

CAPITAL BUDGET MEETING

Of the

PUBLIC WORKS and TRANSPORTATION COMMITTEE

The Public Works and Transportation Capital Budget Meeting was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Smithtown, New York, on Wednesday, May 15, 2013 at 9:30 a.m.

MEMBERS PRESENT:

Legislator H. Jay Schneiderman - Chairman
Legislator Steve H. Stern - Vice-Chairman
Legislator Wayne R. Horsley
Legislator Thomas Muratore
Legislator Al Krupski

ALSO IN ATTENDANCE:

Presiding Officer William Lindsay
Legislator Robert Calarco
George Nolan - Counsel to the Legislature
Renee Ortiz - Chief Deputy Clerk - Legislature
Robert Lipp - Director of Budget Review Office
Rosalind Gazes - BRO
Jill Moss - BRO
Gil Anderson - Commissioner - DPW
Bill Hillman - Chief Engineer - DPW
Christina Delisi - Aide to Chairman Schneiderman
Deborah Harris - Aide to Vice-Chairman Stern
Kevin LaValle - Aide to Legislator Muratore
Catherine Stark - Aide to Legislator Krupski
Thomas Vaughn - County Executive's Office
Marie Berkoski - County Executive's Office

TAKEN BY:

Lucia Braaten - Court Reporter

(*THE MEETING WAS CALLED TO ORDER AT 9:45 A.M. *)

CHAIRMAN SCHNEIDERMAN:

Let's get this public hearing going. Thank you for coming. I've been looking at this clock, it's been moving -- it hasn't been moving. It still says it's 9:25, but apparently it's a little bit later than that. So let's get started.

We're going to have a Public Hearing today on the proposed Capital Budget and Program 2014 to 2016. We have Legislator Krupski and Legislator Stern joining us, and other Legislators may come. Legislator Muratore has an excused absence from today's meeting.

Why don't we rise? We'll say the Pledge of Allegiance, led by Legislator Krupski.

(*Salutation*)

All right. We're also joined by Legislator Horsley and Legislator Calarco. All right. So we're focusing today on the Public Works aspect of the budget. Do we have any others we're combining here with Public Works? Just Public Works, okay.

So, Robert, do you want to get us started here? You've taken some time to review the proposed Capital Budget. You have some specific recommendations related to Public Works and Transportation. Do you want to provide a quick --

MR. LIPP:

I thought I'd do a quick overview, like --

CHAIRMAN SCHNEIDERMAN:

Overview? That would be great.

MR. LIPP:

So that way everybody will have an idea. And, unfortunately, I forgot to ask the IT people to put up the data projector, so they're feverishly working now. I could talk. It might be a little bit better if we could see it on the screen, though.

CHAIRMAN SCHNEIDERMAN:

Okay, so -- and while you set that up, that's fine. Are we filling out yellow cards for speakers? There are a number of people who want to be heard today, or I suspect want to be heard. Let me see by hands how many people want to present to the committee? All right. Why don't we -- I only see one hand. So why don't you step up to the podium here. If you could start out, just identify yourself so we have you for our record, and we'll give you a few minutes to make your comments known. No, I'm not hearing you.

COMMISSIONER ROGERS:

The button? How's that? Wayne Rogers, Commissioner, Board of Elections.

We're here because there's a couple of capital projects, some of them in, some of them out. And I think we need to try to hopefully clarify some of the stuff that we have going on, and why we need them done and why we don't need them done.

This year, we put in for an addition on the building, probably about six or seven -- six or seven thousand square feet, for the white voting booth for storage, because right now we're paying for storage for them now, and we're paying twice to get them delivered and taken back to the storage

facility every time we need -- we do an election. That particular item probably cost us somewhere -- I'm saying with the storage and the trucking, probably close to \$100,000, 80-some-odd thousand dollars. To put a new building up, it's probably -- the last one we did was probably a little under a million. This will probably somewhere be around a million dollars for the same thing. If you take the money what we're spending now and you wash it into a 10-years or 20 years, you've got your money, because 10 years is 600 grand or 800,000, depending on what numbers you want to use. So it's kind of a wash, so it doesn't make any sense not to do it.

When we started with the new machines and the new voting booths, we had no idea that they were going to be the size they were and take up as much room as they did. We looked for storage within the County, and the problem is there are no loading docks available to us. So, you know, we couldn't do the -- you know, the storage someplace else and at least save some of the money. Project number one, anybody, questions, because I have three.

CHAIRMAN SCHNEIDERMAN:

What's the Capital Project number, do you have it there?

COMMISSIONER ROGERS:

I do not. Do you know what the number is?

CHAIRMAN SCHNEIDERMAN:

Anybody? Robert?

AUDIENCE MEMBER:

1451.

COMMISSIONER ROGERS:

1451.

CHAIRMAN SCHNEIDERMAN:

Thank you. All right. Questions for Mr. Rogers.

LEG. KRUPSKI:

So you have storage, but you have no way of unloading the trucks at that location?

COMMISSIONER ROGERS:

No. We looked for storage within the County, and none of it works because there's no way to unload and load the trucks, so we wouldn't have to pay for the storage facility.

LEG. KRUPSKI:

So you have storage, but there's no way to unload the truck, then?

COMMISSIONER ROGERS:

No. The storage that we have is at a storage facility that we're paying, and the truck, the storage facility brings the trucks back -- the stuff back and forth to us.

LEG. KRUPSKI:

I'm sorry, you're not understanding me. Let me try.

COMMISSIONER ROGERS:

Try again.

LEG. KRUPSKI:

You have -- you said you have no loading docks at the places the County owns to unload the trucks to store the machines.

COMMISSIONER ROGERS:

Right.

LEG. KRUPSKI:

Okay. So wouldn't it be better to put in a loading dock instead of building a building? And then you can unload the machines right by the building.

COMMISSIONER ROGERS:

It's still going to cost us for the trucking, because the days that we do the elections, we rent trucks or we hire a moving company to take care of that, because it's so massive. And we pair them up where the machines go out and so many booths go out. So, if it was in our facility, it would be much more -- it would be easier for us to do it, more productive as well. Okay?

LEG. KRUPSKI:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Other questions for Wayne? Yeah, the other Wayne.

D.P.O. HORSLEY:

Oh, right, yes. I thought you were getting confused. Hi, Mr. Rogers. Good to see you.

COMMISSIONER ROGERS:

Thank you.

D.P.O. HORSLEY:

By the way, I hear good things about you all the time, so it's --

COMMISSIONER ROGERS:

I'm working on your daughter for the wedding, trying to get her to elope. I don't know if I could help you out or not.

D.P.O. HORSLEY:

I wasn't going to go there, but yes, now that you brought it up. But, anyway, that's funny.

LEG. KRUPSKI:

Congratulations, Wayne.

D.P.O. HORSLEY:

Why, thanks a lot, guys, I appreciate it. Let me just quickly ask you a couple of questions.

So what you're saying is that the new building would be amortized over a period of what, 10 years?

COMMISSIONER ROGERS:

I don't know what the County would do, but I would think if they did it over 10 years, then let's just assume we did that, and let's assume the savings that we get -- the money that we're spending now would be close to 800,000. So you only got a couple of hundred thousand dollars that the County is actually spending on this facility --

D.P.O. HORSLEY:

Right.

COMMISSIONER ROGERS:

-- because we're spending it now.

D.P.O. HORSLEY:

And you're spending it now. So you keep it -- what, Liberty, is that the name of the --

COMMISSIONER ROGERS:

Liberty right now is the moving company. By the end of this year, we'll be going out to bid because it's time. We've had them long enough and it has to go out to bid. So I don't anticipate anything going down, but you never know.

D.P.O. HORSLEY:

Okay. And the storage location at Liberty, is that functional as far as -- I know you have to have heat and things like that.

COMMISSIONER ROGERS:

Right.

D.P.O. HORSLEY:

And they do do all those types of things, it's not that they're in danger or --

COMMISSIONER ROGERS:

No. Where they are at Liberty is fine. You know, it's all climate controlled and we don't have to worry about things getting rusty or -- but they do store them up high. They bring them down, then they have to bring them to us, and we're paying for that as well.

D.P.O. HORSLEY:

Because of the nature of the machines, that they have to be secure, does Liberty take those precautions that are satisfactory to the Board of Elections?

COMMISSIONER ROGERS:

Liberty has none of our machines, they just --

D.P.O. HORSLEY:

Oh, they don't have any of the machines. Okay. Oh, I'm sorry.

COMMISSIONER ROGERS:

All the machines are always in our warehouse and our place, they're never anyplace else. They take care of the voting booths.

D.P.O. HORSLEY:

This Capital Project soup to nuts.

