

PUBLIC WORKS
&
TRANSPORTATION COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

MINUTES

A regular meeting of the Public Works & Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York on August 12, 2008.

MEMBERS PRESENT:

Legislator Brian Beedenbender, Chairman
Legislator Steven H. Stern, Vice Chair (excused absence)
Legislator Wayne R. Horsley
Legislator John M. Kennedy, Jr.
Legislator Ricardo Montano
Legislator Daniel P. Losquadro (excused absence)
Legislator Edward P. Romaine

ALSO IN ATTENDANCE:

William J. Lindsay, Presiding Officer
Legislator Jack Eddington, Seventh District
George Nolan, Counsel to the Legislature
Barbara LoMoriello, Deputy Clerk
Kevin Duffy, Budget Review Office
Rosalind Gazes, Budget Review Office
Robert Doering, Budget Review Office
Ben Zwirn, Deputy County Executive
Gil Anderson, Commissioner, Department of Public Works
Tom Laguardia, Chief Deputy Commissioner, DPW
Bill Shinnick, Director of Transportation/DPW
Ben Wright, Director of Division of Sanitation/DPW
Bill Hillman, Suffolk County Department of Public Works
Kaitlin Boyd, Aide to Leg. Beedenbender
Deborah Harris, Aide to Leg. Stern
Michael Cavanagh, Aide to Presiding Officer
Paul Perillie, Aide to Majority Leader
Linda Bay, Aide to Minority Leader
Gail Lolis, County Attorney's Office
Debra Alloncius, AME Legislative Director
Francine Haselkorn, Ocean Bay Park Resident

Eugene L. Wishod, Attorney
Gerard Stoddard, President, Fire Island Association

ALSO IN ATTENDANCE (continued)

Judy Corcoran, Fair Harbor Community Association
Terry Mowers, Fair Harbor Community Association
Andrew Lippman, Fair Harbor Community Association
Delana Barry, Fair Harbor Community Association
Delia McKernan, President, Smith Point Beach Property Owners Assoc.
Bartley Horton, Ocean Bay Park Community Manager
Steve Jaffe, Ocean Bay Park Board Member
Mario Posillico, Village of Saltaire
Mary Parker, Davis Park Associates
George Stoddard, Fire Island Association
Joseph Carabott, Suffolk County Resident
Tim Mooney, Fire Island Ferries
Charles Sherman, President, Davis Park Ferry
Donald A. Rettaliata, Esq., Davis Park Ferry
John Lund, Davis Park Association
Tony Martinez, Empire State Carpenters
George Hoffman
And all other interested parties

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

MINUTES TRANSCRIBED BY:

Kim Castiglione, Legislative Secretary

(THE MEETING WAS CALLED TO ORDER AT 2:06 PM)

CHAIRMAN BEEDENBENDER:

We're going to get started. I know we have lot of things to discuss so we might as well get started. If we could all rise for the Pledge led by Legislator Kennedy.

SALUTATION

PUBLIC PORTION

I have a number of cards here. If you wish to speak before us and you haven't filled out one of these yellow cards there are plenty of them out in the hallway. If you could just hand them to the Clerk here. If you don't get a chance to fill out a card, we'll have an opportunity at the end to make sure everybody who wants to gets a chance to speak. And for those of you that haven't been through this before, everybody gets three minutes to speak about whatever you'd like and we just ask that when you start out you say your name clearly into the microphone so we have it for the record. And first up I have Gene Wishod.

MR. WISHOD:

I'll be very brief, Mr. Chairman. As you know, Motor Parkway Associates wants badly to do this 350,000 gallon expansion of the Windwatch STP. However, what we can't live with, I mean, all our contracts with all our connectees are subject to regulatory approvals. If the committee and the Legislature doesn't want us to expand the Windwatch STP, fine. We'll build our own plant, we'll go back to the Sewer Agency, whatever.

What we can't live with is delay. We can't live with a Galleria fiasco where this is adjourned for a year. We have to move one way or the other. We want this, we are prepared to do it. We'd have contracts to do it. But just make a determination expeditiously. That's all we ask.

CHAIRMAN BEEDENBENDER:

Thank you. Next I have, I think it says Gerard Stoddard, about the Fire Island Ferries. I apologize to anybody in advance if I happen to mispronounce your name.

MR. STODDARD:

Thank you, Mr. Chairman.

CHAIRMAN BEEDENBENDER:

No problem. Go ahead, Mr. Stoddard.

MR. STODDARD:

I'm President of the Fire Island Association, which represents the interest of the owners of some 3700 homes and businesses on Fire Island. Fire Island Ferries provides access to those homes and businesses as well as hundreds of thousands of visitors to the Island each summer. The increase in the cost of ferry service is, of course, a major concern. We understand the impact of fuel costs on the ferry company's bottom line as well as the need to upgrade and replace equipment on a regular basis. These costs must be reflected in ticket prices and we very much appreciate the good work of the Budget Review Office in analyzing these costs and their impact on the company. As fuel prices become more volatile in the future we hope the Budget Review Office will have suggestions for how the company, if not the whole County, can kind of lock in prices in advance.

Under the proposed increase, it's going to cost a family of four 44 bucks to go to Fire Island for a day, and that's in addition to parking. This will mean more pressure on Robert Moses State Park and Smith Point County Park. On the parking issue we understand the Legislature at present does not have authority to consider that and -- in part of the ferry company overall operations or revenues.

We'd like to ask that the Counsel to the Legislature be asked to look into the law that prevents that review and see if it might not be changed. These are obviously not separate businesses, but one in the same.

We share the concern that the ferry service may be reduced in the shoulder seasons, and we support an amendment to this bill that would prohibit service cuts if an increase is granted. We have been working with the park service for many years in trying to reduce driving on the beach. The less ferry service there is, the more driving becomes necessary for builders and service people alike.

Whether it's people or freight, my organization believes that if it can come by water or go by water it should come by water. The fewer vehicles of all kinds on Fire Island, the more the unique character of the area will be preserved. The more people who do come by water, the fuller utilization of cost, of boats rather, will mean more affordable prices. We believe the County should join with the Fire Island communities and the National Seashore to explore ways to make this happen.

Finally, we support those communities that own their own docks and believe that they should be able to negotiate discounted ticket prices with the company. Thank you, Mr. Chairman.

CHAIRMAN BEEDENBENDER:

Thank you, sir. Just for the record, Legislator Stern and Legislator Losquadro had personal situations to deal with so they have excused absences for the meeting. So next up we have Francine Haselkorn.

MS. HASELKORN:

Good afternoon. Thank you. I represent myself as a homeowner in Fire Island and I would like to add something before our community leader speaks and that is that when I came in here, and Debbie was charming, a very helpful person, and when I said -- she asked me where I came from. I said Ocean Bay Park and she said where is that, and I said Suffolk County. So I would just like to add the fact that we are part of this County and we serve a very important function. Despite the fact that we are homeowners and this is also a playground, in actuality it is Fire Island, the barrier beach, which protects Long Island and I would like to underscore that. So while we -- while we live here and play there, and there are many, many people who come and enjoy it as well, nevertheless, it has a very, very important function and I don't want that to be underscored.

Obviously it will be a big hardship on many people to have a large increase in tariffs, and it isn't just the cost of the ticket prices, but it is also the cost of ferrying all of the materials and foods which come to Fire Island. And so, yes, we all understand that fuel prices go up, but it's also necessary to keep in mind the fuel prices are, while in flux, seem to be going down right now. I think that in keeping that in mind that perhaps any increases should be postponed and certainly reviewed. Thank you very much.

CHAIRMAN BEEDENBENDER:

Thank you. Okay. Next up we have Mr. Carabott. And Mr. Carabott, I believe, has a small video for us if I am correct, Mr. Carabott?

MR. CARABOTT:

My name is Joe Carabott. I live at --

CHAIRMAN BEEDENBENDER:

We're going to need you to talk into a microphone, any of them, you could even grab the one on the end of the Legislature there.

MR. CARABOTT:

My name is Joseph Carabott. I live at 135 Van Buren Street in Mastic. New York. I represent not only myself but all the people that signed the petition against the --

CHAIRMAN BEEDENBENDER:

We just need you to talk into the mike, Joe, so we get it for the record. That's all.

MR. CARABOTT:

As I said, my name is Joseph Carabott. I live at 135 Van Buren Street in Mastic, New York. I am not here only for myself, but all the residents that have signed this petition, about 100 of them, against what is known as the Surrey Circle project.

This is the reason for that. This is our road heading east. We have continuous traffic all day long. About 10,000 cars pass through this intersection every day. Day in and day out, non-stop. Twenty-four hours, seven days a week, 365 a day. Now, you can see more of that --

CHAIRMAN BEEDENBENDER:

Which road is that right in front of you? Just point it out again, Mr. Carabott?

MR. CARABOTT:

That is Sommerset. That is traffic going to or coming from Surrey Circle from William Floyd.

CHAIRMAN BEEDENBENDER:

Okay. Continue.

MR. CARABOTT:

Now, this is an adjacent -- this is a road known as Linden south of Surrey Circle. It also goes east and west and as comes from William Floyd. There's the traffic on that road. If you notice, there is no traffic heading north, so if there was a left turn arrow over here, it would not interfere --

CHAIRMAN BEEDENBENDER:

Microphone.

MR. CARABOTT:

If there was a left turn arrow turning here when the light south of it goes red, it's not going to impede with the traffic heading north. It's as simple as that. But Bill Hillman and staff put it into their head that they would not put that. Instead of using a road that they know thousands of cars will use, they opened one a little bit north of that on the store that less than 1000 cars use on a daily basis. Why? Because there is two businesses over there, a dentist and a lawyer, who used to be a councilman before. There's the simple reason. Because there was no reason to open store but for that reason. When you know that you closed an intersection that thousands of cars are going to use and you open one that less than 1000 cars use, totally doesn't make sense.

