)**.

1174. Approving rates established for Davis Park Ferry Company (PRESIDING OFFICER).

We cannot vote on this yet, because -- right? Okay. So I'll make a motion to table. All in favor? Opposed? Abstentions?

MS. LOMORIELLO:

Who was the second?

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-2 - Not present; Legis. Montano and Losquadro)**.

1348. Approving extension of lease for North Ferry Company, Inc. For Greenport Harbor service between Shelter Island Heights, New York and Greenport, New York (PRESIDING OFFICER).

Motion by Legislator Romaine, and I'll second the motion. Is there any comments on the motion?

MR. REINHEIMER:

I think this needs to be tabled.

LEG. ROMAINE:

Has the public hearing been closed? I thought the public hearing was closed on this. It can be voted on, the public hearing was closed.

MR. NOLAN:

If you want to pass it over, I'll double check that.

CHAIRMAN BEEDENBENDER:

Okay. We'll just skip over that real quick while our Counsel checks.

So we'll go to IR **1358, Adopting a Local Law to reduce the emission of pollutants from the County's diesel-fueled motor vehicles (COOPER)**.

This has to be tabled for a public hearing. I'll make the motion.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **TABLED PUBLIC HEARING (VOTE: 5-0-0-2 - Not present; Legis. Montano and Losquadro).**

1362. Amending the 2008 Capital Budget and Program and appropriating funds in connection with improvements to CR 80, Montauk Highway, between NYS Rt.112 and CR 101, Patchogue-Yaphank Road/Sills Road and expansion of the sewer distribution system (EDDINGTON).

I'll make a motion to table at the request of the sponsor.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-2 - Not present; Legis. Montano and Losquadro).**

1413. Amending the 2008 Capital Budget and Program and appropriating funds in connection with the planting of trees and shrubs at various locations (COUNTY EXEC).

LEG. ROMAINE:

Motion to approve.

LEG. KENNEDY:

Second.

LEG. STERN:

Okay. Motion to approve.

LEG. HORSLEY:

I'll second that.

CHAIRMAN BEEDENBENDER:

All right. We have a motion to table and a second. We have a motion to approve and a second. The motion to table is by Romaine -- Legislator Romaine and seconded by Legislator Kennedy. The motion to approve is by Legislator Stern and seconded by Legislator Horsley. Motion to table takes precedence. So if we have any comments on the motion? Hearing none, I'll take a vote. All in favor? Legislator Romaine and Legislator Kennedy, I presume. All opposed? Myself, Legislator Stern, Legislator Horsley. Motion to table fails. So we have a motion to approve before us. Do we have any comments on the motion? Seeing none, I'll take a vote. All in favor? Opposed? Legislator Romaine and Legislator Kennedy are opposed. Abstentions? The motion is approved.

LEG. ROMAINE:

Point of order, Mr. Chairman. How many members of the committee are serving on this committee at the current time?

CHAIRMAN BEEDENBENDER:

There are seven members on the committee, one is absent at the moment.

MS. LOMORIELLO:

Two are absent.

CHAIRMAN BEEDENBENDER:

Two are absent at the moment.

LEG. ROMAINE:

My understanding of the way the Legislature works at its Legislative meetings and at its committee meetings, that's it's a -- it's not a relative majority, it's an absolute majority.

CHAIRMAN BEEDENBENDER:

Okay. Well, it needs four to get out, which means that -- Counsel, the motion fails then? We can't make the motion. It would have to be Legislator Romaine or Legislator Kennedy to make the motion.

LEG. KENNEDY:

You want a motion to table? All right. Motion to reconsider.

CHAIRMAN BEEDENBENDER:

There's a motion to reconsider, I'll second the motion to reconsider. All in favor? Opposed? Abstentions? All right. The motion is now before us.

LEG. ROMAINE:

Motion to table.

CHAIRMAN BEEDENBENDER:

Motion to table by Legislator Romaine.

LEG. KENNEDY:

Second.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Kennedy.

LEG. KENNEDY:

And on the motion, Mr. Chair.

LEG. KENNEDY:

On the motion, Legislator Kennedy. Let me just ask one more time with DPW. Where is this that this \$50,000 worth of shrubs is supposed to be going?

MR. ZWIRN:

If I might. It's County Road 50, Union Boulevard, from Brentwood Road to 5th Avenue in Bay Shore, County Road 86, Broadway in Greenlawn, little Plains Road in Greenlawn and the Criminal Court Buildings in Riverhead. Those are the three locations.

LEG. ROMAINE:

We have failed to engage in any type of prioritization when it comes to the budget, Capital Budget.

LEG. KENNEDY:

Through the Chair, I'm going to ask if the department can provide to my office some kind of a detailed listing of what's going where and the expense associated with each one of those three areas, please. I'm happy to make the motion to go ahead and table, but nevertheless, I'd like to see a little bit more of the specifics associated with this measure.

CHAIRMAN BEEDENBENDER:

I think DPW can do that for the committee. All right. We have a motion to table, do we have a second, Barbara?

