PUBLIC WORKS & TRANSPORTATION COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

A regular meeting of the Public Works and Transportation Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Auditorium of the William H. Rogers Legislative Building on Tuesday, November 26, 2013 at 2:00 p.m.

Members Present:
Legislator Jay Schneiderman - Chairman
Legislator Steve Stern - Vice Chair
Legislator Wayne Horsley
Legislator Al Krupski
Legislator Tom Muratore

Also in Attendance:
George Nolan - Counsel to the Suffolk County Legislature
Renee Ortiz - Chief Deputy Clerk of the Suffolk County Legislature
Jill Moss - Budget Review Office
Jason Hann - Aide to Legislator Schneiderman
Debbie Harris - Aide to Legislator Stern
Gil Anderson - Commissioner, Suffolk County Department of Public Works
Dominick Ninivaggi - Vector Control, SC Department of Public Works
Tom Vaughn - County Executive's Office

Minutes Taken By:
Gabrielle Severs - Court Stenographer

Minutes Transcribed By:
Kim Castiglione: Legislative Secretary

(The meeting was called to order at 2:06 p.m.)

CHAIRMAN SCHNEIDERMAN:
Good afternoon. I'd like to call this meeting of the Public Works and Transportation Committee meeting to order this 26th day of November, 2013. Please rise and join us in the Pledge led by Legislator Krupski.

Salutation

CHAIRMAN SCHNEIDERMAN:
Madam Clerk, do we have any yellow cards? Does anybody wish to be heard from the public? Going once, going twice. All right. All right, let's move on. Commissioner Anderson, good to see you. Committee members, anything general before we get into the agenda? Any off agenda items?

Commissioner, can I ask you, on CR 80, Hampton Bays, the community is asking for that to be resurfaced. Apparently there is some money being made available by our State reps. Can you fill me on that and what the timing of that will be?

COMMISSIONER ANDERSON:
Yeah. We met with Assemblyman Thiele and Senator LaValle. They are going to get funding available. I have to get them an estimate, which my staff has prepared and then they will include funding in next year's budget that we can access and use to pave that stretch of road.

CHAIRMAN SCHNEIDERMAN:
Are we just going to resurface or are we going to fill it?

COMMISSIONER ANDERSON:
Again, the road itself structurally is great. There is no problem --

CHAIRMAN SCHNEIDERMAN:
We're just going to mill the top surface and then put in --

COMMISSIONER ANDERSON:
A little mill and then just a repave, that's it.

CHAIRMAN SCHNEIDERMAN:
Okay. And obviously restripe. Just through that downtown section is it primarily?

COMMISSIONER ANDERSON:
I believe from 24 to the bridge, the overpass, is what we're looking to do.

CHAIRMAN SCHNEIDERMAN:
Okay.

LEG. KRUPSKI:
Any drainage associated with that?

COMMISSIONER ANDERSON:
All the issues were good.

CHAIRMAN SCHNEIDERMAN:
So from 24 to Shinnecock Canal.
COMMISSIONER ANDERSON:

Well, there's a railroad overpass. I believe that's what we're doing. That's, I think, what we're doing with this project.

CHAIRMAN SCHNEIDERMAN:
Okay. And when you say they're going to put it into next year's budget, you're talking 2014?

COMMISSIONER ANDERSON:
Correct. They're going to make funds available in 2014 that we can use in our repaving program to do that, on top of the work that we plan on doing with our funds.

CHAIRMAN SCHNEIDERMAN:
Okay, so it will be 100% State?

COMMISSIONER ANDERSON:
Correct.

CHAIRMAN SCHNEIDERMAN:
So we'll go out to bid on it or we'll do that inhouse. Probably out to bid, right?

COMMISSIONER ANDERSON:
Yes.

CHAIRMAN SCHNEIDERMAN:
Okay. Anything else off the agenda for the Commissioner before we get started? Okay, so let's go to the agenda.

Tabled Resolutions

We are going to start with ***IR 1816-13 - Directing the Department of Public Works to install a full stoplight at the intersection of CR 100 and Park Avenue in Brentwood (Montano).*** I'll make a motion to table. Seconded by Legislator Stern. Any discussion? All in favor? Opposed? Abstentions? So tabled. ***(Vote: 4-0-0-1 Not Present: Legislator Horsley)***

IR 1886-13 -Directing the Department of Public Works to apply for State water quality improvement funding for the Northeast Branch of the Nissequogue River (Kennedy). I'll make a motion to table at the request of the sponsor. Second by Legislator Stern. All in favor? Opposed? Abstentions? So tabled. ***(Vote: 4-0-0-1 Not Present: Legislator Horsley)***

IR 1909-13 - Approving extension of license for the South Ferry, Incorporated (Horsley).

LEG. KRUPSKI:
Motion to approve.

CHAIRMAN SCHNEIDERMAN:
There's a motion to approve by the current Legislator for the district. I'll second it as the future Legislator for South Ferry. It actually goes between my district now and Legislator Krupski's district, which Shelter Island is becoming part of the Second District.

So there's a motion to approve and a second. Any discussion? Is Mr. Clark here? I know he's come to many of these. There's no rate change here, this is just, I think, a five year extension at the current rate. Is that correct, if anybody knows, or did I state it incorrectly?

MS. MOSS:

The rate would remain the same and it extends it to 2018.

CHAIRMAN SCHNEIDERMAN:
Okay, five years.

MS. MOSS:
Correct.

CHAIRMAN SCHNEIDERMAN:
Okay. All right. All in favor? Opposed? Abstentions? Approved. ***(Vote: 4-0-0-1 Not Present: Legislator Horsley)***

Introductory Prime

IR 1994-13 - Appropriating funds in connection with application and removal of lane markings (CP 5037)(Co. Exec.). Gil, this is what, an omnibus kind of catch all?

COMMISSIONER ANDERSON:
Yeah. This is one of our standard capital programs. With this we install thermoplastic pavement markings, whether they're arrows or the stop bars that go across at stop signs within the intersections. What we find is they last longer, but we don't have the capability to do that type of striping in-house.

CHAIRMAN SCHNEIDERMAN:
All right. Who wants to make a motion? Tom? Tom and second by Legislator -- so motion by Legislator Muratore, second by Legislator Stern. All in favor? Opposed? Abstentions? Approved. ***(Vote: 4-0-0-1 Not Present: Legislator Horsley)***

IR 1995-13 - Appropriating funds in connection with traffic signal improvements (CP 5054)(Co. Exec.). Gil, do you want to say anything more on this?

COMMISSIONER ANDERSON:
This is $250,000 for planning and then $825,000 for equipment. Its purpose, as the title states, is for traffic signal improvements, whether they're upgrading existing signals or installation of new traffic signals.

CHAIRMAN SCHNEIDERMAN:
All right. Can we do same motion and same second? All right. All in favor? Opposed? Abstentions? Approved. ***(Vote: 4-0-0-1 Not Present: Legislator Horsley)***

IR 1996-13 - Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 6 - Kings Park and Flynn Subdivision (SM-1594)(Co. Exec.). Commissioner, do you got any additional information you want to provide?

COMMISSIONER ANDERSON:
As the title states, this is an application to connect to our Sewer District 6 in Kings Park. It's a two lot subdivision with a total flow daily of 600 gallons.

CHAIRMAN SCHNEIDERMAN:
You've held hearings on this, right?

COMMISSIONER ANDERSON:

Yeah, it's all been approved by the Sewer Agency, and this is the final --

CHAIRMAN SCHNEIDERMAN:
Good to go. Okay. All right. I'll make a motion to approve. Second by Legislator Stern. All in favor? Opposed? Abstentions? Approved. ***(Vote: 4-0-0-1 Not Present: Legislator Horsley)***

IR 1997-13 - Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 3 - Southwest and Tutor Time at Melville (HU-1654)(Co. Exec.). Again, sounds pretty self-explanatory, Commissioner, but if there's anything more you want to add to it.

COMMISSIONER ANDERSON:
Again, it's a small additional flow into Southwest Sewer District, which has more than enough capacity to handle the 570 gallons per day that this will add to that.

CHAIRMAN SCHNEIDERMAN:
I'll make a motion to approve. Second by Legislator Stern. All in favor? Opposed? Abstentions? Approved. ***(Vote: 4-0-0-1 Not Present: Legislator Horsley)***

All right. ***IR 1998-13 - Approving the Vector Control Plan of the Department of Public Works Division of Vector Control pursuant to Section C8-4(B)(2) of the Suffolk County Charter (Co. Exec.).*** Mr. Ninivaggi, if you'll come forward.

So for newer Legislators, every year we are -- the Legislature has to reauthorize or authorize a new vector control plan. There was a Generic Environmental Impact Statement done several years back on the whole program, but each year, although that was -- the long-term plan was approved, each year a new plan comes forth this time of year for the following spray season or control season. This is that plan. I don't know, has everybody gotten a copy of it? Probably not. All right.

