

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

Monday

5:45p.m.

August 21, 2017

The meeting was called to order at 5:45 p.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/Physical Services Minutes: July 12, 2017

Chairman Albano accepted the Revised minutes as they were submitted.

Item #4 - Approval/Budgetary Amendment (17A044)/Bridges & Culverts/Correctional Facility HVAC/Commissioner of Finance Carlin

Chairman Albano made a motion to approve Budgetary Amendment (17A044)/Bridges & Culverts/Correctional Facility HVAC; Seconded by Legislator Scuccimarra. All in favor.

Item #5 - Approval/Highways & Facilities/Use of Capital Reserve/County Facility Renovations:

(1) CP-7 Replacement Doors – Department of Motor Vehicles, cost: \$32,836.34

(2) CP-8 Renovate Forensic Lab – Sheriff’s Department, cost: \$49,300

Chairman Albano made a motion to approve Resolution Highways & Facilities/Use of Capital Reserve/County Facility Renovations; Seconded by Legislator Scuccimarra. All in favor.

Item #6 - Approval/Negative Declaration/Morningthorpe Avenue Pedestrian Bridge Connection/Deputy Commissioner Fusco

Deputy Commissioner of Planning Sandra Fusco stated this is the last step of the SEQRA Process. She stated in the past a resolution was passed designating the Legislature as the lead agency, as part of the process. She stated then the Short EAF (Environmental Assessment Form) form that was prepared for this project was circulated. She stated no objections were received. She stated that brings us to the request tonight, approval of the Negative Declaration. She stated this in no way approves the project.

Chairman Albano requested confirmation that it is the same scenario with agenda Item #7 on the agenda regarding the “Sodom Road Bridge Replacement” project.

Deputy Commissioner of Planning Fusco stated that is correct.

Lynne Eckardt Resident, stated she thought a Negative Declaration was already done on these project.

Deputy Commissioner of Planning Fusco stated for the Morningthorpe Avenue Pedestrian Bridge there was one done. She stated however the scope of the project has changed since the original resolution in 2014. She stated originally the project was a “replacement in-kind”. She stated that the project has been re-scoped since then. She stated the project is no longer a “replacement in-kind” project.

Commissioner Pena stated the project is now a replacement.

Lynne Eckardt, Resident, questioned if this will delay the project and what is the estimated time frame for this project.

Deputy Commissioner of Planning Fusco stated the resolution she has brought forward regarding the Negative Declaration has nothing to do with the timing of the project, therefore she cannot answer that question.

Lynne Eckardt, Resident, stated then this would not be considered a setback.

Deputy Commissioner of Planning Fusco stated it would not be considered a setback.

Chairman Albano made a motion to approve Negative Declaration/Morningthorpe Avenue Pedestrian Bridge Connection; Seconded by Legislator Castellano. All in favor.

Item #7 - Approval/Negative Declaration/Sodom Road Bridge Replacement/Deputy Commissioner Fusco

Chairman Albano stated that this is the same scenario as agenda item #6.

Chairman Albano made a motion to approve Negative Declaration/Sodom Road Bridge Replacement; Seconded by Legislator Castellano. All in favor.

Item #8 – Approval/State and Municipal Facilities (SAM) Grant -\$250,000 - Senator Serino/Cold Spring Senior Center at Butterfield/ Deputy Commissioner Fusco

Deputy Commissioner of Planning Fusco stated the SAM Grant application process is extremely lengthy. She stated right now the County is being asked to submit a preliminary application. She stated which may include request for budgets, questionnaires, site controls etc. specific documentation, dependent on the type of project.

Chairman Albano requested for clarification that there is no County match.

Deputy Commissioner of Planning Fusco stated that is correct there is no matching funds required by the County.

Legislator LoBue questioned what is the criteria in terms of spending the money. She questioned if it can be spent on material, labor etc.

Deputy Commissioner of Planning Fusco stated the key is to scope the project, and if the funding is awarded it is spent, to fund the particular project as it was scoped.

Legislator LoBue questioned if the plans and scope for the Butterfield Project are completed. She stated that she recalls Commissioner of Highways and Facilities Pena told this committee that there may be a possible change to the scope of the Butterfield project.

