

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 September 29, 2014 at 2:00 p.m.

Members Present:

Legislator Krupski - Chairman
Legislator Muratore - Vice Chair
Legislator Barraga
Legislator Browning
Legislator Stern

Also In Attendance:

George Nolan - Counsel to the Legislature
Lora Gellerstein - Chief Deputy Clerk, Suffolk County Legislature
Jason Richberg - Aide to Presiding Officer Gregory
Gil Anderson - Commissioner, SC Department of Public Works
Phil Berdolt - Deputy Commissioner, SC Department of Public Works
Bill Hillman - Chief Engineer, SC Department of Public Works
Garry Lenberger - Director of Transportation
Gail Lolis - County Attorney's Office
Robert Braun - County Attorney's Office
John Donovan - County Attorney's Office
Lawrence Britt - LIPA Legislative Oversight Committee Appointee
Sheldon R. Sackstein - LIPA Legislative Oversight Committee Appointee
Frederick Gorman - LIPA Legislative Oversight Committee Appointee
Peter Quinn - LIPA Legislative Oversight Committee Appointee
Joe Schroeder - LIPA Legislative Oversight Committee Appointee
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 1:58 p.m.)

CHAIRMAN KRUPSKI:

All rise for the Salute to the flag led by Legislator Barraga.

Salutation

Welcome to the regular meeting of Public Works, Energy and Transportation. I don't have any cards. Is there anyone who would like to address the committee? We'll start off with presentations. We have Garry Lenberger here, the Director of Suffolk County Transportation, to talk about Sunday bus service and other bus related issues. Welcome, Garry.

MR. LENBERGER:

Good afternoon.

CHAIRMAN KRUPSKI:

Welcome, Phil.

MR. LENBERGER:

First I'd like to, if I may, give you an update on the Sunday bus service, which started January of last year. We have ten routes that have had ridership increases since the month of January, ranging from 70 percent up to 200 percent increases. Now, that being said, there was some weather issues, as we all know, with snowstorms and whatnot, but we do feel that the ridership looks promising and we're pretty much very happy with it.

I don't know if you had heard or not, but have some Federal money that is paying for 50 percent of the program for the first three years, which comes out to about four million dollars at 50 percent of the operating costs. So we just got approved for that. We had put in for that grant, you know, about two years ago and it was approved. And I might add that we had a triannual review by the FTA, USDOTFTA, this past summer, and we scored a perfect score, which was the first time that Suffolk County has ever done that.

CHAIRMAN KRUPSKI:

Congratulations.

MR. LENBERGER:

Thank you very much. Yeah, the ridership has spiked somewhat and, you know, the latest numbers through August were quite promising. The SCAT Program, which accompanies that, has grown slowly but surely. We had 118 trips just yesterday actually for Sunday service for the SCAT Program.

I wish I had a bigger picture of it, but this is essentially our bus routes that comprises Sunday service. The goal of our department, our division, is to increase it to 24 routes someday. That was based on a consultant plan of about three years ago, and this way you get a lot more interconnectivity between all the bus routes and, you know, better service, you know, because we do have some service gaps, you know, and obviously we're trying to service the whole County.

As far as projects on the board, we have a number of projects. We have Federal 5307 grant money that has been approved and passed, and we are applying for additional funds this year in the neighborhood of seven million dollars, which is a formula based funding. The -- on the table is we're going to buy roughly 20 full size transit buses, 35 footers. They are going to be a diesel hybrid electric vehicle. We have four 2008 hybrid buses that have had great success as far as miles per gallon. We're averaging around five and a half to six miles per gallon on those vehicles. The

standard transit diesel bus will get you around 3.9 miles per gallon. So we've gotten some very good fuel economy numbers. We'll buy 20 of those depending on the bid price of the vehicle.

In addition to that, we have our AVL Program which is ongoing. We're actually, as of last Thursday we had 12 buses installed. We're starting out on the Paratransit Program, and that will eventually outfit the entire fleet of 151 paratransit buses and 158 fixed route buses.

Once that's done, we will revamp the system to have a little bit better on time vehicle performance. Right now we know the schedules are off somewhat. You know, instead of using, you know, our staff to go out there and track buses and whatnot, it's a lot easier to have AVL where you can just pinpoint the bus exactly and then we could adjust our schedules.

And like I said, we're up to 12 right now. We're doing about three per day. We're in a mini-fleet testing phase on the para and then the mobile data terminals that are on the fixed route buses will also go through a mini-fleet testing themselves once the Paratransit Program, is also, you know, concluded.

CHAIRMAN KRUPSKI:

What do you mean by mini-fleet?

MR. LENBERGER:

Mini-fleet we basically install the units -- it's a custom made, tailor made program for Suffolk County. So what happens is you install it on three different vehicles, three different vintages of the vehicles, and test them to make sure that the program is working. You get a lot of bugs in the system and you want to make sure it's right before you install the entire fleet.

CHAIRMAN KRUPSKI:

I'm unclear. Install what?

MR. LENBERGER:

The AVL system is -- it's actually a mobile data terminal that sits on the bus and it provides -- like on the Paratransit Program it'll actually do turn by turn for the driver's as, you know, most people have utilized, you know, on their phones or on, you know, Garmin devices or whatnot. So what happens is the SCAT Program is growing at about 12 to 14 people per day, so those are all new addresses, so we want the drivers to have the capability of going to the exact address that was pinpointed.

CHAIRMAN KRUPSKI:

The SCAT vehicles, and you do see them all over the road, and generally is that a single person trip? Like one person?

MR. LENBERGER:

No. We average about 1.7 passengers on the vehicle at any one time.

CHAIRMAN KRUPSKI:

Because that's a large vehicle. Is there any way to go to a smaller, more fuel efficient vehicle?

MR. LENBERGER:

I'm glad you asked, because we actually are starting a downsize program. You may have not noticed it because it is gradual, but our original buses were a little bit wider, two wheels, and then we went to a little bit shorter bus, truncated, and now we've gone to the next phase and we've gone to a single wheel axle. I just got off the phone with the operator this morning, we only have four of those buses right now, and, you know, I'm asking for feedback on it, you know, from passengers

and drivers alike. The drivers absolutely love them. The passengers have called the office and told us, you know, they love them so we're very happy with that. So we are looking to go forward. We're buying four more later on in October, and then we're anticipating putting in a much larger order, probably in the neighborhood of 40 to 50 vehicles, early first quarter next year. First, second quarter next year.

CHAIRMAN KRUPSKI:

And that would accommodate how many people? Because you rarely see more than 1.2 people.

MR. LENBERGER:

Yeah, it's true, yeah. Basically, you know, the SCAT passengers are a lot different than the constituents that use the fixed route buses. Specifically most of them are going to doctor's appointments, you know, maybe the bank and to their home, you know, and maybe a facility where they get, you know, treatment or whatnot, dialysis or whatnot. So, you know, unfortunately you don't really have, you know, a big demand where somebody is going to like say the Smith Haven Mall or something like that.

CHAIRMAN KRUPSKI:

Right. How often do you turn those buses over, and do you assume you're going to cycle through all the big ones and go to all small ones.

MR. LENBERGER:

Oh, yeah. Absolutely, yes.

MR. BERDOLT:

Legislator, I think you were looking maybe for like a van that's maybe handicapped accessible, something like that?

CHAIRMAN KRUPSKI:

Anything that would be, you know, lower the cost of operation.

MR. LENBERGER:

Yeah. We buy them off the State contract. The original vehicles we were purchasing at around \$65,000 a year. The last purchase I think they were about \$45,000. So they are cheaper, there's a little bit better fuel economy. Every time you do a step down it's about a ten percent fuel economy increase. So we're very happy with it, but, you know, I know there's other properties out there that have gone to even smaller vehicles, but they have had a lot of hiccups as far as, you know, servicing the passengers and longevity of the vehicles. Quite honestly, we'll get 300, 400,000 miles out of these vehicles when their anticipated life is really generally around 150,000 per FTA regs and New York State regs. Right now we have a very good contractor and they have excellent maintenance so, you know, fortunately we have the longevity that we have been seeing.

Second on the agenda, we do have, as a follow-up with the AVL Program we are going to be working with our IT department to develop apps that will interface with the system and it will enable passengers to see in real time where the vehicle is. So they can actually look at the bus, say I'm taking the S54 to wherever and, you know, they can estimate, you know, when that bus will be, you know, arriving and they can see if it's behind schedule and whatnot. And as I mentioned earlier, what we plan on doing is retooling a number of the schedules to determine the schedule compliance, you know, with AVL, and that we'll be able to see readily on the screen.

