

**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, December 13, 2011.

**MEMBERS PRESENT:**

Legislator Jay Schneiderman - Chairman  
Legislator Steve Stern - Vice-Chairman  
Legislator Wayne Horsley  
Legislator Tom Muratore  
Legislator Tom Barraga  
Presiding Officer William Lindsay - Ex Officio Member

**ALSO IN ATTENDANCE:**

George Nolan- Counsel to the Legislature  
Renee Ortiz - Chief Deputy Clerk - SC Legislature  
Gil Anderson - Commissioner - DPW  
Bill Hillman - Chief Engineer - DPW  
Jim Peterman - Principal Civil Engineer - DPW  
Robert Doering - Budget Review Office  
Legislator Romaine - First Legislative District  
Bill Faulk - Aide to Legislator Romaine  
Legislator D'Amaro - Seventeenth Legislative District  
Catherine Stark - Aide to Chairman Schneiderman  
Paul Perillie - Aide to Majority Aide  
Eric Kopp - County Executive's Office  
Dot Kerrigan - AME  
Judge Hendricks - Tenth Judicial District.  
Jonathan Cohen - Manorville Chamber Safety Committee  
Joshua Shinbrot - Half Hollow Hills Student  
Patricia Lenehan  
Karen Dunne - Manorville Chamber  
Lynne Ross - Manorville Resident  
Keith Botts - Manorville Resident  
Donna Charpied - Manorville Resident  
Richard Meyer - AME  
All Other Interested Parties

**MINUTES TAKEN BY:**

Donna Catalano - Court Stenographer

**MINUTES TRANSCRIBED BY:**

Donna Catalano - Court Stenographer  
Denise Weaver - Legislative Aide

(\*THE MEETING WAS CALLED TO ORDER AT 1:00 P.M.\*)

**CHAIRMAN SCHNEIDERMAN:**

Good afternoon. I'd like to call this meeting of the Public Works and Transportation Committee to order this 13th day of December, 2011. If you all will rise and join for the Pledge of Allegiance led by Legislator Barraga.

**SALUTATION**

**CHAIRMAN SCHNEIDERMAN:**

Good afternoon. I'm going to start today's meeting with public portion. I have several speaker cards. If you wish to address the committee and have not already filled out a yellow card, please step forward to this front table and you'll be provided with one.

Our first speaker is John Caputo. Mr. Caputo I will give you three minutes to make your comments. All right. Judge Hendrick's, you present? Present, yeah, I saw. All right. Would you like to offer some comments? I don't have a yellow card, but if you're -- as an official if you want to step forward I'd like to take you first.

**JUDGE HENDRICKS:**

Okay, thank you very much I appreciate the opportunity to appear here before the Public Works Committee this afternoon. I just thought it would be important going forward to share certain thoughts I had and I'll be very brief as far Public Works issues as it concerns the court system. I'm the Administrative Judge for the Tenth Judicial District, you know, the Suffolk County Court system.

The dealings I've had I would just mention to this committee, I just would like to mention that all of my dealings with the Department of Public Works have been -- they have been incredibly professional to deal with, incredibly responsive and it's, you know, a privilege and a pleasure to work with them on ongoing projects just that you hear that sometimes; I know people in government hear, myself included, all you hear is complaints or things, I just wanted to let you know the people at DPW have been doing a, you know, as far as I'm concerned have been doing an absolutely super, super job.

There are -- there's one project I think it's labeled, I think the number attached to it I believe is 1125 involving the Cohalan Courts project. There has previously been allocated \$1.7 million was previously allocated for a -- renovations called for an SAP courtroom, which is short for a street arraignment part courtroom. That makes up 1.2 million of the \$1.7 million project that was previously allocated.

After assessing the entire situation in the courts right now, my view is that it would be better served to spend this 1.2 million on other projects as opposed to the street arraignment part courtroom. I'm aware, you know, how the fiscal issues that are facing the Legislature, the County as well as the State courts right now and in my view that expenditure right now, there'd be other things down the road that we could -- that everyone would benefit more than that 1.2 million for that project.

And my request and recommendation is that only the -- there's a separate \$500,000 worth of improvements in that allocation that are all needed that we could move forward with and to allocate or reallocate the 1.2 million for other projects. Particularly, and I don't have want to get ahead of myself and I know there's a very limited agenda, but just for your thoughts as far as long range planning for the courts my belief would be that a project that is worth considering, I think there's some seed money or money to study the issue would be to get the -- to move the Family Court from the leased office space in Riverhead on East Main Street, to bring that facility into the Criminal Courts building in Riverhead on a, you know, a couple years out if the planning was started now, I

think that would be a viable plan. I believe once the new, you know, the court house renovations are done on Griffing Avenue and some courtrooms are opened there, there would be extra room in the Criminal Courts building, the Cromarty Building, that would enable the Family Court in Riverhead from that leased space to be brought in. I believe that lease costs the County roughly \$300,000 a year that lease if those renovations were made and I don't think it would be anything structural, it would all be internal, you know, that's what I'm requesting that that issue be studied. If that Family Court in Riverhead from the leased space could be brought into the Cromarty Building in Riverhead from the costs perspective it would consolidate operations from your perspective from the County's perspective it would avoid paying \$300,000 a year in a lease and I think from my conversations with, you know, Commissioner Anderson and DPW I think there'd be enough time to do those renovations once they were studied in enough time that would correspond with the end of that lease. And I know it's not as simple as taking the money from the Cohalan courtroom project to this, I'll leave that if you think that's appropriate I'll leave that to the Legislature, but that's, you know, the long range, you know, needs of the court that I wanted to just address with you in that it involved going, in my view, not going forward on a project that was previously allocated, I just wanted to take the opportunity to explain that to you and let you know what the long range plans were.

**CHAIRMAN SCHNEIDERMAN:**

Thank you, Judge. The views you're expressing, are they your own or are they the other judges as well that work in these buildings?

**JUDGE HENDRICKS:**

Well, I would say this, the responsibility in this regard lies with me as the District Administrative Judge --

**CHAIRMAN SCHNEIDERMAN:**

Okay.

**JUDGE HENDRICKS:**

-- for the County with respect to specifically the benefits, the pluses and minuses of the street arraignment part courtroom in Central Islip, I would just say there's a significantly split opinion on the merits of it going forward and I would say in seriousness if we're going to going forward on a capital project I think should be one that the utility of it is clear to everyone and right now in our present situation, you know, that courtroom would not include a chambers, it's not it -- it would be to use for arrangements only, it would impinge on the Commissioner of Jurors, you know, to be blunt is not, you know, in favor of it. The security chief given our present status, is not in favor of it.

As far as that aspect of things and the other judges, you know, I would say that the reason it was designed initially was to avoid some crowding in some of the hallways so, you know, there is obviously there's plusses to it, it wouldn't of got this far, you know it's a weighing of the plusses and minuses. And I don't think -- right now I think the courts would be better served by putting that money into other projects. And with respect to bringing Family Court into the Criminal Courts Building, I think that's something that I haven't heard any dissent in that regard, the idea of consolidating, you know, consolidating those operations gives a, you know, it's beneficial to the courts, it takes away the leased space and I don't see that if the money was allocated and that could be done I don't see a downside to that aspect of the --

**CHAIRMAN SCHNEIDERMAN:**

Judge, you said you did meet with DPW to discuss your feelings about this capital project?

**JUDGE HENDRICKS:**

Yes, I did. I had a very productive meeting with, you know, Commissioner Anderson, you know, Architect, Keith Larsen, who is, you know, very productive meeting in that regards and I am aware that this is now the time that the money has been previously allocated for the Cohalan, SA -- you know, the Street Arraignment Part Courtroom and, you know, Commissioner Anderson pointed that out to me, you know, after -- you know, the fact that it wasn't as easy to move the funds from this project to, you know, other projects, but I think, I don't want to speak for them, but I think they see the potential utility of moving the Family Court from the rented space to the, you know, the County owned building.

**CHAIRMAN SCHNEIDERMAN:**

Okay. So we're probably going -- this particular item is laid on our agenda. We're probably not going to get to it for at least an hour or maybe more.

**JUDGE HENDRICKS:**

Okay.

**CHAIRMAN SCHNEIDERMAN:**

I don't know if you have the time to stick around or not.

**JUDGE HENDRICKS:**

If you'll like me to stick around, I'm happy to stick around. Obviously the long-range planning of the courts is, you know, an important matter.

**CHAIRMAN SCHNEIDERMAN:**

All right. What I'll do is if you want I'll take it out of order. The question is, let's finish the public portion then and the presentation will be about ten minutes and then we'll take it as the first item so that will put it about 15, 20 minutes from now, if that's okay.

**JUDGE HENDRICKS:**

I'm here at your pleasure. I'm -- thank you very much for the opportunity.

**CHAIRMAN SCHNEIDERMAN:**

I appreciate that. Thanks for taking the time out of your day, Judge. Okay.

**JUDGE HENDRICKS:**

Thank you.

**CHAIRMAN SCHNEIDERMAN:**

All right. So, I'll call Mr. Caputo again. Is he back in the room? I was told he returned. No? All right, we'll go on. All right.

How about Keith Botts? Speaking on C.R. 111, which I think is going to be the subject of our presentation later as well. Mr. Botts, you have three minutes.

**MR. BOTTS:**

Okay. I'm here, I know there's another presentation for Route 111, I'm here in particular to -- for the neighbors on Halsey Manor Road in Manorville. A lot of people couldn't be here today. But I'm here to represent them and tell you about the importance of activating the traffic light at Halsey Manor Road and County Road 111.

I've been there for 18 years, I've witnessed numerous accidents there. Recently there was a head-on collision right near that intersection, this is, you know, that's the gateway to the Hamptons,

of course, and then we have a lot of traffic especially in the summer.

That particular intersection is a -- there's a dip coming from my road and people are doing, you know, easily 80 miles an hour from the Hamptons coming home especially on Sundays and it's nearly impossible to cross that intersection either make a left or go straight without taking your life in your own hands. And I'm dead serious about this and I know a lot of other people feel same way.

I know -- someone's tried -- we've tried to get a traffic light there for years and now that there's -- the fire house actually put the traffic light there it would take nothing to activate it, everything is in place. The light would make people aware of the intersection. It would slow traffic down on 111. I know there's a -- you need, I'm told you need a certain amount of traffic on Halsey Manor Road for them to activate that light, but it's ridiculous. There's hundreds of families that live in that area and anybody going out of that road takes their life in their own hands. There's plenty of traffic on County Road 111 that affect these -- at least hundreds of families trying to get to and from their homes every day.

I don't know what else it would take. I don't know if we need another family to lose loved ones on County Road 111 or I just wish that someone would use some common sense and look at this intersection along with many other points on 111 and do what we need to do for public safety. Experienced drivers have a very difficult time crossing that road, I can't imagine my daughter driving in two years trying to cross that road.

I just -- it's a serious issue that a -- it's very close to my heart because I worry about everybody crossing that intersection. I hope you take a serious look at this and please, please activate that light, Halsey Manor Road and County Road 111.

**CHAIRMAN SCHNEIDERMAN:**

Thank you, sir.

Next up is Patricia Lenehan.

**MS. LENEHAN:**

Good afternoon, everybody. Have a wonderful holiday coming up, all of you.

I wasn't going to really talk today, I came mainly to listen, but again, I waited for the bus at the Smithhaven Mall because I wanted to go to the Labor Department today being that I was going to be in this area to see about job training. The 11:30 bus either left at 11:20, okay, and I had to wait for 12:30 bus to get here so I wasn't able to go over to the Labor Department. So here we are. However, the 60 has been running better in the morning and I thank all of you because it's, you know, it might be five, ten minutes late but it's going, getting to the mall and I really think you had a lot to do with it.

