

**PUBLIC WORKS & TRANSPORTATION COMMITTEE**

**of the**

**SUFFOLK COUNTY LEGISLATURE**

**Verbatim Transcript**

A regular meeting of the Public Works & Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on August 11, 2009.

**Members Present:**

Legislator Brian Beedenbender, Chairman  
Legislator Steven H. Stern, Vice-Chair  
Legislator Wayne R. Horsley  
Legislator Daniel P. Losquadro  
Legislator Edward P. Romaine

**Also in Attendance:**

William J. Lindsay, Presiding Officer  
George Nolan, Counsel to the Legislature  
Sarah Simpson, Assistant Counsel  
Robert Doering, Budget Review Office  
Lance Reinheimer, Budget Review Office  
Ben Zwirn, Deputy County Executive  
Barbara LoMoriello, Deputy Clerk  
Terry Pearsall, Chief of Staff, Presiding Officer Lindsay's Office  
Marcus Povelli, Aide to Leg. Losquadro  
Kaitlyn Boyd, Aide to Leg. Gregory  
Deborah Harris, Aide to Leg. Stern  
Paul Perillie, Aide to Majority Leader  
Linda Bay, Aide to Minority Leader  
Ed Hennessy, Aide to the County Executive  
Gil Anderson, Commissioner of Public Works  
Ben Wright, Department of Public Works  
Renee Ortiz, Chief Deputy Clerk of the Legislature  
Barbara LoMoriello, Deputy Clerk  
Debra Alloncius, Legislative Rep for AME  
Jim Barr, ABATE  
Lawrence Germano  
Richard Mallett

**Verbatim Transcript Taken By:**

Gabrielle Skolom - Court Reporter

**Verbatim Transcript Transcribed By:**

Gabrielle Skolom - Court Reporter  
Denise Weaver - Legislative Aide

*(The meeting was called to order at 2:30 PM)*

**CHAIRMAN BEEDENBENDER:**

Please rise for the Pledge of Allegiance led by Legislator Horsley.

**[Salutation]**

Okay. Thank you. Everybody can be -- be seated. We have -- I have three cards, and just so everybody knows, we'll go through the cards -- the three cards first, and I'm going to move one resolution up by Legislator D'Amaro -- has joined us. He has a bill before the Committee, and I believe he has other places to be, so once we go through the cards, we'll move that up so we can have that discussion.

The first person to speak is Jeanne Anzalone, and everybody has three minutes. Jeanne, come up to the microphone, please.

**MS. ANZALONE:**

Good afternoon. I'm Jeanne Anzalone from Oakdale, New York. I'd like to thank the Committee. I've spoken here prior, and I am definitely in favor of Sunday busing. I have been in contact with a lot of senior citizens, and I presently have my husband long-term in Affinity Nursing Home on Locust Avenue in Oakdale. Right now, I could have 12 families right here with their loved ones sitting right here in this room. I chose not to because I feel in respect to all the good work this Committee has done and also with Steve Levy, I want this reintroduced. I am given to understand IR 114 has been tabled or stricken from the docket. I understand that IR 1201 has been also stricken. I'm not sure of this but in hearsay.

I missed the last meeting in July, due to the fact that my husband was hospitalized but he's on his way to recovery. I am very adamant, and I will stand as an individual with my husband, and I will represent the nursing homes of Suffolk County and the people, I respectfully request that these two resolutions be addressed and a public hearing will be held because the people of Suffolk County are not aware of this, as they should be; awareness, we can get federal money; awareness, maybe we can get State money; but we can get money from someplace. The awareness of your residents behind you, your constituents will make this a possibility. And I hope I can stand before you at this meeting until this bill is passed. I thank you very much, and God bless America.

**LEG. ROMAINE:**

Mr. Chairman?

**CHAIRMAN BEEDENBENDER:**

Thank you. Go ahead. Ma'am?

**LEG. ROMAINE:**

No, no, no.

**CHAIRMAN BEEDENBENDER:**

Oh. Okay. Go ahead, Legislator Romaine.

**LEG. ROMAINE:**

Based on your request, ma'am, I noticed that my resolution to provide Sunday bus service in Suffolk County was stricken because of the six-month rule. It has been, as you know, repeatedly tabled by this Committee. Based on your request, I am asking counsel if he would kindly redraft that

resolution and resubmit it so that it can be laid on table and considered once again by this august Committee. Thank you.

**MS. ANZALONE:**

Thank you very much.

**LEG. ROMAINE:**

Right.

**CHAIRMAN BEEDENBENDER:**

Thank you, ma'am. Okay. Next up, Jim Barr. Mr. Barr?

**MR. BARR:**

Thank you Mr. Chairman, Members of the Committee. My name is Jim Barr. I'm the President of the Long Island Chapter of ABATE. It's American Bikers Aimed Toward Education. Our purpose is to increase motorcycle awareness and safety for motorcyclists throughout the State. I would like to speak in favor of Introductory Resolution 1527 requesting "Share The Road" signs. We would like motorists to be more aware that motorcyclist are out there. The number one cause of motorcycle accidents and injuries is due to a motorist violating the right of way of a motorcyclist, whether it be because they were inattentive, didn't see them, their view was blocked by another vehicle or they didn't hear them.

A sign that would go up on County roads would be a good start to bring -- to remind motorists to keep an eye out. I have had discussions with Legislator Eddington on this. I believe he has copies of proposed type signs that could be used. My suggestion would be a sign that pictured a automobile as well as a motorcycle on it, and it would have a dual purpose. It would remind motorists to watch for motorcyclists. It would also remind the motorcyclists to operate the motorcycle safely and respectfully on the highways, not to zigzag in and out of traffic and cause incidents that way.

So I also would -- I don't know if the Department of Public Works has had the opportunity to identify locations that signs like this would be good, but our organization has comprised a list of eight County roads, four main highways, that we believe would be a great start to start getting these signs up. If you'd like, I would give this to the Clerk of the Legislature or --

**CHAIRMAN BEEDENBENDER:**

For now just -- if you give it to that gentleman, Mr. Barr, I'll make sure that the -- that Public Works gets a copy and the Members of the Committee get a copy of it as well.

**MR. BARR:**

Okay. Thank you very much.

**CHAIRMAN BEEDENBENDER:**

Okay. Legislature Stern.

**LEG. STERN:**

Thank you for coming down today. The -- I'll take a look at the list, but those locations were determined how? How did the organization come up with the number of locations and which locations they are specifically?

**MR. BARR:**

Those locations were determined because of basically speed and safety concerns on those roads. Those would all be four-lane highways. We didn't identify two-lane roads, where the motorcyclist is more inclined to be seen from a car entering a highway, but rather on the four-lane highways, where you have two in each direction, it's very easy for motorcycles to be hidden from the view of a car

looking to enter that highway. Now, granted, these signs would be on the highway itself and might not help the motorist coming out from the side road. But the hope is that once the motorist does come out and sees these signs, in the future would remind them, when they are also entering onto that highway, to keep an eye out for the motorcyclists.

**LEG. STERN:**

So these are locations that theoretically would be placed on these major roads. I guess my question for you would be, in your experience, would these signs be more meaningful on straightaways on heavily trafficked main roads or at intersections?

**MR. BARR:**

Personally, I don't know. The thought would be on the straight highest -- higher traveled speeds, 45, 50, 55 miles per hour areas.

**LEG. STERN:**

Okay. Thanks.

**CHAIRMAN BEEDENBENDER:**

Mr. Barr, one of the things we've discussed previously about this bill is that there is no federally designed sign, but there are some representations made that other states had done this. Do you have any examples that you might be able to show us or provide me at a later date?

**MR. BARR:**

I'm sorry. I don't have them with me.

**CHAIRMAN BEEDENBENDER:**

Okay.

**MR. BARR:**

I can provide them at a later date. Legislator Eddington is in possession of examples.

**CHAIRMAN BEEDENBENDER:**

Okay. Great. Just so you know, Counsel just informed me that Legislator Eddington amended the bill today to make some changes, to address some of the concerns. But because he amended it today, it means we are not eligible to vote on it. We won't be able to send it to the full Legislature, so we're going to table it today. It's a procedural thing, because Legislator Eddington made some amendments. So I think so we've addressed many of the concerns, but we won't be able to pass it today just because of our procedures. I just found out about a minute ago that Legislator Eddington made some changes.

