

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 September 3, 2013.

Members Present:

Legislator Jay Schneiderman - Chairman
Legislator Steven Stern - Vice-Chair
Legislator Al Krupski
Legislator Wayne Horsley
Legislator Tom Muratore

Also In Attendance:

George Nolan - Counsel to the Legislature
Christina DeLisi - Aide to Legislator Schneiderman
Catherine Stark - Aide to Legislator Krupski
Paul Perillie - Aide to Legislator Gregory
Debbie Harris - Aide to Legislator Stern
Kevin LaValle - Aide to Legislator Muratore
Bill Shilling - Legislative Aide
Craig Freas - Budget Review Office
Robert Doering - Budget Review Office
Joe Schroeder - Energy Specialist, Budget Review Office
Tom Vaughn - County Executive's Office
Gil Anderson - Commissioner, Suffolk County Department of Public Works
Gail Clyma - Southampton Town Dark Skies Advisory Committee
Jeanne Anzalone
Joshua Tomel
All Other Interested Parties

Minutes Taken By:

Gabrielle Severs - Court Stenographer

Minutes Transcribed By:

Kim Castiglione - Legislative Secretary

*(*The meeting was called to order at 2:09 p.m. *)*

CHAIRMAN SCHNEIDERMAN:

All right. Can I have everybody's attention? I'd like to call this meeting of the Public Works and Transportation Committee to order this third day of September, 2013. Please rise and join us for the Pledge of Allegiance led by our Counsel, George Nolan.

Salutation

Please be seated. Thank you for coming out this afternoon. We're going to start with public portion. I have but two cards in front of me. If you wish to be heard by the committee and you haven't filled out a yellow card they can be obtained at this front table through the Clerk's Office. We'll start with Joshua Tomel from Commack on transportation issues. Mr. Tomel, you'll have three minutes to make your point of view known. Please start by identifying yourself for our records.

MR. TOMEL:

Hi. My name is Joshua Tomel. I'm here speaking on transportation issues. I recently within the last four months have obtained employment and I work along the 110 corridor. I have noticed constantly when I've had to take the bus that the buses are never on time. I see guys are doing construction in rush hour traffic; they don't mix. There should be ideas to perhaps make, with this new construction they're doing, a bus lane. So that way the bus -- like in New York City where they have a single lane for the buses and the buses can get through and they get to their destinations on time. I noticed when I took the bus regularly I would have to either hope that I would make my connection at the Walt Whitman Mall or I got to take the train north and then try and take another bus -- take the bus up to the train station and hope to take another bus getting back to Commack, which worked out okay, but it was better to make my connection with Suffolk transit. So that's the first thing I'd like to discuss with you. If you want I'll pause.

CHAIRMAN SCHNEIDERMAN:

Well, yeah, if you don't mind. I'll pause the timer. Thank you for your comments. A couple of quick things on that. So the 110 bus, which I think is the S1, you're a visionary talking about that bus lane. It's actually something that the County is looking at through Bus Rapid Transit. We put in our capital program an analysis that includes the 110 corridor for potentially a bus lane. Gil, you can correct me if I'm wrong, but that is my recollection. So that may -- nothing happens quickly around here. It takes years, but that is something we are actively looking at bringing in a professional to analyze that and figure out if we could put it together.

One other thing about the S1, I believe toward the end of October, maybe October 27th, I hope I'm not misspeaking, that is one of the routes that we are adding Sunday service to as well. So that will be a seven day a week line and that should help you out quite a bit. Is that your second point?

MR. TOMEL:

Yeah.

CHAIRMAN SCHNEIDERMAN:

That's what you are getting to. All right.

MR. TOMEL:

I wanted to know if that was going to occur.

CHAIRMAN SCHNEIDERMAN:

All right. I'm going to start your timer again and you can finish your comments.

MR. TOMEL:

Okay. Yes, so I did want to know when that was going to occur, and since you've made mention to it that it will October, that's great.

CHAIRMAN SCHNEIDERMAN:

Stick around, I'll confirm that if I can with the Commissioner, but I believe that's what we're trying to accomplish. If not, January first at the latest.

MR. TOMEL:

Okay, that's good. I definitely support your IR 6663-13 -- 6664-13, I'm sorry, for adding new hybrid buses. They are definitely a great help on the 110 corridor and I'm sure they would probably help with your transportation costs anyway, so that's definitely a benefit.

While I'm not in my official capacity here as the Program Director for the Greater New York Electric Auto Association, I do want to ask one last question, which is why was there no conclusion of putting solar -- concluding with these solar panels that you guys put up here in the parking lot and others, that you didn't include electric vehicle chargers or at least a 110 outlet to charge up electric vehicles and whatnot. I mean, it seems like it would be the perfect combination to have the solar panels and have the electric vehicle chargers. I believe the County Executive, prior to his taking over this job, had done so in the Town of Babylon. I'm just kind of wondering why that was that not included.

CHAIRMAN SCHNEIDERMAN:

I don't have an answer for that one, but thank you. If we get a chance to get an answer when the Commissioner makes his comments, if he has any information to that.

MR. TOMEL:

Okay.

CHAIRMAN SCHNEIDERMAN:

All right. Stick around. All right. Thank you, Mr. Tomel. Our next -- let me shut the timer off here. Our next speaker is Gail Clyma talking on IR 1472. Ms Clyma.

MS. CLYMA:

Do I have to press a button here to make this work? And it's green. As you know, IR 1472 has been revised since your July meeting to establish a two year grace period during which outdoor light fixtures installed by the County could have correlated color temperature of up to 3500 kelvin. After that, the limit would go to 3000 kelvin, which is what was proposed in the original legislation. This break-in period is intended to ensure that DPW does not have difficulty obtaining 3000K fixtures in the styles and sizes desired. But I do want to be clear that 3000K fixtures are rapidly become more and more available and more widely used. They are becoming quite popular, for example, in Belgium and Germany. In this country several of the biggest streetlight manufacturers already have a substantial variety of fixtures at 3000 kelvin in their catalogs, and some other manufacturers may not list 3000K but will provide such fixtures on request, usually at no upcharge.

Several weeks ago an outstanding article about light pollution was published in an environmental -- by an environmental group at Yale. While it's mostly about the general issue of light pollution, the article points out that more and more of the light that we see at night, whether electronic gadgets or outdoor lighting, is rich with blue wavelengths, the most disruptive wavelength for our body's rhythms. More than any other wavelength, blue wavelength tells our brain that night is over, that morning's blue sky has returned and that the day has begun, the opposite signal that we'd want to be sending to our brains in the middle of the night. Of course we have the option of turning off the electronic gadgets, but that is rarely the case with municipal lighting, which is why

it's so important for the County to avoid installing blue rich outdoor lights. I hope you will recommend this bill to the full Legislature, and I do have copies of this article.

