

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

**Tuesday**

**6:30P.M.**

**November 15, 2016**

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

**Item #3 - Approval/Physical Services Meeting Minutes/ September & October, 2016**

The minutes were accepted as submitted.

**Item #4 - Approval/Proposed Putnam County Code Amendment – Sale of Property Acquired by County- Section 31-8(B)(2)(e)/Legislator Addonizio**

Legislator Addonizio provided a recap of the previous discussions that have taken place regarding this proposal. She stated when she attended the NYSAC conference she became interested in comparing the Auction Process to the Multiple Listing Services (MLS) process. She stated she spoke with a representative from Collar City Auctions Realty & Management Company, who also attended and addressed this committee at the April 19, 2016 meeting, and he spoke to Commissioner Carlin. She stated that what was discussed and agreed to was if a property is on the MLS for a year and does not sell, the listed price will be evaluated and adjusted if agreed. She stated after 18 months of a property being on the MLS and not selling, the property would then be put through the Auction process.

Legislator Scuccimarra made a motion to approve Proposed Putnam County Code Amendment – Sale of Property Acquired by County- Section 31-8(B)(2)(e); Seconded by Legislator Castellano. All in favor.

**Item #5 - Approval/Amendment to Lease Agreement- County of Putnam w. Butterfield Realty LLC The Lahey Pavilion** (Previous Reso approved #187/2016)

Chairman Albano stated this matter has been discussed in detail. He stated the amendment being addressed tonight is at the request of the Cold Spring Planning Board. He stated that they requested that the Lease specifically state if the Lease is renewed the same conditions will continue. He stated it is his opinion that would have been the case with the existing lease.

Legislator Scuccimarra stated that it is her opinion that if the added wording makes the Planning Board Members more comfortable, she will support it.

Legislator Nacerino stated that she believes it to be important to state for the record this amendment is at the request of the Village Cold Spring Planning Board, not Putnam County.

Lithgow Osborne, Garrison resident, questioned a portion of the Lease (*Amendment to Lease Agreement 6.03*) regarding providing the license numbers to the Landlord if requested. He stated he is concerned about that. He stated he does not understand the need for that.

Chairman Albano stated that he does not know what the reason is for the request. He stated he can imagine, it is for the purpose of if there is a parking issue he can identify what cars belong there and what ones do not belong in the lot. He requested if First Deputy County Attorney Negro would like to speak to this matter.

First Deputy County Attorney Negro stated that language is already in the existing Lease, which has been executed. He stated the only change is adding language with respect to County's provision of transportation. He stated for clarification the wording related to providing license numbers, excludes "guests and/or clientele of Tenant."

Lithgow Osborne, Garrison resident, stated the County has given up the right to decide what programs can use the Senior Center. He stated he understands there is no provision in the lease to open up the space to be used for something else. He questioned if that is accurate.

Chairman Albano stated that there has been discussion regarding the Center being used for other functions, and there was receptiveness to that proposal. He stated that the Landlord has stated that he would be receptive to it as well. However, that is not being addressed this evening. He stated that can be addressed in the future.

Lithgow Osborne, Garrison resident, questioned if there was the support and agreement to use the facility for other uses, why didn't the executed, approved lease include that in it.

Legislator Scuccimarra stated the Village of Cold Spring Planning Board was not in support of that proposal. She stated it does state in the Lease that a request can be given to the Landlord for other use of the Center.

Lithgow Osborne, Garrison resident, questioned when the residents get more of a specific idea of the cost and what it will look like inside the Center.

Legislator Scuccimarra stated she and Deputy County Executive Bruce Walker did a presentation today at the Nutrition Center on Cedar Street for the Seniors. She stated the plans are posted at the Nutrition Center, and she offered to meet Mr. Osborne there to go over the plans with him.

Legislator LoBue stated the updated plans of the interior for the Butterfield Senior Center were received in the Legislative Office today. She stated that she requested that Chairman Albano have the plans discussed tonight. She stated as a Legislator she would like to know the details of the interior. She stated she would like to know what changes were made. She stated, she will speak for herself, as a Legislator, the plans have not been posted on the wall or has anyone from the Administration explained exactly what the inside of the building would detail. She stated that she believes that is important information to the Legislature, who controls the facilities and all real property in the County.

