

PUBLIC WORKS COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE
MINUTES

A meeting of the Public Works Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on April 16, 2013 at 2:00 p.m.

Members Present:

Legislator Schneiderman - Chairman
Legislator Stern - Vice-Chair
Legislator Horsley - Deputy Presiding Officer
Legislator Muratore
Legislator Krupski

Also in Attendance:

Legislator Sarah Anker - Sixth Legislative District
Legislator DuWayne Gregory - Fifteenth Legislative District
George Nolan - Counsel to the Legislature
Renee Ortiz - Chief Deputy Clerk of the Suffolk County Legislature
Terry Pearsall - Chief of Staff, Suffolk County Legislature
Robert Doering - Budget Review Office
Gil Anderson - Commissioner, Suffolk County Department of Public Works
Garry Lenberger - Suffolk County Department of Public Works
Richard Groh - Chief Environmental Analyst, Town of Babylon
Ali Nazir - Aide to Legislator Kennedy
Christina DeLisi - Aide to Legislator Schneiderman
Debbie Harris - Aide to Legislator Stern
Michael Pitcher - Aide to Presiding Officer Lindsay
Dr. Richard Koubek - Chair, Welfare to Work Commission
Kathy Ligouri - Vice Chair, Welfare to Work Commission
Michael Stoltz - Welfare to Work Commission
Ryan Lynch - Associate Director, Tri-State Transportation Campaign
Charlene Obernauer - Long Island Jobs With Justice
Patricia Lenehan - Suffolk County Resident
All Other Interested Parties

Minutes Taken By:

Gabrielle Skolom, Court Stenographer

Minutes Transcribed By:

Kim Castiglione, Legislative Secretary

(The meeting was called to order at 2:42 p.m.)

CHAIRMAN SCHNEIDERMAN:

Good afternoon. I'd like to call this meeting of the Public Works and Transportation Committee to order this sixteenth day of April, 2013. Please rise and join us for the Pledge of Allegiance led by Legislator Muratore.

Salutation

Please remain standing. I'd like to ask that you all join me in a moment of silence. We were all shocked yesterday to learn of the horrific events at the Boston Marathon. Three individuals, including an eight-year-old boy who was killed in that terrorist attack, as well as 170 I think is the current count of those injured. We're all in shock and our prayers go out to all those who are injured, the families of those who've lost loved ones, and let's take a moment to think about what a terrible event that was and pray that such events cease in our lifetime.

Moment of Silence Observed

Thank you. Okay. We're going to start with the public portion and then we'll move right to the public presentation. I only have one speaker card. If you wish to be heard by the committee you do need to fill out a yellow card that's available through the Clerk at the table in front of me. I only have one card, Patricia Lenehan. If you'll step forward, identify yourself for our record and then you have three minutes to make your comments known.

MS. LENEHAN:

Good morning. Oops, I forgot.

MS. ORTIZ:

You don't have to hold it.

MS. LENEHAN:

Hi, everybody. I'm glad to see you all. It's been a year. My name is Patricia Lenehan and I'm here to speak on the transportation issues like I have in the past. The only thing is right now I'm questioning -- I have a question. Does Suffolk County receive any income from transportation?

CHAIRMAN SCHNEIDERMAN:

There's lots -- I mean, we get money from riders, we get money from the Federal Government, we get money from the State Government. Yes, there are subsidies involved with public transportation.

MS. LENEHAN:

Okay. Then why haven't we put Sunday service on? A year ago we were told that we were going to have Sunday service, and then I heard from some other people, you know, passengers that ride the bus, that they heard that understood no circumstances because only the seniors would need it, that they were at a meeting. And as I said, I haven't been involved in this in a year, so is that true, that they're not even going to consider Sunday service when the County could use the money?

CHAIRMAN SCHNEIDERMAN:

This really isn't a question and answer session. I will -- you know, it's a chance for you to make a statement, but I will say that we do have Sunday service on the East End from Memorial Day to Columbus Day.

MS. LENEHAN:

Right.

CHAIRMAN SCHNEIDERMAN:

In part subsidized by the riders who are paying 25 cents more for the general fare. And I do actually have a bill that's being laid on the table next week, with a number of cosponsors and supporters, that will try to use some additional State money we just received to expand that Sunday service.

MS. LENEHAN:

Okay, so it is going to be expanded.

CHAIRMAN SCHNEIDERMAN:

I have a bill to do that. Whether we can successfully pass it, that's a whole different question.

MS. LENEHAN:

Okay. For the record, in 2009 I went back to school to Suffolk Community College. I'm a writer and I was interested in learning documentary, so I got into screenwriting. I wanted to do a documentary on the conditioning of Long Island's poor, okay, and what happened from that point on is I lost my transportation. So my higher power, God, decided well, you want to learn, I'm putting you right in the driver's seat without a car and you're going to learn how to use public transportation. And if I tell you the experience was hair raising, was informative to no end. I have a community out there that I'm very proud to say that I'm a part of, but I also see the sufferance that go on with this community.

I was lucky enough to come to the meeting before this one and see about the bill that's being put on the table for the education. How do we expect children to get to work when there's no transportation for them? Okay. When they graduate from all these programs and there's no way of them getting to the jobs. Especially myself, I tried to get a job a while ago and I needed to work on Sundays so I couldn't get the job. I'm 60 years old. I shouldn't be out there having to look for work and not being able to have it. I also suffer from Lupus, and I'm not -- I'm lucky enough to have an income that comes in, and it's not much.

So as I said, I was given this opportunity to walk in a lot of people's shoes. I want to know how I -- whose permission -- I know it's not a question and answer. How do I go about getting permission to do this documentary on the buses? Is there anyone I should talk to?

CHAIRMAN SCHNEIDERMAN:

I'm sure there's several people, but I'd probably start with Commissioner Anderson, who's Chairman. You probably will have to go through the County Executive. Maybe you should start there. But I think Commissioner Anderson could direct you as to where you should begin your -- to get permission to do that. There are a lot of privacy issues. This is a sensitive issue. Not everybody on the bus wants, you know, wants to be filmed.

MS. LENEHAN:

I know a lot that do from being in the situation for three years.

CHAIRMAN SCHNEIDERMAN:

I'm sure -- I'm not familiar with the process but I'm sure there's a process by which you can try to secure those permissions, and I'd start with Commissioner Anderson who heads the Department of

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Public Works, which this department, the Division of Transportation is under, but you may need to go through the Administration as well.

MS. LENEHAN:

I appreciate the information. Okay, now back to the --

CHAIRMAN SCHNEIDERMAN:

Unfortunately you asked a bunch of questions which used up your time. If you could finish up, Pat.

MS. LENEHAN:

Okay. I'll make it quick. For some reason the -- I live off of Middle Island -- 347 -- Middle Country Road I live off of, okay, now because I had to move. And the buses, for some reason the 58 from Riverhead and the 63 -- the 63 is supposed to come first, say at 8:45 -- 8:30, but you get 15 minutes. Well, the 58 is coming at 8:45 and the 63 isn't showing up on Saturdays. So for a month now all the buses have been meeting over by Smith Haven Mall and all meeting together and hanging out. I actually saw the 58 -- we didn't get a 63 for three weeks that time of day, okay, because the 58 is getting there before them. People that have to go to work are not getting to work.

Also, one person is saying that over in Port Jefferson Village, the shopping center there, the buses are parking across from the bowling alley and cars are coming out of the shopping center and they're almost having accidents because they can't see oncoming traffic, and that person said just to bring it up to you and maybe you could do something about that.

And I guess thank you for the information and I'm back, I guess, you know, so -- and I have to applaud you, you had a hell of a year all you guys. I mean, bravo. It's been rough for you's.

CHAIRMAN SCHNEIDERMAN:

Thank you. And I'm going to applaud you for bringing up issues to our attention and for being an advocate for those who use public transportation. I have to say, I think we got a really good crew of people within the County who are working on these issues, who want this service to be the best it can be, and you can reach out to those individuals, they're sitting here now so they're hearing what you're saying and taking notes. And if there's scheduling problems or buses aren't showing up there's a telephone number, we can provide it to you, that you can call because, you know, you're our eye and ears, too.

MS. LENEHAN:

I appreciate that, but it's hard to get through on that number. They've done a wonderful job since last year. We've seen an improvement, but now I'm seeing all this other stuff. I had a Brentwood driver not let me clock in my pass. And it's like why, I have to have the time I got on the bus. No, no, because he left Lake Grove early and I would have had proof with my transfer that he did that I guess. That's my opinion. But I was able to get a little bit on -- I have some transfers here where you can see the difference in the timing.

