

**Physical Services Committee Meeting
Held in Room #318
Putnam County Office Building
Carmel, New York 10512
Members: Chairwoman LoBue, Legislators Albano & Othmer**

Monday April 16, 2012 **6:50PM**

The meeting was called to order at 6:50 p.m. by Chairwoman LoBue who requested Legislator Albano lead in the Pledge of Allegiance. Upon Roll call, Legislators Albano, Othmer and Chairwoman LoBue were present.

#3) Approval of Minutes/March 19, 2012

Legislator Albano made a motion to accept the minutes as written. Seconded by Legislator Othmer. All in favor.

#4) EDC/IDA/SCORE Lease/34 Gleneida Avenue/Discussion

County Executive Odell suggested that a Dispute Resolution be added to this item as well.

Legislator Othmer made a motion to accept the additional. Seconded by Legislator Albano. All in favor.

Legislator LoBue stated that there was discussion at the last Physical Services meeting regarding this topic. She is not in favor of moving the EDC & IDA over to this building to be located on the third floor. Her feeling is there should not be any of these outside agencies on the third floor in this building, as they all need autonomy, as well as not being placed between ten elected officials.

Legislator Birmingham stated that he feels we are putting the cart before the horse in this instance. There are two separate putatively separate issues with selling 34 Gleneida Avenue, as well as vacating the building. If this does go to the floor for a vote, he will be voting against it.

Chairwomen LoBue agreed with Legislator Birmingham.

Chairwoman LoBue also stated that she has been told of new renovations that are to take place in this building, and questioned where we will receive the funding from.

Chairwoman LoBue went on to state that it is her feeling the new renovations are predicated on the sale of 34 Gleneida Avenue, and also feels that the Legislature has been circumvented in this situation.

Legislator Oliverio is not in favor of the Lease. The autonomy of the EDC and IDA must be sacrosanct, it cannot be tampered with. He does not want the EDC & IDA in between the Legislature and the Executive branch. The issue of space is also a factor, and he will be voting no on this issue.

Legislative Chairwoman Conklin stated she is not in favor of selling the building, as we may need the space at a later date, or we may need to purchase it again sometime in the future, paying top dollar for it. She feels that it is functional for many things as it is. It is also her feeling that the EDC and IDA will not be able to function in the proposed space that has been allocated for them, with their records being stored in a different space. Those records need to be confidential.

Legislator Roger Gross stated he is not in favor of selling 34 Gleneida Avenue, and is in agreement with Legislative Chairwoman Conklin with regard to mixing commercial people with elected officials. He will not vote in favor for the sale.

Chairwoman LoBue stated that she has met with SCORE herself, and was very impressed. They are a component that works hand in hand with the EDC & IDA.

Chairwoman LoBue suggested that 34 Gleneida Avenue would be suitable for the Tourism Office. There would need to be some upgrades made, but feels it would be a good location.

Legislator Othmer stated that Chairwomen LoBue was confusing the Tourism Office function with a Tourist Bureau Office. There is no bonding on this building, it is owned free and clear, and she does not understand the urgency for the sale.

Chairwoman LoBue stated that she had no idea that all of the renovations that were taking place were being done to accommodate all of the Agencies that are in 34 Gleneida. We have already spent \$50,000.00 changing the third floor, and beginning work on the second level. When we were asked to float the \$50,000.00 transfer, it was specifically to be used for the move of the Finance Department to the second floor.

There was more dialogue between County Executive Odell and Chairwoman LoBue, regarding renovations on the third floor.

County Executive Odell asked Chairwoman Lo Bue to amend her statement.

Chairwoman LoBue stated she would not.

