

**PUBLIC WORKS, TRANSPORTATION & ENERGY COMMITTEE**

**OF THE**

**SUFFOLK COUNTY LEGISLATURE**

**Minutes**

A special meeting of the Public Works, Transportation & Energy Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on October 15, 2019 to discuss the 2020 Operating Budget.

**MEMBERS PRESENT:**

Leg. Al Krupski, Chairperson  
Leg. Thomas Muratore, Vice Chair  
Leg. Robert Calarco, Deputy Presiding Officer  
Leg. Susan A. Berland  
Leg. Thomas Cilmi  
Leg. Tom Donnelly  
Leg. Bridget Fleming

**ALSO IN ATTENDANCE:**

Presiding Officer DuWayne Gregory, 15th Legislative District  
Leg. Leslie Kennedy, 12th Legislative District  
Leg. Rudy Sunderman, 3rd Legislative District  
Amy Ellis, Chief Deputy Clerk  
Rosalind Gazes, Budget Review Office  
Bernie Pernice, Budget Review Office  
Laura Halloran, Budget Review Office  
Darnell Tyson, Acting Commissioner/Department of Public Works  
Catherine Stark, Aide to Leg. Krupski  
Irene Donohue, Aide to Leg. Fleming  
Tim Rothang, Aide to Leg. Sunderman  
Dorothy Cavalier, Aide to Leg. Anker  
Maria Barbara, Aide to Leg. Cilmi  
Ali Nazir, Aide to Leg. Kennedy  
Samantha Sarube, Aide to Leg. Berland  
Karen Klafter, Aide to Leg. Donnelly

**MINUTES TAKEN BY:**

Diana Flesher, Court Stenographer

1                                   **THE MEETING WAS CALLED TO ORDER AT 2:40 PM**

2  
3  
4   **CHAIRPERSON KRUPSKI:**

5 All the Legislators report to the horseshoe, please.

6  
7 All rise for the Pledge of Allegiance led by Legislator Donnelly.

8  
9                                   **SALUTATION**

10                                   **PUBLIC PORTION**

11  
12  
13 This is the hearing for Public Works, Energy and Transportation. I  
14 see our Acting Commissioner is here, if you'd like to join us. And  
15 in the meantime I have one card, Mr. Pressman. I didn't read the  
16 card. I just thought it must be you.

17  
18   **MR. PRESSMAN:**

19 (Laughter) I just want to make sure I don't -- I didn't get a  
20 chance to read Mr. Bellone's. I don't know how much money he's put  
21 in the budget this -- for the operating costs of this year, but  
22 obviously I just want to make sure that nothing gets cut and that  
23 we have enough money to run what we have right now. Obviously I  
24 want more and I'm actually waiting for a phone call back from the  
25 Deputy Commissioner of the New York State Department of  
26 Transportation. Because he was supposed to be getting me some  
27 information on how Suffolk County could possibly get more state  
28 funding by opting out of the STOA funding and being a separate  
29 entity without Nassau and Westchester. And ways that we may be  
30 able to get more money besides what the state officials from  
31 Suffolk County have put together as far as getting extra funding  
32 from the money that the state collects from ride share.

33  
34 So, you know, I just want to make sure that, you know, we have in  
35 the budget an increase from last year. Because obviously costs go  
36 up and, you know, I haven't been able to see exactly how much it  
37 was. I know we got about 41 million last year. I want to make  
38 sure that we at least get that plus some since it seems like  
39 everything else is going up. And since Mr. Bellone took a dollar  
40 away from me for working at the Board of Education -- Board of  
41 Elections, that maybe he can take that dollar and put it towards  
42 the buses so I can get the bus and pay for the bus to go where I  
43 have to go. Thank you very much.

44  
45   **CHAIRPERSON KRUPSKI:**

46 All right, thank you. And I will ask the Acting Commissioner about  
47 the budget for transportation compared to '19 to '20. So, welcome.  
48 Do you have any statement you'd like to make first about the 2020  
49 budget? And I'm sure the Committee has some questions for you.

50  
51   **ACTING COMMISSIONER TYSON:**

52 Nothing major. We think, you know, we thank our partners from the  
53 Legislature for their review of our request and we stand ready to  
54 answer any questions.

1 **CHAIRPERSON KRUPSKI:**

2 Thank you. Does anyone on the Committee have any questions?  
3 Legislator Donnelly.

4  
5 **LEG. DONNELLY:**

6 Just I would like the Commissioner, if I could direct your  
7 attention to personnel in the Budget Review's summary analysis page  
8 173 of the small book, not of the large book.

02:43PM

9  
10 So I'll just ask you, you don't need to look at it but I was  
11 thumbing through this over the last couple of weeks and I noticed  
12 that there's no additional positions and/or transfers particularly  
13 like for road maintenance. The only new positions will be in  
14 wastewater management. Is that a correct analysis?

15  
16 **ACTING COMMISSIONER TYSON:**

02:44PM

17 Yes, that's accurate. There are a number of positions being sort  
18 of reactivated in sanitation as per reviews that have taken place  
19 from the DEC. But, yes, to your point, yes, there are no new  
20 bodies being added to highway maintenance.

21  
22 **LEG. DONNELLY:**

23 So, there's not one new position in our new repair crew; like  
24 somebody retires, we're not refilling that SCIN? That's my  
25 concern. So you can see where I'm going with it.

26  
27 **ACTING COMMISSIONER TYSON:**

02:44PM

28 Yeah, typically, yes, we do try to -- when one retires from the  
29 division, we do try to replace them. So, yes, your point, we do  
30 try to make sure that we at least remain whole.