In addition to that, we are having a Fare Box Program installation. We already have the Federal and State aid allocated for that, and we will be replacing every single fare box on our fixed route bus system with a new upgraded collection system that will enable passengers to pay via their cell

phones. There will be a -- they call it a QR code, which is that little square box you may see on some of the -- in the stores and whatnot and also the barcoding. And also, if a passenger pays -- right now if they pay with cash and they overpay the \$2 fare or if it was the S92 a \$2.25 cent fare, we don't have the ability to give them change or any kind of credit back. With the new Fare Box Program they could put in a five dollar bill. It has bill recognition and although we can't give them cash back, we can give them credit back in the form of like -- something like a metro card that will enable them to get, you know, further utility out of that card.

CHAIRMAN KRUPSKI:

What does that system cost the County to install?

MR. LENBERGER:

I'm sorry?

CHAIRMAN KRUPSKI:

What does that system cost the County to install?

MR. LENBERGER:

Those are about \$15,000 each, and that will be 90 percent Federal and State aid.

CHAIRMAN KRUPSKI:

Wow. Now, we talked about the Sunday bus service. You might have mentioned that. Can I interrupt you?

MR. LENBERGER:

No, go ahead.

CHAIRMAN KRUPSKI:

How did you pick the ten routes for the additional Sunday bus service? How did you select those?

MR. LENBERGER:

Excuse me for one sec. Actually, I worked with Jay Schneiderman on this a little bit also. I want to give him some credit also. What we basically do is we have 53 bus routes within Suffolk County, fixed route buses -- bus routes, you know, allocated to those 158 buses. We're basically looking at ridership and we're also looking at the geographic area of Suffolk County and trying to encompass, you know, both avenues. Sometimes it's a little difficult because obviously the density is on the west end of the County, but, you know, you still have to have a need to service the East End, you know, it's only fair that way. And right now, I'll be honest with you, I still feel like we have a number of holes. Like I said, you know, ideally I'd like to see 24 routes, but, you know, I understand there's fiscal constraints out there like everybody knows, so we have to deal with what we have right now.

CHAIRMAN KRUPSKI:

Well, the fares were raised to accommodate the Sunday bus service on the East End. Why wouldn't they be raised on the whole -- across the whole system to accommodate Sunday bus service everywhere else?

MR. LENBERGER:

Well, that would actually be a legislative mandate. We don't set the fares, our Division here. You know, that would be something that would have to come through the Legislature and the County Exec as far as fare structures.

CHAIRMAN KRUPSKI:

Thank you.

MR. LENBERGER:

So as far as additional routes, we've looked at the S45, the S61. The S45 services the South Shore Mall, which is not being serviced right now on Sundays. The 61 we've gotten a lot of feedback from constituents which would like to see that north/south connection, which is a little bit further east. Those are the two prime candidates right now based on demographic data and the ridership counts that we have on Saturdays.

CHAIRMAN KRUPSKI:

Thank you. Are you done with your presentation?

MR. LENBERGER:

Yes.

CHAIRMAN KRUPSKI:

Does anybody have any questions? All right. Well, thank you very much. I appreciate it.

MR. LENBERGER:

Thank you.

CHAIRMAN KRUPSKI:

So moving on to the agenda. Is there a motion to take 1518 out of order?

LEG. MURATORE:

Actually, Mr. Chairman, it's 1815, 1816, 1817, 1818, 1820 and 51.

CHAIRMAN KRUPSKI:

Legislator Muratore, is that in the form of a motion?

LEG. MURATORE:

Yes.

CHAIRMAN KRUPSKI:

Is there a second?

LEG. BARRAGA:

Second.

CHAIRMAN KRUPSKI:

Second by Legislator Barraga to take Resolution 1815, 1816, 1817, 1818, and 1820 out of order. And 1851. You're pushing it there.

LEG. MURATORE:

While all the gentlemen --

CHAIRMAN KRUPSKI:

All in favor? Opposed? Abstentions? Now we took them out of order. Thank you.

LEG. MURATORE:

Mr. Chairman, the resolutions that we're asking to be taken out of order are the appointment to the LIPA Oversight Committee. I think five of the six gentlemen are here already. So in the interest of

not keeping them all day while we go through our program, maybe we can bring them up. I don't know that we -- one at a time and we interview them or do what we have to do with them before the appointment.

CHAIRMAN KRUPSKI:

One at a time is fine. *IR 1816 - Appoint member to the LIPA Legislative Oversight Committee (Lawrence F. Britt) (Muratore)*. Is there a motion?

LEG. MURATORE:

Motion.

LEG. BARRAGA:

Second.

CHAIRMAN KRUPSKI:

Motion by Legislature Muratore. Second by Legislator Barraga. Mr. Britt, could you come up? Welcome.

MR. BRITT:

Good afternoon.

CHAIRMAN KRUPSKI:

Legislator Muratore, would you like to ask Mr. Britt any questions about the level of service you expect from him?

LEG. MURATORE:

Well, I think his resume speaks for itself as far as the service we're going to get from him. This whole group, I want to commend them. You know, they actually reached out to me and I guess some of the other Legislators wanting to become part of this, and I think it's a step in the right direction.

You know, I worked for 35 years in Suffolk County and the County paid me a salary and I had to account for every second that I worked. So now, you know, we pay LIPA a lot of money and the ratepayers pay a lot of money and they need some kind of representation to maybe look into what LIPA is doing. And maybe other utilities as we move down the road, maybe cable, maybe PSE&G and just a little bit of accountability.

And the resumes, I think you all got a copy of them, they speak for themselves. They speak of men who have taken time, their own time, to volunteer throughout the communities, to do our work for us. To argue for the ratepayers, for the taxpayers, for the school districts, for the libraries. So before we go any further, I want to commend each and every gentleman for taking the initiative to come forward.

So I don't really have any questions for any of the candidates. I read over their resumes. They more than speak for themselves. I do have some copies here if anybody wants to look over them, but as far as I'm concerned they're pretty good guys and they're in for a lot of work I'm sure. And God knows why they want to do this, but I guess like being a Legislator. You get a calling and you want to do it. So again, I thank you so much and I turn it over to my colleagues if they have any questions.

CHAIRMAN KRUPSKI:

No? Well, then thank you for coming. I don't think it's necessary they come to the General Meeting?

MR. NOLAN:

They don't have to come, no.

CHAIRMAN KRUPSKI:

We'll make a motion for your appointment on Tuesday, on the 7th.

MR. BRITT:

All right. Well, thank you very much.

CHAIRMAN KRUPSKI:

Thank you.

LEG. MURATORE:

I do have one question, Mr. Chairman, if I may. Does anybody on the committee want to come forward and make a statement or say anything or you are going to wait behind closed doors. Yes, sir. You want to come up and say something? By all means.

MR. SACKSTEIN:

Shelly Sackstein.

LEG. MURATORE:

Mr. Sackstein, sit down and speak into the mic. We need to record this.

MR. SACKSTEIN:

I want to thank you first for taking us out of order, and also would like to thank you for reconstituting the Oversight Committee. We'd like a little help this time, a little bit more than we got the last time, and that means that we would like you folks to help us to reach out to your constituents, whether it be through your newsletters or through e-mails, to let them know that we're here and there's work to be done. A lot of, in answer to your question why we do it, a lot of unfinished business, all right, and I think that's important. Having been a LIPA Trustee for a number of years and also serving on the Oversight Committee, I think we've all seen some of the legislation that has been passed recently up in Albany. I have to tell you, we were not happy with it. Meaning myself, I don't speak for everyone on the Oversight Committee.

A number of us on the Oversight Committee did read that legislation completely, very thoroughly, saw the pitfalls. And I must tell you, when we tried to go to the public meetings, notice they call them meetings not hearings, Mr. Barraga will know very clearly why they call them meetings and not hearings, we couldn't even get to the podium. They wouldn't allow us. Larry Schwartz shouted us down and would not allow us to go to the podium to point out some of the things that we recognize as being pitfall in the LIPA Reform Act.

