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 April 17, 2012.

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

ALSO IN ATTENDANCE:
Presiding Officer Bill Lindsay - Legislative District No. 8
George Nolan - Counsel to the Legislature
Gil Anderson - Commissioner - SC Department of Public Works
Phil Berdolt - Deputy Commissioner - SC Department of Public Works
Bill Hillman - Chief Engineer - SC Department of Public Works
Robert Doering - Budget Review Office
Christine DeLisi - Aide to Chairman Schneiderman
Paul Perillie - Aide to Legislator Gregory
Renee Ortiz - Chief Deputy Clerk - SC Legislature
Ben Zwirn - County Executive's Office
Dot Kerrigan - AME
Jeffrey Fullmer - Fabco industries
Danny Sofia
All Other Interested Parties

MINUTES TAKEN BY:
Donna Catalano - Court Stenographer

MINUTES TRANSCRIBED BY:
Kim Castiglione - Legislative Secretary

(*THE MEETING WAS CALLED TO ORDER AT 2:00 P.M.*)

CHAIRMAN SCHNEIDERMAN:
Good afternoon. I'd like to call this meeting of the Public Works and Transportation Committee to order this 17th day of April, 2012. If you all will rise and join us for the Pledge of Allegiance. If you can rise, if not, if you will salute with us and say the national anthem led by Legislator Muratore.

SALUTATION

I was going to make you sing the national anthem. Sorry about that. You know, we could do that next. It could be good. Worse if I sang it.

All right. So we have two speaker cards today. We have Jeffrey Fullmer, who would like to be heard on FABCO Industries Inc., and Danny Sofia will follow on transportation issues. Is Mr. Fullmer here? If you'll step up to the podium. You need to press and hold the button. We'll give you three minutes to make your comments.

MR. FULLMER:
Thank you very much. Good afternoon, Chairman Schneiderman and members of the Public Works and Transportation Committee. My name is Jeff Fullmer and I am the Watershed and Regulatory Services Coordinator for FABCO Industries, Inc. FABCO is a Suffolk County based business located in Farmingdale, which is engaged in the business of designing and manufacturing stormwater treatment devices. I'm here today to discuss Introductory Resolution 1302, which I think was tabled at your last committee meeting. We are the manufacturer of the devices that are the subject of that particular bill, catch basin inserts.

Before I go into 1302, my background, actually I serve as a Watershed and Regulatory Services Coordinator. I previously served as the Director of the Long Island South Shore Estuary Reserve Program, so I have some familiarity and expertise with stormwater management.

We, FABCO, as a small business, strongly supports the intent of the legislation which is primarily to allow to surplus those catch basin inserts which were utilized, I believe, by the County as part of a pilot program to test these units. And I understand they've been surplused or they've been actually in storage at the County DPW. We'd like to see them reused productively.

These types of units, and I'm not sure how much, I know there has been some discussion in the County Legislature for quite a while about stormwater management and these particular units. They are designed actually to remove pollutants in stormwater in catch basins in roadways, and they are designed to remove pollutants, including floatable debris, hydrocarbons, nutrients, phosphorus, sediments and bacteria as primary pollutants.

We believe that these types of units, if they're properly located, and I'm going to discuss that in just a second really quickly, and if they're properly maintained are very effective with regard to being a component of an overall best management strategy for stormwater. We would recommend that should the County decide to move forward with surplusing these units and providing them to local governments, villages or towns who might want to use them in either demonstration projects or for the purpose of managing stormwater, that they be placed in areas which have been identified as high priorities with regard to watershed protection. Specifically I'm talking about areas in the South Shore Estuary Reserve on the South Shore or the Long Island Sound on the North Shore. Both of those water bodies have had management plans developed for them.

I was very, very involved with the development of the South Shore Estuary Reserve Program and the Management Plan which was adopted in 2001, and within both of those plans are

recommendations for stormwater management involving the development and implementation of watershed management plans. And there are a number of places where watershed management plans have been developed, and this is where these types of units should actually go. I know there has been some discussion about reusing these, but we would recommend that they be reused for those purposes in those particular areas.

I'd just like to say that I know there are a number of municipalities, probably both on the North and the South Shore, which would be interested in potentially utilizing these units if they were made available. We're a small business, we're a small employer in Suffolk County, and as a small business that's involved in green industry we would like to promote the growth of green industry in Suffolk County, expand our employment base and utilize our technology to improve water quality. So I'd like to just say that we support the intent of the legislation and we hope you move it forward.

CHAIRMAN SCHNEIDERMAN:
Stay there for a second because I have a question. You know, when the County did this pilot project it also identified areas where it thought it made sense, where it would protect surface waters, etcetera, estuaries. I guess what happened was the maintenance of these were beyond what the County is able to do with its limited resources. Is that your understanding, too?

MR. FULLMER:
My understanding, I actually had a conversation with Suffolk Department of Public Works over a year ago about this issue of these units being removed. They indicated at the time that they did have issues with regard to being able to properly maintain them.

Now, one of the issues that we're concerned about here is that these units were tested in effect in the field in County facilities, but not on County roadways, which they were actually designed for. They were actually placed in parking lots in County facilities, in County parks, County DPW yards. We're not saying that that's not a place to put these sometimes, but the reality is these things are really designed to go in places where there is a direct conveyance or discharge of stormwater to a surface water, and in most of those lotions that was not the case.

So as far as the maintenance goes, our recommendation is that they be maintained, cleaned out, twice a year, and we understand if the County Department of Public Works has concerns about how these units are ultimately maintained. However, the number of units that the County actually placed in service for a pilot study was about 214. I think there are 202 that remain that might be available for reuse. The County has about 200 outfalls that directly discharge the surface water, so those units could have been used for that purpose. My understanding is that Public Works was concerned about these units clogging up and flooding and flooding roadways and that was their rational for not putting them in roadways.

