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 April 20, 2015.

***Members*:**
Legislator Al Krupski - Chairman
Legislator Tom Muratore - Vice-Chair
Legislator Tom Barraga
Legislator Kate Browning
Legislator Steven Stern

***Also In Attendance*:**
Presiding Officer DuWayne Gregory - Legislative District No. 15
George Nolan - Counsel to the Legislature
Jason Richberg - Chief Deputy Clerk
Craig Freas - Budget Review Office
Debbie Harris - Aide to Legislator Stern
Bill Shilling - Aide to Majority Leader
Gil Anderson - Commissioner, Suffolk County Department of Public Works
Tom Barracca - PSEG, Manager, Vegetation Management
Patrick A. Lespinasse - Verizon, State Government Affairs
Steve Dez - Verizon
Garry Lenberger - DPW - Director of Transportation
Linda Jones - ADAMS
Joseph E. Macy - Greens at Half Hollow, LLC
Tim Mooney - Fire Island Ferries
George Hoffman - Fire Island Association
Dawn Cookler - SILO
Alice Young - SILO
All Other Interested Parties

***Minutes Taken By*:**
Gabrielle Severs - Court Stenographer

***Minutes Transcribed By*:**
Denise Weaver - Legislative Aide

(*The meeting was called to order at 2:09 p.m.*)

CHAIRPERSON KRUPSKI:
All right. Welcome to the regular meeting of the Public Works, Transportation & Energy Committee. All rise for the Pledge of Allegiance led by Legislator Barraga.

(*Salutation*)

CHAIRPERSON KRUPSKI:
We'll start off here with a public portion. Everyone can come up to the microphone and identify themselves and we'll give you three minutes to make your presentation. First up is Joseph E. Macy and on deck is Linda Jones.

MR. MACY:
Good afternoon, as you know, my name is Joseph Macy. I represent the Greens at Half Hollow, LLC. I'll try to speak into the microphone. I am here today with respect to introductory resolution 1271, which is with respect to the proposition, and approving the form of that proposition, for the establishment of the Suffolk County Sewer District No. 26.

The reason I am here, I would like to advise this board that as of Thursday of last week a petition was filed in the Supreme Court of Suffolk County pursuant to the Election Law under Article 4 and Article 16 alleging that any establishment of this resolution would be misleading and contrary to existing law and therefore cannot be properly formulated.

As you all know the Legislature approved the formation of the sewer district subject to the public referendum, if in fact, that was properly voted upon. There were petitions submitted. The reason that we have filed this action is that the property, and each of the property owners who exist within that proposed sewer district, have encumbered property rights pursuant to their purchase of the lands within those areas. They each have property rights that are encumbered by covenants and restrictions, which approve, in essence, pursuant to the sewer agreements, the establishment and dedication of the sewer district. As a result, none of the members -- actually none of the voters at this time actually have the right, pursuant to property and contract law, to vote against that resolution. It is all encumbered pursuant to the covenants and restrictions that were filed. As a result, we filed this petition pursuant to the election law.

What we are asking is, as you know, challenges under the election law are required to be resolved expeditiously and, in fact, afforded preferences by the supreme court. We are asking that the referendum, and the establishment of the language of that referendum, be tabled in order to allow the supreme court to rule on the petition. We anticipate that that will occur within a short period of time. Typically the supreme court should rule on that within a matter of 60 days. The petition, as I said, was filed on Thursday of last week. We have submitted it by order to show cause so that the supreme court can set an early return date. We are still awaiting the signature of that order from that court.

I do have copies -- a copy of the petition, if the board would like to and the Committee would like to see that, it is quite voluminous. The exhibits to it are extensive. As I said, all of the agreements are set forth, the covenants and restrictions that govern the property are set forth.

And, again, our application at this time is to ask the Committee to table any action on the adoption of the language of the referendum because we believe that in accordance with the law it is prohibited.

I'm happy to answer any questions that you might have and, as indicated, I am happy to provide you with a copy of the petition and the accompanying exhibits if the Committee would like.

CHAIRPERSON KRUPSKI:
Thank you for that. I think maybe -- do you have any questions? George, absolutely, please. Let's get some clarity here.

MR. NOLAN:
My question is, us establishing at the Legislature decides to establish the language for the referendum question, does it -- how does it impact your legal action and could you tell me what, cause I haven't seen your petition, what -- what is the basis of your legal action and what relief you're looking for?

MR. MACY:
Mr. Nolan, under the Election Law's Articles 4 and 16, if a referendum cannot be properly formed, which would not be misleading or contrary to existing law, the law provides that a challenge must be brought under the election law to set that aside and prohibit the referendum from being submitted. The petition that we have submitted in effect argues that no referendum could ever be drafted on this because each of the properties that exist within this sewer district is encumbered. In effect, what has happened is that at the time that the individuals acquired their property rights, their properties had already been encumbered by the sewer agreements, which required the dedication all pursuant to the agreements with the State, the County and the town law, section 277, which required the dedication of the sewer treatment facility to the County and the establishment of the sewer district. So the petition, in essence, states that because these encumbrances already exist, these are not, if you will, among the bundle of rights that were acquired by the property owners, they don't have the right to oppose this and therefore any referendum, which, in effect, gave them the right to vote, would be contrary to the existing contractual and property law. It is, in effect, illegal and cannot be ever drawn in a way that would pass muster in this case.

MR. NOLAN:
Okay. So it's not really the language of the proposed referendum that you're challenging, it's the whole question of whether it can be put to referendum.

MR. MACY:
Well, in essence, it's parsing words because the reality is that the language cannot ever be drafted. So, yes, in effect, whatever language this Committee was to enact would be barred under the property rights. So it's, you know, chicken or the egg, if you will, in that regard, but it's parsing languages. The referendum simply can't be drafted.

MR. NOLAN:
But even if the Legislature passed this resolution your case is going to proceed and if you're successful it's not going to make any difference one way or the other what we do today.

MR. MACY:
I would disagree only to the extent that I think that there is a misleading impression that is created by the establishment of a referendum, which again, the supreme court is going to rule on this rapidly. As you all know, election law challenges are given the highest level of preference in the court system and they will act on this almost immediately. So we are now six months away from the election, there is no urgency at this point to the drafting of the referendum at this point, so what we're asking, in effect, is simply table it, allow the supreme court to rule on this so that it can do so properly under the papers that are before it without the gloss of this hanging over them, so to speak.

I see questions I don't want to -- I don't want to --

CHAIRPERSON KRUPSKI:
Legislator Barraga.

LEG. BARRAGA:
Good afternoon.

MR. MACY:
Good afternoon, Legislator.

LEG. BARRAGA:
It seemed to me, as I'm listening to this, that your action is separate and distinct from what the Legislature will do here this afternoon. I mean, frankly, if we tabled every resolution predicated on a law firm bringing an action in a -- a given court, we'd get very little done. I mean, it seems to me that we can proceed with this and then you proceed with your action and let's see how it all falls out.

MR. MACY:
To the extent that you suggest that the actions that you take today would not render the pending litigation I would absolutely agree with you. I don't think there is any question to that. I think it's really a question of the misleading effect that comes about if, in fact, this is not tabled today. Again, if we were sitting here in September and we were 45 days from the election I think we'd be in a different position but we're six months away at this point.

LEG. BARRAGA:
Misleading effect that you're talking about, I kind of gather would -- our actions would have some sort of misleading effect on the court in terms of its future decision on your action?

MR. MACY:
No, no. I think on the -- the potential voters on this. It would indicate to them that they have right, which, in effect, they don't have and I think that you need to let the court --

LEG. BARRAGA:
We are still five or six months away from the possibility of a referendum.

MR. MACY:
Yes, you are.

LEG. BARRAGA:
I'm not so sure that voters, as such, are really concentrating on this particular issue. Sometimes I'm not too sure what they're concentrating on, but certainly I think our actions are separate and distinct from your -- your actions as an attorney representing this particular group.

MR. MACY:
Again, I certainly am not here to comment on what the voters do or do not pay attention to. I know that this is an issue of some importance. Obviously, there were a number of petitions that were submitted, which brought the referendum before you. So I would suggest that there is attention being paid to this issue. And, again, I don't think that there's any harm that befalls the Committee if this was to be tabled for a period of 60 days to allow the court to rule on this.

CHAIRPERSON KRUPSKI:
Thank you.

MR. MACY:
Thank you.

CHAIRPERSON KRUPSKI:
All right. Linda Jones and on deck Tim Mooney.

MS. JONES:
Good evening, Legislators and attendees. When I was here last month at the meeting they said that they were going to put more routes -- I'm from ADAMS first, ADAMS, Awareness, Disability -- I'm nervous.

CHAIRPERSON KRUPSKI:
Don't be nervous, we're all friends here, so far.

MS. JONES:
Because now I'm saying everything backwards. But anyway, what I wanted to say was that I wanted to thank the Legislators for putting on two extra routes for the SCAT buses. But, unfortunately, they could put on 200,000 and they'd never be near my home because when they do put them on they have -- you have to be three-fourths of the mile from the route of the big buses and I'm not, I never will be.

So I was wondering if the Legislators could maybe, you know, instead of just having a certain amount of people, try to find out if -- if it's warranted to have the buses run on Sunday. Okay? So that's when they put the routes on. So I was just wondering why couldn't we just have everybody in Suffolk County, you know, anybody that uses the SCAT bus have access to it on Sunday for just a couple Sundays just to see if -- it's, you know, if it's warranted.

