

**PUBLIC WORKS
AND
TRANSPORTATION COMMITTEE

of the

SUFFOLK COUNTY LEGISLATURE**

A regular meeting of the Public Works and Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Tuesday March 17, 2009.

MEMBERS PRESENT:

Legislator Brian Beedenbender - Chairman
Legislator Steve Stern - Vice-Chairman
Legislator Wayne Horsley
Legislator Daniel Losquadro
Legislator Edward Romaine

ALSO IN ATTENDANCE:

George Nolan- Counsel to the Legislature
Kevin Duffy - Budget Review Office
Gil Anderson - Commissioner - DPW
Tom Laguardia - Chief Deputy Commissioner - DPW
Kaitlyn Boyd - Aide to Chairman Beedenbender
Barbara LoMoriello - Deputy Clerk - SC Legislature
Ben Zwirn - Deputy County Executive
Gail Lolis - County Attorney's Office
Debra Alloncius - AME
Greg Mensch - Coastal Charter Service
Joseph Darling - NYS Department of Transportation
Jean Trentini - Audit and Control
Eugene Wishod
All Other Interested Parties

MINUTES TAKEN BY:

Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 2:15 P.M.*)

CHAIRMAN BEEDENBENDER:

All right. Since we're running late, we're going to start. If I can have everybody please rise for the Pledge led by Legislator Stern.

SALUTATION

Thank you. Everybody can be seated. All right. We have two presentations on the agenda. I understand we're working out some technical issues. But Comptroller Sawicki is here. So, Joe, if you would come up. We're going to -- I believe this is about IR -- Legislator Romaine, which number is your resolution?

LEG. ROMAINE:

IR 1107.

CHAIRMAN BEEDENBENDER:

IR 1107. All right. You know what? For the purposes of discussion, why don't we bring it before us and we'll let the Comptroller speak. So I'll make a motion to take 1170 out of order.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? All right. **IR 1107, to enhance efficiency in the selection and leasing process for County buildings (Romaine)** is before us. Mr. Sawicki, if you'd like to share any thoughts, comments or suggestions.

COMPTROLLER SAWICKI:

Just an overall reaction to it, if I may. And Legislator Romaine and I have spoken a little bit, you know, on previous occasions about this. But just a little background on the audit which was the catalyst of this resolution. The audit was to take a look at the County's pretty large annual investment or expense rather of 17 -- over \$17 million a year in what we lease. And there are approximately 62 leases, I believe, that comprise that \$62 million (sic). So we figured, you know, for the sake of good government and for the sake of everybody in Suffolk County to take a look to see how it's being spent, how the process is.

And, you know, as we were working through the audit, as we came to the end of it, we had a, you know, a large amount of cooperation from Department of Public Works and Commissioner Anderson and Tom Laguardia, we worked with us, we worked out. And a lot of this stuff, I believe -- I don't want to speak for them, but a lot of those findings that we ultimately released, because, you know, taking an audit takes sometimes way too long to release, but that's because of the -- part and parcel of the process. They implemented a lot of the recommendations we had in there already. So I definitely want to give them -- you know, give them that credit and thank -- thank them, because I believe they're here today for their cooperation.

But I don't -- you know, just generally speaking, I don't think there's anything wrong in the County wanting to make a formal adoption of certain procedures, especially when you're talking about millions of dollars of lease spaces per year. So I think that's what this resolution attempts to do, is to formalize, codify a lot of our findings. And I think everybody will agree. Even DPW is doing many of these now, there's nothing wrong with putting them in writing and codifying a process, again, which is to protect the taxpayers' dollars. If you have any specific questions, my chief Deputy, Christina, is here with me -- Capobiano -- and Chief Auditor, who basically oversaw the day-to-day operations of the audit, Jean Trentini.

CHAIRMAN BEEDENBENDER:

Legislator Romaine.

LEG. ROMAINE:

Yes. First of all, I want to thank the Comptroller for their always professional job and their examination of some of the policies that were going on regarding the leasing and use of space for the County of Suffolk. And I want to also commend Public Works. They have said they have adopted many of the recommendations. But those recommendations that they adopted were simply adopted inhouse and through protocol. There was codification of any procedures outlined in the audit.

As I said before, and I'll say it again, this is not a resolution of my making, it's my sponsorship. But the words of all of the findings in the audit have found their way into the Whereas Clauses, and almost all the recommendations have found their way into the Resolved Clause. And the reason for that is I think as the Comptroller clearly spelled out, we have multiplicity of leases of various terms for various buildings involving tens of millions of dollars that we should have a formal policy, because although this administration has made some of these changes, the next might not might or not follow through. And as you move from administration to administration, having been here 24 years and watched several County Executives come and go and hopefully will again, that we will see that there will be changes.

And the best thing that we can do is codify the policies, and particularly an audit of this type. I read every audit. In the late 1980's, I drafted the bill that was adopted that requires that audits be shared with all Legislators. And therefore, I have a particular interest in reading audits. And this, by far, was the most comprehensive audit that I've come across. Most of them are smaller audits using very few findings. This had some very significant findings and recommendations. And I thought it would be good, without pointing a finger or doing anything of that nature, to codify these recommendations.

The Comptroller's auditing staff spent a lot of time. I'm sure there was a lot of back and forth with the department. And all we're doing -- we're not saying a department isn't doing most of this. All we're doing is codifying this so as administrations change in the future, this will become the standard operating procedure for the County of Suffolk.

CHAIRMAN BEEDENBENDER:

Thank you, Legislator Romaine. Did you want to respond? I just have one question, Mr. Sawicki. The second recommendation, I believe it's the Second Resolved Clause of Legislator Romaine's bill, it talks about doing an RFP for every single lease or space -- space that we need to select. One of the concerns that I had expressed and one of the things that I had tried to get out in the legislation I passed last year was that at least on the smaller spaces there may be some benefit to the County.

For example, I've been trying to negotiate and find a new space for my Legislative Office. And when we first went out, we found another space, and the first thing my landlord did was come down a couple of dollars on the rent per square foot. And that still didn't work. And then my landlord found me another space in the building and came down even further. So we're going to end up saving over \$20,000. Now, that -- under an RFP, that sort of thing couldn't happen. Now, there has to be some sort of level, because I think on the larger items we should do RFPs. So do you -- I mean, what is your reaction to that? And if it's positive, do you think there's -- you have a suggested level of square footage or use to set up, beyond such we should do RFPs?

COMPTROLLER SAWICKI:

Good question, Mr. Chairman. You know, I'm kind of sensitive to Legislator's office space because I had my own district office in the Assembly in Riverhead for almost 12 years. And there's -- a simple RFP is not going to suffice for a Legislator's needs in my opinion, in strictly my opinion. I mean, you -- an RFP can't take into consideration if you want a specific location; whether you want Downtown Smithtown or Downtown Riverhead or you're going to be out in a little office space up on a farm on Northville Turnpike, you know what I mean? So obviously, an RFP is going -- I don't know, Eddie

likes to --

LEG. ROMAINE:

I'm the only Legislator that doesn't pay rent. I'm in a government building.

COMPTROLLER SAWICKI:

Oh, okay.

CHAIRMAN BEEDENBENDER:

Yes, you are, Legislator Romaine. And without an ounce of sarcasm you should be congratulated for that.

COMPTROLLER SAWICKI:

I lost my train of thought there, as Legislator Romaine causes some of us to do now and then. So to build an exception or to build in special rules for -- and I don't mean that in type of a funny way at all -- for Legislators, because their needs -- their needs are certainly different, as they should be. Again, I think centrally located, accessibility by the constituents certainly have to be build into consideration for that.

Perhaps -- the way I understand the discussion yesterday, most Legislative offices are around 1500 to 2000 square feet thereabouts. So perhaps -- you know, this -- I'm sure Legislator Romaine doesn't mean this to be in stone, carved in stone. It is a good, you know, working point for the future. And maybe 5000 square feet or 2000 square feet or 10,000 square feet. I think when Mr. Laguardia responded in his response 25,000 square feet. That's a bit much. Maybe that's Tom's -- that's probably the Commissioner's Office over there or something like that. I don't know. You know, I think 25,000 square foot is way too much. But, you know, anywhere from a two to a 5000 could be a good starting point for negotiation.

LEG. ROMAINE:

Well, I'd be willing to, as I was last committee meeting -- but unfortunately Mr. Laguardia missed the point. He said he was going to get me language -- he had an objection to the Second Resolved Clause -- instead he chose to take it upon himself to rewrite the bill. That's why this bill remains today unchanged. That type of response was going to get that type of response from me.

When I offer to table something because you have a problem with one Resolved Clause and you decide to rewrite the bill, let me tell you, that sends up red flags. And all I say is, boy, that's a matter of extreme discourtesy, because I exercised courtesy and tabled it. I am prepared to table it again. And, Mr. Chairman, I will make the amendment this time, and I'll amend it at 5000 square feet. I think that's -- that's a workable number, unless I can have a dialog with my colleagues and they feel some other number is reasonable. Then I'll entertain from my colleagues any other reasonable number or from the Comptroller.

Let's do it now before I table it, and then the next meeting of this committee, we'll have the final version of the bill. And George can draft that right into the final version of the bill as my bill drafter.

CHAIRMAN BEEDENBENDER:

Well, I think that sounds -- I think 5000 sounds reasonable. I'm just trying to think whether it's -- I don't know who can this answer this question. I don't know, Joe, if it was part of the audit or if it's information you have. What else besides a Legislative office would the County lease that's less than 5000 square feet? Tom? Is there anybody in the room that might be able to provide an answer to that? I'm just trying to get an idea of -- I don't want this just to be about Legislative offices. I'm just trying to make sure we have a workable document from Space and everybody else.

MR. ZWIRN:

Tom is here. Tom is going to answer. But I would also ask Joe Sawicki while he's here, one of the other things that DPW had an issue with, and we'll go back to the space amount, and maybe, Joe,

you can help resolve it, it was with the Fifth Resolved Clause, because -- where Public Works is authorized, empowered and directed to perform an annual review of -- and they thought that they had to do an annual review of the lease. They would rather have it done -- have a periodic review just because it becomes a very time intensive and labor intensive work. So if you have -- you don't have to tell us now, but if you could give us your thoughts on that. If they made it periodically or come up with some language which would be a little more helpful to DPW, we would appreciate that.

LEG. ROMAINE:

Maybe the -- with the Comptroller here, it's your office that would have to administer this. The Fifth Resolved -- it's the Fifth Resolved Clause, right, Ben?

MR. ZWIRN:

Yes.

LEG. ROMAINE:

Fifth Resolved Clause is talking about providing an annual review. That's what you recommended in your audit. If you feel that less than an annual review, this would be a good time to say that. If you disagree, let me know, because I'll keep in your language. I prefer to stay with the language of the Comptroller. But if you don't feel -- if you feel that you could do, you know, a review every two years or every three years, just let me know and I'll change that language as well.

COMPTROLLER SAWICKI:

Okay. I think what's important, Legislator Romaine, is that the annual review request was that the department would do it, not necessarily -- the department would do that.

LEG. ROMAINE:

Yes. Apparently they feel that's a burden on them.

COMPTROLLER SAWICKI:

You know, I think -- I think maybe at some other point we should sit down around the table and go back and forth with some of these items. I mean, especially if we're going to for each Resolved Clause. I don't know if I want to take the good time up of this --

LEG. ROMAINE:

No. I think the two ones that are the sticking point are the Second and the Fifth. But let me go back to the Second to my colleagues. Is there some square footage level that -- below which should be exempt? And I thought maybe 5000 square feet.

CHAIRMAN BEEDENBENDER:

Well, Legislator Romaine, if I could -- Tom, if you could answer the question I asked first. What other things would be included? What other sort of County uses?

MR. LAGUARDIA:

The Police Department has many substations that are less than the 5000 District Attorney has spaces. Those are the two main groups that have small spaces. We do have others, though.

CHAIRMAN BEEDENBENDER:

Okay.

COMPTROLLER SAWICKI:

Mr. Chairman. Yeah. I believe that your -- the law that you enacted back in the fall would probably pertain for anything under the 5000 or 4000 or 3000 whatever parameters you set. So the fact is that you'd still have to have two bids, you'd still have to advertise. So I think that law would then take into affect, correct?

CHAIRMAN BEEDENBENDER:

Well, that was -- that was actually my next question to Counsel, because if I remember correctly, I did -- what we did was by Local Law. So I just don't know how these two would interplay. I think we should do them both, I just want to make sure that when we do it, they work together.

MR. LAGUARDIA:

Can I say something on the square footages?

CHAIRMAN BEEDENBENDER:

Go ahead, Tom.

MR. LAGUARDIA:

I'll just give you an example. We're in the process of renting space right now -- or the legislation was laid on the table at the last meeting for space for Social Services. It's approximately 15,000 square foot. If we had done it by RFP, we would have paid significantly more money for the space. We are right now -- we have selected a space, and we're going to get one full year's free rent. And that's all because we did a negotiated selection process. We did a search, and then we worked -- we got approximately six good spaces out of the search. We had many more. And then we worked with those landlords. And we kept going roundtable until we got the best offer.

We're getting one full year's free rent on the Social Services' space. With an RFP, that will not happen. You won't get their best and final offers in the RFP process. You will select, and you could try to negotiate with the guy you selected, but here's no way to do it. We went back -- we were down to two spaces in the end where the landlords kept giving us best offers. And we finally selected one that was of the best value to the County.

So I believe -- unless the space is very large -- RFPs make a lot of sense where there's a lot of design issues involved, where there's a lot of construction. New construction or built-to-suit, renovating an old supermarket into a space for health, absolutely, an RFP is the best process for that, because there's so much design information in there that these landlords have to work. But when it's just straightforward simple office space, I don't think anybody will tell you different than this, a search with a negotiated process will get us our best value.

LEG. ROMAINE:

I would simply say, you know, if you applied that to automobiles, you know, I know an auto dealer that if you give him all the business, he'll give you a much better price than if you go to bid. But the law doesn't allow that. See, we're not like a business. We're a government that is supposed to have safeguards so that there's a paper trail, so that there's an audit to be filed.

I'm not going to defend the Comptroller's Office because they do an excellent job, but obviously, they felt in examining the past practices of lease space that an RFP would be more suitable. And certainly within an RFP, if everybody knows they're competing, you're going to get a good price as well. If you leave it to the individual to bargain as in a Arab flea market, without documentation of how that bargaining is taking place, you're opening yourself up for a can of worms.