CHAIRMAN SCHNEIDERMAN:

And there's always going to be anomalies, things that happen just once or twice, but if there's a problem that's recurring we really do need to know about it, so thank you.

MS. LENEHAN:

Okay. Thank you. Bye.

CHAIRMAN SCHNEIDERMAN:

Is there anybody else who didn't fill out a yellow card who wishes to be heard? Okay. I have a presentation scheduled for today. I'd like to bring forward Dick Koubek and Ryan Lynch. Dick Koubek is the Chair of the Welfare to Work Commission, and Ryan Lynch is Associate Director of

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Tri-State Transportation Campaign. Also joining them will be Charlene Obernauer from Long Islands Jobs for Justice. And I believe they are going to talk about expanding service in the Suffolk bus system.

Thank you. Dick, are you going to start? Okay. You are going to need to push the button. I don't know if you need to hold it. The light has to be on.

DR. KOUBEK:

Mr. Chairman, thank you for this opportunity on behalf of the Welfare to Work Commission. We're also joined by two members of the Commission, our Vice Chair Kathy Ligouri and Michael Stoltz. This is our third Welfare to Work presentation to the Legislature. We've been meeting with various committees regarding the report on Suffolk poverty that we released in December of 2012, which I think at this point you've had an opportunity to see. We've met with Human Services to deal with some of our recommendations related to their committee. We've met with the Health Committee, and today we're meeting with Public Works and Transportation, because one of the things we dealt with in our recommendations was the desperate need for Sunday service and for extended evening hours.

As you know from the report, we called your attention, we called the public's attention to the fact that we have a significant number of people in Suffolk County, they are sometimes called the missing class. They are earning between the ridiculously low Federal poverty level, which is officially \$23,050 for a family of four and 200% of that. Our Commission joined a number of academics who have said that the true poverty level for an area with a high cost of living such as ours should be double the Federal poverty level or \$46,000.

So we're looking at this missing class of people in our report, as you know, who earn too much to qualify for most services that government provides to low income people, but way too little to pay their bills. We heard from the Chief Economist of the Long Island Association, Pearl Kamer, and she actually gave us a budget of about \$76,000 for a family of four, which is the base to pay your bills. So we're talking about people earning between 20 and 46,000 who are desperate, and they're missing. This is what Katherine Newman from Princeton University called them. She studied these folks. They're missing -- not just in Suffolk, they're missing all over the country.

So our purpose for coming to you today is to find them and to help them. And we had a tough moment during our hearings where Legislator Gregory invited one of his colleagues to attend one of the hearings and his colleagues said, not inappropriately, "Why would I go to a hearing on poverty when we don't have any money?" And there's some truth to that. But today we have some money. We had planned to speak to you before we learned that there is a \$2 million increase coming our way from the State in STOA funds. And we had been working with Legislator Schneiderman for three years to get Sunday service and we commend you and the members of this committee who have tried to do this, but, you know, we haven't had the money. And so out of the sky came two million dollars and we commend you also, Legislator Schneiderman, for introducing Resolution 1295, which is going to target that money for expanded service, and so we're here today to advocate for that legislation.

Interestingly, as you know, we were going to speak to you anyway today before we found out about this money, so it's just fortuitous that we now have your legislation. So we want to urge you to take that resolution seriously, support that resolution, and let's get that \$2 million dedicated to Sunday service. We really have the opportunity.

I just want to conclude with a story that -- we've written a letter to you on behalf of this resolution, but let me just tell you one of the stories. In our research for the report, which lasted over a year, the research, we came upon this story, and actually the person who told the story was at the press conference before this meeting. Her name is Deborah Kirnon and she is the Parish Outreach Coordinator for Saint Anne's in Brentwood. That's a low income district with lots of the people we're

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talking about. And she had a client who she helps out with food and other services, who had a job as a housekeeper on Fire Island, and that included working on Sundays. This woman had to walk from Brentwood to the Fire Island ferry every Sunday, that's five miles each way, and she wound up losing her job because she missed the ferry once too often. That's a tragic story, and it's not unique. It's particularly offensive to hear it, but there are lots of home health aides, lots of folks who have got to get to work on Sunday. It benefits the economy, it benefits them, but they can't because they don't have Sunday service.

So with that, I'd like to yield the floor to Ryan Lynch, who has really developed an expertise and a reputation for knowing this issue, and I'd like Ryan to tell us some of the policy implications of what we're talking about.

CHAIRMAN SCHNEIDERMAN:

Just one quick thing. First, Dick, I want to thank you and the Commission for that report. I know you spent a lot of time on it. It's alarming. You know, if ever there was a subject that ought to be a front page Newsday story was this report, and you had mentioned that, you know, those under what, 72,000 or something like that for a family of four --

DR. KOUBEK:

Seventy-six thousand dollars.

CHAIRMAN SCHNEIDERMAN:

Seventy-six thousand dollars family income ought to really, even though they don't qualify in the Federal poverty level, which is a much lower threshold, they ultimately are living on Long Island in a fashion that really they need some sort of assistance because they can't -- between rent or, you know, phone, all the various things, car payments, transportation, there's just no way, it just doesn't add up. But you had in that report either a percentage of the population or a number of people and it was staggering. Do you remember what that was?

DR. KOUBEK:

Yes, I do, yeah. I just want to clarify, we're not --

CHAIRMAN SCHNEIDERMAN:

We're not talking about a few people.

DR. KOUBEK:

No. We're talking about 20% of the population of Suffolk County --

CHAIRMAN SCHNEIDERMAN:

Twenty-percent of Suffolk's --

DR. KOUBEK:

-- that would be considered poor. Not 76,000, that's the baseline to pay your bills. We're talking about 20% earning under 200% of the Federal poverty level. Twenty percent of our people are earning under that \$46,000 threshold, so when you look at the Federal poverty level, we're doing great. We have a six percent poverty level. The rest of the country has 15%, but it's a ridiculous number, so --

CHAIRMAN SCHNEIDERMAN:

These individuals, they don't qualify for Federal assistance --

DR. KOUBEK:

They don't qualify for most --

CHAIRMAN SCHNEIDERMAN:

And when you say 20% of a County with 1.5 million people, so what's that, 300,000 people, something like that?

DR. KOUBEK:

I think the total is about 450,000 people.

CHAIRMAN SCHNEIDERMAN:

Four-hundred and fifty thousand people in Suffolk County who are in this category.

DR. KOUBEK:

Yeah.

CHAIRMAN SCHNEIDERMAN:

It's staggering.

DR. KOUBEK:

Absolutely.

CHAIRMAN SCHNEIDERMAN:

Staggering. And obviously public transportation is a critical element if you can't afford a car. Between gasoline and car payments it is expensive. How do they get to work. How do they get to work?

DR. KOUBEK:

I often ask how do they do anything? How do you get child care? How do you pay your rent? And you know where they are? And you can find them if you connect the dots. They're in the food pantries. Two-hundred and sixty-eight thousand Long Islanders, 10% roughly, go into a food pantry every year. That's what they do. They make what our report calls Sophie's choices. They have to decide do I pay the rent or do I feed the kids. Well, you can go down to the local pantry and get the food to feed the kids, and that's what they do.

CHAIRMAN SCHNEIDERMAN:

Even in my neck of the woods, you know, people think of the Hampton's as a wealthy area. East Hampton Food Pantry, 300 to 400 families a week lining up for food distribution. This is a crisis.

DR. KOUBEK:

Absolutely. My -- the parish where I worship is Our Lady of Miraculous Medal in Wyandanch. We have an outreach center, Legislator Gregory knows, we service 600 families, a thousand people a month. Food, clothing. A thousand people a month. It's staggering. But as Katherine Newman said, they are hidden. Most of us go along every day, we don't know they're there, they are too ashamed to tell us they're there, and so they struggle silently and quietly. So it's on their behalf today that we want to give them one leg up, which would be Sunday and evening service. I'm going to yield to Ryan.

MR. LYNCH:

Dick, thank you. Just before I get started I want to say thank you to Dick and the Welfare to Work Commission for inviting us to come here and for your leadership on these issues, and including a comprehensive approach to how to deal with poverty including transportation. It's often overlooked so it was a very welcome addition to the report, and thanks again for your leadership. Thank you to the committee for inviting me and for allowing me to speak about a couple of policy prescriptions that could help. I'm going to talk a little bit beyond just Sunday bus service, some other low cost improvements that we can make to the bus system that will make people's lives easier and could be funded by Federal dollars and State dollars as well.

