

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

Wednesday

May 18, 2016

The meeting was called to order at 6:30p.m. by Chairman Albano. Chairman Albano requested that Legislator Scuccimarra lead in the Pledge of Allegiance. Upon roll call, Chairman Albano and Legislators Castellano and Scuccimarra were present.

Item #3 - Approval/Physical Services Meeting Minutes April 19, 2016

The minutes were approved as submitted.

Chair Albano stated that he will be addressing agenda items #10 & 11 to accommodate a scheduling conflict of Planning Deputy Commissioner Sandra Fusco.

Item #10- Approval/TIGER Grant Application/Planning Deputy Commissioner Fusco

a. FYI/Corres: Fr: Legislative Counsel Van Ross Re: Proposed 2016 TIGER Grant Application D: May 4, 2016

Planning Deputy Commissioner Sandra Fusco stated the “Transportation Investment Generating Economic Recovery” Grant (TIGER) was a funding opportunity that became noticed to the County’s Planning Department in early April 2016. She stated it is a Competitive Grant. She stated a Competitive Grant has specific requirements, one being a drop dead, deadline, which was April 29, 2016. She stated that there was a great deal of criteria required for the application. She stated at the time of the April 19th Physical Services Committee Meeting, she did not have enough information to bring this matter forward and conduct an intelligent discussion. She stated in order to meet the deadline of April 29, 2016 she had to submit the application. She stated that she did confer with Legislative Counsel VanRoss to make sure that procedurally she was being correct. She stated that Legislative Counsel VanRoss indicated that when time is of the essence it can be submitted to the Legislature after the application has been submitted. She stated the application was broken down into three (3) phases: 1st -Construction and Realignment of the Carmel Avenue Bridge in Brewster 2nd -Multi-modal parking facility in Brewster 3rd -Road improvement and sewer infrastructure improvements through the Town of Southeast and out to the State Line. She stated Barbara Barosa the Planning Departments Planner was very involved with the Brewster revitalization plans and initiative. She stated as a result of Planner Barosa’s involvement with that initiative, there was valuable documentation on file that was applicable to meet some of the requirements within the TIGER application.

Legislator Nacerino requested that Deputy Commissioner Fusco provide further clarification on the \$500million in discretionary funds in conjunction with the eight (80%) percent reimbursement and the twenty (20%) percent matched funding.

Planning Deputy Commissioner Sandra Fusco stated with this particular competitive grant, it is open to anyone who wants to make application nationally. She stated that \$500million is not that

much when you look at it nationally. She stated the estimate for the cost of the project is \$41million. She stated the request made in the application is for \$25million.

Legislator Castellano questioned what would the 20% match amount be that the County would be responsible for.

Planning Deputy Commissioner Sandra Fusco stated the remaining balance; based on these estimates would be \$16million. She stated that she is not stopping here to search for funding. She stated that she is continuing to look for additional sources of funding. She stated that there are opportunities that she is researching through CFA (Consolidated Funding Agreement) and other notices that come out through NYMTC (New York Metropolitan Transportation Council).

Legislator Castellano questioned if the Village of Brewster has been notified of this. He stated that they have a revitalization project going on.

Planning Deputy Commissioner Sandra Fusco stated the Village of Brewster is a co-applicant on the TIGER Grant and are on board. She stated a real positive, and a big factor in the consideration for this Grant, is the fact that the County has multi-jurisdictional cooperation.

Legislator Scuccimarra questioned due to the fact that the Village of Brewster was designated in the CFA in 2015 as an area that needs renovation, will that help.

Planning Deputy Commissioner Sandra Fusco stated absolutely.

Legislator Castellano questioned if the Town of Southeast is a co-applicant as well.

Planning Deputy Commissioner Sandra Fusco stated they are not.

Legislator Castellano questioned if the Town of Southeast elected officials are aware of the TIGER Grant application.

Planning Deputy Commissioner Sandra Fusco stated they did receive a letter of support from the East of Hudson Corporation, and the Towns of Southeast is a member of the East of Hudson Corporation.

Legislator LoBue questioned if the plans include a parking garage.

Planning Deputy Commissioner Sandra Fusco stated that it does include a Multi-Modal Parking Garage Facility.

Legislator LoBue questioned how many cars will it accommodate.

Planning Deputy Commissioner Sandra Fusco stated that she believes it will accommodate 450 cars. She stated the goal is to accommodate more cars than the area currently does. She stated the vision is to bring travelers up to Putnam County.

Legislator Castellano questioned where the parking garage would be.

Planning Deputy Commissioner Sandra Fusco stated behind the diner located in the center of the Village of Brewster.

Deputy County Executive Walker stated that the 19 municipalities, the East of Hudson members, support this.

Chairman Albano made a motion to approve/TIGER Grant Application/Planning Deputy Commissioner Fusco; Seconded by Legislator Scuccimarra. All in favor.

Item #11- Approval/Application NYS Accelerated Transit Capital (ATC) Grant (Reduce costs for purchase & Installation Bikeway Road Intersection Signage)

Planning Deputy Commissioner Sandra Fusco stated this is a non-competitive grant in the amount of \$46,042. She stated the projects need to be transit related. She stated after meeting with members of the Highways & Facilities Department it was determined that the best use of this money would be for traffic related signage on the bike path and bikeway intersections.

Legislator LoBue questioned if there is any financial match for the County.

Planning Deputy Commissioner Sandra Fusco stated no.

Chair Albano made a motion to approve/Application NYS Accelerated Transit Capital (ATC) Grant; Seconded by Legislator Castellano. All in favor.

Deputy County Executive Walker stated he would like to recognize Planning Deputy Commissioner Sandra Fusco. He stated the County, up until now, has not found a funding source to address one of the biggest obstacles the County faces in terms of growth opportunity, the infrastructure. He stated also to bring in all of the different groups, with their different interest and compile one unified plan, which is what was submitted for the TIGER Grant, was tremendous. He stated this provides a tremendous basis, regardless if the grant is given to Putnam County.

