

**PHYSICAL SERVICES COMMITTEE  
HELD IN ROOM 318  
PUTNAM COUNTY OFFICE BUILDING  
CARMEL, NEW YORK 10512  
(Chairman Albano, Legislators Castellano & Gouldman)**

**Thursday**

**7:26PM**

**July 21, 2022**

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The meeting was called to order at 7:26p.m. by Chairman Albano who requested Legislator Jonke lead in the Pledge of Allegiance. Upon roll call, Legislators Castellano and Chairman Albano were present Legislator Gouldman was absent. Chairman Albano stated that Legislator Jonke would be sitting as a member of the committee for this meeting.

**Item #3 - Approval/ Physical Service Committee Meeting Minutes: May 19, 2022 & June 13, 2022**

Chairman Albano stated the minutes were accepted as submitted.

**Item #4 - Approval/ Updating the Putnam County Title VI Program Plan to Reflect Staff Changes in Planning Department and Revise the Civil Rights Officer/Disadvantaged Business Enterprise (DBE) Program Officer from Sandra Fusco to Barbara Barosa/ Interim Planning Commissioner John Tully**

- a. Resolution/ Putnam County's Proposed Program Plan Amendment of Civil Rights Officer in Conformation with the and as Required by the U.S. Department of Transportation and Title VI Regulations**

Chairman Albano stated this resolution is to update the Putnam County's Civil Rights Officer for the DBE Program. He stated it is no longer Sandra Fusco, it is now Barbara Barosa.

Chairman Albano made a motion to approve Putnam County's Proposed Program Plan Amendment of Civil Rights Officer in Conformation with the and as Required by the U.S. Department of Transportation and Title VI Regulations; Seconded by Legislator Jonke. All in favor.

**Item #5 - Approval/ Putnam County's Proposed Disadvantaged Business Enterprise (DBE) Program Plan in Conformance with and as Required by the U.S. Department of Transportation (USDOT) 49 DFT Part 26/ Interim Planning Commissioner John Tully**

Deputy Commissioner Highways & Facilities John Tully stated that federal requirements are listed in DBE goals. He stated that the federal requirements are reflected in the plan.

Chairman Albano stated that this is done to make Putnam County eligible for FTA (Federal Transit Administration) funding.

Chairman Albano made a motion to approve Putnam County's Proposed Disadvantaged Business Enterprise (DBE) Program Plan in Conformance with and as Required by the U.S. Department of Transportation (USDOT) 49 DFT Part 26; Seconded by Legislator Castellano. All in favor.

**Item #6 - Approval/ Putnam County's Proposed Disadvantaged Business Enterprise (DBE) Goal Methodology for Period 2023- 2024- 2025 In Conformance with and as Required by the U.S. Department of Transportation 49 CFR Part 26/ Interim Planning Commissioner John Tully**

Chairman Albano stated that this is done in order to ensure requirements are met to receive federal funding.

Deputy Commissioner Tully stated that the methodology shows the mathematic formula used by the County in order to achieve the percentage goal.

Chairman Albano made a motion to approve Putnam County's Proposed Disadvantaged Business Enterprise (DBE) Goal Methodology for Period 2023- 2024- 2025 In Conformance with and as Required by the U.S. Department of Transportation 49 CFR Part 26; Seconded by Legislator Castellano. All in favor.

**Item #7 - Update/ 2022 Lake Gleneida Shoreline Maintenance/ Commissioner of Highways & Facilities Fred Pena**

Chairman Albano made a motion to Waive the Rules and Accept the Additional; Seconded by Legislator Jonke. All in favor.

Commissioner of Highways & Facilities Fred Pena stated that the relationship with the DEP has been improving. He stated that the documentation of invasive tree species that are to be removed has been successful. He stated that on June 15, 2022, there was discussion about the next cutting and clearing. He stated that the narrow section of Route 6 will need to involve flagging to keep everyone safe. He stated that Lake Gleneida over-the-rail trimming is set to begin the first week of August.

Chairman Albano questioned whether the DEP would be addressing the invasive tree species or if it is left to the County.

Deputy Commissioner Tully stated that in the past, the DEP has cooperated with the County with staff and volunteers.

Chairman Albano stated he is glad to hear the DEP is helping. He stated that to his understanding, the invasive species do not cause harm. He questioned whether the shoreline would be cleared to a greater degree.

Commissioner Pena answered yes.

Chairman Albano stated that constituents see the work that the Highways and Facilities Department does thus far and are very appreciative.

Legislator Sullivan stated that he agrees with Chairman Albano. He stated that it is a shame that Lake Gleneida is covered by trees. He stated that there are big trees that look dead. He questioned if those trees can be removed. He stated that these trees do not do anything for the aesthetic of the lake.