MS. LOMORIELLO:

Yes, Legislator Kennedy.

CHAIRMAN BEEDENBENDER:

We have a second. All in favor of tabling? All opposed? Abstentions? All right. The motion is **TABLED (VOTE: 5-0-0-2 - Not present; Legis. Montano and Losquadro).**

1416. Amending the 2008 Capital Budget and Program and appropriating funds in connection with the renovations to Public Works Building, Yaphank (COUNTY EXEC).

All right. Do we have a motion? All right. I'll make the motion. Do we have a second?

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

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

LEG. ROMAINE:

What is the offset since we're amending the Capital Budget? What is the offset to this?

COMMISSIONER ANDERSON:

This is from Capital Project 5371, reconstruct of culverts.

LEG. ROMAINE:

So what does this mean, to improve your building, you're not doing culverts?

COMMISSIONER ANDERSON:

We won't be ready to spend this portion of the funds due to permitting -- permits that we're still waiting for.

LEG. ROMAINE:

Permits from the towns and villages?

COMMISSIONER ANDERSON:

And DEC.

LEG. ROMAINE:

And when the towns, villages and DEC gives you the permit, you won't have this money to spend at all, because you've now spent it on something else.

COMMISSIONER ANDERSON:

This, I would argue, was a small portion of the \$4 million that we have budgeted for this line. It's only 200,000.

LEG. ROMAINE:

Two hundred and ninety five thousand.

COMMISSIONER ANDERSON:

Right.

LEG. ROMAINE:

You know, what type of renovation are you doing in Public Works?

COMMISSIONER ANDERSON:

It's just been clarified that we have put money into future years to make up, you know, for the money that we're taking out now. It's interior work within the building --

LEG. ROMAINE:

So we're taking the money now, but adding to our future debt. I understand. I'm just trying to put this in context of the memo I received from the County Executive about our spend-thrift ways.

COMMISSIONER ANDERSON:

The work that's within the building is we're restructuring within the building trying to reorganize the departments. Over the years, different departments have been, as the department has grown, placed in different areas. We're trying to consolidate departments, use what room we have and do interior work. And that's what the money is for.

LEG. ROMAINE:

If you consolidate, you need less space then.

COMMISSIONER ANDERSON:

But the building wasn't built as one open area. It's been, you know, an add-on over the years. What we need to do is interior -- knock down walls, move walls, you know, based on the size of the departments.

LEG. ROMAINE:

Someone once said that old wine in new bottles still tastes the same.

CHAIRMAN BEEDENBENDER:

Thank you. That was my next question. All right. Do we have any other questions on the motion? Legislator Kennedy? You had the mike in the hand so I figured you were prepped and ready.

LEG. KENNEDY:

I don't know. It doesn't make sense, I guess, to beat a dead horse. You know, if you are -- just assure me we're not getting more of these temporary cubicle-types of things that we utilize in some of our County buildings to create work spaces for some of our drafts people and clerks and things like that, that this is going to be put towards fixed interior walls and electrical and HVAC and those other types of things.

COMMISSIONER ANDERSON:

Correct.

LEG. KENNEDY:

Okay.

CHAIRMAN BEEDENBENDER:

Legislator Romaine.

LEG. ROMAINE:

I'm prepared to vote for this now. I don't know about the bond at the meeting next week. What would definitely help me, convince me to vote for the bond is a letter from the County Executive urging all 18 Legislators to vote for this capital project, because I think that would be helpful considering he has criticized our approaches to spending on all capital projects. Quite frankly, I'm of a mind not to vote for another capital project unless the County Executive says it's not spend-thrift, unless the County Executive writes a letter and says, "This is a project I endorse and urge all Legislators to vote to spend this money."

MR. ZWIRN:

Does that include projects in your district, like County Road 58? You wouldn't want to spend any money on that?

LEG. ROMAINE:

You know what? I don't have to worry about that. I think the County Executive is taking care of that for me.

MR. ZWIRN:

I'll thank him on your behalf.

CHAIRMAN BEEDENBENDER:

Okay. I made a motion and we have a second by Legislator Stern. This is a great job. We have a motion to approve and a second. All in favor? Opposed? Abstentions? All right. Motion is **APPROVED (VOTE: 5-0-0-2 - Not present; Legis. Montano and Losquadro).**

We can go back to **1348, Approving extension of lease for North Ferry Company, Inc. For Greenport Harbor service between Shelter Island Heights, New York and Greenport, New York (PRESIDING OFFICER).**

Counsel says that we cannot vote on it. The public hearing is June 10th.

LEG. ROMAINE:

Motion to table.

CHAIRMAN BEEDENBENDER:

We'll make a motion to table, but just to explain to the crowd -- and I forget your name, ma'am, Julie Ben-Susan -- what we have to do is have a public hearing at our meeting on the 10th. We have a committee meeting the very next week where we could pass it out of committee, and then approve it at the next Legislative meeting assuming that our public hearing is closed. So it's just a procedural thing. So at the meeting on the 10th, we'll have the public hearing at or about 2:30, and then if that's closed, we can go ahead and approve the license at the next committee meeting and at the next General Meeting.

