

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 15, 2011.

MEMBERS PRESENT:

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

MEMBER NOT PRESENT:

Legislator Tom Barraga

ALSO IN ATTENDANCE:

George Nolan- Counsel to the Legislature
Gil Anderson - Commissioner - DPW
Jim Peterman - Deputy Commissioner - DPW
Bill Hillman - Chief Engineer - DPW
Robert Doering - Budget Review Office
Catherine Stark - Aide to Chairman Schneiderman
Paul Perillie - Aide to Majority Aide
Renee Ortiz - Chief Deputy Clerk - SC Legislature
Eric Kopp - County Executive's Office
Dennis Brown - County Attorney's Office
Dot Kerrigan - AME
Patricia Lenehan
Charles Caramanello
All Other Interested Parties

MINUTES TAKEN BY:

Donna Catalano - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 1:05 P.M.*)

CHAIRMAN SCHNEIDERMAN:

Good afternoon. I'd like to call this meeting of the Public Works and Transportation Committee to order this 15th day of November, 2011. If you all will rise, join us for the Pledge of Allegiance led by Legislator Horsley.

SALUTATION

Please be seated. Okay. We are going to begin today with the public portion. I have two speaker cards. The first one is Patricia Lenehan. Pat, step up to the podium. Thank you.

MS. LENEHAN:

Hi, everybody. Okay. Congratulations to everybody, you know, for the new Executive. And I'm here mainly to ask questions. Okay. After speaking to a lot of the public about the increase that might come in to affect, a lot of people are okay with it. What they want mainly is to know what kind of programs you're going to have to make the service better. And the Sunday service, I heard is limited, which I just read as well. And why can't we have Sunday service in just about all areas, because I really think the County will make more money with the Sunday service getting people to work?

So when I go back out on the streets next week with the information I get from you guys, I'm going to also give out voter registration forms to everybody that hasn't voted, okay. And I'm going to keep them informed as to what we're going to do about this problem with the buses. We have a lot of veterans that are going to be coming home, and they're going to need job training. And people can't get to their job training because the bus service is inadequate. We're going to have, you know, a lot of problems on our hands. So my first question would be: What are the buses that will be on the road, do you know yet?

CHAIRMAN SCHNEIDERMAN:

I think you are actually getting something confused here, so let me try to clarify. Within the budget that we passed, we included an additional million dollars in revenue from increased fares. Didn't we say what those fares would be, though it was in the newspapers that there would be a 50 cent increase in the general fare. That money is being used basically to pay operational costs of running the bus system, which are going up, we believe, about a million dollars next year overall.

There is no additional service being offered with that 50 cent increase, nothing. The Sunday bus plan that I've been working on, which was going to use a 50 cent fare increase, was going to provide service on ten specific routes, which I can name for you. The problem is now if we go up 50 cents on the general fare without the additional service, there's no -- very little room to go up and provide Sunday service.

MS. LENEHAN:

But you would be making money on the Sunday service, so where would that not benefit?

CHAIRMAN SCHNEIDERMAN:

Not exactly. Unfortunately, the two dollar fare still won't be enough to cover the cost of running the bus service. There is still an additional subsidy. I calculated that I would need a 50 cent increase across the board on the general fare just to run those ten routes on Sundays. And that was the basis of the bill that we have been debating. And it was basically ready to go until we just increased the fare by 50 cents. So that puts it now -- we're going to discuss it as a committee what to do.

I'm working on some counter proposals, which might increase fares -- other fares other than the general fare transfer fees. I don't know how palatable this will be. Student fares, senior fares, SCAT fares, small adjustments in those fares to see if we can make up the difference, as well as maybe a 25 cent fare increase on the general fare to deliver that Sunday service to those ten routes.

That's something the Department of Public Works is crunching numbers for me. And hopefully, by the end of this month, we'll have something. It's unfortunate that we're in the situation we're in. I think the ridership is willing to accept a two dollar fare. I was hoping that that would be tied in with additional services. Right now it's not. It's still a good fare, it's still cheaper than Nassau's two-and-a-quarter fare.

MS. LENEHAN:

Yeah, but we're dealing with a whole different group of people here. We have a bigger unemployment issue here in Suffolk. I don't think they're going to be happy with the fact that they're not going to get Sunday service, you know, because when I've been talking to them about -- the increase is fine, but everybody wants that bus running on Sunday. And also -- and it's important. I mean, we're so back in time by not having it, as you seen, you know, when you had you're summer -- people want it, you know. And you'll make money. You know, that's the bottom line. Give it a shot. Instead of putting the increase in, give us the Sunday service, see if you make money on it, and then you won't even have to worry about it, you know, because the people really need it.

CHAIRMAN SCHNEIDERMAN:

Again, these are the ten heaviest used routes basically. You know, that's how it was designed, all interconnected. It would not be -- if we get the Sunday service, at least initially, it will not be everywhere. It will be -- in every Legislative District, there will be some Sunday service. You'll be able to get around the County. Everybody will be within a short taxi ride of a Sunday service route, but it won't be everywhere. We just can't get there --

MS. LENEHAN:

Well, you have to figure it out.

CHAIRMAN SCHNEIDERMAN:

We don't have the money. So just understand that. Even though every route may end up with an additional fare increase, not every route is going to get the Sunday service. It's just the way it is.

MS. LENEHAN:

Okay. Now, I've spoken to some businesses, and they want to know if there's a tax program that they could use if they want to hire people. Do we have any kind of programs like that, because -- you know, to get people into an apprenticeship program, get them back to work? Do we have any -- could you tell me where I could go to find out this, where the companies get a tax break?