The reality is these units are actually in large scale use in Nassau County right now. There are thousands of them which have been installed. The Village of Patchogue has installed a number of them and they're not having any of these problems. They are maintaining them. So the maintenance issue is key here, but we think they can be productively reused and we think this is a good opportunity, frankly, for a small company like us to be able to show that these, in fact, do work, can work, and this would make a good demonstration, because they have already been in effect paid for by the County taxpayers.

CHAIRMAN SCHNEIDERMAN:
All right. I have no further questions for you at this point. So, thank you.

MR. FULLMER:
Thank you.

CHAIRMAN SCHNEIDERMAN:
Danny, if you'll come forward? Can we assist him in providing a microphone and a space at the table? Is there a mic that doesn't require you to hold the button down? One of them I think stays on.

MR. SOFIA:
Hi.

CHAIRMAN SCHNEIDERMAN:
Hi,Dan. I'm not going to set the timer, Dan. I realize that it may take you a little longer to make your presentation. I'll give you whatever you need.

MR. SOFIA:
I just wanted to bring to your attention these three things. I wanted to increase SCAT on Sundays and a way to show this, after 8 p.m. it should -- I don't know if you would be opposed to this, but maybe we would pay like five bucks a ride, and then from like eight to eleven, five bucks a ride, and then if you were to work for like a State hospital you get a reduction. Do you see what I mean or?

CHAIRMAN SCHNEIDERMAN:
All right, I do. We actually are limited under the Americans With Disabilities Act. We can't charge more than double the main fare, which is going up to $2, so four would be the most we could charge by law.

MR. SOFIA:
Okay.

CHAIRMAN SCHNEIDERMAN:
But it's an interesting idea. You'd have to see, if we could go up, whether other riders would also support that and whether that would be sufficient enough to run some limited SCAT service on Sundays.

MR. SOFIA:
Do we know when it might be happening or?

CHAIRMAN SCHNEIDERMAN:
The general fare increase would probably happen around June as I understand it, June first. That's the two dollar fare as well as some other 25 cent increases on some of the other fares. We haven't held the public hearing yet on raising the SCAT fare, and I believe there is a resolution coming tomorrow -- not tomorrow, next Tuesday, next Tuesday and then it will go through the committee process. I imagine it will be a couple of months before you'd see an increase in that fare. Maybe around June, July.

MR. SOFIA:
That's fine. I'm all for it anyway. The next thing is I had an over 90 minute bus trip yesterday going from my house to Stony Brook. It usually takes 23 minutes and it took me like 90 to 95 minutes. That's illegal by the FTA reg.

CHAIRMAN SCHNEIDERMAN:
I'm sorry. Are you asking me a question?

MR. SOFIA:
No, it is. It's illegal by the FTA. The maximum amount you're allowed is 90 minutes. The driver kept me on the bus for about 90 to 100 minutes and we were going all over the County for a simple

23 minute bus trip. I have a job to be at and I can't be late.

CHAIRMAN SCHNEIDERMAN:
I mean, typically they -- I think they ask you what time your appointment is and they try to make sure they meet that schedule.

MR. SOFIA:
Yeah, but 3:30. I had a 3:30 bus and it didn't get me there until almost 5:30.

CHAIRMAN SCHNEIDERMAN:
What time was your appointment, Dan?

MR. SOFIA:
Three-thirty.

CHAIRMAN SCHNEIDERMAN:
A 3:30 bus. What was the time that you had to be at this place?

MR. SOFIA:
By 4:30.

CHAIRMAN SCHNEIDERMAN:
Four-thirty.

MR. SOFIA:
Yes.

CHAIRMAN SCHNEIDERMAN:
You know, these isolated incidents, we can certainly look into. We have people here from Department of Public Works and they're listening. So, you know, we certainly try to get people, you know, as quick as possible. Were there other people who were picked up in between?

MR. SOFIA:
Three, three in between. I'm just afraid if I keep this up my job is going to suspend me and it isn't my fault.

CHAIRMAN SCHNEIDERMAN:
Okay. We can just try to find out what happened, and I don't really know what else I can tell you, you know. Commissioner Anderson, did you want to respond? I know it's an isolated incident.

COMMISSIONER. ANDERSON:
Understood. And, Danny, I'll look into it. I said we'd talk some more later. We were talking before about the issue. I will look into it and find out what happened and why it, you know, why it occurred and do my best to make sure it doesn't happen again.

CHAIRMAN SCHNEIDERMAN:
Okay. Was there anything else, Dan?

MR. SOFIA:
No, the only other thing is I find that a lot of vehicles need maintenance. The lifts don't work all of the time.

CHAIRMAN SCHNEIDERMAN:
The lights don't work?

MR. SOFIA:
The wheelchair lifts.

CHAIRMAN SCHNEIDERMAN:
Oh, the lifts. Okay. I'm sorry. I misunderstood you.

MR. SOFIA:
The main thing is this is an isolated incident, but to me the driver -- some of the driver's attitudes are -- shouldn't be even tolerated.

COMMISSIONER ANDERSON:
Okay.

CHAIRMAN SCHNEIDERMAN:
Have we been making progress, though, Danny, because you've raised other issues here about cell phone use and things like that. We are getting where.

MR. SOFIA:
Oh, yeah.

CHAIRMAN SCHNEIDERMAN:
We are getting somewhere.

MR. SOFIA:
Yeah.

CHAIRMAN SCHNEIDERMAN:
It's important to understand. So, Dan, I know that it's not easy for you to come out to these meetings. I appreciate you taking the time. In a way you are our eyes and ears within the bus system so it helps to have your comments. Commissioner Anderson is going to take them seriously and communicate with you. If the lift isn't working I'm sure that's going to be something that gets a top priority. Okay?

MR. SOFIA:
All right.

COMMISSIONER ANDERSON:
I'll look into both issues.

