

**PUBLIC WORKS COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE
MINUTES**

A meeting of the Public Works Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on January 30, 2015.

Members Present:

Legislator Al Krupski - Chairman
Legislator Kate Browning
Legislator Steven Stern

Members Not Present:

Legislator Tom Muratore - Excused
Legislator Tom Barraga - Excused

Also In Attendance:

Presiding Officer DuWayne Gregory - Legislative District No. 15
George Nolan - Counsel to the Legislature
Gil Anderson - Commissioner, Suffolk County Department of Public Works
Robert Braun - County Attorney's Office
Catherine Stark - Aide to Legislator Krupski
Robert Lipp - Director, Budget Review Office
Laura Halloran - Budget Review Office
Rick Brand - Newsday
Pete Quinn - Suffolk County Resident
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 2:33 p.m. *)*

CHAIRMAN KRUPSKI:

Welcome to the regular committee meeting of the Public Works, Transportation and Energy. If you could all rise for the Pledge of Allegiance led by Legislator Stern.

Salutation

All right. We'll begin with the Public Portion. I have one card, Mr. Peter Quinn.

MR. QUINN:

Should I sit over there?

CHAIRMAN KRUPSKI:

You're fine there.

MR. QUINN:

Good afternoon, committee. My name is Peter Quinn, 675 Tanglewood Road, West Islip. I rise to openly criticize the efforts of LIPA and PSE&G to consider even the use of solar arrays out in farmland in both Brookhaven Town and other communities eastward. The plans that they are proposing are inefficient and costly. Consider that you have transmission lines, poles, substations, the purchase of land, the potential for taking down trees, which may be valuable. All of that accounts for a considerable cost of money, which would be far higher than attempting to install solar arrays atop residential homes. We know that putting solar power on top of rooftops is far more efficient and far less costly because solar placed closest to a residential home where the user is close by is most effective.

Secondly, I rise because about a few months back, I learned that the Governor had obtained a considerable amount of money, \$5.4 billion, as a windfall from the banks who were guilty of derivative manipulation fraud, and so New York State received that kind of money. And I thought, wouldn't it be useful for Long Island, who was substantially undercut by Governor Cuomo in his disbursement of only \$150 million to Long Island, that we use two billion dollars of that \$5.4 billion to arrange for citizens who want solar arrays as an incentive be given \$15,000, and a cap so that the wealthy don't grab all the money, a cap of \$15,000 for a residential home, which might average out to be about \$25,000. And they would use that incentive -- they could use it this summer -- and to arrange for them to get that \$15,000 and for as many as 300,000 residential customers in Suffolk, Nassau and Far Rockaway. Doing that, along with providing another \$15,000 to people whose homes are inefficient and need repairs to upgrade their homes so that they qualify for these incentives, that's another 250 or 300,000 when you consider some of these people are in arrears in their payments to the utility and others are poor. Providing that kind of incentive would encourage them to renovate their home so that they would qualify for the incentive for solar arrays.

And when you think about it, what does it do? It eliminates fossil -- it almost eliminates fossil fuel use. It almost eliminates building new generating plants, which now National Grid has backed off of. That's a substantial multibillion dollar savings. In addition, think of the benefits; far less megawatt usage, far less expenditure of bond expenditures, and these combined with lower energy use would be a jump start for companies -- communities around the nation to do as Long Island would be doing.

But the third point is currently LIPA's debt is \$7.6 billion. They just decided during the summer, the Trustees, they agreed to add 2.375 billion. Round those together and you've got a debt of close to \$10 billion. One time when I asked Pat Foye, formerly with LIPA, currently with the Port Authority, what would be the total cost of that debt that started out as \$7.4 billion back in May, 1998. He said,

"Oh, roughly two-thirds -- two and a half to three times the amount of principal." That means we're taking about over \$25 billion that ratepayers have been asked to pick up along the way.

Now, the Governor has a proposal for a debt securitization authority, and that he says will be a reduction of \$2.5 billion in debt. If you read the fine print, what it does is accommodate the bondholders. The bondholders would be guaranteed, no matter how much we arrange to have renewable energy, these bondholders would be paid again and again and again for at least another 15 years, and there's nothing spelled out for the public to know how many more years of bonds and bond indebtedness we're going to have to pay.