Deputy Commissioner of Planning Fusco stated that she does not go through any of those motions until the approval is given by the Legislature, because as stated earlier this is a very long process. She stated since she has began with the County, she has yet to take a SAM Grant to completion because it takes that long. She stated that the County is at the threshold at this point. She stated the submission will be sent to DASNY, the Dormitory Authority of the State of New York. She stated DASNY is the authority that administers the SAM Grants. She

stated after the County's intent to proceed is submitted, there will be a long list of documents and information that she will need to gather.

Legislator LoBue stated that she will pose the same question to Commissioner Pena.

Chairman Albano stated the point is the County needs to start by submitting an application.

Deputy Commissioner of Planning Fusco stated correct.

Chairman Albano made a motion to approve application for the State and Municipal Facilities (SAM) Grant - \$250,000 - Senator Serino/Cold Spring Senior Center at Butterfield; Seconded by Legislator Castellano. All in favor.

Item #9 – Approval/State and Municipal Facilities (SAM) Grant -\$250,000 – Assemblywoman Galef/Cold Spring Senior Center at Butterfield/ Deputy Commissioner Fusco

Chairman Albano stated this is the same scenario as agenda item #8.

Deputy Commissioner of Planning Fusco stated that is correct. She stated again, the step to be taken right now is for the County to submit the preliminary application. She stated once it is received and reviewed depending on the scope of the project, then the specific documentation will be requested.

Legislator Scuccimarra stated that funding from Assemblywoman Sandy Galef was approved a long time ago.

Deputy Commissioner of Planning Fusco stated her understanding is the money from Assemblywoman Galef was for a different project. She stated that she has been informed that those funds have been reallocated for this purpose.

Chairman Albano made a motion to approve application for the State and Municipal Facilities (SAM) Grant - \$250,000 - Senator Serino/Cold Spring Senior Center at Butterfield; Seconded Legislator Scuccimarra. All in favor.

Item #10 - Approval/State and Municipal Facilities (SAM) Grant - \$100,000 – Senator Murphy/Drainage Improvement at the Airport Park-Mahopac/ Deputy Commissioner Fusco

Deputy Commissioner of Planning Fusco stated this is through the office of Senator Murphy. She stated her understanding is that there would be drainage improvements at the Airport Park location. She stated that she cannot speak to the particulars of the type of work that will be done.

Legislator Castellano made a motion to approve application for the State and Municipal Facilities (SAM) Grant - \$100,000 – Senator Murphy/Drainage Improvement at the Airport Park-Mahopac; Seconded by Legislator Scuccimarra. All in favor.

Item #11 - Approval/ State and Municipal Facilities (SAM) Grant - \$250,000 – Senator Murphy/The Educational Institute at Tilly Foster-Capital Improvements/Deputy Commissioner Fusco

Deputy Commissioner of Planning Fusco stated again, this is through the office of Senator Murphy. She stated the scope of the project has not been particularized. She stated the grant application would be for \$250,000 that would be spent on capital improvements at Tilly Foster. She stated if this is approved by the Legislature she will then begin the next process of gathering the documentation and scope of the project.

Chairman Albano stated for clarification there are no matching funds.

Deputy Commissioner of Planning Fusco stated that is correct. She stated that none of the grants she has brought forward this evening have a matching funds requirement from the County.

Chairman Albano stated there is tremendous potential for the County if these grants are awarded.

Lynne Eckardt, Resident, questioned what will the money be spent on.

Deputy Commissioner of Planning Fusco stated it will be for capital improvements at Tilly Foster.

Lynne Eckardt, Resident, stated at this point it is not any more specific.

Deputy Commissioner of Planning Fusco stated that is correct. She stated the best description at this time is “renovations and repairs to existing structures”.

Chairman Albano stated there are many existing structures at Tilly Foster that would benefit.

Legislator Nacerino stated that DASNY funding is never a guarantee that the funding will be awarded.

Deputy Commissioner of Planning Fusco stated the process in itself is a very slow process, as she stated earlier. She stated also the funding is tied to the State Budget. She stated so any changes to the State Budget have an effect on the funding that would be available.