Legislator Othmer stated what he understands from the County Executive's reply, is that the money was used for the County Executive's Office, and not the EDC/IDA offices. He wanted to make that clear. He has done research on other Counties, and found that Orange County as well as Westchester County has the EDC/IDA offices on the same floor as the County Executive's Office. He is however, in favor of renting the building as opposed to selling it. What he understands from the County Executive's letters is that we are going to have a plus \$60,000.00 to \$70,000.00 cash flow with the tax income and rental income, if the numbers hold true. The County Attorney has sent a letter stating that there is nothing ethically wrong with having the EDC/IDA on the same floor, between us all. He has noticed in the letter from the County Executive that the records for the EDC/IDA are not in compliance with New York State Law.

County Executive Odell stated that the records can be properly stored, and will be in compliance with New York State Regulations. County Clerk Dennis Sant has agreed to take all of their records and store them in the appropriate manner, in which they should be by compliance standards. This will elevate the space constraints that they currently exist under.

Legislator Othmer stated that he believes that the County Executive is in favor of all County business that is being conducted, be conducted in the same place which makes it easier on the constituents. The space allocated for the Veteran's Office will be made much larger, to accommodate all of our Veterans from the past, as well as the thousands of our current Veterans who are coming home at this time. They want and need their privacy when they go to talk to their counselors. There is private information being spoken about between the counselors and the Veterans. The privacy issue is one of the reasons that the Veteran's Office does not belong on the third floor.

Legislator Othmer went on to state that every branch of the Military is downsizing and consolidating, they are doing more with less. He would like to see everything consolidated.

Chairwoman LoBue spoke about what she felt was a necessity.

Legislator Albano stated this is not the market to be selling any building. He does have some issues regarding SCORE, as he feels they have been left out in the cold. He wants to be sure that we accommodate everyone. He is in favor of retaining the building.

Legislator Birmingham stated he is in agreement with portions of what Legislators Othmer and Albano have just stated, about keeping the building. His concern at this time is that we will be left with an empty building. If the sale of the building is off the table at this time, what is the rush to vacate the building? He would rather see us for the moment, keep things status quo.

County Executive Odell stated that she has acquired some records from the Highway Department, regarding what the cost is for 34 Gleneida Avenue is to stay open. The numbers

that she has are from 2010 to 2011, which runs from energy cost as well as security costs. The cost for 2010 is \$42,000.00 and the cost for 2011 was approximately \$38,000.00 - \$39,000.00 due to the extremely mild winter that we had this year.

The renovation costs are beginning to accrue now. The County Clerk's Office has not been in compliance for many years, with regard to the manner in which the records from his office are being kept. There is a serious lack of space to keep these records. We have fire emergency situations at this time, as our hallways in some locations are being clogged with boxes of records. We now have acquired clear Title to another building, so we can move the Narcotics vehicles out of the space in the Brewster location, which will give us the most needed space in the Brewster records location.

County Executive Odell went on to state that she has no intention of growing County government as a matter of fact, the trend is to make government smaller. She believes that each and every one of us has campaigned on that message. Government costs do have to be reined in, as personnel is a driving cost when it comes to running government. She has spent two years fighting corruption in this county, and she has no interest in putting her self-agenda in the way of the good project that Economic Development and the IDA can bring to this county, and to imply that this administration would do something like that is inherently ridiculous. She wants to see jobs in this county. She wants to see all of us understand that the most important thing is not about micromanaging ourselves into stagnation, it is about showing the people that we are ready to work and work together, and ready to make bold decisions and bold initiatives. She wants everyone to step out of their comfort zone and be colleagues.

Chairwomen LoBue stated that the rumor is that County Executive Odell has a buyer for that building.

County Executive Odell stated no. She is not brokering any Real Estate deals with anyone.

Chairwoman LoBue stated that County Executive Odell had asked to change the Charter.

There was more dialogue between Chairwoman LoBue and County Executive Odell.

Legislator Oliverio made a suggestion in regards to changing departments around.

Deputy County Executive Bruce Walker presented the following facts to the committee.