**MR. BARR:**

Okay. This is a long term fight on our behalf, so if it ultimately gets done, we will be happy with that.

**CHAIRMAN BEEDENBENDER:**

Great. Any other questions?

**[No response]**

All right. Thank you, Mr. Barr.

**MR. BARR:**

Thank you.

**CHAIRMAN BEEDENBENDER:**

All right. The next one I have is Richard Mallett.

**MR. MALLET:**

Thank you very much. It's good to be back. About three years ago, I was here. And a particular subject of placement of -- fly the flag of the Merchant Marine -- to fly on the Veterans Circle along with those of the other services. That -- that was after years by a number of people who preceded me attempting to have that flag so shown by -- at -- in Suffolk County. And through a lot of hard work over that time including hard work from Mr. Stern and others, it was finally put through, and it was passed. Problem is, nothing happened. It was -- nothing was done, and nobody did anything for the next three years. Came upon me that I learned of that and came back and resolved to have it corrected, and I hope and assume that all of you are of the same mind at this point in time.

One of the reasons why it was not acted upon apparently was disagreement or how to arrange the flags to allow for a fourth or sixth service to be honored, and I didn't quite know why it just got held on that. It seems that there had to be some kind of concern I think by some other -- some others that it should not fly with the -- with all the other flags and that it should certainly be done. And I look forward to this being passed and taken care of as quickly as possible. I have arrangements, samples of arrangements which I can provide. I can provide copies of if that would be of interest on how it can be arranged to allow for all the services to be equally demonstrated.

**CHAIRMAN BEEDENBENDER:**

If you could leave that with the woman right in front of you, that would be helpful, and we'll all get a copy of that, or we can make a copy for it and we can give you yours back.

**MR. MALLET:**

If you can do that, that would be much appreciated.

**CHAIRMAN BEEDENBENDER:**

No problem.

**LEG. ROMAINE:**

Mr. Chairman?

**CHAIRMAN BEEDENBENDER:**

Legislator Romaine.

**LEG. ROMAINE:**

Quick question for Counsel. I understand on our agenda today, and this gentleman is here to address us, is a resolution by Legislator Cooper regarding the erection of this flagpole to fly the Merchant Marine flag. How does that equate with the resolution that was passed three years ago by Legislator Stern? Is this duplication? Is this slightly different? How does the two resolutions compare? And obviously Legislator Stern worked very hard on this and his piece of legislation was passed three years ago. And like many things that the Legislature passes, oftentimes an action results unless someone makes a big hagobaloo [phonetic] about it, so how do they compare, Counsel?

**MR. NOLAN:**

I think the best way to put it would be to say this resolution reinforces the earlier resolution. The earlier resolution directed the flagpole be erected. This is doing the same thing but asking DPW to do it, within 60 days, directing them to do it, make it happen.

**LEG. ROMAINE:**

Has anyone checked in with DPW to see if they'll do it within 60 days? And my biggest question is, knowing the way the County works, what happens when they don't do it in 60 days? What authority does this provide the Legislature in terms of sanctions or things of that nature? Is there one less Deputy County Executive the day it doesn't get done or what?

(LAUGHTER)

**CHAIRMAN BEEDENBENDER:**

No. It doesn't do any of those things.

**LEG. ROMAINE:**

So if there is inaction on this bill, then there is no sanction available?

**MR. NOLAN:**

When we direct our County departments to do things, we normally don't put sanctions in there if they don't do it. We assume that the departments will follow the policy direction that's set by this Legislature.

**LEG. ROMAINE:**

That has happened half of the time, if we're lucky. All right. Thank you.

**CHAIRMAN BEEDENBENDER:**

Okay. Thank you, sir. I appreciate it. And they'll get you your documents back once they make a copy. We'll be bringing that -- we'll be discussing that resolution in a few minutes.

But What I'd like to do now is make a motion to take IR 1705 out of order. Second by Legislator Horsley. All in favor? Opposed? Abstentions? IR 1705 is before us. **(VOTE: 5-0-0-0)**

**IR 1705, Amending the 2009 Capital Budget and Program and appropriating funds in connection with preparing a Sewering Feasibility Study for the Deer Park/North Babylon area (CP 8139). (D'Amaro)** So before we actually make a motion to just have a discussion on this, I know Legislator D'Amaro is here. Commissioner Anderson, we obviously have -- we've received responses from some companies that have responded to our request for a proposal to do a countywide sewerage study. Legislator D'Amaro is obviously seeking to make sure that Deer Park and North Babylon have a sewer study as we move forward. How does this bill interplay with what we're doing, and how can we accomplish both at the same time? And then, Legislator D'Amaro, obviously if you have any --

**COMMISSIONER ANDERSON:**

Well, the intent of the overall Sewer Assessment RFP, one of the three objects that's intended is to look at the expansion of the Sewer District 13 to expand within the political boundaries of Islip and Babylon, see what would be needed, what could be done --

**CHAIRMAN BEEDENBENDER:**

You mean number three?

**COMMISSIONER ANDERSON:**

-- Sewer District number 3, yes -- which I would anticipate this is what the legislation is looking for. There is some duplication there and there is some concern because we've asked for proposals on it that there would be some redundancy. The legislation could certainly take care of that with the funding that's provided to get a feasibility study. But, again, we have a duplication and overlap, and I think it deserves maybe further discussion.

**CHAIRMAN BEEDENBENDER:**

Okay. Legislator D'Amaro.

**LEG. D'AMARO:**

Thank you, Mr. Chairman, and thank you to you and the Committee members for indulging, as I am

not a member of the Committee. Commissioner, good afternoon.

**COMMISSIONER ANDERSON:**

Good afternoon.

**LEG. D'AMARO:**

I did have a couple questions. You know, this bill is really adding my voice to the chorus that many of my colleagues have been singing, if we're talking about choruses, for the comprehensive look at sewers. I'm not going to waste the Committee's time. I think we all know the benefits of going forward with at least the studies and ultimately implementation of the sewers, the environmental impacts, the economic advantages, the smart growth advantages, all of that. But nonetheless, the -- I know that we -- and I did support the comprehensive study as well -- but it's my understanding that the study does not necessarily encompass the areas that are addressed by my bill. It's still undetermined exactly what areas we're going to be studying. And the reasoning behind my bill was that the proximity to the Southwest Sewer District number 3, I believe would make it more feasible, not less feasible, to expand into these areas, which were really left out when that Sewer District was first constructed. In addition to that, the bill goes a little further because it does provide funding for that study.

Now, how is it overlapped if this area wasn't included in the first instance?

**COMMISSIONER ANDERSON:**

Well, there's two things. First, the intent of the study, the overall study, was to look at what could be included within Sewer District 3 within the capacity that is going to be available after the plant is expanded. Also, I believe the -- area and I would have to rely on Ben, maybe, again to provide more information, but I believe one of the areas is already included. These areas within the overall Sewer District Assessment RFP were to developed by the Wastewater Task Force and identified. So the 13 areas were what were identified by the Task Force to be studied.

There is a concern that, I mean, not that it isn't worth studying, but we'll have a number of other studies that'll start occurring, and not that they are not worth doing, but at this point, we're moving ahead, we've identified 13 areas that need to be looked at, and our concern is that, one, you have the duplication of effort as well as -- I don't know if we -- if we're starting to look at the expansion of Sewer District 3 and what we could handle. You know, then there's some conflict on how we proceed from that point.

**LEG. D'AMARO:**

I don't -- yeah, I hear you. It's not a foregone conclusion that it is feasible, but, of course, this is just a study, and if you're doing the comprehensive study anyway, this would provide the mechanism and funding to include these areas for sure within the study itself. So again, I'm not sure I really agree with you as far as duplicating effort. The funding would be available as -- if you used it as even part of the comprehensive study. I think it's enhancing the comprehensive study to include this type of funding going forward. And again, I'm not going to waste time expressing the need to take a look at it. I think -- and I certainly wouldn't want to detract from the other identified areas, or those 13 possible areas that are being looked at. I'm sure everyone could make the case for every area, that it's something we need to go forward with. But again, given the proximity of these areas to that Sewer District, I think it makes it more feasible, not less.

