

**Physical Services Committee Meeting  
Held in Room #318  
Putnam County Office Building  
Members: Chairman Albano & Legislators Nacerino and Scuccimarra**

**Tuesday**

**September 16, 2014**

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

**Item #3) Approval/Town of Southeast- Property Conveyance/Town of Southeast/Creation of the Birch Hill Water District**

Chair Albano stated this is an unbuildable property located in the Town of Southeast.

Legislator Nacerino made a motion to approve the Town of Southeast-Property Conveyance/Town of Southeast/Creation of the Birch Hill Water District; Seconded by Legislator Scuccimarra. All in favor.

**Item #4) Approval/ Proposed Resolution/Authorization to Commence Ejectment Proceedings**

First Deputy County Attorney Negro stated the resolution was submitted to the Legislature in case there is a need for this authorization within the next several weeks to a month. He explained the County is currently negotiating with the renters at the Farm. He stated in order to get more specific, the discussion would need to be in Executive Session.

Legislator Oliverio questioned what the time frame is before eviction proceedings begin.

First Deputy County Attorney Negro stated that there is no set time.

Legislator Oliverio questioned if there is a legal time frame that must be adhered to.

First Deputy County Attorney Negro stated yes, if that is the route that will be taken there are certain requirements that must be met. He stated again this is a last recourse. He stated that currently there is ongoing dialogue with everyone at the Farm. He stated that the County is trying to resolve negotiations as amicably as possible.

Legislator Oliverio stated he does not want to see the hammer brought down on these people.

Chair Albano stated that this has been seven (7) months of communication. He stated that at this point the County is just trying to be prepared for every scenario. He stated that every step that has been taken has been amicable.

First Deputy County Attorney Negro stated that the County has been working positively with all of the individuals involved.

Legislator Tartaro questioned if there is a date that has been set that if the negotiations are not all complete ejectment proceedings will begin.

Chair Albano stated that each scenario is a little different, so he does not believe one date has been selected.

Chair Albano made a motion to approve Proposed Resolution/Authorization to Commence Ejectment Proceedings; Seconded by Legislator Scuccimarra. All in favor.

**Item #5) Approval/Proposed Resolution/Approving Lease Agreement/Tilly Foster Farm–Bldg#1**

Chair Albano stated that this person has been living on the Farm for a while. He stated this tenant worked and received free housing. He stated his lease has been renegotiated and the tenant will begin to pay rent. He questioned if the tenants are required to carry a Tenants Insurance Policy naming the County as additional insured.

First Deputy County Attorney Negro stated the County has a requirement for them to carry a Renters Policy.

Legislator Oliverio stated this person's original agreement with the County was a Work Lease arrangement.

First Deputy County Attorney Negro stated that is correct. He stated that it has been the agreement for many years.

Legislator Oliverio questioned if the person is unable to perform the duties any longer.

First Deputy County Attorney Negro stated that the person is no longer an employee of the County.

Legislator Oliverio questioned if the person can perform the duties that he used to.

First Deputy County Attorney Negro stated he does not think so.

Legislator Oliverio stated for him this is dichotomous that this individual is asked to enter into a lease with the County; when the County just placed someone at the Farm who is not paying rent.

First Deputy County Attorney Negro stated that there were some issues that led to this revised agreement. He stated to go into any more detail than that, it would require an Executive Session. He stated that the person was more than willing to amend the lease agreement, he believes it is fair.

Chair Albano made a motion to approve Proposed Resolution/Approving Lease Agreement/Tilly Foster Farm– Bldg#1; Seconded by Legislator Scuccimarra. All in favor.

**Item #6) Approval/Proposed Resolution/Approving Sale of Chapter 31 Property/426 Route 312, Brewster NY**

Chair Albano made a motion to approve Proposed Resolution/Approving Sale of Chapter 31 Property/426 Route 312, Brewster NY; Seconded by Legislator Nacerino. All in favor.

**Item #7) Approval/Proposed Resolution/Acceptance of Amendment B for 2013-2014 Snow & Ice Agreement with New York State**

Chair Albano made a motion to approve Proposed Resolution/Acceptance of Amendment B for 2013-2014 Snow & Ice Agreement with New York State; Seconded by Legislator Scuccimarra. All in favor.

**Item #8) Approval/Proposed Resolution/Support of Continuing the Putnam County Parking and Transfer Program**

Chair Albano made a motion to approve Proposed Resolution/Support of Continuing the Putnam County Parking and Transfer Program; Seconded by Legislator Scuccimarra. All in favor.

**Item #13d) FYI/Chair Albano/Audio Visual Capabilities Update/Legislature Conference Room #318**

Chair Albano stated that he is looking into getting some updated audio visual equipment for the Legislative Conference room.