CHAIRMAN SCHNEIDERMAN:

You could talk to the Economic Development Office and see if they know of any such thing. There are some incentive plans. If it's on income tax, it will probably be at the State level, not the County level or a Federal level. There are some tax relief programs for new development, particularly industrial-type development. I'm not sure those are even ready to be rolled out.

MS. LENEHAN:

I'm sorry for getting off the subject.

CHAIRMAN SCHNEIDERMAN:

But I would speak to the Department of Economic Development on that.

MS. LENEHAN:

What are we going to do about the poor service that we're getting? You know, is there anything in the program here that's going to change it?

CHAIRMAN SCHNEIDERMAN:

I'm working with DPW to address some of the issues that have been brought forth.

MS. LENEHAN:

Yeah, because we have a bus, the 61, that comes into Port Jefferson Village, says that it stops at Port Jefferson Station. So a lot of people aren't using it to get into the village because it says, "port Jefferson Station," and the buses aren't stopping at the stop, okay, in the village. I was talking to the mayor there and they're upset about it too. So she is going to be getting aboard on this. So, I mean, it's on the sign that the 61 is supposed to stop at a certain spot, but it doesn't stop there, it goes right up 112. So, you know, we're not getting it.

CHAIRMAN SCHNEIDERMAN:

The Commissioner is taking notes.

MS. LENEHAN:

I know he does.

CHAIRMAN SCHNEIDERMAN:

We're going to do the best. I think we all believe that having a good public transportation system will help the economy in general by getting employees to work.

MS. LENEHAN:

Definitely. Sunday it cost me \$40 for a cab when I was working. I mean, it's ridiculous. I can't afford that. There's a lot of people like me. Okay. So thank you.

CHAIRMAN SCHNEIDERMAN:

We are doing the best we can. These are very challenging times for us. All right. Our next speaker in.

MR. CARAMENELLO:

High. Thank you for letting me speak. Basically, I'm here on the same issues as Pat is. There's a lot of issues with the people at the bus stops. I travel the buses on a daily basis and am constantly, like -- just for example, this one route, the S-66 going to Shirley, it's standing-room only. There's been fighting on a that bus and a lot, a lot of problems. I don't know if any of you people know anything about that, but it's a problem.

CHAIRMAN SCHNEIDERMAN:

I know it's a busy route.

MR. CARAMENELLO:

There's issues like that. There's issues of transfers. You get up to the mall -- like, I just took a bus up to the mall, waiting to get onto another bus, the bus left without me getting on to it. So that's a big problem, you know, the transfers, making the contact. A lot of people have to go to clinics, they have to go to the Department of Labor, they're going to the courthouses, they can't make their time. There's people at the Lake Ronkonkoma Station; for example, I met a young lady with her two children, missed the bus, she had to take a cab -- she has to take everyday on a daily basis, 15, \$20, she can't afford it. She's trying to drop her kids off to daycare and then go to work from

there. The buses are not making -- it's not per se the bus drivers, it's the way the transfers are. Our system is outdated. I guess it's 35, 40 years old, I would say, I don't know. I've been living in Suffolk County for 52 years. Just some examples that I really wanted to bring up.

CHAIRMAN SCHNEIDERMAN:

I'm going to try respond in a couple of ways. One is the fleet itself --

MR. CARAMENELLO:

I know everything costs money.

LEG. SCHNEIDERMAN:

Well, we do have new buses. The buses are new, pretty much a new fleet.

MR. CARAMENELLO:

I realize that. The fare boxes, that's all new.

MR. CARAMENELLO:

It's not the drivers, it's not the buses, it's the way the system is running to make transfers to get people to the next stop.

CHAIRMAN SCHNEIDERMAN:

Again, the S-66 that you mentioned is part of that Sunday bus plan, that's one of the routes, one of the ten routes that would be included should that bill pass in some form. Commissioner, you wanted to add something as well.

COMMISSIONER ANDERSON:

I'll also let you know that we are in the process of receiving bids for our AVL System, which will have -- it's an Automatic Vehicle Locator, it's a system that will identify --

MR. CARAMENELLO:

Like a GPS sort of?

COMMISSIONER ANDERSON:

Yeah, pretty much the same thing. Things that will bring us up, I think, closer to where you want to be.

MR. CARAMENELLO:

A lot of people -- everybody wants everything. You can't have everything --

COMMISSIONER ANDERSON:

But this system will allow us to provide the service that we want.

CHAIRMAN SCHNEIDERMAN:

Okay. Will that give us or the rider the ability to know when the bus is going to be there?

COMMISSIONER ANDERSON:

I'm not sure if it's an actual -- one of the things we were looking at one time was a system that would identify where the buses are en route to a specific site. I don't know that that's in this -- this is I know specifically for --

MR. CARAMENELLO:

You know what happens, like I said -- I don't want to repeat it -- but you come into the stop and the

other bus you're supposed to be getting on to is leaving and doesn't wait. If you have a transfer, you have to wait another hour. So you're missing to get to work. If you have a business and you're trying to run your business, you know, your employee can't get there. That's a problem.

CHAIRMAN SCHNEIDERMAN:

I know. Many people have come to me with that issue about the transfer, the timing --

MR. CARAMENELLO:

Again, it's not the drivers, because they're told to do -- they're doing what they have to do for the most part.

CHAIRMAN SCHNEIDERMAN:

Some transfers obviously are much more heavily used than others, and at least on those we want to make sure that they're timed appropriately.

MR. CARAMENELLO:

Absolutely. That's about it. Longer hours, transfers, you know. That one route in particular, like you said, you're trying to take care of that. We thank you. That's about all I have to say for today.

CHAIRMAN SCHNEIDERMAN:

Thanks, Charles.

MR. CARAMENELLO:

Thank you for your time.

