

CAPITAL BUDGET MEETING
OF THE
PUBLIC WORKS AND TRANSPORTATION COMMITTEE

The Public Works and Transportation Capital Budget Meeting was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Smithtown, New York, on Tuesday, May 19, 2009 at 9:30 a.m.

MEMBERS PRESENT:

Legislator Brian Beedenbender - Chairman
Legislator Steven Stern - Vice-Chairman
Legislator Kate Browning
Legislator John Kennedy
Legislator Wayne Horsley

ALSO IN ATTENDANCE:

Legislator Edward Romaine
George Nolan - Counsel to the Legislature
Gail Vizzini - Director of Budget Review Office
Lance Reinheimer - Budget Review Office
Roz Gazes - Budget Review Office
Craig Freas - Budget Review Office
Bob Doering - Budget Review Office
Benny Pernice - Budget Review Office
Joe Schroeder - Energy Specialist
Terry Pearsall - Chief of Staff/Presiding Officer's Office
Kaitlin Boyd - Aide to Legislator Beedenbender
Ben Zwirn - Deputy County Executive
Ed Hennessey - County Executive's Office
Allen Kovesdy - Budget Office/County Executive's Office
Chuck Stein - V.P. Business and Finance/Suffolk County Community College
Jon DeMaio - Administrative Director of Facilities/SCCC
Gil Anderson - Commissioner of Public Works
Bill Hillman - Chief Engineer/Department of Public Works
Ben Wright - Sanitation Division/Department of Public Works
Tedd Godek - Suffolk County Architect
Javed Ashraf - Energy Engineer/Department of Public Works
Debra Alloncius - Legislative Director of AME

MINUTES TAKEN BY:

Lucia Braaten, Court Stenographer

[THE MEETING WAS CALLED TO ORDER AT 9:53 A.M.]

CHAIRMAN BEEDENBENDER:

Okay, if we could get started. We solved a few technical problems and we're ready to go. So I don't have any cards, so I guess we'll just do this, and if there's anybody that wishes to speak? Yeah. But first -- thank you, Legislator Romaine. First, if everybody could just rise for the Pledge of Allegiance.

(*Salutation*)

Okay. I know that a representative from the College has requested the opportunity to speak, so since I know that they'd like to speak, if you'd like to come up to either microphone, Chuck, and whoever you'd like to bring with you to discuss. And once he's done, if anybody else in the audience wishes to speak or make any comments, we'll have that, and then BRO will give us a short summary, and we'll have any question. So, Jon, Chuck, please feel free. You have to hold your finger on the microphone. Yeah, it's part of our retraining, we're all getting used to it.

MR. STEIN:

Good morning. Thank you for this opportunity to address your Committee. We'll only take a few moments. I'd like to talk about the projects at the Community College, and just briefly discuss them in terms of which ones have State Aid and which one we are still seeking support for.

In terms of those -- and it's important to point out that, according to the State, we cannot get their support unless there's a specific year in which the project is noted. In the past, they used to accept the fact that subsequent years was okay, but given the financial situation, they're looking for specific years now to be identified.

In terms of starting with the projects that have State Aid, Kreiling Hall, Project 2114, this is an older project that has State Aid dating back to 2003, and our concern is we don't want the State to reallocate the money, which is why we requested funding for 2010, certainly to move the project, stimulate the economy, get things moving.

And Budget Review, in its analysis, agreed to move the design -- recommending moving the design funds to 2010, however, leaving the remaining funds in 2011. Certainly, this is a move in the right direction. But we also are concerned about the loss of that State Aid, so we would ask for your consideration to move all the funds to 2010.

The Health and Sports Facility at the Eastern Campus, Project 2120, the Legislature has been very instrumental in the past in keeping this project in the Capital Program. It has been removed in the recommended program. And this project has State support, it has the 50% funding. Certainly, we would ask that this project be restored. The Budget Review Office recommendations were that the project be restored, but placed in the subsequent year period. Again, we're concerned about that, because we've been advised that they are looking for specific years. And we would like to advance it so we can start the process and get the thing moving. I know there's a lot of talk about shovel-ready projects. We can't get them shovel ready unless you start, so this is important.

Library at the Grant Campus, or Learning Resource Center as it's known, Project 2159, this project also has State Aid. It's in the State's five-year plan. This is a project that has a huge impact at the Grant Campus, and we want to start the design. I don't want to get into the details about how we're woefully inadequate in terms of the size of a project and the other things there. Those of you who have visited the Grant Campus are aware of it. I know we've spoken about it in the past. In order to get the bonding started from the State, we really need this project in 2010. We're requesting 1,600,000 for 2010, with the remaining amount in 2011. The Budget Review Office recommendation supports the project, but they're seeking the money in 2012. Again, we're trying to advance this thing and get it moving, so we request the design money in 2010, with the remainder in 2011. This hurts. Your finger gets tired after awhile.

CHAIRMAN BEEDENBENDER:

You don't have to push down that hard.

MR. STEIN:

The Peconic renovation, Project 2181, this is similar to the Kreiling Hall project. It's been around awhile, and it keeps getting pushed off every time there's a Capital Program. So we are concerned about keeping that money so it doesn't get reallocated. It was all in 2010 in last year's adopted program, but delayed construction this year until 2011. We'd like it to stay in 2010 so we don't lose it, and that also -- when reviewed by Budget Review Office, they agree with our request.

There are two projects in which we're pursuing the State support. The security notification, Project 2140, this project implements the redundant notification systems recommended for college campuses to protect everyone who visits them. We want to thank the Legislature for your support appropriating the \$150,000 so we could start the building notification system right away. We want to thank you for that. We want to continue to show the State that we're ready to complete the entire scope. Security is vitally important. I don't have to go through the details of it, you're well aware. We're requesting 2.6 million in 2010, and right now it's in for \$350,000. Three hundred and fifty thousand dollars doesn't come anywhere close to handling the security issues for three campuses, it just doesn't work, and we would ask your support for that.

Finally, on the infrastructure, Project 2149, the -- we have aging assets at all the campuses. They've been around awhile and they need work. We requested funds over a three-year period to address the issues on a priority basis. The Budget Review Office agreed with this request, including one-third of the amount for 2010, so we can seek State support for the 50%.