So let's go to Mr. Ninivaggi. Let's start first, Dominick, if you can detail how this plan has changed in any from last year's Vector Control plan.

MR. NINIVAGGI:
There are no significant changes. We've been following the outline of the long-term plan, and basically where we do the actual work might change from year to year, but we're using the same techniques and the same protective measurements for the environment.

CHAIRMAN SCHNEIDERMAN:
All right. I know you and I have had several discussions about the use of a larvicide called methoprene, which has come into the news a lot lately with Connecticut's actions restricting its use in certain conditions and other states and other municipalities taking similar types of action. There's been concern about methoprene as a hormone mimicker and how it affects marine invertebrates and the potential -- the uses in estuarine environments in terms of this particular program.

I notice we use methoprene in a number of different forms. We use the briquettes in storm drains. We're spraying methoprene as well. I'm interested in particular when it is you, under this plan, are applying methoprene in terms of the estuaries. In my review of the EIS and the long-term work plan there is a strong recommendation that methoprene not be used on stage one and stage two larva, though it is my understanding that the department continues to use it in formulations on all stages of larva. Can you respond to that?

MR. NINIVAGGI:
The way we decide which material to use is we do look at the larval stages, and if they're predominating by the early stage larva, BTI is going to work more effectively and that's the material

we choose. The later stages, and that's what's predominating, we would use methoprene alone. There are times when all four larval stages are present in the environment and neither material by itself is going to provide adequate control, and at that point we do use a mixture of the two materials. And what we do to meet label requirements and to meet the ratio required between those two, we use a little more BTI than we would use by itself, and we use a little bit less methoprene. But that's basically in order to provide the control, you know, that we wouldn't get if we used the materials by themselves.

CHAIRMAN SCHNEIDERMAN:
And there you're talking specifically about aerial spray, are you not?

MR. NINIVAGGI:
Yeah. This is the aerial larviciding of the salt marsh.

CHAIRMAN SCHNEIDERMAN:
And where are the briquettes being used?

MR. NINIVAGGI:
Briquettes are used primarily in catch basins because we use 150 day briquettes, so that's used for a location where there's water essentially all the time, and that's used in habitats primarily where you get the Culex mosquitoes that are important in the cycle of West Nile Virus. So you'll see in the catch basins and storm drains where there's water sitting in those all the time, if you don't treat that you'll get these Culex mosquitoes coming in.

CHAIRMAN SCHNEIDERMAN:
Are any of those storm drains, are we using them draining directly into bays or harbors or are these closed systems with percolation?

MR. NINIVAGGI:
The overwhelming majority of them are closed systems or they drain into a recharge basin. There are probably a very few of them that are right along the immediate coastline where the system might have an overflow into the bay, but the overwhelming majority of them are closed systems that drain the groundwater.

CHAIRMAN SCHNEIDERMAN:
Now, for those that are along the bays and harbors, I mean, BTI also comes in briquette form, does it not?

MR. NINIVAGGI:
There are some briquette formulations. We've started to use a briquet that came out in the last couple of years called FourStar. That's a mixture of BTI and another bacterial, bacillus sphaericus. That seems to have some long-term control, but in general we find that we get good results with the methoprene briquettes and none of the -- we don't really have anything that will last as long as the methoprene briquettes.

CHAIRMAN SCHNEIDERMAN:
Could you use, though, the BTI briquettes in those particular storm drains that were, you know, in direct proximity to marine bodies?

MR. NINIVAGGI:
It's possible but we're still looking at that because we've done some test work with them and they haven't always given us the control that we expect. We've had some problems with some of those

breaking up early and things like that, so we're trying to work with the manufacturer and see if they can improve their formulation.

COMMISSIONER ANDERSON:
Legislator, if I may?

CHAIRMAN SCHNEIDERMAN:
Yeah.

COMMISSIONER ANDERSON:
Keep in mind that in those cases, the catch basins, the locations where they're putting it are sumps, which are below the outfall pipes that have water and, you know, basically the purpose is to allow sediment to fall out in the catch basin before going any further down the line. So it's not like these are an imminent release into any type of wetland or water body.

CHAIRMAN SCHNEIDERMAN:
There's been some concern about in large rain events, that the concentrations could go above what would be safe for the marine habitats from the use of the briquettes, so.

COMMISSIONER ANDERSON:
I would argue that -- though that in that case, you know, the dilution, because any type of major or substantial storm event is going -- and again, keep in mind that even when you are talking about normal road runoff, you know, that type of flow rate is going well past any wetlands and out, you know, into the Great South Bay.

CHAIRMAN SCHNEIDERMAN:
More of the methoprene may get released over a short period of time because of the high, you know, flow.

COMMISSIONER ANDERSON:
The amount of times that would actually happen over the course of the year are probably a handful. In this given year we've had very, very little rain.

CHAIRMAN SCHNEIDERMAN:
It wouldn't have to happen more than once at lethal levels to have a, you know, dire consequence.

MR. NINIVAGGI:
I can give you absolute assurances that these are controlled released briquettes, so the concentrations that are released are well below any level of concern, even in the catch basin itself, much less with the tremendous dilution that would come with a rain event. And people have looked at these issues and, you know, again and again they come to the same conclusion, that the levels that would be released are not of concern.

CHAIRMAN SCHNEIDERMAN:
I have heard this argument and I'm aware of your feelings here and I know it's science based. There are other areas, as you know, who have taken precautionary measures regarding methoprene and we are reviewing in house, I believe Amy Juchatz from Cornell Cooperative, is doing a literature review. Has she finished that review, do you know? Anybody?

MR. VAUGHN:
No, Legislator, that review is not yet done, and she is doing that review in conjunction with the Planning Department. I think that at the last Health Committee or maybe the one prior it was stated

that we thought that the literature review would be done I believe in March.

CHAIRMAN SCHNEIDERMAN:
Done in March?

MR. VAUGHN:
Yes.

CHAIRMAN SCHNEIDERMAN:
Were there any -- I mean, it would be helpful to have some of that before approving a plan that maintains the use of methoprene in estuaries.

COMMISSIONER ANDERSON:
But if I may, and I don't mean to interrupt you. This plan is only intended to be a check that we are following the annual plan which was established a number of years ago. It's not meant, and correct me if I'm wrong, to in any way change that or identify any changes.

CHAIRMAN SCHNEIDERMAN:
But the annual plan and the decision table does say no methoprene on stage one or stage two larva. We are using methoprene in stage one and stage two larva in terms of aerial spraying in estuaries, though Dominick is, I think, explaining that when it is stage one, stage two, stage three, stage four, when there's a combination -- and maybe, Dominick, you could educate me in terms of in the lifecycle, stage one, stage two, stage three and stage four. What is the time period between these different stages and are there morphological distinctions that allow you to -- do you just measure the size or are there other features that you're looking for?

MR. NINIVAGGI:
Well, it's primarily by size in the field. You have to understand that when you get to the late summer these larva are developing very rapidly. As a matter of fact, you can go out on Monday and you'll find stage larva and by the time you get the helicopter out there Tuesday they can already be stage two, so this happens very rapidly in the late summer.

I think we also have to keep in mind is that, yeah, there's an additional literature review going on now, but let's not forget that for the long-term plan there was not only an extensive literature review, but actual field studies where we actually measured the concentrations in the field, and after that was done there was an additional literature review that was done subsequent to that. We do a triannual report, so it's not like we've forgotten about this material and we haven't kept abreast of the literature. We continue to review the literature. There have been at least one report as a follow-up to the literature review that was done under the long-term plan. And, frankly, there's not a lot of new research coming out on this material because it's been out there since the 1970's and there just are not a lot of researchers --

CHAIRMAN SCHNEIDERMAN:
There's a major study going on in Connecticut, the UConn study. Is that out?

MR. NINIVAGGI:
That should be out shortly.

CHAIRMAN SCHNEIDERMAN:
That's what I heard, it was within 30 days, and that was about 20 days ago, so it's probably imminent.

MR. NINIVAGGI:

Yeah, it's imminent and I'm very confident they're not going to find anything that's going to change anything that we've done so far.

CHAIRMAN SCHNEIDERMAN:
Legislator Krupski. Because I'm not confident. I've heard mixed reports about what they're going to announce.

LEG. KRUPSKI:
I haven't heard any mixed reports about that study so far, just for the record.

CHAIRMAN SCHNEIDERMAN:
What is that?

LEG. KRUPSKI:
I have not heard any mixed reports.

CHAIRMAN SCHNEIDERMAN:
About what Connecticut is going to --

LEG. KRUPSKI:
Right.

CHAIRMAN SCHNEIDERMAN:
What have you heard?

