

PHYSICAL SERVICES COMMITTEE MEETING
Held via Audio Webinar Pursuant to Temporary Emergency Orders
CARMEL, NEW YORK 10512
(Chairman Albano, Legislators Gouldman & Nacerino)

Tuesday

November 17, 2020

(The Personnel Meeting will Immediately Follow)

The meeting was called to order at 6:00p.m. by Chairman Albano led in the Pledge of Allegiance. Upon roll call, Legislators Gouldman, Nacerino and Chairman Albano were present.

Item #3 - Approval/ Physical Services Meeting Minutes/ September 23 and October 7, 2020

Chairman Albano stated the minutes were accepted as submitted.

Item #4 – Approval/ NYSEG Utility Easements – Airport Park Property (Carmel TM# 64.14-1-8)/ First Deputy County Attorney Negro

Chairman Albano stated First Deputy County Attorney Andrew Negro will speak to this item.

First Deputy County Attorney Andrew Negro stated this is in connection to two (2) NYSEG Easements. He stated one (1) is to relocate existing poles that supply the power lines to the Airport Park Property. He stated the second Easement will give NYSEG the ability to maintain a transformer that will connect to underground lines that will go further into the Airport Park Property. He stated the Town of Carmel has leased the Airport Park Property from the County. He stated the Town of Carmel is in the process of conducting some upgrades to the ball fields. He stated in July 2020 the Legislature approved an agreement with the Town of Carmel, approving their use of Well #7 at the Putnam County Golf Course (by Resolution #123 of 2020). He stated this is work ancillary to the upgrades the Town of Carmel is conducting at said Park. He stated since this is affecting County Property, which the Town of Carmel leases, NYSEG requires these Easements to be executed by the County.

Chairman Albano stated the Airport Park Property is a well maintained and great asset to the residents.

Legislator Nacerino stated she will support this request, as it will finalize the recreation improvements for the projects being proposed and it is a positive for the residents of Carmel.

Chairman Albano made a motion Approve the NYSEG Utility Easements – Airport Park Property (Carmel TM# 64.14-1-8); Seconded by Legislator Gouldman. All in Favor Motion Carries.

Item #5- Approval/ Communication Tower Agreement County of Putnam with EIP Communications I, LLC/ Long Hill Mountain Tower- Kent TM # 9.-1-1/ First Deputy Andrew Negro

Chairman Albano stated First Deputy County Attorney Andrew Negro will speak to this item.

First Deputy County Attorney Andrew Negro stated he can provide the background on the Tower Agreement. He stated any technical issues or questions in respect to the Emergency Services Communications System should be referred to IT/GIS Director Thomas Lannon. He stated this is a Tower Use Agreement that would permit the County to lease space for its communication equipment on the Tower and it would permit the County to maintain an equipment shelter at the base of the Tower, a 20 by 20 foot area. He stated it is a five (5) year term agreement and five (5) year renewals. He stated the initial base rent would be \$1,200/ month and the County would be required to provide its own utilities. He stated the County would also be doing some upgrade work in accordance with the lease to properly place the County's equipment at the site. He stated he requested that IT/GIS Director Thomas Lannon speak to the need for the agreement.

IT/GIS Director Thomas Lannon stated this Tower is located by the Taconic Parkway. He stated you travel into Dutchess County and then back in to get to the facility. He stated it is an important Tower to provide radio service to the northern area of the County. He stated the County was negotiating with the previous owners. He explained that did not work out. He stated the new Company is giving the County a very good deal at \$1,200/ month. He stated the County did agree to do work on the property for them to get that great price. He stated the typical minimum fee would be \$4,000/ month. He stated in fact next month there will be a request for a Tower Lease Agreement that will be \$5,400/ month. He stated this agreement is at a substantial savings to the County and it is a great location and is very important to the communication project.

Legislator Nacerino requested clarification that there will be a 3% increase to the monthly fee per year.

First Deputy County Attorney Andrew Negro stated that is correct. He stated the 3% escalation clause per year is standard in lease agreements. He stated the lease term will commence on December 1, 2020. He stated they are going to give the County a rent abatement, 50%, for the first three (3) months, which is standard as well. He explained the reason is the equipment will not be installed and operational for the first few months.