MR. SOFIA:
No problem.

CHAIRMAN SCHNEIDERMAN:
Okay. Is there anyone else who wishes to be heard by this committee and hasn't filled out a yellow card, please indicate yourself to me. All right. So that concludes our public portion. We have no presentation. What I'd like to do is move on now to the agenda. We will begin with Tabled Resolutions.

Tabled Resolutions

IR 1273, Appropriating funds in connection with development of a Village Square at the intersection of CR 80 and CR 46, Shirley (CP 6421). (Browning)

Do I have a motion?

LEG. HORSLEY:
Motion to approve.

CHAIRMAN SCHNEIDERMAN:
Motion to approve by Legislator Horsley; I will second. Commissioner, we've discussed this in the past. This is, I guess, a completion of a project that's already in motion; correct?

COMMISSIONER ANDERSON:
Yes, I believe so.

CHAIRMAN SCHNEIDERMAN:
This is some seating areas, there's a square.

COMMISSIONER ANDERSON:
Yeah, there's a square at Montauk Highway and William Floyd Parkway.

CHAIRMAN SCHNEIDERMAN:
It's in the Capital Program -- Budget for this year?

COMMISSIONER ANDERSON:
Yup, yup.

CHAIRMAN SCHNEIDERMAN:
Okay. Any other questions? Discussion? Okay. I'll call the vote. All in favor? Opposed? Abstentions?

LEG. BARRAGA:
Opposed.

CHAIRMAN SCHNEIDERMAN:
Legislator Barraga is opposed. Approved. ***(Vote: 4-1-0-0 Opposed: Legislator Barraga)***

IR 1302, Declaring as surplus and directing study to determine future use of certain catch basin inserts. (Hahn)

I have questions about this, but do we have a motion? For the purposes of discussion I'll make a motion to approve. I need a second.

LEG. STERN:
I'll second.

CHAIRMAN SCHNEIDERMAN:
A couple of things, Commissioner. First is last session we felt this was the cart before the horse, so to speak, that you hadn't actually formally said that these products either weren't working or required too much -- whatever it was, because we were doing a pilot program we wanted to know whether it worked or not. There was some testimony today that certainly made me think that, you know, maybe this is something the County ought to hold on to and use in different places, the intent being good in terms of protecting water quality. Do you have conclusions at this point about these

basins?

COMMISSIONER ANDERSON:
Yes. In fact, a letter was sent out last week to yourself and, I believe, all the committee members, with our findings.

CHAIRMAN SCHNEIDERMAN:
Okay. I was away. I haven't seen it.

COMMISSIONER ANDERSON:
I have a copy here. I can get a copy made and you can --

CHAIRMAN SCHNEIDERMAN:
Could you summarize?

COMMISSIONER ANDERSON:
Yeah. Essentially I would refute what the gentleman said earlier about, you know, our pilot program. We did run into a number of issues. While they weren't placed on highways, we felt, and we have gone back and forth, we have two reports that were done by DPW prior to initiating the pilot project that, you know, showed that there was a problem with overflow if they backed up. I don't really know that this is the forum we need to get into this at. We, in your letter, basically what we say is look, you know, we acknowledge that they do work in certain lotions. You know, we'd be fine if they're given to other municipality as long as the municipality understands there's a significant amount of maintenance involved with this. But --

CHAIRMAN SCHNEIDERMAN:
Is the maintenance more than was described, the two time a year cleaning? You have to replace the filtration medium, don't you?

COMMISSIONER ANDERSON:
Yes. Annually you replace the filtration medium, you clean it out. We did -- we had a contractor who came in. Part of the contract was not only to install the filter systems, but also to maintain them quarterly. Problem is that many times, and most times, they required to be maintained prior to those times. In speaking with -- I spoke to Joe Dean, who is the Superintendent for DPW in Patchogue, they do a very -- they sweep their roads every day, so they feel that, you know, they'd be able to use them in certain instances. We have a large highway network; we're not able to do that. You know, there is -- we don't have the capability to do what they do. In that instance it may fit, you know.

CHAIRMAN SCHNEIDERMAN:
You're supporting Legislator Hahn's resolution 1302?

COMMISSIONER ANDERSON:
We are fine with it, yes.

CHAIRMAN SCHNEIDERMAN:
To repurposed them or to give them to the towns, etcetera. All right. Legislator Horsley.

LEG. HORSLEY:
Gil, hello. I just want to -- is this the rocks in the box program?

COMMISSIONER ANDERSON:
This is the canister.

LEG. HORSLEY:
This is the canister. This is not the sponges, it's the canister.

COMMISSIONER ANDERSON:
Correct.

LEG. HORSLEY:
I gather from your testimony, we've had conversations about the sponges which we've put into locations in my district not the County, at the County expense. Am I talking the same language, and you had the same types of arguments against the sponge program, that they are high maintenance excepting I don't recall the backing up water.

COMMISSIONER ANDERSON:
Yeah, that system actually is able to, if you do have a high storm volume come in, it is able to bypass it sufficiently. The system we're speaking of here didn't -- doesn't have that capability.

LEG. HORSLEY:
So you're ruling out this system because of those difficulties, but you have not ruled out the sponge program at this point or -- because I don't think I've ever heard any end result. I'm sorry I missed your memo, but we were dealing with the budget.

COMMISSIONER ANDERSON:
No, that's fine. I should have e-mailed it. The -- we feel that as a stand alone system neither system is what we would prefer. We prefer, what is the right term, end of pipe systems. If we don't have the land to build sedimentation facilities at the end of the pipe, you know, we use a combination of a swirl separator system, like a vortex, in combination actually with -- we'll put one of those bags into the system because the bags --

LEG. HORSLEY:
The bags, sponges, is that the same thing? Whatever you want to call it?

