

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

Thursday

6:30 P.M.

June 16, 2016

The meeting was called to order at 6:30p.m. by Chairman Albano who 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/Re-appointments to the Soil & Water Conservation District Board/To Serve a Three (3) Year Term: M. Thorpe (Exp: 12/31/18), C. Ruthven (Exp: 12/31/17), E. Raboy (Exp: 12/31/16)

Chairman Albano made a motion to approve the re-appointments of Marjorie Thorpe, Chris Ruthven and Ervin Raboy to serve a three (3) year term on the Soil & Water Conservation District Board; Seconded by Legislator Scuccimarra. All in favor.

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

Item #4– Approval/Issuance/Quitclaim Deed/Town of Kent (Tax Map #9-1-54)

First Deputy County Attorney Andrew Negro stated the purpose of a quitclaim deed is to grant the property owner any interest the County may have added to the property stemming from tax mapping inconsistencies prior to foreclosure actions. He stated the issuance of a quitclaim deed will prevent the property owner needing to file for an Article 15 of the New York State Real Property Actions and Proceedings Law.

Legislator Castellano made a motion to approve the issuance/quitclaim deed for the Town of Kent Tax Map #9-1-54; Seconded by Legislator Scuccimarra. All in favor.

Item #5– Approval/Resolution/Negative Declaration/Route 6N Storage Facility Permit Modification with Fuel Dispensing System Relocation

Chairman Albano stated this item has been previously discussed and it has been determined that there is no adverse environmental impact.

Legislative Counsel Clem Van Ross stated the first line of the second paragraph of the memorandum, dated June 8, 2016 from County Planner Barbra Barosa needs to be revised. He stated that line should read as “as there are no objections to the Legislature acting as lead agent...”

First Deputy County Attorney Negro stated the prior resolution was for the Legislature to declare its intent to be lead agency, which was sent out to all of the other involved agencies. He stated there has not been any objection by the other agencies, therefore the resolution before the Committee tonight is finding that as lead agency there is a negative declaration.

Chairman Albano made a motion to approve a resolution Negative Declaration/Route 6N Storage Facility Permit Modification with Fuel Dispensing System Relocation; Seconded by Legislator Castellano. All in favor.

Item #6– Approval/Resolution/2016 Consolidated Funding Applications (CFA) for Grant Funding for Projects Aimed to Increase Local Economic Development and Encourage Growth in Putnam County Through Capital Public Infrastructure Projects

Deputy Commissioner of Planning Sandra Fusco stated there are quite a number of opportunities within the grant. She stated the proposed projects are listed in the resolution. She stated the deadline for submission is July 29th.

Legislator LoBue requested clarification on the proposed project in the Town of Southeast.

Deputy Commissioner Fusco stated the proposed project is part of the TIGER Grant. She stated one (1) of the phases of the TIGER Grant is for water and sewer infrastructure.

Legislator LoBue stated the proposed project from Union Place/Route 6 in Mahopac is estimated to cost \$8 million. She stated she would like to know where the effluents of the sewer treatment plant will go.

Deputy Commissioner Fusco stated she is aware that there is an issue at Heritage Hills with the running water and sewer. She stated she does not know all of the details with the construction.

Deputy Commissioner of Highway & Facilities John Tully stated there is a need to bring additional water supply in that area.

Deputy Commissioner Fusco stated she is working with surrounding jurisdictions on projects. She stated at this point in time the County is in the preliminary stage of planning.

Chairman Albano stated if this particular proposed project is not feasible, the County can turn down the awarded grant funding.

Legislator Gouldman stated he hopes the drinking/water lines project comes to fruition as it will help revitalize the downtown area of Putnam Valley.

Legislator Scuccimarra concurred with Legislator Gouldman.

Legislator Nacerino questioned who estimates the construction costs for the proposed projects.

Deputy Commissioner Fusco stated there have been previous studies done on the proposed projects; therefore a lot of the previous documentation was used for the estimates. She stated she is coming before the Legislature to seek permission to apply for the grant. She stated filing for this grant is a precursor to the projects.

Legislator Nacerino stated she hopes these projects come to fruition because not having water and sewer infrastructure hinders the County's economic development.

Legislator Addonizio stated the estimated construction cost for a wastewater treatment plant in the Patterson Crossing area is \$70 million. She stated the CFA application award would be \$14 million. She questioned where the rest of the money to pay for the project would come from.

Deputy Commissioner Fusco stated there are a lot of different moving parts for the project Legislator Addonizio is referencing. She stated that area is designated as an area of need. She stated different grant awards would be used to lessen the County's financial burden. She stated there are limitations stating that no new waste water treatment plants can be created unless there is an exception, such as an area in need like Lake Carmel. She stated some of the opportunities available are for conducting only studies.