So I would argue, one, let's call upon the Governor to release two billion dollars for renewable energy and get it started so that we can have jobs created for solar energy almost immediately. And let me just double check -- I had one other point. Oh, and that is that Steve Bellone has to be involved. If he's not going to provide a message of necessity to create this call for getting two billion dollars, then he has to bring together Ed Mangano from Nassau and Bill DeBlasio so that he can cover the Far Rockaway service territory, and have some kind of press conference/press release that demands that this money be released to Suffolk County. I appreciate your listening and I thank you very much.

CHAIRMAN KRUPSKI:

Thank you, Mr. Quinn. I appreciate that sentiment and I think you're on to something there as far as the renewable energy and having a real plan to promote it and pay for it with money that's available.

MR. QUINN:

Thank you very much.

CHAIRMAN KRUPSKI:

Before we go any further, Legislator Barraga and Legislator Muratore have excused absences for today. So would anyone else from the public like to address the committee? Okay, hearing none, we'll move on to tabled resolutions.

Tabled Resolutions

IR 1812-14 - Authorizing a study to determine the best use of the Old Fourth Precinct property, Hauppauge (Cilmi). Do I have a motion on that?

LEG. STERN:

Motion to table.

CHAIRMAN KRUPSKI:

Motion to table, Legislator Stern.

LEG. BROWNING:

Second.

CHAIRMAN KRUPSKI:

Second, Legislator Browning. All in favor? Opposed? Abstentions? So moved. ***(Vote: 4-0-0-2 Absent: Legislators Muratore and Barraga; Presiding Officer Gregory is included in the vote).***

Introductory Resolutions

IR 1004 - Appropriating funds in connection with Replacement/Cleanup of Fossil Fuel,

Toxic and Hazardous Material Storage Tanks (CP 1706)(Co. Exec.). Do we have a motion on that?

LEG. STERN:

Motion.

CHAIRMAN KRUPSKI:

Motion by Legislator Stern.

LEG. BROWNING:

Second.

CHAIRMAN KRUPSKI:

Second by Legislator Browning. Thank you. Commissioner, do you have any plans here?

COMMISSIONER ANDERSON:

Yeah. Good afternoon. This resolution requests appropriating \$100,000 for construction funds to bring our storage tanks and facilities into compliance and included in that is removal of tanks that we occasionally find on County land. In this particular case we're looking at doing some improvements at the North County Complex as well as removing a couple of tanks that still are at the Bavarian Inn site.

CHAIRMAN KRUPSKI:

You do the work yourself or you contract it out?

CHAIRMAN ANDERSON:

We have contractors that do that.

CHAIRMAN KRUPSKI:

Thank you. Anyone have any other questions for the Commissioner? If not, we have a motion and a second. All in favor? Opposed? Abstentions? So moved. **(Vote: 4-0-0-2 Absent: Legislators Muratore and Barraga; Presiding Officer Gregory is included in the vote).**

IR 1005 - Appropriating funds in connection with installation of Fire, Security and Emergency Systems at County Facilities (CP 1710)(Co. Exec.). Same motion, same second. Yes.

LEG. STERN:

Quick question. Commissioner, I have in my notes here that there are a couple of facilities that are listed where this appropriation can be used for. I guess the question here is, is this dollar amount enough, is it sufficient to cover all of the needs of all of the potential work that would be done in the coming year, or is this just some allocation with some more that might be necessary going forward depending on how many sites you get to.

COMMISSIONER ANDERSON:

This resolution is requesting \$450,000 to construct or install or replace fire alarms, fire detection equipment, fire sprinklers, security systems at three specific facilities right now that we're looking at, but not necessarily limited to those. The first being the Suffolk County Police Department Helicopter Facility, the Sheriffs Jail storage facility as well as the Labor Department building, and that's strictly towards fire alarms. This is also going to be used towards installing carbon monoxide filters at various facilities. I would anticipate at some point, you know, maybe next year we'll need more money to do that. It's going to be pretty expansive, but this will at least get us started and we'll be able to -- we're looking at right now 400,000 toward the carbon monoxide facilities and 50,000

towards the fire alarms.

LEG. STERN:

Thank you.

CHAIRMAN KRUPSKI:

Any other questions? So we have a motion and a second. All in favor? Opposed? Abstentions? So moved. *(Vote: 4-0-0-2 Absent: Legislators Muratore and Barraga; Presiding Officer Gregory is included in the vote).*

IR 1006 - Appropriating funds in connection with Removal of Toxic and Hazardous Materials and Components at various County Facilities (CP 1732) (Co. Exec.). Same motion, same second. On the motion, more toxic and hazardous materials?

COMMISSIONER ANDERSON:

Yeah. Primarily what we've come across is asbestos, and in this particular case, right across the way at the Building 16, the Children's Shelter, we found asbestos in some of the HVAC ductwork, so we're looking to remove that so we can make use of that building again. Similarly, within the Yaphank County Center we'll be expecting to do a number of different miscellaneous projects. Any time we do anything in existing buildings, especially from the period where they used asbestos, we always wind up coming across it and having to remove it.

CHAIRMAN KRUPSKI:

Thank you.

COMMISSIONER ANDERSON:

You're welcome.

CHAIRMAN KRUPSKI:

And do you use existing staff or do you contract that out?

COMMISSIONER ANDERSON:

It's actually -- well, we use existing staff to identify it, coordinate the work, but contractors actually do the removal.

CHAIRMAN KRUPSKI:

Thank you. All right. We have a motion and a second. All in favor? Opposed? Abstentions? So moved. *(Vote: 4-0-0-2 Absent: Legislators Muratore and Barraga; Presiding Officer Gregory is included in the vote).*

IR 1007 - Approving the conveyance of a permanent Telecommunications Public Utility Easement to Verizon New York Inc., in exchange for the termination of a portion of a currently existing Telecommunications Public Utility Easement (Co. Exec.). Same motion, same second.

LEG. STERN:

Quick question. Important project, and so looking forward to seeing it go forward, but just to be clear. This is -- you're reconfiguring the road so you have to reconfigure the easements and so it's really just relocating the easement in the same area.

COMMISSIONER ANDERSON:

Correct.

LEG. STERN:

It's not they're picking up something different someplace else.

COMMISSIONER ANDERSON:

No.

LEG. STERN:

It's really just along the reconfiguration.

COMMISSIONER ANDERSON:

Absolutely.

LEG. STERN:

All right. Thanks.

CHAIRMAN KRUPSKI:

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

(Vote: 4-0-0-2 Absent: Legislators Muratore and Barraga; Presiding Officer Gregory is included in the vote).

IR 1008 - Approving the conveyance of a permanent Natural Gas Public Utility Easement to Key Span Gas East Corporation, d/b/a National Grid in exchange for the termination of a portion of a currently existing Natural Gas Public Utility Easement (Co. Exec.). Same motion, same second. You guys are really a big help here. Thank you. You have a question, Legislator Stern?

LEG. STERN:

Just -- same deal and the Commissioner responded that, yes, it is the same deal. So thank you.

CHAIRMAN KRUPSKI:

Okay. Thank you. Legislator Browning, you happy?

LEG. BROWNING:

I'm happy.

CHAIRMAN KRUPSKI:

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

(Vote: 4-0-0-2 Absent: Legislators Muratore and Barraga; Presiding Officer Gregory is included in the vote).

IR 1018 - Authorizing the acquisition of a portion of a certain parcel of real property having a Suffolk County Tax Map Identification Number of District 0800 Section 182.00 Block 01.00 Lot 011.004 for sewage treatment, transfer, and pumping purposes and requesting conveyance of same from the Town of Smithtown, Suffolk County, New York pursuant to General Municipal Law §72-h (Co. Exec.). Same motion, same second.

LEG. STERN:

On the motion. Commissioner, just briefly. I know 1018 and 1019 is for work that is going to benefit Hauppauge Industrial area.

COMMISSIONER ANDERSON:

Correct.

LEG. STERN:

Can you just briefly explain between the two what's going to be going on.

COMMISSIONER ANDERSON:

With the expansion of the plant, which we've pretty much completed, we're looking to expand the sewer district within the bounds of the Hauppauge Industrial Park. These next two resolutions will allow us to construct pumping stations on storm basins that are owned currently by the town and they're on land that the town has available, not being used currently for recharge. So we've had discussions with the town on both locations, both are in agreement, and the town is willing to convey the land to the County.

CHAIRMAN KRUPSKI:

Thank you. All right. We have a motion and a second. All in favor? Opposed? Abstentions? So moved. *(Vote: 4-0-0-2 Absent: Legislators Muratore and Barraga; Presiding Officer Gregory is included in the vote).*

IR 1019 - Authorizing the acquisition of a portion of a certain parcel of real property having a Suffolk County Tax Map Identification Number of District 0800 Section 185.00 Block 01.00 Lot 041.000 for sewage treatment, transfer, and pumping purposes and requesting conveyance of same from the Town of Smithtown, Suffolk County, New York pursuant to General Municipal Law §72-h (Co. Exec.). Same motion, same second, and we've gotten an explanation. All in favor? Opposed? Abstentions? So moved. *(Vote: 4-0-0-2 Absent: Legislators Muratore and Barraga; Presiding Officer Gregory is included in the vote).*

IR 1020 - Amending Resolution No. 738-2014, Port Jefferson-Wading River Rails to Trails Pedestrian and Bicycle Path (CP 5903)(Co. Exec.). Do I have a motion?

LEG. BROWNING:

I'll make a motion for the purpose of discussion I guess.

CHAIRMAN KRUPSKI:

Second by Presiding Officer. Would you like to ask the Commissioner a question?

LEG. BROWNING:

Well, I think the question is always about the money.

COMMISSIONER ANDERSON:

The, project, if I may, a little background. The project intends to develop and construct a trail along the old LIPA/railroad right away that extends between Port Jefferson and Wading River. I believe it's a ten mile stretch. We received funding a few years ago, a commitment from Congressman Bishop in the form of nine million, which is now down to six million. We're looking to try and get the three million dollars back. It's a fully 100% Federally funded project. The only caveat is, and that is being required, the State is now requiring that within the contract agreement that the County agree that should the project be discontinued due to the rescission of the property rights or other circumstances prior to the project's 25 year useful life, the County shall repay any Federal and/or State aid received from this project within 180 days from recruitment.

This has always been an issue with the project, that LIPA wanted to be able to access their property if they needed. The Federal Government at the time has always stated that, yeah, okay, we'd work with you to realign it, but in reality it's likely never to occur, but it's always out there. So now with the State formally asking for legislation approving this, it makes the point more clear that, you know, there is a potential. I would think that if it did come to that we would hopefully be able to relocate it, relocate a portion of the trail prior to formally being required to return any funds.

The only other thing I would say too -- also is that if we were required to repay the Feds or the State at that time, it would be less expensive than it would be to reconstruct it, only because of their, you know, it's the payment schedule would be calculated on a prorated basis. So if it's 20 years from now, obviously it would be a lot less money than we're paying back, you know, that we're paying now for the construction. If we had to reconstruct it, obviously you're looking at inflation. Those increased rates, it's going to be more expensive to realign the path.

CHAIRMAN KRUPSKI:

Does this have -- so LIPA is currently also using the right of way.

COMMISSIONER ANDERSON:

Correct. The trail would be shared with the high tension towers.

CHAIRMAN KRUPSKI:

And this is in the area that there are all these proposed power plants, whether it's Caithness or the one at Shoreham site, right? It's in that area.

COMMISSIONER ANDERSON:

Yeah, I don't know.

CHAIRMAN KRUPSKI:

I mean, I wonder if that plays any role in LIPA's, you know, future use of the right of way, you know, of their expansion of it or, you know, need to get in to do upgrades or maybe that's a moot point. Has anyone had that conversation with the County and with LIPA?

COMMISSIONER ANDERSON:

We've had many discussions with LIPA about this and to that level of detail we will never be provided with any type of, you know, any type of detail, engineering or otherwise, as to what their plans are. As of right now my impression is they have no plans for that, but they want to be able to use that land if they need that.

CHAIRMAN KRUPSKI:

So it gives them all the flexibility and it keeps up as being responsible for any kind of change in their plans.

COMMISSIONER ANDERSON:

Correct. Caithness, I believe, is going to be in Yaphank, right, right near the existing -- so this is up between Port Jeff and Wading River, well north of that.

LEG. STERN:

Question.

CHAIRMAN KRUPSKI:

Uh-huh.

LEG. STERN:

Obviously that's a concern and needs be a concern for all of us. Is there no standard for -- I understand the trigger is rescission. That's how I read it here. Is there no standard then on LIPA's part for what would constitute reasonable rescission? I mean, if LIPA comes up with a ten year plan and they develop that ten year plan, 24 years from now we have not made the 25 year mark, we are only one year shy, but nothing else might happen with that property for another 11 years going forward. But if they have a purely discretionary standard of rescission, that is -- that's a concern. So I guess the question to Commissioner is has there been any discussion about what may

reasonably constitute a purpose for rescission.

COMMISSIONER ANDERSON:

I would think that that definition would be within the contract, which I would then have to defer to the County Attorney's Office to see if they can expound on it. It might be best to ask of them. I don't know the answer to that. I mean, it would seem reasonable that, you know, until they actually need the land to do the construction the trail would be allowed to be relocated, redeveloped, whatever, not we're going to develop this. I think there would have to be some line that says okay, until we actually want to do a shovel in the ground, I mean, you know, some timeframe before that, but at some point when we're really ready to do this.

LEG. STERN:

Well, you would think that that would be more reasonable, but as the Chairman, you know, points out, if there is simply an idea that property might be used at some point in the future, does that rise to the level of a reasonable reason for a rescission. I think that would be something that we would want to know.

CHAIRMAN KRUPSKI:

Mr. Braun?

MR. BRAUN:

Thank you, Mr. Chairman. Robert Braun, Assistant County Attorney. The property in question here is leased from LIPA by the County at zero dollars a year for 25 years. One of the provisions of the lease says that the lease is subject to and subordinate to and will not interfere with LIPA's right and responsibility to provide electrical service, including relocating its facilities, accessing the property and so forth. But the same paragraph of the lease says LIPA and its agents, servants and employees agree to consult with and consider the County's reasonable requests prior to requiring the relocation of any portion of the path.

So if the path is designed to kind of stay out of the way of their transmission towers and LIPA comes to the Department of Public Works and says we're going to need to do something for a time, maybe they need to do some maintenance on their existing equipment, perhaps we can close the path for a few months while they do that. The Commissioner indicated to me earlier that they are going to try to design it so that it can handle the kind of vehicular traffic that LIPA might need to access the property and so forth.

So based on all of that, and there is certainly an implication in the lease that LIPA is going to cooperate with us, and we with them, in any request of theirs to access the property. But this is a lease, it's not an easement, it's not an outright grant. It's a 25 year lease for the trail.

CHAIRMAN KRUPSKI:

Thank you. Yes.

P.O. GREGORY:

Thank you, Mr. Chair. It's my understanding that similar language is in a trail in the Setauket and Stony Brook area. Does anyone have any knowledge of that?

MR. BRAUN:

I believe in any of the agreements that we have with LIPA there is similar language.

P.O. GREGORY:

Okay. So this is not atypical.

MR. BRAUN:

The difference here is that what's being required of us is that if LIPA exercises its right, then we have the obligation to repay the Federal grant on -- I believe on a prorated basis or an amortized basis depending on how much of the 25 years has been used up and how much still remains.

P.O. GREGORY:

Right. Is that similar or different to --

COMMISSIONER ANDERSON:

In any Federally funded project, we are required to complete the construction or complete the design and complete the construction and generally within a certain timeframe. If for whatever reason you don't do that, generally you do have to pay the Federal Government back. So if we were doing County Road 67 and we never progressed the design for construction, those design fees have to be repaid to the Federal Government.

P.O. GREGORY:

Yeah, they want you to move it along.

COMMISSIONER ANDERSON:

Right.

P.O. GREGORY:

Okay. And how long do we -- I have been talking to Legislator Anker about this, but how long are we anticipating that this project is going to be complete?

COMMISSIONER ANDERSON:

It would be three years -- generally we figure it'll take about three years to design it, because under Federal requirements you have to do a design document, there has to be preliminary documents. There's a bunch of stages before you get -- and community hearing. So as much as it's simply a trail, there's a lot of community input, and we expect it to take about three years. Probably another year to construct, two years, so we'll say within five years. So then, you know, within five years we'd have the thing constructed. And it's only a phase of the project. It's not the entire project.