COMMISSIONER ROGERS:

Soup to nuts.

D.P.O. HORSLEY:

Got it. Okay, thank you.

COMMISSIONER ROGERS:

I have two other --

CHAIRMAN SCHNEIDERMAN:

Go ahead.

COMMISSIONER ROGERS:

-- while I'm up.

CHAIRMAN SCHNEIDERMAN:

Yup.

COMMISSIONER ROGERS:

There was money allocated for the building to be renovated in the front which I'll call the front because it's all the offices. Originally this was supposed to be done about four or five years ago, and when we had to go to the new machinery, they need -- we didn't have enough room anymore. So we put a warehouse on for the extra machines that we got. So we didn't have the money, so we went to the Leg and said, "Look, this has to be done. We need a certain amount of time. All these machines have to be inhouse." We didn't have enough room for everything, so what we did is we took the money that was allocated to do the front of the building and we used it to take care of the first warehouse, which was taken care of.

In the interim, money was allocated to the design engineer. That new front bump-out, that's money in -- now that money is allocated. The contractor has been hired, it's LiRo, and for a year-and-a-half there's been a hold on it and they haven't done anything with it. I just want you to be aware of that, because if the money is there and the guy is hired, I would think he should be able to do the work at this particular point, which would bring us down the road next year or the following year to do the actual renovation on the -- I mean, the building is probably 19 -- 1960, '54? Never anything in it, so the whole place needs to be -- I mean, it's not in good shape. I certainly wouldn't want my daughter working there.

*(*Laughter*)*

Kidding, just kidding, just kidding. So I don't know what you can do about that. That is in the budget, but at least the money that has been allocated and supposed to be spent, I would hope that somebody could twist an arm to make sure that that gets done so we can move forward. Any other questions?

CHAIRMAN SCHNEIDERMAN:

Any questions?

COMMISSIONER ROGERS:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Do you have one more, or that's it?

COMMISSIONER ROGERS:

I covered both of them at the same time, because it's the same, same project. Thank you. Thank you for your time.

CHAIRMAN SCHNEIDERMAN:

Robert, are you ready to go?

MR. LIPP:

(Nodded yes).

CHAIRMAN SCHNEIDERMAN:

All right. Let's go to Robert with the overview.

MR. LIPP:

Okay. So I thought what I'd do is just a brief overview of our review, as opposed to going into specific project, and, you know, if there's a need for that, we could, obviously.

Okay. Well, first of all, in terms of specific projects, if you will, there are a lot of capital projects. Overall, there are -- first of all, overall, there are approximately -- I'll go from last to first here. There are approximately 217 projects reviewed in our review, so there's a lot of stuff there, and that's perhaps why the document is so thick. Of that, 170 projects, or most of it were projects that had some funding changed or rescheduled, you know, which is not necessarily surprising at all, but the majority.

There were 58 projects that had some sort of BRO recommended change, which may or may not see the light of day. So we're reducing -- I'm going from higher to lower numbers here, obviously. Twenty-nine projects were in the -- that were the same in all three categories, that is the 2013-15 adopted Capital Program from last year, what was requested by the departments, and DPW is the major requester because of what they do. And the proposed program that we're reviewing, all three of those documents, there were 29 projects that were literally the same dollar-wise. There are 20 new projects in the proposed program. There are 18 projects that were not included that were in the previous program, and there were 13 that were just discontinued.

So that gives you an idea of just how broad the magnitude is of the Capital Program. It's a very, very significant thing. We have a population that's in the neighborhood of one-and-a-half million people, and we have a very large geographically dispersed region, so there's a lot of stuff we do. And that just gives you an idea of just the sheer number.

Okay. That being said, we are sort of facing the situation, if you will, where we have some significant Operating Budget problems, deficit, as has been well documented, and part of those problems have been exacerbated by increases in debt service related to capital. And the main reason for that increase is not because all of a sudden we're doing more capital projects, but a lot of the debt service, the way it is legally shown, was off budget associated with paying for debt service from the proceeds of tobacco bonds that we issued in 2008 and 2012, and that will be coming totally offline in 2014, and much of it in 2013 also. So we have large increases, over 30 million dollar expected increase in debt service in 2014 in the General Fund alone, and that's mostly related to the loss of relief from the tobacco bonds.

So that's in the backdrop there that you need to be aware of.

The focus of our review was not to impose any sort of debt policy because of the Operating Budget concerns, but we are clearly aware of that. And the reason why we didn't explicitly want to do anything like that is for two reasons. Number one, it would be presumptuous of us to create our own debt policy without the Legislature signing on to it. We have in the past had some recommendations that could be considered, but that's beyond the scope of what we're doing. I just wanted to lay it out there, though, that this is a concern. You know, look at what the debt service is, so how come you're making certain recommendations? And, in fact, we do make some recommendations to do some increases and that relates to projects that we think can't be delayed, or shouldn't be delayed, I should say. And with that in mind, we could have made a lot more recommendations, because the needs that we have are tremendous. But we try to be conservative,

given the Operating Budget concerns.

What you should also know big-picture-wise is that let's say we're going to have a drastic policy. I'm purposely overstating the case. Let's say a moratorium for a couple of years on the Capital Program, you know, we adopt zeros, that would be an extreme case. It still is not going to have much of an effect on the Operating Budget for a couple of years down. In other words, what we do here now is what affects future Operating Budgets with a long lead time. Okay? So, for instance, we adopt 2014 Capital Budget this -- now, and 2015 and '16 and subsequent years are sort of like out there. The only thing that we would act -- that we act on is next year on 2014 budget, nothing to do with 2015, '16 or subsequent years, we have to wait. So we can only appropriate and authorize funding for projects in the 2014 Capital Budget piece.

Then what happens is, in all likelihood, those projects, for the most part, not always, but the majority of it, we will not be advancing money in terms of issuing bonds, for instance, until beyond 2014, 2015 at the earliest, most often longer lead time than that. So let's say for argument's sake we authorize stuff in 2014. Let's say we issue bonds for maybe half those projects in 2015. Not until 2016 will we see the Operating Budget debt service cost on that. So that's an example of the long lead times, okay, just so you understand. So there's a bit of a disconnect and a very long lead time with the Capital Program is the moral of the story.

The focus of our analysis, for instance, the first front end section on the analysis section, we focused on the B money, or the bonding, serial bond issues that are the local costs that affect the General Fund and other funds. We did not focus -- we took out of there borrowing in the sewer districts because they have their own captive funds and they're -- I wouldn't say flush, but, you know, they have their own funding sources. There's never enough money for sewerage, I suppose. But that being said, they have their own funding sources and there aren't the critical problems in the Operating Budget that exist for the sewer districts that are in the case for the General Fund and other countywide funds. So we're looking at that piece of the program.

We're taking out in our analysis the State Aid, Federal Aid, stuff like that that is not going to have an adverse impact. That being said, we do have a capital ranking form that has been codified in prior years into law by the Legislature that ranks each capital project, and some of it relates to whether or not there is aid, that kind of thing.

In terms of the -- there's good news and there's bad news, you could say, in terms if you're looking at it not in terms of service provision, but only from a financial point of view. The good news is the proposed 2014 budget is 20.1 million less for serial bonds for Countywide purposes than it was last year, so the program is lower. It's considerably -- the bad news, from a financial point of the view, is the three-year program is up considerably, but that's more futuristic in terms of, okay, we have to wrestle with that this time next year. Okay? And that gives us time to say whether or not we could afford stuff and/or whether or not we want to have a policy to deal with those issues.

There are some other additional good news besides the decrease in 2014 proposed budget, and that's after years of steady increasing in pipe -- increases in pipeline debt. We have a decrease in pipeline debt, and we've had it in two large chunks, one two years ago, and again this past year, and that's attributed in part to Phase I of the jail being completed, so that we don't have those long -- we don't have that large amount of pipeline debt to pay for that, that's already done.

And, also, last year the Legislature approved a lower amount of bond authorizations than they had in recent prior years, so that put some downward pressure on the pipeline debt. The pipeline debt is a large number, so that's good news.

Okay. And I wanted to point out, too, even though the three-year Capital Program for serial bonds is up, it's not meant to be a criticism, it's just meant to be here are the numbers. And one reason why it's not meant to be a criticism is even we are in Budget Review also recommending some -- what we think are modest increases also. So it wouldn't be appropriate for us to say that, "Oh, you know, it's up, it's a bad thing," because we are recommending some minor increases, if you will.

CHAIRMAN SCHNEIDERMAN:

Just one quick question on that. You know, when you look at that three-year window, and there's a lot of projects that are in that three-year window, but one that jumps out as a particularly big one, which is Phase II of the jail, it's 100 million dollars. If that were not there, would our -- would the three-year period that you look at be up if you back that out?