The -- and the other thing I wanted to speak to you about was SCAT, the SCAT buses, we -- we have -- we try to tell -- when one person is calling the SCAT bus and going to the same place to the other person who lives in the same town, we should both be on the same bus because I go right -- last month when I came -- went -- I had to go to Ronkonkoma and my friend also did and to Helen Keller and I got a bus and he asked if he could get on my bus and they said no. So my bus went right past his house, just about a block away, and I went there and he got a different bus and the same thing in the afternoon to come home. He got a -- I got a 2 o'clock bus, he got a 2:30 and we're over in the same place. You know, maybe if they -- they let us -- if people call up and they let us know, we let them know that we're on the same bus with somebody that's right next door practically that they will have to put us on the same bus. It's a waste to send two buses. Isn't it? I mean, it makes sense.

CHAIRPERSON KRUPSKI:
Certainly is. It's a very good point.

MS. JONES:
You know, maybe, you know, if somebody could just, you know, do that. Okay.

CHAIRPERSON KRUPSKI:
Thank you.

MS. JONES:
Thank you so much.

CHAIRPERSON KRUPSKI:
We'll bring up your first concern about doing a pilot on Sunday, we'll bring that up with Department

of Public Works and, I mean, it's obviously a matter of scheduling and time and money. So that's --

MS. JONES:
Right.

CHAIRPERSON KRUPSKI:
-- that's what has to be factored in.

MS. JONES:
Well, that's -- that's one of the reasons I'm coming here talking to SCAT like that.

CHAIRPERSON KRUPSKI:
Thank you.

MS. JONES:
Is because I want to try to save some money for them and maybe if we could then they would give us more time to stay, like, you wouldn't have to come home until 9:30 instead of having to come home by 8:30.

CHAIRPERSON KRUPSKI:
Right.

MS. JONES:
Things like that during the week.

CHAIRPERSON KRUPSKI:
Right. Thank you for that.

MS. JONES:
Okay, thank you.

MR. MOONEY:
Good afternoon. And my name's Tim Mooney, I am President and owner of Fire Island Ferries and we have IR 1111 and 1112 both are fare relief for Fire Island Ferries and Fire Island Water Taxi. I'm here to answer any questions if they come up during the -- the course of the afternoon and we're hoping that we can get this voted out of Committee this afternoon so we can get it to the full Legislature for the meeting on the 28th. Are there any questions for me at this point? Or --

CHAIRPERSON KRUPSKI:
No, I don't think so.

MR. MOONEY:
That's great. I like that. Thank you.

CHAIRPERSON KRUPSKI:
George Hoffman and on deck Dawn Cookler.

MR. HOFFMAN:
Good afternoon on this windy and rainy and wet Monday. I'm here representing the Fire Island Association. And first off, I'd like to thank this Legislature for really accommodating us when we came to you about a month-and-a-half ago in terms of the -- the ferry rate application. You extended yourself, you set up several meetings. I know Legislator Barraga, Legislator Lindsay and Presiding Officer Gregory were -- attended several meetings.

I think because of that the process became very open and very transparent. You also allowed us access to your Budget Review staff, which was also very helpful to us.

So I can tell you that our organization -- we feel pretty comfortable that it's a fair rate hike and I think the reason we can say that is because you did open up the process and I think everyone took a look and thought that it was reasonable and it was something that we could support.

One of the things I'd like to talk about though is we learned a lot during this process and we're looking for maybe your help in how to formalize the process. You know, we learned that -- that you guys have discretion on suggested rate hikes. I think at one time it was thought that maybe you just had to accept it or reject it, that you can actually adjust. The financial records, it wasn't clear if we had access to them, but through the process all sides agreed. We thought that that was a good thing.

The sister corporations; sometimes these ferry operations also have corporations that also have parts of the -- their operations and we were allowed, I think, Budget Review looked at their books as well to make sure that, you know, that there was no unfair transfers. So we would like to recommend that if you could find a way to formalize the process.

I think there was also more meetings. I think we probably could have skipped a lot of this had we sat down with the ferry company earlier. So, you know, if you have any suggestions on that we would certainly like to work with you on that so that in future rate hikes for both this ferry and any ferry that there would be a formalized process of things and, I think, you would find that most of the stakeholders would be supportive in most cases.

So, thank you very much for your help on that and especially, Legislator Barraga, I know you put yourself out a lot. Thank you.

CHAIRPERSON KRUPSKI:
Thank you. I think Budget Review Office has the -- and handles -- maintains that process for -- for fare hikes for ferries. Is that -- is that true?

MR. FREAS:
That's basically correct. We are -- we provide the reporting and request the information needed to determine whether the rate -- to make a recommendation on the rate relief by any of the ferry companies.

CHAIRPERSON KRUPSKI:
Have you ever gotten a fare -- a rate increase recommendation from a ferry operation and recommended a lower rate increase?

MR. FREAS:
The office has recommended that rate relief not be granted in some cases. Prior to 2002 the office was also in the practice of setting conditions or making requests for the company to meet certain conditions in order for the rate increase to be granted. Our understanding was that, subsequent to a lawsuit that occurred in 2002, that we were -- that the office -- the office and the Legislature was -- were constrained in their ability to either dial down, if you will, a rate hike or to impose conditions on the -- the ferry companies.

CHAIRPERSON KRUPSKI:
Thank you.

MR. HOFFMAN:
On that point, I think, during the process we learned that there was a subsequent court decision that overruled the one that the gentleman was referring to that does give you the discretion to -- be able to raise/lower. That was our understanding and that came out during the process.

CHAIRPERSON KRUPSKI:
Who gave you that understanding?

MR. HOFFMAN:
I think it was during these meetings. I'll actually get you the cite of that court case.

CHAIRPERSON KRUPSKI:
Okay, okay. But, I mean, I think in this case because you had your elected representatives, Legislator Barraga and Legislator Lindsay and Presiding Officer Gregory, I think that's --

MR. HOFFMAN:
Very helpful.

CHAIRPERSON KRUPSKI:
-- that make the process work well when they're willing to sit down and work with you.

MR. HOFFMAN:
Thank you very much. Appreciate it.

CHAIRPERSON KRUPSKI:
Dawn Cookler and on deck Alice Young.

MS. COOKLER:
Good afternoon. My name is Dawn Cookler. I represent SILO, which stands for Suffolk Independent Living Organization. They're in Ronkonkoma and they're a center for people with disabilities. They provide services and they're an advocacy agency for people with disabilities in Suffolk County.

I'm also a SCAT bus rider. I take the bus two to four times every day because I do a lot of volunteer work, I'm retired. I also have a lot of compassion for the bus drivers and the reservation people and the dispatchers because my career, I used to be a reservation agent for a limo company before I -- before I retired.

What I wanted to talk about was last month when I was here a lot of people talked about increasing the bus services so they would run past 8:30 and they said they were going to do a study of who took the bus between 7:30 and 8:30 to determine if the buses should run after 8:30. I realized SCAT runs the same as the regular buses so whatever the regular buses do, that's what SCAT has to do. But they said they were going to base their study on who takes the bus between 7:30 and 8:30. If you want to go to an event that starts at 8:00, you will not take the SCAT bus because you will have no way to get home. So I don't think that study between 7:30 and 8:30 is accurate because everybody that takes the bus at that time between 7:30 and 8:30 is usually taking the bus to go home because most people that take the bus can't get home any other way. So that was the first thing I wanted to talk about.

And the second thing is I took the new bus yesterday, they ordered a bunch of new buses and they made some improvements to the buses and the improvements were really good. So thank you, Garry. That was the second thing.

MR. LENBERGER:
You're welcome.

MS. COOKLER:
And then the third thing I wanted to talk about was I took the bus yesterday and the bus showed up fifteen minutes before my pickup time and I came out, and usually most of the bus drivers are very happy that I come out early because I always come out early because I don't like making people wait, so I came out early and the bus driver said he wouldn't let me in the bus because I came out too early and he was on a break. So I said, *okay, I'll wait fifteen minutes* and he closed the door and he ate a sandwich and took his break while I sat outside the door for fifteen minutes. And I was very grateful that it was nice out yesterday and it not raining or snowing but that has happened to me on numerous occasions in the snow and when it was below zero. So if a bus driver's early I don't think they should park in front of the building where they're supposed to pick somebody up because that person's going to come out when they see the bus and I don't think it was right that I had to wait.

Then I got in the bus and the bus driver told me I was going to be sitting in the bus for an hour because that was my next -- his next pickup was an hour later. So I said, *okay*, and then he -- he drove off. He tied me down in my wheelchair and he drove off and drove me exactly where I had to go. The only thing was he said; *so, you're going home. Right?* And I go, *no, I'm not going home I have another two bus trips today, I'm going to a Temple in Stony Brook*. And he goes, *that's not home?* I go, *no, can you look at the manifest, I just want to confirm where I'm going.* I say that when I get in the bus all the time cause the bus drivers are supposed to say; *you're name is Dawn Cookler and you're going to such and such location.* Fifty percent of the time they don't do that so when I get in the bus I say, *do you have me going to such and such a place?* And usually they say yes. The driver yesterday did not say yes, he said *hold on, I'll look*. He looked at the manifest and then he turned to me and said *you can call dispatch and find out where you're going*. And I said, *it's not my job to call dispatch it's your job to figure out where I'm going*. And he goes *you don't know where you're going?* I go, *no, I know where I'm going but I just want to make sure that I have the correct address on the manifest because I take four bus trips everyday and I just want to make sure I end up in the right place. I don't care how long I'm in the bus, I don't care if I'm late anywhere, I just want to make sure I end up in the right place.* So he called dispatch on the radio finally and they confirmed that he had the correct address but it took him a half -- I was in the bus for a half hour before he confirmed where I was going. Thank God I was in the right bus and I was not in the wrong bus going somewhere else because I take four bus trips everyday and I just don't want to end up in the wrong bus cause there's a lot of people that take the bus.

