

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, May 5, 2009.

MEMBERS PRESENT:

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

ALSO IN ATTENDANCE:

Presiding Officer Lindsay
George Nolan- Counsel to the Legislature
Gil Anderson - Commissioner - DPW
Bob Shinnick - Department of Public Works
Renee Ortiz - Chief Deputy Clerk - SC Legislature
Ben Zwirn - Deputy County Executive
Debra Alloncius - AME
Stephen Jones - Suffolk County Water Authority
Herman Miller - Suffolk County Water Authority
Stan Carey - Suffolk County Water Authority
Steve Burns - Suffolk County Water Authority
Tim Kilcommons - Suffolk County Water Authority
Jennifer Ostrager - Cablevision
Joan Gilroy - Cablevision
Patrick MacElroy - Cablevision
F. Jeanne Anzalone - Resident
Thomas J. Fox - Resident
Dennis Krulder - DAV Transportation
All Other Interested Parties

MINUTES TAKEN BY:

Donna Catalano - Court Stenographer

MINUTES TRANSCRIBED BY:

Kim Castiglione, Legislative Secretary
& Alison Mahoney, Court Stenographer

(THE MEETING WAS CALLED TO ORDER AT 2:23 P.M.)

CHAIRMAN BEEDENBENDER:

All right. We're going to get started here. If everyone could please rise for the Pledge led by Legislator Horsley.

(Salutation)

Okay. Thank you very much. We're going to start this morning with the cards. The first speaker I have is Thomas Fox. Mr. Fox. If you could come up to the podium, Mr. Fox. I guess he filled out a card, too.

MR. KRULDER:

Yes.

CHAIRMAN BEEDENBENDER:

Perfect. So you must be Dennis. Come on up, Dennis. Dennis Krulder. Go ahead, sir.

MR. KRULDER:

First, let me thank you for allowing me to come before you. I am a member of the Disabled American Veterans and I run the DAV Transportation Program at the Northport VA Medical Center. In the last year we have transported 70,000 patients. Of that 60 -- 65% of them were from Suffolk County. The reason why I am here is that we were given a grant some time ago by Congressman Isreal to purchase handicapped accessible vans and what I'd like to do is you are going to have a proposal before you in a little while about two handicapped accessible vans to be purchased this year. We're going to ask you, Legislator Cooper, Browning, and I may say this name wrong, Beedenbender.

CHAIRMAN BEEDENBENDER:

It's okay, sir.

MR. KRULDER:

We are going to ask you to table that because of, you know, the 10% that the DAV has to pay. Some of my volunteers, my transportation program is run completely by volunteers. No one gets paid. We purchase our vans through donations from the public and from other veterans organizations. This year we will be purchasing eight brand new 12 passenger vans to transport the patients in Suffolk County to the VA Medical Center. And of course eventually when we do purchase the two handicapped accessible vans they will also be used in Suffolk County to transport. We will be spending \$191,000 on the vans that we are purchasing. Right now, as you can see, money would be a little tight for us, so we're asking that that be tabled at this time.

CHAIRMAN BEEDENBENDER:

The match is about \$6,000 a van.

MR. KRULDER:

Yes.

CHAIRMAN BEEDENBENDER:

Roughly. So it's about \$18,000 that the DAV would normally be required to come up with, correct?

MR. KRULDER:

Yes.

CHAIRMAN BEEDENBENDER:

The last conversation I had with Legislator Cooper's office, we don't have the answer yet. We're working to find it. Obviously things are tight for us, too, but I would hope that for something like this we could find \$18,000 in a two and a half billion dollar budget. But where it's coming from yet we don't know. So we were going to table it today in hopes that between now and the next meeting we can find the offset for that money to allow -- to take up the 10% that you guys simply can't put up to make sure that you can get the vans and still provide the service. All right?

MR. KRULDER:

Yes. That's why they asked me to come and ask you to table that, so.

CHAIRMAN BEEDENBENDER:

Thank you. I appreciate that.

MR. KRULDER:

I appreciate that. Again, I thank you for allowing me to come and speak before you.

CHAIRMAN BEEDENBENDER:

Mr. Fox, did you want to speak?

MR. FOX:

No, thank you.

CHAIRMAN BEEDENBENDER:

No problem.

MR. KRULDER:

Thank you very much. Have a great day.

CHAIRMAN BEEDENBENDER:

Thank you, sir. The next card -- the first name is Jeanne but I can't read the last name.

MS. ANZALONE:

Anzalone.

CHAIRMAN BEEDENBENDER:

Jeanne Anzalone. I should know that. This is your third time here. I should remember that by now. Please come up, ma'am.

MS. ANZALONE:

Thank you very much for the opportunity to address this committee. I have spoke prior and my lead in statement was I give you gentlemen as a committee accolades for addressing the bus service on Sunday. I had stated that it has been a blessing to my family and my children. My husband is long-term in Infinity Nursing Home in Oakdale and we've had the opportunity, and I personally have used SCAT. But not alone that, I have many friends that use the regular transportation. This encompasses 110 to the East End. I am here to state I realize that there are a lot of constraints which we're facing. We're facing a rough time with money, but I would like to respectfully request that the central section of Suffolk County would be addressed, not only the East End. But there are a lot of usage and awareness in central Suffolk County. This is why I'm requesting this.

Again, I enjoy coming here. I have spoken to a lot of people. I'm a senior citizen. I am very active in the community. In fact, when I was 31 years old, gentlemen, I ran for the position that you are now sitting in. I lived at 461 Atlantic Street, East Northport. I do know where you are coming from and I compliment you, but the people are saying, "Jeanne, this is not going to happen". I can bring the public here, possibly one, two, or three people, but the interest is growing. I would like to just state that and it is a wonderful opportunity that here, I'm a senior citizen and I'm addressing this committee. I again thank you for your time and please take my comments under consideration.

CHAIRMAN BEEDENBENDER:

Thank you very much, Ms. Anzalone. Okay. The first thing we have on the agenda today, I have invited Steve Jones and the Water Authority to come and speak to us. As many of you know, Legislator Eddington and I have cosponsored a bill that we recently passed regarding private -- hydrants on private communities that are maintained by private entities. But it occurred to me that the vast majority of the hydrants are public hydrants. So now that we've kind of Legislatively addressed how those private hydrants are maintained, I thought it would be a good opportunity for the Water Authority to come and share with us how the public hydrants are maintained, the schedule and things like that so we have some comfort level in being able to discuss that and share that with our constituents. So, Steve, thank you very much for coming. I understand you have a Power Point, and take it away.

MR. JONES:

Thank you very much. Let me go quick through the presentation for you about the hydrants. We have about 36,000 hydrants, most of them are public hydrants and we do have private hydrant agreements as well. The public hydrants are located along the streets in our neighborhoods, and of course there are a lot of factors that can influence the flow of a hydrant. It could be somebody with a hydrant permit from hooking up, like a landscape truck or something like that. It could be a fire department doing some drills. There are a variety of things that can affect the flow of hydrants on public streets.

With private hydrants we maintain about 1800 of these throughout the County and many of them are located inside shopping malls, condos, industrial properties or schools. Our hydrant agreements, as everybody found out over the wintertime with those two tragic fires that we had, our private hydrant agreements only say that we repair, we replace and we maintain. We don't do flow testing, and of course if there are booster pumps involved in the system that can have a dramatic impact as well.

So quickly, how the water system works. Basically we pump water out of the ground from wells. We might treat it with carbon a little bit. We take it into a treatment room and put some lime to change the PH and add a little chlorine to disinfect the distribution pipes on the street. We may have elevated water storage tanks. We have 62 of these. These, believe it or not, are solely -- principally for the purpose of maintaining pressure when there is high demand. It will keep the pressure. So that's generally the kind of set up that we have at many of our pump stations.

We have our distribution system. We design it, customers apply it for service. We will do flow tests in the area to determine what is adequate additional supply. With very large projects, like say the Central Islip hospital conversion and the upcoming Pilgrim State Hospital conversion, we will work with developers because there is such a tremendous change in demand that we have to make sure our system is properly balanced. So at the end of the line we like to have 500 gallons a minute at 20 pounds per square inch, and of course the available water closer to our pump stations we do have more.

So quickly, here is a kind of a situation where elevation does matter. We can have our well field here and are pulling water up out of the ground. As you go up the hill we can have 48 pounds per square inch and 650 gallons a minute, and then as you are going downhill the pressure increases and the available flow increases as well. So that elevation difference is absolutely crucial.

We have a maintenance program. We have five full-time hydrant inspectors. Four of those are unions employees. We have seven full-time hydrant mechanics who are union employees. Our hydrants are inspected generally on a ten month cycle and then we report them out of service. We have a benchmark to see that we can get them back into service within 24 hours.

We have what is called a SCDA system, Supervisory Control and Data Acquisition. This was very important with the Central Islip fire. The fire department called us, as we want them to do when there is a major fire. We were able to turn on an additional well nearby, at one of our pump stations

nearby so we could provide additional water specifically for the fire. That is what our SCDA room looks like down at Bay Shore.

So, again, going back to a situation if we have level ground here and we are getting water out of the well field, we're putting it up in the air to balance out the demand pressures. Our hydrant here may have 87 pounds and then if it is level ground the private hydrant will also have 87 pounds. However, when you go to a hillside situation where you have the well field down here kind of at the bottom of the hill, we can have 77 pounds at our hydrant, and as you work your way up the hill the pressure would go down to 34 pounds.

There's still additional investigation going on Village in the Woods. This is a difficult thing for you to see, unfortunately, but this is CR 83, North Ocean Avenue. Village in the Woods is this development right here. The elevation, which is hard to see on here, is 120 feet above sea level at the entrance to this apartment complex. The fire was up here on the top of the hill, 100 feet high elevation, 200, so that was partly, we believe, what was the problem there in that particular situation was the elevation difference, although there still remains to be seen some additional investigation that has to take place on that.

This development also had a booster pump to aid with the boosting of pressure as the water was going up the hill.

The testing and flow is crucial as we discussed with all of you as you were preparing the local law and legislation, what is adequate for flow, and then who determines what's adequate and who accepts what's adequate. The local Fire Marshal has the statutory responsibility for a lot of this. We had some concerns, as I indicated at Mr. Eddington's committee. We believe that the County's recently adopted County Local Law goes in a positive direction.

There is still some additional items that hopefully we could work with you on, one of which of course is that any time you open hydrants up you can kick up water -- water in the pipes and kick up some rust and iron and generate some complaints from customers. Whether people who are doing flow tests are licensed or certified remains to be seen. And then we, of course, like to be notified in advance so we can then notify our customers. And then of course when there is high demand periods or drought periods might not be such a good time to do testing.