LEG. ROMAINE:

But there's no need for --

CHAIRMAN BEEDENBENDER:

That's a good point. There is no need for you to return.

LEG. ROMAINE:

It's a long trip.

CHAIRMAN BEEDENBENDER:

It's got to be a long trip and a boat ride. So. All right. The next bill -- we went back to 1348. We cannot vote on this, so I'll make a motion to table.

LEG. ROMAINE:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Romaine. All in favor? Opposed? Abstentions? IR 1348 is **TABLED (VOTE: 5-0-0-2 - Not present; Legis. Montano and Losquadro).**

1418. Amending the 2008 Capital Budget and Program and appropriating funds in connection with fuel management/preventive maintenance and parts inventory control

system (COUNTY EXEC).

LEG. HORSLEY:

Motion to approve.

CHAIRMAN BEEDENBENDER:

Motion to approve by Legislator Horsley, I'll second it for the purposes of discussion. We have a question. Legislator Stern, and then Legislator Romaine on the motion.

LEG. STERN:

Thank you, Mr. Chairman. This was originally before us, and it had sought to take \$285,000 from Capital Project 5168 dealing with portions of Pulaski Road. And I guess this is an amended copy, which is seeking to increase by an additional \$25,000 from another Capital Project, 1706; is that correct.

COMMISSIONER ANDERSON:

Yes.

LEG. STERN:

I'm looking at my amended copy. It's dated May 6th. But I don't see language within it unless I'm missing something relating to that original project, 5168.

MR. REINHEIMER:

It appears that's been changed to 5515, William Floyd Parkway.

LEG. STERN:

Okay. Very good. So 5168 is no longer the project where they're taking.

MR. REINHEIMER:

It's no longer used as the offset.

LEG. STERN:

Very good. Thank you.

CHAIRMAN BEEDENBENDER:

Legislator Romaine.

LEG. ROMAINE:

I'd like to explore the offset with you again. This is a \$285,000 project that we're going to bond for. We're obviously taking one project and moving that money, or is it two, which --

MR. REINHEIMER:

Two projects.

LEG. ROMAINE:

And how much from each, and what does each involve?

MR. REINHEIMER:

Twenty-five thousand from the replacement of fossil fuel tanks and the balance from 5515.

LEG. ROMAINE:

Replacement of fossil fuel tanks?

MR. REINHEIMER:

That's correct.

LEG. ROMAINE:

To meet a State mandate; is that correct, Commissioner, that we have to replace certain fossil fuel tanks in the County's possession because of a State mandate?

MR. LAGUARDIA:

We've met all the Health Department State mandates.

LEG. ROMAINE:

Then what would that \$25,000 be for?

MR. LAGUARDIA:

What happens over time is either Real Estate takes land or we find tanks that we didn't know existed. We have to do replacements for them to meet the mandates. Right now there aren't any on the list, but they do pop up, so we keep a certain amount in the Capital Fund. We have sufficient money there.

LEG. ROMAINE:

How much money do you currently have in the Capital Fund to meet this need?

MR. LAGUARDIA:

Lance would have to know.

MR. REINHEIMER:

We can look that up.

MR. LAGUARDIA:

This Capital Program is a very similar Capital Program. It deals more with the infrastructure around the tanks. It's very critical. Public Works has not done a good job over the eight or ten years keeping up with infrastructure that supports the tanks. We've done very well with the tanks themselves. We need to go back and start addressing the pumps -- the pipes between the tanks to get them into compliance and safety.

LEG. ROMAINE:

Since we're talking about tanks, let me just deviate for one second. Could you talk about the tanks at Indian Island Golf Course, the old tanks, the old gas pumps there and what the problem was there? Could you go into that and how that's being remediated?

MR. LAGUARDIA:

Those tanks were removed several years ago. I'm not quite sure, Legislator Romaine, what problem --

LEG. ROMAINE:

I'm told that they were found to have been leaking and that there were -- gasoline into the groundwater at that location.

MR. LAGUARDIA:

No. That's not true.

LEG. ROMAINE:

I heard that from Barbara Blass, a member of the Riverhead Town Board.

MR. LAGUARDIA:

No. What we did with the park's concurrence is we moved that facility away from the river to prevent that from happening. There probably were very minor spills over the years as any gas facility. They were cleaned up with minor consequences, DEC spill numbers. But there were no

major spills from those tanks.

LEG. ROMAINE:

Okay. Thank you very much. Let's get back -- that's 25,000. The other 260,000 comes from William Floyd Parkway. Could you tell what that money was intended for.

COMMISSIONER ANDERSON:

We don't have it coming from William Floyd.

LEG. ROMAINE:

Okay. Twenty-five thousand came from the gas tank. Where's the other 260,000.

LEG. KENNEDY:

5515, reconstruction of CR 46, William Floyd Parkway.