The Budget last year was \$136,000,000.00, yet we budgeted \$141,000,000.00 and that was the past Budget. That means we had to draw down our general fund by about \$4,000,000.00. That leaves \$15,000,000.00 in our general account. Not selling that building is the equivalent of forcing a 2% property tax increase which is our cap on every resident in this county. Holding an asset that arguably we do not need, will cause us to raise taxes 2%. That being said there is also

the voided cost and additional expense. The expense for that building as County Executive Odell mentioned is about \$40,000.00, and the avoided opportunity for potential revenue is about \$29,000.00 based on the assessment. For a cost of about \$69,000.00 a year of money that would be an opportunity to this County. That being said, there is some debate whether or not we will be able to get that revenue back from the Lease. That is roughly about \$19.00 a square foot, which is more expensive than the Brewster Clock Tower Commons, which is not a feasible solution to that building. Whatever we decide to do with this building we need to do it with our eyes open, and the numbers are up for discussion as well.

Legislator Tamagna stated that nine Legislators do not belong in the business of relocating or making County services, we have to look at how much money we are spending, and look at how much money the taxpayers are spending. He feels that there is a lot of surplus space here. We have spoken about the disaster regarding the space for the County Clerk's office, and have spoken about that through many budget processes. We are finally going to have some good space, and it is long overdue.

Legislator Tamagna went on to state that the businesses are suffering, and why would we want to compete with leasing that space and compete with our local businesses. He is not even sure how he is going to vote on this issue at this time, because based on principal in six years of exasperation, he may abstain from this vote as he has been asking all of this time for a space analysis. We need to start planning in this County. Let's do what we need to do in order to move this forward.

Chairwoman LoBue and Legislator Tamagna engaged in dialogue regarding this issue.

Legislator Birmingham stated if we do sell the building, we need to be careful what we do with that money.

Chairwoman LoBue stated that the issue with Bonding is getting bigger and bigger.

County Executive Odell made mention of a letter from the President and CEO of the Hudson Valley Economic Development Corp., Michael Oates. Mike is very energized by the opportunity to work with Putnam County.

Legislator Othmer stated we are micro managing, and going in nine different directions. The County Executive deserves to run her game plan. She is the Executive Branch, and he sees splitting all over the place. The 2% tax cap is coming, and he believes that we need to give the Administration a chance to make the County Executive's game plan a chance to work. We own 50 acres of land behind the County Building, and he sees a new energy efficient building in the future, as this building is falling apart, and in his opinion is an antique. If the new building is not built during this present Administration, it will certainly need to be done by the next. He is of

the feeling that 34 Gleneida Avenue will not be needed in the future, due to the new construction of this building @ 40 Gleneida Avenue.

Legislator Oliverio stated that when Donald B. Smith Sr. and others got together to form the Charter form of Government, their focus was very laser sharp. They said that there has to be a division between the Executive and Legislative branch. One has to watchdog the other. That was the whole tenner of getting rid of the Board of Supervisors. The Legislature's duty is to make sure that the people's will is represented. He feels very strongly that the EDC/IDA do not belong in the midst of this hallway of politics. He will stand by that, as well as renting as opposed to selling. That does not mean that he disagrees with the County Executive, it means we have a disagreement on these issues, that's all. He can appreciate where she is coming from, but do not delegate us as to being troublemakers, because we disagree. That is our job, and we have to do our due diligence. These are his beliefs, and these are his convictions. He is in favor of keeping EDC/IDA and SCORE at 34 Gleneida Avenue. That is his opinion, but he is one of nine who have to make the decision. When the Executive Branch dominates the Legislature, the people are no longer represented, and that is a dictatorship, not a charter form of government.

Legislator Roger Gross agrees with Legislator Oliverio. He wants the County Executive to be successful, and we can have our disagreements.

Mr. Tom LaPerch, Chairman of EDC stated he feels instant access is what it is about. We have to give Kevin Bailey the tools for him to be successful.

Ms. Bette Aubry, resident of the Town of Kent stated that she is still standing on the fact that we do not sell property if we own it in the County Seat. We do not know what is going to happen down the road. This is the County Seat and this is where things belong.