If you have specific questions regarding the projects, I have Jon DeMaio here who oversees the projects, and he'll be happy to answer them for you. Thank you.

CHAIRMAN BEEDENBENDER:

Okay. Before we move away from the College, do any of my colleagues have -- John, and then Ed.

LEG. KENNEDY:

Hi, Chuck. Thank you for coming in. As always, I mean, the projects you bring forward throughout the College are important. But tell me a little bit again about what's going on, if you can just briefly, with the enrollment trends amongst the three campuses. The Grant Campus, I've had an opportunity to be there recently. We've had a lot of conversations about the capabilities there, and also what the existing infrastructure is. The parking lots are horrendous. The lighting is, in my opinion, insufficient. I think the building certainly is needed, but I think there's also an overall need to address. And I hear from my colleagues that Ammerman is similarly situated with, you know, some significant deterioration, with the basic, just surface infrastructure, and also the outdoor lighting. Is that anything that you would be addressing out of these projects? And, also, just what are you seeing with the enrollment trends, particularly in the the Western Campus?

MR. STEIN:

First, on the projects, the infrastructure project that we're requesting funds for would address a lot of what we have in those areas. We took a look at the situation at the Grant Campus on a temporary basis, and in the parking area that we had -- you and I have discussed, we are looking to at least temporarily address that situation.

Enrollment is up. This year, the current year, on the operating side, we had budgeted for a 2.75% increase in enrollment. We're going to be somewhere in the 3.8% increase. We are going to be discussing the Operating Budget shortly. We have forecast for next year a 3% increase in enrollment. We are reaching some interesting scenarios because of our enrollment going up, and, certainly, the economy is playing a part in that. The College is working very hard with its master schedule trying to take full advantage of every seat, because we're running out of room. There are

times at the Ammerman Campus where on a Tuesday or a Thursday, you cannot find a parking spot, every spot is taken. We had expanded the schedule, classes Saturday, Sundays, as early as 6:30 in the morning during the week. Yes, there is enrollment growth.

LEG. KENNEDY:

In addition, I just want to take a moment to commend you at the College for some of the innovations that you're using, particularly with trying to maximize the teacher resources. Having said that, I'll also say to you, your distance learning equipment definitely needs to be upgraded. While, you know, a teacher in Western who's engaging students at Ammerman in Eastern is admirable, having had the opportunity to both be there with a live instructor and in also the remote technology, it was innovative and great when it was first implemented perhaps seven, eight, or nine years ago, you've got to get some new equipment. It's strained, not only for the students, but also for the instructors as well. Great concept, but we have to bring it more current.

MR. STEIN:

We are in the process of upgrading that equipment right now.

LEG. ROMAINE:

First of all, I do know that you use your campus and your resources to the utmost ability, including Sundays, because I taught several courses on Sunday that started at 10 o'clock in Brentwood, which is preferable to getting there on Saturday at 9 o'clock. But let me ask you this: You mentioned all of these projects. Are all of these projects 50% State fundable?

MR. STEIN:

They are all 50% State fundable. I did break up the presentation to those that already have that commitment and those that we're still seeking.

LEG. ROMAINE:

And this may be outside your purview. What is the total of the projects that you're requesting in terms of dollar amount?

MR. DEMAIO:

Give me a second, I have that.

LEG. ROMAINE:

Okay.

MR. DEMAIO:

Kreiling Hall is three-and-a-half million. Total --

LEG. ROMAINE:

The total, if you could do some quick arithmetic.

MR. DEMAIO:

Total, sure.

LEG. ROMAINE:

And I'll talk while you're doing your arithmetic. But the reason I'm asking that is because I'd like to see how much State dollars are flowing into Suffolk. And in terms of the capital projects, I'd like to see how much the County commitment would be. I'd also like to understand the multiplier effect, because we're in the middle of a recession, and the way we want to come out of this recession is by creating jobs, not creating more taxes. And the interesting thing is the Capital Program gives us the opportunity to do that by spreading it out for many year, but we get that State Aid immediately. And this would be a tremendous shot in the arm to the local economy by creating jobs that are worthwhile. Hopefully, you finished your arithmetic.

MR. DEMAIO:

It's quick arithmetic.

LEG. ROMAINE:

Okay.

MR. DEMAIO:

However, when you look at all the projects we have with continuing authorizations --

LEG. ROMAINE:

Right.

MR. DEMAIO:

-- both that are currently in the proposed Capital Plan that we're seeing State Aid for, you're talking about 100 million dollars in projects.

LEG. ROMAINE:

So 100 million dollars in terms of both -- that's just State Aid?

MR. DEMAIO:

That's total, so that would be --

LEG. ROMAINE:

Total. So it's 50 -- approximately 50 million dollars in State Aid, and another 50 million dollars of our Capital Project, for 100 million dollars. And I am told that the multiplier effect for public works types of jobs that you're talking about that would be created is at least seven to one.

MR. STEIN:

I've heard that same number.

LEG. ROMAINE:

Right, seven -- there's an economic theory that says for every public dollar expended, there's a multiplier effect of a minimum of seven to one in stimulating the local economy. So this could mean almost seven hundred million dollars of economic activity for the County of Suffolk in a time of recession. Plus, besides the economic benefit, the tremendous benefit it would provide to our educational institutions that help train people, retain people, and prepare people for careers here in Suffolk County. Thank you very much.

CHAIRMAN BEEDENBENDER:

Legislator Horsley.

LEG. HORSLEY:

Yeah, good morning, Jon. I'm looking at your forecast for students next year. You're anticipating a 3% growth. Tell me, what does it look like in the high school level at this point, the percentage of graduates compared to this year coming up to last year. How do you get the 3%?

MR. STEIN:

We have an Office of Institutional Effectiveness that has a wonderful formula that they put together that incorporates the level of a high school graduating class. It has to do with the unemployment rate, the level of the economy. They have many factors, and you're an economist, so I'm sure you're well aware of those factors that flow into it. And the analysis that they came up with provided us with the basis for placing a 3% growth level into the operating request.