Legislator Nacerino stated that is exactly what she is referring to. She stated there is no guarantee that the funding would be awarded. She stated that she believes steps should be taken to put a plan in place, if the County is not successful in being awarded the funds.

Chairman Albano stated that these are projects the County would like to do, but if the County does not receive the funding then the work does not get done.

Legislator Nacerino stated these are projects that in most cases have to get done. She stated that the Legislature needs to realize and consider in terms of funding what capital improvements would the County fund if the grant funding does not come through.

Legislator Scuccimarra stated that it was Assemblywoman Galef and Senator Serino who stated that they would secure the \$250,000 each for the Butterfield project.

Legislator Nacerino stated she is aware of that. She stated however, it still does not guarantee the money will be awarded.

Deputy Commissioner of Planning Fusco stated for clarification DASNY is administering the grant, SAM is the actual source of the funding. She stated that the money would actually be coming from the State and Municipal Facilities program.

Legislator Nacerino questioned who makes the determination of what projects get awarded the funding.

Deputy Commissioner of Planning Fusco stated that it has been explained to her that the monies are appropriated to the particular Senator or Assembly person and they make the determination of which projects will be awarded funding.

Legislator Nacerino stated again her point is that there is no guarantee that the funding will be awarded. She stated that the County needs to look forward and determine if funding from the County's budget should be set aside dependent on the level of priority/urgency of these capital projects.

Legislator Sullivan questioned if work related to the projects associated with each grant application needs to get done regardless if the grant is awarded.

Chairman Albano stated that he believes that the County applies for all funding opportunities. He stated if there funding is not awarded, then the County deals with it. He stated when you look at the list of Capital Projects, the reality is that probably half of them will not get done when the County would like to get them done.

Legislator Nacerino stated she agrees. She stated that she still has concerns that the Legislature needs to be looking ahead.

Legislator Castellano made a motion to approve State and Municipal Facilities (SAM) Grant - \$250,000 – Senator Murphy/The Educational Institute at Tilly Foster-Capital Improvements; Seconded by Legislator Scuccimarra. All in favor.

Item #12 - Approval/Putnam County Park and Ride Transfer Program/Croton Falls Commuter Shuttle/Deputy Commissioner Fusco

Deputy Commissioner of Planning Fusco stated the resolution presented to the committee on this matter is a continuation of a program that is already in place. The County collaborates with New York State to maintain the various Park and Ride structures throughout the County. She stated in 2016 the Croton Falls Commuter Shuttle began. She stated in order for the County to get reimbursed for the Shuttle Service and the Park and Ride Transfer Program lots there needs to be an agreement in place and a resolution stating the Legislature is in approval. She stated in the paper work you will see a financial breakdown of the funding to be reimbursable to the County for the year for the Park and Ride Transfer Program lots and the Croton Falls Shuttle.

Chairman Albano made a motion to approve Putnam County Park and Ride Transfer Program/Croton Falls Commuter Shuttle; Seconded by Legislator Castellano. All in favor.

Item #13 - Approval/Lease-Relocation of Department of Planning & Development Offices to the Hudson Valley Trust Building– 2 Route 164, Patterson, NY/Deputy Commissioner Fusco

Deputy Commissioner of Planning Fusco stated in the 18 months plus that she has been working in the County's Planning & Development Office building many funding opportunities have presented themselves for rehabilitation. She stated it cannot be called repair, because repairs are not permitted to an existing facility. She stated the rehabilitation funding opportunities apply to a Transit Facility only. She stated in the interest of looking at the list of repairs needed at the Planning & Development Office building it would be a good idea to move the non-Transportation personnel out of the space. She stated that this way if/when funding opportunities present themselves the County would be able to take advantage of them. She stated she is confident that the funding opportunities will present themselves again as she has seen such opportunities over and over again.

Legislator Scuccimarra questioned how many County Personnel would have to move.

Deputy Commissioner of Planning Fusco stated five (5).

Chairman Albano stated that he knows that they are very crowded in the current space.