CHAIRMAN SCHNEIDERMAN:

Again, we're going to move to the agenda. Is there anything else you wanted to add in terms of public transportation? Should we have this discussion about what to do in light of this bus fare increase in the budget, which, you know, it's a vaguely worded bus fare increase, but there's -- the understanding was that the contracts are coming in higher this year; is that true, then they were last year, and we have to close a million dollar hole.

COMMISSIONER ANDERSON:

Well, really, I'm a little uncomfortable speaking about this until the actual contract is awarded, so -- at least in public. You know, I think we'd be better off not.

CHAIRMAN SCHNEIDERMAN:

That's fine. What I'm thinking, if we're still going to try to keep this idea of Sunday bus service alive is that we combine them all together and we just put out all new fares, what they might be, on the main fares as well as other fares.

COMMISSIONER ANDERSON:

It would probably be worthwhile sitting down with Transportation in a room and seeing what we can brainstorm.

CHAIRMAN SCHNEIDERMAN:

It would be nice to be able to say to the riders they're getting something for their increased fares.

COMMISSIONER ANDERSON:

Understood.

CHAIRMAN SCHNEIDERMAN:

Okay. Anything else before we get started?

COMMISSIONER ANDERSON:

Nope.

CHAIRMAN SCHNEIDERMAN:

No. Okay. Let's go to the agenda.

IR 1584 - Appropriating funds in connection with Sagtikos Corridor Construction (CP 5565) (Stern)

Legislator Stern? This is a tabled resolution. This is tabled, it's your bill.

LEG. STERN:

Motion to table.

LEG. SCHNEIDERMAN:

Motion to table, I'll second. All in favor? Opposed? Abstentions? **TABLED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)**

IR 1165 - Increasing the bus fare and implementing limited Sunday Bus Service. (Schneiderman)

I'm not sure really what to do. I guess we probably should table this in light of what happened with the budget, so I'll make a motion to table.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

It's frustrating, because I finally got it to the point where, you know, DPW and I and BRO, we all agreed on the numbers and we could make that happen with the 50 cent fare increase. Part of me says let's just pass it, we got it to this point, let's just do it, but then we can't go up another 50 cents on top of that and raise the fare to \$2.50. I don't think that's fair. So I'm not sure what to do, so I guess the right thing to do is to table it and try to sort it out, as frustrating as that is. So there's a motion and a second to table. All in favor? Opposed? Abstentions? **TABLED (VOTE: 4-0-0-1 Not Present: Legislator Barraga).**

Gil, we'll get together and just keep on working on it and see if we can salvage something here. In my district where we have the pilot program, I want to keep that going even though the fare is now going to be potentially \$2.50, which makes it higher than the Nassau fare. I'm hoping though that we don't have to raise it a full 50 cents, the main fare, so that the final fare comes out to two-and-a-quarter rather than 2.50.

COMMISSIONER ANDERSON:

The only statement I would make is to remind you that we continually run in a deficit, so to not have -- I, mean the service, the Sunday service paid for itself last year, and we're confident that in a year we'll be able to show that. Hopefully, next year, we can do the same thing. But again, the amount of money that we increase has to cover the cost of running that service.

CHAIRMAN SCHNEIDERMAN:

That 50 cent increase will now potentially be on top of another 50 cent increase. So the fare for that S-92 will have gone from \$1.50 to 2.50, which is a big jump, unless we can figure out a package that raises million dollars that is shown in the budget without a fifty -- maybe a 25 cent fare increase on the general fare and maybe some other adjustments; transfer fees, SCAT fees, maybe

we can pick up a half a million somewhere else, or maybe we can find some savings, operational savings somewhere or new revenue, advertising revenues, something so that, you know, the Sunday service plan isn't dead.

LEG. HORSLEY:

How close, if you put it into a dollar just on Sundays, get you as far as your pilot area?

CHAIRMAN SCHNEIDERMAN:

You mean just the S-92?

LEG. HORSLEY:

Yes, just the S-92.

CHAIRMAN SCHNEIDERMAN:

I don't really remember the numbers offhand. It was, like, \$30,000 was generated or something like. Do you remember the numbers, anybody, from that 50 cent fare increase?

COMMISSIONER ANDERSON:

We ended in a deficit with the hopes that by the end of the year we would make up the difference. It was in that -- I want to say 36,000 was the actual cost of running that program, but that was the 10-C and S-92.

CHAIRMAN SCHNEIDERMAN:

Right.

LEG. HORSLEY:

Were we anywhere close, Gil, I mean, if we just ran that one bus route for the tourist areas on Sundays that it would pay for itself?

COMMISSIONER ANDERSON:

Well, I think it will be shown with that increase, that 50 cent increase, it did pay for itself. We kept an eye on the continuing cost, and we estimated, I think, a pretty tight number as to when we thought we should end the program so that we -- you know, we could make up the difference as the end of the year, you know, came buy. The fare increased through the end of the year. That additional revenue was to pay off or offset the cost of the deficit of running the program during the two or three months that we ran it. It was pretty tight. It paid for itself.

LEG. HORSLEY:

Maybe that's something you might want to look at, Jay.

CHAIRMAN SCHNEIDERMAN:

We believe that if you have that fare increase on that line from January 1st to the end of the year, it will generate enough to run half a year's worth of Sunday service, summertime, basically Memorial Day through Columbus Day.

LEG. HORSLEY:

So maybe what you should be looking at is just having Sunday service that particular route or to the routes that involve tourism, because that's an economic development issue.

CHAIRMAN SCHNEIDERMAN:

And where would it be subsidized, just on those routes?

LEG. HORSLEY:

Just those routes, yes.

CHAIRMAN SCHNEIDERMAN:

Paid for by just those routes. Well, the only other route that might be able to subsidize itself, at least in rough calculation, is the S-1. There's enough volume. That's the Huntington corridor route.