MR. LIPP:

Right. So you're talking -- okay. So, in particular, what we're saying is that the three-year program is up almost 132 million. So it would be up maybe 32 million. And if you took out the hundred -- well, not maybe, because 132 minus 100 is 32.

CHAIRMAN SCHNEIDERMAN:

So that's the big factor, though, that's driving that up.

MR. LIPP:

Correct. Now, speaking of the jail, I guess, it's worth speaking about that since it's been on a lot of people's minds and in the press also, here's how we look at it. What we're doing is the proposed program has, I believe, and correct me if I'm wrong here, 50 million in each of 2015 and '16, I'm correct, and we're recommending moving the money to 2016 only and making it 113.8 million. The 113.8, number one, reflects what we think is a higher -- the higher, more appropriate, cost if we do what we're saying we're going to do, and putting it into 2016 is -- given the long lead time it took for Phase I, we don't see this happening before that at all. And it makes most sense to authorize the entire amount at once, because when you're letting contracts for construction and all of that, you can't -- DPW would have lots of trouble, I would believe, letting those contracts if they didn't have all the funding in place to do that stuff.

Now, I know that there's a lot of talk about whether or not we do need Phase II, but at the end of the day, at this point, the Commission on Corrections from the State wants to see the funding, and they have the leverage of possibly pulling variances from us. So it would not, from our perspective, make sense to get them upset and to potentially risk pulling the variances just by -- just for eliminating the funding. That being said, let's put it in 2016, let's vet out that process, and noting that, really, the important year of the program is 2014. It's important, though, that being said, to look at the entire five-year program, 2014 through '16, and subsequent years is presumed to represent two years, so it's a five-year program. We need to see the overall size of it. But, yes, the increase of the 132 million is predominantly made up of the jail. So it is a modest program if you do take that hundred million out. Okay.

D.P.O. HORSLEY:

Are --

CHAIRMAN SCHNEIDERMAN:

Go ahead.

D.P.O. HORSLEY:

Rob, can I just ask you a quick question on the jail? So you're putting everything into '16, was it?

MR. LIPP:

Correct.

D.P.O. HORSLEY:

Now what about the design of the project?

MR. LIPP:

Okay. The planning stuff, we believe that -- okay. So there's 3.7 million in the current '13 adopted program.

D.P.O. HORSLEY:

It's in '13, okay.

MR. LIPP:

Yes. And there's also 4.3 million that's already been authorized. So that would total eight million, assuming that we appropriate the money, the 3.7 this year, so that will give us eight million. Now, typically --

D.P.O. HORSLEY:

Okay. So we have eight -- okay. We have eight in -- that is already in the passage, it's already in. So we don't have to authorize -- we don't have to do anything further as far as '14 goes?

MR. LIPP:

Not for '14, but you do have to authorize the 3.7 this year.

D.P.O. HORSLEY:

Right, for --

MR. LIPP:

Right.

D.P.O. HORSLEY:

Right, out of '13.

MR. LIPP:

Right. And our argument, also, is that typically, you need -- for planning design, you need 10% of construction costs, which would --

D.P.O. HORSLEY:

Yeah, I understand.

MR. LIPP:

-- put us in the 11 million dollar range. But we're saying that we have a design already from Phase I, so we don't need as much money in --

D.P.O. HORSLEY:

Modules and things like that.

MR. LIPP:

Right.

D.P.O. HORSLEY:

Okay. Has Public Works spoken to you about the timeline on the design issue? Is that something

that they've said let's --

MR. LIPP:

Our Analyst has spoken to DPW with regards to the jail.

D.P.O. HORSLEY:

I figured that. What did they say?

MR. LIPP:

And unless I'm mistaken, that we have sized right in our budget here that it's going to be a long lead time.

D.P.O. HORSLEY:

Long lead time. Gil, is that -- do you mind if I ask?

MR. LIPP:

I would assume you would.

D.P.O. HORSLEY:

I just wanted to -- Gil, what are you thinking on this whole -- on the issue? Are we about ready to go with the design on the jail, the '13 monies? What's your plan?

COMMISSIONER ANDERSON:

Right now, as far as Phase II, there are discussions going on with COC about the design, which is generally typical with any Public Works project. After we're done, everybody questions what we did and why we spent so much money. The concern right now is that it's -- you know, the -- Phase I, if you will, is a -- is a large facility, and we'll only really meet the current needs of the County. It doesn't take into account, you know, future needs, and that's where I think the discussions are going to be had. Having said this, I know the COC is very concerned with, you know, pushing or not getting Phase II underway. There -- you know, and, obviously, the Sheriff can probably speak more on that. But New York State is really -- you know, is going to hold our feet to the fire.

As far as, you know, BRO's recommendation, I know that the way it was laid out in the County Executive's plan was to spread it over two years. We obviously couldn't go to bid until we had the entire funding needed. But it would show a commitment to COC, and it was the way we did the funding on the first phase, where we split it up, kind of like the outfall, another favorite of ours.

D.P.O. HORSLEY:

Yes. Except one we may need and one we may not.

COMMISSIONER ANDERSON:

Well, yeah. I mean, you know, certainly, there has to be housing for the prisoners, I mean, there's no question.

D.P.O. HORSLEY:

And, certainly, there has to be an outfall pipe.

COMMISSIONER ANDERSON:

That's for sure, sure.

D.P.O. HORSLEY:

Let's not mix apples and oranges here.

COMMISSIONER ANDERSON:

No.

D.P.O. HORSLEY:

But let me ask you. So the authorization that you're going to be seeking for the design monies, you're -- are you saying that that's coming shortly?

COMMISSIONER ANDERSON:

We -- yeah. I believe this year we'll have requests in for the entire funding for the Phase II.

D.P.O. HORSLEY:

Which is eight million dollars, plus, whatever it was?

COMMISSIONER ANDERSON:

Yeah. Assuming -- again, assuming we don't have to start from scratch. You know, right now we're looking at some similar configuration to what we've built, as far as the pods themselves, you know, almost like a cookie cutter, if you will.

D.P.O. HORSLEY:

Okay.

COMMISSIONER ANDERSON:

But that may change, depending on discussions with COC.

D.P.O. HORSLEY:

Okay. Now we understand we had the Corrections Commissioner, that at least we've asked him to come to the Public Works Committee, and we're going to be talking to him very shortly. Mr. Schneiderman, do we have -- hear anything from Corrections as yet?

CHAIRMAN SCHNEIDERMAN:

I haven't heard.

D.P.O. HORSLEY:

Because we have a lot of questions.

CHAIRMAN SCHNEIDERMAN:

We reached out.

D.P.O. HORSLEY:

We have reached out, yes, I know that, yeah. Okay, so we're just -- I guess it's just recently sent. So will the authorizations be held off until after we speak to the Corrections Commissioner?

COMMISSIONER ANDERSON:

I'd have to look, I really don't know.

D.P.O. HORSLEY:

Okay. All right. I just wanted to see what the timeline is.

MR. LIPP:

Well, just so you know, we tabled at the last General Meeting the resolution for the other --

COMMISSIONER ANDERSON:

That's right.

MR. LIPP:

For the 3.7 million that's in this project for this year.

D.P.O. HORSLEY:

Okay. All right.

COMMISSIONER ANDERSON:

Yeah, that went through Public Safety.

D.P.O. HORSLEY:

That's right, yeah. Okay. So you would need both, though, to get started, or you just -- can you start the kickoff with the 3.7?

COMMISSIONER ANDERSON:

Well, with the funding we have right now, there's -- again, there's a commitment that the County is making to do something. What that something is still has to be developed, you know.

D.P.O. HORSLEY:

All righty. Thank you.

CHAIRMAN SCHNEIDERMAN:

Just one quick comment on that. You know, this Phase II hasn't been designed, to my knowledge, part of what all this is about. I know we have about 300 some-odd variances from the State. Each variance is for an additional bed, basically. Our prison population is about 300 more than Nassau County's, so it -- you know, for some reason, we're having a high prison population, but it is down about 200 inmates less than what we projected for this year, which is significant. And I would say it's moving in the right direction, probably as the economy moves in the right direction.

And I just think if we put our heads together, you know, we could either, you know, find ways to reduce that prison population over time by, you know, decreasing crime, alternatives to incarceration, etcetera, and, at the same time, come up with other solutions, repurposing maybe other facilities, or something to deal with the added bed capacity, or maybe short-term added bed capacity, because I don't know that we'll need it in the long term. I know we did those sprung structures. Those were far less expensive.