LEG. KRUPSKI:
Nothing. But none that are mixed or otherwise. What do you do -- you've got this 2014 plan. What do you do to -- how do you quantify the mosquito population from year to year? From the long-term plan, how do you quantify it down to the short-term yearly plan?

MR. NINIVAGGI:
Well, we monitor the mosquito populations primarily through a network of traps, primarily what we call New Jersey traps, that are out in fixed locations that we maintained for many years so we can monitor those populations over the long-term as far as whether they are high or low, which species. And that's one of the key things we use to control the program and basically to evaluate how well we are doing to make treatment decisions.

LEG. KRUPSKI:
And also the plan mentions the Wetland Stewardship Program, and I know you've done work restoring wetlands to minimize the amount of mosquito breeding. Do you have any plans for that in 2014?

MR. NINIVAGGI:
We don't have immediate plans because we're waiting for the Wetland Stewardship Program to finalize. We don't have plans to upgrade the management practices we use until that's finally approved. However, we do have ongoing projects that we're working on in the planning stages. We're cooperating with a small project at Indian Island County Park, which is a Federally -- I mean a State funded project. The National Park Service -- I'm sorry, the Fish and Wildlife Service has applied for funding to restore some of their wetlands as a result of Hurricane Sandy, and you may have heard that they recently got an $11 million allocation. A big portion of what they plan to spend that money on is the type of management techniques that we conducted at their refuge at Werthheim about six years ago. They're very happy with the results of that work and they would like to extend that, and we certainly plan to help them on that. We also plan to apply for funding

from Sandy to extend these techniques to other marshes.

LEG. KRUPSKI:
Do you have a list of other marshes that you would target based on either scope of work or, you know, physical possibility of doing the work or mosquito population.

MR. NINIVAGGI:
We're putting together a grant application for this post Sandy funding and we'll have a list of sites at that time. It's basically a combination of the natural resource need and our participation would be related to the mosquito control aspects of it. Under Wetland Stewardship all wetlands projects are driven primarily by the natural resource need. However, the techniques that we use allow us to do the natural resource restoration while also reducing the need for mosquito control.

LEG. KRUPSKI:
Thank you. Thank you, Mr. Chairman.

CHAIRMAN SCHNEIDERMAN:
A couple of more questions. So, Dominick, your department has been in the news a little bit in the last week or so with Dengue Fever and African Disease or virus is it?

MR. NINIVAGGI:
I can give you a little background on Dengue. Dengue is a -- actually there are four Dengue viruses. They are transmitted from person to person, unlike West Nile Virus where the virus circulates primarily in birds and mosquitoes and occasionally spills into people. Dengue is person to person transmission. It's primarily a tropical disease because it's primarily transmitted by a mosquito called Aedes Aegypti, which is a tropical mosquito. However, the Asian Tiger mosquito, which we've seen an uptick here in the last few years, is a capable transmitter. What we think happened here is most likely a person came in from a Dengue endemic area overseas and had the virus circulating in his or her blood. The person was probably bitten by an Asian Tiger mosquito which incubated the virus and passed it on to another person. So it's kind of a rare event. It's something that can happen. The good news is that this is extremely unlikely to be a persistent problem. It doesn't look like the virus can over winter here. So what this tells us is that an incident like this can happen, whether it's a long-term threat, probably not. Might it happen again? Well, if it happened once it could happen again.

CHAIRMAN SCHNEIDERMAN:
This is the first time it's happened?

MR. NINIVAGGI:
It was first time it's happened in New York. Previously the only local transmission of Dengue Virus in the continental U.S. has been Southern Florida and Southern Texas. So this is a very unusual event to see a transmission this far north. It's not totally unexpected, but a series of kind of unlikely events had to happen for this to occur. You know, some person had to go and pick up the virus essentially and have it circulating in the blood during a time period where they got bitten by these Tiger Mosquitoes and then somebody had to be unfortunate enough to be bitten by one of these infected mosquitoes.

CHAIRMAN SCHNEIDERMAN:
So we're not managing for Dengue within the Vector Control Plan. It's an anomaly that --

MR. NINIVAGGI:
The only thing I would say is that this does demonstrate that the Asian Tiger mosquito is capable of transmitting diseases and we need to be prepared to deal with that. If we were to find the Asian

Tiger mosquito transmitting virus on a significant scale we are prepared to deal with that. One of the things that I have been doing is working with the State Conservation Department and manufacturers over the last few years. There's a particular pesticide that's more effective than the materials we currently use for the Asian Tiger Mosquito. New York has registered that so it's available on an emergency basis. If we decide -- if we want to bring that into our regular program we'd have to do some environmental review, and I'm actually preparing the documentation to submit that for environmental review so we can see whether it's something that we want to add to the program.

CHAIRMAN SCHNEIDERMAN:
On a related topic, next year when we do the Vector Control Plan there will be a section in it, as you know, that will be dealing with tick borne illnesses. Is that something you've begun to think about or are you coordinating at all with the Health Department, because obviously somebody is going to have to -- like with Vector Control. One of the main things you say in here, in the early part of the Vector Control Plan, is how you interact with the Health Department on these things and with the tick plan obviously we're going to have to have counts of ticks and assessments and know where our areas of concern are. Can you comment at all about any early thoughts in terms of development of a tick management plan?

MR. NINIVAGGI:
We're absolutely -- we're doing our background research looking at literature. We've also reached out to a number of the top experts in the area nationwide to sort of pick their brains on what they think about it. As you might be aware, we had a Tick Management Task Force a few years ago that I participated in. We prepared a report and many of those recommendations are still valid. One of the things that I'm learning on this is that we actually have more than one species of tick of concern in Suffolk County, the Blacklegged or so-called Deer tick, which is the main vector for Lyme Disease. We have another tick called the Lone Star tick, which has extended its range here, which transmits some other diseases but not Lyme Disease, but is actually becoming very abundant and is a significant problem. The techniques you use for controlling them are somewhat different and so we have to factor that into account, but we're certainly doing our diligence right now to try to see what is known there. We expect that we'll have to do some surveillance type work. We're putting some plans in place, you know, given the fact that we haven't been given any additional resources to do this, so any surveillance we're going to do is going to have to be very limited and very focused.

CHAIRMAN SCHNEIDERMAN:
There is -- years ago I think the County, I think through the Health Department, used to do assessments, used to do counts, and I don't think they do anymore. Are you familiar with that?

MR. NINIVAGGI:
I know that the Health Department Arthropod Borne Disease Lab has done some work and we've reached out to them and looked to see what data they have. They may not have anything that's relevant right now, and in addition we want to take a fresh look at some of these things. One of the things we've identified is that it's really important to know the yearly cycles of these ticks, which stages of them are present at which time of year, and there doesn't seem to be a lot of information on that, so that's something we're going to want to focus on in the near term. And basically we're looking at what options are out there for control and we hope that by this time next year we can at least give you some options as to what the County can and can't do. It's a very difficult problem because tick control is nowhere near as advanced technologically and in terms of practical measures as mosquito control is.

CHAIRMAN SCHNEIDERMAN:
I would urge you to talk to Supervisor Dougherty on Shelter Island because they have done pretty good work with the 4-Poster system and kind of a good test setting because it is an island and

they're claiming I think 90% reduction in Lyme's Disease or at least in tick population. And Dr. Campbell is extremely knowledgeable from our own Health Department in that unit that you mentioned, the Arthropod Unit. He, I think, would be a great person to coordinate with because of his vast knowledge in, you know, on ticks and tick borne illnesses.

MR. NINIVAGGI:
We have reached out to Dr. Campbell on that. In addition, we actually participated in that 4-Poster Program on Shelter Island. We actually had crews out there operating 4-Poster systems and learning about how they work and what kind of resources, what kind of wherewithal it takes to operate this. We did that with exactly this sort of contingency in mind. We said, well, if we might be asked to implement this someday we better get some experience hands-on as to exactly what's involved here. So we've already taken a lot of proactive measures.

CHAIRMAN SCHNEIDERMAN:
The primary vector for Lyme's Disease is actually not the deer, it's the mice. So those damminix type of tubes, these tubes with bedding material that have the pyrethrin soaked into the cotton, they seem to be very effective in terms of dealing with the rodent population, but there may be other ways, too, and also beyond, you know, pesticide or insecticide treatment. There are controlled burns, there's mowing of trails, maintenance of trails and roadsides. There's, you know, educational components. It can be a lot of potential components to a good tick plan, but trying to figure out where people are first getting the Lyme's Disease or whatever the other illness -- and now there's a meat allergy that seems to be growing, which I'm sure you've heard of. I keep running into people who have this allergy now which is coming from tick bites, so it seems to be spreading. I don't know how many cases there are, but I have met several people with this allergy. It kind of comes out of nowhere and suddenly they are highly allergic, like anaphylactic, you know, responses to meat.