LEG. HORSLEY:

Okay. So, obviously, then what you're saying is that the number of graduates this next coming year is still increasing? Because I was under the impression that there's a dip --

MR. STEIN:

It's my understanding that it's still increasing. I think in about two years, if I'm not mistaken, that's going to start to flatten out.

LEG. HORSLEY:

That's when the dip comes in is -- yeah, because I had heard that there was one coming. I just would have assumed it was more close to now. So, okay. So you're still anticipating that we're going to have a large number of graduates from high school, as well as the economy -- Chuck, what are looking at the economy as?

MR. STEIN:

Well, unfortunately, we all know where the economy is at the moment. And our enrollment, traditionally and historically, has gone up in periods of poor economy.

LEG. HORSLEY:

Okay. Just at some appointment I'd love to -- maybe for the Economic Development Committee you just could answer that question. You know, let me know. You know, I just was curious as to how you got the 3%. I think you might be right, I just don't know, but it's -- a lot of this stuff is predicated on you not having enough room over there, so I think that's an important fact to know.

MR. STEIN:

Well, that's exactly why we're very carefully examining the master schedule, to take full advantage of every seat that's available.

LEG. HORSLEY:

Right. Okay. Thank you.

CHAIRMAN BEEDENBENDER:

Legislator Stern.

LEG. STERN:

Yeah. Thank you, Mr. Chairman. Chuck, I'm interested in the security notification system. And I'm looking at the numbers and the pretty significant difference in the numbers. But I'm hoping that you can maybe further explain the security notification system that you are looking at, how that would play among the three campuses, the numbers that are requested here, if you have any kind of a breakdown as to what the cost would be per campus. Is it the same system, is it a different system? Overall, what is your vision for that system?

MR. STEIN:

I'll let Jon DeMaio speak to that.

MR. DEMAIO:

Insofar as across the three campuses, certainly, the systems would be the same. We want to be able to, from a remote location, no matter if they're a crisis on East at the Ammerman Campus or Grant, be able to communicate to students and advise them what to do. So the infrastructure has to be compatible across all three campuses, so there wouldn't be a difference in the level of that from one to the other. Now, certainly, insofar as the dollars is concerned, the more buildings you have to communicate to, the larger the acreage, the more dollars you have to spend on that particular campus. So Ammerman would certainly require the most -- the largest percentage of that investment, followed by Grant, and then the Eastern Campus, but the level of communication would be the same for all. So, if you were to look specifically, for example, at the P.A. systems in the buildings and on the grounds, if there was an emergency situation at one of the campuses, our security force could, from a remote location, communicate to all the occupants of a particular building, or multiple buildings, at the same time with the same message, with the same procedures in place on what to do for that particular situation, and that is just a capability we do not have at

this point.

LEG. STERN:

Okay.

LEG. BEEDENBENDER:

Okay. If there are no other questions for the College, thank you very much.

MR. STEIN:

Thank you very much for your time.

CHAIRMAN BEEDENBENDER:

No problem.

MR. DEMAIO:

Thank you.

CHAIRMAN BEEDENBENDER:

Commissioner Anderson, would you like to come up and address us? And if -- is there anybody else in the audience that wishes to address us as well? Okay, great. Well, Gil. And once Gil is done, Gail, I'll give you the opportunity to give an overview or comments, whatever you'd like to share with us about this as well. Gil?

MR. ANDERSON:

Good morning. I welcome any questions that you have on the budget. I think we've had the opportunity to sit with the County Executive to go over the budget. And, you know, we've defended what we feel necessary to defend. We do have a large number of projects in the Capital Program, and added to those are the ones that we have been able to afford through the stimulus program that's currently underway. In all, roadwork is close to 70 to 80 million dollars, significantly higher than our normal annual roadwork. You know, we are looking forward to funding through sanitation, through the EFC and stimulus there. We're assured of generally about 9 million dollars, but we anticipate more as this program progresses. As you've heard, you know, we are anticipating more funding through Transportation as well, and looking forward to the energy issue, you know, the energy funding that, you know, we anticipate being put out there. So, having said that, I'd welcome any questions that you might have.

CHAIRMAN BEEDENBENDER:

Okay. I know some of my colleague have questions. I just wanted to start with the stimulus, just because last time we had a discussion, I think we had this discussion at the committee, but just for an update, we've passed all the bills that are necessary for the roads, the 20 million dollars for the L.I.E. service roads, the 4 million dollar for Motor Parkway, and the 3 million dollars for Commack Road. So those are -- are we assured of that funding? Is that -- we're definitely getting it, or can we say that now?

MR. ANDERSON:

We're still in process, but we're in a very good position.

CHAIRMAN BEEDENBENDER:

Okay.

MR. ANDERSON:

We've submitted all the required documentation.

CHAIRMAN BEEDENBENDER:

Okay.

MR. ANDERSON:

We've been assured that, you know, that documentation is sufficient and we will receive the funding.

CHAIRMAN BEEDENBENDER:

Okay.

MR. ANDERSON:

However, you know, nothing's --

CHAIRMAN BEEDENBENDER:

Okay.

MR. ANDERSON:

Nobody's signed on the dotted line yet.

CHAIRMAN BEEDENBENDER:

All right. Now, beyond the road projects, there was 4 million dollars for the SUNY Sewer District, and four-and-a-half million dollars for the Bergen Point Sewer District.

MR. ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Same situation with that, we've passed everything that we need to?

MR. ANDERSON:

We're in -- yes. Everything has already been in progress with those projects. They are within the intended use plan of the EFC, and, yes, we're in a good position with those as well.

CHAIRMAN BEEDENBENDER:

Okay. And the final number for the buses was 13.3 million dollars?

MR. ANDERSON:

Yes, and that included the 4 million we were already slated to get.

CHAIRMAN BEEDENBENDER:

Right. So that's the same answer, in process, but that's money we're going to get?

MR. ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Okay. Now -- yeah. And you just mentioned that there's an additional 9 million dollars in EFC money? And in our original conversation, we didn't really know whether we were going with all the energy efficiency stuff, but you think it will be about 9 million dollars in the end and we'll just --

MR. ANDERSON:

Well, by the 9 million, I meant the two sanitary projects --

CHAIRMAN BEEDENBENDER:

Okay.