Commissioner Pena stated that he does not have the specific list of trees that are being removed. He stated that the look of the lake was taken into consideration when the list was made. He stated that the new administration at the DEP has allowed for a better relationship. He stated that he will inform the DEP of any trees that appear dead.

Chairman Albano stated that he is glad work is being done on the lake. He thanked Commissioner Pena for the update.

**Item #8 - Update/ Fair Street Reconstruction Project/ Commissioner Highways & Facilities Fred Pena**

Commissioner Pena stated that the project is occurring on Fair Street between Route 52 and John Simpson Road. He stated that the scope is locked in. He stated that design sets are being reviewed. He stated that feedback is being incorporated. He stated that the focuses are design plan reviews and underground utilities. He stated that there is an extensive process to bring the utilities through from Route 52 to Vink Drive underground.

Chairman Albano stated that he had previously suggested including as part of this project the burying of the utility wires. He stated with a project this size, if it is possible, the utility wires should be put underground.

Commissioner Pena stated that the Highways and Facilities Department is very focused on this. He stated that beautification has played a role in what has already been done as well. He stated that two (2) residences are being taken down because they are too close to the project, and they fall within flood zone as well. He stated both residences are regularly impacted by flooding. He stated landscaping will be done. He stated the landscaping plans are available for viewing at the Highways & Facilities Department by any Legislator who is interested. He stated he would be happy to hear any feedback the Legislators may have.

Chairman Albano stated when there are properties that need to be acquired there is often a chance that there could be a disagreement. He questioned how that would impact the project.

Commissioner Pena stated right of way acquisitions involve a specific process, which the County has followed. He stated the meets and bounds were identified, and there are 62 different owners. He continued to speak to the process they are following.

Chairman Albano questioned when construction would begin.

Commissioner Pena stated that the department is seeking construction authorization for the Federal Fiscal Year of 2023, which starts on October 1<sup>st</sup>, 2022.

Deputy Commissioner Tully stated that they are hoping to have authorization from the New York State DOT on or about October 1st.

Chairman Albano questioned whether there is anything major left to review in the design process.

Commissioner Pena stated that an entire design package is submitted to the DOT for review. He stated that some submissions have already been sent. He stated that if the goal of receiving authorization by October 1<sup>st</sup> is hit, they will then focus during the winter months on the bid process.

**Item #9 - Approval/ Budgetary Amendment (22A054) Finance Funding for County Wide Dept. Gasoline, Utilities, and Other Unforeseen Contingencies Through Year End**

Deputy Commissioner Tully stated the Department has worked closely with the Commissioner of Finance William Carlin. He stated that Commissioner Carlin has asked the Department to hold off until there was a clearer trajectory of the price changes. He stated that this budgetary amendment is considerable compared to the adopted budget. He stated that these are conservative numbers. He stated that he believes the request will be enough to get through the

end of the year. He stated he was reminded by Commissioner Carlin, who requested that I remind the Legislature, that if there is excess funding it cannot be used for any other purpose per the resolution passed by the Legislature (R#141/2015) without legislative approval. He stated that it will all be used for utilities.

Chairman Albano stated that \$500,000 is for contingency.

Deputy Commissioner Tully stated that he believes that is where Commissioner Carlin is taking the funding from. He stated that Commissioner Carlin will speak to this in the Audit and Administration Committee Meeting.

Legislator Jonke questioned whether any of this money can be covered using ARPA funding.

Deputy Commissioner Tully stated that he would defer the question to Commissioner Carlin.

Legislator Jonke stated that the increase in the cost of gasoline and oil was discussed when previously allocating ARPA funds. He stated that he believes this was not adequately planned for. He stated that in the future this needs to be kept in mind before considering any other give away of funding from the County's General Fund Balance.

Deputy Commissioner Tully stated he would mention share that with Commissioner Carlin. He stated if it were not for previous action by the County Executive and the Legislature, the numbers would be higher. He stated the County has approved and made some good improvements on energy savings over the past couple of years.

Legislator Nacerino stated that the upcoming budget is going to be challenging. She stated what is before the Legislature is only one department. She stated she believes the 2023 budget process will be very challenging in light of the inflation that we are facing in many areas of our economy.

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Deputy Commissioner Tully agreed and stated that the impact of inflation is considerable and concerning.

Legislator Nacerino stated that every department's budget will be impacted by the rising costs.

Legislator Sayegh questioned what the remaining months of the year will look like if costs continue to rise. She questioned whether taxes will be raised.

Legislator Albano stated that sales tax can be used to remedy the costs.

Legislator Sayegh stated sales tax was just given away.

Deputy Commissioner Tully stated that from a budget perspective, the best thing is to be honest about what is necessary.