MR. NINIVAGGI:
What I can tell you is that we're aware that any kind of tick control program is going to have to be an integrated program. It's going to have to have a lot of different measures. We're going to look at the effectiveness of the various techniques and hopefully come up with some options. Obviously if we were to undertake anything it will not be cost free and I would also remind you that were the County to actually go out on its own and undertake this kind of work, we'd have to conduct an environmental review. I don't know if it would go to a full-fledged environmental impact statement. There certainly would have to be environmental review. So just as a heads-up, don't expect to see actual control measures in 2015 because these environmental reviews typically take a substantial length of time, so. But the first step is to see what we can do.

CHAIRMAN SCHNEIDERMAN:
One cautionary note, because I don't -- I personally as a Legislator from an area that has a high incident rate of Lyme's Disease and other tick borne illnesses, don't want to see us back into a plan based on an assumption of limited funding. I'd like to know what the best plan would be. If we had the funding available, what would be the plan that would most reduce the incidents of these tick borne illnesses. And then let's try to figure out how much money we can generate through the State, through the Federal Government, locally through, you know, local government, and then figure out with that how much of the plan we can execute based on that. But not to start by saying okay, we don't think there's going to be a lot of money so we're going to leave these things out of the plan. You follow what I'm saying, right?

MR. NINIVAGGI:
I'll be happy to ask you for tremendous amounts of money.

CHAIRMAN SCHNEIDERMAN:
Okay. And by the way, Dominic, we get -- the State already is in for 37%, right? That's, I think,

the match for implementing these health plans as long as it's part of what the State is asking the County to manage for, which -- and ticks are one of those things.

MR. NINIVAGGI:
We are eligible for reimbursement under General Public Health.

CHAIRMAN SCHNEIDERMAN:
So I think we get 37% unless the State goes so far as declaring areas health emergencies and then the level goes up to 50%. And whether we'd qualify or areas would quality under that higher reimbursement threshold I don't know, but it's something we could look toward. Legislator Krupski.

LEG. KRUPSKI:
I think, Jay, you made a very good point there that there shouldn't be a limit to the resources that we're committing, that we are thinking about committing today to this problem. That because of the health problems associated with the tick borne diseases that we should have to take this very seriously. So many more people have been impacted by tick borne diseases than really any disease that's been vectored by a mosquito. Now, that's probably in large part to the work that Vector Control's done to protect us from mosquito borne diseases, but in a tick management plan, I would hope that it would be comprehensive enough, and Jay mentioned a few things, and that it would give us more options. Some of the options that you mentioned would be treating the ticks that are on mice. I would hope that it would -- the tick plan would actually look at all the vectors, and if the mouse was the vector for the tick, it would be -- one of the options would be controlling the mice, not just treating them. And if deer are a major vector of the ticks I would hope that the plan would mention controlling the deer and not just somehow treating the ticks that might or might not be on the deer. So I would hope it would -- the plan would have a whole range of different options, some of which we could undertake sooner rather than later and not have to do everything at once, but rather some -- and we'd see the effectiveness of some right away.

MR. NINIVAGGI:
This is very helpful to get your input in what you'd want to see out of this. What I can tell you is that, again, keep in mind we've got two major disease carrying ticks, Lone Star and the Blacklegged tick. Blacklegged ticks do have a stage of their cycle where they're in mice and other small mammals. Lone Star ticks are a true Deer tick. They're on deer for their whole life cycle, so anything you do with mice is not going to impact the Lone Star ticks at all. Many of the habitat management techniques that work on Blacklegged ticks don't work on Lone Stars.

This problem is intimately tied up with the deer overpopulation in Suffolk County. However, I'm not sure what the County, where we fit in in terms of deer management other than I would say that fewer deer on the landscape would make tick control easier. That to me is very clear. How we go about getting fewer deer on the landscape and what the County's role is in that, that's very much an open question since traditionally that's been the role of the Department of Environmental Conservation.

LEG. KRUPSKI:
That would be -- yeah, but it would be helpful to have the County recommend that because the State hasn't done a very good job obviously of managing the deer population to levels that are acceptable, and for a variety of reasons, not just for tick management. And so I think your report, if it reflected that, it would be helpful in getting the State to be more responsive in managing what is its responsibilities.

MR. NINIVAGGI:
Let me give you an example. The 4-Poster system seems to be very effective. One of the key practical problems in dealing with that system is that you have to add corn to it, and if you have a

lot of deer you're hauling around a lot of corn. So if there were fewer deer out there eating less corn, you know, that certainly makes that system a lot more doable. So these are things that we will plan on putting in our report to you and basically giving you some options, you know, as policy makers. And, you know, higher people than me on the hierarchy are going to have to decide, you know, what we can manage. I think we can manage a lot in terms of technical support alone, so we'll try to give you a range of options.

LEG. KRUPSKI:
Thank you. And also if you're adding corn to the deer population, you are going to end up with a greater deer population. You are also going to feed a rodent population and end up with a larger rodent population.

MR. NINIVAGGI:
Yeah, well those issues have been looked at and, you know, we can talk about that when we evaluate that system.

CHAIRMAN SCHNEIDERMAN:
Another gentleman you may want to confer with, who is doing quite a bit, Dominick, on deer management with the towns is Joe Gergela from the Long Island Farm Bureau. And I think he's working with the U.S.D.A. on doing the deer management, deer population reduction, because it's not only a problem in terms of tick borne illnesses, but in terms of destruction of farm crops and landscaping. And also the traffic hazard. There's a lot of, you know, literally hundreds of deer accidents, car accidents involving deer per year, so it's becoming -- the deer population is becoming an increasing problem for a number of reasons. Anything else? Legislator Horsley.

P.O. HORSLEY:
Yeah. Hey, Dom. Quick question on the Asian Tiger. It's -- I gathered from your conversation that they, other than the Dengue, that they are not -- they do not transmit diseases at this point in time? Is that what you understand?

MR. NINIVAGGI:
Well, it's an interesting situation because in the laboratory they are capable of transmitting a number of diseases, including diseases like West Nile Virus and Eastern Equine Encephalitis, which are our native viruses of concern. What appears to happen with them is that most of the time they're biting mammals, people and other mammals, and they are not biting birds, and so because of that behavior they don't pick up the virus very often. However, they do pick up the virus, they are found in nature with the virus, and it could be that at certain times and places the infection rate is high enough to be of concern, but fortunately we have not seen a lot of transmission by that species, but in some ways the jury is still out because it's a very difficult mosquito to sample and get good numbers for testing. So we think it's wise to treat it with caution.

P.O. HORSLEY:
So what you're saying then is because there's no evidence that they are transmitters that we're not emphasizing a plan against them. Because I got to tell you, I assumed -- everyone in my neck of the woods, you know, the West End, we just call them the daytime mosquitoes. They've really done a number on backyard parties and things like that. No one wants to go out in their backwards anymore because it's a quality of life issue. But we don't see -- there's no plan to go against them because they just don't seem to be transmitters of diseases at this point.

MR. NINIVAGGI:
It's more of a practical problem then that we're ignoring them because we're not concerned about them transmitting diseases.

P.O. HORSLEY:
I wasn't accusing you. I'm just gathering from -- you only have so many resources, but boy are they a pain.

MR. NINIVAGGI:
Yeah, they are a pain for us because people will call us as the County mosquito control agency and we don't have a lot of options available to us because as you may know, they breed in small bodies of water, you know, around the house. It's very difficult to find where they're coming from, which is always the way we try to deal with this program. We don't try to just kill the adults that are flying around, because if you don't find out where they are coming from they are just going to be right back. It's a very difficult mosquito to find that out.

The other thing is, is that it's kind of a door to door problem. They can be in the house next door. It's not like where we can identify a salt marsh, deal with the salt marsh and we protect hundreds and hundreds of acres of residential area. There it's really a labor intensive, door to door thing, and we just don't have the kind of resources to go to everybody's house and dump out all their flower pots and buckets. It's a difficult mosquito to spray for as an adult because they tend to be active during the time of day that you really can't be out there spraying. You don't want to really run trucks up and down the streets in the middle of the day, and in any case the material would just blow away.

That is one reason why we're looking at a material called Duet, which is similar to our Anvil product, but has an ingredient that stirs up the mosquitoes. It's a material we could apply conventionally in the evening and it will stir up the Tiger Mosquitoes and control them. It's not a cure-all, because again, when you kill the adults they tend to come back, but at least it would give us an option. We're also looking at new technologies that are being developed to deal with this mosquito's habits because it's a problem basically throughout the country as this mosquito becomes a bigger and bigger problem. We need to find new technologies that are a little more sophisticated that could deal with this.