Mr. George Joiner, Chapter Chairman of Score, stated that SCORE has been in the County for about twelve years, up until about six months ago when we were sharing a space with the EDC/IDA. Our business is working with small businesses to try and help them to be as successful as we can make them be. They deal with approximately 100 new clients a year, and meet with them anywhere from once to eight or ten times.

Mr. Joiner is asking that the County please keep them in mind. As of now, there has been no space allocation given for them. They hear a lot of rumors, but nothing firm. They have met with County Executive Odell regarding this issue.

County Executive Odell stated that she did have a rather lengthy meeting with Mr. Vinny Favalli and the Deputy County Executive, in regard to what SCORE does contribute. This Administration feels with rearranging some space, there will be an entire wing dedicated to EDC/IDA as well as SCORE.

Legislator Birmingham stated he is flabbergasted, as this is the first he is hearing of SCORE sharing space with EDC/IDA on the third floor.

Chairwoman LoBue stated she has met with Legislative Chairwomen Conklin, as well as George Joiner. They took a look at the space at 34 Gleneida Avenue and compared it to the space that was allocated here on the third floor. The 3rd floor space is certainly not large enough to house all of those departments.

County Executive Odell stated to keep in mind that SCORE is a part time operation, and would not need the office space all of the time. That also stands true for EDC/IDA as well.

Mr. Bailey stated that whatever decision is made by the County Executive and the Legislature, he is fine with whatever he is told. The County Executive has worked very hard with him on this issue for the past three to four months, and they did have a discussion regarding the size of the space allocated. He anticipates no problems with working with anyone, and will go wherever they are told to go.

Legislator Oliverio stated that as the second standing representative unit in County Government, we need to be in the loop on these things, and we weren't.

County Executive Odell apologized. It was never the intent to do anything overt. They are just trying to do what the people want them to do.

Legislator Oliverio stated these are independent resources and wants to keep them that way.

Ms. Lynn Eckhart feels that we can put money into 34 Gleneida Avenue.

Ms. Wilma Baker stated she is in favor of EDC/IDA being on the ground floor, as would be easy for people to see and get to. She is not in favor of them being located on the third floor.

Legislative Chairwoman Conklin stated the EDC/IDA should be kept where they are at 34 Gleneida Avenue. The offices can be painted, which would give them a fresh updated look. They will not have the space they need if they move to the third floor. There is also an issue with them having their own conference room space.

County Executive Odell stated she feels we have an opportunity to help them. She feels that we have come to a great place with the dialogue. She may have been over enthusiastic, which she has been accused of at times, but she really feels that the people want us to do something. She will respectfully accept whatever the Legislature deems at the vote.

Chairwoman LoBue wants a full picture in totality of all of these renovations throughout the County. We can then decide if it is cost effective, and then move forward.

Chairwoman LoBue stated that she wanted to see maps and plans, along with all the costs associated with these renovations. It is her opinion that this is being done in reverse and feels that is what is adding to the confusion.

County Executive Odell stated she will adhere to Chairwoman LoBue's request as the Chairwoman of Physical Services. Moving forward, whatever the Committee wants to see, all they need to do is just ask her for the information.

Mr. Richard Ruchala, Vice Chairman of the Putnam County IDA, gave his opinion regarding the sale of 34 Gleneida Avenue. His main feeling is that the EDC/IDA belongs on the main floor.

County Attorney Bumgarner stated that with respect to the SCORE Lease, the County has never had a Lease with them. They are a sub-tenant with EDC/IDA, and that is what brought them on. She feels that is why they were not in the initial conversations, because they were not a direct tenant of the County.

Mr. Joiner stated that SCORE had been asked to sign a Lease.

Legislator Albano stated that he wants to be sure that SCORE is accounted for.

County Executive Odell stated she feels that this issue with 34 Gleneida Avenue should be brought to the Full Legislative Meeting.

Legislator Birmingham stated that the way the Lease is presented today, is only for EDC/IDA and he has a policy issue with putting yet another Agency there in with those three offices. If we pass this Lease tonight and it gets approved on the floor next month, essentially this Lease makes no provision for SCORE, which we understand are supposed to be sub-tenants of the EDC/IDA or supposed to be tenants of their own down the hall. If you want SCORE to be with those other two groups, this is not the Lease to do it.

