PUBLIC WORKS, TRANSPORTATION AND ENERGY COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

Minutes

A meeting of the Public Works, Transportation and Energy 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 May 5, 2014 at 2:00 p.m.

Members Present:
Legislator Al Krupski - Chairman
Legislator Tom Muratore - Vice-Chair
Legislator Tom Barraga
Legislator Kate Browning

***Members Not Present*:**
Legislator Steve Stern - Excused Absence

***Also In Attendance*:**
George Nolan - Counsel to the Legislature
Legislator Tom Cilmi - 10th Legislative District
Tim Laube - Clerk - Suffolk County Legislature
Lora Gellerstein - Chief Deputy Clerk/Suffolk County Legislature
Gil Anderson - Commissioner/SC Department of Public Works
Bill Hillman - Chief Engineer/SC Department of Public Works
Debbie Harris - Aide to Legislator Stern
William Shilling - Aide to Legislator Calarco
Tom Vaughn - County Executive's Office
Ali Nazir - Aide to Legislator Kennedy
Robert Lipp - Director, Budget Review Office
Joshua Tomel - Resident of Commack
All Other Interested Parties

Minutes Taken By:
Kevin Gruebel - Court Stenographer

Minutes Transcribed By:
Denise Weaver - Legislative Aide

(THE MEETING WAS CALLED TO ORDER AT 2:02 PM)

CHAIRMAN KRUPSKI:
We'll call the regular committee meeting to order. Can we all rise, please, for the Pledge of Allegiance led by Legislator Barraga.

(*Salutation*)

Welcome to the regular meeting of Public Works, Transportation & Energy. Legislator Stern has an excused absence today. We have one card, Joshua Tomel. You'd like to speak, Sir?

MR. TOMEL:
Do I need to hit anything? There we go. Okay. Hi. I'm Joshua Tomel, I'm here in front of the Committee here to discuss the tabled resolution that was 1310 that is lowering the fares out East.

The fares out East are actually a little higher than all the rest, as many of you may know, and the reasoning, more or less, has become was prior to the 2012 fare increase, they had been given a little bit of an increase to supplement Sunday service for the Summer of 2012. They continue to have in their bylaws the right to go on Memorial Day, 4th of July and Labor Day. If I'm not mistaken, that's still in there. However, the other buses that have been given the Sunday service that -- the other eight routes, they do not list that they're going to run those days. Now, unbeknownst to me, they actually ran on Easter Sunday, which surprised me quite a bit. One of the drivers remarked to me that he worked a 12-hour day on Easter Sunday, it's a straight day. So that surprised me to no end.

But my point is that I'd like to see -- if you're going to reduce the fares, at least keep the uniformity of service the same for the other eight routes that are not getting that service. Because one -- one of the ways you use the buses on those days is to go to the beach and the beach buses, I think the S94 and the S47 run every day and they run to the beaches of Robert Moses and I think Montauk for the 94. So, I mean, that's just my opinion.

CHAIRMAN KRUPSKI:
Thank you. You make a very good point.

MR. TOMEL:
I appreciate it.

CHAIRMAN KRUPSKI:
Is there anyone else who would like to address the Committee?

All right. Tabled resolutions.

TABLED RESOLUTIONS

IR 1310-14 - Authorizing reduction of bus fares on two routes to achieve fare uniformity. (Schneiderman) I'll make a motion to table.

LEG. MURATORE:
Second.

CHAIRMAN KRUPSKI:
And I'd like to ask the Commissioner for some information.

COMMISSIONER ANDERSON:
Yes, sir.

CHAIRMAN KRUPSKI:
As far as the fares go and, this was just brought up by our speaker, also. I didn't know there were so many nuances to the -- to the system. You know, I know the Sunday bus routes were adjusted and the fares were raised to pay for those, but is there any hope of bringing that kind of -- just forgetting the fares for a moment, but the service itself. Are there other nuances to the system that -- well, that I don't know about?

COMMISSIONER ANDERSON:
No. Indeed, as the speaker mentioned, the S92 and the 10C, when that route was established, it was established to include holiday service during the summer. So Labor Day weekend, July -- 4th of July and Memorial Day were included, but only in those two routes. When the other routes were included in, Sunday service -- holiday service was not included during the summer. So that would be one of the things that is something to discuss in relationship to this resolution, the cost of running that as compared to the reduction in the fares.

CHAIRMAN KRUPSKI:
Thank you. Does anybody have any questions for the Commissioner about this?

I think the discussion last time was whether to raise the -- make it uniform by raising the fares across the board.

COMMISSIONER ANDERSON:
Correct, correct. But the impact is that there is an additional holiday service on the S92 and the 10C. So there is -- consideration should be made for the cost of running those services on those three lines. If we were going to run -- on those two lines. If we were going to run the holiday service for all those routes, all ten routes, that would be an additional cost impact, and I can get that for you for, you know, the next meeting, if you're interested.

CHAIRMAN KRUPSKI:
Legislator Browning.

LEG. BROWNING:
Yes. So the holiday services, you're -- we're charging more on those days? Or is it -- sorry.

COMMISSIONER ANDERSON:
No, we don't run on holidays normally. But under the -- the original resolution that gave us the Sunday service on the East End, that included the holidays -- holiday running at that time.

LEG. BROWNING:
But we're not running right now.

COMMISSIONER ANDERSON:
On every line except -- we're running holiday services during the summer on the S92 and the 10C. The rest are not.

LEG. BROWNING:
Okay. But, I mean, I -- I don't necessarily disagree that -- I mean, everybody should be paying the same, whether you live on the west end or the East End. I mean, the people who are riding the buses are not wealthy people, so. You know, and it's unfair if the East End is paying more than the west end. So, you know, I'd hope at some point we can come up with a -- a set price for

everybody, that it's the same. I mean, obviously the people that are using it out on a Sunday on the East End, it's because they're working.

CHAIRMAN KRUPSKI:
You're good? Okay. Thank you.

All right, so this is -- we have a motion to table. All in favor? Opposed? Abstained? So moved.
TABLED (VOTE: 4-0-0-1 - Not Present: Leg. Stern)

Another tabled resolution, ***IR 1313-14 - Authorizing alteration of rates for Davis Park Ferry Company, Inc. (Pres. Off.)*** I'll make a motion to table because of a public hearing.

LEG. BROWNING:
Second.

CHAIRMAN KRUPSKI:
There's a second. All in favor? Opposed? Abstain? So moved.
TABLED for PUBLIC HEARING (VOTE: 4-0-0-1 - Not Present: Leg. Stern)

IR 1330-14 - Amending procedures for procuring consultant services. (Cilmi). Do I have a motion?

LEG. MURATORE:
Motion.

CHAIRMAN KRUPSKI:
Is there a second?

LEG. CILMI:
Mr. Chairman?