CHAIRMAN BEEDENBENDER:

Okay.

MR. CARABOTT:

That's all I have to say.

CHAIRMAN BEEDENBENDER:

That's perfect timing because you just ran out of time. Thank you very much, Mr. Carabott.

MR. CARABOTT:

I ran out of time myself. Thank you.

CHAIRMAN BEEDENBENDER:

Yes. You have gotten very good at it. Next I have Terry Mowers. Terry Mowers. This is why I wasn't a teacher. I would have butchered all the kids' names.

MR. MOWERS:

It's Mowers. That's okay. It's Terry Mowers. I'm a Fair Harbor Community Association board member and a resident of Fair Harbor, Fire Island. I just wanted to say that we understand and we recognize the need when fuel prices rise the way they have recently in terms of fair increases, although one was just granted in 2007. And we do believe it would be a hardship for some people within the community. But we also are concerned, our main concern is that the increase, if granted, is not tied to a reduction of service. We just want to make sure that that's addressed. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you, sir. Thank you for your brevity as well. Next up I have Judy Corcoran. And right behind Judy is Tim Mooney. Go ahead, Ms. Corcoran.

MS. CORCORAN:

Thank you. I'm also a Fair Harbor community board member and a homeowner in Fair Harbor. I just wanted to say that we love the ferry and the vital service they provide. There is nothing more beautiful in my mind than seeing those ferries pull out or pull in at any time of the day.

We understand the need for a price increase, as Terry just mentioned, especially when it's tied to fuel costs, but we want full service. It would be a hardship if we cut back on the number of boats. It's kind of a chicken and an egg thing. If there is no service, I don't take a boat. If I don't take a boat, there is no revenue coming in. So that's, you know, essentially all we wanted to say, that if there is a fare increase we hope that service will continue as well. Thanks.

CHAIRMAN BEEDENBENDER:

Thank you. Thank you, Ms. Corcoran. All right. Mr. Mooney, you're up next, and then right after Mr. Mooney -- wow, somebody writes very small. Deanna Barry or Delana Barry. I think that says Barry and I have pretty good eyes. So, Mr. Mooney, you have three minutes. Go ahead.

MR. MOONEY:

Thank you very much. My name Tim Mooney, President of Fire Island Ferries. We are back here again discussing in essence what is now a 2009 fare increase. Again, we started this process back in May in hopes of getting some relief within this season for Fire Island Ferries. And, you know, I understand the process here and I appreciate the opportunity that's given all of our riders to come in and express their needs and their concerns. And, quite frankly, I would be concerned about a fare increase as well sitting on their side of the table in this situation. But the fuel cost is a stark reality that we are all facing at this point and there is really no way to avoid the proposals that we have on the table.

We have a range of fare increases. The 40 trip books that most of the people here will be purchasing as homeowners is going up 13 percent as opposed to some of the other one way or roundtrip tickets that the day trip traffic is purchasing. I agree with Mr. Stoddard. If we can stop the driving -- we'll keep the service based on the demand that the residents put on the ferry service, but we are not going to run service in the winter with nobody on the boat. We have far too many trips at this point and we are not looking to eliminate service to any of the villages or towns that we're supporting, but we may take five trips and make four or three trips and make two, but ridership will dictate that. And in this environment of fuel conservation, you know, running a boat without any people on it just doesn't make any sense.

So we will work with the communities. We're having conversations, you know, with some of the communities ongoing here as we put together our fall and winter schedules. We will meet the demands that the people have and there will be adjustments made on both sides, both on our side as a ferry company, and residents side at the beach as well to take on those ferry services.

At this point, you know, fuel was seven percent of our expense line in 2003, and this year we're projecting it to be 25 percent. The change is dramatic. It stands a good chance in exceeding our payroll for this year and so this is not something that we can take very lightly, and there's nothing in honest that we can do about it. So with that, I'll step down and I thank you very much for your time.

CHAIRMAN BEEDENBENDER:

Thank you, Mr. Mooney. All right. Ms. Barry. I apologize if I didn't get your name right.

MS. BARRY:

I write small. I am a resident of Fair Harbor and I go all year round. I have been going to Fair Harbor in the winter for five years. I have Parkinson's and I cannot walk from Saltaire. In the past they have reduced service to just Saltaire, skipping Fair Harbor in the winter and it's just not fair.

CHAIRMAN BEEDENBENDER:

Okay. Thank you very much, ma'am. All right. Next up is Andrew Lippman, and behind Mr. Lippman is Charles Sherman.

MR. LIPPMAN:

Hi. I'm a board member of the Fair Harbor Community Association and a year round resident of Fair Harbor as of late. I just moved from Manhattan to the community year round. Like many Manhattan residents, I don't have a car so -- and I know there are a number of other year round residents, including a neighbor directly to the north of me, that does not have a car. And so for people such as that it would be a real hardship to have a reduction in service during the spring and fall and winter.

I was glad to hear the ownership of Fire Island Ferry say that they would very much consider the needs of the community in making any assessments about service going forward. I would encourage them to seek the input of the communities when they are going through that process because, again, a service cut off season, while for the casual user during the summer doesn't mean anything, but for the people who actually maintain their year round residences on the Island, it's a big issue. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you, Mr. Lippman. Mr. Sherman is up next. And after Mr. Sherman we have Mr. Rettaliata. Donald Rettaliata is up after Mr. Sherman. So, Mr. Sherman, fire away.

MR. SHERMAN:

Yes, I'm Charles Sherman. I'm President of Davis Park Ferry, nothing to do with Fire Island Ferries. I'm here to urge you to get our rate increase petition out of committee. It's been delayed over and over. We started in January of '08 and here it is, summer's almost over. We submitted an amended resolution just on Monday and it has been reviewed by Budget Review. I think all the major issues have been addressed and we have accepted all the Budget Review recommendations.

I would just hope that it would be voted on today and get out of committee. If it doesn't get out of committee, the legislation will expire on September 4th, the six month rule will be up by then. So if it's now out and voted in the next Legislative meeting we'll have to start all over again. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you, Mr. Sherman. Okay. Mr. Rettaliata and then after Mr. Rettaliata we have Delia McKernan. Sir?

MR. RETTALIATA:

Donald Rettaliata. I'm a Davis Park resident and I am also the attorney for Davis Park Ferries. I think Mr. Sherman has basically covered everything. Again, I just point out that Legislator

Eddington, we worked with him in the last week to redo the resolution since the public hearing last week was closed. And I believe he -- I'm sure he and his staff worked it over with Budget Review and so I think everything is now in place. And I'd also indicate, as Mr. Sherman did, that we're the Davis Park Ferry. We service only Davis Park in the Fire Island National Seashore at Watch Hill. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you, sir. All right. Ms. McKernan, you are up, and right after Ms. McKernan is Bartley Horton. Ms. McKernan?

MS. MC KERNAN:

Good afternoon, Legislators. Thank you for allowing me to speak. My name is Delia McKernan. I'm President of the Smith Point Beach Property Owners Association. I am here to support Joseph Carabott. I just want to speak about what we refer to as the Surrey Circle project.

I'm in the community of Smith Point which is south of Montauk Highway. William Floyd Parkway is our like one and only road down into the community of Smith Point. It's also a main road for people that need to go into Mastic Beach. I don't understand the purpose of a traffic study. When you don't go door to door -- I mean, an impact study would mean what it impacts, but nobody goes door to door and asks the residents in the community that are directly affected by this proposal, this reconstruction, how it's going to affect their quality of life.

I know by speaking to the people, the residents in the community, that the one thing that they are adamant about is the fact that they do not want an additional lane at Linden. It's only going to create more traffic. The residents also are concerned about the fact that why would you want to bring more traffic into Surrey Circle. That whole Surrey Circle is a mess to begin with. Again, the DPW, I don't know why the DPW or highway wants to create that flow into Surrey Circle for additional traffic.

I know years ago on William Floyd Parkway there was a turning lane onto Mastic Boulevard which was closed off. The people were against this and since then there have been increased accidents and pedestrian fatalities. The people knew this and expressed this, and yet the project went ahead anyway. Okay. So I'm just here to say do not make that mistake again. Don't waste any more taxpayers money. If you are going to do a study, it's an impact study, whatever you want to call it, please check with the people, the residents, the community that are directly affected by your projects because the project that went on William Floyd Parkway to Mastic Boulevard, it failed. And now years later we are doing another project relatively close to that and we want to make sure that that project is not going to fail a couple of years down the road.

So I would appreciate if you could look into this study, reconsider what you are doing, reconsider the fact that there are numerous fatalities at that particular intersection, and maybe come up with a plan that does not affect the quality of life for the people in the community. We, as it stands now, do not have an emergency evacuation route. We are limited to roads in and out of that community. Whatever we do there really affects us. It's a big impact on us. So if you could just maybe do another study or possibly reach out to the community, come up with a different plan. I mean, why should these residents suffer so many vehicles -- it's bad enough, you saw it from the video, how many cars go by on a daily basis. It's just not fair to the people in the community. Overall it might make sense, but directly who gets affected are the people that travel those roads on a daily basis and that's my community. Thank you very much.

CHAIRMAN BEEDENBENDER:

Thank you, ma'am.

LEG. ROMAINE:

One question.

CHAIRMAN BEEDENBENDER:

Legislator Romaine, go ahead. Ma'am, just come back up.

