

**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 December 10, 2013.

**Members Present:**

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

**Also In Attendance:**

Renee Ortiz – Chief Deputy Clerk  
George Nolan - Counsel to the Legislature  
Jason Hann – Aide to Legislator Schneiderman  
Christina DeLisi - Aide to Legislator Schneiderman  
Paul Perillie - Aide to Legislator Gregory  
Kevin LaValle - Aide to Legislator Muratore  
Tom Vaughn – County Executive’s Office  
Gil Anderson – Commissioner, Public Works  
Jill Moss - Budget Review Office  
Rick Brand - Newsday  
All Other Interested Parties

**Minutes Taken and Transcribed By:**

Gabrielle Severs - Court Stenographer

*(\*The meeting was called to order at 3:05 p.m. \*)*

**CHAIRMAN SCHNEIDERMAN:**

Good afternoon. I'd like to call this meeting of the Public Works and Transportation Committee to order this 10th day of December 2013. Please rise and join us for the Pledge of Allegiance lead by Legislator Muratore.

*(\*Salutation\*)*

**CHAIRMAN SCHNEIDERMAN:**

You may be seated. I'm going to give Legislator Krupski excused absence from today's meeting. And we'll get started. I have one yellow card. If you wish to be heard, you need to fill out a card. Joshua Tomel, if you'll step up to the podium, you have three minutes to make your comments known. Just start, Joshua, by identifying yourself for our record and then you can begin.

**MR. TOMEL:**

Hi. I'm Joshua Tomel. I'm from Commack, New York, and I'm here to talk today about a couple things on the transportation issue. When I was here last, I had been mentioned that there was charging stations out in Riverhead, and about a month after I came before this committee in September, I went out to jury duty, and I was happy to report there are charging stations out in state supreme court building in Riverhead. They are clearly marked, but they are not marked in a way in which it seems that electrical plug-in vehicles are sent to park there. When I was there, a Prius, which was a -- I believe it was a plug-in Prius, and a non-electric vehicle were parked in the spots that blocked the charging station. I inquired. I even parked in the judge's lot, which I was told not to do afterwards, to plug in and charge up the car that I had had there. They eventually got someone to move the Prius, and I was able to plug in and charge up while I was there for that day of jury duty.

But in California, where they have thousands of these charging stations, it's a terrible offense if you're a gas car or non-plug-in car to park in a charging spot, but I was told by the bailiffs there that they can request movement, but they can't force it. So I would kind of respectfully ask the committee to try and make some sort of arrangement to make that, like, a towable offense or something. Because if you're driving from Commack -- like, I'm driving from Commack to Riverhead for jury duty. Now, that's a rare occurrence, hopefully, but if I'm doing that, and I'm expecting to charge up there, I'd like to know I'm going to have that available to me for that. So that's my point on that.

The other thing I had was to discuss the busses. I've heard since the last time I came here, we were discussing late October starting of Sunday service for the busses. That didn't happen. I wonder when that is going to happen and if that will include the holidays as well.

**CHAIRMAN SCHNEIDERMAN:**

If you don't mind, I'll try to answer both your questions. So the first one in terms of electric charging stations, and really in terms of this body and legislation, we could only pass laws that related to charging stations on county property. So I'm not sure where that station was. It sounds like it might be state-owned property, but it might be worth exploring. I don't know how many of these charging stations we have on county property. If we do, it seems like it would be prudent legislation to prohibit parking of vehicles in front of them, non-electric vehicles.