Consequently, hopefully, with the help of you guys and gals and some of your constituents, we can get the message out there that we can read and write, and we do listen, and we do remember, and there is work to be done. So with your help hopefully we'll be able to move this a little further than we did the last time around. Thank you.

LEG. MURATORE:

Mr. Chairman. You have my pledge that my office is available and I'm sure my constituents will say the same thing to you. We work for the taxpayer and we need to give them what they provide us in salary, we provide them in service, so. Let's see hopefully what we can do. We can be your podium, we can be your forum, we can be your voice and maybe, hopefully, get something done. And again, I thank you all gentlemen for taking part in this.

MR. SACKSTEIN:

With that, I would like to add as far as service goes, I appreciate the service that you perform as the residents of Suffolk County. I was a Trustee with the Village of Port Jeff for 11 years and I understand what that means and the time you put in. I also would like to point out that I have a lot of experience with storm restoration, which is a big criticism of LIPA in the past, and I bring a lot of practical experience to this position if I'm appointed. So thank you very much.

CHAIRMAN KRUPSKI:

Well, thank you. I would like to give a lot of credit to Legislator Muratore for initiating this. This is -- I think a committee like this can have great value if it has people on it like yourselves who really want to work at it, because that's what it takes is work and it takes interest. So I appreciate you coming here today, taking the interest, volunteering to serve all of us.

LEG. BARRAGA:

Just one or two comments if I may. I do not know Mr. Britt or Mr. Schroeder, but over the years I've had contact with Mr. Sackstein, Mr. Gorman, Mr. Quinn and Mr. Like. I've known all four of them for many, many years. I can tell you this much. With those four, it's a very unique group of four. They certainly have the capability of making a tremendous contribution to this committee, or at the very least, driving LIPA absolutely crazy. And I don't care which one you do. I prefer the former but I'd be happy with the latter as well. Good luck to all of you.

CHAIRMAN KRUPSKI:

All right. Thank you. We'll go through the resolutions then. Do we have a motion on 1816? All right. 1816, Lawrence Britt. All in favor? Opposed? Abstentions? So moved. **(Vote: 5-0-0-0)**

IR 1817 - Appoint member to the LIPA Legislative Oversight Committee (Sheldon R. Sackstein) (Muratore).

LEG. STERN:

Motion.

CHAIRMAN KRUPSKI:

Motion by Legislator Stern. Second by Legislator Muratore. All in favor? Opposed? Abstentions? So moved. **(Vote: 5-0-0-0)**

IR 1818 - Appoint member to the LIPA Legislative Oversight Committee (Frederick J. Gorman) (Muratore).

Motion by Legislator Muratore, second by Legislator Browning. All in favor? Opposed? Abstentions? **(Vote: 5-0-0-0)**

IR 1820 - Appoint member to the LIPA Legislative Oversight Committee (Peter Quinn) (Barraga).

Motion by Legislator Barraga. Second by Legislator Muratore. All in favor? Opposed? Abstentions? So moved.

IR 1851 - Appoint member to the LIPA Legislative Oversight Committee (Joe Schroeder) (Pres. Off.). (Vote: 5-0-0-0)

Motion by Legislator Browning. Second by Legislator Stern. All in favor? Opposed? Abstentions? So moved. **(Vote: 5-0-0-0)**. I'd like to be a cosponsor on that. I've gotten to know Joe in the past couple of years and his insight and experience are going to certainly add a lot to this committee

or anything else he does. So thank you, Joe, for volunteering. I appreciate that.

IR 1815 - Appoint member to the LIPA Legislative Oversight Committee (Irving Like)(Pres. Off.).

Mr. Like is unable to make it today. Is there a motion to discharge without recommendation? We'll exchange that motion for one of approval.

LEG. BROWNING:

Sure.

LEG. MURATORE:

Second.

CHAIRMAN KRUPSKI:

Legislator Browning makes the motion. Legislator Muratore is the second. All in favor? Opposed? Abstentions? So moved. ***(Vote: 5-0-0-0)***

Tabled Resolution

IR 1330 - Amending procedures for procuring consultant services (Cilmi).

Do I have a motion? There's a motion to table by Legislator Muratore. Is there a second? Second by Legislator Barraga. Is there any discussion? All in favor? Opposed? Abstentions? So moved. Table resolution 1330. ***(Vote: 5-0-0-0)***

Introductory Prime

IR 1760 - Amending Resolution No. 132-2014, creating a Tick Control Advisory Committee (Schneiderman).

Is there a motion? I'll make a motion. Do I have a second? Second by Legislator Browning. Any questions? This -- I think it is an extension to the committee, which has only met three times and has not come to any conclusions yet. The tick problem hasn't been resolved yet.

COMMISSIONER ANDERSON:

It also requires that the committee -- and actually this one fully, I mean, it looks to require that the committee meet on a monthly basis. I believe we've already got an extension into 2016 under a previous resolution. This is just requiring us to meet on a monthly basis. They already do that. The reason it's taken so long, it took a long time for that committee to be established and get everybody signed. There was, you know, affidavits that had to be signed, so it seems --

CHAIRMAN KRUPSKI:

Good. I'm glad. This is a serious problem and it should be worked on.

COMMISSIONER ANDERSON:

No, and we are. I mean they are on a monthly basis they're meeting right now, so. It's up to you and the need to the legislate that. They are moving forward, though. That's my only concern, do you really need to legislate this on a monthly basis. We are doing that. It's your call.

LEG. BROWNING:

Just real quick. When we look at the tick problem, because I have Wertheim next to me. It's a Federal preserve. There's nothing we can do, so I'm assuming that we're just focussing on County

properties, County parks?

COMMISSIONER ANDERSON:

It really -- what it is it requires to develop a plan of what the County can do. Certainly given the current staffing it's not much we can do, but it would hopefully lay out a plan of what we would look to do. Generally we have the ability to -- what do you call it. We have the ability to enter onto most lands. We would have to get some type of permits from the Federal government to get onto their land, certainly depending on what that treatment is. Is it going to be the four posters, is it going to be some type of spray. Again, that's for the committee to come up with.

LEG. BROWNING:

Okay. You know, I just know, we all know with Smith Point, you know, trying to do anything for the sake of five Piping Plover look what's going on. So let's try to get on Federal property and spray anything. Nah, I don't think it's happening.

COMMISSIONER ANDERSON:

It hasn't worked yet.

CHAIRMAN KRUPSKI:

All right. So we have a motion and a second. All in favor? Against? Abstentions? So moved.
(Vote: 5-0-0-0)

IR 1764 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with Rehabilitation of Various Bridges and Embankments (CP 5850) (Co. Exec.).

Motion by Legislator Browning. Second by Legislator Muratore. Commissioner, can you give us a little explanation?

COMMISSIONER ANDERSON:

We are currently in construction at Quantuck Creek Bridge in Southampton, and once we removed the paint off of the beams, we found that in many cases we had to do expansive repairs on eleven beams, 22 with the total ends. They had to be exposed from the concrete. Steel plates would have to be fabricated and then bolted and welded to the existing structure. The repair of that concrete, which is to be completed next, involves drilling, installation and rebar and grout. In other words, this is a lot more than we originally anticipated in the initial inspection. Once we removed the paint we saw, you know, it is a problem we run into. We've run into it with this. We need a million dollars. We're not -- we're asking to offset it off of the County Road 48 project. We're not ready to move forward with that phase. We will put the money back into the subsequent year, '16, whenever it's scheduled to be put, you know, to be constructed and we're asking that this be used as an offset.

CHAIRMAN KRUPSKI:

The bridge project, is this repair, how long do you think -- what's the life expectancy of this repair?

COMMISSIONER ANDERSON:

Any repairs like this are generally 20 to 30 year service life, if not longer.

CHAIRMAN KRUPSKI:

And the offset is from reconstruction of 48. Is that money that could be used today or is that just money that has been set aside and so you use that as just a paper offset.

COMMISSIONER ANDERSON:

This is money that we had set aside for one of the phases that we're not able to initiate the

construction at this time because we're still doing acquisition of land. So that's why we're looking -- asking for that as an offset.

CHAIRMAN KRUPSKI:

Will it result in a delay to that project?

COMMISSIONER ANDERSON:

No.

CHAIRMAN KRUPSKI:

All right. If there's no other questions, we've got a motion and a second. All in favor? Opposed? Abstentions? IR 1764 is approved. **(Vote: 5-0-0-0)**

IR 1765 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with Reconstruction of Shinnecock Canal Locks (CP 5343)(Co. Exec.).