The local laws currently limit it to residential situations, so we want to work with you some more on how we can make sure that schools, factories, and other places, you know, have adequate fire protection as well and we'll look a little more into booster system operation. So that is kind of like a public and private hydrants 101 for this afternoon.

CHAIRMAN BEEDENBENDER:

Great. Just a couple of questions. I'm sure my colleagues have some as well. Is there -- who sets the standard distance between hydrants? Is that a municipality or is that a Water Authority requirement? A fire district requirement?

MR. JONES:

I'm going to ask -- make sure that a couple of the guys who are here speak up, but I believe it is a fire district call as to how far they want to separate. There's also the ISO. I forget what it stands for, but it is like the insurance outfit and they kind of say they want houses to be with a certain distance to a hydrant so that then they can change their rating for homeowner's fire insurance.

CHAIRMAN BEEDENBENDER:

Okay. And the other question, which is somewhat related but a little bit different than what we just discussed. I know that when Legislator Eddington and I were working on this bill we had a meeting with the County Executive's Office with you and a large number of the board members. One of the programs, the final piece of this situation that we had discussed, was the idea that the Water Authority, for private areas that may have a problem with their system, that the Water Authority may be able to come in and offer them the ability to -- the Water Authority to take over the system

and offer this private community the ability to pay it back over a certain period of time, with the understanding that, you know, the Village in the Woods may have wanted to address the problem, but they may not have had the capital on hand to do it. A Water Authority coming and taking over the management of the hydrants and often the ability to pay back the cost of whatever their pay was over several years -- how has that program progressed? Is it in place? Is it still in development?

MR. JONES:

The program is in place and was adopted by the board at the last board meeting. It basically allows people to pay over a ten year period where we would take control and responsibility upfront and then there would be a pay out on the thing over a period of time.

CHAIRMAN BEEDENBENDER:

Okay.

MR. JONES:

I should also say that our board members were interested in having us market that program, so we're in the process now of sorting out private situations from the office parks, industrial parks, shopping centers versus the residential so we can start to solicit and see what interest there is in the residential side.

CHAIRMAN BEEDENBENDER:

If you need assistance with that, the Suffolk County Planning Department actually maintains a database of all of the residential condo, co-op and such --

MR. JONES:

I remember that outfit. I used to work there.

CHAIRMAN BEEDENBENDER:

Yeah. They have a database now. That doesn't say that -- it certainly doesn't indicate whether they are public or private, but it is a database of all of the places that may. It is certainly a good place to start. That might be helpful and it is right online and I'm sure -- and it's actually pretty frequently updated because there is things on there from 2009 already. That might be a good starting point.

MR. JONES:

Yes, we'll take advantage of that.

CHAIRMAN BEEDENBENDER:

Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. I think this dovetails very well with the previous piece of legislation that we had worked on regarding water distribution systems in private communities. I'm glad to hear that you are expanding on that program which we had discussed, because you had a lot of problems over the years and you have taken over entire systems within these private communities. But I just wanted to ask you, is this sort of a new wrinkle to that, that you would just be responsible, then, for the hydrants in those communities and not the entire distribution system?

MR. JONES:

No. I would say that the legislation that you had drafted up and had adopted was certainly the starting point for going forward and making sure that all future systems, whether they are private or public, met a common standard. Now what we're doing is we're going backwards to the ones that existed before --

LEG. LOSQUADRO:

Right, and that's where my legislation was borne out of, because we had some communities that had some serious problems. This is just a continuation of the program that you and I had spoken of, because there was a community in my district that you had taken over the water distributions system in that community, which was formerly private and now is part of the Water Authority's system. But what I'm saying is, is that still the same program? You will take over the whole system, you are not just telling people we'll come in and just be responsible for the hydrants or is that something new that you are doing now?

MR. JONES:

You're correct. This is a program where we would take over everything.

LEG. LOSQUADRO:

Okay. Very good. I know that's something they have done in the past and I'm glad to hear that you are continuing it and I think actively marketing that, especially in light of things that we've seen, not just on the safety end, but also all the reasons that I had enumerated back when I passed my piece of legislation, why we should change the standard moving forward. I think it would be a good idea for the Water Authority to actively market that to those communities, and I think Legislator Beedenbender is right and I'm sure you obviously have firsthand knowledge of the records that are available for you to go out and use to actively market that. I think that would be good for the Water Authority as well.

MR. JONES:

The upfront cost prior to this change with our board, the upfront cost was a show stopper because it was a lot of money. The HOA or condo board had to pay upfront.

LEG. LOSQUADRO:

Right. And I said, I'm glad to hear you are extending that because I know the one particular community in my district you had given them the opportunity to pay that over time in their bill, and I'm glad to hear you are continuing to do that. Very good. Thank you.

CHAIRMAN BEEDENBENDER:

I would just like to repeat what Legislator Losquadro said, Steve, that was the last piece that we're ensuring that they were complying with the law and these hydrants would work, but even the best actor, you know, the best group that wanted to be the most responsible, sometimes the capital outlay of fixing it and that was a piece that at the County level we really didn't have an ability to solve. I think the fact that the Water Authority and the board was willing and able to put a program like that in place kind of closes the circle for the residential problem. I agree, we need to keep talking about the commercial and possibly the licensing of who is doing these hydrant inspections as well. But please convey to the board on my behalf, and I would say on my colleagues' behalf, how thankful we are that they were willing to step forward and help these communities that otherwise would, you know, linger without fire protection.

MR. JONES:

I guess if there is one kind of message I want to be able to convey overall is that a hydrants flow test is something that measures something that's a dynamic system just at that particular moment and there is so many different variables that can affect flow and that pressure, so that's very important.

CHAIRMAN BEEDENBENDER:

Thank you. And before we move off the topic, Nick Caracappa is here, the President of the Water Authority Union. Nick, did you want an opportunity to speak at this point or did you want to hold off until a later date?

MR. CARACAPPA:

We would appreciate the opportunity to come back next month.

CHAIRMAN BEEDENBENDER:

Okay. We can do that. You guys can come back and talk next month if you'd like. Great. Now, are there any other questions for Steve? Legislator Stern.

LEG. STERN:

Thank you, Mr. Chairman. Whether it's roads or infrastructure or planning, collaboration among all, you know, various levels of government and all of the agencies of course is so critical. So I guess my question, Steve, is at this point who is coordinating everything that needs to be done among agencies, between the Water Authority and the municipalities, in taking a look at upgrading ordinances and requirements? Who is reaching out to our State representatives at the State level for changes that need to be implemented? Is that kind of an arbitrary process or is there some central coordinating group or person or agency that's pulling all the strings together?

MR. JONES:

I would say that FRES is well suited for that. They certainly are the key to the recent Local Law that the Legislature adopted. They do have dealings with all the fire districts, all the towns, all the villages. The County Executive's Office, working with FRES, we think is a good way to go.

LEG. STERN:

So FRES is the organization that's reaching out, not to just you but to County government and to our State and our local village and town officials as well.

MR. JONES:

The reaching out part we can't speak to, but I think that they're well suited as a regional entity to coordinate things.

LEG. STERN:

So they might be most appropriate, but whether or not that's really happening to the level that it needs to is something that we should certainly ask about. All right. Thank you.

CHAIRMAN BEEDENBENDER:

Okay. I don't see any other questions, so thank you very much, Steve. I appreciate you taking the time.

MR. JONES:

You're welcome.

CHAIRMAN BEEDENBENDER:

Okay. We will move on to the rest of the agenda. We'll start with the Tabled Resolutions.

Tabled Resolutions

IR 2025-08, Adopting Local Law No. 2008, A Local Law to promote accurate cost estimates for Capital Projects (D'Amaro).

I will offer a motion to table.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 2025 is tabled (Vote: 5-0-0-0).**

IR 2043-08, Directing a study on the feasibility of the use of compressed natural gas to fuel Suffolk County vehicles (Alden).

I will offer a motion to table

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. Legislator Losquadro.

LEG. LOSQUADRO:

To DPW, how is your internal study progressing on that? I know we discussed the need for this would sort of be obviated by the work that you're doing internally, so I was just wondering if you could give us any update on that.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

The natural --

LEG. LOSQUADRO:

You have to push the button.

CHAIRMAN BEEDENBENDER:

You've got to hold it down, Tom.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

We've actually -- since the last meeting, we have been informed that we now have CMAQ money in the amount of approximately \$5 million for CNG. We are moving progressively to get resolutions on the table to support that. In addition, the stimulus money, we have -- there's about \$5 million in stimulus money that we're going to use for CNG. So I --

LEG. LOSQUADRO:

Ten million total?

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

It's almost \$10 million in total, yes.

LEG. LOSQUADRO:

Fantastic. All right. Thank you.

CHAIRMAN BEEDENBENDER:

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

LEG. ROMAINE:

Opposed.

CHAIRMAN BEEDENBENDER:

IR 2043 is tabled, note Legislator Romaine's opposition.

Tabled (Vote: 4-1-0-0 Opposed: Legislator Romaine).

IR 1107-09 - To enhance efficiency in the selection and leasing process for County buildings (Romaine). Legislator Romaine --

LEG. ROMAINE:

Motion to approve.

CHAIRMAN BEEDENBENDER:

-- I haven't seen the amended copy.

LEG. ROMAINE:

No. And I spoke with the Comptroller, I'm making a motion to approve.

CHAIRMAN BEEDENBENDER:

So the question we had discussed about number two, about the leasing process and the RFP's --

LEG. ROMAINE:

(Inaudible).

CHAIRMAN BEEDENBENDER:

Your motion is to approve as is?

LEG. ROMAINE:

To approve.

CHAIRMAN BEEDENBENDER:

Okay. Well, my concern about the second clause still stands. So given that, if it's not altered, I'm going to offer a motion to table.

Is there --

LEG. LOSQUADRO:

I'll second the motion to approve.

CHAIRMAN BEEDENBENDER:

Okay, there's a second on the motion to approve by Legislator Losquadro. There's a second on the motion to table by Legislator Horsley. Would anybody like to speak on the motion? Legislator Romaine.

LEG. ROMAINE:

Yes, I believe the Comptroller has said that he wanted that to stay at the amount that was spelled out, and when I checked with him, he reaffirmed that.

CHAIRMAN BEEDENBENDER:

There isn't an amount spelled out, it says lease -- it says -- the second RESOLVED clause says, "The process for selecting space to lease shall be accomplished by a bidder request for proposal," and there is no exception to that. If we adopt that as written, then every single thing we require in an RFP, including Legislative office spaces which, you know, that shouldn't be the primary focus of this bill, but if you have to do Legislative space by RFP, then you go where the RFP tells you to go.