Legislator Oliverio stated that he is in favor of that. He explained years back, the Legislature shared conference room #318 with the courts and were very restricted to what could and could not be done. He stated that is no longer the case.

Chair Albano stated that he will share the cost information, as soon as he receives it all.

**Item #9) Update/Tilly Foster Farm- Work- In Progress/Provide Legislature: Blueprints & Schematics Future Construction at Site**

Commissioner Pena stated that he had prepared a Power Point Presentation to show all of the work that has been done at Tilly Foster Farm (Farm). Unfortunately he could not get the presentation working. He stated the original renderings were displayed at the Farm during the July Fair. He stated the renderings are a starting point of conceptual ideas.

Legislator Oliverio questioned if any blue prints have been created.

Commissioner Pena stated that there have been some created for basic utilities: sewer, electric and water. He stated those are primary things that need to be stabilized and improved. He stated that there is a previous design that had been done by a consulting group that did a water supply analysis design. He stated that he and his staff added to that some of their concepts based on what they know about the facility. He stated they have been working on that in engineering. He stated also they have a septic investigation building; that has been put on a plan. He stated they have documented how they plan to propose a single septic system that would take care of all of the buildings in that area. He stated that the current basic utilities have been reported as being inadequate and faulty. He provided a brief overview of the wells that are currently on the property.

Legislator Oliverio stated that his specific question is related to the Lodge on the Farm. He stated that he is concerned in terms of the amount of renovation that is being planned for the Lodge. He stated that is why he requested to see the schematics and blue prints. He stated he believes it is a classic and beautiful building.

Commissioner Pena stated the current structure of the Lodge has been investigated. He stated that he found a barn in Pawling that appears very similar to the starting point structure of what is at the Lodge Building on the Tilly Foster Farm barn. He stated that over the years there have been many changes made to the original structure. He provided some of the changes that they can see that have been done thus far. He stated that changes have been made to the exterior and the interior. He provided further discussion on the areas that they plan to leave alone and the areas that require changes. He referenced the kitchen area is an area that will be changed in order to lend itself, not only to the BOCES programs but other events that may be brought to the farm. He stated that the current building was not handicapped accessible, there were not proper bathroom facilities and there was not proper parking. He stated that these are some of the things they are looking to address and bring up to date.

Legislator Oliverio requested once he gets his power point presentation up and running; please provide a copy to the Legislature. He stated that would be a big help to him to clarify it in his mind.

Commissioner Pena stated he will absolutely do that.

Chair Albano stated that he saw an excavator on the property. He questioned what that is being used for.

Commissioner Pena stated that they found an underground storage tank that held heating oil. He stated that was being removed. He stated that there was some reclamation required from a previous tank that had been there. He stated that is all completed. He stated the DEC and DEP were both involved. He stated that exposed one (1) side of the foundation which showed that there is a cinder block wall next to a stone wall to reinforce it. He stated that was taking up kitchen space inside.

Legislator Oliverio stated that it leaks a great deal down in the area where the equipment is.

Commissioner Pena stated that footing drains will be put in to address that issue. He stated that it needs work in order to bring it up to a usable condition.

#### **Item #10) Discussion/Cornell Cooperative at Tilly Foster Farm**

Legislator Oliverio stated that he requested this item in response to an inquiry from a constituent.

Deputy County Executive Walker stated that on May 15<sup>th</sup> of this year, he presented the comprehensive plan for Tilly Foster Farm to this Committee. He reported at that time that the plan was to bring Cornell Cooperative to the Tilly Foster Farm property. He stated however there are certain things that need to be done before they can be brought to the farm. He stated as Commissioner Pena communicated there are still basic utility matters that are being addressed. He stated that there is also some engineering and architectural work that needs to be done before the Cornell Cooperative Offices can be brought to the Farm. He stated that Commissioner Pena has begun meeting with Marjorie Keith Executive Director, Cornell Cooperative Extension to discuss the future office space at the Farm.

Legislator Oliverio questioned Marjorie Keith Executive Director, Cornell Cooperative Extension as to whether they are on board with moving to the Farm.

Marjorie Keith Executive Director, Cornell Cooperative Extension stated that they are very interested in moving to the Farm, providing they can have accommodations that will be as good as the ones they currently are working in. She stated that there are a lot of programmatic opportunities at the Farm that could enhance the Cooperative Extension Program.