COMMISSIONER ANDERSON:
The sponges, yeah. They get rid of the oils and the very fines. The vortex get rid of the sediments and the sediments take, you know, remove -- once you remove the sediments you remove about 90, 95% of the pollutants out of there. So, you know, in combination of the swirl separate with the sponges we feel we get a better product and it has a better ability to bypass in case of a storm, because obviously we want our highways clear of water, you know, in the event of a storm. You don't want standing water.

LEG. HORSLEY:
So, in other words, we don't have a perfect product yet because we don't have the vortex.

COMMISSIONER ANDERSON:
Well, I don't think there's a perfect stand alone product. Again, we use a train, we use a Vortechnics with, you know, which again, is that swirl separator, and then the second chamber we put in the sponge. And we use leaching pools. We use a combination of things.

LEG. HORSLEY:
So then what I'm gathering is you've actually come to a conclusion. I don't think I had heard that before.

COMMISSIONER ANDERSON:
Yes.

LEG. HORSLEY:
What is the optimal so down the road --

COMMISSIONER ANDERSON:
Well, actually we have. We've stated that back years ago when we were arguing this originally. We still feel that the larger, you know, if you will, larger systems that use land, sedimentation basins, those types of facilities are the best. If you don't have the land to build those type of facilities, then we to with a train such as the Vortechnics or a swirl separator system.

LEG. HORSLEY:
Right. And I think most people, you know, at least along the South Shore, were concerned about the end of the pipe issue right into the canals and that kind of stuff, so.

COMMISSIONER ANDERSON:
Correct. Right. In that case we would use --

LEG. HORSLEY:
You're in, huh? That's the first time I'm hearing that. Thanks.

CHAIRMAN SCHNEIDERMAN:
Legislator Stern.

LEG. STERN:
Thank you, Mr. Chairman. So we had originally purchased was it 202 of the inserts?

COMMISSIONER ANDERSON:
Two-hundred and thirteen.

LEG. STERN:
Two-hundred and thirteen. All right. The legislation refers to 202. I don't know what the ramifications of that is.

COMMISSIONER ANDERSON:
There are 202 remaining, and that's only the frames. It's not the canisters, it's only the frames.

LEG. STERN:
So 202 of them have not been used.

COMMISSIONER ANDERSON:
Were used, were taken out after -- after our program we felt that the maintenance -- the maintenance was too intensive for our ability to maintain. We just don't have the manpower or the time. So we pulled the actual frames out of the catch basins and we stored them on our site and that's where they remain.

CHAIRMAN SCHNEIDERMAN:
With the exception of 11 of them?

COMMISSIONER ANDERSON:
I'm sorry?

CHAIRMAN SCHNEIDERMAN:
With the exception of 11 of them?

COMMISSIONER ANDERSON:
Eleven were damaged.

CHAIRMAN SCHNEIDERMAN:
Oh, were damaged.

COMMISSIONER ANDERSON:
Yes.

CHAIRMAN SCHNEIDERMAN:
Okay. So we're not using any of them.

COMMISSIONER ANDERSON:
Right.

CHAIRMAN SCHNEIDERMAN:
Eleven are damaged, and so where are they sitting, in our yard somewhere?

COMMISSIONER ANDERSON:
They're probably -- they're disposed of at a dump or whatever.

CHAIRMAN SCHNEIDERMAN:
Okay.

LEG. STERN:
So 202 of them are capable of either being sold or otherwise transferred. That's the number that we're talking about.

COMMISSIONER ANDERSON:
Correct.

LEG. STERN:
All right. Do you have any idea at this point what would determine whether or not we would transfer them gratuitously or sell them? To you, what's going to make that determination, if you can comment on that at this point.

COMMISSIONER ANDERSON:
No, I mean, if you take the scrap value of it, which is really, and no disrespect intended to anybody or any product, but if you take the scrap value of material it's -- these are aluminum flanges, they are estimated at 53 cents a pound. Each insert contains approximately 32.4 pounds of aluminum, and so therefore each unit contains about $17.17 worth of scrap metal. So the total scrap value of the material is $3,468.34. That's all in the letter I sent that I guess you guys haven't got yet.

CHAIRMAN SCHNEIDERMAN:
Do you remember the initial cost of the program?

COMMISSIONER ANDERSON:
Eight-hundred thousand.

CHAIRMAN SCHNEIDERMAN:
Seven-fifty, 750,000, yeah. So this bill doesn't give you the authority to give them to a town, right? It just asks you to prepare a recommendation as to what to do with them; is that right?

COMMISSIONER ANDERSON:
Yes. It was directing us to declare a surplus and then to study -- and also to study the future use for certain of, you know, for these type of facilities.

CHAIRMAN SCHNEIDERMAN:
My only concern is that since they were paid for with a dedicated fund for water quality that if towns do use them that they would use it for similar purposes, water quality, so that the locations they end up in would be appropriate lotions. And if they ever stopped using them, I'm not sure, maybe they would go back to the County or we'd have to decide what to do with them.

COMMISSIONER ANDERSON:
Once you declare it surplus essentially it takes it out of our hands. It would become their, you know, their problem. So, you know, we -- obviously they would use it, they would put it into recharge basins or, you know, prior to outfalls or prior to recharge basins, so. Bill brought a good point up. I mean, really that's the intent in their use. There would be really not much else you could use them for.

CHAIRMAN SCHNEIDERMAN:
I mean, the scrap value is so small. I guess that was more of my concern is if we just give it away and then they would sell it. That money really ought to come back to the 477 Fund, but it's so small.

All right. Any other questions? All right. So there's a motion and a second to approve this bill. Any further discussion? All in favor? Opposed? Abstentions? Approved. ***(Vote: 5-0-0-0)***

Introductory Prime

IR 1332, Directing the Department of Public Works to draft a Request for Proposals on a study of pedestrian safety at crosswalks without signals. (Schneiderman)

I will make a motion to approve. With a second I'll offer some explanation.