P.O. HORSLEY:
That's interesting, but your -- in your plan next year do you suspect that we're going to have something for them? I hear it all the time, you know, what about these -- exactly, right. They'll probably call you but they are also calling us, you know, what are you going to do about these things. Because they are daytime mosquitoes and no one is expecting them, but here they are.

MR. NINIVAGGI:
I think part of it is going to be public education. Like I said, we are working on the environmental review to bring the new material into the -- the product into the program. I did not include that in the annual plan because we don't know whether that will be available or not, and it does require additional environmental review.

P.O. HORSLEY:
Are they greater on the West End than the East End?

MR. NINIVAGGI:
Yeah, we do seem to see them more in the western towns. Part of it is because of the higher population density, it's a household type of mosquito. We also looked at some issues with temperature and microclimate, and it turns out that the temperature curve, spring into summer, is more favorable in say Babylon or Islip than it would be say out at Brookhaven, out on the Forks. So that's another reason, a microclimate reason why we see it more on the western part of the County.

P.O. HORSLEY:
Fascinating. Thanks.

CHAIRMAN SCHNEIDERMAN:
Back to me for a second. So, Dom, like in terms of this year, 2013 and vector control, pretty good season in terms of controlling West Nile? I mean we -- there was a couple of positive tests, but were there cases of West Nile? One I think, right?

MR. NINIVAGGI:
There were a total of four.

CHAIRMAN SCHNEIDERMAN:
Oh, four.

MR. NINIVAGGI:
The average, the long-term average is what, about six and a quarter, so -- with ranging from zero to 25 cases a year. So this was a relatively low case --

CHAIRMAN SCHNEIDERMAN:
There were no fatalities, right, this year?

MR. NINIVAGGI:
No, no fatalities fortunately. The cases that did appear were very scattered throughout the County. It was very hard to identify any particular hot area, which can happen with West Nile Virus. In a low year there's a certain luck of the draw as to where the actual cases will appear.

CHAIRMAN SCHNEIDERMAN:
And can it be eradicated or no? Is it possible to eradicate West Nile Virus from the area?

MR. NINIVAGGI:
It's quite -- it's very much too late to eradicate the virus because it's basically all over North America, and so even if you were to eradicate it locally for a period of time, it would return. So we're stuck with it for the foreseeable future and what we want to try to do is keep the levels to manageable levels.

CHAIRMAN SCHNEIDERMAN:
How did we fare compared to other regions, particularly in the northeast, in terms of our incident rate? About the same or better or worse?

MR. NINIVAGGI:
I believe there were more cases in Nassau County than this County, which is typical for a lot of different reasons. It was a relative -- the northeast was a relatively low year. Two-thousand thirteen in Texas was much lower than 2012. This is something that's going to rise and fall from one year to the other based on weather conditions and we're sort of at the mercy of the weather as to whether it's going to be a high or a low year and how much response we have to do.

CHAIRMAN SCHNEIDERMAN:
And in terms of encephalitis? There was a positive detection for encephalitis wasn't there at one point?

MR. NINIVAGGI:
You're thinking of Eastern Equine Encephalitis?

CHAIRMAN SCHNEIDERMAN:
Yeah, probably.

MR. NINIVAGGI:
Not on Long Island. That's an interesting situation because we're seeing more and more detections in cases. There was a human case in Massachusetts. We've seen detections in New Jersey, central New York up into New England, but the last detection here in Suffolk County was 2008. We're not quite sure why. I like to think the virus is intimidated by our awesome control program, but it's probably wishful thinking.

CHAIRMAN SCHNEIDERMAN:
And that was -- it was found in a mosquito population, right, there was no actual transfer of encephalitis to a human.

MR. NINIVAGGI:
No, not in Suffolk County. We have not had human cases and we'd like to keep it that way.

CHAIRMAN SCHNEIDERMAN:
Okay. In terms of the proposed vector control plan. It goes through -- first it goes through what, the Pesticide Management Committee? Is that where it goes first? Then it come us.

MR. NINIVAGGI:
You know, like any piece of legislation, it goes to the Council for Environmental Quality for review, environmental review, before it comes to you, and we do have a resolution from the CEQ stating that this plan is consistent with the long-term plan. That's why no further environmental review is required.

CHAIRMAN SCHNEIDERMAN:
When was this circulated to Legislators? Do you have a date?

MR. NINIVAGGI:
Let's see.

CHAIRMAN SCHNEIDERMAN:
I just saw it for the first time today.

MR. NINIVAGGI:
I sent it to reso review October 25th with the backup. I'm not sure when it reached, through the normal channels, reached the Legislature. But I know that your staff did reach out to me I guess a couple of weeks ago and I did e-mail them a copy of the plan and hopefully you got that.

CHAIRMAN SCHNEIDERMAN:
Okay, yeah, because somebody had requested it through my office, too. Do we know when it went out to Legislators? All right. Well, What I'd like to do, because I just saw it for the first time today so I'd like a little bit more time to look at it in a little more detail. This has to be approved by the end of the year, is that the timing of it?

MR. NINIVAGGI:
That's correct.

CHAIRMAN SCHNEIDERMAN:
And we meet again in two weeks, so if I could beg the indulgence of the committee for just a little bit more time to go through it. If we could table it for just one cycle and maybe we'll have the

information from the UConn study, and if you're right that it's supporting methoprene use that will certainly give me more comfort in approving the plan.

MR. NINIVAGGI:
What is the date for that, would that be two weeks from today on Tuesday? It's the 17th.

COMMISSIONER ANDERSON:
The Legislature is on the 17th.

MR. NINIVAGGI:
No, I'm just asking because I have -- the Northeastern Mosquito Control Association meets the 9th through the 11th. It's an opportunity for me to touch base with my colleagues and hopefully learn from their mistakes, so I was just wondering if this committee --

CHAIRMAN SCHNEIDERMAN:
I think it's on the tenth. That's one of the days that you're away. The 10th of December is it you are away?

MR. NINIVAGGI:
Yeah, I was planning on being away at that meeting.

CHAIRMAN SCHNEIDERMAN:
Oh.

LEG. KRUPSKI:
Jay, is this something that you think that if this Connecticut study comes out and says methoprene shouldn't even be -- it's so dangerous it shouldn't even be spoken about, don't you think -- is this something that we can go back into Suffolk County's plan at that point or at least go back, not necessary react to it in banning it, but react to it by saying we should review it in terms of usage in Suffolk County, regardless of whether we approve this or not.

CHAIRMAN SCHNEIDERMAN:
Because Mr. Ninivaggi won't be here I take it, I don't want to pull you out of that conference, we'll go with a discharge without recommendation. It will give me a of couple days to take a better look at it, and on the floor if I feel that -- the problem is with this timing of this UConn study.

LEG. KRUPSKI:
If their eggs don't hatch, we can't wait. You know, we have to approve our plan so we can move forward.

MR. NINIVAGGI:
We should also keep in mind that any significant change to this plan requires environmental review. We can't just pull methoprene out of the plan and just send it on its way, because you have to understand, the methoprene is part of an integrated program. It has substantial positive impacts in terms of reducing the use of more toxic materials.

CHAIRMAN SCHNEIDERMAN:
There's no differences, Dominick, in terms of methoprene use in this proposed plan as to one from the current plan. You said there was some minor changes, but that's not one of the areas?

MR. NINIVAGGI:
No. There's no significant changes on this, no.

CHAIRMAN SCHNEIDERMAN:
Can you tell me what some of the minor changes are?

MR. NINIVAGGI:
That's a good question. Let me -- I don't think that we have -- actually there really is no change from 2013. I did that intentionally because once we had a plan that everybody was comfortable with I have, in fact, followed the same plan as 2013. The only thing that changes is where you do the actual treatment and that depends upon surveillance.

CHAIRMAN SCHNEIDERMAN:
Is there anyone else from your department who could defend the plan if we did table it?

COMMISSIONER ANDERSON:
If I may, Legislator. I think -- something that was said earlier, any changes to the plan, as Legislator Krupski said, if we find out from Connecticut that there is some level of concern that should be raised, we have to go through the whole legislative process and through CEQ to make that change to the plan. This plan is based on the long-term plan, which we went through a number of years ago, and we're -- this, again, this could be amended if we find there's a problem, but to hold this off and then not issue a plan of work would put us as a department in, you know, direct contrast to what we're supposed to be doing under the long-term plan. We're supposed to be having this plan out there annually. So far there's been nothing --

CHAIRMAN SCHNEIDERMAN:
I'm looking at the e-mail now. I mean, today, just now actually, the Legislators were given copies of the work plan. So basically we're trying to approve something that we're just getting today, which isn't really fair either.

COMMISSIONER ANDERSON:
The work plan was laid -- was filed -- laid on the table at the last legislative session.

CHAIRMAN SCHNEIDERMAN:
But for some reason it may not have been circulated to -- I don't know if any of my colleagues had a chance to review it.