Is there a motion? Motion by Legislator Browning. Second by Legislator Muratore. Could you describe the condition of the locks?

COMMISSIONER ANDERSON:

In this particular case when we began working on this portion of the locks we discovered that the hinges were worn out. The locks actually sit on large hinges and those hinges and the cast iron supports have to be replaced. They have to be molded. So we have to actually remove the lock, the actual door portion if you will, and then recast that hinge and then replace that. It's much more than we expected when we took this project on. I hate to say it, but every time we go into this one we find more and more problems with it, but in this particular case we're in the middle of it. We need the funding. It's the same case as far as the offset from the previous resolution that we requested. We're looking for \$600,000 to be able to continue this work and continue this project and complete the work.

CHAIRMAN KRUPSKI:

When's the last time this kind of work was done on the locks? Again, like what's the expectation of the lifespan of this repair?

COMMISSIONER ANDERSON:

For this particular repair I know we just did it on another set of locks within the -- within the system itself. This one, again, we would anticipate another 20 to 30 years on this, but these are very -- these are structures in a very corrosive, very hardworking environment, so there's no real guarantee, but that's what we would look for.

CHAIRMAN KRUPSKI:

Thank you.

COMMISSIONER ANDERSON:

You're welcome.

CHAIRMAN KRUPSKI:

Any other questions? I've got a motion and a second. All in favor? Opposed? Abstentions? So moved. **(Vote: 5-0-0-0)**

IR 1766 - Amending the 2014 Capital Budget and Program and appropriating funds in connection with Strengthening and Improving County Roads (CP 5014)(Co. Exec.).

Do I have a motion?

LEG. BROWNING:

Motion.

CHAIRMAN KRUPSKI:

Motion by Legislator Browning.

LEG. STERN:

Second.

CHAIRMAN KRUPSKI:

Second by Legislator Stern. Could we have a description of which roads we are strengthening and improving?

COMMISSIONER ANDERSON:

This one there is a list of -- this is our annual -- okay, let me try that again. For this particular resolution there was an attachment which describes probably 10, 12 projects. I can go through each one if you like. The -- this is our annual repaving and minor reconstruction capital program. We use this as our main first line of defense and to strengthen our existing roadways. In this particular case, we're looking at requesting an additional million dollars that would help us repave portions of Straight Path, Pinelawn Road, Pulaski Road, Carleton Avenue, Park Avenue, North Road, William Floyd Parkway, Middle Avenue, Lake Avenue, Service Roads -- I'm sorry. Long Island Motor Parkway, Townline Road, Montauk Highway, Broadway-Greenlawn Road, Ocean Avenue, Rosevale Avenue, Sills Road and Straight Path.

The -- this -- these additional funds will enable us to do more under this project. The funding is coming from Capital Project 5538, which is improvements to County Road 13, Clinton Avenue, Fifth Avenue, Crooked Hill Road. The revised that we're actually at a point where we're nearing being ready to go to construction with this portion of the work. This work extends from College Road south down towards Wicks Road, and our newest estimate is significantly lower than previous estimates and we feel that we can take a million dollars off of this project and still be able to do the project that we want.

CHAIRMAN KRUPSKI:

Great. Very good. Thank you. Any questions about any specific projects?

LEG. STERN:

Just to confirm, Commissioner, thank you for being here. So on the particular project that you're suggesting funds come from, you have been able to identify the work that needs to be done. It can be done at a reduced cost, and that would allow funds that were allocated for that project to be used elsewhere and that won't have any adverse impact on the completion of this project where you want to take the funds from.

COMMISSIONER ANDERSON:

Absolutely correct.

LEG. STERN:

Thank you.

CHAIRMAN KRUPSKI:

All right. We have a motion and a second. All in favor? Opposed? Abstentions? IR 1766 is approved. **(Vote: 5-0-0-0)**. I do have a question about one of those projects, but I'll ask you

later after the meeting. Thank you.

IR 1777 - Appropriating funds through the issuance of Sewer District Serial Bonds for the improvements to Suffolk County Sewer District No. 11 - Selden (CP 8117)(Co. Exec.).

Motion by Legislator Muratore. Second by Legislator Browning. Commissioner, any -- or does any Legislator have any question about any of these sewer districts? So these are serial bonds that would be paid by the district?

COMMISSIONER ANDERSON:

Correct. In this particular case they're looking for -- we're looking for \$1 million to do some sewer improvements within Sewer District 11, Selden.

CHAIRMAN KRUPSKI:

All right. We have a motion and a second. All in favor? Opposed? Abstentions? So moved. **(Vote: 5-0-0-0)**

IR 1802 - Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 9 - College Park (CP 8163)(Co. Exec.).

I'll make that motion for a public hearing. Is there a second? Second by Legislator Barraga. All in favor? Opposed? Abstentions? So moved. **(Vote: 5-0-0-0)**

IR 1803 - Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 10 - Stony Brook (CP 8175)(Co. Exec.).

Same motion, same second. All in favor? Opposed? Abstentions? So moved. **(Vote: 5-0-0-0)**

IR 1804 - Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 14 - Parkland (CP 8151)(Co. Exec.).

Same motion, same second. All in favor? Opposed? Abstentions? So moved. **(Vote: 5-0-0-0)**

IR 1805 - Calling for a public hearing for the purpose of considering proposed increases and improvements of facilities for Sewer District No. 5 - Strathmore Huntington (CP 8115)(Co. Exec.).

Same motion, same second. All in favor? Opposed? Abstentions? So moved. **(Vote: 5-0-0-0)**

IR 1809 - Calling for a public hearing for the purpose of modifying the plan of service for Suffolk County Sewer District No. 18 - Hauppauge Industrial (CP 8126)(Co. Exec.).

Same motion, same second. All in favor? Opposed? Abstentions? So moved. **(Vote: 5-0-0-0)**

IR 1812 - Authorizing a study to determine the best use of the Old Fourth Precinct property, Hauppauge (Cilmi).

Do I have a motion?

LEG. MURATORE:

I'll make the motion for discussion.

CHAIRMAN KRUPSKI:

For discussion purposes, Legislator Muratore makes the motion. Is there a second?

LEG. BARRAGA:

Second.

CHAIRMAN KRUPSKI:

Second by Legislator Barraga. Yes, on the motion.

LEG. BARRAGA:

Several years ago, I think it was a General session, this old Fourth Precinct came up because it was now going to be, at some point, abandoned for the new Fourth Precinct. It was really put into place several years ago. So this old Fourth Precinct has been sitting there for the last several years. But at the time, during that General session, and I think there was a representative here from the District Attorney's Office to really make a strong case that they had space limitations, that they desperately needed the old Fourth Precinct renovated. Because there were a number of us who felt based on the fiscal condition at the time that maybe that property should be sold off. But, you know, others felt differently. They said look, the District Attorney desperately needs this. He has problems, he has to move as quickly as possible. Now, several years later the building is still vacant. This particular piece of legislation says he's never going to move into that building, he's moving over to the H. Lee Dennison Building.

Now, this resolution, what concerns me is that here several years have gone by and nothing has happened with that particular building. This particular resolution calls for a number of other things to happen in terms of the Department of Public Works. For example, you shall take a look at the following alternatives, shall. Raise the existing structure and leave the property vacant, build a new structure to house a high tech incubator facility which would lease space to upstart companies, raising the old building and establishing a competitive process for persons and entities who wish to lease the land.

So it's gone far beyond renovation, and this particular bill is sort of -- it requires you to do this different alternatives, number one. And if I read the bill correctly, you have until -- 180 days before a final report can be submitted. So it's another six months before anything is going to happen with this particular bill, added to the years where the building has been just sitting there.

I don't understand why at some point with all of this time having been expended, someone either in the agencies or the Executive Branch could have sat down as a group and figured out what do we want to do with this building. Do we want to renovate it, do we want to sell it? Make a decision. I mean, certainly I appreciate people who can make decisions. Even when the decision is wrong, at least it's better than indecision. This particular piece of legislation continues that. We are just going to go down another six months looking at all sorts of alternatives before a final decision is made in nine months or a year, or maybe several years before we actually do something with the building. Is there a better way to handle this other than this legislation?