If we think this is a short-term problem, maybe we could have a short-term solution. And that 100 million dollars in that Capital Program that is slated for Phase II is an awful lot of money, and, as I said before, it's seriously impacting our Capital Program.

So I just urge you, Commissioner, you're, you know, ingenious, come --

*(*Laughter*)*

See if there's some other alternatives that might, you know, be possible to save the County a ton of money here.

COMMISSIONER ANDERSON:

And I appreciate your confidence in me and my Department. You know, again, this is all really driven by the Sheriff's Office and by the COC. We are just the builders. And I know that's somewhat of a tap dance on my part, but it really is. You know, we built the building based on the belief of, you know, the program of corrections that the Sheriff's Office has recommended. And, you know, we'll see where this goes.

CHAIRMAN SCHNEIDERMAN:

Legislator Kennedy.

LEG. KENNEDY:

Thank you. Good morning, Gil. How are you?

COMMISSIONER ANDERSON:

Good, Legislator. Thank you.

LEG. KENNEDY:

Good. So let's talk a little bit more so that I can make sure that I understand with the Phase II and with the design. VIRO, is that the firm, the engineering firm that did the design for the -- that is not?

COMMISSIONER ANDERSON:

No. Wiedersum Associates was the architect of record for Phase I. LiRo was our construction manager.

LEG. KENNEDY:

Okay. All right. And when Wiedersum designed the Phase I, my recollection, and it may be wrong, was that the facility was designed specifically to accommodate additions in the forms of these pods. Do we have a wide footprint that we're just going to be adding additional housing structures to, or are we designing from scratch?

COMMISSIONER ANDERSON:

The plan, as it was laid out, and as is laid out currently, was that we would take the current pod configuration and be able to just create another 360 -- each pod holds 60 beds, so we could essentially work them almost like a leaf on a tree, add them on, you know, as needed. The design was based on direct supervision. One, correction officers are able to basically watch over 60 inmates.

LEG. KENNEDY:

Yes.

COMMISSIONER ANDERSON:

And that was the basis for the design. That's really -- why it's so large is that everything is based on clear sight, very few angles, very few hidden corners, things like that. So that's why the spaciousness of it, if you will.

LEG. KENNEDY:

Okay. Now what about the existing structure that's there, are we rehabbing it or are we abandoning it? What are we doing with that?

COMMISSIONER ANDERSON:

We are now currently designing the reconstruction of the existing jail. I believe there are -- it's either for four or six dorms that we're going to be replacing.

LEG. KENNEDY:

So we have dorms, but we also in that existing structure --

COMMISSIONER ANDERSON:

Six.

LEG. KENNEDY:

There's gymnasiums and other types of things where we had been housing inmates. Is all of that getting rehabbed as well or --

COMMISSIONER ANDERSON:

Specifically the dorms within the existing portion are going to be expanded, if you will, to allow for direct supervision. Again, in that specific case, it was an agreement reached between the Sheriff's Office and the COC as to -- if we went for the -- to get technical, if we went for the straight, direct supervision design, we would have actually lost beds, so it was tweaked a little bit. But we are going to be adding another, you know, I guess 360 beds within the existing portion. So everybody gets moved out into the new portion, and then we have this that gets added on, too.

LEG. KENNEDY:

Okay. So now I'm going to ask you, if we can --

CHAIRMAN SCHNEIDERMAN:

Hey, John, can I make this just one last question, because I want to make sure we got all the public comments in. I only have another few minutes before we have to get to the Working Group, and this is a public hearing. I don't want to cut you short, but if you could wrap it up. And I'm sure the Commissioner would be available to answer any of your questions afterwards.

LEG. KENNEDY:

Certainly, Mr. Chair. Okay. So I'll do it quick and then we can follow up.

The new facility has how many beds? What did we get with opening the doors for the new facility?

COMMISSIONER ANDERSON:

Three hundred and sixty beds.

LEG. KENNEDY:

Three-sixty. The existing dorm has how many and will yield how many?

COMMISSIONER ANDERSON:

I don't, off the top of my head, recall. It's somewhere about another 360, but I'd have to get you the exact numbers, then. I don't --

LEG. KENNEDY:

And we're contemplating how many right now for construction in Phase II?

COMMISSIONER ANDERSON:

Existing facility has 384. Thank you.

LEG. KENNEDY:

Three-sixty, 384, 740. All right. And so what is it that's projected for this Phase II at this point?

COMMISSIONER ANDERSON:

Phase II originally was projected that another 360 beds would be provided under Phase II.

LEG. KENNEDY:

Okay.

COMMISSIONER ANDERSON:

Prior to this year, the outpatient population was in around 500. This year, currently right now, they're down to the teens, as Legislator Schneiderman mentioned.

LEG. KENNEDY:

Sure.

COMMISSIONER ANDERSON:

I'm not sure why. You know, the COC considers it an anomaly.

LEG. KENNEDY:

Yes.

COMMISSIONER ANDERSON:

Whether it's due to other reasons, obviously, I don't know.

LEG. KENNEDY:

Okay. All right. I'll pick up on the rest later. Thank you.

CHAIRMAN SCHNEIDERMAN:

So let me go back to Robert and make sure you finished your overview and presentation. Then I want to see if there's anyone else who wants to be heard from the public.

MR. LIPP:

Finished.

CHAIRMAN SCHNEIDERMAN:

You're done?

MR. LIPP:

Finished.

CHAIRMAN SCHNEIDERMAN:

Perfect.

MR. LIPP:

I mean, I can go on forever, but you don't want that.

CHAIRMAN SCHNEIDERMAN:

No, that's okay. And now back to the public. Is there anyone else who wanted to approach the committee? That's great. I have -- Legislator Krupski has one question for the Commissioner.

LEG. KRUPSKI:

It's on the Capital Budget with the dredging, reduced funding. I just wondered, and I took a look at the projects, but I don't have them here in front of me today. Could you comment on those projects and how they're going to be put off. Are they going to be put off for the season, or are they going to be put off until -- like, you know, review them as needed type of thing?

COMMISSIONER ANDERSON:

This year we'll be able to do about 7 million -- we expect to do about 7 million dollars worth of dredging, which we're pulling in from subsequent years, we're moving forward two projects, Nissequogue River and Stony Brook Harbor. So because of the needs that were -- you know, occurred there due to the storms and the impact on them.

You know, I'll be honest with you, I'm about a third of the way through BRO's report. Dredging, you know, we understand the impact and the concerns, everybody. We have a very limited window. We have a limited ability -- you know, we're even actually concerned that we'll be able to do the seven million because there's limited contractors. So there's one or two contractors out there that actually do the work. You start getting into the big stuff, you know, that's a whole different ball game.

CHAIRMAN SCHNEIDERMAN:

Let me add to this, too. And I appreciate the great work you guys have been doing with the dredging. For years you had practically no money, about a million dollars a year, when we all knew just to keep pace was probably going to take about three million. We had successfully gotten a big chunk of money in there for Forge River, which is where that seven million dollars originated from, because we needed more money for that particular year to get that done, and I think we split it over two dredging seasons. But, you know, a typical normal number to me for dredging probably is in that three to four million dollar range. And so just for kind of Legislator Krupski's edification, even though it seems like it's going from seven million down to I guess three-and-a-half or so, it's actually significantly more than we had many years in the dredging budget. So it seems like a pretty decent number. Do you want to comment on that?

COMMISSIONER ANDERSON:

No. I would agree completely.

LEG. KRUPSKI:

That's why I asked, you know, because the needs change also. It's not like you need --

COMMISSIONER ANDERSON:

Correct.

LEG. KRUPSKI:

-- you need to pave the road every so many years. This dredging, you're not sure what Mother Nature is going to do.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN SCHNEIDERMAN:

You know, certainly, one million isn't enough to keep pace, but --

COMMISSIONER ANDERSON:

And the permitting, you know, and I'm not -- this is not a comment against any of the regulatory agencies, but they're in the same boat that we are in that they can't get to all the permits that we need. So, you know, as much as we try to drive them to get us the permits, you know, it's a hard fight.

CHAIRMAN SCHNEIDERMAN:

Are we able to do some of the dredging out of Sandy Relief Funds, some of that related directly to Hurricane Sandy or Superstorm Sandy?

COMMISSIONER ANDERSON:

Well, certainly, we're looking at the barrier beach replenishment, doing replenishment under Sandy. The rest of it, we've made a push. I don't believe it's really been approved or even, you know, to be considered by FEMA.

CHAIRMAN SCHNEIDERMAN:

Robert, is there anything you wanted to say on the dredging piece of the Capital Budget?

MR. LIPP:

I think the Commissioner did a good job.

CHAIRMAN SCHNEIDERMAN:

Okay. Thank you.