MR. ANDERSON:

-- that we've already been slated, and that there hasn't been anything above that, but we do have a number of projects further down their priority listing.

CHAIRMAN BEEDENBENDER:

Yeah. Well, because there was -- on the list that you had given me, this one, you gave it to me awhile ago, the energy and environment projects. At the time, you had said you weren't sure where -- the Federal Government really hadn't made the guidelines for that, but we weren't sure what we were going to be eligible for. Is that still the case or am I misspeaking?

MR. ANDERSON:

No.

CHAIRMAN BEEDENBENDER:

Okay.

MR. ANDERSON:

And in some cases we are -- this is more of a competitive program. We have gotten a block grant funding that we are preparing, you know, with Department of Energy. There are individual projects, energy projects that we're in the process of completing applications for. And again, this is still something that's rolling out there and being developed as we speak.

CHAIRMAN BEEDENBENDER:

So it's possible that there'll be more good news for the stimulus for those projects in the near future, we just can't say exactly what they will be yet?

MR. ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Okay. Legislator Browning I knew you had a question.

LEG. BROWNING:

Yeah. A couple of projects that I know that you've been trying on work on for sometime, Smith Point Marina and also the William Floyd Parkway. I've been getting a lot of calls from constituents that -- you know, from the Barns Road area towards the beach, there's a lot of potholes. And I'd like to know when was the last time that that road was done, and when do you expect to do any kind of repaving on that road. And again, also with the Smith Point Marina, I didn't see anything in the County Executive's budget for the Smith Point Marina. And I know that we have been -- this is a project we've talked about and has not seemed to have done much of anything but be talked about. So I'd kind of like to get some more information on that.

MR. ANDERSON:

Well, as far as the southern end of William Floyd Parkway, I know that our crews have been out there doing work, you know, to do spot repairs, as far as repaving program. Let me turn to Bill and see if he has any further information it.

LEG. BROWNING:

Yeah. You know, I don't know when the last time it was done. And, you know, how often is it when you go back to a project and say, "Okay, it's time to resurface this road"? And, you know, so how long has it -- since it's been resurfaced, and and what's the time period that you think you're going to get back to doing it again?

MR. HILLMAN:

It's been about 20 years since we -- resurfacing was done in the '88-'89 time frame. And, at your request, at your Office's request, we did take a look at it. It is in need of some repair. We'll probably get to that -- I hope to have it on the list for next year's resurfacing program.

LEG. BROWNING:

Okay. So the marina, where are we with the marina? What are we going to be doing any time soon? You might want to say, because I did want to ask about -- I know we've got a meeting coming up with Main Street, Yaphank, and that's another project.

MR. ANDERSON:

On the marina, I'll have to -- if I can, let me get back to you on that. I'm not sure where we are with that. Let me ask if the County Architect might have some information.

MR. GODEK:

Good morning. The Smith Point Marina actually falls within the purview of the Parks Department. They're setting the the priorities for work in -- at Smith Point Park, and they've recently completed a master plan update for that park, and I'm sure the marina is cover under that. I'm just not aware of what the recommendation is at this point.

LEG. BROWNING:

Okay. And I guess there's nobody from Parks. I thought that was a DPW project, so --

MR. GODEK:

We assist Parks in executing or administrating the projects, but as far as priorities are concerned and program, it's the Parks that sets it.

LEG. BROWNING:

Main Street, Yaphank, I know we've recently had a really bad accident, and I know that probably over in the past six to eight months there's been about four pretty bad accidents on that curve. You know, I know that we had talked about trying to taking out the curve, straightening out the road. I mean, do you have a time frame that you expect to be able to do that?

MR. ANDERSON:

At this point, we are reviewing options. You know, the -- we do have -- we have land that was taken along the north end to straighten the road back I believe in the '70's. I don't know that we're going to go to that extent, but there will be some -- there is some realignment planned. I had hoped to meet with the residents in that area to talk about what we could do to possibly improve it. Again, the request by the most vocal resident is for guardrail, but there is insufficient room, both between the road and the property line, as well as behind the property line, so -- and you do have a number of driveways in there, so you would have to get some type of agreement between the residents to build an effective guardrail. You could actually do more damage than good. Most of the -- you know, again, most of these accidents that occurred were late or, I guess, early morning accidents over the weekend, so, you know, I mean, it's -- we can't -- we don't have the ability to design for everything, but, you know, we are doing our best to address what we can in that area.

LEG. BROWNING:

Okay. It's just, you know, I want to make sure that if there's money needed in the Capital Budget to do these projects, I want to make sure that we're getting there.

MR. ANDERSON:

Understood.

CHAIRMAN BEEDENBENDER:

Gail, you -- I saw your hand up.

MS. VIZZINI:

If I could just offer one comment regarding Smith Point Marina. The Parks Department had requested a \$160,000 in 2010 for improvements to Smith Point, pump-out station, electrical upgrades, and other improvements. The money is in the the proposed Capital Program, but it is in 2012.

LEG. BROWNING:

So then, I guess, it's not going to be happening until 2012, according to that budget.

MS. VIZZINI:

Unless you amend that.

LEG. BROWNING:

Okay. I know that there was some things that I was told were going to happen much sooner, so I guess we'll talk to Parks about it.

CHAIRMAN BEEDENBENDER:

Okay. Legislator Horsley.

LEG. HORSLEY:

Yeah. Hi, Gil.

MR. ANDERSON:

Good morning.

LEG. HORSLEY:

Just a couple of quick questions on, always my -- one of my favorite topics, sewers. What's the latest on the outfall pipe? Have we -- is there any further conversations about pushing it up? You know, where are we at? Maybe that would be the best way to ask it.

MR. ANDERSON:

At this time, we've completed the soil borings through the area. There may be some more needed, you know, I'm not sure, but we're still studying which way to go. I mean, to be honest, it appears to be the tunneling is the, you know, most likely scenario, because any other scenario would require multiple year projects because of the narrow window that we'd be able to work in the bay. So, you know, at this point, you'd be talking five years to do anything such as an open cut or anything like that. But we still are in the process of completing that review. You know, we, at this appointment, assuming we go along that way, I think, you know, we've got it in there, I believe the full funding of 2011, and that's really -- you know, that would be the earliest we'd be able to get it going, but that's where we're heading.