Sunday service, I had hoped to start it in October; it didn't. It is starting the first Sunday in January, so it's soon. It's on nine additional routes to the one current route, the S92/10C combination. It's the routes with Sunday service won't have holiday service. That's not part of the

current program. We can look into adding holidays. I don't know what that would cost, but that's not part of the current program, and there are other routes that won't have Sunday service that hopefully will one day get Sunday service as well. The only route that has holiday service, and at least had it for the summer, was the S92, and that was part of the pilot program. They did pay a higher rate for it, \$0.25 more, but that holiday service ended with Columbus day. So it didn't have holiday service for Thanksgiving or Christmas, and I hope it will have it -- maybe Commissioner Anderson knows -- but it's important on that route that the summer holidays -- you know, Memorial Day, which is a major workday out there, as well as Labor Day and July 4 -- that we maintain that Sunday service.

**MR. TOMEL:**

I mean, when I was working, I had to work on Columbus Day. I had to work on Veterans Day. So I mean, I recently lost my job, but yeah, those holidays -- those busses seem to run, anyway. So the minor days, I understand, like Martin Luther King Day, President's Day, they run, anyway; but, you know, Christmas, Thanksgiving, Fourth of July, that sort of stuff, you're just saying it won't be running those days.

**CHAIRMAN SCHNEIDERMAN:**

The program that is currently being rolled out in January does not include holiday. It does include Sunday on nine additional routes.

**MR. TOMEL:**

Right. Do you have the additional routes?

**CHAIRMAN SCHNEIDERMAN:**

Yes, we can get that for you.

**MR. TOMEL:**

Okay.

**CHAIRMAN SCHNEIDERMAN:**

I will have somebody from my office contact you.

**MR. TOMEL:**

Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Thank you, sir. That's the only yellow card I have. Anyone else who wants to be heard? Commissioner should be out plowing roads. It's a snowy day. I appreciate you coming and taking the time to be here. I take it you have things under control out there.

**COMMISSIONER ANDERSON:**

Yes, very much so. We have about 63 trucks out plus 10 contractors. I mean, I don't want to jinx it, but it's been pretty mild, a lot more mild than we were anticipating.

**CHAIRMAN SCHNEIDERMAN:**

I wasn't expecting you, but I'm happy to see you.

**COMMISSIONER ANDERSON:**

I appreciate the offer before. Thank you.

**CHAIRMAN SCHNEIDERMAN:**

Okay. So let's go to the agenda. We're going to hit *tabled resolutions* first.

**IR 1816, Directing the Department of Public Works to install a full stoplight at the intersection of CR 100 and Park Avenue in Brentwood (Montano).** Any motions? I'll make a motion -- motion to approve by Legislator Muratore. I will make a motion to table. Is there a second to the tabling or the approval motion?

**D.P.O. HORSLEY:**  
Second.

**CHAIRMAN SCHNEIDERMAN:**  
On which?

**D.P.O. HORSLEY:**  
Tabling.

**CHAIRMAN SCHNEIDERMAN:**  
Second on the tabling by Legislator Horsley. Is there a second on the approval? Okay. So all we have in front of us is a tabling motion, which would've come first as well. Any discussion on it? Commissioner, you are already looking at this, right?

**COMMISSIONER ANDERSON:**  
Yes, we are. We are studying this now, and Legislator Montano is aware that we are looking at it. Without a warrant study, you really can't issue or install signals. Additionally, the legislation doesn't have any funding for either the study or the design and construction of the actual signals of limitation if the warrant study did show that it was needed.

**CHAIRMAN SCHNEIDERMAN:**  
Right, because this bill directs you to install it, but you don't install without determining there's enough volume, right, to merit...

**COMMISSIONER ANDERSON:**  
Right. It needs to show that it's warranted.

**CHAIRMAN SCHNEIDERMAN:**  
And that's -- and you're already doing that those traffic volumes now?

**COMMISSIONER ANDERSON:**  
Correct.

**CHAIRMAN SCHNEIDERMAN:**  
Okay. I made a motion to table. Second by Legislator Horsley. All in favor? Opposed? Abstentions?