I'm being questioned by a lot of our senior citizens, they're scared about losing their bus service especially the 56 and the 57 because rumors are around about the combining of the, you know, different buses and they're getting really upset because they really need the buses and I'm just curious as to when we'll find out, you know, which areas are going to be affected.

And that's about it right now. I'm here to listen. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Thank you, Pat, and thanks for being our eyes and ears within the bus system.

**MS. LENEHAN:**

Seems like they do it when they know I'm on the bus. I'm kidding.

**CHAIRMAN SCHNEIDERMAN:**

Well, we talk a lot with the people who run the system, but its nice to hear from people who are using this system because you get a slightly different perspective.

**MS. LENEHAN:**

Yeah. Well, as I said, there's been a difference in Port Jefferson, okay, we are seeing a better morning service, you know -- great, because I do know you had something to do with it. Okay, thank you.

**CHAIRMAN SCHNEIDERMAN:**

Thank you, Pat. Karen Dunne.

**MS. DUNNE:**

Good afternoon. I'm also here to address the Halsey Manor issue. I'm here in my capacity as President of the Manorville Chamber of Commerce as also a member of the Eastport-South Manor school board for the past 15 years. And obviously safety, although as the Chamber Commerce, commerce is our issue and we want commerce in our district and it'll help all our taxes, but safety's our biggest priority.

I lived off Halsey manor Road for ten years and I moved to a different section of Manorville with one of the main reasons being I didn't want to have to cross that intersection. That was prior to the firehouse; obviously. The firehouse was put in recently and the light was put up and our hope and prayer is that you'll see fit to activate that light and make it fully functional. I've witnessed way too many people in accidents at that intersection and related local spots. Obviously today we're just here to address that particular intersection, but anything you can do to make it safer would be very much appreciated.

As Mr. Botts stated, there's -- school buses have to go through that intersection and for years it's been an issue because they have to cross it to get to other side and it's extremely dangerous. So Mr. Cohen is going to give a presentation in a little bit as part of our Safety Committee, which has the facts and figures regarding this issue. And I just hope that you'll do the right things for the residents of Manorville and the people passing through and taking their lives into their hands. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Thank you. The next speaker is Lynne Ross.

**MS. ROSS:**

Hello, I am a Manorville resident and I am here on behalf of the Manorville Chamber of Commerce Safety Committee in regards to Halsey Manor Road.

I've been a Manorville resident for over 20 years and I travel that road daily. And I have to say when I get to the Halsey Manor intersection I do take my life into my hands, my own hands. It is a dangerous, dangerous intersection. I've seen school buses try to cross there and turn and you sit and watch -- if you just sit there and watch you can see the danger as the cars are speeding down County Road 111. It really needs to become a fully functioning light.

I also have very many friends in that area all off of Halsey Manor Road and taking my daughters to visit their friends off of that road when you get to that intersection you cannot cross. I have sat there as long as 15, 20 minutes trying to dodge cars coming across the double lane highway. It is

very, very dangerous.

And we would appreciate any assistance that you could give us in helping to make this light a fully functioning tricolor light. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Thank you. I have one more card, Joshua Shinbrot. But I was waiting for Legislator Stern to be present to hear those comments. If you don't mind, Mr. Shinbrot, if we can hold off for a moment we'll do the presentation and then I will bring you forward. Is that okay? All right.

Was there -- first was there anyone else who wished to address the committee who hadn't filled out a yellow card. Ma'am if you want to step forward. What I'll ask you to do is identify yourself at the podium and then when you conclude your remarks if you could fill out the yellow card so we have you for our record.

**MS. CHARPIED:**

My name is Donna Charpied. I'm a resident of Manorville. My address is 394 County Road 111 in Manorville.

We moved out to Manorville 7 years ago moving from Nassau County right off of Hempstead Turnpike. I totally enjoy the atmosphere of Manorville. I like the ruralness of Manorville. I do support one hundred percent the requests of the residents of Manorville to place a traffic light at the corner of Halsey Manor Road and of County Road 111.

But I do like to add to the request that it would be on a basis of when a car comes to the intersection out of Halsey Manor to cross County Road that it triggers the light so that during the summer months when we do have thousands of cars going right alongside my driveway, that I do not hear the constant downgrading of the tractor trailers that are driving at enormous speeds to come to a stoplight. I do want the area to be safe. I have a child who stands at the edge of my driveway everyday to get on his school bus and I see numerous cars getting into possible car accidents because nobody recognizes the lights on the bus and they're going at exorbitant speeds over and above the 45 mile per hour speed limit that had been put into effect about five years ago, which was one wonderful.

I do agree, like I said, I want to support my fellow residents with the request of a light. All I'm asking is that maybe we could look at it for a trigger so that's it's not a consistent stop and go in front of my home where I smell the fumes and I tried to get away from the Hempstead Turnpike atmosphere. Thank you for your time.

**CHAIRMAN SCHNEIDERMAN:**

Is there anyone else who hasn't been heard and wishes to be heard other than Joshua Shinbrot, which we'll hear in a few minutes from. Okay.

Then let's go to the presentation. We have on our agenda a presentation from the Manorville Chamber of Commerce Traffic Study Committee. Jonathan Cohen is the Chair and we have a PowerPoint presentation, I believe. Jonathan, I'll turn it over to you.

**MR. COHEN:**

Thank you, sir. I'm not actually the Chair of the Committee. That was an error on the agenda, but thank you.

First of all, sir, I want to thank you for the opportunity to for us all to speak here today. As you can probably get a sense of from the other speakers this is an issue that is profoundly important to our

community and the ability for us to present this to you now is very important to us.

You know, every once in a while it takes a tragedy to open our eyes to something that's been right in front of us all along. And two months ago we watched this road rob a family of a mother and a brother. And that experience awakened a powerful activism that has inspired our community. And over these last two months we've seen Manorville embrace a vision for what we want our community to be and we have sent a message that the most important thing that we want our community to be is safe. Mr. Chairman, this is our community. Years ago when the decision was made for 111 to become this alternate route to the Hamptons, there wasn't much of a community to be impacted. As you can see now, along the 111 corridor there are developments and communities that are propping up all over. And 111 now is much more than just a gateway to Hamptons, 111 is our home and it's the home to thousands of families.

We got records from the Department of Public Works, the traffic studies that have been performed and we learned that in a single day on average there are 16,260 cars that travel on Route 111 daily. This report was done in an August -- in August two years ago, 16,260 cars every single day. That's an average of 677 cars every single hour every single day. For comparison there are only 14,314 people according to the last census living in Manorville so that's more people than live in our entire community that drive on this road everyday.

We requested from the Suffolk County Police Department a record of any motor vehicle accident that they have had to respond to as far as they could provide the records. And they were able to do so back to January of 2010. And in that time there were 170 accidents on County Road 111. That's an overwhelming number. The Department of Fire Rescue and Emergency Services was able to go back every farther. They gave us records dating back sick years of all of the accidents that resulted in injury to an occupant in one of those vehicles. And there were 80 accidents in that time that resulted in personal injury to someone, which represents an average of one serious accident on this roadway every single month. And then there's the people who died. In November of last year a 28 year-old woman was killed driving on this road. Just this passed September at the intersection of Halsey Manor Road and Route 111, which is the intersection that you'll be considering legislation on later today, another young woman was killed in an accident at that intersection. And then a month later the tragedy that brought most of us together to work on this again, a mother and her seven year-old son were killed crossing 111 from a residential intersection.

So we looked at all of this and the first thought that came to everyone's mind was we have to do something. What can we do? So we, on our own, the committee studied Route 111 and all of the intersections and came up with our recommendations for we believe needs to be done. So let's go for a drive. Bauer Avenue is the first intersection that you come to travelling on 111. What I will say is that in the last ten days Bauer Avenue has been transformed dramatically. We haven't had the opportunity to update the presentation, but for your perspective our concerns were that there was traffic turning left to go northbound on 111 off of Bauer Avenue at an uncontrolled intersection. And we did recommend to the County at our public meeting -- in addition to that we had concerns about visibility, that they make Bauer a right turn only and install medians to prevent vehicles from turning left. That has since been accomplished, the configuration of which has been the source of some concern, but there have been changes at that intersection that you should be aware of.

What you're seeing here is driving southbound on Route 111 towards Chapman Boulevard. You can see the car crossing in front of you, they're turning out of our 7-Eleven. They do this every day. It's no coincidence that we caught this on video. They're about 25 feet from a controlled intersection, but yet they turn in front of cars out of that entranceway and I got to tell you I'm as addicted to coffee as anybody else but I don't think so it's worth my life pulling out of there.

Other concerns at Chapman Avenue when you're sitting at the intersection is there's a large sign and

some landscaping that was put up to make that intersection more attractive when they developed it but it does prevent you if you're turning right onto 111 to go southbound from seeing to the north as well as you would need to if you're going to make a right turn on red. You can tell what the gas prices are but you can't necessarily see what's coming at you.

So we are recommending to Suffolk County and to the Department of Public Works and to you that Chapman Boulevard and 111 be limited to where you cannot make a right turn on red. The visibility makes doing so extremely dangerous and we would ask that the medians, which have now been constructed at Bauer, be continued to prevent vehicles from being able to do what you just saw in the video and turning left across the highway, which could result in a life threatening right angle accident.

The next intersection that you come to is the Halsey Manor intersection at Route 111. This is what it looks like when you want to turn left at this intersection. You have to cross two lanes of southbound traffic and a lot of trucks that look like that. And if you can somehow navigate it to get across then you've got traffic coming at you from the other side and you have to stop in the middle of the roadway and wait for that traffic to pass. It's completely uncontrolled. The traffic down the highway is going in excess of 60, 70 miles an hour and they can't see you until you're in the intersection. So it's entirely on the driver to determine whether or not it's safe. This intersection ever since the fire department was built now has a flashing red light and it is the intersection that you're going to be considering legislation on later today.

In order to -- if you were to activate that traffic light and make it a full functional traffic signal, the infrastructure's already in place, I understand that there's concerns about warrants; I have concerns about lives. And you -- I can guarantee you that if make this a fully functional traffic light you will save lives because it is only a matter of time before somebody trying to turn and cross that highway gets killed doing so. Somebody died at that intersection already and it's going to happen again. So we strongly, strongly in as powerful language as we can encourage the committee to consider activating this traffic light.

The next intersection that you come to is Ocean View Drive. This is, if you had followed in the news, the intersection that had the fatal accident involving the Trinca family a short time ago. The light turns green but it only stays green for seven seconds. And we sat there with a video camera and watched it a number of times to see if this might of just been the one time, if it had something to do with the sensor and every time it turned green it stayed green for seven seconds and then it changed again. I am not aware of the determining factors that caused the Trinca accident, but I can tell you that in turning at that intersection; that's not enough time.

In addition, this is what it looks like when you do turn left. Your light turns green and you look to the left to make sure nobody's running the light and this is what you see. I don't know what that is, but it's in my way. So you can't see if there are cars coming southbound so if they don't realize their light turned red, if they've blinded by sun glare, they don't see you coming, you can't see them until you're in this intersection.

Our recommendation to Suffolk County and to the Department of Public Works would be that we extend the duration of the green light at that intersection and relocate whatever those electrical fixtures are so that we can open up the sight lines at that intersection, allow the traffic coming southbound to see the cars that are at the light and allow that cars that are at the light to see the cars coming because if someone's coming to run the light southbound and I can see them coming, I just won't go. But if I don't know they're coming then you're taking your life in your hands.

And the last intersection that you come to is called Gordon Street. There is no light. There is no stop sign -- there is a stop sign crossing 111, but you have no other protections. You're crossing

this roadway and that guy almost hit me. You're crossing this roadway hoping for the best. And I have to tell you that every time we've done this we hold our breath. And it's the same problem as the Halsey Manor intersection; you can get across the one side and then the northbound traffic's coming at you and they're going so fast that by the time they see you they can't stop or change lanes or do much to help you.