CHAIRPERSON KRUPSKI:
All right.

MS. COOKLER:
I'm just confirming that I'm in the right place at the right time. That's all.

CHAIRPERSON KRUPSKI:
Well, thank you, Dawn.

MS. COOKLER:
Thank you.

CHAIRPERSON KRUPSKI:
And I saw -- thank you for the comments about Garry and I saw when you were speaking he was taking notes about your comments. So I'm sure he'll be working on those.

MS. COOKLER:
Thank you.

CHAIRPERSON KRUPSKI:
Alice Young.

MS. YOUNG:
Good afternoon. I just have two points that I'd like to go over today and number one is to thank you about having the SCAT buses and the 1400 series here. If I understood correctly, by the end of April everything will be retrofitted to -- to what in accordance to what should be. Okay? And we will be sending a report to Legislator Krupski and the Committee to know there are few things that still haven't been done but I do want to comment and say that at out last transportation meeting, DPW did send the extender. The buses, on the seatbelt, that goes in, so we thank you, Garry, that was very good.

The second area is requesting -- Legislator Barraga talked a little bit about last week -- last month about a feasibility and a study and we'd like to ask you about the extension of services and would like to ask we're able to get statistics about from SCAT, the ridership, no shows, how many trips they book, everything, but we would like to have a study done perhaps if the County would approve and assign it, so we could talk about the extended hours. And this is purely what -- what we're looking for representative, Legislator Barraga, had talked about assigning. Could that be done? Could you do that? So we could get some numbers about the ridership, about the feasibility of extended hours because that's really what -- what they're looking for in Suffolk County and we'd like to have this done. And then the preparation for an extended -- an extended period of time and that if you would approve that. When I look at the area and the ridership in Nassau County of Able-Ride, our hours here really don't compare for a cheaper price as well as longer services and they schedule through Sunday, all week long. So by you approving that a study could be done about an extension, and extended services then that would give us the next step to work towards. We are looking to trim the budget. We're not asking for more money. We're looking for ways that we can analyze the data and present to you ways that will be cost effective but will allow for extended services. And that's what we're looking for.

When Dawn talks about it's the -- it's the dispatchers, it's the people who make the reservations. These are the people that -- who do the day in and day out work and this is where you get so much of the feedback when you hear. I don't want to spin my wheels, waste peoples' time but you need the number and -- you need the numbers and you need the data to quantify it to make sure that it's a doable -- it's a doable item for the riders of Suffolk County.

So that's my request and ask that you respectfully consider to do that and then we can move forward with the numbers and the cost analysis. Thank you.

CHAIRPERSON KRUPSKI:
Thank you, Alice.

I'm just going to ask Garry Lenberger if he could just -- just to comment on that because I know that they spent an awful lot of time analyzing the trips, how they're made, and when they're made, and I think -- and Commissioner Anderson. And I think -- I'd like to hear from them before we make any -- any decisions.

MR. LENBERGER:
Good afternoon, thank you. Yes, actually we did do an analysis and we determined that there is an average of 12 trips per half hour at the tail end of our service -- service timeframe. So we're looking at 24 passengers if we had the same ridership levels one hour later. You would take that

number and multiply it by the $52, the average trip for a SCAT passenger, that cost would be also multiplied by 313 service days, which includes Saturdays and that comes out to $390,600. If we add additional service on Sundays, which is fairly late at this time because we only have the 12 routes, we were estimating roughly another $30,000 so we're talking about an estimate of $420,000 a year for the additional one hour service.

CHAIRPERSON KRUPSKI:
Thank you. That's -- so I don't know if we needed -- I don't know what other analysis you would want to do that. I mean, do you think if you offered, the only question I have is, if you offered a later service extended later hours, would you get an increase in ridership to make any of that money up or do you think that wouldn't be enough to -- anywhere it'd come near to offset that extra?

MR. LENBERGER:
If the ridership went up it would cost us even more money because the average trip is $52.00. The fare itself actually just about only covers the fuel for the trip. The comment regarding Nassau County and their additional service, I'd like to point out that the average Suffolk County SCAT trip is 15 miles whereas the Nassau County average trip is about five miles since their service area is about the size of Brookhaven Township.

CHAIRPERSON KRUPSKI:
So it's not fuel, it's time.

MR. LENBERGER:
Correct. Most of it is driver wages, you're putting, you know, the capital assets are running harder. You have dispatchers, you have mechanics on standby, etcetera.

CHAIRPERSON KRUPSKI:
Okay. Well, thank you.

MR. LENBERGER:
Thank you.

CHAIRPERSON KRUPSKI:
Oh, we have a question. Legislator Browning.

LEG. BROWNING:
Yeah, I'm actually going to be -- paying a visit to Pond Road because they have a dispatch in Pond Road. Am I correct?

MR. LENBERGER:
Yeah, they actually dispatch out of Pond Road, which is the primary location for the SCAT buses, but they do have two other locations, one in Coram and one in Bay Shore.

LEG. BROWNING:
Right, right. I actually was at Coram for another issue. But -- because what I'm trying to figure out is we -- I've been to DPW where we have the dispatchers -- the people who take the calls to set up the schedule but now we have Pond Road who does the dispatching and I'm probably going to say something, somebody is probably going to freak out when I say it, but if we were to pass off the reservations and the dispatch to the dispatchers, let them do all of that, but continue -- I mean, obviously I'm not saying DPW shouldn't be doing anything with this, but we should be overseeing to make sure that they're doing what they're doing, but is -- would it be better to let the dispatch unit that's there to do the reservations because I know you got to -- you have your standing reservations where you have people who, you know -- you know, like Dawn, we know where she's going on a

regular basis, but then we'll have somebody might call in a couple days ahead of time or maybe even that morning that might need picked up that it would give them more flexibility, the dispatch, a bit more flexibility to say, okay, well, you know, when they're mapping out who needs picked up to -- to figure it out better. Do you know what I'm saying?

MR. LENBERGER:
Well, if I may, if I could explain the system a little bit in detail. We do about 2500 trips a day. The reservation -- the reservationist that you talk about, we have about 25 of them, those are privately employed by the contractor over in Ronkonkoma. They take the reservations from five days up to a day in advance. That is the regulations that the County has. The dispatchers are actually a small function of the system, there's only maybe a half-a-dozen dispatchers that are assigned to the vehicles. Generally, when the vehicles go out they're handed a manifest, which is essentially a schedule of the pickups. The -- the passengers, for an example, if somebody was scheduled to be picked up at 2:00 they would have a half hour window. In other words, the bus is allowed to show up 15 minutes prior to pickup or 15 minutes after that 15 minute -- I'm sorry, the scheduled pickup time. So that is already ordained, so to speak, in the manifest.

The one thing I do want to mention, we have as part of our next capital purchase once we have our federal grant improved, is to do an online reservation system for the passengers, which is going to enable them to have more flexibility as far as scheduling their trips and also cancelling their trips, which is a very important thing since a lot of times a lot of the -- the population that takes our buses, they have cognitive disabilities or what have you and it's, you know, they may forget to cancel their trip and then, you know, the bus actually shows up at the house and wastes more time, etcetera. So we know that not everybody is going to be able to use the online reservation system but, you know, we would hope to have training for them and then there's also enhancement for, you know, visually impaired, etcetera. So that would be 90% paid for by the federal and state governments. So we're looking forward to purchase that.

The thing that I would be concerned about regarding the extended hour is that it may actually just take passengers that were scheduled to go home prior to 8:30, they would just be extending their visits or whatnot to a later time so you may not, you may actually see a lessening of riders and the -- from the 7:30 to 8:30 time slot.

LEG. BROWNING:
Right and one other issue, I mean, the lady that first got up to speak, I'm sorry, I forgot your name.

MR. LENBERGER:
Garry Lenberger.

LEG. BROWNING:
But, the issue with -- yeah --

MR. LENBERGER:
I'm sorry, I'm sorry. Dawn, you mean? ***(*Laughter*)***

LEG. BROWNING:
The issue with, you know, somebody who lives on her block, you know, needs a SCAT bus that now you're sending two buses versus one. Why couldn't that just be quickly added to the manifest, the driver be called, this is being added to your manifest or, you know, obviously there has to be those occasions.

MR. LENBERGER:
It does happen occasionally. But also that 15 minute window pickup time, you know, a lot of

time -- this -- I don't know the situations, the particulars about that situation but a lot of times what happens is somebody has a 2 o'clock trip and somebody else has a 1:30 trip and say the bus shows up at, I don't know, you know, 12:45 or something and for the first pickup and the second pickup is not even scheduled, it's not coming out on the manifest so another driver already has that schedule and now you're talking about a passenger that just changed their mind and saw the SCAT bus there and, said *oh, I, you know, I actually finished lunch early or whatever and I want to take that bus*. You could imagine the issues that may be related to that, you know, these manifests are changed on the fly and we're installing our new ABL system on these buses so we can better enhance the application whereas the drivers will be notified when there is a change in the scheduling. A lot of that has to do with -- with the rides being cancelled at the last minute. We do allow cancellations up to two hours prior to the -- the event.