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For those who don't know, my name is Ryan Lynch. I'm the Associate Director for the Tri-State Transportation Campaign. Tri-State's a non-profit organization and we work to create more balanced, environmentally friendly and equitable transportation systems in New York, New Jersey and Connecticut. Like I said, I'm the Associate Director but I'm also our Long Island Coordinator. I grew up on Long Island, graduated high school here and my family still lives out here so I hold Suffolk County in particular close to my heart.

So I have been asked to kind of provide the policy prescriptions, a lot of statistics, and then I think Charlene is going to talk about a rider experience. Bear with me if it's too statistically or wonky, but I am happy to answer any questions afterwards or moving forward.

So Suffolk County has done an incredible job supporting its bus system over the years. You've held the line on fares for almost two decades, you've expanded service to Sundays during, on only two routes, during the past two summers, and the County's continued support for the bus system is important because Suffolk County transit is a critical service to County residents.

Transit riders in Suffolk County earn \$20,000 less on average than people who drive to work alone. Roughly 5.4% of Suffolk County households, about 27,000 households, do not have access to an automobile, which makes bus service a critical lifeline to jobs and the local economy. So Tri-State has and will continue to applaud Suffolk County for recognizing the importance of its bus system.

As a result of this investment over the years, transit ridership on the system has grown by almost 34% from 2000 to 2012. No other system in the region has experienced a comparable growth. According to the Long Island Index, from 2001 to 2011 Westchester's service grew by approximately 7 1/2%, and from 2000 and 2012, Long Island Bus and NICE Bus ridership actually dropped by just over three percent.

On the paratransit side, ridership grew by 40 and 17% percent in Westchester and Nassau County's respectively. Both significant jumps from 2002 to 2012, but these ridership gains are dwarfed by the 285% jump in Suffolk County's paratransit riderships, SCAT, over the same time period.

While the recent successes in riderships gains are welcome, more could be done to improve and expand the bus system in Suffolk County. Currently Suffolk County transit uses a cash based farebox that requires exact change, and there's no available storage device like a monthly MetroCard or a contactless rider card to allow for more ease of access and reduced collection costs. However, last fall improvements to the farebox collections are already underway thanks to the Legislature's leadership. The Legislature unanimously passed legislation that instructed the Department of Public of Works to investigate the implementation of new farebox technology that could help grow ridership even more.

While Suffolk County transit led the region in ridership growth from the turn of the century, from 2005 to 2011 Westchester's service outpaced Suffolk's ridership gains, largely attributable to the introduction of MetroCards and free transfers to New York City's buses and subways. Upon similar implementation, it's hoped that the reduced collection costs, quicker commutes and ease of use will help grow ridership on Suffolk County even more, which generates more revenue for the system.

Suffolk County can also invest in what's known as realtime bus information as a way to enhance existing bus service. One of the biggest deterrents to transit use and to ridership gains is the lack of certainty of system reliability or understanding of the bus schedule. Realtime bus information technology is a capital investment often paid with by State or Federal dollars that allows riders to know exactly where their bus is and how long they'll have to wait for it to arrive. It helps riders know if they have to hustle to catch the bus or if they have time to grab a coffee and a paper. It can be a low cost way to increase greater transparency and certainty for riders and increase ridership in the process.

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The program -- for example, on certain bus routes in the MTA system each bus stop is assigned a text number. This program called Bus Time allows riders to text the number and within seconds be told how many stops away their bus is. In San Francisco a similar program, NextBus, has been running since 2009 and seen growth in ridership by almost one percent since implementation. Additional research conducted on the program has shown that there's been a direct correlation between how much information people had about transit and how likely they are to use it.

But perhaps one of the easiest ways to grow ridership in Suffolk County, as Dick had mentioned, is to simply add service. This has proven to be the case on the two East End Suffolk County transit routes that have Sunday bus service between Memorial Day and Labor Day. While ridership on the entire transit system in Suffolk County from 2011 to 2012 dipped by approximately 3 1/2%, ridership on the two Sunday service routes grew roughly 2%. The system-wide ridership drop can largely be attributed to a fare hike on Suffolk County transit riders last May, the first fare hike in 20 years. However, the East End ridership growth, even in the face of two fare hikes, indicates that riders may be willing to pay more for increased and better service.

For the past year and a half over 20 rider, business, civic, labor, transportation, environmental, planning groups, Suffolk Welfare to Work Commission, have been calling to make Sunday service on the S92 and the S10C permanent and for Suffolk County transit service to expand throughout Suffolk County. Our groups recognize, however, that Suffolk County is already doing its fair share and have repeatedly sent letters to the State's elected officials urging them to do more to support the County's bus system.

Our efforts are paying off. In the past two State budget cycles New York State increased funding by a total of three and a half million dollars to Suffolk County. It's our hope that the most recent increase of two million will be used to phase-in Sunday service expansions to other parts of Suffolk County, which is why we support the legislation that Legislator Schneiderman has introduced and Legislator Krupski has cosponsored. But even with this increase in funding, New York State will still only account for approximately 31% of Suffolk County's operating budget -- Suffolk County transit's operating budget, as compared to about 50% of Nassau County's operating budget. Suffolk County's State Assembly members and Senators must do more to bolster bus service in the County.

So thank you again for your leadership, and I look forward to having a discussion. Thanks.

MS. OBERNAUER:

Hi, everyone. My name is Charlene Obernauer. I'm the Executive Director of Long Island Jobs With Justice and I'm the founder of the Long Island Bus Riders Union. First I want to say thank you to the Welfare to Work Commission for your advocacy and for inviting us to speak, and thank you to Legislator Schneiderman for all of your advocacy on this issue.

For people who don't know, Long Island Jobs With Justice is a coalition of labor unions, of community groups, of religious organizations and of students that advocates for workers in Nassau and Suffolk County and the Long Island Bus Riders Union advocates specifically for bus riders. And, you know, the first thing that I want to say is that with this \$2 million dollar increase in STOA this is great news, and it's something that came from the hard work of advocates and from elected officials to get that increase, but we really feel that this money needs to go towards creating Sunday service. It can't go towards plugging up a hole. There's always going to be -- you know, my experience in politics is that there's always a hole, right, there's always a deficit, there's always money that can be put towards something else, but this money was earmarked for transportation for a reason. It was earmarked for transportation because, you know, we know that we need good public transportation and to put it in use for Sunday bus service is critical. It's critical for Suffolk County, it's critical for working people, it's critical for poor people, and it's critical for the economy as a whole.

So I'm going to talk a little bit and share some stories of some riders that we've worked with in the past and, you know, who do want Sunday bus service. The first thing that I'd say is that, you know,

bus riders overwhelmingly want Sunday bus service. They are willing to pay more money to get Sunday bus service because they understand how important it is to them and to their families. You know, we have one worker who he works at Stop and Shop, right. People who work at Stop and Shop, general starting salary, 8, 8.25, 8.50 an hour. So he earns \$8 an hour. He works six hours on Sundays. It's about, you know, \$48 that he earns, maybe \$50. The cab, which is a low cost on the cab, costs him \$9 each way, that's \$18. Most of you who have taken a cab it usually costs a little bit more than that, but he's closer to -- he lives closer to where he works. So it costs him \$18. If you look at how much he paid for that cab out of his daily salary, he's paying almost 37% of his income in transportation on Sundays just to get to work.

Now, you'd say "Oh well, why would he work on a Sunday", right? "Well, you know, I don't work on Sundays, he should just stay home." Well, a lot of people when they work low income jobs like that they are required to work on Sundays, right. If they don't work on Sundays then they can't work on Mondays. So, you know, they don't really have a choice, they have to work on Sundays. And in his case he chose, you know, he chose that, I guess, you know, you could say he chose that job, but he works there and so he works on Sundays.

Now, there are other people who would rather not take the taxi and they would walk the five miles. We have one story of a home health aide, who is a member of 1199SEIU, and she shared her story of, you know, actually walking to and from work every day. She doesn't have the money to take a cab, and I think that all of these workers don't have the money to really take a cab, but she decided she wasn't going to spend the money on a cab. So, you know, she walks to and from work every day. She walks early in the morning, she gets home late at night. Home health aides typically work between 12 and 14 hours a day, and that's what a lot of people do to get by.