LEG. ROMAINE:

Just a quick comment. Having represented that area in the '80's I'm very familiar with this. I would concur with Mr. Carabott concerning this very dangerous intersection. I would just urge you to work with your current Legislator, Legislator Kate Browning, because obviously her input on this is going to be major with her colleagues. Her advocacy for or against this is going to obviously have an impact. So I would urge you to contact --

MS. MC KERNAN:

I did. I have and she has been very cooperative. And, again, it takes a village. I mean, there is more than just the one Legislator involved in this, so I mean, I'm just here to speak out to all of you. I know that it's -- she's our Legislator, and yes, we have reached out to her. Thank you.

CHAIRMAN BEEDENBENDER:

You don't have to stand up there, but I just echo what Legislator Romaine said. When we passed this project earlier in the year, you know, we do many projects and kind of as a matter of form my office before we move forward with something we usually solicit the input of whatever Legislator from the area and, you know, the honest answer is that we did that and we didn't hear any fight back. So if we do we can reassess this project.

MS. MC KERNAN:

Okay.

CHAIRMAN BEEDENBENDER:

Because we did have a lengthy discussion the first -- at the beginning of this project when we had it before. So continue to work with Legislator Browning, and if she contacts us and there is some other solution that she arrives at with Public Works than we can certainly look at what we've done already, because we approved this. We approved this project in the past.

MS. MC KERNAN:

Okay. Thank you. Appreciate that.

CHAIRMAN BEEDENBENDER:

No problem.

MR. HORTON:

Good afternoon. My name is Bartley Horton. I'm the Ocean Bay Park Community Manager. I want to make a few comments about the increase for the ferry company. We feel a rate increase because of the fuel cost and other expenses may well be justified, but we believe that because of the present fuel going down, at the present time we feel that any increase should wait until January 1, 2009. At that time you can make a call on the amount of increase if needed.

If a rate increase is made we also feel that better maintenance of our dock at Ocean Bay Park would be in -- they did a great job on the outer part. They replaced it last spring and did a great job. But the rest of the dock is in need of repair and so if an increase is given, I'd like to see other work done on the dock. And I spoke to Mr. Mooney before about that and they seem to be okay.

We also would like to say that if possible, if you are considering a rate increase, that some of the homeowners are asking for a reduced rate like Ocean Beach has. They have a reduced rate for homeowners and we would also like that. So, thank you very much.

CHAIRMAN BEEDENBENDER:

Thank you, Mr. Horton. I have Mary Parker. After Mary Parker I have Mario Posillico. Good afternoon, Ms. Parker.

MS. PARKER:

Hi. We are back to talk with you about the Davis Park Ferry rate increase and to urge you to please get it out of committee. As you know, we're all in accord, the ferry company, the Homeowner's Association --

CHAIRMAN BEEDENBENDER:

And you're from the Homeowners Association, right?

MS. PARKER:

Yes, I am representing Davis Park Association. Representative Eddington, everyone has been working together to try to get this increase. We all agree that it's very necessary. We have already had reduced service in our community of about 20 percent for the summer season. This means it's been affecting homeowners, day trippers, merchants, everyone has suffered this summer. We are concerned that the likelihood is that we will also have a very reduced schedule for the fall. We have no winter service, so that's not an issue. And the homeowners in the community are asking you to please approve the rate increase.

The loss, as you know, is estimated at about \$180,000 for the year based on revenues of one -- under one million. We feel that we worked in every way with the Budget Review Office and with the Legislature, with the committees trying to meet the requirements, doing our best to provide all the information and data that's needed to accept all the strictures and limitations that need to be placed on our petition. And we ask you please to get it out of committee and get it before the Legislature. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you very much, Ms. Parker. All right. After Mr. Posillico we have -- wow. John Wind? I think that might be Wind.

MR. LUND:

Lund.

CHAIRMAN BEEDENBENDER:

Lund. Oh, that's an L. I'm sorry, sir. It looked like a W. I have good contacts, too. I'm having a bad day. All right. Mr. Posillico, go ahead.

MR. POSILICO:

Good afternoon, Mr. Chairman. Mario Posillico representing the Village of Saltaire. I had sent a letter to the Legislature on June 12th outlining the village's position regarding the Fire Island Ferries fare increase request and read that letter in essence into the record last week, so I'm not going to bore the Legislature at this time and reread it into the record again.

But briefly, Fire Island Ferries has provided quality and reliable service to the Village of Saltaire for well over 50 years. The Village supports any fare increase that allows the ferry company to remain a viable operator of the service to the Village of Saltaire. However, we think that a 25 percent increase on top of the 10 percent increase granted in 2006, for a total of 38 percent when you compound the two together, is excessive. We would like to see a more moderate increase. This would allow the Legislature to assess the impact of the cost of fuel on their bottom line profit.

They had stated from previous testimony that they had made \$1.1 million, I believe, in a previous year. If this 25 percent increase is granted and the fuel price comes back down, that's going to be an unintended boon to the ferry company and it's unlikely at that point that the ferry company is going to come back and ask for a reduction in the fare increase. So we request that the Legislature take a close look at the financials of the ferry company, particularly in relation to the intercompany, {Enculsey} Health Family Operation for the facilities that is charged rent to the ferry company. That impacts the bottom line. And when that analysis is complete, that a more moderate increase in the

ferry fare would be warranted. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you, Mr. Posillico. We have John Lund. I didn't think it was you because I have two cards with your name on it, so I thought this was somebody else.

MR. LUND:

I was very busy this morning and I asked somebody to put my name in.

CHAIRMAN BEEDENBENDER:

That's quite all right, Mr. Lund. Go ahead.

MR. LUND:

Thanks for allowing me to come back for three Tuesday's in a row and probably next week a fourth. Thank you to Budget Review. I know that they work diligently for you to get the facts, get the figures, and put them all together. I see that the latest resolution for Davis Park they have also put in a very specific date of March the 31, 2009 to comply with the four stipulations that I believe everyone at this point has agreed on.

As Corky Sherman mentioned, this expires September 4th. Don't incur more cost on this by letting it expire. This is absolutely bizarre. Get it out of committee today and get it to the full Legislature next week so the decision can be made. Again, this is a loss on top of a loss this year. They lost money last year, they are losing a lot more money this year. Absolutely necessary. It's a summer business. We lost July. We are losing August. We're going into the September, people are back to school. It's homeowners only going to the beach, so it's a bit ridiculous.

There was one point I wanted to make on the way something was presented at I think all two or three of the last meetings. There was a 60 trip ticket that the homeowners asked the Shermans to issue to us. It was issued at the 40 trip rate. There was no additional discount. It was at the same rate per ride. So it's not an additional rate that was not approved by the Legislature. Whatever the rate for a punch on a 40 trip ticket was, it was multiplied by 60 and that's what the ticket was sold for. I wanted to clear that up. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you, Mr. Lund. All right, next I have Steven Jaffe. And after Steven Jaffe, I have Tony Martinez next. Councilman Martinez I should say.

MR. JAFFE:

Thank you for you for letting me speak today. I'm a member of the Ocean Bay Park Association. I have also been going to Fire Island for 39 years. I also do believe there should be an increase. I do have a huge problem with a 25 percent increase.

I was looking over the current and proposed costs, and I have to tell you I am an elementary school teacher. When I give this to my students -- this is a very arbitrary list of items. There is no rhyme or reason. The work to do the freight is the same, the workers do the same amount of work, and I just would like this explained to me a little better how they came up with these numbers.

Also, I would like to see if the prices of gasoline continue to go down. I would like to see some sort of escrow account set up where the funds will go to repair or repair the disrepair of some of the docks. In 2007 we sent a letter to Mooney asking them to repair a certain piece of the dock. I have pictures I would like to give with you nails sticking up, very warped boards. This was in 2007. It is 2008. None of these have been repaired. We sent this through our legal department and nothing has happened. So we are just asking that if there is an increase and prices go down that it is tied to some sort of repair of the docks areas in Ocean Bay Park and any other community. Thank you very much.

CHAIRMAN BEEDENBENDER:

Thank you, sir. All right. Mr. Martinez.

MR. MARTINEZ:

Good afternoon. I'm Tony Martinez with the Empire State Regional Council of Carpenters. I'm here for Resolution 1627, approving a construction agreement between Suffolk County Sewer District No. 13, Windwatch and Motor Parkway Associates for the expansion of the sewage treatment plant by 350,000 gallons per day.

My understanding is that the developer, Motor Parkway Associates, has agreed to abide by Labor Law 220, specifically with the pyramid law that requires third parties that enter into contract with a municipality to pay the prevailing rate. We are disappointed that apprenticeship language was not in this contract, but we will support the resolution because prevailing wages will be paid.

However, I would like to offer the Motor Parkway Associates and also the Legislators a saving plan for the homeowners. It's been said that it's going to cost a lot more money by doing a prevailing rate. I agree. That's because if they're going to use contractors that do not have apprenticeship programs, bona fide apprenticeship programs, they will pay more. That's because a contractor that does not have a bona fide apprenticeship program got to pay the whole journeyman rate even for a help. So if the contractor were to have an apprenticeship program he could have a 20 percent savings, okay, because the law requires a certain ratio between apprentices and journeymen.

Another savings is it's also the contractors with bona fide benefit programs. A contractor that does not have a bona fide fringe benefit program got to pay workmen's compensation, liability insurance, Social Security, all the federal taxes on the whole journeyman package, okay. So if you take a package of \$55 an hour, let's say, with a wage of \$30 and the rest in benefits, a contractor with a bona fide fringe benefit program would only pay these taxes, Social Security, workmen's comp, liability insurance, etcetera, just on the wage and not on the benefits.