COMMISSIONER ANDERSON:

The S-1 -- again, you know, the tricky thing with that is that S-1 brings people to work during regular work days. You come to Sunday, the numbers may not come -- you know, come as readily as they did out on the East End where people are trying to get to a seven-day-a-week work program.

CHAIRMAN SCHNEIDERMAN:

Like the gentleman mentioned the S-66. That is bringing a lot of workforce out to the Hamptons where a lot of the jobs are. That's not connecting on -- that's not running on Sundays, where it would bring a lot of people to the Riverhead area, and then they would get on to the S-92 and head out to the two forks.

LEG. HORSLEY:

So you would lose some of --

CHAIRMAN SCHNEIDERMAN:

So, you know, if you have these isolated Sunday routes, you're --

LEG. HORSLEY:

I'm just looking for a way for you to work with your community, but -- frankly, it's a tourist issue, which means economic development for the whole County. So, I mean, I think that's something that makes sense. I mean, at least it's some sort of concept that may work.

CHAIRMAN SCHNEIDERMAN:

Again, I'm going to work with DPW on coming up with a package that may look at some of the other fares other than just the general fare, because they haven't raised -- you know, what is it? Transfers fee is a quarter, that's a pretty low transfer fee. The SCAT fee is \$3. You know, there might be some wiggle room in some of the other fares too to pick up something. I don't know how much. You know, people may get upset, but if they're getting Sunday service, they might be willing to take that trade off. Student rate, too, is pretty low. The senior rate is I think 50 cents, something like that.

COMMISSIONER ANDERSON:

From what I remember, yes.

CHAIRMAN SCHNEIDERMAN:

Yeah. So there may be some room in some of the other rates. I'm going to do my best to try to come up with something for you guys to review, and we'll take it from there. Any other questions on that? All right. Did we actually vote to table?

MS. LOMORIELLO:

Yes.

CHAIRMAN SCHNEIDERMAN:

IR 1786 - Establishing guidelines for the implementation of the Sewer Infrastructure Program. (Romaine)

LEG. HORSLEY:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator Horsley, seconded by Legislator Stern. Did the committee promulgate any rules yet? There was a committee that put together.

COMMISSIONER ANDERSON:

We're actually making a lot of headway. It's been very fruitful, I think, the discussions we have had. We are -- I don't want to say very close, but we are close to having a good document ready.

CHAIRMAN SCHNEIDERMAN:

Okay. Is Legislator Romaine participating at all in that process?

COMMISSIONER ANDERSON:

No.

CHAIRMAN SCHNEIDERMAN:

Okay. All right. So there's a motion and a second to table. All in favor? Opposed? Abstentions?

TABLED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)

IR 1809 - Authorizing the County Executive to execute a lease agreement with the Town of Smithtown for the purposes of creating a Law Enforcement Motor-Carrier Check Site, situated on Town of Smithtown Real Property, identified as SCTM No. 0800-173.00-03.00-012.000, pursuant to Section 72-h of the General Municipal Law. (Co. Exec.)

LEG. STERN:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator Stern, seconded by Legislator Horsley. Any discussions? Okay. So you are working with the Commissioner of DPW with some of your concerns, Legislator Stern.

Okay. All in favor? Opposed? Abstentions? So **TABLED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)**

IR 1834 - Adopting Local Law No. -2011, A Local Law to lower the sewer connection fee for Canon USA, Inc. (D'Amaro)

I guess we have closed the public hearing on this so it is eligible for a vote. I can't say I fully understand what is happening here. Canon is coming, are they not?

COMMISSIONER ANDERSON:

They are here. They're here.

CHAIRMAN SCHNEIDERMAN:

And this reduces them from 30 cents a gallon to 15 cents a gallon a connection fee.

COMMISSIONER ANDERSON:

That's the request that's made, yeah.

CHAIRMAN SCHNEIDERMAN:

That's like a \$600,000 lower connection fee for Canon.

COMMISSIONER ANDERSON:

Basically, 680,750.

CHAIRMAN SCHNEIDERMAN:

They've already agreed to the higher fee, have they not?

COMMISSIONER ANDERSON:

They've signed the documents with the intent that they were going to come in here and try and drop the fee. We don't recommended it. I can read my dissertation, if you have a minute.

CHAIRMAN SCHNEIDERMAN:

If you would, yeah.

COMMISSIONER ANDERSON:

Sure. The resolution before you seeks to reduce the connection fee from \$30 per gallon per day to \$15 per gallon per day reducing the cost from \$1,361,430 to \$680,715. We do not support this legislation. When preparing the connection agreement, Canon pressed to have to the rate reduced, which we would not agree to. However, we did agree to splitting the fee in half so that Canon would agree to sign the contract for the 30 gallons per day and could pursue getting the fee reduced if they so chose to.

However, there was no guarantee and Canon was made aware that if no reduction was agreed to, they would have to pay the remaining half of the fee prior to their approval for their connection permit. We would further state that the requested reduction in no way matches the critical -- the criteria established under Resolution 229-2010 that permitted waiver of the connection fees altogether. Lastly and more importantly, while we acknowledge the significant economic benefit that Canon has brought to our County, reducing the connection fee will open up the doors to all other connections to make the same request of the County. That's our big concern.

CHAIRMAN SCHNEIDERMAN:

If this fee were to be reduced, the beneficiaries -- well, Canon is the beneficiary, but who gets hurt here, the Southwest Sewer District, right, because that's where the money would money go?

COMMISSIONER ANDERSON:

Essentially, yes.

CHAIRMAN SCHNEIDERMAN:

To the taxpayers within the sewer district. And it's a gallon per day number that the connection fee is based on. It's a one-time fee, though, right?