One important point also to think about is it's not safe for people to be walking home at, you know, all hours of the night or just at any time really in some of these roads. I mean, I personally would never walk on some of the roads in Suffolk County. I grew up in Suffolk County. I grew up in Stony Brook, right. I don't think I really walked anywhere outside of Stony Brook University where I went to school. You know, I walked around the campus, but to walk from where I grew up on Stony Brook Road to 347, I mean, it's not an easy walk. You know, it's not something that you want to do in your afternoon and that you really feel safe doing. So again, the people who can't afford to go to pay the cab, they are going to be walking and that's not something that we want to see.

I can't tell you how many times I'm reading Newsday and I see a story of a worker who has gotten hit by a car, and I say, "Oh, well, you know, this happens all the time because people, you know, either don't have access to a vehicle or because they can't take the buses." That's something that breaks my heart every time I read it and I think it's something that we can potentially prevent with increasing Sunday bus service.

The final thing that I'll say is that the religious community also relies on bus service on Sundays. As I said earlier, Long Island Jobs With Justice is a coalition based organization that includes labor unions and religious organizations, basically churches and synagogues and other congregations. And, you know, people who go to service shouldn't have to rely on the church to pay for a private, you know, van to bus people around who don't have access to a car. Some churches have the money to do that, but some churches don't. So in a case like that, you know, those people who would want to go to church on a Sunday and who might not have the money to take a cab, they are not going to be able to go to worship service. I think that it's not just unfortunate for the people who want to go to service, but it's unfortunate for the congregation that they then can't have the participation of people who would otherwise be great members of the church, you know, could be leaders in their congregations.

The final thing that I'll say is that this is also a good thing for the economy. When you look at Suffolk County, the County relies a lot on sales tax and on the revenue generated from sales tax. Well, a lot of people when they have off on Sunday, I know me, I spend time with my family. And

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that's something that when you're spending time with your family you're usually in town, you're spending money at local restaurants, you're spending money at local businesses, and you're contributing to the local economy. And that's something that for people who rely on bus service, they're not able to do. They're not able to contribute to the local economy even to get things that they need, right. So I think that overall this is something that's not just good for bus riders but it's good for our whole community. It's good for people to be able to publicly participate in Sunday's activities, to be able to go, you know, go to local businesses, to be able to go to work.

Long Island also has a steadily increasing elderly population. As people get older in Suffolk County who's going to be able to take care of them if they need. You know, people who are low income, who rely on a bus are going to need to have busses so that they can go to people's homes and they can actually take care of them like home health aides do.

So, you know, these are all things that we think need to be taken into consideration with this bill. It really is a step in the right direction. It's creating a twenty-first century public transit system and it's, again, it's a necessity out in Suffolk. So thank you so much for one, having us speak here today, and thank you to the Legislators who have been active on the issue.

DR. KOUBEK:

Thank you. We have one last comment. Three years ago -- let me just say as an introduction here that we set an agenda here on the Commission of what our priorities are. We meet once a month as a Commission and we have committees that pursue some of these priorities, such as the Child Care Committee that Kathy chairs. I remember three years ago we were looking at goals and Mike Stoltz said, "We really ought to look at transportation," and I remember that crushing moment like, "Oh no, not another issue in another committee." But we followed through and we are grateful to Mike for bringing this to our attention. That was around the time that Legislator Schneiderman began to work on Sunday service. I want to just give Mike an opportunity to speak on this issue.

MR. STOLTZ:

Thank you, Dick, and thank you, Charlene and Ryan for your compelling stories and statistics and thank you especially to the whole committee and to you, Mr. Schneiderman, for your leadership on this. I have been involved in transportation advocacy in this County for a number of years. There used to be a Transportation Advisory Board that was pretty vibrant and we at that time dealt with and had a lot of success with the issue of the bus stations and stanchions and for people to be able to stand when they were cold because at one point in this County there was like eight of these bus stanchions. I know many Legislators have had their hand in making sure that those, you know, are in each of your districts.

So in any case, in this advocacy for a long time I can tell you that Legislators and public officials at all levels seem to view transportation, public transportation and our buses in one of two frames. Either one is it's a social service -- it's part of our social services program, or two, it's part of our economic development program.

I'm now the Executive Director. I oversee three agencies. One is Clubhouse of Suffolk, which serves people with psychiatric disabilities, another is Suffolk County United Veterans, which serves many of our homeless veterans. We have a shelter in Yaphank and a number of houses in Brookhaven. And the third is the Mental Health Association. So I can tell you quite personally that this is an economic development issue, it is not an anti-poverty program. When we are working very hard to get our returning veterans who have been disabled, who have been homeless, we've got other people with disabilities, to work, and while some of the larger stores, the Home Depots and Walmarts are pretty flexible and they'll help change transportation for an employee or an applicant, you know, because they have a lot of applicants, a lot of positions that can kind of chip in, the smaller and mid-size businesses, which is the majority of Suffolk County, can't have that flexibility. So we can help people with disabilities to get a job. They often lose their job because the desired shift is on Sunday, if it's a service the desired shift is until nine o'clock at night once a week,

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twice a week. A number of the human service agencies have evening hours that go to nine o'clock. If you can't go home after nine o'clock you can't take the job.

I've heard this time and time again in trying to help our veterans and help our people with disabilities to be able to get and keep jobs of their choosing and that matches their education, education being another part. If you want to -- if you have an 8:30 class at one of our three County campuses you can't get there most of the time by bus because you have to find a bus that's going to connect there that leaves at 7:30, 7:15, 7:00, and many times you can't make the first class or you can't make the last class that meets at 7:30 or it gets out at 7:30, 8:00, 8:30.

So this is not a social service program, this is an economic development program. We don't have bridges, very many bridges that we have to worry about in Suffolk County. This is a bridge and so as we get money, like two million dollars, we have to think about this as infrastructure. I don't think about this as just relief, we have to build our infrastructure and be thinking about it in that way because it is infrastructure for so many people. Thank you.

DR. KOUBEK:

Thanks. And Kathy Ligouri, who Chairs our Child Care Committee, does want to say a few words about child care and buses.

MS. LIGOURI:

Again, I want to thank you all for this opportunity. This \$2 million that you're putting in towards this legislation is vitally important. Many of the families of the children are riding the buses and coming in to pick up their children, and when the buses stop running because of that timeframe the parents have to walk home with their children. So extending the hours to the buses, later hours, later evening, more connections, are vitally important to the children as well. I just wanted to add that. Thank you.

DR. KOUBEK:

I just want to end by quoting Legislator Schneiderman's resolution, which really, I think, makes so much sense, "That it shall be the policy of the County of Suffolk to use all the increased funding provided by New York State in the 2013 State Transit Operating Assistance Allocation for Suffolk County to expand bus service in Suffolk County in the evening and on Sundays." Doesn't that say it all. So we call on you to support that and we hope this goes out to the full Legislature. We thank those of you who came out today to support it, and if you have any questions we'll take them.

CHAIRMAN SCHNEIDERMAN:

Any questions from any of the members? Legislator Gregory.

LEG. GREGORY:

Thank you, Mr. Chairman. I'm not a member of the committee but I wanted to sit in on the presentation. And I think I was having a conversation prior to some of the comments that were made that hit on some of the questions that I have, and particularly Mike and Kathy's comments. And I don't want to sound like a wet blanket because I do support expanding service, Sunday bus service, I'm just not familiar with, and maybe the Chairman will know if there's ever been an analysis or a study, because we do have limited funds, if we'll have more bang for our buck, if you will, expanding evening hours. You know, to a worker that goes to the factory, shift begins at six but ends at ten, can get there but won't be able to get home or has to find a ride home, would that be more beneficial. Will that capture, I guess, more people than expanding our Sunday service or you may even get young people that say want to go to happy hour on a Friday, I don't want to, you know, drive my vehicle. I can catch the bus, go to downtown Huntington, get there, get back. You know, has there ever been an analysis to look at whether expanding evening hour service to say 10, 11, 12 o'clock, would that be more beneficial than expanding to just Sunday bus service?

CHAIRMAN SCHNEIDERMAN:

Well, they're both beneficial. A few years ago we spent a couple hundred thousand dollars on a consulting firm, Abrams-Cherwony, and they did a systemwide analysis. They looked at all the needs, they talked to riders, they worked with the department. They put together a pretty good report which we have -- we can get you a copy but we have it on my legislative home page, a link to that report in it. It basically concluded that there's 24 routes that need Sunday service. They're heavy retail types of routes. So of the 50 plus routes in the system they weren't saying all of them needed it, because some of them are more like industrial parks that didn't -- there really wasn't a demand based on nobody is really riding on Saturdays, they probably wouldn't need Sunday service. But they also said that there was a number of routes that needed later hours and it's all articulated in this report.