Chairman Albano made a motion to approve a resolution for 2016 Consolidated Funding Application for Grant Funding for Projects Aimed to Increase Local Economic Development and Encourage Growth in Putnam County; Seconded by Legislator Scuccimarra. All in favor.

Item #7– Approval/Office for Senior Resources Grant Application/NYS DOT/Buses

Office for Senior Resources Fiscal Manager James Cuomo stated there is an opportunity under the New York State department of Transportation 5310 Funding to get four (4) new buses to replace older ones on the fleet. He stated the new buses would be ADA compliant with two (2) wheelchair stations and 14 passenger seats. He stated the purchase would be 80% funded by the grant and 20% funded by the County; therefore it is estimated it will cost the County \$56,905. He stated the deadline for submission of the grant application is July 1st.

Legislator Scuccimarra stated the wheelchair stations are important and she does not believe all of the buses have them.

Fiscal Manager Cuomo believed that is correct.

Legislator Castellano made a motion to approve the Office for Senior Resources Grant Application; Seconded by Chairman Albano. All in favor.

Legislative Counsel Van Ross believed the motion is to allow the grant application be submitted before the July Full Legislative meeting.

Item #8– Discussion/Camp Herrlich

a. Corres: Memo Dated: June 9, 2016 Fr: Physical Services Chairman Albano Re: Request Legal Opinion

Chairman Albano believed that Mr. Bob Gentile met with Deputy County Executive Bruce Walker regarding a different proposal. He questioned what Mr. Gentile's thoughts on that proposal are.

Mr. Gentile stated the proposal would change how he would approach things. He stated previously the bank offered him a loan without a lien. He stated the Administration is aware that he has received over \$100,000 in donations for this project. He stated he really wanted to have a 40 year lease. He stated he still needs to go to the bank to see if they will entertain Deputy

County Executive Walker's proposal. He stated he feels that he does not have the support of the Administration. He stated this proposal is a "plan b" to move forward as a secured lease is needed.

Chairman Albano stated the Legislature would like to see Camp Herrlich continue their business.

Legislator Nacerino stated she would like to see Camp Herrlich continue. She stated the Legislature has fiscal concerns. She stated the Legislature received a correspondence from Town of Patterson Supervisor Richard Williams stating that Camp Herrlich is subject to local zoning requirements.

Mr. Gentile believed that the local zoning requirements are a separate issue and it is something that has to be addressed with the County. He stated the first step is to have plans drawn up.

Legislative Counsel Van Ross stated there needs to be an agreement between the County and the Camp before going to the Town of Patterson.

Legislator LoBue questioned what the new proposal is.

Chairman Albano stated it is his understanding that the rent will remain at \$38,000 per year with a ten (10) year lease.

Legislator LoBue questioned if the County can compromise in regards to extending the lease. She questioned how the current proposal will affect the construction of the new building.

Mr. Gentile stated he has not gone to the bank yet, but he is not sure if a non-collateral loan would still be offered. He stated he will have to continue to raise money for the new building. He stated he needs a lease in place in order to move forward with construction.

Legislator LoBue stated Camp Herrlich has improved the County's property. She stated there was a similar issue with the Tilly Foster Farm having a 40 year lease. She stated she is concerned with the Camp being setback. She questioned if the building constructed by Camp Herrlich last year was required to be reviewed by the Town of Patterson.

Mr. Gentile stated over the years he has been required to have the construction reviewed by the Town of Patterson and the County.

Legislator Nacerino stated it is the opinion of Supervisor Williams and the Law Department that the project would have to be brought before the Town.

Deputy County Executive Walker stated having Camp Herrlich's site plans approved has never been an issue.

Mr. Gentile stated before he goes before the Town the lease needs to be approved. He stated he would like to have the lease be at least 20 years. He restated he needs a secure lease before he goes to the donors.

Chairman Albano questioned if a lease can be drafted to be considered by the Legislature.

First Deputy County Attorney Negro stated yes. He stated once everyone is in agreement a lease amendment would be drafted for the review of Camp Herrlich's counsel. He stated then the working agreement would be sent to the Legislature from the County Executive.

Chairman Albano made a motion to authorize the Law Department to draft a new lease for Camp Herrlich in conjunction with the advice of Deputy County Executive Walker; Seconded by Legislator Castellano. All in favor.

Item #9– Discussion/MLS vs Auction Process

a. Corres: Memo Dated: June 08,2016 Fr: Legislator Addonizio

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

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

Legislator Addonizio read an email correspondence written by Commissioner of Finance William Carlin into the record (*item #9b on the agenda backup*). She stated Commissioner Carlin is stating that after a year, if a property does not sell through the MLS process it will be sold through an auction. She stated she would like an amendment to be made to the resolution which states that, "if the property does not sell within a year it will go to auction".