Legislator LoBue stated this is on the agenda for an approval. She stated it has never been discussed before with the Legislature.

Chairman Albano stated that is what is being done now.

Legislator LoBue stated this is a big issue, it should have been discussed before it was placed on the agenda for approval.

Chairman Albano stated the Committee Meetings are where discussions take place.

Legislator LoBue stated that she would like to see the space that is being proposed. She questioned if it is the building that Vinnie Leibell owned.

Deputy Commissioner of Planning Fusco stated it is the Lawlor Building.

Legislator Nacerino stated it is the old Town Hall for the Town of Patterson.

Legislator LoBue stated the County employees from the Planning and Development Department will be comingling with East of Hudson Corporation (EOH).

Deputy Commissioner of Planning Fusco stated that is correct. She stated currently the Planning and Development staff work with EOH on projects. She stated that she believes the other part of this vision is to move the Economic Development Corporation (EDC) employees to the Lawlor Building also. She stated the belief is that having all of these agencies in the same facility will contribute to working in a more efficient and collaborative way. She stated that there is not enough room to bring the EOH and EDC employees into the existing space at 841 Fair Street.

Legislator LoBue stated that she will contact the State to make sure this can be done. She questioned whose vision is this.

Deputy Commissioner of Planning Fusco stated the Administration's.

Legislator LoBue stated this is the Legislature. She stated that this will be discussed. She stated the Legislature approves all leases. She stated it seems to her that this has already been decided, since it is on the agenda as an approval. She stated that she would like to see the building and she will get in touch with New York State, to verify this could be done. She stated the EOH is a separate corporation.

Legislator Nacerino questioned what the reason is for the County to spend \$2,000 per month for rent for five (5) people.

Deputy Commissioner of Planning Fusco stated that there would be some funding opportunities that the County could absolutely benefit from. She stated to go into any more detail it would need to be done in Executive Session.

Legislator LoBue stated this matter should not be on the agenda for approval. She stated she does not support going into an executive session to talk about a lease for \$2,000 a month.

Legislator Sullivan stated that he had a tour of the 841 Fair Street facility not too long ago.

Legislator Scuccimarra stated that she was with him.

Legislator Sullivan stated he agrees that the facility is very crowded and it was mentioned at that time that there was consideration being given to moving to the Lawlor Building. He stated the building on Fair Street is in need

of improvements. He stated also if there is opportunity to get closer to the people you work with and expand the space then he would like to hear more about it.

Legislator Nacerino stated that she does not have an objection. She stated that she finds it concerning that there has not been dialogue prior to this or exploration of other possible County sites. She stated moving to a County facility would not result in an additional charge. She stated that the Legislature has had no discussion of this. She stated the Legislature has not been apprised to whether there has been any planning. She stated if the County sites are not appropriate the Legislature should be notified as to why not. She questioned when all of this occurred. She stated she does not object to working close with other agencies because that would be in the best interest of the County.

Lynne Eckardt, Resident, stated she was surprised to see this on the agenda and has several questions. She stated that she recalls distinctly when Megan Kelly was in charge of the EDC it was stated that she needed to be in the County Office Building to be close to the County Executive because they would be working together. She stated, in her mind this explanation is used as an excuse for the reason to move to another facility. She stated that she does believe this matter does bare a lot more scrutiny than talking about it once. She stated especially since the County does own or lease plenty of other space. She questioned why there would need to be an executive session, when this is a matter that would be expending public money.

Deputy Commissioner of Planning Fusco stated anytime there are negotiations and discussions related to an unexecuted lease, it warrants an executive session.

Lynne Eckardt, Resident, stated it is in the backup documents that it will be a \$2,000/month lease. She stated so she does not see this as a lease negotiation at all.

Legislative Attorney Robert Firriolo stated executive session is proper when there are confidential negotiations at issue. He stated the issue of executive session came up in response to questions that Deputy Commissioner Fusco stated in order for her to answer the questions it would be appropriate to go into executive session. He stated the substance of the contract being discussed now is not confidential, but in order to answer certain specific questions it may require an executive session. He stated since the Deputy Commissioner Fusco, who has the answer to the question, is advising the committee that there are certain things she cannot answer in public session, an executive session would be appropriate.