Any the other thing I wanted to ask you, do any of the un-sewered areas in the Hamlets of Deer Park or North Babylon pay into the Sewer District currently?

**MR. WRIGHT:**

No, they don't. But I would like to indicate that I have part of the RFP here that has been responded to and one of the 13 areas is Sewer District 3 Southwest, and it says, "Specific areas for consideration of expansion include the unincorporated areas of Wyandanch, North Babylon, Deer Park and West Islip." So it is -- you know, those two areas are included within the proposals that

we've received.

**LEG. D'AMARO:**

They are included --

**MR. WRIGHT:**

They are included.

**LEG. D'AMARO:**

-- or it's still to be determined whether not they will be included?

**MR. WRIGHT:**

No, they are included.

**LEG. D'AMARO:**

Okay.

**MR. WRIGHT:**

One of the 13 areas is the Southwest Sewer District, which has four components to it: Wyandanch, Deer Park, West Islip and North Babylon.

**LEG. D'AMARO:**

Okay. And that's good news. So this bill would provide the funding to perhaps make sure that they're included or at least that it goes forward.

**CHAIRMAN BEEDENBENDER:**

If I could -- just to clarify, I think we're using -- they are all included as possible areas, but there's going to be two selected, from what I understand. That's what the RFP directed, Ben; that there would be two where we'd get --

**MR. WRIGHT:**

Yes, two critical areas that will have more of a focus that will bring them further to the beginning of the design phase, actually.

**CHAIRMAN BEEDENBENDER:**

And whichever consultant is selected will provided us the full palate of paperwork documents that we need to move forward with those areas.

**MR. WRIGHT:**

Yeah, that's correct.

**CHAIRMAN BEEDENBENDER:**

So -- but -- so I guess for Legislator D'Amaro's purposes, Deer Park/North Babylon is on the list, but it's not necessarily going to be one of the two. And I guess my question would be if we pass legislation -- and I apologize for the interruption, Legislator D'Amaro --

**LEG. D'AMARO:**

That's all right. Please.

**CHAIRMAN BEEDENBENDER:**

If we pass Legislator D'Amaro's bill, does that take Deer Park/North Babylon's section out of the RFP because we would have funded that section?

*[Presiding Officer Lindsay entered the meeting]*

**MR. WRIGHT:**

Well, there'd be more details with \$300,000 then looking at 13 areas with \$1.2 million. But the difficulty then becomes, if we're selecting a consultant, how would their proposal had been formulated if they knew that these areas were not in there, and it might be looked at as changing the scope of the document, and then we have another issue to deal with.

**CHAIRMAN BEEDENBENDER:**

Okay. All right. Well, I would -- don't -- on that point, I would -- I would ask us to be cautious about how much we talk about changing the scope of an RFP with dollars in a public venue. I think if we want to have that more specific discussion, we should have it in private rather than -- because I want to make sure that the RFP we send out, which we had, I think, six or seven responses; I have them sitting in my office. They are going to take 18 months. I think they've all said that's about the amount of time it's going to take them. I don't want to do anything to mess up that process, because as our Presiding Officer has said, the federal government may be able to help us out with some money, and this study might provide that venue. So Legislator D'Amaro, please; you've suffered an interruption long enough.

**LEG. D'AMARO:**

No, no; that's fine. I think we're all on the same page as far as need, and I think that, certainly, the Legislature is in a position to provide funding going forward for -- under this bill for specific areas, which I think is a positive step. I'm not familiar with how that -- I don't know, and no one knows how the discretion is going to be exercised in response to the RFP as to what areas are going to be given more focus as opposed to some others.

And the final point I want to make is that I believe the County Executive has supported sewer studies in the past, despite the fact that we were going forward with the comprehensive study. So it's not that this is breaking any new ground. It's just that this is an area that is in close proximity to an existing sewer district that has a larger capacity, I think, than most and can be expanded as well, and it also provides the funding to take a look at that. So I think it compliments the comprehensive study. I don't think it necessarily works against it or draws funding from that study.

**MR. WRIGHT:**

I'd indicate that Rocky Point was taken out of the RFP because there is a study going on at this point.

**COMMISSIONER ANDERSON:**

And again, I would also add to that that if we did proceed with this, I would ask that it be -- you know, again, I'm with you on the need for sewers. I would say our concern really is based on how it impacts the overall Sewer Assessment. If we're going to separate it, we have to look at how that impacts the sewer assessment. If we include more dollars, we also have to look at how that's going to impact the RFPs that are provided because they are all based on a certain monetary amount that was included in the original legislation. I would ask that maybe we have discussions outside of this venue, include, you know, the Legislative Counsel and the County Attorney's Office to talk about that and see the best way to proceed.

**LEG. D'AMARO:**

I don't follow you. In other words, wouldn't that all be determined by doing this study; the impacts?

**COMMISSIONER ANDERSON:**

Well, again, the RFP was laid out based on certain dollars based on the original legislation. A lot of the -- again, I get a little bit antsy talking about the proposals, but, you know, the proposals were based on a set monetary fee. If we increase that fee, if that \$300,000 that you were proposing is included into that monetary amount, you know, how does that change the -- there is likelihood that somebody could come back and say, "Well, if I knew you had 'X' number of dollars as compared to what was originally in there, I would have changed my proposal somehow."

**LEG. D'AMARO:**

I don't think it takes a large leap of logic, though, to earmark funding from this bill for these, whether you do it as part of the study, or as Mr. Wright suggests, maybe perhaps take it out of the comprehensive scope of the RFP and the responses to the RFP, similar what was done with the Rocky Point study. So --

**COMMISSIONER ANDERSON:**

Right, but we did that at the beginning when we went out with the RFP. That was done prior to receiving proposals from consultants.

**LEG. D'AMARO:**

Wouldn't it just free up funding for other areas -- I mean, if your responses come back and they're based on including Deer Park and North Babylon and the responses come in, and based on a specific budget, even if they were chosen or whatever it was and you took them out of the scope of the RFP, doesn't it just free up funding for the rest of the study?

**COMMISSIONER ANDERSON:**

Yes, but it also -- if a consultant's intent is based on doing certain tasks and now we remove one of those tasks, it could, actually, impact his proposal, and that my concern is --

**LEG. D'AMARO:**

But the consultant who is hired for their expertise is told, "You know what? Even though you were looking at Deer Park/North Babylon, and that's what your response included, let's go to two other hamlets because they are no longer part of this study." I mean, is that -- is it that much of a monkey wrench in the work, so to speak?

**COMMISSIONER ANDERSON:**

Well, I would defer to Counsel on something like that. But I would also say, I mean, what happens if another Legislator comes in and he or she wanted to add more money for an area in their district? I mean, you know, it's --

**LEG. D'AMARO:**

Well, that's already happened, sir. We already did that with Rocky Point and --

**COMMISSIONER ANDERSON:**

Correct, before the -- again, that happened before the proposal went out.

**LEG. D'AMARO:**

And frankly, you know, I think we would consider that on a case-by-case basis, as we are doing with my bill here today. I appreciate your concern about that, but certainly your comment here today did not stop any of my 17 colleagues from putting in a bill if they so choose to.

**COMMISSIONER ANDERSON:**

Agreed, but I would.

**LEG. D'AMARO:**

And I don't think that is even part of this debate.

**COMMISSIONER ANDERSON:**

Okay. But I -- my concern again, I would like time to discuss with Counsel on the best way to proceed, if we're going to do this, either as a separate or inclusive of the overall --

**LEG. D'AMARO:**

My concern is moving forward, and I believe that if you pass this bill calling for a separate independent study that is funded, I don't see any reason why that couldn't go forward even in light of the fact that the RFPs will be responded to, which may or may not ultimately even include these areas. I don't see a conflict. I see them complimenting one another. Certainly, if the responses to

the RFPs somehow were based on Deer Park and North Babylon, you may have to make an adjustment. But I can't believe we're going to break any law by doing that. I don't understand the resistance to providing more funding for a sewer study in an area that's adjacent to an existing sewer district, for areas that should have been included initially within that Sewer District. Again, I don't see this as an impediment. I don't see it as legal questions arising from this. What I really see it as is providing more funding and going in a positive direction.