I think having a set procedure is a far better way to go. I think the Comptroller's Office has made that recommendation. I think I'm certainly willing to be reasonable in saying that smaller spaces, absolutely, take your shot. But on the larger spaces, 5000 square feet or more, 7500 square feet or more, pick a number, there should be some rule of law that applies.

And we could talk about the RFP process, because I have a resolution on that, because I have problems with the RFP process and the way some of that is being administered. And I'll talk about that at another meeting. But clearly, this is an attempt to bring order to what at one time was chaotic. And the Comptroller has done an audit, he's done his findings and he's done his recommendations. This Legislature now has an opportunity to codify those recommendations as a standard operating procedure, and I'm certainly willing to be flexible.

So I will sit, I will canvas my colleagues -- I'm going to table this bill to do that -- and find out a square footage that works. I'll speak to the Comptroller's Office again. But it's probably going to be 5000 or 7500 square feet. And this is going to be enacted hopefully. And as far as the Fifth Resolved Clause about the annual review, this is going to be tabled. I'll allow DPW to have that discussion with the Comptroller and the Chief Deputy Comptroller and their staff. And if they feel less than an annual review is okay, okay. If they still feel an annual review is okay, then I'm going to leave it in there.

This is a bill that is put forward to defend the work of the Comptroller. You don't do audits to whistle in the wind. You do audits because they suggest methods that over the long run will save money, not that we were able to get people in the room and bargain with them without paper trails. We're going to have -- we're going to bring a little order to the chaos of leasing buildings, and we're going to do it through standard operating procedure.

So this bill is going to be tabled as I tabled it last time, because I'm open to reasonable suggestions. So, gentlemen, if in the next week or so you have a number that's more than 5000 that you think is reasonable -- because right now I'll leave it at 5000 -- but if you think it should be more, let me know. I'll amend the bill so it can pass out of committee.

Comptroller, if you would speak -- or DPW speak with the Comptroller. If the Comptroller says to me we don't need an annual review done, we can do it every two years or every three years, whatever number they feel is reasonable, I'll amend the bill to reflect that as well. But in the end, we will have a bill and we will have a procedure and we will have a level playing field, God willing. Thank you very much, Mr. Chairman. And with that, I want to thank the Comptroller and his staff and his auditors for their hard work. And I certainly look forward to working with them on future projects. And I will table this. And I want to thank you for making the time and effort to make their presentation, sir.

CHAIRMAN BEEDENBENDER:

Real quick, Legislator Stern.

LEG. STERN:

Yeah. Thank you, Mr. Chairman. Just very quickly. Tom, when you are considering a particular project and whether it goes RFP or some other process, my understanding is that it goes before the committee, and the committee makes that determination as to the process you're going to follow; is that right?

MR. LAGUARDIA:

We discuss every one of our leases with the Space Management Steering Committee, which has four Legislative representatives and four County Exec representatives.

LEG. STERN:

My question is when the committee is having that discussion about what process to follow, are there any set guidelines that the committee is looking at or is it literally facts and circumstances of each individual case where they make that determination?

MR. LAGUARDIA:

Generally, facts and circumstances of each case.

LEG. STERN:

There's no written guidelines, there's nothing that they hang their hat on? It's a feeling after they discuss it among their selves?

MR. LAGUARDIA:

That's correct. And that's why we have no problem with the legislation requiring an RFP for over a

certain size or over a certain length of lease. That does make sense. It's just these -- these other smaller ones. And the 15,000 square feet, 25,000, there are smaller leases. We will save money by doing the negotiated. And I can provide -- Legislator Beedenbender is on the Space Management Steering Committee. He sees those numbers. I don't think he was at the last meeting, but Adam was there, and he saw -- you know, Adam saw what the original proposals were which would have been what would have come in with an RFP versus what we were actually negotiating down to, significant savings to the County.

LEG. STERN:

Thank you.

CHAIRMAN BEEDENBENDER:

Thank you, Tom. Joe, did you have anything else?

COMPTROLLER SAWICKI:

Thank you, Mr. Chairman. I just thank this committee and thank Legislator Romaine for, you know, taking this audit seriously. You know, we spend -- our audit staff spends a lot, a lot of man hours, very labor intensive doing -- conducting the audits, writing the reports, sitting with the department or the agency going back and forward and trying to determine what should be the final audit results and findings and recommendations.

So when you see something like this to take potential Legislative form, it's very encouraging to our work. And, you know it's a lot of good work. There's a lot of good recommendations. In this day and age, we just can't be too transparent. You know, we all know that transparency can lead to a certain point where it becomes too cumbersome, but I don't think anybody in government is at that point yet. And I think that a lot of these recommendations here are good. And we're, you know, delighted that this took Legislative form, and we're willing to work with you of you at any time for the good of County. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you very much, sir.

MR. LAGUARDIA:

Excuse me, Legislator Beedenbender. I would just like to echo what the Comptroller said. We appreciate the audit. We think -- while we don't agree with everything in it, we think many, many of the items help us out. And Audit and Control spent numerous hours working with us going back and forward discussing the items before they put it in final draft, and Public Works appreciates it.

CHAIRMAN BEEDENBENDER:

Thank you. Thank you, Mr. Sawicki. What we're going to do now, we're going to go back to the public portion, we have two cards. I'm sorry, we have it before us. Motion to table by Legislator Romaine, I will second it. All in favor? Opposed? Abstentions? IR 1107 is **TABLED (VOTE: 5-0-0-0)**

Now to the public portion. The first card we have is Gene Wishod and on deck is Gregory Mensch.

MR. WISHOD:

Mr. Chairman, members of the committee, I'm here on three proposed resolutions to connect to two different County Sewer Districts; 1154, 1155 and 1156. All I want to say is I've handled all three, I'm familiar with them. If any questions arise, I am here to answer it.

CHAIRMAN BEEDENBENDER:

We'll call you back up if we need you when we get to it. All right. Mr. Mensch.

MR. MENSCH:

Thank you very much.

CHAIRMAN BEEDENBENDER:

Go ahead, sir.

MR. MENSCH:

Hi. My name is Greg Mensch. I'm the owner of the Coastal Charter Service Corp., a transportation service based in Ronkonkoma and Hampton Bays. I would like to discuss the process in which transportation providers are contracted with Suffolk County Transportation Service, and particularly reference to RFP 0980043, but would like to call to attention the transportation process in general.

My main concern regarding Suffolk County's preference of using a RFP process over the bidding process. Why are we not looking at the lowest qualified bidder rather than writing an RFP tailored to certain providers? I believe that the RFP as they are laid out are too restrictive and focus too much on the operator as whole. The specs could easily be written out as a bid, thus determining the bidder's qualification. I believe this would be more sensible as it would create a larger possibility of a pool of operators, which the contractor being awarded to the lowest qualified bidder.

In these crazy economic times, it seems to me that the cost of the County should be paramount and not one factor of a larger list to be considered. Taking this even further, Suffolk County should be taking their transportation structure and dividing it into districts. The districts would be much more manageable and sizeable and thereby allowing many more transportation providers to bid the County service, again, resulting in a huge lower bottom line.

Furthermore, the above reference of RFP as written here has a mandatory requirement that the contractor evidence is satisfactory operating a similar type of services for at least two years. The requirement alone outlined the bold in the County document. It is clear demonstration that the RFP is bias towards a specific contractor. Realistically, how many operators have run the County transportation service? This generally limits the choices and qualified operators for the particular contract.

I think it's important that we continue to make the County contracting process more transparent and open to many qualified contractors as possible as well as continue to cut County cost. This latest RFP only sets us back on the wrong path.

CHAIRMAN BEEDENBENDER:

Legislator Romaine, please, go ahead. Thank you, sir.

LEG. ROMAINE:

Yes. This RFP that you are talked about, is that the one for SCAT?

MR. MENSCH:

Yes, it is sir.

LEG. ROMAINE:

That's the Suffolk County Assisted Transportation?

MR. MENSCH:

Yes.

LEG. ROMAINE:

And what you are saying is that -- let me get this correct, because I want to understand this. You're saying that this should have been put out to bid.

MR. MENSCH:

I'm saying, when you do an RFP in the transportation, usually it's 20% more that's going to come in. And if it goes to a straight bid, like a school district, that basically, you will save money if you go to a

straight bid.

LEG. ROMAINE:

Because then they have to consider your qualifications and your price.

MR. MENSCH:

You could be qualified no matter what based on how you write the bid.

LEG. ROMAINE:

Now, let me ask you something. You mentioned something about this RFP for the SCAT thing. You said that in the RFP was a requirement, a mandatory requirement, that the contractor have two years experience in running SCAT; is that correct?

MR. MENSCH:

On a handicapped program, yes.

LEG. ROMAINE:

How many vendors in Suffolk County have the experience except the current contractor?

MR. MENSCH:

I think maybe one other one that had it and, you know, lost it, I guess.

LEG. ROMAINE:

So in essence, this RFP has singled out what -- let me -- I'm trying to understand what you are saying. You are saying that this RFP has singled out -- because it was issued as an RFP and not a bid and because it had the mandatory two year requirement that it singled out just one potential vendor.

MR. MENSCH:

Well, I'm of saying that. I'm kind basically saying the whole program basically -- most of you Legislators live in a school district. Every year school districts change, routing, kids go to different schools, different things like that. And every year --

LEG. ROMAINE:

Including handicapped kids in schools.

MR. MENSCH:

Handicapped. Handicapped, everything. Even BOCES has what they call "regional directions" in different areas. So if a school district could do that and go to a straight bid -- an example is Patchogue-Medford. Patchogue-Medford did a RFP. An RFP went out, it went 20% higher. The superintendent knew that he could get aid back for the district. So what did he do? He rejected the RFP, went out to straight bid and saved 30% right here in Patchogue-Medford with the same operator that then reduced his price to save money. So it's basically how the bid is written. And qualified -- and again, you know, everybody doesn't want to hurt the service. But it basically -- a fair shot is a fair shot.

LEG. ROMAINE:

Mr. Chairman, could I ask someone that's familiar with SCAT, either Bob or Gil, to come forward? I just have one question about the SCAT Program.

CHAIRMAN BEEDENBENDER:

Well, they're going to be coming up to do the bus -- the report too, so.

LEG. ROMAINE:

I just have one question.

CHAIRMAN BEEDENBENDER:

Come on up and then we'll just go right into the bus report.

LEG. ROMAINE:

Which deals with what Mr. Mensch had indicated. My question with the SCAT Program is in that program, whoever wins that, I guess it's an RFP now not a bid, who provides the bus? Does the County or the vendor?

MR. SHINNICK:

The County provides the vehicles.

LEG. ROMAINE:

Who replaces the tires, changes the oil, maintains the engine, the County or the vendor?

MR. SHINNICK:

The maintenance is done by the vendor.

LEG. ROMAINE:

Okay. The maintenance is done by the vendor, but the County provides the bus. Who provides the gas?

MR. SHINNICK:

The gas is provided by the County.

LEG. ROMAINE:

By the County. So if we have a vendor in a County this size and we haven't regionalized this bid, which was another point I think you made, we have a vendor, say, in Ronkonkoma -- let's take a mid point in the Island -- and they have to send a SCAT bus out to East Hampton. They're not concerned because they're not paying for the gas. We don't have regional -- do we have regional or is it one centralized facility that the current operator is operating out of?

MR. SHINNICK:

What we have now is two facilities in the West End of the County that the contractor is using.

LEG. ROMAINE:

And what happens to the County's expense when we have to pick people up on the East End; Montauk, Bridgehampton, Greenport, Mattituck?

MR. SHINNICK:

They're going to have to drive out there.

LEG. ROMAINE:

And who bears the gas expense for this?

MR. SHINNICK:

It's part of the program, so it would be the County.

LEG. ROMAINE:

Why wouldn't we have done an East End bid and then a West End bid to reduce our -- our gas and our overhead? Could you answer that question?

MR. SHINNICK:

The proposals that we're soliciting now are open to whatever the proposers would suggest. So if someone does suggest multiple yards, that would be considered.

LEG. ROMAINE:

That's just a terrible answer. I have to say, that's a terrible answer, because we should have taken into account since we're providing the gas, that whoever provides the facility or whoever the responder is, since we're drafting the RFP -- or if we do a bid, we draft the bid -- that there be a requirement that there be an East End or somewhere near the East End facility as well as a West End facility to reduce our gasoline overhead. I mean, it's true, gas it \$2 \$2.05 a gallon, but at one point, we went well over \$4 a gallon. And I can only imagine since we have the opportunity to put this out to bid -- excuse me, RFP, why we would not have included any provisions like that. It almost seems wasteful.

MR. SHINNICK:

The nature of the program is the people are transported literally all over the -- all over the Island. So some -- some trips, many trips start in the very West End and may go to the central part of the County, other trips -- it's basically allowing people to travel where they want to travel to and from. And they are all over the place.

LEG. ROMAINE:

Okay. I understand that. Have you -- has your department ever done an analysis of these trips; where they originate from, when they end in terms of understanding what our gas allocation is and our expenses for this program? Because I understand the SCAT Program is a very expensive program.

MR. SHINNICK:

Yes, it is.

LEG. ROMAINE:

Have we ever done an analysis of this?

MR. SHINNICK:

We've done them from time to time, but they've been very informal.

LEG. ROMAINE:

Could you send me at least the last two?

MR. SHINNICK:

I don't have anything in the last I don't know how many years.

LEG. ROMAINE:

When is the last time you did an analysis of the SCAT Program in terms of costs, such as for gasoline?

MR. SHINNICK:

In terms of fuel?

LEG. ROMAINE:

Yeah.

MR. SHINNICK:

Well, we can give data on the fuel consumption now.

LEG. ROMAINE:

No. Have you done an analysis? I'm not asking for data, I'm asking for an analysis that goes beyond data.

MR. SHINNICK:

No.

LEG. ROMAINE:

Thank you. Thank you.

MR. MENSCH:

I'd like to just -- one more thing to just say. What happened was there's a BOCES Program, which I'm sure a lot of people are familiar with, and that's for handicapped. And that goes to different schools and different locations. And what happens is it's a huge, huge program for Suffolk County. And what they did is the same thing, they broke it down to zones, so no matter where the person is, basically they're trying to look for the operator on a strictly -- a bid process that would save the money to different zones. And it mirrored -- you know, the program is out there. And again, I just wanted to bring it to your attention.