#### **Item #11) Correspondences:**

- a. To: Congressman Maloney Fr: Chair Albano D: Sept. 10, 2014 Re Proposed clean Water Act regulation/FYI**
- b. Resolution-Delaware County/In Opposition of Proposed Clean Water Act Regulation/FYI**
- c. Resolution- Geneseo County/In Opposition of Proposed Clean Water Act Regulation/FYI**
- d. Correspondence: Fr: County Executive Odell To: Physical Services Chair Albano D: August 27, 2014 Re: 34 Gleneida Avenue- Interested Lessee**

11a.) Chair Albano stated that he has written to Congressman Maloney requesting any assistance and additional information that he can provide pertaining to the proposed Clean Water Act Regulation. He stated that in the backup tonight there are two (2) resolutions from Delaware County (item #11b.) and Geneseo County (item #11c) which document their opposition of the proposed Clean Water Act Regulation. He stated that everyone agrees and is in favor of Clean Water and support the regulations that support that goal. He stated however to add another layer of government, in his opinion, will hinder growth and not even accomplish what it is intended to accomplish.

Commissioner Pena stated that everyone wants clean water. He stated that has to be accomplished through a responsible manner. He stated that he is finding that other municipalities are feeling the same way; they recognize the need to improve water quality, but it needs to be done in a very specific way. He stated he does not support adding more layers of bureaucracy.

Chair Albano stated at the local level there are a lot of requirements that must be met in terms of Clean Water. He stated he would not support adding another level of government on top of this and he does not believe it would result any improved level of water quality.

Legislator Scuccimarra stated that some of her constituents have expressed concern that the regulations are not being met and corners are being cut. She stated that she wants it to be understood that the County is very concerned about Clean Water and adhering to the current regulations.

Legislator Nacerino stated in the Town of Patterson there are very stringent regulations that are implemented.

Legislator Scuccimarra stated as it should be.

Legislator Oliverio stated that he would like to request that this Committee not take action on this; remain neutral. He stated that his interpretation and research has shown that the proposed regulation is reinstating things that have been omitted from the original law over time.

Chair Albano stated that he looks forward to hearing back from Congressman Maloney.

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

**Item #9. Continued: Update/Tilly Foster Farm- Work- In Progress/Provide Legislature: Blueprints & Schematics Future Construction at Site**

Commissioner Pena was able to get his presentation started. He provided visual photos that depicted the issues at the Farm that he previously addressed earlier on this agenda. He provided more detail of the current Septic System and the projection of their future plans for the Septic System. He stated that they did pursue the option of converting to Gas, however the line to hook up to Gas is up by the Highlands Shopping Center, which would be too far of a run. He stated therefore they will be remaining with propane and oil for heating purposes at the Farm. He showed the photo of the Barn in Pawling that appears to be of a similar architectural era as the Tilly Foster Farm Barn. He emphasized several times that the architectural plans involve extension, they do not anticipate touching the existing structure. He stated that there is a trip hazard at the entrance to where the bar is in the lodge. He stated the only changes to the main structure will be to flip the bar from one side to another side. He stated that will leave the assembly area intact. He stated that Chris Ruthven, Deputy Commissioner of Parks had some history of feedback regarding the Farm. He stated a common criticism of the current layout was

that the kitchen entrance went right into the bar area. He stated that was the reason for flipping the bar to the other side. He stated that the result of the work the County will be doing will result in a better working kitchen that is code compliant, which it currently is not. He stated that they are addressing fire protection and making it an ADA compliant facility.

Legislator Nacerino questioned a status of the water issue at the Farm.

Commissioner Pena stated that water supply is tentative throughout the entire campus. He stated that there are consistently line breaks. He stated he would like the water supply and sewer system projects addressed first. He stated the electric supply is low, however that can be changed overtime. He stated that they are researching the possibility of putting the lines underground. He stated that would approve the aesthetics and it would reduce wind damage to the lines. He stated the process and cost of that will be researched and evaluated. He stated they will begin by meeting with the Planner from NYSEG.

**11a) Correspondence: Fr: County Executive Odell To: Physical Services Chair Albano D: August 27, 2014 Re: 34 Gleneida Avenue- Interested Lessee – Duly Noted**

**Item #12) Update/Special Physical Services Sept. 23, 2014 @ 6:00p.m. Loc: Village of Cold Spring – Village Hall**

Chair Albano facilitated discussion regarding the start time of the Special Physical Services Committee Meeting to be held on the Western Side of the County. After much deliberation it was agreed that the September 23<sup>rd</sup> meeting would begin at 7:00p.m. and will be held in the VFW in the Village of Cold Spring to accommodate a larger crowd than the number of people would could fit in the Village Hall. He stated that he would contact the elected officials on the Western Side of the County of this change.

**Item #13) Other Business:**

- a. Update/Condition of 40 Gleneida County Office Building**
- b. FYI/Tractor Show/Tilly Foster Farm Saturday 13, 2014**
- c. FYI/Public Comment Meeting/Algonquin Incremental Market Project (AIM)/ Cortlandt on September 15, 2014**

13b) Chair Albano stated that he stopped by the Tractor Show Event at the Tilly Foster Farm. He stated it was very nice, the Farm looked great and his grandson enjoyed it. He stated that he believes the place is moving in the right direction.