**LEG. MURATORE:**  
Opposed.

**CHAIRMAN SCHNEIDERMAN:**  
One opposed to tabling: Legislator Muratore, so it's *tabled*. **(VOTE: 3-1-0-1, Opposed: Muratore, Not Present: Krupski)**

**IR 1886, Directing the Department of Public Works to apply for State water quality improvement funding for the Northeast Branch of the Nissequogue River (Kennedy).**

**LEG. MURATORE:**

Motion to approve.

**CHAIRMAN SCHNEIDERMAN:**

Motion to approve by Legislator Muratore. I'll make a motion to table.

**LEG. STERN:**

Second.

**CHAIRMAN SCHNEIDERMAN:**

Second by Legislator Stern on the tabling. Commissioner, where does this stand?

**COMMISSIONER ANDERSON:**

We've already submitted the application for this funding to, I believe, it's the DEC, and I would request that it be tabled.

**CHAIRMAN SCHNEIDERMAN:**

So this just directs you to do something that you've already done?

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN SCHNEIDERMAN:**

Okay. So there's a motion and a second to table. Any discussion? All in favor? Opposed?

**LEG. MURATORE:**

No to table.

**CHAIRMAN SCHNEIDERMAN:**

Opposed on tabling. Abstentions? 1886 is *tabled* (VOTE: 3-1-0-1, Opposed: Muratore, Not Present: Krupski)

**IR 2074, Amending the 2013 Capital Budget and Program and appropriating funds in connection with strengthening and improving County Roads (CP 5014) (County Executive).**

I'll make a motion to approve. Second by Legislator Stern. Commissioner, do you have any additional information that would be helpful?

**COMMISSIONER ANDERSON:**

Yeah. This looks to appropriate \$660,000 for construction in connection with our Strengthening and Improving Roads Project, CP 5014. This is our, for lack of a better term, our repaving program, and the money will be put to good use. I can give you some of the names of the roads, if you would like, that we would be looking at doing with this. It's going to -- we're going to be taking the funding -- we're looking to take the funding and offsetting it from three different CPs. We're looking at 100,000 from CP 5557, which is intersection improvements of County Road 94, Nugent Drive.

**CHAIRMAN SCHNEIDERMAN:**

Two hundred, you're taking from there?

**COMMISSIONER ANDERSON:**

Oh, is it 200? You're right; it is 200. If I do the math, it comes out to, correct, 200.

**CHAIRMAN SCHNEIDERMAN:**

On that, before you move on to some of the other offsets, that's obviously a very important project

to me, that's that engineering of the traffic circle and the riverside area. We already have taken some money from there in another recent bill. It's taking another 200,000. Do we have enough money there to do what we need to do?

**COMMISSIONER ANDERSON:**

Yes. We've looked at that. Bill Hillman in highway engineering has assured me that there is enough money in the capital program to do the engineering that's needed to make the improvements to the circle or the roundabout.

**CHAIRMAN SCHNEIDERMAN:**

Okay. You want to go through some of the other offsets?

**COMMISSIONER ANDERSON:**

The other two offsets are CP 5601, which is our hybrid electric vehicles purchase, and CP 5602, which is alternate fuel compressed natural gas purchases. Both of these were looking to offset \$230,00 from each, as we will not be purchasing any of the vehicles this year under each of these capital programs. So in total, between the 200 from the Nugent Drive and the other two projects, it does come to \$660,000.

**CHAIRMAN SCHNEIDERMAN:**

I'm okay with that in that I don't know that we had enough money in the general repaving of county roads, so it's --

**COMMISSIONER ANDERSON:**

We will put it to good use. It's an ongoing annual project.

**CHAIRMAN SCHNEIDERMAN:**

Yeah, this is where I think you need it. Okay. Any discussion on this? Okay. We had a motion and a second, correct? I'll call the vote. All in favor? Opposed? Abstentions? **Approved**  
**(VOTE: 4-0-0-1, Not Present: Krupski).**

**Moving on to 2098, Appropriating funds in connection with improvements to Environmental Recharge Basins (CP 5072) (County Executive).**

Same motion, same second. Commissioner, do you want to give a little more detail on this one?