COMMISSIONER ANDERSON:

It has to be paid before the connection is permitted.

CHAIRMAN SCHNEIDERMAN:

So it's not a processing rate for the effluent, it's a one-shot connecting fee based on how many gallons they produce per day.

COMMISSIONER ANDERSON:

Correct. It's put towards the infrastructure improvements that have taken place as well as will take place in the future.

CHAIRMAN SCHNEIDERMAN:

And other companies have paid the full fee?

COMMISSIONER ANDERSON:

Everybody's who's been connecting in since the law was changed two or three years ago to \$30 per gallon per day have paid that fee.

LEG. HORSLEY:

How do they fall, Gil, as far as -- because that application has been in the works for quite a while, how close were they to that cutoff point and how was the timeline on that, do you know?

COMMISSIONER ANDERSON:

It was a couple of years they were passed that by the time they -- in fact, I think the site itself had a previous developer planned, and then Canon came in and brought the property. But that being said, they came in after that law was changed. And I'm almost certain it was at least a year or so after the rates were raised that they came in and, you know, made the request. They have all the approvals with the exception of the final S-9, which we won't grant them until this is resolved, whether it's approved or, you know, it's rejected.

CHAIRMAN SCHNEIDERMAN:

Now, how did this 50% number get arrived at, from \$30 to 15? Is this the sponsor?

COMMISSIONER ANDERSON:

Not necessarily the sponsor. I think their attorneys knew about it when they came to the Sewer Agency originally. You know, you're at the Sewer Agency and you're listening to old permit applications. And they are still grandfathered in at \$15 per gallon per day. It's anything past that date when the rate was increased that goes up to 30. So it's out there, it's not like it's a hidden fee. Everybody knows it.

CHAIRMAN SCHNEIDERMAN:

So that's the old fee, \$15 per gallon.

COMMISSIONER ANDERSON:

Correct, yeah.

LEG. HORSLEY:

So they will pay the reduced amount in actual gallonage in usage?

COMMISSIONER ANDERSON:

Well, they'll pay the remainder. They've submitted the first half of it, with the understanding that pending the resolution of this resolution, if it's rejected, if their request is rejected, they will have to pay the remaining \$680,000 as part of the agreement in order to get their actual permit approval.

LEG. HORSLEY:

Has Economic Development weighed in on this at all or had anybody else said anything?

COMMISSIONER ANDERSON:

Not that I know of. Again, I go back to it's that you're setting a precedence here that, you know,

you need to be very careful if you're really starting to consider this. You know, we are going to have every business in the world or in Suffolk County that's trying to connect in Sewer District 3 is going to be saying, "Well, we're an economic engine," and everybody is, they're all trying to bring work to the County. You know, it's a real slippery slope.

Wyandanch met certain criterias that were established. They were -- I don't remember all the criteria, but they were an urban development area, they were -- you know, it was a municipality that was forwarding them. There was like five or six, and it was well planned out. These do not -- this does not meet these requirements, so.

CHAIRMAN SCHNEIDERMAN:

Do we have a motion? I'll make a motion to table. Is there a second? No second to tabling? Is there a motion to approve?

LEG. STERN:

Let me just maybe ask Counsel, when we start to use a word like precedent, I want to know what type of precedent are we talking about. Is it a policy precedent or one that is a little more substantial that rises to the level of a legal precedent?

MR. NOLAN:

I think it's more a policy precedent. You know, the Legislature, we have the authority to set the connection fee. We've set it at \$30. We're superseding that with a Local Law giving them a lower connection fee. But I don't think another company could come to us and say, "We're entitled to the same thing legally." But they might say to you, "Why am I different than that company that you just gave a \$15 connection fee to?" It's a policy issue.

CHAIRMAN SCHNEIDERMAN:

And not only that, you know, companies have already paid the \$30 fee. They may say, "Well, you didn't give me a break, why are you giving them a break?" I make a motion to table. Is there any other motions?

LEG. STERN:

If I may, Mr. Chairman.

LEG. MURATORE:

Second the tabling.

CHAIRMAN SCHNEIDERMAN:

All right. We have a second on the tabling.

LEG. STERN:

What, if any, type of a timing issue is there here? Gil, you had mentioned that there's one more step in the process, and that one more step in the process cannot occur until a decision is made here. But with one more step in the process, is there any type of a timing issue there other than the couple of weeks that it will take for us to meet back?

COMMISSIONER ANDERSON:

It isn't that urgent. They are still in the middle of construction. This is the final sanitary connection approval, this is their S-9. We would have to inspect it. There's a lot that still has to be done. They're not occupying the building right now. I don't think they're looking to any time in the future. From my drive-bys, it seems like they're, you know, just midway along somewhere in the construction of the facility. So can it wait a couple of cycles or a cycle? Certainly. It doesn't have to happen right now. There's no urgency.

CHAIRMAN SCHNEIDERMAN:

So there's a motion and a second to table. Any other motions? All in favor? Opposed? Abstentions? **TABLED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)**

Moving on to Introductory Prime Resolutions.

IR 1844 - Approving extension of license for Sayville Ferry Service, Inc. For Cross Bay Service between Sayville, New York and the Fire Island Communities of Fire Island Pines, Cherry Grove, Water Island and Sailors Haven. (Pres. Off.)

It has to be tabled for a public hearing. I'll make a motion, seconded by Legislator Stern. All in favor? Opposed? Abstentions? **TABLED for PUBLIC HEARING (VOTE: 4-0-0-1 Not Present: Legislator Barraga)**

IR 1875 - Authorizing the inclusion of a County contract provision whereby natural gas may be purchased under County contracts by any political subdivision or fire company or district pursuant to New York State County Law. (Co. Exec.)