LEG. ROMAINE:

Obviously it's a matter of indifference to me because I'm in a County building.

CHAIRMAN BEEDENBENDER:

Yes.

LEG. ROMAINE:

I believe I'm the only Legislator that does not rent space. However, nevertheless, what I will ask you to do -- obviously the majority party of this committee has the votes to table this.

CHAIRMAN BEEDENBENDER:

Yes.

LEG. ROMAINE:

But I would ask, as Chairman, if you would be so kind as to make an inquiry as to the wishes of the Comptroller, because as you know, this resolution is based on his audit.

CHAIRMAN BEEDENBENDER:

I agree.

LEG. ROMAINE:

And if you would do that so that at our next committee meeting you can report back, or if you find out that he's willing to be more flexible, if you give me a call then I will amend that. But I'm under the impression that he is okay with it in its current form.

CHAIRMAN BEEDENBENDER:

And just let me be clear, Legislator Romaine. I don't take issue with the Comptroller, I don't take issue with his expertise in the matter, but I do, as a matter of policy, disagree with this one particular clause. The rest I think are recommendations that are definitely -- well, many of them are placed, but I think there are definitely things we should codify. I have a policy disagreement with the Comptroller's recommendation.

LEG. ROMAINE:

I appreciate that. Maybe what you could do is speak with the Comptroller. Because it does look like this is going to get tabled, despite myself and Mr. Losquadro's objections to tabling; it does look like this will get tabled because we're in the minority, you're in the majority. However, if you would be so kind as to not only check with the Comptroller, but speak with me after the General Meeting next week. I will take a look at that section again, and I understand your disagreement in no way reflects on your dedication to make sure that everything is done properly.

CHAIRMAN BEEDENBENDER:

Well, I appreciate that you felt you had to say that. But my point -- the one thing that I would say, Legislator Romaine, is that it's not getting tabled because you're in the minority party, it's getting tabled because -- I made the motion to table because I had a policy disagreement that I stated earlier. So it has nothing to do with your registration, it has to do with what the bill says.

If there are no comments, no further comments on the bill, we have a motion and a second to table, that takes precedence. All in favor? Opposed?

LEG. ROMAINE:

Opposed.

CHAIRMAN BEEDENBENDER:

The motion carries. **IR 1107 is tabled (Vote: 4-1-0-0 Opposed: Legislator Romaine).**

IR 1114-09 - To implement Sunday bus service and extend weekday morning and evening service in Suffolk County (Romaine).

Do I have a motion? I'll offer a motion to table.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Second by Legislator Horsley. On the motion, Legislator Stern. You don't want to speak?

LEG. STERN:

Oh, no.

CHAIRMAN BEEDENBENDER:

Oh, okay. All right. This has been before us, this is -- Legislator Romaine, this is your resolution to extend the hours. Do you wish to speak on it?

LEG. ROMAINE:

I've spoken before. I truly believe that the County, particularly in light of the stimulus money that they're receiving and the additional buses that they're receiving, the County has an obligation, I believe, to provide Sunday bus service within Suffolk County; and I'm not talking about just the East End, I'm talking about all over Suffolk County.

What type of public transportation service does not provide bus service on a Sunday, at all, anywhere, for anyone, for any reason? And obviously, I'd like to see extended week-day services on routes in the morning and for -- right now our bus service ends at eight o'clock in the evening, so if you're working late, you have no opportunity to avail yourself of public transportation.

We have a self-fulfilling prophecy. If we make public transportation difficult, if we don't have set time schedules, if we don't provide bus service on Sunday, if we don't run bus service late in the evening so people can get home, if we don't run it earlier in the morning, if we make it inconvenient enough, we'll have a low enough ridership, and essentially that's what we have. Our public transportation in Suffolk County is the transportation of the desperate, because they have no other alternative, because anyone that has any other alternative will avail themselves of that.

So for me to -- you know, I know you're going to table this. But I have to tell you, of all the things we do, I think if we're going to spend money on anything, trying to create a better public transportation system is something that would work out. So I really don't even want to comment on this because I know -- I've said this before, there's counter-arguments to be made, I've heard them all.

But in the end, no matter how clever the arguments are, for or against this, the bottom line remains that we have an incomplete public bus system in Suffolk County, and we can only help those who need public transportation by completing this service at some point. Maybe it won't be today, maybe it won't be next year or ten years from now, but at some point we really should be doing this. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you, Legislator Romaine. Like I said in the past, I agree with the fact that we need the transportation, but I think it needs to be implemented in a comprehensive fashion throughout the County. And I still believe, as I believed several months ago, that the biggest impediment is that Suffolk County has a land mass three times the size of Nassau and is expected to run a transportation system with nearly a third of the funding that Nassau gets. And until that discrepancy can be addressed, it will be very difficult, if not impossible, for Suffolk County to implement the type of bus service that the people deserve and the people desire.

The last point I just want to make is that the stimulus money is for equipment, and even if it wasn't, to use stimulus money to implement a new program, knowing very well that it will disappear in two years, is perhaps not the best way to budget forward. So there was a motion to table and a second. If there are no further comments, all in favor? Opposed?

LEG. ROMAINE:

Opposed.

CHAIRMAN BEEDENBENDER:

Abstentions? **IR 1114 is tabled (Vote: 4-1-0-0 Opposed: Legislator Romaine).**

IR 1139-09, Adopting Local Law No. 2009, A Local Law to ensure safe operations of helicopters (Romaine).

This has to be tabled for a Public Hearing.

LEG. ROMAINE:

(Inaudible).

CHAIRMAN BEEDENBENDER:

Legislator Romaine, you are the best. I offer a motion to table, seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1139 is tabled (Vote: 5-0-0-0).**

IR 1201-09, Directing the Department of Public Works to hold Public Hearings on new bus fares in order to implement Sunday bus services (Schneiderman).

LEG. STERN:

Motion to table.

CHAIRMAN BEEDENBENDER:

Motion to table by Legislator Stern. I'll second the motion. To Counsel, we had discussed some possible changes at the last committee; has this been amended at all since our last committee meeting?

MR. NOLAN:

The changes that have been made since the initial version are that it calls for a Public Hearing on a certain fare increase, but the no fare increase could be implemented without a separate Legislative Resolution. So any -- if the Division of Transportation Operations recommended a fair increase, it would still have to come back here for approval. The other change that was made is that the bill was amended to make clear that the senior fare would not be affected.

CHAIRMAN BEEDENBENDER:

Okay. Legislator Stern.

LEG. STERN:

Thank you, Mr. Chairman. Maybe we can go to Bob or to Gil for some clarification. But if I recall the conversation from last time, if there's an advertisement for Public Hearings about the need for Sunday bus service, which we all agree is absolutely necessary, as well as the rate increases, that even with the rate increases as proposed for discussion that would be the subject of these Public Hearings, that at best it would only be able to fund half the routes that are available for Sunday bus service. And I think the discussion last time, correct me if I'm wrong, was whether or not that's the kind of thing that would also have to be part of this kind of a publication, whether this would have to be part of that Public Hearing. And ultimately, if there are residents that participate in that process, then they themselves agree that they would be willing to participate in the fare increase. You know, who's to say what routes are going to be the ones that ultimately do receive Sunday bus service and what is everybody else getting for that fare increase?

I just don't know if this was ready to go. I don't think that even though there might have been amendments made, I think that those were amendments that were made prior to our last meeting. I don't think that those amendments reflect the conversation, as I remember it, from our last committee meeting, and I'm told that those amendments have not been requested just yet.

So I'm offering up a motion to table, and I will also make it my responsibility to speak with the sponsor, once again, to talk about my concerns. And we certainly want to move forward on the process of Sunday bus service and getting input from everybody throughout the County, certainly the East End. I'm just not sure that this is the proper form that it should take in order to proceed.

CHAIRMAN BEEDENBENDER:

Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. To Public Works or to BRO, when is the last time the fares were amended for our bus service?

MR. SHINNICK:

The last time the fares were actually changed was 1991. In 2003, we did modify the fares by, I think it was 25 cents and they were rolled back within two month's time.

LEG. LOSQUADRO:

You know, we're approaching 20 years. I know that we subsidize the public transportation system to a degree, but we're approaching two decades we haven't modified these fares. We talk about services that need to be provided and services that we're cutting during these times. I really do think it's time that we took a long, hard look at what we're putting into this, what we're getting out of it, what the cost benefit analysis is in terms of the amount of ridership we're seeing on these routes and what it's costing us to operate some of these routes based on the fares that we're receiving that are almost 20 years old now. Maybe this particular resolution isn't the answer, but I think it's time to take a look at this, a serious look at this. Because, you know, we may be subsidizing this to a level that simply isn't sustainable. I mean, Legislator Beedenbender talked about, you know, using monies that may not be available in a couple of years. Well, you know, we have monies that aren't available to us right now, and if we're throwing money at things that we can't continue to sustain, then, you know, maybe we do need to adjust these rates and adjust them quickly.

CHAIRMAN BEEDENBENDER:

Gil.

COMMISSIONER ANDERSON:

If I may. You know, we have in the past made the recommendation to increase the rates. Our concern here is, as I believe Legislator Stern just said, you know, with the rate increase that's proposed -- and that would be the topic of discussion at the Public Hearing -- it would only be for partial Sunday service and that's our concern, is how do you pick which route over the other? You know, again, I think the Legislator was saying he was going to go back to Legislator Schneiderman to discuss I guess doing an over-arching --

LEG. LOSQUADRO:

Maybe this isn't even a discussion about expanding our service at this point. I think this is just a discussion about remaining viable. You know, I know our -- obviously, the goal is at some point, and I think Legislator Romaine articulated it very well, maybe it's not today, maybe it's not this year, maybe it's not the next few years, but at some point, you know, regardless of the geographic size of this County, which is our main problem, especially with the very low population density that exists in some of the eastern townships and the low ridership that you would see as a result there, you know, compared to a much higher density on the western end of the County. I do think we owe it to the residents, in providing a true public transportation system, to have a seven day a week system.

But that being said, at this point, I think we do need to take a serious look, and when we go through the budget process this year, I think it's something that the Legislature is going to have to be willing to look at. I would like a real assessment coming from the Department of Public Works at that point as to the sustainability and viability of this system and what a real proposed rate would be to maintain this system and what level of subsidy we're at right now.

And the question is can we maintain that with rates that are almost 20 years old? So I look forward to getting that information from you as we go through the budget process.

COMMISSIONER ANDERSON:

Will do.