COMMISSIONER ANDERSON:

What I was going to request is if this could be tabled and we would be glad to sit down and meet with Legislators, whatever group you want to put together to talk about this, because we have been, as you say, talking about this, looking at this building for a number of years. We did do it on request of the District Attorney's Office. We came up with a number of options --

LEG. BARRAGA:

When did he actually change his mind?

COMMISSIONER ANDERSON:

Well, we've -- we actually now are working to move their forces into the Dennison Building. Once that happened, the need to -- they have staff in the old Fourth right now. It's not the best of situations for them, so they've been asking for us to renovate that, and we came up with an estimate.

LEG. BARRAGA:

I guess what I'm asking you, when, at what point was the decision made to move them into the Dennison? Six months ago, nine months ago, last week?

COMMISSIONER ANDERSON:

No, we've been working on it on and off for the last year.

LEG. BARRAGA:

Okay. So in the last year was there ever any time anybody sat down as a group and said okay, you know, they're leaving. What do we want to do with the building and come up with a recommendation or a suggestion as to what the future of that building is going to be?

COMMISSIONER ANDERSON:

Internally -- well, to answer your question specifically, no. We've talked about it internally about what to do with the building. We've had discussions with the County Executive's Office about our recommendations. Generally what we've come up with is to do anything to the building you need to completely redo the air-conditioning, the interior of the building, because it was -- it was a building that took a lot of hard use. Any police station will. You know, and then you have -- need to look at what you want to do, how you want to use that building. I'm not saying anything, you know, you're not aware of. The issue becomes we're talking in the millions of dollars and does the County want to expend that kind of fund at this time for that building.

LEG. BARRAGA:

I guess, Gil, what I'm getting at is here a year has gone by. I would think at some point somebody should have sat down and said okay, we've got this building. Let's make a decision as to what we're going to do with it.

COMMISSIONER ANDERSON:

Right.

LEG. BARRAGA:

Because if you deal with this legislation you're going to postpone any decision for another six months and it's going to sit. That doesn't do anybody any good. It doesn't do the taxpayers any good. You know, it just doesn't make any sense.

COMMISSIONER ANDERSON:

That's why I was going to make the recommendation to table this. Let's sit down with whatever committee, group, however, and just kind of come up with some ideas.

LEG. BARRAGA:

Motion to table.

LEG. BROWNING:

I'll second the motion. But I have to say I know I've had conversations with the Sheriff's Department. I don't know if the location is good. They have people working in the basement at the Infirmary and I know that that's something he's looking to get them out of the basement. So there's probably a multitude of uses if the building is still in a condition that people could work there. That's

another issue, why did we build a new Fourth Precinct if there was nothing wrong with the building in the first place, right?

COMMISSIONER ANDERSON:

I mean, the building itself is in pretty sad condition. One of the things we may want to do is to go there and take a tour of it. The portion that's unused is in pretty sad shape, to be kind. Everybody, every department, well, not every department, but a lot of departments continually reach out to us about trying to get there, either use it for storage space, use it for office space. Everybody needs, you know, everybody is saying that they need space. The question comes back to what does it cost to renovate that to a habitable structure or even just a structure that can house records and things like that. It ain't cheap.

CHAIRMAN KRUPSKI:

All right. Thank you. So I have a motion to table, Legislator Barraga. Second by Legislator Browning. Any other discussion? All right, the motion to table. All in favor? Opposed? Abstentions? The motion to table passes. *(Vote: 5-0-0-0)*

IR 1824 - Accepting a United States Environmental Protection Agency Grant and amending the 2014 Capital Budget and Program and appropriating funds in connection with construction of a portion of Suffolk County Sewer District No. 3 – Southwest, Outfall Replacement Project (CP 8108) (Co. Exec.).

I'll make that motion. Is there a second?

LEG. MURATORE:

Second.

CHAIRMAN KRUPSKI:

Second by Legislator Muratore. Could you tell us exactly does this mean -- this is the big outfall going into the ocean?

COMMISSIONER ANDERSON:

This is essentially for purchase of prestress concrete pipe, manholes, any accessories that would be needed for an emergency repair, if, God forbid, the outfall went. It's 55 percent of the costs, which are estimated at -- well, the grant is actually for the amount of \$215,545.

CHAIRMAN KRUPSKI:

And that would cover the material for a repair?

COMMISSIONER ANDERSON:

Correct. It would give us, I believe, three sections, three or four sections of this large pipe that would, you know, assuming that it was a small, isolated section that failed.

CHAIRMAN KRUPSKI:

And how was that decision made that that was the appropriate amount of pipe for a failure?

COMMISSIONER ANDERSON:

It was a discussion that was had between ourselves and the regulatory agencies, the EPA and the Department of Environmental Conservation.

CHAIRMAN KRUPSKI:

So basically this pipe and this resolution comes with emergency permitting? In case of a failure this comes with emergency permitting necessary to use this material right away without having to call

them up and say we've got a problem.

COMMISSIONER ANDERSON:

Essentially yeah, but it would not be something we're looking forward to. We do have the pipe in place and this reimburses us for some of those costs.

CHAIRMAN KRUPSKI:

Okay. But the permitting is as important I think. Can we talk about that for a second? Because, I mean, if it did rupture and you did have the material on hand to repair it, how long would it take to actually physically get in there and do it permitting wise before we even lift a shovel.

COMMISSIONER ANDERSON:

We would have to have an emergency contract with a contractor who could come in, most likely case on down. If we didn't know where it was we would have to isolate it, then we would have to case on that area, open it up, and then remove the sections of pipe and either -- if we didn't case on it they'd have to be placed while, you know, while underwater. It would be an expensive proposition. We would likely be fined, but we would likely get the cooperation of the various agencies to expedite the permitting.

CHAIRMAN KRUPSKI:

Thank you. Any other questions? We have a motion and a second. All in favor? Opposed? Abstentions? So moved. *(Vote: 5-0-0-0)*

IR 1842 - Authorizing the acquisition of land in connection with the acquisition of properties to be acquired for the reconstruction of CR 48, Middle Road, from Horton Lane to the vicinity of Grove Road, Town of Southold, Suffolk County, New York (CP 5526, Phase 2)(Co. Exec.).

I'll make that motion. Second by Legislator Barraga -- I'm sorry, Legislator Muratore. I almost said Browning, sorry. I can tell you apart, don't worry. I have a question about this. Is this a -- this is part of a larger, I think 36 acre parcel?

COMMISSIONER ANDERSON:

I'm going to ask the Chief Engineer to speak on this one.

CHAIRMAN KRUPSKI:

Thank you.

MR. HILLMAN:

Unfortunately I don't have that information with me, if it was part of a larger portion. What I do know is that the property owner was willing to sell. We came to a negotiated agreement or we offered them what our appraised value was. They accepted that offer. I don't know if it was cut out of a 36 acre parcel.

CHAIRMAN KRUPSKI:

It was a fee title purchase, though.

MR. HILLMAN:

Yes.

CHAIRMAN KRUPSKI:

So it would have to be subdivided then.

MR. HILLMAN:

If it came out of a larger parcel I would imagine it may need to be subdivided.

CHAIRMAN KRUPSKI:

And is this going to be -- what sort of drainage, structure wise, will this be?

MR. HILLMAN:

It will be a recharge basin.

CHAIRMAN KRUPSKI:

Okay. Thank you. Any other questions?

COMMISSIONER ANDERSON:

The property to be acquired is 1.25 acres.

CHAIRMAN KRUPSKI:

All right. We have a motion and a second. All in favor? Opposed? Abstentions? So moved.

(Vote: 5-0-0-0)

Does anyone else have any other questions for the Commissioner while he's here?

LEG. BROWNING:

Yes. You know, Ronkonkoma Hub. I'd seen not too long ago a press conference with regards to the Hub, and I know that there was land identified to build a sewage treatment plant and now there's talk about putting pump stations. And, you know, we have this bill now talking about doing emergency repair work to the outflow pipe, and I'm sure Steve and Tom and I have been here for what, eight years? And it's like -- I remember this outflow pipe has been an emergency for probably six, seven years. Now we're looking to put in pump stations from Ronkonkoma to the Southwest Sewer District. First of all, the land where the proposed sewage treatment plant was for Ronkonkoma, isn't that County property?

COMMISSIONER ANDERSON:

It is.

