

**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 22, 2014.

**Members Present:**

Legislator Krupski - Chairman  
Legislator Barraga  
Legislator Browning  
Legislator Stern

**Not Present:**

Legislator Muratore - Excused

**Also In Attendance:**

Legislator Tom Cilmi - Legislative District No. 10  
George Nolan - Counsel to the Legislature  
Sarah Simpson - Assistant Counsel to the Legislature  
Lora Gellerstein - Assistant Deputy Clerk  
Jill Moss - Budget Review Office  
Craig Freas - Budget Review Office  
Tom Vaughn - Assistant County Executive  
Gil Anderson - Commissioner, SC Department of Public Works  
Bill Hillman - Chief Engineer, SC Department of Public Works  
Gail Lolis - County Attorney's Office  
John Lund - Fire Island Association  
George Hoffman - Fire Island Association  
Rick Brand - Newsday  
All Other Interested Parties

**Minutes Taken By:**

Gabrielle Severs - Court Stenographer

**Minutes Transcribed By:**

Kim Castiglione - Legislative Secretary

*(\*The meeting was called to order at 2:28 p.m. \*)*

**CHAIRMAN KRUPSKI:**

All rise please for the Pledge of Allegiance led by Legislator Browning.

***Salutation***

Welcome to the committee meeting of Public Works, Transportation and Energy. We'll start off with the public portion. We have one card, John Lund. You have three minutes, sir.

**MR. LUND:**

Thank you. Legislator Krupski and members of the committee. My name is John Lund and I'm the Vice President -- I'm one of the Vice Presidents of the Fire Island Association. Also a resident of Sayville for 62 years and Davis Park 62 years. Also hold a license to run ferryboats on the Great South Bay for the last 52. I appreciate the opportunity to offer comments this afternoon regarding Resolution 1502.

Fire Island is a 32 mile long barrier island off the South Shore of Suffolk County that is home to 17 residential communities, as contained within the national park -- Fire Island National Seashore. Fire Island Association is a coalition of 17 communities that was established over 56 years ago to protect the Island and to promote the best interest of all home owners, business owners and visitors. With this stunning natural environment, outstanding recreational opportunities and relaxed quality of life, the Island is a unique and irreplaceable resource for Island resident and mainland visitors alike.

As the steward of this resource, the FIA takes very seriously its obligation to weigh the consequences of many issues and activities and how they might impact the future and the Island and the enjoyment by future generations. Over the years, the FIA has been actively involved in ongoing erosion control efforts and repair, when necessary, storm damaged beaches. In 2008 and 2009, 11 of the 17 communities got together and spent about \$25 million putting their sand in front of communities.

We also have our eye on the big picture as we work with the Fire Island National Seashore and various other regulatory agencies to plan and implement a sustainable long-term shore management program. Maintaining a healthy barrier beach is also the best protection for the many homes, businesses, infrastructure on the south shore of Long Island's Suffolk County. With over 27,000 homes on the mainland within the floodplain and 4,000 homes on Fire Island, it's abundantly clear that a robust barrier island system is critical to providing long-term protection and overall resilience to vulnerable areas, storms and hurricanes.

In addition to being the first line of defense for the mainland from the Atlantic storms and hurricanes, Fire Island also adds significantly to the tax base of Suffolk County and Islip and Brookhaven Towns. Over one million visitors come to Fire Island each year and they are a major source of revenue for the downtown shopping areas of Bay Shore, Sayville and Patchogue. Fire Island is also home to Smith Point County Park, which is a major revenue producer for the County, a very popular public beach as well as home to the TWA Flight 800 International Memorial. Robert Moses State Park, also on Fire Island, a favorite summer destination to 3.5 million visitors a year. And Fire Island is also home to the historic Fire Island Lighthouse.

Super Storm Sandy proved, however, that the barrier island is vulnerable to over wash and breaching during storm events which may increase the potential for devastating storm damage to the shore communities along the Great South Bay, Moriches Bay and the critical infrastructure.

The Federal Government recognized in the urgency to repair and implement immediate stabilization. Measures has committed over 160 million for the Emergency Stabilization Project to restore the beaches and dune network, thereby protecting the barrier islands and mainland from Fire Island Inlet to Moriches Inlet. Resolution 1502 accepts a portion of that money to begin the process for securing easements and purchasing properties in order to construct the Emergency Stabilization Project.

In a time, excuse me, time is of the essence and the FIMI project should move forward with full speed in order to return a reasonable margin of safety and security to Fire Island and to the south shore of Long Island without any further delays. The 2014 hurricane season will be upon us within a week. In order for the project to proceed, however, it is necessary for Suffolk County, as a local non-Federal sponsor, to set up the funding mechanism, which is fully reimbursable through the State and the Federal Government to implement this project.

We strongly support this resolution as an important step forward in a FIMI project timeline. County Executive Steve Bellone and the County Legislature are to be congratulated for proposing a mechanism to fund the necessary expenditures. We respectfully ask that you vote and send this resolution to the full Legislature for adoption. Thank you again for the opportunity to comment.

**CHAIRMAN KRUPSKI:**

Thank you, Mr. Lund. Are you going to stay around? There's going to be a presentation now, and maybe there will be questions that --

**MR. LUND:**

I would love to do that -- my son is getting married in Florida in two days and I'm on a plane at five tonight.

**CHAIRMAN KRUPSKI:**

Thank you. Good luck and congratulations. Oh, before -- I'm sorry, Commissioner Anderson. Is there anyone else in the public who would like to address the committee? We don't have any other cards? Commissioner Anderson, if you could give us your presentation on the reconstruction project.

**COMMISSIONER ANDERSON:**

Thank you, everybody, for the opportunity to address this committee. The intent of my presentation is really to discuss a legislation that's before the committee today, IR 1502-2014. To clarify a little bit on what Mr. Lund had said, the intent of this legislation is very simple. It's to create a capital project that will allow us to accept Federal funds as well as appropriate funds for a portion of the work that's going to go on in Fire Island under the Federal Program.

As you all know, on October 29th, 2012, Hurricane Sandy came to town and really socked us pretty hard. The picture there is actually Port Jefferson. That's actually the water level coming up to the middle of the Village, and those white lights are actually ferry that is sitting there looking over the Village.

The impact of Sandy was multifold. There was severe shoreline erosion and dune loss, three breaches of the barrier island, multiple wash overs, extensive back bay flooding, significant change in the barrier island habitats and extremely vulnerable conditions driving local actions. This is a picture of Great South Bay from Bergen Point early that next morning, and although you can't see it, there were a number of houses along that waterfront that were severely damaged by tides raising.

The first thing that occurred at the time was due to previous breaching in Westhampton dunes, the Federal, State and County Governments had a contingency plan in place, the Breach Contingency

Plan, which enabled expedited permitting and work to close the breaches. Two of the breaches were identified to be closed right away; the first one being this one at Smith Point, and the second one here at Cupsogue. The Smith Point breach we were able to bring in a contractor who was doing work for the County on the Forge River. The Corps took over, hired that contractor. They placed 75,000 cubic yards of material and closed that breach. And this one, Cupsogue, they were able to close and place 250,000 cubic yards of sand to close the breach and create a nine foot berm throughout both areas. The breach at Old Inlet was allowed to remain. This is the breach, it's still there. It can no longer be closed through the Breach Contingency Plan, but would require a full NEPA study and environmental impacts process as well as funding and so on. So at this point -- and there is a lot of positive feedback from the local, not only governments, but populous as to the inlet, and so as of right now this remains, but what of the rest of it.

On January 29th, 2013, the President signed into law the Sandy Recovery Improvement Act of 2013. That allocated \$700 million to the County for shoreline restoration and storm mitigation, coastal mitigation to, you know, to fight against future storms. In that, there was 140 million originally allocated towards the FIMI, which is the Fire Island and Moriches Inlet project, 60 million towards green infrastructure, and then another 500 million allocated towards the FIMP, or the Fire Island to Montauk Point plan. Within Montauk Point you have -- within the FIMP there are a number of studies, including downtown Montauk. Actually included in there was a project on the north shore, Hashamomuck Cove, as well as other work along the Towns of Babylon, Islip and Brookhaven, where, again, to mitigate flooding in the future.

