

PUBLIC WORKS & TRANSPORTATION COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE

A regular meeting of the Public Works & Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on September 9, 2008.

MEMBERS PRESENT:

Legislator Brian Beedenbender, Chairman
Legislator Steve Stern, Vice Chair
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:

George Nolan, Counsel to the Legislature
Gail Vizzini, Director of Budget Review Office
Lance Reinheimer, Assistant Director of Budget Review Office
Kevin Duffy, Budget Review Office
Rosalind Gazes, Budget Review Office
Robert Doering, Budget Review Office
Gil Anderson, Commissioner of Department of Public Works
Bill Hillman, Chief Engineer of Highways
Ben Wright, DPW
Kaitlin Boyd, Aide to Leg. Beedenbender
Deborah Harris, Aide to Leg. Stern
Barbara LoMoriello, Deputy Clerk
Ben Zwirn, Deputy County Executive
Gail Lolis, County Attorney's Office
Debra Alloncius, AME Legislative Director
Tom Spota, Suffolk County District Attorney
Eugene L. Wishod, Esq.
Paul Perillie, Aide to Majority Leader
Linda Bay, Aide to Minority Leader
All Other Interested Parties

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

MINUTES TRANSCRIBED BY:

Denise Weaver, Legislative Aide

(THE MEETING WAS CALLED TO ORDER AT 2:08 PM)

CHAIRMAN BEEDENBENDER:

Good afternoon everybody. We have five. Legislator Losquadro has an excused absence and I believe Legislator Kennedy will be along very shortly, but in the interest of time we'll start. So would everybody please rise for the Pledge led by Legislator Stern.

SALUTATION

Okay. I don't have any cards. Is there anybody in the audience that wishes to speak?

PRESENTATION

Seeing none, we'll move right along. We have a presentation or a discussion from something that came up at our last committee meeting regarding capital project 3301. And I don't know if I'm quoting directly but I believe the word "mess" was involved. So why don't we start? Gil, I guess you have something to hand-out.

COMMISSIONER ANDERSON:

Yes, let me do that.

CHAIRMAN BEEDENBENDER:

Okay. While Gil's sitting down, just to refresh everybody's memory capital project 3301 is about -- is generally titled Safety Improvements at Various Locations. And it's in our capital budget each and every year. And the discussion that we had towards the end of the last committee meeting was that the charges against it and the accounting -- well, not the accounting, I shouldn't say, but the charges against it were kind of confused in that there were some -- some information that needed to be ironed out or at least shared before the Committee.

So, Gil, why don't you go through whatever you have here and then we'll ask whatever questions.

COMMISSIONER ANDERSON:

Sure. Good afternoon. What you witnessed at the last meeting was a frustration on our engineers' parts with this specific Capital Program. 3301 has historically been a repository of a number of traffic studies projects that have resulted from the studies for various intersections and roads where we have essentially procured engineers to help us with these projects.

So what has resulted is in numerous projects that extend from the study, the preliminary phase through the right-of-way acquisition phase through the construction phase. And these include -- currently there are ten projects that are either in the study or the design phase. We have ten projects within right-of-way acquisition phase and five projects within the construction phase.

Different funding sources, different -- obviously different projects. The -- let me start off by stating that the capital account database, which is managed by our accountants, has always been and is presently accurate with regard to the appropriations and the balances. The confusion lied within our ability and the engineering end of it managing each of the projects. So we recognized this early on. And we had -- in 2005 we decided to complete the open projects. And what we've done to simplify this is if a project moves or -- moves beyond the study phase and goes into the right-of-way and the construction phase, we create a separate project for that. We take it out of 3301 and we give it its own project rather than having this burdensome, you know, process that we do.

Last month our staff reviewed the 15 individual projects within capital project 3301. And we have --

we basically corrected our program to meet the accounting program. And we feel confident that both are in the same -- you know, within the same ballpark so. And that really is what resulted in what, you know, where it's at right now. We feel very good about where 3301 is. You know, we have a good handle on all the projects. Certainly the accounting end has never been an issue. It's more been our own frustrations over the numerous projects that we've had and where they are.

CHAIRMAN BEEDENBENDER:

So basically in the past, and it's not the very recent past because I see you're talking about 2005, but in past times you would both do design and construction out of this. But now essentially what you're saying is, if we do a traffic study out of 3301 and we decide to move forward with recommendations, you would establish your new capital project in the budget or either by use of an offset for that project rather than funding it out of here?

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

So, and, just to repeat what you said to make sure I have it correct, this was not an accounting situation, but more of a -- because all the money is accounted for and notated appropriately and always has been but this was more of a paper work, I guess --

COMMISSIONER ANDERSON:

Yeah, this was our own internal questions with each of the projects, and really was our problem, not in the accounting data base.

CHAIRMAN BEEDENBENDER:

Okay. So the people that know how to build the buildings are different than the people that count the numbers and that's probably good. So I guess we'll start with Legislator Kennedy; and then we'll move to Legislator Romaine.

LEG. KENNEDY:

Thank you, Mr. Chair. Hi, Gil.

COMMISSIONER ANDERSON:

Hi, John.

LEG. KENNEDY:

I'm glad to hear that there's a little bit more harmony with what's going on the fiscal side. I like to always try to understand these processes as to how it's going to affect operations in my office, in my district office. And as you know, we just recently had a couple of resolutions associated with 5118. And we did look at some additional, I guess -- oh, no, I'm sorry. No, no, no. It was traffic money and it was a little bit further out on Smithtown Boulevard where we had a little bit of a, what I thought was an overlap. Maybe it wasn't; maybe it was.

I've just recently sent you correspondence about Motor Parkway CR 67 between Red Leaf and -- right next to the industrial park. I've had constituents who have come to me now about a high incidents of accidents at Shinbone, high incident of accidents at Melrose, a guardrail that's been taken down. Clearly it appears that what we're going to need is a traffic study in order to look at what's going on there. There's been work done there recently. That's the whole area where we had the sound berm, not the sound wall. And now we're going to have guardrail put in on the other side of the road associated with the natural gas main.

My question after having said all that is simple. What am I supposed to be sending to you what I'm trying to write on behalf of constituents saying it appears there's a traffic issue on this County road, what do we need and how are we going to fund that?

COMMISSIONER ANDERSON:

Well, certainly if it's a traffic study that's being requested, I mean that would be -- you need the location and we would begin the investigation. And if we can do it in-house, you know, within a timely fashion, certainly that's what we would do. If we need funding then -- you know, we would look at what the funding sources, you know, we would need. And if there is sufficient within the capital project, if not what we have to do to --

LEG. KENNEDY:

But let me make sure I understand. What capital project? 3301?

COMMISSIONER ANDERSON:

3301 is the project that would initiate that.

LEG. KENNEDY:

So that will continue to be the touchstone or the source for traffic study?

COMMISSIONER ANDERSON:

If we need to procure the services of an outside source, if we can't do it within, you know, timely fashion in-house.

LEG. KENNEDY:

Well, let me make sure I understand those two terms, then. A) you make a decision as to whether or not it's being done in-house or you're letting it out for contract for an engineering firm?

COMMISSIONER ANDERSON:

Correct.

LEG. KENNEDY:

And then B) you said in a timely fashion. What's timely fashion? We've had a conversation about Motor Parkway for the better part of a year now. We don't have a traffic study yet.

COMMISSIONER ANDERSON:

On the projects you just --

LEG. KENNEDY:

Yeah.