CHAIRMAN BEEDENBENDER:

And Legislator Losquadro, I agree with you. It may very well be the time to look at this rate, because 20 years is certainly a long time to go between increases. I just -- the one thing that concerns me, besides my concern with raising rates on people who are using public transportation, is that it would seem a little bit fool-hearty to say we are -- we can't fund our bus system with the current fares, so we're going to increase the fares and expand the bus system at the same time, it would seem like it would make the subsidy and sustainable problem even worse.

So I think, you know, as a committee, I hate that we continue punting this issue. I think we're working hard at just -- I don't know, in this current economic climate, how we come up with a massive amount of money it would retire to expand this service without assistance from our Federal and State Government, and if that's not forthcoming, I think it's unfair on their part, but I hate to see the burden be placed on us because if -- but for the money, we could do this. So I appreciate that it seems like we're all pushing in the same direction. And Legislator Stern, I appreciate that you're going to reach out to Legislator Schneiderman and see if there's a way we can put this up in a more comprehensive manner and make some amendments.

So given that, if there's no further comments, there's a motion and a second to table on IR 1201. All in favor? Opposed? Abstentions?

LEG. ROMAINE:

Opposed.

CHAIRMAN BEEDENBENDER:

IR 1201 is tabled (Vote: 4-1-0-0 Opposed: Legislator Romaine).

Introductory Resolutions

IR 1329-09, To approve the lease of two (2) additional fifteen (15) passenger vans in the Suffolk County Department of Labor, in compliance with Local Law No. 20-2003 (Co. Exec.).

I believe this is before us because we have to approve any increase in the fleet; is that correct, Counsel.

MR. NOLAN:

A particular lease.

CHAIRMAN BEEDENBENDER:

Particular lease, okay. So this is two vans for the Department of Labor. Are there any questions? Seeing none, I'll offer a motion to approve.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1329 is approved (Vote: 5-0-0-0).**

IR 1331-09, Authorizing the filing of a grant application on behalf of the Disabled American Veterans (DAV) for Federal capital assistance for the purchase of vans for its Transportation Program (Co. Exec.).

Motion to table. This was the issue we discussed earlier. Motion to table. Seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? **IR 1331 is tabled (Vote: 5-0-0-0).**

IR 1350-09, Authorizing the conveyance of County-owned surplus unused right-of-way,

fronting a parcel of land to Michael and Jean Carr (SCTM No. 0200-726.00-07.00-006.000) pursuant to Section 125 of the New York State Highway Law (Beedenbender).

I will offer a motion to approve.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. Just for the committee's information, there is a bill on the floor of the Legislature that's been tabled for quite some time, it's tabled on the floor and it deals with this same piece of property. What this is, it's not a normal Local Law 13 because it's property that was taken under Highway Law. It's adjacent to Patchogue-Holbrook Road and the neighbor, there's only one neighbor adjacent to the property, is going to buy it for what the appraised value was, and there's a covenant and restriction in the bill that says they cannot -- it has to become -- it's an indivisible lot once it becomes part of their property, they can't separate and build on it. And this would put it back on the tax rolls and get -- there's a lot of dumping on the property, so the property owner is just going to seek to put a fence around it and maintain it on their own.

So that's what this is. This replaces the bill that's on the floor of the Legislature. This is a little bit different than that one, but I believe -- and I thank DPW for some help with the language and I thank Counsel as well. If there are no further questions, I have a motion and a second to approve. All in favor? Opposed? Abstentions?

IR 1350 is approved (Vote: 5-0-0-0).

IR 1356-09, Appropriating funds through the issuance of serial bonds for the expansion and improvements to Suffolk County Sewer District No. 18 - Hauppauge Industrial (CP 8126) (Co. Exec.).

This is \$4.2 million in Sewer District Bonds for the Hauppauge Wastewater Treatment Plant.

LEG. HORSLEY:

Motion to approve.

CHAIRMAN BEEDENBENDER:

Motion to approve by Legislator Horsley, seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1356 is approved (Vote: 5-0-0-0).**

IR 1357-09, Amending Resolution No. 202-2007 in connection with improvements at Raynor Beach County Park (CP 7175) (Co. Exec.).

This is -- Gil, could you explain this? This is Legislator Kennedy, you know, he will -- this is his long -- he's been working on this since he got here.

COMMISSIONER ANDERSON:

This is --

CHAIRMAN BEEDENBENDER:

I know, we're all in training, Gil.

COMMISSIONER ANDERSON:

Yeah, it's okay. This is to appropriate an additional 50,000 for the sidewalk project at Raynor Beach Park.

CHAIRMAN BEEDENBENDER:

The County originally --

COMMISSIONER ANDERSON:

There is a \$45,000 grant that Brookhaven is turning over to the County.

CHAIRMAN BEEDENBENDER:

Okay. Because originally it was 50,000 County and roughly 50,000 town for the sidewalks. I guess this bill accepts the money from the town, or is the town backing out?

COMMISSIONER ANDERSON:

No, this accepts the money from the town but also, I believe, adds 50,000 in there, too.

MR. NOLAN:

No, reduces it.

COMMISSIONER ANDERSON:

It appropriates --

CHAIRMAN BEEDENBENDER:

It reduces --

COMMISSIONER ANDERSON:

It accepts the 45,000 and appropriates 50,000 for the work.

CHAIRMAN BEEDENBENDER:

Okay.

MR. NOLAN:

They're saying the work can be done for 50.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Now, but didn't we previously do 50,000 worth of work? I mean, because there's -- the sidewalk is partially there; am I correct?

COMMISSIONER ANDERSON:

Yes, this will complete that.

CHAIRMAN BEEDENBENDER:

Okay, perfect. Well, Legislator Kennedy will be very happy. All right, I have a motion to -- I'll make a motion to approve.

LEG. HORSLEY:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Horsley. All in favor? Opposed? Abstentions? **IR 1357 is approved (Vote: 5-0-0-0).**

IR 1366-09, Amending the 2009 Capital Budget and Program and appropriating funds in connection with the reconstruction of CR 67, Motor Parkway from North Service Road of LIE (Exit 55) to Veterans Memorial Highway (NYS 454), Town of Islip, Phase I, replace bridge at LIE (CP 5172, PIN 075614) (Co. Exec.).

Gil, this is \$17 million in aid and, what is it, \$600,000 in County money?

COMMISSIONER ANDERSON:

It's actually 17 in Federal money, 1.7 million in State money and then about 600,000 in County money.

CHAIRMAN BEEDENBENDER:

It sounds like a pretty good -- yeah, it sounds like an excellent ratio to me. All right. And I guess this is one of those bridges that came up on one of your reports that said it's time to replace it.

COMMISSIONER ANDERSON:

Yes; we've been working on this one for a while.

CHAIRMAN BEEDENBENDER:

Okay. All right, I'll offer a motion to approve.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1366 is approved (Vote: 5-0-0-0).**

IR 1367-09, Amending the 2009 Capital Budget and Program and appropriating funds in connection with dredging of County waters (CP 5200) (Co. Exec.). This is -- what is this, Gil?

COMMISSIONER ANDERSON:

Okay. This appropriates 3.3 million, 300,000 of which is for design and permitting of dredging projects. The remaining three million is for actual dredging. What it did -- what it does is change the original percentage of planning to construction monies from -- originally there was \$150,000 expected for permitting, we've increased that to 300,000 by taking 150 from construction.

CHAIRMAN BEEDENBENDER:

Okay. Are there any questions? Legislator Romaine.

LEG. ROMAINE:

Yes, I have several. So now instead of spending 150,000, we're going to spend 300,000 on permitting?

COMMISSIONER ANDERSON:

Correct.

LEG. ROMAINE:

Okay. Is that permitting going to be worked on in-house or are you going to be hiring consultants for that?

COMMISSIONER ANDERSON:

This is to help us do the environmental reports that -- yes, it will be consultants.

LEG. ROMAINE:

All right. I have a big problem with that. This work totally can be done within house. This work is totally capable of being done within house. Why are we hiring consultants? We have environmentalists on staff, we have naturalists on staff, we have a whole host of people on staff. We've done this in the past, we've prepared these reports in the past, and I understand that we have a more extensive list which goes to my second question. But I'm going to tell you, I have a lot of problems with this because this is something that we should be doing in-house, we should not be

hiring consultants for this.

And my second question goes to a list of the projects. Since the Dredge Screening Committee hasn't met for the last two years, I certainly -- and as a member of that committee, I certainly would like to get a list of the projects that are anticipated in 2009. Because you're amending the 2009 Capital Budget and Program.

Now, my last thing I know about dredging is that usually you can do it in the winter and the later fall, okay. So I assume this is for the late fall of 2009?

COMMISSIONER ANDERSON:

Okay, to answer your first question with regard to the environmental permitting. The -- while we do have environmental planners or scientists on staff with the County, this is a specific regimen that's involved with the requirements that they're making us do. It is much -- at this point, we don't -- it would take certain skills -- how do I put this? It would take certain requirements and familiarities with the sciences that are involved to prepare these reports. It's much more cost effective for us to do these using the consultants at this time, we get the work done quicker.

With regards to the creeks that are being done, the rivers that are being --

LEG. ROMAINE:

Excuse me. The work gets done quicker which means that they're capable -- consultants are capable to -- their output is faster than it would be if County employees worked on this?

COMMISSIONER ANDERSON:

Well, to get the County employees, there's a certain learning curve that would be required to bring them on board. And at this point, these jobs, there is a certain urgency in the three projects that we're looking to do right now under this funding which is --

LEG. ROMAINE:

I don't have a list of the projects.

COMMISSIONER ANDERSON:

Well, that's what I was just going to tell you.

LEG. ROMAINE:

Right.

COMMISSIONER ANDERSON:

The projects are the Forge River, which is huge, Stony Brook Harbor and Awixa Creek; those are the three ones we're focusing on right now.

LEG. ROMAINE:

Okay. Awixa Creek in Islip, Stony Brook Harbor which I'm very familiar with, and Forge River obviously I know like the back of my hand. So these are the projects. When were you anticipating to begin dredging on these projects?

COMMISSIONER ANDERSON:

It's our anticipation --

LEG. ROMAINE:

In 2009.

COMMISSIONER ANDERSON:

Two thousand and nine.

LEG. ROMAINE:

Yeah, when in 2009? Since the windows -- I'm a little bit familiar with the windows, the windows that you're operating and the windows for the early -- for the winter of 2009 have passed with winter and stuff like that. So when are you planning to do this, in the fall of 2009 or late fall?

COMMISSIONER ANDERSON:

Correct.

LEG. ROMAINE:

So when --

COMMISSIONER ANDERSON:

It really depends on the creek and what direction we get from the regulatory agencies as to when we can, you know, do the dredging.

