

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 September 8, 2009 at 2:00 P.M.

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:

George N. Nolan, Counsel to the Legislature
Sarah Simpson, Assistant Counsel to the Legislature
Renee Ortiz, Chief Deputy Clerk of the Legislature
Linda Bay, Aide to Minority Leader
Kaitlyn Boyd, Aide to Leg. Beedenbender
Deborah Harris, Aide to Leg. Stern
Paul Perillie, Aide to Majority Leader Cooper
Linda Bay, Aide to Minority Leader Losquadro
Ed Hennessy, Aide to the County Executive
Gail Vizzini, Budget Review Office
Robert Doering, Budget Review Office
Gil Anderson, Commissioner of Public Works
Bill Hillman, Chief Engineer, Suffolk County Department of Public Works
Ben Wright, Suffolk County Department of Public Works
Lynne A. Bizzarro, Chief Deputy County Attorney
Kara Hahn, Director of Communications
Debra Alloncius, Legislative Rep for AME
And all other interested parties

Verbatim Transcript Taken By:

Gabrielle Skolom - Court Stenographer

*(*The meeting was called to order at 2:08 P.M.)*

CHAIRMAN BEEDENBENDER:

We're going to start the Public Works and Transportation meeting. Please join us in the Pledge of Allegiance lead by Legislator Stern, and remain standing afterwards.

[Salutation]

If we could just remain standing and have a moment of silence. A former Legislator, John J. Foley, who served in the Legislature from 1976 to 1993 passed away yesterday, I believe, and we should all take a moment of silence for one of our former colleagues and keep his family as well as his son, Brian Foley, another former member of this Body, in our thought and prayers.

[Moment of Silence Observed]

Thank you.

Okay. I have no cards. Is there anybody in the audience that wishes to speak?

[No response]

All right. Seeing none, I'm going to deviate from the agenda just slightly. I know that we have some discussion, some questions about red light cameras and Legislator Romaine -- Commissioner Anderson or Mr. Hillman or both, could you come up? We're just going to have a brief discussion. Before -- Legislator Romaine, before you ask the questions, could I just ask Commissioner Anderson, could you tell us where Suffolk is in this process and then we'll get into specifics? Have we released the RFP?

COMMISSIONER ANDERSON:

We have released the RFP, and it is out there.

CHAIRMAN BEEDENBENDER:

Okay. When do we -- when's the due date?

COMMISSIONER ANDERSON:

They are due on August -- sorry October 9th.

CHAIRMAN BEEDENBENDER:

October 9th is when they will be returnable to us?

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Okay. Legislator Romaine, I know you had some questions, so if you'd like to take this opportunity, please go ahead.

LEG. ROMAINE:

Just a few questions. Earlier this year, we approved this, and most of us were concerned about safety and less about revenue, and one of the reasons that we approved this is because we were told that this would be limited over to about 50 intersections that were considered dangerous intersections for T-bone accidents. And one of the things that have come to light, and maybe it's good that we're not first in this -- we're second behind Nassau -- is the fact that a question was raised about turn -- right turns on red lights. And apparently, some people in Nassau County, including an 80-something-year-old woman, was given a summons because she made a right turn on red where they claim she did not make a full and complete stop, but she made -- she slowed

down instead to make the turn on red. We did a little bit of research, and apparently, right turns on red summonses could be considered subjective. Passing or obviously going through a red light is not subjective.

But I checked with some members of police force, and they told me when writing tickets, whether people stop before then proceeding with their right turn is subjective, and only sworn police officers, apparently, should have the authority in making subjective decisions regarding violations of the vehicle and traffic law. According to Newsday, what I read, and they indicated that cameras are activated when a car passes over a sensor while the light is red. Obviously, the workers that monitor these cameras have to make a distinction between people blowing reds, people stopping on a red and then making a right turn, which is legitimate, unless otherwise posted, or people stopping briefly, a rolling stop sometimes it's referred to and then proceeding right. Those type of decisions are subjective, and I'm concerned because I don't want to see my colleagues see what happened in Nassau happen to them, with a lot of citizens who were complaining who thought they stopped at a red light before they proceeded right winding up with summonses.

So I want to raise that issue now so that it's dealt with early in the process. I understand we're not going to be installing these lights until sometimes in January or February, and then it's going to only be a few of them, and then later throughout the year, the rest of them will be rolled out, if I'm not mistaken. So let me stop here and not be more longwinded than that.