We would ask that the Department consider placing a traffic light at that intersection and widen the sight lines, push back some of the trees. Again, so that the traffic driving on 111 can see the cars at the intersection so that we can see them.

Aside from the intersections there's other traffic calming measures that we believe would benefit us. We would ask the County to consider placing one or more red light cameras at intersections along the roadway. I think at this point they've been proven to increase compliance and reduce the speed of the traffic. I know that, you know, "as soon as I see that light flash I know I better stop."

The County also placed a temporary driver feedback speed sign on 111 and every single resident that I have spoken to has said that that made a difference that they have seen traffic slow down. So we would ask if there's a possibility of a permanent sign, similar to what we see in school zones being placed on that road.

The Suffolk County Police Department's done an amazing job in stepping up their presence but we need to do more. In one month when they focused on Route 111, I believe they issued some 300 to 400 violations in the course of one month. We need to focus on this. It's a safety issue. And potentially putting up some kind of a sign similar to what you see on Ocean Parkway about how many deer have been hit, something that says "on this roadway, this is how many accidents there have been -- there have been fatalities on this roadway, please drive safely, please be careful."

And the final point that I leave you with is that even with all the recommendations that we have made the largest contributor to the danger on this roadway is the volume of traffic. In the summertime, you know, all of the signs on the Long Island Expressway say "alternate route to the Hamptons; exit 70." That's great, that's also how we go home. So I don't think that it's possible even if you consider all of the things that we are recommending and even if you were to be able to consider some part of all of them to address the safety issues on this road without addressing some plan to mediate the traffic volume on this road. We as a committee don't have an answer to that. There have been suggestions posed everything from looking at other north/south roadways in the County whether it be Nicolls Road or Route 24 and seeing whether we can, you know, they can accommodate some of that volume. But you're not going to be able to make this road safer unless you look at that issue as well.

And at our public meeting we told our community and it's been a quote that's inspired us in this process, I will leave you with this thought: "Never doubt that a small group of thoughtful committed citizens can change the world. Indeed it is the only thing that ever has." And, Mr. Chairman, that is what we're trying to do and I hope that you'll help us.

**CHAIRMAN SCHNEIDERMAN:**

I appreciate your presentation, John, we will be discussing this later. So you're welcome to stick around it's going to come up pretty soon in the agenda. And is Legislator Stern present yet? Five minutes more. All right.

So why don't we go to the agenda. Why don't we take --

**LEG. ROMAINE:**

Mr. Chairman?

**CHAIRMAN SCHNEIDERMAN:**

Why don't we take --

**LEG. ROMAINE:**

I know I'm not a member of this committee but since we have several people here from Manorville would it be inappropriate to take IR 1916 out of order?

**CHAIRMAN SCHNEIDERMAN:**

I'd actually would like to take the capital project that the Judge spoke of out of order first and then we'll take this issue out of order. All right.

**2135, Appropriating funds in connection with renovations to Cohalan Court Complex (CP 1125). (Pres. Off.)**

So a motion by Legislator Barraga to take 2135 out of order, seconded by Legislator Horsley. All in favor? Opposed? Abstentions? All right. 2135 is before us. Commissioner, thank you for stepping forward. I know you had an opportunity to hear what Judge Hendricks had to say about this one particular capital project. Can you comment on this whether it makes sense to move forward with this capital project.

**COMMISSIONER ANDERSON:**

First off, to confirm that we did sit down and meet with the Judge regarding this matter. The recommendation specific to being able to end a lease and consolidate the services made a lot of sense to us. You know, we spoke about taking and -- the complexity of trying to use existing fundings for other purposes, but it's not insurmountable. Jim could probably speak a little more on that.

**MR. PETERMAN:**

There's two separate issues before you. Judge Hendricks mentioned that there was \$1.7 million appropriated to Cohalan already. Basically in a nutshell, we want to keep \$500,000 there to do some necessary work and the \$1.2 million that was going to be used for a separate courtroom, I think it was called SAP, would be somehow transferred to 1124 also for work to be done in Riverhead. That's outside the bill that's before you today. That's a separate issue that we'll have to, you know, attend to maybe in January. I don't know the proper terminology but de-appropriating some funds that were originally for Cohalan and shift them to Riverhead.

**CHAIRMAN SCHNEIDERMAN:**

Mr. Presiding Officer.

**P.O. LINDSAY:**

Yeah, fellas, you know, I think we're all on the same page. We don't want to build a courtroom that the judges don't want. The question is how do we do that? I mean, the bill before us would appropriate the money to move forward with the project. Do we at this time reject this resolution and let the appropriation die and then handle it in the '13 budget?

**MR. PETERMAN:**

Did the appropriate -- there's an offset resolution that I thought might be on the table today that we had just drafted in the last few days. It was taking the 1125 money, I think it was \$440,000 and putting it into 1124.

**P.O. LINDSAY:**

Okay. But that isn't in 2135. Right?

**MS. VIZZINI:**

It is.

**P.O. LINDSAY:**

It is.

**MS. VIZZINI:**

2135 would appropriate \$40,000 in planning and \$400,000 for Riverhead.

**P.O. LINDSAY:**

Okay. So it does what we want to do.

**MS. VIZZINI:**

It does.

**P.O. LINDSAY:**

And I'm the sponsor so that was brilliant.

**MS. VIZZINI:**

You are and you are.

**P.O. LINDSAY:**

Okay. So we have to pass 2135 to accomplish what we want to do.

**MR. PETERMAN:**

That's correct.

**P.O. LINDSAY:**

Okay, thanks.

**CHAIRMAN SCHNEIDERMAN:**

I'm still a little bit confused. So we need to pass 2135 it puts the money in place but then later we're going to be moving some of the money about? Is that --

**MR. PETERMAN:**

No that's -- that \$1.7 million, we want to move 1.2 million to Riverhead, that's already appropriated. That's not before this committee today. That's something we're going to have to --

**CHAIRMAN SCHNEIDERMAN:**

So but to address the Judge's concerns does this do it? Or by passing it or by not passing it?

**MR. PETERMAN:**

No, this is line with what Judge Hendricks is requesting.

**CHAIRMAN SCHNEIDERMAN:**

To pass it.

**MR. PETERMAN:**

Yes.

**MS. VIZZINI:**

This is a necessary first step.

**CHAIRMAN SCHNEIDERMAN:**

Does that mean it's been modified? Yes? From the original.

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN SCHNEIDERMAN:**

Okay. To reflect the Judge's concerns.

**COMMISSIONER ANDERSON:**

Yes.

**CHAIRMAN SCHNEIDERMAN:**

Okay. All right. Mr. Presiding Officer, you want to make a motion to approve?

**P.O. LINDSAY:**

Absolutely.

**CHAIRMAN SCHNEIDERMAN:**

All right. We have a motion to approve, second by Legislator Stern. Any discussion? All in favor? Opposed? Abstentions? **APPROVED**  
**(VOTE: 6-0-0-0)**

Before we go to the Manorville resolution, Legislator Stern is present so I'd like to bring up the one speaker I didn't call before, Joshua Shinbrot to make a three minute or less presentation on a traffic light in Half Hollow Hills.

**MR. SHINBROT:**

Hi, my name is Josh Shinbrot. Can everybody hear me? Good, all right. I am a Student Government Chairman at Half Hollow Hills East. I represent the 1700 students there and their families as well as the other members of the Half Hollow Hills community.

I am speaking today in regards to a petition to install a traffic light at the intersection between Vanderbilt Parkway, which is a County road and Farmview Drive. This road is a major issue. There is very little traffic enforcement on it. It has really become a thoroughfare. People speed down it like crazy and there's no regulation at all. I drive this road every day and never once have I even seen a school zone sign.

Just to give you a brief background on this petition, it was started back in February after an accident occurred on January 18th of 2011 where a high school East alumni, who just happened to be dropping her sister off, who happens to be in my grade at school, left and was in a motor vehicle accident, which left her with permanent brain damage.

Just on November 30th, 2011, I was sitting in my English class, last period of the day, and all of sudden I see a helicopter landing on the track at high school East. It turned out a student, a fellow senior, was hit on Vanderbilt Parkway in a hit-and-run accident. The student's a wrestler, his leg is severely damaged, nobody knows whether or not this student's going to be able to wrestle again. He's undergone at least one surgery at this point.

So we have had two severe accidents. After this accident on November 30th, that afternoon I digitized the petition that I had initially started and we have currently obtained 739 signatures on

this petition. I have a copy of it, which I would like to present to Commissioner Anderson. But basically as they mentioned in the Manorville presentation a little bit earlier, you know, how many more people need to be injured? I don't want to have to come back here and do something like we've just seen with the Manorville presentation, I don't want to have to come back and show a PowerPoint and talk about people that have been killed.

Hopefully this problem will be addressed. It's been a problem for many years and I thank you all for your time.

**CHAIRMAN SCHNEIDERMAN:**

Thank you, Mr. Shinbrot. Very impressive for a -- you're a senior at Half Hollow Hills?

Legislator Stern.

**LEG. STERN:**

Thank you, Mr. Chairman. I just wanted to say thank you for being here today and we look forward to working with you, with our community, with our commissioner and chief engineer of our Department of Public Works and we look forward to speaking with you.

**MR. SHINBROT:**

Thank you very much, Legislator.

**CHAIRMAN SCHNEIDERMAN:**

Why don't we just take a moment while you're up just to explain -- thank you for bringing it to our attention. Typically we do request that the Department of Public Works will take a look at the intersection, they do traffic counts, they look at the history of accidents in the area and other factors and then they make a determination whether it raises to the level in their minds of warranting a traffic light. Traffic lights; there are pros and cons. They're typically, you know, good for safety. They do slow traffic down. Could be a good thing. They are costly. But in some cases they do make sense and it's something that the Department of Public Works will analyze. So your Legislator, Legislator Stern, I'm sure he's going to make that formal request to the Department of Public Works. Correct? Okay. Thank you.

**LEG. STERN:**

Yes. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Traffic lights seem to be the order of business today. Let's go to Manorville. Legislator Romaine, what's the number on that?

**LEG. ROMAINE:**

The number is 1916.

**CHAIRMAN SCHNEIDERMAN:**

1916, under it's Tabled Resolutions.

**LEG. ROMAINE:**

With your permission at some point, I will make a very short statement.

**CHAIRMAN SCHNEIDERMAN:**

All right. And I will make a motion to take 1916 out of order, it's under Tabled Resolutions, seconded by Legislator Muratore. All those in favor? Opposed? Abstentions?

**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)**, is now before us.

Before debating anything -- there is a motion to approve by Legislator Muratore, is there a second? I will make a second to the motion to approve, and I'll defer for a moment to Legislator Romaine who is not on the committee, but wishes to be heard for a brief statement.

**LEG. ROMAINE:**

I came today, first of all, to thank the residents of Manorville and the Chamber of the Commerce, the ladies in the audience, and certainly, Jonathan for his presentation, the lady that lives on 111 as well. Clearly, this is something that is needed. As you may know, two years ago, I tried to get this light for the fire -- when the firehouse was being built right on 111 and Halsey Manor Road. At that time, the Legislature saw fit to approve a blinking light. This light could be fully signalized. I believe it's part of an overall plan. And I agree with just about every recommendation the Chamber has made. I may have some concerns about Bauer Avenue, which I'll talk about. I think some of the residents on that street have some concerns.

But essentially, they put forward a very comprehensive plan. They spent a lot of time. They live off this road. This is, like, the major Main Street of Manorville. Unfortunately, it is the bypass to the Hamptons, and it's carrying well over 60,000 vehicle -- what was the number, was 8000 vehicles? Sixteen thousand vehicles a day. This light would help dramatically. People have great difficulty going from one side of the road to the other, whether they're turning north or even making a right turn to turn south at these intersections, because of the rate and speed of traffic light. The posted speed limit is 55. I dare say, particularly where there aren't signals involved, there are stretches of that road where 70, 75 is more likely the order of the day.