**COMMISSIONER ANDERSON:**

Sure. This looks to appropriate \$415,00 for construction and equipment to do improvements at our environmental recharge basics. Basically, the basins become overgrown, and under this project, we look to clear them out, regrade them, do whatever improvements are needed within the basins. \$250,000 of this would be used for construction, and \$165,000 would be used for equipment. Specifically, we're looking to purchase a payloader, which would be used specifically for this, and we would ask that you approve.

**CHAIRMAN SCHNEIDERMAN:**

One of the things that you mentioned was clearing out, but that -- typically, the cleaning of these things is not a capital project, right? That, you just do out of operating budget?

**COMMISSIONER ANDERSON:**

Correct. But we do use this fund if we can't get to something that needs to be done, we do have a contract that we can bring in to do the work if we can't do it inhouse ourselves.

**CHAIRMAN SCHNEIDERMAN:**

This is a bond for 400,000, right, so it's...

**COMMISSIONER ANDERSON:**

Correct. It's 250 for actual construction and then 165 for the payload.

**CHAIRMAN SCHNEIDERMAN:**

Right, for the piece of equipment, though.

**COMMISSIONER ANDERSON:**

Correct.

**CHAIRMAN SCHNEIDERMAN:**

So we'll be able to use that for many projects moving forward.

**COMMISSIONER ANDERSON:**

Yes.

**CHAIRMAN SCHNEIDERMAN:**

All right. Any questions? Everybody okay with this? All in favor? Opposed? Abstentions?

**Approved (VOTE: 4-0-0-1, Not Present: Krupski)**

**IR 2099, Amending the 2013 Capital Program and appropriating funds in connection with the improvements to buildings and facilities Countywide (CP 1817) (County Executive).**

Same motion, same second. Commissioner, one more time.

**COMMISSIONER ANDERSON:**

This requests appropriating \$450,000 for construction. We use this project to do minor improvements within buildings to building systems such as walls, HVAC, electrical, plumbing; again, generally of a minor nature within an existing footprint, so we're not looking to expand a building or make a building taller. It's all stuff that we need to do within a county building as it sits now.

**CHAIRMAN SCHNEIDERMAN:**

It's not for any specific building?

**COMMISSIONER ANDERSON:**

No, it's not. It's a similar project to, say, the asbestos program that we have. I'm trying to think what else.

**CHAIRMAN SCHNEIDERMAN:**

I mean, it's late in the year, so this would be funds that would become available immediately, right?

**COMMISSIONER ANDERSON:**

Yes.

**CHAIRMAN SCHNEIDERMAN:**

Do you know where it's going to be spent?

**COMMISSIONER ANDERSON:**

Be honest, it would be something that would be held. We have up to five years to spend it. Once it's approved and essentially it would be something that -- I don't have -- we don't have anything scheduled for it right now. We are -- this is something we like to keep ready in case something is needed and that we can draw from it, and that's the purpose of the program, again, similar to an asbestos or even an environmental recharge program, things like that.

**CHAIRMAN SCHNEIDERMAN:**

Can we bond for a nonspecified purpose, George, or BRO, can you do that?

**MR. NOLAN:**

No, I think it's specified what you're spending the money for. It's got to be specified for a purpose so it can get a PPU and you can get a bond resolution.

**MS. MOSS:**

That would be more of an bond counsel question than a budget review question.

**MR. VAUGHN:**

I can confirm that our budget office has spoken with bond counsel, and bond counsel will approve the bond on this.

**CHAIRMAN SCHNEIDERMAN:**

Gil, what are the general purposes of this money again?

**COMMISSIONER ANDERSON:**

Again, it's to make minor improvements within count buildings for such use as walls, H.V.A.C., electrical plumbing, firearm alarm; things within a building that don't require major renovations, expansion, things like that.