LEG. HORSLEY:
I'll second.

CHAIRMAN SCHNEIDERMAN:
Second by Legislator Horsley. The County maintains multiple crosswalks, pedestrian crosswalks. This basically is to develop a best practice -- best practices list of, you know, potential improvements to these crosswalks. We're not actually doing improvements other than one crosswalk that's already scheduled to occur on Bridge/Sag Turnpike. So that will be like a model crosswalk in terms of markings, reflectors, whatever it might be, whatever they determine to be the best practice.

The idea really is because there has been a number of injuries and fatalities, not so much necessarily on County crosswalks but crosswalks within the County, to develop kind of this list that would help assist the towns in terms of what the best practice for signage and lighting and striping and reflectors and all those things. That's really what this does. Gil, do you want to add to that?

COMMISSIONER ANDERSON:
No, I think, you know, we're fine with this proposal. You know, we've discussed it between ourselves, you know, and I think, you know, obviously we would use the, you know, the appropriate traffic engineering standards that, you know, Manual of Uniform Traffic Control Devices, that whole thing, and establish, you know, and set the criteria for everybody.

CHAIRMAN SCHNEIDERMAN:
We're doing this in-house; is that correct?

COMMISSIONER ANDERSON:
Yes. Again, you're asking us to draft a proposal.

CHAIRMAN SCHNEIDERMAN:
The question is are we using outside -- are we using money, additional monies or costs associated with this, and I think phase one I didn't think there was a cost.

COMMISSIONER ANDERSON:
No, I don't believe so. I didn't see anything in the legislation, so. This is really just to develop a proposal.

CHAIRMAN SCHNEIDERMAN:
In the bill there's an RFP component. I'm fine if it happens all in-house. Is there anything to stop them from doing this in-house?

MR. NOLAN:
It states the department is going to issue an RFP to try to identify a consultant to carry this out, but also makes the issuance of the RFP now under the amended version, subject to funding being included in the 2013 Capital Budget and Program. So the RFP won't issue if money is not included in the program when we do this budget.

CHAIRMAN SCHNEIDERMAN:
Bill, do you have a sense of how much that might cost? Is that still the way you envision this, is we'd have a consultant at some point doing some of the design work?

MR. HILLMAN:
Yes, that's, I think, what we discussed, is that we would -- the department would narrow down a list of unsignalized crosswalks they could investigate and make some proposals on what improvements could be made, and whether they designed it or then we fully designed it, but right now with our traffic group it would be difficult for us. I mean, you guys are well aware of our limited resources in our traffic group. To put this project on them would be difficult. Maybe when we get into highway design we could design these, but we would need assistance right now for a consultant to investigate and come up with the ideas and the concepts.

CHAIRMAN SCHNEIDERMAN:
In the initial phase can that be done in-house in terms of developing the list and then the contractor comes in when we talk about specific County crosswalks and if we were going to improve those to meet these standards?

MR. HILLMAN:
Yeah, that's what we envision.

CHAIRMAN SCHNEIDERMAN:
Okay. So there is no cost to the County unless we make those changes.

MR. HILLMAN:
Well, it would be a cost to the County for the consultant to develop the ideas. So we would put out an RFP -- there may be a misunderstanding for RFP. When we say RFP for consultant services, not an RFP for a contractor. An RFP for consultant services, roughly 75, $100,000 to go out and investigate some of these and come up with some concepts on how to -- what to implement. So

beyond that -- and then there would be a construction cost beyond that that we would need to figure out how to pay for.

CHAIRMAN SCHNEIDERMAN:
But the first phase you can do in-house, to develop the list.

MR. HILLMAN:
Yeah. That would be us, developing the list of locations to --

CHAIRMAN SCHNEIDERMAN:
All right. And so then the second part would be contingent on the money going into the Capital Program.

MR. HILLMAN:
Correct.

CHAIRMAN SCHNEIDERMAN:
Okay. Legislator Stern.

LEG. STERN:
Yes, thank you. So, again, the part that would be handled in-house would be to compile the specific list of sites, of locations, and that would then make up the RFP; correct?

MR. HILLMAN:
Yes.

LEG. STERN:
Okay. What constitutes -- it might sound simple, but what constitutes a crosswalk for these purposes. I ask the question because, I mean, is every crosswalk that happens to be painted on a County Road one of our crosswalks? Are there municipalities that have authority to place their crosswalks on our road? Do we have an inventory of all the crosswalks that we have jurisdiction over? I mean, sometimes you'll drive on County Roads and then there are these crosswalks that aren't necessarily at a corner, but they appear out of nowhere. Are those our crosswalks and are we responsible for them, and would that type of a crosswalk be included on this list.

COMMISSIONER ANDERSON:
Any crosswalk on any County Road is under our jurisdiction.

MR. HILLMAN:
Yes, and I agree with the Commissioner, yes. And I think those crosswalks that you're referring to are exactly what we want to investigate, the ones that are what we would call mid-block, unsignalized crosswalks that sort of just pop out at you. Those are the ones that we want to investigate and try and improve.

CHAIRMAN SCHNEIDERMAN:
We don't know how many they are right, Bill, at this point?

MR. HILLMAN:
No, I don't believe we do. And to further answer your question in full, I don't know that we have an inventory of every single one, and that could be something that's part of this that my staff would do, is perform an inventory. First we have to do the inventory to come up with the list of the -- what are the ones that we should -- the handful that we should be looking at. So this is a good exercise for us.

LEG. STERN:
I would suggest that as you start to go through this exercise let all of us know, because I'm sure that many of us are familiar with those kinds of crosswalks in our communities and at least can give you a heads-up and help you get started on it.