LEG. BROWNING:

Okay. And I think what you get where I'm coming from is that, you know, we're trying to do the sewage treatment plant in my district and land is one of the hardest things to come by, but here we own property that we could build a plant. So I don't know if you have the numbers. What is it going to cost us to put pump stations from Ronkonkoma all the way down to the Southwest Sewer District?

COMMISSIONER ANDERSON:

Current estimates are between 20 to 22 million dollars to do the pump station and to run the force main.

LEG. BROWNING:

Twenty to 22?

COMMISSIONER ANDERSON:

Correct.

LEG. BROWNING:

And what's the capacity?

COMMISSIONER ANDERSON:

It will eventually -- it will be sized so that eventually it can handle a million gallons per day, similar to the treatment plant. The size the same as the treatment plant would.

LEG. BROWNING:

Okay. What was the cost to build a sewage treatment plant at the Ronkonkoma Hub?

COMMISSIONER ANDERSON:

I believe that was 24 million.

LEG. BROWNING:

Twenty-four million.

COMMISSIONER ANDERSON:

Yes.

LEG. BROWNING:

And what would the capacity have been in there?

COMMISSIONER ANDERSON:

A million.

LEG. BROWNING:

A million.

COMMISSIONER ANDERSON:

Nine acres of land, which using a value of its, roughly speaking, its current best use would be between three to five million dollars for that hand. And there is a value to the land that has to be considered as well.

LEG. BROWNING:

Right, but it's very hard to come by land to build on. Well, the other part of it is, is so how many acres is that County property?

COMMISSIONER ANDERSON:

Nine acres.

LEG. BROWNING:

It's nine acres. And how many acres are you going to use to build a one million a day capacity sewage treatment plant?

COMMISSIONER ANDERSON:

Well, it's apples and oranges. It's a smaller, much smaller piece that will come out of the Ronkonkoma Hub subdivision itself, and the majority of the land, to be honest with you, goes down town and County right-of-ways. So we're looking to run, and I can bring this up and try to show it.

LEG. BROWNING:

Yeah.

COMMISSIONER ANDERSON:

We're looking -- right now the pump station is located here, which is just on the other side of the track from where the treatment plant was proposed. We would then run down Railroad Avenue to Johnson Avenue to a point where we intersect Old Nichols over here, and then eventually run into

Suffolk Avenue and down to Lowell and then connect into an existing manhole and sewer system just near the Duck's stadium. We considered -- originally in the original discussions when we were talking about this, we originally thought we would have to run over to Pilgrim State, but when the issue and concern about the land came up and we started looking at this, we took a look at running the force main again and found it was much more viable.

LEG. BROWNING:

When the issue regarding the County property? What's the issue with the County property.

COMMISSIONER ANDERSON:

It's valuable land that the County could use for something in addition to or other than a treatment plant. It's cheaper to run the force main. We can probably build the force main quicker than we could the treatment plant, and we provide the same service for the communities, not only Ronkonkoma Hub, but adjacent communities that may want to connect in here, such as Holbrook, anywhere in the Town of Islip. We've had discussions with the town about this, and to date there's been no --

LEG. BROWNING:

So Sayville and Oakdale?

COMMISSIONER ANDERSON:

Sayville and Oakdale wouldn't make any sense to run up here. It really is -- it's easier --

LEG. BROWNING:

That's my point, because our former Presiding Officer Lindsay, that was one of his wishes, was that Ronkonkoma Hub, the sewage treatment plant that was proposed to be built there, would at some point benefit Sayville and Oakdale. Now, of the nine acres, how many acres would you have used to build this 24 million dollar sewage treatment plant?

COMMISSIONER ANDERSON:

We would have used the entire nine acres. We would have been maxed out.

LEG. BROWNING:

And you would have been maxed out.

COMMISSIONER ANDERSON:

Wouldn't have been able to expand without finding, and that was one of the issues that we looked at, was the potential to expand beyond the one million gallons. We would have to find adjacent land nearby, and that's when it became -- the concern became about land and giving away land, if you will, or finding land, it became very difficult, whereas -- and again, I would just to respond to your question about Sayville. I know that the former Presiding Officer was very interested in trying to hook up Holbrook and that could be done. Sayville and Oakdale are very close to Great River. We would just have to basically create another pump station and run it under Connetquot River and hook-in.

LEG. BROWNING:

It's just I -- you know, when I look at the cost and I think well, okay, what we're sewerage from Ronkonkoma Hub towards, you know, Southwest, but what do we have in that immediate area in Ronkonkoma. And I know this is more Tom's district, but I just look at the opportunity. I wish we had that County property in my district.

COMMISSIONER ANDERSON:

I agree with you.

LEG. BROWNING:

Because, let me tell you -- and again, how did we acquire that property anyway in the first place that we would have the ability to -- so are we looking at the possibility of selling it or just development.

COMMISSIONER ANDERSON:

I would imagine -- I don't know the answer to that. I would imagine it was either one, acquired because of lack of payment of taxes, or it was at one point acquired as for potential use for parking when they develop Ronkonkoma. But that I don't know.

LEG. BROWNING:

A parking lot. Okay. I just -- I still think that Bill Lindsay's thoughts were on target.

COMMISSIONER ANDERSON:

If I may. There's nothing to say that you couldn't use that for a treatment plant in the future. But for right now, it might be better served to hold on to that parcel when you can build a pump station and connect. We are expanding the Sewer District 3 by ten million gallons per day. There will be the capacity. Again, locally it makes, you know, it makes a little more sense.

LEG. BROWNING:

Well, how much more capacity do we have at Southwest? I mean, what about the communities, you know, that are not sewered, you know, down by the Southwest Sewer District that are not yet sewered. Are we going to max our capacity at the Southwest Sewer District where there's other communities closer to it that are not yet sewer -- well, can't sewer you. We're to capacity, we can't do any more.

COMMISSIONER ANDERSON:

We would, through this project, be using a million gallons of its capacity. There are still nine million gallons left that would be available to expand the district beyond its existing boundaries right now, up to the north or to the east and such. Again, like everything else, it comes down to being able to fund that.

LEG. BROWNING:

It's just looking and how we're just -- we don't have land. We're looking at places to sewer and how much of Long Island, Suffolk County, needs to be sewered that, you know, it just seems to me even when you go west -- I don't know what there is west of Babylon even into Nassau County where we could be doing partnerships, you know, if they need to be sewered. I just think that when we have an opportunity to create a sewage treatment plant in Ronkonkoma itself and let's worry about that surrounding area and try not to be foolish about it. If we're going to sewer Ronkonkoma Hub down in to the Southwest Sewer District, then now say five, ten years from now we're going to build a sewage plant possibly at Ronkonkoma, but the people who in that surrounding area are going to be sewered somewhere else. Do you get what I'm saying?

COMMISSIONER ANDERSON:

I understand. You know, given the estimate and timing, from an engineering standpoint it was more beneficial to run with the pump station. We saved \$2 million at least by going with a pump station and a force main than going with the treatment plant. There's also the manpower issue of having to staff a treatment plant as well. It was not a, you know, was not a decision entered into lightly without any question.

LEG. BROWNING:

I mean timeline anyway to do this, what's your timeline to start working on those pump stations, because based on that press conference that was held not too long ago, it seems to be a little

controversial with some of the local businesses, that there's a possibility you are going to have to go the eminent domain, and I --

COMMISSIONER ANDERSON:

Where?

LEG. BROWNING:

There was a fitness place, there was the bus yard --

COMMISSIONER ANDERSON:

Within the Ronkonkoma Hub itself.

LEG. BROWNING:

Right, those properties in the Ronkonkoma Hub. So it's looking like they're not going to be willing sellers or move out where it could wind up, you know, going through eminent domain, which will take however long.

COMMISSIONER ANDERSON:

Our current timeline right now is we estimate that we'll have the design done by the end of the year, beginning of next, and then it will take about two years to build the pump station and the force mains.

LEG. BROWNING:

And we would do that even if they had to go to court on those properties?

COMMISSIONER ANDERSON:

We would move forward with the anticipation that, yeah, that some form of, you know, there is a connection that is proposed there, and we would move forward with anticipation at least for the 400,000. Originally -- the system will be sized so that, and correct me if I'm wrong, John, we're going to size it so that it will be able to handle 500,000 capacity initially, and then as future capacity is required we can then upgrade the additional 500,000.

LEG. BROWNING:

Okay. But it's just that I'm trying to, you know, I guess George knows more about eminent domain than I would. You're the lawyer, not me. But no, I just see if we have to go to eminent domain or the town or whoever has to go to eminent domain on that property, it's going to hold up the entire project and --

COMMISSIONER ANDERSON:

Well, they're breaking the project --

LEG. BROWNING:

It seems to me that that would be pushing something forward when you're really not sure you're actually going to get the development.

COMMISSIONER ANDERSON:

They're moving forward with the first phase. And I don't pretend to know how many phases there are, but they are moving forward with the first phase, which will look to construct, begin construction I believe next year and it's at the southeast corner of the overall project. So they do own that portion and they are moving forward with that. So at some point we will need to give them, you know, capacity.

LEG. BROWNING:

Okay. Well, thanks for the info.

CHAIRMAN KRUPSKI:

Just on that note, before we finish with that. That 22 million dollar force main and pump station, who is paying for that?

COMMISSIONER ANDERSON:

The district, the County. And then the district would be reimbursed by the connection fee as well as the annual fee.

CHAIRMAN KRUPSKI:

So long as we don't waive all those fees, right?

COMMISSIONER ANDERSON:

Yeah, absolutely.

CHAIRMAN KRUPSKI:

Legislator Barraga.

LEG. BARRAGA:

Just a quick question in terms of that area generally. I take it one of the chief advantages when they really looked at what they wanted to do as far as establishing this Ronkonkoma Hub, was the Ronkonkoma Railroad Station is right there and, of course, you have MacArthur Airport.

COMMISSIONER ANDERSON:

Correct.

LEG. BARRAGA:

And I would take it that those are two key ingredients that they used in developing a plan as to what this Hub was supposed to look like, because of the ease and convenience of transportation and airline. How intricate is the MacArthur Airport to the success of the Ronkonkoma Hub?

COMMISSIONER ANDERSON:

I don't really know the answer to that. We have had discussions with the town about connecting the airport into the pump station and into the treatment plant. But beyond that, I don't -- honestly don't know that.

LEG. BARRAGA:

Because my concern and, you know, we've all read the articles, in the last five or six years the passage of traffic at MacArthur Airport is down 45 and 50 percent. The airline industry has changed dramatically. Whereas seven or eight or ten years ago regional airports were in vogue, that's not necessarily the case -- it is not the case now. It's very difficult to get new airlines into regional airports. They seem to be concentrating in the main centers, and in New York you are talking LaGuardia and Kennedy and Newark. So I don't know what the future of that airport is. I mean, I hope it's there another 15, 20, 30 years. But you cannot continue to run an airport and lose millions of dollars every year.

COMMISSIONER ANDERSON:

I believe the main point between the placing the Ronkonkoma Hub where it is, is its proximity to the train station. You know, the benefit of having the airport right there is great and hopefully they do, they are able to build on it, but the, you know, the Ronkonkoma station is the only station outside of Nassau County where you can get, you know, there's expedited runs back and forth to New York

City. And hopefully as they move forward with the double tracks, that will improve that, you know, the ability of the trains to carry people, so.

LEG. BARRAGA:

Can I ask just a quick question on the Audubon case in court on the Piping Plover. I just want to make sure, because I have been telling my constituents, because I represent a good chunk of Fire Island. There are some people who think because you cannot start work on that East End on the far west end, that somehow the center portion where the communities exist, the replenishment will move quicker. I'm trying to tell them I don't think it has -- that decision doesn't have much of an effect on the time span of the replenishment of sand for the communities, because you still have to go through the easements, you still have to go through the purchases. Am I correct in making that statement to them?

COMMISSIONER ANDERSON:

Absolutely, yeah. The critical path on their project is really going to be the easements and the acquisitions as needed.

LEG. BARRAGA:

All right. Thank you.

CHAIRMAN KRUPSKI:

Just one question. On the, and this is changing topics again, on the Wyandanch Rising projects. Sitting in on the Sewer Agency meeting last week there was a waiver of a connection fee and I was just wondering about the connection fees. And this one, it was specific to the MTA, and why the County would waive a connection fee to the MTA where the MTA collects tax from everywhere on Long Island, especially areas that it doesn't serve, and yet we would waive a connection fee.

COMMISSIONER ANDERSON:

The -- under the original resolution -- I am advised by Counsel that there is nothing within the document that, you know, it really speaks specifically of the project and within the project bounds which were established to waive I believe it was 380,000 gallons per day, total flow, over five years. As different parts of that project come forward, they can be waived.

And specifically to the MTA piece, if you will, they did relocate the train station. The actual capacity that we're speaking about is 36 gallons per day, which is extremely minimal compared to the other parts of the project, but there was no specificity between -- other than to say that anything within this project, within these bounds, gets waived over a five year period.

CHAIRMAN KRUPSKI:

So we could deny their request to have their connection fees waived.

COMMISSIONER ANDERSON:

I would have to defer that one to Counsel.

MR. BRAUN:

Good afternoon, Mr. Chairman and Legislators. The Wyandanch Rising project, the sewer corridor that we, that the town built and that the legislation from the County permitted, says that anybody within a parcel inside a defined area who connects to the County sewers as an out of district connectee, within five years of the time that the main that was build is available for use, pays no connection fee. It doesn't differentiate between government entities or other agencies and private owners or homes or residences or libraries or schools. It just says within the corridor, and the corridor is defined.

We are talking about in the case of the MTA 36 times 30, whatever that number comes out to be, around a thousand dollars. So, I mean, in this case it's not significant. But even if they had built, the MTA or some other agency had built an enormous facility, if they were able to fit it into the plan and it got local zoning and so on and so forth, and we still have our capacity of 380,000 gallons to divide up, they would be entitled under the legislation the way it exists.

CHAIRMAN KRUPSKI:

When does that clock start ticking?

MR. BRAUN:

John, do you know when --

COMMISSIONER ANDERSON:

It already started. The original legislation was passed in 2009.

MR. BRAUN:

But the five years from when -- you mean when does the five years from when it was available start.

CHAIRMAN KRUPSKI:

You said it was when the line is functioning.

MR. BRAUN:

Right. John, do you know when that is? When that was?

MR. DONOVAN:

I don't have the exact date, but I believe it was either the beginning of this year or the end of last year. We're already almost -- if not a year into it.

CHAIRMAN KRUPSKI:

All right. Thank you. And Commissioner, do you have anything else for us this afternoon?

COMMISSIONER ANDERSON:

Yes, actually, if I could. I just wanted to make you aware of a Certificate of Necessity that we will be requesting from the Legislature next Tuesday. It's for an agreement with the Town of East Hampton regarding the Downtown Montauk project. The town is going to be the local sponsor of the project with the DEC. Similar to the FIMI project, there has to be a local sponsor. The town has agreed to become the local sponsor. We are asking for an agreement with the town to help offset annual maintenance fees for the project over the life of the project and that's what the agreement is for. The need for the -- the need to put it in as a C of N is based on we have to have all the agreements in place in the beginning of October so that the Corps will be able to meet its deadline of doing the work over the winter.

CHAIRMAN KRUPSKI:

Is this -- would this be considered -- what's the scope of the project, first of all, and what's the nature of it?

COMMISSIONER ANDERSON:

It involves --

CHAIRMAN KRUPSKI:

I mean, is it considered shoreline hardening, because I know that we've got a big problem at Goldsmith's Inlet in Peconic as a result of a County jetty being built in years past. This sort of

shoreline hardening can have unintended consequences. That's why I'm asking.

COMMISSIONER ANDERSON:

This is different than -- this does propose some form of hardening in what they call TrapBags, and they -- I brought in a picture from their report which shows that, if you can see it from here, but essentially these are sand filled bags that are attached to one another so it becomes a structure. They are buried below the dune itself. The maintenance would come in as if there is a -- thanks. You might as well pass this one out. Thanks, Katherine. The main thing is that it would -- the maintenance would come in as if there is over the course of the winter a storm comes in and the bags become exposed, they have to be covered. They generally are covered by I believe four feet of material and they can't be exposed to the sun because they will, you know, deteriorate. But they are buried. It's not the same as a groin. It does not extend out into the water.

If you want, here's another plan that shows it. It's basically going to be proposed, and you'll see in the plan that it's proposed in front of the business district. There's about 10 or 12 facilities in front of that that are going to be protected by this dune system. It's only a dune. It's very little beach, and it's only an interim project. This will be followed by the Fire Island to Montauk Plan, which is the larger plan that, you know, barring any unknown lawsuits we should be able to move forward with in the next few years.