Item #4- Presentation/ Lighting and Energy Designs Inc./T. Infantino (copy of presentation is attached to minutes)

Tom Infantino, President Lighting and Energy Designs Inc. stated that his company represents the National Industry for the Blind (NIB) in the Federal and State commercial market place. He stated that there is a team of product suppliers and installers. He stated the product supplier is Forest Lighting. He stated Forest Lighting is the largest manufacturer in the world. He stated that they are based in China. He stated that they began working in the States approximately one (1) year ago. He stated that there is a complete range of products. He stated that his company could address the needs of the County both inside and outside. He provided information on the Univ8 tube, which can replace the fluorescent tubes currently used in most offices. He explained that the current ballast that is used with the fluorescent tubes are adaptable to the Univ8 tube. He stated the option is there to change the ballast or not. He provided a general overview to the potential cost savings and the environmental benefits. He introduced a representative from JK Energy Solutions (JK), Kyle, who explained that they are an energy services company. He

explained that JK will do a free energy assessment and make recommendations to improve the energy efficiency of the location. Mr. Infantino concluded his presentation with the specific steps that would be taken. He stated that L&ED did conduct a free energy audit for the Town of Carmel in their offices. He stated they only addressed the energy audit to the fluorescent tubes they currently have. He stated calculations were done with the going price of a Univ8 tube, \$15.00 a tube. He stated that approximately it would take 1.4 years to recognize the initial investment. He stated after that time the pure savings will be recognized.

Chair Albano made a motion to waive the Rules and Accept the Additional; Seconded by Legislator Scuccimarra. All in favor.

Tom Infantino, President Lighting and Energy Designs Inc. stated that he has distributed the price sheet for Putnam County. He stated if the County replaced all of the fluorescent tubes with Univ8 tubes, it would take approximately one (1) year to recognize the savings. He stated that he projects that the cost of these projects will continue to go down, as they become mainstream. He stated that he does want to touch lightly on the fact that, by purchasing these products, people who do not usually have a chance to have a job will have a chance to have a job. He encouraged everyone to go on the L&ED website and view the ten (10) minute video located towards the bottom of the main page on the right side. He stated there are times that we do not recognize the adversity some people face on a daily basis.

Chairman Albano thanked Mr. Infantino and stated that this will be looked into further.

Item #5- Presentation/Discussion/Cell Towers/County Law Department & I/T Department

Deputy County Executive Walker stated he wanted to bring the Legislature up to speed on some work that has been going on. He stated the main charge of local government, as past Legislator Oliverio always use to say, “is public, health and safety”. He stated that several years ago research began to locate the main risks in the County. He stated that approximately a year and a half ago Mr. Mike Cunningham was hired as an Asset Manager, with a focus on risk management. He stated the biggest risk the County is facing is the 911 Systems and the “4300” phone line into the Sheriff’s Department. He stated that was all predicated on the viability of the Cell Towers and the Microwave System that is throughout the County. He stated through the tenacity of a “Radio Committee” chaired by Putnam County Sheriff’s Operations Captain Frank Christian, Sr., Director of IT & GIS Tom Lannon and Putnam County Bureau of Emergency Services Commissioner Anthony Sutton an Interoperability grant application in 2013, which the County was not awarded, was revisited. He stated the Radio Committee, and a host of many other people, reconvened. He stated through the efforts of Sr., Director Lannon, Captain Christian, Commissioner Sutton and Asset Manager Cunningham another grant application was submitted (R#83/04/2015) and the County did get awarded. He stated the County received a \$3.5million grant. He stated the funding will be used to deal with the interoperability of the cell towers and the microwave towers within Putnam County. He stated that unfortunately, things get buried, but they did come and went through the process to identify to the Legislature that the grant would be applied for. He stated they have continued to move forward. He stated the County needed to identify potential locations, within the County, where the towers would be placed to meet the needs of the Emergency Services Bureau, the Sheriff’s Department, the EMS, the Fire Departments, providing as much coverage as possible to ensure radio communication

between emergency response personnel and their controlling entity that would provide them guidance. He stated it has been an ongoing process. He stated currently there are still some issues with the Federal Communications Commission (FCC) with regard to some of the frequencies. He stated the County has identified the potential locations for the towers to facilitate the County putting a microwave backbone onto the system to enable Public health and safety. He stated the purpose of this meeting is to bring the Legislature up to speed with the anticipation that the County will be able to do more due diligence, more of the technical engineering to finalize exactly where the sites will be. He stated the sites in mind are based on their geographic locality and the line of site requirements for the microwave and or the cellular to provide coverage. He stated that representatives from Homeland Towers are in attendance. He stated the County has been working with Homeland Towers on a private-public partnership to help offset what would otherwise be capital costs that would be borne by the tax payer. He stated tonight some of the site location, some of the logic and strategy behind doing this will be presented. He stated, again, the purpose is to bring the Legislature up to speed; so next month the Administration will bring forward the actual lease agreements, which First Deputy County Attorney Negro has been working on, for the four (4) locations. He stated so the Administration is giving the Legislature a month's notice, providing time to address any issues the Legislature may have with regard to this project.

Chairman Albano questioned what will the \$3.5million be spent on.

Deputy County Executive Walker stated of the \$3.5million about \$2.1million will be spent on microwave equipment and the engineering necessary to get it on the towers and about \$1.4million will be spent on interoperability equipment, which is a requirement of the grant. He stated that he believes everyone can appreciate, after 9/11the concept of homeland security. The ability to operate during an emergency like 9/11 or Hurricane Sandy was heightened. He stated each of these events has provided an opportunity to identify where the weakness and gaps are in the system; which create a real challenge during those events. He stated that working with New York State and Homeland Security these Interoperability Grants really start eliminating the boundaries that have been artificially created between municipalities, between States and between Counties to ensure that when there is a need to respond to these events, in mass, it can be done. He stated again it is thanks to the tenacity of Sr., Director Lannon, Captain Christian, Commissioner Sutton and Asset Manager Cunningham whom after getting rejected on the first application; they learned from that, went back and reapplied and secure a \$3.5million grant to upgrade the County's microwave system, that will make this all possible. He stated yes, it does provide interoperability, but it also provides the real Public health and safety infrastructure that is necessary for the County's Sheriff Department, EMS and Fire Departments volunteers. He stated the money will be spent fundamentally on hardware.