D.P.O. HORSLEY:

Can I just quickly?

CHAIRMAN SCHNEIDERMAN:

Yeah, Legislator Horsley.

D.P.O. HORSLEY:

I know we've got to move. Gil, you know my question would be my favorite topic with you, is what about the West End as far as the dredging; is that to be included in this, in these dollars?

COMMISSIONER ANDERSON:

This -- oh, okay.

D.P.O. HORSLEY:

Strongs Creek.

COMMISSIONER ANDERSON:

Yes, we anticipate Strongs being done. Again, yeah, we are -- as we've said, we are pushing the DEC for -- to get the permits so we can do the work. We anticipate having a few so that we can do some work down there. I will get you, at least by the next committee, what we anticipate doing, provided we get the permits.

D.P.O. HORSLEY:

Provided. And if any -- if anything we could do to get help you get those permits as far as, you know, twisting arms, please, or whatever, let us know.

COMMISSIONER ANDERSON:

I appreciate that.

D.P.O. HORSLEY:

We really got to -- we've got to get moving on some of that stuff.

COMMISSIONER ANDERSON:

Will do.

CHAIRMAN SCHNEIDERMAN:

Gil, just a couple of specific questions about projects that were eliminated or pushed --

COMMISSIONER ANDERSON:

If I can, could I just make a statement just briefly.

CHAIRMAN SCHNEIDERMAN:

Yeah.

COMMISSIONER ANDERSON:

I know you guys have to run. And, again, I commend BRO on this. This is -- we use this book as a reference every year, it's incredibly informative. In developing the County Executive's plans, we were able to have direct discussions with them in the development, and we went through each project almost line by line. The projects that were either pushed to subsequent -- you know, pushed back a few years or taken out, you know, we've mostly focused on 2014, but the intent -- and what I want to make a statement is in the Capital Program, there is nothing that was taken out that we, the Department, feel is a public safety issue that needs to be done in 2014. We were able to keep our annual costs, our annual projects in there because of the needs that they provide. And I just wanted to make that statement, that, you know, I'm comfortable saying that anything that was moved back, we are -- we do not consider it --

CHAIRMAN SCHNEIDERMAN:

Good, because that's what I'm going to ask you about, so --

COMMISSIONER ANDERSON:

Oh, okay.

CHAIRMAN SCHNEIDERMAN:

I mean, let's start with one. Let's take 5054, which is traffic signal improvements. That's down a million -- I think a million dollars.

COMMISSIONER ANDERSON:

Right.

CHAIRMAN SCHNEIDERMAN:

Is that going to be enough to take care of that?

COMMISSIONER ANDERSON:

We have -- we have, what do you call it? I'm sorry. We have unencumbered and unobligated funding in there, in place already existing that we felt comfortable that --

CHAIRMAN SCHNEIDERMAN:

So you're comfortable with it?

COMMISSIONER ANDERSON:

Yeah.

CHAIRMAN SCHNEIDERMAN:

What was the New York 27, Sunrise Highway emergency barrier realignment, that project? Is that done or --

COMMISSIONER ANDERSON:

No. What happened was the State -- it's a State project where one of the -- one of the Assemblywomen from that area had gotten funding for a gate. So there was a terrible crash that happened a few years ago, and along the barrier, the traffic was stopped, nobody could get to -- you know, to rescue the people, and so what they came up with is a gate that's within the concrete barrier that can be swung open, so emergency vehicles can get in and access to the other side.

CHAIRMAN SCHNEIDERMAN:

Three-fifty is no longer needed.

COMMISSIONER ANDERSON:

The State gave it to us because they can't use their own money. We have since really -- it's weird. It was the -- the funding source was such that they had to give it to the County. We have since given it back to the State and they are running with the project and developing the project. So that's why it's --

CHAIRMAN SCHNEIDERMAN:

You're doing great so far. On 5116, it's drainage safety improvements, CR46, William Floyd Parkway. There was five million in for '14. That got eliminated or pushed way back?

COMMISSIONER ANDERSON:

Right. I believe that one we're looking to get mitigation funding for, so that's why we were -- we felt it was, you know, not a priority. You know, we'll look to get funds from FEMA in this current mitigation program that's coming out.

CHAIRMAN SCHNEIDERMAN:

Okay. Sign management, you've lost all the '14 money, half a million dollars for sign management; is that okay?

COMMISSIONER ANDERSON:

Again, yeah. We have updated and unencumbered funds in place that we feel we can get through 2014. The goal was to get through 2014 --

CHAIRMAN SCHNEIDERMAN:

Okay.

COMMISSIONER ANDERSON:

-- and deal with 2015.

CHAIRMAN SCHNEIDERMAN:

There was a Westhampton Interim Storm Damage Protection project. I'm not sure what that was, but that's in '14. Has that switched over to Sandy money?

COMMISSIONER ANDERSON:

I'm assuming. I'll have to -- I don't recall that one. What's the Capital Program, do you know?

CHAIRMAN SCHNEIDERMAN:

5374.

COMMISSIONER ANDERSON:

Okay. I'll get back to you. 5374.

CHAIRMAN SCHNEIDERMAN:

And I'm not sure you'll know this, but on 5528, there were improvements to County Road 39, North -- I guess Flying Point Road. Maybe that's the end of the project we're doing. This actually was 2015 money that's been taken out. Maybe it's all taken care of in the work we're doing now, but --

COMMISSIONER ANDERSON:

No, it's a separate project. But, again, we felt that there wasn't, again, the urgent need to get that done, it could wait a year. I know that BRO has recommended to put -- I believe put that one back into 2014, and we would review that. You know, certainly, at some point -- I mean, let me be frank. If we didn't get another -- you know, if we held off on funding projects for two years, we'd

have enough stuff at DPW to keep us busy during that time. I mean, there's certainly a lot of projects.

CHAIRMAN SCHNEIDERMAN:

I'll need at some point to hear more about the details of that project and to try to make --

COMMISSIONER ANDERSON:

Sure.

CHAIRMAN SCHNEIDERMAN:

-- an educated policy decision. There was money pushed back on Three Mile Harbor Road, half a million dollars. It can wait another year?

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN SCHNEIDERMAN:

CR 10, Elwood Road, that got pushed back. That can wait?

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN SCHNEIDERMAN:

Commack Road. Nicolls Road to Julia Circle on CR4. That was a small project, 100,000, and that's --

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN SCHNEIDERMAN:

Is it not necessary anymore?

COMMISSIONER ANDERSON:

No. The urgency right now for that specific run we don't feel is there.

CHAIRMAN SCHNEIDERMAN:

Sagtikos Corridor, another -- just 100,000 moving, I guess, to subsequent years; that can wait, too?

COMMISSIONER ANDERSON:

I'd have to get to you on that one. I don't remember which one.

CHAIRMAN SCHNEIDERMAN:

It's just a small one. Service road repavements, that's a big one, five million dollars coming out of 2014.

COMMISSIONER ANDERSON:

Okay. This is -- this is work that -- we're mandated to maintain those roads. You know, the State basically is, you know -- the State Commissioner of DOT can direct us to do whatever he wants. We recently redid those roads under ARRA a couple of years ago, so we don't feel, again, the urgency is there to have to do it in 2014.

CHAIRMAN SCHNEIDERMAN:

Okay. That's a big chunk, that's five million dollars.

COMMISSIONER ANDERSON:

Right.

CHAIRMAN SCHNEIDERMAN:

I mean, I could support that if you don't think it's necessary. Do you have it shifted back to, I guess, subsequent years?

COMMISSIONER ANDERSON:

Again, you know, this is a planning document, and, you know, if the need arises, we can move that project up into 2015, when we start looking at --

CHAIRMAN SCHNEIDERMAN:

I guess I'm seeing this money in '16 for it, a big chunk, 18 million.

COMMISSIONER ANDERSON:

Right.

CHAIRMAN SCHNEIDERMAN:

So maybe that's -- maybe that's the thinking, is -- Robert do you have any insight on that one?

MR. LIPP:

Yeah. We're recommending the 18 million to be in '16, just as is proposed.

CHAIRMAN SCHNEIDERMAN:

Okay. There's some bridge rehabilitation money in '15 that got knocked out, four million dollars was removed, but there is four million in '14. And I know we had some problems, that we had some red flags --

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN SCHNEIDERMAN:

-- those bridges.

COMMISSIONER ANDERSON:

And we're doing -- we actually have a significant program moving forward. You know these bridges are inspected every two years, so, you know, if there is an emergency, that's -- you know, we feel comfortable that we're on top of it. You know, the actual maintenance projects, you know, we were comfortable when it was moved back. And, again, if there is something that's determined in the next year that needs to be done, we can move that into 2015.