LEG. ROMAINE:

Well, the Forge River it really doesn't matter because most things in that river are probably dead at this point.

COMMISSIONER ANDERSON:

Well, there --

LEG. LOSQUADRO:

No, the DEC is still --

COMMISSIONER ANDERSON:

They're still requiring a certain time, usually from November to January 15th. It does vary depending on creek-to-creek.

LEG. ROMAINE:

So this would be a 2009 expenditure.

COMMISSIONER ANDERSON:

Correct.

LEG. ROMAINE:

And those are the three major projects. Do you have any other projects that you're anticipating? Because I don't remember discussing any one of those three at the Dredge Screening Committee, which met two years ago and hasn't met since.

COMMISSIONER ANDERSON:

I'll get --

LEG. ROMAINE:

And my understanding is that you have to bring these projects before the Dredge Screening Committee.

COMMISSIONER ANDERSON:

All of these projects went through the Dredge Screening Committee; it may have been a number of years ago, but it went through. I can give you -- again, I can get you a status.

LEG. ROMAINE:

Could you get me a status?

COMMISSIONER ANDERSON:

Absolutely.

LEG. ROMAINE:

Because my question then would be how current does one status have to be to be considered? Can you pass something ten, eight, seven years and still have it pop up seven years later and still have it be acceptable?

COMMISSIONER ANDERSON:

We've had projects numerous years that were approved that are still in the permitting process. We're still waiting -- once we give a permit application over to the DEC/DOS, it's -- you know, it's really their call. We have projects that have been there for years.

LEG. ROMAINE:

And you expect that by hiring outside consultants, you can get the permitting done and do the dredging; this is May and you would start dredging, say, November or December of this year?

COMMISSIONER ANDERSON:

Yes.

LEG. ROMAINE:

Well, I'm glad you're confident about those three projects since you have other projects that are waiting years to get the permits approved.

COMMISSIONER ANDERSON:

Again, those projects that we're waiting on are waiting -- you know, there are some -- don't get me wrong, there are some that are in the process of having the permit applications completed. But for a majority of them, they're waiting, they're in the process and have been submitted to the regulatory agencies, and I'll get you that listing.

LEG. ROMAINE:

I would appreciate that listing, number one. Number two, I would appreciate -- should this pass and it looks like it probably will -- I would appreciate getting a list of everything that's going to be done with this \$3.3 million. And number three, how are these consultants going to be hired, or have they already been hired? Have you already -- you know, are you planning to do an RFP, are you planning to do a bid; what are you planning to do in this particular case? And I ask that in light of the recent reports from the Comptroller's Office about problems with the RFP issue.

COMMISSIONER ANDERSON:

Well, I don't know that this is -- well, we went through the RFP process and brought the consultants on board with the intent of doing these projects and --

LEG. ROMAINE:

Let me just stop you there; I don't mean to be rude. You've already done the RFP before the money was appropriated, okay. To me, and maybe I'm not -- well, certainly I can tell you now, I'm not on top of everything, but I would think that you could not do an RFP on anything until there is approval for the money. I mean, that's just basic in government, you don't issue RFP's until the money is in place. Are you telling me you did an RFP for these environmental consultants before the money was appropriated?

COMMISSIONER ANDERSON:

The costs for the individual projects were done because they are -- and I'll get the background for it, but because they are below the threshold, they were done through -- we requested -- we did qualifications and then we've requested a fee from them to do the individual analysis.

LEG. ROMAINE:

Let me just get this straight. You're going to spend about \$300,000 for environmental consultants because you don't want to hire additional staff. Okay, because you think it will be faster if you hire private consultants as opposed to using in-house staff, or hiring additional people to bolster your in-house staff. You've already let the RFP before the money was appropriated, which is before us now to put this in the Capital Budget; you already did the RFP before we've appropriated the money. I've got to tell you, you know --

COMMISSIONER ANDERSON:

This is -- and I'm mistaken, I just spoke to my Chief Engineer and this is -- and Bill can elaborate on it; this is an extension of an existing contract. And Bill, if you don't mind, I'm going to let you --

MR. HILLMAN:

Not at all.

LEG. ROMAINE:

Okay. Well, I'm happy to hear that, so I won't pursue this question because my colleagues probably want to go home at some point. So I'll just ask you, Mr. Hillman, if you could give me a copy of the original contract and when that extension was approved; if you could send that to my office, I would certainly appreciate that because I'd like to see those documents.

And I would say to the AME representative, AME should look into this very carefully, because this has always been done in-house. These reports have always been done in-house. It's not for me to make that argument as a Legislator, but as a union, I'd certainly be screaming about it.

COMMISSIONER ANDERSON:

And I would disagree, the new requirements from the EDR, these are recent within the past year and a half, have become much more stringent, much more involved and much more above, you know --

LEG. ROMAINE:

All right. I won't pursue this --

MR. HILLMAN:

The original --

LEG. ROMAINE:

Look, the project is worthy, I don't want to hold up the project, but I certainly question some of the methods you're using. As I understand it now, there was an original contract. Okay? Was that contract authorized by this Legislature, was this RFP -- what was the cost of the original RFP for these consultants?

MR. HILLMAN:

I'm not exactly sure of the exact detail.

LEG. ROMAINE:

Okay, but this is 300,000, so I assume that it may be much more. Do you know whether the original contract was approved by this Legislature or when it was before this Legislature?

MR. HILLMAN:

I don't have that information. It was in the vicinity of 150 to 300,000, the original contract.

LEG. ROMAINE:

So the original contract was about 150, possibly as much as 300,000, and now we're going to extend it for another 300,000. Could you do me one other favor, besides sending me the original contract? Could you tell me or point to the section of the Charter or law that gives you the power to extend this contract without the approval of this Legislature? Because I don't know if you have that authority. Quite frankly, I don't think you have the legal authority to extend the contract without

the approval of this Legislature. And I don't want to jeopardize this project because these are three very worthy projects, but I'm questioning the methods that are being used here.

COMMISSIONER ANDERSON:
We will get you that information.

LEG. ROMAINE:
I'm going to --

MR. HILLMAN:
I would just like --

LEG. ROMAINE:
Yeah.

MR. HILLMAN:
I would just like to also say that in about a year-and-a-half ago, as the Commissioner said, the EDR's, environmental data reports, were completed by the Federal Governments. The department had no -- no --

LEG. ROMAINE:
Oh, I'm fully aware of what happened; we got cut short and a lot of our dredging permits got turned down --

MR. HILLMAN:
Exactly.

LEG. ROMAINE:
-- because we didn't do the natural species end of it and all the other environmental ends of it.

MR. HILLMAN:
Exactly right. So the staff --

LEG. ROMAINE:
And we got caught --

MR. HILLMAN:
-- did not perform the work in-house. Therefore, we didn't have the expertise, so we went out and hired consultants to do that. We also have a spike; every ten years we need to go for permits.

LEG. ROMAINE:
Did you come before this Legislature?

MR. HILLMAN:
Legislator Romaine, can you please let me finish?

LEG. ROMAINE:
Yeah. I'm sorry.

MR. HILLMAN:
Thank you. So every ten years we go for what's called ten-year permits. We have spikes in the permitting process. So over the next three or four years we have a spike in the permitting process, then over the next six years we'll have very little permitting to do. So to bring people on board to do that type of work, after four years we will not have that much work to be done for them. So that's really the intent for using consultants; when you have a spike in workload, it's cost effective to go out and utilize consultant services.

In addition, it's been -- after we researched with the Health Department and their staffing, they really didn't have anybody with the expertise to handle this type of -- these reports that had been really an unfunded mandate from the Feds.

LEG. ROMAINE:

Thank you for explaining that. I'm just aware that -- in a given year, how many dredging projects do you undertake? Because these are three large ones, I understand that, but you also do a lot of other interface dredgings and things of that nature.

MR. HILLMAN:

Usually 20 to 30 projects per year.

LEG. ROMAINE:

And you think that you would need this expertise each year to do these projects? Because usually these permits are not --

MR. HILLMAN:

No, they're a ten year permit; once you get the permit, it's good for ten years.

LEG. ROMAINE:

It's good for ten years; you don't have to renew that permit?

MR. HILLMAN:

Every ten years you do.

LEG. ROMAINE:

And there's no difference between small and large projects?

MR. HILLMAN:

Yeah. It's the same process for small and/or a large project.

LEG. ROMAINE:

Okay. You've had to explain that, but you're going to get me the original contract because I don't remember voting for consultants for this --

MR. HILLMAN:

Certainly, we'll get you that info.

LEG. ROMAINE:

And, you know, those are the types of things that usually get appropriated. This Legislative body, believe it or not, I know some people don't think we play a role, but we do have the power of the purse and we do have to appropriate money for these things. And I can't remember in the last three-and-a-half years voting for those consultants, because that would have struck me, as it did today. So I'm very interested. If you could get me the resolution number under which those consultants were hired as well, I appreciate that. Thank you very much.

MR. HILLMAN:

Sure thing.

CHAIRMAN BEEDENBENDER:

Okay. If there are no further questions -- Legislator Horsley.

LEG. HORSLEY:

Let's see if I can play at this thing, too. Gil, hi, good morning, afternoon, rather. I just wanted to remind you that we discussed within the last couple of months that we're going to be looking at

when the next meeting of the Dredging Committee is going to be put together and you said, "Well, I haven't really had one yet since I've been Commissioner and I have to figure out the process," etcetera. How are you doing on that?

COMMISSIONER ANDERSON:

Well, actually I did have one. I will -- we had one two years ago, I think, in 2007 we had one, but we -- I'll follow-up with getting it scheduled.

LEG. HORSLEY:

Okay. And the other thing would be -- because I'm concerned about that Frederick Canal issue that's coming out of the Health Department, to assure me that that's going to be placed on the agenda, at least looked at or start moving in that direction.

COMMISSIONER ANDERSON:

In fact, we've been discussing with the Health Department that very issue.

LEG. HORSLEY:

Keep in touch.

COMMISSIONER ANDERSON:

Will do.

CHAIRMAN BEEDENBENDER:

Okay. If there are no further questions. Bill, did you have something?

MR. HILLMAN:

Can I just add to that? Before we were to schedule a Dredge Screening Committee that Frederick's Canal could be reviewed on, the eleventh public benefit criteria would need to be finalized and we've been discussing that with the Health Department. So just as an FYI, that eleventh criteria which is an environmental criteria needs to be finalized before Frederick's could go before that committee.

LEG. HORSLEY:

And what would that require at this point in time? We've got the studies and the like. You're talking about what would it do to the environment or where are they going to place the spills, or what are you talking about?