County Executive Odell suggested that this item be moved to the Audit Committee.

Legislator Albano agreed, so we can at least continue in the right direction.

County Executive Odell stated she would like the opportunity to speak to SCORE and find out exactly what their space needs are and see what can be done.

Legislator Albano made a motion to bring this to the Full Legislative meeting. Seconded by Legislator Othmer.

By Roll Call Vote: Two Ayes. One Nay, Legislator LoBue.

#5) Proposed Lease/Putnam County Visitors Bureau, Inc. /Discussion

Ms. Libby Pataki stated she feels if people come up to see her on the third floor, that is great, but does not feel that she should wait for people to come to her. Her feeling is that she should be out going to see them. There is a lot of Tourism coming from the West side of the County, and really feels that she needs an office where the tourists are.

Ms. Pataki had launched her new website, and feels this is a very important part of promoting Tourism in and outside of the County. Every day she is talking to ten groups of people that did not even know that there was a Visitors Bureau. A lot more people are now becoming aware that the Tourism Office is very important. This is due to the recent publicity that they have received.

Legislator Albano stated that as far as the workings of the Tourism Office, it absolutely makes sense to be over here. As far as exposure, there would be nothing wrong with having something in the West side of the County as well as downstairs, if it was cost effective.

Ms. Pataki stated that a little office with brochures is going to have a lot less impact then somebody who is getting the word out, and doing things on a macro level as opposed to a micro level.

Legislator Albano agreed.

Legislator Othmer stated we cannot confuse the duties of a Director with a Welcome Center staffed by volunteers.

Chairwoman LoBue stated we are a small County with small resources and feels that we need to have an office that is visually attractive and makes a presence when you enter the town.

Legislator Oliverio has concerns regarding macro decisions that need to be made immediately, and his fear is where the Legislative input is. He does not want to see this Legislative branch take a back seat to anything.

There was more dialogue from Ms. Pataki regarding the Visitor's Bureau and what she anticipated doing in the upcoming months.

Chairwomen LoBue stated that all of these things being discussed after the fact, such as the Tourism Bureau operating on the third floor already and we are now discussing the Lease.

Legislator Tamagna stated that to complement Legislator Albano, there is tourism in every single town of this County. There is a lot to promote on every level. There was a website which was

unveiled, which took us step by step through each and every part of the County, not only Tourism, but going beyond with having the inventory of the people and places that we have here. It's smart to have a Tourism Office here, however there is three to five thousand people, (tourists) that come to our town, and lines at the Restaurants in Philipstown, and the Village of Cold Spring, are just tremendous, therefore the gateway to Tourism is in that area.

County Executive Odell stated that the enthusiasm behind getting Tourism up and going came from our visit to NYSAC. She had seen the Putnam numbers compared to our neighboring counties as well as counties that are much smaller than we are, that are not within a fifty mile radius of New York City, and it was so powerful to see how far behind we were. We are very fortunate that we now have Ms. Libby Pataki on board with her experience, and accomplishments. We cannot keep micromanaging ourselves into stagnation. We have to make moves. We cannot keep waiting months between meetings. We cannot keep hanging ourselves on paperwork. We have to do the right thing for the people. They are doing what they think the people expect them to be doing. We can micro manage ourselves right out of office, or we can do what we are challenging ourselves to do, to meet the opportunity that has been presented to us.

Chairwomen LoBue stated her constituents do come up to her and people do want us to air on the side of caution. They want us to do our due diligence.

Legislator Birmingham stated that County Executives Odell's enthusiasm is properly channeled and things are going well, but we have our role as well, and that is what Legislator Oliverio was trying to make clear.

Chairwoman LoBue stated that the Lease for the Tourism Office states that it is commencing the first day of June 2012 and ending on December 31, 2012.