CHAIRMAN SCHNEIDERMAN:

Okay, that's fine. And this Springs Fireplace Road that's in my district, County Road 41, you're pushing that back a year. This can wait?

COMMISSIONER ANDERSON:

In our opinion, yes.

CHAIRMAN SCHNEIDERMAN:

Okay. And then there's just some new projects and we haven't heard yet from Robert on it. Bus Rapid Transit in '14 is, I believe, about 13 or 14 million. Is that -- sounds like that's beyond planning, that's infrastructure; do you know?

COMMISSIONER ANDERSON:

Do you have the Capital Project number?

CHAIRMAN SCHNEIDERMAN:

I don't. Robert, do you have that?

MR. LIPP:

We'll have to look.

COMMISSIONER ANDERSON:

I'll have to get back to you on that one.

CHAIRMAN SCHNEIDERMAN:

Okay.

COMMISSIONER ANDERSON:

That may be the -- you know, the Planning Department is looking at the Bus Rapid Transit Systems right now and that may be the furthering of the project, but I will -- I'll get back to you.

CHAIRMAN SCHNEIDERMAN:

We did a -- we already did the approval and authorization for planning money.

COMMISSIONER ANDERSON:

The feasibility study, correct.

CHAIRMAN SCHNEIDERMAN:

But it's hard for me to believe that in '14 we're going to be ready to go with actual infrastructure for it.

COMMISSIONER ANDERSON:

We're under a separate contract looking at the infrastructure, the actual, you know, grade separation project, lane widening, or, you know, additional lanes. But let me -- if I can, let me get back to you on that one. I'm not familiar enough to speak safely.

CHAIRMAN SCHNEIDERMAN:

Robert, did you find anything?

MR. LIPP:

Yeah. Hold on a second.

CHAIRMAN SCHNEIDERMAN:

You know, the other -- you know, Robert hasn't gone over with us, really, kind of the new projects.

MR. LIPP:

Yeah. I think we're going to have to do a little more homework. I can't do it that fast.

CHAIRMAN SCHNEIDERMAN:

Okay. And, you know, but one of them is improvements that relate to the new development at Heartland. There's some road changes, I believe.

LEG. KENNEDY:

5538.

CHAIRMAN SCHNEIDERMAN:

5538.

LEG. KENNEDY:

Twenty-five million over two years.

CHAIRMAN SCHNEIDERMAN:

How much?

LEG. KENNEDY:

Twenty-five million over two years.

LEG. KRUPSKI:

On something like that, would the applicant -- the developer pay any mitigation fees?

COMMISSIONER ANDERSON:

The -- okay. Part of this work, which is north of College Road, from College Road up to the Expressway --

CHAIRMAN SCHNEIDERMAN:

This is on the Heartland piece, right?

COMMISSIONER ANDERSON:

This is basically the -- Heartland got a grant for 2.5 million, part of the design. The County Executive has made the commitment that the County would do the infrastructure improvements along that road. And that's -- I believe that's what this is for.

CHAIRMAN SCHNEIDERMAN:

Again, though, is that ready to go? I mean, it looked -- and I don't have the capital projects in front of me. John's saying it's about 25 over two years. I think in the first year, it's probably --

LEG. KENNEDY:

Twelve and change, something like that.

COMMISSIONER ANDERSON:

We requested -- this is 5538?

LEG. KENNEDY:

Yup.

COMMISSIONER ANDERSON:

We requested 15 million. The County Exec's requested nine for '14 and ten for '15. I mean, there is some acquisition that has to go on to widen the road to make -- you know, make it ready for the Heartland, the first phase of the Heartland.

LEG. KENNEDY:

That's a two-lane road, Gil, and there's not even any entrance ramps onto the Expressway at this point. I mean, are we modifying a Federal highway for this guy? What's the story?

COMMISSIONER ANDERSON:

No. This is strictly County Road 13. This is from -- it doesn't include the bridge, but it includes widening of the roadway in anticipation of, you know, increased traffic as the Heartland, the first

phase gets built.

CHAIRMAN SCHNEIDERMAN:

I guess my question is even questioning the merits of whether we should do it or not, and more a question even the timing, if we did decide to go forward with it. Is it -- can it be spent in 2014? I mean, where are they in this --

COMMISSIONER ANDERSON:

Right now, they --

CHAIRMAN SCHNEIDERMAN:

You know, I support the development of that project. I think it's going to be great for job creation, and stimulating the economy, and providing affordable housing for a lot of young people. It's just I'd love to see it move forward, but, I just -- logistically, is that real, that it can happen in 2014?

COMMISSIONER ANDERSON:

There is going to be money needed for the acquiring of land so that we can widen the roadway. So I would anticipate that that's what we would be spending in the next phase of the project. Right now, the plans are being developed. When they're finally developed, we'll know what we need to take.

CHAIRMAN SCHNEIDERMAN:

I just might need some tightening of those numbers. So if we're going to separate out just the eminent domain pieces, if there is, or if it's -- is it by eminent domain that you're widening the road, or you're doing it by just improving shoulders?

COMMISSIONER ANDERSON:

Well, the -- Bill can probably give a little more detail. I mean, right now, it would be to try and purchase the land.

CHAIRMAN SCHNEIDERMAN:

Okay.

COMMISSIONER ANDERSON:

You know, and then if an agreement wasn't able to be reached, then we would go into the eminent domain process, which would delay things even further, but there are discussions. But, again, once we have the final layout of the building -- of the road, we can then go and start to acquire the land. Once we have the land acquired, then we can do the construction.

CHAIRMAN SCHNEIDERMAN:

Okay.

LEG. KENNEDY:

This is not happening in '14.

CHAIRMAN SCHNEIDERMAN:

So the question is really on timing, then, the timing and how much money is getting in various years.

COMMISSIONER ANDERSON:

I'll let Bill provide a little bit of detail.

MR. HILLMAN:

Yeah, the Commissioner has got it right. The -- everything south of the Sagtikos Parkway Bridge is either New York State DOT property that we would need or Suffolk Community College property that we need. So we think that those property transfers can happen fairly rapidly. So, from the Southern State Parkway Bridge south all the way to CR 13, which is -- well, 5th Avenue and CR 7, which is a good stretch, that's what the nine million is for. And then north of that, the 10 million is for the private property acquisitions and the widening of the roadway. So the money, as presented by the County Executive, is what the Department feels is accurate.

CHAIRMAN SCHNEIDERMAN:

It is, okay. So what did you say, that 19, roughly 19 million total?

MR. HILLMAN:

Yes, we can make that work.

LEG. KENNEDY:

Mr. Chair, if I can just jump in. So, Bill, let me see if I can follow this one again, because where you cross College Road and you head down to CR 7, that's Suffolk Avenue, you're talking about improvements that are going to run all the way down there to the train tracks in Brentwood for this? That's four lanes there already.

MR. HILLMAN:

Correct.

LEG. KENNEDY:

North of that by the College loop there, where Sagtikos crosses, that's where it's just a simple single lane north-south, and that road's pretty rough at this point.

MR. HILLMAN:

That's correct. From CR 106, which is the Community College Road --

LEG. KENNEDY:

Yeah.

MR. HILLMAN:

-- south, it's a five-lane section. However, serious drainage problems, pavement is in disrepair, so it all needs to be done. The project all needs to be done at once. The Department identified that section of road as a high priority before the other elements were added to it.

LEG. KENNEDY:

But go towards what the Chairman and Legislator Krupski were talking about. So that you configure in a normal annual road improvement type of a project and paving project. The eminent domain, look, voluntary transfer, maybe theoretically you could effectuate within a year, but eminent domain, as you know and I know, two-and-a-half, three years, if it's going all smooth. And so the way this thing is configured, are you looking for the land acquisition and then the actual physical improvements to the road?

COMMISSIONER ANDERSON:

We would have to be. Again, as Bill said, the majority of the land right now, the way we're laying it out, is the State and the College, so it should move smoothly, you know. And assuming it's a year to do that, then --

LEG. KENNEDY:

Do you have a map that actually breaks out which is municipal and which is private holding and what needs to be taken?

MR. HILLMAN:

We should have that within a matter of a month. And we, again, should have the maps within about a month or two for the private acquisitions, and we will begin that condemnation process, or at least developing it. We can't formally move forward with it until we appropriate the money. But we will be prepared and ready to move by the end of this year, so --

CHAIRMAN SCHNEIDERMAN:

John, even if it got tied up in the courts, they need -- they would need to have the funding in place.

LEG. KENNEDY:

Well, no, I don't understand that, Jay. But, also, you know, relative to this as well is, is Wolkoff doesn't have final permits to construct yet. I mean, he's still dealing with Islip Town. They're still actually wading through the SEQRA process.