Legislator Nacerino stated that this is a great opportunity to help our emergency services and preparedness, she will support this request.

Legislator Gouldman questioned if there are any residential structures near this Tower.

IT/GIS Director Thomas Lannon stated it is located in the middle of nowhere, and it is a pre-existing Tower.

Legislator Sayegh requested a list of all of the Towers the County has and all projected Towers the County hopes to add. She stated she would also like the list to include the annual fee for each Tower. She stated with a 3% annual escalation makes her curious as to where the County would be in ten years in terms of budgeting for the Towers.

IT/GIS Director Thomas Lannon stated he does have a list, which he will provide. He stated as a reminder there are County Towers which generate a revenue, which then that money is invested to the payments of the other Towers.

Legislator Sayegh agrees the Towers are vital to the emergency service agencies communication. She stated she would like to see the financial facts as well.

Chairman Albano made a motion to Approval/ Communication Tower Agreement County of Putnam with EIP Communications I, LLC/ Long Hill Mountain Tower- Kent TM # 9.-1-1; Seconded by Legislator Nacerino. All in favor.

Item #6 - County Road Projects: Fair Street Project and Peekskill Hollow Road Project/ Commissioner of Highways and Facilities Pena

a. Update/ Fair Street Project/ Commissioner of Highways and Facilities Pena

Deputy Commissioner John Tully explained the County is still waiting for the NYS Department of Transportation (DOT) to complete their review. He stated currently there is an examination of the eminent domain being done. He also stated the right of way incidental phase is probably about 85 -90% completed. He stated once the DOT approval is granted, it will be brought to this Legislature with a request for another resolution authorizing the use of the eminent domain process, if necessary. He stated they appreciate the Legislature's support in approving all of these resolutions. He stated it allows the County to check a box off in the process and continue to proceed forward.

Chairman Albano requested the time frame on the bids going out.

Deputy Commissioner Tully stated the time frame is they plan to be advertising by the end of November or the beginning of December. He stated the project construction is anticipated to begin in 2021, early Spring. He stated that the Fair Street project is running just about one (1) year behind the Peekskill Hollow Road project. He stated he would also like to thank members of the Planning Department, Commissioner Fusco and Barbara Barosa, who they work very closely with, for their continued support.

b. Approval/ Pending Receipt - Fair Street Project Negative Declaration Resolution/ Commissioner of Highways & Facilities Fred Pena

Chairman Albano made a motion to waive the rules and accept the additional; Seconded by Legislator Gouldman. All in favor.

Chairman Albano stated the Fair Street Project is a big project, and one that has been being negotiated for many years. He stated this is a necessary step to get to the next level of the negotiations and the work.

Chairman Albano made a motion to Approve Pending the Receipt - Fair Street Project Negative Declaration Resolution; Seconded by Legislator Nacerino. All in favor.

**c. Update/ Peekskill Hollow Road Project/ Commissioner of Highways and Facilities
Fred Pena**

Chairman Albano stated this project update was mentioned under #6a.

**Item #7 - Update/ Tilly Foster Farm Construction Project/ Commissioner of Highways and
Facilities Fred Pena**

Deputy Commissioner Tully stated he would like to begin by stating the feedback the County has received on the work that has been done at Tilly Foster Farm (Farm) has been positive. He explained also that the Farm has served to host a few County events that otherwise would not have been held, due to the COVID- 19 restrictions. He stated the construction of the Restrooms for the event room will support all of the future plans and possibilities that are being discussed for the location. He stated as they have been working on the Restrooms, there have been some structural issues discovered and addressed. He stated on the lower level of the Barn Structure the area called the “Creamery” is a project that will move on a parallel track once the Restroom project is completed. He questioned if there are any specific questions he could address.

Chairman Albano stated that he agrees the Restrooms are needed to support the event space, and the fact that structural matters were improved upon is a positive as well. He stated the Legislators would like to know, ahead of time, where a project is going and what will be involved. He stated he would like to see the financials associated to the project and the work.