I'm just giving this information to you and to Motor Parkway Associates to see if they could provide some savings and that way they can give the savings to the homeowners who are saying that it's going to cost them a lot more money. Okay? Thank you very much for your time.

CHAIRMAN BEEDENBENDER:

Okay. I have no more cards. Is there anybody in the audience that wishes to speak that has not had the opportunity to do so? Okay. Seeing none, we will move to the agenda.

TABLED RESOLUTIONS

First up on the agenda we have **IR 1174, Approving rates established for Davis Park Ferry Company (Presiding Officer)**. So we have this before us. I know Legislator Eddington is not a member of the committee and he is here. First, before we get started, do I have a motion?

LEG. KENNEDY:

I will make a motion to approve.

CHAIRMAN BEEDENBENDER:

There is a motion to approve. I will second the motion to approve. On the motion, Legislator Eddington, do you wish to speak?

LEG. EDDINGTON:

Briefly.

CHAIRMAN BEEDENBENDER:

Fantastic.

LEG. EDDINGTON:

Just I would appreciate the cooperation of the committee. As been stated, Davis Park Ferry hasn't had a rate change since 2005, so you can only imagine what that has meant in costs. They are trying to comply with every regulation. They've met with me, we've talked with Budget Review and we've put the date on there so that we have something to work towards and I'm confident. I'm going to continue to meet with Corky Sherman, the owner, so that we can make sure everything is on time and done early. So I don't see any problem and I'm asking you to approve this.

CHAIRMAN BEEDENBENDER:

Okay. If there is no other discussion, I just would like to quickly say that I know that we had some concerns with this resolution and I wanted to thank Mr. Sherman because now I have a resolution before me that says all those concerns will be met by the date, like Legislator Eddington said.

So we have a motion to approve and a second. If there is no other comments, all in favor?

Opposed? Abstentions? IR 1174 is approved. **(VOTE: 5-0-0-2. Legislators Losquadro and Stern not present)**

IR 1358, Adopting Local Law No. - 2008, a Local Law to reduce the emission of pollutants from the County's diesel-fueled motor vehicles. (Cooper). I would like to make a motion to table -- we have to table for a public hearing actually.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. All in favor? Opposed? Abstentions? IR 1358 is tabled. **(VOTE: 5-0-0-2. Legislators Losquadro and Stern not present)**

IR 1505, Authorization of alteration of rates for Fire Island Ferries, Incorporated. (Pres. Off.). Before we get into this, do we have a motion before us right now? All right, hearing none, I'm going to make a motion to table. And first off, I spoke to the Legislator that represents this area, Legislator Barraga, and he expressed some very -- the same concerns that I have in terms of the decrease in service. So very quickly, would I would like to try to get an idea of is how much the service was decreased because we've heard that. So I'd like to kind of put a number on it or at least an idea. So, Mr. Mooney, I guess if you could come to the microphone quickly.

There has been some discussion about decreases in lateral service and things like that and that is one of the main reasons that this Legislative body has oversight over ferries for any reason in the first place. So what did you used to do and what are you doing now? Or just respond to, I guess, that statement that there is decrease.

MR. MOONEY:

Decrease in -- we haven't decreased any of the ferry schedule or services up until this point. The summer schedule has been run exactly as it has been, you know, and we've made adjustments to that. We had a lateral ferry service that we -- once we bought the water taxi service that was a duplication of effort and we no longer run the lateral ferry service. That was a trip or two, you know, a night. It wasn't a dramatic service. It went from Ocean Bay Park down to Kismet and the water taxi service goes from Watch Hill all the way to the Fire Island Lighthouse. So with that duplicity in coverage we elected to eliminate the lateral ferry service and pick it up with the water taxis.

CHAIRMAN BEEDENBENDER:

Okay. So --

MR. MOONEY:

And what we're planning right now is our fall schedule, so we haven't made any adjustments to the schedule. The fall schedule has not been published or released. We're still working on it at this point in time, so nothing has changed yet.

CHAIRMAN BEEDENBENDER:

Okay. Well, I guess the reason that I bring that up is because we had this discussion, you know, Legislator Barraga asked you last time and I guess the concern that I have, and it's not just for your ferry company it's for all ferry companies, is that the decrease in service without coming to the Legislature is, to my understanding, inappropriate. I guess, Counsel, could you -- and I'm not saying that you did it, but there's been lots of testimony that that's going to happen and there's lots of concern from the community. I spoke to one gentleman, I don't think he's here --

MR. MOONEY:

Well, the license clearly says that we can make adjustments to the schedule that is similar to the one that was published originally on the license, so.

MR. NOLAN:

Well, it has to be substantially similar. So what that means exactly I guess depends on who's looking at it. But this is a conversation I have had with Kevin Duffy from Budget Review that in the license there is a certain amount of service that's supposed to be provided. And if you deviate substantially from that, that really should be coming back to the Legislature.

CHAIRMAN BEEDENBENDER:

Which is why I was trying to get an idea of what we're talking about. However, I know that Legislator Barraga has been working with the residents of his community and many of the people that spoke here today are his constituents. And I know that he had some suggested changes to this bill. Were you able to review those?

MR. MOONEY:

I have not seen any changes submitted.

CHAIRMAN BEEDENBENDER:

All right. Well, then, Counsel, were they submitted, and if they weren't --

MR. NOLAN:

I'll have to defer to Kevin Duffy at this point because yesterday I had a conversation with Legislator Barraga who was hoping to get -- put in the resolution language to the effect that if the rate increase is approved service will be maintained at essentially the current levels.

MR. MOONEY:

Well, let --

MR. NOLAN:

Hold on one second. If I could just finish. I believe Mr. Duffy reached out to your company yesterday to discuss that. Whether it was sent over in writing that I don't know. But I thought a conversation did happen yesterday with you. If I'm wrong, please correct me.

MR. MOONEY:

No. Mr. Duffy -- go ahead, Mr. Duffy.

MR. DUFFY:

I spoke with Tim's father, Mr. Mooney. We spoke briefly, I guess yesterday afternoon, and I indicated what changes Legislator Barraga was looking for as level of service. And I left a message for Tim and I called again this morning and I did speak to Mr. Mooney again. And --

CHAIRMAN BEEDENBENDER:

So we have some communication.

MR. MOONEY:

Yes.

CHAIRMAN BEEDENBENDER:

That's good.

MR. DUFFY:

Fire Island Ferry has always communicated with us.

CHAIRMAN BEEDENBENDER:

All right. Well, at this point, however, with those concerns, and I guess since we don't have an agreement on those or even if you haven't seen them of course you couldn't agree to them yet.

MR. MOONEY:

Correct.

CHAIRMAN BEEDENBENDER:

So at this point I don't really think it would be appropriate for us to go forward today, so that's why I have a motion to table. Is there any other motion or a second to my motion?

LEG. HORSLEY:

I'll second.

CHAIRMAN BEEDENBENDER:

We have a second by Legislator Horsley. Is there any other comments?

LEG. KENNEDY:

Mr. Chairman.

CHAIRMAN BEEDENBENDER:

Yes.

LEG. KENNEDY:

At the risk of moving this without necessarily having all the data in place, nevertheless, I think this company has made a compelling case as far as the cost that they are incurring vis-a-vis the diesel fuel. I would offer as an alternative, Mr. Chair, I'd make a motion to discharge without recommendation and give all parties involved the benefit of another couple of days to sort out whatever may be the matters that are being looked at for agreement. And when we're in Riverhead on Tuesday evening, if it's not been worked out, we can table there. If we table here, we lose another 30 days for sure.

CHAIRMAN BEEDENBENDER:

And I wouldn't be adverse to that, but we already passed the amended copy deadline, which was yesterday. So if we add those things we can't vote on it on Tuesday without a CN from the Executive and since one wasn't forthcoming for Davis Park, I wouldn't imagine one would be forthcoming for Fire Island.

LEG. KENNEDY:

Well, perhaps maybe we can pose a query to Mr. Zwirn.

MR. ZWIRN:

I would make the request to the County Executive that the Legislature asked for it, but I must tell

you that I think the Chairman of the committee is correct, that doing rate increases by Certificate of Necessity is not something the County Executive is fond of as you can understand.

LEG. KENNEDY:

Of course, absolutely understandable. But I think we'll all agree that we are in some times that are extremely volatile and particularly where, I guess, diesel is going at, perhaps it's \$5 a gallon at this point. I don't think that anybody is here giving us the indication that --

MR. ZWIRN:

We also have testimony today that the Legislator from the district, Legislator Barraga, is not comfortable with this and I think we would want to talk --

LEG. KENNEDY:

And of course I would always defer to, you know, the local Legislator. I just offer it as an alternative, but if we don't have the ability to amend anymore.

CHAIRMAN BEEDENBENDER:

Well, if there is a second we'll certainly entertain that motion.

LEG. ROMAINE:

I'll second it.

CHAIRMAN BEEDENBENDER:

Okay. That one comes first, right? Discharge comes before the tabling motion?

MR. NOLAN:

No, the tabling motion would come first and then the discharge.

CHAIRMAN BEEDENBENDER:

All right. Well, then the tabling motion is before us. There is a motion and a second.

LEG. KENNEDY:

Hold on. You know, without the ability to amend the resolution and therefore making it moot on Tuesday, I'll withdraw.

CHAIRMAN BEEDENBENDER:

Okay. So then we have a motion and a second to table. All in favor? Opposed?

LEG. MONTANO:

Just --

CHAIRMAN BEEDENBENDER:

Legislator Montano.