So what the bill that they're referring to says is take this chunk of money and do your best to implement that report. Really the Department of Public Works or Division of Transportation would figure out, based on the availability of funds, what the most important things they could do. I hope that answers your question. But yes, we did --

LEG. GREGORY:

So there was an analysis done.

CHAIRMAN SCHNEIDERMAN:

It was fully analyzed, yeah.

LEG. GREGORY:

Okay. Thank you.

DR. KOUBEK:

It's well worth looking at, Legislator Gregory. And in crafting the recommendations for evening and Sunday service in our report we actually consulted with Legislator Schneiderman and looked at that report and we came up with a ballpark figure of about five million to provide full evening service to ten o'clock and full Sunday service. Now, we don't have that kind of money, but DPW might craft a combination. But you have a resolved in there for them to actually come back to you with that data.

CHAIRMAN SCHNEIDERMAN:

They would develop the plan on how they would expand service based on the availability of funds and then we would approve it separately.

MR. LYNCH:

I would just echo I think that DPW, Garry Lenberger, has done a heck of a job in being open and accessible to advocates. I know he has met with myself and Charlene on numerous occasions and I imagine he has met with you as well, and as well as the operator of the system, you know, to determine what the best investment would be in terms of which route would more benefit from evening service or Sunday service. But that study is a great jumping off point.

CHAIRMAN SCHNEIDERMAN:

I think that, you know, when they do this they've got to look at a number of different factors, including connectivity. Like if they have one route going but it's not connected to anything it might not work, so connecting different routes. They should look at economic factors, you know, areas that are really dependent on public transportation for financial reasons. They certainly should look at ridership, if there's a lot of people asking for it, a lot of people using that route, to me that would elevate it to a higher level. That's why I think it's really important that those people who have that data give it the first try in terms of putting together a proposal on how best to expand service.

DR. KOUBEK:

One other thing -- sorry. When we --

CHAIRMAN SCHNEIDERMAN:

The button.

DR. KOUBEK:

Yeah, I got it. When we first looked at the possibility of Sunday service back in 2011, Legislator Schneiderman actually came up with ten targeted routes. And the Commission, we had a committee on this at the time, we were concerned that the routes reach the low income communities. So we looked -- we identified 24 communities like obviously Wyandanch in your district, and we found that 17 of the 24 communities were served by just eight of these lines. So it's possible to patch these things together so that we can get the biggest bang for the buck.

CHAIRMAN SCHNEIDERMAN:

Just for a historical note, when we did that critical artery plan we were going to try to fund it with a 50 cent increase on the general fare. That was going to pay for it. And we did increase the general fare by 50 cents but it went to fill the hole, it didn't go to expand service. So we've already gone to the riders. The hope is now with this unanticipated additional funds that we now can increase service.

LEG. KRUPSKI:

So you filled the hole?

CHAIRMAN SCHNEIDERMAN:

The riders have helped fill the hole. The hole, as you know, is not entirely filled. Okay. Any other questions? Thank you all.

DR. KOUBEK:

Thank you.

MR. LYNCH:

Thank you.

MS. OBERNAUER:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Thank you for your work with the poor, too. We're going to go to the agenda. I'll ask Commissioner Anderson to step forward and anyone you would like to bring with you.

COMMISSIONER ANDERSON:

Legislator, if I can make a request?

CHAIRMAN SCHNEIDERMAN:

Sure. You want to take something out of order?

COMMISSIONER ANDERSON:

We have two gentlemen here from the Town of Babylon DEP who are interested in IR's 1215 and 1216 and I would ask that those be taken out of order.

CHAIRMAN SCHNEIDERMAN:

Okay. They look like they are the last two on the new resolutions.

COMMISSIONER ANDERSON:

Yup. This way they can go back to work.

CHAIRMAN SCHNEIDERMAN:

All right. So I'll make a motion to take 1215 out of order.

D.P.O. HORSLEY:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Horsley. All in favor? Opposed? Abstentions? Okay, 1215 is in front of us. ***IR 1215 - Authorizing execution of an agreement, pursuant to Local Law No. 11-2010, by the Administrative Head of SCSD No. 3 - Southwest with WR Communities - A LLC (BA-1477.1-002) (Wyandanch Rising) (Co. Exec.)***. Commissioner, do you want to give us a quick background?

COMMISSIONER ANDERSON:

The short story is that this is a resolution to essentially waive the connection fee based on Local Law 11-2010, which was Resolution No. 229-2010. This project and the second one, 1216, are both within the Wyandanch Rising. They meet the requirements that were established to permit waiving the connection fee at that time, and it has gone through the agency and we recommend that it be approved.

CHAIRMAN SCHNEIDERMAN:

Those requirements, they require a certain number of jobs being created at certain wages, is that right or?

COMMISSIONER ANDERSON:

I'm just trying to get it. Okay. There were four requirements. The connection agreement is with the municipality that will be building the infrastructure, including a collection system to serve an urban renewal area. That is -- as the term is defined by Article 15 of the General Municipal Law that the area is to be served as an Empire Zone and that the area served is transit oriented development in a downtown area with a train station.

Number two, the collection system will be constructed at no cost to the County with capacity to be approved by the Sewer Agency sufficient to serve future connections within and without the area described in subparagraphs one and two and three in paragraph one of the Subdivision B of Section 424-38 with no charge backs to the district.

Three, a County sewer district exists within the municipality and the capacity exists or will serve the sewage treatment needs of the residential, commercial and industrial facilities within the area described by subparagraphs one, two, three of paragraph one of Subdivision B of Section 424-38.

And item four, that all individual residential, commercial and industrial facilities within the area described in the Sub-paragraphs one, two and three of paragraph one of Subdivision B of Section 424 to be included in the fee waiver shall have applied to the Sewer Agency for formal approval to connect to the sewer district within five years of the date of the collection system is deemed operational by the sewer district and that shall have executed individual connection agreements within one year of such approval. So those are the four requirements that each of these parcels meet.

CHAIRMAN SCHNEIDERMAN:

So we did kind of a blanket approval and now these are individual businesses that are constructing --

COMMISSIONER ANDERSON:

Well, they're sites within -- these two particular are sites within the Wyandanch Rising project, which

is a TOD, which was, you know, within urban renewal area, an identified urban renewal -- it basically met all of the requirements that I just listed.

CHAIRMAN SCHNEIDERMAN:

Do we know what the specific development that they're doing, that they're hooking to is?

COMMISSIONER ANDERSON:

I don't --

CHAIRMAN SCHNEIDERMAN:

Is it housing or is it a --

COMMISSIONER ANDERSON:

I believe it's a combination commercial land with --

CHAIRMAN SCHNEIDERMAN:

Can we bring the gentleman up and maybe he can answer?

COMMISSIONER ANDERSON:

Rich Groh can speak to it.

MR. GROH:

Thank you. Excuse my attire. I didn't know I was going to be here. This is my field attire. It's transit oriented development. There's two structures. It'll be mixed use. There will be retail on the bottom, the first floor, and then there will be housing on the subsequent floors.

CHAIRMAN SCHNEIDERMAN:

Affordably priced housing?

MR. GROH:

Yes. One of the -- we also have the IMA that we signed with the County and one of those requirements was that it be a minimum of 20% affordable housing, and we're going to far exceed that requirement and be well over 20%.

CHAIRMAN SCHNEIDERMAN:

I believe that's a requirement if you hook up into the County Sewer District, the 20%.

COMMISSIONER ANDERSON:

That exceeds that substantially.

CHAIRMAN SCHNEIDERMAN:

Oh, good. That's the minimum from the Legislature we passed years ago. Okay. I don't have any -- oh, maybe just what's the amount of the waiver. What are we -- what's the value of the hook-up fee that we're waiving?

COMMISSIONER ANDERSON:

In this particular case under IR 1215 there are 30,474 gallons per day, which is the anticipated flow. That results in a connection fee of \$914,190 that would be waived.

CHAIRMAN SCHNEIDERMAN:

But they still will be responsible for paying the gallonage.

COMMISSIONER ANDERSON:

Yeah. They'll be paying their annual rate plus the administration fee on top.

CHAIRMAN SCHNEIDERMAN:

Right, exactly, administration fee.