**CHAIRMAN BEEDENBENDER:**

If I may suggest, Legislator D'Amaro, I am compelled by the last statement that you made. I agree -- with absent the large sewer study, this would be a bill that would just make a new sewer study, but what I would suggest is -- I have been talking to Counsel as we've been sitting here -- is some time between today and next week, we just have a conversation on how these things would interplay because I know that there are some Legislators who have expressed maybe a willingness to, just as a broad base, maybe talk about providing more money to the study or maybe not. But I think we should have a discussion with Counsel and probably -- Commissioner, you probably want to bring the County Attorney.

I don't necessarily see that we can't pass this today, but I think that discussion needs to be had as quickly as possible.

**COMMISSIONER ANDERSON:**

Agreed.

**CHAIRMAN BEEDENBENDER:**

Okay. I do have a list I'm going to skip over and go to Presiding Officer Lindsay.

**P.O. LINDSAY:**

Just that since we initially put this sewer study in the Capital Budget, the world has changed a little bit. Suddenly, there is some federal money around or I'm being told that there's federal money that can be accessed which wasn't there initially. And I had a very good conversation with one of our congressman within the last month or so that was very excited about our sewer study, that this could be a vehicle to access some of that federal money which -- and I would just agree with the Chairman, that anything we can do to figure out how to do this without getting ourselves in a jam, we should do posthaste because we're in a window that could be really critical as far as us getting some help in sewerage our County. I think -- and I guess our study will tell us this -- but probably the best way to proceed is something that Legislator D'Amaro is suggesting is to look at the existing infrastructure we have and try and expand it, stretch it, move it to cover as many of our citizens in an expeditious way instead of trying to plan a big new sewer district and be decades in the making and billions of dollars -- you know, just thoughts.

**COMMISSIONER ANDERSON:**

Understood.

**CHAIRMAN BEEDENBENDER:**

Legislator Stern then Legislator Romaine and then Legislator Horsley.

**LEG. STERN:**

Thank you, Mr. Chairman, and I think that the comments of the Presiding Officer on the heels of Legislator D'Amaro's comments make this area to be studied most compelling, and that's why whether it is Legislator D'Amaro's efforts here to increase the funding that can help ensure that this is a study that's going to be done on this particular area as part of the larger study, whether additional moneys will ensure that it not only make the list but done in such a comprehensive way that it be considered complete so that we can make ourselves eligible for federal money going forward. I guess we will have meetings and conversations over the next couple of days, but I think it's important to pass this resolution now and let's work on the details, but we do need to move forward.

**CHAIRMAN BEEDENBENDER:**

Legislator Romaine.

**LEG. ROMAINE:**

Yes, a couple questions, first to Budget Review. This \$300,000 is coming from somewhere else. Where is it coming from?

**MR. DOERING:**

Three hundred thousand dollars is from CP 1755, infrastructure improvements, for traffic and public safety.

**LEG. ROMAINE:**

And what would those type of projects in that capital project normally involve?

**CHAIRMAN BEEDENBENDER:**

Legislator Romaine, that CP55 is the Legislative Infrastructure Fund.

**P.O. LINDSAY:**

Through offset account.

**LEG. ROMAINE:**

How much is in that account at this moment in time?

**MR. DOERING:**

I'll have to get back to you with that.

**LEG. ROMAINE:**

I'd appreciate that. You can call me. You don't have to even e-mail me so there's no written record.

All right. So we're going to transfer some money from this 1755 capital project; we're going to transfer 300,000 to do a sewer study.

I need a sewer study in Mattituck. I need a sewer study in downtown Center Moriches. We all need sewer studies. I think that we agreed in principle -- maybe I'm wrong; forgive me if I am -- that when we did a sewer study countywide that that would get some attention and all areas would be looked at, and maybe there wouldn't be money for everything, but there'd be money for two things, but everything would be addressed. So even if it didn't have money -- now, you can correct me if I'm wrong, Commissioner Anderson, but even if we didn't have money, those areas that were looked at would get a report of what would be needed; is that correct?

**COMMISSIONER ANDERSON:**

Yes.

**LEG. ROMAINE:**

So now, and how much is that study for; how much are we spending on that study?

**COMMISSIONER ANDERSON:**

1.2 million provided as part of the original legislation.

**LEG. ROMAINE:**

So 1.2 to study how many areas in the County?

**COMMISSIONER ANDERSON:**

The 13 areas that were identified by the Task Force as well as incorporating existing sewer districts -- or consolidating existing sewer districts plus the third issue to the possibility of expanding Sewer District 3.

**LEG. ROMAINE:**

So 13 areas un-sewered. We have 22, 23 --

**MR. WRIGHT:**

Eight unsewered areas and five areas for expansion.

**LEG. ROMAINE:**

For expansion, okay. And then we have 23 sewer districts that we currently operate; is that correct?

**COMMISSIONER ANDERSON:**

Yes.

**MR. WRIGHT:**

Yes.

**LEG. ROMAINE:**

And they're going to look at that as well? Okay, for the \$1.2 million, this is 25% of that to look at one geographic area?

**COMMISSIONER ANDERSON:**

Yes.

**LEG. ROMAINE:**

I have no problem appropriating 300,000 to add to the sewer study because it doesn't look like you may have enough money to do the task that you were given. If 300,000 is necessary to study one, say, yes, large geographic area, but a large geographic, how is one point two million sufficient to study 13 separate areas plus the 22, 23 sewer districts we currently operate?

**CHAIRMAN BEEDENBENDER:**

Legislator Romaine, and correct me if I'm wrong, but the original RFP, the technical services in the RFP request said that there are 13 areas of need and asked the consultants that respond to give us the full study for two of those, and after the consultant was chosen, they would work with DPW to select which 2 of those 13. So I don't think with the money it was ever contemplated that you would get a full report for all 13.

**LEG. ROMAINE:**

My first question was, even the areas that aren't selected would get a description.

**CHAIRMAN BEEDENBENDER:**

Yes.

**LEG. ROMAINE:**

Of what would be needed and the answer was yes.

**CHAIRMAN BEEDENBENDER:**

**And** That's correct.

**MR. WRIGHT:**

Mr. Chairman, if I could.

**CHAIRMAN BEEDENBENDER:**

Mr. Wright.

**MR. WRIGHT:**

I have read all seven work plans, and they follow the RFP, and we will get a report on each of the 13

areas. Two of them will be done to the extent that they will be ready to go to design, but there will be incorporated into it, preliminary design, cost estimates, the benefits -- cost benefit analysis for all 13 areas.

**CHAIRMAN BEEDENBENDER:**

That was my understanding.

**LEG. ROMAINE:**

And while I certainly appreciate the representative's zeal of Legislator D'Amaro for his district, I think there are several other districts. I'm looking at this resolution, and I'll be very honest, Legislator D'Amaro. I would feel more comfortable if everyone who needed or wanted or desired a sewer study put it in and there was a ranking or rating system, and then I'm all for voting for the Deer Park/North Babylon area. I have a lot of friends in that area. I'm all for voting for that area if that rated number one. But this is coming in as a sole resolution without a criteria compared to no other area that is in need. I don't know if this is our top priority. I know it is yours, and as I said, you've done a great job representing your area with this resolution. But it may not be the top priority for this Legislature as whole.

I know if I queried my colleagues that four or five or six people would come up with areas that might be as meritorious, and there should be some ranking system, and then once you get beyond that issue, the issue becomes, "How does this funding," which is 25% percent of the overall funding of the overall project, "conflict with the overall project?" And now, if this passes, does the Deer Park/North Babylon area get excluded from the study and, therefore, can't be one of the two areas that would be eventually selected to be chosen?

So, in essence, by passing this, we may actually do a disservice to this community because it may be on the list to be one of the two selected, and now it has to be excluded, and you'll get the study but you won't get the funding. I mean, it raises a lot of questions that I don't see the answer for. So I just point those out, not in way of criticism, but just raising these issues now early on. Thank you.

**LEG. D'AMARO:**

Mr. Chair, if I could respond. Legislator Romaine, I appreciate your comments. I think we need to have a debate on these issues. You're absolutely right; a sewer study is going to set some priorities. That does not mean that we cannot set our own priorities as well that compliment the sewer study. That's what we're trying to do. As far as doing a disservice to the area, I don't see how that can happen because the passage of my bill would ensure that the area is studied.