Chairman Albano stated he would think that the communities around Putnam County are taking similar steps so everyone will be compatible and able to communicate outside of Putnam County as well.

Deputy County Executive Walker stated that is correct.

Legislator Nacerino stated as Deputy County Executive Walker is aware, Metro-North is proposing to put cell towers along their routes, sighting that they needed communication on the trains. She stated part of Metro-North's argument to do so is the interoperability that ties into emergency services. She questioned if this is a parallel effort or a duplicated effort. She questioned how does this all tie together.

Deputy County Executive Walker stated that is a good question. He stated that yesterday, May 17, 2016, he, County Executive Odell, Commissioner Sutton had a telephone conference with Mark Mannix and other representatives of MTA Metro-North. He stated Putnam County requested if they could evaluate whether or not they could take the tower that they were proposing to the Town of Patterson and co-locate with the County, on a County piece of property nearby. He stated also the County was requesting that they evaluate a piece of property that was owned by the Town of Patterson, which is across the street from the County property site. He stated that there is more work to be done, because of additional specific questions that were posed by the County. He stated that basically Metro-North did state some concern from an environmental perspective with putting cell towers on either of the proposed locations by virtue of the landfills that are underneath them. He stated from an environmental risk perspective the concern is based on the structural requirements if they puncture the membrane of the landfill the environmental risks associated with that would need to be dealt with.

Legislator Nacerino questioned if the site proposal of the County involve the landfill.

Deputy County Executive Walker stated it is in that area. He stated in the presentation that will be given by Homeland Towers it will display that there are basic site selections. He stated for example the Golf Course is one site, on the slide that you will see in the presentation you will see it located near the soccer fields. He stated that is not necessarily where the tower will be. He stated it will be located somewhere on the approximate 300 acres of property. He stated the exact location has not yet been identified. He stated there is some engineering that needs to be done before the specific location can be done. He stated it has not been done yet because the Administration wanted to have this meeting with the Legislature first.

Legislator Nacerino stated that the landfill site in Patterson was proposed to Metro-North as a viable alternative by the Town of Patterson.

Deputy County Executive Walker stated he believes it depends on your risk tolerance. He stated the County has reviewed the landfill site as a location for solar, wind farms and now a tower. He elaborated on the different considerations and risk evaluations that were done with these previous projects. He stated from a risk perspective the risk outweighed the benefit. He stated that is why there has been no solar or wind farms put on the site. He stated the County is looking at the landfill as a potential site for the cell towers. He stated the engineering will be done to find the impact on a psi basis per square foot: is there a way to mitigate it, what is the real impact from an environmental perspective and does it make sense to do it that way. He stated he is aware that Patterson looked at their landfill as another alternative. He stated he believes that piece is still in the air. He stated he believes that MTA's perspective is that their risk tolerance is low and frankly, if he were not working for a municipality, he would never put it on a site like that, too much risk. He stated the County is looking at the landfill property because it is a

(seven) 7 acre piece of property the County owns, cannot get rid of and is trying to make viable; there is a different level of tolerance.

Legislator Nacerino questioned doesn't the same level of risk exist.

Deputy County Executive Walker stated the risk is different. He stated the MTA has two (2) properties to choose from: one with environmental issues and one without environmental issues and each parcel can accommodate the proposed tower; why would the MTA choose the property with the risk associated with it.

Legislator Nacerino stated then why would the County choose a property with potential risk.

Deputy County Executive Walker stated the County is evaluating the landfill property. He stated that there are engineering solutions around it. He stated the County is not looking to build the same type of pole that the MTA is going to build, a monopole. He stated a monopole has very specific specifications, which requires a certain level of engineering and a certain level of structural support. He stated the tower the County is looking to build is not a monopole and therefore may not require the same amount of significant amount of civil structure.

Legislator Nacerino stated that she does not want to delve too deeply into this whole situation. She questioned if the conversation is still ongoing with the MTA.

Deputy County Executive Walker stated yes, the County has had a couple of conversations with the MTA they were going to reach out to a number of different individuals, particularly in Patterson and gather technical information. He stated the County communicated to them that they will continue to work with them. He stated the fact of the matter is that the County asked the MTA and challenged why they were putting their tower there, when the County and the MTA have a need and it could be figured out how to co-locate and do it there. He stated the Executives of the MTA have communicated to the County that they are doing their due diligence. He stated that they are evaluating and having their engineers look into it.

Legislator Nacerino stated it presents the question if there is a duplication of efforts if the same goal is the focus of interoperability.

Sr., Director of IT & GIS Tom Lannon stated from a frequency standpoint, it would not be a duplication. He stated that there is a spectrum of frequencies that are shared throughout New York State. He explained that there are specific frequencies for specific needs and agencies.

Legislator LoBue questioned how many Towers is the MTA proposing to put in Putnam County.

Deputy County Executive Walker stated one (1), in the Town of Patterson.

Legislator Scuccimarra stated that Philipstown was looking at their landfill as a potential site and decided not to do it.

Deputy County Executive Walker stated the County looked at the Philipstown landfill.

Legislator Scuccimarra stated there was some consideration of putting one down lower off the pad, but the neighbors resisted. She questioned if these new towers will help the areas in Cold Spring that are known to have black out spots.

Sr., Director of IT & GIS Tom Lannon stated the locations identified as County property, do not. However, working with Homeland Towers they have a location in Cold Spring and they would like to have the County locate there with them. He stated the County is also in negotiations with the representatives of the WHUD Tower. He stated the WHUD Tower gives tremendous coverage in the lower area of the County, where there has never been a good foothold there. He stated the County owns the property right next to the WHUD Tower, which is a backup option. He stated that technology is changing for FM Radio stations. Hence, they are currently looking into what equipment needs to be put on their tower to meet those needs. He stated once all of that is finalized they will contact the County and see if there is still adequate space available to meet the County's needs. He stated that negotiations are ongoing.