LEG. BROWNING:
Right. And the one last thing that was mentioned also is location to a bus stop and whether you can have a SCAT bus because of where you live and the distance from an actual bus stop because, I think, you know, about the 90 year-old lady in my district who was given up her car, for good reason, but she didn't live close enough to a bus stop to be eligible for a SCAT bus. So now what are we doing? We're forcing her to be homebound. And I think that we need to honestly look at our -- having a bit more flexibility with the SCAT bus and, you know, it's -- take a look at Mastic Beach, the village decided they don't want the -- the bus going down those small side streets. So now we have some people and, I think you remember, Gil, the one person who, you know, was taking the bus that now they're too far away to be eligible for a SCAT bus. I have a growing senior population in Mastic Beach that could potentially need a SCAT bus so that's my concern. I know the -- the Town of Brookhaven has their Jitney, but, you know, God forbid they need the SCAT bus for something else now they're no longer eligible because of location. I think if a bus is on Neighborhood Road, what's the difference that they can't just go that little bit further that we really should look at more the needs of our -- the constituents and our residents rather than their location.

MR. LENBERGER:
Well, right now we're following the federal regulatory process. The three quarter mile limitation is what's mandated by the FTA, which is the United States DOT, Federal Transit Administration.

LEG. BROWNING:
I guess they don't know our communities that well.

MR. LENBERGER:
Sometimes I would have to agree with you.

Just one more comment on the retrofit. The 1400 series buses were -- those were eight buses that were delivered this past fall. They were all retrofitted as of last week and the new buses that are being delivered are called the 1500 buses, essentially 2014 and 2015 is how we determine that criteria and all of those buses are being delivered with essentially that same design. It's not a retrofit, it's built into the specification.

CHAIRPERSON KRUPSKI:
That's all the cards that we have. Would anyone else like to address the Committee?

LEG. BARRAGA:
I have a question.

CHAIRPERSON KRUPSKI:
Yes. Oh, thank you. Go right ahead.

LEG. BARRAGA:
Just one quick question based on, you know, your figures, you're talking with Sunday service better than $400,000 for an additional 24 people for an extra hour. Have you given any thought to --

MR. LENBERGER:
I'm sorry, that was -- that was for the whole week, that was not just for Sundays.

LEG. BARRAGA:
That's what I mean, for the whole week including Sunday --

MR. LENBERGER:
Yeah.

LEG. BARRAGA:
-- it came out to about better than $400,000 annually. Have you given -- based on that figure, rather than extending it an extra hour, have you given any thought to adjusting the current hour? Like right now it's 7:30 to 8:30; would it be more amenable to SCAT users if it was from 8:00 to 9:00? Giving them more time to be wherever they are and a little extra time to come back home. Yet most of the people that are using SCAT at that hour to go back to their homes after making a visit someplace.

MR. LENBERGER:
We didn't look at the ridership prior to 7:30 but right now it is 8:30 with the exception of any route that runs past that time element. So we do have routes that run later on into the evening and SCAT -- SCAT mirrors that, it has to by federal regs.

LEG. BARRAGA:
So that the -- well, so 8:30's the latest you run right now?

MR. LENBERGER:
Yes, correct.

LEG. BARRAGA:
What if you went to 9:00?

MR. LENBERGER:
If we went to 9:00 we would probably average about another 12 passengers on the system so you would have to take that and multiply that by the $52 for the rate.

LEG. BARRAGA:
Are you talking about 200,000 a year?

MR. LENBERGER:
Ballpark, yes.

LEG. BARRAGA:
All right.

CHAIRPERSON KRUPSKI:
Anyone else? All right.

So next on the agenda we have presentation on tree trimming from PSE&G, Tom Barracca, not to be confused with our own Tom Barraga. And from Verizon Patrick Lespinasse. I'm sorry if I -- you

know, recognize the name. Patrick, can you please have a seat right up front here.

Welcome. So there is a great deal of questions about PSE&G and their operations and this is certainly one of them that concerns us during storm events or power outages and I know a lot of people are concerned with the way trees are trimmed and a crew comes out and they trim the profile and then they leave branches either right underneath the wires so the next season they grow through the wires or they don't trim the whole profile of wires and I know there's -- there's questions about who owns the poles and who owns the wires and who pays the crew that was out there that day and I wonder if you could lend some clarity to the whole process of who makes the decisions where to trim and how much to trim.

MR. BARRACCA:
Thank you very much. I'm going to go through a presentation and it'll cover a lot of those issues and then if you have any other questions I can answer them. My name's Tom Barracca from PSEG Long Island. I'm the Vegetation Manager of the program. Just going to through a slide deck, it should take about -- about ten, fifteen minutes and hopefully it'll answer most of your questions.

Just the mission of the company is to build an industry leading electric company, provide for Long Island, the Rockaway customers, exceptional customer service, best in class reliability in storm response. The level involvement in the communities which you work.

It's a mission statement. I highlighted a coupling of things in orange because the Vegetation Management Program was one of the key things when PSE&G came on board to really improve reliability, especially some of the storms we've seen the last couple of years. So, it's something that I was with the predecessor companies and I think they had done a -- a pretty good job but obviously with some of the storms it exposed some of the things that we could do better so that's kind of one of the reasons why we enhanced the program and what that is -- what are those enhancements are really in two areas: system reliability and public safety. Trees, in particular, are the leading cause of electrical interruptions on our system. High voltage lines, in particular, are susceptible to tree interruptions. We are pretty advanced in terms of distribution automation as well as tree covered wire. Some utilities in other parts of the country don't use what's called tree wire so we do address it on the line site as well, but trees can cause those outages. And -- we do two things, one thing is to provide a specification clearance, which I'll talk about in a couple of minutes, as well as remove hazardous trees. You know, trees themselves, when they do come down, they do cause extended outages and they can interfere with public safety. We work with municipalities including Suffolk -- Suffolk County collectively.

One of the things I want to point out what I mean by an enhanced program is that we are trying to do two primary things in our distribution system. Those are the poles and wires that run through most of the neighborhoods as well as enhanced our transmission trim.

On the distribution side, last year we trimmed over 1850 miles of distribution and 250 miles of transmission. Previously, we did less than that. We are ramping that up each year now. This year is little more of a rate freeze year so in 2016 and '17 we'll be trimming even more miles. We're looking to bring the system to a best practice for electric utilities. So, for example, we want to go from about five and-a-half to six-year cycle, which we were on previously, to more of a four-year cycle. So there's a significant increase in expense in doing that but we've done studies and we believe that that's really the way we need to go.

The second component of what we're trying to do in our program objectives is increase the buffer or increase -- increase what we call the line clearing specification. That -- that's something that we thought at first when we did that last year there'd be really a lot more feedback from the public and more complaints and more uproar, but I think the people really understood after Sandy. For

example, during Sandy probably 80% of interruptions were tree related so if you go into a higher wind regime and a higher storm situation, which we've been getting the last couple of years, the issue of -- of trees even becomes more -- on a blue-sky day only maybe 15, 20% of your interruptions are tree related but as storm conditions increase it's more important to have a bigger buffer between the trees and the lines. So that's something that we came into, we had done some benchmarking with other utilities and with the industry and we found that kind of the specification as it was before, which I'll talk about in a minute, was -- was not adequate enough.

CHAIRPERSON KRUPSKI:
I'm sorry to interrupt you. Could you give us some context on program facts, you know, 1850 miles, 1600 miles, etcetera. How many miles do you have to trim? I mean, is that like half the amount you did that year or is that just a tiny percentage of what you need to trim that year?

MR. BARRACCA:
What we did last year?

CHAIRPERSON KRUPSKI:
Yeah, what's the context? How many?

MR. BARRACCA:
The context of four-year cycle would be doing about 2200 miles a year so we're trying to do, if you see those numbers they add up to about 9000 miles, so what we're doing, as probably most of you are aware, we're filing for a rate case right now with the New York State Department of Public Service. Although we still -- LIPA makes the final decision on that. When Governor Cuomo had the Storm Act, after Sandy, we're -- like an investor-owned utility, we'd go through a full rate case, what we're doing right now is in order to -- in '16 and '17, we're filing for additional funds to increase our annual mileage. So if you really add up those numbers it adds up to about 80, 100 to 9000 miles a year so we weren't able to do as much as we would like to in last year and this year but we're filing for that rate case right now and we believe if we can cover the entire system in a four-year cycle it'd be tremendous benefits.

CHAIRPERSON KRUPSKI:
Thank you.

MR. BARRACCA:
Next thing I was going to talk about is what were the benefits we've seen so far, maybe the graph's a little difficult to see. But if you look at the first two bars, their stacked bar charts, on just an aggregate, if you look at the bar furthest to the left, is for circuits. We have about 750 to 800 overhead feeders that are affected by trees or circuits, we call them, they emanate from the substation, they get out to the neighborhoods and if you look at profile 2013, before PSE&G was here, we had a fairly even profile of customers effected. This is customers effected by tree caused outages in 2013, that's the first two bars on the left versus the circuits that were trimmed. The bar to the far left is not trimmed in 2013, the bar right next to it is the circuits that were trimmed. So we saw reduction. You would expect to a reduction of those circuits that we trimmed in tree caused interruptions, but we saw a relatively small reduction.

Last year, when we looked at this in late in the year, we saw a significant reduction of outages caused by -- tree caused outages, the one at the bar, the third one from the left is the -- all the circuits and the ones that we trimmed we saw a significant reduction. And if you look at the -- some statistics, it's about 16% of tree caused outages were in the circuits we trimmed so that was a lot less than about the 40% we saw in '13.

In addition, we reduced by 70% for circuits trimmed 2014 over 2013. So we're seeing some nice

benefits in the circuits we trimmed in the new larger specification. I know, folks, when you look up at the trees they see a bigger -- a bigger space, a bigger hole and we'll try to answer a little more questions about that in a minute, but we feel that we're seeing some great results. Even more importantly, the green component of these bars, you can see in '13, that's the storm component of the data. So, for example, we had over 37,000 customers affected on circuits we trimmed in 2013 during, what we call, major storm conditions. In 2014, you could see, you can't even really read the bar, I think it was only 67 customers affected during storm conditions. So we're very, very pleased so far the results we're seeing with the expanded -- expanded scope of distribution trim.

Just talk a little bit more about our communications outreach. One thing that PSE&G is really fostering, and we're here today, we met with a lot of municipalities face to face, villages, towns and the counties, we wanted to do more outreach, specially last year with our program being changed, we knew the public would be concerned. We were meeting with elected officials, we meet with them every year and we talk to them about the work we're doing in their areas. In addition, we have an automatic program where we send letters to the customers on the distribution circuits. It's automatically generated before we go out and trim those circuits.

What we added to, and you see on the right -- right-hand side of the slide is the door hanger. Folks get letters from the utilities, sometimes they look at them, sometimes they discard them, we're realizing that we needed to do additional communications. So besides the automatically generated letter that we send, we have the crew distribute a couple days in advance, we're in that specific neighborhood, because keep in mind the letter goes maybe to 2000 customers on that circuit. We did a followup communication, we found this has been very -- very helpful that people that disregard the letter or don't see the letter, they see the door hanger. So it's a two point way of communication, so we've enhanced that as well.

In addition, the specification of the standard. Not a 100% to scale, this diagram, but it is a dramatic difference. We -- you will notice in the areas that we trimmed in the County, all over Long Island, that our distribution specification has increased last year and will continue to increase to what we call best industry standards. There's a government body, ANSI, American National Standards Institute, they do a lot of standards, not just tree trimming standards, they have a standard called ANSI A300 that covers best management practices for tree pruning. So we follow those standards but at the same time we're increasing the clearance zone.

If you look at the diagram of the tree on the left, it was kind of the old LIPA specification. It was a -- pretty much about a six foot circular pattern that was cut into the tree, in some smaller trees it would be clear to sky, like in this diagram, even though -- we're -- there's no -- it was no big branches assumed in that tree, above the tree. So it's kind of a six by six by six around the conductor. So what you're looking is the pole, the wires running into the page. If you go to the diagram on the right, it's a much bigger box. There's no -- this is something that PSE&G used in New Jersey. If you -- if we had consultant survey around the country this is more of your standard -- standard clearance that you would get all over the country. You know, as to be expected, in Long Island we were concerned when we implemented this, you know, what the reaction is. We did additional public outreach. But I got to tell you, we're really, really pleasantly surprised, the amount of complaints we got last year was very, very minimal considering the change. I think customers really understood that -- that especially during Sandy that the trees really hurt -- hurt their reliability and, for the most part, we -- we've been -- people have been very, very receptive.

So what the new specification is is eight foot to the side of the -- of the conductor, ten foot below and 12 foot above. Now, I'm going to clarify that a little bit in a second. According to ANSI standards and ISA good tree practice we wouldn't necessarily decapitate a tree it terms of, if there was a trunk of a tree that was five feet away, it was an oak tree, it was straight and true and

actually one of those slides I explain technically what that means. But in a situation where a tree is growing right through the conductors like this and we don't have to remove the main leader, we'll do that. In some cases we will not clear the eight foot to the side because, quite frankly, we would just -- just cut the tree in half and we try -- we try not do that.

In addition, we have four contractors doing distribution work in the neighborhoods, Asplundh tree expert or Reliable Services also Lewis Tree who's swapped out with all Reliable, IPC Contracting Corp., and Harder Services. Here in Suffolk County you're mainly going to see the first three on the list, mainly Asplundh is one of the -- it's a national contractor, they're very prevalent all over the country.

We're also using Green Velvet Landscapers to help us with our transmission trim. Just to note, and I actually just got some questions in Nassau County about this this week, our transmission standard is even bigger. If it's a transmission line, we'll be clearing to 18 foot or 25 foot. We really can't tolerate any tree contacts with a transmission line, we could lose 20 or -- 20 to 30,000 customers and so the clearance on that -- on those lines will be bigger.

Typically, here in Suffolk County those -- those are -- are railroad right-of-ways. There on our right-of-way, they're on main routes, usually not typically in front of somebody's house. So you really -- it's a little more -- less visible to the public.

If the Committee doesn't mind, I have a little more detail, just in terms of how we -- I know your questions alluding to, you know, how we go about our trimming. If you want I can cover a couple of pending slides, probably about five, ten minutes. All right. Thank you.

Directional pruning. You know, I know we get complaints every once in a while, you know, do you guys -- do you guys know -- you're contractors know what they're doing, do they know anything about trees? And, yes, we do. We do annual training with our contractors, they do their own training and one of the key principles that we follow in utility industry, it's not just PSE&G, it's utility standard, is called directional pruning. It's kind of, some people may not like the way it looks, but it's actually good practice for the -- for the reliability of the system as well as for trees. So that V'd out shaped that you saw or maybe sometimes a little bit more of an L or U shape, that actually is a practice approved by the U.S. Forestry Service and the International Society of Arboriculture or the ISA. So technically when you trim a tree like that, as you trim it year after year or every four years, like we're doing, it actually trains the tree for the most part to grow away. So now the big leaves are going to be directionally trimmed away from the wires and, yes, you get sucker growth or smaller branches that will fill the void or fill that and then now you're trimming those out.

One of the advantages of getting more in a cycle, and this is -- happens, unfortunately from a visual standpoint, if we haven't trimmed an area in like seven years and we go in and do this new specification, it is a visual eye opener. Part of the -- part of the plan is not only to do this bigger box but to do it more frequently so it's less damaging to the tree, it's more healthy to the tree and it's less visually upsetting to the public. So I think that's -- that's also an esthetic reason.

If you look at how we cut the tree we actually do it in a -- in a arboriculturally friendly manner. We try not to top the tree but there's something called a heading cut that's done at an angle from the collar of the tree and there's more commonly known as a thinning cut, which is done with a branch. We don't flush cut the tree, that actually will hurt the tree even more. We usually leave what's called the collar of the branch alone so maybe it's a couple of inches out, it sticks out a little bit. We shouldn't be leaving like a big stub. So those are the types of cuts our folks should be doing. We tell our municipalities if they ever have a complaint or an issue, bring it to my office's attention, we always check maybe the contractor didn't do something properly, but for the most part this is the way we do it.

In addition, there's a lot of words here, but it's -- there's an exception and this is a positive for everybody. We're not going to always get that clearance we spoke about, that eight by ten by twelve. If we feel like we're going to take out the main leader of the tree unnecessarily. If there's, like I said, a trunk or a main leader of a tree that's a certain distance away and it's not posing a hazard, we're going to leave that alone so that's -- that's going to be a situation we're not going to get that spec.

In addition, Suffolk County in particular has a lot of vine activity. This is a big challenge for us because these vines grow back quickly. We don't -- a lot -- there's a lot of pressure on us from people, the DPS included, why don't we use more herbicides. We don't do that right now because we're on a groundwater aquifer. We don't use herbicides out on the distribution system. So, the vines, we've kind of cut them in two places. We cut them at ground level and we cut them below the conductors and we let them die-off on the distribution system so, you know, we're keeping an eye out for -- for very localized herbicides but we haven't -- we haven't done that yet.

In addition, there's something called volunteer trees. Those are trees that are naturally seeded under the wires. We may remove those. We feel it's just going to keep growing back up to the lines.

In addition, we -- we try to go easy. We know what types of tree's out there, if the County or the municipality or the customer has an ornamental tree, we will use our judgment to try to go a little lighter on that tree because we understand the ornamental value of the tree, hopefully, if it's not a fast growing tree.

In addition, I'll be getting to brush a little bit more in a minute because I know that's a concern, but if we go to remove a tree we will seek the permission of the owner of the tree. Trimming the tree, we have a -- easement to do -- the rights to do that. And if we have to remove a tree we'll cut it close to ground level also to cut other hazard limbs.

Just talking about the debris and brush, for our planned work we remove 100% of the brush and we chip it -- we chip and clean up the area. So that means if we're planning to do a circuit and we're out there we shouldn't -- if you get a complaint, forward it to my office that if we're out there doing that circuit we should be clean -- our contractors should be cleaning up after themselves. The exception is something call fly chipping, which is done on the right -- our own right-aways, which you chip it up and leave that mulch on the right-away.

The other exceptions are storm restoration and customer requested work. Keep in mind if, say the windstorm we're having right now this afternoon picks up and we call out crews on a storm, our primary objective is to get the lights back on as quick as possible. So those tree crews will be dispatched without a chipper they will -- they will cut clear and they will leave debris. So in a situation like this afternoon, we usually have a great working relationship with all the County and especially the towns so a lot of times we'll try to alert them -- we'll make sure we don't leave it in a public roadway but we will leave the debris in a storm -- a storm situation.

In addition, we have a customer program, a customer can call us if the -- if the trees are close to the wire for public safety we have an obligation to cut that tree back. Once again, it's not our tree, it's not your tree, it's the customer's tree. So in that situation we -- we cut that tree and the customer signs a permission slip and says *I'm responsible and my landscaper's responsible for that debris*. So, I'd say about 95% of the debris complaints I get it's really people don't understand those -- those rules that if it's -- 90% of the work we do is the typical circuit work, so that's the good news, we take care of it lock, stock and barrel but on the customer request and the storm work there's a small percentage but unfortunately that does generate complaints because people don't

understand it's their responsibility.

We also have a wire friendly tree program. We work with municipalities, I don't know if the County participates in this, but just for arguments sake that the County wants to remove a tree under its lines or the town and, you know, they have a big 70 foot oak tree there and it's breaking up the sidewalk and it's really, the tree is in decline, it's to our common interest to remove the tree. So we'll work with the municipality, we'll top the tree, the County crew will remove or the town tree -- removes the rest of the tree and, you know, we could -- we'd like to suggest that you plant a wire friendly tree. We have several hundred trees on the list, it's not like it's one or two trees. They're slow growing. They don't get up into our lines as quickly or as much, they don't grow as high and we'll rebate the municipality $50. So, in other words, if they pay $300 for the tree we rebate -- we rebate them $50 as long as it's a wire friendly tree and they submit the paperwork. As long as our budget -- a budget for that program holds out we -- we usually don't have a problem.

And then we, you know, road safety. We follow all the DOT rules. Our crews are out there following all those rules and complying with local regulations.

Customer sensitivity. Our crews are trained in that. They really do take the time. When customers come out to them, they really try to engage the customer. I know, at first, sometimes the customer's concerned and upset. They -- our crews, for the most part, they probably take care of 90% of the issues with the customer right there on the site. Every once in a while they go to my supervisors or come up to me but I have got to say, for the most part, our crews do a nice job trying to explain all this to the customers when they -- when they have this concern.

And, last but not least, is my team, were divided up geographically I have a total of nine people that work for me that oversee the contractors, they oversee the safety, the work, methodology, they check the quality of the work. And here in Suffolk County we have a couple of folks that work with your folks in the highway department mainly, it's a -- Jimmy Kelly is in the Huntington and Babylon area; Celeste Richards is in the Smithtown and Islip area; Larry McKenna is part of Brookhaven; and Walter Nash is out on the East End, Riverhead and the two Forks.

The great thing when it comes to these meetings if there's somebody from Public Works or from the Highway Department most of my folks average 20, 25 years out there in the field and they have a great working relationship. Usually, most of the things are handled between the guys with the flannel shirts, they have a great working relationship. You know, if there's something of common interest, if they say, hey, we have a problem with a tree, it's near your lines, could we work together; 95% of the time we work collaboratory, we defer costs for each other, we try to work together and say, hey, if there's something we could work together, we take care of it.

So the great news is my team works very closely with municipalities and, you know, 95% of the time that's the way we like to do it.

So I know I covered a lot of material, I'd be happy to answer any questions.

CHAIRPERSON KRUPSKI:
I just have one question and I -- maybe some of the members of the Committee might have questions. You've got a tree and you've got a -- you're starting to trim it and it gets to the point where it's kind of losing its appeal and it's on a public right-of-way and an adjacent customer visiting -- adjacent customer there and they say, *Could you just take the tree down,* what would the response be?

MR. BARRACCA:
Well, we would typically not do that unless we deem it to be a hazard. I mean, as far as kind of

more esthetic reasons like you're describing, if the tree is healthy and doesn't pose limpers (ph) to our lines. Quite honestly, in a situation where it's a risk or a hazard tree, it'd probably be in our interest to work with the municipality, and like I said before, we would look to remove that tree jointly. So after County identified trees or the customer came to the County and we feel it has, even though we're trimming it every four years and the tree is in decline and it may pose a hazard in a big windstorm, keep in mind we're making a big box, but in that 60-mile-an-hour wind, the whole tree can come over.

So if it's that type of situation I'd say a vast majority of the time we'll work with you and we would remove that tree working with your -- remove half the tree and let the municipality remove the other half so to speak.

CHAIRPERSON KRUPSKI:
Thank you. Any other Committee member have a question?

LEG. MURATORE:
Mr. Barracca, does PSE&G have any employees that work for PSE&G that trim trees, or do you do it strictly by contractors?

MR. BARRACCA:
We do it strictly by contractor. My employees oversee the contractor.

LEG. MURATORE:
Thank you.

LEG. BARRAGA:
In your tree trimming program when you pull up in front of a home and you're trimming a tree, is there any effort made to go up to the homeowner and advise the homeowner in terms of what you're about to do?

MR. BARRACCA:
As I mentioned previously, we send the homeowner a letter, as you know it's Long Island, a lot of times the homeowner isn't home. We send a letter out probably about three to four weeks in advance, that's what we shoot for and we do the entire circuit, so they will receive it, all the neighbors will receive it.

The new process to double down on that is the orange door hanger that you might have seen in the diagram. That is effective because now, even if we -- say a customer got a letter three weeks ago, they forgot about it, they discarded it from the utility, the door hanger is visible, they would typically get that two to three days in advance. So we have those two modes of communication.

LEG. BARRAGA:
Who supplies the door hanger, is that the contractor or you?

MR. BARRACCA:
The contractor does the door hanger.

LEG. BARRAGA:
That's mandatory?

MR. BARRACCA:
That's mandatory, yes. Now, keep in mind, when we're doing transmission jobs we don't have a connectivity with the customer to send a letter so we'll be using the door hanger as a loan on the

transmission jobs.

LEG. MURATORE:
Mr. Barracca, yeah, question. How are the contracts awarded to these vendors, is it bid? Is it --

MR. BARRACCA:
Yes, it's all competitively bid. And when we do this type of work, trimming the circuits, we get very good pricing because we bid them on a lump sum basis for these circuits. The circuits themselves are bid on a unit price per mile basis so it is very competitive in terms of getting the pricing.

LEG. MURATORE:
So if the trimming price is good we should be getting a reduction on our PSE&G bill, right?

MR. BARRACCA:
Well, what we're doing right now with this program is that there was a big increased cost to do the bigger box and few more miles each year. So the reductions we're getting right now and the competitiveness of the bid, we're applying it to, you know, reducing costs for that program.

One thing I could say that my experience is the first time through the cycle, this four years, if we can stay the course between 2016, 2017 on the miles they showed, our cost per mile will come down significantly after we get through the system because if you think about it those large limbs that were growing there for years, once we take those out we have relatively smaller limbs to remove the next time around, so.

Our strategy is a long-term cost reduction one but we're going to bite the bullet a little bit, make the investment these first couple of years in increasing the program, but we feel over the next ten years we'd save money after that.

LEG. MURATORE:
Thank you.

CHAIRPERSON KRUPSKI:
Legislator Browning.

LEG. BROWNING:
It's funny I was going to work this morning and there was a home -- Asplundh vehicle at their home trimming -- trimming the tree and it was right in the middle of their property but I could clearly see the wires going through, but I believe we did receive correspondence to let us know.

So you are seeing a reduction in power outages because of the tree trimming?

MR. BARRACCA:
That's correct.

LEG. BROWNING:
And I'm glad Patrick's here because I know one of the issues is double poles, I know you hear from my office a lot -- is – 'cause I think that makes a difference. Sometimes we have some of these double poles, and actually not too long ago I saw one, it kind of looked like it could swing very easily, that needed to be taken down. How are we doing with the double poles and our coordination with Verizon, Cable Vision? You know, generally I know Verizon is the one that will go out and take them down, but how are we doing making sure that there's less and less double poles?

MR. BARRACCA:
I'm going to have to defer to my public affairs folks on that because I'm pretty much for the vegetation --

LEG. BROWNING:
Okay. Patrick, want to jump in?

MR. LESPINASSE:
From what I understand, we are on track with the double pole removals in Suffolk County.

LEG. BROWNING:
Okay, thank you.

CHAIRPERSON KRUPSKI:
Is that -- to follow up on Kate's question, Patrick, is that you -- you're on a schedule or is that complaint driven? You get a call from the highway superintendent in the town and then you address it?

MR. LESPINASSE:
Really, both. As many members of the Committee know the County passed a double pole law, not too long ago, and so we are in compliance with the schedule and, you know, we also get phone calls from folks regarding these matters as Legislator Browning alluded to and we take care of them as soon as we can.

CHAIRPERSON KRUPSKI:
Is the County's double pole legislation -- because I know we passed one in the town, do all the towns have similar laws to the County law or are they different?

MR. LESPINASSE:
Not every town has a double pole law, I believe that some vary in different ways, so they don't all mirror the County's law.

CHAIRPERSON KRUPSKI:
Thank you. Do you have a presentation, Patrick?

MR. LESPINASSE:
I have a statement.

CHAIRPERSON KRUPSKI:
Oh, go right ahead please.

MR. LESPINASSE:
Sure.

CHAIRPERSON KRUPSKI:
Because I have another question for both of you.

MR. LESPINASSE:
Of course. Good afternoon, Chairman Krupski and Members of the Committee. My name is Patrick Lespinasse and I'm with the State Government Affairs Team at Verizon. My colleague, Steve Dez, joins me here today. Steve, a resident of Holbrook, is a line foreman at Verizon with particular experience in the matters germane to this Committee hearing.

Regarding Verizon's tree trimming practices I'd like to make three brief points. One, Verizon does not trim trees under normal circumstances. If the tree is on a customer's property then tree trimming is the property owner's responsibility. Verizon is also not responsible to remove damaged trees on private property though, at times, we may clear a fallen tree to free up our facilities. If the tree is on township or County property then it is the responsibility of the customer to contact the township or County to request a tree trimming. Two, in cases of potential service affecting conditions caused by tree limbs jeopardizing Verizon lines, the field technician will use his or her best judgement to determine what course of action to take. For example, a field technician might trim short branches if it can be done safely. And lastly, for tree work that cannot be done or rather cannot be safely cleared by a technician, Verizon will then go out and hire a contractor.

Steve and I appreciate the opportunity to appear before the Committee and will do our best to answer any questions you might have. For those questions we are not able to answer we will endeavor to get the Committee a response to those questions as soon as possible. Thank you.

CHAIRPERSON KRUPSKI:
Thank you, Patrick. So you're not on a regular tree trimming schedule like PSE&G is?

MR. LESPINASSE:
That's correct.

CHAIRPERSON KRUPSKI:
I see an awful lot of wires below the electrical wires that are trimmed through and just underneath the lower wires and I assume they're some of Verizon's wires, they're growing into the -- the trees are trimmed and then they grow right back, the next year's growth goes right through the wires. And that's -- I mean that's a great concern because then you got a tree that could -- if it's near a pole it could pull the pole down or certainly could pull your equipment down off the pole.
Why -- why can't you contract out with the same contractor and have them trim the whole profile and clean up the whole -- the whole profile at the same time it'd be a lot cheaper?

MR. DEZ:
It's a good question but we don't -- we don't have a tree trimming policy and -- it's really it, you know, our wires aren't energized like PSE&G's wires where they would cause that kind of a danger. We put tree guards on -- on our cables to protect our cable but we don't proactively go out and tree trim.

CHAIRPERSON KRUPSKI:
Anybody have any questions? No? Okay. All right. Well, thank you, I appreciate you coming in. I think there's a lot of other questions that we have unrelated to tree trimming and we look forward to having a discussion with the utility about with those other issues in the future. Thank you.

Okay. Onto the agenda.

TABLED RESOLUTIONS

IR 1101, Directing the Department of Public Works to develop bus shelter protocols. (Krupski) I've got Commissioner Anderson here, and, Commissioner, could you -- could you answer the question of how we're going to proceed with this in the future because you asked to have a tabled for a cycle.

COMMISSIONER ANDERSON:
Right, right. I actually just sent an e-mail today requesting a meeting that we sit down with your office and go through this resolution step by step. So I would ask if it could be tabled again another

cycle so that it doesn't -- my intent is to get this off our table as well so I don't want this dragging.

CHAIRPERSON KRUPSKI:
Thank you. Motion to table, second by Legislator Browning. All in favor? Opposed? Abstentions? So moved. **TABLED (VOTE: 5-0-0-0)**

IR 1111, Authorization of alteration of rates for Fire Island Ferries, Incorporated (P.O. Gregory). Motion by Legislator Barraga, second by Legislator Muratore. Any discussion? All in favor? Opposed? Abstentions? So moved. **APPROVED (VOTE: 5-0-0-0)**

IR 1112, Approving rates established Fire Island Water Taxi, LLC (P.O. Gregory). Same motion, same second. All in favor? Opposed? Abstentions? So moved. **APPROVED (VOTE: 5-0-0-0)**

IR 1157, Establishing a Green Roof Pilot Program. (Hahn) I'm not sure where we are with this. Commissioner, do you have any -- any insight.

COMMISSIONER ANDERSON:
We had asked to table this last time. I would like to ask again to table it and I would discuss this with the Legislator -- Legislator Hahn about this to tell her our concerns and hopefully work something out that is to everybody's benefit.

CHAIRPERSON KRUPSKI:
Thank you. Motion to table Legislator Muratore. Is there a second?

LEG. BARRAGA:
Second.

CHAIRPERSON KRUPSKI:
Second Legislator Barraga. All in favor? Opposed? Abstentions? So moved. **TABLED (VOTE: 4-0-0-1 - Not Present: Leg. Stern)**

INTRODUCTORY RESOLUTIONS

CHAIRPERSON KRUPSKI:
IR 1208, Authorizing execution of agreement by the Administrative Head of Suffolk County Sewer District No. 14 Parkland and Bayport Meadow Estates (IS-1636). (Co. Exec.)
Motion by Legislator Muratore, I'll second it. Any discussion? Commissioner, any comment?

COMMISSIONER ANDERSON:
No this is standard agreement with the Suffolk County sewer agency for connection into our district number 14 parkland, 45,600 gallons per day. The connection fee is $1,368,000 based on a 30 gallon per day sewer charge.

CHAIRPERSON KRUPSKI:
Thank you. All right, we have a motion and a second. Okay. All right, I have a motion and a second. All in favor? Opposed? Abstentions? So moved. **APPROVED (VOTE: 6-0-0-0 PO GREGORY INCLUDED IN VOTE)**

IR 1209, Authorizing execution of an agreement by the Administrative Head of SCSD No. 3 Southwest with 1369-1373 Straight Path (1477.1-009). (Co. Exec.) Motion -- same motion, same second. Any discussion? All in favor? Opposed? Abstentions? So moved. **APPROVED (VOTE: 6-0-0-0 PO GREGORY INCLUDED IN VOTE)**

IR 1218, Amending Resolution No. 1215-2012, appropriating funds in connection with Fuel Management/Preventive Maintenance and Parts Inventory Control System (CP 1616). (Co. Exec.) Motion by Legislator Muratore, second by Legislator Barraga. Would anyone like an explanation? All in favor? Opposed? Abstentions? So moved. **APPROVED (VOTE: 6-0-0-0 PO GREGORY INCLUDED IN VOTE)**

IR 1219, Appropriating funds in connection with Rehabilitation of Various Bridges and Embankments (CP 5850). (Co. Exec.) Same motion, same second. Would anyone like any explanation? All in favor? Opposed? Abstentions? So moved. **APPROVED (VOTE: 6-0-0-0 PO GREGORY INCLUDED IN VOTE)**

IR 1220, Amending the 2015 Capital Budget and Program and appropriating funds in connection with Strengthening and Improving County Roads (CP 5014). (Co. Exec.) Who could argue with that. Same motion, same second. Sure, on the motion, Legislator Browning.

LEG. BROWNING:
Gil, I know my office reached out to you, the local ambulance company -- there's a portion of the road in my district, in the Bellport area, that is cement. It's not blacktopped and I guess there's a plan to go out and redo that road. And I think the general opinion, I'd like to you to kind of maybe hold off a little bit because the condition of the road is not that bad in comparison to some other places. And, I think, some of the people in the community are saying, well, it's a cement road, it stood for how many years, not consider going to blacktop because you know how many times you're going to have to go back.

COMMISSIONER ANDERSON:
Right.

LEG. BROWNING:
So I did talk to -- I know Bill got back to us to tell us why they couldn't redo it with cement, I understand that, but if it's not a dire need that maybe we should consider holding off a little bit.

COMMISSIONER ANDERSON:
I'll take a look at that and I'll get back to you.

LEG. BROWNING:
Okay, thanks.

CHAIRPERSON KRUPSKI:
I really appreciate that, Legislator Browning, because we could use the work in County Road -- go through Cutchogue and Peconic instead.

LEG. BROWNING:
Well, hold on, I didn't say -- I have other places need it done in my district but, you know, again, it's, you know, it's prioritizing and if the local community is saying *leave it* and the ambulance company is calling me and saying, *Don't touch it*, you know, and that was another -- sorry, thanks for doing that.

The other issue is road construction. There seemed to have been a miscommunication or a disconnect somewhere where with the ambulance company, we're on a call, they weren't aware of the construction that was going on, the job was finished, I get that, but I know that we were given the information on what the protocol is when a job is being done and FRES is notified but there seems to, in that case, was a disconnect somewhere.

COMMISSIONER ANDERSON:
Okay. Yeah, I know we -- we update FRES on a daily basis the status of our projects.

LEG. BROWNING:
Right.

COMMISSIONER ANDERSON:
And I believe it's FRES who decimates the -- they send out the information to the various cores so, yeah, I have no explanation.

LEG. BROWNING:
Yeah, I don't belive they were aware of this particular issue.

COMMISSIONER ANDERSON:
Yeah, okay.

LEG. BROWNING:
But we'll work on it.

COMMISSIONER ANDERSON:
Yep, absolutely. Thank you.