So this resolution, folks, is primarily on FIMI, and FIMI will consist of three separate projects as the project moves forward. The first project, and we anticipate it starting construction in October, is the Smith Point Park project. The next one we would expect to begin next year, would be the Robert Moses State Park project and then the remaining project will be the Fire Island -- the remainder of the Fire Island communities which aren't covered under the Robert Moses project.

This is a cross section to give you a visual of what essentially they're doing. Basically it's placement of sand on the beach. It's renourishment of the beach, 90 foot section flat at elevation 9.5 and then a 25 foot wide dune at the top at elevation 15. So, in total we're looking at seven million cubic yards of sand over 85,000 linear feet of beach. This is the sample agreement -- no, sorry, sample set of plans of what the work will look like. You have the beach nourishment along the front and then the dune line and then behind it is Burma Road, a subject of much discussions lately with the Fish and Wildlife people.

**CHAIRMAN KRUPSKI:**

They are okay with you pumping sand onto the near shore area?

**COMMISSIONER ANDERSON:**

Yes, they are.

**CHAIRMAN KRUPSKI:**

DEC.

**COMMISSIONER ANDERSON:**

Oh, you mean Fish and Wildlife? Well, actually DEC has been a staunch ally of the County in this. What we've had issues with, through the process right now the Army Corps has developed a report, a general report. It's the plan of the construction. They've also done an environmental assessment. Fish and Wildlife is actually doing the biological opinion on the assessment, and Fish and Wildlife has put certain restrictions, and we've come to a consensus agreement on how we can proceed and give them what they need for their program and still move forward with beach nourishment. The DEC has been, and I'm not saying this lightly, they've been right there beside us

essentially working as a partner with the County.

**CHAIRMAN KRUPSKI:**

I've almost never seen them permit placement of sand in the intertidal area below the high water mark.

**COMMISSIONER ANDERSON:**

In this case there will be -- you'll have, you know, essentially, like I said, if I go back. You are going to have a dune placed. You can see that triangular, trapezoidal shape? That's going to be the dune, and then there's 90 feet of beach coming out. And from that point they will slope down at a one on 12 down to wherever, you know, the beach goes. It will be done -- it will not -- no work will occur during Plover season. This is all really from October first through February -- sorry, April first. But, yeah, everybody is in line with getting this bill because everybody essentially understands the need for the coastal protection, and that's the prime purpose of this project.

**CHAIRMAN KRUPSKI:**

But they are very inconsistent because they don't consider any offshore pumping of sand on the north side -- on the Sound side.

**COMMISSIONER ANDERSON:**

On the north side of the barrier island?

**CHAIRMAN KRUPSKI:**

No, on the --

**COMMISSIONER ANDERSON:**

On the north side of Long Island.

**CHAIRMAN KRUPSKI:**

Yeah, north side of Long Island, the Long Island Sound.

**COMMISSIONER ANDERSON:**

Right. Again, and I can't defend why the project or where it originated from, the look -- the intent here is part of the problem that they have is that any funding that comes through has to have a mechanism in place to be able to expend those funds and make those repairs. And under the FIMI, or under the FIMP, which was that 50, 60-year-old plan that's been worked on for many years, that was the mechanism and it is actually being reformulated to allow for the dune construction along the South Shore. The only area that they looked at with regard to any type of work was the Hashamomuck Cove area in Southold, and I believe primarily not only because of the houses, but primarily you have the, you know, County Road 48 going through there within, you know, less than a hundred feet of Sound. So, yeah.

**CHAIRMAN KRUPSKI:**

Thank you.

**COMMISSIONER ANDERSON:**

You're welcome. All right. So part of what this project will entail for the County is to work with the State to construct a dune along the front of the Fire Island communities. It will require the County to obtain 748 perpetual beach storm reduction easements or temporary construction easements or rights of entries. We'll also look at the potential of six -- right now at the potential of six properties for house relocations, as well as the purchase of 41 properties in a number of communities, but the main communities that will be impacted are Ocean Bay Park and Davis Park.

What you see here is -- were discussions that we had earlier or last year starting to look at what houses could stay, what houses had to be or what properties had to be obtained, and you'll see in green, in Davis Park, there are a number of houses that we believe can be relocated back onto their existing properties. We are in discussions and we will be in discussions with the towns to look at where the possibility of where those houses can be relocated in lieu of actual just, you know, acquisition, but that's -- we're still a ways off before we get to that.

**CHAIRMAN KRUPSKI:**

What about reconstruction of any of those homes in the area? Do they have to comply with certain floodplain? At what point do they have to raise the home.

**COMMISSIONER ANDERSON:**

Right now it's really their placement within the line of the dune. If the dune, which was established under the FIMP, and they've actually -- there is some flexibility. If the house, the main structure of the house is located within the back slope or the northern slope of the dune, most likely those homes will be able to remain. If they are located anywhere on that flat part, on the crest of the dune, they will have to either be relocated or the property will have to be acquired under this project.

**CHAIRMAN KRUPSKI:**

No, but I mean the homes. You showed -- could you go back to the previous slide?

**COMMISSIONER ANDERSON:**

Yes, just hold on a second.

**CHAIRMAN KRUPSKI:**

There's a lot of homes there. So when there is over wash in the next storm they're going to be -- you're going to have the same scenario. Were those homes damaged during Sandy?

**COMMISSIONER ANDERSON:**

Some were. Most probably were.

**CHAIRMAN KRUPSKI:**

Was there a requirement that they be raised, elevated, to a certain elevation?

**COMMISSIONER ANDERSON:**

Yes, there is an elevation requirement as well, and that will be, I believe, paid for under this. But again, the devil is in the detail. We're not there yet. At this point we're just looking, again, until the report is completed, and I'll get to that at the end. The process is the report has to be approved and it's gone through the public comment period. The U.S. Fish and Wildlife, I believe, will sanction the project with a biological opinion in favor of the project, and the next step will be the project partnership agreement between the Army Corps and New York State, as well as one between New York State and us. We will be back here in front of you in July to discuss that project agreement and what the impact is for the town -- I mean for the County.

**CHAIRPERSON KRUPSKI:**

Getting back to elevating the homes. That would be mandatory and you said the Federal Government would pay to have them elevated here?

**COMMISSIONER ANDERSON:**

Yes, I believe so.

**CHAIRMAN KRUPSKI:**

Would that take place all over Long Island, for anyone impacted in Sandy?

**COMMISSIONER ANDERSON:**

Under this project, this project is only looking at -- right now this project is only looking at from Fire Island Inlet to the Moriches Inlet.

**CHAIRMAN KRUPSKI:**

Does that include upgrading or armoring the wastewater treatment systems here?

**COMMISSIONER ANDERSON:**

That's still under discussion. Where the houses are being raised we're trying to figure out what to do exactly with the septic systems, because these are septic systems, and how they get paid. So I can't really -- I can't really give you a clear answer on that.

**CHAIRMAN KRUPSKI:**

Thank you.

**COMMISSIONER ANDERSON:**

You're welcome. So -- okay. This is just a project cost estimate. Right now the cost of the project, this is prior to the recent consensus with the U.S. Fish and Wildlife, is estimated at 161 million. Again, all of this is a hundred percent Federally funded with the exception of if we have to go to and if we decide to go to condemnation. Then those additional condemnation costs would be borne by the State paying 70% and the County paying 30%.

This is the acquisition and easements cost estimate for those properties essentially between Robert Moses and the Smith Point Project. Right now it's difficult to see because I only have this paper copy, but this is the schedule. This was the schedule that they had back in March. Very idealistic. Right now the current plan is that the report will be -- the Assistant Secretary to the Army will approve the report and the PPA by July 21st. We would look to have the PPA approved by the Leg shortly thereafter. There is a meeting on July 29th. We will obviously get the agreement to everyone to review well prior to that, even though it's in draft form. The Corps is still feels that they are on target to award contract by September 10th and the work we would expect would begin the beginning of October and will run til, will certainly run til April first when the Plover season begins.

That is really the presentation right there. Again, I can't stress enough that this resolution that's before you is simply to create a capital project so that we can move this project forward. As we get into the detail there will be certainly more time for discussion. And then as we move into the larger project, which is the FIMP project, that will include more mainland issues. That report, we had a phone conference this morning. They expect to get that report out by October of this year for public comment as well. And there will be public hearings at that time as well.