CHAIRMAN SCHNEIDERMAN:

Thank you, Gail. Let me just say a couple of things. One --

MS. CLYMA:

Do I have any time left?

CHAIRMAN SCHNEIDERMAN:

You have a couple of seconds, yeah. Go ahead, what is it you wanted to say.

MS. CLYMA:

I just wanted to mention to Legislator Krupski, who was telling us at the last meeting that he was a little colorblind, that that is not going to protect you from the hazards of blue lighting because it was relatively recently discovered that your eye has a separate sensor that connects to the brain and the circadian rhythms. It's totally separate from the part of the retina where your vision is, so probably the blue light is going to get to you whether or not you're a little bit colorblind.

LEG. KRUPSKI:

So regardless of whether I can see it or not, it's going to affect me anyway you're saying.

MS. CLYMA:

Yeah, because it's a separate retinal ganglion cell in your eye that connects to the part of the brain where your circadian rhythms are set and all of your hormonal stuff gets discombobulated if you get, you know, too much light at night.

LEG. KRUPSKI:

Sounds very personal. Thank you.

CHAIRMAN SCHNEIDERMAN:

So, Gail, what I was going to say is one, thank you for bringing this to our attention. It's obviously a highly technical subject. I wanted to thank you, too, for working with the Public Works Department, too, and trying to come up with something that they feel will meet the needs, the public safety needs of the County. So thank you for that, with that two year phase in of that higher threshold.

MS. CLYMA:

Right.

CHAIRMAN SCHNEIDERMAN:

And I know it's a long distance for you, so thanks for taking the time to enlighten us, sorry to borrow the pun, on this issue.

MS. CLYMA:

Thank you for considering this.

CHAIRMAN SCHNEIDERMAN:

Okay. That's all the yellow cards I have. Was there anyone else who wanted to be heard who has not spoken? Ma'am, please come up to the podium and state your name.

MS. ANZALONE:

Am I on?

CHAIRMAN SCHNEIDERMAN:

You are.

MS. ANZALONE:

I'm Jeanne Anzalone. I live at 311 Ocher Drive.

CHAIRMAN SCHNEIDERMAN:

I'm sorry, Jane did you say? What is your first name? Jeanne, okay. Jeanne, you have three minutes.

MS. ANZALONE:

I'm here basically in the interest of Sunday busing. I won't prolong this but, Mr. Schneiderman, I'd like to congratulate you for all your effort that you have put into this project and also to the other members of this committee. I'm very realistic, I'm extremely realistic. I stood before you for two years on behalf of the Sunday busing for physically challenged. I know that this may not be on the forefront here, but I hope someday we can look forward to that and also Sunday busing for all Suffolk County. I again commend you, Mr. Schneiderman, and I thank you for the time.

CHAIRMAN SCHNEIDERMAN:

Thank you, Jeanne. And I'd just also like to thank all my colleagues who, you know, this was overwhelming support for that Sunday expansion and the Department of Public Works did a great job as well in putting the pieces together. We're all looking forward to a successful roll out of Sunday service. Thank you.

Anyone else? All right. Commissioner Anderson. Gil, can we start, I know that's not on the agenda, but do we have an update in terms of a start date for the ten new routes?

COMMISSIONER ANDERSON:

As of this time, no. We are looking at the end of October, as you mentioned, but there is nothing firm. I mean, definitely on January first, and at this point, no.

CHAIRMAN SCHNEIDERMAN:

I know there's staffing issues and schedules to be printed etcetera, so just keep me in the loop if you would on that.

COMMISSIONER ANDERSON:

Would you like me to address any of the concerns that were raised earlier?

CHAIRMAN SCHNEIDERMAN:

We're going to get to the light pollution, blue light, when we get there. Perhaps the electric car charging.

COMMISSIONER ANDERSON:

Yeah, there was a couple of things that Mr. Tomel noted. The bus delays I would say, you know, beyond just the BRT study, we are in the process of purchasing an automated vehicle locating system, which will allow us to track when our buses are going to be late or when they're going to be early, you know, whether they are running fast or slow. We'll be able to identify to the riders whether there is delay in the line and at that time. Our hope is eventually to have that so it's, you know, in electronic format for folks using the buses. Sunday services we spoke.

And then the electrical vehicle charger. We do have one. It's actually at the Riverhead County Center. The solar panels -- we talked about installing them under the solar panels, but the solar panels actually go to the overall grid outside. It's not as though it could be, you know, connected to

a separate charger. So we have installed one. As more vehicles become prominent, you'll likely see more charging systems installed at various County facilities, but they're separate from the solar panels.

CHAIRMAN SCHNEIDERMAN:

Could anybody charge there or only County vehicles? How does that work?

COMMISSIONER ANDERSON:

That I don't know. I just know we have one. I can find out.

CHAIRMAN SCHNEIDERMAN:

Is it like a regular outlet that you find in your home?

COMMISSIONER ANDERSON:

Yeah, it's a mounted post.

CHAIRMAN SCHNEIDERMAN:

How do we bill people for that if it's not just County?

COMMISSIONER ANDERSON:

That I don't know. We don't have any specific --

CHAIRMAN SCHNEIDERMAN:

I know it's not probably a lot of money, but if a lot of people started using it, it could be.

COMMISSIONER ANDERSON:

Absolutely.

CHAIRMAN SCHNEIDERMAN:

Okay. On the bus scheduling, timing, etcetera, I saw somebody show me a really incredible app, phone app. I guess they got out of Nantucket. I discussed it with Chris Chatterton. I gave him a link to it. It's like an interactive map where you can go on your phone and you can see exactly where all of the buses are and click on any bus and know exactly when it's going to be at the station. It's just incredible. He said that we are moving in that direction I guess by 2015. The first step is we're putting the GPS locaters into all of our system and then we'll -- I guess we'll work out the bugs in house and then be able to make it available to the public. Honestly, in my area, which is heavily, you know, obviously a tourist area, I think a lot more people would ride the bus if they could have a real strong sense of where it is and how long they'd have to wait and knowing they are going to get to where they're going on time.

COMMISSIONER ANDERSON:

Agreed, and I think you'll see that with the AVL. It'll become a much more efficient system. Certainly much more user friendly as we move into the technology that you mentioned such as, you know, the apps on people's phones and stuff like that. So that's what we're looking forward to and we will have these fully implemented by the end of next year.

CHAIRMAN SCHNEIDERMAN:

Did we ever get those Braille signs at the bus stops? Is that something we've accomplished yet?

COMMISSIONER ANDERSON:

I'll find out and get back to you.

CHAIRMAN SCHNEIDERMAN:

Okay. I appreciate that. And I know some DPW folks are meeting with me tomorrow about a curve design. I don't know if you're in on that.