CHAIRMAN SCHNEIDERMAN:

Right, that's a concern. Can I ask you, Bill or Gil, is this project likely to qualify for, let's say, State Marchiselli funding, or some Federal funds, so that we wouldn't have to absorb all -- this is just a 20 million -- this is 20 million dollars. I imagine that's not the entirety of the cost, that's the land acquisition. You got a lot more coming.

COMMISSIONER ANDERSON:

Well, again, if you put it into a Federal process, it's a much longer period. You know, you would have to go through the feasibility study, then to the DAD, and eventually into the PS & E, which is the actual construction plans preparation, so it's a much more prolonged process.

CHAIRMAN SCHNEIDERMAN:

Is it likely to qualify? I mean, it's a lot of money. I mean, this is -- just the land piece is 20 million, 19 million.

COMMISSIONER ANDERSON:

Right. I mean, it could qualify, certainly, but it would be five, six years before you got to construction.

CHAIRMAN SCHNEIDERMAN:

But that may be five or six years before anything is going at Heartland, too.

COMMISSIONER ANDERSON:

Maybe, but from indication we're getting from Islip is they're moving forward and, you know, really trying to progress the approval of this project.

CHAIRMAN SCHNEIDERMAN:

What about the -- you know, the Marchiselli Funds?

COMMISSIONER ANDERSON:

Marchiselli Funds really is dependent on -- again, that's like after the fact. That's after you've, you know, been in construction or under construction. Then the State identifies existing construction projects and puts money to it. You can't really --

CHAIRMAN SCHNEIDERMAN:

Count on them?

COMMISSIONER ANDERSON:

You can't count on them.

CHAIRMAN SCHNEIDERMAN:

Okay. Do we have any information on the Bus Rapid Transit? Is there money in '14 for that?

MR. LIPP:

There is no separate project. There is -- it's part of one of the road projects, but there is no separate project for Bus Rapid Transit.

CHAIRMAN SCHNEIDERMAN:

Okay.

MR. LIPP:

It's part of -- what is it, Nicolls Road? It could be a lot. There's no project in the Capital Program specifically.

CHAIRMAN SCHNEIDERMAN:

Not specifically?

MR. LIPP:

Correct.

CHAIRMAN SCHNEIDERMAN:

Okay. And, Gil, do you -- in the Capital Budget, is there specific funds set aside into other road projects that are relating to creating the infrastructure for Bus Rapid Transit?

COMMISSIONER ANDERSON:

Again, the one project, as I noted, is we are -- the Department is looking at a project in anticipation of BRT. But grade separation at two intersections, and -- you know, and road widening to add lanes, if needed. Originally, this was an anticipated. Our intent has always been that from 25 -- to create basically a freeway; that from 25 down to the Expressway, you wouldn't have stops, you know. So we've been looking at that. And then with the County Executive's interest in trying to put forward a BRT, we're looking at that, as well as part of that. But the BRT portion, the actual Bus Rapid Transit is being studied through the Planning Department under a separate project.

CHAIRMAN SCHNEIDERMAN:

Okay. So there's no capital line, Robert, for that?

MR. LIPP:

Correct.

CHAIRMAN SCHNEIDERMAN:

All right. And maybe the County Executive's thinking, there'll be Federal funding or some kind of transportation funding.

COMMISSIONER ANDERSON:

They are -- we are looking at -- you know, again this first phase that is being done by the Planning Department is being put through the {Nintech} process, so it is being Federally funded.

CHAIRMAN SCHNEIDERMAN:

Okay. All right, great. Anybody else.

D.P.O. HORSLEY:

Yes.

CHAIRMAN SCHNEIDERMAN:

Any other questions? Legislator Horsley.

D.P.O. HORSLEY:

Yeah. I just wanted to bring up the omission of the Mastic Forge area sewer line. I just -- I know there's a lot of -- there's a lot of folks on the Legislature who are proponents of adding that to our designs for sewers in the future. It's something that is absolutely needed, both ecologically and for the economic development-wise. And so we're very concerned about the fact that that was taken out of the budget this year. And so what are your feelings on that? Is this something that, if they were re-added to the budget, would be something that you could work with?

COMMISSIONER ANDERSON:

We didn't object to the removal of the project, even though we are working on the feasibility study for it. We don't have any numbers. The numbers haven't -- you know, haven't even come back to us from the consultants as to the new configuration of the -- you know, the Mastic/Shirley Sewer District. We don't have -- there's a lot of information we don't have right now. You know, in our opinion, it can be put back into the next program.

D.P.O. HORSLEY:

You would not object to that, then?

COMMISSIONER ANDERSON:

I mean, in next year's program? You know, certainly, in 2014, I think it's premature to say that we're going to have design funds. I mean, we may come back -- the original -- the original feasibility study that the Department did identified costs per -- if you just looked at the Business District at \$20,000 per unit, even if we did the entire peninsula at the time, the costs were very high, you know.

D.P.O. HORSLEY:

Yeah, I'm sure they would be.

COMMISSIONER ANDERSON:

And, you know, I understand the Legislator's concern. You know, we certainly back her and want to see the project move forward, but, again, we don't see the need in 2014 for the design funding.

D.P.O. HORSLEY:

Okay. You would not object to it if it was put back in?

COMMISSIONER ANDERSON:

No.

LEG. KENNEDY:

Mr. Chair, let me just weigh in for a second, having --

CHAIRMAN SCHNEIDERMAN:

Your second on the list. I've got Legislator Krupski --

LEG. KENNEDY:

Oh, I'm sorry.

CHAIRMAN SCHNEIDERMAN:

-- and then you.

LEG. KRUPSKI:

Just to follow up on the -- if you could go back to the map of the proposed sewer district. And given my environmental concerns, and I asked some of my colleagues about this, and the affect of the septic systems on the surrounding estuary and Moriches Bay, not just Forge River, but the whole bay, why wouldn't the study area include the whole peninsula there, instead of -- because if you're going to -- you proposed a sewer like a fraction, I don't know, 25%, maybe 20% of the septic systems there, why wouldn't you, in fact, sewer the whole peninsula if that's causing the -- you know, if that's causing the environmental impact to Moriches Bay, why wouldn't you propose sewer the whole -- all the residential areas, not just a fraction of them?

COMMISSIONER ANDERSON:

When we looked at the original feasibility study, and we did look at the entire peninsula, the costs were, and I'm -- my memory is shot, but I'm going to take a -- I seem to recall it being about 7,000 a unit per home that it would cost, even with the entire peninsula. So, certainly, what we're trying to do now is this is the first phase. We acknowledge that there are going to be subsequent phases, probably moving over down towards William Floyd, maybe the entire peninsula at that point. Again, yeah, we have looked at it. It just -- it's a lot, I mean, you know, to do the entire peninsula, so that's why we've broken it into this first phase.

LEG. KRUPSKI:

I mean, because to me, it seems like if you do it, there's a name for it, half something, halfway. But if you do it that way, it will never -- it seems like the rest of it will never get done, because people will say, "Well, that was too expensive to do that project. We're never going to do the rest of it."

MR. DONOVAN:

Hi. John Donovan, Chief Engineer, Sewers. Like Commissioner Anderson said, we broke it into phases. We're looking at this as the first phase to help clean up the Forge River, which is an impaired body. And the thinking was we could get EFC funding if we showed a very good environmental protection that we're doing. So the whole project is too expensive. We're finding out even just this phase is becoming too expensive, too. But that's the reason we had, that this was something that if we showed cleaning up residential septic systems near the Forge River, there could be EFC loan money at a lower rate, or even some grant money with their program, and that's why we added it to the Business District and combined it into the first phase.

COMMISSIONER ANDERSON:

Effectively, it improves our score and our ability to get funding from EFC, because we added the water component.

CHAIRMAN SCHNEIDERMAN:

But there's a big difference between loans and grants. So, I mean, EFC loans, zero, low, very low interest, but, you know, our bonds are low, too. I mean, these sewer projects happened like Southwest, when we had, you know, major Federal contributions, major. And we were picking up, at best, like 10% of the cost of these things, and now we're talking about picking up 100% of the costs.

COMMISSIONER ANDERSON:

I mean, if there's a poster child for the need for sewers, it's the Mastic Peninsula, and, you know, that we -- we do not argue that. You know, the reason, as I said, we were comfortable with moving it out was that we don't know a lot about, you know, where this is going. We don't have costs based on this. Certainly, there are funding issues. The Feds have to get their act together, you know, and hopefully they start funding some sanitation work, but, you know, I don't see that any time in the near future.