LEG. ROMAINE:

Yeah. Could you tell me where that's coming from and what that project originally was intended for? You know, Legislator Browning is not here, but I'm sure if she was she'd be asking these questions.

COMMISSIONER ANDERSON:

I don't have a copy of it.

MR. HILLMAN:

5515, I don't have a copy of. The description is -- I believe this is the reconstruction between the LIE and Moriches-Middle Island Road. The project is still in the conceptual design phase. And it was land acquisition actually. In addition, we were able to scope the project down, and it doesn't require any land acquisition, because we've been trying to get a handle on it.

LEG. ROMAINE:

This project doesn't require any land acquisition whatsoever. What does this project involve?

MR. HILLMAN:

Widening the bridge within the existing right-of-way, wide Moriches-Middle Island Road within the existing right-of-way.

LEG. ROMAINE:

Is that a town road or a County road?

MR. HILLMAN:

It's a County intersection.

LEG. ROMAINE:

So you'd widen only the intersection portion of the road?

MR. HILLMAN:

Correct.

LEG. ROMAINE:

Okay.

MR. HILLMAN:

And making some improvements along William Floyd in between the bridge and the Long Island Expressway.

LEG. ROMAINE:

Like what type of improvements?

MR. HILLMAN:

Connections -- modifying the merge lanes, they're a little tight right now, making some merge improvement, things of that nature.

LEG. ROMAINE:

How much is this total overall project?

MR. HILLMAN:

With the bridge -- as I said, we're still in the conceptual stage. We're researching with FHWA because we're going to apply for bridge funding for the bridge portion of it, and we're not sure whether they will require a seismic retrofit. So that could be upwards of a million -- \$1.5 million. So somewhere in the vicinity of about ten million.

LEG. ROMAINE:

And this project isn't ready to go yet?

MR. HILLMAN:

No, it's not ready to go.

LEG. ROMAINE:

And it's still in the conceptual stage.

MR. HILLMAN:

Correct.

LEG. ROMAINE:

Good, because as you know, I oppose your conception of this project, because of the lack of a left turning lane into the industrial park, which is directly across from the Seventh Precinct, which you have made no provisions for. And there was a way that you could have done that without preventing merge from William Floyd Parkway from people coming off the exit by simply building a curbing much like you did at McGraw street. So, okay. I won't go into that. I'll have that discussion with you at another date. Thank you very much.

MR. HILLMAN:

Always available.

CHAIRMAN BEEDENBENDER:

Okay. If we have no more questions, I believe we have a motion to approve and we have a second. I will -- on the motion, all in favor? Opposed? Abstentions? All right. The motion is **APPROVED (VOTE: 5-0-0-2 - Not present; Legis. Montano and Losquadro)**.

LEG. ROMAINE:

Mr. Chairman.

CHAIRMAN BEEDENBENDER:

Yes. Legislator Romaine.

LEG. ROMAINE:

Again, on this, it would be helpful at least as far as the bond is concerned, a very short one sentence letter from the County Executive urging Legislators to vote in favor of this. And I doubt without that letter that this bond is going to be successful, because, again, we don't want to be accused in the press or in memos of acting foolishly as a Legislative body, of overspending our budget. We want to be in accord with the Executive Branch in terms of spending priority. Thank you.

MR. ZWIRN:

If I just might respond is that you wouldn't be over your budget, because these are projects where offsets are taken. The only time we don't use and offset is when we get a certain amount of Federal or State aid. But in these cases, these are all monies that were in the Capital Budget that now we're amending; taking it from one project to put toward another. So whether -- the fact of whether you're spending foolishly or not is probably another letter.

CHAIRMAN BEEDENBENDER:

At least we can be assured that the flow of correspondence between the Dennison Building and Riverhead will increase.

Okay. IR **1419, Amending the 2008 Capital Budget and Program and appropriating funds in connection with building safety improvements (COUNTY EXEC).**

I will make a motion.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. My notes say that this takes \$200,000 from Capital Project 1603, building safety improvements and transfers it from bonding to this capital project.

COMMISSIONER ANDERSON:

It's reallocating the 200,000 from -- 200,000 for construction to 50,000 in design and 150 in construction.

LEG. KENNEDY:

Mr. Chair, on the motion.

CHAIRMAN BEEDENBENDER:

Legislator Kennedy.

LEG. KENNEDY:

I'm inclined to go ahead and look to table this one, although, I'd be more than happy to hear from the Commissioner why it is that we need to go forward on this one.

CHAIRMAN BEEDENBENDER:

Gil.

COMMISSIONER ANDERSON:

These are code issues that we have within various County buildings. I don't know exactly which ones, but there are issues that we have to -- you know, we have to address to meet code.

LEG. KENNEDY:

Whose code? Our New York State Building and Fire Safety.

MR. LAGUARDIA:

That's correct. This is an overall program, Legislator Kennedy, to look at all -- eventually look at all of our buildings, assess them regarding the codes that they're supposed to have been designed and built under, assuring that we have safe buildings and code compliant buildings.