COMMISSIONER ANDERSON:

Then I'll look into that and find out why they're still where they are. But I would anticipate it would be shorter than a year.

LEG. KENNEDY:

So that's --

COMMISSIONER ANDERSON:

I mean sometime -- yes.

LEG. KENNEDY:

-- something that we can operate under; an assumption that if we get this request in, it'll be less time than that where you go through that decision?

COMMISSIONER ANDERSON:

And if there's any issues, certainly we would let you know and, you know, what they are.

LEG. KENNEDY:

And whether or not we need to augment the capital budget 3301 for the purposes of providing funding for that study?

COMMISSIONER ANDERSON:

Correct. Yes.

LEG. KENNEDY:

Because I'll drop a resolution for this section now if that's where we're going to need to go. I'd rather know that coming out of the shoot than waiting 90 days and then being told, oh, well, *we're going to need a 100,000 or 200,000 or 300,000 --*

COMMISSIONER ANDERSON:

Right.

LEG. KENNEDY

And then lose another 60 to 90 in a resolution process.

COMMISSIONER ANDERSON:

Right, understood. I will investigate those locations, find out where we are with that and I'll let you know. We'll be touch and we'll figure out how we proceed.

LEG. KENNEDY:

Thank you. I appreciate it. Thank you.

CHAIRMAN BEEDENBENDER:

Legislator Romaine.

LEG. ROMAINE:

I have a couple of questions. Obviously let's start with 3301. What you say here on the record is that in the past it was used as a kind of catchall for not only doing safety studies, but also doing in some cases actual construction.

COMMISSIONER ANDERSON:

Yes.

LEG. ROMAINE:

And that's not going to be what it's going to be used for in the future?

COMMISSIONER ANDERSON:

Correct.

LEG. ROMAINE:

So -- and when we request a safety study on a County road, what is the time frame that you will respond, your department, whether the study -- whether a study is warranted or not?

COMMISSIONER ANDERSON:

I can't give you an exact time frame but I would, you know, reasonable time frame, you know. What? Three months we would have something back to you at the very latest. You know, there should be --

LEG. ROMAINE:

Not the study, but to see whether the study is justified or not. I'm not talking about doing a study.

COMMISSIONER ANDERSON:

Okay.

LEG. ROMAINE:

I'm talking about, *we looked at the situation and it really doesn't need a study. Or we've looked at the situation and it does need a study.* That type of correspondence.

COMMISSIONER ANDERSON:

If I could, I'd like to defer to my traffic people, you know, talk to them and see what they would consider. I'm sure there are --

LEG. ROMAINE:

You know why I'm pinning you down. Because obviously I want to understand the time frame constraints because I've watched time frames lengthen. I've watched responses become non-responses. And I'm just curious of nailing this down. Okay. That's something that if you're not prepared to answer now, and I understand you want to confer with your staff, that's fine.

What I'd like to know is, one, what is the time frame? And you can get the minutes. We don't meet again for four weeks, three weeks. What is the time frame to get -- when a Legislator says *I believe a safety study is needed on this County road*, for you to respond to say *we looked at that, yes, it's needed; or no, it's not.* First.

Second, if it is needed, what is the time frame to initiate a study?

Third, if a traffic study is needed and you cannot do it in-house, how you notify the County Legislature it can't be done in-house and the reason why it can't be done in-house.

And the reason I'm driving at that is, I've watched a number of safety studies that are pretty basic, that traffic safety engineers, civil service position, you know, list of titles that we have in this County, I've watched assistant civil engineers and their levels drop repeatedly in this County so it becomes almost impossible to do many of even the simplest studies in-house. And we pay much more when we have to go outside for it. So I'm just concerned about that in terms of staffing level for assistant civil engineers. You understand what I'm saying?

COMMISSIONER ANDERSON:

Yes, I do. You're --

LEG. ROMAINE:

Because obviously our response time would be improved if we could do it in-house, if we would have sufficient staffing. And I don't know how these requests come in. Maybe it doesn't pay to staff full-time because staffs -- you know, requests like this or studies like this come in infrequently, but I doubt it. In a County of this size with the type of road mileage we have, we should be doing this.

Let me ask you something else. Are you aware in this County that we have a requirement that Legislators be notified of all RFP's? That's a Legislative -- it's a law in fact. Are you aware of that?

COMMISSIONER ANDERSON:

No, I wasn't.

LEG. ROMAINE:

Okay. I'd like you to go back. I'm asking Legislative Counsel to make sure that you have a copy of that law, that Legislators are required to get a copy of all RFP's put out. Because I haven't gotten one copy -- I got it when I first came into office. And I continued to get it. And then about six months ago mysteriously I stopped getting any RFP's. I would like a list of all RFP's that have been issued for 2008. I would like every member of the Legislature to have that list.

COMMISSIONER ANDERSON:

I would imagine that if it's part of --

LEG. ROMAINE:

That's a law. That's a law.

COMMISSIONER ANDERSON:

If it's a law, wouldn't it be -- would it be going to the Clerk of the Legislature? I mean I would imagine they get them. I can certainly look into it but without --

LEG. ROMAINE:

I would suggest that you speak with your Purchasing Director because I've been getting from the Purchasing Director directly as a Legislator, I've been getting RFP's since I've come into office. And then all of a sudden a few months ago, nothing happened. And I said, *gee, I don't think the County's stopped giving RFP's.*

COMMISSIONER ANDERSON:

No, certainly not. I don't know why that would -- why anything would change. I'll find out.

LEG. ROMAINE:

Yeah. What I would like I'll find out, and I understand Purchasing is under your direct --

COMMISSIONER ANDERSON:

Yes.

LEG. ROMAINE:

-- authority, I don't know why, I think that's stupid. I personally think that we should have a separate department for that. It shouldn't be under DPW. We've given you too much of a burden to handle there because that's -- you know, we should have a general services department like most major counties do. But that aside, I would like to get a list, and I believe every member of this Legislature should -- is entitled by law to a list of every RFP issued for 2008. Every single one.

CHAIRMAN BEEDENBENDER:

If I might jump in, I think we discussed this earlier this year. I think it was in response to something Legislator Montano had brought had up earlier this year. I think -- I think we discussed this early in this -- yeah, I believe you had a proposal, maybe it was the end of last year or the beginning of this year. And I think it's available on one of the drives in our office, the T drive or the Z drive or the X drive or whatever drive it is.

COMMISSIONER ANDERSON:

Yeah, that would be part of it, yes.

LEG. ROMAINE:

If it is, I'd be happy to -- then I withdraw my request if it's available there. But I just need someone to tell me where it's available so I can access it.

LEG. MONTANO:

If I recall, I don't have the bill in front of me, but that bill had to do with contracts.

LEG. ROMAINE:

Contracts.

LEG. MONTANO:

And I'm not sure about requests for proposals. But I did -- I did -- just for the record, I just leaned over to Counsel and asked him whether or not what, in fact, Legislator Romaine was saying is accurate, whether or not there is a law to that effect. And I believe that he left his seat to go find out so we'll know. I'm not aware of it but --

LEG. ROMAINE:

That's why we were getting those. I mean for those who have served here, if you remember, like when you came in, we were getting all the RFP's. At one point we were getting them -- I save every one. I do.

COMMISSIONER ANDERSON:

I mean, again, I would repeat if it was -- if it's been up to recently, you know, past practice, nothing has changed so I don't know why it would --

CHAIRMAN BEEDENBENDER:

Well, we'll wait for Counsel to come back and then we can certainly clarify this and make sure that we're getting it in some form. Legislator Romaine, go ahead.