**CHAIRMAN KRUPSKI:**

Thank you. Before I ask if my colleagues have any questions, just before I forget, I just want to say that Legislator Muratore has an excused absence today and that's why he is not here. Does anyone have any questions? I'll ask a question. So the breach closures, who makes -- and I know the old inlet has had a lot of positive benefits for water quality there and a lot of people applauded it that it was kept open. Who made the decision to close the other breaches and why?

**COMMISSIONER ANDERSON:**

It was a joint decision amongst various regulatory agencies, including ourselves, Suffolk County DPW. There was -- National Parks was involved, EPA, all the regulatory agencies that oversee that

are part of that breach contingency plan. And keep in mind at the time there were a number of incidents after Sandy hit where there was additional flooding on the South Shore, so everybody felt it was the best thing at that time to close the two to the east, that being Cupsogue and Smith Point. National Park Service and the Fish and Wildlife Service, Department of Interior, they wanted to let the old inlet breach close on its own or remain open, depending on what happens. So at that point, to be honest with you, I didn't push the issue because I just wanted to get the two breaches closed.

**CHAIRMAN KRUPSKI:**

Who paid to close the other two breaches?

**COMMISSIONER ANDERSON:**

Uncle Sam, the Federal Government.

**CHAIRMAN KRUPSKI:**

And what about the barrier island and the South Shore east of Moriches. When is that going to be addressed? Because this study only goes up to Moriches.

**COMMISSIONER ANDERSON:**

Everything else along the South Shore will be addressed under the FIMP, so that will be -- by October there will be, again, it's a reevaluation report where, you know, that's essentially the Army Corps' plan for everything else will be coming out in this fall, with the exception of downtown Montauk. Downtown Montauk has been also pulled away as a separate project.

**CHAIRMAN KRUPSKI:**

And as they do the reevaluation, do they take a look at where the breaches occurred and say based on dissolve oxygen salinity, any other factors would they consider in the next storm event leaving any of those areas open.

**COMMISSIONER ANDERSON:**

I think that would be a discussion that would be had at that time obviously.

**CHAIRMAN KRUPSKI:**

But, I mean, they gained some experience here.

**COMMISSIONER ANDERSON:**

Yeah, and I think one of the big concerns that we raised was that, you know, if this current breach at Old Inlet expands, it could be a significant impact to the mainland. Right now it's one inlet, you know, it's a small amount of water getting through. If it opened up, and right now it's about -- well, last time I looked. I can't say right now. Last time I looked, which was last year some time, it was about 25 feet deep but, you know, very, very narrow. From what I understand, when Westhampton Beach occurred it took place over a number of years and actually widened significantly. So, you know, I think that's a call that would be -- certainly they would look at the salinity. The argument that I've heard made on that is that, you know, depending on the salinity will, you know, will depend on which organisms live in that type of salinity will start to, you know, live within the waters there, so.

**CHAIRMAN KRUPSKI:**

You always hear anecdotally whenever there is a significant over wash or a breach you get a better set of clams that year. I just wondered if they're going to -- if anyone is looking at that because of the other breaches if, in fact, that happened.

**COMMISSIONER ANDERSON:**

I'm sure that the regulatory agencies are all studying that to see what the impact is of the flushing

now that you have in this area. As you said, you know, anecdotally a lot of people feel that is a major benefit to the Great South Bay in this area.

**CHAIRMAN KRUPSKI:**

Thank you. Does anyone have any questions?

**LEG. KENNEDY:**

Mr. Chair.

**CHAIRMAN KRUPSKI:**

Please, go ahead.

**LEG. KENNEDY:**

Thank you. Gil, I'm sorry, I had to step out. But just two things, I guess, that I would go to quickly. You mentioned the Burma Road before. You are going to maintain that; you're not going to go ahead and eliminate that, are you?

**COMMISSIONER ANDERSON:**

Nope, no.

**LEG. KENNEDY:**

Okay. The other piece or the question that I have with this project really goes to the financing mechanism, and I don't know whether or not I need to go to BRO for that or if you're familiar with it. Mr. Lund's letter talks about a \$160 million Federal commitment, and the way that he lays it out to me seems to make sense in that it appears, from what he's written, that we are 100% reimbursed by the Feds for this work?

**COMMISSIONER ANDERSON:**

Yes and no. First thing, all the work planned under this project is 100% Federally funded.

**LEG. KENNEDY:**

Okay.

**COMMISSIONER ANDERSON:**

It will be reimbursed to the County --

**LEG. KENNEDY:**

You have the first instance right.

**COMMISSIONER ANDERSON:**

The issue where the County would have to pay a portion would be in -- if an acquisition of a parcel went to condemnation. Gail, I guess, is going to get up here.

**LEG. KENNEDY:**

Good. But so let's just stay on that piece for a second, not with the condemnation but strictly with the dredge work.

**COMMISSIONER ANDERSON:**

Okay.

**LEG. KENNEDY:**

So it's 100% Federally funded.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. KENNEDY:**

We first instance.

**COMMISSIONER ANDERSON:**

No. Everything -- other than this, everything goes through the -- all the construction, the design, everything goes through the Army Corps. We will come back -- we have to sign an agreement with the Army Corps that allows them access to the beach, but as far as anything other than land acquisition, it's all first instant funded by the Federal Army Corps.

**LEG. KENNEDY:**

Okay. So then I am very confused and I apologize. My understanding was that we have a request for 59 million?

**COMMISSIONER ANDERSON:**

This is, again, what I tried to do in the resolution was to establish a change to the Capital Program identifying the 57 million, thank you, of dollars into the Capital Program. I'm not looking to appropriate anything right now. Until we have a project agreement in hand that we're willing to move forward on, I do not want to appropriate anything, and that's not my intent. My intent is to create a capital project where we can do this --

**LEG. KENNEDY:**

So you want a place holder. You want a place holder for receipt of the Federal funds. The intention ultimately is we'll get receipt of the Federal funds. Gail, you're going to talk to me about condemnation, but I'm going to BRO for just a second in that we can amend because this is represented as fully Federally funded so we don't need offset.

**MS. MOSS:**

Correct. We don't need an offset because it's more than 50% funded.

**LEG. KENNEDY:**

Okay. Thank you. All right. Then if I can just go to Gail. Do you have any sense at all? It's 41 homes. Is that it?

**MS. LOLIS:**

Yes. It's -- the Army Corps has created this plan which will be distributed to you. They calculate it's 41 homes. As part of the agreement, just so you understand where all the funding and our responsibilities come in. The 160 or 161 million, that's what the Federal Government estimates will be the entire construction cost, including the cost for the real estate. Of that 161 million, approximately \$57 million is what they calculate will be what the expenditures are to acquire the real estate interests, which are the fee on these 41 properties, perpetual easements for the entire length, because it's not a private benefit, it's a public beach, it remains public--

**LEG. KENNEDY:**

Right.

**MS. LOLIS:**

-- and these right of entry's and things like that. The County's responsibility, because we are the local sponsor, it is our responsibility to obtain -- to actually do the physical work to acquire the real estate interests. The Federal Government will pass that money to us through the State, so their agreement is with the State and the State will fund the money to the County. Ultimately, in an

ideal world, everything will be 100% funded.

**LEG. KENNEDY:**

So let me stop you there for a second, if I can. So the Federal funding has been identified. The State is going to be the conduit for us to come down to us. Our County Attorney's Office, you folks are actually going to go ahead and enter into agreement then on behalf of the agents and we'll close here? John Kennedy's house is one of the 41, I agree with what the appraisal is. We come, we have a meeting of the minds, deal; \$500,000. That's fine. I go over to the 12th Floor, we do a deed. You get the deed, I get money. Deal done.

**MS. LOLIS:**

Yes.

**LEG. KENNEDY:**

Okay.

**MS. LOLIS:**

And then the only -- and the State -- we're working on the project partnership agreement right now, the language of it. Hopefully the State will be able to front us money as we're going through this so there will not be any County expenditures.

**LEG. KENNEDY:**

Has there been any appraisal work done yet at all?