Originally, the program envisioned starting with \$200,000 planning and putting all the construction money later. Over the last year -- right now, the Skilled Nursing Facility had had an inspection. There are several items that were brought up that need to be brought up to code. And I believe that

Mr. Calderone is also working on the Dennison Building with some items.

LEG. KENNEDY:

Okay. Just for the purposes of what we're saying here though then, because if you're telling me that we've got a skilled health care facility that's got issues regarding patient and staff there that's a 24 by 7 plant regarding fire safety, I'll be happy to vote for this. That's a no-brainer then. That's where this money is going to?

MR. LAGUARDIA:

At least a major portion of it, yes.

LEG. KENNEDY:

Okay. That's your understanding, Commissioner?

MR. LAGUARDIA:

That's correct. I was involved with Mr. Calderone when he made the decision to move the money.

LEG. KENNEDY:

Will this be while we still own it?

MR. LAGUARDIA:

It's a current safety issue. We have to address it.

LEG. ROMAINE:

I'm sure you're talking about Dennison Building. I have that a resolution to sell that one too.

LEG. KENNEDY:

I'll yield.

CHAIRMAN BEEDENBENDER:

See, I think this committee meeting is a model that we can disagree and still laugh with each other. I'd like to bring that to the full Legislature or at least media reports. That being said, we have a motion to approve and a second. All in favor? Opposed? Abstentions? IR 1419 is **APPROVED (VOTE: 5-0-0-2 - Not present; Legis. Montano and Losquadro)**.

1460. To implement Sunday bus service for S-92 Bus Route (ROMAINE).

LEG. ROMAINE:

As difficult as this may be, I'll make the motion.

MR. ZWIRN:

Excuse me.

CHAIRMAN BEEDENBENDER:

We will get there, Ben. Motion to approve by Legislator Romaine, seconded by Legislator Kennedy.

LEG. STERN:

Motion to table.

CHAIRMAN BEEDENBENDER:

We have a motion to table by Legislator Stern, seconded by Legislator Horsley. Before we do either, I just wanted to ask, I haven't seen it and perhaps I didn't see it. Do we have a fiscal impact statement? If there was one done, I just didn't see it.

MR. REINHEIMER:

Yes, we do.

CHAIRMAN BEEDENBENDER:

Okay. Can you tell me what it said since I haven't seen it?

MR. REINHEIMER:

The total estimated cost was \$760,000 for Sunday service. I think it starts at 5:00 a.m. and goes to 8:00 p.m.

CHAIRMAN BEEDENBENDER:

Is that for a year, or the remainder of this year?

MR. REINHEIMER:

No. That's an annual cost.

CHAIRMAN BEEDENBENDER:

Okay. Legislator Romaine.

LEG. ROMAINE:

Obviously, this is going to be tabled today. And the reason that I introduced this is not to begin wasteful spending, but to begin a serious debate about public transportation in time when the County received an F in terms of its air quality and a time which gas is rapidly approaching \$5 a gallon. And I chose the S-92 route not only because it encompasses part of the my district and part of Legislator Schneiderman's district, but because it is one of the most heavily traveled bus routes in Suffolk County.

I know when I sat with the Cablevision Editorial Board, they were shocked to find out that no buses run anywhere at all in Suffolk County. My district, the 1st Legislative District, probably on a per capita basis has the oldest population in Suffolk County; we have a number of senior citizens, we have a number of other people. Public transportation is something that we need to begin discussing about.

At the risk of having the County Executive accuse me of a being a big spender, this was introduced so we could have a serious debate about what we want to do with public transportation. The Budget Review Office prepared a 5:00 a.m. to 8:00 p.m. bus schedule. I would certainly be willing to consider even a modified bus should to provide some transportation on Sunday.

Right now, there is no public transportation. We are never going to increase ridership, we are never going to reduce our carbon footprint, we are never going to improve our air quality unless we begin to seriously think about alternatives to public transportation. Clearly, you know, this resolution is going to be tabled, and quite frankly, even me, I have problems with it, because I think the bus service in Suffolk County is not optimum as it currently operates. But certainly something is better than nothing.

This resolution is for discussions purposes, but we really should think about what we're going to do with public transportation in Suffolk County because we're not looking at it. And I'm willing to do this knowing full well sometime next week in my local papers I'll be blasted as a big spender.

But I do this because I think worthy of this Legislature to look at larger policy issues such as public transportation, particularly in the time of high gas when there are very few alternatives. And when you're looking at one of the heaviest traveled bus routes in Suffolk County where there are great distances that people cannot walk or even bike to out on the North and South Fork.

I started with that, but I'd be willing to withdraw this and have this Legislature seriously look at public transportation, all of its aspects, throughout every area of Suffolk County. To this day, people are amazed that this County offers no public bus service whatsoever on Sunday. And certainly, I

think after nine o'clock they offer no bus service at night. So it's something this Legislature at some point should begin to grapple with. We're a County of one point one and a half million people. We really should seriously start taking a look at it. Thank you.