LEG. ROMAINE:

One last thing and I'll leave it at that. I've done some checking with some of your staff people at DPW. And my understanding is as of today DPW has not -- I want to emphasize this -- initiated a formal pilot project regarding any GPS because the County Executive's representative at the last meeting led us to believe that that might be true. My understanding is that that is not the case, there is no formal pilot program for GPS currently at works in DPW.

COMMISSIONER ANDERSON:

There is. We have a pilot project. I don't know if it's what you'd call formal, but we have installed GPS in a number of vehicles. We're having some issues with the GPS. We're trying to work those out as I believe was said at the last meeting.

LEG. ROMAINE:

So is there a pilot program or not?

COMMISSIONER ANDERSON:

Yes.

LEG. ROMAINE:

Because that's what we were led to believe.

COMMISSIONER ANDERSON:

Yeah.

MR. ZWIRN:

If I might? If I may, Mr. Chairman, the answer is yes. And at the last meeting I said I would bring you up to date on what we've done. And I'm prepared to do that today. You know, Legislator Romaine has this idea now, but we started doing this 18 months ago.

CHAIRMAN BEEDENBENDER:

Well, can I just ask if we can finish the 3301 stuff? I'm not cutting you off, Mr. Zwirn, but if --

LEG. ROMAINE:

We'll come back to this issue.

CHAIRMAN BEEDENBENDER:

-- we can come back to that because the resolution's on the agenda. Legislator Kennedy, I think you wanted to talk about what we were just talking about first.

LEG. KENNEDY:

Well, actually, Mr. Chair, it's not 3301 but it does go to the RFP stuff. And it's really just a brief question, I guess, I'd pose back to the Commissioner. We talked, I think -- actually I believe I sent you a letter about the nursing RFP or the nursing request for a study that was supposed to be put

out. And it was being handled by Purchasing. And that for whatever reason never made its way out for an actual consultants to be engaged to perform the work for the resolution that, I believe, it was Legislator Viloría-Fisher had actually sponsored for the better part of a year ago. We had -- are you familiar with it, Ben?

MR. ZWIRN:

Yes. I just wanted to make sure we're done with 3301.

LEG. KENNEDY:

No, we're not. We're not done with 3301. I'm putting that out just under the broad guise of RFP. If it's something that you know of now, if it's something that you can find out about, I'd appreciate it.

MR. ZWIRN:

I'll defer to the Chairman. You wanted to get through with 3301. I'll be glad to respond to that with respect to the cost benefit analysis RRP.

CHAIRMAN BEEDENBENDER:

Well, if we can -- I mean the question's out there so you have the right to respond so why don't you go ahead and do that now, Mr. Zwirn.

MR. ZWIRN:

We have had -- when the task force was set up for public health nurses, the concern at that time by the public health nurses and I believe Legislator Viloría-Fisher was that the County Executive was going to do away with the Visiting Nurse Public Health Nurse Program. And they were concerned that that was the case and they wanted to do a cost benefits analysis.

They set up a task force. And the County Executive was to have one representative on that task force. And that would have been the Budget Director Connie Corso. Ms. Corso has -- says she never was made aware of when the meetings were held. So we have asked Legislator Viloría-Fisher if it would be possible to at least get the County Executive's position to be made as an addendum to the task force before we send out the RFP. And we have been in discussions with her with respect to that. We'd just like to have just a one page addendum added so that at least we could get our -- the County Executive's position on it to be part of the record before we go forward with the RFP. That's all we've asked for.

LEG. KENNEDY:

And I -- obviously the fact you're having dialogue with her, I guess, is good. But let me ask how does that translate to the actual construction of the RFP itself? Because, again, usually when we adopt a resolution directing that Purchasing is going to compile a request out there for a consultant to do something, we usually put in broad language and then we rely upon a department to fill in with specifics. And then Purchasing cobbles it together and out it goes.

MR. ZWIRN:

Well, we would like to have that language -- that testimony in as we prepare the RFP so that becomes part of the record. That's all.

LEG. KENNEDY:

For the purposes of a reference document?

MR. ZWIRN:

Yes. So then we go out because the way -- the way legislation has been drafted, it is really sort of a one sided -- I mean it's a cost benefit analysis of public health nurses. So you're going to say are public health nurses a benefit. We would like to have something in the record to say, look, there's certain Counties that don't have epidemics going on like Nassau County that don't have public health nurses. There are other -- they never looked at anything other than what does a public health nurse do? And I think everybody would argue is there a cost benefit to having a public health nurse?

Arguably, there's certainly no harm in it. But we just wanted to be able to point out that there are other jurisdictions out there that can operate and seem to be operating fine without them. Just want to make that part of the record before we go out and do a cost benefit analysis.

Again, the purpose of it was so that I think that the public health nurses and those who advocate for them would have a document saying, look, there is a definite cost benefit analysis, we have it in writing that that's the case. And, you know, arguably that -- that's like saying, you know, the sun's going to rise in the east and -- of course they have a benefit. The question is, is that -- are there other Counties and other jurisdictions, can they operate without them at a cost savings? And we just wanted to be able to get a one page addendum in. I think we're going to be able to work that out and we will be able to move forward without much delay.

CHAIRMAN BEEDENBENDER:

Okay.

MR. ZWIRN:

By the way, the public health -- but the public health nurses are in the budget at the same levels they have been for sometime. They've not been -- they will not --

CHAIRMAN BEEDENBENDER:

The one we haven't seen yet.

MR. ZWIRN:

The one you haven't seen yet. But they have not -- there has been no effort to privatize or eliminate the public health nurses in next year's budget.

CHAIRMAN BEEDENBENDER:

Gail, you wanted to add? And if it would please the Committee, I would like to move onto our agenda. Gail, go ahead.

MS. VIZZINI:

I just wanted to clarify that the RFP has been completed at the direction of the Legislature. And it is resting comfortably in Purchasing probably since around March of '08.

CHAIRMAN BEEDENBENDER:

Okay.

MS. VIZZINI:

And Legislator Vilorio-Fisher has legislation in -- laid on the table for the Health Committee directing the Commissioner to move forward on it.

CHAIRMAN BEEDENBENDER:

Okay. All right. If there are no questions, then we will move from this discussion, which has migrated a bit from its beginning, to the Tabled Resolutions.

TABLED RESOLUTIONS

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) This has to be tabled for a public hearing. I'll make the motion. Can I have second?

LEG. MONTANO:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Montano. All in favor? Opposed? Abstentions? **TABLED (Vote: 6-0-0-1. Not Present: Legislator Losquadro)**

IR 1505, Authorization of alteration of rates for Fire Island Ferries, Incorporated. (Pres. Off. Lindsay) Legislator Barraga informed me this morning that he has another meeting scheduled at the beginning of the year with the community and the ferry company so there was no need to move on this now. So I'll make a motion to table.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. All in favor? Opposed? Abstentions?
TABLED (Vote: 6-0-0-1. Not Present: Legislator Losquadro)

IR 1536, Appropriating funds in connection with construction of sidewalks on various County roads (CP 5497) (Schneiderman)

It was -- the testimony from DPW has been that this project is not ready to go because the design phase won't be ready till the end of the year. Has any of that changed?

COMMISSIONER ANDERSON:

No.