Lynne Eckardt, Resident, requested that the question presented that is requiring an executive session be repeated.

Chairman Albano requested that the question be repeated: "Legislator Nacerino questioned what the reason is for the County to spend \$2,000 per month for rent for five (5) people."

6:15p.m.

Chairman Albano made a motion to go into Executive Session to discuss lease negotiations; Seconded by Legislator Castellano. All in favor.

6:35p.m.

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

Chairman Albano stated no action was taken in Executive Session.

Legislative Attorney Robert Firriolo stated for clarification for the minutes, the specific statutory exemption of The Public Officers Law, was the Proposed Acquisitions and Sale or Lease of Real Property. He stated it is

specific ground to allow a public body to go into executive session, which was the reason for this executive session.

Chairman Albano stated there will be no action taken on this matter this evening. He stated some Legislators have more questions and wanted more discussion on this matter.

Chairman Albano made a motion to Table to next month the Lease-Relocation of Department of Planning & Development Officers to the Hudson Valley Trust Building – 2 Route 164, Patterson, NY; Seconded by Legislator Castellano. Legislator Scuccimarra was a Nay vote. Motion carried.

Chairman Albano stated that there does not seem to be any urgency attached to this proposal.

Legislator Scuccimarra stated she has full confidence in Deputy Commissioner Fusco, she is not in favor of the motion to table this matter.

Item #14 - Discussion/Proposed Traffic Lights: Hill Street & Route 6N/Secor Road & Agor Lane/Legislator Sullivan

Commissioner Pena stated that the County has been researching the Hill Street & Route 6 area in terms of safety around the curve. He stated the intersection is controlled by the NYS Department of Transportation (DOT). He stated there has been discussion of installing a “round about” at the location. He stated the final authority on any change/plan to be implemented is in the hands of the DOT not the County. He stated money is always an issue. He stated there could be funding sources researched to address problematic intersections.

Legislator Sullivan stated his constituents and some Town elected officials have approached him on this matter. He requested an explanation of the process that goes on to determine if a traffic light is needed at an intersection. He stated he believes that study would include researching how many accidents have occurred at the proposed site.

Commissioner Pena stated the DOT would certainly take that into account. He stated however the DOT has other intersections that are probably higher on their radar in terms of level of importance. He stated again the County could look for funding sources that would apply specifically to that intersection. He stated that may help to get the DOT to take action at the Hill Street & Route 6N intersection.

Legislator Sullivan questioned if the County could request that the DOT look at the Hill Street & Route 6N intersection and request that a written response be sent to the County documenting their action taken in the evaluation of the sited and their conclusion of their research.

Commissioner Pena stated that he would do that.

Legislator Sullivan explained he would like to have a response from the DOT documenting definitively their position and their course of action at the site after their review.

Ron Jedlicka, Owner of the Red Mills Market in the Red Mills Shopping Center, stated the business has been there since 1966. He stated of course the area has been built up and there have been many changes. He stated he would like to see a copy of reasoning in support of a traffic light at the Hill Street & Route 6N intersection. He stated it is his opinion that it would make it a lot worse. He stated years back when the gas station was connected to the shopping center the State wanted to put in another exit. He stated fortunately that did not go through. He stated he would like to see a copy of any studies that have/had been done. He stated he is there a lot of the time. He stated there are not a lot of accidents. He stated occasionally there may be an incident. He stated there are never any extensive backups. He stated he believes a traffic light at that intersection would be much more of a

hindrance. He stated again he would like to see any documentation on this matter. He stated that he is available if anyone would like to come and speak with him.

Legislator Sullivan thanked Mr. Jedlicka for attending the meeting and sharing his insight to this matter. He stated that he has been approached by constituents and some of the Town's elected officials in his legislative district, who have expressed concern regarding the safety of motorists at the intersection. He stated that is why he requested that this matter be discussed. He stated if there is ever a point where there is action being considered he would definitely get in touch with Mr. Jedlicka. He stated for now this is just a discussion and to learn what the DOT has on file for this intersection. He stated as Commissioner Pena explained it is under the authority of the DOT in terms of any action.