**MS. LOLIS:**

No, we can't do anything until we have a capital project in place. We still have to do RFP's and things like that to get appraisers on board, so no, none of that has been done yet.

**LEG. KENNEDY:**

So we have an idea what the value of these properties are going to come out at, but we have no hard dollar and cent amount to even begin to enter a conversation yet with any of these property owners.

**MS. LOLIS:**

That's correct. Nobody can move forward with that until the project partnership agreements are in place on our end and on the Federal and State ends.

**LEG. KENNEDY:**

The appraisal part, and I imagine you would have to have all of the properties surveyed, at least for the one's that you were going to do fee on, probably the easements as well, but 41 homes appraised and surveys --

**MS. LOLIS:**

Environmental assessments, the whole nine yards.

**LEG. KENNEDY:**

For the hundred, two hundred grand you could probably do the preparatory work to get you at least where you have numbers you can begin to talk about or make offers, right?

**MS. LOLIS:**

Correct. And the Federal Government, you know, there's a process in place. We'll have to get the appraisals, the Federal Government has to approval the appraisals and then we move on from there. They have to be appraised in accordance with Federal appraisal standards.

**LEG. KENNEDY:**

Okay. All right. Thank you. I appreciate it. Thank you. I'll yield.

**CHAIRMAN KRUPSKI:**

Legislator Barraga.

**LEG. BARRAGA:**

Using Mr. Kennedy's example, if Mr. Kennedy's home post-Sandy market value is appraised at \$800,000, I am hoping that deducted from that would be any reimbursable flood insurance money that Mr. Kennedy has already received. So, for example, if he's on the beach he had to have flood insurance. Probably the maximum payout is around 250,000. So if we now appraise his property at 800, I take it the 250 will be deducted from the 800, as opposed to giving him another 800 on top of the 250 that he's already received.

**MS. LOLIS:**

I'm not exactly sure. An inquiry was made to the State as far as that's concerned, so I'm not exactly sure what the answer is. What I do know is the appraisals will be based upon the current market value of the property.

**LEG. BARRAGA:**

I understand that.

**MS. LOLIS:**

So if there had been a house there, and there is no longer a house there and they've received insurance for the value of the house, it's going to be appraised as there is no house there.

**LEG. BARRAGA:**

Okay, but what if there's a damaged home on the property and they've already received say \$250,000 as a result of having national flood insurance. Then it is appraised at say 800,000 post-Sandy. I would think we want to make sure that we deduct the 250 from the 800.

**MS. LOLIS:**

Again, I would have to check with our Federal partners to find out exactly how they're handling that, because it is their money, and they watch --

**LEG. BARRAGA:**

Well, it's our money. It's our money.

**MS. LOLIS:**

It's both.

**LEG. BARRAGA:**

I mean, it's the largest -- it's the American taxpayer that's doing this. You know, normally all they'd be in for is 250,000 on the flood. They put their homes there, high risk, all right. And there's not a lot of sympathy and empathy on the mainland with reference to these homeowners. I just want to make sure that, you know, let's get clarity on that issue.

**MS. LOLIS:**

We'll have that for you.

**LEG. BARRAGA:**

I feel like we're doing a double hit.

**CHAIRMAN KRUPSKI:**

Thank you. Just to follow-up on that. So Mr. Kennedy's house, he's on the ocean and he says -- we're going to use him as an example. He says no way, get lost, my house is worth eight million dollars, right.

**LEG. KENNEDY:**

Talk to the hand.

**CHAIRMAN KRUPSKI:**

So is he -- and there's no way you can resolve it. Is he out of luck? Does the project move past him and then the next storm his house disappears and he's completely out of luck, or is there -- or do all these homes have to go in order to complete the project.

**MS. LOLIS:**

If the Federal Government, the Army Corps deems that area as an indispensable part of the project, then we will take that by way of condemnation.

**CHAIRMAN KRUPSKI:**

And then to Legislator Barraga's point about the property in its current state. Are any of these properties below high water at this point?

**COMMISSIONER ANDERSON:**

I don't believe so, but I can check.

**CHAIRMAN KRUPSKI:**

Because that would obviously really affect the value. And are they meets and bounds or do they run to high water? So are they kind of a -- are some of these properties moving targets?

**COMMISSIONER ANDERSON:**

Well, the -- three of the sides at least would be meet and bounds. The two sides running to the water would be dependent, I believe, on where the tide is, and that's something that's established. I don't know the right terms, but we spoke about that and there is a way of determining what that land is and where it would end.

**CHAIRMAN KRUPSKI:**

Sure. Okay, thank you. Legislator Calarco.

**LEG. CALARCO:**

You asked my question.

**CHAIRMAN KRUPSKI:**

Okay. Anyone else?

**LEG. KENNEDY:**

Mr. Chairman, let me go back with one other one. So we have all of the variety of possibilities with the 41, but do all 41 have to be acquired either voluntarily or through eminent domain in order for the project to begin.

**COMMISSIONER ANDERSON:**

No. The project -- we would anticipate the project moving forward in segments depending on how much land is acquired and available to do the construction. If, you know, if there's a stretch from say Robin's Rest to Atlantique that can be built, they will proceed with that construction. If one area next to it or an area, say for the sake of argument between Ocean Bay Park and Ocean Beach

doesn't have the land available, they will skip over that land.

**LEG. KENNEDY:**

Who bears the cost for demo and removal?

**COMMISSIONER ANDERSON:**

Demo and removal I believe is the Army Corps. This is all reimbursed by the Army Corps.

**LEG. KENNEDY:**

They are going to have all that.

**COMMISSIONER ANDERSON:**

Yep.

**LEG. KENNEDY:**

If it's on stilts, concrete piers or whatever, it's all coming out on their dime.

**COMMISSIONER ANDERSON:**

Correct.

**LEG. KENNEDY:**

Okay. All right.

**CHAIRMAN KRUPSKI:**

I think the big question on everyone's mind is does Legislator Kennedy have one of these homes, because he seems very interested in this whole process.

**COMMISSIONER ANDERSON:**

It might be his pool on the front deck that could actually be the problem.

**LEG. KENNEDY:**

Tell me more.

**CHAIRMAN KRUPSKI:**

Does anyone else have any other questions about this subject? In that case, thank you very much.

**COMMISSIONER ANDERSON:**

Thank you.

**CHAIRMAN KRUPSKI:**

All right. We'll go to Tabled Resolutions.

**Tabled Resolutions**

***IR 1310 - Authorizing reduction of bus fares on two routes to achieve fare uniformity (Schneiderman).***

**LEG. STERN:**

Motion to table.

**CHAIRMAN KRUPSKI:**

I have a motion to table. Is there a second? I'll second that motion. All in favor? Opposed? Abstentions? Motion carries. **(Vote: 4-0-0-1 Not Present: Legislator Muratore)**

***IR 1313 - Authorizing alteration of rates for Davis Park Ferry Co., Inc. (Pres. Off).***

Do we have to --

**LEG. STERN:**

Motion to table.

**CHAIRMAN KRUPSKI:**

-- table for public hearing?

**LEG. CALARCO:**

The report is not done yet.

**CHAIRMAN KRUPSKI:**

Oh, okay. Who made the motion? Legislator Stern made the motion. Second?

**LEG. CALARCO:**

Craig wants to say something.

**CHAIRMAN KRUPSKI:**

Yes.

**MR. FREAS:**

We expect to have the Davis Park Ferry report out this afternoon. We had expected it earlier in the week, but there were a couple of other issues we decided to address and it should be out this afternoon.

**CHAIRMAN KRUPSKI:**

Thank you. Is there a second? Second by Legislator Browning. All in favor? Opposed? Abstain?  
***(Vote: 4-0-0-1 Not Present: Legislator Muratore)***

***IR 1330 - Amending procedures for procuring consultant services (Cilmi).*** Is there a motion?

**LEG. STERN:**

Motion to table.

**LEG. BARRAGA:**

Second.

**CHAIRMAN KRUPSKI:**

There's a motion to table and a second. Is there any -- can we have some discussion on this? Motion to by Legislator Stern, second by Legislator Barraga.

**LEG. CILMI:**

Mr. Chairman.

**CHAIRMAN KRUPSKI:**

Yes.