Deputy County Executive Walker stated this is a complicated issue. He stated that is why he wanted to bring this to the Legislature at this point and provide an update. He stated engineering and site evaluations will continue coincident with the applications for the frequencies with the FCC. He stated the goal is to effectively utilize the \$3.5million grant funding to meet the needs of safety and public health aspects provided through the 911 Center, the Sheriff's Department and the volunteer Fire Departments.

Legislator LoBue questioned who is doing the engineering that was referred to by Deputy County Executive Walker.

Deputy County Executive Walker stated Sr., Director of IT & GIS Tom Lannon is doing some of the engineering and members from Homeland Towers.

Sr., Director of IT & GIS Tom Lannon stated that there are a lot of different aspects. He stated the towers are one (1) part, then there is the microwave, radio frequencies, the County has also been working with representatives from Motorola to make sure the sites that were selected would be suitable to meet all of necessary requirements.

Legislator LoBue stated she heard that engineering was being done. She questioned if the County is subbing the work out and Sr., Director of IT & GIS Tom Lannon is working with them.

Sr., Director of IT & GIS Tom Lannon stated the County is working with Motorola and New York Communications Company (NYCOMCO), who is the County's radio vendor, to do the microwave and radio engineering that is needed.

Deputy County Executive Walker stated these vendors are presently used by the County for the existing microwave system. He stated that there have been numerous conversations, which he believes were in executive session, regarding the microwave tower system and the microwave system.

Legislator LoBue questioned if the grant funding in the amount of \$3.5million is going to cover the most of the costs associated with the towers.

Sr., Director of IT & GIS Tom Lannon stated the towers will go up at no cost to the County. He stated in fact some costs will be offset as the County moves forward with the radio project.

Legislator LoBue questioned if what Sr., Director of IT & GIS Tom Lannon stated is referring to offsetting of costs, because of the leasing.

Sr., Director of IT & GIS Tom Lannon stated that is correct. He stated by the County leasing space that will be an advantage. He stated by the County leasing space, the County can make money. He stated otherwise the County would have to pay about \$3,000 a month to be on the tower with the equipment the County needs. He stated that he wants to be honest; as this project moves forward with the radio project, the microwave is one (1) piece, the towers are one (1) piece and the trunking system with new radio frequencies are another piece. He stated each one of these comes with their own set of costs. He stated right now the County must do towers to do microwave there is no choice. He stated if the towers are not put up then the County cannot use the grant funding.

Deputy County Executive Walker stated for clarification the \$3.5million is not to pay for the towers, it is to pay for the microwave hardware and the interoperability equipment. He stated the effort of the Administration is to leverage the grant funding and develop a partnership with a private company who will give the County the access to the towers, allowing the County to put their microwave on the tower and any money generated will offset the operating and maintenance costs going forward with the maintenance on the towers. He stated the ultimate goal is to give access to the emergency responders of Putnam County microwave and cell coverage anywhere they are in the County. He stated currently that is not done. He stated the fact associated with microwave service is if you cannot see it there is no service. He stated obviously the topography of the land is an issue that needs to be overcome.

Legislator LoBue stated that her interest is in the costs. She stated when this matter is addressed again next month she is hoping to see all the cost associated to this project. She stated that she understands the need.

Sr., Director of IT & GIS Tom Lannon stated they will bring forward the costs associated with this project.

Chairman Albano invited the representative from Homeland Towers, their attorney, Robert Gaudioso, from Snyder & Snyder, LLP, Attorneys at Law to address the Committee.

Attorney Robert Guadoso stated Deputy County Executive Walker provided a great overview. He stated it is a public and private partnership that will benefit the County in so many different ways. He stated including all that was discussed referring to the radio coverage, but also utilizing the County owned properties. He stated that is a huge advantage because the County will receive revenue for the use of the properties. He stated also a feature that drives the

economics of this are the wireless carriers. He stated they would lease space on the towers, which would benefit the County and provide wireless service. He stated so far there has been a review of the existing coverage and the investigation of County property. He stated that there are four (4) to six (6) County properties that may be able to be leveraged. He stated that they are still doing their due diligence. He stated that Homeland Towers has two (2) proposals coming down the pike in Philipstown and Cold Spring. He stated they are not on County property, but they would make the towers available to the County. He stated the County does have some existing sites and there are some existing Towers, such as the WHUD, which will be leveraged as well. He stated the main point is to leverage the four (4) to six (6) County Properties as the Public-Private partnership and to determine if the other Homeland Tower sites can be used for the benefit of the County. He stated Sr., Director of IT & GIS Tom Lannon and his group will do the actual engineering on the radio frequency engineering, such as what is needed for the microwave and what they need for the coverage. He stated Homeland Towers builds infrastructure, which is their specialty. He stated that Homeland Towers' goal is to reduce the proliferation of towers. He stated that these facilities will not be one user facilities, they will allow for co-location, which will bring additional revenue in. He stated also reducing the proliferation will have the least interest of impact on the environment. He stated that is the due diligence that is being done now. He stated balloon tests will be performed. He stated that there is a lot of environment related due diligence that Homeland Towers specializes in at the Federal and State level. He stated the Federal - National Environmental Policy ACT (NEPA) and the State Environmental Quality Review Act (SEQR) documents will be presented to the Legislature as part of the leases. He stated that there is a financial aspect and there is an environmental aspect. He stated the proposed main sites in Putnam County are: Kern Building -1 Geneva Road, Southeast, Putnam County Bureau of Emergency Services -112 Old Route 6, Carmel, Mahopac Airport(Putnam Golf Course) –Hill Street, Mahopac and the Putnam Valley-Town Park Lane, Putnam Valley. He stated there is the WHUD Tower that was mentioned earlier. He stated that there are two (2) future proposed sites in Cold Spring, location to be determined and Philipstown – Route 9/Route 301 Intersection, Philipstown. He stated there are two (2) potential site opportunities that are located on County properties: West Mahopac-Wood Street, Mahopac and Patterson Landfill-Cornwall Hill Road, Patterson. He stated in reference to the landfill property, for the record, Homeland Towers has great expertise of going on landfills. He stated the individual site design would consist of a tower, a fenced area usually 2,200 to 3,600 square feet which accounts for the tower space and the ground space that is needed. He stated all of the due diligence and tower construction; utilities, fencing, the compound and all that goes into that is the responsibility of Homeland Towers. He stated that is a big benefit to the County that capital does not need to be expended on these facilities, particularly when four (4) - six (6) sites are being considered. He showed some slides of preliminary site plans. He stated these sites are still be evaluating and investigating. He stated as the environmental work is completed the specific site plans will be narrowed down before they are brought back to the Legislature. He stated that it is a collaborative effort in that the tower location needs to be known in order to know how to design the system, they need to know the design of the system in order to know how to design the tower.