Legislator LoBue proposed after six (6) months if a property is not sold it should be auctioned.

Chairman Albano believed that after six (6) months if a property is not sold an adjustment to the selling price should be made.

First Deputy County Attorney Negro stated he is not sure what resolution is being referenced. He stated if it is the desire of the Legislature, an amendment can be made to the Chapter 31 proceedings stating that after a year if a property has not been sold it goes before an auction.

Legislative Counsel Van Ross questioned when the final decision would be made. He stated seasons affect the ability of property being sold.

Legislator Castellano stated it was his understanding that the County needs to hold onto the property for three (3) years before it could be put up for sale.

Legislative Counsel Van Ross stated that is the procedure that the Administration follows.

Legislator LoBue stated it is her understanding that there is a three (3) year wait as a courtesy to the public as some owners try to get the property back.

First Deputy County Attorney Negro stated the time for foreclosure is dictated by Article 11 of the New York State Real Property Tax Law, which provides the timing requirements before you can commence an action from the original tax lien. He stated once the County takes the title from a property there is no time limits. He stated there is some consideration with respect to the title companies who refuse to issue title insurance within two (2) years after a foreclosure action.

Chairman Albano recommended Legislator Addonizio and Legislative Counsel Van Ross work together to amend Chapter 31. He stated it is important that the Legislature revisits the Chapter 31 property to ensure it is not sitting there.

Legislator Addnizio questioned if lowering the price of a Chapter 31 property is in the purview of the Legislature.

Chairman Albano stated yes, it is in our purview.

Legislator Castellano believed it would be beneficial to have a working list of all of the Chapter 31 properties, so the Legislature can monitor the inventory more closely. He stated he does not like the idea of having a deadline on the properties. He believed the Legislature can pick and choose which properties go to an auction and those to be sold through MLS.

Legislator Nacerino stated it is a good idea to exercise both the auction and MLS process. She concurred with Legislator Castellano that the inventory of the properties need to be monitored closely.

Item #10– Update/Monthly Report –Capital Projects

Legislator LoBue stated she would like to see the financial component attached to each active project.

Deputy Commissioner Tully stated the finances can be included in the monthly Capital Projects report.

Item #11– Update/Haviland Drive

a. Corres: Memo Dated: May 19, 2016 Fr: Legislature Chairwoman Nacerino

Deputy Commissioner Tully stated there is a lot of work being done in the County. He stated the Highway & Facilities Department will be addressing the concerns of brush within the next week.

Legislator Nacerino stated the shoulder along Haviland Drive is deteriorating. She stated Putnam Lake will be having fireworks on July 2nd, the same night as the Town of Southeast Fireworks event. She stated if possible it would be appreciated to have representatives from the Sheriff's Department present. She stated due to the fireworks event in Putnam Lake many individuals will be walking on the side of the road, therefore it is important that the side of the roads is maintained as well.

Deputy Commissioner Tully stated the roads will be fixed prior to the July 4th events.

Item #12– Update/County Owned Properties MLS Sales Report -2nd Quarter 2016

Legislator Castellano stated he would like to see some before and after photos of the properties sold to see the improvements to the neighborhoods.

First Deputy County Attorney Negro stated he has received photos from the builders from properties that were sold. He stated there have been some real success stories.

Item #13– Other Business

a) Update/Senior Center Facility Lease/Butterfield/Deputy County Executive Walker

Deputy County Executive Walker stated he and Legislator Scuccimarra attended a meeting with the Village of Cold Spring Planning Board (“Planning Board”) on June 10th, which addressed the Planning Board’s concern of parking. He stated there has been a change in leadership with the Village of Cold Spring Board of Trustees and the Planning Board, which creates a different outlook on this project. He stated he, County Executive MaryEllen Odell, and Legislator Scuccimarra met with Village of Cold Spring Mayor Dave Merandy and Town of Philipstown Supervisor Richard Shea which resulted in a tentative approval of the site amendment with a few stipulations; four (4) additional parking spaces be added, 21 no-conforming parking spaces and the lease agreement stating there will be a bus service provided for the seniors. He stated the Administration is going to move forward with modifying the lease to work in conjunction with the Village of Cold Spring Board of Trustees, and the developer to add the concept of bus service. He stated after the lease is modified it will be presented to the Legislature.

Chairman Albano questioned when the Legislature can anticipate receiving the revised lease.

Deputy County Executive Walker stated the lease is anticipated to be approved by the Planning Board in two (2) weeks when they reconvene.