LEG. KRUPSKI:
So if we did approve this today out of committee and then pass it at the next meeting, and there was some new study that came out that was of concern, this would then be -- then your department would then have to go through the full review of that study of course to see if it was legitimate or not and see how the parameters were done and everything, and it wouldn't be a knee-jerk reaction to someone else, see who funded the study and all those things. So in other words, it would be business as usual until some other information came available.

MR. VAUGHN:
Legislator, actually I agree with that wholeheartedly, and I would just say that this is part of the reasoning why when, you know, faced with the concerns that Legislator Schneiderman has over methoprene, in order to avoid a knee-jerk reaction the Department of Health and the Departing of Planning in conjunction with DPW have begun the process of undergoing a review. Nobody wants to make a knee-jerk reaction, and I think that the most important thing here that I don't think has been said enough is that this is a public safety program, and we are in charge of protecting the public safety. And CEQ has approved this plan. CEQ has approved the plan that is place. There's been a long-term plan. I'm sure Mr. Anderson can go into excruciating detail about how much work it took to get the original long-term plan adopted, but this is an annual update of -- within the guidelines of that original plan. We think that it is critical that this go. If the committee wants more

time to read the report, then I would just say the General Meeting is in a week. Please discharge the bill without recommendation and take the opportunity to read the attached report.

LEG. KRUPSKI:
I would make a motion to approve it.

CHAIRMAN SCHNEIDERMAN:
Any other motions? I will make a motion to discharge without recommendation. Again, I can't approve it when I just saw it for the first time today. I want some time. I'd prefer to table it to the next meeting. I'm not sure what to do because Dominick can't be here, it will be difficult for him to be here, so I'm trying to be respectful of, you know, his expertise and his position. But I would prefer to table it so I can ask the questions here at committee that I may have, that may develop as I'm reviewing the plan. But do we have a second to either?

LEG. STERN:
Just on either motion, if I may, Mr. Chairman. So going forward then, if there is something that is profound in the study, it's something that would be taken under consideration and we'd go through the review process and we would change our methodology based on this new information. Or, and/or Dominick, if there's something that you happen to learn at the conference with your colleagues that changes the way we approach these various issues, I'm sure that's the kind of thing that you're going to bring back and it will be made part of our consideration.

I guess the bottom line is, if there's new information that comes out, either sooner or later, this is the kind of thing that you as a department is going to consider. It will go through the process and we can always amend our plan accordingly.

MR. NINIVAGGI:
We're always looking for new information. We're always keeping up with the literature, we're always in contact with colleagues. For instance, those things come out first among the people before they get published. So we're always looking for new information. There's always the possibility of some new piece of information coming out, but what I would ask you is to move forward with the information we have, which has been very thoroughly vetted and purchased at great price. If you remember, it was about four and a half million dollars to do the EIS, so this has been very thoroughly studied.

LEG. STERN:
I agree that we should move it forward. I'm going to support the -- I'll second the motion to discharge without recommendation. I'm inclined to support all of the information that we have now produced by the department, but in deference to the Chairman, who wants the opportunity to take an additional look at it because of the timing, I'll support the motion to discharge without recommendation, but my hope is that we proceed.

CHAIRMAN SCHNEIDERMAN:
Okay. Any other seconds? Okay. Hearing none, so we'll go with the discharge without recommendation. All in favor? Opposed? Abstentions? So discharged. ***(Vote: 5-0-0-0)***

MR. NINIVAGGI:
Thank you very much.

Thank you, Dominick. ***IR 1999-13 - Amending the 2013 Capital Budget and Program and appropriating funds in connection with beach erosion and coastline protection (CP 5380)(Co. Exec.).*** Commissioner, you want to give us a little more detail?

COMMISSIONER ANDERSON:
This request appropriating $100,000 to help with planning in the current ongoing Beach Nourishment Project that we're working with the Army Corps and the State in Smith Point with -- specific to beach nourishment and dune repair. We have more than sufficient funds in the project where we are looking to use offset funds from which is the CP 5557, intersection improvements of CR 94, Nugent Drive, and we ask that this be transferred into the CP 5380 so that we can use it for planning.

CHAIRMAN SCHNEIDERMAN:
Is that a reimbursable project? Is that part of FIMP at this point?

COMMISSIONER ANDERSON:
I believe so. At this point obviously -- everything is 100% reimbursable.

CHAIRMAN SCHNEIDERMAN:
Including what we spend now in terms of planning?

COMMISSIONER ANDERSON:
Correct.

CHAIRMAN SCHNEIDERMAN:
So we could potentially be seeing this 100,000 come back.

COMMISSIONER ANDERSON:
Absolutely.

CHAIRMAN SCHNEIDERMAN:
Okay. I'll make a motion to approve.

LEG. KRUPSKI:
I'll second and I have --

CHAIRMAN SCHNEIDERMAN:
Legislator Krupski. On the motion, Legislator Krupski.

LEG. KRUPSKI:
So the County would do the planning and the Army Corps would be responsible for the work?

COMMISSIONER ANDERSON:
In this particular case, because of the speciality of coastal engineering, the Army is doing all the design. The Army Corps would do all the design. We're looking for effectively someone in our corner who is a coastal engineer to basically advise us that -- that is going to look out for our benefit with regard to the repair to the dunes and repair of the beach.

LEG. KRUPSKI:
And what's the scope of the work?

COMMISSIONER ANDERSON:
It would be --

LEG. KRUPSKI:
In geographic size.

COMMISSIONER ANDERSON:
Geographic size it extends from basically the Pavilion at Smith Point all the way to the Moriches Inlet, but in actuality it extends from Fire Island all the way up to Montauk because we are involved and we are partners with the State and the Feds in that entire project.

LEG. KRUPSKI:
Is there a time line on that, any portion of it?

COMMISSIONER ANDERSON:
Well, unfortunately right now the time line's moved out as you may have seen in the paper yesterday. They were originally anticipating doing the Beach Nourishment Project for Smith Point during this season, so like January to April, but because the Chief Engineer's report from the Corps hasn't been completed and they don't have the project agreements in place they pushed that back to next October, so that's what we're looking at. The first two projects that you'll see under this will likely be Smith Point and Robert Moses State Park and the nourishment of those beaches and the reconstruction of the dunes.

LEG. KRUPSKI:
Thank you.

COMMISSIONER ANDERSON:
You're welcome.

CHAIRMAN SCHNEIDERMAN:
Legislator Stern.

LEG. STERN:
Thanks. Commissioner, you had identified where the offset was for this, where it's coming from. The next on the list, number 2000, is going to be appropriating moneys for that same project. So I guess in looking at them together there's enough money to take from one and there's enough money to cover the other?

COMMISSIONER ANDERSON:
Correct, there is.

CHAIRMAN SCHNEIDERMAN:
All right. So we had a motion and a second. All in favor? Opposed? Abstentions? Approved.
(Vote: 5-0-0-0)

IR 2000-13 - Appropriating funds in connection with intersection improvements on CR 94, Nugent Drive, Towns of Riverhead and Southampton (CP 5557)(Co. Exec.).

You just mentioned this project, Commissioner, so this is -- you want to describe what the improvements are and the funding?

COMMISSIONER ANDERSON:
Similar to the last one -- well, actually this actually appropriates $100,000 for planning, looking to design the intersection improvements on the intersection of County Road 94, Nugent Drive, at CR 63, Old Moriches Riverhead Road, and CR 104, Quogue Riverhead Road and State Road 24, Flanders Road and County Road --

CHAIRMAN SCHNEIDERMAN:
This is the circle, is it not?

COMMISSIONER ANDERSON:
Yes.

CHAIRMAN SCHNEIDERMAN:
This is the circle. We're well on the way to engineering, so this is money, immediate money, to continue those efforts. That's the Nelson and Pope --

COMMISSIONER ANDERSON:
Correct.

CHAIRMAN SCHNEIDERMAN:
Engineering.

COMMISSIONER ANDERSON:
We're comfortable that the 100,000 is enough to complete the design of this project.

CHAIRMAN SCHNEIDERMAN:
Okay. It's still not funded yet, is it, as a capital project, the actual construction. We'll have to work on that.

COMMISSIONER ANDERSON:
Correct.

CHAIRMAN SCHNEIDERMAN:
Okay. Legislator Krupski.

LEG. KRUPSKI:
Does that planning include elevation change?

COMMISSIONER ANDERSON:
It's essentially realigning the circle. There would be some elevation change but I don't believe there's anything --

CHAIRMAN SCHNEIDERMAN:
There is drainage, a lot of water control --

LEG. KRUPSKI:
I don't mean drainage, I mean from a storm event. I would assume it was flooding during the -- having its proximity to the river there, I assume it was flooded during Sandy.

CHAIRMAN SCHNEIDERMAN:
It's pretty high up, that spot.