LEG. HORSLEY:

What is your best guesstimate at this point, 2011, 2012. And are we -- how are we doing on the monitoring of the actual condition of the pipe itself?

MR. ANDERSON:

We do monitor it regularly. We do die testing. There is no evidence of anything, you know, leaking out, if you will. You know, again, 2011 is the best -- you know, the earliest scenario. You've got to go through the SEQRA process, all the permits that have to be gotten. I mean, if we did it in two years, I'd be impressed.

LEG. HORSLEY:

Okay. So we're talking 2012, 2013.

MR. ANDERSON:

Most likely.

LEG. HORSLEY:

Okay. And we're going to keep a very close eye on it, because I've got a lot of nervous people out there that now -- now that the cat's out of the bag, people are watching it on a regular basis, all my

boaters and all that kind of stuff, so --

MR. ANDERSON:

Oh, not as nervous as we are.

LEG. HORSLEY:

Yeah, I could imagine. Secondly, there's been a steady drum beat that there may not be enough monies in the program for the master plan for the sewer -- for the Suffolk sewers. What's your feelings on that, and how much more do we -- should we be putting into the budget to get the master plan complete?

MR. ANDERSON:

We'll be getting proposals in the end of this week. And, really, at that time, we can, you know, estimate better what our needs are. I know we've been looking at some other funding and requested the option to possibly use some funds that have been stagnant for sometime. I would prefer to -- at this appointment, if we can wait a couple of weeks to see what funding we're going to need to complete this, and, at that point, we can do a -- you know, a full court press on -- if we have to, you know, bring any other funds in.

LEG. HORSLEY:

Does that work for you, Gail, or is that -- that doesn't sound like a good timeline.

MS. VIZZINI:

Well, the Legislature's opportunity to amend the 2010/2012 Capital Program would be, you know, the first meeting in June that we adopt it. We do have very stringent offset rules, so if you're talking about needing more money in 2009, Assessment Stabilization Reserve Funds are available.

LEG. HORSLEY:

Should we be addressing that now, or -- it seems to be that the drum beat -- the chorus or drum beat, or whatever it may be, is saying we're going to need more. I mean, so should we be putting this up front and -- or should we wait, as Gil says, for the couple of week before we put the additional dollars in?

MS. VIZZINI:

I think what the Commissioner is referring to is that the bids are due back, the responses to the Request for Proposal. And if they -- if they do validate that concern, in other words, if the bids do come back and they're not within the parameters of what we have included, then we'll know if we want to pursue that option. We'll know how much money is needed to make it a viable study.

LEG. HORSLEY:

Okay. So we're going to all huddle next week once these bids come in.

MR. ANDERSON:

Yeah. The Committee will be called and we'll start reviewing the proposals, we'll see what we're up against.

LEG. HORSLEY:

Okay. Let's all monitor that together, it's an all-share. One more quick question on the clean fuels.

MR. ANDERSON:

I apologize. Ben just corrected me. We have extended the date for receipt of proposals to June 15th.

LEG. HORSLEY:

That's right, I heard that. So that would throw your time schedule off, which would mean that the

opportunity for the Legislature to put more dollars in it would be out of synch.

MS. VIZZINI:

Well, again, it depends on whether we're talking about '09 or 2010, because '09 is -- you can amend the current program with Assessment Stabilization Reserve Funds.

CHAIRMAN BEEDENBENDER:

Do you have a ballpark, Gil? Do we know? No, we have no idea?

MR. ANDERSON:

I mean, I could say 2 million and then -- I mean, you know, I could say we need an additional 800,000 and it could be another million-and-a-half, I don't really know.

CHAIRMAN BEEDENBENDER:

Sorry, Wayne.

LEG. HORSLEY:

That's all right. I don't want to miss any deadlines here, because that is of paramount interest to almost every Legislator -- not almost, all Legislators. That's a critical need and something we have to move forward for, through recess or not. So, let's all be monitoring this, that situation, and making sure that there's enough monies in that survey.

Just quickly, let me go back to the clean fuels application that is going through the stimulus process. Where are we at with that? Is that still in the program? We're looking good? Are we talking about east, west, a clean fuel station; where are we at?

MR. ANDERSON:

I believe the present proposal calls for two CNG stations, one in the east, one in the west. We are in the process of completing that proposal and submitting it in through Glick. What is --

LEG. HORSLEY:

No, Clean Cities.

MR. ANDERSON:

Clean Cities, right, that's what it is, yeah.

LEG. HORSLEY:

Okay. So things are good?

MR. ANDERSON:

Yes, they are.

LEG. HORSLEY:

Excellent.

CHAIRMAN BEEDENBENDER:

Legislator Kennedy, then Legislator Romaine.

LEG. KENNEDY:

Just a couple of projects here that I want to touch base with you. The outfall pipe, I know there's been studies that have been done on it, Gil, about where it's at and, you know, the degree to which it's degraded. Has there been anything that's been done, though? Are you committed, is the Department committed at this point to the fact that there's got to be an outright replacement, or has there been any kind of investigation as far as sleeving, or doing some other kind of shoring up of the existing piping frame?

MR. ANDERSON:

We are -- as I stated, we are still in the process of looking at the various alternatives. One of them being discussed is the -- you know, the sleeving. Again, a lot of it really falls back to the environmental impact on the Great South Bay. When you do the work, if you do sleeving, because there are dips and rises, you would have to, you know, actually go into the ground of the bay and create, you know, either some type of case on it or some type of opening to get access. It really comes down to our ability to do it with the least amount of environmental impact. I mean, off the cuff, it appears that, you know, tunneling is the least impact, again, you know, trying to do some type of cost benefit analysis, things like that. You know, we'll have our report I think relatively shortly and we'll know which one the engineers recommend.

LEG. KENNEDY:

Okay. When you have that in final form with the recommendations, I would have an interest in seeing that. And, again, as Legislator Horsley has said, every one of us is very cognizant of what's going on here. So I think we, you know, through the Chair, would all probably have an interest in seeing what the consultant's recommendations are and what the choice factors are that are involved there.