**LEG. ROMAINE:**

But maybe not funded.

**LEG. D'AMARO:**

Well, the bill provides the funding for the study. So, you know, we'll cross that bridge when we come to it. You know, we don't know if we'll even have the funding for the projects that are targeted out of the comprehensive study. So funding is a whole 'nother issue.

Once again, not to waste your time, again, these are areas that rank high on my priority, not only because I represent the area but also because this area is really, although beyond the geographic boundaries of the Southwest Sewer District, really a part of it. And expansion, I have to believe, is much more feasible than areas that do not have an existing sewer treatment facility of this scope and size.

**LEG. ROMAINE:**

You make a good argument and I --

**LEG. D'AMARO:**

So again, that sets my priorities for me as far as bringing it into the area. And as far as the other priorities or the basis for wanting the study done, I think you're right. I think we all could make the same arguments for the need for sewers, the environmental impacts, the economic impacts, et cetera. But again, this area is uniquely situated as opposed to many other areas across the County, and I didn't insure that if I'm going to ask for this study that it provides the funding, which the bill does.

**CHAIRMAN BEEDENBENDER:**

Okay. Thank you. Legislator Horsley, I believe you wanted to --

**LEG. HORSLEY:**

Yeah. I don't want to go too much at length, but just the genesis of the 13 -- the list of the 13 came from the Sewer Task Force or Wastewater Task Force that I chaired working with Ben and Gil and others that what we did was we went around the entire County, we talked to supervisors, we talked to Mayors, we talked to interested communities, and they gave us their priorities on what we wanted to have sewered. And then we sat down and we took this list of the priorities of our leaders across Suffolk County and we said, "Well, which of the more -- which do we have an ability to do more?" Shovel-ready is the term that is more commonly used, and that's how the 13 came to pass.

Now, I would like to echo both Legislator Stern's as well as Legislator Lindsay's comments that we can -- we've moved this ball so far. Let's let the process move forward as far as the RFP. I think everyone recognizes that there's not going to be enough money in this project, so it may be that we're going to have to add additional dollars to -- that is one of the reasons why we should be discussing it after this meeting. We should be discussing it so we do not destroy the RFP as -- but also be sure that it's funded in an equitable way so that we can have this thing completed in a time that's in our lifetime.

Just to recognize what Legislator D'Amaro's comments and his concerns, I too believe and so did many of us, that squaring off the Southwest Sewer District made sense. That is why Deer Park/North Babylon is included in this as number 12 or 13, in this list, which also includes West Islip and Wyandanch. So it made sense geographically so it's not -- so some people are being left out and some people aren't.

So I think what we've got to do is we've got to move the ball forward. Let's move the RFP. Let's get it going. If we have to put additional dollars in it so that we can cover some of these additional areas, more power to us, but we got make sure that the RFP isn't destroyed in the meantime.

**MR. WRIGHT:**

Again, if I could just make one last statement. I don't want to seem like we're being obstructionists. We are concerned, you know, with the impact of the RFP. If it passes today, I just ask that we have a meeting with Counsel prior to the general Legislative meeting so we can make sure everything is just covered.

**LEG. ROMAINE:**

Just a question. Is the Deer Park/North Babylon area 1 of the 13 listed for this study?

**MR. WRIGHT:**

Yes, it is. In one of the 13 areas is the expansion of Sewer District 3 and there are 4 areas that are in that. Deer Park and North Babylon are part of those 4.

**LEG. ROMAINE:**

Okay. Maybe I missed the boat, but wouldn't we be better off adding this \$300,000 to this study so that a more comprehensive study or more in detail study could be done, particularly about the areas adjoining the Southwest Sewer District; wouldn't that be more beneficial? I mean, I don't know.

**CHAIRMAN BEEDENBENDER:**

Legislator Romaine, in fact, that's what we're talking about having a meeting about because we need Counsel and the County Attorney to advise us. We have issued an RFP. There are responses to that RFP. It has not been awarded yet, and I would like, you know, a legal opinion. You know, this bill does not seek to add money to that project, so I think that's a separate question, but if we were to do so, I think we need some sort of guidance on how that affects the process that we've already begun. Because if this had been before we had released the RFP, I think the question is relatively simple, but since it's been released, it's been responded to, and you know, as Ben said, he has the list. I have the stack in my office as a member of the sewer agency. I just want to make sure we don't mess up that process at all while we go through.

**LEG. ROMAINE:**

I understand, but you know what? Years ago, when I sat in your seat as Public Works' Chairman, change orders -- they don't do it any more, believe me -- but all change orders had to be signed by the Public Works' Chairman. Boy, did I sign a lot of change orders in my one year tenure as Chairman of Public Works Committee. So obviously, there are things that are put out to bid or done RFPs that then add or change in scope as the project gets underway. And it's interesting, you may go back and take a look at what happened to that procedure. You'd be surprised how much work you can get done in your District.

[Laughter]

**CHAIRMAN BEEDENBENDER:**

Well, just two responses: I am ecstatically happy with how much Public Works is doing in my District. Every County road has a project either ongoing or about to go, but I think, you know, we're going to have this discussion. The larger broader base discussion, you know, after this meeting to make sure that we can move forward. And I think we're all in favor of sewerage. I think we all would like to get it off the ground as soon as possible. I think Public Works shares that, and we can iron that out. But for now, we do not have a motion yet -- we do have a motion.

**LEG. D'AMARO:**

Mr. Chair, could I add one more comment?

**CHAIRMAN BEEDENBENDER:**

Legislator D'Amaro, please.

**LEG. D'AMARO:**

Thank you. As a point of clarification, and Legislator Romaine, this is also I think in response to your comments unless I misheard you, but nothing, no area, is included in the comprehensive study yet. There's a list. There has been a response to the RFP. There's going to be a selection process, but there is no area included within the scope of the study yet. So, again, it remains to be seen what areas ultimately -- I'm sorry, did you want to correct that; am I wrong about that?

**MR. WRIGHT:**

No, no. There are 13 areas that are included in the study. That was narrowed down from the whole County through the Task Force and the RFP Committee. So the 13 areas that are in the RFP will be studied. Two of those 13 critical areas will be selected for much more detail where they can actually get to the design phase.

**LEG. D'AMARO:**

Well, I don't agree with that approach at all because it seems to me then, why are we spending money on the other 11 if we are not bringing them to the design phase where ultimately we could hopefully one day go ahead and construct the projects?

**MR. WRIGHT:**

It was to identify what was needed to get them to the point where we're actually constructing sewers.

**LEG. D'AMARO:**

I agree with that, but once you pick two that you're going to the design phase with, what we're -- are you saying we're going to study less the other 11? I don't follow that.

**MR. WRIGHT:**

Yeah. Two of them will be brought to where you can start the design phase. The other 11 will still have a feasibility study done which will have preliminary cost, preliminary design information, as well as there's a generic impact statement that's involved with this and GIS tasks and public education.

**LEG. D'AMARO:**

Okay. So if Deer Park and North Babylon -- would that be the same scope of the study proposed under my bill?

**MR. WRIGHT:**

It would be, but yours would still have more detail because it's more specific with \$300,000.

**LEG. D'AMARO:**

Okay. So I would have a more detailed study mirroring more of the two that are selected for further detail?

**MR. WRIGHT:**

Yeah. It would be like the two critical areas. It would be more like those where you could start the design phase.

**LEG. D'AMARO:**

Okay. Thank you.

**CHAIRMAN BEEDENBENDER:**

Thank you. All right so we have a motion and a second. All in favor? Opposed? Legislator Romaine is opposed. Abstentions? Oh, Legislator Losquadro as well. IR 1705 passes.

**(VOTE: 3-2-0-0, Legislators Romaine & Losquadro opposed)**

Thank you very much.

**LEG. D'AMARO:**

Thank you, Mr. Chairman. I appreciate you taking that out of order.

**CHAIRMAN BEEDENBENDER:**

No problem.

**MS. LOMORIELLO:**

Legislator Losquadro, was that an abstention?

**LEG. LOSQUADRO:**

Yes -- no, opposition.