CHAIRMAN KRUPSKI:
Yes, sir.

LEG. CILMI:
Yeah, if I could just weigh in on this resolution.

CHAIRMAN KRUPSKI:
Well, wait, let's see if we get a second on it.

LEG. CILMI:
All right, that's fine.

LEG. BROWNING:
I'll second.

CHAIRMAN KRUPSKI:
All right, we have a second. Go right ahead.

LEG. CILMI:
Thank you, Legislator Browning. This is an attempt to give the Legislature equal oversight when there is a proposal to waive the requirement that an RFP for consulting services goes out. So, as you all know, we, from time to time, will receive these notifications via e-mail that we're sending out

an RFP for consulting services. But sometimes, for whatever reason, the County Executive may wish to waive that policy or that process, and oftentimes it's for good reason; I certainly wouldn't assert that it's for anything but.

But the fact of the matter is currently the committee is constituted with three members; two representatives from the County Executive's Office, one representative to be appointed by the Presiding Officer. So -- and it's a majority vote, a majority vote situation whereby if those two members from the County Executive's Office support the waiver, then the waiver obviously happens. So the Legislature, although there's a representative from the Legislature on this RFP Waiver Committee, the Legislature really has no -- the value of their vote is diminished by the fact that it's an uneven representation between the Executive Branch and the Legislative Branch.

So what this resolution proposes to do is to even that score, to take -- to have two members from the County Executive's Office, as they currently are, but to add a member from the Legislature, from the Minority Party of the Legislature, whoever that may be at any given time. So that at the very least, that waiver would require at least one member of the Legislature, be he or she from the Minority Party or the Majority Party, to agree that the policy that we have in Suffolk County -- and remember, we are the policymaking body; we have a policy that we send out RFPs when we're hiring consultants -- that the policy should be waived.

So there have been some questions as to, well, you know, it's four members; what do you do when there's a tie? The fact of the matter is that the Legislature has an even number of members; we have 18 members here on the Legislature. And if we -- if there was a 9-9 tie, then whatever bill it is wouldn't pass. Similar in this -- in my proposal; you'd have to have a 3-1 vote in favor, at least, in order for a waiver to be passed.

So I would ask my -- I would ask my colleagues to support this. This is common sense, this is asserting our position as an equal branch of government here in Suffolk County, and it brings additional transparency to the whole RFP waiver process as well, which I think is needed.

CHAIRMAN KRUPSKI:
Legislator Barraga.

LEG. BARRAGA:
The only reservation I have with the bill, and I guess it's the serious one -- and I know I was asked to cosponsor, I know I didn't cosponsor -- but I'm not so sure I buy into the premise of an even number. Even with 18 members in the Legislature; I think we would operate better if we had 19 members. Because you could have situations where, you know, if a majority/minority, if you wind up with an even 9-9/9-9, we just haven't -- it hasn't occurred here, but it has happened in other Legislatures.

And I was wondering if you might think of amending the bill where if you really want to get a representative on there from the Minority, that's our side of the aisle, go 3-1-1, let the County Executive still have his three votes and then we'd have two here. I mean, someone's always going to have a majority on a committee, I mean, it's just the way it is. Eventually, if you amended the bill and it wasn't further amended or changed in future years, you could do a flip, you know, where all of a sudden, you know, our party has the County Executive and now he has or she has three votes. But the even number, I just see problems with that on this 2-2 business.

LEG. CILMI:
The answer to your question is simple; if it's 2-2, it doesn't pass. I mean, we're asking this Committee to address whether or not we should waive a policy in Suffolk County. I don't see any problem with requiring three votes out of four to do that. And if we add a third or an additional

member from the Minority and an additional member to the County Executive's contingent, then we still have a situation where the County Exec -- the Executive Branch, whether it be Steve Bellone, Steve Levy, Bob Gaffney or whoever it may be in the future, the Executive Branch is then controlling the process. And if they're the ones who are asking for the waiver in the first place, it seems to me like they shouldn't have total control over that process, because obviously they're going to support it.

So there needs to -- the Legislature needs to have some authority over that waiver process and this is a way to do it.

LEG. BARRAGA:
Yeah, I just don't want to see a situation develop where a lot of bills don't pass because of 2-2, 2-2, 2-2.

LEG. CILMI:
But it's not bills, it's waivers.

LEG. BARRAGA:
Even the waivers.

LEG. CILMI:
It's waiving a -- it's waiving the RFP requirement. We have those RFP requirements for a reason, you know, for good reason. And to waive that requirement, it better be an even better reason. So -- and to me, if the reason is that good where you need to waive an RFP, then I would fully expect most of the votes to be 4-0. But I think the Legislature needs to have a say.

LEG. BARRAGA:
Okay.

CHAIRMAN KRUPSKI:
I'm going to -- I'm not that familiar with the RFP waiver process. I would like to ask if the Administration has any -- I mean, I know the point of it and I know there's a lot of -- criticism might be too strong a word, but I guess that's the word for it -- about the County, or any government acting very slowly. And the whole point of the waiver is so that the County can act quicker, because government is so big at this point that it's difficult to get anything, anything done. I understand the value of having the RFP waiver.

If you had a four-person committee, then you could -- I mean, there is the potential, as our colleagues said, to not have things go through, then you'd have to do the full RFP, then you're looking at months, possibly years before something gets done. That is a possibility.
And for something like this, an odd number might have a lot more value, but I don't know that. So I'd like to ask the Administration in front of us here if they have any -- any insight or thoughts into that.

MR. VAUGHN:
Thank you very much, Legislator Krupski. We would actually like to bring up Deputy County Executive Eric Kopp who is also serving as the Chairman of our RFP Waiver Committee.

CHAIRMAN KRUPSKI:
Welcome.

MR. KOPP:
Good afternoon. Where should we begin?

CHAIRMAN KRUPSKI:
Well, start at the beginning and describe the process, if you could.

MR. KOPP:
The process -- and I should point out, I've been Chairman of the RFP Waiver Committee for four months so far, so, you know, let's not rush to judgment on how it's going over there. I think if you look at what we've done --

LEG. CILMI:
It's not a judgment to -- sorry to interrupt, Eric, but it's not a judgment on how you're running things or on the members of the committee or decisions that they've made or haven't made.

MR. KOPP:
Good. I was hoping my fellow Republicans weren't taking a shot at me.

(*Laughter*)

Anyway, during this past four months we've gone out of our way to make certain the process is quite open and transparent. I know that representatives of two of the Legislators on this Committee have attended some of those meetings, and I certainly encourage them to participate in the public portion. And on one occasion, when someone missed the public portion, I actually went back to the public portion if anybody had any comments to bring in.