Just two other things. One, with the Capital Project 1664, I read BRO's analysis about some of the discussion regarding the co-gen at John J. Has there been anything that's been adapted specifically as far as a recommendation to site a co-gen facility there and -- or are we still in an exploratory process?

MR. ANDERSON:

I'm going to turn this one over to the County Architect. I apologize.

LEG. KENNEDY:

Okay. I also want to speak about the old Fourth Precinct building as well. So perhaps maybe both those things might have some energy component to it.

CHAIRMAN BEEDENBENDER:

Gil, is this like your bullpen back there?

MR. ANDERSON:

Absolutely.

CHAIRMAN BEEDENBENDER:

Calling for the lefty?

MR. ANDERSON:

It worked for Joe Torre.

MR. GODEK:

Capital Project 1664 actually falls under the purview within the Division of Facilities Engineering, so I am only moderately versed on that subject. Mike Monaghan, who heads up that division, who is very involved in that project, is on military leave this week, so he couldn't make the meeting. However, Javed Ashraf, who sits to my left here, is quite involved in the project and he can probably answer your questions better than I can.

P.O. LINDSAY:

Okay. Well, I appreciate that. Thank you, Javed. And, as a matter of fact, I know you've been doing great work with a lot of the energy conservation projects that we have throughout the County, and I want to commend you on that. And I think that's another area that all my colleagues want to see move forward, you know, very definitively. Co-gen, I think, at John J. just makes all kinds of sense. It's, you know, one of the few facilities that we have, as you know, that goes 365 days a

year. There's an absolute use for, you know, energy there, but, also, I would think a potential to go ahead and throw energy back onto the grid.

I thought I saw there was an initial recommendation for 75 kilowatt, but then there was a subsequent discussion about 150 kilowatt. How close are we, and is something like that something we can access some of the stimulus funding for?

MR. ASHRAF:

We did the analysis for cogeneration feasibility, and, in fact, we had issued an RFP for a cogeneration plant at the Skilled Nursing Home. And we did not really get a proposal, because, during that time, the status of the Skilled Nursing Home was unsettled, we didn't know which way it would go. Then we hired a consultant to do an energy study for that facility, and the consultant made a list of recommendations to improve the energy consumption or to make it more efficient, and one of the measures was also a cogeneration plant for that facility. At this time, we are not implementing the cogeneration recommendation for that facility, but at a later date we may consider it.

LEG. KENNEDY:

Well, Javed, let me -- and I don't want to mix purviews, but from your discipline, from the electrical engineering discipline, is there savings or benefit to be realized by siting co-gen there at John J.?

MR. ASHRAF:

There's definitely savings associated with being -- and the payback is a good payback for that facility, for a cogeneration plant.

LEG. KENNEDY:

Okay. Well, then I guess it's up to my colleagues and I to go ahead and very definitively communicate. As far as I know, John J. is there. As a matter of fact, it's operating at almost full capacity. Today, I think they have only three open beds. And so, if in an effort to continue to go ahead and improve and benefit from an operating plant at this point, co-gen is going to make some sense bringing it in there. I very much have an interest in that, and I guess I will engage in some dialogue with my colleagues about progressing that and moving it forward. But you are going forward with the window replacement, and I see with the doorway entrances and some of those other things. And, cumulatively, what kind of savings do you expect to realize from the the energy consumption having done that?

MR. ASHRAF:

Based on the consultant's report that we got, implementing those measures would result in savings of about five to six hundred thousand in electric, gas cost for that facility.

LEG. KENNEDY:

Okay. And I'll pose this question both for you and for BRO. Do we have any idea how much further we could drive down the energy consumption associated with that site by implementing co-gen?

MR. SCHROEDER:

The savings potential is going to depend on the order of magnitude of the co-gen project. So, in the analysis that was performed by the consultant recently, it was evaluated at the level of a 75 KW installation. A more detailed analysis could result in possibly double that based on past visits to the site. So it would depend on the size of the project.

LEG. KENNEDY:

What kind of demand is there? In other words, within reason, there would be a sustained demand for what was -- what was generated there to go back onto the grid, Joe?

MR. SCHROEDER:

The projects that have been evaluated for that facility, and what Javed has been doing for other facilities is looking at base load projects. In other words, they're not looking at this place saying all the electric that's used at the building, you're looking at base portion of that load, so that you're maximizing your efficiency.

LEG. KENNEDY:

Okay. So it remains to be seen. Six hundred grand that's going to be realized off of our current energy cost associated with that site? Do you know, Joe, what our energy cost is there, an approximate for our energy cost on an annual basis?

MR. SCHROEDER:

The Horizon report that was done utilized 2007 consumption data, and I believe that was in the 1.3 million range.

LEG. KENNEDY:

So the energy savings is going to drop that in half, then, roughly, or drop it by almost 40%, and implementation of co-gen, we could wind up with cost neutral, or even revenue-realizing, possibly, depending on where it would go?

MR. SCHROEDER:

Well, the total savings potential that were outlined in that report included the co-gen.

LEG. KENNEDY:

Okay, right. And so there are other types of savings that we could probably realize there as well. Is there any benefit, Joe, to looping in any of the other facilities that we have in Yaphank? Because we have several buildings that are proximate right there to John J. with that co-gen. How would you size that, or how would you look it that for consumption and vending purpose?

MR. SCHROEDER:

We're now looking at a major power plant for the Yaphank Complex, which is what you're, I think, talking about. The only other facility there that stands as what appears to be an excellent opportunity would be the construction at the new Jail.

LEG. KENNEDY:

Okay. But we have several buildings there that run around the clock. P.D. is open, presumably, 365, Jail will be, and so will John J, so all fixed-base facilities that are generating or consuming energy on an almost continuous basis.

MR. SCHROEDER:

Right. Each facility should be evaluated based on the energy platform at that facility. I thought what you were asking about was more of a district type of plant, the central plant for an entire complex, which is a lot more complicated, brings in a lot more technical issues. The very notion of distributed generation is that you're doing this on a per-facility basis. It makes it much less capital costs. You can maximize your efficiencies on a per-facilities basis.

LEG. KENNEDY:

Okay. Let me go back to a more generalized question, then. Do you -- does BRO recommend moving forward for co-gen there at John J.?

MR. SCHROEDER:

Yes, we do.