**CHAIRMAN BEEDENBENDER:**

Just one thing I'd like to add just for the purposes of the Committee, I'm happy we're going to have this broader discussion about maybe providing more funding, but what I would really try to caution us against is making this about area versus area, and I know that's nobody's intention, but there is a limitation under the current study, and, of course, we all have areas within our district we would want, and if this becomes political, I think we end up because you -- no matter how you do it, you cannot spread 2 over 18.

**LEG. ROMAINE:**

Geographic is a better term, not political.

**CHAIRMAN BEEDENBENDER:**

Right. It becomes a geographic situation, that's true, and geography brings politics, I think. So with that, we'll move to the resolutions -- you know what, actually? Since we have speakers here -- no, we'll just move to it. Nevermind.

**Tabled Resolutions**

**IR 1201, Directing the Department of Public Works to hold public hearings on new bus fares in order to implement Sunday bus service. (Schneiderman)** I'll offer a motion to table.

Seconded by Legislator

Stern. All in favor? Opposed? Abstentions? **IR 1201 is tabled.**

**(VOTE: 3-2-0-0, Legislators Romaine & Losquadro opposed)**

**IR 1510, Directing the Department of Public Works to add a stop on the 3C Bus Route.**

**(Montano)** Commissioner Anderson, last time, I know Legislator Montano was okay with tabling because it seemed like we were moving ahead, and you were waiting for a response from the property owner. Any new info?

**COMMISSIONER ANDERSON:**

We've received a correspondence from the property owner requesting, you know, certain information such as insurances and things like that, and we're -- you know, again, while we feel it's moving positively, we still would ask that it be tabled so we can keep settling these matters.

**CHAIRMAN BEEDENBENDER:**

Well, it would seem to me if he asked for the insurance information, that would -- it would seem favorable.

**COMMISSIONER ANDERSON:**

Yes, absolutely.

**CHAIRMAN BEEDENBENDER:**

Okay. Well, then if that's the case, I'll offer a motion to table. Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1510 Tabled (VOTE: 4-1-0-0, Legislator Romaine opposed)**

**IR 1526, Amending the 2009 Operating Budget, transferring Assessment Stabilization Reserve Funds to the Capital Fund, and appropriating funds for the Yaphank County Center Wastewater Treatment Plant (CP 8158). (Co. Exec.)** This should be tabled because I don't think anything has changed.

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN BEEDENBENDER:**

All right. Motion to table. Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1526 is tabled (VOTE: 5-0-0-0).**

**IR 1527, Creating a "Share the Road" signage program in Suffolk County. (Eddington)**

We had some speakers on this. We have some sites. I know that Legislator Eddington has some pictures of the signs. I am inclined to support this. I don't know if there's any other questions. Oh, no -- I forgot. I'm sorry. We have to tabled it. Thank you, Counsel. I'll offer a motion to table. Seconded by Legislator Stern. All in favor? Opposed? Abstentions? This is tabled.

**(VOTE: 5-0-0-0)**

**IR 1586, Directing the Suffolk County Sewer Agency to prepare maps, plans, reports and make recommendations in accordance with Article 5-A to form a sewer district at Spring Meadow and Towne House Village in the Town of Islip. (Co. Exec.)** I know that Legislator Kennedy had requested the tabling last time. He asked for one cycle. I have not spoken to Legislator Kennedy about this. So I know that he had some concerns about the members of his District, or at least Spring Meadow may not be on board with this, but I don't really have any other information. Commissioner Anderson, do you --

**COMMISSIONER ANDERSON:**

No. We haven't received any further information, either.

**CHAIRMAN BEEDENBENDER:**

Well, absent --

**LEG. LOSQUADRO:**

I was just going to ask what step in the process, because I know we went through the creation of the Sewer District in my LD. What stage in the process is this?

**COMMISSIONER ANDERSON:**

This is the first step. This basically begins the process requesting DPW to develop maps and --

**LEG. LOSQUADRO:**

So this is prior to the public hearings, all that good stuff?

**COMMISSIONER ANDERSON:**

Everything.

**LEG. LOSQUADRO:**

Okay. That's fine.

**CHAIRMAN BEEDENBENDER:**

All right. Well, then I don't see a reason that we should hold off. I'll offer a motion to approve. Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1586 is approved.**

**(VOTE: 5-0-0-0)**

Ben?

**MR. WRIGHT:**

Yeah, I would just like to make a comment on it.

**CHAIRMAN BEEDENBENDER:**

Should we -- oh. Okay, go ahead.

**MR. WRIGHT:**

One of the concerns that Legislator Kennedy had was that if they form a Sewer District, then the only purpose of that was to try to get stimulus funding or subsidies through EFC, Environmental Facilities Corporation, that it would take longer and that their prevailing wages would have to be incorporated into the project. And the communities were a little concerned about it taking longer and also having a higher cost. So that was the reason why he had it tabled last time. As Gil said, we didn't hear anything new, but that was the basic concern.

**CHAIRMAN BEEDENBENDER:**

All right. Well, we've approved it, so I suppose if there's other information Legislator Kennedy has for us, he will certainly let us know between now and Tuesday. Thank you. All right. Moving to the Introductory Resolutions.

## Introductory Resolutions

**IR 1634, To consider the installation of metal detectors in the William H. Rogers Building. (Cooper).**

**LEG. STERN:**

Motion to table.

**CHAIRMAN BEEDENBENDER:**

Motion to table by Legislator Stern. I will second the motion. Is there any comments on the motion? Legislator Losquadro?

**LEG. LOSQUADRO:**

I would just like to say it is, at the end of the day, this is a public building. It is a government building. It's one of the few government buildings that does not have any form of security. I mean, you go across the street to the State office building -- I don't know. I actually find myself -- I'd like to speak to Legislator Cooper about it more, but I think it's certainly worth looking at just to see what type of cost might be associated with it, and then we can make a determination from there. But it's a very different world we live in, unfortunately, and, you know, sometimes precautions have to be taken. And it's not only -- you know, this isn't just saying, you know, for the safety of elected officials; it's the safety of the public who comes her as well. We see individuals who go into gyms and do all sorts of other un-Godly things. I mean, I don't think this would be a bad thing to look at.

**CHAIRMAN BEEDENBENDER:**

Well, I think Legislator Cooper had indicated a desire to reach out to the Commissioner of Public Works as well as possibly the sheriff as well, since the deputy sheriffs are the ones that provide -- but before moving forward, he wanted to talk with them more. Legislator Romaine?

**LEG. ROMAINE:**

Yeah. I just would say, you know, this is a dangerous world. We all take our life in our hands, sometimes when we get in our cars, let alone anything else. But if we were to install this, think about this: We would probably put them at those doors. Everyone would have to come in those doors except Legislators and people that pass cards. We probably would then -- what are we go to do; have them only available for general meetings? Are they going to be available every single day? Then someone has to be hired to monitor them, probably a deputy sheriff or we'd have to have security guards. Years ago, actually, we did have like a sergeant of arms that we would hire. And -- but we would probably need a law enforcement specialist to do that. It's going to be a very expensive operation. Probably, you're going to add at least 100, 150 thousand dollars to the County budget just for that thing, because of the ongoing expense with personnel. Someone has to monitor or -- if you have someone goes through -- are you are going to have one of the things where they are going to check the bags and -- do you know what I'm saying?

**CHAIRMAN BEEDENBENDER:**

I understand what you're saying.

**LEG. ROMAINE:**

It's expensive.

**CHAIRMAN BEEDENBENDER:**

I agree, but see, I'm confident because you sit to the right of me, and I'm confident in your nobility that you will protect me and not let anybody past.

**LEG. ROMAINE:**

I'd duck.

[Laughter]

**CHAIRMAN BEEDENBENDER:**

You'd duck? All right. Well, then we definitely need this bill. All right. Like I said, Legislator Cooper has indicated a desire to reach out to the Public Works as well as the sheriffs since the deputy sheriffs provide security during general meetings. So there's a motion to table and a second. All in favor? Opposed? Abstentions? **IR 1634 is tabled. (Vote: 5-0-0-0)**

**IR 1637, Directing the Department of Public Works to erect a flagpole for the Merchant Marines at Armed Services Plaza. (Cooper)** I know we had a brief discussion on this before, but one of my understandings of the situation is that in order to, I guess, keep the symmetry on either side of the American flag, there isn't sufficient room. So rather than just erecting one pole, we'd have to move three or four or five.