I will make a motion to approve, seconded by Legislator Muratore. Gil, do you want to give me more information on this?

COMMISSIONER ANDERSON:

The title is relatively self-explanatory. This will allow other municipalities, other entities to purchase CNG from our facilities -- no? Okay. Hold on. Here's Dennis. He will tell you the right answer.

MR. BROWN:

It was close, but not exactly. A few months back, the BRO and DPW, they worked on a joint bid between the County and other municipalities for natural gas -- bulk natural gas purchase, and a resolution was passed authorizing an inter-municipal agreement between the County to act as the agent for the other municipalities. And it turned out that the bid was very successful there; at least 51 participating municipalities.

Well, as you can imagine, it's pretty difficult to try to get 51 municipalities to issue and to sign an inter-municipal agreement. So instead of going back to the municipalities on multiple occasions, we came up with this solution that we would just have an authorization for a contract clause in the contract with the natural gas provider authorizing the sale to the other municipalities. And what we would do is we said in this resolution that the Commissioner of DPW would draft some rules and regulations in order to implement this purchase. And we were figuring that we would ask the other municipalities to pass their own resolution instead of trying to get them to sign inter-municipal agreements whereby they would delegate to the Executive the right to purchase off of our natural gas contract. And they have already committed with the amount of their gas usage in any event.

CHAIRMAN SCHNEIDERMAN:

Do we do the same with gasoline?

MR. BROWN:

Gasoline is done through the State.

COMMISSIONER ANDERSON:

We can bring other municipalities in to use our facilities. I don't know that they necessarily can purchase gasoline.

MR. BROWN:

I believe -- I'd have to go back and do the research on this, but I believe that we have a local resolution or Local Law that allows for other municipalities to participate in purchasing gasoline. And I think that there have been some resolutions that have come through here over the past few years. And there's a surcharge that's charged to the municipalities for purchasing off of our gasoline sites.

CHAIRMAN SCHNEIDERMAN:

Okay.

MR. BROWN:

I can get the exact resolution for you, if you need it, or the Local Law number.

CHAIRMAN SCHNEIDERMAN:

If they have their own site, can they buy off of our contract?

MR. BROWN:

We purchase our fuel off the State contract.

CHAIRMAN SCHNEIDERMAN:

Off the State contract. Okay. And they can do that any way on their own if they had their own problems, right?

MR. BROWN:

Correct.

CHAIRMAN SCHNEIDERMAN:

Okay. There's a motion to approve and a second. All in favor? Opposed? Abstentions?

APPROVED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)

IR 1876 - Appropriating funds in connection with replacement/cleanup of fossil fuel, toxic and hazardous material storage tanks (CP 1706). (Co. Exec.)

I make a motion to approve, seconded by Legislator Stern. Sounds pretty self-explanatory. Is there any particular site that --

COMMISSIONER ANDERSON:

Again, we've had an ongoing program where we have been inspecting our sites and trying to bring them up to EPA standards. And there is no -- as far as I know right now, there is no specific site, but this is in anticipation that we do have some work still to do on this.

MR. PETERMAN:

Jay, we don't have any tanks that are leaking or are expected of leaking. This is all the monitoring systems that are required to be in place by both the EPA and the Suffolk County Health Department. Some of these monitoring systems aren't working correctly, you know, we could get a fine.

CHAIRMAN SCHNEIDERMAN:

All right. So we have a motion and a second. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)**

1877 and 1878 have the identical Title, but they actually are two different bridges and two difference amounts of money.

IR 1877 - Appropriating funds in connection with moveable bridges needs assessment and rehabilitation (CP 5806). (Co. Exec.)

I will make a motion, seconded by Legislator Stern. This is, what, the Quogue Bridge?

COMMISSIONER ANDERSON:

Correct. This is 2.3 million in construction funds that's intended for the Quogue Bridge in Southampton.

CHAIRMAN SCHNEIDERMAN:

Okay. Any discussion?

LEG. STERN:

Just a quick question. These are funds that are appropriated for a specific project.

COMMISSIONER ANDERSON:

Yes.

LEG. STERN:

It's not just a blanket appropriation that could be shifted between projects?

COMMISSIONER ANDERSON:

No, this one is for a specific project.

LEG. STERN:

Okay. Thanks.

CHAIRMAN SCHNEIDERMAN:

All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)**

IR 1878 - Appropriating funds in connection with moveable bridges needs assessment and rehabilitation (CP 5806). (Co. Exec.)

This is a lesser amount of money and a different bridge. Do we have the amount and the bridge?

COMMISSIONER ANDERSON:

\$750,000 for engineering funds to improve Beach Lane and West Bay Bridges in Southampton.

CHAIRMAN SCHNEIDERMAN:

Those are also drawbridges?

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN SCHNEIDERMAN:

Okay. Any questions? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)**

IR 1879 - Appropriating funds in connection with rehabilitation of various bridges and embankments (CP 5850). (Co. Exec.)

Same motion, same second. Gil.

COMMISSIONER ANDERSON:

This requests \$1.95 million in construction funds for the rehabilitation of the CR 19 Patchogue-Holbrook Road Bridge over the Long Island Rail Road and the CR 97 Nicolls Road Bridge over the Long Island Rail Road as well. The work will include repairs to the roadway approaches, asphalt wearing surface over the concrete bridge deck and repairs will include the deck joints, balls, crack, repairs to steel girders and supports as well as repairs to curb and bridge railing.

CHAIRMAN SCHNEIDERMAN:

Okay. Any questions? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)**

IR 1880 - Appropriating funds in connection with improvements to water supply systems (CP 1724). (Co. Exec.)

Same motion, same second. Commissioner.