Legislator LoBue questioned what municipalities, as referenced, has Homeland Tower worked with.

Attorney Robert Guadoso stated the Town of Kent and it was via a master plan. He stated when working with a master plan; it generates a lot of moving parts, but in the end result is more efficient. He stated in the past this type of work was done on a per site basis. That resulted in a final product that is not serving all of the needs.

Chairman Albano stated that he can understand that. He stated this matter is ongoing, and it will be brought back to this Committee when there is additional updates to be provided.

Item #6- Approval/Budgetary Amendment (16T066)/Generator At Veterans Home/Deputy Commissioner Gilbert (Tabled at Full Mtg 5/3/2016)

Legislator LoBue questioned why is the money to purchase this item being taken from contingency. She stated she believes there must still be funding in other lines in the department that could pay for this.

Chairman Albano stated the contingency funds budget line is used to pay for unanticipated expenses, this falls into that category.

Legislator LoBue stated in the Highway and Facilities budget lines there is approximately \$6million not encumbered. She stated that she is not clear on why the decision would be to use funding from contingency rather than the department's line so early in the year. She stated that there were some folks who spoke up and made statements suggesting the Legislature was not supporting the Veterans, and that they would let something happen to the Veterans. She stated the County has multiple backup generators, so if there had been any type of emergency the Veterans would have been taken care of. She stated she does not support going to the contingency budget line this early in the year, when the department has ample funds to cover this cost.

Chairman Albano stated the money is coming from the County Budget. He stated contingency funds are in place to cover unexpected costs. He stated that this is what this is.

Legislator Scuccimarra made a motion to approve to the Audit & Administration Committee Budgetary Amendment (16T066)/Generator At Veterans Home/Deputy Commissioner Gilbert; Seconded by Legislator Castellano.

Item #7- Approval/Fund Transfer (16A026)/Reclassify Grant Funds - Construction of Bureau of Emergency Services Storage Garage/Commissioner Pena & Sheriff Smith

Commissioner Pena stated that he has been working on a project with Putnam County Sheriff's Sergeant Meyers to provide a storage facility for some of the emergency equipment. He stated a grant fund was established for \$150,000 from Homeland Security that was available to fund this project. He stated a design was done and it was sent out for bid. He stated the bids came back, extremely high. He stated that they were in the area of \$450,000 - \$500,000. He stated the general discussion plans were broken up by the County. He stated by doing some of the work in-house the project budget has been reduced. He stated Sergeant Meyers has secured additional funding to support the cost of the project. He stated in the backup provided it shows additional grant funding secured in the total amount of \$56,250 still leaving a shortfall of approximately \$60,000. He stated a foundation design still needs to be done, there are other materials that need

to be installed, that will be done in-house. He stated this is evidence that doing work-in house is financially beneficial. A project that, from outside companies would have been done for \$450,000 - \$500,000; will be done in-house for approximately \$266,000.

Chairman Albano questioned when it is anticipated that this work would be done.

Commissioner Pena stated that there are time limitations on the grant; he stated the County needs to be in the ground by August 2016.

Legislator LoBue questioned if the specs that are being worked on are the Bid Specs that he is referring to follow for the \$266,000.

Commissioner Pena stated that is correct. He stated that value engineering was done and there were some items sacrificed; such as the electrical doors. He stated the majority of the savings was secured through doing the demolition, site grading and drainage that would be done in-house.

Legislator LoBue requested a copy of the bid, which would include the specs. She stated that she would like to see how this amount was calculated.

Commissioner Pena confirmed he would provide the requested document. He stated for the record all of the code requirements are still within the project. He stated the structure itself is the same.

Chairman Albano questioned if they were designed from the New York State Specs.

Commissioner Pena stated that is correct.

Legislator LoBue questioned, then the County is not doing the complete build out.

Commissioner Pena stated the County is doing the complete build out. He stated the only thing the County valued engineered out is the electronic doors, downsized the width and height of doors to save money.

Chairman Albano stated he would like clarification on this process. He stated the County does all of the site work to prepare for the building; then another company comes and puts the building up.

Commissioner Pena stated the company comes in installs the foundation, and then the steel.

Legislator LoBue stated she asked earlier, in this conversation, if the County was doing the whole building out, Commissioner Pena answered yes. She stated that is not the case. It was just stated a portion of the work will be done by another company.

Legislator LoBue requested a copy of the plans.

Commissioner Pena confirmed that he would get a copy of them to Legislator LoBue.

Legislator Nacerino questioned where on the property will the structure be put.

Commissioner Pena stated that they will be putting it on the property of the Putnam County Board of Elections (BOE).

Sergeant Meyers stated that there is over \$1million worth of emergency equipment, which the majority of the equipment was purchased with grant funding. He stated currently the equipment is kept out in the elements and is unsecured. He stated this storage garage will address those problems.

Chair Albano made a motion to approve Fund Transfer (16A026)/Reclassify Grant Funds - Construction of Bureau of Emergency Services Storage Garage; Seconded by Legislator Castellano. All in favor.

Item #8- Approval/Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/Town of Philipstown TM # 82.-1-72

First Deputy County Attorney Negro stated the sale of this property serves as a good example of the benefits of selling County property through the MLS process. He stated the accepted price is \$25,000 more than the listing price.

Legislator Scuccimarra made a motion to approve Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/Town of Philipstown TM # 82.-1-72; Seconded by Legislator Castellano. All in favor.

Item #9- Approval/Authorizing Renewal of Lease w/Village of Nelsonville

First Deputy County Attorney Negro stated the County has been operating out of the facility. He stated it is an existing lease, which expired in 2012. He stated the County has been operating on a month to month basis. He stated the Administration, Sheriff's Department and the members of the Village of Nelsonville have reached an agreement that all parties are happy with.