COMMISSIONER ANDERSON:
I don't think it was. I don't recall that being a location of problems.

CHAIRMAN SCHNEIDERMAN:
But there is some flooding, you know, storm flooding that occurs in this area, but that is part of this project, is to tenuate that flooding. What they are looking at is more of a -- it's currently a circle with five in points, and they had looked at trying to reduce it down to four in points. That wasn't successful in terms of doing that, but now they're looking at continuing all five legs but in a two lane oval. It's a larger area that would give better distances between the five entry points. Actually, maybe even taking one of the entry points along Peconic Avenue. The Town is requesting that that

become a one way out from the circle. It would not go into the circle. So that would help the traffic flow as well and help resolve some other issues of parkland that is necessary for reconfiguring the oval.

LEG. KRUPSKI:
Yeah, that's going to be interesting, because there's a -- if you push the traffic to the west and have it come over the river further to the west, it's just going to add to that congestion at that, I don't know what you call it, the intersection there. It's going to -- you're really going to increase traffic flow there, which is going to complicate getting out and then around by the County Center and back into the circle.

CHAIRMAN SCHNEIDERMAN:
Right. That one way option is being evaluated for the impacts, new impacts that might be created by doing that. There's another turn in Riverhead that they're concerned about that people will, since they can't get into the circle, they will probably turn left earlier. I forget the name of the street. I think it might be Riverside Drive or something like that. Maybe you're familiar with it.

LEG. KRUPSKI:
There is no other way to cross the river.

CHAIRMAN SCHNEIDERMAN:
Well, you go to 105. You go back to 105.

LEG. KRUPSKI:
All the way back, yeah.

CHAIRMAN SCHNEIDERMAN:
So there are some concerns that are being studied. I'll make a motion to approve this.

LEG. KRUPSKI:
Second.

CHAIRMAN SCHNEIDERMAN:
Second by Legislator Krupski. Any other discussion? All in favor? Opposed? Abstentions? Approved. ***(Vote: 5-0-0-0)***

Legislator Krupski, I believe Bill Hillman, Chief Engineer, is coming out on I think December 2nd to Flanders Riverside to discuss where they are with this if you're interested.

LEG. KRUPSKI:
Please let me know.

COMMISSIONER ANDERSON:
That is correct. That's that date.

CHAIRMAN SCHNEIDERMAN:
I think it's four o'clock or four-thirty or something like that at the Cronin Center in Riverside.

LEG. KRUPSKI:
I've been told that the circle does flood, so that is something that we should look at, to raising the elevation.

CHAIRMAN SCHNEIDERMAN:
You know, though, does it flood because of the water table or just water not being able to --

LEG. KRUPSKI:
Because when the river comes up, when the bay gets pushed back in and the river comes up. The parking lot in the back --

CHAIRMAN SCHNEIDERMAN:
I'm not sure of that because Bill Hillman had said there was an issue with a culvert being clogged that isn't allowing the water to get to Peconic.

LEG. KRUPSKI:
If it's open it might come up from the Peconic right into the circle.

COMMISSIONER ANDERSON:
I'll discuss it with Bill and hopefully by that Tuesday or Monday we should have an answer.

LEG. KRUPSKI:
I'd be happy to meet with you. Thank you.

CHAIRMAN SCHNEIDERMAN:
Okay. So I think that was approved.

IR 2019-13 - Accepting a $4,000,000 Empire State Development Grant and amending the 2013 Capital Budget and Program and appropriating funds in connection with engineering, planning, and design of Ronkonkoma Hub Sewer Project (CP 8156)(Co. Exec.).

LEG. MURATORE:
Motion.

CHAIRMAN SCHNEIDERMAN:
Motion by Legislator Muratore, second by Legislator Stern. Commissioner.

COMMISSIONER ANDERSON:
This resolution looks to accept a four million dollar grant from the Empire State Development Corp --

CHAIRMAN SCHNEIDERMAN:
How much?

COMMISSIONER ANDERSON:
Four million. And appropriate $1.275 million for design of the wastewater treatment facility. The Empire State Development Corp grant will reimburse the County for the cost of the design as well as a portion of the construction costs, and the funding will be reimbursed in stages once the design is complete and we're into construction.

CHAIRMAN SCHNEIDERMAN:
Are we getting any additional payback when the sewer district is formed for the money we're spending here?

COMMISSIONER ANDERSON:
Well, the district -- at that time the district will be responsible to pay back the General Fund.

CHAIRMAN SCHNEIDERMAN:
It will.

COMMISSIONER ANDERSON:
Yes.

CHAIRMAN SCHNEIDERMAN:
Okay. Wayne, you're the sewer guy. You're ok with this? It's a grant.

P.O. HORSLEY:
Yeah.

COMMISSIONER ANDERSON:
A grant that we got a couple of years ago. We just never actually did the resolution to appropriate this. It was an oversight on our part. That's why we're doing this now.

CHAIRMAN SCHNEIDERMAN:
Oh, okay. All right. So we had a motion and a second. All in favor? Opposed? Abstentions? Approved. ***(Vote: 5-0-0-0)***

IR 2033-13 - Amending the 2013 Capital Budget and Program and appropriating funds in connection with decommissioning and demolition of County Facilities (CP 1665)(Browning). That sounds scary. Which ones are we talking about? This is Legislator Browning's bill.

COMMISSIONER ANDERSON:
Yeah. This appropriates $80,000 to fund an asbestos abatement and a demolition of a property that the County acquired down in Mastic Beach through lack of taxes. And we're looking to -- we're working with the Village right now to take the house down and return it to its natural state.

CHAIRMAN SCHNEIDERMAN:
So what's the number attached to this, how much?

COMMISSIONER ANDERSON:
I don't know how much the back taxes were, I just know it's $80,000 to -- the abatement is what basically held everything up. We thought it was a beach house, we'd get in there and take it out. It turns out it's chock full of asbestos between tiles and exterior tiles and so it's going to cost us 60,000 to basically abate and then another 20 to take it down and restore the site.

CHAIRMAN SCHNEIDERMAN:
Is this something you're supporting?

COMMISSIONER ANDERSON:
Yes.

CHAIRMAN SCHNEIDERMAN:
Any questions on it?

LEG. KRUPSKI:
Will that be total deconstruction, tanks, pipes, well, everything? Cesspool?

COMMISSIONER ANDERSON:
Everything.

CHAIRMAN SCHNEIDERMAN:
Anyone else? All right. Where is the money coming from?

COMMISSIONER ANDERSON:
Capital Program 1755, infrastructure improvements for traffic and public safety and public health. It's the Legislative Capital Program.

CHAIRMAN SCHNEIDERMAN:
Okay. And, Jill, how much is there?

MS. MOSS:
I'll look that up.

CHAIRMAN SCHNEIDERMAN:
Okay. Well, obviously it's sufficient, but if you can tell me at some point what the balance is. All right. Do we have a motion and a second, Renee?

MS. ORTIZ:
No.

CHAIRMAN SCHNEIDERMAN:
All right. I'll make a motion. Second by Legislator Horsley. All in favor? Opposed? Abstentions? It's approved. ***(Vote: 5-0-0-0)***

MS. MOSS:
Including legislation that's been laid on the table there's a balance of $320,000.

Okay. ***IR 2049-13 - Authorizing an Intermunicipal Agreement with the Town of Babylon to facilitate the relocation, reconfiguration, and reconstruction of CR 3, Wellwood Avenue at its intersections with Conklin Street and Long Island Avenue, Town of Babylon (CP 5510)(Co. Exec.).*** Motion by Legislator Horsley, second by Legislator Stern. Commissioner, you want to have --

P.O. HORSLEY:
That should be fun. That is one busy place.

COMMISSIONER ANDERSON:
Yeah. Basically what's going to happen is we're -- at the end of the day we're looking to realign Conklin and Long Island Avenue into -- instead of a three way intersection it would be a two way. In other words, it would be Long Island comes down a little bit and Conklin will come up.

P.O. HORSLEY:
They are misaligned is it?

COMMISSIONER ANDERSON:
Yeah, right there where you have that -- where the railroad crossing is.

P.O. HORSLEY:
Right.

COMMISSIONER ANDERSON:
Long Island Avenue is very close to the tracks, where Conklin's a couple of hundred feet.

P.O. HORSLEY:
Right. So if you're heading whatever that is, north?

COMMISSIONER ANDERSON:
Well, if you're heading north on --

P.O. HORSLEY:
On Pinelawn or Wellwood you've got to veer to the right, and if you're heading south, you've got to veer to the left so you don't get tied up in the people making the left or right hand turns.

COMMISSIONER ANDERSON:
Yes.

P.O. HORSLEY:
That's a disaster.