LEG. ROMAINE:

One final comment, Mr. Chairman, and I'll just make this my last. Yes, Legislators have three responsibilities; to write and vote on legislation, to handle constituent complaints and to exercise oversight over County Government. I had a bill in earlier -- I believe I've reintroduced it -- that this County Legislature should review every RFP costing more than \$25,000. Although I said to the Presiding Officer I'd move that up to \$50,000 if I could get a majority to vote for that.

I truly believe, as much extra work as it may be for this Legislature, that we should exercise oversight by passing a bill where we would have the ability to exam every RFP costing this County over \$50,000, because then we have a legitimate role to raise some of the questions that I've been raising on the fly today, that we could consider RFPs far more carefully than we're doing now, because we have no say in RFPs. It's a one-branch government when it comes to RFP. They write them, they describe the language of RFPs, they decide who is eligible to even respond to RFPs, and then they decide who wins the bid. And it may not always be the lowest responder. And they have an RFP committee that has no oversight.

So I know the Comptroller is working very carefully on reviewing RFPs. And I assume that in the next year or so there will be another audit out on what he found when he did an examination of RFP. But I know my name on the bill is not always a popular bill, but we should set some threshold for RFPs where they have to be approved by the Legislature and get back the power of the purse that we're suppose to exercise. We're supposed to have the strings to the purse, the county purse, and we're not exercising it, because most of our expenditures as a County go out through RFPs. It's something to consider. And obviously, you know, it's a committee and then 18 that would vote on it, but at some level, we should be examining every RFP, if not 25, if not 50, at \$100,000 or more. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you. Gil, if you could.

COMMISSIONER ANDERSON:

Brian, if I just may, I just want to respond to one of the questions -- one of the issues that the gentleman raised with regard to the specifications and the criteria of the two year mandatory -- you know, running an operation similar to the one that we're out to bid with.

We're looking for companies with expertise in the public sector, in dealing bus systems. There's a significant difference between running a school bus system and running the County system. Certainly there are a limited number of, you know, firms that can do that work, and we acknowledge that. At the same point, we don't want -- you know, we don't want every Tom, Dick and Harry to be able to bid on a project, and neither have to argue the disqualification or unfortunately, you know, in some situations, were -- as you would with a construction contract, you're mandated to bring a company in that, you know, meets the lower standard of qualifications. I've run into it with my previous life with garbage industry where another company -- another cater takes over -- you know, wins a bid for a company. And it's just hell to pay for the constituents while they get brought up to speed and if they ever meet speed. So that's why we hold a higher standard.

CHAIRMAN BEEDENBENDER:

Okay. All right. Thank you.

MR. MENSCH:

One thing, sir. I'd just like to respond quick on that.

CHAIRMAN BEEDENBENDER:

Very quickly, because I shouldn't have allow the questions in the first place from the Legislature, but, please, very quickly.

MR. MENSCH:

I can understand the gentleman's concern, but there's nothing more important than a child or a handicapped person that works for a school -- goes to a school district. So anybody that's a higher standard that goes to a school district and transports to the district handicapped, adult, public, anything should be in the basic same category and shouldn't be, you know, looked at a different way because somebody's a favorite or something like that.

CHAIRMAN BEEDENBENDER:

Thank you. If we could just move on. We have a lengthy agenda, and we have two presentations. So I apologize that that got a little over time. For the bus study, Gil and Bob and whomever else. Sorry, sir, I don't know your first name. Go ahead, please give us the report.

MR. SHINNICK:

We have with us Walter Cherwony, who's vice-president with {Kennet Fleming}. It's a consulting firm we've retained to do the bus study. Walter has headed up the team of consultants that have done the work, and he is intricately familiar with everything that has gone on so far. So I'll stop talking and let Walter make a presentation on his work so far.

CHAIRMAN BEEDENBENDER:

Thank you, Walter and thank you Bob.

MR. CHERWONY:

Thank you, Bob. To my left and behind me is Josh Diamond, who also participated in the study. And recognizing limitations on time, I'm going to try and go through this in an appropriate and coherent fashion, but in an expeditious fashion.

What I'd like to do is just sort of briefly touch on sort of the task that we were undertaking for this study.

CHAIRMAN BEEDENBENDER:

Sir, can you just move the microphone a little closer for the stenographer? Thank you.

MR. CHERWONY:

I want to basically describe the tasks that we undertook -- and we're still underway with the study, it's not complete -- what reports we've prepared to date, and then give you an idea of how we sort of sat down, put pencil to paper to say what we think are the service proposals. And I think the Members of the Legislature have a copy of our report. And this says "service proposals." And I want to make a couple of points. One is it's a draft document, it's something that needs to be vetted. We had some public meetings the past few weeks to get citizens' input. And certainly we're looking to make sure that what we have here is something that will support the County's efforts in public transportation.

The other thing is that these are bus proposals. So these are things that can be changed, done in an incremental fashion, priorities established. And the other thing is that this is a plan that sort of can be done over a broad sequence of time. Certain things here can be done in a month or two

months or three months, recognizing that the financial situation with the current economic climate is -- is not as attractive as it would have been, let's say, last year, but things that are also are very long-ranged that are very ambitious that could be done over a longer timeframe. So the plan is incremental, can be staged over time.

I'm going to give you a little bit of the background of the proposals and then sort of what we see are the next steps. Let me move into the next slide. The study consists of seven -- seven major steps. I'm just going to drop down to step number five, because it's a little bit out of sync with the rest of the task. We are in the process of securing software for the County. This will be computerized software that can schedule the buses and also give you information about how well the system operates. So we're in the process of selecting a vendor to do that as well as securing the hardware that could operate that system.

The other steps are geared towards developing the plan itself. And so let me just sort of go into sort of what the reports are that we developed. The first thing we did is we sat down, we developed sort of a description of what is Suffolk County, where has it been in the past few years, where are -- what's the prognosis, the forecast for the future. We also developed a fairly detailed description of the existing bus system. And we developed guidelines; we said, you know, how often should buses run, what hours of the day, what days of the week should they run.

We also then looked at funding, which certainly is a very appropriate topic; what are the various funding sources that are available to the County, what are the opportunities as we look for implementing this plan over the next several years. The other thing we did is we did sort of a pro forma financial analysis of each individual bus route. Now, we recognize this is a public service sort of like the library. You know, it doesn't make money, but nonetheless, there's limitations on funding that is available. And so we actually looked at the finances of each individual bus route in trying to see, you know, is this a sort of a -- are we getting back 100 cents on a dollar of investment?

The other thing we did is we met with stakeholders to get a sense, a qualitative sense of peoples' opinions, views of where they think public transportation should be. Not part of our study, but another contractor actually had people ride every single bus route for an entire weekday and an entire Saturday. So we know on every individual bus trip how many got on the bus trip, where they got off and sort of what was the ridership levels. We also know how well did the system perform in terms of running on time.

And then last but not least is this document over here which are the proposals that we've prepared for the County. Touching briefly on what the inputs are, I'll just go over, some of these are pretty much the same as what we talked about before. We did -- we did talk about the ride checks, the services guidelines. Something that I didn't talk about previously was we met with the drivers of every one of the bus systems. We had people there in the morning before the bus drivers left. When they came back in the afternoon, new drivers were going out.

So we had a view from the drivers as to what they think the changes should be, what do they encounter, what so they hear their riders telling them during the day. And also, we recognize that there are other studies being done in the County. And so we sort of -- we make sure that what we try and do is to be consistent and coordinate our efforts with what else is going on.

And then the last point there is skipping over to field reconnaissances. We just drove a great deal around the County to find out -- you know, sort of make sure that the route proposals we've come up with are, in fact, something that can be done. Some things that we think are important is sort of what guides our planning process. And what we listed here are about a dozen things, and since time is limited I'm not going to go over each one of them. But let me just sort of touch on a few of them.

The first two things is that Suffolk County is a very diverse place; it urban, suburban and rural. And in many cases, the way development has occurred is not very transit friendly; there are no sidewalks or buildings are situated very far back from the street. So that sort of influences our

decision. The other thing is that people are taking trips from everywhere to everywhere else. And so that makes it difficult. Transit works best when there's a concentration of trips in -- sort of a very slender narrow corridor. And that's -- that's not what we find here in Suffolk County. There are some corridors, such as the 110, but there are other places where transit travel is really not concentrated.

The other thing we think that's probably important skipping down is time transfer. Buses aren't running that frequently. They're not every five to ten minutes in Suffolk County. So we need to make sure that when one bus arrives at a location that there's another bus sort of waiting so people who have to transfer can find that to be an attractive thing.

And then the last point I just wanted to touch on is we have to balance the supply and demand of service. That there are limitations and finite resources. And we want to make sure we put service out. It's either fulfilling a social need or it's attracting sufficient ridership to warrant that service. Some of the things that are in the proposals, and let me just go through these, some of the elements are we have existing and new routes. I think I made the point before that the plan is modular. You can do pieces of it. Or you don't have to do -- it's not all of it or nothing. And you can do it over, you know, next year, five years, ten years, depending on the availability of funding.

What we have suggested in terms of frequency of service, how often the buses run, that we maintain a very user friendly service, that buses should run every 15 minutes, 30 minutes on a recurring basis. So if the bus is at this location at 8:10, the next bus is at 8:40, 9:10, etcetera. And that makes it easy for people to understand.

Some of the proposals actually try to exploit ridership opportunities to increase it, making service more attractive, more frequent. And in a few instances, not many, but in a few instances, there is overcrowding on the system. And so we've made proposals to add service to make sure that people are not overcrowded when they board the bus during peak hours.

Some other things we've suggested is when the bus operates we've talked about extending the hours. Many people work jobs that are not traditional 9:00 to 5:00, so we need to have buses running later in the evening than they currently do. And in some cases, we're running a more frequent service in those later hours. Some cases we won't provide the same level of service as in earlier hours, but nonetheless there is service.

And probably something that, you know, is very easy to focus on and something that's gotten a lot of attentions is we are suggesting that the system operate on Sunday. We think the County should have Sunday service. What we are saying, though, is not every single bus route, but we've looked at it on a fairly analytical basis, and we've come up with the routes that you see on that chart. I'm not going to go through them, but they are in the report. But we are recommending Sunday service.

We also think that given the -- sort of the multinucleated basis of this County that we want to focus the services on centers. We can't give everybody a one-seat ride on the bus from every place to every other place. So we recognize there's going to be transfers. We want to make it attractive and have buses arrive on a timed basis. So we've identified, as you see on the chart, about a half dozen or so transfer centers. And these would be places such as the Walt Whitman Mall, the Ronkonkoma Train Station, Riverhead, etcetera. And these are places that are conveniently located, also, destinations in and of their own right that people want to go. So it's a very logical place to make these transfers centers.

We also have looked at feeder-bus routes for the Long Island Railroad. I think when we look at this, though, is that we really find the best -- the best opportunity for this is a fast-link service in Babylon, and that's what we've recommended. Going on to running time adjustments, we think sometimes the bus routed need to have more time at this schedule. There's been increased congestion. Other times maybe there's too much time. So the fact is if we want to make the

service reliable so when the rider sees the timetable that is, in fact, how the bus operates.

And the other thing we want to do, and this is actually fairly well done by the system today, is to maintain a uniform headway; that buses run every 15 minutes, 30 minutes, not every 22 minutes, 27 minutes or things that are kind of odd. We also think that the timetables need to be changed for a couple of reasons. One is if we had Sunday service, we're going to have to redesign the timetables or else -- you know, the existing timetables, the print will be small for anyone to read for adding an extra day.

We also think that the maps and some of the way the schedule is presented can be a little bit user friendly, a little bit more modern design. That's something that's worth doing. And as sort of maybe an obtuse point is that the number of places that you see a time list on a timetable, there shouldn't be too many of them. You sort of get lost in the detail. They should be maybe every eight to ten minutes and let the riders sort of find their place where they need to be.

And then the last point is the routes have different notations for feeder and the mainlines. We just think everything should have an {S-Tree} notation. That's sort of the style that followed in the New York area. Right now, that's not the case. And then sort of getting into some of the search proposals, I think you can see here, in some places we've merged routes. We've actually said we have two routes that come to a common point, why don't we just extend those routes so people have a nonstop trip.

We also have looked at things like schedule coordination. Two buses come together, they arrive at approximately the same time, given sufficient time, the riders can get off one bus and on to the other. And in some cases what we've said is if there's not good use of a resource, we just want to eliminate that service. There's only so many dollars that we have available for us, we want to spend those dollars in a very prudent manner. And so in some places we have made no changes.

Let me just talk briefly. In some places, we've extended routes. In some cases we've just said there's no point for a route to go this path, there's nothing up there, there used to be something there. And as I mentioned before, we merged routes where we think we can provide a continuous trip where there are places. In terms of how often the buses run and when the schedules present the service, we think there's some places where there's a gap, where there's a half hour gap, and it just doesn't seem to be appropriate. So we've made those kinds of changes. And if you've read the report, you'll see it does get to be fairly detailed. But they're the kinds of changes that can improve the service as well as there's some more strategic views on how service should be changed.

Just moving on just very briefly. In some places we've made changes. There are too many variations to the system. In fact, one of its strengths is there aren't -- you know, you don't need a PhD to read the timetables. They're generally very simple. Buses don't go one path one time, another path a second time, and then, you know, later in the day a third path. So it is relatively straight forward. And I mentioned before, in some cases we've eliminated service because we don't think those resources are being used prudently. We can put those resources to better more effective use. And many places, there are no problems, they seem to work well, and there's no changes.

We have a series of new routes, and I'm not going to go through them other than to say you can see there's a list of about a half a dozen. And then these other four -- I would say to you in terms of the new routes, some of those can be done sooner, some of those will really require future growth. But nonetheless, we've tried to prevent a menu of things that can be done over, you know, next year to the next five to ten years. So where do we go now from this point? I think I mentioned before we did hold some meetings in Hauppauge and Riverhead to solicit comments.

The plan is still a draft. And once again, this is not the final copy, this is just what the search proposals are. We obviously will come back to County with much more detail. And then one of

those things is to forecast what the impacts of the plan would be; what would be the -- how many hours or miles of services did we provide; what would it cost to do that, the ridership and the revenue estimates, and then, of course, public transportation doesn't pay for itself, where do we get the funding -- what is the amount of subsidy that we need from local, State and Federal sources.