CHAIRMAN BEEDENBENDER:

Okay. Well, just to play off of comments -- did you want to speak, Legislator Losquadro?

LEG. LOSQUADRO:

No.

CHAIRMAN BEEDENBENDER:

Okay. One of the things that -- well, go ahead, Gil. You go first.

COMMISSIONER ANDERSON:

No. I really just wanted to state briefly that the -- you know, right now, we are in the RFP process, so we are limited in what we can say about the system that will be eventually chosen. Depending on the provider, in most cases, we will provide equipment that, you know, will have sensing that can identify situations such as a rolling right turn as well as what was the intended use -- or the main intension is to stop, you know, the T-bones -- T-bone accidents at the -- whatever intersections we choose. However, that's a decision that will be developed as the proposal's selected, and it's really a policy matter, not really a technical matter which is where we're coming from.

CHAIRMAN BEEDENBENDER:

The second part of what Legislator Romaine brought up has to do with somebody reviewing these -- reviewing the violations, and it was my understanding -- and I don't know which company will end up winning the RFP -- but it's my understanding that most of them operate -- they will cull through all the violations they receive and then send it to Suffolk County, at which point somebody will have to review it, and, at least it was my understanding, that a police officer would have to be the one that would look at it, look at the pictures, see if it is a clear indication and then say, "Okay. This is a violation," and I think that's the same way we operate with the handicapped parking summonses. We have volunteers, but a sworn police officer has to sign off on it for it to be a violation. So I guess that would function in the same -- it would depend on whether or not we have video cameras or whatever responded to the RFP had the technical qualifications to be able to say, "This car stopped or didn't stop," either, "making a right turn on red."

COMMISSIONER ANDERSON:

It would be -- it could be a digital format; it could be a rolling format; it could be individuals pictures. It all depends on what's eventually selected.

CHAIRMAN BEEDENBENDER:

And just one last -- I know some other Members of the Committee -- the discussions we had -- you and I had had previously, and I think you -- Mr. Hillman and I as well -- is that once we have -- once we select the company that's going to help perform this function for us, we set out all the technical specifications, what we're expecting and, you know, what the cameras can be used for. Do we want to allow the cameras, you know, our police department access if there's an Amber Alert, you know, are we going to scan all the license plates that come through for a car looking -- things like that -- and that's what we will discuss and make determinations with the company at that point.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Now, who is going to be doing that?

COMMISSIONER ANDERSON:

The RFP Committee would be the one that reviews all the proposals and makes the ultimate choice.

CHAIRMAN BEEDENBENDER:

But after we select somebody, that's when we'll have the discussion of all the technical requirements and what the County expects them -- the company to produce for the County and what services they are going to allow us access to; that discussion will be had, I guess, between yourself and the Police Department with the company once they are chosen?

COMMISSIONER ANDERSON:

I would believe so, yes.

CHAIRMAN BEEDENBENDER:

Okay. All right. I know that some of the members --

COMMISSIONER ANDERSON:

And it would be part of the RFP discussions too. It isn't just something that we would do afterwards. It would be something that we'd want to know that they could do what we are considering. Let Bill -- Bill's going to speak a little bit on it.

CHAIRMAN BEEDENBENDER:

Bill, please.

MR. HILLMAN:

We put together -- in the RFP proposal, we put together a list of priority questions or issues, and we expect each vendor to come in and answer those questions. Number one on that list was, how are we going to handle right turns on red? They will come to us specifically and say -- you know, they do these systems all over the country. They have experience with them. This is our first time we're doing it. So we're going to look to them to explain to us, "Well, here's your options. Our system can do 'X,' 'Y' and 'Z.'" The next guy comes in and says, "Well, our system can do one, two, three." We will, with the RFP Committee, make a decision on what is the best system all-around -- Amber Alert -- and, you know, all those things will be included in their response, and the Committee will make a selection on what system it thinks is best.

CHAIRMAN BEEDENBENDER:

But -- so one of the questions I guess -- it's good for me to hear that this is something that we contemplated. I don't know if Nassau didn't contemplate it, if it was a miscommunication. But it seems pretty clear from what you just said that this is something that we contemplated having to deal with, and we're waiting to hear the responses from the companies and how they will address the concern.

MR. HILLMAN:

That's correct. We -- many of the snafus that Nassau County has encountered, we have already taken into account in our RFP process in the selection of our narrowing down our sites to -- from 160 down to, I think, to 80 now, which will ultimately be down to the 50. These are the types of things that we've done proactively to avoid some of the conflicts that Nassau County has. That's why we were reluctant to release our list of locations. Nassau County did that very early on; now they have issues with it. So I think we, our Traffic Department Director, Dan Dresch, along with Tom Laguardia, Chief Deputy Commissioner, have done an excellent job at outlining this and really keeping us out of the hot water.

CHAIRMAN BEEDENBENDER:

Okay. Legislator Stern, I know you had some questions.

LEG. STERN:

Yes. Thank you, Mr. Chairman. First of all, let me say that Legislator Romaine is absolutely right in raising these issues, and we should, of course, always be learning from experience, particularly what has just occurred recently. But number one, I think it's important to know, as we know but to reiterate, whether it's a stop or a turn that although there will be a company that does the initial review that it will be, as Legislator Romaine points out, it will be a sworn officer or Suffolk County personnel that ultimately makes the determination as to whether or not there was a violation, so I think that fact goes to alleviate one of the concerns that were raised.

But I have a concern that -- well, first of all, let me say this, and I asked our Counsel if -- you know, where in the VTL, you know, "rolling stop" is defined. There is no such thing as a rolling stop. You either stop or you don't stop. So ultimately, what are we looking to protect our public from? Is it stops or failure to roll slowly or not as slowly? That I don't quite understand, but I think it raises an important issue that ultimately a rolling stop, if a right on red is going to be something that's going to be reviewed, that as was pointed out, you know, many times it is subjective. The sworn officers will say, "Well, it's a judgment call," and my concern here is that, if that's the case, that many times their judgment calls are made depending on the facts and circumstances as they exist at the time. Was it raining out? Were there a lot of cars around? Was it heavily trafficked? I mean, an officer is making a determination based on what he or she sees at the time.

My concern is that when you have somebody now reviewing a videotape, and it's not done contemporaneously with what was actually going on at the time, that there will be a different standard that's going to be applied. And one of those concerns is whether or not the officer will have the same kind of view that an officer who is actually sitting at that corner might have and able to take all those facts and circumstances into account. So I think as we go through this process, I think that would be an important question to ask the company that we're ultimately dealing with, but to also bring in our law enforcement and ask them the questions as to how this will ultimately be enforced and what kind of standard they will be utilizing so that someone who might be guilty of a violation as it's occurring, you know, would also be in the same boat as someone who is being reviewed not quite as contemporaneously under what could quite possibly be the same facts and circumstances. My concern would be that the standard should be applied evenly, that there shouldn't be two different standards for what rises to the level of a violation on a rolling stop, whether it happened live or whether it happened and is prosecuted after we watch the videotape.

CHAIRMAN BEEDENBENDER:

Legislator Losquadro then Romaine.

LEG. LOSQUADRO:

Thank you. Obviously, when these systems started, they were in major urban areas, specifically New York City who doesn't allow rights on red; is that correct?

COMMISSIONER ANDERSON:

Could you repeat that?

LEG. LOSQUADRO:

When these systems were first put in place, they were generally in major urban areas like New York City, where rights on red are not allowed in the first place?

COMMISSIONER ANDERSON:

Correct.

LEG. LOSQUADRO:

Now, as these systems have evolved, obviously, you know, we are hearing there may be a menu of options because as these systems have evolved into areas where rights on red are permitted, there is technology available. Now, in your research -- now, you say you're waiting to hear back what that menu of options may be. In your research, are there reliable systems in place that ascertain that information, the stop and then proceed? Is it done somehow on a, you know, feet per second, on a motion basis; how does that work?

COMMISSIONER ANDERSON:

There are sensors in the road which detect the movement as the light is in the yellow phase and would be able to detect a stop and then a go or just a continual movement through. Again, I would, if I could, just quickly defer that, as you stated, a rolling stop is --

LEG. LOSQUADRO:

Well, there's no such thing. It's either a stop -- when it comes to the VTL, anybody --

COMMISSIONER ANDERSON:

But they can also cause accidents and that's our --

LEG. LOSQUADRO:

Anybody whose had the opportunity to observe anything in TVB knows those judges aren't ones for really gray. It's either black or white, and that's it. So when the VTL is applied, that's it: You either stopped or you didn't stop.

But in this case, I was wondering about the reliability or the ability of the system to accurately determine a stop even if it's for a very brief period of time and then they proceed. Again, I know we have to wait to get the RFP back to get specifics on the different systems that are being pitched to us, but I guess the short question is, do effective systems exist that may come back to us?

MR. HILLMAN:

Yes, is the short answer. Video -- full-length video is available, I believe, and, you know, a police officer would be able to watch the video and determine live speed: Did he stop or did he not stop? As the Commissioner indicated, there are sensors in the road, a little more ambiguous that may be connected to a digital camera that just only takes a picture of the car not moving, but they have sensors in the road. So, you know, we've dealt with those sensors for 40 years now, so we know that they're accurate, but the general public may -- "Oh, well, they are rigged," -- but, you know, those are the sensors that control the traffic lights also. So they are very accurate and those are things that as we go through the RFP, we'll evaluate and see which is the best product for Suffolk County.

But I did want to expand just a little bit on what the Commissioner indicated. A rolling stop, I think we can all agree, that a one and a half mile an hour rolling stop with clear visibility on all approaches, low volume traffic, a police officer is probably not going to give you a ticket for that, okay? Technically, they didn't stop. Vehicle and traffic law. How many times have we all approached an intersection and someone zips around that at 15 miles an hour? I mean, it happens all the time. So there is an inherent safety issue with someone making a right turn on red that

doesn't stop. The very slow rolling stop probably has very little impact on safety, but the person that aggressively goes around on a right turn -- in addition, what if he goes around halfway on the right turn, slams on his break and now the guy behind him rear ends him? What if the person traveling perpendicular to him veers into an oncoming lane because he believes that this car is going to come and hit him? What if she slams on his breaks and now gets rear ended?

So a right turn on red definitely has traffic safety implications. What we need to have a discussion on is do we want to hold the line for any right turn on red regardless of how fast you're going, or is there capability out there to determine how fast can we set certain protocols within the system to -- okay, under two miles an hour -- anything under two miles an hour will not even go before a police officer. Do they all go before a police officer; let him make the judgement? Those are definitely some policy issues and some system discussions that we'll be having. But there are -- my point is there are definite inherent safety issues with people doing rolling and or fast right turns on red.

CHAIRMAN BEEDENBENDER:

Legislator Romaine.

LEG. ROMAINE:

Yes. Just to follow up, I remember when you came with the overhead and indicated that the RFP would be put out by this time and a vendor would be selected by September. I assume that is still holding true, your original schedule?

MR. HILLMAN:

We may be a week or two behind, but I think we're on schedule to implement by January, February, the first location.

LEG. ROMAINE:

Right. Okay. So the RFP is going to be awarded probably within the next month; is that a fair statement based on your original schedule? Even if it's off by a week, it would be awarded within the next month.

MR. HILLMAN:

Well, we're receiving RFPs on October 9th, so within a month of that, it should be awarded, and we'll try and expedite the contract process.

LEG. ROMAINE:

Once the RFP is awarded, will DPW come back to this committee and inform us of the technology that would be used to determine whether someone has legitimately made a right turn on red; will that technology be available so we'll be informed about that?

COMMISSIONER ANDERSON:

We can also have a vendor do a presentation, if you like.

LEG. ROMAINE:

That would be fine. I mean, I'm just looking for some basic information. There was some discussion on whether what makes safe or unsafe, and I think the traffic engineer, Bill Hillman, our Chief Engineer, was relying on his traffic experience that maybe if you're rolling through a stop at one or two miles an hour, maybe that's not unsafe, but, yes, is it a violation of VTL? Possibly. And we could have a discussion on that. I'd rather not have a discussion on that and listen to the Suffolk County Police Department, because under the presentation you provided, you indicated Suffolk County Police Department would do this. How many violations is anticipated a year from the red light camera once it's fully up and operating, all 50 sites? Is there a rough guess about how many violations would be generated?

COMMISSIONER ANDERSON:

Again, I would probably -- we don't know, and I think at this point we would depend on the vendor and their technology, where they are.

LEG. ROMAINE:

Well, obviously someone knows because someone made a revenue projection based on that, so obviously someone must have had numbers somewhere because there are people like myself who are more concerned about safety, but there are other people that have a secondary eye on the revenue, which is a concern as well. So there must have been some estimate about the numbers of violations.

COMMISSIONER ANDERSON:

I'm sure there was number out there that was used to base that revenue number on -- a number of infractions that that revenue number was based on. I would question it's -- how accurate that number is, though.

LEG. ROMAINE:

Let's say you even had only a hundred a year per -- for each of the lights. That's less than one every three days. It's -- I think the numbers would be higher than that, but that's still 5,000. Is the police -- what type of staffing is the Police Department -- are you aware of what type of staffing they would be dedicating to the review? Because I fear if it's understaffed, there may be an indication that a review isn't always completely necessary. A complete review isn't necessary.

COMMISSIONER ANDERSON:

So far, our -- we found that about -- it'd be one person once a week would have to go through the files a few hours.

LEG. ROMAINE:

And how long a time would that be for once a week?

COMMISSIONER ANDERSON:

A couple hours.

LEG. ROMAINE:

Okay. And how many violations would you anticipate they could handle in those couple hours?

COMMISSIONER ANDERSON:

I could get that information to you. You know, I could put together how the feed was based. I don't know.

LEG. ROMAINE:

I would appreciate that because I just want to make sure, and I think Legislator Stern, relying on his attorney background, wants to make sure that whatever standard is instituted is a standard that applicable across the board, number one. And number two, you know, an adequate review be done, whether they be still photos, whether they be video, whether they be digital, that an adequate review be done, and I'm concerned about staffing because right now -- and I'm sure my other colleagues that serve on other committees can tell you that police staffing is an issue in this County right now, whether we have enough adequate police to do all of this.

Let me ask you one other question. Unlike Nassau County, we don't have a police department. We have a police district which serves the five western towns and four of the western villages are excluded, and the five eastern towns and five eastern villages are excluded because they have their own police department. Do you anticipate, since this is a safety measure -- and that's what it was sold as -- putting any traffic lights outside the Suffolk County police district?

MR. HILLMAN:

At the present time, I believe we, because of the processing of the violations, it will be solely within the Suffolk County Police Department district.

LEG. ROMAINE:

So approximately 50% of the geography of Suffolk County -- while I know the East End has a smaller population, it represents about 50% of the geography of Suffolk County -- will be excluded from the red light camera; is that correct?

COMMISSIONER ANDERSON:

Well, I think in the initial phase, yes. But as this develops and as we, you know -- first, we have to depict the intersections that will be chosen. The likelihood is going to go that it's going to be an intersection that has a high accident rate, and it's likely that it's going to be within the police district.

LEG. ROMAINE:

So it's unlikely that there will be any in the five eastern towns or five eastern villages --

COMMISSIONER ANDERSON:

Again, only initially.

LEG. ROMAINE:

-- or the four -- what about the four western villages in Suffolk County that have their own police departments?

COMMISSIONER ANDERSON:

As the -- well, the thinking is right now that as the program develops and we've determined how much time it takes, and, you know, depending on the system, we'll be able to better advance and reach discussions with the townships and with the villages and assuming also, we'd move eastward at that point too.

LEG. ROMAINE:

And the reason I raise this question, obviously, is because right now, according to the handout we were given when the red light cameras were approved, Suffolk County police officers will be reviewing this. Whether that is appropriate outside the police district is total new to the question, and I don't believe it is appropriate for police officers from Suffolk County to review traffic infractions in other jurisdictions other than the police district. But that's my personal opinion; you know, I'm not an attorney. I guess Counsel could give his advice on that, but I don't believe it's appropriate for Suffolk County police officers to view traffic violations and make subjective determinations on whether a violation occurred outside the police district.

COMMISSIONER ANDERSON:

Again, initially, I would say that the locations are going to be on State and County roads or County and County intersections. As this program develops, we'll be able to, you know, reach out -- reach memorandums of understandings with the various municipalities including the eastern town. I would agree with you. I would think at that point if we're going to put something within an intersection outside of the district, we would have to get the appropriate policing force to oversee it --

LEG. ROMAINE:

And appropriate training for the police officer to review these tapes, because right now, you're relying essentially on one police officer for a few hours a week to go in there and look at all of these tapes.

COMMISSIONER ANDERSON:

Yeah, that would be dependent on the vendor --

LEG. ROMAINE:

And I understand --

COMMISSIONER ANDERSON:

The vendor would do the --

LEG. ROMAINE:

I shouldn't even be asking you these questions because you're the Commissioner of Public Works and it's really a more appropriate question for the Police Commissioner. But, you know -- and I don't serve on Public Safety but it's certainly a question that I'm going to raise with the Police Commissioner because, obviously, like Leg. Stern, I am concerned that there is a standard of review that is adequate and that we just don't buzz through a hundred -- possibly a hundred violations in a week and we give it a few hours of review and we issue summonses for each one of them.

CHAIRMAN BEEDENBENDER:

Well, Leg. Romaine, in doing some of the research that I've done on this -- I think your question is well-founded, but most of these companies, what they'll do is after they discuss it with the County -- like, for instance, the company itself, if the license plate isn't clear, they don't send those to the County. They can set up protocol with the County. You know, if we don't have the three clear pictures, forget it; we'll move on. The County can say, you know, if it's a police car, an ambulance, if it's funeral procession, don't send those to us. So while there are a good number of violations to be reviewed by the County, by the time they get to us, they should be clear pictures and not any extraneous violations or things that would take time for the officer or whomever to go through at that point. They should be, you know, good violations for us to review.

LEG. ROMAINE:

Thank you, Mr. Chairman.

CHAIRMAN BEEDENBENDER:

Yup. All right. If there are no other questions or comments on this, we'll move onto the agenda, the first being Tabled Resolutions.

Tabled Resolutions

IR 1510-2009, Directing the Department of Public Works to add a stop on the 3C Bus Route. (Montano) Gil, things are still moving forward with this and the property owner is still onboard?

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN BEEDENBENDER:

Do we have a timetable?

COMMISSIONER ANDERSON:

At this point, we're waiting for information back --

CHAIRMAN BEEDENBENDER:

Okay, from the property owner?

COMMISSIONER ANDERSON:

-- from the property owner, yes.

CHAIRMAN BEEDENBENDER:

All right. Given that, I'll offer a motion to table. Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1510 is tabled.** One in opposition. **[VOTE: 4-1-0-0, Leg. Romaine opposed]**.

IR 1526-2009, 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.)

LEG. ROMAINE:

Motion to table.

CHAIRMAN BEEDENBENDER:

Well, actually, Gil, is there any way to fix this, because if there isn't, I'm just going to make a motion to table subject to call.

COMMISSIONER ANDERSON:

I believe the resolution was in the process of being revised --

CHAIRMAN BEEDENBENDER:

All right.

COMMISSIONER ANDERSON:

-- according to our last discussions.

CHAIRMAN BEEDENBENDER:

All right. Well, then, I'll accept Legislator Romaine's motion to table. I'll second -- seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1526 is tabled. [VOTE: 5-0-0-0]**

IR 1527-2009, Creating a "Share the Road" signage program in Suffolk County.

(Eddington) The sponsor has requested that we tabled this, so I'll make the motion. Seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? **IR 1527 is tabled. [VOTE: 5-0-0-0]**

IR 1634-2009, To consider the installation of metal detectors in the William H. Rogers

Building. (Cooper) Again, I believe the sponsor has requested a table of this resolution, so I'll offer that motion. Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1634 is tabled. [VOTE: 5-0-0-0]**

IR 1637-2009, Directing the Department of Public Works to erect a flagpole for the Merchant Marines at Armed Services Plaza. (Cooper)

Gil, I know last time --

LEG. LOSQUADRO:

The suggestion we made last time doesn't work.

CHAIRMAN BEEDENBENDER:

Yeah, I was just going to say, the suggestion we made last time doesn't work because it's --

COMMISSIONER ANDERSON:

No. There are five flags we would have to put up --

CHAIRMAN BEEDENBENDER:

There are five flags there, so.

LEG. LOSQUADRO:

Mr. Chairman?

CHAIRMAN BEEDENBENDER:

Legislator Losquadro.

LEG. LOSQUADRO:

The layout is sort of unique in that the American flag is set behind the bank of the other flagpoles, which is not an ordinary layout, so that is problematic. The POW/MIA flag is underneath the American flag, as it usually is; remember, we weren't sure about that? But we -- I stopped over there, and I also took a look at the 9/11 memorial, which is looking very nice, by the way. And I don't know if you came up with any ideas, but I was a little stumped based on that layout.

COMMISSIONER ANDERSON:

Again, I think protocol would require us to put in two poles so that we have a balance on either side, and again, we would need about 25,000 to do that installation, so --

CHAIRMAN BEEDENBENDER:

But did -- do we have a flag for the other pole? Because that was the discussion we had last time.

COMMISSIONER ANDERSON:

Yeah, that's --

LEG. LOSQUADRO:

Right.

CHAIRMAN BEEDENBENDER:

We could put two poles up but if there's not a flag to put on it -- it's a wonderful government problem.

COMMISSIONER ANDERSON:

Yeah, I don't have one readily that comes to mind.

LEG. LOSQUADRO:

I couldn't think of any, Mr. Chair.

CHAIRMAN BEEDENBENDER:

This is why it's great to be in government; you get things like this.

[Laughter]

COMMISSIONER ANDERSON:

I could try to reach out to Tom Ronayne, see if he has anything that, you know.

CHAIRMAN BEEDENBENDER:

If you could do that, Gil.

COMMISSIONER ANDERSON:

Sure.

CHAIRMAN BEEDENBENDER:

I'll have my office give Tom a call too, because we did pass this resolution and wanted this flag up a while ago, and I understand why it hasn't gone up because we have protocol issues, and we certainly don't want to violate that but this is one of these things that there has to be an answer to. We just haven't come upon it yet.

Legislator Stern.

LEG. STERN:

Yeah, Mr. Chairman. We have Veterans and Seniors coming up. I'll ask Director Ronayne if he has

any ideas but also ask him to pass this issue along to our County Veterans Advisory Group. I think this would be a question properly posed to them to see if collectively as a group they can come up with a solution.

CHAIRMAN BEEDENBENDER:

Sounds like a good idea. All right. Given that, I'll offer motion to table. Seconded by Legislator Losquadro. All in favor? Opposed? Abstentions? **IR 1637 is tabled. [VOTE: 5-0-0-0]**

Onto the Introductory Resolutions.

Introductory Resolutions

IR 1730-2009, Authorizing the County Executive to enter into an agreement with the New York State Department of Environmental Conservation in connection with the Suffolk County Route 48 CAP Section 14 Emergency Shoreline Protection Project. (Co. Exec.)

LEG. ROMAINE:

Motion.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Romaine. And I'm very disappointed that Hashamomuck was not in the title of that bill. All right. I'll second it. All in favor? Opposed? Abstentions? **IR 1730 is approved. [VOTE: 5-0-0-0].**

IR 1741-2009, To implement Sunday bus service and extend weekday morning and evening service in Suffolk County. (Romaine)

LEG. ROMAINE:

Motion.

CHAIRMAN BEEDENBENDER:

We have a motion by Legislator Romaine. I will offer a motion to table.

LEG. STERN:

Second.

CHAIRMAN BEEDENBENDER:

Seconded by Legislator Stern. Any on the motion? All right. Motion to table takes precedence. All in favor? Opposed?

LEG. ROMAINE:

Opposed.

LEG. LOSQUADRO:

Opposed.

CHAIRMAN BEEDENBENDER:

Abstentions? **IR 1741 is tabled. [VOTE: Legs. Romaine & Losquadro opposed].**

IR 1747-2009, Approving an amended construction contract between Suffolk County Sewer District No. 11 - Selden and a consortium known as District 11 Venture. (Co. Exec.)

I'll offer the motion. Seconded by Legislator Horsley. All in favor?

LEG. LOSQUADRO:

Just an explanation, please. What is this tying in?

CHAIRMAN BEEDENBENDER:

I believe it is -- it's residential homes.

COMMISSIONER ANDERSON:

Yeah, it's a group of various communities that are looking into it.

CHAIRMAN BEEDENBENDER:

And even though it's called Selden, I think this actually might be in your Legislative District, Legislator Losquadro.

LEG. LOSQUADRO:

Part of it is, yeah. That's why I was wondering -- if it's residential, that's fine. Just wondering.

CHAIRMAN BEEDENBENDER:

Okay. Did I call the vote on that?

MS. ORTIZ:

No.

CHAIRMAN BEEDENBENDER:

All right. All in favor? Opposed? Abstentions? **IR 1747 is approved. [VOTE: 5-0-0-0]**

IR 1748-2009, Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 7 Medford (CP 8129). (Co. Exec.) I believe -- oh, this is just a hearing, so I'll offer a motion to approve. Second by Legislator Horsley. All in favor? Opposed? Abstentions?

IR 1748 is approved. [VOTE: 5-0-0-0]

IR 1749-2009, Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 5 Strathmore Huntington (CP 8115). (Co. Exec.)

Same motion, same second, same vote. **IR 1749 is approved.**

[VOTE: 5-0-0-0].

IR 1752-2009, Amending the 2009 Capital Budget and Program and appropriating funds in connection with energy conservation at various County facilities (CP 1664). (Co. Exec.)

This is an inter-project transfer of half a million dollars from planning to construction. Anything else, Gil?

COMMISSIONER ANDERSON:

Well, primarily, it's for the replacement of inefficient heating and cooling systems, conversion of oil to fire equipment to gas-fired equipment and removal and replacement of inefficient single-pane glazing at exit doors and windows. We feel the money could be used for construction rather than -- wasn't really needed for planning to do this work, so that's why we made the request.

CHAIRMAN BEEDENBENDER:

Is it various County facilities or --

COMMISSIONER ANDERSON:

Yes.

LEG. LOSQUADRO:

Motion.

CHAIRMAN BEEDENBENDER:

Motion by Legislator Losquadro. Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **Approved. [VOTE: 5-0-0-0]**

IR 1761-2009, Approving a construction agreement between Suffolk County Sewer District No. 13 Windwatch and Motor Parkway Associates for the expansion of the sewage treatment plant by 155,000 GPD. (Co. Exec.)

Yeah, this is -- we discussed this in the Sewer Agency. This is just -- we gave them preliminary approval for this?

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

Okay.

LEG. STERN:

Just a question.

CHAIRMAN BEEDENBENDER:

Go ahead, Legislator Stern.

LEG. STERN:

Commissioner, just to be clear, this is -- the offer was made by the developer to make the modification, the expansion of the plant at its own expense. This is not expense that is passed on to the ratepayers, correct?

COMMISSIONER ANDERSON:

Correct.

LEG. STERN:

Thank you.

CHAIRMAN BEEDENBENDER:

Okay. We have a motion and a second. Do we -- all right. Motion. Do I have a second? Seconded by Legislator Stern. All in favor? Opposed? Abstentions? **IR 1761 is approved. [VOTE: 5-0-0-0]**

IR 1780-2009, Amending the 2009 Capital Budget and Program and appropriating funds in connection with a Cost Benefit Analysis of Sewer Capacity, Demand, and Alternative Solutions (CP 8189). (Lindsay)

This is -- this legislation adds \$1.2 million to the funding available for the current sewer study, and based on the conversations we had previously, Gil, it is the belief that this would allow us to do design-ready plans for all the areas that are in the sewer study right now?

COMMISSIONER ANDERSON:

This will take us to the point right before we go to construction plans on many of the locations that are identified.

CHAIRMAN BEEDENBENDER:

But we think it's possible it could be all of them, but it's certainly a lot more than two.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN BEEDENBENDER:

And, just for other information on this, I think the other reason that this is a good time to do it is because there is some economies of scale created when we pick a vendor. They are already do an environmental impact statement, and to do one for one area, we can save money by having them do more than one at the same time. If we were to break this up piecemeal, it would probably cost, you know, another \$1.2 million on top of it.

So I think, you know, I'm going to offer motion to approve. I think this is -- if we're going to be serious about a sewer study, this is a good way to be serious about it to make sure that we have design-ready plans for all of it. So I'll offer a motion to approve. It's seconded by Legislator Horsley. Are there any other comments on the motion?

[No response]

All right. Seeing none, all in favor? Opposed? Abstentions?
IR 1780 is approved. [VOTE: 5-0-0-0].

If there's no more business before the Committee -- hold on, wait. I think I had to ask -- oh, Gil, before we go, at some point I would like to arrange with the Committee to come out and take a look at the jail. So I'm going to -- if we -- we could pick a couple dates where that works for you, I'll send that out to the Members of the Committee, if anybody wants to attend, just to see where we are and just take a tour of what's going on at this point.

COMMISSIONER ANDERSON:
Absolutely.

CHAIRMAN BEEDENBENDER:
Okay. So just pick a couple dates that work for you and the engineers, and then we'll see which one works for the Members of the Committee.

With that, we'll stand adjourned.

[The meeting was adjourned at 2:47 P.M.]