This would allow people on one side of Halsey Manor to cross to the other side or proceed north or south without danger of life and limb. I know I will be working with the Department of Public Works. I see our Chief Engineer is here who was privy to this presentation at a meeting that we had at the Eastport-South Manor High School in which, I would say we had about 200 people attending. And they talked about the safety of this road. This is critical to this community. I would urge my colleagues, please, please, vote to allow this light to be fully signalized. It will help traffic safety. And it's one of many components that we will be working on over the next few weeks to improve safety on this road. Your support, I would deeply appreciate. And I want to thank the people of Manorville for coming down, for putting the time, effort and energy into this and particularly Jonathan, for making the presentation today. Thank you again.

**CHAIRMAN SCHNEIDERMAN:**

Thank you, Legislator Romaine. I'd like to go next to the Department of Public Works, because they have quite a bit of familiarity with this intersection and they have their traffic engineers. So, Commissioner Anderson, you have comments for us, I'm sure.

**COMMISSIONER ANDERSON:**

First off, I wanted to say to the gentleman who did this presentation it was well done, he put a lot of effort into it. You know, Bill was -- Bill Hillman, Chief Engineer, was at the meeting with the local residents when this was presented. I would ask if we can get a copy of it, if we haven't already.

While I understand the emotion and the concern with this entire stretch, we are, as I've stated in past meetings here, we are studying this corridor from the Expressway down to CR 51. This is a little premature. And while certainly, to a certain extent, common sense says we should just activate this, we cannot, under New York State Law, activate any signal without having done a study first. I mean, obviously, Legislator Romaine is on top of this, and he will make sure that we follow through with this. We expect to have a meeting with the safety committee in January or February, and it will be followed up with the public, you know, the next month or so with our recommendations

for the improvements through the entire corridor.

You know, at this point, I would ask that this be tabled. Again, I understand and I sympathize with the -- you know, everybody's concerns, but without us being able to complete our study, we cannot authorize, you know, the installing or the activation of this signal.

**CHAIRMAN SCHNEIDERMAN:**

So Gil, Commissioner Anderson, even if we passed it, you couldn't do it? You're not authorized by law?

**COMMISSIONER ANDERSON:**

Correct. Not without completing the study, yes.

**CHAIRMAN SCHNEIDERMAN:**

This basically would be -- passing this would be basically telling you to do a study that you are already doing --

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN SCHNEIDERMAN:**

-- because you can't activate the light without a study without breaking the law.

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN SCHNEIDERMAN:**

Okay. And what is your timeframe?

**COMMISSIONER ANDERSON:**

Again, by March-April, we should be back to the community with recommendations along the entire corridor.

**CHAIRMAN SCHNEIDERMAN:**

Can you speak a little bit to -- somebody who spoke talked about a triggered light. I drive this almost everyday. I usually don't see traffic on Halsey. There's a lot of traffic moving on CR 111. And I could certainly understand anybody who was on Halsey would have a difficult time, particularly making a left at that point with all the traffic moving very quickly. I would hate to see a bottleneck formed by a traditional light that was on a timed-cycle, that every, you know, four minutes went red and backed up with all those heavy equipment trucks that take forever to get started again. We'd have traffic backed all the way up to the Expressway if we did that. Can you talk a little bit about putting in a pressure-activated light?

**COMMISSIONER ANDERSON:**

A time-sensitive light.

**CHAIRMAN SCHNEIDERMAN:**

Not a time-sensitive light. It would only go off if there was weight.

**COMMISSIONER ANDERSON:**

Loop detectors. We would put in loop detectors.

**CHAIRMAN SCHNEIDERMAN:**

You would.

**COMMISSIONER ANDERSON:**

We would obviously, yeah, it wouldn't be just something that automatically comes on every three or four minutes.

**CHAIRMAN SCHNEIDERMAN:**

So it would only go red on 111 if there was somebody cued there, right.

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN SCHNEIDERMAN:**

And it wouldn't go immediately, it would probably go for --

**COMMISSIONER ANDERSON:**

Again, without seeing the analysis and letting our engineers, you know, look at it, I couldn't tell you how long. It certainly wouldn't be like some of the ones I sat through in Florida. But, you know, it --

**CHAIRMAN SCHNEIDERMAN:**

Let's say somebody came up and they triggered it. It would go red on 111, they'd pull out, but if 30 seconds later somebody else comes up Halsey Manor Road, it wouldn't necessarily go red again immediately, it would wait. Right? Is that how they work?

**COMMISSIONER ANDERSON:**

Generally, yes.

**CHAIRMAN SCHNEIDERMAN:**

I see Jim is nodding too, so yeah, and Bill. Okay. So is that something that is part of your study in terms of --

**COMMISSIONER ANDERSON:**

It's what we would look at for consideration of the alternates.

**CHAIRMAN SCHNEIDERMAN:**

Obviously, there's engineering involved with it.

**COMMISSIONER ANDERSON:**

Yeah. We would look at all of the alternates, you know, for each of the intersections, certainly the type of signal and the timing of the signal would be something, you know, we would analyze after we receive all the, you know, the traffic data.

**CHAIRMAN SCHNEIDERMAN:**

In the budget, do you have the budget money to do the -- what is it, an induction loop or something?

**COMMISSIONER ANDERSON:**

Yeah, we have it under 3301, I believe is that we would do. But I'll defer this one to Bill.

**CHAIRMAN SCHNEIDERMAN:**

So there's money in the budget that -- Bill, can you answer that?

**MR. HILLMAN:**

It wouldn't be a large cost to convert this to a three color if the report shows it's warranted and we do have sufficient funds in our ongoing --

**CHAIRMAN SCHNEIDERMAN:**

To put that pressure loop -- what's the name of that?

**MR. HILLMAN:**

Yeah. The loop detector.

**CHAIRMAN SCHNEIDERMAN:**

Loop detector.

**MR. HILLMAN:**

It wouldn't be a problem. We could handle this without any additional funds.

**CHAIRMAN SCHNEIDERMAN:**

Okay. Somebody else had mentioned something about a red light camera too. I don't think for this intersection.

**COMMISSIONER ANDERSON:**

Again, right now, the only lights we have situated are situated at State-controlled intersections. So we would have to --

**CHAIRMAN SCHNEIDERMAN:**

So the Expressway, that would be a State intersection, right?

**COMMISSIONER ANDERSON:**

At that point, if we put it up there, yes.

**CHAIRMAN SCHNEIDERMAN:**

That would be the logical spot to put it in.

**COMMISSIONER ANDERSON:**

One of them. We would have to study -- again, there's another thing that each intersection where we place the red light cameras is studied to see the type of accidents that occur. You know, again, generally, we put in red light cameras to reduce the amount of right-angle accidents.

**CHAIRMAN SCHNEIDERMAN:**

If we are going to do this the right way, skipping the red light camera, that's a separate issue. But if we're going to convert the light at Halsey Manor Road to a traditional red light triggered by time pressure, the way for that to move forward and the timeframe for that to move forward is you'd like to complete your study. How long do you need for that?

**COMMISSIONER ANDERSON:**

By the time we come back to the public in March or April, we should have our -- our study's completed. We'll be coming to them with our recommendations to get input, to make sure, you know, that they're on board with our recommendations.

**CHAIRMAN SCHNEIDERMAN:**

It seems to me that there's an awful lot of traffic in March and April running up to Memorial Day. Is there any way we can get that to happen a little faster?

**COMMISSIONER ANDERSON:**

Not really. Again, the studying takes time. And it's -- you know, we'll do everything we can. I can guarantee you that. We certainly understand the gravity of this. And, you know, we will do everything within our power to move it forward as quickly as we can.

**CHAIRMAN SCHNEIDERMAN:**

Once your study is completed, what's your next step? The funding is in place, so would you need a resolution from this body?

**COMMISSIONER ANDERSON:**

No. We can cut a work order. In this specific case, you know, if the study shows that the activation of the signal is warranted and, you know, the community obviously is on board with it, it's just a matter of us cutting a work order to our contractor who does that work.

**CHAIRMAN SCHNEIDERMAN:**

So the light potentially could be activated by, what, Memorial Day?

**COMMISSIONER ANDERSON:**

Before Memorial Day.

**CHAIRMAN SCHNEIDERMAN:**

Before Memorial Day.

**COMMISSIONER ANDERSON:**

Yes.

**CHAIRMAN SCHNEIDERMAN:**

And if we were to pass this resolution today, does that change anything for you?

**COMMISSIONER ANDERSON:**

There doesn't appear to be any date that it has to be completed by. My concern is, again, traffic signals -- and you even stated it earlier, you know, there are pros and cons, you know, and we'd have to look at that. I'm hesitant to say -- you know, as much as I'd like to, I really wouldn't want to pass this until we have the chance to study it.

**CHAIRMAN SCHNEIDERMAN:**

So what would happen if we pass this and then your study concludes it's not necessary, then what happens?

**COMMISSIONER ANDERSON:**

Then we have to come back to the committee or have to submit legislation to undo it.

**CHAIRMAN SCHNEIDERMAN:**

Okay. Bill, did you want to add something, then I'm going to go to Legislator Barraga.

**MR. HILLMAN:**

Yeah, I just want to caution the committee that installing a single-traffic signal at Halsey Manor is one option. We have recently, as Legislator Romaine indicated, several years ago, we studied it and at that time, it was unwarranted. We do have numerous concepts on how to improve safety on the roadway. They may be as simple -- once we study it again, again, we are not going to let the past dictate what we decide right now. If a traffic signal is warranted at Halsey Manor, we would be more than happy to install one or modify the existing signal. I caution you that may or may not

happen.

If it's not warranted, again, the department has numerous options that we can identify to improve safety, not as simple as just modifying the signal, but definitely will improve safety. So, again, we need to do -- as the Commissioner has indicated, we need to run the course, do the study, identify the different options available to us and, you know, move forward with the appropriate option.

**COMMISSIONER ANDERSON:**

I'm not trying to pass the buck here in any way, but the main -- enforcement is really the answer to the speeding, to the reckless driving. We can't, as much as we want to, engineer bad driving. And while, certainly as Bill has said, we will look at this, you know, I do caution you on moving forward with this.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Barraga.

**LEG. BARRAGA:**

I mean I don't represent this particular area, but, you know, I have similar situations in West Islip where the citizens of a given area would like something done, and they want it done immediately, because either someone has been seriously injured or they've been killed. They really don't want to hear about any more studies, you know, when you have deaths. All right.

Now, the question is, say we pass this legislation, what's the worst case scenario, you come back to us later on and tell us that in your opinion, it doesn't warrant a light? But least, in the interim, it's a fully-conducted traffic light. It's operating the way it's supposed to be and in line pretty much with what the people want. I mean, I would think that from what I'm seeing here, there must have been some sort of feasibility study done originally before the light was installed. All this really involves is just clicking it and making it work like a regular light.

**APPLAUSE**

I understand your position; you know, you want to take a look at the whole strip and everything else. But, you know, these residents are demanding that we do something and do it now. So, again, let's say we pass the legislation, what's the downside? You come in in a couple of months and tell us that, you know, it's not warranted and then we make decisions as elected officials as to whether or not we want to continue to have the light there. I'd ask my colleagues to approve it out of committee, move it along. It's obvious there's a need. I don't live there, but Mr. Romaine is well versed, there's a long history associated with this, and just the very fact that these people come here at one o'clock in the afternoon in the middle of the week, we don't see that too often, to appear before this committee. They want something done and they want it done now.