13a) Chair Albano stated that he had recently been looking at the 40 Gleneida Building and sees that it is in need of work. He stated so the timing of this update is perfect.

Commissioner Pena stated that he has some photos that show the severe conditions of the exterior of the 40 Gleneida County Office Building. He stated the building is in severe condition. He stated so severe that he is alerting the Legislature that there will need to be action taken within the next year. He listed some specific deterioration facts.

Legislator Oliverio questioned the condition of the building structurally.

Commissioner Pena stated that he has not had the brick face opened yet to evaluate the structural steel. He stated there will be exploration done on that. He stated that the plan is to contact experts in the field of exterior facing. He stated it is possible the brick can be encapsulated with an exterior insulating stucco system. He stated that he believes that would be the most cost effective. He stated that they will look into what solutions and alternatives exist. He stated that the membrane roof is also coming to the end of its useful life. He stated the hope is that a re-roofing and re-facing can be done in a style, in the next year or so, that would match the new courthouse. He stated that would create a nice consistency while leaving the Historic Courthouse to stand out on its own. He stated that this is a matter that must be addressed. He stated that it will not be an inexpensive solution in whatever direction is chosen. He stated he wanted to bring the Legislature's attention to this matter.

13c) Chair Albano stated that he attended the Algonquin Incremental Market Project (AIM)/ Cortlandt on September 15, 2014. He stated that the Unions are in favor of the project; it would be great in creating jobs for them. He stated the bottom line consensus was to pay close attention to the environmental impact statement and the 900 pages that go with it. He stated that he believes that the resolution that the Putnam County Legislature passed was right on target.

Gerry Ravinsky, constituent, stated that he would like to speak to Tilly Foster Farm. He stated that he believes it is really important to protect the integrity of the Farm. He stated that historic sites attract visitors. He stated in regards to the Clean Water Act agenda item; we cannot live without clean water. He stated in many ways the regulations regarding clean water have disintegrated. He stated that we need to have strong laws to protect our waters. He stated that he does not believe all of the facts have been presented. He stated in this area there are many people with extensive knowledge of air and water. He stated that he believes these people would come in and provide recommendations on what should be supported by the Legislature.

Chair Albano stated the correspondence to Congressman Maloney requested that he provide the Legislature with additional information on this matter.

Gerry Ravinsky, constituent, stated that in reference to the Special Physical Services meeting agenda item he believes it would be the right approach to accommodate the public as much as possible and hear what they have to say before making any decisions.

Chair Albano stated that he is working to accommodate as many people as possible with the scheduling of the Special meeting. The Legislature is very anxious to hear what the people have to say; that is the reason for going to the Western side of the County. He stated in reference to the Clean Water Act Regulation proposal they are working on gathering additional information. He stated the historical integrity of the Farm is paramount. He stated however it is a public facility and it needs to be ADA accessible. The Farm will be a facility that will accommodate all who want to visit it. He stated that the work done will be done in the least intrusive manner as possible.

Ann Fanizzi, constituent, stated she believes there needs to be a discussion on what the plans are. She stated that tonight this was a presentation of what is being done. She stated that she was present at most of the meetings pertaining to the future of the Farm. She stated she does not recall ever really having a discussion on where the Farm is going to go. She stated in her opinion the actions being taken is moving away from Tilly Foster Farm, being a "farm". She continued to share her personal thoughts in terms of the Tilly Foster Farm and the lease agreement negotiations with the renters.

Chair Albano stated that the direction that the County is moving in at the Farm is as a result of many, many meetings. He stated the current drawings are conceptual. He stated that he has faith in the professional abilities of Commissioner Pena. He stated Commissioner Pena will continue to bring the drawings forward and decisions will be made.

David Aguirre, tenant on the Tilly Foster Farm, stated that he took care of the animals that were on the Farm when the Whipplés were in charge of the Farm. He stated that he has the keys to the buildings on the Farm, and he secures the buildings. He stated that he was just contacted this past Friday Night, September 12, 2014, via a letter in his door referencing a need for a lease. He stated this is the first notification that he had received. He stated his contact in the County is Chris Ruthven, and he did not mention any of this to him. He stated that he is here tonight to get help with what he needs to do.

Chair Albano requested that First Deputy County Attorney Negro meet with Mr. Aguirre on this matter.

#### **Item #14) Adjournment**

There being no further business, at 7:35P.M., Chair Albano made a motion to adjourn; Seconded by Legislator Nacerino. All in favor.

Respectfully submitted by Diane Trabulsky, Deputy Clerk of the Legislature.