**COMMISSIONER ANDERSON:**

Essentially, simply you would have to add a second pole as well as the one for this because protocol --

**CHAIRMAN BEEDENBENDER:**

Okay. What you're saying is we need another service.

**LEG. ROMAINE:**

Either that or someone's photo could appear on the flag, and they could fly it from the Dennison Building.

[Laughter]

**CHAIRMAN BEEDENBENDER:**

Legislator -- I have --

**MR. ZWIRN:**

This is disrespectful. This is Veterans.

**COMMISSIONER ANDERSON:**

You could -- I mean, simply -- and I'm not going to -- I don't know which flag you'd put up there, but you do need a second stanchion because this American flag is supposed to be centered.

**CHAIRMAN BEEDENBENDER:**

Well, let me just -- and I am not trying to be flip at all, Gil, but it seems to me that there has to be somewhere else that has approached the same problem and had some solution.

**COMMISSIONER ANDERSON:**

Correct. I was just stating that we would need two, not one and --

**CHAIRMAN BEEDENBENDER:**

I know what you're saying. I just --

**LEG. LOSQUADRO:**

**I'm sorry.** Which ones do we have up, though?

**CHAIRMAN BEEDENBENDER:**

We have Army, Marine, Navy, Air Force, Coast Guard.

**LEG. LOSQUADRO:**

What's the last one?

**CHAIRMAN BEEDENBENDER:**

The last one would be the Merchant Marines.

**LEG. LOSQUADRO:**

What do we have now? If it has to be balanced, we can't have an uneven number? So do we not have the POW flag up, or do we have the POW?

**COMMISSIONER ANDERSON:**

That was one of the suggestions that was made, was that, you know, add the POW. The only statement that you wanted to make was that you need the --

**LEG. LOSQUADRO:**

No, but -- I'm sorry. Army, Navy, Marines, Air Force; is that what we have now; we don't have Coast Guard or we do have Coast Guard?

**COMMISSIONER ANDERSON:**

Coast guard, yeah.

**LEG. LOSQUADRO:**

Well, that's five.

**SAID IN UNISON:**

The United States. The American Flag.

**LEG. LOSQUADRO:**

Right, but if that -- it can't be in the middle. You'd have three and two.

**CHAIRMAN BEEDENBENDER:**

I'm almost positive the POW Flag is that sixth flag.

**LEG. LOSQUADRO:**

Can't you fly the POW Flag underneath the American Flag? Isn't that how it's traditionally done? So you would just have to erect one additional flagpole and you could put the POW Flag underneath the American Flag.

**MR. ZWIRN:**

Well, actually, it -- yeah, that would be the simplest solution.

**LEG. LOSQUADRO:**

So we could just do that.

**CHAIRMAN BEEDENBENDER:**

Can I ask, Commissioner Anderson, that when we leave and as you drive by, you just take a gander, and if that's the situation, and please also do one other thing, call Tom Ronayne and make sure that however its put up and whatever fashion its put up, that it is not in violation of any conduct, protocol, law or otherwise because the last thing I want is us to put up a flag -- I don't know if there's a protocol that say where the Merchant Marine flag should go in an array. So if it's just a matter of maybe putting the POW Flag under the American flag and changing the order, let's just speak with Tom to make sure that we don't violate any protocol.

**COMMISSIONER ANDERSON:**

Will do.

**CHAIRMAN BEEDENBENDER:**

All right. It's the problem solver --

**LEG. LOSQUADRO:**

Let's keep our fingers crossed.

**CHAIRMAN BEEDENBENDER:**

For now, we will table this, and hopefully by the time we meet next time, it will be moot. All right. I'll offer a motion to table. Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1637 is tabled (VOTE: 5-0-0-0)**

**IR 1672, Authorizing the County to enter into an agreement with the US Army Corps of Engineers in connection with County participation in a feasibility study to provide coastal storm damage reduction in the area of Hashamomuck Cove, Southold. (Co. Exec.)** Motion by Legislator Romaine. Seconded by Legislator Losquadro.

**LEG. LOSQUADRO:**

On the motion. What's the County share participation in this project?

**COMMISSIONER ANDERSON:**

The County share would be about 450,000 right now. We have 500 in subsequent years.

**LEG. LOSQUADRO:**

Okay. And how much is the Corps. of Engineers putting into this?

**COMMISSIONER ANDERSON:**

The Corps is putting in 1.5 million. New York State DEC is putting in 1.05 million, and our share would be 450,000.

**LEG. LOSQUADRO:**

Good deal for us. Thank you.

**CHAIRMAN BEEDENBENDER:**

This is that road that could disappear.

**COMMISSIONER ANDERSON:**

This is actually the study of the, more or less, the eastern half of the North Fork to determine --

**CHAIRMAN BEEDENBENDER:**

Okay.

**LEG. ROMAINE:**

Actually, it's from Orient Point all the way further east. Hashamomuck Cove is near the middle of -- it is a cove which -- there's only two east/west roads on the North Fork. One is Route 25; the other one is County Road 48. This is County Road 48. It's very close to being breached. I think Gil will attest there's one area there that about five or six houses that would probably fall into the sea, and the water is already lapping under them, and the next storm would take out the road, which would create a major transportation havoc on the North Fork. So it's not only trying to protect the Cove and the homes around the Cove and protect further erosion, but it's protecting a major east/west artery on the North Fork.

**COMMISSIONER ANDERSON:**

Okay. If I may, just to address the fact of the road -- the immediate erosion, there is an Army Corps. project that was passed Legislatively last year. They are doing all the work. Our share is very minimal. It was passed. We will be submitting another resolution because just so that we authorized to go into agreement with DEC as well as the Army Corps for the smaller project, which is underway right now.

**LEG. ROMAINE:**

The smaller project involves a Cove. This is the larger project that involves almost all of Southold Town on the sound side.

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN BEEDENBENDER:**

We don't want to create another island. We already have a Long Island. So we have a motion and a second to approve. All in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0)**

**LEG. ROMAINE:**

Would the Clerk please list me as a Co-Sponsor on this, please?

**CHAIRMAN BEEDENBENDER:**

Thank you, Ed.

**IR 1674, Amending the 2009 Capital Budget and Program and appropriating funds in connection with intersection improvements on CR 100, Suffolk Avenue at Brentwood Road and Washington Avenue, Town of Islip (CP 5065). (Co. Exec.)** Motion by Legislator Stern. Seconded by myself. This is for resurfacing, Gil?

**COMMISSIONER ANDERSON:**

This is for resurfacing and reconstruction of the intersection to add capacity.

**CHAIRMAN BEEDENBENDER:**

Fantastic. That's a dangerous intersection. We have a motion and a second. All in favor? Opposed? Abstentions? **IR 1674 is approved. (VOTE: 5-0-0-0)**

**IR 1675, Appropriating funds for the purchase of sewage pump-out vessels (CP 8229). (Co. Exec.)** This is -- let's see -- \$100,000 for assistance to towns who purchase pump-out vessels?

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN BEEDENBENDER:**

All right. Motion by Legislator Losquadro. Seconded by myself.

**LEG. HORSLEY:**

Where is it; where are they going to be?

**COMMISSIONER ANDERSON:**

The two towns that are interested in purchasing the vessels are Riverhead and Southampton.

**LEG. LOSQUADRO:**

Just to -- would this money be able to accessed retroactively in any way, because I know that Brookhaven recently purchased a pump-out vessel or --

**COMMISSIONER ANDERSON:**

Well, there still is an additional 50,000 in the fund itself that they haven't accessed because they had money left over from last year's program.

**LEG. LOSQUADRO:**

Okay. Thank you.

**CHAIRMAN BEEDENBENDER:**

All right. All in favor? Opposed? Abstentions? **IR 1675 is approved.**  
**(VOTE: 5-0-0-0)**

**IR 1678, Permitting the William Floyd Union Free School District to purchase fuel from the County. (Co. Exec.)** Gil, this is the same that we've done with several ambulance districts and everything else?