COMMISSIONER ANDERSON:

Yeah, from about 50,000 miles I have been watching.

CHAIRMAN SCHNEIDERMAN:

Okay. All right. So let's hit the agenda.

Tabled Resolutions

IR 1306-13 - Moderating fare increase for paratransit bus service (Schneiderman). What this bill does basically is it rolls back a 50 cent increase on the SCAT far which went from \$3 to \$4. It would set it at 3.50 and we'd have public hearings on an alternative way to fund that financial difference. I'll make a motion to approve. I know we're doing the budget now, but I've tried to be consistent on this.

D.P.O. HORSLEY:

I'll make a motion to table.

CHAIRMAN SCHNEIDERMAN:

So motion to table by Legislator Horsley.

LEG. STERN:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Stern. Any other motions? So the only thing before us is the tabling. All in favor? Opposed? Abstentions? Opposed, myself. So 1306 is tabled. **(Vote: 4-1-0-0 Opposed: Legislator Schneiderman)**

IR 1472-13 - Adopting Local Law No. -2013, A Local Law to amend Local Law No. 26-2004 to further reduce light pollution from County-owned facilities (Schneiderman).

Gil, we've had meetings about this. Can I get your comments now? I've changed the bill to address the concerns you had.

COMMISSIONER ANDERSON:

Honestly I haven't seen the revised bill. I didn't realize it had been revised. I think I'm going to defer over to Joe. As we said earlier, you know, we agree with the basis for the need for technology. We just think it's -- previously we thought it was a little premature and maybe this two year window that you've mentioned might be enough to get us over that. But I'm going to defer to Joe on this because he's much more the expert than I am.

MR. SCHROEDER:

Legislator Schneiderman, I worked very closely with Bill Houck in DPW on trying to draw an illustration for the various questions that came up at the last meeting. I'm sorry I wasn't able to make it. I think it's clear to understand first that when we were talking about the comparison in terms of the energy cost for the different technologies, the context of the comparison was made in -- with the 5,000 kelvin LEDs, which we have not been installing on our property. The quality of light from that is not desirable and it hasn't been installed en masse. What has been installed is the 4000K's.

We did a quick analysis and based on that analysis, comparing the 3,000 and 3500 alternative to the 5000K, there is a premium to be paid for the 3000's, but the fact that we're not installing the 5000's makes it kind of a moot point.

We do have mostly high pressure sodium lighting and that's been upgraded to metal halide in most cases and now we're upgrading that to LEDs. Both the metal halides and the high temperature LEDs operate above 3500 kelvin, so even metal halide becomes an issue with the proposed legislation.

Since we've been moving in the direction of the LEDs we did an analysis comparing that to the metal halides, and there is a -- actually a reduced number of poles that would be required for the number of fixtures comparing metal halide to the low temperate LEDs, but there is a slight premium to be paid on the energy side, it's a higher wattage. But because you are using less fixtures and because the LEDs are replaced over a ten year cycle versus an every other year more or less cycle with the metal halides, the lifecycle costs -- the lifecycle savings are still in favor of the LEDs. So we do see a fiscal impact comparing this to the highest efficiency LEDs, but not compared to the technology that we're replacing.

CHAIRMAN SCHNEIDERMAN:

So with the long and short, you're okay with it then, right?

MR. SCHROEDER:

If that's what you wanted to hear I could have said that, yeah.

CHAIRMAN SCHNEIDERMAN:

Yeah. Okay. Any questions? I'll make a motion to approve.

LEG. MURATORE:

Second.

CHAIRMAN SCHNEIDERMAN:

Second by Legislator Muratore. Any discussion? All in favor? I'm sorry, Legislator Krupski.

LEG. KRUPSKI:

As long as the Commissioner is satisfied that we have enough time to implement this, you know, practically and not rush into something as technology changes and get locked into something that -- that you're going to be -- we're not going to get locked into something that technology is going to change next year and you're going to say, *well, we have two years to do this*, and now next year you're going to say *well, there's a much better way of doing it*. *What did we start that for*, you know. I mean, that's --

CHAIRMAN SCHNEIDERMAN:

It doesn't require us to swap lights out and turn them into LEDs that aren't LEDs, and it doesn't require us to pull current 4000KW bulbs out and replace them with the lower standard, but when they do burn out the new bulbs would have to meet the new standard, and when they put in a brand new fixture it would have to meet the new standard, but it doesn't require them to do LED at all. So if there is some other technology that's better they could do that. George, is that your understanding, too? All of that.

MR. NOLAN:

Yes, it is my understanding. What you said is correct.

CHAIRMAN SCHNEIDERMAN:

Okay. Legislator Horsley.

D.P.O. HORSLEY:

Yeah, a couple of quick questions. Obviously, Gil, we have gone, or Joe, we have gone in the direction of LEDs. That was a conscious decision because of the length of time in which they -- how much electricity it uses and all the reasons why the whole world is moving towards LEDs, and now we're saying we're going to use another fixture that may have some attributes. I'm not -- I just don't know enough about the new proposal. But are we -- is this a sensible decision to go in a different direction like this?

MR. SCHROEDER:

It's not using a different technology. These are still LEDs.

D.P.O. HORSLEY:

They are still LEDs. Okay. So it's just -- explain the difference maybe.

MR. SCHROEDER:

Well, the corrective color temperature for the lighting is what's at issue here, not the technology itself. We're not advocating legislating technology. I think that's a very dangerous direction to go. This is legislating the color temperature of the lighting that is shed by the lamps that we install. So that poses some near term difficulties because not all of the fixtures that we would chose to install are available in the 3000 or even the 3500 temperature range. So in the near term there are some adjustments that could be made to find the corrective temperature that we are looking for, but it's still the same technology, it's just a different version of that technology. So it's not changing the direction that the County is going in, in any case.

We're not just looking at LED lighting here in any case, we are also looking at induction lighting, which is closer to a florescent technology, which we have installed here at the North County Complex. That has a similar light profile to the LEDs and also similar savings profile in terms of what we're converting from, but we're looking at those technologies and comparing what's the most cost effective long-term for the County.

D.P.O. HORSLEY:

Are there preferences where one light would be used over another light, you know, in parks or in those areas where you might want to have a different lighting?

COMMISSIONER ANDERSON:

Again, I think --

D.P.O. HORSLEY:

I want to be sold. I just don't know -- I'm sorry I'm not up to date on this one.

MR. SCHROEDER:

Some of the variation that you encounter with lighting design is the height of the pole, so you could have a 25 foot pole, a ten foot pole, it depends on the environment. Say, for instance, up at the Vanderbilt Museum there's a number of ten foot high poles that run down the walkway there. They don't want to install a 25 foot lamp there. So it really depends on the application and that's one of the things that made this a pretty complicated issue to address, is that there's a lot of variation in lighting design and it's not exactly a one size fits all.