To go to a 4-4 -- a four-member board does lead to the idea of ties. I know Legislator Cilmi mentioned the 18-member number we have for the County Legislature. There's a very specific reason there's 19 members of the Nassau County Legislature; it was formed after the Suffolk County Legislature. And one of the things they talked about when they formed it was they didn't want to get to a 9-9 tie like had happened in Suffolk from time to time. So that's a very real concern, what a four-person committee might look like.

I would just request that this Committee table this so we can have some more time to discuss it and look at this as we go forward.

CHAIRMAN KRUPSKI:
Thank you. But could you describe mechanically how you operate?

MR. KOPP:
I'm sorry. A request comes in from a department head to the committee for an RFP waiver, and then staff goes through a process with them and sets the criteria, asks questions based on criteria to see if they meet the criteria for a waiver. And when all those questions are answered and we see if it's financially covered in the budget, then we place it on the agenda; until all those questions could be answered to our satisfaction, they're not getting on the agenda. And once they get on the agenda, we have a public meeting at which we consider it, we also take input from the public and then we cast a decision based on -- cast a vote based on that.

CHAIRMAN KRUPSKI:
What's your timeframe? How do you -- what's your timeframe that you operate in?

MR. KOPP:
We meet once a month, normally.

CHAIRMAN KRUPSKI:
On a regular schedule?

MR. KOPP:
On a regular schedule; I don't have it with me, but we do have a regular schedule. We're try to -- we're trying to push up quicker, further, more lead time with RFPs out to the Legislature. We want to try to get them out at least a week ahead of time to everybody. I know in the past it had been like two days, I found that to be insufficient for me and probably for all of you to look at it and review. So we're trying to improve the process.

CHAIRMAN KRUPSKI:
Thank you.

LEG. CILMI:
Mr. Chairman?

CHAIRMAN KRUPSKI:
Please.

LEG. CILMI:
So because the function of this committee is to waive policy in certain circumstances, we have a policy to send out RFPs. What this committee does is it basically allows the waiver of that policy. And since the hang up seems to be an even number of members which could, therefore, create ties, I would suggest that to compare us to the Nassau County Legislature, I think we do a pretty darn good job with 18 members.

MR. KOPP:
I certainly wasn't passing judgement. I've worked with the County -- Suffolk County Legislature for many, many years and I was not casting dispersions on the County Legislature.

LEG. CILMI:
The only time that the even number has any -- has any -- would be of any concern is if you disagree with the concept of having three members and one member; three members in support and one member against. But I would suggest to you, then, would you support an amendment to this bill which would call for the addition of two members from the Legislature, such that we have two representatives from the County Executive's Office and three members of the Legislature, since we are, in fact, the policymaking branch of this government.

MR. KOPP:
And we are the administrative branch of this government and this is largely an administrative function, so I would be opposed to that, yes.

LEG. CILMI:
You think waiving a policy is an administrative function?

MR. KOPP:
It's not really waiving a policy, it's waiving a procedure.

LEG. CILMI:
All right. Thank you.

LEG. BARRAGA:
What about an expansion to five; three County Executive, one basically from the Presiding Officer and one from the Minority Leader?

MR. KOPP:
Well, I don't think we would make that decision right here. I would recommend that we table it and talk about it.

LEG. BARRAGA:
Okay. All right, but it's an option. You would still have control, but at least both sides of the aisle, as we currently stand, would have representation.

MR. KOPP:
I think the Commissioner would like to add something.

COMMISSIONER ANDERSON:
Just briefly, just to clarify one item. The RFP Waiver Committee isn't necessarily to waive an RFP, it's to waive the process of going out to public bid. So in the case of -- and not -- and that's not the right term. But in the case of procuring services of a consultant, we -- we have an -- we've got to do a bridge job, we're looking for specific engineers to do bridge jobs. County policy is we go through the Procurement Division, we send it out publicly and everybody and their brother can send in an RFP. What we asked for instead is we would ask for the firms that are local that are qualified to do that work, and we would initiate an invitation to bid. So rather than going to a newspaper and essentially letting it through a newspaper so that people are interested, it's really our ability to invite them to provide an RFP, and that's my understanding of what the RFP committee does.

The actual projects that go out, whether through individual departments or through the Procurement Division, is generally something that follows the process with the capital projects and, again, similarly with operating funds when we buy toilet paper and things like that. So, that's what I just wanted to clarify.

LEG. CILMI:
Yeah, I'm not sure -- I'm not sure I get your point. This doesn't deal with procurement other than consultant services; you realize that.

COMMISSIONER ANDERSON:
Yep.

LEG. CILMI:
And all this basically does is give the Legislature a literal say. And I wouldn't say -- I mean, it's nice to have a Majority member and a Minority member as part of these committees, because oftentimes one or the other might know what the other -- might not know what the other's doing. But the point here is to give the Legislature as a whole a say in whether or not the Waiver Committee approves a waiver. And right now, although somebody sits at the table, when it comes to a vote, the Legislature has no say.

CHAIRMAN KRUPSKI:
Mr. Vaughn.

MR. VAUGHN:
Thank you very much. Legislator, with all due respect, I actually disagree with that statement. And one of the first things that I would point out is last year we worked with Legislator Kennedy to make this process more open and one of the -- part of those -- that compromise, that give and take was not going forward with the five-person panel as you envisioned.

Now, as Legislator Barraga has mentioned, that's a different spin on the five-person panel and we'll be happy to kind of take that back and take a look at it. But that was one of the things that we worked out when we went -- when the Legislature made it clear that they wanted a more open process, we talked about that, to the point that the Presiding Officer at the time, Mr. Lindsay, said that he thought that we had gone too far in the other direction, we had made the process too open. So we have worked on this.

Also, the notion that the Legislature doesn't get a say I would also disagree with. And the fact that Legislator Muratore has sponsored bills cancelling contracts that we have gone -- that we have -- what we have done through RFP. The Legislature certainly had a say when those contracts were brought to their attention to cancel them. So maybe not on -- maybe not on the first instance, but certainly no one does a very good job of gagging the Suffolk County Legislature (*laughter*). You all make it quite clear what you want to say when you want to say it.

LEG. CILMI:
On that last point, I'll agree.

(*Laughter*)

CHAIRMAN KRUPSKI:
Go ahead.

LEG. BROWNING:
I think in the past, what, eight years I've been here, RFP process and waivers, it's always been questioned how it's being done, whether it's being done right, and as far as oversight. So, I think I understand where you're coming from, what you're trying to do with this. And, you know, I'll give you an example. ETRB does have a representative from the Minority Party, and that's a much bigger committee, though. So I -- you know, I will support the tabling. I think I know where you're getting at and -- I can blame my medication if I get very blunt (*laughter*). But I think it would be a good idea to have a conversation with -- I'm drawing blanks. There goes the medication. But I think there should be a conversation with our representatives from the committee and to come up with a solution, because I thought there was a dollar amount attached also to the Waiver Committee, when you can do waivers; am I correct?