COMMISSIONER ANDERSON:

Uh-huh.

CHAIRMAN SCHNEIDERMAN:

I think when we originally looked at this we agreed to these waivers, and the town was putting in -- paying for the infrastructure, right, so we didn't have the cost of the infrastructure?

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN SCHNEIDERMAN:

And it was kind of a trade-off.

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN SCHNEIDERMAN:

Okay. Does anybody else -- Wayne, do you have questions on this?

D.P.O. HORSLEY:

Yeah, just a couple of quick ones. Hi, Rich, how are you?

MR. GROH:

Very good, thank you.

D.P.O. HORSLEY:

Good, good. How are we doing on Straight Path itself? I rode up it last night to get to Long Island Avenue. I can see we still need some work.

MR. GROH:

Yes.

D.P.O. HORSLEY:

How are we --

MR. GROH:

We're doing very well.

D.P.O. HORSLEY:

You wouldn't know it by the look.

MR. GROH:

Yeah. We're about 90% done with the project. We did have some trouble jacking on the Southern State. New York State requires us to jack subsurface and there was some trouble with that. We ended up with a new subcontractor to our prime contract Bove. With the new contract and the new sub we quickly got under the parkway. We also got under the railroad. That was very successful, very fast. We're finishing up in the Wyandanch business district. We have the three lines in area A, the transit oriented development. There was a shopping center that was giving me a terrific hard time getting that knocked down, we finally got that knocked down. We're looking to move down to the point of connection at 17th Street from the right of way at Southern State to the actual Southwest District manhole that was put in many years ago for connecting points north.

So at this point we're hoping to be done between May and June of this year. There is some work that needs to be done to the pump station at Irving.

D.P.O. HORSLEY:

May or June, that's what you're now saying? The road will be closed and --

MR. GROH:

There's closures, there's intermittent closures on and off.

D.P.O. HORSLEY:

I saw it. I was there.

MR. GROH:

It's rough right now. It's all coming together, you know, it's the end of the project and it's going to be done very soon.

D.P.O. HORSLEY:

The estimated time is May or June.

MR. GROH:

Between May and June.

D.P.O. HORSLEY:

Because we do get inquiries about it all the time, what's going on with Straight Path, you know, when is it going to be done.

MR. GROH:

We do, too.

D.P.O. HORSLEY:

Oh, I can imagine. And we refer them to you, by the way.

MR. GROH:

Yes.

D.P.O. HORSLEY:

It's all good.

MR. GROH:

Yeah. Thank you.

CHAIRMAN SCHNEIDERMAN:

Anyone else?

D.P.O. HORSLEY:

Do you have that -- the one section in the West Babylon area that is open pipe that's on top, that's actually on the surface itself, is that soon or?

MR. GROH:

That's soon, and the residents have rightfully been upset --

D.P.O. HORSLEY:

Yup.

MR. GROH:

-- because the pipes are on top of the ground. We are going to get in there on 17th Street most likely Monday, next Monday the 22nd. We have an open cut there to make that connection. Once all that work is done a few weeks after that we'll be able to get the dewatering, you know, out of there and zip that up.

D.P.O. HORSLEY:

Thank you.

MR. GROH:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Legislator Krupski.

LEG. KRUPSKI:

The request for the waiver of the fees, is that for this IR and the next one or just for that one?

CHAIRMAN SCHNEIDERMAN:

Both, but right now we're only discussing the one. We are going to do them each separately.

LEG. KRUPSKI:

It's nine fifteen for both?

COMMISSIONER ANDERSON:

No. The nine-fourteen one-ninety was for this specific parcel. The next one is 796,410.

CHAIRMAN SCHNEIDERMAN:

We're going to take them each up separately, though.

LEG. KRUPSKI:

Thank you. I wasn't sure about the number.

CHAIRMAN SCHNEIDERMAN:

Okay. I'll entertain a motion. Motion to approve by Legislator Horsley, second by Legislator Stern. Any further discussion? All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**

I'll make a motion to take out of order 1216. Second by Legislator Stern. All in favor? Opposed? Abstentions? ***IR 1216 - Authorizing execution of an agreement, pursuant to Local Law No. 11-2010, by the Administrative Head of SCSD No. 3 - Southwest with WR Communities - B LLC (BA-1477.1-003) (Wyandanch Rising)(Co. Exec.)***, is in front of us now. These resolutions, the titles, are they identical, George?

COMMISSIONER ANDERSON:

There is a difference in that it identifies the second -- this resolution has property B.

CHAIRMAN SCHNEIDERMAN:

I have the titles in front of me, I'm not see anything at all different about them other than the resolution number. The titles seem to be identical. Oh, okay, there's an amended copy. So in my agenda they appear to be identical in title, which may have been the confusion that Legislator Krupski saw.

COMMISSIONER ANDERSON:

The last sentence on the title.

MR. NOLAN:

On the amended version there is a slight difference.

CHAIRMAN SCHNEIDERMAN:

Commissioner, do you want to state what's different about this? I don't think we need to go over the concept.

COMMISSIONER ANDERSON:

Right. It's an adjacent parcel within the Wyandanch Rising project. The estimated flow at this time is 26,547 gallons per day, and at a \$30 per day, per gallon per day rate it comes to waiving a fee of \$796,410 that is being asked.

CHAIRMAN SCHNEIDERMAN:

Okay. And same developer?

MR. GROH:

Yes.

CHAIRMAN SCHNEIDERMAN:

What is this one doing?

MR. GROH:

There's two phases.

CHAIRMAN SCHNEIDERMAN:

It's the same project?

MR. GROH:

It's the same project, yes.

CHAIRMAN SCHNEIDERMAN:

Second phase of the same project. So it's still transit oriented residential and commercial development.

MR. GROH:

Correct. Yes, sir.

CHAIRMAN SCHNEIDERMAN:

Okay. Any particular questions about this? Motion by Legislator Horsley to approve, second by Legislator Stern. All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**. All right, you can go back to work.

MR. GROH:

Thank you very much on behalf of the Town of Babylon.

D.P.O. HORSLEY:

May or June.

MR. GROH:

Yes, sir.

CHAIRMAN SCHNEIDERMAN:

All right. To the top of our agenda. All right. We are going to IR 2027 on the tabled resolutions.

Actually, Commissioner, is there anything that's off the agenda that you need to address us about before we start?

COMMISSIONER ANDERSON:

No, the only statement I would make, and with all due respect to the presentation that was here, is that, you know, whatever considerations we make we do as augustly as we can given the deficit that, you know, the County does pay into, you know, to strengthen the transportation system. The last conversation I had it was above \$30 million a year that we're adding in to basically keep the transportation system, you know, flush. So while we do agree with the need for Sunday service, and again, I would point out that the Cherwony service, the Cherwony Report stated that, you know, it identified the need for Sunday service, but they also identified the need to be able to fund it. So, you know, I just -- that's my only statement and we look forward to the discussions on the resolutions.

Tabled Resolutions

CHAIRMAN SCHNEIDERMAN:

Thank you, Commissioner. All right. So ***IR 2027-12 - Adopting Local Law No. -2013, A Charter Law to strengthen monitoring of sewer plants operating in Suffolk County (Schneiderman)***. I'll make a motion to table.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Stern. All in favor? Opposed? Abstentions? Tabled. ***(Vote: 5-0-0-0) IR 2167-12 - Directing the Department of Public Works to consider rising water levels and storm surge when planning projects (Hahn)***. I'll make a motion to table on this as well. Second by Legislator Stern. All in favor? Opposed? Abstentions? So tabled. ***(Vote: 5-0-0-0)***

IR 2192-12 - Studying efficiencies during sewer infrastructure improvements or expansion (Horsley).

D.P.O. HORSLEY:

Motion to approve. Once we have the motion I'd like to make a statement.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Okay. So we have a motion by the sponsor, Legislator Horsley. Second by Legislator Stern. On the motion, Legislature Horsley.

D.P.O. HORSLEY:

On the motion. First of all, the title incorrect. What I have, I think, as the last one is *encouraging efficiencies and coordination during infrastructure improvements*. Just so that's noted.

CHAIRMAN SCHNEIDERMAN:

I think on the bill it's correct, on my agenda we probably worked off an earlier version.