LEG. KENNEDY:

Good, excellent. Thank you very much. I appreciate that. If I can, Mr. Chair, just go to one other place and that's the old Fourth Precinct. I see that the study money and construction money has been moved up considerably. Now, based on the excellent progress that we have right next to us,

it's very possible that that building's going to be occupied in the first quarter of 2010. Why would we want to delay the planning funds and the construction funds to bring in Consumer Affairs or another County entity into that footprint there with the old Fourth Precinct?

MR. ANDERSON:

To do a proper assessment at this point, it really needs to have the building accessible at all times. We have to go take and, you know, look above the ceilings. I mean, to do a proper study, we have to look at everything. That really wouldn't be affordable to us until the P.D. is moved out and into the new building.

LEG. KENNEDY:

Is there any preliminary start you could do with the assessment now, though, or say into the third or fourth quarter of this year? You know, there must be some basics that you can gather as far what there is left as far as the integrity of the shell, what would have to be done as far as, you know, new systems or other types of stuff before they actually vacate. My concern is, is that we would, in essence, be building in almost a 24-month latency of vacant space there before we we would even get to the point where we would contemplate, and we have, you know, other facilities that are busting at the seams.

MR. ANDERSON:

Again, we -- you know, we could start reviewing some of the systems, but without the full access to, you know, look behind the walls, we don't know what shape the buildings would be handed to us, you know, when P.D. moves out. You know, we don't see any real need to push this year and get the thing going. I mean, we could certainly look later in the the year, but my recommendation would be, since we are on target, to move them out the beginning of the first quarter of 2010, that's where we would keep it.

P.O. LINDSAY:

Okay. Just one last, and I'll yield, I promise. With the co-gen RFP or the proposals, assuming that we resolved any ambiguity that the community out there, the business community might have, would we be able to go and revisit them for the purposes of getting proposals back in, or we have to start the RFP process all over from scratch?

MR. ANDERSON:

You're asking whether we could reinitiate the RFP process, or would we have to go back to basically square one of sending out an RFP?

LEG. KENNEDY:

How quick can we go ahead and get somebody who will build us a plant? That's what I want to know.

MR. ANDERSON:

I would assume that they would want to see the most latest records. Probably the records that they have when we did the original proposal, you know, were already a year beyond; we'd have to compile that. It could be done quickly, but, you know, still, you'd have to get that information together for the benefit of the proposers.

LEG. KENNEDY:

Great, good. Thank you very much, I appreciate it.

CHAIRMAN BEEDENBENDER:

Legislator Romaine.

LEG. ROMAINE:

Yes, a quick question. To stabilize sewer rates, we have a tax -- a Sewer Stabilization Fund; is that correct?

MR. ANDERSON:

Correct.

LEG. ROMAINE:

And to use those sewer stabilization funds, a sewer district would have to experience more than a 3% increase in their rates to maintain their operational capabilities, is that correct, operational and capital capabilities?

MR. ANDERSON:

Yes.

LEG. ROMAINE:

Okay. And that Stabilization Fund is open to municipal entities; is that correct?

MR. ANDERSON:

To all municipal districts.

LEG. ROMAINE:

Yes.

MR. ANDERSON:

You know, County districts.

LEG. ROMAINE:

No, no, no, no, municipal districts. You were right the first time. The Riverhead Sewer District, for example, is not a County sewer district and it gets tax stabilization funds. And the way the law was written, it provides for municipal sewer districts. At the beginning of the year, and I'm raising this question here publicly, I wrote to -- I think I might have copies you on that, I wrote to our Budget Director, Ms. Corso, who refused to answer me for about four months, on why the Calverton municipal sewer district was not included. And in that I provided -- and I'm raising this issue publicly, because I guess it's the only way I'm going to get a real address from it, because people delay in responding, etcetera. And the response I got eventually was that, no, it -- you know, the County Attorney didn't think it was permissible. And it's interesting, because I included the minutes of the County Legislature. And, certainly, whatever the County Attorney's opinion is is an opinion. The minutes of the Legislature, Legislative Counsel at that time indicated just the opposite when he opined about the meaning of -- the Legislative intent of the legislation when it was adopted to include all municipal sewage treatment plants.

So I'm going to raise this question again, because Legislative intent in a court of law, and I'm not a trained attorney, but from what I'm told, certainly has higher standing than any County Attorney's opinion, indicated that, in fact, the Calverton sewage treatment plant, which is a municipal district, which is experiencing huge increases, is entitled to that stabilization fund. So I'm going to ask, through the Chair to you, to anyone that's involved in this, and I'll be happy to provide copies of that correspondence, if you didn't get. I believe were copied on that, if you recall.

MR. ANDERSON:

I believe so.

LEG. ROMAINE:

Yeah. It took a long time to get a response, and even a longer time, because then I wrote back to her again stating that the County Attorney's opinion was in contraveneance to the Legislative intent, which was expressed by the Legislative Counsel at that time regarding this.

So I'm going to ask again for an opinion on this. I'm going to ask Budget Review to take a look at this. I'll share with you that correspondence that I sent to Connie Corso the first week of January,

which took forever to get a response, despite my asking her, multiple E-mails, the Town Supervisor of Riverhead writing her, E-mailing her, and me asking her at one of the hearings that she was at if she would respond. Budget and Finance, although I'm not a member of that committee, I came to ask her that one question, scooted out and I had to grab her in the hallway. It's hard to get information, it's hard to get answers to questions of this nature. It seems this -- it seems to be the way -- you know, this should not be the way that government should operate.

So I do need an answer to that, and I need from the County Attorney a legal opinion why she thinks that the Legislative intent expressed by the Legislative Counsel doesn't carry weight, which I obviously do believe it does. So I'd appreciate that, and thank you very much.

CHAIRMAN BEEDENBENDER:

Mr. Zwirn.

MR. ZWIRN:

I don't know if there was a question in there for the Commissioner, but let me respond by saying that Ms. Corso was trying to get it right, and she wanted to go to --

LEG. ROMAINE:

Mr. Chairman, I haven't asked for a response from Mr. Zwirn. I directed --

MR. ZWIRN:

The Chairman --

LEG. ROMAINE:

I directed my question, information --

MR. ZWIRN:

You didn't ask a question.