COMMISSIONER ANDERSON:
It's 25,000; anything over 25,000 has to go before the committee.

LEG. BROWNING:
Right, right. And if you don't have -- say you only have two responders and one is not really a responsible bid, then you'll do a waiver; correct?

COMMISSIONER ANDERSON:
Correct.

LEG. BROWNING:
Okay. I mean, I know where you're coming from, I understand where you're trying to go with it and I -- again, we're looking at the current County Legislature, we're looking at the current County Executive, but in the past, you know, there's been questions about it. And I always say, *"Don't look at what's gone on today, but look about what's happening in the future*." You know, that we make sure that the oversight is there for the taxpayers' dollars, and that there is a transparency. And I think that there's a feeling that maybe sometimes there isn't all this transparency in this process. So, I don't disagree with what you're trying to do, but I think maybe you have -- Mr. Kopp, maybe have a continued conversation with him.

LEG. CILMI:
And I really want to discount the -- I mean, the transparency is always important to me, but I want to discount that in terms of the debate for this bill, because this is more about giving the Legislature the authority to actually have an impact on the vote. And no matter how you do this, if you have a majority of the members on this committee from the County Executive's Office and it's the Executive's Office that controls -- the Administration controls the RFP process -- and rightfully so, it's an administrative function -- when we're waiving that procedure, process, whatever you want to call it, then I think that the Legislature deserves to be able to have some impact on that decision. And right now, for all intents and purposes, while we could show up at the committee and we can talk about cancelling contracts and for all intents and purposes, for this Legislature and for future Legislatures, whoever that County Executive may be, if we leave things the way they are or if we allow there to continue to be a majority -- an uneven number of members, a majority of whom come from the County -- from the Administration, then they will always have control over that process and the Legislature will have -- although they could talk about -- talk about it, absolutely no say in the outcome.

LEG. BROWNING:
And, you know, generally we have to appropriate the funds for whatever that waiver is anyway, whatever that contract is, right? So we do have some control there when it comes to appropriating the funds.

LEG. CILMI:
At the beginning of the year or even in the previous year. But once we've appropriated the funds, then it's sort of out of our hands. I mean, we could talk about it in the future year's budget, I suppose, but at that point it gets lost in, you know, the thousand plus pages that are in the budget.

LEG. BROWNING:
Have the conversation with Eric, I trust him.

LEG. CILMI:
I trust Eric as well. I just -- we have a difference of opinion here.

CHAIRMAN KRUPSKI:
I have a question for Mr. Kopp. So if you look at this bill only addressing the consultant services, do you know how many of these would of been affected by this bill last year?

MR. VAUGHN:
I do not, Legislator Krupski. But I appreciate you asking the question about -- well, but since you have asked a question about how many RFPs we've done recently, I would just like to point out that in 2012 we did 128 waivers, 2013 we did 92, and this year we're on track to do 80. So the bill specifically says that there's a proliferation of RFP waivers and that's just simply not the case. The prior three years we were at -- in 2009 we were at 128; 2010 we were at 112; 2011 we were at 94. So the last three years of the previous administration, the average was 111; our current average over these three years, the average has been about a hundred. And if you go back even further than that to 2007 and 2008, you're in the 180's. So there's definitely not been a proliferation.

LEG. CILMI:
So I would ask the committee, in that case, to discharge without recommendation and I will amend the bill and remove that WHEREAS clause.

CHAIRMAN KRUPSKI:
I've got another question for Mr. Kopp. So you're operating now with three people.

MR. KOPP:
That's correct, yes.

CHAIRMAN KRUPSKI:
On -- for the purposes of this bill for procuring consultant services only, would it be -- and does the -- actually, the question's also to the sponsor, excuse me. So this would create a separate -- you're talking about almost a separate committee only for consultant services? You're adding one member only for that purpose?

LEG. CILMI:
No, the committee exists presently.

CHAIRMAN KRUPSKI:
But you were going to add one member only for consultant services.

LEG. CILMI:
No, no, no. The committee exists presently only to deal with consulting services.

CHAIRMAN KRUPSKI:
Not for procurement at all, or anything else.

COMMISSIONER ANDERSON:
It's to procure consultant services. So if we or any division wants to hire somebody and it's not a contract or a supply issue, it's really more for professional services, then we would go to the Waiver Committee to request having to go out to publicly bid that service.

CHAIRMAN KRUPSKI:
So if you added, as the sponsor has added, one more person, and then the other suggestion was to add two more people, how would that affect the mechanics of running the committee? If this year you project 80 waivers.

MR. KOPP:
I don't know if I can just judge from right here as to how that would affect our impact. We haven't really discussed it beyond what's before us. That's why I had made the recommendation, with the committee's indulgence, that they would consider tabling this for a cycle so we can have some time to look at the various suggestions that are being offered and to come up with some workable plan.

CHAIRMAN KRUPSKI:
Well, I could see the value of having greater Legislative oversight, and I could see the value of having a Majority and Minority member on that committee. However, it is an administrative function, and I think -- I don't think it's unreasonable if the Administration has a majority of members on the committee. For that reason, I like the five-member -- Legislator Barraga's suggestion of having a five-member committee in that it would -- you wouldn't have a tie and you would have better Legislative representation. You already have, currently you already have an Administration who has a majority, so that wouldn't change. It would just give the Legislature -- well, a different voice, a greater voice.

LEG. CILMI:
Honestly, but the Legislature has that voice now. My Aide has been to Waiver Committees. You know, I could go -- any one of us could go to these Waiver Committees. We have a voice. It's just that we don't -- we don't have any control over the vote. It's not a difficult -- it's a very simple concept here. If we want control over the vote, if we want control over whether or not to -- whether or not to waive the requirement for an RFP based on a certain set of circumstances,

which I'm sure most cases are appropriate, then we have to do this. If we don't want any control over that proces, if we're happy to cede that control or to allow the Administration to continue to control that process, then we leave it the way it is, or you add another -- you add two members, one from -- another one from the County Executive's Office and another one from here; and I'm not going to sponsor that bill, but I might support it. But it's not going to accomplish what I'm seeking to accomplish and that's to give the Legislature some control over the process.

CHAIRMAN KRUPSKI:
There's a motion to approve. Is there a motion to table? I'll make a -- what's that? Since we don't have a full Committee, I'd make a motion to table. I would like to -- I'd like to discuss this further, because there's another suggestion that just came forward. I think that's a fair --

LEG. BROWNING:
I'll withdraw my motion to approve, my second, and I'll support the second on the table and have a conversation with Eric.

CHAIRMAN KRUPSKI:
The tabling goes first. All in favor? Opposed? It's a short cycle. No, it's a short cycle.
Tabled (VOTE: 4-0-0-1 - Not Present: Legislator Stern)

IR 1382 - Appropriating funds in connection with strengthening and improving County roads (CP 5014) (Co. Exec.) I'll ask the Commissioner for some explanation.