CHAIRMAN SCHNEIDERMAN:
What occurred to me, too, is that as a pedestrian crossing, the law I think states that the cars are supposed to stop, supposed to yield to the pedestrians, but that's kind of a false sense of security that happens. They walk out -- but car really has -- the motorist doesn't have a great deal of notice. Sometimes you're walking out from behind a parked car and suddenly you're there. You know, there obviously must be better ways to handle some of these to give the driver a little bit more visibility or notice, whether it's rumble strips or we've talked about a bunch of different things. We really don't know what the best practice is yet. Sometimes there's a little sign in the middle, sometimes it's there, sometimes it's not there. They're often on little cones, they get knocked over.

I had one individual in my district who was in the hospital for quite some time who got hit in one of these crosswalks. I have had incidences where I was crossing and cars certainly didn't stop and it was somewhat dangerous. It made me realize that we may have a problem here, at least something worth looking into and that prompted me to call DPW and it led to this bill, feeling like that maybe we could come up with this list of best practices that could assist not just the County, but the towns as well.

LEG. STERN:
Going forward, I'm sure that we would all like to have some type of a resource that we could look to, that our professionals can look to for best practices, but you have to believe that it's really going to come down to the facts and circumstances of each particular individual crosswalk. So, Commissioner or maybe Bill, I mean, how do you envision this going forward? If there is going to be some outside consultant, is this outside consultant going to issue a report on the top ten best practices in general, or with a given list of some of these potential sites within the County are they going to -- do you see the vision here, is it to develop a specific plan on these specific sites that you can then turn over to your staff to implement. I would be reluctant to go forward bringing in an outside consultant just to give us, you know, the top ten best practices that he or she sees, you know, across the country rather than giving us some real specific information that we can use.

MR. HILLMAN:
I would envision the report doing both, coming up with some innovative ideas on how to handle unsignalized crosswalks, but also being site specific to the six or so that we select. There's various manuals on -- there's no one, as Legislator Schneiderman, you know, is leading to, there's no one source for all the different techniques to implement improving a crosswalk. You might get something out of the Highway Design Manual, then there is something in the, you know, Manual of Uniform Traffic Control Devices, then the AASHTO, which is a Federal guideline. All these different manuals have different ideas. So part of the consultant's responsibility would be to go through those. There's also pedestrian only manuals, and so there's a lot of information out there that they could sift through and identify, "Here, these are some really good practices that have worked well in other places". Beyond that, they would also be okay, and these six or five or three locations we think you should do X, Y and Z. Then we would take that and pick up the ball and run with it.

CHAIRMAN SCHNEIDERMAN:
Okay. Any other discussion? Okay. So we have a motion and a second. Do you want to add something, Gil? All in favor -- yes, Legislator Stern.

LEG. STERN:
Mr. Chairman, again, just to clarify. This is all contingent on whether or not there is going to be

funding for this going forward in our Capital Budget. If there is no funding in the Capital budget then it doesn't go anywhere.

CHAIRMAN SCHNEIDERMAN:
Well, the first phase they can do in-house. It's the second phase that won't move forward unless we fund it.

COMMISSIONER ANDERSON:
I was just going to say -- and I should take this opportunity to introduce the new Deputy Commissioner for Public Works, Phil Berdolt.

CHAIRMAN SCHNEIDERMAN:
Welcome.

COMMISSIONER ANDERSON:
You know, had a good point that, you know, Suffolk County PD mans a lot of the crosswalks with their crossing guards, so that would be another resource we could approach to, you know, get a listing of what's out there and if they're -- especially if there are any that are critical in nature, critical enough that they have to man.

CHAIRMAN SCHNEIDERMAN:
Okay. All right. So there's a motion and a second. All in favor? Any opposed? Abstentions?

LEG. BARRAGA:
Opposed.

CHAIRMAN SCHNEIDERMAN:
One opposed, Legislator Barraga. Approved. ***(Vote: 4-1-0-0 Opposed: Legislator Barraga)***

IR 1333,Enhancing and strengthening County Beautification and Litter Control Programs. (Schneiderman)

I'll make a motion to approve. Do I have a second? Legislator Horsley, second for discussion?

LEG. HORSLEY:
Sure, I'll second it.

CHAIRMAN SCHNEIDERMAN:
Okay, thank you. All right. So we have a motion and a second.

MR. ZWIRN:
Mr. Chairman, if I might.

CHAIRMAN SCHNEIDERMAN:
Yes.

MR. ZWIRN:
I knew there was an amendment -- was there an amendment to this one? No, not this one. There was a question that we had with respect to revenue that would be generated from the Adopt-A-Sign portion of this that would be going back -- wouldn't be going to the General Fund necessarily, but be going to a specified program in the Public Works Department. We have been very careful over the years not to do that, because there have been efforts for the Parks Department revenues to go back strictly to Parks, the Clerk's Office revenue that is generated in the County Clerk's Office to stay in

the County Clerk's Office. This money generally goes back to the General Fund where it can be budgeted. So that's something that we're a little -- it may not be the main focus of this resolution, but it's something that we were concerned about.

CHAIRMAN SCHNEIDERMAN:
I'm not sure that affects this resolution. Counsel, to what degree does that affect us?

MR. NOLAN:
Well, the bill provides that DPW is authorized to collect from businesses participating in a County beautification program, a litter removal program, a fee of $250 to cover the cost associated with preparing and installing the signage, but this would allow -- I believe this allows them to hold on to that money. It's going to be retained by the Department of Public Works to defray the cost associated with the preparation and installation of those signs. I know the -- generally the Administration doesn't like resolutions to direct money to go to a particular place, but I know that we have passed laws and resolutions that do -- have done this type of thing, which is direct the money coming in to go to a particular source, usually to offset the cost associated with running a program.

MR. ZWIRN:
As I say, if that could just be changed, if the revenue could go back to the General Fund. We just don't want to set a precedent, even though this is a small part of the bill and I don't think this was, when you were looking at doing what you were trying to get done here, this was not the focus -- it's something we came across as we were reading the bill.