Chairman Albano stated it is not on the agenda tonight. He stated when Commissioner Pena addresses the committee members, it can be discussed briefly. He stated that it is very similar to what it was.

Lithgow Osborne, Garrison resident, stated this is the problem with that statement, the public has never seen anything before this. He stated he wants to see real schematics and floor plan.

Legislator Scuccimarra stated that is because they have just been done, the plans have been being worked on.

Lithgow Osborne, Garrison resident, questioned if there is an opportunity to spend less money, will that be done.

Chairman Albano stated that is done with all County projects.

Legislator LoBue stated a presentation was made today to the Seniors, but no one felt it was necessary to make a presentation to the Legislature first and explain what is exactly going on.

Chairman Albano stated tonight there are six (6) or seven (7) Legislators present, the majority have a very good idea of what is going on. He stated there is one item being considered tonight.

Lithgow Osborne, Garrison resident, questioned when the next meeting will take place when the specifics of this Senior Center will be discussed: the budget, the floor plans and all of the minutia that will go into the Butterfield Senior Center, that the Taxpayers will be paying for.

Chairman Albano stated that it will be on one of the upcoming Physical Services Meeting agendas, which are posted on the Legislature's webpage. He stated currently there is a conceptual plan and a very good idea of the direction of the project and it will be fine-tuned. He stated he would imagine that will happen soon because the County is moving forward with this project. He stated Legislator Scuccimarra has offered to meet with Mr. Osborne if he would like to go over the plans.

Lithgow Osborne, Garrison resident, stated that he will contact her tomorrow to schedule a time to meet and see if there are any other folks who would like to be there.

Chairman Albano made a motion to approve Amendment to Lease Agreement- County of Putnam w. Butterfield Realty LLC The Lahey Pavilion (previous Reso #187/2016); Seconded by Legislator Scuccimarra. All in favor.

**Item #6 - Approval/Adoption SEQRA Negative Declaration/Approval Lease Agreement/Approval Land Use Zoning Exemption for the Facility /Cell Tower/ Kern Building Location**

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

Robert Guadoso, with the Law Firm Snyder & Snyder, stated he is present tonight representing Homeland Towers. He provided a recap to this matter. He stated this is a public – private partnership to resolve the County’s Public safety communication issues along with improving wireless service throughout the County. He stated initially four (4) sites were proposed. He stated he came before the Legislature and this committee on July 19, 2016. He stated at that time it was agreed to move forward with two (2) of the proposed sites. He stated those are the sites that are on the agenda this evening: The Kern Building and the Bureau of Emergency Services (BES) Location. He stated the other two (2) properties have been tabled. He stated there is a proposed lease agreement to be considered for approval. He stated they have done their due diligence, they have prepared a Short Environmental Assessment Form (EAF), a Federal Aeronautical Administration Evaluation.

Chairman Albano stated the Towers would not be at the height that requires the flashing light.

Robert Guadoso, with the Law Firm Snyder & Snyder, stated that is correct. He stated the BES Tower will be 160 feet and the Kern Tower will be 180 feet. He stated each will have a County antenna on the top and there has been other space reserved lower on the Tower for the County and then 5 slots for the commercial operations as well as space at the base of the tower for County equipment and any other equipment that may be necessary. He stated there has been a Structural Certification under the lease agreement, a radio frequency exposure certification, and a Full Visual Resource Evaluation for each property as well. He stated through the County they confirmed with Motorola and NYCOMCO that these Towers will be useful to the County, and Verizon Wireless has provided input to be able to provide their service. He stated it is his understanding that a lot of Emergency Service entities backup on the Verizon Service. He stated finally a plan was submitted showing exactly the elevations of the facility and the ground site plans. He stated the County Planning Department did execute the proper SEQRA Notifications. He stated that it is his understanding none of the involved agencies have objected to the County acting as Lead Agency. He stated the DEP (Department of Environmental Protection) has recommended that both sites have standard erosion control measures and that they be used during construction. He stated that is part of the typical protocol of Homeland Towers. It was confirmed by the DEC (Department of Environmental Conservation) that there are no wet lands, no streams, no agrological issues, no threat to endanger species and they have also consented to the County acting as Lead Agency. He stated also concurrence was received from the State’s Historic Preservation Office. He stated all of that due diligence was done through the SEQRA process, which was initiated by the County at the July 2016 meeting.