Chairman Albano made a motion to approve the Authorizing Renewal of Lease w/Village of Nelsonville; Seconded by Legislator Scuccimarra. All in favor.

Item #12- Approval/Incorporate Improvements Into The NYS Highway System Park and Ride Lots Located in Putnam County And Pay in the First Instance For Reimbursement From NYS Construction and Construction Costs-PIN 8806.97

Chairman Albano made a motion to approve; Seconded by Legislator Castellano. All in favor.

Item #13- Update/Monthly Report –Capital Projects (2nd Report of 2016)

Commissioner Pena stated the Capital Projects Monthly Report is still a work in progress to make it a document that is useful to the entire Legislature. He stated from the list he would like to bring the Legislature's attention to some of the Federal Projects. He stated over the past four (4) years the County has worked to clean up and resurrect projects that have value and funding

available to them. He stated however for various reasons the projects had stalled. He stated that steps were taken in the past four (4) years, and there are now some projects that are closed out resulting in several million dollars being put back into the County's coffers. He stated that there are still two (2) projects that decisions need to be made on: #1 -Fair Street Project, there is approximately \$12million available, but it will take several million dollars to catch up to that. He stated a design would need to be completed; there would possibly be some right of way acquisition with the project. He continued to give an overview of what they are looking at. He stated after the last review of the County roads, Fair Street was found to be in the worst condition, there are culverts on that roadway that need to be addressed. He stated the County's investment into Fair Street is going to come to the County regardless if this project moves forward or not. He stated that cost will be established and brought to the Legislature.

Deputy County Executive Walker stated Putnam County applied for this funding approximately 20 years ago. He stated the project was never instituted. He stated money that was allocated for this project, but never used, was going to be reconciled back to the Federal Government. He stated he and County Executive Odell worked with Congressman Maloney's Office to secure the money with a commitment that Putnam County would get this project done. He stated there has been already \$600,000-\$700,000 spent on this project. He stated if Putnam County does not continue to move forward with the Fair Street project, that money will need to be reimbursed. He continued to elaborate on funds that will be needed etc. He reiterated that Fair Street is in poor shape and this project needs to get done. He stated the County has done a re-scoping of the project, which needs to be approved by the Federal Government. He stated the re-scoping vastly reduces the need to take property, but still addresses the culverts, traffic issues, and overall integrity of the roadway. He stated he just wanted to make sure everyone is aware that there is money that will need to be paid back, if the County does not move forward and there will be a need to put money forward in order to secure access to the Federal dollars.

Chairman Albano stated this road and its need for work has been discussed for many years. He stated it is a major thoroughfare. He stated money is going to need to be spent on this roadway, the issues are not going away. He stated he is glad to hear that the County is working to capture the Federal funding that was allocated for the project.

Legislator LoBue stated without the aspect of the imminent domain this is a much more palatable project. She stated if another route can be designed and avoid the imminent domain, then by all means the County should be investigating that. She stated that of course the revised plans will be shown to the Legislature for review. She questioned if the catch basins etc. would be included in the work as well.

Commissioner Pena stated that would be part of the project. He stated on route 52 a turning lane was proposed and parallel sidewalks all the way through the high school up to Hill and Dale. He

stated that there is a proposal to put a lighted intersection at Hill and Dale, it is a heavily trafficked intersection. He stated there is a meeting next week. He stated representatives from the Federal Government want to get the money back that was allocated for this project and use it somewhere else. Putnam County needs to demonstrate that the money will be used to move forward with the project or the funding will be lost.

Legislator LoBue questioned how much money will be saved if the proposed “sidewalks” were removed from the project. She stated that she is not convinced that sidewalks in that area would be utilized. She stated the Carmel sidewalk project cost millions of dollars. She stated she believes the money would have been better used to input turning lanes.

Chairman Albano stated in relation to the Fair Street project, it is important to note there are approved condominium projects and other construction projects for that roadway.

Commissioner Pena stated the Stoneleigh Avenue-Drewville Road project is another project that has a tremendous amount of merit. He stated however it was vastly over scoped for the funding that was available. He stated that they are re-scoping the project with a focus on the intersection of those roadways. He stated that there is approximately \$4million available. He stated he believes the needed area of focus is to do the work that would improve safety and traffic flow at the intersection. He stated to recap, out of some 12 Federally funded projects these are the last two (2) that still need to be moved forward.

Legislator LoBue expressed concern for the new Department of Transportation (DOT) traffic lights in front of the Historic Courthouse on Route 6 and at the intersection of Route 6 and Fair Street. She stated these new lights are resulting in a great deal of congestion and traffic.

Commissioner Pena stated the County has sent correspondence to the DOT stating, just that, and requesting that come and evaluate the matter. He stated the DOT has reported back that they have come back and they have recalibrated the traffic lights. He stated that the County will stay in communication with the DOT until the matter is rectified.

Chairman Albano stated that he would like to incorporate Agenda Item #16 **Discussion/Tilly Foster Farm /a. Corres: Memo: Dated May 05, 2016 Fr: Legislator Addonizio** at this time. He stated that he would like the Tilly Foster Farm Project to be included on the Capital Projects Report, and provide the cost details etc.

Commissioner Pena stated that they are watching that project closely. He stated Legislator Wright had questioned if there is an actual savings doing the work in-house. He stated to speak to that inquiry for the record, one of the larger line items: installation of insulation and installation of sheetrock, tape and prime. He stated that work would cost over \$180,000. He

stated the County is saving approximately \$90,000 by doing the installation of insulation and sheetrock in-house.

Legislator LoBue thanked Commissioner Pena for sending her the Tilly Foster Farm plans she requested. She stated however those were the preliminary plans. She stated she would like a copy of the plans that are actually being worked from. She stated the last time she went to the site the plans were taped to the wall. She stated those are the plans she would like a copy of. She requested also if there is a “construction budget” that Commissioner Pena is working from. She stated in the last presentation given by Deputy County Executive Walker regarding the Tilly Foster Farm project it include large dollar amounts but not details associated with them. She stated she would like to see the running total of expenses and a detailed list of the money spent and the specific item it was spent on. She stated she is not clear on what the additional \$1.1million funds will be spent on. She stated she will follow this verbal request with a written request.