COMMISSIONER ANDERSON:
Yeah, it's always been a tough intersection. So we worked out a deal and obviously with agreement with the Town of Babylon we will be able to make those improvements.

P.O. HORSLEY:
How are you going to do that? I'm just curious.

COMMISSIONER ANDERSON:
Well, we purchased land. We're in the process of acquiring land so that from the adjacent cemeteries and, in fact, if you look in the backup there is a plan which shows -- I can show you. You won't be able to really see it, but essentially what happens is Conklin, if you're heading east from Pinelawn to Wellwood -- is that right?

P.O. HORSLEY:
No.

COMMISSIONER ANDERSON:
No, the other way. New Highway, I'm sorry. From New Highway to Pinelawn, it will veer a little bit to the north and realign the intersection up near --

P.O. HORSLEY:
Like right across their property there to --

COMMISSIONER ANDERSON:
Yes.

P.O. HORSLEY:
To get it to one -- that they are not misaligned.

COMMISSIONER ANDERSON:
Right, correct.

P.O. HORSLEY:
Wow, that's interesting.

COMMISSIONER ANDERSON:
Yeah. We've been working on this one a while.

P.O. HORSLEY:
And you're not moving any gravesites or?

COMMISSIONER ANDERSON:
No, this was land I think that we -- and what happened was actually we got the Town of Babylon, we reached an agreement where they had an old paper highway and they gave us the paper highway so that we in turn could give it to the cemetery, and in turn we got the land that we needed for this intersection improvement based on that. So it was almost like an even swap, but it's been a long process.

P.O. HORSLEY:
When is this going to start?

COMMISSIONER ANDERSON:
Next year.

P.O. HORSLEY:
So I know when to stay away from it. That's going to be interesting. Good luck with that one.

LEG. STERN:
Does Conklin remain and still continue to go through to Pinelawn or does that get covered up?

COMMISSIONER ANDERSON:
No, no. Basically it just, and I can show you afterwards, it was part of the material, I believe, that's was forwarded. But there is a map that shows I'm guessing a couple of hundred feet from Pinelawn you'll get a -- it'll basically veer and head north. So you're coming down Pinelawn -- I'm sorry. You are coming down Conklin towards Pinelawn and as it comes up is where Long Island Avenue comes in.

LEG. STERN:
Right, so that that's going to match up. But then Conklin, which exists right now, that will stay, and then I am assuming that it's going to allow for a right hand turn heading south.

COMMISSIONER ANDERSON:
Well, up at that intersection. That portion that exists where we veered away will be no more.

LEG. STERN:
That's what I'm asking. So that will become no more. So it will literally just be that one intersection --

COMMISSIONER ANDERSON:
Correct.

LEG. STERN:
And everything else will be covered up.

COMMISSIONER ANDERSON:
Right.

LEG. STERN:
Got it. Thanks.

CHAIRMAN SCHNEIDERMAN:
Anyone else? All right. We had a motion and a second. All in favor? Opposed? Abstentions? Approved. ***(Vote: 5-0-0-0)***

We have one more resolution. ***IR 2058-13 - Naming the North County Complex in honor of William J. Lindsay (Spencer).***

P.O. HORSLEY:
Want to all make the motion?

CHAIRMAN SCHNEIDERMAN:
Okay. Let's get a motion and a second.

P.O. HORSLEY:
We'll all make the motion.

CHAIRMAN SCHNEIDERMAN:
All right. A unanimous motion and a unanimous second. I do have a question, a couple of questions, maybe for Counsel. One, has this gone through the Naming Committee?

MR. NOLAN:
I believe Legislator Stern indicated it had gone through the Naming Committee, yes.

LEG. STERN:
This has gone through the Sitings Committee, and as can be expected, was approved unanimously.

CHAIRMAN SCHNEIDERMAN:
And the six month rule that we imposed several years ago before naming something, do we have to formally waive that or is that a --

LEG. STERN:
Counsel can explain.

MR. NOLAN:
No, I don't think we have to formally waive it. The Naming Committee is given a list of criteria that they consider in making a recommendation to the Legislature, and I suppose when this was debated by the Naming Committee this was discussed, but they've recommended it and now we have to act on a recommendation. I'll only note that the legislation makes -- is effective in March, six months after the date of Mr. Lindsay's death. It acknowledges that six month language in the statute, but frankly that provision did not even have to be added in my opinion. This Legislature can do the naming.

CHAIRMAN SCHNEIDERMAN:
When we lost our honorable leader, Presiding Officer, I think a lot of us probably felt (A), a tremendous sense of loss, and two, how do we preserve that memory, what would be a fitting tribute and honor to such a great man. The decision to come up with the North Complex, was that done with the family? Does anybody know how -- because we're in the North Complex now. Somehow I envisioned, you know, a building or something that might be named after Mr. Lindsay. So the North Complex itself, do we know how we came to that and how are we going to -- is it through signage -- how are we going to let the community, you know, the Suffolk County residents know that this is now the William Lindsay Complex?

P.O. HORSLEY:
I don't think we've had extensive planning as of yet excepting to discuss that there would be signage, both on the, I guess is that east and west ends of Veterans Highway? We felt that maybe to the north it wouldn't make any sense because there's really no entrance up there.

CHAIRMAN SCHNEIDERMAN:
Could we do like a, at least like a spot that's a memorial, a rock, a monument of some kind?

COMMISSIONER ANDERSON:
Legislator, I've had discussions with BRO and we'll gladly make the signage happen and then, you know, whatever you want beyond that. You know, I mean, you can always talk. But I think when we talked about it internally, you know, we felt that we could put up sufficient signage so that the community would be aware that this was now the --

CHAIRMAN SCHNEIDERMAN:
A place to reflect, I don't know.

P.O. HORSLEY:
I think Jay is saying that we need some sort of a memorial rather than just the signage, but I think the signage is a good start. I'd like to see at some point a ceremony, certainly, where we have all the past Legislators that served during his time as the P.O., you know, at that ceremony. But beyond that, I don't think we've gone any further, anybody has.

CHAIRMAN SCHNEIDERMAN:
It's a little complicated because it's a complex.

P.O. HORSLEY:
Right.

CHAIRMAN SCHNEIDERMAN:
It's like where do you stand for that ceremony. You know, there's so many buildings in this complex. Let me say this about the signage. I just think it's absolutely critical if DPW is doing this to work with the family on the design of the signage, on the wording of the signage. You know, whether there's, you know, the middle initial or full middle name, all those things. And I just would urge you to work -- I'm assuming this is going to pass unanimously, but I just want to make sure -- because I had great respect and admiration and love for Mr. Lindsay. I want to make sure that we are doing the right thing.

COMMISSIONER ANDERSON:
Your concerns are well founded and, you know, we will work with the family. I think, you know, Bill was a great advocate for, you know, all of the employees of Suffolk County and for the Department of Public Works and we'll work with Parks if we have to, whatever we need to do to get it done.

P.O. HORSLEY:
Gil, maybe what we should do is we should set up like a small committee to start, you know, kicking around the whole ceremony, you know, and certainly, you know, between the Legislature and Public Works that sounds to me like a good idea. But whatever it is, Legislator Schneiderman, there's got to be a fitting memorial to him.

CHAIRMAN SCHNEIDERMAN:
Nothing we can do will be enough.

P.O. HORSLEY:
Right.

CHAIRMAN SCHNEIDERMAN:
But I want to make sure we do it --

P.O. HORSLEY:
And I think we all feel the same way. Tom wanted to be heard on this.

MR. VAUGHN:
No, I was just going to say I'm quite confident that between this body and between the County Executive's Office and Commissioner Anderson that we'll get this right.

P.O. HORSLEY:
All right. I think it would require that at least we have some sort of meeting scheduled, at least get it started before I depart.

MR. VAUGHN:
Agreed.

P.O. HORSLEY:
You know, I don't want it to fall through the cracks, you know, getting into the new year. I was pleased that I hear that Robert Moses was going to get the sand so we're going to have to do that -- we should do that in the next, you know, at least get it kicked off and we can start kicking it around.

COMMISSIONER ANDERSON:
Before the end of the year.

P.O. HORSLEY:
Yeah, before the end of the year.

COMMISSIONER ANDERSON:
Yeah, that's fine.

P.O. HORSLEY:
That would be great. Okay.

CHAIRMAN SCHNEIDERMAN:
Okay. So we had a unanimous motion and a unanimous second, and I take it we'll have a unanimous vote, but all in favor? Opposed? Abstentions? There you have it, it's unanimous as well. ***(Vote: 5-0-0-0).***

Okay. That gets us to the end of the agenda. Is there any other business? Any other Legislators have questions for Commissioner Anderson? Gil, thank you once again. I want to wish everybody a very nice Thanksgiving recess, enjoy your families and a good feast. Thank you.

(The meeting was adjourned at 3:30 p.m.)