One thing we would do based on that is try to establish priorities. Not everything is of equal importance. Which things should get done first? Which things should get done on sort of the back end of the plan? And then develop a Capital Program, and the Capital Program would be things such as buses, shelters, we talked about these transit hubs, what kind of physical facilities and amenities should be provided to the riders, and then basically take all of that and put into a recommended plan. That's the presentation. So I'd be more than happy to answer your questions.

CHAIRMAN BEEDENBENDER:

Okay. I have a couple, and I'm sure my colleagues do as well. One thing that I wanted to mention, and you talked about computerizing the schedule, and I imagine this would probably be a precursor to what I'm about to suggest, I came across this -- Allegheny County in Pennsylvania where Pittsburgh is, they've developed this program -- they used this company called Route Shout -- I don't know if you're familiar with it -- but basically what it is, they put a little placard under each bus stop sign and there's -- you can text message this code on the bottom of the schedule, and the response you get is what time the next bus is coming there. And while in Pittsburgh the bus system is a lot more frequent I would imagine than it is out here, I thought it would actually be more useful in Suffolk County simply because if the timetable isn't in -- in the little enclosure -- in the shelter or there is no shelter --

MR. CHERWONY:

A ride guide is what you see in a lot of places in New York.

CHAIRMAN BEEDENBENDER:

Yeah. Because, I mean, basically, you just text message this -- and most people have a phone at this point -- and the response you get is what time the bus is coming to that spot. I don't know if it's through you or at least through DPW to take a look at this, because I think once we computerize the schedule, maybe this is possible. Bob.

MR. SHINNICK:

We're familiar with some available programs that allow you to do that and looking at them very seriously.

CHAIRMAN BEEDENBENDER:

Okay. Well, from what I can tell, and I didn't get an answer back from Allegheny County, but I don't think it's too expensive, and it seems like it does produce a high degree of utility for the people that do use the system.

MR. CHERWONY:

Right. What you're referring to is actually -- you know, what we're doing in terms of scheduling can actually be expanded to include what we call automatic vehicle locators where you know where all the buses are because they use GPS basically. You know, where all the buses are. And so what happens is people who are responsible for operating the buses can see where they are and make changes as appropriate. Also, since the public can gain access to that, they can either get it through the web, there are a lot of systems that have a more sophisticated system, it not just only says (sic) "next bus at this stop," but you can get text messaged, you can get it through your cell phone, you can get it through the web, you can get it through telephones. I mean, so that is something that's clearly by organizing the system on a computerized basis. That sort of is very consistent with this notion of providing riders realtime information as well as the schedule information.

CHAIRMAN BEEDENBENDER:

Great. Well, I'm happy to hear that that's part of it. The other question -- you had mentioned it

towards the end -- about infrastructure in terms of the shelters and the other things out at a bus stop. I know one of the most frequent calls I get, at least for stops in my district and ones outside my district is, "We need an additional shelter." And I know this is capital, this is -- I believe the County pays for these. The bus system -- the operator does not pay for these. Have you made recommendations in terms of infrastructure or different types of things that should be available at bus stops?

MR. CHERWONY:

We will do that. That's something --

CHAIRMAN BEEDENBENDER:

As part of the final plan?

MR. CHERWONY:

That will be part of that Capital Program I talked about.

CHAIRMAN BEEDENBENDER:

And do you have a timetable on when this interim becomes final?

MR. CHERWONY:

Well, I guess the -- we would hope to wrap up the study at the end of this year. Let me say this: In terms of a final plan, there are recommendations that are in here that certainly for instance could be implemented, you know, over the next several months, you know, assuming money is able. There's nothing to prevent that. The other thing is these are rubber-tired vehicles, so you have that absolute flexibility as to what you decide to do. So each of these things will be done sort of in an incremental fashion. Once again, it's not a plan that you take all of it or none of it. You can take pieces of it and do it as you think appropriate.

CHAIRMAN BEEDENBENDER:

Legislator Romaine, I think I saw you first and then Legislator Schneiderman.

LEG. ROMAINE:

You. You're going to come up with a final recommended plan, I assume, at one time.

MR. CHERWONY:

Yes.

LEG. ROMAINE:

That this is just a precursor or the appetizer to the full meal; is that correct?

MR. CHERWONY:

Well, I would say hopefully. I mean, this is a fairly detailed document. I would hope that we are -- you know, we are fairly close to what we think the recommendations will be. But this is our proposals to the County. And I know you were at the meeting at Riverhead. So one thing we've done is we've -- we haven't -- we actually summarized sort of what the comments are that we've received. And now what we're going to do is we're going to back, see what people said to us, see if any of the towns have comments and then go back through this plan and see, based on those comments, are there changes or fine tuning or adjustments we want to make.

LEG. ROMAINE:

I'm particularly interested in the Capital Budget part of it, because as you know, the County has three budgets; Operating, College and a Capital. And the Capital is adopted in June of every year for the following year. Will you have recommendations that you can bring forward to this committee or to our Committee Chairman that we can consider for the 2010 Capital Budget?

MR. CHERWONY:

We can look at some of the things that we think might be early action items. But I think -- I think the County already does have a capital plan. For instance, there is a plan, I'm sure, in place to purchase new buses as appropriate. So it's not like we're coming in to sort of a completely clear --

LEG. ROMAINE:

Would you consider the construction of 50 or 60 bus shelters or transportation hubs or something of that nature capital in nature.

MR. CHERWONY:

Yes.

LEG. ROMAINE:

Would you have a plan for that it in terms of our Capital Budget so that we could make allowances and have an understanding where that might fit in any Capital Program?

MR. CHERWONY:

We might not have the complete plan, but we might have some suggestions as to where we think would be some early action items by June.

LEG. ROMAINE:

Okay. Actually --

MR. CHERWONY:

We're aiming to wrap up the plan by -- our study at the end of the year.

LEG. ROMAINE:

I believe we almost have to -- I believe there's a much earlier deadline, it's early in May where we have to -- the County Executive, I do believe, releases his Capital Budget then, and we have a short period of time as Legislators to amend that budget by adding or deleting to it. So any recommendations of a capital nature that normally would not be in a capital plan from previous years -- I'll specify it even further. Obviously if these recommendations have been in capital plans from previous years or are multiple years and you have a new recommendation that doesn't fit into one of those categories, that would be very helpful to get for us to consider how we would incorporate that into our capital plan.

MR. CHERWONY:

Yes. I agree obviously. Like, what we have available is something that we'd have to see where we are in the next couple of months.

LEG. ROMAINE:

Mr. Chairman, when's our next meeting, April?

CHAIRMAN BEEDENBENDER:

I think it's April 21st if I remember correctly.

LEG. ROMAINE:

So that would give you roughly a little bit -- about five weeks to prepare something.

MR. CHERWONY:

Well, the only reason I hesitate is because probably still going to be working on sort of the service plan itself. We'd like to see that wrapped up before we would do the Capital Program.

LEG. ROMAINE:

All right. Because obviously, if we don't do it this year, then nothing is going to happen until 2011. And while that may be rapid in government terms, for people who are waiting for relief in the public transportation system, that may not be as rapid. It might be a long wait for the next bus, so to

speak. Thank you.

CHAIRMAN BEEDENBENDER:

Gil and Bob, I just echo what Legislator Romaine said, I know that -- I believe at this point you've probably submitted your Capital Budget requests to the County Executive's Office, but I would like to know, you know, what numbers we're talking about for 50 bus shelters if that's the number, because I do get a frequent number of calls. And I know not every bus stop it's possible. I can think of one in my district that is located on a corner, and there is no place to put a shelter, which probably begs the question why the bus stop is there. But if you could give us a number on what that would be so we could implement some of this. Because I know that in addition to the usefulness of the bus stop for the riders, it's also something that kind of folds itself into downtown revitalization efforts and rehabilitation areas where people want to redo the bus stops and everything, so.

COMMISSIONER ANDERSON:

At the very least, we can -- you know, we can give you the information on the Capital Program in a preliminary form so at least we can determine where to take it.

CHAIRMAN BEEDENBENDER:

Thank you. Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Thank you, Mr. Chair. Thank you, Mr. Cherwony. I also was at that Riverhead presentation as well as having sat through multiple public hearings a while ago in this issue that were held and was Chairman of this Committee when we launched this study. And as Mr. Shinnick is well aware, I've been an advocate somewhat tirelessly for Sunday bus service. And I'm very happy to hear that that is one of the recommendations. I wonder, one, if you could say if that is one of the main recommendations? Would you classify that as one of the most important recommendations of the finding -- in the findings of the study?

MR. CHERWONY:

Let me say this. It's difficult to sort of classify them as one of the main. I think it's probably one of the most visible. It's one that people who, for instance, don't ride the bus system can most easily relate to. There are a lot of proposals here where the bus goes up a certain street, serves a different community by making right turn. I think -- I think the service on the weekend is something that I would consider a major item in the scale of things, but certainly not, you know -- - it would be difficult to draw a distinction between all -- all the plans.

I think some of these proposals, for instance, the cumulative effect, for instance, of running the buses on time or making time transfers may be -- would be of as equally or even greater importance. So it's tough to -- it's tough to classify, but I know it is something that is very readily something that the riders and the public can identify.

LEG. SCHNEIDERMAN:

I know -- I believe Nassau County has a Sunday service, right?

MR. CHERWONY:

Yes, they do.

LEG. SCHNEIDERMAN:

And I know that there are seniors who depend on the bus, who might go shopping on a Sunday. There are people who -- I know of one -- one individual who lost her job when her schedule changed and she was asked to work on Sundays and could not get there because she uses the bus for transportation. So I -- I'd say for five or six years now, I've been pushing for Sunday service, and I was told, "Well, we've got to wait to the end of the study. We've got to get the study done."

And now the study is done, and it does make that recommendation, not only for my district where I

know particularly seasonally in the summertime Sunday is a very busy day. It's a resort area; the restaurants, the hotels, the retail establishments, the shops are all very busy. That's when people are trying to get to work. It's certainly needed. It's evident by the amount of people hitchhiking to work on Sundays who can't -- because there's no bus service.

So now we have the study. It's makes the recommendation. It didn't -- it recommended Countywide bus service but only on very specific routes. One is if you could distinguish for me how those were routes were chosen; you know, what were the characteristics; and two, if there's a priority, because I'm trying to come up with a funding mechanism. And one of the things that -- I have a bill that going to be before the committee today that looks at holding a potential public hearing on a 50 cent increase in the bus fares, which would bring the fare to \$2, which I think is about Nassau's fare, although Nassau is going up, and less than the dollar adjusted fare for time from the original \$1.50 fare that was put in place in 1992.

So my bill would say, "Well, the public be heard, the riders be heard, and determine whether they would exchanges paying a little bit more for the bus in exchange for having this Sunday service." But I'm not sure that that additional 50 cents will cover it. So I'm trying to get at to what extent it might cover the service and whether certain routes are higher priorities than others to what extent you are recommending Sunday services, is it throughout the day or can it be scaled back to certain times, are some areas seasonal or it is year round everywhere. So I'm throwing a lot of things out, but I'll let you respond.

MR. CHERWONY:

Hopefully, I can recall all those questions. In terms of what it is that we looked at to make that determination rather than just say we're going to go run the entire system, one suggestion might be let's run the Saturday service on Sunday. What happens is we looked at sort of what are the strong routes, and from our perspective, strong routes have good financial performance. In other words, they cover a high proportion of their costs. They also have high productivity. You run an hour of service, you have more people riding that bus in one hour on some routes than you do others. And it really is a very wide variation between the routes performance. So we looked at routes that were strong.

We also looked at routes that had high relative ridership on Saturday in comparison to Sunday. There might be a route serving, let's say, an industrial park that's very strong on a weekday, but on Saturday, the ridership falls off precipitously. So those would not be candidates for Sunday service. So we put together sort of the routes that were strong in terms of their performance. And very often, they sort of recognize the areas that they serve and people when need the service. And then we also looked at places where Saturday service was relatively strong and the notion that if a route is strong on a Saturday, it would be strong as well on the other weekend day. And so we looked at that.

Our view is that these -- the routes that we've identified are the routes that have the greatest chance of success. And success by our definition in attaining ridership. We also need to have a network in place because we certain routes -- you know, one end, another route in another end, they don't connect. And clearly people can't make trips. So we tried to sort of create a simplified network smaller than what is taking place on weekdays, and that's what we did with this plan.

As far as -- we have not done any cost estimates of, for instance, what would it cost to implement the service although recognizing that if services operated on Sunday, the SCAT service will have to be available to take reservations on Saturday for Sunday. And then the SCAT service have to be available within the same coverage area of the Sunday bus routes. So that's something that will be an additional.

LEG. SCHNEIDERMAN:

Well, the Department of Public Works did do some number crunching. They came up with roughly a \$4 million estimate to provide both based on your study, though I'm not sure that your study

provided how frequent those runs would be on Sunday. So I'm not quite sure how the number was arrived at. But they also crunched the 50 cent fare increase, which came to, I think, \$1.6 million which would not be sufficient to run the full Sunday service.

So I'm wondering if -- if you knew you had, let's say, a budget of \$1.6 million, to what extent could Sunday service be run and how effective might that be.

MR. SHINNICK:

The services that we looked at, you know, for the Sunday operations analyzed in term of the current level of service that we have out there now.

LEG. SCHNEIDERMAN:

You mean Saturday service?

MR. SHINNICK:

Basically. Close to Saturday service, but it wouldn't be as long a day. And we took a careful look at the amount of service, how much time, because that's one of the ways we can gauge the cost; how many revenue hours of service these thing are operating and came back with an assessment as to what level of effort we would have to put into the operation to sustain a Sunday network similar to --

LEG. SCHNEIDERMAN:

Mr. Cherwony, is that kind of what you were envisioning, something similar to Saturday?

MR. CHERWONY:

Yes. I think we're -- obviously, we've worked with Bob on the plan. I mean, we've presented these proposals and gotten some guidance from him, and I think that's basically what we are referring to.

MR. SHINNICK:

If I could just make one comment though. You know, where we have half hour service or 15 minute service, that, of course, would not operate on a Sunday. It would be more likely systemwide roughly a bus every hour.