CHAIRMAN KRUPSKI:

Is this on private property?

COMMISSIONER ANDERSON:

No, it's all on town property. There will be easements that are required for the sand placement, but the bags themselves will be placed on town property.

CHAIRMAN KRUPSKI:

But it's a municipal project funded to protect private property.

COMMISSIONER ANDERSON:

To protect -- yes. An economic engine of our County.

CHAIRMAN KRUPSKI:

There's no -- you see the issue is, and for years people have tried to even pay for themselves to pump sand on the north shore and been denied for a various number of reasons and pay for it themselves. And here you've got a taxpayer funded plan to protect private property. So that's on the south shore. It doesn't seem to be equitable. And it's shoreline hardening, too. I'm surprised the Army Corps and the DEC would allow this kind of shoreline hardening.

COMMISSIONER ANDERSON:

Again, this is just an interim project. It's not intended as the final project under the final FIMP project. They will come back and look at this. The intent is you really need a -- you need a section of beach in front of it, but in order to get that amount of sand, you would have to go offshore, and the amount of study that would be required to find a borrow area -- the sand that's going to be placed there is going to have to come from an upland source and it will be placed there. And lastly, I would state this is 100 percent Federal funded. Yes, it is our tax dollars, but it is Federally funded. It's just a requirement and the reason for the agreement is to cost share the maintenance of that.

CHAIRMAN KRUPSKI:

This would be under the jurisdiction of the East Hampton Trustees? They own the land?

COMMISSIONER ANDERSON:

I would have thought it would have been the East Hampton Town, so I don't know. I don't know that Trustee/township balance works.

CHAIRMAN KRUPSKI:

And how is it that they -- on the ocean, because I know Southampton had -- this is basically small Geotubes together.

COMMISSIONER ANDERSON:

Well, not Geotubes. Geotubes flop around. You know, they can be undermined easily, more easily than these I'm told by the Corps. The Corps is very much in opposition of any type of Geotubes, anything other than these as a structural method of, you know, benefiting the dune.

CHAIRMAN KRUPSKI:

I know that the, you know, the DEC and the -- I know that the Southampton Trustees also objected to Geotubes on the ocean, to armor the oceanfront as a shoreline hardening problem. So I'm surprised that the DEC would permit something like this.

COMMISSIONER ANDERSON:

I can't speak on behalf of the DEC. Again, this is in order to be able to move the project forward and the report we have to have these agreements in place.

CHAIRMAN KRUPSKI:

So why is the County involved in this specifically?

COMMISSIONER ANDERSON:

Because there is a need for a local sponsor the town has agreed to be the local sponsor. Normally in this type of situation it would have been the County, but the County doesn't have any vested interest in the lands. These are all town lands. So the town requested that we do a cost share for the maintenance of the dunes during the life of that project.

CHAIRMAN KRUPSKI:

Why would the County do that, though, if the County has no interest there. Why wouldn't the -- it would just be the town and the Federal government.

COMMISSIONER ANDERSON:

I don't have an answer for that.

CHAIRMAN KRUPSKI:

I mean, who would know that? I mean, because a maintenance agreement on something like this where one -- basically one Nor'easter -- this project gets done in January and a Nor'easter comes in March and it's half gone, it's going to cost, I don't know, the cost of the project to restore it.

COMMISSIONER ANDERSON:

They're estimating right now 150,000 a year to maintain it. That would be the County's share.

CHAIRMAN KRUPSKI:

But I don't know why -- so how can we find out why the County is involved?

COMMISSIONER ANDERSON:

The County is involved because there has to be a local share. It could just be the town, but the town has expressed that they're concerned that they can't afford the maintenance of that.

CHAIRMAN KRUPSKI:

Well, again, because the first Nor'easter it could be half gone and it could cost you as much to restore it as the original project.

COMMISSIONER ANDERSON:

Without a question. But without that there, and again, this is the argument that I've had with the Audubon folks, is that, you know, you want the sand there to protect you. Any amount of sand that's going to be there is going to act as a method of protection. And, you know, while I would certainly rather see sheet piling, I'll go with the TrapBags.

CHAIRMAN KRUPSKI:

I mean -- I'm sorry, but if we're going to start armoring the ocean, it seems like that's a departure from any kind of coastal erosion management.

COMMISSIONER ANDERSON:

Again, this is -- I would stress this is an interim project. It's only for a certain few years until the Fire Island to Montauk Plan is able to go in there, look at what needs to be done over the next few years. You know, the report should be done by the beginning of next year for the FIMP. It will include looking at the final project, which would include, I would imagine, beach nourishment in front of that area. This, again, is an interim. It's only for a few years and that's why the TrapBags are proposed.

CHAIRMAN KRUPSKI:

Is there an answer as to why the County is involved.

MS. LOLIS:

We've been going back and forth with the town. Because the County was the local sponsor on the FIMI project, which is very different than this particular project, the town was looking for the County to be the local sponsor in this project. The Administration has indicated that that is not their recommendation, that we be the local sponsor. The town says they will be the local sponsor, but they're asking for financial support from the County on the maintenance of the project for the life of the project. We are presenting that intermunicipal agreement to the Legislature for you to make that policy determination. We explained to them that would be the most that the Administration is going to present to the Legislature and so then the County will make the decision. The town has said they will not be the local sponsor if we don't support the project by cost sharing in the maintenance.

CHAIRMAN KRUPSKI:

Could you, for the sake of discussion at the meeting next Tuesday, have a cost estimate of this project? Because that would give us at least an estimate of what --

MS. LOLIS:

As far as the maintenance is concerned?

CHAIRMAN KRUPSKI:

No, no. A cost estimate of construction, initial construction.

MS. LOLIS:

Seven million dollars I believe is what the Army Corps report states.

CHAIRMAN KRUPSKI:

Because the cost of maintenance, you're on, you know, you're on the Atlantic Ocean, so you're really rolling the dice. You could be wiped out twice in one winter or nothing could happen in three years,

but.

MS. LOLIS:

I believe it's like 3100 feet. It's a very small section in Downtown Montauk. The DEC does not consider these Geotextile bags, hard structures, for purposes of having a municipality actually acquire the property. That's why there can be easements and then it just goes parallel rather than perpendicular. It goes parallel to the water but up by the dune and then that actually comprises the dune. The sand is placed on top.

CHAIRMAN KRUPSKI:

And as the wave energy is transferred from these to the neighboring areas, has there been any studies how the erosion is going to affect the neighboring properties on either side where the structure ends. Because when the waves hit it during a storm event, they are going to wash up -- they're going to wash the loose sand away from it. Then it becomes hard structures. That wave energy is going to be deflected off them in one way or another at the ends, and they're going to scour out, they're going to accelerate the erosion of the neighboring properties. For the neighboring properties, how are they going to be, I don't know, compensated or remediated?

COMMISSIONER ANDERSON:

The design actually has the structures moving inland to minimize that effect. And this is what we were told by the Corps, that this will not inhibit any type of action such as that --

CHAIRMAN KRUPSKI:

What doesn't the Corps take this responsibility and the maintenance then if it has such great assurances that it's not going to damage the neighbors.

COMMISSIONER ANDERSON:

Again, it's the Corps belief is this is a one-time, 100 percent, you know, interim Federal project and the maintenance has to fall on the local municipality that it's benefitting.

CHAIRMAN KRUPSKI:

Thank you.

LEG. BROWNING:

Are we going to be able to do that at Smith Point at some point?

COMMISSIONER ANDERSON:

I hope so.

LEG. BROWNING:

I hope so, too. And actually, I guess over the weekend I read the Newsday article about Ocean Beach and Davis Park. You're putting these monster contraptions to do survey work, it shocks me, but can you just keep us up-to-date because obviously I'm interested to find out how that's moving.

COMMISSIONER ANDERSON:

Yeah, there were some errors in that article.

LEG. BROWNING:

Okay. Well, I read your comments but I just thought, you know, here we go. If you can just keep us up-to-date on what's going on with that I'd appreciate it.

COMMISSIONER ANDERSON:

Certainly.

LEG. BROWNING:

Thanks.

CHAIRMAN KRUPSKI:

Thank you. If there's no other comment, we stand adjourned.

(The meeting was adjourned at 3:25 p.m.)