CHAIRPERSON KRUPSKI:
All right. We have a motion and a second. All in favor? Opposed? Abstentions? So moved.
APPROVED (VOTE: 6-0-0-0 PO GREGORY INCLUDED IN VOTE)

IR 1221, Appropriating funds in connection with Reconstruction of Drainage Systems on Various County Roads (CP 5024). (Co. Exec.) Motion by Legislator Muratore, second by Legislator Stern. Any questions for the Commissioner? All in favor? Opposed? Abstentions?
APPROVED (VOTE: 6-0-0-0 PO GREGORY INCLUDED IN VOTE)

IR 1251, Appropriating funds in connection with reconstruction of CR 97, Nicolls Road (CP 5512). (Co. Exec.) Same motion, same second.

LEG. MURATORE:
Commissioner, on 1251.

COMMISSIONER ANDERSON:
Yes, sir.

LEG. MURATORE:
Money's been allocated for any kind of noise abatement there along 97 particularly near Leeds and Horseblock Place?

COMMISSIONER ANDERSON:
No, sir.

LEG. MURATORE:
No noise abatement?

COMMISSIONER ANDERSON:
Not at this time, no.

LEG. MURATORE:
Okay, thanks.

COMMISSIONER ANDERSON:
You're welcome.

CHAIRPERSON KRUPSKI:
Any other questions?

COMMISSIONER ANDERSON:
Legislator, if you'd like, I'd be more than glad to discuss this with you after or at another time, whatever, you know, works best.

LEG. MURATORE:
Oh, that's fine, Commissioner, you usually do anyway so that's good. No problem.

COMMISSIONER ANDERSON:
Thank you.

CHAIRPERSON KRUPSKI:
All right. We have a motion and a second. All in favor? Opposed? Abstentions? So moved.
APPROVED (VOTE: 6-0-0-0 PO GREGORY INCLUDED IN VOTE)

Resolution 1253, Amending Resolution No. 585-2014 which accepted and appropriated funds in connection with the reconstruction of the Fire Island Barrier Beach and Dune Network from the Fire Island Inlet to Moriches Inlet (FIMI). (Co. Exec.) Is there a motion?

LEG. BROWNING:
Motion.

LEG. BARRAGA:
Second.

CHAIRPERSON KRUPSKI:
Motion by Legislator Browning, second by Legislator Barraga. On the motion, this is an amended resolution. What's the change?

COMMISSIONER ANDERSON:
That is the changing the funding source. We're -- the -- in this particular project the funds are not only 100% federally funded, they're also right now first instance funded by the State. So what we're doing is taking, I believe it's a budgetary change, we're taking it from Capital and going to put into Operating so we can pay the appraisers and the consultants are doing the work on this directly out of the Operating Budget.

LEG. BARRAGA:
You're taking 178,000 and your shifting it over.

COMMISSIONER ANDERSON:
Is that the -- I thought that was the next one.

LEG. BARRAGA:
Original 207, it's -- I'm sorry, the original's 68421, it's going down to 68243.

COMMISSIONER ANDERSON:
Correct.

LEG. BARRAGA:
Then you're shifting it over to the Operating Budget -- 178,000.

COMMISSIONER ANDERSON:
Yeah, and the next one, which is taking out 178, that's to pay part-time salaries to help us complete the work that's needed.

LEG. BARRAGA:
Okay.

CHAIRPERSON KRUPSKI:
So this isn't a change in the project, it's a change in the moving the money around.

COMMISSIONER ANDERSON:
Correct.

CHAIRPERSON KRUPSKI:
So there's no change in the original project?

COMMISSIONER ANDERSON:
Now we're still -- we're still looking to acquire the easements the, lands, within the Fire Island community -- communities.

CHAIRPERSON KRUPSKI:
All right. I thought I saw something in the paper about you didn't have to acquire as many --

COMMISSIONER ANDERSON:
Correct. We've -- as we've gotten down to the survey end of it we found properties that because right now, or prior to finding this out, if a -- if a house was located within the crest of the dune, it would have to be acquired. We found that we can move those houses and not have to acquire the land, it's obviously much cheaper, and we've gotten permission from the core to reimburse us for those relocations. We don't have specific relocations yet, we're still working all that out with the core but we have got approval to do that.

CHAIRPERSON KRUPSKI:
Same number of parcels?

COMMISSIONER ANDERSON:
Same overall number of parcels but it'll be a lot less acquisitions.

CHAIRPERSON KRUPSKI:
Thank you.

COMMISSIONER ANDERSON:
You're welcome.

CHAIRPERSON KRUPSKI:
All right. We have a motion and a second. All in favor? Opposed? Abstentions? So moved.
APPROVED (VOTE: 6-0-0-0 PO GREGORY INCLUDED IN VOTE)

IR 1254, Amending the 2015 Adopted Operating Budget to accept and appropriate funds in connection with the reconstruction of the Fire Island Barrier Beach and Dune Network from the Fire Island Inlet to Moriches Inlet (FIMI). (Co. Exec.) Same motion, same second. On the motion, do you have a question? This is the same --

COMMISSIONER ANDERSON:
This actually takes the funding and puts it into a place where we can pay for part-time salaries.

CHAIRPERSON KRUPSKI:
Thank you. All in favor? Opposed? Abstentions? So moved. **APPROVED (VOTE: 6-0-0-0 PO GREGORY INCLUDED IN VOTE)**

IR 1271, Approving form of proposition, establishment of Suffolk County Sewer District No. 26 - Melville Huntington. (Pres. Off.)

LEG. STERN:
Motion to table.

CHAIRPERSON KRUPSKI:
Motion to table by Legislator Stern, second by Legislator Muratore.

LEG. STERN:
On the motion. We are advised that there has been a lawsuit instituted in regard to the subject referendum. Certainly not for us to opine on the merits of the litigation but I want to make sure here, and I'll go to Counsel, that the referendum, if there is to be one, is scheduled for November. So, George, here if there -- if there is a tabling, we are on a short cycle, we're advised that the review of this pending lawsuit is going to be done in accordance with procedure that is normally applicable to election law, which by definition is on a quick turnaround time.

If we proceed at the next meeting, to take this up again, I just want to be sure that -- that the residents will not have their ability to participate in a referendum adversely impacted in any way. In other words, we're still several months out here, there is no time element knowing that there is this now this pending litigation that we would be able to seek guidance from the County Attorney who is named in the lawsuit and -- and that residents rights will not be adversely impacted in any way.

MR. NOLAN:
There's absolutely no problem in tabling this resolution at this point. We just -- this is just, you know, establishing the valid language. So we have a couple months in order to do that and get it on the ballot timely and it's probably not a bad idea to get word from the County Attorney, get his take on the lawsuit and whether there's any problem with us moving ahead with this resolution. I don't think there will be but I don't think there's any harm in waiting and getting advice from him.

CHAIRPERSON KRUPSKI:
All right. So we have a second, I mean, a motion and a second, tabling motion. All in favor? Opposed? Abstentions? So moved. **APPROVED (VOTE: 6-0-0-0 PO GREGORY INCLUDED IN VOTE)**

IR 1279, A resolution making certain Findings and Determinations and issuing an order in relation to the increase and improvement of facilities for Sewer District No. 3 Southwest (CP 8108). (Co. Exec.)
Motion by Legislator Barraga, second by Legislator Muratore. Any questions for the Commissioner? Seeing none, all in favor? Opposed? Abstentions? So moved. **APPROVED (VOTE: 6-0-0-0 PO**

GREGORY INCLUDED IN VOTE)

I do have two quick questions for the Commissioner, one is about this Montauk project, you know, we voted on this last year to armor the ocean in Montauk and harden the shoreline there. It was an Army Corps -- a $10 million Army Corps job with the sand being trucked in with the Town of East Hampton and the County being on the hook for maintenance, sort of an unspecified hook. Now that -- there's a lawsuit involved there and the project, I've heard, has been postponed until the fall. The project, first of all, changed in nature?

COMMISSIONER ANDERSON:
The project was split into two projects to facilitate the timing prior to the, you know, the tourist season. But, as you mentioned, that there is a lawsuit and everything has stalled, I assume, pending that lawsuit.

CHAIRPERSON KRUPSKI:
I would like to introduce a resolution to, you know, to negate that our responsibility to -- to have the County responsible for maintenance on that because I don't think the County should be involved in armoring the shoreline. Is there -- what effect would that have on the project and what effect -- physical nature of the project, because I was under the impression that the project did move 15 feet seaward from -- when we originally approved it.

COMMISSIONER ANDERSON:
Yeah, I don't know the timing, I'd have to look and get some more information on that specific detail. I could certainly look.

CHAIRPERSON KRUPSKI:
All right. I don't know if I have support for that but I think it leaves us -- I think that this project leaves us very vulnerable to liability not only to the taxpayers when it fails but also to the damage to the adjacent property owners (in) event. So I think it's -- this is a problem.

And also, you're going to undertake a major reconstruction of Roanoke Avenue this year.

COMMISSIONER ANDERSON:
Correct.

CHAIRPERSON KRUPSKI:
Do you have a -- people are asking because, well, not only people who use it but also, as Legislator Browning mentioned, the emergency rescue services, and I know you've coordinated very well with them in Riverhead, and as long -- as well as the ones on the South Fork that use it that come through to the hospital, do you have a timetable for the construction of that?

COMMISSIONER ANDERSON:
I will get that for you. Given the winter we've been through I have a feeling that's delayed us a little bit but we, as far as I know, we were moving forward this spring.

CHAIRPERSON KRUPSKI:
Okay. All right, thank you.

If there's no other comment or public comment, we're adjourned.

THE MEETING CONCLUDED AT 3:44 PM

{ } DENOTES SPELLED PHONETICALLY