D.P.O. HORSLEY:

So is this better for one type of location than another type? It just puts more arrows in your

quiver? Why are we doing this?

CHAIRMAN SCHNEIDERMAN:

So this is an issue that lots of municipalities are addressing, not just us.

D.P.O. HORSLEY:

Educate us, Jay. I'm sorry, I don't mean to --

CHAIRMAN SCHNEIDERMAN:

It has to do with how much blue is in the light --

D.P.O. HORSLEY:

Yup, I got that part.

CHAIRMAN SCHNEIDERMAN:

And the reason why that's a problem, particularly for seniors and people whose eyesight is going bad, it's blinding. A lot of glare and a lot of that wavelength, as was spoken to, the way our brains are wired can really kind of throw off our physiology. There are plenty of things out there at that 3500 kelvin temperature. That's not a problem. DPW had a concern by dropping it to 3,000 initially that the technology hadn't really caught up in the marketplace, that it might be very difficult to get those bulbs at 3,000, but within two years it should not be a problem. If it turns out to be a problem I guess it could be amended during that period, but they are coming on to the marketplace so quickly. So this gives DPW an opportunity to use replacement bulbs as bulbs burn out that are at that slightly higher standard of 3500 and that's basically it.

D.P.O. HORSLEY:

Would you say that these bulbs are more senior friendly? Would that be the argument to do this?

CHAIRMAN SCHNEIDERMAN:

Absolutely. And maybe, Gail, do you want to step forward again. She's our expert on this issue.

COMMISSIONER ANDERSON:

If I could, and I'm not arguing the kelvin, you know, the limits and that. You had mentioned and, again as I said, I haven't seen the updated bill. You had said that on an individual basis these lights would be replaced. So if you have a facility somewhere and it's a metal halide you're going to come in and you're going to put in one of these LEDs or is it going in and replacing the entire thing. Because what happens is you could have a safety issue if you have different types of lighting in the same area and that would be a concern I have.

LEG. KRUPSKI:

I didn't understand on this -- Jay, I didn't see the amended bill either. My questions originally were what's the threshold for starting the replacement.

COMMISSIONER ANDERSON:

I mean, it would certainly make sense if we were coming into a site and saying okay, we're going to upgrade the entire facility, you know, replace the bulbs, do the whole thing, but on an individual basis it could be a problem.

D.P.O. HORSLEY:

Because of the electric drawdown of one pole being next to another? Is that -- that causes a safety issue or?

COMMISSIONER ANDERSON:

More the two different types of lighting, you know, it can affect what you see and your ability to see. If you have an orange --

D.P.O. HORSLEY:

Orange and blue and --

CHAIRMAN SCHNEIDERMAN:

Are the high pressure sodiums or the metal halides, do they have a problem with meeting the 3000 or 3500 kelvin? Those aren't blue rich lights.

MR. SCHROEDER:

The metal halides are available at 3200, but only up to 150 watts based on our research. The higher wattage bulbs are available starting at 4000K. So on the metal halide issue, yeah, you would have a problem replacing some of the metal halides, but we've been upgrading the metal halides to comparable LEDs.

CHAIRMAN SCHNEIDERMAN:

Okay.

MR. SCHROEDER:

What Gil is referring to is that in a large parking lot if you have half a dozen or a dozen fixtures that are out, out of 80 or 100 lamps, to replace only a few could result, depending on where they are, if they are not concentrated together, that could wind up with uneven lighting throughout the parking lot and actually create a safety hazard.

CHAIRMAN SCHNEIDERMAN:

Gail, do you want to comment on that?

MS. CLYMA:

Hello? Am I on? Okay. I just think there might be a little confusion here about replacing a fixture as opposed to a bulb, and this was -- when we revised the bill, and I'm sorry, very sorry you didn't get a copy of it, but in addition to adding the 3500 breaking period or whatever you want to call it, we also changed the language. My intention with it was that if it's just a bulb replacement you are not going to bring something new in and that it's when the whole fixture needs to be replaced that you would do whatever you were going to do. And I'm trying to find the specific language on that if I can. To try and clarify that, under requirements in Section A -- does anybody have more copies of the legislation? She's getting them.

The original bill had said after the, you know, requirements were stated, all outdoor lighting in all County facilities blah, blah, blah, shall be brought into compliance and that was changed as part of this recent amendment to say all outdoor luminaires, meaning the fixture. So that was the way I was expecting that this was going to play out, that, as I say, if it's just a bulb that gets tired, burns out, whatever, that you would put whatever bulb you had before in there, but that it's when the fixture either is fatally sick or somebody knocks the pole down or something like that, that the replacement part of this would come in. Of course new lighting is, you know, a different subject.

CHAIRMAN SCHNEIDERMAN:

Hold on. We're just checking the language of the bill to make sure it does that and not something other. But meanwhile, Legislator Stern.

LEG. STERN:

Thank you, Mr. Chairman. So whether it's the bulb or the fixture going to the point, even if it's an

entire fixture that's out that needs to be replacing, that could add to the -- it could actually cause the issue that you're alluding to. It's not just bulb by bulb by bulb, but it could be fixture by fixture that could potentially cause the issue that you're raising as well.

MR. SCHROEDER:

Well, at the risk of not belaboring this, Bill and I discussed a lot of different scenarios, and much of what we agreed on is that there's a case by case analysis that has to occur. So not in every case would replacing one fixture with a different type of luminary create a -- necessarily a hazard. And this is the context, Gail, you're correct, this is the context we were discussing, Bill and I, that if replacing an entire fixture that's when we'd be doing the compliance with this legislation. But each instance is almost a case by case separate analysis to see what the impact of that change would be. That's one of the complexities of this.

MS. CLYMA:

I would think that if you were in this hypothetical parking lot where one fixture needed to be replaced, that you would be looking to put in a lumen output of the new that's similar to the lumen output of the demised fixture. And if that were the case I don't think you would probably have any kind of safety issue, would you?

MR. SCHROEDER:

Well, again, it comes to the light output of the various fixtures.

MS. CLYMA:

It's not exact.

MR. SCHROEDER:

Right. But the 3000 kelvin luminaires have a lower light output in many cases and so you either have to put a booster in to achieve the same illumination level or add additional fixtures in some cases.

MS. CLYMA:

Or you can go with a higher wattage.

MR. SCHROEDER:

Well, or go with a higher wattage, yeah. But in any case what we found were limitations within the 3000 kelvin availability. So that's why, you know, if we were going to be designing a large scale lighting upgrade, we'd design it with the number of poles that would be required under a given technology.

MS. CLYMA:

Okay.