31  
32 **LEG. DONNELLY:**

33 Okay. That's a concern, Mr. Chairman, as a Public Works official.  
34 Al, I think that we might consider the additional crew, members  
35 needed for our road crews. I'd like the Budget Review Committee  
36 maybe to take a look at that.

37  
38 **CHAIRPERSON KRUPSKI:**

02:45PM

39 Sure.

40  
41 **LEG. DONNELLY:**

42 Thank you.

43  
44 **CHAIRPERSON KRUPSKI:**

45 Sure. All right, thank you. I've got -- Legislator Sunderman has  
46 a question.

47  
48 **LEG. SUNDERMAN:**

02:45PM

49 Commissioner, to continue on that with personnel, you know, we  
50 continue to talk about doing more in-house work. I see you're  
51 looking at me. I'm concerned about that. You know, in place of  
52 bonding, is there any architectural engineering we could be putting  
53 more on board with; is there any more design team as well as  
54 roadwork. As a first responder and so forth, some of this roadwork  
55 that Legislator Donnelly's talking about, you know, I was looking  
56 to pass resolution to get some of the roadwork being done. And we

1 were going back and forth who's going to do it, how are we going to  
2 do it. So I'm really concerned on those two categories. And I  
3 look in the book myself and I don't see that wanting to be any  
4 changes. So why would we not be lobbying for additional employees  
5 to bring more in-house work to not continue to go out and bond? Is  
6 there any way we could look at this staffing or adding personnel to  
7 help bring some of the work in-house and keep some of the jobs  
8 here?  
9

10 **ACTING COMMISSIONER TYSON**

11 So, I can see your point. There is a bit of a challenge there. We  
12 do experience, you know, with additions to our design staff. And,  
13 you know, we certainly have a very qualified roster both under the  
14 highway engineering and the building design and maintenance  
15 divisions. I mean, certainly if they are -- if there are  
16 recommendations, you know, additions that you would like to see,  
17 I'm fairly certain that we would have -- there certainly is work  
18 for them to do. You know, the other challenge for us is that we  
19 have to kind of work within the constraints that we have and do  
20 that creatively. And so for that reason we do, you know, utilize  
21 outside consultants. But we do recognize that it is an issue.  
22

02:47PM

23 **LEG. SUNDERMAN:**

24 I want to use your words. We asked for a few projects and you said  
25 you didn't know the timeline you could get it done because they  
26 were working on other projects. If we had staff, we could be able  
27 to do some of the work and get them done in a timely manner and we  
28 wouldn't have to wait that extended period. That's why I'm asking,  
29 I'm kind of using what you told us on some of the projects we asked  
30 if we could do in-house. That's why I feel if we could add, you  
31 know, one or two, whatever the number that would be adequate to  
32 you, would that be sufficient? So is there a number that you would  
33 be thinking is possible to add to this?  
34

02:47PM

35 **ACTING COMMISSIONER TYSON:**

36 So, just so I'm clear, what type of projects are you referring to;  
37 are you talking about traffic studies or, like, intersections or --  
38 yeah, do you have a couple of examples you could cite because that  
39 might help actually maybe direct a question.  
40

41 **LEG. SUNDERMAN:**

42 Well, we ask for design work such as, you know, the K-9 unit, you  
43 know, we were talking about stuff like that, some design stuff.  
44 And you said, yeah, we can do it in-house but obviously personnel  
45 was on other projects. So, I'm just asking is there any number  
46 that would be adequate? Is it one more or two more? What is a  
47 fair number to say if we were able to add to the staff?  
48

49 **ACTING COMMISSIONER TYSON:**

50 I mean, I think that that is a topic for discussion. It is  
51 possible that an addition of one or two more might be useful. I  
52 mean the K-9 unit was a pretty good example. Because it is  
53 something that if we had the time and resources to devote to it, it  
54 is something, as Gil said, that we probably could work on. But  
55 those staff, those people that, you know, would work on it, again,  
56 are being pulled off for other projects. So I know in a similar

02:48PM

1 way there are other, like, traffic studies that, you know, could  
2 be conducted in particular areas, but the staff have other things  
3 to do. So, I would say, again, if we were to start conservatively,  
4 maybe that would be a way to get in a little more extra work.

5  
6 **LEG. SUNDERMAN:**

7 Mr. Chairman, that's also added to my request. I just feel what  
8 the Commissioner is saying, you know, traffic studies, I know I  
9 call them all the time about these traffic studies and I see my  
10 timeline's a year-and-a-half out. I just don't know -- I'm not  
11 picking on you in any way, but a year-and-a-half out, I just don't  
12 feel sometimes is adequate for some of the concerns that are out  
13 there. So, I'm asking for that to be at least a discussion on the  
14 table.

02:49PM

15  
16 **CHAIRPERSON KRUPSKI:**

17 Sure, sure. Very good; good point.

18  
19 **LEG. SUNDERMAN:**

20 Thank you.

02:50PM

21  
22 **CHAIRPERSON KRUPSKI:**

23 So, I've got a question before Legislator Fleming asks it. The bus  
24 service -- thank you (laughter) -- the bus service comparison, it  
25 was asked by Paul Pressman, the difference in funding from '19 to  
26 '20. So, what was approved for '19 versus what's in the County  
27 Executive's budget for bus service funding for 2020?

28  
29 **MS. HALLORAN:**

30 Yes. The difference with the buses was the biggest difference in  
31 expense for DPW in the General Fund. And it was -- of the increase  
32 5.1 million was for the buses; and 3.7 million of that was the  
33 increase for the fixed route buses; and 1.4 million was for the  
34 accessible buses.

02:50PM

35  
36 **CHAIRPERSON KRUPSKI:**

37 Thank you. All right. And also the question was about ride  
38 sharing. Now, does the state -- you might not know this, does the  
39 state divulge how much they take in, tax on the ride sharing  
40 business? And is there any chance of them sharing any of that ride  
41 sharing money with the County?

02:51PM

42  
43 **ACTING COMMISSIONER TYSON:**

44 I'm going to say that I don't have that information.

45  
46 **CHAIRPERSON KRUPSKI:**

47 Okay.

48  
49 **ACTING COMMISSIONER TYSON:**

50 But I can, you know, make a request.

51  
52 **CHAIRPERSON KRUPSKI:**

53 I'm curious, you know. Okay. Yeah. So, Legislator Fleming has a  
54 question.

55  
56

1 **LEG. FLEMING:**

2 Thank you. Yes, my -- I appreciate Mr. Pressman's optimism but I  
3 don't know how optimistic we should be about getting the state's  
4 interest in MTA funding away from that ride sharing surcharge. On  
5 fixed route transportation, Acting Commissioner, could you just  
6 describe what the contractually obligated increase is under  
7 Department of Labor, employee cost index; what component of the  
8 fixed route increases are, in fact, these contractually obligated  
9 increases under ECI?

02:52PM 10

11 **ACTING COMMISSIONER TYSON:**

12 So, as I understand it, the majority of the increase that is shown  
13 here in the figures is because of the cost-of-living increase.  
14 There's not much more figured into it.

15  
16 **LEG. FLEMING:**

17 Okay. But then, I think, also the two million STOA increase is in  
18 there as well.

19  
20 **ACTING COMMISSIONER TYSON:**

21 That's reflected as well.

22  
23 **LEG. FLEMING:**

24 And my understanding is that it's -- the recommended includes a  
25 commitment to use that increased revenue for the expansion of the  
26 fixed route system. And we've discussed the routes -- the two  
27 routes, the 109, S 66 to be expanded and then some sort of thinking  
28 out of the box procurement for ride sharing or micro-transit in  
29 areas where buses have been cut. Is that accurate and what we're  
30 seeing reflected here?

02:53PM 31

32 **ACTING COMMISSIONER TYSON:**

33 Yes, that is accurate. And sort of looking forward to those  
34 improvements coming in their new year.

35  
36 **LEG. FLEMING:**

37 Right. Because we're still operating the system in a way that --  
38 because routes and mileage are fixed, the operators don't see the  
39 risks and rewards of the fare box -- I'm sorry -- I'm obviously  
40 very tired; the risks and rewards of offering good service. In  
41 other words, if fare box revenue increases or decreases, it doesn't  
42 matter, the operators, they get paid per mile; right?

02:54PM 43

44 **ACTING COMMISSIONER TYSON:**

45 (Nodding in the affirmative)

46  
47 **LEG. FLEMING:**

48 And that's still the -- that's still the structure upon which this  
49 budget is built with regard to the fixed routes?

02:54PM 50

51 **ACTING COMMISSIONER TYSON:**

52 Yes, agreed.

53  
54 **LEG. FLEMING:**

55 So, but I did note that the fare revenue continues in its downward  
56 trend, but that the 2019 decrease reflects a slowing of the trend;

1 in other words, we're not losing as many passengers as we have in  
2 the past. Do you have any thoughts as to what we might attribute  
3 that to?

4  
5 **ACTING COMMISSIONER TYSON:**

6 So, certainly the trend that we've been experiencing in our fixed  
7 route system is reflected, sort of, nationwide. Large bus systems,  
8 you know, across the country are seeing decreases in ridership.  
9 And those could be a varying -- you know, for a varying number of  
10 reasons; could be congestion, options. Certainly ride sharing has  
11 taken its toll as well, I believe. For us, you know, we are  
12 projecting, like you said, sort of a flat percentage change. We  
13 would like to think that some of those things are because of the  
14 recent -- some might call modest changes, you know, providing fare  
15 payment app for our system; and also a bus locating app that we  
16 have as well. You know, it is our hope that these changes that we  
17 have coming in the new year, we will, you know, try to reach new  
18 markets and sort of reverse the trend that we've been experiencing.  
19

20 **LEG. FLEMING:**

21 I appreciate the County Executive's commitment to and cooperation  
22 with suggestions that would modernize the system, at least, in some  
23 way and reflect that opportunity to begin to build a more  
24 cost-effective system by incorporating modern trends like the TNCs  
25 or some kind of micro-transit approach. So, thank you for that.  
26 And I'm glad to see it reflected in the Operating Budget.  
27

28 I don't think I have any other questions. Thank you, Mr. Chair.  
29

30 **CHAIRPERSON KRUPSKI:**

31 Thank you, Legislator Fleming. Legislator Donnelly.  
32

33 **LEG. DONNELLY:**

34 Thank you, Mr. Chairman. I just wanted to go back, Commissioner,  
35 if I could to the personnel. So according to the summary, you're  
36 authorized at 837 total positions within Public Works; is that  
37 correct?  
38

39 **ACTING COMMISSIONER TYSON:**

40 Yes, I believe so.  
41

42 **LEG. DONNELLY:**

43 If you could just -- I don't need it today, but I would like,  
44 perhaps, just via an e-mail or through the Chair a breakout of how  
45 many road crews we actually have and how many personnel we actually  
46 have assigned to the road crews, if that's not too much trouble.  
47

48 **ACTING COMMISSIONER TYSON:**

49 Yeah, we can provide that.  
50

51 **LEG. DONNELLY:**

52 Thank you, I appreciate. Excellent. So if I could, Mr. Chairman,  
53 just a couple questions on the bus. And, again, kudos to  
54 Legislators Krupski and Fleming who have really kind of taken a  
55 lead in trying to improve our bus service. So, I'm looking at the  
56 increases, right. So, it's showing \$5.1 million increase. And

1 that's for the contract; is that correct? That either the  
2 Commissioner or BRO could answer that.

3  
4 **MS. HALLORAN:**

5 Yes, that is mostly contractual increases.

6  
7 **LEG. DONNELLY:**

8 So, that's a significant amount. And yet we still hear that  
9 there's challenges, so to speak, particularly -- and I'm not  
10 talking about a new bus system, the current bus system, the current  
11 routes, the current on-time schedule. And can you kind of give me  
12 a breakdown on that increase? And is it going to improve? Are we  
13 going to see on time schedules improve? Are we going to see routes  
14 improve? I think that's -- Mr. Chair, I believe that's a fair  
15 analysis if we're increasing the contractual amount.

16  
17 **CHAIRPERSON KRUPSKI:**

18 Very fair question.

19  
20 **ACTING COMMISSIONER TYSON:**

21 So, to your point, that \$5.1 million increase is actually composed  
22 of a \$3.7 million increase on the fixed route network. And \$1.4  
23 million increase on the SCAT system. So that actually represents  
24 the entire set of transit that we provide in Suffolk County. That  
25 \$3 million, though, is primarily the -- sort of the cost of living  
26 increase that the three bus companies are afforded for operating  
27 for us.

28  
29 **LEG. DONNELLY:**

30 Could you say that again? It's a what?

31  
32 **ACTING COMMISSIONER TYSON:**

33 That \$3.7 million increase is primarily the 3 percent cost increase  
34 that the bus companies are afforded through their contract with us.  
35 So --

36  
37 **LEG. DONNELLY:**

38 Okay. I got you.

39  
40 **ACTING COMMISSIONER TYSON:**

41 -- it doesn't reflect a major change. Like our revenue mileage is  
42 pretty consistent from year to year. We would like to think that  
43 once the bus schedule project is complete, that the buses will be  
44 more reliable, more on schedule. And so we would at that point be  
45 making better use of the funds that we have.

46  
47 **LEG. DONNELLY:**

48 And this goes to your last question that I have and it's more of a  
49 -- it's a budgetary question that leads to a more operational  
50 question. Thank you to Mr. Pressman, as I said, as well as  
51 Legislators Krupski and Fleming for kind of educating me on this.  
52 Is there -- I can only say this in the world that I come from. Is  
53 there a chain of command that the bus contractor agencies have a  
54 direct reporting personnel within the Department of Public Works  
55 that they are answerable to.

1 **ACTING COMMISSIONER TYSON:**

2 So, do you mean on a typical basis, an incident related basis or --

3  
4 **LEG. DONNELLY:**

5 On an everything basis. Whatever the question is, is there a  
6 government official within the Administration that has some  
7 oversight over the four different bus companies that we have  
8 operating within this County; the taxpayer dollars.

9  
10 **ACTING COMMISSIONER TYSON:**

11 Generally when incidents occur with their divisions or with the  
12 companies, they contact me. If there is an incident that happens,  
13 you know, God forbid on one of those Suffolk bus routes, they send  
14 me a text message. It is my responsibility to communicate with the  
15 County Exec's Office or whomever necessary --

16  
17 **LEG. DONNELLY:**

18 I'm not talking about a major incident. What I'm really kind of  
19 talking about is the day-to-day operation of that particular route;  
20 the on time schedule, the appropriate bus; do you follow what I'm  
21 saying? I just think that, and, again, this is all part of my  
22 education, so please forgive the naivety of the questions, that  
23 there's lots of, you know, vision to improve it. But I think short  
24 term we gotta make better what we have. If that makes -- I think  
25 it makes sense.

03:01PM

26  
27 **ACTING COMMISSIONER TYSON:**

28 Right.

29  
30 **LEG. DONNELLY:**

31 If you could kind of like give me a little -- basically what I'm  
32 looking for is, you know, we're looking at the increase here. It  
33 seems pretty substantial to me, but yet we still have all these  
34 day-to-day issues with the bus service.

35  
36 **ACTING COMMISSIONER TYSON:**

37 Right. So, again, you know, the transportation division is  
38 resident in the Department of Public Works. So there is a  
39 division, it is fairly small division, but there's a division that  
40 is devoted to dealing with the existing system, reporting on that  
41 system to the State, which requires STOA for us; and also to the  
42 FTA, which also provides capital funding for us. So the  
43 transportation division sort of communicates those things. They  
44 also run the three individual or four, depending on how you look at  
45 it, for individual companies that provide service throughout the  
46 County, they do report to me.

03:01PM

47  
48 And so we as a department also, like when you think about the  
49 mobility study, we also work with other departments, you know, to  
50 try to make sure -- other departments including Economic  
51 Development and Planning in both. So the transportation division  
52 addresses the short term things dealing and working with planning.  
53 We're kind of dealing with the longer term vision of what we would  
54 like to see the system look like, so.

03:02PM

1 **LEG. DONNELLY:**

2 I understand that Economic Development component division part of  
3 it, but I'm more concerned just with the nuts and bolts of the  
4 current day-to-day operation that we can get the buses there on  
5 time; that we have the appropriate vehicles. And, you know,  
6 clearly the taxpayers funds this program at a very significant  
7 expense. So, it's important that I think that we continue to do  
8 our best to improve the short term. And then if you could just get  
9 me numbers for the road crew personnel that you have, just the road  
03:03PM 10 crew, that's all. That's all I'm interested. Thank you. Thank  
11 you, Mr. Chairman.

12  
13 **CHAIRPERSON KRUPSKI:**

14 Thank you. I have one question. Legislator Calarco asked it  
15 before and we were discussing it earlier -- earlier in the day  
16 about last year, the working group put custodial positions into the  
17 budget and that budget failed. And as a result those custodial  
18 positions were not added to the 2019 budget. Is there any thought  
19 to adding those custodial positions back into the budget for 2020?

03:04PM 20  
21 **ACTING COMMISSIONER TYSON:**

22 So I know that the one change that we've been able to make on the  
23 custodial staff is to sort of reallocate staff that is particularly  
24 under 1164, which is -- which can be utilized for core facilities  
25 only. So, we've been able to kind of make access for that funding  
26 because those positions are 100 percent funded by the courts. But  
27 apart from that, we kind of have the same -- same constraints as we  
28 do with the rest of the department.

29  
30 **CHAIRPERSON KRUPSKI:**

31 Okay. So don't be surprised if people bring it up during the  
32 working group that we'll be interested in. So, I was just thinking  
33 about that, how many vacancies are there?

34  
35 **ACTING COMMISSIONER TYSON:**

36 Vacancies under?

37  
38 **CHAIRPERSON KRUPSKI:**

39 Under custodial. That are true positions that are vacant?

03:04PM 40  
41 **ACTING COMMISSIONER TYSON:**

42 I would say -- that are true positions, not very many.

43  
44 **CHAIRPERSON KRUPSKI:**

45 Not very many.

46  
47 **ACTING COMMISSIONER TYSON:**

48 Yes. I mean, there are a number of vacancies but they are  
49 considered frozen, so.

03:05PM 50  
51 **CHAIRPERSON KRUPSKI:**

52 How do they get thawed out? Well, is there a number attached to  
53 "not many"?

54  
55 **MR. PERNICE:**

56 There's 17 vacant custodian positions.

1  
2 **CHAIRPERSON KRUPSKI:**

3 Okay.

4  
5 **MR. PERNICE:**

6 And two supervisory custodial positions.

7  
8 **CHAIRPERSON KRUPSKI:**

9 I don't believe they're funded.

10  
11 **MR. PERNICE:**

12 No.

13  
14 **CHAIRPERSON KRUPSKI:**

15 They're just -- I think frozen was the -- and I don't understand  
16 the financial term.

17  
18 **MR. PERNICE:**

19 So, frozen means that they don't have permission to fill.

03:05PM

20  
21 **CHAIRPERSON KRUPSKI:**

22 And who would authorize that position?

23  
24 **MR. PERNICE:**

25 The County Executive is the only one that can do that.

26  
27 **CHAIRPERSON KRUPSKI:**

28 He can un-thaw the position.

29  
30 **MR. PERNICE:**

31 Yeah. We call it a SCIN form.

32  
33 **CHAIRPERSON KRUPSKI:**

34 Okay. All right. I think we'll have this discussion again, but  
35 thank you. Legislator Cilmi.

36  
37 **LEG. CILMI:**

38 I'm not going to be able to get Legislator Fleming singing "let it  
39 go." (Laughter) (Discussion off mike) I did, I did. My kids are  
40 28 and 25. It's remarkable that I -- anyway, I have two lines of  
41 questioning that -- one of which has to do with buses and one  
42 doesn't.

03:06PM

43  
44 Commissioner, I had been a proponent of that term *right sizing*,  
45 although we didn't call it that back then, our bus system, our  
46 buses since I was an Aide many, many years ago in the '90s. And I  
47 was very excited to see that the County move forward with that and  
48 less excited, of course, when it ran into such problems with  
49 respect to the practical use of those buses by some of our  
50 residents.

03:07PM

51  
52 And, you know, one of the things that I've always believed in that  
53 we certainly as a County talked about when we embarked on that  
54 right sizing effort recently was the fact that it was going to --  
55 they were going to cost us substantially less money; not only are  
56 they less money to purchase those buses, but they were less money

1 to operate those buses. They require less fuel; they are quicker  
2 to stop, which means reduced costs in terms of liability from  
3 accidents, so. And they're less upset to neighborhoods because  
4 they're smaller and they're less intrusive.

5  
6 So, my question to you simply after that, after laying that  
7 foundation is I know we're sort of in a holding pattern because of  
8 the type of buses that we had gotten, the Arboc buses; where are we  
9 with finding an alternative to that?

03:08PM 10

11 **ACTING COMMISSIONER TYSON:**

12 So, I think you kind of summarized things up nicely. I think there  
13 was a lot of expectation and excitement about, you know, the Arboc  
14 or what eventually became an Arboc. The concept of right sizing  
15 certainly did make sense, not particularly on the line buses that  
16 run from, you know, end to end through the County but for some more  
17 of the feeder routes that serve in the neighborhoods. The thought  
18 of, or the concept of operating a smaller vehicle through those  
19 neighborhoods, was very -- was very good.

03:08PM 20

21 **LEG. CILMI:**

22 Right.

23  
24 **ACTING COMMISSIONER TYSON:**

25 I think when we encountered the challenges, though, you know, with  
26 the Arboc, I think that certainly created issues or sort of  
27 unforeseen issues for us. And so I think that there's a bit of  
28 hesitance, you know, to kind of moving quickly towards another  
29 vehicle that is of that sort of mix.

03:09PM 30

31 **LEG. CILMI:**

32 Well, if I recall at a meeting -- maybe one meeting ago, maybe two,  
33 maybe three meetings ago, I tend to lose track of time these days,  
34 but I think I asked you where we were at with this and you were  
35 going to check in to see whether or not any alternatives were  
36 available. And then we could bring those alternatives down here,  
37 we could have our riders kind of take a look and get their, sort  
38 of, rider seat seal of approval so that we weren't sort of stopping  
39 this, what would otherwise be a fantastic program dead in its  
40 tracks.

03:09PM 40

41  
42 So, are those plans in the works? Are there any buses that you  
43 know of at this juncture that are available to us?

44  
45 **ACTING COMMISSIONER TYSON:**

46 I know maybe one or two different vehicles in that file type, or in  
47 that class, that we could explore. But honestly out of the number  
48 of things that the division, again, just talk about how sort of  
49 small the division is, out of the things that the division has to  
50 do, bus seat planning for that specific set, it's something that we  
51 will have to get to. Like, it's not something that is in the  
52 forefront for us right now. Like, we need to replace -- we need to  
53 finish the schedules. We need to deal with the bus signage.

03:10PM 50

54  
55 So those are kind of the same folks that would do that sort of  
56 fleet investigation in terms of going to different providers,

1 seeing what they have. They're the same folks that have to deal  
2 with the ABL system, that have to deal with the schedule system.  
3 So it's something that we intend to get into, but it is not a --  
4 unfortunately for us right now is not a right now thing.

5  
6 **LEG. CILMI:**

7 Okay, but the more that -- the more that we sort of push that off,  
8 and I understand the reasons for it, but the more that we push that  
9 off, we're sacrificing money. I mean, this could -- savings as a  
03:11PM 10 result of using smaller buses could -- would immediately help our  
11 operating budget. So this is one area where I think an investment  
12 in personnel time to do that, and it seems like it wouldn't be all  
13 that much time honestly, you call a couple of places, you find out  
14 what buses are available and you bring them down here and let's all  
15 make a decision and move forward. It helps us in our operating  
16 budget; it would help us in our capital budget; it helps our  
17 residents; it helps -- I mean it's just -- the benefits are  
18 invaluable. So, I think, that's something that we need to look to  
19 do.

20  
21 I'm going to ask the second question and then I guess there's an  
22 overriding question. So, I've said repeatedly that I believe we're  
23 spending way too much money, and I should say, borrowing way too  
24 much money to pay for studies and planning and engineering with  
25 respect to the variety of capital projects that we undertake here  
26 in Suffolk County. Have you looked at, sort of the history in the  
27 past year or two, of where we have borrowed money and hired outside  
28 contractors to do engineering planning studies to see whether or  
29 not it makes financial sense, and I know you don't have the  
03:12PM 30 resources currently, in-house to do it, but we're in the operating  
31 budget process. I mean now is when we could authorize resources to  
32 do it.

33  
34 If we could save money and more importantly, or equally as  
35 importantly, utilize our resources to actually do things now and  
36 pay for things now rather than borrowing money and having to pay  
37 for them later, it makes sense to do that. So what are your  
38 thoughts? Do we need three positions to -- in other words, if you  
39 looked at the scope of planning and engineering studies that we've  
03:13PM 40 done outside, with outside contractors over the last year, you may  
41 be able to identify, you know -- look at -- let's say, I'm pulling  
42 numbers out of thin air, but let's say we did 20 them, maybe ten of  
43 them we could have done in-house if we had the staff to do it. And  
44 then how much staff do we need? Maybe we need three engineers to  
45 do that. How much does the three engineers cost? Meanwhile we're  
46 spending a hundred million dollars in debt service. So, tell us  
47 what you need to do more of this work in-house to do it right, to  
48 pay for it now and avoid debt service and interest costs. And  
49 we'll look to the budget and allocate those resources for you.

03:14PM 50  
51 **ACTING COMMISSIONER TYSON:**

52 So, I think you raise a couple of good points. And I think the  
53 best thing for me to do would be to then, you know, pass it back to  
54 highway engineering, back to buildings to get a fresh look from  
55 them as to what that would be. I mean, I could, you know, make up  
56 a number for you, but it doesn't really, you know, benefit

1 everyone.

2  
3 **LEG. CILMI:**

4 Okay. If you could do that relatively quickly, obviously we begin  
5 operating budget working group meetings, I think, later this week,  
6 the time is short so the quicker, the better. If you say to us,  
7 *look, if we had three additional engineers it's going to cost you*  
8 *"X" amount of money in operating funds but ultimately you're going*  
9 *to save money because we're going to have to borrow less money,*  
10 then we'll talk about adding those three engineers. And as part of  
11 the operating budget working group, I'd be happy to do that. But  
12 we need the information from you. We can't -- we can't pull it --  
13 if you can't pull the numbers out of thin air, we certainly can't  
14 pull them out of thin air.

15  
16 **ACTING COMMISSIONER TYSON:**

17 Right. And that's why I was asking Legislator Sunderman to try to  
18 get a sense of kind of the subject matter because that, again,  
19 helps point the -- you know, point the compass in the right  
20 direction. We can now go back and say, you know, out of the  
21 traffic studies that you had to conduct over the past year, how  
22 many of those could you have done, you know, how many did you have  
23 to farm out, how many could you do in-house. So the subject matter  
24 helps in getting -- the best thing for me is to kind of get a fresh  
25 look at what those sort of latent needs are.

26  
27 **LEG. CILMI:**

28 Okay. And then so the same -- the same sort of objective applies  
29 to my first question with regard to right sizing the buses. If  
30 right now your staff is stretched so thin that we don't have the  
31 staff to explore different bus alternatives, then what would you  
32 need in terms of additional staff in order to do that? Is it one  
33 body, is it half a body? You know, how long is it going to take,  
34 how many man-hours, woman-hours and tell us and then we can help  
35 you. If you don't tell us, we can't help you.

36  
37 **ACTING COMMISSIONER TYSON:**

38 All right. I mean, to your point I do know that we have a fleet  
39 management specialist that we brought on board that primarily is  
40 dealing with, kind of again, acquisitions to the new fleet. He is  
41 a part-timer.

42  
43 **LEG. CILMI:**

44 So maybe making him full-time would allow him to split his time  
45 between doing the work that he's doing currently part-time; and the  
46 other half of his time could be spent looking into this -- the  
47 right size bus issue. And what's the salary of that person right  
48 now, roughly? I mean, are we talking about \$50,000, \$60,000,  
49 \$100,000?

50  
51 **ACTING COMMISSIONER TYSON:**

52 I think the individual had a \$30,000 cap.

53  
54 **LEG. CILMI:**

55 So as part-time \$30,000 cap?

1 **ACTING COMMISSIONER TYSON:**

2 Yeah.

3  
4 **LEG. CILMI:**

5 So, theoretically if we added \$30,000, the department would have  
6 the time to explore this issue and probably save the County much  
7 more in the course of a year than it would cost, I would imagine.

8  
9 **ACTING COMMISSIONER TYSON:**

03:17PM 10 I would also say, though, in terms of timeframe, even before the  
11 Arboc bus was selected, it still took one to two quarters to go  
12 through --

13  
14 **LEG. CILMI:**

15 Naturally.

16  
17 **ACTING COMMISSIONER TYSON:**

18 -- contacting the different manufacturers, getting them to bring a  
19 vehicle over here for testing.

20  
21 **LEG. CILMI:**

22 Yeah, yeah. But if we don't start, it's going to take a lot longer  
23 than that, right? We have to start it in order for it to take any  
24 amount of time. So, let us know what you need and we will respond.  
25 Thanks, Mr. Chair.

26  
27 **CHAIRPERSON KRUPSKI:**

28 All right, Legislator Fleming.

29  
30 **LEG. FLEMING:**

31 Thank you. Just a little bit in terms of the discussion with  
32 Legislator Cilmi. I did note that that additional \$2 million STOA  
33 funding is going to be spent in part on a pilot competitive  
34 procurement for micro-transit. So in part the private market will  
35 be called upon to respond to some of our most pressing concerns in  
36 terms of how we get people around with low ridership in large  
37 districts. So, I'm excited about that. I don't know if staffing  
38 would be needed to prepare the RFP or to, you know, determine the  
39 effectiveness of the pilot that comes out of that procurement  
03:18PM 40 process, but it might be something that you add to your response to  
41 Legislator Cilmi. It does seem to be a hopeful, sort of shining  
42 light in terms of a way to get out of this difficult situation  
43 we're in where we have lots of empty, dirty buses that are costly  
44 and not serving the public.

45  
46 I wanted to ask you, all over the map here, on the buses and the  
47 fleet in general, I note in the BRO report that County's cost of  
48 gasoline and diesel fuels has decreased by 15 percent relative to  
49 the same period in 2018. But that's broken down in unleaded gas;  
03:19PM 50 and diesel fuel is significantly less but premium gas is being used  
51 more. And there's 3,426 more gallons of premium gasoline than in  
52 the same period in 2018. Do you have a thought as to why those  
53 numbers look the way they do? And I'm asking it from my  
54 perspective for the goal of reducing fossil fuel emissions.

1 **ACTING COMMISSIONER TYSON:**

2 Yeah, I think I'd have to look into it because I don't think it's  
3 fair to say that just the new buses are sort of using premium  
4 gasoline. I would have to research that.

5  
6 **LEG. FLEMING:**

7 Well, I'd also encourage, for instance, electric vehicles, NYSERTA  
8 grants for electric vehicles, you know, where costs are more stable  
9 than they are for fossil fuels. So, I would be interested to know  
10 what -- what underlies these disparities.

03:20PM

11  
12 **ACTING COMMISSIONER TYSON:**

13 Understood. I do know that we do use some hybrid buses on our S 1  
14 route, so.

15  
16 **LEG. FLEMING:**

17 I don't know if this is -- this is just fuel costs, so I don't  
18 think it's -- I don't think that's confined to public  
19 transportation. That probably also means the fleet. I would like  
20 to see us using more nonfossil fuel vehicles in our County fleet.

03:21PM

21  
22 **ACTING COMMISSIONER TYSON:**

23 Agreed.

24  
25 **LEG. FLEMING:**

26 Especially for the cost savings. I noted also that the DEC -- that  
27 your department's request included additional staffing that you say  
28 the DEC requires in wastewater treatment. Can you just explain  
29 what that additional staffing is?

03:21PM

30  
31 **ACTING COMMISSIONER TYSON:**

32 So, in the sanitation division, as you know, we have 26 different  
33 districts, Bergen Point being the largest one, but also another  
34 number countywide. So the State DEC is the regulating agency that  
35 sort of oversees how we operate our districts so they perform  
36 inspections from time to time. During recent inspections they've  
37 noted that for each one of the districts there's an operations  
38 manual as to sort of how they should be run, the numbers of staff  
39 that should be on hand to make sure that issues big and small, that  
40 the place is operating well. And that any issues are kind of  
41 addressed in a timely fashion.

03:22PM

42  
43 So, during the recent inspections, they noted that the number of  
44 staff that we have at both Bergen Point and the outer districts is  
45 below their requirements. And so they told us -- informed us of  
46 this. And so the new requirements that are coming in for staff,  
47 their acquisitions are to get us up to the levels that are required  
48 from an operations manual for -- as per DEC requirements.

49  
50 **LEG. FLEMING:**

51 And how much money is New York State providing to us to support  
52 those additional staff? Or is this another unfunded mandate?

53  
54 **ACTING COMMISSIONER TYSON:**

55 I should look into that.

1 **LEG. FLEMING:**

2 Thank you. Yeah, this is beginning discussions. So, I think  
3 they're important questions and we can continue to discuss them.