Ron Jedlicka, Owner of the Red Mills Market stated along Route 6 from Mahopac Avenue to Miller Road there are six (6) or seven (7) traffic lights. He expressed his frustration with different areas along Route 6 due to traffic congestion. He stated there is a lot of pride for the Mahopac Falls area and its organizations, such as the Fire Department.

Legislator Nacerino stated that traffic light approval for installation is not easy to achieve. She questioned what is the supporting documentation or data that is required when submitting a request.

Commissioner Pena stated that a traffic analysis would need to be conducted as well as a study of the specific site and the surrounding roadways. He repeated as stated by Mr. Jedlicka a traffic light in an area has an effect on the traffic in the nearby areas as well. He stated currently the County is doing traffic analysis throughout Putnam County via the County's Planning Department and an outside consultant. He stated this is being done to identify where the more problem areas are. He stated as an example by the Library (Reed Library) on Route 52. He stated in that area there is a level of concern with the corridor and how the traffic flows. He stated sometimes it is found that there is traffic in the area that may be better served by diverting to another direction. He stated it is an ongoing analysis and the traffic counts continue to grow.

Legislator Nacerino questioned if the County needs to support this data and information to the DOT in order to support your request or is the County merely asking the DOT to do the work and tell the County what the data and statistics reveal.

Commissioner Pena stated if the County is approaching the DOT on a specific location that the DOT does not have current data on then it would benefit the County to provide the supporting data.

Legislator Nacerino stated that she knows that it is difficult to get a traffic light. She stated in her legislative district there has been an effort to get a traffic light at the intersection of Route 164 and Route 22. She stated the Town has solicited the DOT over the years to no avail, which is why she was inquiring.

Legislator LoBue stated in 2009 she was involved in the evaluation and consideration of installing a turnabout at the Hill Street & Route 6N intersection. She stated that due to the logistics of the location and the surrounding businesses, particularly the bank on Route 6N, she agrees the intersection is complex and agrees that a traffic light at said site would create a bigger issue. She requested Commissioner Pena's assurance that the County is not going to the DOT and requesting a traffic light for the Hill Street & Route 6N intersection, and that the County is requesting that the DOT do an evaluation of the intersection to propose a possible solution. She stated on the agenda tonight it states traffic light at Hill Street & Route 6N intersection.

Chairman Albano stated the agenda item is listed as a discussion item.

Commissioner Pena stated research will be done to see what data is available and what does it present. He stated based on what is proposed, then the next step is to see if it is a financing issue.

Legislator Sullivan stated that based on the comments from Legislator LoBue there was a study done in 2009, so hopefully that data will provide the information and data needed.

Commissioner Pena stated that there is also NYS Department of Environmental Protection property (DEP) on the east side of the said intersection and a creek, which requires sensitive consideration. He stated that he knows that is one of the contributing factors against the installation of a roundabout.

Item #15 - Update/Lake Gleneida: Boat Launch Locations & Design/Removal of Invasive Species of Plants from the Shoreline

Chairman Albano stated that the County voluntarily performs maintenance on the shoreline of Lake Gleneida, where permitted. He stated the DEP has many restrictions on what can actually be done, in terms of “maintenance”. He stated his constituents have approached him asking why more tree trimming is not done, especially from Church Street to Willow Road.

Commissioner Pena stated the community needs to go to the DEP and state that the appearance of Lake Gleneida is not acceptable. He stated the County does not have the authority to take action without the approval of the DEP along the shoreline. He stated currently the County has an agreement with the DEP to mow and do pruning from the area of Route 301 to a little past the Library Corner (Reed Library).

Chairman Albano questioned if that pruning can be done from Reed Library to the Willow Road area.