CHAIRMAN BEEDENBENDER:

All right. Well, if that hasn't changed, then I will make a motion to table.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. If there are no comments, all in favor? Opposed? Abstentions? **IR 1536 is tabled. TABLED (Vote: 6-0-0-1. Not Present: Legislator Losquadro)**

IR 1582, Establishing a Pharmaceutical Disposal Program in Suffolk County. (Stern)

LEG. STERN:

Motion to approve.

CHAIRMAN BEEDENBENDER:

Motion to approve by Legislator Stern and I will second the motion.

Legislator Stern, I know there's been some changes. Could you just kind of lay it out there for us again?

LEG. STERN:

Sure. We are all aware of a growing problem not just here locally, but throughout the country with pharmaceutical disposal ending up in wastewater management programs and having an adverse impact on drinking water, which, of course, is only going to grow exponentially as time goes on. So this is really a proactive measure to try and do what we can at least at our local level to keep disposed pharmaceuticals out of our system.

And so we have worked with the County Executive, the administration, law enforcement to develop legislation here that would establish this type of a disposal program that would be coordinated and administered though law enforcement, through police departments, through the sheriff's office. Because when we're talking about these types of substances, particularly controlled substances, federal law says that there has to be this law enforcement component to it.

You know, it'd be great if we could just put out these receptacles in front of, you know, every CVS and Walgreens, but unfortunately federal law prohibits us from doing that. There has to be this law enforcement aspect to it. So we've had ongoing meetings with the administration. Law enforcement is on board and so we're looking to go forward.

CHAIRMAN BEEDENBENDER:

Okay. Legislator Romaine.

LEG. ROMAINE:

I'm, of course, supportive of the concept. Legislator Stern has always drafted excellent legislation. But I'd like to know how is this different from the message that the County Executive had on the same subject? How is it different from the County Executive's initiative? Because if I'm not mistaken, shortly after Legislator Stern introduced this legislation, the County Executive came forward with a public announcement about, I assume, a similar program that dealt with medication and disposal of pharmaceuticals. So maybe I could understand how your legislation is different from the recently announced initiative that the County Executive was undertaking.

LEG. STERN:

Yeah. Well, Legislator Romaine, exactly as I just said, that's really the difference between the two proposals. This is something that we had been working on for several months.

LEG. ROMAINE:

Right.

LEG. STERN:

When the County Executive made the announcement, it's something -- and because we had been working on it for some time --

LEG. ROMAINE:

Right.

LEG. STERN:

-- we decided to join forces. And the original proposal was to have a Pharmaceutical Disposal Program at all of these various locations throughout the County. Through the research that we had done, we discovered that you couldn't do it in the same exact way because there had to be federal law, requires this law enforcement --

LEG. ROMAINE:

Right.

LEG. STERN:

-- component to it. That's the big difference and that's the bill that we're putting forth.

LEG. ROMAINE:

Well, I always intended to support your bill. As I said, you're a serious Legislator with excellent ideas. Thank you.

LEG. STERN:

Thank you.

CHAIRMAN BEEDENBENDER:

Legislator Montano.

LEG. MONTANO:

Yeah, I'm just reading the resolution. This would require Public Works once the law enforcement aspects are worked out. What I'm getting from this is that it requires Public Works to issue an RFP and then they will get back to us within six months --

LEG. STERN:

Correct.

LEG. MONTANO:

-- as to whether or not it can be implemented.

LEG. STERN:

That's right.

LEG. MONTANO:

That's what we're saying here?

LEG. STERN:

That's right.

LEG. MONTANO:

Thank you.

CHAIRMAN BEEDENBENDER:

Okay. Well, I'm just feeling very -- I'm feeling the love coming back and forth from both sides here after that nice oration from Legislator Romaine.

LEG. ROMAINE:

It's not all love. It's not all love.

CHAIRMAN BEEDENBENDER:

No, no, over here. Not that way (indicating). This way. Okay.

All right. We have a motion and a second. All in favor? Opposed? Abstentions? **IR 1582 is approved. (Vote: 6-0-0-1. Not Present: Legislator Losquadro)**

IR 1627, Approving a construction agreement between Suffolk County Sewer District number 13, Windwatch and Motor Parkway Associates for the expansion of the sewage treatment plant by 350,000 gallons per day. (Co. Exec. Levy)

LEG. MONTANO:

I'll make a motion.

CHAIRMAN BEEDENBENDER:

Okay. There's a motion to approve by Legislator Montano. I will second the motion for the purposes of discussion. And just before we get into it, because I'm sure that we'll have Legislator Kennedy and several others that want to discuss this, the resolution has been amended to include the determination made by CEQ that it's an unlisted action, I believe, negative declaration. And that's included in the actual body of the resolution now which clears up the procedural problem that I think we had last time.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Okay. So if we have no procedural problem, then we can move onto substantive discussion.

COMMISSIONER ANDERSON:

Right.

CHAIRMAN BEEDENBENDER:

Who would like to start? Legislator Kennedy, if you'd like.

LEG. KENNEDY:

Yeah, thank you, Mr. Chair. I think -- first of all what I'd like to do is I'd like to commend Motor Parkway Associates, I know, from the time we had our last meeting there's been some serious and meaningful dialogue with the principals from Spring Meadow. And that is something that helps, I think, in this process. At least to have constituents and residence owners understand what the actual hard dollar impact is going to be to our decision to allow this to go forward.

I am not going to vote in favor of this nor will I vote against it. I'm going to abstain. But I'm also going to pose the question to the Commissioner, and I am going to follow up with the Commissioner, I will keep coming back to the same question that I've had from the time that I started with this process.

Going back some eight years ago when a small residential condominium complex executed a writing with an entrepreneurial entity that we as a municipality agreed to cede over our municipal authority to construct to, was given an estimate of about a million, million one or a million two to construct. We've come eight years and we're now at somewhere around -- well, it's 1.8 million for their portion of the expansion. But there's an additional \$2 million cost to Spring Meadow for the construction of a pump station. So residences, single mothers, senior citizens are looking at absorbing \$3.8 million in order to flush the toilet.

There's some problem here in that we're expecting folks that live in efficiency apartments to have had the knowledge of a PE. That's wrong. We're the government. We're supposed to address municipal needs. And in this process we had a major disconnect.

Now it appears Motor Parkway Associates is willing to try to talk about providing some remedy, some assistance. I'm going to speak to you specifically about whether or not we can look at providing some assistance for that pump station. But long before I was here and long before you were here, somebody sat down and they designed this and they didn't do it right. They did not account for all the costs. They did not account for what was necessary to go from point A to point B. And they didn't share all of the costs out of the shoot to a party. Back in law school they said that's not a meeting of the minds. That's not a bona fide contract because one party didn't have a full understanding with the other.

So I'm going to hope we can work our way through this process amicably. But I'm going to lay a lot of this at the grounds of Public Works, even though it precedes you and I, because we have residential homeowners who are going to be run out of their residences because they're eyeball to eyeball with a \$4 million price tag. That's not right.

CHAIRMAN BEEDENBENDER:

Legislator Montano.

LEG. MONTANO:

Yes.

COMMISSIONER ANDERSON:

If I just can respond just briefly?

LEG. KENNEDY:

Sure, go ahead.

CHAIRMAN BEEDENBENDER:

Go ahead. Go ahead, Commissioner.

COMMISSIONER ANDERSON:

And if not -- you know, I think, Legislator, you've hit on really what is the crux of the sanitary problems that we're faced with, is money. You know, I mean, certainly, you know, you're looking at a situation that when they entered into an agreement they -- not them, not the individual users or renters, but the developers, you know, when you enter into an agreement, you're entering into an agreement, you know, forever that you're going to upgrade your facilities.