LEG. SCHNEIDERMAN:

Right. And could that be cut back to one every two hours or morning and afternoon and not necessarily --

MR. SHINNICK:

You know, there's starting points for all of this so that we can always --

LEG. SCHNEIDERMAN:

Are some of those 24 routes more important than others? I guess those are the kinds of things I'm looking -- because what I'm hearing back from bus riders who are paying for taxicabs on Sundays is that they are willing to pay an additional fare -- the additional 50 cents provided they would get the Sunday service. But I'm not sure at this point to what extent we can provide the Sunday service without some more careful analysis.

MR. SHINNICK:

We have some experience with bus lines that operate every couple of hours. And they do a function in terms of saving some money, level of effort, but they also create problems with the passengers. There are older people who can't wait that extra amount of time at a location to get home or they need to make connections. And the more sparse the service gets, the more you hear complaints over the level of service and the connectivity, the absence of it. So there is certain skeletal service that really does need to be out there generally, but it doesn't mean that you can't have service every couple of hours or something where it's appropriate.

LEG. SCHNEIDERMAN:

Could it be, you know, kept to the frequency but the day shortened? Maybe start the buses at noon and end them at 4:00 rather than starting early in the morning and going to later in the afternoon?

MR. CHERWONY:

I guess -- well there's two issues. Think if -- there are some routes in the system where one of the buses is assigned and as often as it takes for that bus to make a round trip, that's how often it services. So if it takes ninety minutes, 120 minutes, that's how often the bus runs. And I would characterize that as a lifeline service. If you absolutely need to travel, then transit may be attractive to you or may be a possibility.

I think we would -- we would envision that the Sunday service would be more frequent than that. I think as Bob was saying, I think we would expect service to generally run at least hourly. There may be some routes that would run a half hour, but we would expect it to be somewhat attractive.

LEG. SCHNEIDERMAN:

Right. But without funding to do that, you know, do you not provide the service when the public is saying how important it is to have it. And particularly in a time of an economic slowdown when people are trying to get to stores, we should not be standing in their way, so to speak, that this could have a tremendous economic stimulus potential by allowing people to go shopping on Sundays.

MR. CHERWONY:

I think it would help people to go shopping. Whether it would help someone fill a job on a Sunday is another question. If you shortened it to four hours, no one could -- you know, unless it was a very short part-time job could they use the train system, maybe to get a ride there or in some way take the bus back. So it might help the shopping, but I think you have to sort of -- you have to -- you reach some point where you need to have critical mass where it's worth providing the service that people will utilize.

If it's too limited in geographical coverage, if it's too limited in the hours of operation or the frequency of service, you have put service out there that's going to be very, very lightly utilized. And it wouldn't be really a prudent investment of the County's funds. The other thing I might add is that when you raise fares, it -- transit is like any other commodity; there's an elasticity for it. It's not as much as what there is for an automobile, but there is elasticity. And generally, the rule of thumb is if you raise fares 10%, for instance, you'll lose about three and a third percent of your riders. So that's something you have to weigh. I mean, sometimes you're forced into a situation of raising fares, but if you raise fares, you may gain riders on Sunday because it's a new service, but at the same time, you will be losing riders on weekdays and Saturdays. And that's something -- I haven't done the numbers so I can't tell you the exact values, but that's something you want to weigh carefully.

LEG. SCHNEIDERMAN:

Right. But typically the riders come back to it.

MR. CHERWONY:

Well, I think what -- let me just make one point. I know you have a lot of things on. What typically happens in a lot of systems, and I think what happened in Suffolk County is this is service that the only thing that changes is fares. And very often, for instance, you're in a growth mode. Public transportation in the United States has been growing. There are more people taking public transportation. Some of that's a function of the gas prices being what they are, some of it's just a function of growth. And so even though some systems have raised fares, they argue, well, we increased fares and our ridership came back. But it's -- but the ridership would have been even higher had they not raised fares. So there are a lot of other things affecting that.

My concern would be -- right now is we're entering some very lean economic times. And generally, one thing that influences ridership in addition to fares is employment levels. And while the system has experienced growth in the past few years, and it's been very -- very good in that way, very dynamic -- we may be facing a situation, and we'll probably have data as we get into this current year, where we're going to find that ridership has actually sort of peaked and is starting to decline because of the affect of the economy. And so that may be a situation that says, well, even if we raise the fares we could probably grow our way out of it. We may not be in that situation because the growth is sort of pointing downward because of the economy.

CHAIRMAN BEEDENBENDER:

Okay. Thank you. If there are no other questions, thank you very much. That was very comprehensive. We have one more presentation, Joe Darling. Joe Darling, are you in the audience? Mr. Darling? Mr. Darling, please come up. I know you have a presentation on alternative fuels. Do you have a computer presentation?

MR. DARLING:

They are setting it up.

CHAIRMAN BEEDENBENDER:

Well, with the committee's indulgence, while they are setting that up, while IT sets that up for you, we'll just start the agenda and when you're ready, we'll stop and you can go. All right?

So we'll move right to the **TABLED RESOLUTIONS.**

IR 1891, To improve and strengthen consultant procurement policy. (Lindsay) I will offer a motion to table at the request of the sponsor.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-0)**

IR 2025, Adopting Local Law No. -2008, A Local Law to promote accurate cost estimates for Capital Projects. (D'Amaro) This needs to be tabled for a public hearing. All in favor? Opposed? Abstentions? **IR 2025 is TABLED (VOTE: 5-0-0-0)**

IR 2043, Directing a study on the feasibility of the use of compressed natural gas to fuel Suffolk County vehicles. (Alden) I will also offer a motion to table.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

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

LEG. LOSQUADRO:

Abstain.

LEG. ROMAINE:

Abstain.

CHAIRMAN BEEDENBENDER:

Abstentions by Legislator Romaine and Legislator Losquadro. **TABLED (VOTE: 3-0-2-0 - Abstentions: Legis. Losquadro and Romaine)**

IR 1114, To implement Sunday bus service and extend weekday morning and evening service in Suffolk County. (Romaine)

LEG. ROMAINE:

Motion.

CHAIRMAN BEEDENBENDER:

Motion to approve by Legislator Romaine, seconded by Legislator Losquadro.

LEG. HORSLEY:

Motion to table

CHAIRMAN BEEDENBENDER:

Motion to table by Legislator Horsley.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. Okay. The motion to table takes precedence. Do I have anybody on the motion? Legislator Romaine.

LEG. ROMAINE:

Why would we table this? This bill has been amended. It's pretty straightforward if you read the bill. Have you read the amended version? Who made the motion to table? Wayne, have you read the version, amended version?

LEG. HORSLEY:

Why don't you explain it.

LEG. ROMAINE:

Okay. I'm trying to get it up on my screen but it's not coming up. Let me see if I can do this again.

CHAIRMAN BEEDENBENDER:

I have it.

LEG. ROMAINE:

I got it.

LEG. HORSLEY:

I'm for Sunday service, I just thought it was because of the -- we're going to be dealing with the full package.

LEG. ROMAINE:

No, we're not. Let me go into the Resolves. The key Resolved Clause, essentially what this does, there's four Resolved Clauses. The fourth one is a SEQRA. The first Resolved Clause says "Resolved, the Commissioner of Suffolk County Department of Public Works is hereby authorized, empowered, directed pursuant to -- it look like -- Section 8-2W of the Suffolk County Charter to develop a plan to implement Sunday service and extended weekday hours of operations on all bus routes in Suffolk County."

"Second Resolved, Commissioner of Public Works is hereby authorized, empowered," blah, blah, blah, "to apply for Federal and State funds to fund the operation for the proposed expanded bus service. Third Resolved Clause, Commissioner of Public Works shall return to the Legislature to report on the progress of the plan and the funding within 120 days the effective date of this resolution."

So essentially what this is, is it asks the Commissioner to develop a plan, asks the Commissioner to apply for Federal and State Aid. This was put in because of the stimulus money that is out there. And then it asks the Commissioner to come back to us in 120 days and report to us. This is not rocket science, this is not large expenditures, it doesn't authorize anything except for us to start planning, applying and then getting the information back to us on how this is going. So if there's an objection to that -- the Fourth Resolved is the SEQRA -- but if there's an objection to those three Resolved Clauses, Wayne, I'd like to hear it so I can make whatever amendments would satisfy you.

LEG. HORSLEY:

For BRO, can I ask for a financial update on what the cost of this would be.

MR. DOERING:

I don't believe there's been a full comprehensive financial analysis of the cost that's determined at this point?

LEG. HORSLEY:

You don't know how much it's going to cost?

MR. DOERING:

No, not precisely.

LEG. ROMAINE:

So for the commissioner to do a plan, for the Commissioner to apply for Federal and State Aid, for the Commissioner to report back to us, I can't imagine that there is much of a cost involved except the normal routine of actual government.

MR. ZWIRN:

If I might, Mr. Chairman. We have done a fiscal impact statement for 1201, we've looked at it, which is Legislator Schneiderman's bill which would give you some idea that if you institute a plan for Sunday bus service in conjunction with Legislator Schneiderman's resolution to increase bus fares, unless there's the money -- and going ahead with looking for grant money, we do that anyway. I mean, we've looked to try to see if we can get the MTA to make proposal to take us over. It's going to be handled separately on the State level aside from the budget. So I would just say that maybe -- we're not opposed to this, we're going to do -- we're going to go ahead and look for the money anyway.

LEG. HORSLEY:

We all want Sunday buses, there's no question.

MR. ZWIRN:

Yeah, we want Sunday bus service and we're looking for money to do it.

LEG. ROMAINE:

So this is a step in the right direction? Like chicken soup, it certainly can't hurt.

CHAIRMAN BEEDENBENDER:

Hold on.

MR. ZWIRN:

You're right behind us, I mean, but, which is fine. But I think if we just wait a little bit with the State -- right now, the MTA issue which has been locked up on whether there's going to be tolls on the East River Bridges in the City and how they're going to bail out the -- that's one of the things we've looked at. Nassau County has MTA running their bus service, they have Sunday bus service, they have natural gas buses, they have a whole bunch of things because they get an enormous amount of money that we don't get from the State. We are looking at all of that now. If we could

get grant money to institute Sunday bus service, we would -- we would probably do it in an instant, but we haven't got that money yet. And if the Legislature wants to tell us to go do something we're already doing, that's up to them.

LEG. ROMAINE:

I'm glad you agree. So is there any objection now to the bill in its current form, Wayne?

LEG. HORSLEY:

Mr. Chair.

CHAIRMAN BEEDENBENDER:

Well, I have a couple of questions.

LEG. ROMAINE:

Sure.

CHAIRMAN BEEDENBENDER:

The fiscal impact statement for this, there is -- BRO -- I guess this came from BRO, it does indicate about 13 to 15 -- \$13 million escalating to 15.

LEG. ROMAINE:

The bill was amended.

CHAIRMAN BEEDENBENDER:

I know. I know what your bill does. I'm just talking about overall. My question was that that fiscal impact statement, and I know this requires a plan, but it also would have to include SCAT, which I'm not sure if the analysis or -- I guess, Legislator Romaine, my concern would be that the plan to do this, I don't know that the holdup is that we don't have a plan to do it, the holdup is we don't have the money. I think --

LEG. ROMAINE:

I understand otherwise and that's why I revises my bill; the administration made an argument about that, I listened to their argument, I have amended my bill. And I know that we have the ability to get stimulus money. I would like to see it applied in this way to help expand bus service if at all possible. And that would have to come back to us for the expenditure and the appropriations and everything of this nature.

So my bill does three things; one, start planning to apply for the money; two and three, to report to us where we're at. And I think for us to as a Legislature to take this action, it shows that, you know, we're a branch of government that's in this game, that we want to be kept apprised of things, and I think it's well worth it to pass this resolution because it does establish those three things.

CHAIRMAN BEEDENBENDER:

Gil, you had wanted to jump in and I forget about you. Go ahead, please.

COMMISSIONER ANDERSON:

It's okay. We -- Transportation did an analysis of it, which I believe was provided to BRO, that showed that this resolution in its previous form, because I haven't had a chance to review the revised addition would run the County in the \$13 million.

To go for -- you know, we are doing a study already, as, you know, we previously heard. They are looking to analyze the cost. Again, I would caution that we wait for that -- that study to be completed so we can look at the overall package before jump in. To look for Federal funding, I mean, you know, the County Executive has made the case, you know, publically that we need more funds. Nassau County gets more than double what we get in State funds. To get Federal funding, which is JARC, is just a two -- generally, a two year program. At the end of the two year program,

we'd be hard pressed to basically have three -- you know, \$13 million to be able to, you know, continue to provide these services.

Again, I would, as I stated before, argue that we're better off waiting until we get the overall arching study completed so we could look at this entire package.

CHAIRMAN BEEDENBENDER:

Legislator Stern.

LEG. STERN:

Yeah. Thank you, Mr. Chairman. Gil, do you or maybe BRO, anybody, the \$13 million estimate, is that just for the bus service or does that include the SCAT service as well.

COMMISSIONER ANDERSON:

That includes both the SCAT services and the regular SET service and includes both Sunday as well as the extended weekday hours.

LEG. STERN:

So that would be for all modes of the transportation system?

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN BEEDENBENDER:

Legislator Romaine.

LEG. ROMAINE:

And that's why this doesn't have a cost and the bill was revised so that essentially it says, "develop a plan," which you're doing, "come back -- apply for Federal and State aid including stimulus aid," which I'm sure you're going to be doing, "and come back to us in 120 days and let us know where you are at." It's a very simple bill. But what it does, it puts this Legislature right in the ballpark of Sunday bus service, extended hour bus service so at least we can have a feeling. You know, I think in 120 days you'll probably have a pretty good feeling and you can develop a report, very brief, and tell us where we're at in terms of the plan that was originally discussed this morning.

You can also tell us where we're at with the stimulus money and if the County Executive has been convincing to State officials, to the Governor and Members of the State Legislature that hold his opinion in high esteem, if we're going to be able to get additional State and Federal aid for Suffolk County. Because I think he made a good case at the State of the County message about how we're getting short changed. And there's no question. With more than both Westchester and Nassau, we are getting short changed. And I agree. So all this is is making us equal players in this team of local government with the issue of bus service.