LEG. MONTANO:

To put on the record, I think what we'd like to do is to get this out of the committee and into the full Legislature, but when we discuss moving it out without recommendation, I don't -- it didn't dawn on me and others that we wouldn't be able to amend by Tuesday anyway. But I would like to see this sent up. I think we've done a lot here and there are other Legislators that should have some say in this, but I don't think based on our rules we can amend it, so we're going to be stuck. You can't get it voted on this Tuesday anyway is essentially what's going on.

MR. ZWIRN:

If I might, Mr. Chair. Is this for a 2009 rate increase?

LEG. ROMAINE:

Yes.

CHAIRMAN BEEDENBENDER:

Yes.

MR. MOONEY:

Well, effectively.

CHAIRMAN BEEDENBENDER:

Effectively, yes, because the season is over.

LEG. MONTANO:

Well, okay, as a practical matter.

MR. MOONEY:

Yes.

LEG. MONTANO:

All right. Let's just table it.

CHAIRMAN BEEDENBENDER:

All right. Well, we have a motion and a second to table. All in favor? Opposed? Abstentions? Okay. IR 1505 is tabled. **(VOTE: 5-0-0-2. Legislators Losquadro and Stern not present)**

IR 1536, Appropriating funds in connection with construction of sidewalks on various County roads (CP 5497). (Schneiderman). I'm going to make a motion to table.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. Do we have any other comments? All in favor? Opposed? Abstentions? IR 1536 is tabled. **(VOTE: 5-0-0-2. Legislators Losquadro and Stern not present)**

All right. Next is **IR 1582, Establishing a Pharmaceutical Disposal Program in Suffolk County. (Stern).** I spoke to the sponsor earlier this week and it was his intention to move this, so I'm going to make a motion to approve.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. Legislator Romaine, on the motion.

LEG. ROMAINE:

Yes, on the motion. What is the anticipated cost of establishing this? Apparently what Legislator Stern wants to do is allow County residents to dispose of unwanted pharmaceuticals, hopefully legal, possibly illegal, who knows, including medicines as defined as controlled substances in receptacles controlled by PD and the Sheriff. Now obviously these receptacles are going to have an expense. There is going to be an expense to do a public outreach, there's going to be an expense to hire a waste disposal contractor. I would just like to get a handle on this. Obviously every expense we do now, considering the County Executive's concern of our impending financial limitations, raises questions.

CHAIRMAN BEEDENBENDER:

Gail, is there a fiscal impact statement? I know there must be one but I don't have one in front of me.

MS. VIZZINI:

This was difficult to quantify because it really just authorizes the establishment of the program. We don't have any experience by which to determine what the associated costs are other than the opportunity costs for the departments to dedicate staff to do this as opposed to, you know, as opposed to the other priorities that they are assigned.

LEG. ROMAINE:

Thank you, Gail. One of my biggest questions is, and while this may be a worthwhile program and I don't want to deny the sponsor's opportunity to explain this, unfortunately he's not here today, is that he doesn't put any funding in this, because obviously there is an expense. You are going to have to have receptacles. Even if you build these receptacles, how are people going to know about this unless you do some type of public outreach, okay. That's going to cost money. You are going to have to do an RFP; that's going to cost money. There is going to be not only opportunity costs as the Budget Review Office points out, but there is going to be actual hard costs and, you know, I would just like to be able to quantify that, so.

CHAIRMAN BEEDENBENDER:

I think that the resolution, unless I'm reading it incorrectly, that it -- within 180 days the departments have to come back with a plan and a request for whatever funding might be required for it. So I don't think this authorizes the program; it authorizes them to figure out how to do it and then come and tell us how much they need to do it. Legislator Kennedy.

LEG. KENNEDY:

Mr. Chair, I would offer the suggestion that perhaps maybe we might want to table this one cycle. I see Legislator Horsley is here as a co-sponsor but --

LEG. HORSLEY:

I am?

LEG. KENNEDY:

No, you're not a cosponsor, Wayne? Okay.

LEG. ROMAINE:

They must have put your name on it without asking.

LEG. KENNEDY:

In any event, it occurs to me the State of New York Health Department regulates the actual dispensing of medications to begin with. One of the biggest participants and/or offenders, if you will, are health care facilities that have medications that have been dispensed where ultimately there is no prudent practice as far as disposal other than down a sink.

I would offer to the sponsor, and I will ask him to at the very least include our Health Department so that there is some dialogue with State Health because they're the regulatory oversight. I don't think it's our Public Works or the PD, for what it's worth.

CHAIRMAN BEEDENBENDER:

Well, if I was counting tea leaves I would see that this bill is going to be tabled. So I'll withdraw my motion to approve and I would offer a motion to table to prevent it from being defeated. So I have a motion to table. Do I have a second?

LEG. KENNEDY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Kennedy. All in favor? Opposed? Abstentions? IR 1582 is tabled. **(VOTE: 5-0-0-2. Legislators Losquadro and Stern not present)**

LEG. HORSLEY:

It does seem to be in the wrong committee.

LEG. ROMAINE:

It should be in the Health Committee.

CHAIRMAN BEEDENBENDER:

I'm not sure why that's here either.

LEG. ROMAINE:

You might ask the Presiding Officer to reassign it. It would probably have an easier time getting out of committee.

MS. VIZZINI:

I think, if I may, Mr. Chairman. Public Works --

CHAIRMAN BEEDENBENDER:

I think our committee is just great, Legislator Romaine.

LEG. HORSLEY:

I'm sure if it was a sound proposal even you, Mr. Romaine, would like to consider it.

LEG. ROMAINE:

Absolutely.

MR. NOLAN:

This was assigned to this committee because Department of Public Works is the lead agency on it.

MS. VIZZINI:

Assigned to do the RFP and find a waste disposal company, because I asked that same question.

LEG. KENNEDY:

We were on such a roll here.

CHAIRMAN BEEDENBENDER:

You know what, John, with the next bill I think the roll was about to end anyway, so.

IR 1627, Approving a construction agreement between Suffolk County Sewer District No. 13 - Windwatch and Motor Parkway Associates for the expansion of the sewage treatment plant by 350,000 gallons per day. (Co. Exec). Okay. We've had significant discussion on this in the past and we had some testimony on it this morning. Mr. Zwirn.

MR. ZWIRN:

I think it still has to go through SEQRA.

CHAIRMAN BEEDENBENDER:

Right. That was one of the two questions that we left unanswered last time so, Gail, could you enlighten us?

MS. LOLIS:

Yes. Gail Lolis, Deputy County Attorney. We did look into the issue as requested at the last

committee and we would concur with Counsel that a SEQRA review would be required for this.

CHAIRMAN BEEDENBENDER:

Okay.

MS. LOLIS:

I believe it is going to CEQ on the 20th.

CHAIRMAN BEEDENBENDER:

All right. My question would be that there was a suggestion at some point that we might have been doing things differently in the past. So I guess my question would be were we wrong in the past? Is this a different situation?

MS. LOLIS:

I haven't looked at all of the ones in the past. The resolution before this one that had the agreement to expand to a lower level, that did not have a SEQRA requirement in it. I can't explain why it did not. But in light of this project, it's a construction project, it's an expansion, there's a physical expansion of the facility, we don't see how you can get around a SEQRA review.

CHAIRMAN BEEDENBENDER:

So your recommendation would be to wait until CEQ makes their determination.

MS. LOLIS:

Yes.

CHAIRMAN BEEDENBENDER:

Legislator Romaine.

LEG. ROMAINE:

Yes. I just want to go back and I concur and obviously we are going to do the right thing here at the committee. But I'm curious about SEQRA and its applications to enlargements of existing sewer districts. When is SEQRA triggered? And what I would like you to do, or the County Attorney's Office because it may not be you personally, is some time in the next week or so if you could drop me an e-mail or fax me over a note explaining the rules of SEQRA as they apply to sewer districts that seek to be enlarged, okay, because obviously that was a question. People correctly pointed out that, you know, it wasn't done in the past and I just want to understand when SEQRA is triggered, when it's not triggered, and that type of information is a legal question that your department could provide me the answer with, okay, because I like to follow the rules.

MS. LOLIS:

Okay.

LEG. ROMAINE:

Thank you.

LEG. MONTANO:

Could you cc me on that? You don't mind, Legislator Romaine?

LEG. ROMAINE:

No, absolutely.

LEG. MONTANO:

I would like to get a copy of that memo. The whole committee should, but I will leave that up to the Chair.

CHAIRMAN BEEDENBENDER:

Yes, that's a good recommendation. Do we have any other comments? In light of that, and I guess the only other question I would have for Legislator Kennedy is the other outstanding issue was that the residents didn't know how much they were going to pay. And I guess we've moved significantly forward on that?

LEG. KENNEDY:

Well, I know that there has been a lot of correspondence, Mr. Chair. I believe that there was a meeting. I did see a memorandum from earlier in the week. I received a copy in my office, authored by Mr. {Pazulli} that was very specific as far as the aggregate amounts. I have yet to actually see that breakdown sheet myself, although many people around the horseshoe have seen it. But most importantly Counsel who's representing Spring Meadow, I believe, did meet with Mr. Wishod. I don't know what the outcome of the meeting was. I guess Mr. {Pazulli} was at the meeting as well.

I have no desire to go ahead and raise those types of issues as long as there is dialogue going on with the principals and the affected or impacted parties. Nevertheless, I do think that, you know, the environmental review is critical here, if for no other reason because we have a sewer plant approximate to an EPA hazardous waste site, if no other reason we need to go ahead and have somebody with expertise just take a look at the environmental aspects of it.