Commissioner Pena confirmed that he will send the requested information.

Legislator Castellano requested a status on the work on the County’s bike path, specifically the part of the path over the train tracks in the Village of Brewster.

Commissioner Pena stated the contractor has evaporated. The County is negotiating with Surety at this time.

Item #14- Update/Great Swamp Signage Request

a. Corres: Memo Dated May 04, 2016 Fr: Chair Physical Services Albano

Mike Cunningham County Asset Manager stated he is on the Board of Trustees for the Putnam County Land Trust, which is one of the three (3) organizations who sponsored this request for *Great Swamp Signage* (other two agencies, Friends of the Great Swamp, The Oblong Land Conservancy). He stated these organizations are working together to increase awareness of the Great Swamp. He stated the belief is that signage would be one of the positive steps to increases awareness. He stated there is an education program to go along with the signage campaign. The education will inform people that the Great Swamp has a tremendous beneficial impact on the quality of life, in terms of their water and other elements.

Chairman Albano stated that he agrees with the thought process. He questioned if there is a proposal or idea of what the signs would look like.

Mike Cunningham County Asset Manager stated the roads that are being looked at are both New York State, County and Town roads. Presently, the focus and effort is being placed on acquiring

the approval from the different municipalities and the New York State Department of Transportation (DOT) to allow having the signs posted on their roadways.

Legislator Nacerino stated a member of the Putnam County Land Trust, Judy Kelley-Moberg, contacted her with this proposal, and requested the support of Putnam County. She stated that she believed it is a wonderful overture.

Commissioner Pena stated that he and the County would like to work with the organizations to facilitate this mission. He stated that he is familiar with what the DOT would be looking for specifically to consider approving a request like this.

Mike Cunningham County Asset Manager stated that he believes the intent is to get the support and then the organizations would work with the DOT and come to an agreement on a design for the signage that would meet their approval and deliver the message. He stated that there have been some preliminary discussions with the DOT in regards to the signage designs, so that portion of this proposal is underway.

Legislator Nacerino stated that she will contact Ms. Kelly-Moberg to gather additional details specific to what it is that they are requesting from the County.

Item #15-Update/Camp Herrlich

a. Corres: Memo Dated: March 28, 2016 Fr: Chair Physical Services Albano

b. Corres: Email Dated: April 04, 2016 Fr: Bob Gentile/FYI

c. Corres: Memo Dated: April 12, 2016 Fr: T. O . Patterson Sup. Williams/FYI

d. Corres: Memo Dated: May 12, 2016 Fr: First Deputy County Attorney Negro/Response

Chairman Albano stated the Legislature received correspondence from the County Law Department regarding this matter.

Camp Herrlich Executive Director Gentile stated that he is not aware of the content of that letter.

Chairman Albano stated he has some concerns from the standpoint of the Legislature such as, having public funds going to a private entity, the void of rent payment is a point of concern. He questioned what the term of the loan is on the building.

Camp Herrlich Executive Director Gentile stated it is a 20 year loan, with an accelerated plan to pay it off sooner.

Chairman Albano requested that First Deputy County Attorney Negro speak on this matter.

First Deputy County Attorney Negro stated he provided the Legislative Board with a Confidential Legal Memorandum advising the legalities in terms of this matter. He stated there are constraints pursuant to Article 8, Section 1 of the NYS Constitution which is the gift and loan

clause. He provided a broad overview. He stated in order to go into further detail he would recommend that the Committee go into Executive Session.

Camp Herrlich Executive Director Gentile requested that First Deputy Negro repeat the wording he quoted from the law.

First Deputy County Attorney Negro stated “fair and adequate consideration is the standard in order to comply with the provision in the Gift or Loan clause of the NYS Constitution”.

Camp Herrlich Executive Director Gentile stated he is dumbfounded by the fact that he started this process a year ago. He stated that he met with County Executive Odell and Deputy County Executive Walker and spoke to these exact details. He stated the “Gift Law” specifically was addressed. He stated in 2006, during the discussions he stated that efforts would be put forth to raise funds to put towards the construction of a new building on the property. He stated the money has been raised and now they are ready to move forward. He stated what can the County do to help Camp Herrlich (Camp). He stated the County purchased the property in 2006, not as a revenue source, he stated the objective of the purchase was to preserve the property and the programs that were being run at Camp Herrlich. He stated that they need a 40 year lease. It makes the most sense in terms of moving forward appropriately with donated funds. He stated that he can make an argument addressing the issue of Public & Private use. He stated the Camp is a BOCES certified outdoor education center and it is open to everybody. He stated that many of the Putnam County schools come to the Camp for that service. He stated in order to move forward he needs to be informed by this Committee as to what the County can do. He stated that he will bring the information back to his Board Members and see if there is a way it can all be worked out. He stated he would not have worked to raise these funds if he did not believe it met the terms of the lease. He stated there will be no expense line for the County, the County will own the new building immediately, there will be no lien on the loan. He stated the Putnam County Savings Bank committed to providing the loan without having to put the building up as collateral. He stated there is no risk to the County. Respectfully, he is asking that the terms and the dollar amount of the lease be provided, so the Camp can move forward. He stated the bank is ready to loan the Camp the money based on the Camp’s credibility, the programs, and the audience served in the community by the Camp. He stated since 2006 the partnership between the Camp and the County has been very good. He stated that he hopes to continue to be the best stewards possible on the County’s property. He stated the focus of the Camp is always, what can be done to serve the needs of the County and the local people, along with the initial mission of the Camp, which is taking inner City children out of the City, which is still done. He stated however it has evolved into filling a need in this community. He stated that the Camp gives out a tremendous amount of scholarship money to Putnam County children and families. He stated that his staff works a great deal with the County’s Department of Social Services. He stated that there are dozens of families who benefit from the scholarship money.

Chairman Albano stated that although this is a matter that has been in process for a year, the Legislature was just brought in.