**LEG. CILMI:**

Is this -- this is the bill, I'm sorry, I don't have an agenda in front of me. This is the bill that we discussed at the last committee meeting that deals with the composition of the RFP Waiver

Committee?

**CHAIRMAN KRUPSKI:**

Yes.

**LEG. CILMI:**

So are we able to vote on -- I shouldn't say we. Is the committee able to vote on this, Counsel, given the changes to the -- or I think we just filed those changes, right?

**MR. NOLAN:**

I'm not even sure they were filed yet.

**LEG. CILMI:**

They may not have even been filed yet.

**MR. NOLAN:**

Well, we could, because the meeting is not this coming Tuesday, but the following Tuesday it's eligible for a vote, even if we amended it today.

**LEG. CILMI:**

Okay. Just for the committee's edification --

**LEG. BARRAGA:**

What are the changes?

**LEG. CILMI:**

Right. So just for the committee's edification, what we did was based on some of the recommendations from our last meeting, we increased the size of the committee to five members, three being from the County Executive's Office, so they get an extra appointment; two being from the Legislature, so we get one appointment by the Presiding Officer and one from the Minority; and then we require that there's a four vote minimum in order to waive the RFP process. So that way we accomplish what some suggested we should accomplish by including a member from the Minority. We accomplish the task of keeping the majority from the County Executive's Office, and we -- there was one other thing we accomplished and I can't remember what it was. But nevertheless, one of my -- my major concern was that, as you might remember, is that the Legislature had, in addition to a voice at the meeting, had an actual role to play in the voting that counted, and so we basically assured that that would happen by requiring the four vote minimum as opposed to a simple three vote majority.

**LEG. BARRAGA:**

You were going so well for so long until we got to the four vote minimum. I sort of look at it from the standpoint of giving the Minority an opportunity to put somebody on that committee so the Minority has a voice even though they don't control the vote. We don't control the vote, frankly, anywhere. So I'm not too sure the four vote thing would ever be acceptable to the other side, realistically. I think it would be acceptable if you left it three-two just the way you initially proposed it, and then Mr. Kennedy would appoint somebody and that person would have a voice from our perspective on that particular committee.

**LEG. CILMI:**

Well, I mean, certainly it's the committee's, you know, the committee will express their wishes in the form of a vote now, and if it's the committee's wish to continue to, you know, oppose having the Legislature have any say at all in the actual vote of whether or not we waive an RFP, we'll, you know, we'll go forward from there I suppose.

**CHAIRMAN KRUPSKI:**

I think it has value to have that discussion, but I've got a motion to table and a second and where it was filed just recently I would like to let it be tabled and we can have the discussion in the future.

**LEG. CILMI:**

I think that's fair. Sure.

**CHAIRMAN KRUPSKI:**

All in favor? Opposed? Abstained? So moved. **(Vote: 4-0-0-1 Not Present: Legislator Muratore)**

***IR 1407 - 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.).***

We tabled this last time and I guess I need an explanation of who's on first here.

**COMMISSIONER ANDERSON:**

If I may. We would ask again that this be tabled. A public hearing is required prior to this being considered. We are in the process of preparing that public hearing request resolution, and it should be in the next cycle. We just didn't get to it.

**LEG. STERN:**

Motion to table.

**LEG. KENNEDY:**

Mr. Chair, if I can just add one other element. Being the Legislator who's actually worked on this district formation for the better part of eight years. This is an existing, functioning, privately constructed STP right up across from the Watermill. We -- DPW worked, went through great lengths to actually achieve consensus on putting the district together, but the devil's always in the details, and the language necessary to actually effectuate the conversion from a privately operated STP to a public one really does require a number of representations. We had done a resolution previously and then County Attorney's Office was able to ascertain from the AG that there were some omissions. They asked for additional inclusions and that's why we have it back before us now. We really are going through, you know, the ministerial parts of what it takes to get created.

**CHAIRMAN KRUPSKI:**

Thank you. I'm sure in another eight years we'll have it all straightened out. Thank you.

**LEG. STERN:**

Motion to table.

**CHAIRMAN KRUPSKI:**

So I have a motion to table by Legislator Stern. Do I have a second? I'll second that motion. All in favor? Opposed? Abstain? So moved. **(Vote: 4-0-0-1 Not Present: Legislator Muratore)**

**Introductory Resolutions**

All right. **IR 1453 - Establishing a PSE&G Legislative Oversight Committee (Muratore).** At the sponsor's request, I'll make a motion to table.

**LEG. STERN:**

Second.

**CHAIRMAN KRUPSKI:**

Second by Legislator Stern. All in favor? Opposed? Abstain? **(Vote: 4-0-0-1 Not Present: Legislator Muratore)**

***IR 1456 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with construction of sidewalks on various County roads (CP 5497).***

I'll make a motion to approve. Is there a second?

**LEG. STERN:**

Second.

**CHAIRMAN KRUPSKI:**

Second by Legislator Stern. Do I have an explanation?

**COMMISSIONER ANDERSON:**

The Town of Smithtown reached out to Legislator Kennedy and requested that they -- some sidewalk be done along County Road 16. There was funding in the Capital Project 5574, which was work that we had recently done on Smithtown Boulevard at Gilbert Avenue and Shepherd Lane. This funding is what is being used as an offset to do the work. The Town will maintain the sidewalks once it's constructed. We are able to construct sidewalks on County roads and then they do become the responsibility of the townships.

**CHAIRMAN KRUPSKI:**

Do you have that in writing?

**COMMISSIONER ANDERSON:**

It's law actually. It's law.

**CHAIRMAN KRUPSKI:**

Thank you. All right. So I have a motion and a second. All in favor? Opposed? Abstentions? **(Vote: 4-0-0-1 Not Present: Legislator Muratore)**

***IR 1460 - Appropriating funds in connection with the construction of Compressed Natural Gas (CNG) Fueling Facilities (CP 5603, PIN 0T2516)(Co. Exec.).***

**COMMISSIONER ANDERSON:**

I have been asked to request that this be tabled, too, by staff. There are some issues with the cycle we're proposing to do it, primarily with bringing in a gas service, so I would ask that it be at least one cycle tabled so that we can resolve that.

**CHAIRMAN KRUPSKI:**

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

***IR 1461 - Appropriating funds in connection with Renovations and Alterations to Probation Administrative Buildings (CP 3063)(Co. Exec.)***

Is there a motion? Motion to approve by Legislator Browning, second by Legislator Stern. Okay. Any information?

**COMMISSIONER ANDERSON:**

Yes.

**CHAIRMAN KRUPSKI:**

Thank you.

**COMMISSIONER ANDERSON:**

This resolution requests to appropriate \$200,000 for the construction of a drug testing and processing center and will include a number of plumbing renovations in anticipation of next year a capital project coming in to replace the bathrooms within the Probation building. That's the intent and the cost of the project.

**CHAIRMAN KRUPSKI:**

Thank you. Does anyone have any questions? All in favor? Opposed? Abstentions? So moved.  
**(Vote: 4-0-0-1 Not Present: Legislator Muratore)**

***IR 1469 - Authorizing the acquisition and approving and accepting the conveyance of a portion of a certain parcel of real property having a Suffolk County Tax Map Identification Number of District 0500 Section 071.00 Block 01.00 Lot 012.004 for the reconstruction of CR 13, Crooked Hill Road, from Garret Place to CR 106, Community College Drive, Town of Islip, Suffolk County, New York pursuant to New York State Education Law Sections 6304(4) and (5) and New York State County Law Section 215 (3) (CP 5538)(Co. Exec.).***

Do I have a motion to approve?

**LEG. STERN:**

Motion.

**CHAIRMAN KRUPSKI:**

Motion by Legislator Stern. Is there a second? I'll make a second. And do you have a question?

**LEG. BROWNING:**

Yeah. How much is this and is this connected to 55 -- Capital Project 5584, which is --

**COMMISSIONER ANDERSON:**

This is Capital Project 5538, which is Crooked Hill Road. The project -- what this looks to do is to acquire land from -- let me try this again -- accept a conveyance of land from Suffolk County Community College to allow us to do some widening on that stretch of Crooked Hill Road north of County Road 106.