COMMISSIONER ANDERSON:
This resolution asks to appropriate $6 million for construction.
This is our repaving program we use every year, around the same funding, it's part of the capital budget. We will repave or overlay various roads as a way of continuing the maintenance on those roads and keeping them strong and effective. There was an attachment with the various roads that we are looking to do; if you'd like, I can read that out, or if it's part of your attachment, it should be.

CHAIRMAN KRUPSKI:
The question came up about the -- the condition of the roads; not just the County roads, but all the roads after this winter and whether, in fact, we're still using the same material. It doesn't seem to -- I know, it seems to some of my colleagues that, you know, back in the old days the roads held up longer. So is it just -- is it something that we're imagining or is it something that the -- that's in the actual road material or the paving techniques that have changed that have -- you stop at any intersection, you look at the roads and they're just cracked and they're pitted.

COMMISSIONER ANDERSON:
This was an exceptionally hard winter on roads. We had, if I recall right, two freeze/thaw cycles, which really made a difference and popped a lot of roads, and to depths that I've never seen, at least not in a long time with such consistency.

You know, the depth of the frost and the length of the freeze was enough to get the -- you know, when we had the thaw, and it was pretty quick and very recent, everything -- everything popped up. So that, I think, led to a lot of people looking at this -- you know, this spring as being -- or questioning the strength of the pavement. As long as the pavement is placed properly -- which from the County viewpoint, I know that we do -- the pavement should withhold. But water will always get in and it'll always pop it out. You have a winter like this -- and certainly, usually we have these situations earlier in the year because we haven't had as long of a winter and, you know, the same questions will come up, but it's primarily the winter we just went through.

CHAIRMAN KRUPSKI:
Thank you. Any other questions?

LEG. BROWNING:
Can I?

CHAIRMAN KRUPSKI:
Sure. Legislator Browning. Ladies first.

LEG. BROWNING:
I see you just did William Floyd Parkway, the northern section up by the LIE. And how deep do you usually go? Like because when you're grading it and you -- I could see you've been down to like cement, but how deep is that?

COMMISSIONER ANDERSON:
Generally, we'll go to a depth of an inch and-a-half minimum; given the top course that we're putting down, we find that's most effective. We might go a little bit deeper depending on the grade and what we're trying to do and what's underneath, things like that.

LEG. BROWNING:
But that's the average, that you always do that, it's never any deeper.

COMMISSIONER ANDERSON:
It can be. It really depends. Again, part of this includes if there's a spot of pavement, a section of pavement that needs to be removed to full depth, maybe to subgrade; things like that are all included within this work program. But generally it's -- in general, it's an overlay program.

LEG. BROWNING:
Thanks.

LEG. MURATORE:
Commissioner, how do we determine what roads are going to be repaired? Because I see in the bill there's 15 County roads that are slated to be repaired, or that you're going to spend the $6 million on, yet there's not one road in Legislative District four that needs to be repaired, or in Legislator Barraga's, or who else is missing from here? But there's -- who else? Trotta is missing. Who's the other one? McCaffrey's missing. I'm kind of seeing a trend here. But, you know, I just -- I'm new. I'm actually -- you know, I'm here a while, but I guess I'm wearing the rope, so, I guess four is not eligible? I mean --

COMMISSIONER ANDERSON:
No. What I would say, if this -- this has nothing to do with Legislative Districts or politics in any way. This is strictly based on our engineering. I mean, if anything, I would say the roads in your districts are that much better and have been maintained that much longer. These may have -- these may be to a point where in their lifecycle they need to be repaved, but it is -- it is always in the case of the condition of the road. We send out our foremen, we send our engineers out, they review all the roads. We -- you know, we come up with a program that identifies what roads need work, where, and that's what you see before you is this -- this listing of roads. It has absolutely nothing to do with Legislative districts.

LEG. MURATORE:
Okay, I'm just curious. Thank you.

CHAIRMAN KRUPSKI:
Any other questions? Do we have a -- Mr. Vaughn. Mr. Vaughn has a comment.

MR. VAUGHN:
Yeah. Legislator Muratore, just with all due respect, sir, I mean --

LEG. MURATORE:
No, My question was answered. I'm fine.

MR. VAUGHN:
Okay.

LEG. MURATORE:
We're good. Thank you. No need to carry it out.

CHAIRMAN KRUPSKI:
Okay. Do I have a motion to approve? Do I have a second? All -- thank you. All in favor? Opposed? Abstain? ***Approved (VOTE: 4-0-0-1 - Not Present: Legislator Stern)***

CHAIRMAN KRUPSKI:
IR 1397 - Appropriating funds in connection with the purchase of Public Works Highway Maintenance Equipment (CP 5047)(Co. Exec.) Do I have a motion to approve?

LEG. BROWNING:
I'll make that motion.

CHAIRMAN KRUPSKI:
Legislator Browning. And is there a second? I'll second the motion. Any questions for the Commissioner?

LEG. BROWNING:
I think I've seen the list. Some of that's snowplow equipment, which we'll hopefully have before next winter.

COMMISSIONER ANDERSON:
Correct.

LEG. BROWNING:
Hopefully we'll have a better winter.

COMMISSIONER ANDERSON:
That would be nice.

LEG. BROWNING:
What about street sweepers? What do we have?

COMMISSIONER ANDERSON:
I believe we have at least two in each zone, if not more. We used to have three, I know last time I looked at it we were in the process of purchasing a few, some were aging. But we generally have two to three in each zone. And if, you know, a couple are down, we can bring them from one zone to the other.

LEG. BROWNING:
Just out of curiosity, do you know when they'll be going out at any time to do any? Because I'm looking at William Floyd, the sand and the mess on the roads.

COMMISSIONER ANDERSON:
Again, and this is not an excuse, the winter and the fact that most of the snow melted less than a month ago, yeah, really -- I mean, all the stuff, all the junk in the sand and everything that was hidden under the snow all of a sudden is open. We are out there. I will get you a schedule on any roads you all, you know, want me to identify for you when we're going out. In your case, I'll get you when we're planning on doing William Floyd.

LEG. BROWNING:
Okay, great. Thank you.

COMMISSIONER ANDERSON:
You're welcome.

CHAIRMAN KRUPSKI:
Any other comment, question? Legislator Browning made the motion, I seconded it. All in favor? Opposed? Abstention? So moved. ***Approved (VOTE: 4-0-0-1 - Not Present: Legislator Stern)***

IR 1400 - Approving a contract and authorizing execution of same with Pinelawn Cemetery for the acquisition and disposition of properties for the realignment of CR 3, Wellwood Avenue at Long Island Avenue and Conklin Street, Town of Babylon (CP 5510). (Co. Exec.) Do I have a motion to approve?

LEG. BROWNING:
I guess I will.