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN BEEDENBENDER:**

All right. Motion by Legislator Losquadro. Seconded by myself. All in favor? Opposed? Abstentions? **IR 1678 is approved.**  
**(VOTE: 5-0-0-0)**

**IR 1691, Authorizing the purchase and installation of an Automated Vehicle Locator system (AVL) for Suffolk Transit and amending the 2009 Capital Budget and Program and accepting and appropriating Federal and State Aid and County funds (CP 5648). (Co. Exec.)** This is the five point two million that we've been discussing for a long time. I guess this is GPS for all?

**COMMISSIONER ANDERSON:**

Essentially, for the busses, both SCAT and SET.

**CHAIRMAN BEEDENBENDER:**

You know what? While I'm at it -- while we're on this, just -- I know for a long time, we were talking about the bus systems -- you know, where they would have the announcements where the riders stop and that helps handicapped individuals as well and the signs. And my new office, the window opens right out to a bus stop, and I hear the busses announcing all day, so I'm happy to hear that that program is up and running. So we have a motion and a second. All in favor? Opposed? Abstentions? IR 1691 --

**MS. ORTIZ:**

There was no motion.

**CHAIRMAN BEEDENBENDER:**

There was no motion? All right. Okay. Motion by Legislator Losquadro. Seconded by myself. All in favor? Opposed? Abstentions? **IR 1691 is approved. (VOTE: 5-0-0-0)**

**IR 1704, Authorizing the purchase of up to thirty transit buses for Suffolk Transit including related equipment and amending the 2009 Capital Budget and Program and accepting and appropriating Federal Aid through the American Recovery and Reinvestment Act (New CP 5657). (Co. Exec.)** This is the \$9.5 million for busses?

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN BEEDENBENDER:**

And this is -- this is fantastic. Federal stimulus at work. I'll offer a motion to approve. Seconded by Legislator Stern. All in favor? Opposed? Abstentions? IR 1704 -- Legislator Losquadro, please go ahead. **(VOTE: 5-0-0-0)**

**LEG. LOSQUADRO:**

With the purchase of these busses, are any of these any of the new technology -- the hybrid or

anything like that that we're contemplating using this money for?

**COMMISSIONER ANDERSON:**

I believe this is the busses we've been purchasing, the standard transportation -- you know --

**CHAIRMAN BEEDENBENDER:**

They are cleaner diesel.

**COMMISSIONER ANDERSON:**

Well, They're cleaner diesel, yeah.

**LEG. LOSQUADRO:**

Right. I mean, they have to abide by the newest standards, obviously. I was just wondering because I know -- didn't we purchase a couple of the hybrid busses too?

**COMMISSIONER ANDERSON:**

Yes, we have them along the 110 corridor.

**LEG. LOSQUADRO:**

Right.

**COMMISSIONER ANDERSON:**

I think we have four, if I'm not mistaken. Bob could probably speak.

**LEG. LOSQUADRO:**

What have we thought of their performance thus far? Is there a reason we're not looking to purchase more of these? Are they not suitable for this application, for these runs?

**MR. WRIGHT:**

The busses we have now, we have four of them. They have operated fabulously. They were purchased as a pilot program. We only have them since November. This particular order is conventional powered only because, among other things, we had to move very fast on using the money, and the busses are basically clean diesel and we intend to purchase hybrid electrics with our next round of purchases.

**LEG. LOSQUADRO:**

So I think I'll take a different spin on what was said before. Our stimulus money is at work. It didn't even allow us the flexibility. We had to move so quickly. We couldn't even look at the newest technology. All right. Well, at least we got the money, but I think we certainly could have -- if the program had a lot of flexibility, it could be done a little better. Thank you.

**CHAIRMAN BEEDENBENDER:**

We took the -- I called the vote on the previous one.

**IR 1710 Authorizing transfer of one (1) surplus County computer, one (1) surplus County monitor, one (1) surplus County keyboards and one (1) surplus County mouse to Every Child's Dream Inc. (Co. Exec.)** I'll offer a motion to approve. Seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? **Approved (VOTE: 5-0-0-0)**

**IR 1720, Amending the 2009 Capital Budget and Program and appropriating funds in connection with the County share for participation in the Port Jefferson-Wading River Rails to Trails Pedestrian and Bicycle Path (CP 5903). (Co. Exec)** Motion by Legislator Losquadro. I will second it. All in favor? Opposed? Abstentions? **IR 1720 is approved.** (VOTE: 5-0-0-0).

**LEG. LOSQUADRO:**

Make sure I'm a co-sponsor on that one.

**CHAIRMAN BEEDENBENDER:**

All right. Commissioner Anderson, I had one question. I think Legislator Romaine had requested a moment as well. I read something in the newspaper the other day about one of our stimulus programs, the projects -- the \$20 million for the LIE service roads, and it seemed to indicate that there was a delay on that project of some sort. Could you just clarify for the Committee's purpose what's going on with that?

**COMMISSIONER ANDERSON:**

As part of the ARA program, transparency is required, and randomly they selected -- they have selected projects for review. This particular project, which is one of the LIE resurfacing projects, they are doing a PS and E review, which means they're taking all the documentation that was approved and -- prepared by us and approved by the State and going through it just to make sure that everything is up to snuff and that we've met all the requirements that we had to meet.

**CHAIRMAN BEEDENBENDER:**

So the reason there may be a delay is because the federal government, they randomly select some projects to go over the engineering information. One of our projects was that, so there's no -- this doesn't say anything about it going backwards or anything. It's just, there's review required.

**COMMISSIONER ANDERSON:**

No, in fact, it should be done -- we discussed it with them -- with the Federal Highway Authority, and they've stated they will have the review done by the end of the week, so then we can proceed with bidding.

**CHAIRMAN BEEDENBENDER:**

And then we can continue the process from wherever it paused when they came in to do the review?

**COMMISSIONER ANDERSON:**

Right.

**CHAIRMAN BEEDENBENDER:**

Okay. Legislator Romaine, I believe you had a question or two for Commissioner Anderson?

**LEG. ROMAINE:**

Yes, I did. A little bit more than, I guess it's seven, six weeks ago, I sent you some questions regarding red light camera, and I didn't get a response, and then again last week -- I believe it was last Friday -- I sent a follow-up e-mail. I don't want to bore the Committee with this. Is it possible for you to get me the answers to that?

**COMMISSIONER ANDERSON:**

Correct. I apologize. I thought I had sent that to you.

**LEG. ROMAINE:**

No. I never got that.

**COMMISSIONER ANDERSON:**

Okay. I'll get that to you.

**LEG. ROMAINE:**

You saw the e-mail that I sent?

**COMMISSIONER ANDERSON:**

Yes.

**LEG. ROMAINE:**

Okay. I would appreciate that, so if you could do that -- I understand you're a busy man, but by the end of the week, that would be helpful. My concern is what I read in Newsday is that red light cameras, Nassau County is already installing their red light cameras.

**COMMISSIONER ANDERSON:**

I'd be careful with that because they're also taking two down because of the jurisdictional dispute.

**LEG. ROMAINE:**

Right.

**COMMISSIONER ANDERSON:**

We've waited -- we anticipate going out to bid within the next week or so on the project.

**LEG. ROMAINE:**

Okay.

**COMMISSIONER ANDERSON:**

We waited --

**LEG. ROMAINE:**

So then this -- my questions are timely because my questions dealt with who's on the RFP Committee, the vendors involved, County personnel, what the man hours would be to check out the red light camera photo on annual basis, which departments would be involved, the estimated cost; all that type of stuff.

**COMMISSIONER ANDERSON:**

I thought I had sent it to you.

**LEG. ROMAINE:**

I understand that. The questions that I'm asking, about future activities --

**COMMISSIONER ANDERSON:**

Understood.

**LEG. ROMAINE:**

You can put this on the record -- about future activities. Your answers would be estimates, or guesstimates in some case, because it's hard to project to the future, and I want to say that with a caveat that I'm not going to hold you to the exact letter. I understand that what you would give me is your best guess as to some of these answers, which call you to evaluate what future costs or personnel might be. Thank you.

**COMMISSIONER ANDERSON:**

Understood.

**LEG. ROMAINE:**

Thank you.

**CHAIRMAN BEEDENBENDER:**

Okay. Having no other business, we stand adjourned.

*(The meeting was adjourned at 3:42 PM)*