CHAIRMAN BEEDENBENDER:

Legislator Romaine, my only -- well, one of my concerns -- and I appreciate your passion and your dedication to this issue, it's something you've been talking about long before you filed the bill -- but my concern would be is the last thing you want to fund a transportation with -- system with is stimulus money, because it's going to go away. We need a permanent solution. And I think that may allow us to do short-term expansions. But when it goes away, we will be left in the same situation.

LEG. ROMAINE:

Well, hopefully -- the President has made an appeal that all of his programs are going to work so well, the economy -- the rising tide will lift all boats. Maybe we'll be in a much better fiscal situation.

MR. ZWIRN:

But the Legislator will spend all the stimulus money in his district.

CHAIRMAN BEEDENBENDER:

Ben. Ben. Ben.

COMMISSIONER ANDERSON:

Can I just make a statement on the stimulus just to clarify something? The stimulus funding that is available for transportation is not for operational purposes. Right now, we believe we're scheduled for about \$9.3 million that will come for the purchase of equipment; buses, hybrid buses, things like that, but it will not be for operational. So the idea of using the stimulus is off the table.

CHAIRMAN BEEDENBENDER:

All right. Are there comments on the motion? There is a motion to approve and a motion to table. The motion to table takes precedence. All in favor? Opposed?

LEG. ROMAINE:

Opposed.

LEG. LOSQUADRO:

Opposed.

CHAIRMAN BEEDENBENDER:

Opposed, Legislator Romaine, opposed, Legislator Losquadro. That leaves three. The motion is **TABLED (VOTE: 3-2-0-0 - Opposed: Legis. Romaine and Losquadro)**

All right. Mr. Darling, thank you very much for your extreme patience. Grab a microphone and tell us about the New York State Department of Transportation Alternative Fuels Program.

MR. DARLING:

Okay. I'd like to thank you for inviting me today, especially Legislator Kennedy and his staff. I understand there's a legislative proposal to consider natural gas and propane vehicles in the County. And New York State DOT has been a leader in natural gas fuels for approximately 10 years. Twelve years ago, I was appointed to director. We had no alternate fuel vehicle program in DOT, and we've built it up over the last 12 years.

Being a transportation guy, I think in the way of clean corridors, naturally, we got a wire metal ethic that we have to consider, but we're also very considerate of the cost of any alternate fuel vehicle program. And that was a cornerstone in building our programming. In the early days, there was -- and there still is -- too much dependence on foreign oil. Energy dependence is inhibitive. And unstable governments actually control our policy unfortunately.

Passage of the Energy Policy Act-Clean Air Act recognized the need for alternative fuels, but unfortunately, there was a lack of planning, and it created a lot of ill-fated attempts to create infrastructure with little or no fleet base to support it. Early on, the Energy Policy Act took affect. Fuel providers and government fleets, we scrambled to comply. That was in around '97, '98. And vehicles were purchased and forced to use insufficient and unreliable infrastructure. The key to success of any program is going to be your infrastructure program. If you don't have a good infrastructure program, you don't have a program.

There's a natural tendency to lean towards bi-fuel vehicles. It's a crutch. In DOT, we dismissed bi-fuel vehicles. All of our vehicles, and we run almost 800 now, are dedicated natural gas vehicles, with the exception of 30 large dump trucks. I fell on the crutch on that one. I chickened out when it came to snowplows, sorry. The first clean corridor, as we call it, is the dedicated CNG vehicles. They were the cleanest, most efficient alternate fuel vehicle. And we built 30 low-volume fast-fill CNG stations around the State to demonstrate to the Governor that we could build them under budget.

Our original budget estimate was for about \$150,000 per station. And the conventional wisdom at the time told us we couldn't build a fast-fill CNG station for less than a half a million dollars. We built the first 30 stations for an average of \$108,000 a piece even though our budget estimate was \$150,000. And we developed a concept of a public-private partnership to establish commercial infrastructure, because as citizens and taxpayers, we felt that the eventual success of any program had to incorporate the public's ability to use the facilities that we built.

This is a typical fast-fill low-volume CNG station. Over on the left-hand corner you'll see a small box looking unit, that's the compressor. It's called a fuel maker. It generates about 100 gallons of compressed natural gas in a 24 hour period. The key to making this successful is the storage right there in the middle. That storage container will hold about 120 gallons of compressed natural gas equivalent. And you can dispense about 40 to 45 gallons at full 3600 PSI pressure before you need the compressor to regenerate. But the way we set the systems up was that as soon as about ten gallons were out of the system, the compressor would kick on and start regenerating natural gas again.

Over in the right-hand corner is a dispenser. There's a lot of variations on that, but it's standard -- almost looking like a gas station dispenser with the exception that it locks onto the vehicle. You cannot spill gas on your shoes, on your clothes, and it's very safe for the user to use. There's a lot of safeties built in. And I want to draw attention to the pad that all that equipment is sitting on. We built those sites so that we could expand them at any time because we realized that if the program was successful, we would have to bring in additional compressors or additional storage to be able to handle additional capacity.

Second clean corridor, again, the original 30 stations, we started to upgrade them. Once we proved to the Governor's Office that we were under budget on our original estimates, they gave us more money to increase the capacity as more vehicles came on line. Some of them we doubled that little fuel maker compressor that I showed you and others we brought in high volume what we call hurricane compressors. The next 30 additional stations, we began to build them, and we began to build them in the higher volume sites with the hurricane compressors. And we also started the RFP for the commercial infrastructure.

This is a high volume station similar to the one that sits over by the State Office Building here in Hauppauge. Actually, that one has been upgraded many times to serve the trash trucks that service the Town of Smithtown. That was done in cooperation with the State. But you can see in the background there's still the storage bottles sitting over here in the right hand corner. You can't really see the compressor, but it's about twice the size of the compressor that we originally put in there on the other stations.

And again, we can bring in more storage capacity or we can bring in more compression capacity or both. And the pad here, the dispenser pad, is built so that we can put another dispenser on if we need to. Clean corridor number three is the recognition of the impact of the heavy duty fleet. And the emissions, the future emissions, we were looking at the 2007 emissions back in 2001 and 2002. And it was recognized early on that natural gas could meet the 2007 -- 2007 and 2010 emissions requirements better than diesel fuel could.

We started looking at the special needs of the heavy duty fleet to come up with a strategy. And we considered the impacts of alternate fuels on heavy duty truck transportation needs. This truck is actually stationed here in Suffolk County. We have probably about 20 trucks like this on the Island altogether in Nassau and Suffolk County. This area here behind the cabinet truck is where we're storing the CNG. We have about 36 gallons of diesel equivalent and natural gas sitting there. And this system is a little unique in that we took a standard diesel engine and converted it to run mostly on natural gas. It still starts on diesel fuel. It still will consume diesel fuel to some degree, but it will consume about 85 to 90% natural gas when it's running in the natural gas mode. So it's much cleaner and much more efficient.

In the future, we're working on a bid right now for our next generation of large dump trucks, and we've got three bidders who have come in and said they plan on bidding a dedicated natural gas plow truck for us next year. Again, natural gas are the cleanest environmentally. They meet the 2010 EPA emission standards. But CNG storage is inefficient for large truck over-the-road operations. LNG is the most efficient for trucks. And you can store it in the same general area that you store your diesel fuel. Bio diesel, we're using 5% bio diesel in the State, but we've had some problems in the northern climates with the cold operating. And the NOx emissions can be a problem in non attainment areas.

Ultra low sulfur diesel and diesel retrofit technology, we're both of them. We are converting a third of our fleet this year, we did a third last year to the cleanest what they call diesel retrofit technology. And combined with the CNG make it far below the 2010 standards. In 2010, we're going to have to start using urea in combination with the diesel fuel to treat the exhaust. And it will meet the 2010 emissions standards, but it won't do anything to relieve our dependence on foreign crude oil.

LNG is the superhighway to clean corridors. It's viable for all fleet sizes regardless of platform. It doesn't require any pipeline. It can be liquified and transported to remote locations. And it's renewable for landfill gas and waste water gas creating energy independence.

This is a map of New York State, and you'll see these little stars pop up in different colors and these little gas pumps. And this is the infrastructure we built over the last ten years. This is mainly in the Upstate area. There's a legend there. The little red fuel pumps are the first 30 sites that we built. The green stars are the high-volume sites that we built. The pinkish colored stars are the commercial infrastructure that we put into place. And the blue stars were the existing public infrastructure that was available through utilities when we first got involved in this program.

This is mainly Long Island. And you can see we started with the public infrastructure, the blue stars. But there's a lot of gaps even on Long Island, so we started building some sites. And we still have a big gap out here in Suffolk County, especially as you get out towards the tip. The bottom line is the problem is not going to go away. Right now, there's a temporary reduction in fuel prices. This is not going to last, don't get used to it. The prices of \$4 a gallon that we paid last year will be back up to it at some point in the not too distant future.

CHAIRMAN BEEDENBENDER:

Thank you for the happy news.

MR. DARLING:

It's not going to go away. We've got to figure out a solution. We've got to figure out alternative fuels. A couple of side notes. I don't have them in the slides, but we have averaged other a dollar a gallon savings over the life of this program in our fuel cost. Last summer we were well over \$2 a gallon on gasoline and diesel fuel savings for every gallon we consumed. In New York State, through the New York State network, we dispensed over 900,000 gallons of natural gas last year; 170,000 of that went to public consumption, the rest was consumed by State agencies. And at a dollar to two dollars a gallon, that's a pretty significant savings in fuel cost.

And one other thing that we noticed last year that we hadn't expected, we've been selling our surplus vehicles, if you will, at State auction for the last four or five years now. And generally, we're running over \$10,000 resale value on an eight to ten year old car. People are buying them and shipping them overseas. Last year, we actually had a couple of instances where we sold cars for over \$16,000 a piece in surplus auction. And these were cars that we had already gotten our useful life out of. They were over 100,000 miles, and we sold them for \$16,000. We only paid 18 to 20,000 for them brand new.

CHAIRMAN BEEDENBENDER:

Well, that's good news, because we have a ton of cars sitting around.

LEG. ROMAINE:

In Westhampton.

CHAIRMAN BEEDENBENDER:

Mr. Darling, was that -- okay. I know we have questions. Dan and then Legislator Romaine. Legislator Losquadro then Legislator Romaine.

LEG. LOSQUADRO:

I actually -- in looking at one of the slides, that was a question that I had with the heavy trucks, was saddle tank exposure, but you have the cab packs on there. Does that lead to any additional cost -- cost with ordering a custom bed length then with those -- with those trucks? I mean obviously you wouldn't be able to just retrofit --

MR. DARLING:

We did that as a retrofit.

LEG. LOSQUADRO:

Yeah? I mean, what, you just moved the whole assembly back on it?

MR. MENSCH:

Just moved the dump box back on the chasey. That's all we did, yeah.

LEG. LOSQUADRO:

Really? Okay. Because I know some of those frame rails are heat treated and, you know, you can't heat or drill on some of those rails, so that was just a concern that I had. Now, when you were talking about bi-fuel vehicles, you were talking strictly about the gas technology. You weren't talking about, like, flex fuel vehicles, right?

MR. DARLING:

Well, I wasn't talking specifically about flex fuel. But we've got some concerns with flex fuel because we're seeing such a milage drop on the flex fuel vehicles. We're seeing about a third of the mileage drop on flex fuel vehicles.

LEG. LOSQUADRO:

When using the ethanol the E85?

MR. DARLING:

Right.

LEG. LOSQUADRO:

Right. I mean E85 gets a lower MPG to begin with. But the on-board fuel management systems, you're saying you're not convinced they're compensating as well as they should be for the dual fuels.

MR. DARLING:

If they run on gasoline, they're getting the gasoline equivalent mileage. But when they're running on ethanol, you're losing about a third or your milage.

LEG. LOSQUADRO:

Worse than it should be is what you are saying.

MR. DARLING:

Yeah. Which is what, actually, the manufacturers advertise.

LEG. LOSQUADRO:

Okay. Well, no, I mean, we know that there's going to be a reduction in efficiency with running E85.

The last question I had when you were showing those small -- the low volume high -- high -- if you could refresh my memory there.

MR. DARLING:

Fast-fill low-volume CNG stations.

LEG. LOSQUADRO:

What is the average fill up volume for the regular fleet vehicle that you're operating? So given the recovery rate on those units, how many vehicles can it fill up on an average day?

MR. DARLING:

If you're running sedans, the capacity is anywhere from eight to ten gallons on a sedan. That's about the biggest tank you can get on a sedan unless you go what they call extended range by putting more tanks in the trunk. On a pickup truck we can get up to 26 gallons on a pickup truck equivalent. And from looking at the fill history on vehicles, generally I would say the average is about four gallons to a vehicle. They seem to refill when they're about half full.

LEG. LOSQUADRO:

Okay. And those units will do approximately how many gallons a day?

MR. DARLING:

A hundred gallons a day. But you're starting with 40 -- well, you're starting with 120 in storage, but 45 of that you can get out at full storage. So you've really got about 150 gallons a day on that small station that you can draw before you get in -- I mean, that's -- you're talking almost 20 vehicles that day at four gallons a piece. If you're talking bigger trucks, that's where you start getting into problems.

And that's why we started looking at the bigger stations.

LEG. LOSQUADRO:

The LNG, right.

MR. DARLING:

LNG is the way to go for the big fleet, yes.

LEG. LOSQUADRO:

Right. Especially like you were saying for over the road type uses.

MR. DARLING:

Even the large dump trucks. Filling a CNG, if you've got to fill 40 gallons, it's going to take a while.

LEG. LOSQUADRO:

Well, how many gallons will one of those care packs hold on the -- on, like, the plow trucks you were showing us.

MR. DARLING:

Thirty-six.

LEG. LOSQUADRO:

Thirty-six. Okay. Thank you.

CHAIRMAN BEEDENBENDER:

Legislator Romaine.

LEG. ROMAINE:

Yes. I had an opportunity to attend a seminar called Going Green that was put on by the Hauppauge Industrial Association today. And there were a number of speakers, and one of them

spoke about propane. And the interesting said about propane, liquid propane, is that as opposed to CNG, natural gas, you can use about 20% of the volume that you put into a vehicle. And it's also put under far greater pressure to get it into that vehicle than propane where you can use 90% of that volume to propel a vehicle. And the comparison, of course, was far cheaper for propane than natural gas and that propane burned cleaner than natural gas. And I was kind of surprised at that -- hearing that.