MR. HILLMAN:

The legislation that authorized this eleventh criteria requested the Health Department to establish thresholds for certain environmental issues before it could get approved and the Health Department is developing that -- those thresholds.

LEG. HORSLEY:

Is there a time line on that?

MR. HILLMAN:

We don't have the time line because we're not developing it.

LEG. HORSLEY:

All right.

MR. HILLMAN:

I'm just giving you the information.

LEG. HORSLEY:

Well, what you're saying is I should follow-up on it and make sure that they're moving along and continue to put the pressures on this thing, because I think it's an important matter.

COMMISSIONER ANDERSON:

Again, as I said, we are very currently in discussions with Health about that very issue.

LEG. HORSLEY:

Keep up the good work.

MR. HILLMAN:

I think we are close to -- we're in negot -- not negotiation, but we're reviewing and commenting on procedures and the thresholds and things of that nature. So I think it is close, but I just wanted to make you aware that that needs to be established before Frederick's could go before the committee in a successful manner.

LEG. HORSLEY:

Okay. So you'll keep me up-to-date on how that's progressing? It is of the utmost importance to me.

MR. HILLMAN:

(Nodded yes).

CHAIRMAN BEEDENBENDER:

They nodded to say yes.

MR. HILLMAN:

Yes.

CHAIRMAN BEEDENBENDER:

Great. If there are no further questions? Madam Clerk, do we have a motion and a second to approve?

MS. ORTIZ:

Yes.

CHAIRMAN BEEDENBENDER:

Okay. All in favor? Opposed? Abstentions?

LEG. ROMAINE:

Abstain.

CHAIRMAN BEEDENBENDER:

Abstention by Legislator Romaine. **IR 1367 is approved (Vote: 4-0-1-0 Abstention: Legislator Romaine).**

LEG. ROMAINE:

For the purpose of the record, I'm abstaining because I'm waiting for the information that Mr. Hillman will get me. I'm hopeful that he'll be able to get that to me before next Tuesday and I can cast a more informed vote on this. Thank you.

CHAIRMAN BEEDENBENDER:

Thank you, Legislator Romaine.

IR 1368-09, Amending the 2009 Capital Budget and Program and appropriating funds in connection with rehabilitation of various bridges and embankments (CP 5850) (Co. Exec.).

Legislator Stern, go ahead.

LEG. STERN:

Motion to approve.

CHAIRMAN BEEDENBENDER:

Motion to approve by Legislator Stern, I'll second it.

LEG. STERN:

On the motion.

CHAIRMAN BEEDENBENDER:

Legislator Stern.

LEG. STERN:

Yeah. Thank you, Mr. Chairman. This -- this resolution provides for monies to be shifted from a program that would have played a role in the reconstruction of Commack Road, County Road 4. So I just wanted to note that these are monies that are being taken from that project to fund a different project. Those monies are no longer needed in the Project 5560 which would be the reconstruction of Commack Road because that is a project that is now going to be funded with Federal stimulus money.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Excellent. So I guess we'll -- does this end the -- this seems to be a project we've taken a lot from in the past.

LEG. STERN:

This is not a project where we have taken money from.

CHAIRMAN BEEDENBENDER:

Okay.

LEG. STERN:

We have seen this resolution or some variation of it many times because the source of funding kept changing, various allocations along the way. But my understanding now is that this is a project that should be funded entirely through Federal stimulus monies.

CHAIRMAN BEEDENBENDER:

Great.

COMMISSIONER ANDERSON:

It is 100% funded through the ERA.

CHAIRMAN BEEDENBENDER:

Well, that's great. This is certainly -- Legislator Stern, you know better than anybody, this is certainly a project that needs to go forward and I'm happy to see that we're at that point.

So there's a motion and a second to approve. All in favor? Opposed? Abstentions? **IR 1368 is approved (Vote: 5-0-0-0).**

IR 1369-09, Appropriating funds in connection with the traffic signal improvements on various County roads (CP 5054) (Co. Exec.).

This is \$750,000 for traffic signal improvements on 18 separate County roads. And there may be additional ones as we go forward, right, but it's 18 to start with?

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Do we have any questions? Seeing none, I'll offer a motion to approve.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Second by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1369 is approved (Vote: 5-0-0-0).**

IR 1370-09, Appropriating funds in connection with improvements to County Center

C-001, Riverhead (CP 1643) (Co. Exec.). \$2.05 million for planning and ongoing renovations at the County Center. Before we talk about this bill, Gil, could you just give this committee an update? I haven't been out there in a while. The last time I was there, the last time I was there, there was a Bobcat in the auditorium where the Legislators used to sit. So where are we now? Lou, come on up.

COMMISSIONER ANDERSON:

Yeah, I'm going to turn this one over to Lou.

CHAIRMAN BEEDENBENDER:

I'm serious, there's -- not an animal, the machine, Legislator.

DEPUTY COMMISSIONER CALDERONE:

Okay. We're -- I'll use percentages, I guess. We're probably around the 50, 60% mark with the building. I want to refresh everybody's memory. We started a little over a year ago, we're doing construction around the people; we're getting there slowly but surely. Things like the County Clerk's area where the title searchers are, that's been complete, everybody's been very, very happy with that space, that's going along fine. We're getting -- the Legislative Auditorium, unfortunately that's still -- we're not behind schedule, but because of the mechanicals, that's still going to take a while before we get to the Legislative Auditorium, if anyone's curious about that. Maybe we could get in there by December, I don't know. But things are progressing very well and I think everybody remembers, the two million was the money -- it's contingency money that we did not have when we went into the project, when we sent out to bid. We just barely had -- we had enough money for the contract but no contingency money and that's where the \$2 million came in. If anyone has any specific questions, I'll be -- feel free to ask them.

CHAIRMAN BEEDENBENDER:

Well, I think if we can get into the Legislative Auditorium by December, Legislator Alden would be so happy, as a going away present for him, if we could hold a meeting out there in December.

DEPUTY COMMISSIONER CALDERONE:

I'm not guaranteeing that, but we'll try.

CHAIRMAN BEEDENBENDER:

Well, I think it would be a worthy endeavor. Do we have any other questions? Legislator Losquadro.

LEG. LOSQUADRO:

These are just -- you know, normal contingency materials, costs, doing any sort of existing renovations when you encounter -- you open things up, you're encountering unknown variables, mechanicals, duct work, who knows what you're going to encounter.

DEPUTY COMMISSIONER CALDERONE:

That's correct.

LEG. LOSQUADRO:

So this is just your general --

DEPUTY COMMISSIONER CALDERONE:

That's exactly what it is. I'll give you original -- the bids came in at 20 million, approximately, twenty point something million.

LEG. LOSQUADRO:

So we're looking at 10% here?

DEPUTY COMMISSIONER CALDERONE:

And it was the -- exactly.

CHAIRMAN BEEDENBENDER:

Okay. If there are no further questions, Legislator Romaine.

LEG. ROMAINE:

Is there any hope that the Legislative Auditorium in Riverhead will be completed before the end of this year?

LEG. LOSQUADRO:

That's what we were just talking about.

LEG. ROMAINE:

Yes, I know.

CHAIRMAN BEEDENBENDER:

He just -- he said it is theoretically possible for December.

LEG. ROMAINE:

It is still possible.

DEPUTY COMMISSIONER CALDERONE:

Anything's possible.

*(*Laughter From Audience*)*

LEG. ROMAINE:

How probable do you think it might be?

LEG. LOSQUADRO:

Based on those percentages.

DEPUTY COMMISSIONER CALDERONE:

I'll give you --

LEG. ROMAINE:

Well, I guess I should worry more about the 2010 session of the Legislature.

DEPUTY COMMISSIONER CALDERONE:

That's fair enough.

LEG. ROMAINE:

Okay. Thank you.

CHAIRMAN BEEDENBENDER:

Okay. I'll offer a motion to approve.

LEG. LOSQUADRO:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? **IR 1370 is approved (Vote: 5-0-0-0).**

IR 1371-09, Appropriating funds in connection with the purchase of heavy duty vehicles for the Police Department (CP 3135) (Co. Exec.)

A hundred thousand dollars for a two-car carrier for the Police Department?

DEPUTY COMMISSIONER CALDERONE:

Yes, it --

CHAIRMAN BEEDENBENDER:

Shouldn't this be in Public Safety?

DEPUTY COMMISSIONER CALDERONE:

No, because -- well, it's in ours because we do the purchasing of the vehicles.

CHAIRMAN BEEDENBENDER:

Okay.

DEPUTY COMMISSIONER CALDERONE:

And yes, they need it to -- it's an ongoing Capital Program to purchase, again, i.e., big purchases like car carriers. And usually we purchase one a year to keep up with the ones that we decommission.

CHAIRMAN BEEDENBENDER:

Okay. Legislator Losquadro, no?

LEG. LOSQUADRO:

Motion.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Losquadro.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1371 is approved (Vote: 5-0-0-0).**

IR 1399-09, Appropriating funds in connection with rehabilitation of Smith Point Bridge (CP 5838) (Co. Exec.)

This is -- Now, I would like to have a little bit of a discussion on this, Gil. This bill appropriates

three-and-a-half million dollars for the rehab of the bridge, and this will extend the useful life ten years; is that my understanding?

COMMISSIONER ANDERSON:

This is -- yeah. This is the three-and-a-half million dollars for the project to extend the life of the bridge while we pursue the funding of the bridge's replacement, which we hope to do in ten years.

CHAIRMAN BEEDENBENDER:

Right. And if my memory serves, the Department of Public Works has been working with a Federal delegation and one of the requests for the new transportation bill was the money for this bridge, or possible -- or it's been discussed.

COMMISSIONER ANDERSON:

It is in discussions for the next phase of the appropriations.

CHAIRMAN BEEDENBENDER:

Right, and that's contingent on a million other things, but at least it's been on the table. Legislator Romaine, did I see your hand up?

LEG. ROMAINE:

A couple of questions about the bridge. The bridge is in poor condition now?

COMMISSIONER ANDERSON:

It's in need of repair. We had to do a load posting because of issues with some of the beams that were discovered doing the interim design.

LEG. ROMAINE:

And the drawbridge still works.

COMMISSIONER ANDERSON:

Correct.

LEG. ROMAINE:

Now, you're going to bond for 20 years; is that correct? You're going to bond for 20 years, but you just said on the record that you plan to replace it in ten years.

COMMISSIONER ANDERSON:

We hope to replace it in ten years.

LEG. ROMAINE:

Okay, but you're not sure of that. Because usually bonding agencies are very particular, they want to know that the useful life of the work you're going to do is going to be 20 years if you're going to go to bond for 20 years as opposed to ten years. Why did you choose to go to bond for 20 years as opposed to ten years?