Chairman Albano questioned if it is much more expensive to get a Tower that is more camouflaged, such as the one on the Hutchinson River Parkway.

Robert Guadoso, with the Law Firm Snyder & Snyder, stated yes there is a great cost associated with those Towers. He stated that, the Towers that will be placed on the two County sites are on the larger size. He stated each of the Towers will support the County’s emergency communications. He stated the Cell Towers will be grey monopoles.

Legislator LoBue questioned if the Kern Tower will be positioned on the ground or on the building.

Robert Guadoso, with the Law Firm Snyder & Snyder, stated it is a free standing Tower. He confirmed both Towers are free standing.

Legislator LoBue stated that in her research of this matter she found that under SEQRA regulation construction of a structure exceeding 100 feet is a Type I, if it occurs in a municipality without zoning standards for the height of the structure. She questioned how is it that these Towers do not require a Type I and long form.

Robert Guadoso, with the Law Firm Snyder & Snyder, stated that is correct. However the municipalities involved have zoning codes. That specific Type I action listing, applies to locations with no zoning reviews.

Legislator LoBue stated that she is concerned that the County may be exposed to an Article 78 action.

First Deputy County Attorney Negro stated the Legislature upon the advice of the County Planning and Law Departments, deemed this to be unlisted actions, pursuant to Resolutions #166 and #167 of 2016. He stated that matter has been researched and vetted out through the County Planning and Law Departments. The determination has been considered and made.

Legislator Gouldman questioned the status of the other two Towers.

Robert Guadoso, with the Law Firm Snyder & Snyder they are still looking at alternatives and doing their due diligence. He stated most importantly it has to work for the County's Emergency Services. He stated there are many different considerations, but first and foremost the Towers need to provide necessary service. He stated that there are many different parts to this process, they are taking their time, because they want it done right.

Legislator Gouldman requested if there is a suggested time frame when they will come forward with the new sites.

Robert Guadoso, with the Law Firm Snyder & Snyder stated possibly the next month or two (2).

Lynne Eckardt, Town of Southeast Councilperson, stated that she is confused by the fact that if a Tower is not appropriate to be placed near a Senior Center, which was the initial proposed location in Putnam Valley, why is it appropriate to place a Tower in the Town of Southeast.

Chairman Albano stated that it may be appropriate, however alternative sites were proposed for consideration.

Lynne Eckardt, Town of Southeast Councilperson, she requested the same on behalf of the Town of Southeast. She stated they did not get that courtesy. She stated also, Deputy County Executive Walker was supposed to come and give a presentation to the Town Board on the Cell Tower that is being placed at the Kern site. He was on the agenda. She stated he did not show up. He did not call or cancel.

Robert Guadoso, with the Law Firm Snyder & Snyder stated in the case of the Putnam Valley there was a very specific alternative location proposed by Supervisor Oliverio, which is being reviewed. He stated the Mahopac site, also known as the Airport site, it is a larger property. He stated different areas of the property are being reviewed.

First Deputy County Attorney Negro stated this is a public-private partnership between the County and Homeland Towers. He stated it behooves the County because it is integral to the County's communication network plan.

Lynne Eckardt, Town of Southeast Councilperson, questioned once these two (2) Towers are put up, there will be "a lot of play" in where else they can be put.

Robert Guadoso, with the Law Firm Snyder & Snyder stated he is not sure what is meant by "a lot of play". He stated direction to the placement of the Towers is taken from the Engineers. He stated there are two (2) focuses of the Engineers: radio coverage and line of site for the microwave. He stated a challenge in Putnam County is the topography.

Lynne Eckardt, Town of Southeast Councilperson, stated she would like to speak to money. She questioned if the Lease in Southeast is \$2,000 a month.