CHAIRMAN KRUPSKI:
Legislator Browning. Is there a second?

LEG. BARRAGA:
Second.

CHAIRMAN KRUPSKI:
Thank you, Legislator Barraga. Anybody have any questions for the Commissioner?

LEG. MURATORE:
How much are we spending here and how much are we buying?

COMMISSIONER ANDERSON:
Bear with me one second, I'm sorry.

LEG. MURATORE:
Well, I can help you out, Commissioner. I think we're spending about 3.2 million.

COMMISSIONER ANDERSON:
Okay, that I can -- that I -- cause I don't for whatever reason don't have the backup in my book right now. The idea -- what's happening here is we're realigning this intersection where Pinelawn intersects with Long Island Avenue and Conklin Street. We've -- to do that, in order to do that, we've had to bring both local roads in alignment with us, with each other, and to do that we had to

purchase some land from the Pinelawn Cemetery.

LEG. MURATORE:
Right.

COMMISSIONER ANDERSON:
So that's what this is doing, is looking to purchase those -- that land so that we can do the realignment.

LEG. MURATORE:
But we're buying like .433 acres for 3.275?

COMMISSIONER ANDERSON:
That was part of the -- the acquisition process. The land, we were fortunate in that we were able to get some aid from the Town of Babylon. We were at a standstill with this process because -- because it's a cemetery, the land has a certain value and it all has that certain value. So they -- you know, they didn't want to sell it. The Town of Babylon had a paper street that they actually worked with us to give to the cemetery or sell to the cemetery, and which in turn then enabled the cemetery to sell that same portion of land to us so that we could do the realignment. I can't really argue or defend the cost, that's just part of the acquisition process and that was what was determined.

CHAIRMAN KRUPSKI:
Can you repeat those numbers again? Because what you -- what I heard you say was that the Town of Babylon donated land to the cemetery but then that the County had to buy land from the cemetery.

COMMISSIONER ANDERSON:
I believe the -- I believe the land was purchased from the Town based on --

CHAIRMAN KRUPSKI:
By the cemetery.

COMMISSIONER ANDERSON:
By the cemetery.

MR. HILLMAN:
This is an extremely complicated land purchase swap. When we initiated the project, we were looking to drive costs down. First of all, we're not allowed to condemn against the cemetery, so it needed to be an agreeable transaction. So we were looking to drive costs down and the Town of Babylon came in and they said, "Hey, we have this property that the cemetery's been looking to get from us for a number of years."

So we used that, jointly, the Town of Babylon and the County, they transferred the property to us and then we ended up selling it to -- we ended up swapping it for property with the cemetery. At the end of the day, we still needed to purchase, it's roughly about two acres. At the end of day, once all the different machinations of property went through, it was roughly about two acres.

We had two independent auditors -- not auditors, two independent appraisals performed and -- so yeah, it's roughly about two acres, and we had two independent appraisals privately done, reviewed by our real estate manager and property -- I forget the exact title, but it was reviewed by the department and it's been approved by New York State DOT. They've been in -- because it's Federally aided, they've been involved, the DOT's on board. Again, it's 80/20. The State really

wouldn't -- I mean, if we went far awry, the State would have pulled us back long ago. So that's it. Hopefully that's a little bit better of a summary.

CHAIRMAN KRUPSKI:
How long has this been in the works?

MR. HILLMAN:
Roughly about six or seven years it's taken to hash this out.

CHAIRMAN KRUPSKI:
What are the numbers again? I didn't get the numbers.

MR. HILLMAN:
It's about $3.2 million for roughly two acres.

LEG. MURATORE:
Three point two seven five. And I'm looking at .433 acres, not two acres. I don't know where you're getting the two acres from. It doesn't show that in the appendixes here.

MR. HILLMAN:
I don't know what exactly you're looking at, but -- I mean, like I said, there's a lot of different property changing hands. There's property being transferred as a swap, there's also property that they're dedicating to us because they wanted right-turn lanes and we said, *"Okay. Well, we're not going to buy property. That right turn is specifically for you. So we're not going to buy your property and then build you a right-turn lane*." So they said, *"Okay. Well, we'll dedicate the property to you*." So there's dedications from them to us. There's property that we're swapping from the -- that originally came from the town, and then there's the leftover which is about two acres.

LEG. MURATORE:
So we're paying 1.6 for -- per acre, for the two acres, if that's what you allege.

MR. HILLMAN:
Roughly.

COMMISSIONER ANDERSON:
That has been approved by New York State, and actually the Supreme Court of the State as part of the process. We -- in total there were seven parcels conveyed by Pinelawn Cemetery and we're -- we're -- parcels to be conveyed by Suffolk County -- and then we're giving them five parcels.

CHAIRMAN KRUPSKI:
Does it ever -- does it ever get to the point where the municipality says, *"We're just not going to do this?"*

COMMISSIONER ANDERSON:
To be honest with you, if the Town of Babylon hadn't been able to provide that right-of-way, we probably would have been at that point.

CHAIRMAN KRUPSKI:
Any other questions? So is there -- did anyone make a motion on this?

MS. GELLERSTEIN:
Legislator Browning and Legislator Baragga.

CHAIRMAN KRUPSKI:
All right. If there's no further discussion, all in favor? Opposed? Abstentions? So moved. ***Approved (VOTE: 4-0-0-1 - Not Present: Legislator Stern)***

IR 1404-14 - Appropriating funds in connection with rehabilitation of various bridges and embankments (CP 5850)(Co. Exec.) Is there a motion to approve?

LEG. BROWNING:
Motion.

LEG. BARRAGA:
Second.

CHAIRMAN KRUPSKI:
Motion by Legislator Browning, second by Legislator Barraga. Which -- I think everyone wants to know which bridges -- which various bridges and embankments.

COMMISSIONER ANDERSON:
It's our intent to utilize these funds to rehabilitate Tuttles Creek Bridge, CR 101, and Sills Road Bridge over the Long Island Railroad as well as the Cross River Drive Bridge over Park Road.

CHAIRMAN KRUPSKI:
Does anyone have any questions? If there's no questions, all in favor? Opposed? Abstentions? So moved. ***Approved (VOTE: 4-0-0-1 - Not Present: Legislator Stern)***

IR 1405-14 - Appropriating funds in connection with improvements to CR 21, Yaphank Avenue/Middle Island-Yaphank Road from NYS Route 25 to the Long Island Expressway North Service Road, Town of Brookhaven (CP 5138) (Co. Exec.)

LEG. BROWNING:
Motion.

CHAIRMAN KRUPSKI:
Motion by Legislator Browning. Second by Legislator Muratore. Any questions? If there's no questions, all in favor? Opposed? Abstentions? So moved. ***Approved (VOTE: 4-0-0-1 – Not Present: Legislator Stern)***

IR 1406 - Appropriating funds in connection with painting of County Bridges (CP 5815) (Co. Exec.) Is there a motion?