CHAIRMAN SCHNEIDERMAN:
Commissioner Anderson, this bill really was -- I think came through DPW, right? There were some questions about the Adopted-A-Spot Program and some of the not-for-profits that were working not within the roadways but on the sides of the roadways and not having the ability to procure insurance. Can you speak to that a little bit? I know in the center medians we're requiring that you have to have the licensed landscaper, insured landscaper, but on the sides you'd be covered by the County. Is that the way this works?

MR. HILLMAN:
Yes. The Legislature has initiated numerous programs, Adopt-A-Highway, Adopt-A-Median and Adopt-A-Spot. So the three programs were getting cumbersome so we worked with some of the Legislators who were involved in those programs to try and make it a little more user friendly, for both the department to manage and also for the particular groups that are utilizing it. One of the biggest hurdles was we require insurance coverage for people to be within our right-of-way. So if a Chamber of Commerce wanted to, you know, pick up litter or plant some flowers along the shoulder, we required, I don't know what it was, $2 million worth of liability insurance, so it was very prohibitive. So that's the genesis of this. And, yes, it's only for the shoulders, the grass shoulders. Anybody who is doing work in a median for the Adopt-A-Median Program, they are required to have that insurance because they are, you know, it's much more hazardous than working along the shoulders. You're putting yourself in a median. So we require that a licensed landscape company who maintains the insurance do all the median work.

CHAIRMAN SCHNEIDERMAN:
All right. I'm certainly happy to amend the bill to have the funds that are generated from the -- it's not going to be a lot of money from these signs being installed, go to General Fund. You guys don't have any objections to that?

Is there any other concerns with the bill? If I am going to amend it once, I don't have to amend it twice. Okay. I'll withdraw my motion to approve and I'll change it to a motion to table.

LEG. STERN:
Second.

CHAIRMAN SCHNEIDERMAN:
Second by Legislator Stern. All in favor? Opposed? Abstentions. Tabled. ***(Vote: 5-0-0-0).*** George, if you can make that change I'd appreciate it.

We are joined by our Presiding Officer. Good to see you, Bill. All right. Continuing on.

IR 1335, Authorizing an Intermunicipal Agreement with the Town of Southold, and accepting funds associated with overtime costs for dredging of County waters within the Town of Southold. (Co. Exec.)

I will make a motion to approve.

LEG. STERN:
Second.

CHAIRMAN SCHNEIDERMAN:
Second by Legislator Stern. Commissioner, anything you want to add to this?

COMMISSIONER ANDERSON:
This was an agreement that was reached with the Town of Southold to pay for overtime so our crews could come in. Normally they would work a two shift, six days a week operation during the dredging season, which is generally from October first to January 15th. Because of the budget problems that we were faced with last year we only went with during normal hours. The Town then made the request that they would pay -- reimburse us for the overtime and we reached that agreement. This is the culmination, you know, at the end of it that they have approved it. We just have to execute the IMA.

CHAIRMAN SCHNEIDERMAN:
As I understand it, there's basically a hold on all overtime right now.

COMMISSIONER ANDERSON:
Except for emergency, yes.

CHAIRMAN SCHNEIDERMAN:
Right, except for emergency. So these dredging projects, the main cost associated with a dredging project is really mobilizing that dredge, and when it's there you want to keep it going as much as possible and we have a very short window. So this is an area where we need to keep everybody working extended hours. So my understanding is you guys are going to be coming to the East End Supervisors and Mayors Association I think tomorrow, right?

COMMISSIONER ANDERSON:
Yeah, I believe tomorrow.

CHAIRMAN SCHNEIDERMAN:
To talk about this and see if other towns are going to be willing to pick up some of the overtime.

COMMISSIONER ANDERSON:
Correct.

CHAIRMAN SCHNEIDERMAN:
Okay. Otherwise you are going to fall way behind; is that correct?

COMMISSIONER ANDERSON:
Correct.

CHAIRMAN SCHNEIDERMAN:
Okay. And the County just simply doesn't have the resources. The County dredging budget, what is it down to, about a million dollars now?

MR. HILLMAN:
The Capital Program for 2012 was a million, but the -- just because I looked at it today I do know that the County Executive did put 6.5 million in 2013, which will be a tremendous help.

CHAIRMAN SCHNEIDERMAN:
Oh, great. In the Capital Program.

MR. HILLMAN:
In the Capital Program. But this overtime is paid from the Operating Budget.

COMMISSIONER ANDERSON:
For our crews to do the work.

CHAIRMAN SCHNEIDERMAN:
All right. Is there also -- well, we don't know what the Operating -- but this year's Operating Budget for dredging?

COMMISSIONER ANDERSON:
Well, again, for our personnel it's just their salaries. So, you know, their daily 7 hour day times their salary is all that's included within the budget. There wasn't any overtime included.

CHAIRMAN SCHNEIDERMAN:
It's my understanding that this dredging budget has been shrinking and now we're down to about a third of what it was just a couple of years ago, and not nearly enough to keep pace with the amount of dredging that needs to be done.

MR. HILLMAN:
That was really on the Capital side --

CHAIRMAN SCHNEIDERMAN:
On the Capital side?

MR. HILLMAN:
-- which this County Executive has seemed to reverse course.

CHAIRMAN SCHNEIDERMAN:
Okay. That's great. All right. Legislator Horsley.

LEG. HORSLEY:
Yeah, let me just ask. You know I'm going to weigh in on this one. So he's raising it to 6.5 you say on the Capital side in 2013. Do we -- does that -- does he have lists now of where that's going to go or how does that work.

MR. HILLMAN:
Well, the 6.5 he approved at the department's request, and the department has a list what that $6.5 million is intended for. When you say he I --

LEG. HORSLEY:
He meaning the County Executive.