D.P.O. HORSLEY:

Okay, that's fine. I just wanted to make the point. But I would like to, if this does pass on Tuesday, well, actually I'm having a press conference on this on Monday, in which we are involving all the utilities in Suffolk County as well as the towns and villages and a number of others that are going to be working cooperatively, that when projects come up from one end of Suffolk County to the other

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that a committee meets at least twice a year and discuss hardening issues for storm issues into the future. How can we harden the system and make sure that we're working cooperatively as all agencies, including the Water Authority and the like. They will all be down at Camp Bulldog next week on Monday. I believe it's eleven o'clock, and I welcome the legislators to come down and join us in the press conference. LIPA will be there. LIPA has helped write and draft this legislation, so we think that it's a good first start in looking at cooperatively and all of Suffolk County-wide hardening issues together as units of government.

CHAIRMAN SCHNEIDERMAN:

Commissioner.

D.P.O. HORSLEY:

And Joe is going to Chair it and he knows about it.

CHAIRMAN SCHNEIDERMAN:

As I often do whenever there's a new committee or your department is tasked with anything new, I usually ask you your feelings about that, so are you on board with this? Have you been working with Legislator Horsley on this?

COMMISSIONER ANDERSON:

We are. We've had meetings with the various utilities. Everybody has agreed to move forward with this and to look for not, you know, not only coordination between the utilities and the various municipalities, you know, in moving forward with construction projects, but also to talk about hardening where hardening can be done and makes sense.

D.P.O. HORSLEY:

And down the road we're anticipating that a lot of the technical folks will be the ones who will be involved in this process.

CHAIRMAN SCHNEIDERMAN:

Down the road, is that an unintentional pun?

D.P.O. HORSLEY:

I didn't mean it that way, but yeah, that's pretty clever.

CHAIRMAN SCHNEIDERMAN:

All right. Anyone else? All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**. Congratulations, you can have your press conference.

All right. ***IR 2253-12 - Requiring Suffolk County to install stormwater remediation practices and/or stormwater filtration gardens when paving new and existing County-owned parking lots with the assistance of the Suffolk County Soil and Water Conservation District (Anker)***. Legislator Anker was here before, is she still there?

LEG. STERN:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

Motion to table by Legislator Stern. I will second. All in favor? Opposed? Abstentions? IR 2253 is tabled. **(Vote: 5-0-0-0)**

IR 1027-13 - Directing the Department of Public Works to study the S62 and 5A Bus Routes (Anker).

LEG. STERN:

Motion to table.

CHAIRMAN SCHNEIDERMAN:

There is a motion to table by Legislator Stern.

LEG. KRUPSKI:

Second.

CHAIRMAN SCHNEIDERMAN:

Legislator Krupski seconded. On the motion. I know this is something that Legislator Anker has been pushing for for some time. I think she's been told you guys are doing this. Are you doing it or do we --

COMMISSIONER ANDERSON:

We've stated from the beginning we are doing this --

CHAIRMAN SCHNEIDERMAN:

Have you contacted Legislator Anker? Is there any progress? Gil, go ahead.

COMMISSIONER ANDERSON:

No, I don't know the progress. I know we have been looking at it. There's a certain amount of work that's involved with trying to, you know, expand the route, you know, identifying timetables, things like that and we are moving forward with that. We've made that commitment to Legislator Anker and whatever, you know, you all decide to do with it we're still going to keep moving forward with it.

CHAIRMAN SCHNEIDERMAN:

I think part of this is just the timing. It's just all about these two routes that aren't, you know, the transfers are a mess or something. Garry, have you been looking at this issue?

MR. LENBERGER:

Yeah, we actually did make some modifications already and we actually did make a change on the schedule, but what we're looking forward to is the implementation of the AVL system where we're going to be able to look at each particular bus and see its time points and its transactions and interfacing with the other routes, but it's going to take some time. I mean, it's a two year project that just started about six months ago, but that will enable us to really fine tune those bus routes for interconnectivity and really be able to track them in a more efficient manner.

CHAIRMAN SCHNEIDERMAN:

So on one hand actually approving this doesn't change anything, you are already doing it. I think the resolution may call for a timeframe, though, that may be shorter than that two year period for implementation. George, there's 120 days to come back to us though, right?

MR. NOLAN:

Yeah.

MR. LENBERGER:

We have made some changes already but, you know, to fine tune it you really have to do, you know, without an AVL system you really basically have to run the route or have a lot of --

CHAIRMAN SCHNEIDERMAN:

Would you do me a favor, because clearly you are looking at it and you have made changes. I'm not sure that Legislator Anker is aware of the changes you've already made. Can you reach out to her and, you know, I'll support tabling it. But I know when I talked to her recently about this she really wanted to see it move forward because she felt there wasn't progress there, so if there is she needs to be aware of it and just find out what her concerns are. And if it can be done without a resolution I'd prefer it.

COMMISSIONER ANDERSON:

Right. In fact, I spoke to the Legislator last night about this. She said she was going to try and progress it and move forward. We said we were fine either way. As I've stated, we are moving forward with this. It's really your decision, this committee, to -- whether to move forward with it or not. She felt that, and I'm not going to put words in her mouth, but that she -- the community would, you know, it would help the community if they saw this legislation being passed.

CHAIRMAN SCHNEIDERMAN:

I'm going to make a motion to approve it then.

D.P.O. HORSLEY:

I'll second the motion.

CHAIRMAN SCHNEIDERMAN:

All right. We still have a tabling motion out there. Who made the tabling motion?

LEG. STERN:

I made the tabling motion.

CHAIRMAN SCHNEIDERMAN:

Are you still holding on to it? Then let's vote on the motion to table and you have the second on the tabling? Okay. So we're going to vote on the tabling motion first. All in favor? Opposed? I'm opposed. The committee itself, I got people here who aren't on the committee, so. All right. So we have three with Stern, Muratore and Krupski. So it is tabled. **(Vote: 3-2-0-0 Opposed: Legislators Schneiderman and Horsley)**

COMMISSIONER ANDERSON:

We will reach out to the Legislator anyway.

CHAIRMAN SCHNEIDERMAN:

All right. ***IR 1035-13 - Eliminating impact assessment fee (Cilmi)***.
I will make a motion to table.

LEG. MURATORE:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Muratore. On this, on the motion. Commissioner Anderson, I know Bill Hillman's been working on this. I think other -- maybe Danny Dresch, there's been a few people in your department. I forget who exactly has been working on it, but on kind of an alternative to this they've been looking at the impact fees and trying to regularize them, kind of a clearer, fairer approach to impact fees. I think I'm waiting for some direction from your department. I'd be happy to introduce a bill when you're ready on this issue. Do you know the status of that?

COMMISSIONER ANDERSON:

I know that we had discussions with Legislator Cilmi, I believe even up to last week, on this matter. What we were trying to do was to, you know, to basically create a structure on the impact fees. Generally anything above a certain level there's an impact fee based on traffic and volume. Below that point it becomes more of a negotiation. We're trying to lower that bar so that it is a set fee on that. That discussion -- we did provide that information to Legislator Cilmi. As far as I know, we haven't heard anything back from him other than, you know, he has the information and that we've been talking about it further, so I'll reach out to --

CHAIRMAN SCHNEIDERMAN:

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You know, I would defer to Legislator Cilmi if he wants to modify his bill, but if he does not want to modify his bill, I'd be happy to introduce that bill.

COMMISSIONER ANDERSON:

Fair enough.

CHAIRMAN SCHNEIDERMAN:

What his bill is doing is eliminating the impact fees, which --

COMMISSIONER ANDERSON:

That was original, yes.

CHAIRMAN SCHNEIDERMAN:

An impact of that is anywhere from three hundred to 700,000 or more per year to our budget. There is no offset provided here, so as much as I understand the idea is to stimulate the economy and encourage development, in my mind we need an offset under our own rules so I can't support it. But I -- the way I understand the internal study that's been done at DPW it wouldn't need an offset -- actually potentially it would generate even more in terms of impact fees or at least the same amount and more fairly apportioned. So I would be interested in that.

All right. So there's a motion and a second to table. All in favor? Opposed? Abstentions? Tabled.
(Vote: 5-0-0-0)

IR 1149-13 - Increasing transparency in RFP process. I'll make a motion to approve. Any other motions?

D.P.O. HORSLEY:

I'll second the motion.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Horsley. Commissioner, the sponsor, I believe, has worked with you on changing this, taking out some of the requirements that could have led to problems with collusion or misuse. I think now it just simply extends the amount of advanced notice from five days to ten days.