CHAIRMAN BEEDENBENDER:

Okay. It's my understanding that CEO meets between now and our next committee meeting, so we should hopefully have a determination from them and I will remain patient and waiting for the day when we can pass this sewer project without eternal delays. I think unfortunately we've been stuck in that forever.

So we have a motion to table and we have a second, I believe, because we -- on the advice of Counsel that we need to the SEQRA. So if that's the situation then I will say all in favor?

MS. LoMORIELLO:

Brian, who was the motion? I'm sorry.

CHAIRMAN BEEDENBENDER:

Who made the motion? We didn't have a motion? Okay, then. We need a motion. I'm getting ahead of myself.

LEG. KENNEDY:

I'll make a motion.

CHAIRMAN BEEDENBENDER:

A motion to table by Legislator Kennedy, seconded by Legislator Horsley. All in favor? Opposes? Abstentions? Thank you, Barbara. I apologize. **(VOTE: 5-0-0-2. Legislators Losquadro and Stern not present).**

INTRODUCTORY RESOLUTIONS

IR 1668, Amending the 2008 Capital Budget and Program and appropriating funds in connection with intersection improvements on CR 16, Smithtown Boulevard at CR 93, Lakeland-Rosevale Avenue. (Kennedy)

LEG. KENNEDY:

I'm going to make a motion to approve, Mr. Chair, but I know we need to hear from the Commissioner on this because I believe that we have --

CHAIRMAN BEEDENBENDER:

Dueling resolutions.

LEG. KENNEDY:

Yeah, we have an overlap which I'm not quite certain as to what the true needs were. I put this forward based on conversations we had had earlier -- I had had had earlier with the department about some additional funding that was going to be necessary in order to progress the project. At the end of the day, ultimately if, you know, we just need to get the sufficient amount of funds and the proper offset, I guess, in order to achieve them.

CHAIRMAN BEEDENBENDER:

I know that there was some question about the offset in your bill, Legislator Kennedy. But, Gil, why don't you just -- obviously you guys are in favor of this project because there is a County Executive bill to do it. What is the difference and the need?

COMMISSIONER ANDERSON:

At the end of the day there is a \$100,000 difference between Legislator Kennedy's bill and the one which is 1735. That 450,000 is the total that we do need. The issue of, with regard to offsets, we have -- well, we have a problem with the offset in Legislator Kennedy's in that we were planning on using that offset for a different project, and that has already been submitted as a reso. So whereas on the 1735 we have used both of the offsets before, if you go to 1735 the offset on Capital Project 515 -- 5515 we don't need those funds because the project has been reduced so that we don't need to do the widening. And the other offset, which 5168, the reconstruction of County Road 11, we are not ready for that. We are not ready for those construction funds and we won't be for a significant time.

CHAIRMAN BEEDENBENDER:

Not to jump around, but since it is the same issue I figured it would just be quicker. That Pulaski Road project, we've taken from it before.

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN BEEDENBENDER:

But we're still planning on going ahead with it. It is just we are not there yet.

COMMISSIONER ANDERSON:

Right. We are still into the early stages of the design on that. That's one that involves not only road redesign but also there is an intersection. I believe it's a deep hole lane which is significant, going to require significant realignment. So that's -- it's a few years away.

CHAIRMAN BEEDENBENDER:

So we're not there yet.

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN BEEDENBENDER:

Okay. Legislator Kennedy, I think I saw you with your hand up.

LEG. KENNEDY:

I'm just trying to get 1735 before me. So the 450,000 that we have is being offset from which two projects, Gil?

COMMISSIONER ANDERSON:

From Capital Project 5515, which is the reconstruction of William Floyd Parkway, County Road 46. It's the land acquisition funding.

CHAIRMAN BEEDENBENDER:

Which is no longer necessary.

COMMISSIONER ANDERSON:

Correct. And the other offset is the reconstruction of County Road 11, Pulaski Road, for the construction, which we're not ready for.

CHAIRMAN BEEDENBENDER:

And the third one is 3301, which is for intersections, which is what you should -- you often take from, right?

COMMISSIONER ANDERSON:

Yes.

LEG. KENNEDY:

That's where I had the issue that I wanted to raise, Mr. Chair, if we can, because if we look I've got a resolution to add 100,000 to 3301.

CHAIRMAN BEEDENBENDER:

1745.

LEG. KENNEDY:

Yeah, specifically to request assistance with a traffic study on Smithtown Boulevard following meeting there with Mr. Hillman and actually we have got correspondence from the Supervisor. That was the site of a fatality, also a near fatality, a long-term brain injury and his acknowledgement not only by the department, but also by Inspector Rhoades from the 4th Precinct that we really do have a very dangerous intersection with a road coming in not at a 90 degree, but almost a 45.

So my question becomes to the department, then, why would we embrace one resolution where we're reducing that capital project and at the same time in order for me to get a traffic study done I've got to add. It appears to me that, you know, the two actions are offsetting each other.

COMMISSIONER ANDERSON:

Okay. One is for construction and the other is for planning. There is the 3301 for resolution 1689 is basically going into planning. The one for resolution 1735 is coming out of construction.

LEG. KENNEDY:

All right.

CHAIRMAN BEEDENBENDER:

I'm sorry. I think I confused because I pointed out the wrong resolution.

LEG. KENNEDY:

1745 is not --

CHAIRMAN BEEDENBENDER:

That's not your bill, Legislator Kennedy.

LEG. KENNEDY:

No, that's Legislator Romaine who can -- he does a great job advocating.

CHAIRMAN BEEDENBENDER:

Your bill is here somewhere. I've seen it.

COMMISSIONER ANDERSON:

The other bill is 1689? The one for County Road 16?

LEG. KENNEDY:

Yes.

CHAIRMAN BEEDENBENDER:

That puts it into 3301.

COMMISSIONER ANDERSON:

Right. The 3301, and probably Bill can speak more clearly on this, the funding is coming, being placed into planning, and the resolution 1735 is coming out of construction.

CHAIRMAN BEEDENBENDER:

Okay. So I guess to summarize, to make sure -- the first bill before us, 1668, Legislator Kennedy's bill, regardless of the offset situation, it's still \$100,000 short in Public Work's mind.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Okay. And then the County Executive's bill has several different offsets but has the correct amount of money.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Okay. Legislator Kennedy.

LEG. KENNEDY:

Again, Mr. Chair, look, my ultimate objective is to go ahead and have the project moved and I put my bill in in the first instance with earlier conversation with the department. If, in fact, the need is 1000,000 more, I'm happy to table this. But what I don't want to do is, is in this same set of resolutions then go ahead and support a resolution where we are looking to reduce the same capital project that I'm being encouraged to increase. That's the part that I'm still struggling with.

CHAIRMAN BEEDENBENDER:

But, Bill, if you could come up because you might be able to help us out. But I think that capital project exists for projects just like this, and the reason you have to add to it is because that was a study that wasn't -- that wasn't foreseen. I'm actually in the next packet you'll see one very similar from me where we started some work and I'm working with the town to do a study. I think that's why we see the coming out and going in.

LEG. KENNEDY:

While it makes -- well, I was going to say it makes sense, but then I don't know. Is there any projects that are currently committed with what's in 3301 at this point or are we just looking to support things that we bring forward. What's the actual level of commitment in what's in there now?

CHAIRMAN BEEDENBENDER:

Bill.

MR. HILLMAN:

I'm not sure I understand that question.

LEG. KENNEDY:

Most people say that about me. How much is in 3301 right now?

MR. HILLMAN:

3301 is a mess.

LEG. KENNEDY:

Excellent. That's what I like to hear.

MR. HILLMAN:

The accounting on 3301 for years and years and years has been horrible.

CHAIRMAN BEEDENBENDER:

Well, I love honesty.

MR. HILLMAN:

This was before my time. It's been years and years and years.

CHAIRMAN BEEDENBENDER:

No, no, no. That wasn't critical, Bill.

MR. HILLMAN:

I've been trying to straighten it up, doing the best I can. It was so bad that at one point many years ago there is a line item in there that just fudges the numbers.

LEG. ROMAINE:

This sounds like a request for our Budget Review Office to exercise some oversight and to help DPW so that we could have some information. Could I ask the Chairman if we could just list this as an item on our next committee meeting --

CHAIRMAN BEEDENBENDER:

Yes.

LEG. ROMAINE:

-- so that we can focus some attention on this?

CHAIRMAN BEEDENBENDER:

I will do my best to get as much information distributed to everybody beforehand so we can have a good discussion.

LEG. ROMAINE:

Thank you.

LEG. KENNEDY:

Mr. Chair, in the issue of time, I've got to be in Coram at four clock, I'm going to agree to go ahead and withdraw my motion to approve on 1668. I guess I'm going to trust that somebody soon is going to give me some kind of an idea why I want to support a resolution that's going to reduce and at the same time I'm also going to support a resolution to add. But I'm going to ask my colleagues, I guess, to join me in this folly at this point, hoping that we are going to get some answers eventually. So I will withdraw.

CHAIRMAN BEEDENBENDER:

Yes. Okay. So --

LEG. KENNEDY:

I'll make the motion to table.

CHAIRMAN BEEDENBENDER:

You can just withdraw it on the record and we can move forward.

LEG. KENNEDY:

All right. I'll ask the Clerk to withdraw the resolution.

CHAIRMAN BEEDENBENDER:

Okay. Perfect. All right. **1668 is withdrawn.**

That brings us to **IR 1673, Adopting Local Law No. - 2008, a Local Law to establish a minimum altitude for operations of helicopters. (Romaine)** This has to be tabled for a public hearing, so I'll offer a motion to table.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. IR 1689 --

MS. LoMORIELLO:

Brian, you didn't call the vote.