CHAIRMAN BEEDENBENDER:

Legislator Stern.

LEG. STERN:

Thanks, Mr. Chairman. I would tend to agree with much of the underlying principle behind Legislator Romaine's purpose and his comments. But my understanding is that we are doing just that right now as part of the overall analysis of the County bus system regarding routes and times of day. I'm wondering if someone from the administration can talk about where we're at with that analysis that should be going on right now.

MR. ZWIRN:

If I might just jump in. One of the things that the County Executive has talked about -- having Sunday bus service would be a wonderful thing in Suffolk County, there's no question about it. What the County Executive has pointed out as recently as, I think it was today, we're comparing what we receive in public transportation aid from the Federal and State Government pales in comparison to what they get in Nassau County, even though geographically we are much larger, larger and we have a larger population. I think the disparity is something like \$30 million a year, \$22 million versus 57 million that Nassau gets. And it's not fair.

The County Executive has been to Albany, spoke with the Governor's Office, continues to lobby our State Legislative Representatives to get more aid to us so that we can begin to have Sunday bus service. Currently, with the amount of revenue shortfall and the extraordinary cost for this, because our gas prices -- diesel prices have also gone up, it is just almost prohibitive at this particular time to expand it. And I just draw your attention to an article that was in Friday's Wall Street Journal, which talks of this very issue, which in many jurisdictions, believe it or not, while there's a greater demand for public transportation as energy costs go up, a lot of municipalities are actually cutting back because their expenses have gone up dramatically, much farther beyond what they ever dreamed especially fuel costs. Suffolk County has not reduced services at all even though our operating costs have gone up.

But we would join with Legislator Romaine and the rest of the Legislature in trying to get, you know, additional aid. And if that aid can come through, then I think that we would do anything we can to try to additional service, including Sunday transportation, not just in Legislator Romaine's district, but County-wide.

CHAIRMAN BEEDENBENDER:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. I'll make this quick. I was going to actually go to the point that you just made, Ben, that I commend the County Executive for raising the disparity between Nassau and Suffolk. Part of, I believe, why Nassau benefits from such a larger share is their affiliation or nexus, I think, with the MTA. And therefore, I guess, they have a different portal of funding, whereas we must fall under some larger federal transportation formula, which is less beneficial or favorable to us. So clearly, you are right, there's a place for us to advocate for fairness, for equity and geographically, being triple the size of Nassau and larger in population -- even though I didn't get that invite to the press conference.

MR. ZWIRN:

It's in the mail.

LEG. KENNEDY:

So is the check.

CHAIRMAN BEEDENBENDER:

I hope there isn't a check in the mail.

LEG. KENNEDY:

I do commend you for it. But what I would say is likewise, I raised these issue and concerns previously about the overall study. And I know you must have some kind of a consultant who's doing it, and I know there must be working through things. But each one of us experiences different measures. He needs it on Sunday. I need it with frequency as far as transfers. There's two and three buses that constituents in my district have to take sometimes with catching a transfer in order to go back and forth out of the Smith Haven Mall to go other ends of the district or to go throughout the County. It becomes almost inconceivable that somebody's got to be on a bus for three to four hours transferring between different buses to go ahead and make their particular destination. That's not planning, that's the antithesis of planning. So we all wait for this study, and then like Christmas, it's coming. But we're looking for it real soon.

COMMISSIONER ANDERSON:

If I may, the study that is being worked on at the present time, we anticipate in early fall. The consultant will come before this, you know, committee I believe some time over the summer. And these questions that have been raised in public hearings that have been held should all be addressed as part of their study, their recommendations, you know, that we will get as part of the study as well.

CHAIRMAN BEEDENBENDER:

I know, Legislator Romaine, you want to jump in, but I just want to say that it is my intention once that report is released, because I know that we have this Sunday service, another big issue that's been brought to my attention by some individual is it's not just Sunday, it's that, you know, things are open later in the day, so when closes or, for example, if the only means of transportation is the bus and you wanted to watch a ball game with friends, you can't even stay late enough, because the buses go home so early.

So there are a lot of issues that have been brought up. It has to do with the timing of the buses, the frequency of the buses, the days of the buses, the length of time a transfer is worth -- is worthy -- is useful, excuse me. And also, cameras on the buses, GPS, we have all these suggestions. And I believe the report that -- I know it was delayed, Legislator Kennedy, I believe you and I had some correspondence about that. And it's my understanding that July-August is really the time we should be expecting it. And when we do that, I think we will have a big debate and discussion at this committee, because that will be before the Operating Budget and it will be an opportunity where we might be able to implement some of those changes. So, Legislator Romaine, I know you wanted to add in.

LEG. ROMAINE:

I'll just finish up by saying, I believe, in 2006 Jay Schneiderman and myself offered a bill to do a pilot study for Sunday bus services from Memorial Day to Columbus Day for the S-92, which is the North Fork-South Fork route. And we were told at that time, "No, no, no, there's a study." And, okay, here we are two years later waiting for the study. Let me ask the Commissioner, I assume as part of the consultant's work there will be public hearings on this; is that correct?