And the cost has to be borne by them. And unfortunately, you know, this is a group of people who, you know, don't have the money immediately available, but it's similar to other areas where you're trying to do sanitary improvements and there's just no money where you're going to be looking for large sums of money. I don't know -- honestly, I don't know where that's going to come from. Where we are most interested in making this all work without any question, Department of Public Works wants to make this all happen, but it's going to come down to, you know, the ugly facts of money.

LEG. KENNEDY:

Between now and Tuesday I want to sit with you specifically and talk about that pump station.

COMMISSIONER ANDERSON:

Okay.

LEG. KENNEDY:

Because that is a huge unexpected driver in this process.

COMMISSIONER ANDERSON:

Okay.

CHAIRMAN BEEDENBENDER:

Legislator Montano.

LEG. MONTANO:

Yeah. I just wanted to state for the record that my district includes a large portion of the Village of Islandia but not the portion of the village where this project is located. This is actually in Legislator Kennedy's district. And generally we'd defer to one another on these issues. I did speak with Legislator Kennedy. He did tell me that he would abstain. But I have spoken with the mayor of the Village of Islandia and I am aware that the village supports this and the trustees support this. And I am going to support it. So I just wanted to put that on the record.

CHAIRMAN BEEDENBENDER:

Okay. Just -- I'll add a brief comment. And Legislator Stern probably said it to me privately just now as succinctly as possible. And if I'm wrong I'd ask somebody to correct me. There's two paths to go. They can either build a plant themselves or they can hook up to the Motor Parkway Associates sewer plant. And as far as all the information I was told, the Motor Parkway route is cheaper.

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN BEEDENBENDER:

Okay. All right. Well, then -- okay, then. We have a motion and a second. And I will take a vote. All in favor? Opposed? Abstentions?

LEG. KENNEDY:

Abstained.

CHAIRMAN BEEDENBENDER:

Legislator Romaine and Kennedy will abstain. So that's four. That's enough. **IR 1627 is approved. (Vote: 4-0-2-1. Legislators Romaine and Kennedy abstained, Legislator Losquadro not present)**

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 because the public hearing is still open. So I'll make a motion, seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1673 is tabled. (Vote: 6-0-0-1. Not Present: Legislator Losquadro)**

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. Levy) At our last meeting, Gil, your department had made a request that you wanted us to table because you're still looking over proposals.

COMMISSIONER ANDERSON:

Right.

CHAIRMAN BEEDENBENDER:

Are they at a different spot now or should we table it again?

COMMISSIONER ANDERSON:

No, I was going to ask for one more cycle.

CHAIRMAN BEEDENBENDER:

One more?

COMMISSIONER ANDERSON:

Yep.

LEG. KENNEDY:

I'll make the motion to table.

CHAIRMAN BEEDENBENDER:

Second. All right. We have motion and a second. All in favor? Opposed? Abstentions? **IR 1701 is tabled. (Vote: 6-0-0-1. Not Present: Legislator Losquadro)**

IR 1710, To authorize a request for proposal (RFP) for the purchase and installation of GPS monitoring devices for all County vehicles. (Romaine) Legislator Romaine, you had asked the question so I'll -- if you don't mind, I'll have Legislator, excuse me, I'll have Mr. Zwirn respond. I apologize. For us, not him.

LEG. ROMAINE:

No apology necessary.

CHAIRMAN BEEDENBENDER:

Apologize for us, not him. And I'll allow Legislator Romaine to go after that. So, Mr. Zwirn.

MR. ZWIRN:

How soon they forget. And I taught him everything he knows, there's no respect.

LEG. ROMAINE:

So you've told us.

MR. ZWIRN:

I feel like Rodney Dangerfield. Let me ask, that's what Legislator Beedenbender told you. I can understand that.

CHAIRMAN BEEDENBENDER:

You feel like Rodney Dangerfield, but you look like Bernie.

MR. ZWIRN:

Thank you. It could only go down hill from here.

Eighteen months ago the County Executive on his own initiative started putting GPS units in about 240 vehicles covering 15 departments from the Civil Service Department, Consumer Affairs, Economic Development, Environment and Energy, Executive Health Services, Information and Technology, all the way through Social Services and Public Works among others to monitor the cars to see -- and we used the vendor that was on the state contract. And we have been monitoring it for the last 18 months and it has not been without some significant problems with the equipment.

Now, Sprint Nextel was the vendor involved with this and -- because they were the only vendor that was on the state contract at the time. It cost us about 99 cents per unit and about \$6000 a month for the service so that we could evaluate how, you know, if it could make a difference. And the units have had mixed results. And we are working now with the vendor trying to find out what can be done to make the units more tamperproof and also work a lot better than they should be.

We would ask that this resolution, as well intended as it is, to be tabled temporarily while we work this stuff out with the vendor to see if we would -- one of the options that we would look forward to going forward may be to look for other vendors as opposed to the one that was on the state contract. That was one of the reasons why we wanted to reach out to some of the other towns to find out how their -- if they were using the same vendor, different vendors, and to find out what the success rate or problems that they were having with their units.

So, again, this was something that the County Executive took upon himself 18 months ago. And while Legislator Romaine, you know, has come to see it now, we don't disagree that it's not a good idea, although a little late to the table -- well, it happens once in a while. But I'm sure that if you can just give us a little bit more time so that we can work -- we have an issue with the vendor. We think we can get it worked out. If we can get it worked out, then moving forward will be very easy. If we cannot, aside from any litigation that might take place, we would like to look for other vendors and have to recraft a different of RFP.

So we just ask you for a little more time, a little more patience as we work through the kinks that were in the system that was originally implemented 18 months ago. And I would come back to you and report on a regular basis. I'll come back at every committee meeting and tell you where we stand. But that's where it stands now.

CHAIRMAN BEEDENBENDER:

So are you saying that if we can work it with this vendor the RFP wouldn't be necessary?

MR. ZWIRN:

That's correct.

CHAIRMAN BEEDENBENDER:

We could just expand the program through the state contract that we already have going?

MR. ZWIRN:

That's correct.

CHAIRMAN BEEDENBENDER:

All right. And that sounds like it's cheaper than the numbers I heard before.

MR. ZWIRN:

That's correct. This was a pilot in-house project. Again, this is off the state contracts so it'll be the cheapest way we could possibly go.

CHAIRMAN BEEDENBENDER:

Right. I'm just saying because I remember I think the \$750,000 number was out there at some point, but this sounds like that would be a little bit cheaper if we're only paying a dollar a unit.

MR. ZWIRN:

Right. But this would go in every unit -- every vehicle in the County. Every unit. So that's a lot of cars even though we brought a lot of cars in -- this original plan was not to look at it all over the County but to just cut back originally on -- make sure nobody was using cars for commuting purposes. The other plan would be much broader in scope.

CHAIRMAN BEEDENBENDER:

Right. And it also, if I remember correctly, from when I worked for somebody that looked like you.

MR. ZWIRN:

And I doubt you do, but we can probably refresh your recollection.

CHAIRMAN BEEDENBENDER:

It also gives responses on speeding and things like that. I know there was an employee who got an e-mail all the time, it wasn't me, every time there was excessive speeding and things like that in cars. All right.

MR. ZWIRN:

Don't look at me. I don't have a County car.

CHAIRMAN BEEDENBENDER:

No, I'm not looking at you. I'm looking in your direction, not at you. But, Legislator Romaine, did you have anything that you wanted to add, I know this is yours, as a sponsor?