MR. SCHROEDER:

That's the difference.

CHAIRMAN SCHNEIDERMAN:

I'm not clear that there's a problem with the language in the bill. It may be okay just the way it is.

MS. CLYMA:

Now that you have a copy, and I'm looking under requirements A, the last sentence of A, and that's where the change was made. Same thing was made in the B section also. So instead of saying or lighting, which could have implied that a dead bulb would need to be converted, we're now saying all outdoor luminaires.

COMMISSIONER ANDERSON:

Certainly if we did a case by case study, which is, as Joe mentioned, and we found it wasn't optimum to do this, as Commissioner of Public Works I would, if nothing else, have certain authority to not override this, but at least note in the file why we didn't do this. I imagine these cases are going to be extreme until we vote this in and the next light will be the one we're faced with.

D.P.O. HORSLEY:

Am I getting this right in that if say we change the luminaire itself then the one next to it one's yellow, one's blue. How does that appear?

LEG. KRUPSKI:

Green.

MS. CLYMA:

I don't know whether he's the authority on that or not.

(Laughter)

D.P.O. HORSLEY:

Well put. Is it going to look hodgepodge?

CHAIRMAN SCHNEIDERMAN:

Let's not forgot, this bill wasn't designed really for aesthetics, it was designed for public safety, that people, potentially senior citizens driving would be blinded by the blueness of the light and, you know, could get into accidents, etcetera. So, I mean, we have to decide what's more important. If we're gradually moving toward a less blue rich light, yeah, you might end up having some blues and some yellows, but over time it will be moving more to that LED world and will have that lower correlated color temperature.

MS. CLYMA:

I would also think, and you know I could be totally wrong about this, that the existing lighting that the County has installed is still probably mostly high pressure sodium. Is that accurate? Okay. So high pressure sodium has a correlated color temperature of about 2200 or something like that, so that's yellower than this law is going to allow. In other words, we're allowing 3000, 3500 temporarily, but ultimately 3000, so in many of the situations where there might be a mix of fixtures on an interim basis it would be yellow and yellower rather than --

CHAIRMAN SCHNEIDERMAN:

In other words, they could just keep it high pressure sodium.

MS. CLYMA:

Yeah. I mean, nobody's says what about the high pressure sodium fixtures, but if you were going to replace them for some reason, then you want to, you know, you want to put an LED in there, then it should be a 3000K LED.

COMMISSIONER ANDERSON:

I don't have a problem with that. My only real concern was those individuals and I think we can work around it.

CHAIRMAN SCHNEIDERMAN:

I think so. I mean, if some situation came forward, George, couldn't the Commissioner ask for a waiver of the provision or something if it was a big deal?

MR. NOLAN:

I would say only if it was built into the law itself. If he wants an exception, I mean, I'm just talking about the legalities now, then you would need a local law to make an exception down the road. You know, in practicality what the Commissioner would do in that situation I don't know.

CHAIRMAN SCHNEIDERMAN:

I mean, Gil, do you think you can live with it for a while and see how it works out practically?

COMMISSIONER ANDERSON:

George, so you said that -- I mean, so you're saying that I wouldn't have that option. If it's law we're held to the letter of the law.

MR. NOLAN:

The law states what the department has to do in terms of purchasing for the lighting. It doesn't say that the Commissioner can ignore this under these circumstances or -- you know what I mean?

MS. CLYMA:

Even if we think it's okay.

COMMISSIONER ANDERSON:

Okay.

LEG. STERN:

I think that would be my concern, who does the Commissioner go to for a waiver. I mean, others come to the Commissioner for waivers. If there is an underlying safety issue there is a mandate here potentially that would require the Commissioner to proceed as provided here. I don't know who the Commissioner gets a waiver from under those circumstances. So, I mean, I'm very supportive of what's trying to be accomplished here, but procedurally, especially since this is something that's so new, my preference would be to go in the other direction, that this would be the requirement unless the Commissioner for some type of underlying safety reason or some other reason that's clearly delineated within his discretion can make that decision going forward, perhaps until this becomes that much more well settled, both on a technology basis as well as a procedural basis.

CHAIRMAN SCHNEIDERMAN:

Well, we may be able to amend it. George is saying that we still have time to amend the bill and meet the deadline to build in some kind of waiver, but I kind of want to know what that waiver would like so that it couldn't be, you know, taken advantage of so to speak, to just constantly waive, a waiver that didn't require the Commissioner to come back before the Legislature to get the waiver. I mean, it would have to be based on some kind of public safety criteria I would think and maybe it's something, George, typically would that be something that you'd have to file with the Clerk or something?

MR. NOLAN:

I think -- I don't know that it would make sense for this type of bill where we're talking about individual lamps to have to go through a big process. I think it's something we could discuss after this meeting the details how we'd work that out. But, as you mentioned, because we have a Thursday meeting next week we can amend this bill up to tomorrow, in which case you could discharge this and we could work on amending it to make it acceptable to the department.

MS. CLYMA:

There's some language that has been used in State level legislation, you know, for different reasons, but it essentially requires that the Commissioner of Transportation, but in this case it would be

Public Works -- I don't have it with me obviously, but it's something like he makes a finding that there needs to be an exception for a safety reason and what it is. And the process is really simply that he makes the finding, it's explained, it's in writing and it's on record, and that's kind of what it is. I mean, I think filing it with the Clerk would be a good idea so there's a record of it in his office. He's not going to somebody else --

CHAIRMAN SCHNEIDERMAN:

Let me hear from the Commissioner.

COMMISSIONER ANDERSON:

What I was going to say is I'm fine with filing it with the Clerk. That's what I was envisioning, some type of finding for the record. My own thought was to put it in the file so that in some six, seven months from now you could say, *well, you guys just replaced these*. You know, we'd have to pull something out that shows that there was some thought, it wasn't just like *oh, we don't like them*.

CHAIRMAN SCHNEIDERMAN:

A finding, yeah. Just a sentence or two about why --

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN SCHNEIDERMAN:

-- in this particular situation you needed to go higher than that limit.

COMMISSIONER ANDERSON:

Yeah. I mean, we --

CHAIRMAN SCHNEIDERMAN:

I have no problem with amending the bill to include that provision. We did something like that with -- I thought with the original lighting law, where there was an ability to waive it for public safety.

LEG. KRUPSKI:

This is why people think government's out of control, when we make the Commissioner file a report on every time he changes a light bulb.

MS. CLYMA:

It's not going to be every time he changes a light bulb, obviously.

CHAIRMAN SCHNEIDERMAN:

I'll make a motion to -- I've already made a motion, I think, to approve, so I'll just amend it to a motion to discharge without recommendation. Actually, George is just checking something. I had mentioned a moment ago that I thought the original lighting law had an exemption. George, what is that exemption and does that pertain to this change?