P.O. GREGORY:

Right. And how long is the entire project?

COMMISSIONER ANDERSON:

I believe the entire project is ten miles. That's what I recall.

P.O. GREGORY:

Okay. All right. Thank you.

CHAIRMAN KRUPSKI:

Legislator Stern.

LEG. STERN:

Thank you, Mr. Chairman. So I understand that there's going to be some time until -- there's a planning, there's a design. At what point does the 25 years start?

COMMISSIONER ANDERSON:

I believe the 25 years would start -- well, again, the useful life of the project is when the project is substantially completed.

LEG. STERN:

So it's when it's put to use rather than this preliminary phase that might take a few years between design and build and all of that.

COMMISSIONER ANDERSON:

Correct.

LEG. STERN:

That doesn't start the clock ticking on the 25 year time period that we have to satisfy.

COMMISSIONER ANDERSON:

Right.

LEG. STERN:

And to Mr. Braun, so I understand that there's an amortization schedule of sorts?

MR. BRAUN:

I'm not sure it's a precise amortization schedule. I think it's just a prorated remaining life of the project.

LEG. STERN:

But there's an actual schedule that's been prepared?

MR. BRAUN:

No. Again, from the time at which the project is ready to be used, if we spend, for example, if it's usable for five years instead of 25, we'd have to give back 80% of the money.

LEG. STERN:

Okay. So it's not an all or nothing situation depending on the timing that's involved. If there is some type of a rescission then there would be a calculation done at that point. Obviously you don't know when and if that might happen, but again, from what you're saying, your representation is that it is not an all or nothing proposition here. There'd be some sliding scale depending on what happens in the future.

MR. BRAUN:

That's my understanding.

LEG. STERN:

All right. Thank you.

CHAIRMAN KRUPSKI:

Legislator Browning.

LEG. BROWNING:

I know that there's been a lot of talk about it. What kind of trails are these? Are these going to be a blacktop type trail or natural trail?

COMMISSIONER ANDERSON:

At this point a lot of it depends on the community involvement. The one that they essentially would be connecting to would become part of the trail right now is an asphalt walkway. There's a lot of planting. There is sitting areas at various locations. It's nice. It's wide enough a vehicle can travel, I walk it so I know it, a maintenance vehicle, a jeep, a small truck can drive on it. Again, you may have -- the community may want to come up with some type of stone pathway design, but generally

it's wide enough to handle a vehicle so that you can get in there and do some type of maintenance.

LEG. BROWNING:

Just kind of thinking being that it's wooded and people might want to prefer to keep it natural so cost would make -- it would make a difference. I mean, if you were doing a natural, let's say go to Cathedral Pines, obviously it's Pine Barrens or, you know, any of our County parks where you have nice trail ways and walkways, they're all natural.

COMMISSIONER ANDERSON:

Right.

LEG. BROWNING:

I don't know if that's something that the community wants to agree to, because clearly if you're going to start blacktopping it, it's going to cost a lot more.

CHAIRMAN ANDERSON:

Correct. It's really -- a lot of the design will involve community involvement. What I would say is in that phase that's been developed by the Town of Brookhaven, a lot of backyards actually even open up into it where because they -- people either make use of it as a walkway or an access point to be able to access it. It's -- I would encourage you to walk it only to see what it's like. It's pretty cool where they have taken all the sand mines -- this is right adjacent to Lawrence Aviation site. You can see the whole Lawrence Aviation site. But the walkway itself is very pristine. It's got nice landscaping, most of it natural.

LEG. BROWNING:

And the County is going to maintain this?

COMMISSIONER ANDERSON:

Right now that's something to be decided. We have commitment from a bicycling group, a large Long Island wide bicycling group that's committed to helping to some extent, but yeah, that's still -- we would likely do, whether it's us or Parks, do some of the maintenance, but as I said, there has been a commitment by this, I don't want to call it a civic group, but bicycling group, that they would come and they would maintain, you know, clean up the garbage, things like that.

LEG. BROWNING:

Fill the potholes? No, it's just if it's blacktop versus something else, I mean, trying to keep it as natural as possible would be probably the best thing and again, for maintenance.

COMMISSIONER ANDERSON:

I mean, you can do, depending on how much you want to spend, but if you look at Bethpage, I'm sorry, the Colonial community, whatever you call that over in Bethpage, their roadways look like dirt roads, but they're actually constructed of soil concrete. There's a lot you can do.

LEG. BROWNING:

Thank you.

COMMISSIONER ANDERSON:

You're welcome.

CHAIRMAN KRUPSKI:

On this project, how would we know, at what point would we know who is going to do the maintenance then. I mean, that would become a liability for the County obviously if the County was going to be required to do it. And then how would you, you know, budget for all of that, because

that would be -- and at what level. You know, if you are working with different communities, at what level of maintenance would you have to -- you mentioned landscaping and benches and a little more infrastructure than just a path.

COMMISSIONER ANDERSON:

Right.

CHAIRMAN KRUPSKI:

And clearing, I'm sorry, the whole -- to expand on that -- the whole -- are we -- would we be responsible for the whole LIPA right of way itself, whatever that is. Would LIPA still maintain their right of way for trees and whatnot.

COMMISSIONER ANDERSON:

I don't know the -- my recollection on the LIPA is we would be responsible for our portion of the work. We wouldn't be responsible for the entire LIPA right away because we won't be using the entire LIPA right away. It's a certain width and then we have -- we're responsible to build within that width of right away and maintain that width. Again, the maintenance would, you know, assuming it's a park to a certain extent, it would likely be some combination, not that I'm volunteering, but it would be some combination between DPW and Parks Department. And what I've seen in the one in Brookhaven, there's a lot of community involvement where the community comes in. You have, you know, Boy Scouts doing Eagle projects. You have different groups coming in and doing plantings, things like that. So it becomes a very community orientated facility.

CHAIRMAN KRUPSKI:

Thank you.

COMMISSIONER ANDERSON:

You're welcome.

CHAIRMAN KRUPSKI:

Any other questions? Because this is a project, and it seems to have great value to the community, but because it's a project that could also have a great liability, you know, financial liability to the County in -- because if we don't own it we're just have having a, you know, we're getting a, not even an easement, a lease of the property, and that we would be on the hook for any changes that LIPA, someone who's outside of our control, could make, I'd like to make a motion to discharge this without recommendation and let the whole Legislature talk it over.

LEG. BROWNING:

Okay. Then I'll withdraw my motion to approve and second your discharge without recommendation.

CHAIRMAN KRUPSKI:

Thank you. All right. All in favor? Opposed? Abstentions? So moved. ***(Vote: 4-0-0-2 Absent: Legislators Muratore and Barraga; Presiding Officer Gregory is included in the vote).***

IR 1023 - Authorizing an Intermunicipal Agreement with the Village of Patchogue and the County of Suffolk for exchange services for the mutual benefit of residents of the County and the Village (Co. Exec.). I'll make a motion.

LEG. STERN:

Second.

CHAIRMAN KRUPSKI:

Second by Legislator Stern. Commissioner.

COMMISSIONER ANDERSON:

This resolution is the result of an agreement between actually our Department and the Village of Patchogue. We provide them with salt they need to salt their roads during storms and in turn they maintain portions of County roads, CR 19 within the Village bounds, as well as CR 85, which is Montauk Highway. They also maintain Sixth District Court and the 5th Precinct for us, so that frees us up. We have found it to be a very equitable agreement between us and thus we're asking for this to be, you know, memorialized.

CHAIRMAN KRUPSKI:

So this is a tried and true agreement that works for County and Village.

COMMISSIONER ANDERSON:

Yes.

CHAIRMAN KRUPSKI:

Any questions? We have a motion and a second. All in favor? Opposed? Abstentions? So moved. ***(Vote: 4-0-0-2 Absent: Legislators Muratore and Barraga; Presiding Officer Gregory is included in the vote).*** Thank you.

COMMISSIONER ANDERSON:

Thank you.

CHAIRMAN KRUPSKI:

We have no other business. We stand adjourned. Thank you.

(*The meeting was adjourned at 3:11 p.m. *)