And someone asked, "You know, what about the range?" He said, "Well, you can get, you know, 300, 400 miles no problem." And he said, "I brought a number of trucks," the gentleman was from a propane company, he powers all of his trucks by propane -- "I brought a couple of trucks down in North Carolina. I flew my drivers down. They had no problem getting back," because guess what? You don't have to build an infrastructure. And infrastructure is already there. Anyone that sells bottled propane for your backyard barbecue is -- the same type of pressure is required to fill the propane vehicle. And natural gas is a far more expensive way to go because you have to build an infrastructure which you don't have to build for propane. And his drivers had no problem filling up and coming back to Long Island from North Carolina. And he just made that point. I don't know if the State has examined propane, liquid propane.

MR. DARLING:

We have looked at propane, and I will tell you that some of the statements he made were incorrect.

LEG. ROMAINE:

Okay. I've asked him to this committee next month because I want him to say those statements on the record. It always seems that the light of day helps in terms of factual content.

MR. DARLING:

I can tell you, I own a natural gas vehicle myself, private vehicle. And I can drain that down to empty, which you can't even draw with a gasoline vehicle. I can draw it down to --

LEG. ROMAINE:

No. But what he's saying -- of course you can draw it down to empty, but you can only use -- 20% of the volume is used for propulsion where 90% of the volume of propane is used for propulsion. And there's waste in using natural gas.

MR. DARLING:

We're actually seeing a 15 to 20% mileage increase on natural gas across the fleet.

LEG. ROMAINE:

Well, I'll invite you back, because the Chairman was kind enough to allow the gentleman ten minutes at our next committee meeting to make his presentation. So if you want to come back next month on the 24th, you can hear Mr. Lockland explain the benefits of propane.

MR. DARLING:

The advantage is the infrastructure. He's right there. And, you know, if you're going to do it, you've to, like I said, bite the bullet and do it or don't do it at all.

LEG. ROMAINE:

Okay. Thank you.

CHAIRMAN BEEDENBENDER:

Legislator Horsley.

LEG. HORSLEY:

Hi, Joe. How are you doing? Very good report by the way. Is it possible that I could get a hard copy of your report? Is that something that's available?

MR. DARLING:

Sure. I can send it to you. You want it on e-mail?

LEG. HORSLEY:

That's fine.

CHAIRMAN BEEDENBENDER:

If you could send it to the committee, that would be fantastic. Thank you, Mr. Darling. Legislator Stern.

LEG. STERN:

Maybe I missed it, but who are the major manufacturers?

CHAIRMAN BEEDENBENDER:

I don't think your mike is on Legislator Stern.

LEG. STERN:

Manufacturer or manufacturers?

MR. DARLING:

Right now, the primary light-duty manufacturer is Honda. I have been called by Toyota. They plan on introducing the Camry very soon to the fleet market. They're also interested in the public market, but they will start with the fleet market. General Motors and Ford were both producing pickup trucks and vans a couple of years ago. When they started falling on hard times, they started backing out started moving toward the ethanol because it's much cheaper for them to produce an ethanol vehicle.

But I read a thing the other day where AT&T is placing a single order for 8000 vehicles on natural gas, and that's going to drive General Motors and Ford back to the business real soon. That's what you need. You need volume. They recognize New York State for it's leadership, but they said, "You know, we just can't sell enough vehicles to New York State to justify us producing us producing the vehicles. So hopefully with AT&T and others getting interest in this we're going to be able to get bigger vehicles.

Right now, we're dealing with a dealer in Monticello, New York, who has General Motors' approval to produce natural gas vehicles for us. They will take the vehicles off the assembly line as gasoline vehicles and convert them to natural gas. There's an up-charge associated with that. And with the Federal stimulus money we will probably be moving forward with ordering some number of vehicle this year.

The biggest thing that we're concentrating on right now is our large trucks, our snow plows. We're getting interest from truck suppliers that we've never had interest from before. Kenworth is coming in and talking to us. They've never sold a State truck before. Western Star Freightliner, they've never sold trucks to the State of New York or to a town or county. But now that we're talking about this natural gas and this LNG option -- Kenworth and Freightliner are selling a lot of vehicles to the Port of Los Angeles under a mandate that they have in LA for the port out there -- so Kenworth came in and said, "We would like to sell you an LNG truck, and we can make it cost effective and compete with the competition on diesel fuel." So we're going our for bid hopefully within the next week or two. And I'm looking forward to seeing some real competitive bids on the natural gas side this time.

LEG. STERN:

For the average consumer, not necessarily government or a large organization, but for the average consumer, you familiar with the available tax incentives?

MR. DARLING:

For the general consumer, the only one right now is Honda that will sell the general public a vehicle.

LEG. STERN:

And what the tax incentive would be?

MR. DARLING:

The Honda Civic, the tax incentive is about \$5000 on the car. And they tend to mark it up that \$5000 so that you get it for the same price as the gasoline vehicle. But where you're saving money is on the gas in the long run.

LEG. STERN:

Right.

MR. DARLING:

And the mileage is really significant. Like I said, I drive one. I routinely get 46 to 47 miles per gallon on the highway running legal speeds.

LEG. LOSQUADRO:

What cost? I am sorry to interrupt. That MPG, but at what cost per gallon of fuel?

MR. DARLING:

I fill up in my driveway. I have a fuel maker attached to my house. And I pay about 90 cents a gallon. If I go commercial, it's about a dollar ninety right now, I think.

LEG. STERN:

Lastly, are there any differences in insurance requirements?

MR. DARLING:

No.

LEG. STERN:

None.

MR. DARLING:

Actually, natural gas is safer than gasoline and diesel fuel. If you have a problem with a leak of natural gas, it's going to dissipate to air because it's so much lighter than air. And that's different than propane. Propane is going to stay close to the ground, it's going to puddle. If you talk to anybody that's involved in Fire Services, they'll tell you that natural gas is much safer than any of the other fuels. That's why you heat your house with natural gas and not other fuels.

LEG. STERN:

Thank you

CHAIRMAN BEEDENBENDER:

Thank you, Mr. Darling. Okay. We will move to the agenda. I apologize for the several presentations, but they were things that got put off a couple of times, so I'm glad that we got them done. All right.

All right. We are up to Introductory Resolutions.

IR 1123, Adopting Local Law No. -2009, Amending Local Law No. 53-2008, to provide parking for "clean pass" vehicles at County facilities. (Horsley) I think this has to be tabled for a public hearing.

LEG. STERN:

Yeah. Motion to table.

CHAIRMAN BEEDENBENDER:

Motion to table by Legislator Stern, seconded by myself. All in favor? Opposed? Abstentions?

TABLED (VOTE: 5-0-0-0)

IR 1129, Approving maps and authorizing the acquisition of lands together with Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure Law, in connection with the acquisition of properties for the construction of right turn lanes, C.R. 3, Wellwood Avenue, Town of Babylon, Suffolk County, New York (CP 5521). (Co. Exec. Levy)

LEG. STERN:

Motion to approve.

CHAIRMAN BEEDENBENDER:

Motion to approve by Legislator Stern, seconded by Legislator Losquadro. All in favor? Opposed?

Abstentions? **APPROVED (VOTE: 5-0-0-0)**

IR 1130, Approving maps and authorizing the acquisition of lands together with Findings and Determinations pursuant to Section 204 of the Eminent Domain Procedure Law, in connection with the acquisition of properties for the intersection improvements on C.R. 100, Suffolk Avenue and Brentwood Road/Washington Avenue, Town of Islip, Suffolk County, New York (CP 5065). (Co. Exec. Levy) I'm not going to read the title. Do I have a motion?

LEG. STERN:

Motion.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Stern, seconded by myself. All in favor? Opposed? Abstentions? **APPROVED**

(VOTE: 5-0-0-0)

IR 1139, Adopting Local Law No. -2009, A Local Law to ensure safe operations of helicopters. (Romaine) This must be tabled for a public hearing.

LEG. STERN:

Motion to table.

LEG. ROMAINE:

Motion to table.

CHAIRMAN BEEDENBENDER:

Motion to table by Legislator Romaine, and I will second it, Legislator Romaine. In advance of Tuesday, I say thank you. And that's with sarcasm. **TABLED (VOTE: 5-0-0-0)**

IR 1154, Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 11 - Selden with the owner of Royal Health and Racquet Club, Inc. (BR-1565). (Co. Exec. Levy) Gil, this one was phased-in -- this was -- got conceptual approval under the old rate structure, right?

COMMISSIONER ANDERSON:

Correct. It's grandfathered in at 15 gallons -- \$15 a gallon.

CHAIRMAN BEEDENBENDER:

Just a question quickly. I know I looked at this real quickly. It says "Sewer District - Selden," which

it's not in Selden, it's in Coram, and it serves almost all people that are in Coram. Where is this racquet club?

LEG. ROMAINE:

The Royal Club, north side of 25.

LEG. LOSQUADRO:

It's not called Royal anymore. It used to be Royal Racquetball. I believe it's now -- hold on one second -- Planet Fitness. That's the location.

CHAIRMAN BEEDENBENDER:

Okay. I remember the Royal that was on Portion. And I was going to say this is nowhere near that, but okay. Fantastic. If there's no other questions, I'll offer a motion to approve.

LEG. LOSQUADRO:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 5-0-0-0)**

IR 1155, Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 11 - Selden with the owner of Sons Coram, LLC (BR-1599). (Co. Exec. Levy) And this one -- Gil, this is under the new fee.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Okay. If there are no other questions, all in favor? Opposed? Abstentions? IR 1155 is **APPROVED (VOTE: 5-0-0-0)** Same motion, same second, same vote.

IR 1156, Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 13 - Windwatch with the owner of Islandia Village Center (IS-1602). (Co. Exec. Levy) This is 106,000 gallons a day. And this was the agreement that we discussed earlier with Motor Parkway Associates. We had approved the resolution previously about this, right?

COMMISSIONER ANDERSON:

Right.

CHAIRMAN BEEDENBENDER:

And this is just the second half. Okay. Are there any questions?

LEG. STERN:

That agreement was that they're expanding the gallonage at its own cost and there's no cost or additional cost to the users, correct?

COMMISSIONER ANDERSON:

Their fee basically goes to help pay for the expansion, correct.

CHAIRMAN BEEDENBENDER:

Okay. All in favor? Opposed? Abstentions? Same motion, same second, same vote. **APPROVED (VOTE: 5-0-0-0)**

IR 1179, Amending the 2009 Capital Budget and Program and appropriating funds in

connection with strengthening and improving L.I.E. Service Roads under the National Economic Recovery Act (New CP 5127). (Co. Exec. Levy)

LEG. LOSQUADRO:

Motion to approve and place on the Consent Calendar -- I'm sorry.

CHAIRMAN BEEDENBENDER:

Motion to approve by Legislator Losquadro, I'll second the motion. If there are no questions, all in favor?

LEG. ROMAINE:

Quick question.

CHAIRMAN BEEDENBENDER:

Go ahead, Legislator Romaine.

LEG. ROMAINE:

This is part of the stimulus?

COMMISSIONER ANDERSON:

Yes, it is.

LEG. ROMAINE:

So we are getting stimulus money this early?

COMMISSIONER ANDERSON:

Yes. Well, we're in the process of getting it. We've submitted it through NYMTEC. NYMTEC sent it up to the Governor's Office. It's in the process of being --

LEG. ROMAINE:

But just as there is stimulus money for transportation -- this is a rhetorical question, I don't expect an answer to -- surely there's stimulus money for other operations of County Government; for employee retention, for example. Because I know employee retention is a big factor in President Obama -- he went out to Cleveland so those new cops could be hired. Employee retention is a big factor. I hope our County's getting its fair share of stimulus for other ends besides transportation, such as employee retention. Thank you.

COMMISSIONER ANDERSON:

We have been directed to explore every nook and cranny to make sure no dollars get --

LEG. ROMAINE:

It's not your department.

CHAIRMAN BEEDENBENDER:

Okay. If there are no other statement on the motion, all in favor? Opposed? Abstentions? IR 1179 is **APPROVED (VOTE: 5-0-0-0)**

IR 1180, Amending the 2009 Capital Budget and Program and appropriating funds in connection with intersection improvements on CR 19, Patchogue-Holbrook Road to Old Waverly Avenue, Town of Brookhaven (CP 5040). (Co. Exec. Levy) I will make this motion. And actually, could the Clerk list me as cosponsor on this, please? Do I have a second?

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. All in favor? Opposed? Abstentions? IR 1180 is **APPROVED (VOTE: 5-0-0-0)**

IR 1181, Appropriating funds in connection with strengthening and improving County roads (CP 5014). (Co. Exec. Levy) This is five and a half million dollars for road improvements throughout the County. I will make the motion. Do I have a second?

LEG. STERN:
Second.

CHAIRMAN BEEDENBENDER:
Seconded by Legislator Stern. All in favor? Opposed? Abstentions? IR 1181 is **APPROVED (VOTE: 5-0-0-0)**

IR 1183, Appropriating funds in connection with the application and removal of lane markings (CP 5037). (Co. Exec. Levy) This is \$300,000 in Capital Budget funds for lane markings. I will make a motion to approve.

LEG. LOSQUADRO:
Second.

CHAIRMAN BEEDENBENDER:
Second by Legislator Losquadro. All in favor? Opposed? Abstentions? IR 1183 is **APPROVED (VOTE: 5-0-0-0)**

IR 1184, Appropriating funds in connection with the reconstruction of drainage systems on various County roads (CP 5024). (Co. Exec. Levy)

This is half a million dollars for the reconstruction of drainage systems. I will make a motion to approve, seconded by Legislator Stern. All in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0)**

IR 1185, Amending the 2009 Capital Budget and Program and appropriating funds in connection with the County share for reconstruction of CR 57, Bay Shore Road from Route 27 to Route 231, Town of Islip (CP 5523 PIN 0756.69). (Co. Exec. Levy)

LEG. STERN:
Motion.

CHAIRMAN BEEDENBENDER:
Motion by Legislator Stern, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? IR 1185 is **APPROVED (VOTE: 5-0-0-0)**

IR 1186, Appropriating funds in connection with the reconstruction of CR 4, Commack Road, from the vicinity of Nicolls Road to Julia Circle, Towns of Babylon and Huntington (CP 5560). (Co. Exec. Levy)

LEG. STERN:
Motion to approve.