Legislator LoBue requested clarification that the post office will be on the other side of the Lahey Pavilion. She stated it is a small parking lot. She questioned how the post office will receive the deliveries.

Legislator Scuccimarra stated it will be a small post office for retail purposes. She stated most people in the area walk, however there is ample parking.

Deputy County Executive Walker stated the Planning Board has reviewed parking concerns. He stated the stipulations he listed would resolve the parking issues the Planning Board was concerned with. He stated the Village has used their code and applied it to parking needs.

Legislator Nacerino questioned if the post office will have their own designated parking spaces.

Deputy County Executive Walker stated the entire Butterfield site is under the purview of the Planning Board. He stated Highway & Facilities Commissioner Fred Pena and a representative from the United States Post Office met to review the utilization of the Lahey Pavilion.

Legislator LoBue expressed her concerns with the parking lot and the navigation of it.

Deputy County Executive Walker concurred with Legislator LoBue’s concerns. He stated the senior center is now at the Lahey Pavilion because there is more parking.

Chairman Albano stated the new Planning Board wanted to review the plans, which provided solutions to their concerns.

Legislator Scuccimarra stated she would appreciate if the approval process for the senior center lease agreement amendments be expedited.

Chairman Albano stated he is in favor of moving as quickly as possible.

Deputy County Executive Walker stated the Law Department will modify the lease to take into account the requests the Planning Board made. He stated once the project is approved by the Planning Board then the Administration will reach out to the Legislature.

b) Update/ Highlights from Department Head Meeting/ Chairman Albano

Chairman Albano stated he attended the June Department Head Meeting. He stated Sheriff Smith is hosting an event called “Step Up America” at the Putnam County Golf Course. He stated the tax cap was also discussed, which is currently at .5%.

Deputy County Executive Walker stated in terms of money the tax cap is approximately \$365,000.

Chairman Albano stated it was discussed that many union contracts will be ending this year. He stated there was a discussion regarding the TIGER Grant and the capital projects that are planned. He stated it was reported that Senator Serino may be able to provide approximately \$250,000 to the senior center in the Village of Cold Spring. He stated he sent information to the Administration regarding LED lighting and he would like a survey be conducted at the Sheriff’s Department to see if using such lighting would result in a cost savings.

c) Constituent Alexandra Ballentine/Questions Regarding Camp Herrlich & Cold Spring Senior Center (Butterfield)

Alexandra Ballentine, resident of the Town of Southeast, stated she supports a 40 year lease for Camp Herrlich. She stated the Camp will introduce people from outside the County to our community. She stated she has concerns of the senior center in the Village of Cold Spring, especially in light of budget constraints. She stated there are parts of the County that remain underserved.

Legislator Nacerino stated having a senior center in the Village of Cold Spring is something that has been discussed for a long time.

Ms. Ballentine questioned what the projected annual cost per patron of the senior center versus other senior centers in the County.

Legislator Nacerino stated she does not have that information with her, but that information can be given out.

Ms. Ballentine believed the public would like to see that information. She questioned who is responsible for the construction of the new site. She questioned if the construction costs go over the budget, who is paying for it.

Deputy County Executive Walker stated per capita basis, there are more seniors in the Town of Philipstown than any other town in the County. He stated projecting out five (5) years, the senior population increases. He stated on a dollar basis Philipstown contributes more than it receives versus any other Town in Putnam County, they are a net provider as opposed to a net taker. He provided his justification to support that statement. He stated the County is in the process of securing another \$500,000.

Ms. Ballentine questioned if Deputy County Executive Walker has reservations that the County does not own the building that the senior center will be in.

Deputy County Executive Walker stated there is a provision in the lease that allows the County to purchase the property during the 15 year lease. He furthered the discussion with concerns of county properties being a liability.

Ms. Ballentine requested clarification to why the senior center is now going to be in a different building.

Deputy County Executive Walker stated he requested for the switch for the benefit of the seniors.

Ms. Ballentine questioned if there was a lengthy engineering review conducted.

Deputy County Executive Walker stated an engineering review was not conducted because there is not a lease agreement.

Ms. Ballentine stated she is under the impression that there is a deadline to have an executed lease agreement to receive the donation from Roger Ailes.

Deputy County Executive Walker stated he does not have a deadline and the County is doing what is best for the constituents that they serve. He stated the safety of the seniors is paramount to the decisions that have been made.

Item #14 – Adjournment

There being no further business, at 8:05 pm, Chairman Albano made a motion to adjourn; Seconded by Legislator Scuccimarra. All in favor.

Respectfully submitted by Lisa Sommers, Administrative Assistant