**MR. HILLMAN:**

I and I'm sure Commissioner Anderson and Chief Deputy Commissioner Peterman understand that. However, there's two major issues; first, Vehicle and Traffic Law prohibits that. A traffic study must, not can, may, must be completed prior to the installation of a traffic signal.

**LEG. BARRAGA:**

I have a situation, again, in West Islip where there's a meeting this week concerning a similar situation. There's nothing there right now, not like we have here at this location. And I've gotten the commitment from the State of New York to do a study in three weeks, done. Now, if they can do it in three weeks, can you do it three weeks on that particular location, Halsey Manor Road.

**MR. HILLMAN:**

We can do that, yes, we can.

**LEG. BARRAGA:**

Okay.

**MR. HILLMAN:**

Again, we did it two years ago, it did not meet warrants.

**LEG. BARRAGA:**

I know you're talking about the whole strip, three or four -- you know, two or three weeks, can you get it done?

**MR. HILLMAN:**

For that location, yes, we can.

**LEG. BARRAGA:**

Okay. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Barraga, understand that in three weeks, they might get it done, but they may conclude that it doesn't rise to the level of a traffic signal. So it may not satisfy the community who feels very strongly that there needs to be a traffic signal.

**LEG. BARRAGA:**

Certainly, they're entitled to their conclusion, and they're professionals. By the same token, as elected officials, we have to take a look at the whole thing in a macro sense in terms of what the people in the area want.

**CHAIRMAN SCHNEIDERMAN:**

So the question becomes this. Let's say, Mr. Hillman, you do your study and it doesn't rise to that level, but we still want a traffic light there. This came up once before with Lowe's. If you remember, you felt this was not a good spot for a traffic light and we insisted it was, and we overrode you on that one. So in a situation like this where, let's say, hypothetically you conclude it doesn't meet the guidelines for a traffic light, we still want it, you have a study that says it's not needed, can, at that point, you still move forward without violating the Traffic Law in terms of activating that light?

**COMMISSIONER ANDERSON:**

As Commissioner of Public Works, I also serve at the former title, which is the Superintendent of Highways for the County of Suffolk. If there is determined during Public Safety -- that there is public safety concern by installing the light, certainly, I would come back to this committee and make that statement on the public record.

Beyond that, if there is -- again, it all comes back to what the statement or what the finding of the study is. There doesn't appear to be anything here that gives us a timeframe on when we have to have it completed or have it signalized or turn the thing on, activate it, whatever you want to call it. I understand the need, you know, you need to show support for the community and push this thing forward. If it doesn't -- if you push this forward and we have a problem with it after the traffic study, I will, obviously, be meeting with you next year, and we will discuss it further and take it from there.

**LEG. BARRAGA:**

But going back again, if this study can be done in two or three weeks -

**COMMISSIONER ANDERSON:**

Yes.

**LEG. BARRAGA:**

-- and the study indicates that, you know, this fully-operating light has to go in, there really is no problem.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. BARRAGA:**

All right. But frankly, even if you think otherwise, you know, we're the Legislature, we can go ahead and pass it anyway. I mean, you know, with all due respect to you, I mean, we're going to do what we want to do.

**COMMISSIONER ANDERSON:**

I understand that.

**LEG. BARRAGA:**

Okay.

**CHAIRMAN SCHNEIDERMAN:**

And there's nothing in the law that prevents you from putting a light in a spot where you've studied it and it's determined it wasn't necessary. That's kind of what I'm getting at.

**COMMISSIONER ANDERSON:**

Again, as long as there's no public safety issue, you know --

**CHAIRMAN SCHNEIDERMAN:**

You can move forward. But you have to do the study first.

**COMMISSIONER ANDERSON:**

According to New York State, I believe it's Vehicle and Traffic Law, it is the Superintendent of Highways who is the deciding factor on this. Now, you can direct me to do it, and then -- look, I don't think it needs to get to that point. Let us study it, and then we'll be back --

**CHAIRMAN SCHNEIDERMAN:**

You are asking as Superintendent of Highways for three weeks, right? Rather than studying all of County Road 111, just --

**COMMISSIONER ANDERSON:**

Yes. Yes, we'll study the one location.

**CHAIRMAN SCHNEIDERMAN:**

This one spot.

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN SCHNEIDERMAN:**

That you'll speed that up and have an answer for us within three weeks. So the beginning of next year.

**COMMISSIONER ANDERSON:**

Next month, yes.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Horsley.

**LEG. HORSLEY:**

Gil, I just have a quick question concerning the timing of this. I know you're going to be doing this after -- the dead of winter. And it appears that the traffic increases considerably during the summer months. How do you reflect that in your report and your decision making?

**MR. HILLMAN:**

Very good point. I don't have an answer for you quite yet. You're absolutely right, I mean, to collect the appropriate traffic data, you might have to do it during the summer. So I'll go back to my traffic engineers and we'll discuss it.

**CHAIRMAN SCHNEIDERMAN:**

You don't have counts from last year?

**MR. HILLMAN:**

We have counts from two years ago, which we used to indicate that it did not meet warrants, and we would want to update those and see if anything has changed. Quite honestly, I don't think anything has changed, but to do our due diligence, that's what we should be doing. So I don't know how we would address that. I may be -- actually I should take back what I said, to complete it in two or three weeks, in a normal intersection that does not have seasonal peaks, yes, we could do that. Unfortunately, this one has seasonal peaks. We may not be able to do it, I'm not sure.

**CHAIRMAN SCHNEIDERMAN:**

It sounds like if we waited three weeks, we're not going to get anything new. You're only going to be basing your information on the data you had when you did this two years ago. We're going to get to the same conclusion that it doesn't rise to this level.

**MR. HILLMAN:**

It's quite possible.

**CHAIRMAN SCHNEIDERMAN:**

So if we want it to happen, we can pretty much pass it today then. Legislator Romaine.

**MR. HILLMAN:**

I would submit this. We're engineers. This becomes a legal question; can this Legislature override New York Vehicle and Traffic Law? I have no clue whether you can or cannot. Our interpretation of that and the County Attorney's opinion, which we have an opinion on, is that Vehicle and Traffic Law takes precedent. We must have a traffic report that indicates a traffic signal is warranted. Beyond that, I'm not a lawyer. All the information that we have is indicating that you can't override Vehicle and Traffic Law in this Legislature.

**LEG. BARRAGA:**

If you do the study in three weeks and we make a decision here, we're not overriding Vehicle and Traffic Law, you've done your study.

**CHAIRMAN SCHNEIDERMAN:**

We already have a study from two years ago.

**MR. HILLMAN:**

But the study has indicated that the signal is not warranted.

**LEG. BARRAGA:**

Well, when was somebody killed there? Didn't you have a couple of deaths in the last couple of years?

**CHAIRMAN SCHNEIDERMAN:**

Not at that intersection.

**MR. HILLMAN:**

There's been one death.

**LEG. BARRAGA:**

Again, you know, if you're saying you have to do some sort of study, do it in three weeks, come back here and give us the results, then we'll make the final determination as to what we want to do as a Legislature.

**CHAIRMAN SCHNEIDERMAN:**

I think the concern they're expressing is they're the ones who have to carry it out. They don't want to break the law. So I think it's legitimate. Even if we tell them to do it, they may not -- they may be prevented by the County Attorney from doing it. They are allowed to express that, Legislator Barraga. I'm not sure what happens. We can tell them to do whatever we want, there's still going to be a question whether they can actually do it. Legislator Romaine, you wanted to comment, I believe.

**LEG. ROMAINE:**

Yes. First of all, I want to read the law that says the satisfaction of a traffic signal warrant -- and warrants shall not in and of itself require the installation of a traffic control signal in the law. And I'd like to lead from that.

This resolution was filed two months ago. It's been tabled ever since. This is a resolution -- and I'll talk about 111. First of all, I have great respect for Department of Public Works. Even after their testimony, I'll continue to have great respect for the Department of Public Works. As the man in that chair over there, Ben Zwirn, can testify, that this road has been a major issue in the past administration, which he was a member of at the time, and he was out and the County Executive came out to the Manorville Firehouse to deal with a whole host of issues with 111.

This road has been under constant study. This isn't like, oh, we haven't studied it. I also want to say about resolutions of this Legislature, I heard the opinion of the County Attorney. Let me tell you the facts. As a County Legislator, I legislated a resolution to put a light up on County Road 21 in Yaphank by the middle school which DPW opposed. That light went up. School buses were able to get out, people were able to get in, lives were saved. In fact, Kate Browning who now represents that district, has another light further south that she is proposing. But that went in. For the people in Manorville, there's a light now on Lake Avenue and Montauk Highway that I legislated that's by the elementary school. There was no light there before I legislated it, and they recommended against it. For the people from Manorville, there was no light at Frowein Road, Moriches Bypass and Brookfield by the high school. I legislated that light despite the objections of DPW. That's back in the '80s.

For current events, there will be a light by Lowe's in Riverhead on County Road 58 that this department opposed. Instead, they suggested that people traveling from the east traveling west would have to go all the way down and around to Pulaski and come in the back way. This Legislature mandated that light. Very rarely should Legislators try to trample on public safety issues, but this is an issue that's been understudied since the day I was reelected to the Legislature six years ago, with the interchange of the Expressway. Mr. Levy helped me and assisted me, one of the few times we worked harmoniously together. But we got lights up there. And Mr. Zwirn was part of that, and he knows this. That road has been under constant study.

I am working today to try to get the town and the County to change 7-Eleven so you can't make a left turn out of there. The town just put in right turn only on Bauer to the disgruntlement of some people living on Bauer, but that was a safety issue. Whether that works or not, I don't know, we're going to weigh that out. Clearly, there's a need. This road should have been constantly studied, and I believe it has been. I believe I've put in resolutions for a complete study of 111. Do you remember that resolution several years ago? And that study is done?

**MR. HILLMAN:**

Yes, we completed that study.

**LEG. ROMAINE:**

And I know that you can recommend for a light on Halsey Manor, and you know what you have to do? Cut off Hot Water Street, which already runs into Halsey Manor, and then you have two streets going into one signalized intersection, because Hot Water Street doesn't have a signal. And you know that you can get this done. You are aware that that will probably produce a recommendation for a light.

So these are things that I think my colleagues should know. This is not something that's out of the blue. This is something that I've worked at, I've lobbied for, and I believe is the right thing. And I think you could make it the right thing. And I guarantee you, if this bill passes today, the next thing we're doing is we're sitting down with Lynn Wyant, the Director of Traffic Safety from the Town of Brookhaven and Councilman Dan Panico, and we're going to work on getting Hot Water Street to terminate into Halsey Manor instead of crossing 111, and then it will justify a signal. And I will work with you on that. But I ask my colleagues, pass this out so we can start the work that is necessary to start saving lives in Manorville today. Thank you very much.

**MR. HILLMAN:**

Legislator Romaine is correct. That is one of the alternatives that we have in mind, is closing Hot Water Street. However, again, it needs to be looked at, it needs to be studied, go back to the community and discuss with them. And as he indicated, the Town of Brookhaven is responsible for closing that roadway. It would not be at the purview of Suffolk County. So there are a lot of variables. We agree 100%, that is an option. We'd like to have the opportunity to explore that option.

**CHAIRMAN SCHNEIDERMAN:**

So if we are to pass this, it doesn't preclude you from looking at that option, it doesn't preclude you from finishing your study as well. The only thing it may preclude you from actually activating the light is this issue with the law and the County Attorney's Office. Also, you're going to need time to engineer that loop, get a contractor in place to put that loop in. I don't know if that's something you do yourselves. Some there is some time involved anyway. So should we pass it, there's not going to be an immediate light. And my goal would be hopefully by Memorial Day of next year, that we would see a light there. Does anyone else want to comment on this? Is there a motion?

**MS. ORTIZ:**  
Yes, there is.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Muratore, you made a motion to approve, I seconded it. Legislator Stern, are you making a different motion?