LEG. ROMAINE:

Yes, I did. Number one, I've amended the bill to do an RFP, a pilot study for just highway maintenance vehicles. So that it would have limited implications to begin with. And obviously I'm not looking for this in terms -- I'm looking for GPS deploy vehicles particularly highway maintenance vehicles so that the Commissioner could be better informed.

However, finding out about this pilot program, I have a lot of questions. Number one, how much did this cost? I won't ask for any of this information now. I just want to raise this and I would expect the Executive branch or DPW Commissioner or the County Exec's Office to have a response forthcoming before the next meeting, which I think is in three or four weeks, give you enough time to do that. One, I'd like to know how much was expended?

Two, what budget code did it come from? Because I believe in talking to my colleagues, at least some of them, the first time we heard that the County was involved in any GPS initiative was at our last DPW meeting. No one in this Legislature knew about it.

Number three, I'd like to get a copy of the purchase voucher or requisition -- see the purchase requisition for this. I'd like to get a copy of that. Obviously you didn't have to do an RFP because you went off the state bid list. But I assume that there was a line in whatever budget you expended this money from. And if there wasn't, that you did the appropriate budget amendment although I

don't remember voting on it; maybe someone that predated me did.

And then lastly, I'd like to get this data myself. All the data that has been produced by this GPS I would like to make available for myself. Now, I don't ask you to replicate that because I don't know how much data is there, but I'll be happy to go to either the DPW Office of the Exec's Office and review this data in person and leave after I review it, leaving the data there, because I understand the nature of that. I just would like to see this data.

List me as a skeptic, but I'd like to just see the data that you produced over the last 18 months since you initiated. Because as you know, some people come late, not only to projects, but sometimes to the truth. So I'd like to see the data that is there. So I'm very interested in doing that. You have my telephone number. I will make myself available at either your convenience or DPW's convenience to examine the data that has been collected to date. Thank you.

MR. ZWIRN:

The answer is I'd be delighted. I just would like an explanation for the one comment there about come late to the truth. I have no idea where that comes from. Would you please be specific?

LEG. ROMAINE:

I'll review the data.

MR. ZWIRN:

I know. You made a -- you made a very -- everybody sort of went, aah, and I sort of wondered too, I mean, you're on the record, public record, you're making an accusation that I read it to say that I'm a liar.

CHAIRMAN BEEDENBENDER:

All right.

MR. ZWIRN:

And I'd like you to explain it.

LEG. ROMAINE:

I didn't say that, Mr. Zwirn.

CHAIRMAN BEEDENBENDER:

Wait, wait. Whoa, whoa.

MR. ZWIRN:

But what you said, I want to come --

LEG. ROMAINE:

I want to review the data.

CHAIRMAN BEEDENBENDER:

Can we just have a -- I understand, there were comments on both sides. Let's just not try to have this back and forth.

MR. ZWIRN:

I just asked for an explanation. That's all.

LEG. ROMAINE:

You can ask, but I will not render one. Thank you.

CHAIRMAN BEEDENBENDER:

Okay. Well, all right.

MR. ZWIRN:

I'm not surprised.

CHAIRMAN BEEDENBENDER:

All right. We have -- we don't have a motion. All right. I'm going to make a motion to table.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. Do we have any further comment? Seeing none, I will -- all in favor? All opposed?

LEG. ROMAINE:

Opposed.

CHAIRMAN BEEDENBENDER:

Legislator Romaine is opposed. Abstentions? No abstentions, all right. **IR 1710 is tabled. (Vote: 5-1-0-1. Opposed: Legislator Romaine, Not Present: Legislator Losquadro)** Moving onto new resolutions.

INTRODUCTORY RESOLUTIONS

IR 1769, Adopting Local Law No. -2008, A Local Law to provide parking for hybrid vehicles at County facilities. (Horsley) This has to be tabled for a public hearing. So I'll make the motion, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? **(Tabled. Vote: 6-0-0-1. Not Present: Legislator Losquadro)**

IR 1782, Appropriating funds in connection with the bridge replacement on CR 67, Motor Parkway at LIE Exit 55, Town of Islip (CP 5172) (Co. Exec. Levy)

LEG. KENNEDY:

I'll make the motion.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Kennedy.

LEG. MONTANO:

I'll second it.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Montano.

LEG. KENNEDY:

On the motion.

CHAIRMAN BEEDENBENDER:

On the motion, Legislator Kennedy.

LEG. KENNEDY:

Commissioner, this is one of those federally funded projects, I guess, that we've been dealing with, where we had most recently some communication about having to hasten some expenditure. This --

I have recalled speaking about this project since I got in in November of 2004. What's going to happen? Are we going to get a bridge or what?

COMMISSIONER ANDERSON:

Yes, we are.

LEG. KENNEDY:

Really, when?

COMMISSIONER ANDERSON:

We're -- this is Motor Parkway. I believe this project is going out and I'll defer to Bill, but we are on schedule to go out to bid on this project I thought the end of this year. But let me, let me -- oh, early next year. Okay. Early next year.

LEG. KENNEDY:

Can Mr. Hillman enlighten us? Mr. Chair, I'm just going -- can I swing over to Mr. Hillman?

CHAIRMAN BEEDENBENDER:

Nope, fire away. He's at there.

LEG. KENNEDY:

Bill, where are we at with this project?

MR. HILLMAN:

Design is about 95% complete. We hope to have the plans to State DOT for an FHWA for a review by November. We hope to have the right-of-way acquisition completed by the end of the year. And it'll take about four to five months to do all the process with State DOT and FHWA. We think late spring we'll probably be letting the job. Construction starting over the summer.

LEG. KENNEDY:

The summer of '09?

MR. HILLMAN:

Summer of '09.

LEG. KENNEDY:

Okay. This is just the bridge itself with the approaches on the north and the south.

MR. HILLMAN:

And some improvements to the east/west service roads.

LEG. KENNEDY:

Okay. We've had extensive correspondence about that Greyhound bus terminal. And the last letter that I got back from you was that we can't contemplate any expansion on the taking because that process has all gone on over the past what, 36 months?

MR. HILLMAN:

The Greyhound bus terminal's within the limit of this project, the bridge project.

LEG. KENNEDY:

No, no, no, no. The last set of schematics I saw you were only taking about eight or nine feet on the east and the south side of that parking lot. You did not move into the full structure itself.

MR. HILLMAN:

Correct. We're not taking the entire -- I didn't mean to imply that we were taking the whole parcel.

But that parcel is within the limits of the bridge project. So if we were not taking that parcel for the purposes of this project, the bridge --

LEG. KENNEDY:

Yes.

MR. HILLMAN:

-- we can't take it for the purposes of the subsequent phase, which is the roadway project to the east, southeast.

LEG. KENNEDY:

Right, right. Okay. So that's kind of whatever we're going to get, wherever we're at with it, is there any ability to revisit anything at all on that?

MR. HILLMAN:

No.

LEG. KENNEDY:

Okay. Let's go to the funding piece. We just dealt with the Maple Avenue project up in Smithtown, which by the way, Congressman Bishop just succeeded in getting those funds rolled into federal '09.

MR. HILLMAN:

Yes.

LEG. KENNEDY:

Is this a similar type of a funding pattern?

MR. HILLMAN:

Yes. The State DOT was able to work out -- the funds were originally in '08.

LEG. KENNEDY:

Yes.