Commissioner Pena stated they are planning to go back to do some of that, however the manpower resource for his department is strained. He stated the priority of his staff is the maintenance and work at the County facilities. He stated with that said, the County’s employees do continue to do a weekly maintenance from Route 301 and Church Street. He stated in approximately two (2) weeks the annual trimming will take place. He stated the next 200 foot vegetation plan for the fall. He stated that Cornell Cooperative will put together their plan which is then sent to the DEP for review/approval. He stated if approved, depending on the County’s resources, the plan is to install the next 200 feet. He stated in reference to the Boat Launches, the first proposal to put the Boat Launches up by the Route 301 intersection. He stated that was met with resistance from some of the fishermen. He stated the DEP stated that the county had to go back to the design board on that. He stated the County has come up with an alternative preliminary plan. He stated it will be submitted to the DEP and see if it is received. He stated there is also a proposal for boat ramps, so they do not erode as much as they do, that the county is sending to the DEP for approval.

Chairman Albano stated he likes to hear that the County is moving forward. He stated the 200 feet that was worked on should be examined to determine how well it took. He questioned if trimming will begin shortly, the end of the summer time frame.

Commissioner Pena stated yes there will be mowing done up to the three (3) feet to the allowable level between Route 301 and Church Street.

Chairman Albano questioned if the County could trim the trees up to Church Street. He stated he believes they are over grown.

Commissioner Pena stated yes.

Chairman Albano stated as a reminder in the past the Alternatives to Incarceration program (ATI) assigned people to do work like this. He stated also he knows that the Carmel Civic Association is very active and would probably help if approached.

Commissioner Pena stated that is an alternative. He stated that it is also a positive to bring people who are interested into the mix, so there is not a need to wait for the County's resources to become available. He stated but again the DEP is restrictive in what is allowed to be done and when it is allowed to be done.

Chairman Albano stated he finds it interesting that in the agreement the County is restricted to perform the tree trimming, however there is a private home on the lake that is cleared right down to the lakeshore. He stated it seems very inconsistent. He stated also there was a tragic drowning of a person at the shoreline of the lake. He stated he believes if people had visibility of the shoreline it may have been a different scenario.

Legislator Sullivan stated that he agrees with Legislator Albano. He stated he has discussed this with Commissioner Pena as well. He stated that he feels strongly that the lake is a beautiful spot in the center of town. He stated having grown up in the hamlet, he can report that the lake was much more accessible. He stated it is a beautiful lake that is covered, by his assessment, with weeds. He stated there has been work done to some areas. He stated lovely plantings have been placed around the Sybil Ludington Statue. He stated that all looks great. He stated he believes the entire area could look a lot better.

Commissioner Pena stated that he agrees. He stated keeping the lake visible would have certainly left the DOT with a lot less maintenance between Church Street and the private residence located on the lake shore. He stated instead the area has been left and has become severely overgrown. He stated it is a debris collector and safety issue in some cases. He stated his department does not have a lot of influence of the DEP. He stated a voice from the people may have a better impact. He stated he would recommend the residents getting their message to the DEP.

Bill Nulk, President of Carmel-Kent Chamber of Commerce stated that the Chamber recently hosted forums regarding the business communities and stimulating business along the corridors. He stated an item brought up about the Hamlet of Carmel was its "Post Card" appearance. He stated that is lost coming from Mahopac into the hamlet because of the overgrowth that has been allowed.

Chairman Albano publicly thanked Commissioner Pena and his staff members for all of the work they are allowed to do. He stated maybe the next move would be to have a meeting with the DEP.

Item #16 - Update/County Owned Properties MLS Sales Report: 2013 – Aug. 9, 2017

Senior Deputy County Attorney Andrew Negro stated that the report came from Commissioner Carlin's office. He stated that he was not in attendance to speak to this matter. He stated he believes the only changes since the last report was the sale of two (2) properties in 2017. He stated the old liquor store on Towners Road in Kent and the George's Super Serve property. He stated the rest of the properties were stragglers that did not sell through the MLS process. He stated due to the recent amendment to Chapter 31, they were not relisted. He stated they were put into the auction inventory. He stated an RFP went out and an Auction Company was assigned the contract. He stated that he believes it was decided by the departments of Finance and Real Properties to wait until the 2011 Bar Claim proceedings are finalized, which should be in a couple of months.

Chairman Albano questioned if the sale prices were adjusted over the time the properties were on the MLS list.