CHAIRMAN BEEDENBENDER:
Motion to approve by Legislator Stern, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? IR 1186 is **APPROVED (VOTE: 5-0-0-0)**

IR 1196, Appropriating funds in connection with intersection improvements on CR 19,

Patchogue-Holbrook Road at Furrows Road (CP 5128). (Co. Exec. Levy) I'll make a motion to approve, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? IR 1196 is **APPROVED (VOTE: 5-0-0-0)**

IR 1197, Appropriating funds in connection with improvements to County environmental recharge basins (CP 5072). (Co. Exec. Levy) This is \$250,000. I will make a motion to approve.

LEG. LOSQUADRO:
Second.

CHAIRMAN BEEDENBENDER:
Seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? IR 1197 is **APPROVED (VOTE: 5-0-0-0)**

IR 1201, Directing the Department of Public Works to hold public hearings on new bus fares in order to implement Sunday bus service. (Schneiderman).

LEG. SCHNEIDERMAN:
I can't make a motion.

LEG. ROMAINE:
Motion to approve.

CHAIRMAN BEEDENBENDER:
Motion to approve by Legislator Romaine.

LEG. HORSLEY:
Second for the purposes of discussion.

CHAIRMAN BEEDENBENDER:
Seconded by Legislator Horsley. Legislator Schneiderman, would you like the first crack on the motion?

LEG. SCHNEIDERMAN:
Yes, thank you.

CHAIRMAN BEEDENBENDER:
Do you want to talk?

LEG. SCHNEIDERMAN:
I think you heard my testimony earlier in terms of how important I believe bringing Sunday bus service in now and not waiting until some future year. We've had a study that concluded that Sunday bus service is needed. I've been waiting six years for this. Right now we have not been able to identify State or Federal funding to do it. I certainly would be willing to rollback any fare increases if those funding sources come available. But what the riders are telling me overwhelmingly is that if, you know, they would be willing to pay the 50 cent more because they're going to save that in terms of their savings on Sundays not having to pay for taxis.

So I think -- what all this bill does, it doesn't actually increase the fares, it allows for a public hearing so that the riders can be heard on whether they would accept a higher fare in exchange for Sunday service. And then for the Commissioner for the department to implement with the additional money, Sunday service to the greatest extent that could be done for that additional revenue that would be collected.

So it really just allows for a hearing on the matter and then it leaves it to the Commissioner to make

the final determination as to whether to move forward or not.

CHAIRMAN BEEDENBENDER:

Thank you, Legislator Schneiderman. I guess I see it a little bit differently from the sense that, yes, it does allow the hearing, but if we empower the Commissioner to do it, it doesn't come back to us for approval. So I also see this as me giving consent to the increase in the fee.

And I guess my first question to BRO, I know the fiscal impact statement says that there's no impact associated with the resolution. I guess, is there any idea how much this would generate? Because if I'm -- if we approve this resolution, we give DPW the right to have the hearings and approve the increase if you so desire. Do we think that this could recoup enough money to pay for Sunday service?

COMMISSIONER ANDERSON:

No, we don't.

LEG. SCHNEIDERMAN:

Not for all of Sunday service.

COMMISSIONER ANDERSON:

Again not for all of Sunday services based on the estimate that we've put together, we, you know, estimate a net cost to the County in lieu of revenues that would be received of about 2.136 million, which means we can --

CHAIRMAN BEEDENBENDER:

Wait, I'm sorry, Gil, if I -- a cost to the County?

COMMISSIONER ANDERSON:

It's our cost to the County, in addition to revenue -- okay. The service cost to do the program as outlined for all the -- all the -- what is it 24 of the 50 bus lines.

CHAIRMAN BEEDENBENDER:

The 24 that were recommended in the interim report.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

And that would cost what?

COMMISSIONER ANDERSON:

4.159 million.

CHAIRMAN BEEDENBENDER:

Okay.

COMMISSIONER ANDERSON:

Okay. Fare revenues due to the increase itself would be about 1.46 million. And then fare revenues for the Sunday service from those 24 lines would be \$562,000. So subtracting the 1.46 and the .562 you come up with 2.1369 and I can get you all that information. Effectively --

CHAIRMAN BEEDENBENDER:

So, from DPW you think we're about \$2 million short.

COMMISSIONER ANDERSON:

Short, right. Now if we were --

LEG. SCHNEIDERMAN:

Even with the ferry.

CHAIRMAN BEEDENBENDER:

Yeah.

COMMISSIONER ANDERSON:

To basically make -- to basically provide the services for the revenues that we would be receiving, we would be knocking down to -- at the most we could get would be eight lines that would be able to be served. So now how do we choose the -- yeah, this is where it gets kind of confusing.

LEG. SCHNEIDERMAN:

Well, this would be at your discretion. But it could be either eight lines or it could be more lines but shorter hours per day, not as many bus trips per day.

COMMISSIONER ANDERSON:

Correct. And again, you know, I understand the need and we're not arguing the need for the service, it's just that, again, I would argue that to hold for the overall report. I mean it's --

LEG. SCHNEIDERMAN:

Right. It basically creates a pot of money to be used for Sunday service to the greatest extent.

COMMISSIONER ANDERSON:

Right.

LEG. SCHNEIDERMAN:

And it may be only parts of the year. Maybe it would not be a full year maybe it would be a seasonal service. There's all kinds of ways you could approach the issue.

CHAIRMAN BEEDENBENDER:

Well, I -- Legislator Schneiderman, I understand especially in your district the need for Sunday service and it's County-wide, but I know that there's a acute need in your district.

I guess, my concern with if we put this forward and it was eight lines or what-- I think that's what you just said, Commissioner, I think if the systems going to be open it has to be the whole system. I think opening it up piecemeal is difficult because then, yes, you would have Sunday service, but perhaps you couldn't get where you need to go. The connections might not be available.

And I think what I would prefer, if we were going to go that route, which I don't think is the best route, I think as a Legislature, we should direct how that happens. I know -- and normally I stay away from micromanaging the transit system, but if we're going to choose to open up part of it, I think we should have more input than this would allow.

COMMISSIONER ANDERSON:

If I can, I can also attest that last week the County Exec had the *We Work for you in Smithtown* and I had a number of residents that actually did come up to me and they were concerned with this legislation that if -- you know, if you're -- if you're line that you use frequently isn't being increased to receive Sunday service or, you know, you're one of the ones that's going to be opted out, they don't want to pay the increase and that's, you know, where you're going to have some issues. So, you know, and I again, I would argue to hold off till we get the --

LEG. SCHNEIDERMAN:

Right. Well, that's the idea of allowing for Public Hearing so that you can have all those voices heard. And if, you know, if the Legislature -- you know, I understand what my colleague, Legislator Beedenbender, is saying that we don't get another shot in the way that this bill is written. You

know, that's something, you know, I'd be willing to go back and revise the bill to have it come back to us. That's a possibility.

CHAIRMAN BEEDENBENDER:

Well, I was going to suggest that, Legislator Schneiderman, I -- I don't have a problem with voting to have a Public Hearing and getting the input. But at this point, I'm not really in a position where I want to support the fare increase. I will support having the hearing, but I think, you know, a lot of my feedback, I'm not -- I don't ride the bus. So if a majority of people say if this got us where we needed to go then I'd be willing to consider it. So I guess, what I could tell you is if it was amended to just have the hearing and then have to come back to us for authorization for the increase, I'd be willing to support it.

LEG. SCHNEIDERMAN:

Okay. And I'm just a little bit worried about timing in terms of getting a Sunday bus for this summer --

CHAIRMAN BEEDENBENDER:

Okay.

LEG. SCHNEIDERMAN:

-- which is what I'm shooting for. And I, you know, once -- if it gets tabled here today, it's a shrinking possibility. And that's what my concern is.

COMMISSIONER ANDERSON:

I mean, if the decisions going to be left on the shoulders on the Commissioner, I mean, it would be my knee-jerk reaction after hearing the thing, honestly to hold off until we have the report done, you know, I mean, you're either asking for -- you mean, it's a difficult decision to make whether you do implement all 24 for, I guess, what 350, you know, 350.

LEG. SCHNEIDERMAN:

Right. You'd have to look at that pot of that \$1.6 million and figure out to what -- what would be the best most effective Sunday service that could be provided for that limited amount of money. I'm basically leaving it up to you.

And now I think what Legislator Beedenbender is saying is we figure out a plan, come back --

COMMISSIONER ANDERSON:

Make a recommendation.

LEG. SCHNEIDERMAN:

-- to us and say make a recommendation and let us do the final approval.

Counsel, from a timing perspective, how does -- we don't meet again for what another month, is that --

MR. NOLAN:

Yeah, I think the next meeting is towards the end of April. And the only thing I'll --

LEG. SCHNEIDERMAN:

And if it were discharged without recommendation could -- is there no opportunity to modify this between now and the meeting?

MR. NOLAN:

Only by a CN.

I'll also mention that every time we've increased fares it's been done this way. I'd have to determine if it -- we could put a mechanism where it'd be -- it would actually come back to us because we've never done it that way. But that would be something I'd look at if we're going to do an amended version.

COMMISSIONER ANDERSON:

Do you mean that it's generally left to the discretion of the Commissioner?

MR. NOLAN:

Every one of these, we went back and looked at these resolutions, it's always done this way. I'm not exactly sure why, but we'll find out.

LEG. SCHNEIDERMAN:

Brian, does that change your feelings at all or this is traditionally that way it's done?

CHAIRMAN BEEDENBENDER:

Well no, it doesn't. That's not true, Legislator Romaine, I have good hearing. What's the motion that we have before us, Renee? We have a motion to approve. All right, I'm going to offer a motion to table.

LEG. STERN:

I'm going to second just to discuss.

CHAIRMAN BEEDENBENDER:

Legislator --

LEG. STERN:

Just to discuss.

CHAIRMAN BEEDENBENDER:

Yeah.

LEG. SCHNEIDERMAN:

What about discharging without recommendation?

LEG. STERN:

Legislator Schneiderman's question to Legislator Beedenbender was whether or not it changes his mind in anyway. I would say for me it actually does change my mind in the other way, to say that it seems, correct if I'm wrong, Gil or Counsel, that by moving this legislation today we are also offering up not just an opportunity for the public to be heard but also sanctioning the possibility of a fare increase.

CHAIRMAN BEEDENBENDER:

Correct.

LEG. STERN:

You know, I'd like to see, like you, I would like to hear feedback from the public to allow us the opportunity to determine -- I don't think anybody disputes the fact that Sunday bus service is needed particularly, you know, out there on the East End. How do we get there and who pays I think is the question. I don't know if that's the way it's always been done, but if that's the way it's always been done, I don't know if I necessarily agree with the way it's always been done. Perhaps we should be looking at a different procedure to allow the public the opportunity to be heard, come back with that -- with that quantifiable data and then make a decision going forward.

I understand that, you know, the season is quickly approaching. But I don't know in its current form it's something that we should be supporting. Maybe it's an amendment, it comes back around, let's

the Public Hearing pretty quickly and proceed from there. But I would like to see that as the order of procedure that we follow.

CHAIRMAN BEEDENBENDER:

All right. Was there a second to the tabling motion?

CHAIRMAN BEEDENBENDER:

Legislator Stern, okay. Do we have any further comments? Legislator Schneiderman.

LEG. SCHNEIDERMAN:

Just I don't want to -- again, it's just a timing issue and think Counsel has to review whether we can do it that way, you know, I'm certainly willing to modify the resolution to allow for that extra step.

LEG. STERN:

Because I think we -- we all agree that we want to support the idea of allowing the public out on the East End and others to be heard and give you and others, you know, their feedback on what they would be willing or able to do, what's going to be most helpful to them. But I think that if there is going to be this fare increase that it should be something that we have the ability to determine.

LEG. SCHNEIDERMAN:

The only thing I would ask of the Commissioner is to maybe start working up a concept of knowing what the types of revenues could be that 1.6 million, to what extent Sunday service could be delivered because if we are going to have a Public Hearing I think the public has a right to know what in fact they'd be getting for extra 50 cents in fare. So -- that's it.

LEG. STERN:

I have a quick question before we're done. Commissioner, the cost -- first of all, the type of cost that we're talking about for the type of service or services that would be covered under this bill, does that include SCAT as well as bus? So it's all modes?

COMMISSIONER ANDERSON:

Yes. It has to by law.

LEG. STERN:

I think that -- I agree. The estimate, I just rounded down numbers, but I think you said \$4 million?

COMMISSIONER ANDERSON:

Uh-huh.

LEG. STERN:

Can you compare that \$4 million to the previous \$13 million figure that you had mentioned before? Where is the difference? Is this -- this is just focusing on this type of service that would be offered out on the East End. And where do you get that, you know, that substantial difference in cost?

MR. SHINNICK:

The current -- the \$4 million is based upon the 24 bus lines that are included in the report at basically a ten hour day, eight a.m. to six p.m. The previous numbers were for all of Saturday service currently being included as a Sunday service operation. It's considerably more hours involved of the service as well as during the weekday there were extended hours of the regular bus lines.

Once again, this is the entire system. And as I said, the Saturday service for the previous one was the entire bus system, not just 24 bus lines.

LEG. SCHNEIDERMAN:

Just as a point. I don't think that 8:00 a.m. for a Sunday, I don't think you really need to start the

bus that early. So there might be some savings there. It's something worth looking at. Also, the Cherwony Study did recommend shutting down a couple of lines. And I don't know if anybody analyzed what the savings would be for those -- you know, for those measures and if some of that -- those savings could be used to help supplement the Sunday service as well.

COMMISSIONER ANDERSON:

Again, that's why I've been recommending to hold for the final -- yeah, because all that information is going to be developed by Cherwony in their final report, so.

LEG. SCHNEIDERMAN:

Right. I've been waiting a long time on this one.

COMMISSIONER ANDERSON:

I understand that, yes. Yes, there's no question.

CHAIRMAN BEEDENBENDER:

Do you have any further comments? Okay. The tabling motion takes precedence. All in favor? All opposed?

LEG. ROMAINE:

Opposed

LEG. LOSQUADRO:

Opposed

CHAIRMAN BEEDENBENDER:

Opposed, Legislator Romaine and Losquadro. The motion is **TABLED (VOTE: 3-2-0-0 - Opposed; Legis. Romaine and Losquadro)**

Having no other business before the committee, we are adjourned.

(*THE MEETING WAS ADJOURNED AT 4:32 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY