

PUBLIC WORKS
and
TRANSPORTATION COMMITTEE
of the
SUFFOLK COUNTY LEGISLATURE

A regular meeting of the Public Works and Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Tuesday November 30, 2010.

MEMBERS PRESENT:

Legislator Jay Schneiderman - Chairman
Legislator Steve Stern - Vice-Chairman
Legislator Wayne Horsley
Legislator Tom Muratore
Legislator Tom Barraga

ALSO IN ATTENDANCE:

George Nolan- Counsel to the Legislature
Gil Anderson - Commissioner - DPW
Bill Hillman - Chief Engineer - DPW
Robert Doering - Budget Review Office
Rosalind Gazes - Budget Review Office
Catherine Stark - Aide to Chairman Schneiderman
Linda Bay - Aide to Minority Caucus
Paul Perillie - Aide to Majority Aide
Renee Ortiz - Chief Deputy Clerk - SC Legislature
Ben Zwirn - County Executive's Office
Dot Kerrigan - AME
All Other Interested Parties

MINUTES TAKEN BY:

Donna Catalano - Court Stenographer.

(*THE MEETING WAS CALLED TO ORDER AT 2:08 P.M.*)

CHAIRMAN SCHNEIDERMAN:

Good afternoon. I'd like to call the meeting order. If you all will rise and join for the Pledge of Allegiance led by Legislator Horsley.

SALUTATION

You may be seated. Madam Clerk, do we have any speaker cards?

MS. ORTIZ:

No, sir.

CHAIRMAN SCHNEIDERMAN:

Okay. Seeing there are none, we have no presentations either. Let me, at this point, ask Commissioner Anderson to step forward.

COMMISSIONER ANDERSON:

Good afternoon.

CHAIRMAN SCHNEIDERMAN:

Good afternoon. I want to move into the agenda. Is there anything before we begin that you want to apprise us of?

COMMISSIONER ANDERSON:

No.

CHAIRMAN SCHNEIDERMAN:

We will begin with Tabled Resolutions.

1979, Amending the 2010 Capital Budget and Program and appropriating funds in connection with off-street parking off CR 80 in Patchogue (CP 5534). (Eddington)

Commissioner, we had tabled this last time.

COMMISSIONER ANDERSON:

We were going to discuss the legislation with the Legislator, and we have. And Bill can correct me if I'm wrong, but I think we're comfortable with the funding source and the issue.

CHAIRMAN SCHNEIDERMAN:

I will make a motion to approve, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 5-0-0-0).**

Moving on to Introductory Prime. **2091, Naming County Road 39 "The Edwin M. 'Buzz' Schwenk Memorial Highway". (Schneiderman).**

This has to go to Namings. I think they're meeting today, so it's premature. So I will make a motion to table, seconded by Legislator Barraga. All in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-0).**

2092, Increasing County bus fare for the implementation of Sunday bus service. (Schneiderman).

This bill provides for, I think, a 50 cent increase on the main fare, no other changes, and -- using the full extent of the revenues to provide Sunday service as a pilot program to the greatest extent that your department can manage. Have you had time to review this proposal?

COMMISSIONER ANDERSON:

Obviously, we agree with the need for Sunday service. The issue we have -- there's a couple of them. We would like to see this revised so that we are directed to review the proposal, then we would come back to this body with a recommendation, because we're going to have to hold a public hearing if we're increasing fees anyway. So no matter whether we do it 50 --

CHAIRMAN SCHNEIDERMAN:

We already held a public hearing.

COMMISSIONER ANDERSON:

But that was for a set fee, that was the MTA fee, which was significantly higher. You know, we're not raising it that amount, we're raising it some lower amount to a limited amount rather than to everybody. So it's our recommendation that, you know, certainly, we would have to hold a public hearing based on what we determine. So if 50 cents gets us one route, two routes, no routes -- I'm reticent to say that, you know, we're going to be able to do anything without having a chance to look at it.

So that's what I would like to see is that this resolution is changed directing us to review it. We would then come back to this body and, you know, based on the recommendations -- I mean, if we have -- again, not having had a chance to look at what this is able to do, we may have options; do we do Route 1, the route -- 92 Route? I don't know.

CHAIRMAN SCHNEIDERMAN:

Your department is in charge of public transportation. When the study was conducted, they made a determination in terms of which routes should have Sunday service, and that was based on ridership on Saturday, which I think is a reasonable approach. This doesn't tell you which routes to provide Sunday service on other than what you believe -- you know, you develop a plan that would serve the most people, which I would imagine would be the busiest routes. But it sounds like you are saying you shouldn't be developing the plan, you should be reviewing the plan.

My resolution is saying go out there -- see, when I proposed fare increases last time, your department very specifically said exactly how much revenue would come in from each fare, you know, what the falloff in ridership might be, etcetera. And it's not hard to determine what a 50 cent increase on the main fare will bring in. It's not an exact science in terms of how -- what extent Sunday service could be provided. You can do it to the greatest extent practical. But don't make us or any other department figure out a plan.

COMMISSIONER ANDERSON:

No. We're not -- I'm not saying that you guys are going to figure out a plan. What I'm saying is we would review the 50% -- the 50 cent increase and then we would come back with our recommendations. We then would go for a public hearing to make sure that the public is in favor of this. They may not be. There was -- out of the 40 whatever people that attended the public hearings, there was sentiment in favor of increased fees based on increased service, which would be Sunday service. But this is a limit increase. It's a limited increase. It's a limit increase in service. I don't know -- you know, it's my argument that this is different than what was the intent of the

original public hearing, and we would have to go for another public hearing to review this.

CHAIRMAN SCHNEIDERMAN:

I would defer to Counsel. But this is -- the original public hearing was also to provide Sunday service, but potentially to raise the rates up to the MTA level and across the board. This limits the increase -- and this is based on testimony from those public hearings only to the main fare, because particularly the SCAT riders, those who are on Medicaid, were very concerned because their Medicaid allowance is so small that they simply couldn't pay more for SCAT service. And I understand that. They are desperate, though, to have SCAT Service available on Sundays, which it's not, because until you provide the Sunday bus, you -- it's the requirement to provide SCAT where the bus goes, so you would then have to provide SCAT. And I understand that adds to the cost and you would have to factor that in. But -- so I'll a defer to Counsel, because this certainly is within what we held the public hearing on. It's just -- it was always a choice within those -- you know, it's not going beyond the MTA fare. In fact, it's quite a bit less than the MTA fare.

MR. NOLAN:

To be honest with you, I'm not sure that we have to do another public hearing or that you have to do that. Is that something that people in your Transportation Division are saying needs to be done legally?

COMMISSIONER ANDERSON:

Yeah, that's what the sentiment was. Because the original legislation that we held the public hearing was -- were based on increasing the fees to the level of the MTA to see -- again, to see what service could be provided out of the 24 lines that were recommended under that, you know, Cherwony report.

This is significantly less. It's going to provide significantly less service. And, you know, as you said, we are going to also -- whatever line is chosen, we're going to have to run SCAT on that line. It's not going to be Countywide, it's going to be whatever line we choose. That line will have to have SCAT service as well. So it's our concern that it should go before the public again, because there may be a difference of opinion that not everybody's getting the service, but everybody has to pay the increased fees.

CHAIRMAN SCHNEIDERMAN:

This certainly will provide us some really good data in terms of the need for Sunday service and where to go from here.

COMMISSIONER ANDERSON:

And I'm not arguing that.

CHAIRMAN SCHNEIDERMAN:

I know. I think all agree that this County needs Sunday service. Maybe not Countywide, but certainly on, you know, major retail areas. More and more people seem to be dependant upon public transportation. And they need -- you know, Sunday is a busy work day, it's a busy shopping day.

COMMISSIONER ANDERSON:

We have seen our numbers increase.

CHAIRMAN SCHNEIDERMAN:

Somehow we have to figure it out. I wish there was some money elsewhere to make this happen, but there doesn't seem to be, so this seems to be the only viable way to do it. And the riders have overwhelmingly told me that they're willing to pay a little bit more provided, you know, they can get

the Sunday service just because their alternative transportation costs; taxis, etcetera are very high. And this ultimately would be a savings for them. But how do we make this happen. I know Legislator Stern had a question.

LEG. STERN:

Thank you, Mr. Chairman. Just to understand the premise, Commissioner, of what you are saying, are you suggesting that the scope of the people who were advised of the public hearings or who attending the public hearings or who commented at the public hearings is different now as we go forward, or are you suggesting what they had the opportunity to comment on at these past public hearings has changed? I'm trying to understand the purpose of what the public hearings would be for. Is it the type of person or the type of potential rider that was not included last time around, or is the information that we're asking them to comment on changed?

COMMISSIONER ANDERSON:

It's essentially both. We are revising the fee that we would establish based on this legislation, which would be 50 cents for the general fare, but we're also stating that we are not looking at covering all of the 24 lines that were recommended under the Cherwony report. Rather, we're going to look at a miniscule amount, whether it's one or two, that we still have to develop. And that's where I and my staff feel that it would have to go back before the public because the scope of the resolution has changed. It's no longer, you know, three to five dollar a ride increase, it's a 50 cent increase. And we're only going to provide one specific or two specific or three specific lines. We're not going to do 24. So there may be a difference of opinion, because people are going to have to pay.

CHAIRMAN SCHNEIDERMAN:

Can I just say, I don't know why you would say one two or three. The numbers your department provided to me said that this 50 cent increase would roughly fund half the cost of the Cherwony study, something in that neighborhood.

COMMISSIONER ANDERSON:

I don't know -- that's not the information I got from my staff.

CHAIRMAN SCHNEIDERMAN:

Because over a million dollars would come in from this 50 cent increase. And the entire cost I think was three million to fund all the Cherwony routes that were recommended.

COMMISSIONER ANDERSON:

But there was loss of ridership. Again, I'm not --

CHAIRMAN SCHNEIDERMAN:

But that's factored in. So, you know, I'm figuring probably about half the routes, but that's something that you guys would have to determine. But I don't think it would be one, two or three, I think it might be closing to ten.

COMMISSIONER ANDERSON:

I guess we will see. But again, without -- I would -- I think our department would feel more comfort or a better level of comfort if we were able to study it, then come back and say, okay, this is what we're going to do. You know, I realize this is based on the ridership on Saturdays, it's based on retail rather than, you know, folks going to work, although people going to work on Sunday would take advantage of this as well. The numbers that we reviewed under the report and the findings from the public hearings, I get a different feeling from that. And I think my staff has a different sense that it's going to be significantly less. That's our concern. We have no objection to doing the work, it's just the process that's detailed here.

CHAIRMAN SCHNEIDERMAN:

I'm not sure -- I believe -- to me, this is extension of what we did last year, which was direct you to hold the public hearings and to make a decision about Sunday service. Now it goes one step further and says, okay, we're making a decision, we're going to raise 50 cents, and we're going to provide Sunday service to the greatest extent practical to do this pilot program, I don't know our Counsel agrees with that assessment.

MR. NOLAN:

I think we could proceed with the resolution. I don't know if your objection is a legal one or just, you know, a sense that the public should get another bite at the apple because it's not identical to what was originally proposed. But I think we can proceed with the resolution without another public hearing.

CHAIRMAN SCHNEIDERMAN:

Legislator Barraga.

LEG. BARRAGA:

I guess my concern with this particular piece of legislation is from the standpoint of the existing ridership and whether or not those riding the buses now can afford to pay another 50 cents to go from \$1.50 to \$2, you know, roughly a 33% increase. You know, most of the folks -- and I'm kind of guessing here -- most of these folks are kind of lower-middle income, and things are very tight from an economic perspective to begin with with them. And all of a sudden, you're turning around now and you're going to increase the fare by 33%. Well, that's quite a bit of money on a weekly basis. I'm not too sure that, you know, they're willing to accept that. This isn't like a five or 10% increase, it's like a third of an increase. That's a lot of money to people who are having a difficult economic time right now.

CHAIRMAN SCHNEIDERMAN:

I don't agree with that -- I mean, I don't disagree with that, other than the riders have been the ones who have been pushing for this. You know what? The bus fare has been the same for, what, 16 years, 17 years? You know, even if we just adjusted it for inflation, it would be significantly higher than what's being proposed here.

LEG. BARRAGA:

Jay, I have heard you make that statement before, and certainly, that's true. But, you know, any increase, because there's so many increases right across the way, any increase really hurts these people. It hurts the people that we represent. And a 33% increase, that's a lot of money, especially in that particular group or for any group, because everything else it also going up. And, yes, it hasn't increased in 16 years, but that's not the rational to increase it 33% now.

CHAIRMAN SCHNEIDERMAN:

I understand your point. Legislator Horsley.

LEG. HORSLEY:

Hi, Gil. Just quickly. Now, the 50 cent increase, is that something that you're set on now? Is that the number we're talking about, or is that something you're just using as an example?

COMMISSIONER ANDERSON:

That's established in the bill itself.

LEG. HORSLEY:

That's in the bill itself, okay. The question I would have then, you're talking about certain routes,

you're talking three, Jay's talking obviously more than three, when do we settle on how big the scope of this? I mean, I get our point. I'm not sure I know how big this is. Does it affect the malls on the West End? I know Tom was just questioning it myself -- ourselves, you know, how do our people on the West End feel about this? This isn't going to impact them at all except just the increase? I don't know. I'm not sure.

COMMISSIONER ANDERSON:

That's one of our concerns is that fact that, you know, okay, even if it's ten out of the 24, there's a number of routes that aren't going to be serviced by this increase now if everybody has to pay it. You know, that's our concern with holding an additional public hearing.

I also would raise another point of concern. Next year, we're going to be in the middle of revising or reissuing RFPs for the bus services, the different lines, and I would like, if this passes, to request that the implementation be rather than be established at May 1st, they be established to when we -- you know, depending on which route when we execute those agreements. So we're going to be going out to bid for all the bus routes throughout the County next year, and depending on which one we establish are going to be increased, we would ask that it be implemented with the new contract rather than trying to revise the contract and then going back out to bid. But that's another issue.

LEG. HORSLEY:

That sounds like another issue. Just a quick follow-up on what you said then. In your mind, these three different routes, are any of them on the West End?

COMMISSIONER ANDERSON:

We don't know. Again --

LEG. HORSLEY:

In your mind, are you looking at those on the West End as well? I mean, the 110?

COMMISSIONER ANDERSON:

I mean, 110 is --

LEG. HORSLEY:

Are they there, because three sounds like a small number?

CHAIRMAN SCHNEIDERMAN:

I can just say, if it's based on ridership, the busiest route on Saturday is the 110 corridor route. That's the number one route, at least according to Cherwony. The S-92, which is on the East End, at least in the summertime is quite a busy route too. I don't know which ones are third, fourth, fifth and sixth, but.

CHAIRMAN SCHNEIDERMAN:

Again, you have to consider, on Sundays, most businesses shut down. So the 110 corridor, you know, that line may not be as effective. But, I mean, you do have the Walt Whitman Mall, but you know, there are a lot of businesses --

CHAIRMAN SCHNEIDERMAN:

Tanger.

COMMISSIONER ANDERSON:

Tanger, I don't know if that's the same route. That's more on Commack Road. Again, that's what we would study and, you know, develop the cost. And we would propose to come back here and

tell you exactly what we think could be provided.

CHAIRMAN SCHNEIDERMAN:

Legislator Stern.

LEG. STERN:

What you just said in terms of process, what kind of time would you estimate that all taking place within?

COMMISSIONER ANDERSON:

Well, we -- give us till January to put together the numbers, given the season that's coming up, we'll get back to you with those numbers the 1st of the Year with a recommendation to hold a public hearing. You know, depending on the process after that, what, three months? What would it generally take to cycle through?

CHAIRMAN SCHNEIDERMAN:

I don't see why we couldn't move forward with this resolution, which gives you time to develop the plan to. It says March would be the fare increase and May would be the -- do you have it in front of you?

COMMISSIONER ANDERSON:

May would be the implementation time.

CHAIRMAN SCHNEIDERMAN:

So it would give you plenty of time to crunch the numbers to see what a 50 cent increase would bring and to what extent you could provide Sunday service. Obviously, more than one approach to this. But I think this bill gives you that latitude. If you wanted to hold a public hearing, I suppose you'd have enough time to hold another public hearing as well and get some public input on it to since you have till March. I'm going to make a motion to approve it, seconded by Legislator Muratore. Any other discussion? Legislator Stern.

LEG. STERN:

Thank you. Commissioner, so are you suggesting that the language in the bill should be changed, or are you suggesting that the present legislation should be tabled until you have the opportunity to work on these numbers and come back?

COMMISSIONER ANDERSON:

No. I was suggesting that the legislation be changed to require us to do the study, which it does, but then come back with recommendations based on, you know, what we find, and then hold a public hearing based on our findings, you know, with the approval of this committee and the Legislature. So I am saying, yeah, to change the legislation itself.

CHAIRMAN SCHNEIDERMAN:

Commissioner, you're saying you could come back to us with information as to what extent you could provide Sunday service by January?

COMMISSIONER ANDERSON:

Yes. I feel comfortable. You know, even if it's just in draft form.

CHAIRMAN SCHNEIDERMAN:

Based on a 50 cent increase and then go to -- have the public hearing on that particular plan?

COMMISSIONER ANDERSON:

If we come back with a plan, depending on the options, if there are one or if there are more, we would come back, we would advise this committee of what our findings are, and then we make the recommendation to hold the public hearing just like we did, you know, through your legislation to make sure that the public is comfortable with that.

LEG. STERN:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion to table.

LEG. BARRAGA:

Second.

CHAIRMAN SCHNEIDERMAN:

Legislator Stern is making a motion to table, seconded by Legislator Barraga. We are meeting two weeks from now. I'll support the tabling. You and I will talk. We'll see about changing the bill a little bit.

COMMISSIONER ANDERSON:

Okay. Thank you.

CHAIRMAN SCHNEIDERMAN:

We all want the same thing, we want to see Sunday service happen. I don't want this to be just another --

COMMISSIONER ANDERSON:

No, it's not.

CHAIRMAN SCHNEIDERMAN:

-- stall, because it's been so frustrating, as you know.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN SCHNEIDERMAN:

And I share Legislator Barraga's concern, we don't want to put an additional burden on those who can afford it the least. But if they really are asking for this, you know, that Sunday service, and they're willing to pay a little bit more if we can't figure out another way of doing it, then we are actually helping those people that are -- you know, who can afford it the least. And that really is what's behind this. So I'll support a tabling, and we'll see if we can fix this a little bit and move forward, because this County, really, a million and a half people, we ought to have some form of public transportation on Sundays. I think it's really going to help our economy as well. So we will vote on the tabling motion. There was a motion and a second. All in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-0).**

2101, Appropriating funds in connection with energy conservation at various County facilities (CP 1664). (Co. Exec.).

Commissioner.

COMMISSIONER ANDERSON:

This appropriates \$4,183,825 for energy conservation projects at various County buildings. Specifically, you know, this will continue our ongoing program, but the funds are specifically intended to improve the chiller plants at the Cohalan Court Complex, the Riverhead Power Plant, the H. Lee Dennison Building and the Medical Examiner's Building as well as install photovoltaic panels on the roof of the Board of Elections Building.

CHAIRMAN SCHNEIDERMAN:

Any questions? Is there a motion?

LEG. STERN:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Stern, seconded by Legislator Muratore. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 5-0-0-0).**

2121, Authorizing and directing the Commissioner of Public Works and Administrative Head of Sewer Districts to enter into a Memorandum of Understanding with the Town of Brookhaven for the disposal of Brookhaven leachate at Sewer District No. 3, Southwest, and the County's disposal of various waste materials at the Brookhaven Horseblock landfill. (Co. Exec.)

Commissioner.

COMMISSIONER ANDERSON:

We have a current agreement with Brookhaven where we bring in our street sweepings, our debris, you know, any type of material that we want to dispose of to their landfill at no cost on County roads that are with the Town of Brookhaven boundaries. In turn, we take their leachate and we process their leachate as part of our, you know, normal operations at Bergen Point. It's been an MOU that been in place for a significant amount of time.

We've reached out to the Town of Brookhaven to establish this agreement where we'll be able to bring in street sweepings to the Town of Brookhaven landfill from County roads outside of the town boundary at a reduced rate of \$18 per ton or per yard. It's \$18 per ton. That's a significantly reduced rate. It really optimizes our ability to eliminate and dispose of street sweepings. It's a benefit.

CHAIRMAN SCHNEIDERMAN:

Any discussion?

LEG. HORSLEY:

Just quick. Who has done the financial outlook on this? Who has done the numbers? Not that I don't doubt them at all, I just wanted to see. Is that something that your staff did?

COMMISSIONER ANDERSON:

Yes.

LEG. HORSLEY:

And you are convinced that this is a good deal for the County?

COMMISSIONER ANDERSON:

Yes. You are looking at, if we had to bring it to them to dispose of as construction debris, it would be \$82 per ton. We are getting it at \$18 per ton.

LEG. HORSLEY:

Okay.

CHAIRMAN SCHNEIDERMAN:

Is there a motion, anybody?

LEG. HORSLEY:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Muratore, seconded by Legislator Horsley. Any other discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 5-0-0-0).**

2122, Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 5 - Strathmore Huntington (CP 8115). (Co. Exec.).

Commissioner.

COMMISSIONER ANDERSON:

This legislation appropriates \$400,000 for the construction of improvements to the sewers within Sewer District 5, which is the Strathmore-Huntington Sewer District.

CHAIRMAN SCHNEIDERMAN:

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

2123, Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 14 - Parkland (CP 8118). (Co. Exec.)

Commissioner.

COMMISSIONER ANDERSON:

This appropriates one million dollars for rehabilitation of aging infrastructure and the upgrade of instrumentation at the treatment plant, specifically energy controls, the electrical system and other equipment within the plant itself.

CHAIRMAN SCHNEIDERMAN:

Same motion, same second, same vote. **APPROVED (VOTE: 5-0-0-0).**

2124, Appropriating funds through the issuance of Sewer District Serial Bonds for Improvements to Suffolk County Sewer District No. 7 - Medford (CP 8150). (Co. Exec.)

Commissioner.

COMMISSIONER ANDERSON:

This appropriates \$200,000 for construction of improvements to the sewer system, specifically to rehabilitate manholes at the end of the force main which services the district.

CHAIRMAN SCHNEIDERMAN:

Same motion, same second, same vote. **APPROVED (VOTE: 5-0-0-0).**

2125, Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 3 - Southwest (Expansion) (CP 8183). (Co. Exec.)

Commissioner.

COMMISSIONER ANDERSON:

This appropriates \$65 million for the construction of the expansion at Bergen Point Sewer District 3, which will provide an additional ten million gallons per day, bringing the capacity of the facility up to about 41 million gallons per day.

CHAIRMAN SCHNEIDERMAN:

Didn't we do this last time?

COMMISSIONER ANDERSON:

We had public hearings, then we had to accept the findings from the public hearings. This now appropriates the funding based on the approval based on the public hearings.

CHAIRMAN SCHNEIDERMAN:

Okay. Motion by Legislator Horsley, seconded by Legislator Muratore. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 5-0-0-0).**

LEG. HORSLEY:

Note that I sponsored that, Gil.

COMMISSIONER ANDERSON:

Thank you.

CHAIRMAN SCHNEIDERMAN:

2126, Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 3 - Southwest (Infiltration/Inflow) (CP 8181). (Co. Exec.)

Commissioner.

COMMISSIONER ANDERSON:

This would appropriate \$3 million and allow us to construct -- continue construction of improvements to the sewers that minimize the, you know, extraneous flow that enters in through the pipes through infiltration.

CHAIRMAN SCHNEIDERMAN:

Any discussion? Same motion, same second, same vote. **APPROVED (VOTE: 5-0-0-0).**

2127, Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 3 Southwest and Westbrook Village (IS-1432.1). (Co. Exec.)

Commissioner.

COMMISSIONER ANDERSON:

I would ask that this be tabled. We have just received a request from Westwood (sic) Village for an additional 3000 gallons per day. And that's going to be taken up at the next Sewer Committee. So I ask that this be tabled until such time that it's approved by the Sewer Agency.

LEG. HORSLEY:

Where is Westbrook?

COMMISSIONER ANDERSON:

Westbrook Village? Great River.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator Muratore, seconded by Legislator Stern. Any discussion? All those in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-0).**

2128, Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 3 Southwest, and 3500 Sunrise Highway (IS-1432.2). (Co. Exec.)

Commissioner.

COMMISSIONER ANDERSON:

This is to authorize execution of an agreement by the administrative head of Suffolk County Sewer District Number Three - Southwest and 3500 Sunrise Highway. They're seeking permission to discharge 34,000 gallons per day. It's been approved by the Sewer Agency. And it involves a 492,000 square foot commercial office space on a 41 acre site.

CHAIRMAN SCHNEIDERMAN:

Questions? Is there a motion? Motion by Legislator Muratore to approve, seconded by Legislator Barraga. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 5-0-0-0).**

2131, Amending the 2010 Capital Budget and Program and appropriating for the acquisition of lands and related expenses for intersection improvements on CR 100, Suffolk Avenue and Brentwood Road/Washington Avenue, Town of Islip (CP 5065). (Co. Exec.)

Commissioner.

COMMISSIONER ANDERSON:

This appropriates \$275,000 for land acquisition. We're improving the intersection through widening of additional lanes -- excuse me -- and at the intersection of Suffolk Avenue with Brentwood Road. Negotiations have been going on for sometime. This is to appropriate the money so that we can actually purchase some of the parcels.

CHAIRMAN SCHNEIDERMAN:

Any questions? Motion by Legislator Barraga, seconded by Legislator Muratore. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 5-0-0-0).**

2132, Amending the 2010 Capital Budget and Program appropriating funds in connection with improvements to CR 36, South Country Road, Town of Brookhaven (CP 5541). (Co. Exec.)

Commissioner.

COMMISSIONER ANDERSON:

This resolution appropriates \$250,000 for the construction of sidewalks along a portion of Commack Road where we just -- we finished the recent project. The Commack Road reconstruction was done through ARRA funding. We were adding this in, but we couldn't do it under the ARRA contract. So it basically extends from the New York State DEC property southwards towards Nicolls Road -- sorry about that. Sorry. This appropriates \$777,000 for construction of improvements to County Road 36, South Country Road from Chapel Road to the western limit of the Village of Bellport.

LEG. MURATORE:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Muratore, seconded by Legislator Barraga. All in favor? Opposed? Abstentions?

COMMISSIONER ANDERSON:

If I could. Bill advised me that at this point, we would like to reduce the number from 777,000 down to 477,000 because of the bids we received. So we don't need the, I guess, the 300,000 of that.

CHAIRMAN SCHNEIDERMAN:

Do we have to go back and table it?

COMMISSIONER ANDERSON:

Well, can we amend it to here or can we forward it -- you know.

CHAIRMAN SCHNEIDERMAN:

The question is going to come up in a minute on another one as well, as you know. So what happens if you appropriate more than the project is actually going to cost? What happens to the money?

COMMISSIONER ANDERSON:

It just doesn't get spent.

CHAIRMAN SCHNEIDERMAN:

It doesn't get spent.

COMMISSIONER ANDERSON:

Actually, the funds for the 300,000 were going to Legislator Eddington's bill for the purchase -- acquisition of land as an offset.

CHAIRMAN SCHNEIDERMAN:

It sounds like it needs to be tabled then. All right. So we're going to need a motion to reconsider 2132. Motion by Legislator Barraga, seconded by Legislator Stern. All those in favor? Opposed? Abstentions? Okay. It's now before us. Is there a motion to table? Motion to table by Legislator Muratore, seconded by Legislator Barraga. All in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-0).**

2133, Amending the 2010 Capital Budget and Program and appropriating funds in connection with installation of sidewalks on CR 4, Commack Road, vicinity of Nicolls Road to vicinity of Polo Street, Towns of Babylon and Huntington (CP 5567). (Co. Exec.)

I think you just explained this one.

COMMISSIONER ANDERSON:

Correct. The title says it all.

CHAIRMAN SCHNEIDERMAN:

I do actually have a question on a related issue, because these sidewalks, you're adding this to this project, and it's great. I'm sure it's a nice improvement. There are sidewalks that some of us have been waiting for years for that we've funded. Are those sidewalks moving along as well.

COMMISSIONER ANDERSON:

Yes, as part of the Capital Program, I believe the one you are speaking out in Bridgehampton --

CHAIRMAN SCHNEIDERMAN:

Bridgehampton, right.

COMMISSIONER ANDERSON:

That is being moved forward. I don't know where it is right now, but I do know it is progressing.

CHAIRMAN SCHNEIDERMAN:

All right. If you could just let me know when --

COMMISSIONER ANDERSON:

Sure.

CHAIRMAN SCHNEIDERMAN:

What stage that's in and when we can anticipate a groundbreaking of some kind.

COMMISSIONER ANDERSON:

Okay.

CHAIRMAN SCHNEIDERMAN:

All right. On 2133, is there a motion to add these sidewalks to the project in Commack -- Commack Road, Babylon and Huntington. All right. Motion by Legislator Stern, seconded by Legislator Barraga. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 5-0-0-0).**

2134, Amending the 2010 Capital Budget and Program and appropriating for the acquisition of lands for improvements to CR 80, Montauk Highway Between NYS Route 112 and CR 101, Town of Brookhaven (CP 5534). (Co. Exec.)

Commissioner.

COMMISSIONER ANDERSON:

Again, this is appropriating \$500,000 to fund land acquisition that was used to help us reconstruct and rehabilitate Montauk Highway between New York State Route 112 and County Road 101. The acquisition process is such that, you know, the agreement to sell the land was made while the actual cost of the land was still negotiated. So this -- you know, everything followed New York State Eminent Domain Procedural Law. It was all needed to be done. We have -- we are generally complete with the construction along that corridor. Right now, the Town of Brookhaven is putting in sewers and then they're going to come back and repave it. But the work has been done. We've basically gotten approval of land, now we have to pay for it.

CHAIRMAN SCHNEIDERMAN:

Okay. Any questions? Motion by Legislator Muratore, seconded by Legislator Stern. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 5-0-0-0).**

2137, Amending the 2010 Capital Budget and Program and appropriating funds in connection with the Sewer District No. 21 SUNY, Phase I - improvement project (CP 8121). (Co. Exec.)

Commissioner.

COMMISSIONER ANDERSON:

This appropriating resolution provides a mechanism for the receipt of New York State Environmental Facilities Corporation Funds for \$4 million in low-interest loans so that we can construct an emergency generator and do interim recharge improvements at Sewer District 21, which is in Stony Brook. The work is already underway. This just gives us the ability to accept the loan from EFC.

CHAIRMAN SCHNEIDERMAN:

Any questions? Is there a motion? Motion by Legislator Muratore, seconded by Legislator Stern. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 5-0-0-0).**

2139, Appropriating funds in connection with bulkheading at various locations (CP 5375). (Schneiderman)

Commissioner.

COMMISSIONER ANDERSON:

As we discussed earlier, you know, this project -- we -- the department has been in discussions with the village to transfer over Long Wharf from the County to the village. It's our intention that the County gets no benefit out of it. The village essentially gets all the benefit. We have leased it to the village for a number of years now, and the lease comes due next year. We are looking and negotiating with the village to turn that over.

This resolution provides for 500,000 to give to the village -- or actually for us to construct some improvements to the Long Wharf. The Long Wharf, as part of our normal maintenance process, was scheduled for -- for maintenance. And we had a contract out, we developed the report and are developing plans. It was significantly reduced in scope because the Long Wharf itself is in good condition. The contract that's spoken of here really is right now a -- basically a scrape and paint project.

We don't feel that the project should move ahead at this point. We are -- we don't want to do the project right now. You know, obviously, if you decide to give the funds to the village to do the work, we would request that the funding be reduced to meet the existing estimate, which is \$340,000. So I think we talked about tabling this until, you know, we could reduce the amount.

CHAIRMAN SCHNEIDERMAN:

Tell me the amount you believe, because I guess the original funding was \$600,000, but I was led to believe that it would cost less than that, so I put in for 500,000.

CHAIRMAN SCHNEIDERMAN:

When we first had those meetings, that the amount that was bantered around.

CHAIRMAN SCHNEIDERMAN:

You know, there is indication that the village is willing to take this away from us. Originally, it

belonged to the village, they gave it to the County.

COMMISSIONER ANDERSON:

The Railroad basically said --

CHAIRMAN SCHNEIDERMAN:

The Railroad had it. But, you know, the village was not in a position really to maintain it. The County, I guess, as a large entity at the time, you know, we maintained a lot of roads and bridges, and this was seen as a roadway. I think there's clearly a movement now to give it back to the village. There seems to be an indication to take it. They are obviously concerned about the cost of maintaining it. And they knew that we were on the verge of doing a capital project there and would prefer to take it, obviously, in a fully maintained condition, which it's not quite. In some ways, it would make it easier to transfer this asset and have then take it over from here on in if we did repaint it, frankly, or have them repaint it, either way.

COMMISSIONER ANDERSON:

In any event, because it's capital funding, there will have to be a mechanism -- you know, we will still have an interest in the facility until the bonds that go to paying this are, you know, paid off. Our opinion is that, again, you know, we don't see the need to do the project right away. We were doing it as part of a regularly maintained schedule. You know, at the end of the day, the engineer came up with a report which we're willing to hand to the village, and that was about \$50,000 worth of work right there.

CHAIRMAN SCHNEIDERMAN:

My concern, because this is in the 2010 Budget, you know, this was a funded capital project, we were prepared to spend this money this year until someone came along and said, you know what, we don't want that anymore.

COMMISSIONER ANDERSON:

I mean, we were -- again, there's no eminent need to do the work. Based on -- we were planning on doing work because of, you know, every 10, 20 years, you start looking at your facilities to make sure that they're upgraded. We brought a consultant in, they did the report, which, you know, you've been provided and, you know, it comes down to a scrape and paint.

CHAIRMAN SCHNEIDERMAN:

Well, the good news is the village is interested in taking it so that our maintenance cost will be eliminated in the future. The question is will they take it in the condition it's in or do we need to do some work on it to get them to take it or transfer some money so that they can do that work. I was just afraid of the year -- you know, the year sunsetting and us not being able to access any money, because this was budgeted for 2010. I know there's some money in 2011 as well for bulkhead repairs. I don't know mind amending this resolution to the number you gave me, which was --

COMMISSIONER ANDERSON:

Three hundred and forty thousand dollars.

CHAIRMAN SCHNEIDERMAN:

Three-forty.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN SCHNEIDERMAN:

Are we past the amended copy deadline?

COMMISSIONER ANDERSON:

We are.

CHAIRMAN SCHNEIDERMAN:

So we couldn't discharge it without recommendation and then amend it.

LEG. BARRAGA:

Can I ask a question or two on this?

CHAIRMAN SCHNEIDERMAN:

I'm sorry. Legislator Barraga.

LEG. BARRAGA:

As I understood the article, this is the pier where the County has been maintaining this all these years, but all the revenues generated from the pier go to the village?

COMMISSIONER ANDERSON:

Correct. Yes.

LEG. BARRAGA:

You see, it doesn't seem to make a lot of sense. I'm being kind here. I understand that many, many years ago, the Board of Supervisors somehow negotiating this deal where -- was it the Board of Supervisors or the County Legislature many years ago?

COMMISSIONER ANDERSON:

It was back in '49, so it was the Board of Supervisors.

LEG. BARRAGA:

And then when the County Legislature came along, they just continued this for all these years. So we maintain it, we do the capital improvements, but, in this case, the village picks up all the revenue generated from the pier?

COMMISSIONER ANDERSON:

Correct.

LEG. BARRAGA:

And now the village is interested in taking over the pier?

COMMISSIONER ANDERSON:

No. We are interested in getting rid of the pier. I'm trying to be, you know, polite about this. I mean, we have no benefit. The Railroad was looking to unload it after it has no longer any use.

LEG. BARRAGA:

Well, that's the point I'm making, we have no benefit, we haven't generated any revenue from this for many, many years. Why would we do any capital improvements? Either the village takes it, or, you know, we keep it and then work out some sort of an agreement where the County starts generating some revenue from this pier.

COMMISSIONER ANDERSON:

That's our opinion of it as well.

CHAIRMAN SCHNEIDERMAN:

Any other comments? That's, in essence, the problem is we are -- we have costs associated with maintaining it, and we're seeing none of the revenues. But there is indication that the village is willing to take it. So the question is, you know, I have the engineer report, will they take it in the condition that it's in. I don't know yet. So we are going to find out. But I'll certainly support the tabling. And I can amend it to the 340,000. It gives my more time to work with the village and see where we stand as well.

LEG. BARRAGA:

Just one final question. When you say the village is willing to take it, are they willing to pay for it or just take it?

CHAIRMAN SCHNEIDERMAN:

To maintain it. They don't know that with their small tax base that they're in a position to maintain it. That's the problem.

LEG. BARRAGA:

So they want to take it, but not pay for it.

COMMISSIONER ANDERSON:

Again, the County wants to get rid of it. We're giving it to them, because it -- effectively it's going to continue to cost us with no benefit to the County.

LEG. BARRAGA:

But if we were to keep it and maintain it and get a chunk of the revenues generated from that pier, is it worth taking that strategy?

COMMISSIONER ANDERSON:

To be honest with you, without studying it, I have no clue. The village gets how much revenue a year?

CHAIRMAN SCHNEIDERMAN:

The village is getting about \$80,000 in tie-downs from boats. The problem is someone has to be there, they have to be there, they have to collect those fees. There's a cost associated. So we just pumped in over a million dollars, a million and a half dollars maybe 15 years ago or something like that to redo the bulkheading there.

COMMISSIONER ANDERSON:

Right. In the early '90s, we redid the bulkheading along that pier.

LEG. BARRAGA:

It just seems to me that if we're making these capital improvements, we should be getting something back for the money we're investing. You know, it sort of reminds me of, like, a guy who buys a home and renovates the house and now he has a couple of apartments and he's renting the apartments, only the people renting send their checks to the guy who has the house next door.

CHAIRMAN SCHNEIDERMAN:

I don't think anybody is going to disagree with that. The question is if we held onto it and did not give it to the village and we were able to get the revenues, somebody has to collect them, we would have to look at the numbers and see if we come out ahead. It may turn out that we come out ahead by having the village take it.

LEG. BARRAGA:

All I'm saying is that I think it's worth looking at the numbers. If you're going to keep it, let's look at the numbers to see what revenue we can generate. If you decide to get rid of it, I'm not so sure you should just give it away. It has a value. If Sag Harbor is benefitting, let them pay for it.

MR. HILLMAN:

One more point, and I've not confirmed this, but I've heard rumors that we either keep it or it's even been discussed to sell the wharf, I'm sure someone would love to buy the wharf, non-village, privately owned. If that were to take place, Sag Harbor has a strategy on how to realign their docks and not have them attached to the wharf, therefore, all the funding and revenue would no longer be there.

LEG. BARRAGA:

There's a big difference between someone's strategy and implementation. I'd rather do what you said up to the point of Sag Harbor strategy and let's see what they do. All I'm saying is that I own something, I want to generate the revenues especially if I'm maintaining it. Now, if you don't want to do that, let's sell it, not give it away.

CHAIRMAN SCHNEIDERMAN:

I think when you look at the numbers, you're going to find out that the cost of maintaining this structure is far in excess of any revenues that it's generating. But it is iconic to the Village of Sag Harbor, and it makes sense for them to be able to control it. Largely, they're controlling it now. But it makes sense for them to own Long Wharf.

You know, in the interim, with this tabling, if you guys can crunch some numbers, if you're able to do that, but I think you're going to find that the debt service in maintaining it exceeds any revenue that you'll be able to procure after expenses from it. So I think we're fortunate if they're willing to take it, I think we should allow them to take it and not try to charge them for it. You know, I was hoping that maybe we could -- you know, there could be some money that could be provided for maintenance or we could give it to them in a better condition, but that's an argument for another day. There's a motion to table -- I'll make that motion.

LEG. BARRAGA:

Second.

CHAIRMAN SCHNEIDERMAN:

Seconded by Legislator Barraga. All in favor? Opposed? Abstentions? **TABLED (VOTE: 5-0-0-0)**. Any other business?

LEG. HORSLEY:

May I ask a question of the Commissioner at this time?

CHAIRMAN SCHNEIDERMAN:

Legislator Horsley.

LEG. HORSLEY:

Yes. Thank you. Commissioner, I probably won't see you before Wednesday when I have my EEE meeting, but I wanted to just quickly go over something with you -- maybe you don't have the answers today, but you can get it to me tomorrow or before the meeting would be preferable.

Resolution 2104, which is the Community Pride and Renewal Program. This is a program for downtown redevelopment. And it sounds like a lot of good things that could be involved in this program. However, what they did do is they took a lot of offsets out of your programs. And I

wanted you to just quickly go through them from the Sagtikos corridor to Gabreski, taking monies from the Gabreski contracts -- I guess that would be with Rechler -- let's see, wildlife rescue and education -- I don't know if that's yours -- from Cornell, the rehab of parking lots, drives, curbs and various other County facilities. There's a list that I want you to go through to make up 2.5 million. So it could do damage to your programs, and I certainly would want you to comment on those offsets.

COMMISSIONER ANDERSON:

All right. I will look at them, and I will get back to you.

LEG. HORSLEY:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Okay. Any other business? We are adjourned.

(*THE MEETING WAS ADJOURNED AT 3:01 P.M.*)

{ } DENOTES BEING SPELLED PHONETICALLY