MR. NOLAN:

It would, because this law is amending the same chapter, Chapter 149 of the Code, and there is an exemption which says the requirements of 149-3, which is the section we're amending situations, where written determination with findings have been made by the Commissioner of Public Works at a specified exemption to any requirements as is necessary and appropriate for a compelling safety interest which cannot be etcetera, etcetera, etcetera. So there already is that language in the law so we don't have to amend the law.

COMMISSIONER ANDERSON:

That's fine.

CHAIRMAN SCHNEIDERMAN:

We don't need to amend the bill.

MS. CLYMA:

So that language is already in the original.

CHAIRMAN SCHNEIDERMAN:

It's already in there. I wish I had thought of that earlier. It's in there. Well, first before Legislator Stern speaks, so I'm going to back to my original motion to approve, and Legislator Muratore back to his second. And Legislator Stern.

LEG. STERN:

So there's an exception already in the law for safety purposes. I just have a -- take a practical scenario. So let's say that there's a light that goes down and it's on one of our roadways, and then you are faced with the question on how to replace that light bulb. But then it's on a County roadway that is slated for a big construction project that's coming up, maybe it's six months from now, maybe it's a year from now. Do you change that light bulb or do you wait to change not that light bulb or that fixture, but all of the fixtures because it's going to be part of the project that's coming up sooner rather than later, although not tomorrow. It's not a safety issue necessarily, but you are faced with making the determination is it best to change this fixture and purchase a new fixture or wait until you're about to undertake the whole project. What do you do?

COMMISSIONER ANDERSON:

Well, first I don't believe this legislation, and please correct me if I'm wrong, refers to any roads, it's specific to parking lots, you know, off road type sites. But given the same scenario that you are going to come in and you are going to replace a parking lot in a coming situation, my -- I mean, if the lights -- the only reason you'd replace the luminaire is if the pole was knocked down, and at that point it becomes a public safety not to improve it. So I would imagine that yes indeed, barring any issue with the other fixtures in the area for public safety issues, not having one there would create a public safety, so we'd have to replace it. And, you know, that happens quite often. You know, even on roadways where, you know, you know you're going to come in and you're going to do an upgrade, but you've got to maintain the public safety. The only issue I was concerned about was the differentiation between the lighting and the impact on public safety.

LEG. STERN:

And over a relatively short period of time do you envision a situation where you're then going to have to be doing the job twice.

COMMISSIONER ANDERSON:

It is a possibility, it is definitely a possibility, but irrespective, even if it was the same type of fixture, whether it's LED or if we were going to go back in and replace -- say if this didn't pass, it wasn't here, we would still have to make the same consideration and we would have to err on the side of public safety, which is to replace the fixture.

LEG. STERN:

Thanks.

COMMISSIONER ANDERSON:

Thank you.

CHAIRMAN SCHNEIDERMAN:

All right. So we have a motion to approve and a second. All in favor? Opposed? Abstentions? Thank you. Approved. *(Vote: 5-0-0-0)*

MS. CLYMA:

Thank you.

Introductory Resolutions

Moving on to Introductory Resolutions. *IR 1593-13 - Appropriating funds in connection with Replacement/Clean-Up of Fossil Fuel, Toxic and Hazardous Material Storage Tanks (CP 1706)(Co. Exec.).*

Motion by Legislator Stern, second by Legislator Horsley. Any discussion? All in favor? Opposed? Abstentions? Approved. *(Vote: 5-0-0-0)*

IR 1594-13 - Appropriating funds in connection with Installation of Fire, Security and Emergency Systems at County Facilities (CP 1710)(Co. Exec.).

Same motion, same second, same vote. *(Vote: 5-0-0-0)*

IR 1595-13 - Appropriating funds in connection with Reconstruction of Culverts (CP 5371)(Co. Exec.).

Same motion okay? Same second.

LEG. KRUPSKI:

Discussion.

CHAIRMAN SCHNEIDERMAN:

On the culvert one, Legislator Krupski.

LEG. KRUPSKI:

The location and is there going to be any associated roadwork or drainage for those?

COMMISSIONER ANDERSON:

It could very well involve a project that we're doing in-house with repairs, but this specific capital project is for the replacement of culverts, whether it's like a dam or it's an underground piping, that type of thing. So there is the possibility. We do have listed, I can list them if you'd like, we have a number of locations that are currently slated under this \$575,000. The ones that we have listed are what we're envisioning, but something could always come up that would force us to use those funds in another culvert, if a culvert, you know, failed for whatever reason and we have to go in. So we're looking at a number of locations within Brookhaven, Riverhead and Southampton.

LEG. KRUPSKI:

And this work's going to be done this year or next year?

COMMISSIONER ANDERSON:

Next year. Most likely next year.

LEG. KRUPSKI:

Thank you.

CHAIRMAN SCHNEIDERMAN:

Okay. Any more discussion? All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**

IR 1656-13 - Appropriating funds in connection with Fuel Management/Preventive Maintenance and Parts Inventory Control System (CP 1616)(Co. Exec.). Do we have a motion? Motion by Legislator Stern, second by Legislator Krupski. Any discussion? All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**

IR 1657-13 - Appropriating funds in connection with Installation of Guide Rail and Safety Upgrades at Various Locations (CP 5180)(Co. Exec.). Why don't we do the same motion, same second. Commissioner, do you have a little more detail?

COMMISSIONER ANDERSON:

Yes. This resolution is looking to appropriate \$225,000 for construction, installation of guide rail. The locations that we're planning to improve with this funding, as I stated earlier, if something else of more urgent need came up we would go to that, but in this case we're looking at Motor Parkway, County Road 67, at the Long Island Expressway Service Road, County Road 80 in Hampton Bays, Long Island Expressway South Service Road at Lincoln Boulevard, and then lastly, County Road 77, West Lake Drive at Block Island Sound.

CHAIRMAN SCHNEIDERMAN:

Montauk.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN SCHNEIDERMAN:

Okay. Any discussion? All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**

IR 1658-13 - A resolution making certain Findings and Determinations in relation to the establishment of Suffolk County Sewer District No. 24 - Gabreski-Municipal (Co. Exec). Commissioner.

COMMISSIONER ANDERSON:

This --

CHAIRMAN SCHNEIDERMAN:

Did we have the hearing on this one?

COMMISSIONER ANDERSON:

Yeah, we did. Last Legislature there was a hearing. I don't know that there was even comments from the public hearing.

CHAIRMAN SCHNEIDERMAN:

Okay. So this is a necessary step in creating this district.

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN SCHNEIDERMAN:

Okay. I'll make a motion to approve. Second by Legislator Muratore. On the motion, Legislator Stern.