Deputy Commissioner Tully provided some broad financial estimates. He stated to date the funding being used is the funding which was appropriated by the Legislature years ago. He stated today, the costs related directly to the Restrooms project is approximately \$29,000. He stated outside of that cost \$66,000 was spent on consultant engineering for the structural repairs, asbestos abatement, fire suppression, and the fire security systems, which is constantly being fine-tuned. He stated for more specifics on the amounts he believes with the Finance Department’s review and the Legislature’s Audit Department’s review they could provide that, at the Legislators’ request.

Chairman Albano requested Deputy Commissioner Tully send the amounts in writing to the Legislature. He stated he would like the Legislature to have a clear picture of what is being done.

Deputy Commissioner Tully confirmed he would do that.

Legislator Gouldman questioned what the plans are for the space referenced as the Creamery.

Deputy Commissioner Tully stated the current plans are to meet the minimum requirements to achieve code compliance. He stated once the County determines who the tenant will be, then it will be built out accordingly. He stated there will be future discussions needed with the County Executive and the Legislature as that comes closer to fruition because he does not believe they have the necessary funds to do anything dramatic with the lower level.

Legislator Gouldman questioned the approximate square footage of the lower level.

Deputy Commissioner Tully stated he will provide that information to Legislator Gouldman.

Legislator Nacerino stated she is glad to hear that this County location is being used for multiple purposes. She stated the future prospect of having some County agencies locate there, she is in support of. She stated the potential is great.

Legislator Montgomery stated when this was last discussed in February of 2020. She stated it was presented as a concept. She stated Legislators Sayegh and Nacerino requested that the matter be discussed in February because they heard about it at a Soil and Water Meeting. She stated at the February meeting, Commissioner Pena stated moving a concept to construction would take time and once he had some recommendations, they would be brought to the County Executive and the Legislature. She stated at the February meeting Chairman Albano requested an update on the revenue generated by the opening of the Barn. She stated she recalled that there were 17 events at that time to date. She stated we are at a November meeting; the Legislature has received none of the information promised. She stated this is the first the Legislature is seeing the plans and she wrote and requested a copy of the permit application, which was provided today. She stated this project is clearly being managed. She stated she understands funding was issued years ago for this project. She stated this is a different Legislature and different times. She stated she would like to see the 2020 budget lines where the funding has come out of for this project. She stated she would like to receive a report showing the specific amounts, when was it authorized by the Legislature, how much more is expected to be spent, what 2021 budget lines will be used to pay for the Farm project. She stated this is taxpayers funding and they are owed an accounting. She stated in this time of a

pandemic, COVID-19, and an economic crisis she does not think spending \$29,000 on Restrooms for an event space is wise. She stated the permit and the plan, which she is just reviewing for the first time, she has some concerns with. She stated she does not see a second egress. She stated she has concerns with the old farm equipment that is stored underneath the event space, with no sprinkler system. She stated it is old equipment, which did contain gasoline. She stated the plans for this project and this discussion just arrived today in the Legislative Office. She stated she does not believe this project should be happening right now.

Deputy Commissioner Tully stated there were many comments made by Legislator Montgomery. He stated generally speaking there may be a miscommunication. He stated there are two (2) different issues being discussed. He stated the Event Barn space, that was already operating. He stated there were conversations with Soil and Water and there was some funding received from that board. He stated those funds are separate from the Restrooms Project. He stated he could address the financial questions in a memorandum as Chairman Albano has requested. He stated this project is a one-time expense that will benefit the County for a long time. He stated and hopefully contribute to the bottom line, making Tilly Foster Farm a revenue generating facility. He stated the efforts being put forth will benefit the residents for years to come. He stated prior to these efforts Tilly Foster Farm was a financial drain to the County from an operating perspective. He stated unless there is direction received from the County Executive and the Legislature to stop the work, the Highways and Facilities Department will continue to build as was committed to do with the funds that were allocated.

Chairman Albano stated that he agrees with the comments made by Deputy Commissioner Tully. He stated he also agrees with Legislator Montgomery, in that the Legislature needs to see, in writing, the financials related to this County location since it has been in operation.

Legislator Montgomery stated that she believes the project should be stopped, she does not believe this is the right time. She stated the world has drastically changed in the last year. She stated in her opinion Legislator Albano, who is Chair of this Committee which signs off on many things that his brother signs off on, as the County's Code Enforcement Officer, is unethical.