**LEG. BROWNING:**

It says authorizing the acquisition. So we're not buying this, it's just -- so it's 5538 project?

**COMMISSIONER ANDERSON:**

Correct.

**LEG. BROWNING:**

Which, actually, that was on my list of questions. I thought that was connected to the 5584 project. I guess not.

**MS. MOSS:**

If you look at the first Resolved it says that there will be ten dollars and it would be waived, so there is no fiscal impact.

**LEG. BROWNING:**

Okay. So, you know, I did have questions about 5538 because when I look at it, it's talking about development around the Heartland Square by the Pilgrim State. And, you know, I had questions about, you know, I see there is some infrastructure improvements near Tanger Outlets, but I just wondered, you know, the Heartland project hasn't begun yet. And, you know, of that project, how much are they going to do for infrastructure improvements around their project and how much should we be putting up, especially when I believe they just got some approvals with the Town of Islip. So we don't even know when they are going to put a shovel in the ground and we have a 21 -- I think 21 million. We're going to spend \$21 million around a project that hasn't happened yet and, again, my question is, is how much of that should we be paying for and how much of it should the developer be paying for.

**COMMISSIONER ANDERSON:**

Your question is understandable. The project was a project that we were looking to do anyway. We are in the process this year of doing south of 106 to Wicks Road, doing improvements, and we were going to continue it up to the bridge that crosses over Sagtikos Parkway. This will be a cost shared project where, and Bill can confirm this. We would pay for that portion of road, the work that's needed to maintain and upgrade our portion of the road. Any expansion, I believe, and correct me if I'm wrong, would be the responsibility of the developer.

**LEG. BROWNING:**

I mean, I don't have a lot of backup, I've no backup on it, you know, and I would like to be able to see a map of what exactly is, you know, is being proposed as to what we're doing versus what Heartland will do when -- if and when he develops.

**COMMISSIONER ANDERSON:**

I can show you -- I know with my backup there is -- I can give you this map if you want so you have it. I don't have a map that shows what they're going to do as compared to what we're going to do. We're going in and construct on our right of way. They're going to reimburse the County for the work that would cost above and beyond what we would do to upgrade our road. So any widening cost would be the responsibility of the developer, and he would give those fees to the County.

**LEG. BROWNING:**

Okay. Like I said, I don't see enough on it. I think I'm just going to abstain from voting on this one.

**CHAIRMAN KRUPSKI:**

Thank you. Does anyone else have any questions?

**COMMISSIONER ANDERSON:**

Legislator, if I may. This is, I mean, keep in mind, this is -- I don't want to say free, it's a ten dollar donation of land from the College to enable us to do what we need and --

**LEG. BROWNING:**

No, I don't disagree. I mean, there's no financial impact here for you to do the project, and I don't think you're going to need my vote anyway to get it out of committee, but it's Capital Project 5538 that I question how much of that we should actually be doing. So it's part of that project.

**COMMISSIONER ANDERSON:**

I will try to get you that background -- that back up.

**CHAIRMAN KRUPSKI:**

If there's no other questions? All in favor? Opposed? Abstain? One abstention. So moved.

**(Vote: 3-0-1-1 Abstention: Legislator Browning; Not Present: Legislator Muratore)**

**IR 1471 - Appropriating funds in connection with roof replacement on various County Buildings (CP 1623)(Co. Exec.).** Is there a motion? Motion by Legislator Barraga. Second by Legislator Browning. Do we have any specific roofs?

**COMMISSIONER ANDERSON:**

Yeah. Right now the main -- this looks to appropriate \$550,000 in construction fees. Our main focus right now is the old infirmary building as well as the Farmingville Health Building, those two buildings. But, again, if something more urgent comes up, we would, you know, have to allocate those funds towards that. But for now these are our prime focus with these specific funds next year.

**CHAIRMAN KRUPSKI:**

The Farmingville -- what health building?

**COMMISSIONER ANDERSON:**

Farmingville Health Center. It's -- if you go up 97, Nicolls Road, you go up past Horseblock Road. You'll come to Horseblock Place, right there at that corner. It's like at the southern tip of Suffolk County Community College. There's a building, it's a County office. There's a health center and then also the members of the Department of Health are in that building as well.

**CHAIRMAN KRUPSKI:**

Did you have a question, Kara? Okay. All right. Okay. So we have a motion and a second. If there's no other questions, all in favor? Opposed? Abstentions? So moved. **(Vote: 4-0-0-1 Not Present: Legislator Muratore)**

**IR 1473 - Appropriating funds in connection with Replacement of Major Building Operations Equipment at various County facilities (CP 1737)(Co. Exec.).** Is there a motion?

**LEG. STERN:**

Motion.

**CHAIRMAN KRUPSKI:**

Motion by Legislator Stern. Second by Legislator Barraga. Anything specific?

**COMMISSIONER ANDERSON:**

Yeah. This is specifically intended towards an emergency generator at Fire, Rescue and Emergency Services. The one that's there now is pretty old and it's, while it is still working, it's being held together with band-aids and bubble gum, so it is in need of replacement. We believe the \$200,000 is sufficient to get us a new generator at that facility.

**CHAIRMAN KRUPSKI:**

Thank you.

**LEG. CILMI:**

I'd like to know which is stronger, band-aids or bubble gum.

**CHAIRMAN KRUPSKI:**

Do you need any more? I think he's got the bubble gum.

**COMMISSIONER ANDERSON:**

I can send you tensile testing.

**CHAIRMAN KRUPSKI:**

All right. All in favor? Opposed? Abstentions? **(Vote: 4-0-0-1 Not Present: Legislator Muratore)**

***IR 1474 - Appropriating funds in connection with Elevator Controls and Safety Upgrading at Various County Facilities (CP 1760)(Co. Exec.).***

**LEG. STERN:**

Motion.

**CHAIRMAN KRUPSKI:**

Motion by Legislator Stern. I'll second the motion. So on that appropriation, is there any specific elevators or safety concerns?

**COMMISSIONER ANDERSON:**

Yes. This funding, the \$250,000 that we are requesting is being planned to be spent at the Cohalan Court Complex as well as the Criminal Court Building.

**CHAIRMAN KRUPSKI:**

All right. We have a motion and a second. All in favor? Opposed? Abstentions? **(Vote: 4-0-0-1 Not Present: Legislator Muratore)**

***IR 1485 - Authorization of alteration of rates for North Ferry Co., Inc. (Pres. Off.).*** I'll make a motion to table for the purpose of a public hearing.

**LEG. STERN:**

Second.

**CHAIRMAN KRUPSKI:**

Second by Legislator Stern. All in favor? Opposed? Abstentions? So moved. **(Vote: 4-0-0-1 Not Present: Legislator Muratore)**

***IR 1501 - Adopting Local Law No. 18 -2014, A Local Law to bar environmental polluters from conducting business with Suffolk County (Martinez).***

That has to be tabled for a public hearing. I'll make that motion. Is there a second? Second by Legislator Stern. All in favor? Opposed? Abstentions? So moved. **(Vote: 4-0-0-1 Not Present: Legislator Muratore)**

***IR 1502 - Accepting State funds and amending the 2014 Capital Budget and Program and appropriating funds in connection with the reconstruction of the Fire Island Barrier Beach and Dune Network from the Fire Island Inlet to Moriches Inlet (FIMI) (CP 5382)(Co. Exec.).***

Motion by Legislator Stern. I'll second the motion. Is there any other discussion on that motion? All in favor? Opposed? Abstentions? So moved. **(Vote: 4-0-0-1 Not Present: Legislator Muratore)**

I do have a question for the Commissioner. And it's about -- it's two questions. One is about the -- in the Capital Budget about the bulkhead replacements in District 2. Could you give us any specifics about the condition of the bulkhead and the scenarios about not replacing them.

**COMMISSIONER ANDERSON:**

I will turn this over to Bill Hillman, Department of Public Works Chief Engineer.

**CHAIRMAN KRUPSKI:**

Thank you.