Legislator Nacerino stated that what the Camp does for the County speaks for itself. She requested that this Committee seek a way to make this a feasible endeavor.

Legislator LoBue stated that she echoes the comments made by Legislator Nacerino. She stated she believes there is discretion that can be used. She stated she recognizes that it cannot be discussed in detail publicly. She stated however if we want to begin to use one lens to view County properties that are leased in terms of revenue then every situation needs to adhere to the standard that is set. She stated that she does not believe it is fair to keep the members of the Camp waiting any longer.

Legislator Scuccimarra stated that she agrees with Legislators Nacerino and LoBue. She stated that she does have a concern with a forty year lease.

Camp Herrlich Executive Director Gentile stated he did look into that. He stated that a forty year lease has been negotiated by the County in past years. He stated for the record the Camp is financially sound, their records are open to the public. He stated in order for the Camp to carry out all of the things that are included in the master plan for the Camp, they will need forty years. He stated also when he fund raises it is important for him to be able to report the successful long standing partnership the Camp has with the County. He stated everyday there are 200 children who attend the before and after School programs at the Camp.

Legislator Castellano stated he is not clear on why the Camp is approaching the County to renegotiate their lease with the County, if the loan they have applied for is not reliant on their lease terms with the County.

Camp Herrlich Executive Director Gentile stated the request to change the monetary terms of the lease with the County was to serve as a comfort zone for the Camp and having the amendment of a 40 year lease with the County would help the bank in their decision making process as well.

Legislator Castellano stated that currently the lease is a five year lease which continues to renew unless one of the parties chooses not to renew the lease.

Chair Albano stated that generally when there is bonding on a structure or a building it is a 15 year lease. He stated that there will need to be further discussion and research on the part of the Legislature, before a decision is made. He stated that he recognizes that Mr. Gentile has put a lot of time and work into this matter.

Legislator Nacerino stated that in terms of concessions, she agrees that the Camp should re-evaluate their requests for a forty year lease and the request to no longer pay rent. She stated those are concerns of the County.

Camp Herrlich Executive Director Gentile stated that he understands what Legislator Nacerino is speaking to. He stated he believed he was working through the logistics that would work for the Camp and the County when he met with the Administration. He stated that there was discussion about the Camp possibly running programs for the County, with no expense to the County. He stated that there was discussion on different ways the County could use the property, etc. He stated so after those discussions and there was no further discussion that came back to him. He

believed all that was discussed was a go, and that the next step was to present it to the Legislature.

Chairman Albano stated there will be meetings to further discuss this and they will be in touch with Mr. Gentile.

Camp Herrlich Executive Director Gentile stated that he will make himself available to meet with the Legislature at any time. He stated that he would hope that at this Committee's July Physical Services Meeting there be a proposal made and then passed to the Full Legislature for review and approval.

Legislator Castellano stated that he has more questions for the County Law Department, that would need to be addressed in Executive Session. He stated the Camp is very beneficial to the County residents, there is no doubt there.

9:00p.m.

Legislator Castellano made a motion to go into Executive Session to confer with First Deputy County Attorney Negro in regards to County Property leased by Camp Herrlich; Seconded by Chairman Albano. All in favor.

9:15p.m.

Chairman Albano made a motion to come out of Executive Session; Seconded by Legislator Scuccimarra. All in favor.

Chairman Albano stated that no action was taken in Executive Session. He requested that Mr. Gentile please provide a copy of the 990s for the Camp. He stated that the Committee will continue to work on this matter.

Camp Herrlich Executive Director Gentile questioned if it is fair to say that a decision will be made and presented at next month's meeting.

Chairman Albano stated that this matter will be an agenda item on this Committee's agenda until it is resolved.

Item #17- Discussion/MLS vs Auction Process

a. Corres: Memo Dated: April 27, 2016 Fr: Legislator Addonizio

b. Corres: E-mail Dated: May 02, 2016 Fr: Finance Commissioner Carlin

Chairman Albano stated this matter will be tabled tonight. Legislator Addonizio requested it be placed on this agenda for discussion, unfortunately she could not be in attendance this evening.

Chairman Albano stated for the record, at the Full Legislative meetings there are times Legislators do not have all of the information they would like on some agenda items. He stated that he is willing to move the Physical Services Committee meeting to anytime of the month that would accommodate all of the Legislators, so they can have all of the information that they need on the matters that are passed from the committee process to the Full Legislature meeting.

Legislator Nacerino stated to embellish on the comments made by Chairman Albano, it is the function of the committee process to vet out and ask the appropriate questions to make an informed decision at the Full Legislature meeting. She stated the Full Legislature meeting is not the time or the place to start recreating the wheel and presenting questions. She stated that is the process that should be honored.

Item #18- Discussion/Response-Revised MLS County Property Spreadsheet/Commissioner Carlin

Legislator Castellano questioned in terms of the selling of County properties via the Auction process versus MLS process is it more work for the County Law Department to process an MLS sale.

First Deputy County Attorney Negro stated the MLS process does require more work on the part of the County Law Department in preparing the contracts, review title and process the closing as opposed to the Auction Company which would do all of that and prepare a closing document, that would be approved by the County Law Department prior to the Auction process.

Legislator Castellano stated then the cost would be the same to the County regardless of the process being used. He stated the County would need to pay the Auction Company to perform the work as opposed to paying in-house counsel.

First Deputy County Attorney Negro stated he gets paid either way.

Legislator Castellano stated he understands that. However, the time the County's in-house counsel is spending on the MLS process, is time that could be spent doing other County related work.

First Deputy County Attorney Negro stated the last time the County worked with an Auction Company the County did not pay them. He stated that there is a buyer's premium. He stated the buyer's premium is factored into the offers made on the properties.

Legislator Castellano stated that he will take another look at the revised MLS County Property Spreadsheet that Commissioner Carlin sent. He requested that this be on the June agenda again.

Adversity
Item #19 – Other Business- None

Item #20 – Adjournment

There being no further business, at 9:25p.m. Chair Albano made a motion to adjourn; Seconded by Legislator Scuccimarra. All in favor.

Ludicrous

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