Robert Guadoso, with the Law Firm Snyder & Snyder stated it is his understanding that it is \$2,000 a month or 35% of the revenue whichever is greater.

Lynne Eckardt, Town of Southeast Councilperson, questioned if it is a 10 year lease.

Robert Guadoso, with the Law Firm Snyder & Snyder stated it is a 10 year initial term and there are six (6), five (5) year renewals and 3% renewal increases.

Lynne Eckardt, Town of Southeast Councilperson, questioned if it would be possible to get a presentation made at a Town of Southeast Board meeting.

Legislator Nacerino stated that request should be sent to Deputy County Executive Bruce Walker.

Chairman Albano stated that he will request that the Administration contact the members of the Town of Southeast Board to schedule a time they can address this matter at a Town Board meeting.

Commissioner Sutton stated that there was a scheduling snafu. He stated that he believes the matter was placed on a Town of Southeast Board Meeting agenda, but the Administration had no knowledge of it.

Chairman Albano made a motion to approve the Adoption SEQRA Negative Declaration/Approval Lease Agreement/Approval Land Use Zoning Exemption for the Facility /Cell Tower/ Kern Building Location; Seconded by Legislator Scuccimarra. All in favor.

**Item #7- Approval/Adoption SEQRA Negative Declaration/Approval Lease Agreement/Approval Land Use Zoning Exemption for the Facility /Cell Tower/ Bureau of Emergency Services Location**

Chairman Albano stated agenda item #7 coincides with the previous discussion.

Chairman Albano made a motion to approve the Adoption SEQRA Negative Declaration/Approval Lease Agreement/Approval Land Use Zoning Exemption for the Facility /Cell Tower/ Bureau of Emergency Services Location; Seconded by Legislator Scuccimarra. All in favor.

**Item #8 - Approval/2016 Congestion Mitigation and Air Quality (CMAQ) Program Proposals For Project Funding/Deputy Commissioner (proposed projects: Traffic Signal Upgrades, Bus Replacements, Maybrook Bikeway I-Phase B, Traffic Improvements- Fair St./Rte. 52, Traffic Improvements- Mt. Hope Rd./Rte. 6)**

Deputy Commissioner of Planning, Development and Public Transportation Department Sandra Fusco stated the County is a member of the New York Metropolitan Transportation Council's (NYMTC) Mid-Hudson South Technical Coordinating Committee (MHSTCC). All of the members of MHSTC were requested to submit a proposals for consideration to receive Congestion Mitigation and Air Quality (CMAQ) funding. She provided an overview of the application process. She stated that she has presented the list of projects that have been accepted by MHSTCC.

Chairman Albano questioned if the County were awarded the funding, but decided based on the match amount they did not want to commit and accept the funding; would that be an option.

Deputy Commissioner Planning, Development and Public Transportation Department Fusco stated yes. She stated the lists of projects submitted by the County have been accepted.

Legislator Nacerino stated that she is in support of this application. She stated the County matching funds is significant. She stated that she does not believe it would all occur in one given year, she requested if that is correct.

Deputy Commissioner Planning, Development and Public Transportation Department Fusco stated that is correct. She stated it would go into a five (5) year tip, years 2017 to 2021. She stated the projects were prioritized. She stated the main priority for the County is the Bus Replacements. She stated there are a total of 46 vehicles in the Transportation Fleet (includes PART, PARA & School Buses) 19 of the vehicles have an excess of 175,000 miles. She stated of the 19 vehicles eight (8) of them are in excess of 200,000 miles. She stated Federal Rules state that a vehicle has met its useful life either at seven (7) years or at 200,000 miles.

Legislator Nacerino questioned for clarification if only some of the projects could be accepted.

Deputy Commissioner Planning, Development and Public Transportation Department Fusco stated all of these projects listed on the proposed resolution have been accepted. She provided

further explanation of that process. She stated that the County Match is substantial. She stated that she is continually on the watch for other funding sources that could satisfy the County Match.

Legislator LoBue stated that she believes that the Legislature needs to know in the list of Traffic Signal Upgrades, which ones are going to be new Traffic Signals installed. She would like to provide this information to her constituents.