LEG. STERN:

Yeah, thank you, Mr. Chairman. And this is all done with sewer funds.

COMMISSIONER ANDERSON:

Correct.

LEG. STERN:

Thanks.

CHAIRMAN SCHNEIDERMAN:

This is actually the airport. I don't think the district extends beyond Gabreski Airport. This would include the 106 Airforce Base, it would include the new Rechler Development, the Industrial Park there, as well as the entire airport.

COMMISSIONER ANDERSON:

Yup.

CHAIRMAN SCHNEIDERMAN:

And it's what, there's I think about 100,000 gallons a day capacity of the current facility.

COMMISSIONER ANDERSON:

Mm-hmm.

CHAIRMAN SCHNEIDERMAN:

And I guess there's a question as to whether there will be room to hook anybody else to it outside that district, and I guess that will be determined at a later date.

COMMISSIONER ANDERSON:

Correct. Without it being a district there's no capability of connecting in, so.

CHAIRMAN SCHNEIDERMAN:

But this is, you know, I guess a necessary step to see the industrial park developed.

COMMISSIONER ANDERSON:

And as well as provide potential connection to future connectees from outside the district.

CHAIRMAN SCHNEIDERMAN:

Right. The sewer plant is already built.

COMMISSIONER ANDERSON:

It is.

CHAIRMAN SCHNEIDERMAN:

It's done. We've had it for years. I think it has 100,000 gallons a day capacity and we're using about 5,000 gallons.

COMMISSIONER ANDERSON:

Yeah. Most of it -- it's really just used as a transfer station right now. Most of the waste is transferred to another facility to be treated.

CHAIRMAN SCHNEIDERMAN:

Okay. So I believe there was a motion. I made a motion and there was a second. All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**

IR 1659 - A resolution making certain Findings and Determinations in relation to the establishment of Suffolk County Sewer District No. 16 - Yaphank-Municipal (Co. Exec.).
Commissioner, on this one what are the changes?

COMMISSIONER ANDERSON:

This is really again, this is the same thing. We're establishing a district for an existing treatment plant. Right now it services the County facility in Yaphank. By creating the district we would also be able to service areas outside of that district and that's what our hope is. We are in the process of -- there's a connection -- I believe there's a connection agreement with BRT to expand the plant, and by doing this we will be able to, you know, again offer the availability of a treatment plant to other areas.

CHAIRMAN SCHNEIDERMAN:

Is the Foley building connected to that?

COMMISSIONER ANDERSON:

Yes, it is.

CHAIRMAN SCHNEIDERMAN:

It already is.

COMMISSIONER ANDERSON:

Yes.

LEG. KRUPSKI:

Is the jail connected to that?

COMMISSIONER ANDERSON:

Yes, it is.

LEG. KRUPSKI:

What else is?

COMMISSIONER ANDERSON:

Pretty much all of the County facilities. You have Police Headquarters, DPW, probably some of the Cornell, if not all the Cornell. I'm not sure about that. But everything within that entire County Center property is connected.

LEG. KRUPSKI:

And where's the plant and is it at capacity?

COMMISSIONER ANDERSON:

I don't believe it's at capacity. It's down in the southwest corner, it's kind of behind where, you know where FRES is, in there there's that training center? Well, back behind there is where the treatment plant is. Again, I don't know that we're at capacity, but I know that we are going to be expanding the plant and that we are in the process of doing some improvements to it as well.

CHAIRMAN SCHNEIDERMAN:

And right now there's no private entities hooked up to it?

COMMISSIONER ANDERSON:

Correct.

CHAIRMAN SCHNEIDERMAN:

So if let's say we transfer the Foley building, that would then become a private entity so that would -- it wouldn't have to pay I guess a connection fee, it's already connected, but then they would be paying --

COMMISSIONER ANDERSON:

It's a user fee. They would be paying an annual rate as would anybody.

CHAIRMAN SCHNEIDERMAN:

And BRT, they'd have to pay a connection fee plus.

COMMISSIONER ANDERSON:

I would have to look at the agreement. I don't remember how that all worked out, but I believe the agreement's in place for them to connect in.

CHAIRMAN SCHNEIDERMAN:

Okay. So again, this is a necessary step.

D.P.O. HORSLEY:

I'll make a motion.

LEG. KRUPSKI:

Second.

CHAIRMAN SCHNEIDERMAN:

Motion by Legislator Horsley, second by Legislator Krupski, to approve. All in favor? Opposed? Abstentions? Approved. *(Vote: 5-0-0-0)*

D.P.O. HORSLEY:

One quick question. Is there any capacity at some point {inaudible}.

COMMISSIONER ANDERSON:

There was actually a plan to try and, you know, move forward a capital project for such a facility a couple of years ago. To be frank, we were just talking about it today and I was kind of trying to resurrect that.

D.P.O. HORSLEY:

I think it's a wonderful idea.

COMMISSIONER ANDERSON:

It would basically reduce the need for the easterly facilities such as Riverhead and places in that area to have to travel all the way to Bergen. It would take trucks off the road to Bergen. We're kind of dusting that one off.

CHAIRMAN SCHNEIDERMAN:

I think that's worth exploring.

D.P.O. HORSLEY:

Yeah, it certainly does.

CHAIRMAN SCHNEIDERMAN:

There's a lot of traffic on the road in septic trucks heading out to Bergen Point. And it's actually very expensive for the commercial users who have to pay, and obviously that's being passed along

to the consumer. So anything that shortens the distance. I know areas like East Hampton they've shut down their scavenger waste facility. I think it's an idea worth exploring.

D.P.O. HORSLEY:

Here, here.

COMMISSIONER ANDERSON:

I figured with the expansion of the plant this was the time to do it. If we're going to make a raucous, let's make a big one.

CHAIRMAN SCHNEIDERMAN:

All right. So we've passed 1659. We're moving on to *IR 1661 - Authorizing planning steps for the voluntary acquisition of land and if necessary public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of properties to be acquired for intersection improvements on CR 80, Montauk Highway at CR 31, Old Riverhead Road, Town of Southampton, Suffolk County, New York (CP 5569)(Co. Exec).*

For some reason I thought we did this one already.

COMMISSIONER ANDERSON:

That was for the seed money to be able to do -- to enter into negotiations. This allows us to begin discussions and begin the actual, you know, hopefully eventual transfer of land. It's a relatively small intersection widening program. We're looking right now at increasing the turning radiuses, and to do that we will have to purchase small parts of land.

CHAIRMAN SCHNEIDERMAN:

Okay. This is just kind of south of our airport, and the way the roads are aligned when the big trucks go to make a right turn if they're about to head to the west it create a traffic jam there, because there's no cueing lane. So I guess the eastbound traffic is blocking the ability to turn. It's been problematic. So the idea I think is not to necessarily realign the road, but to create that right turning lane.