COMMISSIONER ANDERSON:

I believe -- I'd defer to Bob Shinnick.

MR. SHINNICK:

There will be public meetings.

LEG. ROMAINE:

Can the members of this committee or the Legislators as a whole get a list of the times and dates?

MR. SHINNICK:

Absolutely. They haven't been set yet, but we'll be setting them this month.

LEG. ROMAINE:

I assume you'll have one in Riverhead.

MR. SHINNICK:

We're very cognizant that we need to be out East as well as take care of the middle of the Island as well as the West End.

LEG. ROMAINE:

Because obviously, I'd like to publicize those hearings for my constituents so they have an opportunity for input.

MR. SHINNICK:

We anticipate two sets of the meetings; one will be for the consultant to talk to people to get their input; the second series will be for them to bring their recommendations and findings back to the community.

CHAIRMAN BEEDENBENDER:

Thank you, Bob. I just wanted to kind of -- since we're discussing this on the record -- if anybody would like to join me, I think it would probably be appropriate, we could ask BRO through legislation or we could just ask them right now to give us maybe a study of -- we talked about the MTA, what would be barriers, what would be the drawbacks and what would be the process. I mean, if we need to do it by legislation, we'll do it -- ask them to do a study. I know you didn't say that, Legislator Romaine.

LEG. ROMAINE:

Well, we're one of 16 counties that participate in MTA that pay into MTA.

CHAIRMAN BEEDENBENDER:

Right. We pay in for station maintenance and --

LEG. ROMAINE:

No. We pay in through the transfer tax.

CHAIRMAN BEEDENBENDER:

Exactly.

LEG. ROMAINE:

We pay in millions of dollars every year to the MTA, one of the MTA counties that do that.

CHAIRMAN BEEDENBENDER:

And not only that, we pay millions of dollars through the sales tax, because if I'm not mistaken, the MTA get a big portion of the State's portion of the sales tax that they use for bus service, train service and all that other stuff. But, I guess, maybe we'll discuss that afterwards if we want to ask BRO to look at what the steps would be to do that. I'm sure it will involve the State, which probably means it won't happen.

LEG. HORSLEY:

Is Westchester an MTA bus --

CHAIRMAN BEEDENBENDER:

I don't know. Does anybody know if Westchester is MTA? I think they might be.

LEG. HORSLEY:

They are?

LEG. ROMAINE:

Sixteen downstate counties are mandated as part of MTA.

CHAIRMAN BEEDENBENDER:

Okay. But we're not. But I think the question was --

LEG. HORSLEY:

MTA buses.

LEG. ROMAINE:

Yes.

CHAIRMAN BEEDENBENDER:

And Nassau has MTA buses, but we don't have MTA buses.

MR. SHINNICK:

Westchester is not operated by the MTA. It's a private system. They have an arrangement with Metro Card, but they are not MTA.

CHAIRMAN BEEDENBENDER:

Okay. Do we have an arrangement with Metro Card? No.

MR. SHINNICK:

No, we do not.

CHAIRMAN BEEDENBENDER:

Okay. All right. All right. Well, if we're done with that, I think -- I guess there's a motion to table and a second. We didn't vote on this yet. The tabling takes precedence over the motion to approve. All in favor? Opposed?

LEG. ROMAINE:

Opposed.

CHAIRMAN BEEDENBENDER:

Legislator Romaine opposed. Abstentions? IR 1416 is **TABLED (VOTE: 4-1-0-2 - Opposed; Legis. Romaine - Not present; Legis. Montano and Losquadro)**.

1474. Appropriating funds in connection with energy conservation and safety improvements to H. Lee Dennison Building (COUNTY EXEC).

My notes here say this is a \$1.06 million project for the replacement of boilers and waterproofing; is that correct, Gil?

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

All right. I will make a motion to approve. Do I have a second?

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. Well, if we don't replace the boiler, it will certainly diminish the value. Legislator Romaine.

LEG. ROMAINE:

Again, there's been extensive studies done on this, which is one of the reasons that I've put in a resolution for the sale lease-back of the Dennison Building. It's something the Legislature should look at. It would reduce somewhere between 30 and \$40 million. And at the end of the 25 year period, we'll get it back for one dollar. We'd have to agree to occupy the building and lease it from the landlord, but there's a tremendous benefit from doing so. There's been studies done on that. There is a resolution pending, it's been tabled. It's something that we should consider.

I thought Joe Caputo, our former Comptroller, had the best idea when he said to implode the whole building. And anyone that's worked there knows exactly what I'm talking about. We should not be -- even a direct sale of the building would be beneficial. The sale lease-back would be particularly beneficial, particularly we moved everyone out that was in there and just motivated Health and Social Services and other parts of Suffolk County Government that gets their rent subsidized, we would make out very, very well from that.