CHAIRMAN SCHNEIDERMAN:

I think, Legislator Kennedy, you had a question, too.

LEG. KENNEDY:

Yeah. My concern with not including this next year would be just our experiences, you know, Legislator Nowick and I. And, certainly, everybody around this horseshoe has supported us, but you guys know it better than anybody. It's been a seven-year saga to get to the point where, you know, we actually have the ability now to make application for implementation with Kings Park. And the only reason that's really occurred is because of the whole process that you guys walked through with us, from the study. And, you know, I'm flip-flopping, I'm sure, but from the feasibility study, to the report, to the design. And it's almost like chicken and egg, because -- because we've had that almost two million of local skin in the game, we're now actually real for the possibility of securing EFC funding to be the partner for doing a 22 million dollar project.

So my point here is, is if we don't include this design money for 2014, then it's inevitable that you take this process and stretch it out by at least another 18 months. You're working with your -- who's doing the design work on this right now?

COMMISSIONER ANDERSON:

Well, it's not -- it's a feasibility study.

LEG. KENNEDY:

I'm sorry, the feasibility, who's doing it?

COMMISSIONER ANDERSON:

Yeah. CDM, Camp Dresser & McKee.

LEG. KENNEDY:

Okay. So my recollection was, I think in our case, Cameron did our study?

COMMISSIONER ANDERSON:

Cameron did the feasibility study, H2M and Bowne are doing the actual design.

LEG. KENNEDY:

All right. And so it wasn't that much time elapsed from when we had completion of the study to, then, when we moved into the selection.

COMMISSIONER ANDERSON:

And I agree completely and -- but keep in mind, that we had --

LEG. KENNEDY:

We have an existing plan.

COMMISSIONER ANDERSON:

We have an existing plan.

LEG. KENNEDY:

I understand.

COMMISSIONER ANDERSON:

We don't even have an agreement with the Town for the proposed location at this point. So to sit there and hammer through into the design phase without having that actual location --

LEG. KENNEDY:

Calabro Airport, is that where it's tentatively identified?

COMMISSIONER ANDERSON:

The latest discussions that we had with Supervisor Lesko was at that location.

LEG. KENNEDY:

Okay. All right. I'll yield for now. Thanks.

D.P.O. HORSLEY:

Let me just argue that, and to follow up on what your comments are, John, is that we got to get the move -- the ball rolling, and this is making the ball roll. And if we're going to do something, whether it's this year, next year, or whatever, you start now. And that's been our tactic for the last five years now with sewers, and we're making progress. So this has got to be rolled into that project.

COMMISSIONER ANDERSON:

Again, my concern is that we are -- you know, we have been trying to reduce the Capital Program for 2014, and in our opinion, this --

D.P.O. HORSLEY:

This one could be --

COMMISSIONER ANDERSON:

This could be pushed.

LEG. KENNEDY:

Do you have an acreage, a tentative acreage footprint that could sit there in Calabro for the purposes of discussion with Brookhaven?

COMMISSIONER ANDERSON:

Twenty acres.

LEG. KENNEDY:

Twenty acres?

COMMISSIONER ANDERSON:

Right.

LEG. KENNEDY:

Preferably what, southwest, southwest corner?

COMMISSIONER ANDERSON:

Southwest or southeast. I can't recall right now.

MR. DONOVAN:
Southeast.

COMMISSIONER ANDERSON:
Southeast? Southeast.

LEG. KENNEDY:
Okay, fine. Thanks.

CHAIRMAN SCHNEIDERMAN:
Legislator Calarco.

LEG. CALARCO:
Gil, I hear what you're saying with us being able to maybe push, because you're not quite ready to actually go to map and design. I mean, are you telling me that in 2015 you'd be more ready to go out and do that work; is that what you're conveying here?

COMMISSIONER ANDERSON:
Correct.

LEG. CALARCO:
So, if we push it off by a year, you'll be in a better position to actually do the job? You wouldn't be able to let the job next year, even if we've appropriated the money?

COMMISSIONER ANDERSON:
Agreed. I mean, at this point, if we had the feasibility study in place, we could then go to the Town, try and get that agreement established so that we can identify the location, you know, formally identify the location. Then we have to basically go out to RFP for a consultant. That's a six-month process.

LEG. CALARCO:
So you're not saying pull the money completely out of the budget, you're just saying --

COMMISSIONER ANDERSON:
No, no. We're just saying we don't need it in '14.

LEG. CALARCO:
You won't need it in '14; '15 is a better year?

COMMISSIONER ANDERSON:
'15, boy, I hope so.

LEG. CALARCO:
Okay.

COMMISSIONER ANDERSON:
And as John identified, we feel we're going to need a lot more for the design. So, you know, the land, to purchase from the Town, what was that, about 10 million?

LEG. CALARCO:
Well, I thought that the Town had recently received some funds from the State to deal with their plan at the airport there.

MR. DONOVAN:

Yes, they did. They received, I think, 1.2 or two million dollars. But, you know, the feasibility study is identifying cost to do the sewerage in this area, which is the Main Street and along the Forge River. I mean, we've gotten numbers from 400 million to 535 million. If those numbers -- even if it's 400 million or even 300 million, we're going to need a lot more than a couple of million for design. So, if we have the money budgeted, it's not going to get us -- not going to be enough to get us started. We're going to need probably close to around 10 million.

LEG. CALARCO:

I thought this money was actually to do the map so that you can form the district, and then you'll go to the design step.

COMMISSIONER ANDERSON:

That we can do for the money that's in there, we can create the map and plan.

LEG. CALARCO:

Yeah, that's what -- I think that was the intent of the Legislator, is to get a district created, so we can at least then go from there and have a district that can either apply for the few County funds that we have, if there's anything left by then, or actually make application to the State and the Feds, whoever might have measly dollars left.

COMMISSIONER ANDERSON:

My understanding of it was that -- actually, that, and correct me if I'm wrong, the funds that the Legislator had put in were for design, not necessarily map and plan. So map and plan, once we have the feasibility study, you know, 1.9, we can certainly --

LEG. CALARCO:

Could you do the map and plan next year if you had the money?

COMMISSIONER ANDERSON:

We could start it. Yeah, we could start it. But, again, I'm a little hesitant to -- and I know everybody wants to keep this moving, and I appreciate, you know, you guys backing us up, but I don't know that this isn't premature. I would rather have it into 2014 -- I mean, 2015. And then, you know, next year's budget, if we have to move it up, we could always move it up. But, you know, I realize it's a bigger lift at that point. But, right now, there's so many unknowns, that I am concerned with committing too many funds to this. And, essentially, since we're looking at trying to reduce the Capital Program for 2014, I believe that this can be pushed out a year.

LEG. CALARCO:

Okay. Thank you, Gil.

CHAIRMAN SCHNEIDERMAN:

Anyone else? All right. Because we do have the Budget Working Group, Capital Budget Working Group to get to. Anyone else? Anybody from the audience who wanted to be heard?

COMMISSIONER ANDERSON:

Just make correction?

CHAIRMAN SCHNEIDERMAN:

Yeah. Commissioner Anderson.

COMMISSIONER ANDERSON:

I just wanted to make one correction that my staff pointed out to me. For the jail project, Package

E, there are eight dorms and the gym being renovated. The gym is currently acting as a dorm and will remain a dorm, with the approval, you know, of the COC, so --

CHAIRMAN SCHNEIDERMAN:

What's happening with those sprung structures, are they still in active use?

COMMISSIONER ANDERSON:

I believe they are. But I don't know, and I would defer to the Sheriff's Office, whether they will allow the dorms to remain in active use once we've moved the prisoners and completed Package E, because there was some concern with the wind loads during Irene.

CHAIRMAN SCHNEIDERMAN:

Sure. All right. Commissioner, thank you for all of your information that you provided. Robert, excellent job on your overview.

MR. LIPP:

Thank you.

CHAIRMAN SCHNEIDERMAN:

And particularly in your report. It's very extensive. I know it's your first one as Acting -- as now, not Acting Director, by Director.

MR. LIPP:

It was made easy by the great staff.

CHAIRMAN SCHNEIDERMAN:

Well, thank you. There's a lot to digest in there, so thank you. I'll see you again right after this at the Budget Working Group.

We are adjourned. Thank you. Oh, wait, sorry.

P.O. LINDSAY:

Hey, Robert.

CHAIRMAN SCHNEIDERMAN:

Sorry.

P.O. LINDSAY:

Did you label this "First Baby"?

MR. LIPP:

But of course.

P.O. LINDSAY:

Okay.

CHAIRMAN SCHNEIDERMAN:

All right. Now we're adjourned.

*(*THE MEETING WAS ADJOURNED AT 11:01 A.M. *)*