**LEG. STERN:**

Given that DPW is going to do a study, they're going to expedite their process, they might be looking at this as a possibility, they might be looking at other recommendations, I understand -- and I want to be supportive of Legislator Romaine and his efforts on behalf of his community, but the fact is right now, we're just going on Legislators introduce legislation, but DPW is going to be doing their work. So I would support a discharge without recommendation and look forward to seeing what DPW has to say about it as we go forward.

**CHAIRMAN SCHNEIDERMAN:**

The only problem with that is it's going to hit the floor next week. We're not going to have any new information next Tuesday. But we can't approve it without recommendation next week. It doesn't matter, it has the same effect whether it's discharged without recommendation or with recommendation. Is there a second to discharging without recommendation?

**LEG. HORSLEY:**

Sure, I will second it.

**CHAIRMAN SCHNEIDERMAN:**

So right now we have a motion and a second to discharge with a recommendation, without -- you want to withdraw with recommendation?

**LEG. ROMAINE:**

Either way, I don't care, as long as it gets out of committee.

**CHAIRMAN SCHNEIDERMAN:**

I have two on the floor. I don't know which one even goes first. Legislator Muratore is withdrawing his recommendation to approve. We have -- so now we have a recommendation to discharge without recommendation to the floor and a second. Who was the second? Horsley was the second. Okay. So any discussion? All in favor? Opposed? Abstentions? Congratulations, Legislator Romaine, it is discharged from committee and is heading to the floor. **DISCHARGED WITHOUT RECOMMENDATION (VOTE: 6-0-0-0)**

So, those folks from Manorville, if you want to quietly exit unless you want to stay. You can consider that a victory.

And I have one other that a Legislator would like to take out of order, which is IR 2114, that Legislator D'Amaro asked to be taken out of order. He is here today though he's not serving on the committee. I'll make a motion to take 2114 out of order. This is for the Canon sewer connection fee. Second by Legislator Stern. All in favor? Opposed? Abstentions? 2114 is now before us. **Adopting Local Law No. -2011, A Local Law to lower the sewer connection fee for Canon USA, Inc. (D'Amaro)** Is there a motion? I'll make a motion to approve, second by Legislator Muratore, on the motion Legislator -- I'm sorry, I made the motion to approve, second by Legislator Muratore. Any discussion? Legislator Barraga and Commissioner Anderson also would like to comment.

**LEG. BARRAGA:**

If it'd be appropriate, Mr. Chairman, I'd just like to ask Mr. D'Amaro to give us an up-to-date in terms of the actual savings based on this legislation to Canon and/or the actual loss of revenue to the County if this goes through. Because I've heard several figures originally it was 680,000 and then when we got involved in the phase where they were going to be paying \$30 a gallon and they were going to be paying upfront that affected the overall savings to them and a reduction and revenue loss to us. But I'd like to get an accurate figure as to where we stand.

**LEG. D'AMARO:**

Sure. This is my understanding. This is the compromise that you're looking at now --

**LEG. BARRAGA:**

Right.

**LEG. D'AMARO:**

-- where Canon would agree to pay face phase II at \$30 per gallon in advance, nonrefundable, they don't anticipate going forward with that phase II. I've heard a lot of numbers but the earliest would be at least four years out, I think. Or even as far as nine, eight years, something like that.

Based on my calculations, let me cut to the chase, if we approve this it's 300,000 less to the County. That's the impact. Okay. You know, and you can do the math and calculate what it would be at \$15 a gallon as opposed to \$30 a gallon and then you can tack on as far as cash flow getting the phase II money up front, but my numbers come out to about 300,000 different.

And just the point I want to make and I appreciate the committee taking it out of turn. I appreciate that. When Canon purchased this property the fee was \$15 a gallon, okay. It's a very large project. I think we've all talked about the merits of the project over the course of the last couple of years so I won't go into that with the jobs that are being created and what it's bringing to the local economy. But they did own the property when the price or the connection fee was \$15 per gallon, but the project did not move along, my understanding as quickly as it should because they were then involved in some litigation, you may recall that, it was reported in Newsday and some of the local press in my area as well. So I see that as a special circumstance. I see it as a situation where a large company willing to make an investment in our local economy and create some jobs in a difficult economy came in and got caught between kind of like that rock and hard place where they were committed to the project, they agreed to the project, they purchased the property but yet got caught with not getting what we call, I guess, and DPW can clarify this, the conceptual certification from the sewer agency in time to get in under the wire for the lower fee.

Just a couple of other points I want to make, there were, my understanding I think at least six other applications to the County and to the sewer agency for this property, most of which had been approved at the \$15 per gallon rate as well. So there's a history for this property going at \$15 per gallon.

The contract that Canon signed with the County or I guess working on the sewer connection, the sewer connection agreement, it's my understanding actually contemplates this application to the Legislature because they knew going in that, you know, even though they had owned the property at the time we raised the connection fee and that they wouldn't benefit from that fee, they asked for that relief and they were told, "okay well, you know, if you commit to project or at least put it in your agreement that you can go and make that application at a later time." And that's why it was brought in by CN and we tabled it to committee and we're trying to get a vote for this coming up, you know, before the end of the year because that's being dictated by the contract that Canon had signed.

The last point I want to make is that and BRO can correct me if I'm wrong, but based on my discussions with BRO this fund, the connection fees, I think as we all know, don't go into the General Fund. They go into the sewer district itself to fund the capital projects.

However, the foregoing of the difference between the 30 and \$15 per gallon according to BRO's revenue statement, will not affect the sewer rates in the sewer district itself.

So, you know, these are all, I think, minor points that I wanted to make here on the record. But the main point I want to make, however, is that this is kind of a special circumstance, it's been at least a few years since we've raised that fee. I haven't heard of any other situation where a large company making this type of commitment to the local economy in creating jobs and that owned the property and was already committed to going forward with their project just got caught up in litigation or delay that caused them to not get that conceptual certification in time. And that's why they're seeking that relief today.

**CHAIRMAN SCHNEIDERMAN:**

I think there are several Legislators. Right? Legislator Horsley.

**LEG. HORSLEY:**

Yeah, I'd like to just add to it and I thought that was a good summary that Legislator D'Amaro gave on the reasons why. If you recall some of the reasons that the litigation that took place, some of the holdups were involving the town and they had contracts involving the strawberry fields -- itself, that it was going to be housing and stuff like that. They had to get out of that litigation and this was clearly an industrial use that is going to be helping the economic development world of Long Island. And I just wanted to add that this gives a clear signal to not only Suffolk County but Long Island that Long Island is open for business and that we're looking to bring employment to Long Island and be grateful that they're coming in and that we're working with them as partners.

**CHAIRMAN SCHNEIDERMAN:**

Commissioner, I'd like to hear from you before I comment.

**COMMISSIONER ANDERSON:**

Okay. Thank you. As I've stated before, you know, we certainly understand the economic, you know, viability that Canon brings to this community. We have very grave concerns in doing this. First off, the monetary fee would reduce -- would mean that the County would not see \$680,000, 715 -- \$680,715 is the actual amount that the County would not see or not realize as part of this agreement.

I believe the Legislator is correct when Canon purchased the property the fee at that time was \$15 per gallon per day. At that time, for better or worse, the fee was increased the title or the fee does not -- or the conceptual fee that's established as part of that contract doesn't transfer with the title. Each firm that comes back has to apply. And at that time when Canon came in and they applied we advised them that it was going to be \$30 per gallon per day, which was the fee.

Again, the only thing I'm going to say is that I strongly urge you not to pass this because of the precedent that it will be setting. Certainly we want, you know, we want to bring in businesses to Suffolk County, this is a decision that you guys have to make.

**CHAIRMAN SCHNEIDERMAN:**

All right. I have a couple of questions. Commissioner, first of all, are there any other properties, commercial properties that you know of that are in a similar situation where we did not give them this relief or they basically were in the process but they didn't have conditional approval before they raised -- before we raised the fees and then they still paid the \$30 per gallon fee?

**COMMISSIONER ANDERSON:**

I believe there are certain properties that are still out there that have grandfathered, you know, have the grandfathered \$15 fee in there. One of them being Heartland.

**CHAIRMAN SCHNEIDERMAN:**

But haven't built yet.

**COMMISSIONER ANDERSON:**

That haven't been built yet, yup.

**CHAIRMAN SCHNEIDERMAN:**

But they are grandfathered at \$15 so they'll be connecting at a later date at 15 even though Canon is connecting at an earlier date at 30 if we don't approve this.

**COMMISSIONER ANDERSON:**

Unless, of course, then you're faced with a situation where they finally sell the land to someone else and that person then comes in and asks for a \$15 fee. At the time the legislation increased to \$30 it was determined that everything beyond that point -- anything before that point where they enacted legislation would be grandfathered at 15. Everything moving forward would be 30.

**CHAIRMAN SCHNEIDERMAN:**

Anything that had conceptual approval.

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN SCHNEIDERMAN:**

And this didn't. Right?

**COMMISSIONER ANDERSON:**

Yeah.

**CHAIRMAN SCHNEIDERMAN:**

You know, my big concern --

**COMMISSIONER ANDERSON:**

Well, Canon didn't, the previous owner did.

**CHAIRMAN SCHNEIDERMAN:**

Right.

**COMMISSIONER ANDERSON:**

When Canon bought it.

**CHAIRMAN SCHNEIDERMAN:**

The previous owner, which I think is a special circumstance, as Legislator D'Amaro said, and I understand we can waive fees. We can, we have the legal authority. The one thing that concerns me, I'm trying to resolve, you know Canon agreed at some level to do this at \$30. Right? So they're built, they're built and now they've going to hookup either the idea typically would be to incentivize somebody coming here to convince them to do business and I certainly don't want it to be a bad place to do business but if we let Canon off the hook for \$600,000 I just want to make sure that we're not giving a gift, you know, it's taxpayer money even though the taxes only help the

sewer district, this is -- they're not going to be doing anything for the people I represent it's going to hurt potentially the people that Legislator Horsley represents because they'll be ultimately picking up the bill, they're being deprived of that \$600,000 to help stabilize their costs here.

I'm just concerned about how what might appear to somebody looking at it down the road as we gave a gift to Canon. It wasn't tied to them doing anything because they already had agreed to come and do this.

**COMMISSIONER ANDERSON:**

Well, if I may just to --

**CHAIRMAN SCHNEIDERMAN:**

Yeah, it's really -- it's more of a question I think for Legislative Counsel. But if we can do it I'm okay with doing it. It's a nice way to say thank you Canon for coming here. Yeah.

**COMMISSIONER ANDERSON:**

I'd like to put all the cards on the table. When the Sewer Agency passed the agreement with Canon, there was a dispute, an ongoing dispute, between the agency and Canon about the \$30 fee. I believe if you look in the agreement, it does mention that, you know, there is the possibility that it would be reduced, but it was at, you know, the judgment of the Legislature. So we were aware of it at that time.

**CHAIRMAN SCHNEIDERMAN:**

Here's what I'm going to recommend. I'm going to recommend we discharge it without recommendation. I'm just going to ask George between now and the time we meet, on the advice of Counsel, that this does not constitute a gift of any kind. As long as it doesn't I'm going to support it on the floor. Legislator Barraga.

**LEG. BARRAGA:**

Just one quick question. My colleague had indicated the loss to the County is about 300,000, use again the figure of 680,000, which I am familiar with. What's the discrepancy? What is he doing that you're not doing or vice versa?