COMMISSIONER ANDERSON:

Well, right now it's actually just increased the curb so the trucks can make the turn easily.

CHAIRMAN SCHNEIDERMAN:

Okay. So I'll make the motion on that. Second by Legislator Stern. Any discussion? All in favor? Opposed? Abstentions? **(Vote: 5-0-0-0)**

IR 1662 - A resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 12 - Birchwood/Holbrook (CP 8143)(Co. Exec.).

Commissioner, do you have any additional information?

COMMISSIONER ANDERSON:

Again, this is -- a public hearing was held. We're looking to do some improvements at this plant. It's Sewer District 12, Birchwood/Holbrook. We're looking at constructing influent equalization as well as effluent filter systems, and then we're also looking at -- oh, that was it. That's it for that facility.

CHAIRMAN SCHNEIDERMAN:

Any questions? We have a motion to approve by Legislator Krupski. Second by Legislator Muratore. Any discussion? All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**

IR 1663 - A resolution making certain Findings and Determinations in relation to the increase and improvement of facilities for Sewer District No. 9 - College Park (CP 8163)(Co. Exec.).

Again, Commissioner, if you have any additional info.

COMMISSIONER ANDERSON:

Similar to the last treatment plant this was just making certain findings and determinations from a public hearing to increase -- to make improvements to the treatment plant at Sewer District 9 at College Park. That involves a \$1.85 million project improving effluent filtration systems, expanding the control building and rehabilitating recharge pools and filtration. And just so you know, a portion of this funding will come from Assessment Stabilization Reserve Funds as well as bonding.

CHAIRMAN SCHNEIDERMAN:

Okay. There was a motion and a second. All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**

IR 1664 - Amending the 2013 Capital Budget and Program and accepting and appropriating 100% New York State Department of Transportation SDF Funds for the purchase of New Hybrid Electric Transit Buses for the Suffolk County Transit Bus System (CP 5658)(Co. Exec.).

It's 100%. George, it doesn't need, though, in this case to be on the consent calendar?

MR. NOLAN:

No, it should not be on the consent calendar because it contemplates the issuance of serial bonds.

CHAIRMAN SCHNEIDERMAN:

Okay. Any questions about this one? Do we have a motion to approve? Motion by Legislator Muratore. Second by Legislator Stern. On the motion, Legislator Stern.

LEG. STERN:

Commissioner, the SDF funds do not require a local match?

COMMISSIONER ANDERSON:

Correct.

LEG. STERN:

Where does it charge?

COMMISSIONER ANDERSON:

What do you mean? I'm sorry.

LEG. STERN:

Where do they charge up?

COMMISSIONER ANDERSON:

The buses? These are hybrids. These are similar to the vehicles. They are self-charging. It's not fully electric. This is actually something similar to the hybrid vehicles.

LEG. STERN:

So they self-charge by running rather than charging.

COMMISSIONER ANDERSON:

Correct.

LEG. STERN:

Thanks.

CHAIRMAN SCHNEIDERMAN:

Just clarification on the bonding of it. So we're bonding in advance of getting the money so it's just a short-term anticipation note. Is that correct? Revenue anticipation note.

MR. FREAS:

Bond anticipation note.

CHAIRMAN SCHNEIDERMAN:

Bond anticipation note. Thank you. Okay. We had a motion and a second. Any other discussion? All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**

IR 1666 - Calling for a public hearing upon a proposal to form Suffolk County Sewer District No. 4 - Smithtown Galleria (Co. Exec.).

Commissioner, we had lengthy discussions about Galleria a few years ago. Where is this now?

COMMISSIONER ANDERSON:

We've looked at the numbers and based on our original review or our revised revisional review that we discussed back in '07, '08, whenever it was, we had figures of an annual fee of over \$1,000 per family. We went back to the numbers since then. Originally we looked at three plants that were similarly sized at similar flow rates. What we've since determined is that those plants were very problematic, had a lot of issues. So what we did was we looked at the entire -- all of our facilities and the cost involved in running them, and we felt that we were able to bring them down to about \$685 per family, which we feel would be much more palatable to the local community. The local community wants us to come in, they really want us to take over these plants or this plant, and we feel with this revision we're comfortable with the number that's out there and that we can move this thing forward.

CHAIRMAN SCHNEIDERMAN:

All right. Do we have a motion? No motion? All right, I'll make a motion. Do we have a second?

LEG. MURATORE:

I'll second.

CHAIRMAN SCHNEIDERMAN:

Legislator Muratore is seconding. This is just for a public hearing. So there's a motion and a second to approve. All in favor? Opposed? Abstentions? 1666 is approved. **(Vote: 5-0-0-0)**

And our final resolution, IR 1673 - Authorizing execution of an agreement by the Administrative Head of SCSD No. 3 - Southwest with 1513 Straight Path Wyandanch (BA-1477.1-004)(Co. Exec.).

Again, this is part of Wyandanch Rising, I suspect, right? Commissioner, any additional information that would be helpful?

COMMISSIONER ANDERSON:

No. I mean, it's a small discharge. It's only 505 gallons per day. This was part of the overall waiving that we did when we waived the connection fees. And, you know, it was approved by the Sewer Agency, so we're in favor of it.

CHAIRMAN SCHNEIDERMAN:

I'll make a motion. Second by Legislator Muratore. Any discussion? All in favor? Opposed? Abstentions? Approved. **(Vote: 5-0-0-0)**

All right. We've reached the end of our agenda. Is there any other business?

COMMISSIONER ANDERSON:

May I?

CHAIRMAN SCHNEIDERMAN:

Before we adjourn, if the Commissioner can have our attention.

COMMISSIONER ANDERSON:

Just quickly. I just wanted to advise you, I believe that the Counsel to the Legislature will be submitting for a CN at the next Legislature meeting next Thursday the approval of the CEQ for demolition of the Bavarian Inn. That's about the last step we need to allow us to go in there and demolish the building. Am I correct on that, George?

MR. NOLAN:

I'll talk to you afterwards because I don't think I've heard anything about that yet.

CHAIRMAN SCHNEIDERMAN:

Why would it be by -- Commissioner, why by CN?

COMMISSIONER ANDERSON:

Because the CEQ recommendation, I believe, was tabled or was never submitted to the Legislature for approval, it was my understanding from what I read that it was the Legislature that was the body that forwarded any CEQ approvals to the Legislature and it hadn't happened. We're waiting on that. I assumed that somebody had spoken to George and I guess not.

MR. NOLAN:

I'm on it.

COMMISSIONER ANDERSON:

Okay. Anything I can do to help let me know.

CHAIRMAN SCHNEIDERMAN:

Okay. We are adjourned.

(*The meeting was adjourned at 3:13 p.m. *)