COMMISSIONER ANDERSON:

Also, it changes, if you look under Section D, it basically states that there's the --

CHAIRMAN SCHNEIDERMAN:

The disclosure --

COMMISSIONER ANDERSON:

The disclosure, yeah, of the proposers can be only provided after a certain point, which is the award of the contract, and based on approval of the Law Department so that there is no impact to any type of negotiations that might happen after the contract is awarded.

CHAIRMAN SCHNEIDERMAN:

Right, yeah. That's where we were concerned with the collusion potentially, if people could see other bids before the bid was awarded. Okay. And I know Legislator Gregory has a lot of experience with procurement. I don't know if you wanted to weigh in on this, but is there any other comments on this? Legislator Gregory.

LEG. GREGORY:

Just to say that it seems like the sponsor cleared up any other questions that I had. I think he hit the nail on the head with having the disclosure after the approval and not prior to, which can affect

the outcome of any RFP or proposal or bid, so I think that's good. I still think -- my understanding of the General Municipal Law in this area, I think 104B, is that the State requirement is that you advertise five days, a minimum of five days, before. I think she's calling for ten. I don't know if that's necessary, but that's not enough for me not to support the bill. But I think, you know, and Gil could testify to this, you know, and I think her bill addresses any emergency situation. So ten days would be very cumbersome in a Tropical Storm Sandy environment where things got to flow very expeditiously, you know having a requirement of ten days minimum can be very, you know, cumbersome. But I think her bill addresses emergency situations.

COMMISSIONER ANDERSON:

We spoke about that. I mean, under situations such as Sandy it's an emergency declaration and all bets are off at that point. At that point, you know, we'd obviously have to follow certified payroll, but you're just -- you're going out, getting whatever consultants, whatever supplies, you know, just to get the job done. After a certain period then you do have to go out and bid that, but we did talk about that.

CHAIRMAN SCHNEIDERMAN:

I would think for a large capital type of project it would be in the County's interest anyway to extend that period so that we could get as many bids as possible and get it as competitive as possible. I know five days, even though it might be the State standard, it's not a lot of time to put something together.

COMMISSIONER ANDERSON:

Normally under a capital project you want give them a month or more because you want them to have enough time to --

CHAIRMAN SCHNEIDERMAN:

Right. I was going to ask you, do you typically do give them that.

COMMISSIONER ANDERSON:

Correct. I mean, we give them, I mean, on the real big ones we've given them months, such as the jail. It was a number of months because it is such an enormous project and there's, you know, a lot of supplies to be gotten, labor, things to be, you know -- and you got to give them time to sharpen their pencil, otherwise --

CHAIRMAN SCHNEIDERMAN:

I mean, that's again, we talked about collusion a moment ago, but that would be my fear, if you only give somebody five days that there might be a couple of firms that have knowledge, particular knowledge because they've, you know, worked on other County jobs or whatever it is, and they might have a real advantage because of that short window of time to respond, whereas, you know, other firms would be at a competitive disadvantage. So to me, yeah, ten days when you can do it at a minimum and if you can do it for longer, great.

COMMISSIONER ANDERSON:

I mean, you know, if you read Section C, which talks about that, the only -- honestly the only concern I have is that the RFP is advertised on the website of the department requesting the RFP, which means that we now purchasing, my division has to coordinate that and any changes of that RFP with the website or that department that is -- but that's an IT issue.

CHAIRMAN SCHNEIDERMAN:

But you're okay with it, though.

LEG. GREGORY:

That brings up another question.

CHAIRMAN SCHNEIDERMAN:

Legislator Gregory.

LEG. GREGORY:

Is that advertising requirement within the provisions of the State law? Because I know when I was in procurement, you know, they were trying to move to electronic advertising and now they're doing that, but I don't know if technically advertising on the website falls within those provisions and if there is some type of error, would that affect the outcome even though it may not be a legitimate means of advertising the bid. But to address your concern, it generally on a big project you are going to give, you know, a couple months, at least, you know, a month because it only benefits us as the municipality, because in the end we're going to pay for it. You know, if someone comes in and says we only had five days to go over the numbers and then now we're, you know, we're looking into the project and we have all these changes orders, I mean, it's only going to affect us in a negative way if we don't give them enough time to sharpen their pencils and do those types of analyses. So it benefits us to give the adequate time to respond. So, you know, generally those situations don't occur where it's five days, but it's -- obviously it's within the law.

COMMISSIONER ANDERSON:

And where it comes into play is when you have an addenda, and rather than -- you have to have that addenda, you have to give everybody, in this case now it will be ten days. Similarly, you still have to advertise it with the newspapers, that's still part of the law. So this is just an added feature.

CHAIRMAN SCHNEIDERMAN:

Thank you, Legislator Gregory. Okay. So we haven't called the vote on that one, right? Okay. So we had a motion, though, and a second. All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**

Moving on to ***IR 1173-13 - Adopting Local Law No. -2013, A Local Law to ensure adequate ferry service (Calarco)***. This needs to be tabled for a public hearing. I'll make a motion to table. Second by Legislator Stern. All in favor? Opposed? Abstentions? So tabled. **(Vote: 5-0-0-0)**. Moving on to Introductory Resolutions.

Introductory Prime

IR 1209-13 - Authorizing illumination of the H. Lee Dennison Executive Office Building for Judy's Run for Stroke Awareness (Kennedy).

LEG. STERN:

Motion to approve.

CHAIRMAN SCHNEIDERMAN:

Motion to approve by Legislator Stern. Second by --

LEG. MURATORE:

Second.

CHAIRMAN SCHNEIDERMAN:

Legislator Muratore. All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**

IR 1214, which now becomes the last item on our agenda, ***Appropriating funds through the issuance of Sewer District Serial Bonds for the increase, improvement and extension to Suffolk County Sewer District No. 18 - Hauppauge Industrial (CP 8126)(Co. Exec.)***.

Commissioner, do you have any more background on it?

COMMISSIONER ANDERSON:

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This is an additional \$2 million that's being requested so we can complete the entire project. The actual cost of the wastewater treatment facility came in higher than expected. Right now we have 77 million for the project. We need another two million that we estimate right now to be able to do the sewers. The treatment plant came in over \$40 million and we now have to also install the sewers and the pump stations for the expansion of the district. Again, I would note that this is paid for by the district and is part of the tax and the district has agreed to this expansion.

CHAIRMAN SCHNEIDERMAN:

Questions? I had a feeling. Legislator Horsley.

D.P.O. HORSLEY:

Gil, I just had a quick question as far as I see where Smithtown is now talking about creating an overlay district for height and going up five, six stories in the Hauppauge Industrial Court. How does that fit into our sewer future?

COMMISSIONER ANDERSON:

That was discussed during the development of the district because they didn't have a real finite idea of what height they were going to be. I believe that we've considered the minimum height. Now again, half of the district is -- I'm sorry. Half of this overlay district is going to be within this new sewer district, half of it which is on the south side of Motor Parkway is not. So they will have to come in as connectees, and that really is only available based on the volume. But we did speak with the town at the time to get the best information we could when we expanded the district.

D.P.O. HORSLEY:

So if they go to the south side and we have this height increase we'd have to expand the actual plant itself?

COMMISSIONER ANDERSON:

Well, we'd have to see if there's sufficient capacity, you know, to basically have them come in as a connectee. At this point, you know --

D.P.O. HORSLEY:

Deal with the other issues later.

COMMISSIONER ANDERSON:

Yes.

D.P.O. HORSLEY:

Interesting. You're for it?

COMMISSIONER ANDERSON:

Yeah. I think it's -- you know, there's a bigger issue that has to be addressed, and that's the study of the entire area. That whole corridor which is being done now, you know, you've got the impact of the Heartland, you've got the impact of this industrial park. That whole area is expanding so the State is going to start looking at what that does to the infrastructure.

D.P.O. HORSLEY:

The traffic and the --

COMMISSIONER ANDERSON:

Correct.

D.P.O. HORSLEY:

-- different things. It's fascinating. That could be where a lot of new jobs could be created.

COMMISSIONER ANDERSON:

Absolutely.

D.P.O. HORSLEY:

Yeah. Thanks.

CHAIRMAN SCHNEIDERMAN:

Any other questions on 1214? I don't have a motion yet. So Legislator Horsley, you want to make a motion to approve?

D.P.O. HORSLEY:

Sure, motion.

LEG. KRUPSKI:

Second.

CHAIRMAN SCHNEIDERMAN:

Legislator Krupski on the second. Any more discussion? All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**. That concludes our agenda and we are adjourned.

(The meeting was adjourned at 4:07 p.m.)