CHAIRMAN BEEDENBENDER:

IR 1673 there is a motion to table and a second. All in favor? Opposed? Abstentions? **(VOTE: 5-0-0-2. Legislators Losquadro and Stern not present)**

IR 1689, Amending the 2008 Capital Budget and Program and appropriating funds in connection with safety improvements at various intersections (CP 3301) for a traffic study on County Road 16. (Kennedy)

LEG. KENNEDY:

I'm going to make a motion to approve. You heard my pitch already.

CHAIRMAN BEEDENBENDER:

And for the record the committee was distributed a letter from Supervisor Vecchio from the Town of Smithtown in support of this.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Motion to approve by Legislator Kennedy, seconded by Legislator Horsley.

LEG. HORSLEY:

With trust.

CHAIRMAN BEEDENBENDER:

No, this is a different one actually. If there is no comments, all in favor? Opposed? Abstentions? All right. 1689 is approved. **(VOTE: 5-0-0-2. Legislators Losquadro and Stern not present)**

IR 1690, A resolution making certain findings and determinations in relation to the planning phase of proposal to increase and improve facilities for Sewer District No. 3, Southwest (Outfall)(CP 8108). (Co. Exec.).

LEG. KENNEDY:

Motion to approve.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Kennedy, seconded by Legislator Horsley. Commissioner, I understand this is the improvements for the expansion. This is just part of the project to expand Southwest in the outfall pipe, right?

COMMISSIONER ANDERSON:

This is for the improvements to the outfall pipe. It also was a public hearing with regard to the emergency piping that we would be purchasing.

CHAIRMAN BEEDENBENDER:

So this is the emergency.

COMMISSIONER ANDERSON:

Emergency plus the outfall repairs.

CHAIRMAN BEEDENBENDER:

Okay. Great. Legislator Romaine.

LEG. ROMAINE:

Quick question for the County Executive's representative. Is the County Executive still opposed to this approach to repairing the outfall pipe as he was when it was originally presented?

MR. ZWIRN:

The County Executive is not opposed to anything. He is looking -- they are going a study to find out what the right approach is so we don't have to do something that's duplicative, but the process --

LEG. ROMAINE:

No, I understood that and actually supported him on that effort, but he vetoed it which indicated his opposition at the time.

MR. ZWIRN:

He vetoed his opposition to spending without a plan to go forward and, in fact, I think you supported him in that.

LEG. ROMAINE:

Yes, I did. I said that.

MR. ZWIRN:

He still feels the same way.

LEG. ROMAINE:

You feel that there's no plan in place.

MR. ZWIRN:

If there was an emergency situation there would be an emergency plan that could go into operation, but short of that, to do this the right way he wants to make sure they've explored every option so we don't have to do this again.

LEG. ROMAINE:

And does this resolution accomplish that in the view of the Executive Branch?

COMMISSIONER ANDERSON:

This resolution is only to accept findings of the public hearing.

LEG. ROMAINE:

Okay.

CHAIRMAN BEEDENBENDER:

Okay. All right. We have a motion to approve and a second. If there is no other comments, all in favor? Opposed? Abstentions? IR 1690 is approved. **(VOTE: 5-0-0-2. Legislators Losquadro and Stern not present)**

IR 1691, Authorizing the purchase of up to 55 automated bus stop annunciators for Suffolk Transit and amending the 2008 Capital Budget and Program and accepting and appropriating Federal Aid and State Aid (CP 5648). (Co. Exec.) I saw Mr. Shinnick in the audience. Is there anything you want to say, Bob? If yes, yes. If no, no. These are the announcers that -- it announces what bus stop they are at, right?

COMMISSIONER ANDERSON:

Right.

CHAIRMAN BEEDENBENDER:

And it is with ADA compliance?

COMMISSIONER ANDERSON:

It is in ADA compliance. It is for the 55 buses that we don't anticipate replacing in the immediate future.

CHAIRMAN BEEDENBENDER:

Wonderful. That's very good work. All right. I'll make a motion to approve.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. All in favor? Opposed? Abstentions? IR 1691 is approved. **(VOTE: 5-0-0-2. Legislators Losquadro and Stern not present).**

IR 1701, Amending the 2008 Operating Budget, transferring Assessment Stabilization Reserve Funds to the Capital fund and appropriating funds for the engineering phase of improvements to Suffolk County Sewer District No. 22 - Hauppauge Municipal (CP 8171). (Co. Exec.)

COMMISSIONER ANDERSON:

If I may. I would ask the committee to table this one cycle. We are reviewing the proposals currently and we'd just like to make sure we have all our ducks in a row before --

LEG. KENNEDY:

I'd be happy to make that motion to table. But through the Chair, if I can get a look, Gil, at some of those proposals. As you know, one of them was not acceptable to our local community here with the discharge in that old CR 90 roadbed. But I will be happy to make that motion to table. Thank you.

CHAIRMAN BEEDENBENDER:

All right. Well, motion to table. Seconded by Legislator Montano. All in favor? Opposed?

Abstentions? IR 1701 is tabled. **(VOTE: 5-0-0-2. Legislators Losquadro and Stern not present)**

IR 1704, Authorizing transfer of four (4) surplus County computers and four (4) surplus county monitors to the Boys and Girls Club of Suffolk County. (Kennedy) Motion by Legislator Kennedy, seconded by Legislator Montano. All in favor? Opposed? Abstentions? IR 1704 is approved. **(VOTE: 5-0-0-2. Legislators Losquadro and Stern not present)**

IR 1705, Authorizing transfer of six (6) surplus County computers, monitors, mouses, keyboards and two (2) surplus County printers to RSVP. (Kennedy) Same motion, same second, same vote. IR 1705 is approved. **(VOTE: 5-0-0-2. Legislators Losquadro and Stern not present)**

IR 1710, To authorize a request for proposal (RFP) for the purchase and installation of GPS monitoring devices for all County vehicles. (Romaine)

LEG. ROMAINE:
Motion.

CHAIRMAN BEEDENBENDER:
Motion to approve by Legislator Romaine.

MR. ZWIRN:
If I might, Mr. Chairman, at some point.

CHAIRMAN BEEDENBENDER:
Yes. Do we have a second to that motion?

LEG. KENNEDY:
I'll second the motion.

CHAIRMAN BEEDENBENDER:
All right. Seconded by Legislator Kennedy. Mr. Zwirn.

MR. ZWIRN:
We would just ask that this be held up just for a little bit. We have a pilot study that's already been in place for 240 vehicles. We are currently reviewing the results of that and also reviewing the equipment that was purchased off the State contract to make sure that it's doing the job that we anticipated that it would.

There are over 1500 vehicles other than police vehicles in Suffolk County. This is going to be a very expensive proposition and we want to make sure we get it right. I know that Mr. Romaine was speaking earlier about funding I think it was Mr. Stern's bill. There's no funding in this bill, either. We estimate that it would be about \$445 apiece to install GPS and all of the equipment with a total cost of almost three quarters of a million dollars.

CHAIRMAN BEEDENBENDER:
With staffing? That adds staff?

MR. ZWIRN:
No, that's not staffing. That's just the equipment. So we would like to get the study done. We would like see if the equipment -- we also want to take a look at what the Town of Islip, the Town of Brookhaven, which is also undergoing this study to see what equipment they're using to see if the equipment can be compatible. I think that some of the equipment that one of the towns, I think the

Town of Islip is using similar equipment to what the County has used. We have had some difficulty with this equipment. We want to find out. The Town of Islip at least publicly has said it has been working pretty well. We are not opposed to it. We think it is a good idea. We just think it is a little premature. Let us work out some of the kinks.

CHAIRMAN BEEDENBENDER:

When do you think you might have a report on your pilot program?

MR. ZWIRN:

I don't know exactly when but I will report back to the committee on a regular basis so that you're up-to-date as to where we are.

LEG. HORSLEY:

Babylon also, Ben.

LEG. ROMAINE:

I would just say that the reports that I have seen from the Town of Brookhaven seem to suggest a large savings can be accomplished with GPS. However, this is thrown out there because I think that we can save a great deal of money far in excess of the money that we would lay out and there would be a very short payback period from the reports that I have seen from the Town of Brookhaven. I know that Supervisor Foley has advocated for this and I'm sure it will be adopted in Brookhaven and it has been adopted in the Town of Islip.

What I'm willing to do is work with the administration, but at some point this simply calls for an RFP. It doesn't ask you to implement. You'd have to come back and implement. You'd have to come back. This is getting it out there to find out what the cost would be. You've done this pilot -- I know this pilot has been in effect for some time, and this is just going to be very quickly authorizing an RFP. I think at that point with this resolution adopted and the RFP, which will probably take two or three months minimum to get done, and your pilot report, we can take a look at this, a serious look at this, for the 2009 Operating Budget and we can have in hand reports from the Town of Islip and reports from the Town of Brookhaven.

So while I normally would go along with tabling, and I'm sure there will be a resolution, I will oppose tabling simply because this only calls for an RFP. It doesn't call for anything else. You are absolutely right, there is no money involved except the opportunity cost of drafting an RFP which you would have to do in any event.

MR. ZWIRN:

But if we can get some more information we can craft the RFP, we think, in a much -- it's got to be a much better way to do it. If we can work out some of the kinks, we find out -- for example, we would like to talk to the different towns. The Town of Babylon Legislator Horsley also mentions has done it. I'm just saying the more information that we have the better we can craft an RFP. And we don't disagree with the concept. We thought about it and started -- the County Executive commenced it very early on to make sure that cars that were in the different -- assigned to different pools were not being used for personal use.