LEG. BROWNING:
I guess I'll make a motion.

CHAIRMAN KRUPSKI:
Same motion, same second. Any specific questions about which bridges or which colors?

(*Laughter*)

LEG. BROWNING:
We can pick the colors?

CHAIRMAN KRUPSKI:
You can. We get to pick our colors in our district; is that correct, Commissioner?

COMMISSIONER ANDERSON:
I'm sorry, what was the question?

CHAIRMAN KRUPSKI:
We get to pick our colors in our district; Is that correct?

COMMISSIONER ANDERSON:
Absolutely.

CHAIRMAN KRUPSKI:
Okay.

LEG. BROWNING:
I want green.

COMMISSIONER ANDERSON:
Okay *(laughter)*.

CHAIRMAN KRUPSKI:
All right.

COMMISSIONER ANDERSON:
Pink is very calming, though, you know, you could actually work with it.

CHAIRMAN KRUPSKI:
All right. All in favor? Opposed? Abstentions? So moved. ***Approved (VOTE: 4-0-0-1 – Not Present: Legislator Stern)***

IR 1407-14 - Amending the Adopted 2014 Operating Budget, adopting the 2014 Operating Budget for Suffolk County Sewer District No. 4 - Smithtown Galleria, appropriating funds for operation and maintenance, authorizing the purchase of vehicles, authorizing the creation of positions and approving the user charge for Suffolk County Sewer District No. 4 - Smithtown Galleria. (Co. Exec.)

COMMISSIONER ANDERSON:
Legislator, if I may? I would ask that this be tabled. This one, this bill is a little bit ahead of its time. We need to hold a public hearing first, so I would look to table this and we'll submit the legislation, if we haven't already, to do a public hearing for this.

CHAIRMAN KRUPSKI:
Thank you. Do I have a motion to table? Legislator Muratore. Is there a second?

LEG. BARRAGA:
Second.

CHAIRMAN KRUPSKI:
Second, Legislator Barraga. All in favor? Opposed? Abstentions? So moved. ***Tabled***

(VOTE: 4-0-0-1 - Not Present: Legislator Stern)

IR 1414-14 - Authorizing the County Executive to enter into a Memorandum of Understanding with the New York State Department of Transportation for the Rehabilitation of CR 19, Patchogue-Holbrook Road Bridge over Long Island Expressway (I-495)(Co. Exec.)

LEG. MURATORE:
Motion.

CHAIRMAN KRUPSKI:
Motion by Legislator Muratore, second by Legislator Browning. Any questions? Everyone satisfied with the bridge? All right. All in favor? Opposed? Abstained? So moved. ***Approved (VOTE: 4-0-0-1 - Not Present: Legislator Stern)***

IR 1415-14 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with the installation of a Closed Loop Signal System on various County Roads (CP 3309) (Co. Exec.) Do I have a motion? Same motion, same second. Any questions? All in favor? Opposed? Abstentions? So moved. ***Approved (VOTE: 4-0-0-1 - Not Present: Legislator Stern)***

On all these -- all these projects that we acted on, I noticed there was no charges to any of the local municipalities for overtime.

IR 1416-14 - Authorizing an Intermunicipal Agreement with the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton and the Town Board of the Town of Southampton, and accepting funds associated with overtime costs for dredging of County waters within the Town of Southampton (Co. Exec.) Is there a motion?

LEG. BROWNING:
I'll make a motion.

CHAIRMAN KRUPSKI:
Motion by Legislator Browning. Is there a second?

LEG. BARRAGA:
Second.

CHAIRMAN KRUPSKI:
Second by Legislator Barraga. Does anyone have any questions about why the County's charging the town overtime costs for work done in the town? Commissioner Anderson, do you have any comments?

COMMISSIONER ANDERSON:
We have discussed this issue under a couple of other bills previous to this. This was something that was done in response to the current fiscal problems we were having with our Operating Budget. The eastern -- mostly the Peconic Bay, the eastern townships, that's all done by our own crews, our own equipment and we have a very short window where we can do this type of work. Because of that, a significant amount of overtime is always used and always has been used to do the work because we're really only being able to dredge from October 1st till generally December 15th to January 15th, depending if we can get the permit extensions.

Having said that, we generally work two shifts, six days-a-week, sometimes seven. Those overtime costs we've been monitoring in the past two years, all the overtime costs to minimize them. The offer was made by the towns two years ago, because of the County's inability to work overtime to pay for these services and that's what we reached an agreement with the townships. We send them a proposal, we try to do the jobs that we intend to do under that proposal and we bill them only for the time that we actually spend. The specific -- the specific legislation refers to work that was done during the May window. It's generally a two week window where we're able to get in and complete certain dredging operations for certain creeks or water bodies or waterways at the request of those towns. Again, because of the short window, only two weeks and trying to get as much work as we can, there are overtime charges and that's what you see here.

CHAIRMAN KRUPSKI:
So outside of the eastern towns when the County contracts out for dredging, do the local municipality -- is their window greater outside of the East End towns?

COMMISSIONER ANDERSON:
No, there's not.

CHAIRMAN KRUPSKI:
And does the local municipalities pay for overtime dredging costs associated with dredging outside of the East End?

COMMISSIONER ANDERSON:
No, it does not. But those projects are done under capital projects rather than Operating Budget.

CHAIRMAN KRUPSKI:
So you borrow the money to pay for them instead of paying for them at the time of operation.

COMMISSIONER ANDERSON:
Correct, because we don't have not only the manpower but the equipment is generally bigger when you're working on the westerly end, the Great South Bay, and especially when you're up in the North Shore or along the oceanfront.

CHAIRMAN KRUPSKI:
So if you own oceanfront, you don't have to pay the overtime costs, but if you live on Peconic Bay, the municipalities have to pay the over -- I mean, I'm trying to figure out where the -- where the dividing line is, where the municipalities have to pay the overtime costs and where they don't.

COMMISSIONER ANDERSON:
It's on that work along the easterly end in the Peconic where it's smaller waterways that we can get into with our equipment as compared to the larger, which occur on the westerly end, such as, you know, say Stony Brook Harbor or Nissequogue River, you know, any of the Smithtown -- Smith County Park projects. And even in some cases along the Great South Bay; Champlain's Creek in Islip and things like that; we've had to hire out contractors and because of that we use the capital funds.

CHAIRMAN KRUPSKI:
No, I'm not finished yet, go ahead. It's going to be a while.

LEG. BARRAGA:
No, no. My question is unrelated to this.

CHAIRMAN KRUPSKI:
Oh, okay.