Legislator Birmingham stated that our Code requires that the Lease cannot be changed after we approved it. He stated that to make the RESOLVE Clause clearer it should state as follows:

RESOLVED, that the County Attorney is authorized to take whatever legal action is necessary to effectuate the Lease Agreement between the County of Putnam and the Putnam County Visitors Bureau, Inc. in the manner approved herein approved and written by the Legislature.

Legislator Othmer made a motion to approve the proposed Amendment by Legislator Birmingham. Seconded by Legislator Albano. All in favor.

Legislator Albano made a motion to move this item as amended to the next Full Legislative Meeting. Seconded by Legislator Othmer. All in favor.

#6) Proposed Sale of 34 Gleneida Avenue/Discussion

Duly Noted, previously discussed above.

#7) Highways & Facilities Updates/Commissioner Pena

Legislator Albano made a motion for the Committee to go into Executive Session. Seconded by Legislator Othmer. All in favor.

The Committee entered into Executive Session at 8:35 pm.

Legislator Albano made a motion to come out of Executive Session @ 9:15 pm. Seconded by Legislator Othmer. All in favor.

#7a) Carmel Sidewalk Revitalization Project

Chairwomen LoBue stated that they will be moving forward a Budgetary Amendment for item 7a/Carmel Sidewalk Revitalization Project.

Legislator Albano made a motion to approve the Budgetary Amendment #12A019. Seconded by Legislator Othmer. All in favor.

#7b) New Freedom Grant/Update

Commissioner Pena stated that the Grant has been approved.

#7c) Historic Courthouse

Commissioner Pena stated that he understands that the original budgeted amount for that was \$60,000.00 was cut down to \$45,000.00 for painting for the Courthouse. When he took a closer look at the condition of the Courthouse, he realized that there was significantly more work needed than was originally thought.

Commissioner Pena went on to list other work that will need to be done to the Courthouse. There will be some work that will not be completed in time of the Bicentennial, due to the extent of work that needs to be completed. He has spoken to the Historian to weigh in on all of the items that they will be working on

7d) WIC Renovation
Discussed below

7e) OFA Sidewalks/Renovations
Discussed below

7f) Koehler Senior Center
Discussed below

7g) Courthouse Lighting & Clock Repairs
Discussed below

7h) Highway Overtime
Discussed below

The matter of Highway Overtime is in Litigation at this time.

Chairwomen LoBue made a motion to accept the additional. Seconded by Legislator Albano. All in favor.

Commissioner Pena went over the Fund Transfer Requests for Minor Renovations for Gleneida Ave Clock Repairs and Additional lights for Courthouse Ceremonies.

Sidewalk Repairs to the following facilities:

Historic Courthouse = \$25,000 DBS-Office for Aging = \$23,500

Koehler SC= \$24,000.00

Fund Transfer Request for \$6,000 for additional funds from Sub contingency to Minor renovations for additional funds for the WIC Renovation at the Health Dept. due to Change in scope and IT

Estimate for temporary lighting = \$500.00 on a dry day, and \$1,500.00 if there is inclement weather, as the equipment will need to be water proofed for that situation.

7h) Highway Overtime

This item is in litigation at this time, and cannot be discussed.

#8) Other Business:

- a) Approval Budgetary Amendment #12A019/Paint/Repair Historic Courthouse**
- b) Approval/Budgetary Amendment/#12A020/Carmel Revitalizatio/ADA Accessibility Projects**
- c) Approval/Budgetary Amendment#12A021/SidewalkRepairs/Gleneida Ave/Clock Repair Courthouse Lights & WIC Renovations**

Legislator Othmer made a motion to approve items: **#8** (a,b & c) as one package. Seconded by LegislatorAlbano. All in favor. One Nay Chairwomen LoBue.

Being no further business to discuss, Legislator Albano made a motion to adjourn the meeting. Seconded by Legislator Othmer. All in favor.

The meeting was adjourned at 9:45 pm.

Respectfully submitted:

Claire E. Muller/Administrative Assistant