MR. HILLMAN:

Yes. That's correct, I believe. And they were able -- it's a bridge funding source that the state controls. So they were able to find the \$15 million required in '09 and the feds are allowing us to roll it over.

LEG. KENNEDY:

Okay. Here's my final concern, though. FFY '09 starts on October 1st.

MR. HILLMAN:

Correct.

LEG. KENNEDY:

About 20 days from now.

MR. HILLMAN:

Correct.

LEG. KENNEDY:

If we're still doing this prep work we're talking about and plan approval and actually get to rip out the existing bridge and replace it, starting in June or July of '09, that's going to leave us only about 40 work days to put in a whole six lane bridge.

MR. HILLMAN:

We'll it's about an 18 month to two month project.

LEG. KENNEDY:

So once you've commenced, then does the funding hold? You're not going to spend -- you're not going to get a six lane bridge done by the end of FY '09.

MR. HILLMAN:

No, oh no. Once we lock the money up, what happens is we get construction -- what's called construction authorization, that locks the 15 million up.

LEG. KENNEDY:

Okay, fine. All right. But so win, lose or draw, you're telling me I'm going to see something there before October of next year.

MR. HILLMAN:

I'm doing my best to make that happen.

LEG. KENNEDY:

No, no, no. It's going to have something be ripped up and something started substantive by October of next year.

MR. HILLMAN:

I'm doing the best I can to make that happen.

LEG. KENNEDY:

All right, all right, all right. Thank you.

COMMISSIONER ANDERSON:

If we have to do it with a shovel ourselves.

MR. ZWIRN:

They are going to move the --

CHAIRMAN BEEDENBENDER:

If there are no other questions we have a motion and a second. All in favor? Opposed? Abstentions?

LEG. MONTANO:

List me as co-sponsor, please.

CHAIRMAN BEEDENBENDER:

IR 1782 is approved. (Vote: 6-0-0-1. Not Present: Legislator Losquardo)

IR 1783, Authorizing the County Executive to enter into an intermunicipal agreement with the Town of Islip in connection with improvements to lighting and paving on CR 100, Suffolk Avenue, Town of Islip (CP 5185.310/5185.510). (Co. Exec. Levy)

CHAIRMAN BEEDENBENDER:

We have to table this, Counsel?

MR. NOLAN:

Yes.

LEG. MONTANO:

Why do you have table it?

MR. NOLAN:

It was an amended file today for the bill. So we can't vote on it Tuesday. It should be tabled here.

LEG. MONTANO:

Okay. What was the amendment just so I know.

MR. NOLAN:

I have not seen the amended version. I don't know what changes were made. I know they did amend it today though.

CHAIRMAN BEEDENBENDER:

Okay.

LEG. MONTANO:

So we're just tabling this for one cycle. Could you just explain the amendment so I know this is a project that I had put in capital budget several years ago?

MS. LOLIS:

Yes. We just wanted to make sure that the resolution stated that the County Attorney's Office had to approve of the language of the intermunicipal agreement as well as any contracts because of bonding issues.

CHAIRMAN BEEDENBENDER:

Right. So it's just technical language.

MS. LOLIS:

Yes.

LEG. MONTANO:

Thank you.

CHAIRMAN BEEDENBENDER:

Okay. Well then I'll make the motion to table.

MR. ZWIRN:

Do you want a CN?

LEG. MONTANO:

What was that?

MR. ZWIRN:

Would you request a CN for this at the meeting if you have?

LEG. MONTANO:

Sure.

MR. ZWIRN:

All right.

LEG. MONTANO:

If we can get one.

MR. ZWIRN:

I'll bring it back to the County Exec and see if we can do it.

LEG. MONTANO:

Okay. Thank you.

CHAIRMAN BEEDENBENDER:

Okay.

LEG. MONTANO:

And what I have to do is just list me as a cosponsor on this.

MR. ZWIRN:

Absolutely.

CHAIRMAN BEEDENBENDER:

Okay. See now it's going both ways. It's going this way too.

MR. ZWIRN:

I feel the love. I feel the love.

CHAIRMAN BEEDENBENDER:

All right. We have motion to table. Do I have a second, Barbara?

MS. LOMORIELLO:

No.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1783 is tabled. (Vote: 6-0-0-1. Not Present: Legislator Losquardo)** See in Public Works we can build things and build bridges, too. I'm starting to be like Schneiderman. All right.

IR 1784, Appropriating funds in connection with the dredging of County waters (CP 5200). (Co. Exec. Levy) I'm even embarrassed I said that, so. All right. I'll make a motion.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. Do we have questions? We'll start with Legislator Romaine this time.

LEG. ROMAINE:

Yes, questions. I read the resolution and it wasn't specific as to the projects that are being dredged.

CHAIRMAN BEEDENBENDER:

I have them.

LEG. ROMAINE:

Okay.

CHAIRMAN BEEDENBENDER:

I can read them.

COMMISSIONER ANDERSON:

I can state them for the record, yeah.

CHAIRMAN BEEDENBENDER:

Oh, you can read them. Go ahead.

COMMISSIONER ANDERSON:

There are 12 water bodies to be dredged. East Fox Creek in Babylon, Tombart Canal in Babylon, Long Island Marine Museum in Islip, Abet's Creek Brookhaven, Mud Creek Brookhaven, Swan River Brookhaven, West Canal Babylon, Champlin's Creek Islip, Tallulah Lagoon Islip, Wagstaff Lagoon Islip, Wampum Lagoon Islip and Davison Lagoon Islip.

LEG. ROMAINE:

We don't get east at all.

COMMISSIONER ANDERSON:

Not under this appropriation right now.

LEG. ROMAINE:

Okay. I ask that because, of course, the east end has more waterfront. Has double the waterfront than the rest of the County combined.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Tallulah and Wagstaff. I'm really missing out by not having any water.

LEG. ROMAINE:

And you're landlocked.

CHAIRMAN BEEDENBENDER:

That's right. But we have lots of boats, which is kind of unusual. Legislator Kennedy, did you have

--

LEG. KENNEDY:

It was the same question.

CHAIRMAN BEEDENBENDER:

Okay. All right.

LEG. ROMAINE:

Yeah, where are these?

CHAIRMAN BEEDENBENDER:

Well, we have a motion and a second. All in favor? Opposed? Abstentions? **IR 1784 is approved. (Vote: 6-0-0-1. Not Present: Legislator Losquadro)**

IR 1785, Amending the 2008 Capital Budget and Program and appropriating funds in connection with improvements to CR 80, Montauk Highway, between NYS 112 and CR 101, Patchogue-Yaphank Road/Sills Road, Town of Brookhaven (CP 5534). (Co. Exec. Levy) I think, Legislator Romaine, is this your area or is this just west of you?

LEG. ROMAINE:

No. This is west.

CHAIRMAN BEEDENBENDER:

It's just west. Oh, this is Jack.

LEG. ROMAINE:

Actually it's Jack's.

CHAIRMAN BEEDENBENDER:

Oh, all right. Yeah. I'm sorry, I missed one -- all right. Well, Gil, do you have anything? If no, I'll make a motion to approve.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. If there's no questions, all in favor? Opposed? Abstentions? **IR 1785 is approved. (Vote: 6-0-0-1. Not Present: Legislator Losquadro)**

IR 1786, Amending the 2008 Capital Budget and Program and appropriating funds in connection with the rehabilitation of various bridges and embankments (CP 5850). (Co. Exec. Levy) This is Brown's Creek bridge in Islip, Gil?

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

And it takes money from the painting of County bridges?