Senior Deputy County Attorney Andrew Negro stated these properties were not properties that were getting any offers through the MLS process. He stated that hopefully they will be sold through the auction process.

Legislator Addonizio stated that she was told the Auction was going to occur in August, which obviously is not going to happen. She questioned what is the projected time frame for that the Auction will take place.

Senior Deputy County Attorney Andrew Negro explained all of the steps that need to occur leading up to the auction. He stated it will be months to accomplish all that needs to be accomplished.

Legislator Addonizio stated that she hopes that they wait then until Spring, when people can see the properties. She stated that she does not believe the winter months would be a good time to conduct the auction.

Senior Deputy County Attorney Andrew Negro stated he agrees, however he has no jurisdiction over that.

Legislator Castellano requested that there be before and after photos of the properties sold through the MLS process be taken. He stated there has been discussion that it would be done, but unfortunately there have been no photos provided to the Legislature.

Senior Deputy County Attorney Andrew Negro stated there was a property in the Town of Kent which the County has before and after photos. He stated it was one of the initial properties that was sold. He stated the person who purchased the property where George's Super Station was has stated before and after photos will be sent to the County.

Legislator Castellano stated he would like the photos to be provided to the Legislature and reviewed as an update by this committee. He stated sale and renovation of these properties is great to the County as a whole, but it is also beneficial to the neighbors, it helps to raise property values.

Legislator LoBue requested that Senior Deputy County Attorney Negro go through the process of a foreclosure property. She stated when a homeowner has not paid their taxes for three (3) years what is the next step.

Senior Deputy County Attorney Andrew Negro stated it is handled through the County's Finance Department. Senior Deputy County Attorney Negro stated the appropriate paperwork gets filed with the County Clerk's Office. He stated at that point there is an annual lien list, there are title searches done, which is required. He explained that the prior owners need to be identified, and all of the judgement holders, he stated it is reviewed by outside counsel. He stated outside counsel, brings a proceeding which is commenced by petition pursuant to Article 11 of the Real Property Tax Law. He stated usually there is a 90 day redemption period at that point. He stated if anyone does redeem, the property is pulled from the action, or if there is an answer served by the property owner that the property is segregated and is litigated separately. He stated if there is no answer served and no redemption then after the redemption period there is a motion for a default judgement filed with the court and basically the court considers it and issues a tax order. He stated then there is a tax deed filed by the Commissioner of Finance. He stated at that point pursuant to Chapter 31 per the recommendation from Real Property and the Finance Departments whether to market the property for sale through the MLS or Auction process. He stated there are instances when a property is only ideal for merger with the adjoining property owner, in which case the property is sold to the adjoining property owner.

Legislator LoBue questioned what year is the County up to with title searches.

Senior Deputy County Attorney Negro stated the 2011 actions are almost finalized, the 2012 have all of the title searches completed and outside counsel is working on filing the commencement paperwork.

Legislator LoBue stated that she has had constituents ask her how a person can remain living in their home when they are not paying their taxes.

Senior Deputy County Attorney Negro stated the process is not immediate and it is the person's house until the foreclosure judgement is issued.

Legislator Sullivan requested confirmation that it is after a three (3) year period of not paying taxes, which is when the process is started.

Senior Deputy County Attorney Negro stated that is correct.

Chairman Albano facilitated additional discussion regarding properties that do have a mortgage on them, in which case the bank will get involved.

Item #17 - FYI/Monthly Capital Projects Report – Duly Noted

Item #18 - Other Business

a. Discussion/Public Notice Published in Newspapers : August 15 & 16, 2017 Reducing PART (Putnam Area Rapid Transit) Bus Routes/Legislator LoBue

Legislator LoBue stated she read in the newspaper an article pertaining to Putnam County eliminating some of the current PART bus runs. She stated the article stated that a run in Mahopac, Brewster and Carmel would be removed from the route. She stated she believes that should have come before the Legislature prior to publishing an ad in the newspaper.

Chairman Albano stated that he will look into this matter.

Item #19 – Adjournment

There being no further business, at 7:12pm, Chairman Albano made a motion to adjourn; Seconded by Legislator Castellano. All in favor.

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