**MR. HILLMAN:**

We own and maintain approximately 30 to 35 bulkheads and we have on our list probably about 10 to 12 bulkheads that are in need of some type of repair. They vary in different grades of repair. Some are spot repairs, others are full replacements. They range from silt, you know, they become porous and the silt behind the bulkhead starts to, you know, flow through and you get setting behind, which is a very simple fix. Excavate behind the bulk if it's still structurally sound and seal it, fill it back in. We have others where the bulkheads are not structurally sound and they are just dilapidated and need to be replaced. So there's varying levels of bulkheading and problems with the bulkhead.

**CHAIRMAN KRUPSKI:**

These specific ones that were in the Capital Budget, is there any -- can you give us -- what's the urgency of replacing those three bulkheads? There's one in Quogue Canal, there's one on County Route 42 in Shelter Island and there's one on Northwest in East Hampton. And is the one in Northwest, is that by the both ramp? Is there a boat ramp there?

**MR. HILLMAN:**

Yes, you're correct. The one in Northwest we're doing minor repairs right now. And I'd like to say that we take direction from, when it comes to the bulkheading, we take direction or we repair these in conjunction with the Parks Department. So there's some discussion between Parks and the town on that particular bulkhead, but we're doing the temporary repairs this year for that particular location. What was funded in the capital project was for a full repair, which I think is now off the table, and that's subsequent to all the discussions that have been ongoing.

**CHAIRMAN KRUPSKI:**

With the town.

**COMMISSIONER ANDERSON:**

Yes.

**CHAIRMAN KRUPSKI:**

Well, what's the nature of the discussion? I mean, is it a problem with the location or is it a problem with the drainage?

**MR. HILLMAN:**

I believe some in the town want the bulkhead removed completely, permanently.

**CHAIRMAN KRUPSKI:**

What's behind it, a parking lot?

**MR. HILLMAN:**

A very small parking lot, yes. It's more like the dead end of a roadway. Again, we're waiting on direction from that. But ultimately we feel that the -- Parks Department is not in favor of removing the bulkhead entirely as per the request of the town. We feel the best course of action is just to do minor repairs at this time.

**CHAIRMAN KRUPSKI:**

Would removing the bulkhead affect access to the water?

**MR. HILLMAN:**

Yes.

**CHAIRMAN KRUPSKI:**

Is that their intention?

**MR. HILLMAN:**

Again, I can't speak to the details.

**CHAIRMAN KRUPSKI:**

What about the other two projects, the Quogue Canal and the bulkhead at Shelter Island.

**MR. HILLMAN:**

The bulkhead on Shelter Island, again, some failures where silt is flowing through and there is settling behind. In general, it looks like it's structurally sound. So -- let me put it this way. Neither of the projects are locations where the bulkheading is completely falling into the water. As we -- the longer we delay for the repairs, the cost becomes exponential. That's just the nature of the beast.

**CHAIRMAN KRUPSKI:**

Sure.

**MR. HILLMAN:**

Once they start to deteriorate it becomes exponential. So it would be more cost effective to make the repairs now. However, knowing the fiscal constraints that the County is under, if it was pushed back I don't think anything is immediately ready to fail.

**CHAIRMAN KRUPSKI:**

Do you resheath with vinyl?

**MR. HILLMAN:**

I'm sorry, what was that?

**CHAIRMAN KRUPSKI:**

Do you resheath with vinyl?

**MR. HILLMAN:**

We have multiple options. That is definitely one of our options and we do use that option quite often.

**CHAIRMAN KRUPSKI:**

How long is that bulkhead in Shelter Island?

**MR. HILLMAN:**

The length of it? I can't answer that question. I don't know. I'm not that familiar.

**CHAIRMAN KRUPSKI:**

And how about the one at Quogue Canal. Is it structurally sound?

**MR. HILLMAN:**

I would say structurally sound, yes, and I do actually have some photos of Quogue Canal if you'd like to see them.

**CHAIRMAN KRUPSKI:**

Sure. How does the County have ownership of these? They look like they're in front of someone's house. You see the lawn chairs, the barbecue. Why does the County own this?

**MR. VAUGHN:**

I think we found Legislator Kennedy's home.

*(\*Laughter\*)*

**MR. HILLMAN:**

I can't speak to that. I'm sorry. I don't know. And I did find some photos of Shelter Island, if you'd like.

**COMMISSIONER ANDERSON:**

Shelter Island is probably, if I had to guess, was a couple of thousand feet long. It only extends from Crescent Beach all the way through to the Pridwin.

**CHAIRMAN KRUPSKI:**

Is that cement?

**COMMISSIONER ANDERSON:**

The bulkhead, no, is wood. It's timber. There is a concrete curb and a walkway and then there's the -- Bill has it.

**CHAIRMAN KRUPSKI:**

Thank you. Could you find out why we own that? And that doesn't show the -- I mean, these photos on Shelter Island show the bulkhead. That just shows the -- that doesn't really show anything as far as the condition goes.

**MR. HILLMAN:**

It does show that it's bowing.

**CHAIRMAN KRUPSKI:**

It's got a little wiggle, but.

**MR. HILLMAN:**

Yeah. Again, it's not, like I said, it's not a public safety issue where we're, you know, afraid it's going to collapse and endanger anyone. There's some structural issues, there's some silting that's flowing through the bulkheading.

**CHAIRMAN KRUPSKI:**

I just wonder why it's -- I mean, it looks like it's someone's home on Quogue Canal. You can see where it is settling behind it and obviously the sand is flowing through it, but. So --

**COMMISSIONER ANDERSON:**

We'll look into that. Again, we don't have that information.

**CHAIRMAN KRUPSKI:**

And the one on Shelter Island, I mean, that's obviously holding the road up. So that's -- I mean, I

think the one that's holding the road up on Shelter Island is kind of critical, because, well, it's holding the road up. So if you could get us -- if we could get some more, a little more specificity into what the project would entail, if it's just resheathing. Because to dig that up, that's a major job there right next to the road. You'd want to start, I think, Memorial Day weekend and continue all summer.

**MR. HILLMAN:**

Well, the one on Shelter Island, again, would be mostly excavation, sealing and backfilling.

**CHAIRMAN KRUPSKI:**

You don't think you'd resheath it?

**MR. HILLMAN:**

No, we don't think that that is necessary at this time. As you can see from the photos, the sheathing is in pretty decent shape.

**CHAIRMAN KRUPSKI:**

Are there any utilities there to dig up?

**MR. HILLMAN:**

That could be a possibility, you know, we're not fully vetted through the project quite yet.

**CHAIRMAN KRUPSKI:**

And would you do, and see it's paved there, and I know that -- I'm sure it's used as a pedestrian walkway, but is there any possibility of doing any drainage in that or is that just?

**COMMISSIONER ANDERSON:**

You mean putting drainage underneath it or --

**CHAIRMAN KRUPSKI:**

After you dig that section up between the curb and the bulkhead, does any -- where is the drainage on the road now?

**COMMISSIONER ANDERSON:**

Right now it outfalls right onto the beach.

**CHAIRMAN KRUPSKI:**

The main line is onto the beach. So is there any opportunity, because I know you do drainage very well. If you look at the reconstruction of this or the repair of this with an eye towards possible French drain in some location here.

**COMMISSIONER ANDERSON:**

We can look at that. I mean, it's a narrow spot. I'm thinking more, and I can't think of the structures, but maybe some type of structure that we can put in there. French drains you might have some impact on the bulkhead itself, so. We'll look at it.

**CHAIRMAN KRUPSKI:**

Thanks. And then the other questions was about the bridges and the condition. You mentioned in the report some were red flagged. Who -- so the question was what other color flags are there and who flags them? I mean, who says this is red flagged and who says this is fine and what criteria do they use?

**COMMISSIONER ANDERSON:**

The New York State Department of Transportation does a biannual inspection of every bridge within New York State. So every two years we will get a report on a bridge as to its condition. There are primarily two flags. I mean, there's a red flag, which is used to report a failure or a potential failure of a primary structural component which is likely to occur before the next inspection. Those are the issues we have to address right away. A yellow flag is issued to report a potentially hazardous structural condition, which left unattended could become a clear and present danger before the next inspection, and those issues must be addressed in a timely manner. Beyond that, obviously everything's okay, it's in good condition.