MR. HILLMAN:
Yeah. I don't think he gets into the detail that great, but we have a list, yes.

LEG. HORSLEY:
Oh yes he will. I've worked with the County Executive for a long time. But that's okay. That's good. Let me ask you this. You said you're producing the list. Does that mean that we're going to see more activities on the West End?

MR. HILLMAN:
Definitely. I mean, if we get permits. I mean, the biggest hold up on the West End is usually permits and disposal locations. But if we have a permit we are active and ready to go.

CHAIRMAN SCHNEIDERMAN:
How much of that six million is the Forge River? Oh, I'm sorry, I didn't know, Bill. Go ahead, Bill.

P.O. LINDSAY:
It would be a good idea, fellows, if we had a list of which sites you are contemplating because we are going to take our own look at the Capital Budget as well. Bill, you certainly know I have a place that I want dredged. It sounds like Legislator Horsley does and Legislator Schneiderman does, so I think we all would be interested in that list.

COMMISSIONER ANDERSON:
We will get you our updated dredging list.

CHAIRMAN SCHNEIDERMAN:
I think we're getting closer on the Forge River, and that is an expensive one, is it not, Bill?

COMMISSIONER ANDERSON:
Well, the last million is being appropriated if hasn't already been appropriated, so we feel now --

P.O. LINDSAY:
Bill, you have to use the mic. We're not hearing you.

COMMISSIONER ANDERSON:
This last -- this year we'll be appropriating the final million we'll need for the dredging of the Forge River. So we should be in good shape for that project. The 6.5 million is for other projects beyond that.

CHAIRMAN SCHNEIDERMAN:
Okay. Great. That's good. Did we approve that one yet? No, not yet. We had a motion and a second, right. All in favor? Opposed? Abstentions? Approved. ***(Vote: 6-0-0-0 Presiding Officer Lindsay is included in the vote)***

IR 1336, Appropriating funds in connection with improvements to Environmental Recharge Basins (CP 5072). (Co. Exec.)

I'll make a motion. Second by Legislator Horsley. Commissioner, a little more detail.

MR. HILLMAN:
This is legislation that provides, I think, $250,000 in construction to help maintain recharge basins. Many of them are 25, 30 years old and we've never touched them. Quite often they are silted up, cause flooding to adjacent properties, so it's critical that we get in there. We have actually an ongoing list of locations that are problematic and this will help us resolve those problems.

CHAIRMAN SCHNEIDERMAN:
Are we doing it ourselves or are we hiring somebody to do it?

MR. HILLMAN:
We do a combination. We do the best we can with our in-house forces, but with the limited overtime -- we had been doing a lot of it on overtime, but with the limited overtime we found the need to go out to contract for additional services.

CHAIRMAN SCHNEIDERMAN:
Okay. Any questions? Concerns? Mr. Presiding Officer.

P.O. LINDSAY:
I mean, you must do a cost analysis on that whether it's cheaper to pay for it on overtime or go out to contract?

MR. HILLMAN:
Yes. Clearly it's cheaper for our in-house forces to do it on overtime.

P.O. LINDSAY:
On overtime.

MR. HILLMAN:
Without a doubt.

P.O. LINDSAY:
You know, maybe that's something we should weigh in on. You know, I mean, I understand the idea of saving money in the overtime budget, but in the long run if we're contracting out and it costs us more money what are we doing?

MR. HILLMAN:
That's a policy decision beyond us.

P.O. LINDSAY:
I know that. But I'm suggesting to the Chairman that maybe we should write a letter to the County Executive expressing our concerns about the policy, that we don't want to cut out off our nose to spite our face, you know. Or at least to do an analysis on a project by project basis to see which is going to be cheaper.

COMMISSIONER ANDERSON:
We could do that analysis based on the work that we did last year compared to, you know, because we did look at that, if somewhat informally, and do believe it is cheaper to do the -- use our forces at overtime.

CHAIRMAN SCHNEIDERMAN:
This 250,000, where is that money coming from? Is there an offset to it or it's within the Capital

Program?

MR. HILLMAN:
It's in the Capital Program.

CHAIRMAN SCHNEIDERMAN:
So are we bonding it?

MR. HILLMAN:
It would be bonded, yes.

CHAIRMAN SCHNEIDERMAN:
We would bond it. So there would be additional cost there as well on top of the fact, you know, that we'll hire a company that's got to make a profit, whereas we've got guys who can do this ourselves and pay the overtime. Okay.

MR. HILLMAN:
I'm sorry. Just to build on what you were saying. We had previous years funds, Capital funds, and we were doing it in-house with our in-house forces on overtime and weekends, and using the Capital monies strictly for dumping fees, because we end up with a lot of material that needs to be disposed of. Sometimes it's contaminated, it can be costly to dump that. So we would need a portion of these funds for that because that presently is not included in the Operating Budget for those dumping fees.

CHAIRMAN SCHNEIDERMAN:
We have a motion and a second to approve. I'm going to support this bill, but I do think that we should have at least a discussion with the County Executive as to whether this is cost effective and a practice we should continue. All right. All in favor? Opposed?

LEG. BARRAGA:
Opposed.

CHAIRMAN SCHNEIDERMAN:
Abstentions? Approved. ***(Vote: 5-1-0-0 Opposed: Legislator Barraga; Presiding Officer Lindsay is included in the vote)***

Moving on to our last Introductory Resolution. ***IR 1345, Authorizing license and setting rates for Hampton Jitney, Inc. (Pres. Off.)***

We haven't had the public hearing on this one yet, so we're going to have to table this for public hearing. I'll make a motion to table, second by Legislator Stern. All in favor? Opposed? Abstentions? 1345 is tabled. ***(Vote: 5-0-0-0)***

Is there any other business? Any other questions for the Department of Public Works? Commissioner, thank you. We are adjourned.

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