Deputy Commissioner Tully stated that he does not agree with Legislator Montgomery. He stated the sign off from the Code Enforcement Officer is not required for consideration by the Chairman of the Physical Services Committee. He stated they rely on the review of the Code Enforcement Officer, to make sure they are building the project in compliance.

Chairman Albano stated there are nine (9) Legislators who will each have an opportunity to cast their vote. He stated this is a project he believes the County should be proud of. He stated it is a destination location. He stated if there are decisions to be made this Legislature will continue to do it as a group.

Chairman Albano stated Commissioner Fusco had technical difficulties, she is now on the call. He stated he would like to allow her to make comments related to the Fair Street and Peekskill Hollow Road Project, which she has dedicated a lot of time and attention to.

Commissioner Fusco stated she closely tracks the Federal Funding the County receives for the different projects. She stated Fair Street is running about a year behind the Peekskill Hollow Road project, as Deputy Commissioner Tully stated. She stated that has been indicated on their Federal budget for 2021 – 2022 and 2022- 2023. She stated so far they are on target with these dates.

**Item #8 - Update/ Maintenance -County Sidewalks and the Exterior of 34 Gleneida/
Commissioner of Highways and Facilities Fred Pena**

Chairman Albano stated he requested this update.

Deputy Commissioner Tully stated members of the County’s Parks Department have done some intensive clean up to the outside grounds of 34 Gleneida and John O’Connor, from the Facilities Division, is preparing work orders to have minimal repairs done to the exterior of the building to make it more presentable. He stated they are doing the basics, painting, and a bit of vinyl siding in an area that has been pointed out as being problematic.

Chairman Albano stated that would be great. He stated the building is in the middle of Town and should look more presentable. He stated there have been some comments made to him, by residents, regarding the condition of the sidewalks in that area. He requested that some maintenance be performed to improve them as well.

Deputy Commissioner Tully confirmed he will look at the sidewalks in front and on the side of 34 Gleneida.

Item #9 - Approval/ Metro- North Railroad- Flat Fare Proposal/ Legislator Paul Jonke

Chairman Albano stated this request was brought forward by Legislator Jonke for consideration.

Legislator Jonke stated this information came from Neal Zuckerman, the Putnam County Representative on the MTA Board. He stated Mr. Zuckerman is an advocate for the hard-working residents of Putnam County. He stated he thinks outside the box. He stated he expressed in an email to the Legislature that he is concerned with the fares for our residents. He stated Mr. Zuckerman believes in a flat fare all the way up and down the train lines that serve

Putnam County. He stated he submitted a resolution for this committee's consideration in support of Mr. Zuckerman's proposal.

Legislator Nacerino stated she will wholeheartedly support this resolution. She stated she agrees the fares are financially burdensome to the residents of Putnam County who ride the MTA.

Legislator Montgomery stated her appreciation for the work Mr. Zuckerman does on behalf of the Putnam County residents and thanked Legislator Jonke for bringing this forward. She stated the MTA is an organization, in her opinion, that is grossly mismanaged and has been very greedy over the years. She stated to pass a resolution that request that the MTA look out for the people they serve, she will support.

Chairman Albano stated his appreciation for the recommendation that Mr. Zuckerman has brought forward. He stated he also believes the payroll tax the County must pay for maintenance of the MTA stations is out of proportion for what we should be paying. He stated he strongly supports this resolution.

Chairman Albano made a motion to Approve Metro- North Railroad- Flat Fare Proposal; Seconded by Legislator Gouldman. All in favor.

Item #10 - FYI/ Fund Transfer (20T229)/ Permit Fee for Transport of Office Trailer (purchased)/ Commissioner of Highways and Facilities Pena – Duly Noted

Item #11 - FYI/ Fund Transfer (20T249)/ Purchase of Used Office Trailer/ Commissioner of Highways and Facilities Pena

Legislator Gouldman questioned where the Trailer will be kept.

Deputy Commissioner Tully stated this season it will be kept at Parks facility. He stated in early 2021 it will be moved to the Route 6N Storage location.

Item #12 - Other Business - None

Item #11 - Adjournment

There being no further business at 7:50PM Chairman Albano made a motion to adjourn; Seconded by Legislator Nacerino. All in favor.

Respectfully submitted by Deputy Clerk Diane Trubulsy.