The following list of red flags -- before I go there. We then take the inspection reports, which we get on every bridge and we go and follow-up on those. So if we get a red flat at the corner of the bridge over First Street, we'll go out and inspect that. We've had a number of them in the past few years. What has come to pass is in the inspections DOT has identified that in some cases structural members, the paint is hiding the deterioration of the actual steel structure underneath, and it wasn't until, you know, they started actually doing some type of physical probe into that that they realized there were problems. And that was the genesis of the last nine red flags that we had issued to us by the State in 2012 and we had an emergency contract and, you know, we had to issue an emergency contract. I don't know if that answers your question.

**CHAIRMAN KRUPSKI:**

It does. Legislator Hahn has a question.

**LEG. HAHN:**

I was asking about this yesterday during the capital -- well, whenever it was, recently, during our Capital Budget Working Group. Can you repeat the definition of the red flag? Failure or potential failure yada yada?

**COMMISSIONER ANDERSON:**

The red flag is used to report the failure or potential failure of a primary structural component, which is likely to occur before the next inspection. The issues must be addressed immediately.

**LEG. HAHN:**

Okay. And you said that we had nine red flags in 2012. They have not given you the 2014 report yet?

**COMMISSIONER ANDERSON:**

Well, as they go through the bridge inspections we will get a report. It's not necessarily that we're waiting in 2012. We get them continually over the course of a year. As they do their inspections, they get it out. It just turned out that -- it turned out that they found an issue with their inspection process where they were just looking at the bridge structural members and saying, "Oh, they look good, move on" until somebody actually took a screwdriver and started, you know, punching through and they realized, "Oops, we got an issue" and that's when they went through and essentially issued those nine red flags within a very short period. I don't know that we got them all at once, but we definitely got them within a short enough period that we created a capital project, an emergency capital project, which is the genesis of our request under this budget.

**MR. HILLMAN:**

I'd just like to expand on that real quick. Generally every two years we do get a lump of inspections, and in 2012 it was right around this time that we started to receive all those red flags. We are crossing our fingers right now hoping we don't receive red flags. So we believe that those State inspections are ongoing right now. We don't control them, we don't oversee them, so we don't have a schedule, they don't provide us a schedule.

**LEG. HAHN:**

Okay. But what's in the Capital Budget is for unidentified red flags that or the ones that -- we still haven't addressed the ones from 2012.

**MR. HILLMAN:**

Yeah, the ones in 2012 are complete. What's in the Capital Program under 58 -- yeah. We have multiple structural projects, but the primary one is CP 5850. Those funds are identified for repairs to specific bridges.

**LEG. HAHN:**

Right. So are there currently red flags that are unaddressed?

**MR. HILLMAN:**

No.

**LEG. HAHN:**

Okay. But we're expecting them to start coming in again, because it's two years out from last time and we imagine there could be some new red flags since the last inspection.

**COMMISSIONER ANDERSON:**

Again, it's a potential issue that we would like to be ready for. You know, in 2008 we had three red flags; 2010 we had one red and one yellow; 2011 we had one red flag; and then 2012 we had nine red flags and one yellow flag.

**LEG. HAHN:**

Sorry. That Capital Budget number again, 5150?

**MR. HILLMAN:**

Fifty-eight fifty. And just do give you a general sense, we own and operate and maintain 74 bridges. Of those 74 bridges, 31 of them are, which is 42%, are on our priority list, meaning the Commissioner identified -- the scale that the New York State DOT rates the bridges at, and when they're below a five is when we put them on our radar. So we have 42% of our bridges are on our radar right now, and I would also expand to say that 22 of those 74 bridges, which is 30%, are beyond their design life. That doesn't necessarily mean they are in any way, manner, shape or form failing, but they were designed for a particular lifespan and --

**LEG. HAHN:**

Did you say we're beyond?

**MR. HILLMAN:**

Twenty-two of the 74. Now, only 16 of them are on our radar, so that goes to show you that just because they're beyond their design life doesn't mean that they necessarily have an issue. But still, 16 of those 22 are on our radar. And then 31 other of the 74 are approaching their design life. So total, we have, what is it -- I'm losing my notes here. It approaches 42% again. That's what's throwing me off, it's the same 42%. Forty-two percent of our bridges are either beyond their design life or approaching their design life. So with that fact alone, we will be needing to spend a lot of attention on our bridges.

**LEG. HAHN:**

I'm sorry. You threw out a lot of statistics here.

**MR. HILLMAN:**

A lot of numbers.

**LEG. HAHN:**

The 74 number was what? I'm sorry.

**MR. HILLMAN:**

Seventy-four is how many bridges we own and maintain.

**LEG. HAHN:**

So 74 is the number of bridges we own and maintain.

**MR. HILLMAN:**

Beyond all the numbers, what I would like you to take away from this is our bridges are old. That doesn't necessarily mean that we need to replace them all, it just means that we need to pay attention to them and we need to at times, you know, spend some money on them.

**LEG. HAHN:**

Do we rely on the State's inspection process? I mean, I know you said that you would go out inspect the ones they flagged, but are we regularly inspecting our own bridges beyond what the State does?

**COMMISSIONER ANDERSON:**

Generally, you know, our Highway Foreman in an informal way would go through that. We do have a highway maintenance crew that would go through. For the most part though, no, we do not have the manpower to be able to do that.

**LEG. HAHN:**

And do you feel like the State, because everyone is cutting back, are they really getting to every bridge once every two years?

**MR. HILLMAN:**

Yes, definitely. By law they're required to, and we do get inspection reports every two years. I will say that they use consultants on our bridges and they use their own forces on their bridges. But the general premise of inspecting the bridges every two years is successful. And I'd also like to put on record that Suffolk County bridges are safe. There's no bridge that is in such dire straits where we feel that it's a public safety issue at all. So all bridges are safe. The every two year inspection does work. When we get these red flags and address them, that's testament to it is working. What we're trying to bring to light is that our bridges are older and we need to have funding to maintain these bridges.

**LEG. HAHN:**

Did this discussion come up in the context of the bridge to Smith Point? Did you discuss that before I got here?

**COMMISSIONER ANDERSON:**

No, we didn't.

**LEG. HAHN:**

Because Legislator Browning was saying that she was afraid when school children road busses over the bridge to Smith Point. Are we at a place where we feel like that one is in that dire of a condition?

**COMMISSIONER ANDERSON:**

We made those repairs -- those were structural repairs we made recently. Last year, I believe, there were some issues. It's the life, the expected life of Smith Point is very short. And we are

now currently faced with making a decision on whether we do a full replacement at a cost of 60 million, or we do a rehab at 48. You know, and either way it's not a real pleasant perspective, but it's something we are looking at right now. The bridge is safe, there's no load restrictions. We've taken care of that and that will last us at least five to ten years, but beyond that, in the long-term, we'll look at what we're going to do with that bridge.

**LEG. HAHN:**

I know this is probably a discussion to have for a later date, but does replacing extend the life longer than rehabbing, significantly?

**COMMISSIONER ANDERSON:**

Yes.

**LEG. HAHN:**

Thank you.

**CHAIRMAN KRUPSKI:**

Just one more question. The painting, how much does that help the long-term structural integrity.

**COMMISSIONER ANDERSON:**

Well, the painting protects the steel. It's when water gets behind that, you know, in between that seal and starts to pop it open during freeze thaw cycles that you start to get the deterioration. Unfortunately, in the cases that we saw in 2012, you have, you know, nobody was doing any structural, you know, actually, what's the term, when you're physically doing, you know, opening it up to make sure that everything's okay. Invasive I guess is the term.

**CHAIRMAN KRUPSKI:**

Thank you.

**MR. HILLMAN:**

Building on what your question was, Legislator. The two most critical things to maintaining bridges, maintaining the joints, because when the joints fail the water goes between the joints and runs down on your steel. So maintaining your joints and also painting. Those are the two most critical things. What we've done to try and expedite and give ourself quicker response time is set up a bridges requirements contract where we can cut work orders on it. Very similar to what we've done on the pavement, where we have a requirements contract for paving, we're going to be doing the same thing for structural repairs. Not overly extensive structural repairs, but joints, minor steel repairs, bridge painting, things like that.

**CHAIRMAN KRUPSKI:**

Thank you. All right. There's no other questions. The committee meeting is adjourned. Thank you.

*(\*The meeting was adjourned at 3:54\*)*