Chairman Albano stated that Article IX was done at the right time.

Deputy Commissioner Tully stated that solar energy is being turned on within the Donald Smith Campus within the next two (2) weeks.

Chairman Albano stated that he would like to speak to the Senator about solar at Tilly Foster. He stated that NYS does not recognize Tilly Foster as farming.

Assemblyman Kevin Byrne stated that solar panels on farms have been a topic of discussion in the State Assembly and that legislation is being reviewed in the State Legislature for some of the larger farms in Upstate New York. He stated that it is a controversial issue because farmers should be able to do what they would like on their land. He thanked the Legislators who spoke previously. He stated that he shares concerns about the rising prices. He stated that the cap on gasoline sales tax is beneficial but comes with the cost of losing a portion of anticipated sales tax revenue. He stated that the costs of government and services are going up. He stated that officials should be mindful of the fiscal challenges that are facing the government this year, along with the years that follow.

Chairman Albano made a motion to approve Budgetary Amendment (22A054) Finance Funding for County Wide Dept. Gasoline, Utilities, and Other Unforeseen Contingencies Through Year End; Seconded by Legislator Jonke. All in favor.

## **Item #10 - Other Business**

### **a. Chairman Albano Facilitated Brief Discussion: Tilly Foster & Electric Vehicles-Charging Stations**

Chairman Albano stated that the farm is doing fantastic. He stated this can be discussed in the future.

Chairman Albano stated that Legislator Montgomery, who was absent, had recently brought forward opportunities to look for a grant that will help cover costs for electric vehicle charging stations.

Deputy Commissioner Tully stated that there are notices for funding opportunities and state programs that can be applied for. He stated that Director of Purchasing Alex Mazzotta has been speaking with Enterprise about the ability to purchase electric vehicles. He stated that the County's current infrastructure would not sustain a conversion to electric vehicles. He stated that for now, conversations are being had about costs and locations, as well as grant opportunities.

Commissioner Pena stated that the electric infrastructure is already at capacity. He stated that during periods of high temperatures when air conditioning is used, the energy is already being maximized. He stated that it is not good planning to start using electric vehicles without having the infrastructure necessary to support electric vehicles.

Chairman Albano stated that if people were to charge their vehicles at night during off-peak hours, costs would be reduced. He stated that if people were to charge during the day, then the project would be a backfire.

Legislator Nacerino stated that this is not an overnight fix. She acknowledged that it is a good idea for the future, but that it is a long-term plan.

**b. Approval/ Property Acquisitions Empire State Trail Access/ Commissioner of Highways & Facilities Fred Pena**

Chairman Albano made a motion to accept the additional; Seconded by Legislator Jonke. All in favor.

Commissioner Pena stated that it is a draft resolution that has been submitted to the Law Department simultaneously for review. He stated that the resolution gives the authority to the Commissioner and the County Executive to acquire the property needed by the department. He stated that the department has the requisite funding.

Chairman Albano questioned whether details of cost are included.

Commissioner Pena stated that the details are included within the resolution draft.

Legislator Castellano questioned whether the property is currently vacant.

Commissioner Pena stated that the property is vacant.

Deputy Commissioner Tully stated that the Department is looking for a temporary easement to build a parking space that would allow access to the bike path.

Legislator Jonke questioned whether the parking space would be on the turn where people are already parking.

Deputy Commissioner Tully stated yes. He stated that the Town of Patterson has approved a site plan for the owner who is going to convey the property to the Department of Highways and Facilities.

Chairman Albano questioned whether the \$9,100 would be for a one-year term.

Legislator Jonke stated that the purchase of a permanent easement is \$9,100 and the purchase of a one (1) year-term is \$300.

Deputy Commissioner Tully stated that more room would be needed to do the work, which is why a temporary easement would be used. He stated that a permanent easement would allow the parking lot to stay there. He stated that the owner does not want to sell because he wants access as well. He stated that the permanent easement would be a joint-access one.

Legislative Counsel Robert Firriolo stated this is coming from the capital budget line. He stated the resolution should have a fiscal impact statement. He questioned whether there is any fiscal impact statement for 2022-2023.

Deputy Commissioner Tully answered no. He stated it is being charged directly to the project.

Chairman Albano made a motion to move Property Acquisitions Empire State Trail Access to the Audit and Administration meeting; Seconded by Legislature Jonke. All in favor.

Legislator Nacerino stated that she lives close to the bike path. She stated that the current parking situation is dangerous as there is no shoulder to park on. She stated that this project would be very advantageous.

### **Item #11 - Adjournment**

There being no further business at 7:59 PM Chairman Albano made a motion to adjourn; Seconded by Legislator Castellano. All in favor.

Respectfully submitted by Legislative Intern, Tanya Ramirez.