COMMISSIONER ANDERSON:

Right, which won't be used this year and puts it towards engineering to study the condition of the 71 year-old bridge. To see whether we need to -- whether it should be rehabilitated or if even possibly replaced.

CHAIRMAN BEEDENBENDER:

Okay. All right. Well, if there are no other questions. We have a motion. No. I'll make the motion. Do I have a second?

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1786 is approved. (Vote: 6-0-0-1. Not Present: Legislator Losquadro)**

IR 1798, Amending the 2008 Capital Budget and Program and appropriating funds in connection with safety improvements at various intersections for a traffic study on CR 97 at the intersections of Hammond Road and Hawkins Avenue (CP 3301). (Beedenbender) I will make the motion.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. Would you like me to explain it, Legislator Kennedy? Or go with your -- go ahead.

LEG. KENNEDY:

My questions, Mr. Chair, really are somewhat of an echo I guess of the earlier conversation about 3301. And I guess I'll pose it to yourself or I'll pose it to the Commissioner. I'm familiar with this area and as a matter of fact certainly it's something that should be improved through not only signaling, but perhaps some appropriate signage, maybe rumble strip. Who knows, you know,

that's for the traffic engineers to decide. But how did you get to here today with this resolution from wherever it was as far an awareness that you had an issue there?

CHAIRMAN BEEDENBENDER:

Well, as you know, when we did this earlier this year, there's a project just to the south on Nicoll's Road by college that's going on and that capital project had about five-and-a-half million dollars in it. And when we appropriated the money for that project, we appropriated \$3 million for the project at the college. So my question came out of, what are we going to do for the other two-and-a-half? And when I discussed it with DPW they said, well, we'd like to do it for other spots on Nicoll's. And then the Town of Brookhaven, the residential roads, the town roads are very, very close to the County roads in this area and the town is doing a study on the town roads.

LEG. KENNEDY:

Oh, I see. Okay.

CHAIRMAN BEEDENBENDER:

So if they're going to make any improvements --

LEG. KENNEDY:

Right.

CHAIRMAN BEEDENBENDER:

-- they need us to do something and we need them to do something.

LEG. KENNEDY:

Okay.

CHAIRMAN BEEDENBENDER:

So this would be the best time to do it so we're going to go ahead with the study out of 3301 like it should and the capital -- the actual construction money is in the budget --

LEG. KENNEDY:

Good.

CHAIRMAN BEEDENBENDER:

-- to be moved forward for this already.

LEG. KENNEDY:

Okay.

CHAIRMAN BEEDENBENDER:

So it seemed like the right time to move forward with it.

LEG. KENNEDY:

Absolutely. Okay, good. Makes sense, that one worked.

CHAIRMAN BEEDENBENDER:

Okay. We have a motion and a second. All in favor? Opposed? Abstentions? **IR 1798 is approved. (Vote: 6-0-0-1. Not Present: Legislator Losquadro)**

IR 1802, Amending the 2008 Capital Budget and Program, and appropriating funds in connection with preparing a sewerage feasibility study for the Rocky Point Business District. (Co. Exec. Levy)

LEG. KENNEDY:

I'll make the motion.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Kennedy.

LEG. ROMAINE:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Romaine. Gil, I have a couple of questions about this just in terms of how did -- I guess, because I know earlier in the year when Legislator Browning had brought up the issue about sewerage in the area, we had many discussions with her. And I guess my question would be, what is different about this area that allows us to move forward? Because I know that there was some pushback for some good reason when Legislator Browning was bringing what up -- what she brought up, but I guess could you just explain, you know, either business entities that are on board with this and how -- kind of the same question Legislator Kennedy just had about my bill, how did we get here?

COMMISSIONER ANDERSON:

Well, if you don't mind I'm going to defer to Ben --

CHAIRMAN BEEDENBENDER:

Okay, that's fine.

COMMISSIONER ANDERSON:

-- because he can give you the details.

CHAIRMAN BEEDENBENDER:

No problem.

MR. WRIGHT:

I guess the basic difference is that this is a study rather than the actual installation of sewers in County Road 80. But I've attended two meetings on this, they were both initiated by the business district in Rocky Point. The first was with Legislator Losquadro in his office and he was in support of it and also with the County Executive's staff so that's where this came from.

CHAIRMAN BEEDENBENDER:

Okay. Now -- forgive me I'm not familiar with the sewerage, I mean, the only one I know over there is Talmage Woods that we just created. So would this be in somewhat of connection to that? Or --

MR. WRIGHT:

No. This is further to the east.

CHAIRMAN BEEDENBENDER:

Further to the east.

MR. WRIGHT:

It runs from basically where the old Drive-in was.

CHAIRMAN BEEDENBENDER:

Okay.

MR. WRIGHT:

Probably quarter of a mile, half a mile from William Floyd Parkway. It's about a three mile stretch.

CHAIRMAN BEEDENBENDER:

Okay. So but -- so this is starting from scratch.

MR. WRIGHT:

Yes.

CHAIRMAN BEEDENBENDER:

We don't have a proposal for a place to put the plant or anything, this would just be starting from the beginning.

MR. WRIGHT:

I think where it started was the Fairfield Organization was looking to donate a small parcel of land that they were building their own treatment plant on, but the extent of expansion was very small and couldn't accommodate much of the business district.

CHAIRMAN BEEDENBENDER:

Okay. So now they're looking for another way to accomplish the same goal.

MR. WRIGHT:

Yes, yes.

CHAIRMAN BEEDENBENDER:

Okay.

LEG. HORSLEY:

So is the Fairfield property outside of this now? Or --

MR. WRIGHT:

No, it's within the boundaries, but it's for a complex that, I believe, is more -- yeah, apartments, yes.

CHAIRMAN BEEDENBENDER:

Okay. Legislator Stern.

LEG. STERN:

Yeah, thank you. And, Gil, could you just give us an update on 5168, which is the offset here.

COMMISSIONER ANDERSON:

Bear with me one second.

CHAIRMAN BEEDENBENDER:

It's the reconstruction of portions of Pulaski Road in Huntington, which seems to be a popular spot for us to pay for things.

COMMISSIONER ANDERSON:

Again, this was a project that wasn't ready for, you know, where it is right now and the money that we need will be put into the subsequent capital years. This is the Pulaski Road to the west -- western end, not the eastern end.

LEG. STERN:

And the current status right now, not ready to go --

COMMISSIONER ANDERSON:

Correct.

LEG. STERN:

-- for what reason?

COMMISSIONER ANDERSON:

We're still in the -- I believe in the preliminary study stage.

LEG. STERN:

Study stage.

COMMISSIONER ANDERSON:

We're not any where near the construction stage.

LEG. STERN:

Thank you.

CHAIRMAN BEEDENBENDER:

Okay. If there are no further questions, we have a motion and a second. All in favor? Opposed? Abstentions? **IR 1802 is approved.**

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

LEG. HORSLEY:

Cosponsor.

CHAIRMAN BEEDENBENDER:

IR 1804, Authorizing transfer of eight (8) surplus County computers with monitors to the Antiquity Masonic Historical Society. (Montano) Motion by Legislator Montano, seconded by Legislator Kennedy. All in favor? Opposed? Abstentions? **IR 1804 approved. (Vote: 6-0-0-1 Not Present: Legislator Losquadro)**

There's no more business so we are adjourned.

**THE MEETING CONCLUDED AT 3:09 PM
{ } DENOTES SPELLED PHONETICALLY**