Chairman Albano stated that there is nothing definite at this time. He stated the issues have been identified and the next step, applying for the funding is in front of the Legislature.

Commissioner Pena stated when the opportunity came about to apply for the CMAC funding, the County moved forward. He stated the different projects all need to be addressed and will cost money. He stated the Administration is always looking for funding sources to offset the cost to the County. He stated this is an example of that effort to secure some funding to offset the full cost of these projects. He stated that there are traffic congestion and safety studies that continue to go on.

Legislator Nacerino stated that safety on our roadways is the priority and believes it serves as the priority in every study.

Commissioner Pena stated that is correct.

Chairman Albano questioned the financial status of the Fair Street Project.

Commissioner Pena stated that if the funding were to be received from CMAC that would help with the shortfall in the cost of that project. He stated that the Administration is hoping by next month, December, or January there will be a realistic scope, schedule and cost for the Fair Street project.

Chairman Albano stated that he would like to state for the record that he believes the condition of some of the roads, he cited Route 6 and in the Hamlet of Carmel specifically, are in awful condition.

Commissioner Pena stated that he has sent correspondence documenting that in the Mid-Hudson Valley areas there is need for more resources Putnam County is in need of assistance.

Legislator Addonizio questioned if any study has been done at the Exit ramp off Route 84 traveling east onto Route 311. She stated that there have been quite a few accidents there.

Commissioner Pena stated that area has been studied by the State. The State determined there was not enough traffic at the location that warranted a traffic light. He stated the traffic lights will probably be installed once Patterson Crossing is in full operation.

Deputy Commissioner Planning, Development and Public Transportation Department Fusco provided further detail on the Bus Replacements. She specified because they are Federally

Funded vehicles, there are specific rules and guidelines that need to be adhered to. She stated again, she is and will continue to search for funding sources to assist with the County's matching amount.

Lynne Eckardt, Town of Southeast Councilperson questioned if the Developer of Patterson Crossing will be responsible for installing the Traffic Lights. She stated it was part of the deal in the approval process.

Legislator Nacerino stated that she will look into that matter.

Chairman Albano made a motion to approve 2016 Congestion Mitigation and Air Quality (CMAQ) Program Proposals For Project Funding/Deputy Commissioner (proposed projects: Traffic Signal Upgrades, Bus Replacements, Maybrook Bikeway I-Phase B, Traffic Improvements- Fair St./Rte. 52, Traffic Improvements- Mt. Hope Rd./Rte. 6); Seconded by Legislator Scuccimarra. All in favor.

**Item #9 - Approval/Fund Transfer (16T337)/Necessary to Purchase Vehicle/Planning Dept.**

Legislator Scuccimarra questioned if the proposed new Vehicle would be the Veterans.

Deputy Commissioner Planning, Development and Public Transportation Department Fusco stated it is twofold. She stated the current vehicle has had a myriad of problems, which compromise the reliability and safety of the vehicle. She stated that she has been able to realize a significant savings in the Veterans Transportation Cost, since January 2016. She stated the year began with the monthly expense of \$8,151. She stated the latest invoice expense as of September was \$534. She stated that the Planning Department began working with the Office for Senior Resources (OSR). She stated that OSR received funding. She stated that she is working in concert with the OSR Office and volunteer drivers, which currently there are three (3), that is how the Administration has created this cost savings.

Chairman Albano made a motion to approve Fund Transfer (16T337)/Necessary to Purchase Vehicle/Planning Dept.; Seconded by Legislator Scuccimarra. All in favor.

**Item #10 -Approval/Fund Transfer (16T341)/Move Funding Between Temp & Overtime to Cover Expenditures thru End of Year/Highways & Facilities**

Legislator LoBue requested a breakdown of the Temp and Overtime included in this fund transfer.

Commissioner Pena stated that he will get the breakdown to the Legislature.

Legislator Scuccimarra made a motion to approve Fund Transfer (16T341)/Move Funding Between Temp & Overtime to Cover Expenditures thru End of Year/Highways & Facilities; Seconded by Chairman Albano. All in favor.