**LEG. D'AMARO:**

I can answer that if you would like, Legislator Barraga. Commissioner Anderson's exactly right if you look just at phase I, you cut the fee in half. It comes to the 680. But if you have to tack on now the phase II fee being paid at \$30 per gallon upfront as a function of cash actually coming into the sewer district it lessens the impact to the number that I quoted. And, by the way, just to the issue of gift, Legislator Schneiderman, it's a valid concern, you know, but I wonder, you know, every time we waive the fee to use, you know, anything is that constituting a gift? I don't think so especially in --

**CHAIRMAN SCHNEIDERMAN:**

It's the retrospective nature of this. That's not the prospective nature. So that's what concerns me. They're already here. We're not incentivising anything.

**LEG. D'AMARO:**

Well, we are because they're also paying the phase II upfront as part of this, which may or may not happen.

**CHAIRMAN SCHNEIDERMAN:**

But they would have to pay that anyway when they got to phase II.

**LEG. D'AMARO:**

If they ever did phase II. That's not set in stone either.

**CHAIRMAN SCHNEIDERMAN:**

I feel more comfortable with encouraging phase II, if you're saying, well, let's discount phase II to make sure that they do it, I feel much better about that. This phase I they've already agreed to. I'm just saying, either it is a gift or it isn't a gift, maybe it's a gray area. I just would like before I vote --

**LEG. D'AMARO:**

Right. I have no issue with that.

**CHAIRMAN SCHNEIDERMAN:**

-- formally on it to have the --

**LEG. D'AMARO:**

But again.

**CHAIRMAN SCHNEIDERMAN:**

-- at least be able to say I relied on the advice of Counsel.

**LEG. D'AMARO:**

Right. I have no issue with that and I think that's good, to dot the I's and cross the T's. But the fact is as Commissioner Anderson had said that this was always contemplated -- this was contemplated when Canon was negotiating with the County, in fact, it's even in writing, I believe, in their agreement that they would seek this application because this was a gray area in the sense that they had owned the property but for some reason didn't get through to their certification. But I would defer to Counsel on that issue.

**CHAIRMAN SCHNEIDERMAN:**

I would agree with a special circumstances here that's why I'm willing to consider this, but I'm going to change my motion to approve to a motion to discharge without recommendation. Is there a second on the discharge without recommendation?

**P.O. LINDSAY:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

Second by the Presiding Officer. Any other discussion?

**LEG. HORSLEY:**

There's still on the floor a motion to approve?

**CHAIRMAN SCHNEIDERMAN:**

No, I withdrew it. I changed it to a motion to discharge without recommendation. I would like to have just Counsel's advice before we vote on that issue of whether it's a gift or not. If that's okay. All right. All in favor? Opposed? Abstentions? **DISCHARGED WITHOUT RECOMMENDATION (VOTE: 6-0-0-0)**

**LEG. D'AMARO:**

And thank you again to the committee.

**CHAIRMAN SCHNEIDERMAN:**

All right. Now we can return to the agenda starting from the top. Okay.

**IR 1165, Increasing the bus fare and implementing limited Sunday Bus Service.**

**(Schneiderman)** This bill has been amended to give greater flexibility in terms of the fares. Oh, this is a different one? Oh, I'm sorry. Yeah, I'm thinking of the fees. That's Legislator Lindsay's bill. This I'm going to table. I'll make a motion to table IR 1165. This is the Countywide one. Okay. Second by Legislator Stern. All in favor? Opposed? Abstentions? Sorry about that.

**TABLED (VOTE: 6-0-0-0)**

**1584, Appropriating funds in connection with Sagiktoos Corridor Construction (CP 5565) (Stern)**

**LEG. STERN:**

Motion to table.

**CHAIRMAN SCHNEIDERMAN:**

Motion to table by Legislator Stern, second by myself. All in favor? Opposed? Abstentions?

**TABLED (VOTE: 6-0-0-0)**

**1786, Establishing guidelines for the implementation of the sewer Infrastructure Program (Romaine)** I'll make a motion to table.

**LEG. STERN:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

Second by Legislator Stern. All in favor? Opposed? Abstentions? So **TABLED (VOTE: 6-0-0-0)**

**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:**

There's a motion to table by Legislator Stern. Is there a second? I'll second. Any discussion? Commissioner, you okay with another cycle on this one?

**COMMISSIONER ANDERSON:**

Yes. We are.

**CHAIRMAN SCHNEIDERMAN:**

Okay. All those in favor? Opposed? Abstentions? **TABLED (VOTE: 6-0-0-0)**

We did 1916 out of order. That was discharged without recommendation.

**IR 2026, Amending the 2011 Capital Budget and Program and appropriating funds in connection with the repair of the jetties and/or the dredging of Mount Sinai Harbor, Town of Brookhaven (CP 5200). (Co. Exec.)** Is there a motion? Commissioner, this was -- I think we

had tabled this.

**COMMISSIONER ANDERSON:**

This was revised pursuant to our previous discussions on this that the funds that are going to be appropriated will be solely put towards the dredging of the harbor.

**CHAIRMAN SCHNEIDERMAN:**

Okay, excellent. All right. I'll make a motion to approve, second by the Presiding Officer. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

All right. We have a long agenda ahead of us. I'll try to move quickly. Much of this is appropriating funds.

**INTRODUCTORY RESOLUTIONS**

**2050, Authorizing the purchase of one paratransit van for the Disabled American Veterans Organization (DAV) and accepting and appropriating Federal and State Aid and County funds (CP 5658). (Co. Exec.)** I'll make a motion.

**LEG. STERN:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

Second by Legislator Stern. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

**2051, Appropriating funds in connection with installation of Fire, Security, and Emergency Systems at County facilities (CP 1710). (Co. Exec.)**

**LEG. STERN:**

Motion.

**CHAIRMAN SCHNEIDERMAN:**

There's a motion by Legislator Stern, second by Legislator Horsley. Any discussion? All in favor? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

**2052, Appropriating funds in connection with the elevator controls and safety upgrading at various County facilities (CP 1760). (Co. Exec.)** Same motion, same second, same vote. **APPROVED (VOTE: 6-0-0-0)**

**2053, Appropriating funds in connection with the roof replacement on various County buildings (CP 1623). (Co. Exec.)** Same motion, same second, same vote. **APPROVED (VOTE: 6-0-0-0)**

**2054, Appropriating funds in connection with fuel management/preventive maintenance and parts inventory control system (CP 1616). (Co. Exec.)** Same motion, same second, same vote. **APPROVED (VOTE: 6-0-0-0)**

**2055, Appropriating funds in connection with removal of toxic and hazardous building materials and components at various County facilities (CP 1732).** Same motion, same second, same vote. **APPROVED (VOTE: 6-0-0-0)**

**2056, Amending the 2011 Capital Budget and Program and appropriating funds in connection with construction of the Underground Injection Control (UIC) Management Program (CP 8220). (Co. Exec.)** What is this, Commissioner?

**COMMISSIONER ANDERSON:**

This is a program that's being mandated by the Federal Government. We have to locate, identify and repair all underground injection controls, which basically all are leaching pools, all catch basins that -- anything that basically discharges water into the strata surrounding it. This will provide funding \$50,000 for planning and \$350,000 for construction to get us underway in doing this. We currently have a consultant on board who's doing the engineering portion of it. But we can't say that the 350 will be all of it. It does get us started on it and, you know, we would ask that this be approved.

**CHAIRMAN SCHNEIDERMAN:**

All right. Any questions? Same motion, same second, same vote. **APPROVED (VOTE: 6-0-0-0)**

**IR 2057, Appropriating funds in connection with renovations to Surrogate's Court (CP 1133). (Co. Exec.)** Commissioner, do you have a brief description?

**COMMISSIONER ANDERSON:**

Yeah, this is \$200,000 in planning for the funds to renovate Surrogates Court. Planned work includes replacing exterior glass curtain wall, constructing the parking lot, renovating the warrant services and upgrading mechanical and electrical facilities as well as renovations to restrooms to make sure that they will be ADA in complaint.

**CHAIRMAN SCHNEIDERMAN:**

Same motion, same second, same vote. **APPROVED (VOTE: 6-0-0-0)**

**2059, Authorizing the filing of a grant application for Federal Fiscal Year 2010 Section 5309 Bus and Bus-Related Facilities for Suffolk County Transit. (Co. Exec.)** Same motion, same second, same vote.

**APPROVED (VOTE: 6-0-0-0)**

**2060, Authorizing the execution of an agreement between the County and the New York State Department of Transportation for Federal and State Aid Funding for the continuation of the HOV Bus Service on the Long Island Expressway for 2011. (Co. Exec.)** Same motion, same second, same vote. **APPROVED (VOTE: 6-0-0-0)**

**2061, Authorizing execution of a road maintenance agreement with the Town of East Hampton. (Co. Exec.)** Same motion, same second, same vote. **APPROVED (VOTE: 6-0-0-0)**

**2062, Approving the Vector Control Plan of the Department of Public Works Division of Vector Control pursuant to Section C8-4(B)(2) of the Suffolk County Charter. (Co. Exec.)**

Commissioner, this all went through the normal channels? I know this has been something controversial in the past with some of the chemicals used.

**COMMISSIONER ANDERSON:**

No, there's nothing controversial. While the program, the current Vector Program was identified in the long-term plan; part of the County Charter requires us to file an annual plan, it's pretty much the same as the past few years.

**CHAIRMAN SCHNEIDERMAN:**

So there's no major changes to it?

**COMMISSIONER ANDERSON:**

None at all.

**CHAIRMAN SCHNEIDERMAN:**

All right. Same motion, same second, same vote. Everybody okay with that? **APPROVED**  
**(VOTE: 6-0-0-0)**

**2063, Authorizing an Intermunicipal Agreement between the County of Suffolk and New York City pursuant to Section 119-o of the General Municipal Law for provision of Highway Maintenance Assistance. (Co. Exec.)** Commissioner?

**COMMISSIONER ANDERSON:**

This was back in September of last year from the 17th to the 29th we went to the aid of New York City to help them specifically in the Queens area eliminate and remove debris from the road that was caused by the tornadoes that touched down at the time. This is the finalization of the agreement with or agreements with the City so we get paid for those services.

**P.O. LINDSAY:**

Motion.

**CHAIRMAN SCHNEIDERMAN:**

Motion by the Presiding Officer.

**LEG. STERN:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

Second by Legislator Stern. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

**2082, Transferring T-30, EE Funds to the Capital Project Studying Sewer Capacity in unsewered areas of Suffolk County (CP 8189). (Co. Exec.)** Motion by Legislator Horsley.

**LEG. STERN:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

Second by Legislator Stern. Any discussion? All in favor? Opposed? Abstentions? **APPROVED**  
**(VOTE: 6-0-0-0)**

**2083, Transferring T-30, EE Funds to the Capital Project-Surveillance Control and Data Acquisition (CP 8165). (Co. Exec.)** Same motion, same second, same vote. **APPROVED**  
**(VOTE: 6-0-0-0)**

**2087, Amending Resolution No. 821-2010 in connection with acquisition of properties for the reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon; PIN No. 075656 (CP 5510). (Co. Exec.)**

**LEG. STERN:**

Motion.

**CHAIRMAN SCHNEIDERMAN:**

Motion by Legislator Stern. Is there a second? Second by Legislator Horsley. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

**2088, Appropriating funds in connection with acquisition of properties for the reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon; PIN No. 075987 (CP 5510). (Co. Exec.)** This I take it is different than the one before. Commissioner?

**COMMISSIONER ANDERSON:**

Yes, it is. This project was essentially split into two by the feds and the state. We now have two separate projects. The previous one, the previous resolution was specific for County Road 3 at Long Island Avenue. This one before you is to fund acquisition of property around the intersection of County Road and 3 and Ruland Road. Both are acquisition projects.

**P.O. LINDSAY:**

Motion.