COMMISSIONER ANDERSON:

Well, the anticipation is we have to come up with \$40 million to replace the bridge. On the best case scenario, we get a full -- we get a -- we're able to go to construction within ten years if we can find the funding.

LEG. ROMAINE:

Uh-huh.

COMMISSIONER ANDERSON:

We want something that's going to last longer.

LEG. ROMAINE:

Now, what would happen to the bond, then, if you replace the bridge? This is a 20-year bond, you're going to bond for three-and-a-half million, you're going to spend an additional \$2 million in interest because it's a 20-year bond. What happens to that bond? Does that bond -- even though you've replaced the bridge in ten years, does that 20-year bond -- are you going to retire the bond; what is the plan? I'm trying to understand the plan.

CHAIRMAN BEEDENBENDER:

I think Legislative Counsel may be able --

LEG. ROMAINE:

Okay.

CHAIRMAN BEEDENBENDER:

May be more appropriate, Legislator Romaine.

MR. NOLAN:

I was just going to -- I was just saying to the Chairman that the Local Finance Law has periods of probable usefulness for all -- like 125, 130 different things. I'm presuming bridges comes under 20 years, that's probably why they picked 20 years. Obviously, if they build a new bridge in ten years, they're going to have to keep paying the bond;

I suppose it could be retired earlier, but it wouldn't be necessary legally.

LEG. ROMAINE:

I'm reluctant to vote for this

MR. ZWIRN:

Then don't.

LEG. ROMAINE:

I'm in favor of redoing the bridge, but I don't want to take out a 20 year bond for a bridge that's going to be replaced in ten years. I don't understand why we didn't take a ten year bond, particularly when three and a half million is going to generate over \$2 million in interest payments for those 20 years. I mean --

MR. ZWIRN:

A bond can be retired early. If you did a bigger project, you could roll it into the other bond issue and pay it off and have one large bond issue. The alternative is not to move forward on this and imperil the people who travel that bridge every day. So, I mean, if you feel uncomfortable about the financing of it, then don't support it.

LEG. ROMAINE:

Well, as I said, I support the project, I'm just wondering --

MR. ZWIRN:

Then support the budget and vote against the bond issue like you usually do.

CHAIRMAN BEEDENBENDER:

One at a time, one at a time. Legislator Romaine.

LEG. ROMAINE:

I'm just wondering why we're doing a 20-year bond instead of a 10-year bond which would be more appropriate considering the information I just received. Is there a reason for that?

MR. ZWIRN:

Legislative Counsel points out, if you look at -- if you talk to Bond Counsel, which anybody has the opportunity to do, or look in the -- and we'll get you the appropriate sections of the law, every

project has a life expectancy, and some bond issues with respect to litigation settlements are perhaps five years, it depends on the project and the expected length of that project. So that taxpayers who will get the benefit of that project will have the opportunity to pay toward the debt service of that as well so you don't pay for it all at once, and then people who are here 20 years down the road who get the benefit of it didn't have to pay anything for it to be done. That's generally the thought process that goes into the Bonding Resolutions.

But if you have a question about that, we'll put it up to Bond Counsel. But in this particular case, you can always retire a bond early if we had the cash. But, you know, with all due respect, Legislator Romaine, you have constantly voted against every revenue source that we've ever had here, including the extension of the 1% sales tax which meant \$250 million to this County. You cavalierly voted against that and then you want every service --

LEG. ROMAINE:

So did Steve Levy, each and every time it came up.

MR. ZWIRN:

I'm not --

LEG. ROMAINE:

Each and every time it came up.

MR. ZWIRN:

Well, I'm telling you, the last time it came up here, there are two people that voted against it and you hung out the other 16 Legislators. And at the same time, you want Sunday bus service, you want everything under the sun and you vote against every --

CHAIRMAN BEEDENBENDER:

Ben? Ben?

MR. ZWIRN:

Every revenue source.

MR. ZWIRN:

Ben?

MR. ZWIRN:

And now you're --

CHAIRMAN BEEDENBENDER:

Ben?

MR. ZWIRN:

Well, you've got a bridge here that's in serious need of repair?

CHAIRMAN BEEDENBENDER:

Talk about the bridge.

MR. ZWIRN:

I'm talking about the bridge.

CHAIRMAN BEEDENBENDER:

All right.

LEG. LOSQUADRO:

No you're not.

MR. ZWIRN:

It was in there somewhere, Legislator Losquadro, I promise you it was in there.

CHAIRMAN BEEDENBENDER:

I have a couple of questions, Gil, about the bridge and about the memo that you wrote and about -- it has to do with this ten years as well. In your memo you said it could take -- it's going to take, what, five to seven years for design and permitting, so before that clock starts we'd have to have the money, right?

COMMISSIONER ANDERSON:

Well, the design and permitting -- yes, for the design and permitting, yes.

CHAIRMAN BEEDENBENDER:

Right. So under the best scenario, five to seven years just to do the design and permitting; and this is a massive bridge; I would imagine two years to build it, three years to build it?

COMMISSIONER ANDERSON:

At the very least.

CHAIRMAN BEEDENBENDER:

So that's if we had the money today we're talking ten years, and we don't have the money today.

COMMISSIONER ANDERSON:

Correct, if everything went according to plan.

CHAIRMAN BEEDENBENDER:

So more likely, we're looking at more than ten years.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Okay. Now, let me just ask you another question about what's in the memo. There's three-and-a-half million for the rehabilitation project, and in the memo you talk about a repair that costs less than 200,000. I couldn't quite follow. I think what it says is three-and-a-half million dollars of a project that's ongoing, you discovered something that was a bit more serious than you had anticipated and that repair is going to cost less than \$200,000.

COMMISSIONER ANDERSON:

Right, and we'll get that taken care of immediately so that we can repost the --

CHAIRMAN BEEDENBENDER:

You can lift the road posting.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Okay. That 200,000 is part of this three-and-a-half million dollar project.

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN BEEDENBENDER:

Okay. Now, my question about the road posting, then, is fire trucks can't cross the road right now.

COMMISSIONER ANDERSON:

They can.

CHAIRMAN BEEDENBENDER:

They can. There are exceptions? It says, "Limit heavier road such as runoff, container trucks, equipment movers and heavy emergency or service equipment including fire trucks." It will limit.

MR. HILLMAN:

Limit. And we've -- our structural people have come up with a calculation and actually striped out the bridge that if an emergency vehicle -- and we've notified the appropriate emergency response people, that if for any reason a large fire truck or a large vehicle needs to get over the bridge, there's two white lines we've painted directly on stringers that are in good shape and they'll need to go over the bridge following those white lines at five miles an hour. So they do have access, but it is limited access.

CHAIRMAN BEEDENBENDER:

Okay. Well, I'm not an engineer, but that sounds really bad.

*(*Laughter From Audience*)*

And my question is, you know -- and I don't mean to be flip about it, but with this repair, I guess this is something that can happen in a relatively short timeframe?

MR. HILLMAN:

Yes.

CHAIRMAN BEEDENBENDER:

Okay.

MR. HILLMAN:

You have have an eye -- picture an eye-beam, okay?

CHAIRMAN BEEDENBENDER:

Uh-huh.

MR. HILLMAN:

The bottom flange on two of these stringers has deteriorated to the point where we have serious concerns and we needed to load-post it down.

CHAIRMAN BEEDENBENDER:

Okay.

MR. HILLMAN:

There's no danger for any standard vehicle.

CHAIRMAN BEEDENBENDER:

Okay.

MR. HILLMAN:

It's only the larger vehicles.

CHAIRMAN BEEDENBENDER:

Okay.

MR. HILLMAN:

So we've load-posted it down to be safe and we -- in these structural calculations, there's very large safety factors; two, three time safety factors.

CHAIRMAN BEEDENBENDER:

Okay.

MR. HILLMAN:

So in all likelihood, a vehicle could travel at normal speeds and nothing would happen --

CHAIRMAN BEEDENBENDER:

Okay.

MR. HILLMAN:

-- for a number of years. However, when we're talking structures, we always err on the side of caution.

CHAIRMAN BEEDENBENDER:

Well, I appreciate that. It's just that, you know, as -- I didn't mean to make a joke before, but as I'm not an engineer, if you told me that you had to trace a path for a truck to go on, that sounds -- it sounds really bad.

MR. HILLMAN:

Agreed, but like I say, we err on the side of caution. We would never --

CHAIRMAN BEEDENBENDER:

There's several times -- several -- it's a factor of two or three, you said, that's built-in. Legislator Losquadro, you were first and then Legislator Stern.

LEG. LOSQUADRO:

Thank you. I don't have the memo in front of me and I'm trying to recall what the -- the underpinnings of the bridge itself, have you had any problem that some of the other bridges along the south shore has had in terms of Scala along the -- you know, the pilings going into the bay bottom? What are we looking at with the actual underpinnings of this bridge, or are these problems just more relegated at this point to the -- to the girdus and you're just looking to extend the life expectancy because the remainder of the bridge is going to have to be replaced.

MR. HILLMAN:

Our report back at the end of 2008 did not indicate any Scala issues. The majority of the problems with this bill are the structural numbers, the original -- this is the original operating equipment for the drawbridge, we can't get replacement parts at this point. There's one contractor that, when he decommissions a bridge like this, hordes these kind of extra parts, refurbishes them and all at his mercy, essentially, to get these parts. So it's really the mechanical and structural components of it, but the Scala has not been issue to date.

LEG. LOSQUADRO:

Thank you.

CHAIRMAN BEEDENBENDER:

Legislator Stern.

LEG. STERN:

Yeah, thank you. Bill, look, let me say relatively short period of time, what kind of time period are you talking about?

MR. HILLMAN:

Our consultant has come up with two or three options to make immediate repairs. We are continuing to work with them to determine the best option. We then quickly come up with some details, meet with three contractors and receive three emergency bids to do the work and progress the work. So in timeframe, I'm hoping to get a contractor on board, actually making the repairs, it would be great if we could do it before the summer, obviously, and within the next month get them out there and it should be relatively quick to do it. So if we could do it before July 4, be completely done, that would be fantastic; I mean, that would be a realistic goal.

CHAIRMAN BEEDENBENDER:

For government, that is an incredibly relatively short period of time, so thank you. Are there any other questions? If none, I think we have a motion and a second; do we, Madam Clerk?

MS. ORTIZ:

No.

CHAIRMAN BEEDENBENDER:

I'll offer a motion to approve. Seconded by Legislator Stern.