COMMISSIONER ANDERSON:

This is for two specific areas; both of them the County Centers. This provides \$275,000 in construction funds; one for improvements to the water system at the Yaphank County Center. It's in lieu of the anticipated opening of the jail. This will increase our service capability to that facility as well as the other surrounding facilities.

It also will provide for improvements to our water system at the Riverhead County Center. We have to put in some pumps to increase -- to boost up the pressure so that water can actually reach the second -- higher floors in the buildings over there. So it's for the two of them.

CHAIRMAN SCHNEIDERMAN:

Okay. Any questions? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)**

IR 1881 - Appropriating funds in connection with dredging of County waters (CP 5200). (Co. Exec.)

I will make a motion, seconded by Legislator Stern.

LEG. HORSLEY:

On the motion.

CHAIRMAN SCHNEIDERMAN:

On the motion, Legislator Horsley.

LEG. HORSLEY:

I'd like to review this topic of dredging. And I know that you had said that if layoffs -- further layoffs occurred in the department, we'd have to give up dredging and the like. Well, I just want to make a complaint on behalf of the folks of the West End, Babylon Town, for instance.

I looked at the list of those areas where we're going to dredge. Not one of them, not one of them is in the Town of Babylon. I don't think last year we had one in the Town of Babylon, maybe we did, maybe it was the Amityville cut or something like that. There might have been one last year. But clearly, to me, it seems like this is becoming more and more of an East End project. And I'm just little concerned about it, that, you know, I looked at -- I always talk about Frederick Canal. Well, notwithstanding the issue of the Frederick Canal, which we put in in 2008, and I haven't heard anything about it lately -- that was the whole canal -- but know the foot of the canal, which I'm getting loads, bucket loads of the complaints is now down to less than two foot.

The Town of Babylon is going to reprioritize is on their list of those that have already been submitted to you, which we never see any anyway.

So I just want to let you know that I'm watching Babylon and concerned that the West End doesn't see a lot of dredging activity. And it's just a point I'm making.

COMMISSIONER ANDERSON:

If I may. I would argue that point. We have two projects going on in Islip, and, you know, that is the western end of it. You know, we are doing these on basis of need. And as, you know, there are -- honestly, there are locations in worse condition than the area you are speaking of. We're trying to address them as they come. I will find out where they are, and I will get you a report as to every --

LEG. HORSLEY:

So you've got locations that have more than -- that have less than two foot of water so people trying to get in and out of canals --

COMMISSIONER ANDERSON:

Certainly. I'll get you a list.

LEG. HORSLEY:

We'll take a look at that. Let's get out the yardstick and see who has the worst dredging needs.

CHAIRMAN SCHNEIDERMAN:

I mean, if you look at the program, you're going to find, one, that the budget for dredging really hasn't grown through the years, yet the window of time that we have has continued to shrink, and it's caused a lot of problems actually for the department; the regulations, the amount of time it's taking in terms of the permitting.

LEG. HORSLEY:

I fully understand that, and I sympathize with that complaint. But I just want to -- I know that, Mr. Schneiderman, you were always advocating for your needs, and I am doing the same for the West End.

CHAIRMAN SCHNEIDERMAN:

But guess what? You're not going to want to hear this, but there's a lot of inlets that are backed up on the East End that aren't getting dredged this year either. I mean, Accabonac is a mess, Napeague and North West Creek. You know, we are doing one at Three Mile Harbor. But, you know, there are a lot of problems out there right now. And I understand your issues as well.

LEG. HORSLEY:

Our water is the same as your water.

CHAIRMAN SCHNEIDERMAN:

These guys are trying to do their best.

COMMISSIONER ANDERSON:

If I may, one of the big issues we're going to be facing, especially in the Western End and we're faced with it constantly, is the spoil areas; where we're going to basically dry the spoils and dispose of them. If they're sand, it's generally a pretty easily fix. But if we get the muck that's usually associated towards the Western End, especially where you have canals, it becomes an issue; you know, where do you put that. So these are all things -- these are all lists we have to bring to the

regulators and get their approvals. Like I said, I understand where you are coming from, and we've recognized the need. But I will get you a list of the Babylon dredge projects so that you see where we are and that we're not trying to spite any specific --

LEG. HORSLEY:

Less than two foot. I want the yardstick out. I want to see which may have the worst problems. But I appreciate the fact that Islip got a dredge.

CHAIRMAN SCHNEIDERMAN:

Years ago, the town used to do their own dredging, but some of the towns were really too small to maintain the equipment. Back when the towns used to run the County, when we had a Board of Supervisors, they decided to get into the dredging business so that it was almost like an inter-municipal agreement. They had equipment, I think we got rid of that equipment.

COMMISSIONER ANDERSON:

We had the two dredges we subsequently sold, and we have new dredge equipment. It's smaller. You know, again, this type of work usually down on the South Shore is tough that we contract out.

LEG. HORSLEY:

Just noted.

CHAIRMAN SCHNEIDERMAN:

Yeah, Legislator Stern.

LEG. STERN:

This one is specifically for the Forge; is that correct?

COMMISSIONER ANDERSON:

This is additional funding for the Forge River project, yes.

LEG. STERN:

Okay. But the timing on that could still depend on what happens with DEC or other permits, or is this one all permitted up and going?

COMMISSIONER ANDERSON:

I believe we're very close to getting all the permits. We anticipate being able to do that one this coming year. You know, we have everything in. As far as I know, we feel comfortable that within the year we should get all the permits in place and go out to bid with that one.

CHAIRMAN SCHNEIDERMAN:

In terms of Babylon, last year, didn't we -- that was our first environmental dredging project, wasn't it? Wasn't that in Babylon?

LEG. HORSLEY:

No, that was the first one that was talked about.

CHAIRMAN SCHNEIDERMAN:

Oh, it hasn't happened yet.

LEG. HORSLEY:

No. That -- 2008 is when that was submitted. It is, I've been told, at least three years.

COMMISSIONER ANDERSON:

In '08? I thought it was nine.

LEG. HORSLEY:

We're moving. But, yes, your memory is correct, that was the first one that was submitted, because I did that.

CHAIRMAN SCHNEIDERMAN:

It hasn't happened yet.

LEG. HORSLEY:

No, it hasn't happened yet.

CHAIRMAN SCHNEIDERMAN:

That's the one where the smell was emanating from the canal.

LEG. HORSLEY:

Yes. And the smell is emanating from the canal.

COMMISSIONER ANDERSON:

Just to verify, as far as the Forge, we anticipate dredging to begin in the Fall of 2012, so.

CHAIRMAN SCHNEIDERMAN:

All right. So where are then? We haven't actually voted on it. This is appropriating the funds for the dredging. We had a motion and a second. All in favor? Opposed? Abstentions?

APPROVED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)

IR 1882 - Appropriating funds in connection with replacement of dredge support equipment (CP 5201). (Co. Exec.)

Same motion, same second, same vote. **APPROVED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)**

IR 1893 - Amending the 2011 Capital Budget and Program and appropriating funds in connection with the installation of guide rails on CR 19 in Patchogue Village (CP 5180). (Eddington)

I'll make a motion, seconded by Legislator Muratore. This sounds self -- what's the word? Explanatory, thank you.

MR. PETERMAN:

This is a joint effort that's going on between the County of Suffolk and the Village of Patchogue to open up the visual vista to Patchogue Lake. The County end's is we're going to be putting the guardrail up. The village forces are taking the fence down and the nonindigenous species approved by DEC to allow to open up, you know, just the visual aspect of the lake.

CHAIRMAN SCHNEIDERMAN:

Any questions on this? Everybody okay? We had a motion and a second. I'll call the vote. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)**

Commission you are in support of that project, right?

COMMISSIONER ANDERSON:

Yes.

And the last resolution is **IR 1916 - Directing the Department of Public Works to install a full three-color stoplight at the intersection of CR 111 and Halsey Manor Road. (Romaine)**

LEG. MURATORE:

Motion.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Muratore. I'll second for the purpose of discussion.

COMMISSIONER ANDERSON:

We would ask that -- if I may.

LEG. STERN:

I'm going to make a motion to table for the purposes of discussion.

CHAIRMAN SCHNEIDERMAN:

There was just a fatal accident at this intersection, right?

COMMISSIONER ANDERSON:

Well, it wasn't this intersection specifically.

MR. PETERMAN:

It is a half a mile to the south where the problem was.

COMMISSIONER ANDERSON:

You know, we just got the --

CHAIRMAN SCHNEIDERMAN:

This is not where the firehouse is.

COMMISSIONER ANDERSON:

This is where the firehouse is, yes.

CHAIRMAN SCHNEIDERMAN:

It is the firehouse intersection with the blinking yellow?

COMMISSIONER ANDERSON:

Yes.

LEG. HORSLEY:

That we've had lots of talks about last year.

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN SCHNEIDERMAN:

Commissioner, what's your recommendation here?

COMMISSIONER ANDERSON:

We would ask that it be tabled. We, first of all, just received the accident data from this last

accident. Really, Vehicle and Traffic Law states that it should be studied, not just legislated. And we, obviously, recommend following New York State Vehicle and Traffic Law.

I would -- we're meeting with the community next week to get their take on the problems throughout the corridor. And we would like to be able to do it as a full program rather than just an individual intersection. So that's why we would ask for this to be tabled until we've had the time to meet community, we've had time to look at the accident data and certainly come up with some type of recommendation.

CHAIRMAN SCHNEIDERMAN:

Is there a technology -- I suppose there is -- even though it's a blinking yellow, where the fire department could turn it to red so that they can get out of there?

MR. PETERMAN:

I don't think the accident had anything to do with whether it's a blinking light or a fully-signalized light. It's basically -- there's three or four cross-overs that are unsignalized down the whole corridor. The signal that we are talking about is not where the accident happened.

CHAIRMAN SCHNEIDERMAN:

No, this is the one by the firehouse.

COMMISSIONER ANDERSON:

Right. This is by the firehouse. The one where the accident occurred was actually signalized. So, you know, there are some issues; it may have been the sun. We don't know. Again, I would ask, you know, for the ability to look at the traffic -- the accident data so that we can put a proper analysis together before we just start putting down, you know, traffic signals.

CHAIRMAN SCHNEIDERMAN:

Bill, did you want to add to that at all?

MR. HILLMAN:

No.

CHAIRMAN SCHNEIDERMAN:

No. Okay. You're just there for support. Legislator Stern.

LEG. STERN:

Yeah, Mr. Chairman. Just very quickly. I mean, over the past few years, I've probably walked miles with the Commissioner and with Bill and members of his staff when there have been issues in our community, and we would have that conversation about stop signs and traffic lights. Sometimes we agree, sometimes we don't, but there is a process that you follow. I would think that that's a process that should be followed here. And then ultimately, leave it to our DPW professionals, our engineers, to work with Legislator Romaine before we begin to legislate from this horseshoe, at least before that process has even started. So I would suggest that DPW work with Legislator Romaine and follow the process.

CHAIRMAN SCHNEIDERMAN:

So was there a motion to table and a second. All in favor? Opposed? Abstentions? **TABLED (VOTE: 4-0-0-1 Not Present: Legislator Barraga)**

That's the last resolution on the agenda. If there's no other business, then we are adjourned.

(*THE MEETING WAS ADJOURNED AT 1:55 P.M. *)