**CHAIRMAN SCHNEIDERMAN:**

Okay. So there is a motion by the Presiding Officer, second by Legislator Horsley. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

**2089, Appropriating funds in connection with acquisition of properties for the reconstruction of CR 3, Pinelawn Road, Towns of Huntington and Babylon (CP 5510). (Co. Exec.)**

**COMMISSIONER ANDERSON:**

This one is, just so you know I left this out of the last statement, this appropriates 130,000 for ancillary costs that we need to acquire the land, which includes appraisals and title searches and the like.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Barraga are you making the motion?

**LEG. HORSLEY:**

Motion.

**CHAIRMAN SCHNEIDERMAN:**

Motion by Legislator Horsley. Is there a second? Second by Legislator Barraga. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

**2090, Amending the 2011 Capital Budget and Program and appropriating funds in connection with the reconstruction of CR 48, Middle Road, Town of Southold (CP 5526). (Romaine)**

**LEG. MURATORE:**

Motion to approve.

**CHAIRMAN SCHNEIDERMAN:**

Motion to approve by Legislator Muratore, I will second. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

**2092, Appropriating funds in connection with intersection improvements on CR 17, Carleton Avenue (Wheeler Road), Town of Islip (CP 5097). (Montano)** Motion by

Legislator Barraga, second by Legislator Stern. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

**2094, Appropriating funds in connection with Bulkheading at Various Locations (CP 5375). (Co. Exec.)** Is there a motion? I'll make a motion, second on the bulkheading, Legislator Barraga. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

**2103, Appropriating funds in connection with Riverhead County Center Power Plant Upgrade (CP 1715). (Co. Exec.)** I'll make a motion.

**P.O. LINDSAY:**  
Second.

**CHAIRMAN SCHNEIDERMAN:**  
Second by the Presiding Officer. Commissioner what type of upgrade is this?

**COMMISSIONER ANDERSON:**  
Okay. This appropriates the sum of \$700,000, 100,000 of it is for planning, 600 is for construction. The funding will be used to address serious concerns with high temperature hot water distribution system, the tunnel system, the electrical system and other miscellaneous components within the facility.

**CHAIRMAN SCHNEIDERMAN:**  
This is in the Capital Program or is it being offset it's in.

**COMMISSIONER ANDERSON:**  
It's in the Capital Program.

**CHAIRMAN SCHNEIDERMAN:**  
It's in, okay. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

All right. We did 2114. **2121, Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 3 - Southwest - outfall (final effluent pump station) (CP 8108). (Horsley)** Legislator Horsley making the motion, second by Legislator Stern. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

**2122, Appropriating funds in connection with renovation to the Old 4th Precinct for general office space or other County use (CP 1641). (Pres. Off.)**

**LEG. STERN:**  
Motion.

**CHAIRMAN SCHNEIDERMAN:**  
Motion by Legislator Stern.

**LEG. MURATORE:**  
Second.

**CHAIRMAN SCHNEIDERMAN:**  
Second by Legislator Muratore. Any discussion? All in favor? Opposed? Abstentions?

**LEG. BARRAGA:**

Opposed.

**CHAIRMAN SCHNEIDERMAN:**

Mark Legislator Barraga as opposed. **APPROVED (VOTE: 5-1-0-0 Opposed: Legislator Barraga)**

**2123, Appropriating funds in connection with replacement of major buildings operations equipment at various County facilities (CP 1737). (Pres. Off.)** I'll make a motion.

**LEG. STERN:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

Second by Legislator Stern. This is what; HVAC type of equipment?

**COMMISSIONER ANDERSON:**

Correct. It's 350,000 for construction, replacement of major operations including heating and AC equipment at Probation, electrical and plumbing, which really is the partial chillers here at this building as well as the cooling tower at the Cohalan Court.

**CHAIRMAN SCHNEIDERMAN:**

Thank you for that. Okay. There's a motion and second. All in favor? Opposed? Abstentions?

**APPROVED (VOTE: 6-0-0-0)**

**2126, Appropriating funds in connection with construction and rehabilitation of highway maintenance facilities (CP 5048). (Pres. Off.)** I'll make a motion, second by Legislator Stern.

Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

**2127, Appropriating funds in connection with a County-wide Highway Sign Management Program (CP 5196). (Pres. Off.)** Commissioner?

**COMMISSIONER ANDERSON:**

In conformance with the Federal Highway Administration mandate we must implement an assessment and management program of our signs throughout the County. The program must be designed to maintain traffic sign retro -- sorry, reflectivity, review sign placement compliance and inventory of other roadside appurtenances for the purposes of our maintenance needs.

This is for phase II RFP setup plans and phases, phase I, which we have a consultant who is determining the needs of the County and identifying the funding levels required. This phase II is actually for implementation of that report when it's finalized, which we anticipate to be soon.

**CHAIRMAN SCHNEIDERMAN:**

I take it this is another unfunded mandate or is there federal funds attached? This is us?

**COMMISSIONER ANDERSON:**

Yeah, no this is -- yeah, this is. Yep.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Muratore.

**LEG. MURATORE:**

Commissioner, is there a deadline on this? I mean, are we under the gun, do we have to do it now

or can we put this off?

**COMMISSIONER ANDERSON:**

I believe it has to be completed by 2012. But let me check with Bill.

**CHAIRMAN SCHNEIDERMAN:**

And is this in the Capital Program for this year?

**MR. HILLMAN:**

Yes, it must be completed by 2012. We presently have a consultant that's completed phase I of the evaluation and these funds are required for the consultant to progress with phase II. If it waits until 2013 to put the money back in, appropriate it, we will have missed the deadline and we would not be in compliance with the FHWA.

**CHAIRMAN SCHNEIDERMAN:**

So the money is in our budget, the Capital Program.

**MR. HILLMAN:**

And it is part of the Capital Program.

**CHAIRMAN SCHNEIDERMAN:**

All right. There's a motion by the Presiding Officer, second by Legislator Stern. Any further discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

We already took care of 2135.

**2138, Appropriating funds in connection with the replacement of Public Works fleet maintenance equipment (CP 1769). (Pres. Off.)** I will make a motion.

**LEG. MURATORE:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

Second by Legislator Muratore. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

**2140, Appropriating funds in connection with Public Works Buildings Operation and Maintenance Equipment (CP 1806). (Pres. Off.)** Same motion, same second, same vote. This is different than the one we saw before, right, with buildings operations and maintenance equipment?

**COMMISSIONER ANDERSON:**

Correct. This is actually \$100,000 for the purchase of an emergency responder vehicle, which consists of one heavy duty four by four responder for transporting a trailer mounted generator in case of emergency or disaster recovery situations here in the County.

**CHAIRMAN SCHNEIDERMAN:**

Is this aided?

**COMMISSIONER ANDERSON:**

No.

**CHAIRMAN SCHNEIDERMAN:**

It's all us.

**COMMISSIONER ANDERSON:**

Yes.

**CHAIRMAN SCHNEIDERMAN:**

All right. Any discussion? All in favor? Opposed? Abstentions? **APPROVED (VOTE: 6-0-0-0)**

**2143, Appropriating funds in connection with renovations/improvements to Cohalan Court Complex (CP 1125). (Pres. Off.)** Commissioner this is different than the --

**MS. VIZZINI:**

It was withdrawn.

**CHAIRMAN SCHNEIDERMAN:**

This was withdrawn?

**MS. VIZZINI:**

Correct.

**CHAIRMAN SCHNEIDERMAN:**

I have confirmation it was withdrawn; yes? Okay. **WITHDRAWN**

Then 2151 becomes our last item. **2151, Appropriating funds in connection with County share for the creation of the Shirley/Mastic Sewer District, Town of Brookhaven (CP 8134)** Commissioner, could you provide some more information?

**COMMISSIONER ANDERSON:**

Sure, DPW prepared a map and plan, which is the basis for creating a sewer district. The map and plan indicated the cost of design obtaining SEQRA approval and other work is about \$1.9 million. Legislator Browning introduced CP 8134 as a means to receive local share of \$900,000 and 55% of the project funds from the Federal Government. Although federal funds are not forthcoming the resolution was submitted, DPW would prepare an RFP for consultant assistant if the funds are appropriated, but without the funds the scope would be incomplete. At this time DPW will -- obviously we're waiting for the decision of this resolution.

**CHAIRMAN SCHNEIDERMAN:**

This is money that's going toward the creation of the sewer district?

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN SCHNEIDERMAN:**

It's the infrastructure or just --

**COMMISSIONER ANDERSON:**

Well, this would be in lieu of anticipated federal funding.

**CHAIRMAN SCHNEIDERMAN:**

Is this from the newly created fund that \$48 million? Is that where it's coming from?

**COMMISSIONER ANDERSON:**

No, this was part of the Capital Program, I believe, it put in by Legislator Browning during the last capital process.

**CHAIRMAN SCHNEIDERMAN:**

It's a Capital Project to aid in the assistance of a sewer district?

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN SCHNEIDERMAN:**

For infrastructure.

**COMMISSIONER ANDERSON:**

Yes.

**LEG. HORSLEY:**

It's in the Capital budget.

**COMMISSIONER ANDERSON:**

I believe in the Capital budget. And it involve sewers, it would also involve, you know, could potentially involve putting in a treatment plant.

**CHAIRMAN SCHNEIDERMAN:**

Instead of federal funds where you're going to use County-wide funds to assist in the creation of -- that's basically what's happening.

**COMMISSIONER ANDERSON:**

Well, again this is anticipation of the Federal Government requiring us to have half of the money.

**CHAIRMAN SCHNEIDERMAN:**

All right. So we still require the federal piece of it.

**COMMISSIONER ANDERSON:**

Yes.

**CHAIRMAN SCHNEIDERMAN:**

So if we don't get the federal money, we're not going to spend the County money.

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN SCHNEIDERMAN:**

This is a County match basically?

**COMMISSIONER ANDERSON:**

Essentially that's what, I believe, the plan was, yes.

**CHAIRMAN SCHNEIDERMAN:**

And is that typically required a match?

**COMMISSIONER ANDERSON:**

Yes, I mean, right now they want a match they want to see, you know, they want to see the money

where your mouth is.

**CHAIRMAN SCHNEIDERMAN:**

There's a motion by the Presiding Officer, second by Legislator Horsley. Any other discussion on this? Legislator Stern.

**LEG. STERN:**

Yes, thank you, Mr. Chairman. Just wanted to understand the timing here so we would have to -- we would have to move first in order for the Federal Government to then possibly come in with their share, it requires us to approve this first in order for the federal level of government to even consider it?

**COMMISSIONER ANDERSON:**

Well, given our Capital Program basically works that it starts the following year if we didn't have this in place and the funding comes available in 2012, we could miss, you know, we could miss out potential federal funding on this.

**LEG. STERN:**

Okay. So we need to make the first move in order to be under consideration.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. STERN:**

Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Have they voted to create a sewer district?

**COMMISSIONER ANDERSON:**

No, they would have to do a referendum there's, you know, still steps involved. In fact, this is one of the areas we are studying under the overall sewer study that's going on right now.

**CHAIRMAN SCHNEIDERMAN:**

Right.

**COMMISSIONER ANDERSON:**

So there is some work that still has to be done. What this allows us to do is to have some type of funding in case federal appropriations allow or start to finally pay for some sewers.

**CHAIRMAN SCHNEIDERMAN:**

All right. We had a motion and a second. Who was the motion?

**MS. ORTIZ:**

Legislator Lindsay.

**CHAIRMAN SCHNEIDERMAN:**

Legislator Lindsay. He's not in the room. Can we get a second? All right. Let's get a first though. I'll make -- yes, so there's a motion by Legislator Horsley to approve, second by Legislator Muratore. All in favor? Opposed? Abstentions? **APPROVED (VOTE: 5-0-0-1 Not Present: P.O. Lindsay)**

All right. So that's approved that concludes our agenda. Thank you and we are adjourned.

**(\*THE MEETING WAS ADJOURNED AT 2:56 P.M.\*)**

**{ } DENOTES SPELLED PHONETICALLY**