**CHAIRMAN SCHNEIDERMAN:**

I'm going to make a motion to discharge without recommendation on this one. Any other motions or discussion? The question from Legislator Stern is what more information would we be able to find out, and I think, just for clarification on the bond, that's it's proper for -- we're taking money from an energy conservation bond and moving it to an unspecified building use. It's probably acceptable, but Counsel Nolan will talk to bond counsel and just confirm. So, either, way if you want to just discharge it, I made a motion to discharge without recommendation. Legislator Muratore is seconding the discharge without recommendation. Any other motions? Any other discussions? All in favor? Opposed? Abstentions? **Discharged without recommendation (VOTE: 4-0-0-1, Not Present: Krupski).**

Gil, is there anything else you want to make us aware of?

**COMMISSIONER ANDERSON:**

Yeah, actually, there is. I hate to do it on the last meeting of the year but a CN. We have -- it's an inter-municipal agreement with the Village of Patchogue. They have requested to enter into an agreement with the county to use our contract to provide salt for the village. Given -- we spent a lot more time on memorializing the agreement than I wanted to, and now, we're at the end of the year. I'd hope to have this in beforehand. We have an agreement with the village, and I'm going to ask that it be placed as a CN because the next cycle, we wouldn't be able to approve it until, really, February, so it's -- and I will get this out to everybody so that everybody has a chance to see it, but I wanted to make you aware that the department is requesting a CN for this.

**CHAIRMAN SCHNEIDERMAN:**

Before we adjourn, one thing, and I'm going to try to be somewhat nonspecific on this, but there is another bill before us that settles an issue with the DEC on underground fuel tanks that goes back before your time.

**COMMISSIONER ANDERSON:**

Actually, from me. Yeah, I was --

**CHAIRMAN SCHNEIDERMAN:**

Oh, really? I thought it was, like, 2007, 2008. Maybe when you just arrived that time, right? But the violations that occurred, I think, predate you, your service here. Some of it has -- appears to have with recordkeeping or presenting that information to the proper authority. I just want to make sure that whatever the failings were that caused the penalty that we are not repeating those mistakes. It's quite costly.

**COMMISSIONER ANDERSON:**

No, I mean, for better or worse, thanks to that initial spill and the investigation that followed, we have initiated a program, which we have been working on since '07. We have two full-time DPW staff that we were able to get the commitment from the previous county exec to fund, and they have been working at making improvements to the county fuelling stations, diesel fuel stations, and underground storage tanks. And we are in compliance with all regulations at this time. You know, it's taken a lot of work and a lot of time and effort, but we have gotten to that, and we have been working with EPA and DEC to make sure that, you know, we are in compliance. So while I do recognize there were issues, I think we've gone a long way to resolve them.

**CHAIRMAN SCHNEIDERMAN:**

Without going into executive session, I'm not fully cognizant of what we did wrong. Is there --

**COMMISSIONER ANDERSON:**

Do you want --

**CHAIRMAN SCHNEIDERMAN:**

I mean, I don't know to what extent you can say that -- was it human error? Was it shortage of staff? Was it -- did somebody not do what they were supposed to do be doing? Was somebody assigned to it who didn't complete this?

**COMMISSIONER ANDERSON:**

I mean, I'd be glad to tell you all the information in executive session. I don't know how far I can go or say anything about this until -- I mean, that's really a question for the county attorney. I'm not trying to be sly. I'll tell you all you need to know but off the record.

**CHAIRMAN SCHNEIDERMAN:**

That's fair. I don't know if my colleagues are interested in this particular matter, so I'll just talk to you afterwards. Anything else for Mr. Anderson? All right. Thank you. Good luck with the snow.

**COMMISSIONER ANDERSON:**

Thank you.

**CHAIRMAN SCHNEIDERMAN:**

We are adjourned.

*(\*The meeting was adjourned at 3:28 p.m. \*)*