CHAIRMAN BEEDENBENDER:

Legislator Romaine, just to go back and forth for a second. It's my understanding that most of the Health Department and Social Services, they're in buildings that are leased already. So we get the reimbursement associate with it. So I guess what I'm not understanding is -- if you could respond.

LEG. ROMAINE:

Those leases are short term leases. The sale lease-back would be a 25 year situation. So what happens is we would move people from the Dennison Building out into buildings we're currently leasing. And during the short-term period of five to ten years that those leases exist, we'd be, probably if we were smart, considering building a new Executive Complex in Yaphank, which it was originally intended. That would make a great deal more sense. We could take some of the proceeds from the sale to do that or to pay down debt and do what Yaphank was envisioned for originally by County planners as a centralized governmental entity.

Hauppauge kind of fell into it. I know Riverhead is our official County seat. But that would be a long-term intelligent plan that would give us cash flow ability right now when we need it. And there's been numerous studies on this. I have one in my office about that thick. BRO can probably dredge those up. But that's something that I've encouraged the Executive to take a look at and the Legislature. One, it would give us cash flow; two, we'll own the building at the end of the 25 years; three, we will get a heavy subsidy; four, we'll lease whatever buildings we're leasing temporarily and move the Dennison people there, and in the mean time, begin construction of an Executive Complex at Yaphank. I think it makes a great deal of sense. It's certainly worthy of consideration.

CHAIRMAN BEEDENBENDER:

Legislator Kennedy.

LEG. KENNEDY:

Thank you, Mr. Chair. This one I'm inclined to possibly want to go ahead and table. But let's talk a little bit about boilers. I spent the better part seven or eight years in that building. Heat never worked well, hot water was never there, and that's 20 years. What are we proposing to replace? It's a conventional dual oil natural gas fired plant or what?

MR. LAGUARDIA:

Yes.

LEG. KENNEDY:

Okay. What's the -- how old is the heating system that's there now.

MR. LAGUARDIA:

The boilers themselves are 40 years old, but they've been up -- the burners were upgraded about -- I think it's ten years ago now. When we did the major renovations to the building eight or ten years ago.

LEG. KENNEDY:

Are the dualies now or are they just oil fired?

MR. LAGUARDIA:

Dual, gas and oil.

LEG. KENNEDY:

Okay. Are they at their -- are they beyond their natural useful life?

MR. LAGUARDIA:

Yes. Forty years is about -- 40 to 50 years is the end of the life. Our maintenance people that have been in there believe that it's time now to replace them before we have a major failure.

LEG. KENNEDY:

Have we looked at anything -- I mean, are these energy efficient units? Has LIPA come in there and done the energy audit, or have you guys done the energy audits that are naturally associated with other buildings? Tell me that we're not just repeating --

MR. LAGUARDIA:

The boilers are actually now relatively energy efficient. The burners that we put in there are high efficiently burners. But the boilers themselves now are old, and it's time for replacement. When we replace them, we will be putting in the latest technology.

LEG. KENNEDY:

How much longer till you'll actually be doing the work. Let's just say we go through the cycle, it gets out from here, when will somebody be actually installing boilers there?

MR. LAGUARDIA:

We'll hire a consultant, do a design. The waterproofing side, we don't need a consultant. We know what to do there.

LEG. KENNEDY:

That's a flat roof. You're just going to throw tar on the top.

MR. LAGUARDIA:

No. No. We're doing the sides of the buildings. We've done two -- I think -- I believe we did the east and the north, but I'm not -- sides and we have to do the other sides.

LEG. KENNEDY:

Yeah, I know, the windows leak.

MR. LAGUARDIA:

The caulking between the seams and the windows need -- need redoing. I would say within six months we should be up and ready to replace the boilers.

LEG. KENNEDY:

I believe people should have at least a decent place to work notwithstanding the fact that I'm a

spend-thrift. No problem.

CHAIRMAN BEEDENBENDER:

Okay. So we agreed that we're willing to spend money to give Ben heat. All right.

LEG. ROMAINE:

I always want to give Ben heat.

CHAIRMAN BEEDENBENDER:

All in favor? Opposed? We have a motion and a second, All in favor? Opposed? Abstentions?

APPROVED (VOTE: 5-0-0-2 - Not present; Legis. Montano and Losquadro).

1475. Appropriating funds in connection with the elevator controls and safety upgrading at various County facilities (COUNTY EXEC).

Now this is not at the Dennison Building, it is at the Cohalan Court Complex, and it looks like \$200,000 for upgrades and safety equipment. Yes, Gil. You're shaking your head. Okay. That's yes.

LEG. STERN:

Motion to approve.

CHAIRMAN BEEDENBENDER:

Motion to approve by Legislator Stern, I will second the motion. If there's nobody on the motion, all in favor? Opposed? Abstentions? Motion is **APPROVED (VOTE: 5-0-0-2 - Not present; Legis. Montano and Losquadro).**

There is no more business before us, so the meeting is now adjourned.

(*THE MEETING WAS ADJOURNED AT 3:42 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY