

NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
PRESIDING OFFICER

JUNE 24, 2013
FULL LEGISLATURE
RECONVENED MEETING

NORMA GONSALVES,
CHAIRWOMAN

1550 Franklin Avenue
Mineola, New York

July 13, 2013
2:15 p.m.

REGAL REPORTING SERVICES
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A P P E A R A N C E S:

NORMA GONSALVES
Chair

KEVAN ABRAHAMS
Minority Leader

ROBERT TROIANO

CARRIÉ SOLAGES

DELIA DERIGGI-WHITTON

JOSEPH SCANNELL (Not Present)

FRANCIS X. BECKER

HOWARD KOPEL

VINCENT MUSCARELLA

RICHARD J. NICOLELLO

JUDI BOSWORTH

WAYNE WINK

MICHAEL VENDITTO

JOSEPH BELESI

DENNIS DUNNE, SR.

DENISE FORD

JUDITH JACOBS

ROSE MARIE WALKER

DAVID DENENBERG

WILLIAM MULLER
Clerk of the Legislature

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PETER GOSS 21

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2 CHAIRWOMAN GONSALVES: I need a motion
3 to reconvene the June 24 meeting. I stand
4 corrected. We are now back to the June 24
5 meeting, and that meeting had to do with the
6 capital budget which is I believe Item, at that
7 time was Item 221-13, Calendar Number 1, which is
8 the capital plan as well as -- well, capital plan
9 first.

10 Again, the hearing is open regarding the
11 capital plan. At this time I believe we did --
12 we did recess that hearing on June 24, correct?
13 To play it safe, I ask for a motion to open the
14 hearing on the capital budget.

15 LEGISLATOR KOPEL: So moved.

16 LEGISLATOR DUNNE: Second.

17 CHAIRWOMAN GONSALVES: Moved by
18 Legislator Kopel, seconded by Legislator Dunne.

19 All those in favor of opening the hearing
20 on the capital budget please signify by saying
21 aye.

22 (Aye.)

23 Any opposed?

24 (No verbal response.)

25 The hearing is now open.

2 It's up to you, Mr. May.

3 MR. MAY: Thank you, Madame Presiding
4 Officer. We have Chief Deputy County Executive
5 Rob Walker to present the capital plan.

6 CHAIRWOMAN GONSALVES: Thank you very
7 much.

8 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
9 Thank you, Miss Presiding Officer and members of
10 the legislature. We will try to move through
11 this rather quickly. We are going to spend most
12 of our time, if possible -- and it should be
13 coming up on your screens, I believe. You'll
14 also be getting a hard copy. We're going to be
15 spending most of our time discussing,
16 unfortunately, Bay Park Sewage Treatment Plant.
17 With me today that will be available to answer
18 any questions from the legislature is Peter Goss
19 and Mike DeNicola, who this legislature recently
20 passed a contract for them. They will be our
21 program managers for the repairs at Bay Park as
22 we continue to work with both the state and
23 federal government, and all of our stakeholders,
24 many of which are here today, to see the
25 rebuilding of our plant take effect rather

2 quickly.

3 I'm just going to walk through this.
4 Again, I'll try to be very quick.

5 I know it was a concern -- and I actually
6 had the pleasure of speaking with Legislator
7 Denenberg over the weekend who, obviously with
8 Cedar Creek very close to his district, but his
9 passion with Cedar Creek has mentioned repeatedly
10 about the work and the authorization and dollars
11 that were available, upwards of \$300 million that
12 were available for sewer repairs. We went
13 through that. Obviously it was not taken
14 lightly. After review of all of those documents
15 and authorizations, there was roughly \$93 million
16 that was available of the money that was
17 described by him. Mainly that was due to a lot
18 of the projects that were never removed from the
19 financial system, work that was done, roughly 125
20 million of that for two pellitization plants at
21 both Bay Park and Cedar Creek. Obviously that
22 never moved forward. The legislature and
23 legislatures at the time when I guess that was
24 brought about, and the residents obviously did
25 not want to see a pellitization plant.

2 But what was occurring with all those
3 authorizations of work that, again, were talked
4 about -- and I could go all the way to the slide
5 at the end and will repeat it. There was roughly
6 \$93 million worth of authorizations available to
7 be had, and that is the work that is up on the
8 screen today, talking about the influent screens,
9 the grit removal, and the raw sewage tanks,
10 digester cleaning, which has started, and other
11 things of that nature. That was pre-Hurricane
12 Sandy.

13 Unfortunately Hurricane Sandy brought a
14 new world and life to our area. You can see in
15 the pictures above, three to five foot tidal
16 surge that overcame the plant. For those of you
17 who have visited the plant, and I'm sure it's
18 most of you, most of it is unfortunately below
19 ground, and obviously presented a tremendous
20 problem for our area, as you can see, and the
21 residents of the county suffered tremendous,
22 tremendous problems.

23 So we move forward with the plant.
24 Roughly about 35, 40 days after the unfortunately
25 incident, we were meeting our SPDES permit, which

2 goes hands off to the people I mentioned before,
3 roughly 12 contractors, many of them that are
4 here with us today as well and consultants that
5 came to the rescue of this County.

6 \$18 million which was approved by FEMA,
7 the good sign that it is approved by FEMA because
8 that's for the temporary measure which were
9 repaired. As we move forward with the permanent
10 repairs -- for them to approve the temporary
11 repairs, usually they will work with us on
12 approving permanent repairs. As you can see, the
13 effluent pumps, dewatering, the electrical system
14 which is completely shot at the facility has
15 caused tremendous problems.

16 This hydrodynamic model just gives you
17 pretty much where we are with Hurricane Sandy,
18 and it talks about the depths of water. It's
19 also used for FEMA reimbursement. As you could
20 see, Sandy, just with many of the plants with 20
21 feet of water, obviously it's not a good thing.
22 And you can see with the 500 year low and 500
23 year high, both of those models which FEMA used
24 for reimbursement, we are well within the range
25 for reimbursement with programs. As you can see,

2 it runs anywhere between six feet to 20 feet,
3 again.

4 So, in assessing this process of both
5 hardening and repairing, obviously the most
6 careful plans and work went into developing this
7 plan. There are areas that need to be repaired
8 immediately, that we cannot wait to have those
9 repairs made. They developed their criteria.
10 And why the county executive has asked for 720
11 million; roughly 600 million or so is directly
12 for Bay Park, there are some dollars for some of
13 the pump stations and other work at Cedar Creek.
14 It was determined that obviously what needs to be
15 fixed on an emergency basis, as quick as
16 possible, getting up and running, and that's
17 where we have the three tiers.

18 As you can see, one of the areas of work
19 that will be done immediately is the influent
20 screens. It's the beginning of the processing of
21 the facility. \$29 million worth of repairs to
22 the facility. Again, you'll see it both in the
23 timeline and overall spreadsheet. The raw sewage
24 pipes, which will take place next year, you can
25 see they're already elevated a little bit higher,

2 steps to get up; \$14 million there. These are
3 very large items, large items worth of work.

4 Grit removal, the first quarter of 2014,
5 a smaller project. The primary acetylene tanks,
6 again in 2014, a \$10 million project. I never
7 thought it would say 10 million, only \$10
8 million. But when you're talking about probably
9 a \$2 billion overall project, 10 million looks
10 like it's small potatoes but obviously it's not.

11 One of the main dollar values, \$57
12 million for a secondary treatment facility, this
13 is actually out to bid as we speak. It's already
14 out to bid. \$57 million project. We look
15 forward to many people competing and bidding on
16 that.

17 The digesters, \$33 million. That
18 contract was awarded by this legislature.
19 However, there will be a change order in place to
20 increase some of the workload to handle some of
21 the mitigation.

22 Sludge thickening, that's also out to bid
23 as we currently stand here. Another \$30 million
24 project. So over \$80 million the street as we
25 currently stand here. This is a project for

2 later on next year, the third quarter of 2014.

3 Again, as I said, you actually have a timeline in
4 the packet that was given to you earlier on.

5 The HVAC system, in 2014. Effluent
6 screening in quarter three of 2014. Obviously,
7 you can see it's not the greatest to look at.
8 The effluent pumping stations, again, you can see
9 the depths of water; \$72 million in quarter three
10 of 2014.

11 The electrical distribution system,
12 probably the most critical aspect of the
13 facility, we have already begun making temporary
14 repairs and also permanent repairs. They have
15 begun immediately. There will be possibly -- the
16 team is working on some emergency contracts, as
17 well, literally to be put in place over the next
18 few weeks and then to be out to bid with
19 construction in quarter four of 2013. This is a
20 \$326 million project. Obviously, the system will
21 not work without an electrical distribution
22 system which will coincide, obviously to the
23 engine controls that will handle the plant again.
24 That's a quarter three 2013 project. As well as
25 a pump station, one specifically in Glen Cove

1 that needs to be repaired immediately. That will
2 be out to bid later on this month or the first
3 week of August. Other pump stations, we still
4 have damage to roughly 20 pump stations through
5 the storm.
6

7 Going to odor control. Obviously very
8 important to the residents in the area, to have
9 the odor control in place. We are in the process
10 of bidding those items at both Cedar Creek and
11 Bay Park, I should say. Those will be out to bid
12 later on this month or early August. We're going
13 to be putting out about ten bids within the next
14 six to eight weeks. You can't put them out all
15 together because it will just make it impossible
16 for the contractors to bid and put all of their
17 documents together.

18 General plant facilities. It doesn't
19 take a rocket scientist to realize that they
20 don't look too good. Work will be done there as
21 well.

22 Plant boundaries. This is -- what's
23 meant by plant boundaries, obviously we're going
24 to look at the mitigation of the facility.
25 Hurricane season is already upon us. We cannot

2 wait. We have taken temporary measures to work
3 and handle any type of storm. But permanent
4 repairs are going to be need to be made, such as
5 burns, trenching, and things of that nature,
6 looking at our current pipe structure, pumps, and
7 other things such as that.

8 So that's the whole breakdown of repair
9 and mitigation, is this long sheet that you'll
10 all be getting now. This completes the overview
11 of what was just said.

12 So the overall total program costs
13 roughly \$2 billion, which includes an ocean
14 outfall, which is currently being studied as we
15 speak. It also includes -- the Sandy recovery
16 costs, I mentioned, roughly, before you in this
17 bond offering of \$720 million. Definite Sandy
18 recovery costs is in the neighborhood of over 600
19 and -- just doing my math very quickly, roughly
20 about 650, 660 million.

21 Ocean outfall, as I said, it's being
22 studied. There will be an additional request of
23 the legislature for \$300 million. As we go forth
24 with the plan and continue on the plan.

25 Barns Avenue, obviously a very important

1 area in Baldwin that suffered a tremendous
2 problem. One thing we learned during the process
3 is many people have unfortunately tied in
4 illegally to a pipe in the Barns Avenue area,
5 such that we will have to put in additional pipe,
6 possibly a pump station. But at the same time
7 taking advantage of the situation, if you
8 possibly every could. I don't think anybody
9 would call this a pleasant event to say
10 thankfully it happened, by any means. But to
11 work in conjunction with the Village of Hempstead
12 in making sure they have the capacity for future
13 development in the area of which, now if they
14 requested it for development, they would not have
15 ample capacity in the collection system. So this
16 project would, in fact, handle with a new
17 interceptor and a pump station, would make it
18 possible for the development of the Village of
19 Hempstead, plus also rectifying the problem in
20 Barns Avenue.
21

22 Also at the same time -- I mentioned the
23 ocean outfall being studied as we speak -- is the
24 reduction of the nitrogen removal to comply with
25 what we believe will be the TMDL, the new TMDL

2 standards. It makes no sense to wait for the
3 report come out. The Western Bay Committee has
4 done such outstanding work. Again, as we move
5 forward with all of this work, we want to take in
6 the highest level of treatment and begin the
7 removal of nitrogen.

8 So we have a roadmap on how to get to
9 this point. We believe we will be reimbursed by
10 FEMA, which is the 406 dollars. Based upon the
11 damage that we suffered during the hurricane, we
12 believe we will be reimbursed a billion dollars.
13 That being said, obviously we cannot afford to
14 wait and we will not afford to wait. The work
15 needs to be done today. We will work
16 aggressively with the federal program, the
17 stimulus, the supplemental project, the use of
18 CDBG dollars.

19 FEMA 404, that is mitigation, that is a
20 grant program. That is a competitive grant
21 program that we'll be working with, we will be
22 complying for the August 1, August 2 deadline to
23 submit that proposal. Obviously Nassau County
24 will have to play a role. Right now we believe a
25 minimal of 200 actual million dollars of county

2 dollars. The money before you today, we will
3 seek reimbursement for that.

4 The Environmental Facility
5 Corporation/New York Works Program, of which
6 we're working with the state government on, a low
7 interest loan program coinciding with 30 percent
8 of the cost actually coming as a grant program
9 for \$500 million. That's how we get there.

10 I mentioned this a little earlier, \$357
11 million that is available for storm water and
12 waste water treatment. In reality, it's really
13 19.2 still available. 14.7 of that money is
14 directly for storm water collection system
15 projects. We can't use that for plants. 248.9
16 million is for old, expired projects. As I
17 mentioned before, 122 or so of that is directly
18 associated with the pellitization plants that
19 were never built. And why we can't use that is
20 because the bond ordinance was specifically for
21 targeted projects. There's another 42 or 43
22 million, I don't remember of the top of my head,
23 that were for lateral pipe sewer pipes that are
24 throughout the region. Those projects were
25 completed and you can no longer use them for

2 other projects.

3 \$94 million represents what's currently
4 and actually authorized and unissued, and we're
5 going to use them as is for these specific
6 projects. Those projects are underway and
7 beginning, as I mentioned before, with Bay Park
8 odor control, preliminary treatment
9 modifications, digester rehabilitation at Cedar
10 Creek, security measures, roof repairs. That
11 leaves us with roughly 19.2 that is available,
12 19.2, issued for projects.

13 We have worked very tirelessly and
14 aggressively on this project. It represents
15 540,000 residents of Nassau County who utilize
16 the system. That being said, it probably affects
17 every single resident of Nassau County because we
18 had severe damage to several pump stations. As I
19 mentioned, the first pump station that's going
20 out to bid is the one that works with Glen Cove.
21 That is actually going out to bid as we speak.
22 So everybody is impacted.

23 The work that was done by both Hazen &
24 Sawyer, Malcolm Pirnie, it's been tremendous.
25 They have developed this plan in conjunction

working with the Department of Public Works.

Again, they've done a tremendous job in delivering the service to the residents, meeting the SPEDYs permits, working with all the shareholder and stakeholders.

We have regular meetings with several of the community organizations and environmental organizations.

We see it's very important to move forward as quickly as possible.

I wish we had a, for everyone's benefit, that we had a golden goose lay the golden egg with \$2 billion in it that we can spend tomorrow. We don't have that. We don't know if it will come or when it will come. But one thing is certain, we can't afford to wait.

Literally, anybody is available to run through this to answer any direct questions related to the plant; we'll be glad to do that for you.

Timeline, again as I mentioned, we're out to bid already on two of the projects; it will be five by the end of this week. Again, the first week, second week of August we will be moving

2 forward with additional projects.

3 The general capital, I'll just mention
4 very, very quickly. We look forward to working
5 with the legislature on developing and continuing
6 to develop the capital plan. We have a lot of
7 work that needs to be done with respect to the
8 crime lab, building a new crime lab, other facets
9 of the capital program, consistent with work that
10 has already commenced, and to make sure that we
11 continue with \$24 million associated with road
12 projects throughout Nassau County, drainage
13 projects that we need now more than ever. I
14 think everybody realizes that we don't need a
15 hurricane to actually have flooding. The amount
16 of flooding that is taking place throughout the
17 county is tremendous, and we need work on that.

18 With that, we're available to answer any
19 questions related to the plant.

20 CHAIRWOMAN GONSALVES: There are members
21 of the legislature who would like to ask you some
22 questions, Mr. Walker. I'm going to begin with
23 Legislator Dunne.

24 LEGISLATOR DUNNE: Mine are real quick.

25 The \$42 million for the auto control

1 systems, that's going to be for both Bay Park and
2 Cedar Creek?
3

4 DEPUTY COUNTY EXECUTIVE WALKER:

5 Correct.

6 LEGISLATOR DUNNE: Cedar Creek does
7 have -- I still get complaints about the odors.
8 People are having barbeques and they have to go
9 elsewhere to have family come to their homes. It
10 always, always smelled over at Bay Park. I
11 played, when I was younger, softball there and it
12 was awful. My grandson played baseball there and
13 it stunk. It was awful.

14 My in-laws live on Reynold's Channel and
15 they used to be able to jet ski, water ski, swim,
16 fish; they can't do any of that anymore. I guess
17 the outflow pipe is the only thing that's going
18 to fix that, or is that part of this plan?

19 DEPUTY COUNTY EXECUTIVE WALKER: Part of
20 the plan -- in the beginning, actually we're
21 going to be going out to bid, with relatively
22 short order, for odor control upgrades at the
23 facility. Do you want to add some technical side
24 to it, Peter or Mike, if you so choose. It will
25 be more so than the ocean outfall that will stop

the odors. I'll let them answer more expressly driven by our great engineers.

MR. GOSS: Good afternoon. My name is Peter Goss. I work with Malcolm, Pirnie, Arcadis. I can describe the odor control projects, if you'd like.

LEGISLATOR DUNNE: The people that live on the Channel, Reynold's Channel, that smell has got to be from the sewer going into the Channel itself. Is that going to be addressed in this plan also?

MR. GOSS: What we did is we worked with the County to develop an odor control master plan. We did a significant amount of sampling over multiple quarters to determine what the sources were of the odor at each of the plants. During that time we had met with some of the community groups. We had plugged in that data to a model which predicted offsite receptors, and that model was then calibrated with odor complaints from the local citizens, so there was match and alignment with the calibration. Then we developed a capital plan to address the sources that had the greatest impact of the

2 community. In Bay Park, those two sources
3 happened to be the primary tanks and the aeration
4 tanks. At Cedar Creek the source is the aeration
5 tanks. So three projects specifically will be
6 going out, two at Bay Park and one at Cedar
7 Creek. As Rob mentioned, I believe they are
8 being bid next week. I think the total dollar
9 value, as Rob had said. We expect that the
10 construction will take probably take place over
11 18 to 24 months.

12 LEGISLATOR DUNNE: So for Cedar Creek
13 they have to wait two more years for the odor
14 control to be totally effective?

15 MR. GOSS: It's a large facility that
16 we're building. We're building --

17 LEGISLATOR DUNNE: At Cedar Creek it's
18 not, it's already done.

19 MS. GOSS: No, no. At Cedar Creek we
20 also have a project. At Bay Park we have two
21 capital projects and at Cedar Creek we have one.
22 The project at Cedar Creek is a new odor control
23 facility that will take care of all of the odors
24 from the aeration tanks. It's a very large
25 facility so it should take some time to

2 construct. Once constructed, it will address the
3 issues.

4 LEGISLATOR DUNNE: And that's still
5 going to take possibly two years.

6 MR. GOSS: Approximately. Eighteen to
7 24.

8 LEGISLATOR DUNNE: Okay. That answers
9 that.

10 Thank you, Madame Chair.

11 CHAIRWOMAN GONSALVES: Legislator
12 Becker.

13 LEGISLATOR BECKER: Thank you, Madame
14 Chair.

15 At this particular point we're discussing
16 -- especially the Bay Park plant and so forth --
17 it causes me to reflect, especially thinking
18 about the Storm Sandy and devastation that
19 occurred on the south shore and impacted,
20 particularly, Legislator Denise Ford, whose
21 community is still suffering greatly, and others
22 in that area.

23 I have to say that I've never experienced
24 -- I've been here a long time, I'm one of the
25 originals. Eighteen years plus now, maybe more,

1 who knows. I've never experienced both parties,
2 both parties, the county executive has been more
3 engaged, more concerned, more competent than our
4 current executive, Ed Mangano. And I say that
5 because, this is not political cause it's not
6 just me saying this. He's won prizes because of
7 this and awards because of this. Deputy County
8 Executive Rob Walker, I've never experienced a
9 deputy county executive that's been more engaged
10 than you. It's a rare occasion that somebody
11 would come down here and even present a
12 comprehensive and cohesive plan, such as you
13 have, in regards to the plan. I'm sure you're
14 going to do the same thing with the capital plan.

15
16 If I can just, as an aside, I wish
17 *Newsday* was here to see them, to see a front
18 story article saying that the attorney general of
19 the State of New York is going to be
20 investigating the campaign committees - of course
21 the republican side, not to mention that he's a
22 democrat. But that's front page news for
23 *Newsday*. Of all that's happening in our world,
24 in our country, that was front page news, the
25 attorney general. But of course we know that the

2 Dolans, the Dolans are in the pocket of Tom
3 Suozzi.

4 CHAIRWOMAN GONSALVES: Okay.

5 LEGISLATOR BECKER: We all have a right
6 to say what we want to say. We all have the
7 right to say what we want to say. You guys
8 always argue that I interrupt you, now you're
9 interrupting me.

10 But the point of the matter is, you have
11 Tom Suozzi who leaves this County a billion
12 dollars in debt and \$340 million deficit and this
13 man is running for county executive.

14 CHAIRWOMAN GONSALVES: Legislator
15 Becker.

16 LEGISLATOR BECKER: It is laughable. It
17 is a joke.

18 CHAIRWOMAN GONSALVES: Hold on.

19 LEGISLATOR BECKER: Mr. Walker --

20 CHAIRWOMAN GONSALVES: Stay on the item,
21 Legislator Becker.

22 LEGISLATOR BECKER: I just want to say
23 to you --

24 CHAIRWOMAN GONSALVES: Stay on the item.

25 LEGISLATOR BECKER: that I have to say

2 that your concern, personally, and that of our
3 amazing County Executive Ed Mangano, since he's
4 been in office the last three and a half years,
5 has accomplished so much and has dealt with so
6 many issues that are facing this County and all
7 doing it while not raising taxes in three years.

8 Here again, you put forth a comprehensive
9 plan that actually shows that he cares and is a
10 hands-on guy, not running for governor or
11 anything like that. He only cares about this
12 County. I compliment you for your presentation.

13 CHAIRWOMAN GONSALVES: Okay.

14 LEGISLATOR BECKER: Please express to
15 the county executive my gratitude for the great
16 work that he's doing.

17 CHAIRWOMAN GONSALVES: Okay.

18 LEGISLATOR BECKER: But I wish *Newsday*
19 was here --

20 CHAIRWOMAN GONSALVES: He was here.

21 LEGISLATOR BECKER: so we can be sure to
22 see more front page articles supporting the
23 democrats moving forward.

24 CHAIRWOMAN GONSALVES: Legislator
25 Becker, please.

2 Legislator Ford.

3 LEGISLATOR FORD: Thank you, Legislator
4 Gonsalves.

5 Deputy County Executive Walker, thank you
6 for this presentation. You did reference and
7 made mention of the Western Bays Committee and a
8 lot of the work that we have done. And I'm not
9 going to spend a lot of time talking because I
10 know a lot of the representatives that we've been
11 working with are here to speak.

12 Moving forward with this work, we know
13 that we have to fix a lot of things that were
14 damaged by Sandy. There is mitigation, as you're
15 talking about. I guess we're first going to fix
16 the sewage treatment plant and then look at
17 mitigation to secure it in case God forbid we
18 have another storm.

19 DEPUTY COUNTY EXECUTIVE WALKER:
20 Simultaneous.

21 LEGISLATOR FORD: Okay. As much as I am
22 in support of the outflow pipe, I also would like
23 to see the sewage treatment plant upgraded so
24 that we're not pushing the problem that we have
25 no further out to sea.

2 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

3 We agree.

4 LEGISLATOR FORD: As you move forward
5 with some of the renovations and work that you
6 want to do at the Bay Park Sewage Treatment
7 Plant, you did mention about the nitrogen, to
8 keep out a lot of the nitrogen that is impacting
9 our waterways. Are you also then, with the
10 plans, when you're designing this, are you
11 looking at the possibility that we are going to
12 have to upgrade and do tertiary upgrade to this
13 plant?

14 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

15 We basically looked at, first and foremost, in
16 order to get an ocean outfall we believe -- we
17 did a lot of research with what other
18 municipalities -- why an ocean outfall worked and
19 why it failed. One of the main reasons why it
20 failed in some places was because they really
21 used it as a mechanism just to, as you said,
22 instead of having it flow into Reynold's Channel
23 they are letting it flow into the ocean and
24 whatever may happen, may happen. We are doing
25 the exact opposite. We, at the same time, in

2 working with all those that you mentioned and
3 many of them are here today. We met with them
4 time, and time, and time again. They have
5 offered more insight and knowledge into seeing
6 this project through than we probably ever could,
7 to be very honest. What we're looking to do is
8 to upgrade the plant at the same time as the
9 permanent repairs. We'll take into account
10 upgrades so when we move the direction with the
11 ocean outfall, we'll reach higher level of
12 standards, greater -- the TMDL study, reach
13 levels that are acceptable. We're going to an
14 advance waste water treatment facility at the
15 same time of moving forward with the ocean
16 outfall, being mindful that we don't want to put
17 ourselves in the risk of having the ocean outfall
18 put in. Some people might look and say you're
19 upgrading the plant so much, you don't need an
20 ocean outfall and then use that to hamper our
21 efforts.

22 We're working together. As I said, it's
23 great having shareholders that understand the
24 issues better than we can. But, more
25 importantly, we listen to them and take their

2 advice, which is probably more important.

3 They've been instrumental in implementing
4 these programs. Obviously we will continue to
5 work with Long Beach, work with Atlantic Beach,
6 work with Hempstead and Freeport, and also at the
7 same time Lido Beach, Point Lookout, to see what
8 we can do at this time.

9 We have an opportunity to really have a
10 global plan related to waste water treatment;
11 that was never done before.

12 LEGISLATOR FORD: One of the other
13 things too, and I don't know whether or not there
14 is room in this project and I hope that there is.

15 Last year I attended a forum hosted by
16 Legislator Bosworth in regard to the Lloyd
17 Aquifer and our water supplies. For me, when I
18 look at the power plant that takes fresh water --
19 of course it doesn't take it from the Lloyd but
20 it does take fresh waste from that area, but you
21 also have, like, you may have people watering
22 their lawns or those golf courses. If there is
23 any way that we can try to take some of that
24 treated effluence and redirect it rather than
25 just have everything go out through an outflow

2 pipe or into Reynold's Channel, any way that we
3 could take some of that and utilize it into areas
4 that need water for other than -- that it may not
5 be potable, that it may not be drinkable but
6 where it can be -- not so much tertiary. After
7 tertiary treatment it would be treated even more
8 so that it can be used to water lawns, maybe to
9 water the grass in Bay Park, golf courses and
10 stuff like that.

11 I urge you that as you are designing this
12 and you're looking at this that you keep this in
13 mind, as well. A lot of times we're taking water
14 unnecessarily out of our aquifers.

15 Thank you.

16 CHAIRWOMAN GONSALVES: Legislator
17 Nicoletto.

18 LEGISLATOR NICOLELLO: Thank you, Madame
19 Presiding Officer.

20 I just wanted to -- you covered it in
21 your presentation but it was a major issue, at
22 least in the Finance Committee, potential FEMA
23 funding, potential FEMA reimbursement for these
24 projects, specifically with respect, obviously,
25 to the Bay Park projects. Do you have a level of

2 confidence you can talk to?

3 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

4 WE are very -- we've been working aggressively
5 with FEMA and the state, the Environmental
6 Facility Corporation. The biggest problem we
7 have really is timing and unknown, how and why,
8 or how and when they are going to actually do
9 reimbursements. You look now, we've been
10 obligated -- Roseanne would probably have a
11 better number. We've been obligated over \$100
12 million from the feds for reimbursement for work
13 that we have done related to the storm. I think
14 we've only received roughly 38 or \$38 million.
15 So there is \$62 million that we have been
16 obligated but have not received.

17 Just over the weekend, and we were
18 working with the state, myself and Deputy
19 Commissioner Mallette received an e-mail from the
20 state basically saying that their process, they
21 believe they will reimburse us -- they will
22 reimburse us 50 percent of the project once we
23 start construction and get moving but the second
24 50 percent wouldn't be repaid until the project
25 was actually deemed completed and approved.

2 We've been working with a lot of folks. The FEMA
3 folks at that time sent us an e-mail and
4 basically said to us that's all well and good;
5 however, we have over \$700 billion in projects
6 that were a presidential disaster, that those
7 projects still have not been closed out and
8 completed by FEMA and therefore you will never
9 get the money, you will get dribs and drabs. So
10 don't rush to decide how you're going actually
11 going to seek your reimbursement and on what
12 program you're actually going to receive
13 reimbursement under.

14 We've been dotting our I's and crossing
15 our t's with both the project managers from Bay
16 Park and also our oversight of the whole entire
17 hurricane operation relating to them on
18 documenting, putting it together. The good thing
19 is we have already received the approval of the
20 temporary repairs, and now you go to make
21 permanent repairs and they would, in fact,
22 probably sign off and agree to a reimbursement.
23 Again, as I just said, when that reimbursement
24 comes, sometimes it could be very quick,
25 sometimes it could be years. It's an unknown.

2 Or, they may enter into new programs where they
3 give us our money upfront; however, we have to
4 get them to approve, it goes before a committee.
5 There are a lot of steps. It's very much known.
6 And I would never say with 100 percent certainty
7 that we're getting reimbursed A, B, C or when and
8 why.

9 You're dealing -- no different than
10 dealing with a bureaucracy here, we're dealing
11 with a bureaucracy there. FEMA and the state
12 have been great to work with, honestly, in terms
13 of getting things approved. The Step Program was
14 a brand new program. It as a pilot program done
15 by the federal government. I think it helped
16 over 680 residents get back into their home
17 instead of living in a hotel or at a friend or
18 neighbor's house. That worked. They worked with
19 us on that. The program we're now going to look
20 to do in Baldwin related to the cleaning of the
21 people's homes, and down in the Rockaway area
22 that had the sewer damage, that's going to be a
23 new program that we'll work with the federal
24 government there. It's just a very time
25 consuming process that, at the very best, you

2 always get yes, we're going to work with you but
3 you never get it until that project worksheet is
4 approved, that you know you have the money
5 coming. Then, again, it's the reimbursement
6 angle, will we get reimbursed or not.

7 The good thing is that in the
8 supplemental appropriation with Congress and the
9 CDBG dollars allowed for our matching share to
10 actually be paid through CDBG, if there is money
11 available. They only approved a \$60 billion
12 request for the whole entire nation, that covered
13 storms in 2011, 12, and 13. So that means if
14 there is a presidential declared disaster in
15 2013, those monies are available for their use.
16 There is always a concern of how much money we
17 are going to get at the end of the day.
18 Unfortunately with the sewers, we have to fix
19 them. We know it's a problem. It's been a
20 problem for too long. We got to get in there and
21 do the work today, and we have begun that.

22 LEGISLATOR NICOLELLO: In terms of the
23 decision-making process, it wasn't geared to what
24 FEMA would be reimbursing, it was geared to
25 what's necessary to repair and to harden this

2 facility for future storms.

3 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: A
4 combination of both, yes. We geared it towards
5 FEMA standards and documenting all that is needed
6 for FEMA. That being said, we need to do it
7 irregardless of getting reimbursed or not.

8 We can't leave the electrical system. We
9 are running on generators. You can't leave it
10 like that. Right now we're running on a
11 temporary sludge dewatering facility. We're
12 working on a temporary gravity belt thickeners on
13 the facility. Listen. They could conk out at
14 any time. Motor controls aren't functioning
15 properly. God forbid we get another storm. You
16 just can't keep operating.

17 I don't live there. The first time I
18 went there, it was easy to find when you rolled
19 down a window. It's something that needs to be
20 dealt with.

21 LEGISLATOR NICOLELLO: Potentially,
22 potentially are all of these projects potentially
23 reimbursable by FEMA?

24 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
25 Out of the \$720 million request, roughly \$678

2 million, \$678 million we will be applying to FEMA
3 for reimbursement. \$678 million.

4 LEGISLATOR NICOLELLO: In terms of the
5 FEMA process, again, obviously when you're
6 dealing with bureaucracy there's always going to
7 be uncertainty built into it. The longer the
8 projects take, is that going to hinder?

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
10 It hinders us specifically depending on what
11 funding mechanism is used. If we use CDBG
12 dollars, you must expend those dollars within two
13 years, as it currently stands now. Congress put
14 a two year time limit on the expenditure of that,
15 from the time the project starts. We wouldn't
16 start the project until construction begins, and
17 then you have a two year period. FEMA has come
18 back to us at the -- the Congressional budget
19 office has approved that process, two years from
20 construction. But the money has to be expended
21 immediately. It might be the FEMA side, and we
22 could do the two year projects. CDBG to do some
23 projects in two years and use FEMA funding for
24 others. As I said, there are various pockets of
25 dollars that are available to us.

2 We are very -- and the staff that we have
3 working for us are very -- they believe we will
4 get reimbursement. I just would never lead you
5 to say, yes, we are going to get 100 percent
6 reimbursed and then two years or three years from
7 now, oh, yeah, the Walker guy said we're getting
8 reimbursed and now we got \$5. I wouldn't do that
9 to you. We are very confident in what we have
10 been doing.

11 The documentation that's been done. We
12 are in so much better shape. Come January and
13 February, you still had waste water facilities
14 pumping raw sewage into the various water bodies
15 throughout the region; not us. Right now, in
16 working on permanent repairs, we have the number
17 one project with FEMA and the state because we
18 are so advanced and well on our way. So we've
19 done a lot of the due diligence. I should say
20 the team has done a lot of due diligence. Both
21 Peter and Mike and the DPW team deserve kudos
22 because they have not stopped seven days a week,
23 in terms of working with us on this process.

24 LEGISLATOR NICOLELLO: Now, in terms of
25 -- a suggestion has been made to perhaps break

2 out all of these different elements and do them
3 separately. What would be the effect on the
4 entire process?

5 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
6 will say first -- I would have Mike and Peter,
7 and they could touch on it if you want to hear
8 from them, too. It makes absolutely zero sense
9 to break up this project. This was done --
10 literally, we have to do the work today. This is
11 not like a roadway project that you can say I
12 want to do a mile of road but I don't have enough
13 money so I'm only going to do half a mile and
14 I'll come back and do the other half mile later
15 on. You're dealing with a very sophisticated
16 piece of machinery that they all talk and
17 interconnect. It's not like you could sit there
18 and design -- one of the biggest cost items is
19 the electrical generation. You can't stop midway
20 through a project and say that's it, you're out
21 of money, and now we're going to put the second
22 part of the project out to bid. First of all,
23 it's going to cost more money, it's going to take
24 more time, and it doesn't make sense.
25 Functionally you can't do the work like that. A

2 lot of things you're going to be finding,
3 especially with the electrical system.

4 As I said, I can have them touch on it as
5 well, if people would rather hear from them than
6 me.

7 Again, it's just not like a road that you
8 can stop on. These are very -- a system of from
9 place to place to place. It all talks and
10 communicates.

11 The digesters. You don't fix half the
12 digester and then come back and say I'm going to
13 fix the other half tomorrow. It doesn't work
14 that way. The digesters is a component of the
15 plant that needs to be fixed and processed. And
16 this plan was designed by them. We have it very
17 spread out over the course so it's going to be
18 along construction process.

19 Also, with contractors, and we've met
20 with several of them and some of them are here
21 today, will tell you that it's an impossibility
22 to do. First, some of them will not bid on a
23 project. They want to go in and do the work.
24 Now you're talking about guarantees of a project.
25 If you said you're going to do half the digester

2 and I'm coming back and now the Nicoletto Company
3 is doing the second half, who is guarantying it?
4 What part failed? What part didn't? Rationally
5 speaking, it does not make any sense at all.

6 LEGISLATOR NICOLELLO: You offered to
7 have the engineers come up and speak on this.
8 I'd like to hear from them.

9 MR. DENICOLA: I'm Mike DeNicola from
10 Hazen & Sawyer. I think Rob stated it very well.

11 Electrical distribution is a big
12 component. The big thing is you have to keep
13 this plant in operation 24/7. The electrical
14 distribution is high voltage. Everything is
15 double ended, which means we have redundancy.
16 However, to take down one portion and rely on the
17 other portion, there is zero redundancy. You want
18 the same equipment. You want the same
19 communication. You want a contractor to
20 guarantee the installation on electrical
21 distribution. It just does not make sense to
22 come back three, four times.

23 LEGISLATOR NICOLELLO: Aside from
24 electrical distribution, there's many other
25 moving parts here.

MR. DENICOLA: He made an example of -- as an engineer, as a construction manager if I get a contractor in a facility, I want him to do it from soup to nuts, guarantee it, turn it over, and performance test it. If we mix and match that it's not going to happen. It's going to end up costing more, schedules are going to get blown out, and I wouldn't recommend it.

LEGISLATOR NICOLELLO: Okay. Mixing and matching meaning that you'd go out to bid on each separate component of this.

MR. DENICOLA: Yeah. Sludge dewatering has maybe 15 different systems. You have polymer systems, you have filters, sludge pumps, odor control, you have ventilation; all of those need to be online at the same time to legally occupy that building and process sludge. So I don't know how I'd put out multiple contracts on a facility like that. That's another example. Again, the schedule dictates.

Rob mentioned some of the temporary systems. We have temporary -- or interim generators. We have temporary dewatering, temporary thickening, temporary Gotwin (phonetic)

2 pumps for the tide pumps. These systems are
3 costing a lot of money, they are external, they
4 create noise, and obviously odor. So we want to
5 get a job done on schedule, as quickly as
6 possible.

7 LEGISLATOR NICOLELLO: When are you
8 projected to finish this entire project? If it's
9 approved today and the pieces start to fall in
10 place, what are we looking at?

11 MR. DENICOLA: We're looking at on the
12 outside of about four years, and that's
13 aggressive. This is a lot -- \$700 million worth
14 of work in four years is very aggressive.

15 LEGISLATOR NICOLELLO: Okay. Thank you.

16 MR. DENICOLA: Thank you.

17 CHAIRWOMAN GONSALVES: Legislator Kopel.

18 LEGISLATOR KOPEL: Thank you. Good
19 afternoon, Rob. I'd like to follow up on some of
20 the things that were spoken about before. Same
21 as Legislator Dunne, I've been to the areas and
22 know what it smells like at various times. I
23 know how much the people suffer. I know what the
24 waters look like.

25 If we can, can we -- is this separated,

at least in your mind, between must do and like to do portions? For instance, the ocean outfall, is that dependent on funding?

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

We believe the plan that we have before you which, again, overall \$2 billion plan which includes the ocean outfall. We believe these are things that we must do.

LEGISLATOR KOPEL: I agree with that, obviously. Here's my question following that.

I didn't quite understand when you spoke about the Environmental Finance Corporation --

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

Yeah, the EFC.

LEGISLATOR KOPEL: EFC, is that a loan or is that a grant?

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

When I was answering Legislator Nicoletto, this is the tough part now. EFC and the New York Works Program haven't developed their criteria of what their program is going to be. We believe -- and I say we believe because it hasn't been -- their findings haven't been ratified. It will be a 30 percent grant and there will be a 70 percent

2 low interest loan component, possibly could be
3 zero percent unknown. But the rest of it would
4 be a loan component for us. This is money that's
5 coming --

6 LEGISLATOR KOPEL: It's 30 percent of
7 the 500.

8 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
9 Thirty percent of the 500 would be a flat out
10 grant. As I said, this is just what I believe.
11 The criteria could change tomorrow. Seventy
12 percent would be a zero interest loan. Our
13 understanding is they are trying to create a
14 revolving loan fund so this -- so the money
15 that's coming from CDBG, that's the way we
16 believe they're going to fund the program and
17 they did get some money from the EPA. They,
18 then, would do a revolving loan program and
19 continue this going for a long time to come.

20 LEGISLATOR KOPEL: They would get this
21 money from CDBG?

22 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
23 That's my understanding, yes.

24 LEGISLATOR KOPEL: And that would not
25 conflict with us getting some money from CDBG?

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

No. All the pots of money have different criteria and actually are able to be used differently.

LEGISLATOR KOPEL: So the CDBG money would be administered by FEMA as well?

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

No. It would be administered by HUD.

LEGISLATOR KOPEL: By HUD.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

Yep. The president created a federal task force. Their federal task force is overseeing those dollars. They are going to generate their -- the infrastructure funding is the next level of funding by which they are going to be proceeding with and it will be part of the oversight of HUD and the Presidential Task Force for Standings.

LEGISLATOR KOPEL: So you are fairly confident, as confident as you can be, of the FEMA grant.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

Yes.

LEGISLATOR KOPEL: That's approximately half of the project.

2 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

3 We prioritized it. Basically, in the 700
4 million, these are the things we need to right
5 now and immediately.

6 LEGISLATOR KOPEL: As I'm saying, you
7 are fairly confident of that money coming
8 through.

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
10 Yes.

11 LEGISLATOR KOPEL: The CDBG as well?

12 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
13 No, because they haven't developed a criteria
14 yet. We believe that we will get some dollars
15 but there's going to be a lot of other things
16 that go along with it. There's an economic
17 benefit to the region; hence, why we tied in the
18 Village of Hempstead. And, more importantly, we
19 needed to tie the Village of Hempstead in because
20 of the damage on Barns Avenue. We started tying
21 in different components that would make us more
22 eligible and appealing to these entities that are
23 going to be approving those dollars.

24 LEGISLATOR KOPEL: So if you take the
25 CDBG and the 200 million that Nassau County is

2 going to fund and the EFC component, as you see
3 it now, that will be a loan. We're talking
4 potentially at risk or necessary to fund Nassau
5 County a loan that might not be reimbursed, we're
6 talking 700, 800 million.

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

8 No. Probably like 300 million.

9 LEGISLATOR KOPEL: Okay. Where would
10 this be funded from?

11 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

12 It would be funded as part of our capital
13 program.

14 LEGISLATOR KOPEL: It would not come
15 from the sewer rates?

16 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

17 No. We -- yes. Vis-à-vis, it's paid by the
18 sewer rates because the capital chargeback comes
19 from --

20 LEGISLATOR KOPEL: The chargeback would
21 come to the sewer rates.

22 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

23 Or in the existing budget. We might not
24 necessarily have to touch rates. It just have to
25 fit into the budget. If it works, it works.

2 LEGISLATOR KOPEL: But it would come
3 from sewer money and not from the general fund.

4 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
5 Correct. Right now the sewer fund, the debt for
6 the sewers is actually paid for by the
7 ratepayers.

8 LEGISLATOR KOPEL: I think this a great
9 program. I really can't wait to see it moving.
10 I'm very, very happy to see that you want to do
11 the entire program, that you consider every bit
12 of it, including the outfall, as absolutely
13 necessary because I think it really is.

14 Thanks.

15 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
16 Thank you.

17 CHAIRWOMAN GONSALVES: Minority Leader
18 Abrahams.

19 LEGISLATOR ABRAHAMS: How are you, Rob?

20 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
21 Good. How are you?

22 LEGISLATOR ABRAHAMS: I just want to
23 preface and start out by saying if you can bear
24 with me because I do have several questions, and
25 I'm going to try to put -- many questions, I

2 should say -- and I'm going to try to categorize
3 them in borrowing versus questions more specific
4 for Hazen and Sawyer, and Malcolm Pirnie. But I
5 want to start out a little bit with the borrowing
6 and the practice of the borrowing.

7 The debt service that's going to be
8 generated, the \$722 that's going to be generated
9 for this enormous project -- and let me first,
10 let me start out by saying this. I can speak for
11 our side of the aisle and I get the sense from
12 looking at hearing from the other side of the
13 aisle, we support, in its entirety, all of the
14 work that's going to be done. We feel it's long
15 overdue. We felt that some of it could have been
16 started probably sometime last year.

17 But that being said, not to pass the
18 political football, we think that the work needs
19 to be done, is necessary to be done, not just for
20 the Bay Park Sewage Treatment Plant but for Cedar
21 Creek. It's our responsibility to ensure that we
22 have clean water throughout all our bays. And I
23 think from that standpoint, I just want to make
24 sure we say for the record, in spite of the
25 questions or the manner of whatever happens that

2 we would like to see this go forward.

3 That being said, I have a question in
4 regards to the debt service and the
5 administration's plan on paying back \$722
6 million.

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

8 First, I believe that we will seek reimbursement
9 and we will actually get reimbursed for the
10 project. As we did with the other Sandy dollars
11 that were passed by this legislature, I forget
12 what the amount was then, and when NIFA approved
13 it, they approved it with the caveat that all
14 FEMA dollars, CDBG dollars, whatever dollars they
15 come from, will be used to immediately defuse
16 debt or pay off the debt entirety, if you receive
17 a big enough chunk of change.

18 Bottom line is if we don't seek
19 reimbursement, we will put it as part of our
20 budget. It will be part of our debt service fund
21 for next year as we prepare -- as it's current
22 being situated now, and we will have the funding
23 in place to cover the debt service.

24 Again, as I said, I think we will receive
25 the reimbursement. Like I said, the caveat with

2 NIFA in their resolution to pass is that we must
3 use any proceeds we receive from FEMA, etcetera,
4 etcetera, must be used to defuse this debt, and
5 we would agree to that in its entirety.

6 LEGISLATOR ABRAHAMS: Let me ask you
7 this. You mentioned before in your opening
8 statement or it might have been a back in forth
9 maybe with Deputy Presiding Officer Nicoletto.
10 It was mentioned that obviously this is in its
11 infancy stages in regards to your discussions
12 with FEMA. If I'm quoting you correctly, or
13 maybe I'm referencing what you said, it sounded
14 to the effect that the possibility of knowing a
15 definitive number on what FEMA would be able to
16 reimburse us by would be hard to say and you
17 wouldn't --

18 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
19 would never give you those words because I
20 wouldn't want to lead you down a path that
21 doesn't exist.

22 LEGISLATOR ABRAHAMS: We appreciate
23 that. But from our standpoint, we have to think
24 about it in representing the county residents, as
25 do you. We have to make sure that we're able to

2 present them not only the best case scenario but
3 the worst case scenario. So let's focus on the
4 worst case scenario.

5 Assuming, say for example, we apply to
6 FEMA and they come back to us and say we're only
7 able to reimburse you at \$150 million worth of
8 the project that you have put forward. What
9 would be the county's response on how you would
10 address the debt service, the remaining balance?

11 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

12 Very valid question and important.

13 First, we would not be bonding the entire
14 \$700 million today. That's the first thing. The
15 plan calls for -- and we work with NIFA on this.
16 It would be borrowed, probably. The \$700 million
17 would probably be borrowed over three -- probably
18 three years, the actual borrowing for cash. So I
19 actually should say the cash would actually be in
20 hand as the projects move forward. So you would
21 have the contracts. You would have the
22 authorization in place. You would have the
23 contracts approved by the comptroller, by the
24 Rules Committee of the Legislature, approved by
25 NIFA. Then as the projects go forward, we would

2 need to see on a cash basis and do any type of
3 transaction based upon the cash need and as quick
4 as the contractors are working.

5 So it's not inconsistent with the
6 financial plan related to the borrowing that was
7 proposed in past capital plans. Yes, it's
8 probably a little bit higher, not tremendous. It
9 would be covered in our debt service. It would
10 be covered in the fund, as it is now. The four
11 year plan will, in fact, have those dollars to
12 pay. Should we not get reimbursed at all, you
13 will have those dollars in place for those
14 payments.

15 LEGISLATOR ABRAHAMS: Which dollars?

16 I'm sorry.

17 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

18 The dollars for debt service to pay the bond as
19 we see -- the amount we're going to bond over the
20 next four year period, based upon this plan, you
21 will have the funds available in the debt service
22 account to, in fact, pay that if we don't receive
23 any reimbursement. So we're going to act as if
24 we're not seeking reimbursement and it could
25 always be taken out.

2 LEGISLATOR ABRAHAMS: The funds that
3 are going to pay the debt service are coming from
4 where, again?

5 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
6 They're in the debt service fund.

7 LEGISLATOR ABRAHAMS: And how are those
8 funds being funded?

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
10 They're being funded by the budget, the budget
11 that was approved by the legislature. There is
12 already funding available for debt service, for
13 the debt service or the sewers. Most of this
14 will be spent in the end of 13, so very limited
15 dollars are needed in 2013. You have in 2014.
16 The 2014 budget will include the funds needed to
17 pay the debt service for this fund.

18 LEGISLATOR ABRAHAMS: Let me make sure.
19 Going forward three years, when we are looking to
20 bond \$722 million --

21 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
22 It will be included in the debt service fund.

23 LEGISLATOR ABRAHAMS: I understand
24 that. So the debt service fund has to be going
25 up, escalating.

2 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

3 Yes. It probably will.

4 LEGISLATOR ABRAHAMS: So where is the
5 money coming from, is this general operating
6 budget money?

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

8 No. It's money actually from the -- in general,
9 it's the residents of Nassau County that are
10 paying it. Everybody in the sewer fund, they pay
11 it. Part of the dollars that are going to for it
12 pays for debt service. It pays it today.

13 LEGISLATOR ABRAHAMS: No, I understand
14 that. So should those taxpayers, those residents
15 expect rate increases?

16 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

17 No, because you're paying off debt and you're
18 going to have new debt coming on. Right now you
19 are actually going to the market at cheaper
20 rates.

21 LEGISLATOR ABRAHAMS: Mr. Walker,
22 you're adding \$722 million.

23 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

24 No. I said that was over four years.

25 LEGISLATOR ABRAHAMS: But still, over

2 four years you're adding \$722 million.

3 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

4 Right. But that's not inconsistent with what

5 we've been adding over the past four years.

6 You'd still be bonding. You'd still be going to

7 the market every year. You're paying off debt.

8 As you're paying off old debt, you have new debt

9 being generated.

10 LEGISLATOR ABRAHAMS: And you're

11 comfortable that the old debt being paid off is

12 going to be a lesser degree --

13 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

14 Yes. And I'm comfortable that we're developing

15 our 2014 budget now. I'm telling you the 2014

16 budget now that will be presented to the

17 legislature --

18 LEGISLATOR ABRAHAMS: Has that been

19 demonstrated anywhere?

20 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

21 What's that?

22 LEGISLATOR ABRAHAMS: Can we see some

23 backup on how that's demonstrated?

24 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

25 You will when we present our budget in September.

2 That's when we present it.

3 LEGISLATOR ABRAHAMS: But we're being
4 asked to vote on \$722 million today.

5 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
6 And I'm telling you right now it's not going to
7 the market with \$700 million.

8 LEGISLATOR ABRAHAMS: But you're asking
9 this legislature to give the authorization today.

10 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
11 Yes, just like you did with Hurricane Sandy.

12 LEGISLATOR ABRAHAMS: You're asking
13 this legislature to go forward with \$722 million
14 without seeing a road map on how you're going to
15 pay back the debt service. Am I understanding
16 that correctly?

17 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
18 Tim Sullivan will have something together for you
19 in the next half hour, as we continue.

20 LEGISLATOR ABRAHAMS: Okay.

21 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
22 Tim will have it for you within a half an hour.

23 LEGISLATOR ABRAHAMS: Thank you.

24 The next level of questions -- obviously,
25 I think Deputy Presiding Officer Nicoletto

2 started to touch on it in regards to what you're
3 here for today, in terms of the bonding
4 authorization. I think there was reference that
5 there was some talk of not bonding the entire
6 amount, if you can do it in phases. I heard your
7 response in regards to you felt that was a total
8 mistake. You also just indicated that obviously
9 we would not be borrowing or going to the market
10 to actually issue the debt. We would be doing
11 that over a three year period.

12 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

13 Correct.

14 LEGISLATOR ABRAHAMS: But still, here,
15 today, you are asking us to do 722 when part of
16 this money won't be issued until 2017. You have
17 to express to me or explain to me how that is
18 fiscally prudent for this legislature to do that.

19 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

20 For one, no contractor will sign a contract with
21 the county -- you saw the numbers on some of
22 those contracts, right? We roughly have about
23 \$100 million in contracts. Just on two
24 contracts, close to \$100 million. When the
25 contractor signed that, they need to see if the

2 legislature has authorized -- and you can ask
3 some of the contractors who are here, I'd rather
4 you hear it from them then hear it from me. They
5 will be here to speak. They will tell you
6 probably better than I can.

7 They, first of all, will never sign a
8 contractor unless they're authorized dollars
9 because you have to have the ability to pay,
10 number one. So we can't have a wink and a nod
11 that all of a sudden we're going to get the
12 authorization later on and the contractor is
13 going to sign the contract and hope that it
14 comes, because it may never come. Who knows?
15 You may have a legislative body that doesn't want
16 to give financing. Now we have a contract that
17 we actually physically can't pay.

18 You have the comptroller that requires to
19 have the funding in place in the form of an
20 authorization. You have NIFA that asked for the
21 authorization. And then we worked with NIFA, as
22 you know, on working with the cash flow, and then
23 we decide as the contract goes on, because some
24 of these contracts will take 18 months, 24
25 months, 30, months, 36. We have the

2 authorization in place, the money is encumbered
3 for the full value of the contract, and then we
4 work with NIFA and Tim and the finance staff to
5 actually then go to produce our cash when that
6 project goes forward.

7 You hear from contractors all the time
8 that they have not gotten paid. There is not one
9 contractor that I would ask that would sign a
10 contract not knowing if they are authorized and
11 encumbered to do the work. They will not do
12 that. So that is probably the biggest reason by
13 which we need it. I would rather the contractors
14 tell you so you can hear it from them instead of
15 hearing it from me, because I'm sure -- again,
16 they could probably say it much better than I
17 can. And they need it for bonding. When they go
18 to get insurance and bonding on a project it's so
19 that they are covered and the county is covered,
20 you have to have the means by which you can pay
21 before they're going to be able to get that.

22 LEGISLATOR ABRAHAMS: Mr. Walker, I
23 don't take for granted what you're saying in
24 regards to the contractors feeling comfortable.
25 Obviously they wouldn't big on a particular

2 proposal if they didn't see the money,
3 authorization for money all in one place.

4 However, I think that many contractors don't deal
5 with the county because they're not being paid,
6 even after the bonding.

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

8 One hundred percent. I agree with you.

9 LEGISLATOR ABRAHAMS: And they may have
10 some hesitancy about doing business with the
11 county, not because of this legislature
12 authorizing the full amount of their contractor
13 up front. But they may have some hesitancy
14 because the county has a history that predates
15 Mr. Mangano, Mr. Suozzi, and probably Mr. Gulotta
16 --

17 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
18 could not agree with you anymore.

19 LEGISLATOR ABRAHAMS: that has a
20 history of not paying people in a timely manner.
21 So that, to me, is probably more of their concern
22 then whether this legislature bonds their entire
23 contract.

24 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
25 agree with you 100 percent, except that they

2 can't even sign a contract because I can't sign a
3 contract until I have all the authorization. I
4 can't. I have to have the ability to pay them.
5 And they will never sign a contract, even after
6 they bid, unless we have the authorization.

7 LEGISLATOR ABRAHAMS: And what's
8 permitting you from signing that contract?

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
10 What's permitting me? You.

11 LEGISLATOR ABRAHAMS: If you don't have
12 the authorization -- is there some type of
13 statute that we should look at?

14 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
15 No. I can't get it encumbered. They have to
16 encumber the full value of the contract.

17 LEGISLATOR ABRAHAMS: It's a policy.

18 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
19 Listen. I'm not the comptroller. The
20 comptroller can't encumber a contract unless
21 there's funds available for them to encumber.

22 LEGISLATOR ABRAHAMS: I understand
23 that. But that's not engaging you, stopping you
24 from engaging in the contract.

25 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

2 Yes it will because it won't even get to me. I
3 can't sign a contract unless it's encumbered and
4 the dollars are in place.

5 LEGISLATOR ABRAHAMS: But what I'm
6 trying to say is then basically the comptroller
7 will not engage in starting the encumbrance
8 unless the entire amount is there.

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
10 Yeah. He can't encumber half a contract because
11 there's no ability to pay.

12 LEGISLATOR ABRAHAMS: No. I understand
13 that you can't encumber half a contract. But
14 what I'm trying to say is you won't engage in a
15 contract at all --

16 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
17 It will never get to my desk.

18 LEGISLATOR ABRAHAMS: I think we'd
19 agree to disagree on that one.

20 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
21 wouldn't sign it. Would you sign a contract
22 binding the county if you don't have the funds to
23 pay it? I wouldn't sign it.

24 LEGISLATOR ABRAHAMS: Mr. Walker, there
25 is not one \$700 million contract. How many

2 contracts would you say is going to be broken
3 down in this 722 million?

4 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

5 There's going to be. Just two contracts alone
6 are over 100 million. The electric generation
7 contract is going to be 300-and-something
8 million.

9 LEGISLATOR ABRAHAMS: No, no. What I'm
10 trying to say is you're selecting one vendor --

11 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

12 No.

13 LEGISLATOR ABRAHAMS: to --

14 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

15 No, I'm not. Ten different contracts total that
16 amount.

17 LEGISLATOR ABRAHAMS: That's what I'm

18 saying. My point is there is not one contract
19 for 722 million.

20 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

21 Right. I agree with you.

22 LEGISLATOR ABRAHAMS: There are various

23 contracts.

24 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

25 Yes. But the authorization is the same. If it's

2 one big contract or ten smaller ones, it still
3 works the same.

4 LEGISLATOR ABRAHAMS: No, I understand
5 that. If the legislature decided to do a lesser
6 number, a number more appropriate that maybe
7 divides this three years over a period of time,
8 you could easily start a contract and --

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
10 No, I can't. I need the full value to start the
11 contract. Even if it was a \$5 million contract,
12 if all you could authorize is two million, I
13 can't sign the contract.

14 LEGISLATOR ABRAHAMS: Mr. Walker, you
15 just said it yourself. A lot of this work, that
16 you're not going to be issuing the debt until
17 2017.

18 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
19 That's for the physical cash.

20 LEGISLATOR ABRAHAMS: Yes. I
21 understand that.

22 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
23 The contract would already have been entered
24 into. They would already be working.

25 LEGISLATOR ABRAHAMS: So every project

2 you talked about, every single project -- and
3 that's another thing I wanted to get into. Every
4 single project that's outlined in this particular
5 document that states quarter three versus quarter
6 four --

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

8 Yes, yes.

9 LEGISLATOR ABRAHAMS: Let me finish.

10 Every single project is going to start on
11 time --

12 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

13 Yes.

14 LEGISLATOR ABRAHAMS: Let me finish.

15 Every single contract is going to start as per
16 this document. What's the timeframe on when
17 these projects are going to --

18 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

19 They are already starting now. They are already
20 out to bid as we speak.

21 LEGISLATOR ABRAHAMS: I'm talking about

22 the quarter threes and the quarter fours.

23 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

24 They're going to start in August.

25 LEGISLATOR ABRAHAMS: They're going to

2 start next month.

3 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

4 They're going to start August/September,

5 definitely.

6 LEGISLATOR ABRAHAMS: And -

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

8 Some are actually going to be emergency work.

9 LEGISLATOR ABRAHAMS: I'm confused.

10 How can they start if this legislature hasn't had

11 -- did you bid on these?

12 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

13 Yes. They are out to bid right now, as I said

14 before. Literally, as we speak, they are out to

15 bid.

16 LEGISLATOR ABRAHAMS: So they go out to

17 bid, and then you envision that this legislature

18 will approve a contract, I'm guessing, by August

19 6.

20 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

21 No. I'm saying -- even in the middle of August

22 you would start it.

23 LEGISLATOR ABRAHAMS: We're not in

24 session beyond August 6.

25 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I

2 would ask them to come back and do an emergency
3 meeting of the Rules meeting to approve it, or
4 September, the first week of September.

5 LEGISLATOR ABRAHAMS: I'm just trying
6 to make sure I understand.

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
8 They're out to bid as we speak. If they weren't
9 out to bid, I would say they're not out to bid.
10 They're out to bid as we currently speak. There
11 are contracts out to bid totaling almost \$100
12 million.

13 LEGISLATOR ABRAHAMS: So you envision -
14 - how much contracts do you envision coming in in
15 September?

16 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
17 Between quarter three and quarter four it's going
18 to be close to \$700 million.

19 LEGISLATOR ABRAHAMS: 700 million?

20 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
21 Yes.

22 LEGISLATOR ABRAHAMS: There will be
23 \$700 million in contracts coming to this
24 Legislature in --

25 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

2 Between now and the end of the year, yes.

3 LEGISLATOR ABRAHAMS: Between now and
4 the end of the year.

5 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
6 Yes. Quarter three and quarter four, yes.

7 LEGISLATOR ABRAHAMS: There will be
8 \$700 million. And how many contracts do you
9 envision?

10 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
11 Depending on how they break it up. Ten
12 contracts. Eleven contracts. You'll probably
13 have 30 separate contracts when you include some
14 of the inspection teams and things like that.
15 But actual construction where the biggest ticket
16 money is, you're talking roughly 10 to 12
17 contracts.

18 LEGISLATOR ABRAHAMS: Ten to 12
19 contracts, and then 30 when you talk about
20 inspection.

21 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
22 You talk about the inspection and things of that
23 nature.

24 LEGISLATOR ABRAHAMS: Okay.

25 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I

forgot about them. Thank you.

LEGISLATOR ABRAHAMS: Okay.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

What we tried to do in the request is to look at the projects that would start, that's why there's another \$300 million that's asked for later on because those projects can't start that quick. Even if we wanted it to, it's physically impossible. The design team literally put the projects together that could start quickly, start now, and actually be done together. That is why they put that timeline together in the request.

LEGISLATOR ABRAHAMS: And the

construction manager on this project is Malcolm Pirnie.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

Yes.

LEGISLATOR ABRAHAMS: And Hazen and

Sawyer.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

Yes.

LEGISLATOR ABRAHAMS: As well as the

design team.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

They designed 30 percent of the physical work that's being done.

LEGISLATOR ABRAHAMS: Okay. I guess the next level of questions is more specific -- you can definitely stay, Mr. Walker.

I'm sorry. If you could state your names again for the record.

MR. DENICOLA: Yes. Mike DeNicola, Hazen & Sawyer.

MR. GOSS: Peter Goss, Malcom Pirnie Arcadis.

LEGISLATOR ABRAHAMS: First, I want to thank you. I could tell there was a lot of extensive work that went into your preparation today so I want to thank you for that. I do want to get a general sense from you in regard to the priorities. Everything is a priority. Obviously, you know, based on what we're looking at for the quarter three versus quarter four work, is it safe to assume everything that is a priority is being done in those quarters? How are you putting together what the county is trying to achieve versus what the priorities are and the best way to get things done over the four

2 year period?

3 MR. DENICOLA: We're going to split this
4 up. The electrical system has been compromised.
5 There are six substations that operate at 2400
6 volt. They all have substations. Everything was
7 compromised by salt water. So the priority on
8 the electrical systems, if we start losing
9 electric throughout the plant, if we start, you
10 know, frying transformers, we're going to lose
11 the plant again. That's why we have emergency
12 backup. That's why we made sure we maintained
13 the double-ended feed of all our substations.
14 But we have had failures over the past several
15 months. Actually, on Sunday of July 4th weekend
16 I was out there, which I didn't want to be, but
17 we had a failure. We have to replace those
18 feeders when we get a failure. But the priority
19 on the electrical distribution is to replace the
20 entire system as quickly as possible. If
21 something catastrophic happens and we can't get
22 that plant going again, it's going to be another
23 nightmare probably for weeks.

24 LEGISLATOR ABRAHAMS: And that period
25 of work would span over what timeframe again?

2 MR. DENICOLA: By the last quarter of
3 this year. With procurement, installation, and
4 construction you're probably talking about a 32
5 month to 36 month construction period. You have
6 to remember, unfortunately we can't shut the
7 plant down, gut all the electrical, pull all the
8 cables out, replace all the duck banks. We have
9 to do it piece by piece to keep the entire system
10 running. So what we call a maintenance of plant
11 operations, maintaining the plant operation while
12 you're doing construction, it just slows
13 everything down. Unfortunately, like I said, we
14 just can't close the road, as a metaphor, and
15 redo it; we have to keep the plant operating and
16 do piece by piece.

17 LEGISLATOR ABRAHAMS: And that feeds
18 into my next question. Obviously, this piece
19 with the electrical distribution system has an
20 impact, obviously, on the other segments of work
21 that's going on during this same timeframe. That
22 has been taken into consideration when you come
23 with the 32 to 36 month timeframe.

24 MR. DENICOLA: That's correct. What we
25 are, as the program manager Peter and I, we're

2 developing 30 percent designs. We have the
3 master schedule for every project that's going to
4 go on and how they're going to be intertwined
5 together to make sure that we coordinate every
6 project, every contractor, every designer, and
7 every CM on site. Again, it's a coordination
8 nightmare but it has to be done. Because we
9 can't have a pump installed and then power not
10 available for six months. It just doesn't make
11 sense.

12 LEGISLATOR ABRAHAMS: Is that master
13 schedule available to this legislature?

14 MR. DENICOLA: We have drafts of the
15 master schedule, yes.

16 LEGISLATOR ABRAHAMS: Could we see it?

17 I'm sorry. We have it already, Rob? It
18 sounds like a more detailed document of what
19 you're talking about, the master schedule which
20 I'm envisioning goes through what type of work is
21 going to be done in several different stages,
22 weeks. I don't think we have that. At least I
23 didn't get it.

24 LEGISLATOR NICOLELLO: Is it this thing
25 that was handed out?

2 LEGISLATOR ABRAHAMS: I got this. It
3 sounded like what was being explained is a lot
4 more detailed than this.

5 MR. GOSS: We are developing a master
6 schedule.

7 One of the things that's challenging in
8 this type of recovery is there are some things
9 that are immediately clear, in terms of
10 engineering, and there are some things that still
11 require further analysis. The three jobs that
12 are going on right now, for example, the auto
13 control facilities. The auto control facilities
14 are actually built as separate structures at each
15 plant. They don't interfere with any of the
16 ongoing processes, and as a result it's very easy
17 to put that contract out.

18 The final acetylene tank job, which is
19 the secondary clarifiers at the plant, because we
20 have good clarity on what's going to be done for
21 the repair and mitigation, we're moving forward
22 with that contract because we have a lot of
23 confidence that what we're doing it is going to
24 be reimbursed from a mitigation standpoint and
25 it's technically clear in the conclusion of the

2 analysis. Same thing with the final acetylene
3 tanks, we're doing mitigation of certain large
4 pumps at the plant. We don't have to be done.
5 There are only certain technical ways that those
6 can be done. As a result, we're pushing them out
7 very quickly.

8 The electrical is being pushed very
9 quickly because of the critical nature of the
10 electrical facility.

11 Many of the other processes at the plant
12 require additional analysis because at times the
13 mitigation options for them are not 100 percent
14 finalized at this time. In many cases there are
15 competing mitigation options. You can take
16 equipment and you can lift it up and you can
17 raise the equipment. You can build walls around
18 particular structures. You can do various
19 certain things and each one of those things has a
20 certain cost. At the end of the day, FEMA will
21 reimburse you based upon a cost benefit analysis.
22 You have to go through a cost benefit analysis to
23 determine what's most cost effective to repair
24 each of those pieces of equipment. That's why
25 some of these are going to be staggered out and

2 pushed further.

3 The plant's boundary alternative, which
4 is also an accelerated project, is something that
5 we have good certainty on. We're not 100 percent
6 sure what the boundary is going to look like and
7 how it's going to be designed, what shape each
8 portion of it is going to be. We are pretty
9 certain that from a FEMA perspective, putting a
10 boundary around the plant is going to be deemed
11 very cost effective as opposed to harboring the
12 particular 50 or so buildings within the plant
13 itself.

14 I think part of the prioritization
15 exercise is to get clarity on the technical
16 decisions. And I think the master schedule that
17 you are looking for is the master schedule that
18 we're sort of in part developing really over the
19 next couple of months. We are still vetting out
20 the different mitigation options and finalizing
21 how the contracts are going to be sequenced out.
22 Once that's finalized, we'll have the master
23 program schedule finalized.

24 I think what Rob was referring to with
25 that spreadsheet schedule is basically the

2 buckets of where the money was going to be spent
3 for the quarters for the priority of projects
4 that we're accelerating out right now.

5 LEGISLATOR ABRAHAMS: I thank you for
6 clarifying that. That definitely helps.

7 Obviously, from our standpoint that
8 master schedule will be tremendously helpful.

9 You mentioned also just now, I was
10 listening to some of the commentary, working with
11 FEMA. From our standpoint, where are you and
12 where is FEMA with your master schedule? Are you
13 working in conjunction with FEMA? Are they
14 providing feedback to you? How do you anticipate
15 their commentary over the last however long
16 you've been working with them and going forward?

17 MR. GOSS: The way the FEMA process
18 works, Rob alluded to this before. There are two
19 types of monies that's FEMA gives; there's the
20 grant money and then there's the 406 public
21 assistance money. Just very fundamentally, all
22 of the grant monies, we compete with others with.
23 The 406 monies, we don't compete; the project
24 just has to be determined to be cost beneficial.
25 If your project is cost beneficial, the Stafford

2 Act obligates the federal government to pay for
3 your project. So what we're doing right now is
4 we're defining the damage and we're doing the
5 benefit cost analyses for the various projects to
6 show that they're cost beneficial. And that
7 package is being developed right now by the
8 engineering team, and we're probably going to be
9 handing those packages in to FEMA within about
10 one to two months. We just handed in a
11 significant amount of packages to define the
12 damage, and they're going through that. They're
13 asking them many questions. We're clarifying
14 their questions. I would say in about a month we
15 will get clarity on that and will agree with them
16 on the number that defines the damage at the
17 plant.

18 The next step is to define whether the
19 projects we're proposing to mitigate the damage
20 is cost beneficial. And the review time from
21 FEMA's perspective on that is generally pretty
22 quick, I would say four to six weeks. It's
23 straightforward because the FEMA approval process
24 is really a set of equations that determine the
25 benefit, which is the treatment of the sewage to

2 the community and there are dollar values per
3 capita for that, and the cost of the project.
4 All that sort of shakes itself out and will shake
5 out over the next one to two months and then that
6 will be used to help prioritize the projects
7 which get sequenced in the construction schedule
8 and which we're going to move forward with.

9 LEGISLATOR ABRAHAMS: And you believe
10 the sequencing of those projects -- you could
11 still adhere to this schedule that we're seeing
12 on this sheet with that sequencing? So, for
13 example, this legislature should anticipate that
14 the effluent screening, the secondary treatment
15 facilities, the digesters, the sludge thickening,
16 the engine controls, the pump station permanent
17 repairs, the odor control systems can all be
18 started within that sequencing that you're
19 referencing?

20 MR. GOSS: Yes. And that's because
21 those particular set of projects, some of the
22 designs had been done already; for example, the
23 effluent screens, the design package has been
24 done. When Rob showed that presentation, if you
25 noticed some of those line items in the work

2 prior to Sandy are those projects. Some of the
3 projects that are on there that weren't designed
4 prior to Sandy, we've gone through an accelerated
5 design process to get them out on the street
6 because we wanted to aggressively push forward
7 with the projects. The final acetylene tanks is
8 an example.

9 MR. DENICOLA: Yea. The final acetylene
10 tanks was advertised on Thursday, as well as the
11 sludge thickening. Sludge digestion, Posillico
12 has mobilized it already, they were on site. And
13 the odor control is going to be advertised next
14 week. Those projects are moving forward. And we
15 made sure we coordinated with the recovery
16 effort.

17 LEGISLATOR ABRAHAMS: What's the -- I
18 hate to belabor this. What's the timeframe on
19 each of these projects?

20 MR. DENICOLA: Construction schedules?

21 LEGISLATOR ABRAHAMS: Construction
22 schedules, I should say.

23 MR. DENICOLA: The secondary treatment
24 system, I believe from our design was 24 months.
25 Sludge thickening is 24 months, roughly. The

2 odor control - Peter?

3 MR. GOSSO: Yeah. We tried to --
4 generally saying, it's been 24 months. I don't
5 think many of these jobs slip into a 36 months
6 timeframe. They are mostly 18 to 24 month work
7 activities.

8 LEGISLATOR ABRAHAMS: Would that be
9 reflected in the master schedule?

10 MR. GOSSO: Absolutely. Yes.

11 LEGISLATOR ABRAHAMS: Okay.

12 MR. DENICOLA: Just let me add, with the
13 master schedule, also, as the contractors win a
14 bid, get on board, sign their contract and they
15 get notice to proceed, their construction
16 schedules will get dumped into our master
17 schedule. So this will be a living, breathing
18 document over the next few years.

19 LEGISLATOR ABRAHAMS: Do you envision
20 providing us with the master schedule before you
21 actually make requests for proposals?

22 MR. DENICOLA: The RFPs went out
23 already.

24 LEGISLATOR ABRAHAMS: No, no, no. I'm
25 talking about -- I mean, more specifically, for

2 the ones in quarter four, electrical
3 distribution. That's gone out already also?

4 MR. DENICOLA: The answer is yes.

5 LEGISLATOR ABRAHAMS: That didn't go
6 out already.

7 MR. DENICOLA: No.

8 LEGISLATOR ABRAHAMS: But everything in
9 quarter three has gone out already?

10 MR. DENICOLA: Most of them. I think
11 there a few that haven't.

12 LEGISLATOR ABRAHAMS: If you could
13 clarify which ones have gone out versus which
14 ones have not gone out.

15 MR. GOSSO: Influent has not gone out.

16 LEGISLATOR ABRAHAMS: When do you
17 anticipate it going out?

18 MR. DENICOLA: I think by November.

19 LEGISLATOR ABRAHAMS: So in quarter
20 four it will go out.

21 MR. GOSSO: I think it will go out in Q3.
22 We can come back and get you the exact date. But
23 for influent screen I think it's Q3.

24 LEGISLATOR ABRAHAMS: Q3.

25 MR. GOSSO: Yeah.

2 LEGISLATOR ABRAHAMS: Your document
3 indicates Q3. I'm just trying to --

4 MR. GOSSO: The comment slide, it says
5 October 2013. In that last row.

6 LEGISLATOR ABRAHAMS: Oh, okay. That's
7 what that means.

8 MR. GOSSO: So when it's in Q3 we give
9 you a more detailed, narrowed down month.

10 LEGISLATOR ABRAHAMS: Okay. So it's
11 Q4. October 2013.

12 MR. GOSSO: I think October 1.

13 LEGISLATOR ABRAHAMS: Okay.

14 So the secondary treatment facility, do
15 you anticipate that going out August 13, if I'm
16 understanding this document correctly.

17 MR. DENICOLA: Yes. Bids are going to
18 be received August 13.

19 LEGISLATOR ABRAHAMS: Okay. I don't
20 need to ask any other questions. I think it's a
21 little bit more clearer.

22 My last question is tied to has this plan
23 received approval from the state?

24 MR. DENICOLA: The State DEC?

25 LEGISLATOR ABRAHAMS: DEC or OEM. Has

2 it been vetted through the state?

3 MR. GOSSO: Because New York State OEM
4 is intricately involved in what FEMA is doing,
5 when FEMA approves the plan, it is part and
6 parcel, New York State approval as well. Because
7 FEMA's money is going through New York State,
8 obviously they will both be working in
9 conjunction to approve. Again, the methodologies
10 that we're using to seek approval are the
11 methodologies that FEMA has laid out in the
12 benefit cost analysis for the 406.

13 From a DEC perspective, when we're doing
14 a new modification to the SPDES permit, we would
15 seek approval from the DEC. In many of the
16 project cases we're not actually changing the
17 SPDES permit, we're just replacing damaged
18 equipment, in which case we wouldn't seek state
19 approval from the DEC for that particular
20 project.

21 LEGISLATOR ABRAHAMS: Okay. Again,
22 just so I could be clear again. The expectation
23 for FEMA to review this plan is when again?
24 What's that timeframe?

25 MR. GOSSO: I would say the county will

2 be submitting -- our target would be to submit
3 the 406 -- they call them 406 hazard mitigation
4 proposals, the 406 HMPs, probably within one to
5 two months. My expectation is that FEMA takes
6 four to six weeks to approve them, and that's a
7 track record that we've seen regionally, in terms
8 of their approval. And what that does is those
9 mitigation projects define what FEMA agrees
10 ultimately is the mitigation scope.

11 LEGISLATOR ABRAHAMS: Okay. This is
12 more of a comment. To me, this seems to be --
13 look. There is no one - I can speak for my side
14 of the aisle and I'm sure the majority feels the
15 same. We want to see this work get done. It's
16 so crucial to our Long Island residents that we
17 do the right thing. Like I said before, we are
18 committed to doing the right thing. Obviously, I
19 see many of our brothers and sisters in labor in
20 the back. Obviously this is a great project to
21 put a lot of people to work at the same time.
22 But I feel it would be more prudent to be able to
23 sit down with FEMA, as well as through New York
24 State and get a greater understanding of their
25 input before we -- even though I think you guys

2 have --

3 I'm sorry, sir.

4 MALE VOICE: FEMA does not own the plan.
5 You guys own the plan.

6 LEGISLATOR ABRAHAMS: We understand
7 that.

8 MALE VOICE: You're responsible for
9 what's going on there right now.

10 LEGISLATOR ABRAHAMS: Yes.

11 MALE VOICE: Don't worry about what FEMA
12 is going to do. Get the plant fixed, please.

13 LEGISLATOR ABRAHAMS: Sir, I'm not
14 going to engage in a back and forth with you.
15 But thank you for your commentary.

16 CHAIRWOMAN GONSALVES: There will be
17 public comment, sir.

18 LEGISLATOR ABRAHAMS: Thank you.
19 Wouldn't it be prudent to get their input
20 before we go forward with our particular plant to
21 do something?

22 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
23 We have been working with FEMA and the state
24 literally every week. We have a weekly meeting
25 with them. At the end of the day, I believe we

1 will get their approval. We're not waiting for
2 their approval anymore. We're not waiting. We
3 can't afford to wait. The residents can't afford
4 to wait and that's why we're moving forward.
5

6 We have all the documentation needed for
7 their oversight and approval. But this is a plan
8 we're going forward to. At the end of the day,
9 if we don't receive reimbursement, we don't
10 receive reimbursement. We can't afford to wait.

11 LEGISLATOR ABRAHAMS: But their
12 commentary is also important, not just from a
13 reimbursement standpoint, but just to make sure
14 that we are following --

15 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
16 And they will.

17 LEGISLATOR ABRAHAMS: a higher
18 standard.

19 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
20 agree with you. And every meeting that we have
21 with them, that is what they do. At the end of
22 the day, when the project worksheet gets
23 approved, it will be based upon FEMA guidelines
24 and criteria.

25 Again, we are going out to bid now. We

2 give them all the documentation; they may approve
3 it, they may not at the end of the day.

4 LEGISLATOR ABRAHAMS: Mr. Walker,
5 shouldn't we ensure that we build a facility to
6 the highest standard --

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
8 We're doing that without FEMA.

9 LEGISLATOR ABRAHAMS: But wouldn't it
10 be prudent to be able to get input from agencies
11 that see this stuff being done on a daily basis?

12 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
13 We are. We are. FEMA, when they do things it's
14 built to the way it was prior to the storm.
15 That's the way they do it. We are not looking at
16 that. We are going above and beyond what FEMA
17 will ask for, above and beyond what is there
18 today because that's what the residents demand
19 and so should we.

20 LEGISLATOR ABRAHAMS: That's great.
21 But I'm just saying that there's this master
22 schedule that's still being developed, and from
23 our standpoint wouldn't it be best to vet that
24 master schedule to --

25 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

No. No. Because I'm not waiting for November or December to get things in the ground. We can't afford to. Another storm could happen tomorrow.

LEGISLATOR ABRAHAMS: Mr. Walker, another storm, yes, could have happened, yes, could happen tomorrow. That's why a lot of the work that could be done, that's being done now, we had said that it should have been done --

CHIEF DEPUTY COUNTY EXECUTIVE WALKER: And it was never -- if we want to be honest, it was never lifting anything off the ground. Nobody was looking at mitigating. The things that were going to be done before, we were going to be replacing in-kind what it was. Nobody ever saw a storm like this happen. Let's be honest.

LEGISLATOR ABRAHAMS: But we would be in a better position than we are now.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER: No, we wouldn't. We would have wasted the money because you would have been lifting it again.

LEGISLATOR ABRAHAMS: We're going to agree to disagree. But we would be in a better position today if we spent that money then, then trying to catch up and spending now.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

No, we would just be spending it again.

LEGISLATOR ABRAHAMS: I don't see the point.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

Because those plans were never fixing things. It was taking a digester that existed now, it's the same digester that would have existed the day of the storm. The things that we're doing now are lifting it. We're moving things, we're lifting them up.

LEGISLATOR ABRAHAMS: But you're implying that those digesters and those things that were wrong with the plant, you're assuming that the fixes that we would have made would have withstood it.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

They wouldn't because they were submerged. It wouldn't have mattered.

LEGISLATOR ABRAHAMS: In that case, yes. But you're assuming that across the board, everything that you're talking about today.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

I'll tell you that's 90 percent of what's there.

2 LEGISLATOR ABRAHAMS: Oh, come on.

3 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

4 I'll take you there and you'll see it for
5 yourself.

6 LEGISLATOR ABRAHAMS: Okay, Mr. Walker.

7 Thank you.

8 CHAIRWOMAN GONSALVES: Legislator

9 Denenberg.

10 LEGISLATOR DENENBERG: Mr. Walker, the

11 gentlemen with you are from Malcolm Pirnie, and

12 what was the other firm?

13 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

14 Malcom Pirnie, Arcadis, technically speaking.

15 Malcolm Pirnie and Arcadis.

16 LEGISLATOR DENENBERG: And they're on

17 contract with the county for managing --

18 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

19 Yeah. They're our project managers for the

20 entire facility.

21 LEGISLATOR DENENBERG: When you say the

22 entire facility, you mean Bay Park?

23 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

24 Bay Park. The pump stations for all of the work

25 that's being done at Bay Park.

2 LEGISLATOR DENENBERG: Okay. So they're
3 on contract right now to manage the Bay Park
4 facility. Did I say that wrong?

5 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
6 And the remediation and mitigation of the --
7 there will be work done at Cedar Creek, as well,
8 for mitigation, even though we are lucky that
9 it's raised. They will be working on several of
10 the pump stations.

11 LEGISLATOR DENENBERG: And they're going
12 to oversee the work that's being done in the
13 contract instead of being brought in?

14 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
15 Correct.

16 LEGISLATOR DENENBERG: To not do all of
17 the work that needs to be done, which is in the
18 capital plan for 2013, you're saying would be
19 irresponsible. You want to do all of it as soon
20 as possible, correct?

21 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
22 One hundred percent.

23 LEGISLATOR DENENBERG: I think everyone
24 would agree with that; I certainly do. So my
25 questions are going to be about what we're doing

and just some questions about trying to make it faster and where we are right now.

I'm reserving the questions because my understanding was that this hearing is about the 2013 capital plan, the lion's share of which, if it's \$679 million going towards the sewage treatment plants -- the lion's share is going towards the sewage treatment plants, correct?

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

Correct.

LEGISLATOR DENENBERG: To get everything done as expeditiously as possible would be good, correct?

CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I agree with you 100 percent.

LEGISLATOR DENENBERG: So the first question obviously is we're presented today, as we were presented in June, with the 2013 capital plan. The 2013 capital plan, to get it done expeditiously, should come to us in October 2012, by law, and be passed before 13 starts so that we can put people to work on the capital plan. But of course the 2012 capital plan, which should have come in 11, didn't come until actually just,

2 ironically enough, two weeks before Sandy, and
3 then it was passed unanimously two weeks after
4 Sandy. So I'm guessing because the 2012 plan was
5 a year late, we're probably right now actively
6 doing 2012 work. Correct?

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

8 No. We're actually doing mitigation and work
9 that came about because of October 2012 storm. I
10 know we've had this conversation many times, so
11 I'll say it again.

12 The advent of NIFA and dealing with old
13 financial plans and old capital plans brought
14 about a very different way of handling the
15 capital plan. This Legislature approved -- not
16 even this legislature, other legislators approved
17 probably 300, \$400 million worth of authorized
18 projects. And as you know, working in
19 conjunction with NIFA, they've approved fairing
20 amounts of money. That's their role to do and
21 they have the discretion to do it. The
22 administration worked with them on moving forward
23 in that realm.

24 For all intents and purposes --

25 LEGISLATOR DENENBERG: I mean, NIFA's

going to get to look this money, too.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

Yes.

LEGISLATOR DENENBERG: So if NIFA is the reason for us being years and years behind --

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

I'm not saying that.

LEGISLATOR DENENBERG: Then we still have that problem.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

I'm not saying that. I'm just saying it's just a different time. That's all I'm saying. I'm not blaming anything on anybody.

LEGISLATOR DENENBERG: Well, all of this, if we approve this bonding for the capital budget for 2013, just as we've approved in years past -

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

Yes.

LEGISLATOR DENENBERG: It still must go to NIFA.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

Right.

LEGISLATOR DENENBERG: Let me finish.

2 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

3 Go ahead.

4 LEGISLATOR DENENBERG: I can't, for the
5 life of me, think of a project for the sewage
6 treatment plants that NIFA, when it was
7 requested, didn't approve that contract.

8 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

9 They didn't. They approved every contract. I
10 agree with you.

11 LEGISLATOR DENENBERG: Okay. So now let
12 me ask this. Maybe the contractors should come
13 up. I'll go down their list from the top.

14 The influent screens is Project Number
15 3B120, that's an existing project, correct?

16 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

17 Correct.

18 LEGISLATOR DENENBERG: So if I'm looking
19 -- and I'm trying to -- 3B120 right now is still
20 a project so it's in our capital plan this year
21 to fund the influent screening from our existing
22 project 3B120. Is that correct?

23 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

24 Yes, other than we added in Bay Park now, too.
25 Cedar Creek work is being done as part of the

2 capital plan, and now we introduced Bay Park into
3 the fold, as well.

4 LEGISLATOR DENENBERG: So if I look back
5 at 2011 capital plan, my concern is that we, as a
6 legislative body, approved in 3B120 -- let me
7 just get the exact number -- this project, 3B120,
8 we approved and authorized \$19 million and the
9 schedule said that the preliminary treatment
10 modifications, which included influent screening,
11 grit replacement. According to the capital
12 projects -- the capital budget from 2011, this
13 was for preliminary treatment facilities at Bay
14 Park, grit and screening, so not even Cedar
15 Creek. It was 19 million, 18.66 that we
16 approved. It was supposed to be complete April
17 2012. The question is why didn't it get done,
18 number one. Number two, if this was projected to
19 be done by the county and completed over a year
20 ago and it was fully designed -- it was fully
21 designed, according to the capital budget, it was
22 fully designed by the end of 2008, beginning of
23 2009, and it was bid out and a bid was awarded
24 back in the end of 2009, or wasn't awarded, was
25 bid out, why didn't we get it done, number one.

2 Number two, if we've already projected to do it,
3 is there any change that FEMA would ever give us
4 money for something that we planned on doing and
5 just didn't do?

6 MR. GOSS: That particular project is
7 actually a special exception. What happened with
8 that job is the county went out to bid on a
9 process that removed grit prior to the primary
10 acetylene tanks. When the job was being
11 designed, the county was evaluating changing the
12 way they removed grit and they began to look at
13 some of the technologies that New York City had
14 been utilizing to remove grit. The removal of
15 grit, frankly, is a very mechanically intensive
16 process that wears equipment away very quickly
17 and there is no silver bullet in the industry.
18 They were re-evaluating that, so they put the
19 design on hold, I believe, for a period of time.
20 They were re-evaluating whether they were going
21 to do it "the New York City way". After some
22 study, I think they reconcluded that they were
23 going to stick with the current process. So I do
24 believe that that had -- there was an exception
25 on that timeframe because they paused that job

2 because of the process questions that they had.
3 I do know that.

4 LEGISLATOR DENENBERG: That's a multi-
5 year pause. Sir, that was a multi-year pause.
6 According to this administration's 2011 capital
7 budget, this was going to be -- construction was
8 going to start in 11 and finish in 12.

9 MR. GOSS: Right. But I think what the
10 county did is the county went out for a
11 solicitation for a design engineer to do the
12 evaluation. After the design was done the county
13 awarded an engineering firm the third party
14 review. The firm performed that review. All
15 those steps took time.

16 LEGISLATOR DENENBERG: If I go back the
17 year before to the 2010 budget it said this would
18 be done in 2011. But the 10 budget was actually
19 passed in December 2009. It seems like it keeps
20 slipping. So my concern is I don't want to
21 things to slip. How are we going to prevent
22 having a redesign or reconsideration? Are we
23 ready to go? You keep moving back. It might be
24 easier if you stay up.

25 MR. DENICOLA: Yes. The grit is ready

2 to go. Influent screens are ready to go. Like I
3 said, the job has been bid.

4 And how we're going to avoid any slippage
5 in the future, it's Peter and my job with DPW, as
6 the program manager, to make sure we keep every
7 designer, every contractor, and every CM on
8 schedule and within budget.

9 LEGISLATOR DENENBERG: If we're going to
10 finally get it done, which I want to, now there's
11 a question. Let's say -- I want to approve the
12 money no matter what. But we're telling people
13 that we're hoping to get a good portion back from
14 FEMA. How would FEMA ever approve giving us
15 money for a project that was -- that we
16 authorized several years ago?

17 MR. DENICOLA: Understand your question.
18 Some of the projects FEMA is not going to
19 reimburse some portions of them. Sludge
20 thickening, the belt filters were not damaged
21 during Sandy. A portion of that project was
22 damaged. Thickened sludge pumps and the WAZ
23 (phonetic) pumps, they were changed for
24 mitigation. They were changed to dry fit
25 submersibles. So a portion of that project is

going to be FEMA reimbursable, a portion of that project is not. And we have --

LEGISLATOR DENENBERG: This project, this Project 3B120, just so we're clear, would include influent screens, correct?

MR. DENICOLA: Correct.

LEGISLATOR DENENBERG: Grit removal.

MR. DENICOLA: Correct.

LEGISLATOR DENENBERG: Gravity belt thickeners.

MR. DENICOLA: No. That's number 7, sludge thickening.

LEGISLATOR DENENBERG: Okay. So this would include sludge thickening?

MR. DENICOLA: No, no, no.

LEGISLATOR DENENBERG: Okay. This includes the final acetylene tanks, correct?

MR. DENICOLA: 3B120 just includes influent screens.

LEGISLATOR DENENBERG: The sewage pumps, grit removal, primary acetylene tanks, and influent screening, correct? Again, it includes influent screening, it includes the raw sewage pumps, it includes grit removal, and includes

2 primary acetylene or just the influent screening?

3 MR. GOSS: I think what -- I think the
4 table is being misconstrued. The project number
5 3B120 only relates to item number 1. It's not
6 intended for that 3B120 to --

7 LEGISLATOR DENENBERG: I'm reading 3B120
8 and 3B120 says grit and screening.

9 MR. GOSS: Because grit and screens --

10 LEGISLATOR DENENBERG: And it also says,
11 as I read it, it also says acetylene tanks.

12 MR. GOSS: Maybe Rich can clarify it.

13 MR. MALLETTE: Good afternoon. Rich
14 Mallette, Public Works.

15 The influent screen and grit tank work
16 inside the capital plan will not be part of the
17 reimbursement. The mitigation effort to protect
18 the influent screen and grit tanks from future
19 damage are part of our 406 and 404 mitigation
20 plan.

21 LEGISLATOR DENENBERG: Okay.

22 MR. MALLETTE: 3B120 is a funding
23 mechanism into those two programs.

24 LEGISLATOR DENENBERG: Okay. So let me
25 ask now about -- maybe you guys could come up

2 again. But SCADA.

3 MR. MALLETT: SCADA.

4 LEGISLATOR DENENBERG: What is that? Is
5 that the influent pumping system?

6 MR. MALLETT: No. The SCADA job is a
7 project that the county had put out to bid. It's
8 called a Supervisory Data and Acquisition System.

9 LEGISLATOR DENENBERG: The Bay Park
10 influent pumping system upgrade --

11 MR. MALLETT: Yes. I can - SCADA is
12 basically a security system on our mechanical
13 equipment that can tell an operator when
14 something is operating properly, when it's not,
15 if there is a problem if there's not a problem,
16 if you need to make adjustments. Part of the
17 SCADA program will be in the influent screen, it
18 will be in the grit tanks, it will also be in
19 primary, it will also be in final acetylene
20 tanks. As a funding source for SCADA, it will
21 also be inside the pump stations. It is a way to
22 protect all the mechanical equipment throughout
23 the county, which they've never had before. It's
24 always been done by hand. They have to visit the
25 stations daily, as best they can. Now this

2 system is going to be put in place to protect
3 that equipment.

4 LEGISLATOR DENENBERG: Mr. Mallette, the
5 Bay Park influent pumping system, is that part of
6 --

7 MR. MALLETTE: That will get SCADA
8 protection as well.

9 LEGISLATOR DENENBERG: No. Just to put
10 in the pumping system, I see that as one of our
11 projects, correct?

12 MR. MALLETTE: Correct.

13 LEGISLATOR DENENBERG: Would our
14 contractors agree?

15 MR. MALLETTE: Influent pumping?

16 LEGISLATOR DENENBERG: Influent pumping.

17 MR. MALLETTE: Yes.

18 LEGISLATOR DENENBERG: I'm looking at a
19 project, an existing project but one that's in
20 our capital plan that we're hearing right now,
21 it's on page 334, Project 3B117, Bay Park
22 Influent Pumping System Upgrade.

23 MR. MALLETTE: Correct. That is an
24 ongoing project right now.

25 LEGISLATOR DENENBERG: That project has

2 over \$11 million that's been previously approved.
3 And if I go back just two years ago, the project
4 was supposed to be complete as of your capital
5 budget in 2011, September 2012. If you go to the
6 year before, the 2010 capital budget, it was
7 supposed to be complete May 2012. Now, had that
8 project been complete, you're saying that the new
9 pumping system would have just been destroyed by
10 Sandy. Couldn't someone say that that pumping
11 system might have been able to pump what was
12 coming in?

13 MR. MALLETT: Absolutely not. It was
14 sea water. Sea water came into the whole plant.
15 Whether you put brand new pumps in there the day
16 before Sandy or didn't, the brand new pumps would
17 then be ruined. There was no mitigation effort
18 for a storm of this nature. Now --

19 LEGISLATOR DENENBERG: But when --

20 MR. MALLETT: part of this job that's
21 ongoing now, the reason why this job was delayed
22 is there as a manufacturing issue with the pumps
23 and motors which delayed it for over eight
24 months. The part of the 404 and 406 that is
25 included in this plan will mitigation from a

2 storm of that level and higher, having inundated
3 the influent pumps again. It will take care of
4 that problem. So we --

5 LEGISLATOR DENENBERG: According to the
6 capital --

7 CHAIRWOMAN GONSALVES: Let him finish.

8 MR. MALLETT: are merging our mitigation
9 with our existing project.

10 LEGISLATOR DENENBERG: Okay. According
11 to the capital plan, on construction we haven't
12 spent anything on this project. I'm just
13 reading. I'm reading the capital budget. We
14 didn't spend anything.

15 MR. MALLETT: I'm sure that Mr. Moth
16 (phonetic) of WHM would disagree with you.

17 LEGISLATOR DENENBERG: We spent on
18 design, which was complete in 2009.
19 Construction, according to this, should have
20 started in 10 and been done originally in 11,
21 then 12.

22 MR. MALLETT: Mr. Moth --

23 LEGISLATOR DENENBERG: Let me finish
24 now.

25 My concern is twofold. Number one --

2 three, actually. We've already authorized \$11
3 million for this, so why do we need an additional
4 authorization? Why are you even coming to us?
5 Perhaps, just get the work done. We already
6 authorized this. \$11 million, already authorized
7 years ago. That's question one.

8 Number two. If it's already authorized,
9 how could we possibly get FEMA rehabilitation --
10 FEMA payback?

11 Number three. If it's already authorized
12 and we've already supposed to be do it -- to have
13 done this influent pumping system, the project is
14 years and years old, it should have been done
15 years ago, how do we know when we reauthorize it
16 again now that it just gets done? Because the
17 people out here want to work and they want to see
18 the projects done. I don't know why I'm
19 authorizing more money when you have the full
20 project that you're asking for previously
21 authorized.

22 MR. MALLETT: Can you repeat question
23 number one? I lost it during the rest of it.

24 LEGISLATOR DENENBERG: But that doesn't
25 prove your point.

2 MR. MALLETTE: I just need to know what
3 question one is. Thank you.

4 LEGISLATOR DENENBERG: This money has
5 already been authorized. It was authorized years
6 ago. You have, according to your own capital
7 plan, \$11.5 million authorized, which is what you
8 need for this project. So why are you coming to
9 us to reauthorize it?

10 MR. MALLETTE: I'm not reauthorizing
11 that job. That job is being continued as it is
12 now. The influent pumping job is ongoing. We
13 are asking you for authorization to pay for
14 mitigation of that facility. Not the influent
15 pumping job. The mitigation of that facility.
16 If it's inside --

17 LEGISLATOR DENENBERG: The capital
18 budget --

19 MR. MALLETTE: that capital program,
20 it's just a funding mechanism. That's purely
21 what it is. Because in the past the legislature
22 has been so finite in their description of work
23 that you can't move it. It's additional dollars
24 into the program to mitigate once the pumping
25 system is --

2 LEGISLATOR DENENBERG: There's over \$400
3 million that has been authorized for the plants
4 that haven't been done.

5 MR. MALLETT: We went through that.

6 LEGISLATOR DENENBERG: This is \$11.5
7 million for a project that is still listed in the
8 capital budget and that is added into what we're
9 being asked to authorize. And I'm asking you, we
10 could do the Bay Park influent pumping system
11 with what's been previously authorized. In fact,
12 each of these --

13 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

14 Hold on for a second. That work is being done as
15 we speak. If you go there, you will see WHM will
16 be finishing their job. There will be no more
17 money left. Zero. This is additional dollars on
18 top of that to now mitigate.

19 WHM has the contract that this
20 Legislature's Rules Committee approved. So this
21 is work on top of that, additional work that
22 needs to be done.

23 LEGISLATOR DENENBERG: So to tell any
24 legislator that unless you approve this we can't
25 get pumps into Bay Park would actually be wrong

2 because we're already doing that with previous
3 approvals.

4 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

5 You can't mitigate it, so you hope you don't get
6 another storm or you will have a problem. The
7 project is not finished. The project is being
8 finished.

9 LEGISLATOR DENENBERG: I just -- it's
10 frustrating to me that we seem to authorize,
11 approve, and then the projects don't get done.

12 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
13 went through that with you. I was being kind.
14 You keep saying there's \$400 million. That's a
15 load of crap. I went through it. I'll go
16 through it piece by piece with you.

17 125 -- do you want to do the
18 pellitization process? Because that's 125 --

19 LEGISLATOR DENENBERG: I don't see that
20 in any of these projects that I'm looking at.
21 But I'll give you an example of my concern.

22 Odor control systems has been a project,
23 35116.

24 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

25 Yep. Going out to bid.

2 LEGISLATOR DENENBERG: Waste facilities
3 odor control --

4 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
5 Going out to bid.

6 LEGISLATOR DENENBERG: But this project
7 was supposed to be done in 2011, according to the
8 2011 --

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
10 Listen. If you want to go back, we can go
11 through that book and --

12 LEGISLATOR DENENBERG: No. But it's --

13 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
14 I'm not wasting my time arguing with you because
15 I can go find projects from 2008, 09, and 07 that
16 never even started. I don't want to do that with
17 you. These are --

18 LEGISLATOR DENENBERG: Explain to me how
19 --

20 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
21 projects that are going out to bid.

22 LEGISLATOR DENENBERG: the \$28 million
23 authorized for waste water facility odor control
24 improvements --

25 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

2 Yes.

3 LEGISLATOR DENENBERG: That \$28 million
4 that was previously authorized, that's in the
5 capital budgets as an authorization. I
6 participated in a meeting back in 2010 with the
7 neighborhood in Cedar Creek and in Bay Park, they
8 were together. That meeting happened to have
9 been in Bay Park, where this project was going to
10 move --

11 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
12 And I'm telling you it's going out to bid now.

13 LEGISLATOR DENENBERG: and we didn't
14 spend anything. So why do we need more money if
15 it's been authorized.

16 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
17 Because there are other parts of it that still
18 need to be done. We're doing additional work,
19 additional work, and additional work. If you
20 don't want to do it, we'll do half of it. Half
21 of the county won't smell, the other half will.
22 What do you want to do?

23 LEGISLATOR DENENBERG: No, no. You have
24 a project for waste water odor control which was
25 scheduled to be done in 11 and we authorized \$28

2 million. If it's not done that's not because the
3 legislature didn't give the money; we gave the
4 money, it's right here in your own capital plan.

5 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

6 Who said the legislature didn't give the money?
7 I'm not arguing with you. I'm saying it's going
8 --

9 LEGISLATOR DENENBERG: If we don't say
10 okay to this, you're only going to make half of
11 the county smell-free.

12 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

13 No, no. If you have the project --

14 LEGISLATOR DENENBERG: We have a project
15 for all smell-free.

16 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

17 you need the full money, you don't need half of
18 it. Do you want to have all the money or do you
19 want to have half? Listen. It's going to be
20 your vote. You're going to decide what you want
21 to do. Do you want to spend the money or not?

22 LEGISLATOR DENENBERG: Rob, Rob, the
23 project says that it's \$28 million in this year's
24 plan. That's what it says the total
25 authorization is. So I don't understand when we

2 authorized \$28 million in the past, going back as
3 far as 10 and 11, how is there not enough money
4 for that project?

5 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

6 There's not. Next.

7 LEGISLATOR DENENBERG: There's not?

8 CHAIRWOMAN GONSALVES: I just want to
9 interrupt. Now I'm interrupting, Mr. Denenberg,
10 if it's okay with you.

11 LEGISLATOR DENENBERG: Actually, no. I
12 want to understand.

13 CHAIRWOMAN GONSALVES: I need to get
14 clarification.

15 Things have changed since October 2012.
16 Correct? And it now means that what we were
17 planning to do needs to be mitigated, correct?

18 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

19 Correct.

20 CHAIRWOMAN GONSALVES: That's why the
21 additional money is there. Correct?

22 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

23 Correct. It's not like you can authorize for
24 odor control and spend it on cars. It can only
25 be used on odor control. We're not asking for

2 the money because we want to put --

3 LEGISLATOR DENENBERG: Let me ask you
4 this. Maybe this will help. The money that's
5 been previously approved for any project that's
6 an existing project, you're asking for money on
7 top of that, obviously.

8 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
9 Correct.

10 LEGISLATOR DENENBERG: And the reason
11 for that is, in some cases, mitigation --

12 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
13 Some cases mitigation --

14 LEGISLATOR DENENBERG: And what would
15 that mean to our constituents? What does
16 mitigation mean?

17 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
18 I'm being just the most simplistic. An area of
19 concern is you have a system that could be
20 submerged by a storm front. So instead of
21 leaving it submerged, you're raising it. Now if
22 you get a big tidal storm, it won't be impacted
23 and it will continue to work. That's as
24 simplistic as it is.

25 LEGISLATOR DENENBERG: So when I'm

looking at this list -- and something that I've been pushing on for, it seems like years, is project 35100, Bay Park and Cedar Creek digester rehabilitation.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

Yep.

LEGISLATOR DENENBERG: That is \$30

million, in accordance with what was approved in 10 and then again in 11. In 11, in 2011 we were projecting this project to be done April 2011.

Yeah. April 2011. What happened? And now we're just approving money to mitigate the digesters?

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

No. The contract was awarded by the gentleman sitting behind me. They have a contract. Now we're also going to do a change order to that contract to do mitigation because mitigation was never contemplated because no one ever contemplated having an eight foot or nine foot storm or tidal flow hit the facility.

LEGISLATOR DENENBERG: When digesters

have been -- particularly at Bay Park, but this is for Bay Park and Cedar Creek. When digesters have been a recurring problem -- and I'm looking

2 at a capital budget from 11 that says the project
3 will be done March 1, 2011, the total approved
4 bond at the time was 27 million 600. Now we're
5 going to up it to 40 million --

6 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

7 Yep.

8 LEGISLATOR DENENBERG: So there is an
9 increase. How do I know as a legislator,
10 particularly since we don't do quarterly hearings
11 to update, how do I make sure it gets done? I'm
12 not stupid. I know that we approved this years
13 ago and that --

14 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

15 I'm going to tell you this. The past practices
16 and the approvals of these plans were in, many
17 regards, I'm going to say it, were a joke. And I
18 say that because they said there's a 12 month
19 construction period, it was going to take 12
20 months. We all know with the procurement process
21 nothing ever takes 12 months. So you have to get
22 your design team on board, then you have to get
23 your inspection team on board, and then you
24 actually design it. Your design that was going
25 to originally take six months takes 12 months or

16 months or 18 months. It doesn't work. That is why we have this done completely different.

We have a project manager, similar to the way the EBA, the bond act was done, which I think was perfect. You get a quarterly update. You get a quarterly book. It tells you every project. It tells you where you are. We are doing the same exact process here with the program management team. Why it is different is because of that very answer I just gave.

Secondly, why it's different is because we have to expend the dollars if we're going to receive dollars within two years. Why is it also different is because we have this time designing the plans, up to 30 percent where in the past we never did. You'd have a program manager and then you'd go out and design for 100 percent and then you would have our inspection team. We have somebody now that's overseeing the entire process - designing 30 percent scope, or many regards even more, that they'll just bring in the contractor directly, vis-à-vis a bid. So it is completely different from the way it was done in the past.

2 You know what? You're right. It wasn't
3 working in the past. And we can blame everybody.
4 The bottom line is the people don't deserve it.

5 I'm not here to place blame on anyone at
6 all, other than to say let's get the God damn
7 thing done because enough is enough. We cannot
8 continue to wait.

9 LEGISLATOR DENENBERG: I certainly agree
10 with your frustration, and mine even grows
11 because it's not even just design that held us
12 up. I'm looking at Bay Park, Cedar Creek
13 digester rehabilitation project, 35100. 3-5-1-0-
14 0.

15 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
16 You keep going through the whole book. Stand
17 here. Let's get it done.

18 LEGISLATOR DENENBERG: But in the sense
19 that design was complete in August 2009, so we're
20 just waiting four years now for construction.
21 There has to be -- what mechanism can a
22 legislature have when we vote for these capital
23 plans, aside from relying on the administration,
24 to make sure that the projects hit the streets -

25 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

2 Great question.

3 LEGISLATOR DENENBERG: we put people to
4 work.

5 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
6 Great, great question. So the county executive
7 is signing an executive order that is going to
8 describe, in working with all of our
9 environmental groups, our civic associations,
10 that they are going to get quarterly review.
11 They are going to get updates on the plan.
12 They're going to be comprised of all of the
13 environmental leaders and neighborhood leaders on
14 it. It's going to be assigned today or tomorrow.
15 Forget the legislature oversight or the executive
16 oversight --

17 LEGISLATOR DENENBERG: Well, I'd like
18 quarterly hearings by legislators as well.

19 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
20 it's the residents --

21 CHAIRWOMAN GONSALVES: Don't interrupt,
22 please.

23 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
24 The best oversight that we possibly can have are
25 the people behind us because they deal with it

2 more than we ever will. They live it. The
3 understand it. They breathe it. They smell it.
4 So that is why the county executive is doing it.
5 He's signing the executive order that's going to
6 put in similar practice that we've done with the
7 Environmental Bond Act, to have them involved to
8 make sure it in fact occurs. That's how it's
9 going to get done.

10 LEGISLATOR DENENBERG: I'll tell you
11 this. It's good that you're getting claps on it.
12 I certainly agree that the people there have done
13 their best. But when you look through a book --
14 when you look through a book and you see all
15 these projects, my concern ultimately is exactly
16 the same as yours. I cannot understand how we
17 can authorize this much money and not get the
18 projects done and look at a book that says
19 they're designed but not done. I'll give you the
20 money.

21 And it's great that you think that you're
22 going to say that you're going to have quarterly
23 hearings and let a citizens' oversight committee
24 look at it. But that's the legislature's job.
25 And the point is that the Public Works Committee

2 or the Full Leg, on a quarterly basis, should
3 hold your feet to the fire and say where are we
4 on these projects?

5 The digesters have been designed. The
6 odor control needs to be designed.

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
8 already told you. The contracts have already
9 been awarded so they are actually starting work.

10 LEGISLATOR DENENBERG: Okay.

11 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
12 Again, as I said, there will be five construction
13 bids. Two are already on the street, and three
14 more are going out this week. So the work is
15 going out.

16 LEGISLATOR DENENBERG: Let me ask you.
17 Maybe you need the contractors. Let me just ask
18 on another line. I can go through the book and
19 show a lot of these projects have been funded. I
20 understand that you are saying that we need more
21 funding for these projects and for mitigation.

22 I can't do the math up to 679 because
23 it's unclear what's been previously funded and
24 what hasn't. So two questions.

25 Number one. What do we need -- and maybe

2 the engineers need this. What do we need
3 environmental impact studies on, technical and
4 design specifications for before we can do these
5 projects?

6 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

7 The outflow.

8 LEGISLATOR DENENBERG: An outflow pipe,
9 obviously the EPA is going to get involved and we
10 need to get a whole permitting. But is there
11 anything like that for the other projects?

12 MR. GOSS: I think for many of these
13 jobs, because they take place within the plant
14 boundary, there is limited permitting process.
15 Obviously, for the odor control projects, there
16 are new odor control permits because we'll have,
17 in some cases, a new point source or modified
18 point sources. For the most part the permitting
19 projects are minimal, except for the plant
20 boundary alternatives. If we propose to put a
21 boundary around the plant, there will likely be
22 an environmental impact statement and a lot of
23 public participation in that because it's a
24 project that will impact the surrounding
25 community.

2 LEGISLATOR DENENBERG: Okay. I guess
3 last question for Mr. Walker.

4 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
5 Yes.

6 LEGISLATOR DENENBERG: Rob.

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
8 Yes.

9 LEGISLATOR DENENBERG: How much of the
10 previous -- because you and I did start speaking
11 of this. The previous approvals, when we
12 approved capital plans, how much of that funding
13 or that authorized but unissued bonding can still
14 be gone into, used?

15 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
16 Sixteen million, I think.

17 LEGISLATOR DENENBERG: That's it?

18 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
19 Yep. Because the projects you're talking about -
20 - I'm sorry. 19.2 million. Yes. That's it.

21 LEGISLATOR DENENBERG: What's the
22 reason? Why would somebody --

23 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
24 Because 28.4 million is going to Cedar Creek, for
25 the bid that's going out for Cedar Creek. 20.7

1 is going out for a bid at Bay Park. 19.1 has
2 just been allocated for the digesters. 5.9 has
3 been allocated for security improvements. 1.8
4 has been allocated for roof repairs. So that
5 leaves 19.2.

7 LEGISLATOR DENENBERG: So of the 400
8 that had been there at some point, some of it
9 just ages out.

10 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
11 As I said, as I was saying to you, 125 --

12 LEGISLATOR DENENBERG: Because I added
13 up what you just said it was about 100 million,
14 give or take.

15 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
16 You can give or take. I'm giving you quick
17 estimates.

18 Your numbers, all those projects, 41
19 million is for lateral sewer pipes throughout the
20 county. Projects were completed. 41 million,
21 you cannot use it for anything else other than
22 lateral sewers. 125 million for those projects
23 that were authorized, that are still in the
24 financial system was for pellitization of two
25 facilities. So it came out, what was left was

2 90-something million, 100 million, of which we
3 allocated what I just told you, leaving 16
4 whatever the number is, 19.2.

5 LEGISLATOR DENENBERG: At some point
6 show me what project number was pellitization
7 because I never saw a project number for that,
8 and certainly not one I would have voted for.

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
10 Yes. You were the chairman of Public Works. I'm
11 teasing.

12 LEGISLATOR DENENBERG: There's no way I
13 voted for that. I've been fighting that since
14 1991.

15 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
16 You said to move it to Glen Cove.

17 LEGISLATOR DENENBERG: I don't think I
18 would move it anywhere.

19 Thank you.

20 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
21 That was 125 million of the total.

22 LEGISLATOR DENENBERG: But what project
23 number was it?

24 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
25 I'll get you the number. I don't know.

2 LEGISLATOR DENENBERG: Thanks.

3 CHAIRWOMAN GONSALVES: Legislator

4 DeRiggi-Whitton.

5 LEGISLATOR DeRIGGI-WHITTON: Thank you,
6 Madame Chair.

7 Mr. Walker, first of all, I want to start
8 by saying I appreciate what you're doing for Glen
9 Cove. And I do have a request to start with.

10 For the last year I've been asking that
11 we include in our capital budget a project that
12 actually our own DPW recommended as being
13 necessary, which would be to hook up the
14 remaining 75 homes in Glen Cove. We just did a
15 grant for a feasibility study, which I expect to
16 be getting. We worked with Steve Israel and the
17 Mayor of Glen Cove. We should be getting that in
18 October. I heard the original estimate was 15
19 million, and now I hear it's down to like seven
20 million. That would really clean up that area.
21 It's not only that beach that the citizens are
22 allowed to use that's been closed for five years,
23 but also the water table is very close there.

24 I sent in a request that we actually have
25 had columns about and I have never received a

2 response. So I would appreciate it.

3 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
4 know we reached out to the Mayor of Sea Cliff as
5 well.

6 LEGISLATOR DeRIGGI-WHITTON: That's a
7 little different. That's connecting -- right,
8 the main street.

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
10 In conjunction with all of them, obviously we'd
11 have no problem looking at 75 more homes. I
12 think the feasibility study is important. You
13 get the feasibility study, make sure we can do
14 it, and we move the project.

15 LEGISLATOR DeRIGGI-WHITTON: We should
16 have that in October. Again, I appreciate that
17 being addressed.

18 This is something I would hope that my
19 chair on the Finance Committee would back me up
20 on.

21 As you know, we did pass the sewer
22 through Finance. When we did that, we had Mr.
23 Mallette come up and we were going over what
24 money had been allotted, what money was available
25 basically going forward. And one of the

1 questions of the 400 million came up. He said
2 that's there. That's available. We're ready to
3 go.
4

5 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
6 Who said that's available?

7 LEGISLATOR DeRIGGI-WHITTON: Mr.
8 Mallette. Richard Mallette.

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
10 doubt that he would say that. It's entirely not
11 true.

12 LEGISLATOR DeRIGGI-WHITTON: We asked it
13 like three times. It's on the record.

14 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
15 I'm going to tell you exactly what's available.

16 LEGISLATOR DeRIGGI-WHITTON: I already
17 understand that. I understand that information
18 was wrong. I heard that a few days ago. I heard
19 it from the -- I've been told that.

20 The bottom line is I know that that was
21 the wrong information. But this is the second
22 time I've been given the wrong information by the
23 same person, honestly. I really think that we
24 really need to look into this. If you're not
25 sure, there's nothing wrong with saying I don't

2 know. But to come up here and tell us that 400
3 million is available and then for me to find out
4 that 92 million is available, I think that it's a
5 very bad precedence. It's impossible to work on
6 the Finance Committee with that being allowed.

7 You can go back and record the record
8 yourself. I don't have to tell you what was
9 said. I paid attention to that very clearly.
10 We're talking about a lot of money.

11 I hope that everybody here understands we
12 do support this project. However, like we just
13 mentioned with the Sandy cleanup in other areas,
14 if we're only getting 30 percent reimbursement
15 from FEMA on a \$100 million contract or \$70
16 million contract, that money is coming from our
17 operational budget.

18 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

19 Just make sure you understood what I said. We're
20 going to get the 100 percent --

21 LEGISLATOR DeRIGGI-WHITTON: I hope so.

22 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

23 We are because they obligated PW. What I was
24 talking about was actual cash.

25 LEGISLATOR DeRIGGI-WHITTON: I

2 understand that.

3 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

4 So there are two different things that we're
5 talking about.

6 LEGISLATOR DeRIGGI-WHITTON: What we're

7 just saying is even for the year end we only have
8 30 percent so we have a gap.

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

10 Yes.

11 LEGISLATOR DeRIGGI-WHITTON: What our

12 job is here is absolutely to protect the
13 environment, but it's also the financial aspect
14 of it. I hope everyone here understands what
15 we're trying to do is our due diligence. Because
16 at the end of the day if there is -- let's say we
17 only get 30 percent back from 700 million, I'm
18 telling you you're not going to be happy with
19 your tax bill either.

20 We have to play both hands. I hope

21 everybody understands that's what we're trying to
22 do.

23 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

24 We will be able to cover it financially.

25 LEGISLATOR DeRIGGI-WHITTON: Yeah, we'll

be able to cover it, but we'll have to come up with the money and we all know how that happens.

CHAIRWOMAN GONSALVES: I'm going to interrupt you for one minute, Legislator.

How much are we anticipating getting back from FEMA?

CHIEF DEPUTY COUNTY EXECUTIVE WALKER: Of the \$700 million?

CHAIRWOMAN GONSALVES: Yeah.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER: Out of the 700 that we're talking about, roughly 680 million or 670 million.

LEGISLATOR DeRIGGI-WHITTON: That's what we hope. We're only getting 30 percent back in other areas.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER: No, no. We're getting back 90 percent --

LEGISLATOR DeRIGGI-WHITTON: I hope so.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER: No, no. We are.

LEGISLATOR DeRIGGI-WHITTON: I hope so.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER: They've already obligated those dollars. That's a grant award. Do you understand how the project

worksheets work?

LEGISLATOR DeRIGGI-WHITTON: Yeah. I do.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER: Okay.

LEGISLATOR DeRIGGI-WHITTON: But I also understand that all I'm telling you is what we're doing is due diligence.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I'm all for due diligence. I have no issue with it.

LEGISLATOR DeRIGGI-WHITTON: That's all that we're doing. And that's all that I'm doing. And I want everyone here to understand that's why we're going through all of this. We're not trying to, in any way, slow anything down. If this, for some reason, does not work the way that everybody hopes it does, we're in a lot of money and it's a lot of money at once. We have to just be careful. Let's move it on from there.

I do request, Mr. Walker, that possibly you look into what happened in Finance. You would see yourself. You would not feel comfortable with the information you were given

2 on a vote that I had to make.

3 First of all, let me just start with has
4 FEMA done any type of assessment with this
5 project?

6 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

7 Yes. We work with them actually daily and
8 weekly, weekly updated meetings. They've been
9 working through this process since a week after
10 the storm.

11 LEGISLATOR DeRIGGI-WHITTON: Are they in

12 line with where we are?

13 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

14 Yes, they fully -- they've actually already
15 approved all the temporary measure of work. We
16 already have a project worksheet approved.
17 Actually we received funding, some of the funding
18 for the work we've done. They work hand-in-hand
19 with us through this process.

20 LEGISLATOR DeRIGGI-WHITTON: Now I

21 understand the engineers who were hired, how long
22 have they been working on these sewage treatment
23 plants? How long have we had them?

24 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

25 These gentlemen? The company has been in

2 existence for -- I'll let them speak for their
3 own credentials.

4 MR. DENICOLA: Again, I'm Mike DeNicola
5 with Hazen & Sawyer. Are you asking how long has
6 Hazen been working on waste water treatment?

7 LEGISLATOR DeRIGGI-WHITTON: How long
8 have you been maintaining and helping with the
9 sewage treatment plants on the south shore?

10 MR. DENICOLA: I've been at Hazen &
11 Sawyer back in the 80's and 90's did about 18
12 years rebuilding that entire plant. I've been
13 involved personally at Cedar Creek since 06 and
14 responded the night of the storm. I've been
15 onsite ever since. Hazen & Sawyer has been
16 around for 70 years.

17 Peter is a joint venture on the project.

18 LEGISLATOR DeRIGGI-WHITTON: I
19 appreciate it.

20 MR. GOSS: Malcolm Pirnie Arcadis has
21 been involved in Cedar Creek since the mid-80s
22 and I've been working at both plants since about
23 94, I think.

24 LEGISLATOR DeRIGGI-WHITTON: So you've
25 been aware.

2 Have you done your own estimate as to
3 what this project is going to cost?

4 MR. DENICOLA: Yeah. As part of the
5 response effort in working with FEMA, we
6 developed damage assessments of every area, every
7 piece of equipment. We developed cost estimates.

8 LEGISLATOR DeRIGGI-WHITTON: Have you?

9 MR. DENICOLA: Yes.

10 LEGISLATOR DeRIGGI-WHITTON: Do you have
11 a copy of that? I know that there's a 2.5 in
12 your contract that requires that you submit that.

13 MR. DENICOLA: We have issued nine cost
14 estimate modules to FEMA.

15 LEGISLATOR DeRIGGI-WHITTON: To FEMA.

16 MR. DENICOLA: Yes.

17 LEGISLATOR DeRIGGI-WHITTON: How about
18 to the County?

19 MR. DENICOLA: Through DPW. DPW has the
20 information.

21 LEGISLATOR DeRIGGI-WHITTON: And your
22 estimates are in line with what the county's --

23 MR. DENICOLA: Our estimates are what
24 that presentation is based on, yes.

25 LEGISLATOR DeRIGGI-WHITTON: Okay.

2 There's something I just wanted to ask you about.

3 As far as these contracts go -- Rob,
4 maybe this is for you, Mr. Walker. In the past I
5 know we've been trying to get any kind of
6 disclosure if there are any conflicts with a
7 contract. Do you have anything in writing
8 regarding any - like, for instance, I don't know
9 what engineer is. I don't know if CSM is
10 involved.

11 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

12 They are required to disclose, as they are
13 required to under the law, every company that is
14 doing work with the county is responsible for
15 disclosure.

16 LEGISLATOR DeRIGGI-WHITTON: Is Nelson

17 Pope, CSM or anybody like that involved?

18 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

19 Anybody is able to bid, as they normally are. Do
20 you have a problem with Nelson and Pope? I could
21 understand why you are probably asking that
22 question, which is ridiculous.

23 LEGISLATOR DeRIGGI-WHITTON: No, it's

24 not ridiculous.

25 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

2 No, it is.

3 LEGISLATOR DeRIGGI-WHITTON: I'm just
4 asking if we have any conflicts at this point.

5 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
6 No.

7 LEGISLATOR DeRIGGI-WHITTON: Have there
8 been any disclosures with anybody that --

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
10 They have to file disclosures, as you are.

11 LEGISLATOR DeRIGGI-WHITTON: We have to
12 make sure that we have that going forward.

13 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
14 That's what the Rules Committee takes up and
15 votes on the contracts.

16 LEGISLATOR DeRIGGI-WHITTON: Okay. I'm
17 just reiterating that.

18 I'm going through past practices and I'm
19 trying to avoid any issues.

20 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
21 I'm sure you are.

22 LEGISLATOR DeRIGGI-WHITTON: So I would
23 like to make sure that we request that if there
24 is any type of conflicts -- also, Mr. Walker,
25 while you're still there. Let's just take the

worst case scenario and maybe, like what we said before, the problem is we don't know when FEMA is going to reimburse it. How are we going to pay for -- let's say even -- if we bond, how are we going to -- let's say we're bonding \$700 million.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

As I said before, we are very comfortable. It will be part of our financial plan. It will be covered in our debt service fund and we will pay it.

LEGISLATOR DeRIGGI-WHITTON: How much is for the year?

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

First of all, we're not bonding \$700 million at once.

LEGISLATOR DeRIGGI-WHITTON: I

understand.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

It will be bonded over three to four years, as required.

LEGISLATOR DeRIGGI-WHITTON: You see,

once I authorize it, you can go ahead and bond it at once and I wouldn't even know.

CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

2 No, no. You would --

3 LEGISLATOR DeRIGGI-WHITTON: You're
4 asking us to authorize 700 million.

5 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
6 First of all, you would know and you would need
7 NIFA's approval to bond.

8 LEGISLATOR DeRIGGI-WHITTON: Correct.

9 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
10 So you would. The financial plan, if you
11 actually look in the capital plan it actually
12 calls for roughly 300 million in bonding, and
13 then the following \$300 million bonding, and
14 whatever the case may be. But it is not \$700
15 million at once, like I said before. I don't
16 know if you want to hear what you want to hear or
17 you actually want to listen.

18 It's not bonded. It's going to be bonded
19 over four years. It will be covered in our
20 financial plan as it is required to be covered,
21 in our debt service fund. You have debt coming
22 off. And I would make the argument to you,
23 especially being from Glen Cove, you cannot
24 afford to take the risk and wait because the work
25 needs to be done today. You have a pump station

2 in Glen Cove that's not functioning.

3 LEGISLATOR DeRIGGI-WHITTON: I am fully
4 aware.

5 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
6 So you're talking about the homes. There are 75
7 homes that don't have connections to the sewer.
8 You're going to have a lot more homes that are
9 going to be impacted by it. That's the risk we
10 take.

11 LEGISLATOR DeRIGGI-WHITTON: I'm aware
12 of that.

13 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
14 That's my answer.

15 LEGISLATOR DeRIGGI-WHITTON: However,
16 what you're -- how many times are you going to
17 have to come back to me to get the 700 million
18 after we authorize it today?

19 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
20 I'm going to have to come back for every
21 contract. Every contract needs to be approved by
22 the legislature. On top of that, NIFA has to
23 approve the contract and NIFA has to approve
24 bonding.

25 LEGISLATOR DeRIGGI-WHITTON: Sure. But

2 coming to us right now you are asking us to
3 approve the full \$700 million.

4 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

5 Yes I am, because I need to enter into contracts.

6 LEGISLATOR DeRIGGI-WHITTON: Right.

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

8 And you have contractors that will not sign a
9 contract to do the work, you can ask them
10 yourself. They will not --

11 LEGISLATOR DeRIGGI-WHITTON: So once --

12 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

13 Let me finish.

14 LEGISLATOR DeRIGGI-WHITTON: I am.

15 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

16 You will not sign a contract unless you have the
17 full authorization. So you either have the money
18 --

19 LEGISLATOR DeRIGGI-WHITTON: I've got

20 that.

21 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

22 You're not letting me finish.

23 LEGISLATOR DeRIGGI-WHITTON: No, I've

24 got it.

25 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

2 Let me finish so you can listen.

3 LEGISLATOR DeRIGGI-WHITTON: We got it.

4 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

5 Because you don't listen.

6 LEGISLATOR DeRIGGI-WHITTON: I

7 understand it.

8 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

9 Then don't ask the question nine times.

10 LEGISLATOR DeRIGGI-WHITTON: No. I'm

11 not asking the question nine times. I'm asking

12 you if \$700 million right now is what you're

13 coming to us to authorize.

14 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

15 Yes.

16 LEGISLATOR DeRIGGI-WHITTON: This will

17 be the only time that we're authorizing that much

18 money, honestly.

19 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

20 Yes, correct.

21 LEGISLATOR DeRIGGI-WHITTON: You can go

22 ahead and bond after we authorize it.

23 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

24 No. I can't. I can't. This isn't the magic

25 wheel that the county executive can do whatever

2 he wants. I have to go to NIFA.

3 LEGISLATOR DeRIGGI-WHITTON: Right.

4 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
5 have to comply with the financial plan. I have
6 to have the money to pay for it. I have to
7 comply with the capital budget, and I also have
8 to get the approval of all the contracts and, as
9 I said again, NIFA. So there are other steps
10 that have to go in place.

11 LEGISLATOR DeRIGGI-WHITTON: Well,
12 you're coming to me to authorize \$700 million,
13 which is a lot of money, and I'm taking it pretty
14 serious. So my question is should FEMA kind of
15 follow along with what we're seeing with Sandy,
16 with the, like, Looks Great Service and all of
17 those contracts and be in line with going a
18 little slow and possibly, I'm still hoping that
19 we get close to 100 for that.

20 Let's say we only get \$100 million back.
21 Do you know how much that's going to be? Let's
22 say we just have to talk about \$400 million just
23 to start out with. How much is that a year?

24 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
25 Well we're not bonding. As I said again, you're

2 not borrowing \$400 million a year. You're not
3 doing it in one year. You're doing it over the
4 course of time. You're going to go to the market
5 on the bond. You don't know how much you are
6 bonding. Right now in 2013, chances are you are
7 borrowing very little because no work -- you're
8 going to start the work. You're not going to
9 make a lot of payments. You're going to have
10 very little that you're actually going to borrow
11 because you're going to borrow as the process
12 takes place.

13 In 2014 you're going to have a little bit
14 additional borrowing because more work is taking
15 place. 2015, you'll probably have even more
16 because now you're going to have more projects
17 going. 2016 will actually probably be the
18 highest amount of bonding because you're going to
19 have the most work that's being done, multiple
20 contracts, they all would have started and you're
21 going to make payments. So that's the way it's
22 going to take place.

23 And you'll have a financial plan that
24 will cover it, as Deputy County Executive Salomon
25 (phonetic) put in place, you'll have the means by

2 which to pay.

3 I am going again to say to you that I
4 don't care if I don't get the money because the
5 system is going under. People will not be able
6 to flush their toilet. So if you want to say to
7 the 540,000 residents of Nassau County that, you
8 know what, because FEMA is moving too slow or
9 because the state is moving too slow I'd rather
10 wait for them and I hope nothing happens so you
11 can flush your toilet. I'm not prepared to do
12 that.

13 LEGISLATOR DeRIGGI-WHITTON: I don't
14 think that.

15 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
16 But that's the decision you have to make.

17 LEGISLATOR DeRIGGI-WHITTON: What I want
18 to know is -- you're saying we'll find the money
19 to pay for it.

20 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
21 Yes, we will.

22 LEGISLATOR DeRIGGI-WHITTON: Meanwhile,
23 we just cut youth services because we said we
24 couldn't afford \$7 million.

25 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

2 No, no. We didn't cut youth services. That was
3 actually the money that was put in the budget and
4 we restored youth services.

5 LEGISLATOR DeRIGGI-WHITTON: The bottom
6 line is that there have been issues in this very
7 recent past where we're talking about one percent
8 of this and we've run into major crisis.

9 As far as I'm concerned, what I think we
10 really need to do is prepare for the worst, this
11 way we're not stuck with these types of
12 situations like we saw with what happened before.
13 And I would just like to know -- you tell me
14 we're going to get 100 percent, don't worry we're
15 going to find the money to pay for it. Then I
16 have someone telling me we have \$400 million and
17 I fired a group of trees, people that were
18 cutting down the wrong trees. The bottom line is
19 I'm starting to lose faith here. We need to see
20 where this would come from.

21 I do want to see this project move
22 forward. If we allocate \$700 million, with what
23 you're saying right now is you think we only have
24 to pretty much borrow about \$15 million
25 approximately the first year and then a little

2 bit more --

3 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
4 didn't give a number. I said very little.

5 LEGISLATOR DeRIGGI-WHITTON: Very
6 little. You have no estimate?

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
8 No.

9 LEGISLATOR DeRIGGI-WHITTON: I know we
10 tried to get this estimate. Do you have any cost
11 analysis, as far as going forward?

12 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
13 You have the cost analysis. You have it on --

14 LEGISLATOR DeRIGGI-WHITTON: I have the
15 total amount.

16 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
17 You don't know because it will exist as the
18 program goes forward. Honestly, I would rather
19 pay it all in one year because that means the
20 project is done. We know that's not going to
21 take place. You know there's going to be a three
22 to four year project. So the first year you have
23 less projects, you're doing work. We're already
24 in July. And this is what I said about working
25 with NIFA. NIFA allows us to bond the money that

2 we need to go forward. They're not going to say
3 give you \$300 million if they know we're only
4 going to spend 150. So it makes no sense. We're
5 going to have cash on hand, the cash to pay the
6 bills. But you need the money to authorize the
7 contracts. I let the contractors speak for
8 themselves because they will tell you that
9 exactly.

10 But you need to have the money in place.
11 You need to move forward. You will bond or you
12 get cash as you need it to pay. The end game, in
13 2015 or 16, it will probably be the most because
14 every contract will be undergone. You will be
15 working on everything. That's when you'll be
16 paying the biggest bills. The work will be
17 finished. A \$356 million project, you're not
18 paying that in day one.

19 LEGISLATOR DeRIGGI-WHITTON: I just have
20 two more quick questions.

21 Can you apply -- at what point do you
22 apply for FEMA? Do you actually have to pay out
23 before you can apply?

24 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
25 It all depends on the programs. Most cases, yes.

2 Some not.

3 LEGISLATOR DeRIGGI-WHITTON: So for,
4 like 2016, 2016, do you think we'll be able to
5 apply for some of that reimbursement prior to
6 that?

7 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
8 You're going to apply when a program becomes
9 available. There are programs that are becoming
10 available now that we're applying for. One is a
11 hazard mitigation. It's \$500 million for the
12 entire state. We're applying for that. That's
13 due on August 1. FEMA money, we're working with
14 them right now. Public assistance money, we're
15 working with them. That's not a deadline to
16 apply. As the project becomes available, they
17 have to actually agree to the language, because
18 the only person that can agree to it is them,
19 then they approve the project. It's ongoing.

20 You have different programs that will
21 become available throughout the test of time and
22 we will apply for every one that we're eligible
23 to apply for. Listen. I want this to cost
24 nothing.

25 LEGISLATOR DeRIGGI-WHITTON: I know.

2 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
3 don't want the county paying anything.

4 LEGISLATOR DeRIGGI-WHITTON: That's
5 exactly what we all want.

6 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
7 But I'm also not waiting.

8 LEGISLATOR DeRIGGI-WHITTON: Do you
9 think it's possible to have some of the FEMA
10 money back before we do those projects?

11 CHIEF DEPUTY COUNTY EXECUTIVE WALKER: I
12 don't know.

13 LEGISLATOR DeRIGGI-WHITTON: One last
14 question. I know you mentioned something about
15 the CDBG reimbursing approximately 300 million.

16 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
17 No, no. We're going to request a CDBG grant for
18 \$300 million, maybe even more. Maybe we'll ask
19 for 700 million.

20 LEGISLATOR DeRIGGI-WHITTON: Have they
21 ever done that before with a project like this?

22 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
23 No. This is a supplemental -- I know you know
24 about CDBG, as everyone here does. This is a
25 supplemental appropriation by Congress and signed

2 by the president that allocated \$15 billion to
3 CDBG money for a store. They have their local
4 assistance program that they are working now to
5 get people back, and that's roughly 1.8 billion
6 or so to Nassau County residents. The next
7 pocket of funds is going to be infrastructure
8 money. They haven't released those funds. But
9 in the law it specifically mentions waste water
10 facilities. So we will be eligible to apply once
11 they develop those programs. They haven't
12 developed them yet. So we are waiting for them
13 for guidance and for their approval.

14 LEGISLATOR DeRIGGI-WHITTON: All right.

15 CHAIRWOMAN GONSALVES: Legislator
16 Troiano.

17 LEGISLATOR TROIANO: Thank you. I just
18 have one really quick question for you. About
19 three hours ago we had a visit from our mutual
20 friend, Cay Fatima. She had a question about the
21 Whitfield Road project.

22 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:
23 Yes.

24 LEGISLATOR TROIANO: Can you give us an
25 update on what's happening with that?

2 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

3 Yes. Whitfield Road is the first road that's
4 being done under the -- the Rules Committee
5 passed a contract two weeks ago at the Rules
6 meeting and we actually put in a condition that
7 that's the first road that's going to be
8 completed under that project. It will go -- it's
9 at NIFA now or about to get to NIFA for their
10 approval, and then they will start.

11 LEGISLATOR TROIANO: So we could start
12 as soon as August.

13 CHIEF DEPUTY COUNTY EXECUTIVE WALKER:

14 The contractor wants to start today. Literally,
15 as soon as NIFA approves it they are ready to
16 rock and roll.

17 LEGISLATOR TROIANO: Thank you.

18 CHAIRWOMAN GONSALVES: Now, I know there

19 are many members of the public out there who have
20 been waiting very patiently for an opportunity to
21 address this body and to ask the questions of
22 concern. I'm going to begin with someone who has
23 been here for quite a while, Mr. Alexander. I'm
24 going according to the order of the slips. Mr.
25 Alexander.

2 MR. ALEXANDER: Thank you, Presiding
3 Officer, members of the Legislature. My name is
4 Eric Alexander, Executive Director of Vision Long
5 Island. We are very excited, we were a few hours
6 ago, that there were resources secured, set aside
7 for Bay Park Sewage Treatment Plant improvements,
8 which are much needed. This is something that we
9 can sit and argue -- and I think we probably
10 have, that this could have and should have been
11 done many, many years ago. The next best time to
12 do it is today.

13 Kudos to this administration for putting
14 a serious investment forward. Again, we're not
15 going to squabble over the past. Let's move
16 forward.

17 So, with that, clearly, hats off to the
18 people in Bay Park who somehow, in the treatment
19 plant, have put together, have kept the project
20 operating somehow, through spit and glue, I'm not
21 sure. But these resources are moving forward.

22 You have an incredible engineering firm
23 and team that is ready to go. You've heard that
24 there are a series of documents that in place to
25 move this investment forward.

2 We were in East Rockaway last night.
3 We've been doing a lot of volunteering and
4 helping some of the Sandy relief and rebuilding
5 groups, and we got to hear from the 11518 group
6 that was just formed, and the stories firsthand
7 of sewage literally everywhere, on their
8 properties, on their streets, in their basements.
9 It's disgusting, at best, to hear these stories.
10 It's much worse to live through them.

11 So, we heard there was rumor that there
12 as opposition to this investment from -- I'm not
13 going to say whatever side of the aisle, left,
14 right, I really don't care -- and instead break
15 up the financing into multiple parts.

16 We know, through our experience in
17 working with capital projects and certainly
18 lobbying for them and securing those funds that
19 that's unprecedented on any capital project. So
20 we had just a few questions that we asked
21 ourselves and asked others over the course of the
22 weekend, when we got wind of this.

23 One. How does that impact the cost, the
24 functionality of the job and the contractors, the
25 other contractors that would secure, want to move

1 forward with a project that really didn't have
2 dollars set aside. The answer from a couple of
3 the contractors we spoke to was no.

4
5 How does this impact federal
6 reimbursement for Sandy? We could reach as much
7 as 90 percent. Our understanding is the
8 complexity is a federal funding that's coming
9 down the pike through FEMA and others is that the
10 county process needs to be simple. There needs
11 to be a unified approach amongst the county. So,
12 therefore, the confusion that does come from the
13 federal government does get synched up. And the
14 Sandy Relief Act did just pass, so they have been
15 writing their rules and setting the programs
16 available. The reality is you need to set the
17 table properly locally.

18 Third. How does this impact New York
19 State funding that could provide some GAP
20 financing through New York State EOC, the CRZ,
21 which is the CBG monies, Sandy monies, and other
22 New York State economic development programs.

23 Again, we're part of a Long Island lobby
24 coalition. My friend Adrienne Esposito from
25 Citizens' Campaign for the Environment works with

1 us on that. I think this project has been on the
2 Long Island Sewer list for four years that we've
3 been on there. All four years.

4
5 Clearly there is a priority. We've been
6 trying to get the state engaged in this, if they
7 could possibly provide some GAP financing.

8 Obviously, again, you have to set the table to
9 ensure all these funding streams can come
10 forward.

11 Then, most importantly, how does this
12 structure impact people who are dealing with this
13 day in and day out? It goes without saying, that
14 the catastrophic regional failure in response in
15 many cases and in infrastructure that we've had
16 for our region post-Sandy.

17 Folks in local communities are frustrated
18 at delay and frustrated at the squabbling and the
19 inability to come together and unify. There's no
20 press here and there's not lots and lots of folks
21 from local communities here today. But I'm sure
22 if they got wind that there wasn't unity amongst
23 this body there would be a lot of grumpiness, at
24 best.

25 So, with all that. Look. We're on the

south shore and we know that folks want to move forward. Then again, the question is can you break this out? Even under NIFA, would they allow you to break this out into multiple pieces?

Again, someone told me -- maybe this is a craving question here. The purpose of opposition was simply leverage, leverage -- certainly oversight is good. Leverage is the purpose of elections not government, governance. Governance is now.

CLERK MULLER: Your three minutes have expired, sir.

MR. ALEXANDER: Governance is addressing the local needs and the regional needs of Nassau County. And we would just encourage folks, and hopefully we can come back to the good mood that we all were when this was on the agenda, to vote yes for waste water treatment funding in the Nassau County capital budget.

Thank you.

CHAIRWOMAN GONSALVES: Thank you very much.

Tommy Asher.

MR. ASHER: Good afternoon. I am the

2 captain of Operation Splash, the Island Park
3 Chapter. I'm also an admin of the Island Park
4 Community Group, which we have about 1700 members
5 and they span out across the south shore.

6 This hasn't been a political issue. We
7 don't want it to be a political issue against
8 sides. So I'm going to bring something up that I
9 didn't want to bring up.

10 Mr. Becker, I'm a registered republican,
11 sir. I really don't appreciate the way you came
12 out before, and I'd like to apologize to the
13 democratic side for that. This has no place.
14 This has no place -- excuse me.

15 LEGISLATOR BECKER: I stand by what I
16 said.

17 MR. ASHER: Let me speak, sir. Let me
18 speak, sir.

19 CHAIRWOMAN GONSALVES: Tommy, it's
20 yours.

21 MR. ASHER: I also happen to really
22 appreciate Mr. Mangano and Mr. Walker because
23 they've had this open-door policy with our
24 environmental groups pre-Sandy. We've been
25 working very hard with them. I also want to make

1 a point that Mrs. Ford and Mr. Denenberg, not too
2 long ago, came together and we got legislation
3 passed on no fracking waste going through our
4 treatment plants. So this has been not -- it's
5 been bipartisan; keep it that way, please.
6

7 Just a few weeks ago I was in front of
8 the Rules Committee and another bipartisan
9 decision to keep this situation going with the
10 28, \$29 million. So let's keep it clean when it
11 comes to our waters because I'm not going to
12 tolerate that.

13 As far as what's going on here, we need
14 this. Ms. Whitton, I appreciate your due
15 diligence and I understand it. But whether FEMA
16 comes or not, I'm still waiting for FEMA. My
17 house is destroyed, my business. I'm from Island
18 Park. My business is destroyed. My building is
19 destroyed. I'm still waiting for a lot of stuff,
20 too. Our businesses can't afford another
21 accident, which happened only a couple of months
22 ago, with the possibility of six million gallons
23 going out into our bays. We just had another
24 power outage the other night.

25 We were in bad shape before the storm.

2 We are hanging on by a thread now, literally
3 hanging on by a threat.

4 I also own a recycling plant in Georgia
5 where I have a foreign piece of equipment that I
6 had to bring over here. What Mike was talking
7 about before, about communications and
8 electronically, it's a system. It all has to go
9 in play. My DAF system on my machine wouldn't
10 talk to my foreign machine that I bought
11 overseas. So the next machine that I bought for
12 my plant, we had to build it here.

13 Communications in electronic systems, they all
14 got to talk to each other. You can't fix one
15 thing without doing the other stuff in unison.
16 So as far as cutting this up, I understand.

17 We're in trouble tax wise. I understand
18 what your motives are and I appreciate them.
19 This has to happen now.

20 I'll even bring it into layman's terms.
21 My SUV took three months to die because of salt
22 water intrusion. I went to Florida and back with
23 my family to drop my in-laws off at a new home
24 down there because their home was destroyed. I
25 feel fortunate that my truck lasted three months.

1 But guess what? My wife backed out of the
2 driveway three months later, duh, duh, duh, and
3 it died. That's exactly what's going on every
4 day at this plant.
5

6 We got Empire Kayak. We have Long Beach
7 businesses starting to come back, little by
8 little starting to come back. We cannot afford
9 another catastrophe on every level. Besides
10 environmentally, of course that's in my heart,
11 but economically we can't afford another
12 disaster. If we can fix it -- if we have the
13 ability to fix it and move forward, we need to do
14 it with or without FEMA. I'm not relying on
15 anybody anymore.

16 CLERK MULLER: Your three minutes have
17 expired, sir.

18 MR. ASHER: We have to do that now.

19 Thank you so much.

20 CHAIRWOMAN GONSALVES: Mr. Asher,
21 Legislator Ford would like to speak with you.

22 LEGISLATOR FORD: I thank everybody for
23 coming down here. I'm going to be very brief
24 because I want to hear from everyone. I thank
25 you.

2 Tommy, you and I both have lived through
3 the aftermath of Sandy and we have been
4 struggling. I'm thankful that you are bringing
5 forth a face of somebody who has been impacted.
6 I think you agree with me, that a lot of people
7 have forgotten about the storm. We've seen it on
8 the federal level as well as the state level,
9 trying to get the monies that we need to rebuild
10 our lives, to rebuild our businesses.

11 We still, even now, with the New York
12 rising money, we already know that we don't know
13 even know what the rules are, what we're going to
14 be entitled to. But I think what we do know, and
15 I agree with you, I think we all have to come
16 together. Every single one of us has a stake in
17 the sewage treatment plant and with the monies
18 that we're trying to pass today. Whether or not
19 it is, especially up in Point Lookout they are
20 still on cesspools, but I know up in the Glen
21 Cove area that there are some families that would
22 like to be put on the sewer system.

23 I think that we all have to try to work
24 together. And I know that -- I guess I agree
25 with you. My trust in the federal government,

2 FEMA, is at an all time low anyway. But I really
3 think that when you look at some of the past
4 things that they will come up. I'm hoping that
5 we will get the attention of Senator Schumer,
6 Senator Gillibrand, and our Congresswoman Carolyn
7 McCarthy; that they will come and they will be
8 the face for all of us, and that they will be
9 very vocal and adamant in securing the funding
10 that we need to make sure that when we rebuild it
11 and we do the mitigation that we will get that 90
12 percent reimbursement.

13 You know what? I think as New Yorkers
14 and as people that we are taxpayers and we're
15 good communities, I think we deserve every break
16 that we can get.

17 I thank you very much for putting a face
18 on it.

19 CHAIRWOMAN GONSALVES: Adrienne
20 Esposito.

21 MS. ESPOSITO: Good afternoon,
22 Legislators. My name is Adrienne Esposito. I'm
23 the Executive Director of Citizens Campaign for
24 the Environment. I also chaired the Western Bays
25 Coalition. You may or may not know, my

1 organization, along with Operation Splash, co-
2 founded that coalition, which is a bipartisan
3 coalition, a decade ago. We've worked long and
4 hard on the issue of the Bay Park Sewage
5 Treatment Plant, and I know you know that.

6
7 So here we are, ten years later and we're
8 still working long and hard on the issue of the
9 Bay Park Sewage Treatment Plant. My how quickly
10 ten years goes. But right now we have the
11 proverbial fork in the road. Right now that's
12 where we are. So I understand.

13 And I just want to be very -- and there
14 should be due diligence about \$700 million.
15 There should be accountability and questions.
16 But frankly, this is an issue where you're going
17 to pay now or you're going to pay later, but
18 we're going to pay.

19 The sewage treatment plant is not a
20 luxury item for later; it's a necessity for now.
21 That's just the way it is. And it's not getting
22 cheaper later. I think we all know it is getting
23 more expensive. If we had done this ten years
24 ago and put an ocean outfall pipe, it would have
25 been \$50 million for an ocean outfall pipe.

1 Today's estimate is over \$500 million. Just
2 saying.
3

4 So, couple of facts. Number one is, and
5 I think you know this, that sewage treatment
6 plant right now is put together almost with crazy
7 glue and duct tape. We have problems. We cannot
8 continue to wait.

9 Five weeks ago, it was a Friday night, my
10 phone starting blowing up. It was another 3.06
11 million gallons of raw sewage went out into
12 Reynold's Channel again. We've become very
13 casual about sewage going into our waterways.
14 Very casual about it. It's not casual. It is
15 absolutely sickening. And if we had that 2.2
16 billion which was released in October/November go
17 out into the Bay in the summer, we would have had
18 an unprecedented public health threat that we
19 would have never seen the likes of in the history
20 of this county.

21 So the bottom line for us is a couple of
22 things. One is it's not a matter of if we need
23 the funding, it's simply a matter of when you're
24 going to allocate the funding. We have the
25 opportunity now to get some from the federal

2 government. I know everyone is working very hard
3 for that, and that's exactly what should be done.
4 But we need to do this. We can't wait.

5 Number two is that we need an ocean
6 outfall pipe. That's not a luxury item either.
7 We can no longer continue -- and other people
8 will talk about this -- to cause that bay to die.
9 You're not hearing this yet, but you're going to
10 be hearing it later. The boat captains, the
11 fishermen, people don't want to go to those bays
12 anymore. We keep hearing Freeport is coming
13 back, Island Park is coming back, Long Beach City
14 is coming back. How much further back are they
15 going to come without a working sewage treatment
16 plant or with more releases of raw or partially
17 treated sewage going into those waters? That's
18 not the way to have our communities come back.

19 Civilizations have lived and died based
20 on how they treat their sewage. Let's be one of
21 those that live.

22 We've called for, and I hope that you
23 agree, that with the expenditure of monies,
24 particularly to the tune of \$722 million, there
25 should be an oversight community. And you're

1 right, there should be transparency, there should
2 be accountability. We had that for the
3 Environmental Bond Act. There is precedent in
4 the county to be nonpartisan, and so that should
5 happen again. There should be a matrix -- I'd
6 chaired many committees for county governments
7 and for town governments that do this -- a matrix
8 that tells you what project should be done, what
9 is the timeline, who is responsible for that
10 project, and then there's an accountability
11 sessions, whatever it is, quarterly, every two
12 months, about what is the progress. You should
13 be on that committee. We should all be doing
14 this together.

16 Forty-three percent of the county's
17 sewage, we need to act. And with all due
18 respect, don't ever please ask again is it up to
19 FEMA standards. We don't want FEMA standards,
20 that's like the worst standard in the room. The
21 only thing FEMA wants to do is fix it to the way
22 it was, and what we want is to fix it the way
23 that it absolutely should be.

24 We have a golden opportunity right now to
25 fix a problem that has been plaguing us for

2 decades. That plant was never intended, I think,
3 while it was intended physically to serve the
4 population that it does, but I don't think we
5 ever realized the consequences of putting in 50
6 to 58 million gallons of treated sewage into the
7 Western Bays each and every day. We now know
8 what that is, so we need to adjust our thinking
9 and we need to repair it. We have the
10 opportunity to do that. We're asking you to vote
11 yes, with an oversight committee, for greater
12 accountability and transparency.

13 Thank you.

14 CHAIRWOMAN GONSALVES: Thank you,
15 Adrienne.

16 Next speaker is Beth Christensen.

17 MS. CHRISTENSEN: Hi. I'm Beth
18 Christensen from Adelphi University. I direct
19 the environmental studies program. And I'm here
20 because I wanted to tell you a little bit about
21 some of the work that we've been doing to try and
22 help bring these bays back, and ask you to again
23 follow what everyone in this audience is here to
24 ask of you, to make sure that the funding gets
25 approved to get this sewage treatment plant

renewed and extended through the outfall pipe.

We received some National Science Foundation funds to study the impacts of Sandy. It was very restrictive funds, very limited amount of money out there to do this kind of research. And what we were given funds for was to really look at the sea floor. We're in the process of analyzing those data, but very clearly things changed, very certainly the system was altered.

We are now in the process of trying to get funds from FEMA and other mechanisms within the federal government to evaluate and assess the ecosystem. No one has been doing that as part of a structured approach to understanding what the true impacts of Sandy really are.

And we do know that the bays were in bad shape before Sandy. I think there's many, many documents that you can refer to that talk about the many environmental issues that result from having excess nutrients dumped into those bays. The outflow pipe will definitely help with some of the more extreme environmental issues.

We also know that the situation is much

1 worse now after Sandy. I can't give you absolute
2 numbers because we frankly haven't been able to
3 get out there and get those data. There is very
4 limited money available to do those kinds of
5 studies. But we know we do need to move forward
6 on those approvals.
7

8 As part of that effort to get that
9 funding, we spent a lot of time talking with our
10 legislators in Washington. We've also, as part
11 of that NSF grant, have spent time talking to the
12 community.

13 I am here actually also to remind you
14 that the bay is an irreplaceable resource. It's
15 the life blood of the south shore of Nassau
16 County. And when you think about what the bay
17 does for Nassau County as a whole, you realize
18 that that sort of pumps those resources through
19 the entire county and it's not just restricted to
20 those very coastal communities of Nassau County.

21 Our work after Sandy included interviews
22 with folks in those communities and throughout
23 Nassau County, including standing in Roosevelt
24 Field Mall and asking people questions about
25 their attitudes about Sandy and government

2 response to Sandy. What we have learned from
3 these interviews is it is very clear that people
4 are lost, confused, and looking for some
5 reassurance from government. Many of them are
6 making decisions about whether or not they should
7 invest and reinvest, because many of them did
8 invest after Irene and now they're making
9 decisions about whether or not they should
10 reinvest. Approving this plant and improving the
11 future, it will go a long way towards helping the
12 community understand that this truly is a
13 resilient community that is ready for the 21st
14 Century and the challenges that we face through
15 climate change.

16 CLERK MULLER: Your three minutes have
17 expired, ma'am.

18 MS. CHRISTENSEN: Hum?

19 CLERK MULLER: Your three minutes have
20 expired.

21 MS. CHRISTENSEN: Alrighty. Well, I'd
22 like to offer -- if you have any questions or
23 you'd like any guidance on some of the scientific
24 issues on this, you can certainly reach out to
25 myself at Adelphi and our colleagues at Stony

2 Brook and Queens College, also are working on
3 this project.

4 CHAIRWOMAN GONSALVES: Thank you, Beth.

5 Next speaker is Rob Weltner.

6 MR. WELTNER: Good afternoon everybody.
7 I'm not here just as the President of Operation
8 Splash. I am also here as a retired contractor,
9 electrical contractor by the way, and also here
10 as a representative for the watermen of south
11 Nassau County, the charter boat captains, and the
12 bay men who I have spoken with extensively over
13 the last few days to try to talk to them about
14 how important this is for them. They would be
15 here today but they told me, Rob, we're hanging
16 on by a shoestring.

17 One of the guys that does crabbing for a
18 living, that collects blue claw crabs to sell,
19 last year he was getting four bushels of crabs a
20 day, this year he is getting a bushel to a bushel
21 and a half. The other day the Captain Lou went
22 out on Sunday with only 17 people.

23 Talking about the economic impact of this
24 plant. Everybody is afraid to come fishing in
25 our waters. They are all going out east to

2 Captree and further out east because they feel
3 that the Bay Park Sewage Treatment Plant is still
4 not a viable plant. They know that it is hanging
5 on life support. And what it has put into the
6 water, nobody wants to come fishing here. It's a
7 big economic engine, but it is killing our local
8 bay men and it is killing our local fishing
9 economy. We ask you to support this money.

10 Like we all said, follow the money. Make
11 sure this work gets done. That is the most
12 important thing. It has to get done. It is such
13 a huge, huge thing.

14 As far as dividing it up, I understand
15 how that wants to work. As a retired electrical
16 contractor, I know that that's a lot of trouble.
17 It used to mean a lot of money for me in change
18 orders because nothing ever fits when you have
19 two people trying to put the same puzzle
20 together. It's just not really the way it should
21 go. It will actually save money in the long run.
22 It's better to try to do this all in one shot if
23 you can.

24 Unfortunately, you guys own this plant.
25 Everybody is kind of thinking it's FEMA, FEMA,

1 FEMA. I've lost faith in FEMA. I've been
2 working with FEMA since the storm. I live in
3 South Freeport. We all suffered the same damage
4 to all of our homes. So don't hold your breath
5 waiting for FEMA. You guys have to take the bull
6 by the horns and put all of the political stuff
7 together here and work for the people that you
8 represent.
9

10 It's not really an option. It's
11 something that has to get done. And I pray to
12 God that you guys come together to make this
13 thing happen.

14 Thank you.

15 CHAIRWOMAN GONSALVES: Thank you very
16 much, Rob.

17 Next speaker is Gerald Ottavino.

18 MR. OTTAVINO: Good afternoon. I'm
19 Gerry Ottavino from the Point Lookout Civic
20 Association.

21 CHAIRWOMAN GONSALVES: Welcome.

22 MR. OTTAVINO: I'm the co-chair of its
23 environmental committee, and I am a member of
24 Operation Splash and the Sludge Stoppers, and
25 hopefully an ally of the Citizens Campaign for

2 the Environment.

3 Bottom line is the day of reckoning is
4 now. The adage pay me now or pay me later is
5 long gone. That was going on five, ten, 20 years
6 ago, and nobody wanted to pay it then. They
7 didn't do the maintenance, they didn't do the
8 upgrades, and the plant was hanging, in
9 particular, Bay Park was hanging by a thread and
10 Sandy came by and the thread snapped. Okay. So
11 now we have to rebuild the plant; not later, now.
12 The cost to build the plant with the outfall pipe
13 is between \$700 million and a billion dollars,
14 plus or minus. But the price tag is real and the
15 time is real. Okay.

16 You, the collective group of you have got
17 to protect the general constituency. You have to
18 move forward. Bottom line translation, you've
19 got to let us flush our toilets. If we can't
20 flush our toilets, you guys don't have a purpose.
21 All right. I'm not being facetious here. I'm
22 serious. If you can't give us sewage treatment
23 and you can't give us drinking water, you have no
24 purpose.

25 So let's put it together, let's rebuild

this plant, and let's start tomorrow. Thank you.

CHAIRWOMAN GONSALVES: Thank you, Mr. Ottavino.

Next speaker is Michael Posillico.

MR. POSILLICO: Good evening because it's like four hours later. I'm Michael Posillico. I'm here as chairman of the Long Island Chapter of the League of Conservation Voters. I'm just going to give you a little backdrop, if you are not familiar with our organization. I know many of the members of the legislature.

We are an active political committee, action committee where we look, support, and endorse candidates. We are also an education fund where we go into communities and we educate those communities on matters that we feel are vital to the environment and also to the economy of the area. Our main topics pre-Sandy that we were looking to move forward on our Long Island agenda include transportation systems, smart growth, Brownfield cleanup, open space preservation, power, and sewer treatment. Last year we convened with many groups, a forum, a

2 closed forum, with both county executives, with
3 Executive Mangano and Executive Steve Bellone.
4 We had a number of different people at that
5 venue, and we discussed strategies in Nassau and
6 Suffolk County, quite different, of how we can
7 move the matters forward on sewer treatment and
8 also, in Suffolk County there's mostly the septic
9 tank problem, that we also have a problem with in
10 Glen Cove and some other isolated areas.

11 As it would have it, these two topics --
12 our next one up for this year, which we've
13 addressed and have come out with statements at a
14 similar forum, was on power, the next most
15 critical issue on Long Island. Well, as Super
16 Storm would have had it, it basically took the
17 covers off those two areas, exposed probably one
18 of the most horrendous environmental conditions.
19 Our firm, my background is civil engineering,
20 regretfully was pumping, on an emergency
21 contract, millions of gallons a day to keep the
22 material from flowing back up to people's homes.
23 The choice was pump it in the bay or have
24 people's toilets, as was referred to, not flush.
25 This has gone beyond.

1 We are a political organization, and we
2 are here to monitor the votes of all of you. We
3 are hoping and encouraging to vote yes. A no
4 vote, a silent vote, hide in the corner is just
5 not going to cut it. This is too important.

6 We are launching our education campaign
7 in this area, coming up this fall, through social
8 media, working with other environmental groups.
9 This is too important.

10 Again, if you have technical questions,
11 I'd be happy to answer them as a contractor, as
12 someone whose family is three generations,
13 actually now four generations. And the fourth
14 generation engineer who graduated from Rhode
15 Island University, his first assignment was Bay
16 Park on the night shift pumping raw sewage out.
17 So what they teach you as a civil engineer in
18 college is not what happens in the real world.
19 This is the real world.

20 You have to lead; that's what civil
21 engineers do in their code of ethics. That's
22 what you have to do as politicians, you have to
23 lead. You can't bicker. This is too important.

24 So I am calling for you as my friends,
25

1 people I know, to do the right thing. That's
2 what I want to report back to the organization
3 that I represent, the people that I know, my
4 children who live here, that you did the right
5 thing.

6
7 Thank you.

8 CHAIRWOMAN GONSALVES: Thank you, Mr.
9 Posillico.

10 And the last speaker is John Guadagno.

11 MR. GUADAGNO: Good evening. My name is
12 John Guadagno. I'm a business rep for
13 International Brotherhood of Electrical Unions,
14 Local 25. I'm here today -- I came here pretty
15 confident and excited in the path in restoring
16 Nassau County to the great county that it is, and
17 fixing a problem that has been going on for many,
18 many years, especially in our sewer districts.

19 With the devastation of Hurricane Sandy,
20 it just made it much more apparent that we need
21 to do something, not tomorrow, not ten years ago,
22 not three years ago, but now.

23 Representing 2,000 electricians in Nassau
24 and Suffolk County, many who live in Nassau
25 County, and a lot of people affect in the Sandy

1 devastation, it is quite apparent that we need to
2 act today. We need both sides to be unified in
3 this.

4
5 This isn't an issue of democrats,
6 republicans. This isn't let's see who the next
7 county executive may be or will remain. This is
8 for our residents to take care of an issue that
9 needs to be done. This isn't something that we
10 can pass off, wait six months, see if FEMA can
11 give us some money. These problems haven't gone
12 away. It's not going to go away. We need to fix
13 this.

14 We have the best construction industry in
15 the United States here on Long Island, and we
16 want to work. We were there for Sandy. We were
17 there for its people. We were there when we were
18 talking the streets helping debris out of
19 neighborhoods, and we're going to be there for
20 this too.

21 We need to have money allocated so our
22 contractors -- doesn't matter who they are -- can
23 be paid. Not that we'll give you 50 percent, or
24 it's a \$300 million electrical project but we'll
25 have 150 allocated and then we will see if there

2 is enough money down the road. Contractors are
3 not going to bid jobs if they can't be guaranteed
4 to be paid.

5 Again, we encourage you all to please
6 vote for this and let our county go forward and
7 we strong as it always has been.

8 Thank you.

9 CHAIRWOMAN GONSALVES: Thank you, John.

10 I'd like to say thank you to Mr. Walker,
11 the consultants, and Mr. Mallette for the
12 presentation. I would also like to say thank you
13 for the environmental groups and the labor groups
14 who took the time and had the patience to sit
15 here through our almost three hours of hearing.
16 Hopefully what you came for today is going to be
17 realized.

18 I thank you.

19 At this time I would like to take motion
20 to close the hearing.

21 LEGISLATOR WALKER: So moved.

22 LEGISLATOR VENDITTO: Second.

23 CHAIRWOMAN GONSALVES: Moved by
24 Legislator Walker, seconded by Legislator
25 Venditto.

2 All those in favor of closing the hearing
3 indicate by saying aye.

4 (Aye.)

5 The hearing is closed.

6 Now, in order to proceed to the next
7 order of business, we need to make a motion to
8 close the -- to adjourn the June 24 meeting.

9 Motion to adjourn that meeting, please?

10 LEGISLATOR MUSCARELLA: So moved.

11 LEGISLATOR NICOLELLO: Second.

12 CHAIRWOMAN GONSALVES: Moved by
13 Legislator Muscarella, seconded by Legislator
14 Nicolello.

15 All those in favor of adjourning the June
16 24 meeting -- adjourning the June 24 meeting
17 please indicate by saying aye.

18 (Aye.)

19 Any opposed?

20 (No verbal response.)

21 Now we go back to the July 15 meeting.

22 (Whereupon, the Full Legislature
23 adjourned the June 24, 2013 reconvened hearing at
24 5:06 p.m.)
25

C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby state:

THAT I attended at the time and place above mentioned and took stenographic record of the proceedings in the above-entitled matter;

THAT the foregoing transcript is a true and accurate transcript of the same and the whole thereof, according to the best of my ability and belief.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of July, 2013.

FRANK GRAY