So at what point -- at what point could this procedure end? Because I know if -- this started before I was at the County. I was at the town, of course, and we found it objectionable that the dredging could be done on the rest of the County without costs to the other -- the individual towns, but that the East End towns would charge for overtime, and I'm well aware of the dredge windows. But that doesn't matter, it's still being a charge. And then someone said, *"Well, the County doesn't authorize any overtime*," but, of course, they do in certain departments. So at what point in time can that be changed so that it's either -- either the whole County is charged for overtime dredging cost or none of the County is charged -- none of the towns?

COMMISSIONER ANDERSON:
What I would say is within the Operating Budget, this next cycle that we're going to be going through, I would suggest adding funding in there specifically to make sure that we don't have to go back and charge overtime to the towns.

CHAIRMAN KRUPSKI:
Thank you.

COMMISSIONER ANDERSON:
You're welcome.

CHAIRMAN KRUPSKI:
Any other questions?

LEG. BROWNING:
Right. Because this has been a question of mine for many a time. I know in Brookhaven when we had the dredging done I know there's always been the agreement that the County dredges these waterways, but who owns the bottom of these waterways? Is it the County owns the ground or is it Southampton owns it?

CHAIRMAN KRUPSKI:
Sometimes it -- sometimes it --

LEG. BROWNING:
Either way they benefit from us doing it.

COMMISSIONER ANDERSON:
It really depends. We don't own -- we don't own the water body or the ground below it. We're simply -- it's under our jurisdiction that we maintain the connection between the interface of whatever type of water body you're doing and the major canals or waterways that connect. So in the case of the intercoastal or on the North Shore, other type of channels that run through the Long Island Sound.

CHAIRMAN KRUPSKI:
Generally it's half State, half town.

LEG. BROWNING:
Right. And we don't own it, yet we dredge it, we pay for it. And that's -- you know, that's always been my issue. And then when it comes to spoil sites, I mean, did Southampton provide the spoil sites for this?

COMMISSIONER ANDERSON:
They would have if -- they would have had to. In order to get the permitting, we would have had to get that spoil site. The issue you find on the easterly end is that in most cases you're dealing with the better material, you're dealing with sand that people want for their beaches, whereas you get to the westerly end you're dealing with more of the muck and it becomes a real problem trying to find a home for it.

LEG. BROWNING:
Okay. Thanks.

CHAIRMAN KRUPSKI:
All right. So is there a motion on this? We do have a motion and a second. All in favor? Opposed? Abstentions? So moved. ***Approved (VOTE: 4-0-0-1 - Not Present: Legislator Stern)***

And then the last item, 1451, it's not on the agenda.

IR 1451-14 - Authorizing the County Executive to enter into a Memorandum of Understanding with the Town of Brookhaven establishing a procedure for the removal advertising on County right-of-ways located within the town (Co. Exec.)

COMMISSIONER ANDERSON:
There's nothing on the agenda about that.

CHAIRMAN KRUPSKI:
No. This was just handed to me.

MR. HILLMAN:
It was transferred from Ways and Means, Gil.

LEG. BROWNING:
I'll make a motion. Yes, I know what that one is.

CHAIRMAN KRUPSKI:
Is there a second? All right. On the motion, does anyone have any questions for the Commissioner?

LEG. BROWNING:
No, let's get it done.

CHAIRMAN KRUPSKI:
Well, I just wanted to know what the agreement is.

COMMISSIONER ANDERSON:
Right now the agreement is still being worked on, but essentially what it is, the Town has requested to -- with the County, to a shared services agreement whereby any political signage, whether on the -- whether on the grass or on a pole; the town could come to the Department of Public Works, the County, to say, *"We'd like to remove certain signage."* We would then either give them approval to come on to our County right-of-way, or we would get rid of it.

We generally -- I don't see this as an impact to us as long as we have the right of refusal in the agreement, which is what we're working towards. It has been County policy that no political signs will be permitted on any County right-of-way within the right-of-way. Signs do get placed there, we

do actively every week try to go through every County road and remove the signs, but that's what this is about.

CHAIRMAN KRUPSKI:
So this is -- but not just political signs; all advertising?

COMMISSIONER ANDERSON:
Unless it has a permit. Somebody could come in and ask for a permit, we would give that to them and then that would not be part of this. But if there is an unauthorized signage, whether political or commercial, that would apply to this legislation. Again, they would have to get our permission before coming onto our roadway.

CHAIRMAN KRUPSKI:
What's the agreement? It's just the permission, like written permission, you can go ahead and clean the right-of-way?

COMMISSIONER ANDERSON:
It's the shared services to say that if needed and if they identify a location of certain signs, whether political or commercial, on our County right-of-way, we could give them permission to send their crews in to remove that signage if our crews are busy or too busy doing something else.

CHAIRMAN KRUPSKI:
Do you have any other agreement like this with any other town?

COMMISSIONER ANDERSON:
No, we do not.

CHAIRMAN KRUPSKI:
Do you foresee that happening?

COMMISSIONER ANDERSON:
No.

CHAIRMAN KRUPSKI:
Why not?

COMMISSIONER ANDERSON:
I --

CHAIRMAN KRUPSKI:
I mean, I can see it being a problem in other towns. And I know other towns have passed laws prohibiting signs in public right-of-ways, period. So that the removal could be done by any municipal employee of the township, regardless of whether it's State or County or town right-of-way.

COMMISSIONER ANDERSON:
Correct, understood. But, again, at this point we have a policy, and it is a policy, the Department of Public Works, the County, since I've been here, and no political signs are permitted on our roadways. And certainly no commercial signs are allowed on our right-of-ways without the proper permitting. So if another town's interested, we could, you know, certainly discuss entering into it with them.

CHAIRMAN KRUPSKI:
Thank you. Any other questions? Good. All right. All in -- we have a motion and a second?

Okay. All in favor? Opposed? Abstentions? So moved.

LEG. BARRAGA:
Mr. Chairman?

CHAIRMAN KRUPSKI:
Yes.

LEG. BARRAGA:
Commissioner, while I have you, there's been a great deal of discussion previously with reference to these school zone speed cameras. And since we spoke the last time, both the Assembly and the Senate have approved those cameras. And I just want to make sure that based on previous conversations that it's clear in my mind, that we're on the same page, that as your agency begins to implement in terms of siting the first phone call you'll be making to will be to all 18 Legislators to get our input in terms of whether or not we have a particular preference for a camera at a particular school site. I think that's extremely important. Because some members may be indifferent, other members may have some opinions as to where they think those cameras should go. I just don't want a situation developing where somehow, you know, you're dealing with the school district and then we read about it in the papers later on and then we have some problems.

COMMISSIONER ANDERSON:
Fair enough. You have my commitment that we will work with the Legislators.

LEG. BARRAGA:
Thank you.

CHAIRMAN KRUPSKI:
Good point. And other questions?

LEG. BROWNING:
Motion to adjourn.

CHAIRMAN KRUPSKI:
So moved. Meeting adjourned.

THE MEETING CONCLUDED AT 3:10 PM