4  
5 Lastly, if I may, Mr. Chair, I wanted to thank you, Acting  
6 Commissioner, and your staff particularly Chief Hillman for your  
7 excellent work over the past weekend to avoid a costly breach of  
8 the dune system on Dune Road in Hampton Bays. The beach had  
9 breached. The ocean was hitting the commercial dock on the bay  
10 side and Department of Public Works in conjunction with local  
11 officials and state -- New York State DOT were able to build  
12 significant dune system from -- actually they brought sand from  
13 nearby Altenkirch Park and built a 750 foot long, 12 foot high dune  
14 out of 2500 cubic yards of sand to prevent what would have been an  
15 extremely costly breach of the dune and really threatened a very,  
16 very important commercial center there, the fishing -- the  
17 commercial fishing infrastructure, which is one of the largest in  
18 New York State as well as restaurants that act as an economic hub  
19 for that area but also for the region. So, congratulations on the  
20 really remarkable swiftness and effectiveness of your reactions.

21  
22 I'm just wondering what the overtime costs are going to be for  
23 that, if there is the opportunity -- if it's in your 2019 budget to  
24 cover those OT costs; and are there opportunities for FEMA funding  
25 or other funding to recapture some of those costs. Because it was  
26 mostly county DPW that was out there actually in the surf doing the  
27 work at their own peril really. I'm very glad that everyone is  
28 safe and sound but they were working through the night; not one but  
29 two nights. What are we looking at in terms of overtime?

30  
31 **ACTING COMMISSIONER TYSON:**

32 So, to your point I actually sort of echo, you know, your things  
33 and have to recognize Chief Hillman, JT Andressi and their crews  
34 because they really did do outstanding work. They were out there  
35 overnight, over the two nights, watching the high tides. Because,  
36 as I understand it, sort of the residual effects happen two hours  
37 after the high hides occurred. So they had to make sure that, you  
38 know, even after that, that there were no over washes. I think  
39 they did fantastic work.

40  
41 I think that the overtime costs associated with it are still sort  
42 of coming in to us to be determined. We will tally it up. They've  
43 continued to, you know, make sure that the dune stays, you know, in  
44 good condition. I know that actually we're out there today just  
45 checking on it because we have another smaller storm coming in  
46 tomorrow. And to the extent that we can, I don't know whether or  
47 not this incident would qualify for FEMA, or for any type of  
48 emergency grants, but we are certainly keeping the records and  
49 we'll compile them such that if we are eligible, we will have the  
50 figures to document and account for, you know, again, our excellent  
51 staffs, you know, work out there, again, at their own peril. So,  
52 we will be there.

53  
54 **LEG. FLEMING:**

55 To the extent that I can -- my office can offer support,  
56 legislative support, for any sort of recoupment of those costs, I

1 hope that you'll let me know.

2

3 I also just want to note that we -- last cycle the Legislature  
4 passed an amendment to the capital budget, which provides for  
5 region-wide coastal resiliency management and this -- I just, you  
6 know, think we should look at this as an opportunity to recognize  
7 these circumstances, rising sea levels and the increase of storm  
8 surge and extreme weather events is going to be costly. And that  
9 effort is a very good example. So it's my hope that we can get  
10 ahead of it in capital planning so that we can make some proactive  
11 infrastructure investments that will avoid these emergency high  
12 costs in order to save, you know, critical infrastructure and  
13 assets moving forward. But congratulations on the great work of  
14 your department. And if I can be helpful in recouping those costs,  
15 please let me know.

03:27PM

16

17 **ACTING COMMISSIONER TYSON:**

18 Thank you.

19

20 **LEG. FLEMING:**

21 Thank you.

22

23 **CHAIRPERSON KRUPSKI:**

24 Thank you, Legislator Fleming. Legislator Donnelly had another  
25 question?

26

27 **LEG. DONNELLY:**

28 Just one more sort of -- just on the staffing levels, if we could  
29 go back to that, Commissioner, in addition to the road crews, if I  
30 could get a breakdown of the personnel assigned to the  
31 transportation division on -- to echo Legislator Cilmi's thoughts,  
32 you know, a lot of this work we gotta try and bring it back so we  
33 have, I believe, better operational control. So if he can get me  
34 the numbers that are assigned to the transportation division? And  
35 then we chatted about the custodians, how many custodians we  
36 actually have. And for BRO I didn't get that. I'm not sure -- I  
37 might have missed it. There was a number that was thrown out that  
38 was either 14 or 17 custodial positions?

03:28PM

39

40 **MR. PERNICE:**

41 I think I said 17, but it really should be 14 because a couple of  
42 those are shared positions.

43

44 **LEG. DONNELLY:**

45 So are they funded or they're not funded?

46

47 **MR. PERNICE:**

48 They're not.

49

50 **LEG. DONNELLY:**

51 They're not funded. But it is part of the overall roster, though,  
52 right; is that it?

53

54 **MR. PERNICE:**

55 Yes, the positions are there. There was funding -- I mean it would  
56 still be up to the County Executive to sign a SCIN form. Even if

1 you added funding, it would still be, you know, his prerogative to  
2 actually go ahead and hire, but the positions are there.

3  
4  
5  
6  
7  
8  
9

**LEG. DONNELLY:**

Okay. So, Commissioner, if you could just give me the number of  
custodians that we have countywide; so it's custodians, road crew  
and then the transportation division. Thank you. Thank you, Mr.  
Chairman.

**CHAIRPERSON KRUPSKI:**

Sure. Anyone else have any questions? If not -- does anyone else  
in the public have any questions? Seeing none, we're adjourned.  
Thank you, Darnell.

14  
15  
16

**ACTING COMMISSIONER TYSON:**

Thank you.

17  
18 **THE MEETING CONCLUDED AT 3:29 PM**  
19 **{ } DENOTES SPELLED PHONETICALLY**  
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