**Item #11 -Update/Lighting & Energy Designs Inc. and JK Energy Solutions/County Jail/  
Chairman of Physical Services Albano**

Chairman Albano stated that he requested this item be on the agenda. He requested that Commissioner Pena provide a status update.

Commissioner Pena stated this goes back to when Legislator LoBue first brought this matter forward. He stated that an evaluation has been conducted at the Jail Facility. He stated the evaluation did not include O&M (Operation & Maintenance) costs which has been determined should be included, such as how many times a fluorescent bulb changed. Also he stated that the jail is a high voltage facility. He stated that requires a specific procedure be followed to work on that facility. He stated Asset Manager Cunningham and the County's electrician did work through some numbers to get a cost associated with changing the current bulbs in the jail. H stated that the findings are as follows: material cost \$11,414/per year and the cost of labor \$37,552/ per year. He stated these amounts are estimates. He stated the projected total savings per year could be \$95,000/per year. He stated with that projected savings the County would recoup the capital investment in less than two (2) years.

Legislator LoBue questioned what the amount of the capital investment is.

Commissioner Pena stated \$137,105.

Legislator LoBue stated that this is a very competitive market. She stated that she hopes there are estimates being gathered from other companies and agencies. She stated she first heard from NYSEG and at the time suggested using the Jail because it is a 24/7 facility.

Chairman Albano stated that this is not the final estimate. He stated that he agrees further research is needed.

Commissioner Pena stated that he agrees. He stated this is included on the Capital Project List. He stated when that list is approved, and then the County's protocol would need to be followed.

Legislator LoBue stated that she wanted to be clear, there will be other estimates gathered for this project. She stated it did not sound that way.

Chairman Albano stated this is not the final estimate. He stated this is a preliminary action to see if the project warrants further investigation. He stated there is much more to do. He requested that Commissioner Pena keep this matter going.

**Item #12 –Update/Capital Projects Monthly Report**

Chairman Albano stated that he is anxious to get the work going along Fair Street.

Commissioner Pena stated that the CMAC funding was critical to fill in the budget. He stated that the Administration is also looking to other funding sources in an effort to offset the financial impact on the County. He stated that they are close to presenting a real scope budget and

schedule. He stated once the State agrees that the scope is agreeable to them, then the Administration will be back with a plan. He stated also there will need to be work done on the Sheriff's Department Walkway. He stated an estimate to replace it is approximately \$150,000.

Legislator LoBue questioned how the Sheriff's Department storage garage is progressing at the Board of Elections.

Commissioner Pena stated that it is going well. He stated that the County's commitment to the Contractor was to have the fill-in completed on November 21, 2016. He stated the Contractor will pour the interior slab and then the super structure and the asphalt will be done in the Spring of 2017.

Legislator LoBue requested confirmation that the interior slab would be poured in the beginning of December.

Commissioner Pena stated that is correct.

**Item #13 -FYI/Fund Transfer (16T292)/To properly allocate for CIA Repair/Highways & Facilities**

Chairman Albano requested an explanation of this cost.

Commissioner Pena stated that for specifics he would need to speak to IT/GIS Director Lannon. He stated that he believes the access control function had to be worked on. He stated that it is a reimbursable amount because it is in the Courthouse. He stated the Court will be charged for the repairs.

**Item #14 -FYI/Fund Transfer (16T323)/To cover expenses due to increased In-House repairs and decreased outsourced repairs/Highways & Facilities – Duly Noted**

**Item #15 -Other Business**

**a. Discussion/Historic Courthouse Exterior/Chairman Albano**

Chairman Albano stated that he would like to recognize the fact that the columns, after he sent his correspondence, have been worked on, that is great. He stated that he would recommend that the roof of the Historic Courthouse be looked at.

Commissioner Pena agreed and stated that a lot of work has been done to the building's gutters in an effort to make sure they do not freeze. He stated that the roof will be checked.

**Item #16-Adjournment**

There being no further business, at 7:55p.m. Chairman Albano made a motion to adjourn; Seconded by Legislator Scuccimarra. All in favor.

Respectfully submitted by Deputy Clerk of the Legislature Diane Trabulsy.