CHAIRMAN BEEDENBENDER:

I know. Hold on, Ben.

MR. ZWIRN:

There wasn't a question.

CHAIRMAN BEEDENBENDER:

Ben, Ben, Ben, Ben, hold on. Legislator Romaine, I know you didn't, but he came up and he asked to be recognized, so I recognized him.

MR. ZWIRN:

I can explain to Mr. Romaine what -- why he didn't get a response right away, but I'm not sure he wants the answer, but

CHAIRMAN BEEDENBENDER:

Well, no. Ben, do you have a -- if you have a response --

MR. ZWIRN:

Yes. As I began --

CHAIRMAN BEEDENBENDER:

Go ahead.

MR. ZWIRN:

-- Ms. Corso was trying to get it right, and she consulted with the County Attorney's Office, was waiting for an opinion from them before she had stated anything. So I don't know of any Legislator

who asked me for information that they've been stone-walled or they didn't get information. Direct any of the comments you have to me, I'd be glad to get back to you. But I know Ms. Corso was trying to get it right and was consulting with the County Attorney's Office to make sure that the response to Legislator Romaine was the correct one.

CHAIRMAN BEEDENBENDER:

Okay. Thank you. Gil, I know I had said -- I would offer you the opportunity. If you're good, I just have a couple of specific questions on two projects for you in the budget, Gil. One of them is Capital Project 5512. It's reconstruction of Nicolls Road in the Town of Brookhaven. The County Executive's proposed budget has 2 million dollars in 2011 and 1.2 million dollars in 2012. This is for, I guess, Phase 3 of an ongoing project on Nicolls Road. The question I have is last year I passed a planning -- a resolution for a planning study on what I guess you have listed as Phase 2 in the County Executive's proposed budget, and that was with the understanding that there was remaining construction funds to complete that. I just wanted to make sure that that is the case. It was my understanding that there was 2 million dollars left over from the project that occurred just to the south, that did the Portion Road and College and South Coleman intersection, so the planning was to figure out what to do with the next two intersections and we had construction funding in place. So I just wanted to confirm that. Bill?

MR. HILLMAN:

Yeah. The leftover construction funds were intended to do resurfacing.

CHAIRMAN BEEDENBENDER:

Okay.

MR. HILLMAN:

And they will be doing that from Furrows Road to Route 25. The plans will be prepared shortly, and we with hope to let that project -- it's going to be roughly 3 1/2 million dollars, I believe, and we are trying to get it in this construction season. That stretch of road is in --

CHAIRMAN BEEDENBENDER:

Yes.

MR. HILLMAN:

-- poor shape.

CHAIRMAN BEEDENBENDER:

So the planning, the planning study for the Hammond and Wireless intersections, I believe, you know, the last time we spoke, you said it would be done -- it's out there, it's being performed by a consultant as we speak. So, when that comes back, we're going to have to appropriate construction funds to complete whatever they suggest.

MR. HILLMAN:

That's correct. And the 2 million in 2011 is intended for that.

CHAIRMAN BEEDENBENDER:

That's what it's intended for, okay. There is no chance that that construction could be let in 2010 if it was moved up?

MR. HILLMAN:

No, not at this time.

CHAIRMAN BEEDENBENDER:

So -- okay. So we're not expecting that report, though, the plan to come back from the engineer any time soon, then?

MR. HILLMAN:

They've begun it. We anticipate the study to be completed the end of this year. We would then design in 2010 --

CHAIRMAN BEEDENBENDER:

Okay.

MR. HILLMAN:

-- and construct in 2011.

CHAIRMAN BEEDENBENDER:

All right. Is there money for design. Is that something that's going to happen internally?

MR. HILLMAN:

The study and design funds, I believe, are all appropriated.

CHAIRMAN BEEDENBENDER:

Okay. If they're not, could you just let me know, because --

MR. HILLMAN:

Certainly.

CHAIRMAN BEEDENBENDER:

My preference would have been to do the construction in 2010, but if that's not possible, I want to at least make sure that when we get to 2011 we're ready to go.

MR. HILLMAN:

Certainly.

CHAIRMAN BEEDENBENDER:

All right. And the other project I had a question on is Capital Project 5548. And I know, Bill, my office had contacted yours and asked a couple of questions about it. There's \$750,000 in 2011. I believe that's for land acquisition at the intersection of County Road and County Road 16, so -- and then there's 3 million dollars in subsequent years for construction. So, I guess the thought process is that 2011 is the earliest we'll be able to commence the land acquisition process for the four corners there, and then hopefully sometime after that we'll need to do an engineering design and then construction?

MR. HILLMAN:

That's correct.

CHAIRMAN BEEDENBENDER:

So that 3 million dollars really isn't -- there should probably be some planning in 12 for that as well, right?

MR. HILLMAN:

I think we may have the planning funds already appropriated.

CHAIRMAN BEEDENBENDER:

Okay. Could you let me know about that, too? Because as we're going forward, I just would like -- if we need planning money, I would like to put that in the budget as part of the plan. So, if we're going to acquire the land in '11, we'll design it in '12, and build it in '13. At least we can keep going.

MR. HILLMAN:

Sure.

CHAIRMAN BEEDENBENDER:

Thank you. All right. I don't have any other specific questions. Legislator Stern?

LEG. STERN:

Yeah. Thank you, Mr. Chairman. Not a question, but just a quick comment, because, when we were talking about Capital Program, and we have the Commissioner and his staff here to talk about the big projects and small projects coming up, which are critically important to our entire County, you know, I just want to take a personal opportunity to thank the Commissioner and his entire staff. Whether it's the biggest regional project or the smallest concern of a specific neighborhood, Commissioner, you and your entire staff I have found to be extremely accessible and responsive, and so I just wanted to thank you and your entire staff.

MR. ANDERSON:

From the Department, I thank you, and you're quite welcome. I am lucky to be working with a talented staff, and, as we said before, a talented bullpen. Thank you.

CHAIRMAN BEEDENBENDER:

Okay. If there's no one else that wishes to comment and we have no more questions, we stand adjourned. Thank you, everybody.

[THE MEETING WAS ADJOURNED AT 10:55 A.M.]