As I said, the equipment was taken off the State contracts. We think there may be better equipment out there. We want to talk to the towns. So if we could just have a little time to just be able to work, get the information from our study done, and then talk to the towns to see if we can come up with a good plan that would be comparable and work with the towns as well.

LEG. ROMAINE:

I will let my colleagues offer the alternative resolution. Motion.

CHAIRMAN BEEDENBENDER:

There was a motion and a second to approve. I'll make the motion to table.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. The motion to table takes precedence, so if there is no comments on the motion, all in favor of tabling? All opposed? Legislator Romaine is opposed. IR 1710 is tabled. **(VOTE: 3-1-0-3. Legislator Romaine opposed. Legislators Stern, Losquadro and Kennedy not present).**

LEG. ROMAINE:

I would just say, Mr. Chairman, now that it has been tabled that hopefully at our next committee meeting that we can have a fuller discussion of this and that I would hope that representatives either from DPW and/or the Executive would reach out to my office concerning this. This is, I believe, a cost savings measure that will reduce our expensive gasoline bill and help better utilize what the deployment of whatever vehicles the County has. Thank you.

CHAIRMAN BEEDENBENDER:

No problem. All right. IR 1710 is tabled. **IR 1713, Amending the 2008 Capital Budget and Program and appropriating funds in connection with Energy Conservation at various County facilities (CP 1664). (Co. Exec.).** I will offer a motion to approve.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. If there is no comments on the motion?

LEG. ROMAINE:

Except after it is adopted I would ask the Clerk to add me as cosponsor. Thank you.

CHAIRMAN BEEDENBENDER:

All right. Duly noted. All in favor? Opposed? Abstentions? IR 1713 is approved. **(VOTE: 3-1-0-3. Legislator Romaine opposed. Legislators Stern, Losquadro and Kennedy not present).**

IR 1716, Authorizing the execution of an agreement by the Administrative Head of Suffolk County Sewer District No. 3 - Southwest with Lexington Village Condominiums (IS 1263). (Co. Exec.)

LEG. HORSLEY:

Motion to approve.

CHAIRMAN BEEDENBENDER:

Motion to approve by Legislator Horsley. I will second. If there are no questions on the motion, all in favor? Opposed? Abstentions? IR 1716 is approved. **(VOTE: 4-0-0-3. Legislators Stern, Losquadro and Kennedy not present).**

IR 1717, Transferring Escrow Account Revenues and transferring Assessment Stabilization Reserve Funds to the Capital Fund, amending the 2008 Operating Budget, amending the 2008 Capital Budget and Program and appropriating additional funds for the improvement and rehabilitation of the existing facilities in Suffolk County Sewer District No. 6 - Kings Park (CP 8144). (Co. Exec.) I will make a motion to approve.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. If there are no other comments, then all in favor? Opposed? Abstentions? IR 1717 is approved. **(VOTE: 4-0-0-3. Legislators Stern, Losquadro and Kennedy not present).**

IR 1724, Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 7 - Medford with the owner of Amneal Pharmaceuticals, LLC. (Co. Exec.). I'll offer a motion to approve.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. If there are no comments on the motion, all in favor? Opposed? Abstentions? IR 1724 is approved. **(VOTE: 4-0-0-3. Legislators Stern, Losquadro and Kennedy not present).**

IR 1735, Amending the 2008 Capital Budget and Program and appropriating funds in connection with intersection improvements on CR 16, Smithtown Boulevard at CR 93, Lakeland/Rosevale Avenue, Town of Smithtown (CP 5118). (Co. Exec.). Based on the testimony from before, I will offer a motion to approve. Seconded by Legislator Horsley. All in favor? Opposed? Abstentions? **(VOTE: 4-0-0-3. Legislators Stern, Losquadro and Kennedy not present).**

And to the stenographer, my sincerest apologies for the speed in which I am talking.

IR 1744, Amending Resolution No. 34-2008, to purchase one (1) replacement vehicle. (Co. Exec.). This is a hybrid vehicle for the Health Department and if there are any questions, Margaret Burmel is here from the Health Department. But if there are no questions about it, I'll offer a motion to approve.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. All in favor? Opposed? Abstentions? IR 1744 is approved. **(VOTE: 4-0-0-3. Legislators Stern, Losquadro and Kennedy not present).**

IR 1745, Amending the 2008 Capital Budget and Program and appropriating funds in connection with safety improvements at various intersections (CP 3301). (Co. Exec.)

LEG. ROMAINE:

I'll make a motion.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Romaine. I will second the motion. If there is no comment, all in favor? Opposed? Abstentions? Comment or cosponsor?

LEG. ROMAINE:

Both.

CHAIRMAN BEEDENBENDER:

Okay. Go ahead.

LEG. ROMAINE:

First of all, I'm going to cosponsor this because this is in the Town of Southold. But secondly, what this resolution does is add another \$100,000, I believe, in planning. Is that correct, Commissioner?

COMMISSIONER ANDERSON:

Yes.

LEG. ROMAINE:

Okay. And what this is going to do is take a five road intersection and make a roundabout there for two safer conditions, something that I strongly support. I know the Town of Southold supports it. This has been on the drawing board for how many years, Commissioner?

COMMISSIONER ANDERSON:

I honestly don't know.

LEG. ROMAINE:

Okay.

COMMISSIONER ANDERSON:

I know it has been here since I have been on board.

LEG. ROMAINE:

It's probably preceded you by several years prior to that because it was announced that this was going to be done and the money had been put in, and it's just taking forever. Now that you have the planning money, which you are going to get, I guess, in 2008 with the adoption of this resolution, and you'll have sufficient monies to plan, when will that planning be taking place?

COMMISSIONER ANDERSON:

Well, what will happen now is we will put together, if you will, a preliminary plan. We then send it up to New York State DOT to their Roundabout Unit. They are the one's that are experts in roundabouts.

LEG. ROMAINE:

I understand.

COMMISSIONER ANDERSON:

And once we get their approval then, you know, the completion of the documentation will continue.

LEG. ROMAINE:

I'm going to ask on the record if you would do me a favor and contact my office when you send that plan to New York State DOT since I want to follow that up with DOT and Assemblyman Alessi and State Senator LaValle to ensure that it is expedited. When that plan is returned from DOT, approved, let's say it's approved or with whatever modifications they suggest, how much longer then will implementation take?

COMMISSIONER ANDERSON:

I'm going to turn to Bill on this one.

MR. HILLMAN:

We would hope to have a fairly good construction cost by the end of this year, include that in either the '10 or '11 capital programs and go to construction in either '10 or '11.

LEG. ROMAINE:

Okay. What I would ask you to do, the Commissioner is going to be kind enough to let me know when he sends it up to DOT. What I would ask you to do as Chief Engineer, when you have those

cost estimates, and I will be knocking on your door for them, I'd like to try to get them prior to April of 2009 so that if the Executive doesn't I will put in a resolution for the 2010 Capital Budget and submit it in time to put funding in for the 2010 Capital Budget. That way the process moves right along. So I would appreciate that. So if by April of 2009 if you would get that to me, providing I'm still alive and serving in this seat, I would appreciate it because then I'd like to do something with the 2010 Capital. Thank you.

CHAIRMAN BEEDENBENDER:

Okay. We have a motion to approve and a second. All in favor? Opposed? Abstentions? IR 1745 is approved. **(VOTE: 4-0-0-3. Legislators Stern, Losquadro and Kennedy not present).**

IR 1746, Amending Resolution Nos. 873-2007 and 571-2008 for participation in connection with the reconstruction/widening of CR 3, Wellwood Avenue bridge over the Southern State Parkway, Town of Babylon (CP 5851). (Co. Exec.). Gil, my only question is didn't we do a bunch of this already?

COMMISSIONER ANDERSON:

This is basically a correction based on the final cost of the project. And, you know, you have to make adjustments because you have the Federal funds, you have State, Marchiselli. It's really all it is.

CHAIRMAN BEEDENBENDER:

We are just adjusting what we got.

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN BEEDENBENDER:

Okay. Then Legislator Horsley, you'll offer a motion to approve?

LEG. HORSLEY:

Motion to approve.

CHAIRMAN BEEDENBENDER:

I will second it. All in favor? Opposed? Abstentions? Legislator Romaine.

LEG. ROMAINE:

Quick question. As I recall at our June 22nd meeting I think it was, Legislator D'Amaro raised several questions about this project. Have those questions been answered? I think he, you know, he --

LEG. HORSLEY:

What's taking it so long, I think that was one of his questions, and that kind of stuff.

LEG. ROMAINE:

And at that time my understanding was the Executive withdrew this resolution. Is that --

CHAIRMAN BEEDENBENDER:

Then we did it at a special meeting. We approved it at the special meeting.

LEG. ROMAINE:

And then it's back again?

COMMISSIONER ANDERSON:

This actually -- it's like a housekeeping.

LEG. ROMAINE:

That's fine. I'm going to vote for it. I'm just curious.

LEG. HORSLEY:

How is it going?

COMMISSIONER ANDERSON:

As far as I know it's going well. We're moving ahead on it and there's been no problems that have been brought to my door, so I'm assuming everything's great.

CHAIRMAN BEEDENBENDER:

Okay. Then we have a motion to approve and a second. All in favor? Opposed? Abstentions? IR 1746 is approved. **(VOTE: 4-0-0-3. Legislators Stern, Losquadro and Kennedy not present).**

With no business before us, we stand adjourned.

(THE MEETING CONCLUDED AT 3:34 PM)

{ } DENOTES SPELLED PHONETICALLY