All in favor? Opposed? Abstentions? **IR 1399 is approved (Vote: 5-0-0-0).**

IR 1400-09, Amending the 2009 Operating Budget and the 2009 Capital Budget and Program and approving the purchase of approximately 70 hybrid electric vehicles of various models for County fleet and accepting Federal Aid (Co. Exec.). Motion by Legislator Losquadro.

LEG. LOSQUADRO:

On the motion as well.

CHAIRMAN BEEDENBENDER:

I'll second it. Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. What are the various models and for what intended purposes?

COMMISSIONER ANDERSON:

Tom can give you the details on it, but these are the non Public Safety.

LEG. LOSQUADRO:

Yeah. I mean, just doing the rough math, obviously it averages out to \$22,800 per vehicle, County share \$5,700 per vehicle. But obviously, if it's various models, those numbers would go up and down a bit.

My concern with the hybrid SUV's, the Escapes, seeing them purchased by other municipalities in other areas, they're really not getting any better gas mileage than a conventionally-fueled sedan. So if we don't absolutely need 100% of the time to have someone in a vehicle with some degree of off-road capability, because these are uni-body vehicles with not a tremendous amount of ground clearance. And yes, they are technically four-wheel drive, but they're not really getting any better gas mileage than a conventionally-fueled sedan.

So my concern is seeing 23 of these; do we absolutely need that many SUV's, or are we just saying, "Well, they're hybrids and we can get some money for them, so we'll put these SUV's out there"? I would like to see more of hybrid sedans and maybe keep some of those Escapes, I'm sure some of the people driving them would like to have the extra room and drive around in an Escape versus whatever you're going to tell me the sedans you're looking for are. But based on what I've looked at in their fleet performance, the mileage hasn't been that great on them.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

Right now there are only three vehicles approved. All this money is coming from CMAQ, it may even approve just three vehicles up until now, one is a Prius, the Honda Civic and the Ford Escape are the only vehicles we were permitted to purchase. We've recently gone back to them and asked them if they would amend that list because there are newer vehicles coming out all the time that actually get better mileage; but until today, they have not amended that.

We have been working with each of the departments regarding the Escapes. In January they wanted Escapes because they're a little bit more roomy than the sedans, and they claim they absolutely needed them and we're listening to the departments. They currently cannot live with the size of the sedans. So it hasn't really been Public Works' choice, it's been through each of the departments. The list that you had before you that went with the resolution includes about 16 vehicles for Public Safety, so this is the first time we've convinced our Public Safety departments to actually go with hybrids. So even though there may be Escapes and they may not get the best gas mileage, they still do get better than the normal SUV and I still think it's in the County's best interest to move that way.

LEG. LOSQUADRO:

Thank you. One of the areas of concern to me with the hybrids has been the estimated life expectancy of the battery packs. What experience have we had speaking to other municipalities that have reached the end useful life expectancy of these and what's the cost to replace?

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

Our oldest hybrid is a 2005 Escape. So they claim that the batteries are at least good for five years. Right now we have 70 hybrids in our fleet, we're having zero problems with them, including the batteries. So I can't answer you where we're going to go in the future. We're hoping that the life expectancy will be longer than five years; we'll find out over the next few years.

LEG. LOSQUADRO:

So you're telling me that these SUV's, obviously they're compact SUV's, would be seen as a replacement for an SUV by these -- especially by -- I see some are for DPW, but I also see six here for the Sheriff's Department; that would be in place of another SUV? I mean, that's great if they're willing to accept that.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

An SUV or a Crown Vic, which is just as good.

LEG. LOSQUADRO:

Well, just as good on gas as an SUV.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

Yeah.

LEG. LOSQUADRO:

So, I mean, yes, certainly even an Escape hybrid would do better than those. But again, my point being even a conventionally-fueled sedan, not a Crown Victoria, gets comparable highway mileage to an Escape hybrid. So if it's something that it has to be for that application, yes, it's certainly better than the other two alternatives, being the Crown Victoria or like a Chevy Tahoe; certainly it gets better mileage than that. But just something -- I thought ultimately DPW has the final say as to which vehicles are purchased, because you want a certain level of standardization for parts, for maintenance and the like. So I know the departments can ask whatever they want, but ultimately it's DPW's decision as to which vehicles they put into the fleet simply for fleet management purposes.

So, you know, if you're saying that this is a viable alternative to what they were requesting and it's a better alternative and that a sedan could not operate in that capacity; well, then yes, it's certainly

better than what they're asking for. That is what your -- that's the statement you're making.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

Yes, exactly.

LEG. LOSQUADRO:

All right. Very good. Thank you.

CHAIRMAN BEEDENBENDER:

I just had a quick question. The title of the bill refers to approximately 70 hybrid vehicles, the Exhibit A only lists 38. So I guess we'll see another resolution later to approve the remaining 32, or 22? No, 32, I was right the first time.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

We hadn't planned to do another resolution. We were hoping to get approval to do all 70 over the next two years.

CHAIRMAN BEEDENBENDER:

Okay.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

This is the first list --

CHAIRMAN BEEDENBENDER:

Okay.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

-- this year we plan to buy, next year we're hoping we have more models available, maybe some pick-up trucks, to move into other non-traditional areas as the manufacturers bring out more and more different models.

CHAIRMAN BEEDENBENDER:

So right now we're approving the funding for up to 70 and at the same time you're giving us a list of the first 38 you're going to be buying.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

That is correct.

CHAIRMAN BEEDENBENDER:

Okay. My question to Counsel, we have to approve individual vehicles, we have to approve that, do you not? I know you have to approve leases, but we have to approve increases in the fleet. So in --

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

This is not an increase in the fleet, these are only replacement vehicles. There's no increase in the fleet.

CHAIRMAN BEEDENBENDER:

Okay.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

So I don't think you have to approve -- we normally give you the list, but I don't think it's a requirement.

MR. NOLAN:

Right. This resolution states that it's here to comply with Chapter 186 of the Code, that's what it says, so I'm assuming you're trying to comply with Chapter 186 of the Code. We're approving 38

vehicles. I'm presuming you're going to come back with another resolution when you have the other 32 vehicles identified.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

If that's what you would like, we'll do that.

CHAIRMAN BEEDENBENDER:

Well, I -- the RESOLVED clause of the resolution says -- you know, it refers to what the Counsel said, 186. So I think that would be not only appropriate but necessary, at least in my viewpoint.

MR. NOLAN:

I would say that that section of our Code is one of the most confusing sections of our code. But yeah, I think you do need to come back.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

It's not an issue for us. Next year when we're ready to purchase, we'd be glad to give you another list or another resolution amending this.

CHAIRMAN BEEDENBENDER:

Thank you.

LEG. ROMAINE:

I would simply suggest that Counsel may want to discuss with the person submitting this resolution that a scrivener's error has taken place and that we change the number 70 to, what is it, 38 is it --

MR. NOLAN:

Thirty-eight.

LEG. ROMAINE:

Thirty-eight? I'd suggest a scrivener's error so that this resolution can go forward and that we can comply with the law and approve exactly what we're approving. We don't usually give a blank check for things that we don't know about and we certainly don't approve things for next year that we haven't seen this year.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

That may be an issue. This is -- this resolution has to include the full \$2 million of CMAQ money which is approximately 70 vehicles, otherwise we lose the funding.

MR. NOLAN:

That we can do. We don't have to change the money, but we may change the title to delete the reference to 70 vehicles, if that's okay with you guys.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

I'm not sure. CMAQ is very --

MR. NOLAN:

All right; let us know.

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

The Feds and the State are very tight on this. This resolution, the way it's written, works. If we don't say how many vehicles, I'm sure that's fine, as long as we have the two million.

LEG. LOSQUADRO:

To Counsel; could we add a clause in there to just say that the remainder of the vehicles -- or the

actual vehicles purchased would be subject to final Legislative approval, the models?

MR. NOLAN:

We could do that, but you're past the amended filing deadline, so that --

LEG. ROMAINE:

Scrivener's error.

MR. NOLAN:

So I would suggest not doing that -- well, that's the other alternative. You can make that change and bring it on by a CN, or you could delete the reference to 70, I think we have an understanding with the department, they'll bring it back when they have the additional vehicles, but I think either way works.

CHAIRMAN BEEDENBENDER:

Well, I think I would rather have it in the bill. I don't know how my colleagues feel. Ben, if we added that clause, could you present a CN for this? I don't anticipate there being a problem for support, it's just to clarify it.

LEG. LOSQUADRO:

I certainly -- I would be willing, and I'm sure the Chairman would join me, we could even send a letter to the County Executive requesting such.

CHAIRMAN BEEDENBENDER:

Yeah, requesting a CN for this on Tuesday?

MR. ZWIRN:

I'll bring it forth. It is time sensitive, so it has to be done at the next meeting.

CHAIRMAN BEEDENBENDER:

Right. Well, we want to get this done early, we just think it's probably more appropriately done in a little bit different fashion, so.

MR. ZWIRN:

It's not a controversial thing, I don't think there would be any problem.

CHAIRMAN BEEDENBENDER:

Okay, good. All right, then I guess -- should we discharge it just in case, discharge it so it's there just in case?

LEG. ROMAINE:

Discharge without recommendation.

LEG. LOSQUADRO:

That's fine, I'll second the motion to discharge without recommendation, but just on the motion, I just wanted to follow up on something that was said. The type of vehicles that you would be looking at in the future, I know that there are -- when I was at the auto show I was looking at the Silverado hybrid, a couple of the other vehicles that were, you know, coming on to the market, maybe not improved yet. Were you looking at any other vehicles specifically that you think you can move into non-traditional roles within our fleet?

CHIEF DEPUTY COMMISSIONER LAGUARDIA:

Yes, we are, but right now the problem is the Feds. They've only got this small list of approved vehicles. Malibu has a quite nice hybrid vehicle, Chevy, but it's not on their approved list, so. We go back to them every month and ask them, "Have you updated your list?" There are more U.S. manufacturers now with better mileage. Once they start to release those vehicles on to this list,

yes, we'll be looking at more vehicles. Pick-up trucks are coming out, and for our very light duty pick-up trucks, hybrids would be a wonderful addition.

LEG. LOSQUADRO:

Very good. Thank you. So motion -- I'll second the motion to discharge without recommendation.

CHAIRMAN BEEDENBENDER:

We have a motion by Legislator Romaine to discharge without recommendation, seconded by Legislator Losquadro. If there's no further comment, all in favor? Opposed? Abstentions?

IR 1400 is discharged without recommendation (Vote: 5-0-0-0).

If there is no further business before the committee, we stand adjourned.

(THE MEETING WAS ADJOURNED AT 4:04 P.M.)