

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

**Tuesday**

**June 12, 2018**

The meeting was called to order at 8:15 p.m. by Chairman Albano who requested that Legislator Jonke lead in the Pledge of Allegiance. Upon roll call, Chairman Albano and Legislator Scuccimarra were present. Legislator Nacerino was absent. Chairman Albano stated Legislator Jonke would sit in for Legislator Nacerino.

**Item #4 - Discussion/ 2018 Agricultural Inclusion Recommendations/ Putnam County Agriculture & Farmland Protection Board**

Chairman Albano stated this in an annual procedure. He explained that residents of Putnam County have a set time of the year when they can apply and request inclusion to the Putnam County Agricultural District. He stated the applications are given to the Putnam County Agriculture & Farmland Protection Board. He stated the members of said Board then do a site visit to each applicant's property and do an evaluation based on the criteria of the NYS Agricultural & Markets and Putnam County to determine if their application will be recommended to the Legislature for consideration to be accepted in the Putnam County Agricultural District.

Putnam County Liaison, Agriculture & Farmland Protection Board Lauri Taylor stated as a reminder resolution 139 of 2007, passed by the Legislature, added review criteria above what the NYS Agriculture and Markets Law requires. She stated this year there were two (2) applicants: Christophe Landon in the Town of Southeast and Alexander Kaspar in Putnam Valley. She stated a site visit was conducted by she and another board member of each location. She stated that both of the applicants have existing violations against the properties with the Town they are located in. She explained that makes them ineligible to being approved to be included in the Putnam County Agricultural District in accordance with the said criteria that stated "Each Parcel must be free and clear of Town, State and Federal violations" (R139/2007). She elaborated on the violations that they found.

Alexandar Kaspar, Owner of Cimarron Ranch & Valley View Farm stated he would like to begin by refuting everything that was said regarding his property. He stated Putnam County is the only County in New York State that has the odd little legislative law that was introduced in 2007 (*Each Parcel must be free and clear of Town, State and Federal violations*). He stated that he went to the Town of Putnam Valley and submitted a F.O.I.L. requesting a copy of all of the existing violations. He stated there are no

violations against him on file against the properties he included on his application. He stated that there are no valid violations that should be preventing him from being accepted into the Putnam County Agricultural District. He continued to express his dispute to this claim. He requested that the Legislature just approve the one 60.41 acreage Parcel ID# 83.-1-11. He explained that his house is located on that parcel, and he does do a little bit of farming there. He stated also he has his second well application in to the Town. He stated his first well application was denied by the Town of Putnam Valley. He stated if they deny his second well application he will file an Article 78 against them. He stated without the approval of the well permit he will not be able to have water. He stated he pays the taxes on this parcel.

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

Putnam County Liaison, Agriculture & Farmland Protection Board Lauri Taylor stated there is only one parcel on Mr. Kaspar's application that did not have a violation on it, which is Parcel ID # 72.19-1-29 (it was incorrectly listed on his application 79.19-1-29) .

Alexandar Kaspar, Owner of Cimarron Ranch & Valley View Farm stated he can prove and send paperwork that shows there are no violations on Parcel ID# 83.-1-11.

Marjorie Thorpe, Member of the Agriculture & Farmland Protection Board stated Mr. Kaspar's application contains all of the parcels. She stated that when they found existing violations on some of the parcels listed, it was to the understanding of Agriculture & Farmland Protection Board that all of the property is in Receivership.

Legislator Jonke stated on the paperwork presented to the Legislature it shows that there is a violation on Parcel ID# 83.-1-11.

Alexandar Kaspar, Owner of Cimarron Ranch & Valley View Farm stated there is no longer a violation on that parcel. He stated there was one a long time ago.

Chairman Albano questioned if the Parcel ID# 83.-1-11 is proven to have no violations, would it meet all of the other criteria.

Putnam County Liaison, Agriculture & Farmland Protection Board Lauri Taylor stated there is really no agriculture happening on that property.

Chairman Albano facilitated further discussion.

Chairman Albano made a motion to approve the recommendation of the Putnam County Agriculture & Farmland Protection Board, denying the applications for Inclusion in the Putnam County Putnam County Agricultural District; Seconded by Legislator Jonke. All in favor.

Alexandar Kaspar, Owner of Cimarron Ranch & Valley View Farm stated that he will file an Article 78. He stated specifically that he would like his statement included in the minutes.

Chairman Albano stated that he will next address agenda items#: 6, 7 and 8. He stated that there is also Other Business to be considered under agenda item #13a. & #13b, that will be addressed at this time.

Chairman Albano made a motion to waive the rules and accept the Other Business and corresponding additional documentation for items #13a. & 13b; Seconded by Legislator Jonke. All in favor.

**Item #6 - Approval/ Application for Grant Funds Available through the US Department of Transportation's "Better Utilizing Investments to Leverage Development (BUILD)" Competitive Grant Program/ Planning Dept.**

Commissioner Fusco stated that the BUILD Grants have replaced the TIGER Grants of the past. She stated that BUILD is a Federal Grant program for large infrastructure projects that are looked at on a regional basis. She stated that the County would like to submit an application for the Village of Brewster revitalization project. She stated it would be an application very similar to the one submitted in 2017.

Chairman Albano made a motion to approve the Application for Grant Funds Available through the US Department of Transportation's "Better Utilizing Investments to Leverage Development (BUILD)" Competitive Grant Program; Seconded by Legislator Scuccimarra. All in favor.

**Item #7 - Approval/ Apply for NYS Dedicated Mass Transportation Trust Fund Grant Funding through the Modernization and Enhancement Program to Upgrade and Enhance Public Transportation Services in Putnam County/ \$204,532/ Planning Dept.**

Commissioner Fusco stated this is the formula fund program. She explained the State of New York will provide a certain amount of dollars to each municipality. She stated this year the County was allocated \$204,532.00. She stated the funding is strictly for modernization and enhancement of transit facilities. She stated that the County of

Putnam has a projected \$1.7 million of transit related repairs needed at the transit facilities.

Chairman Albano stated that in the paper work, he noticed there is a match associated with this funding.

Commissioner Fusco stated the State covers 84% and 16% is paid by local.

Legislator Scuccimarra made a motion to approve the Application for the NYS Dedicated Mass Transportation Trust Fund Grant Funding through the Modernization and Enhancement Program to Upgrade and Enhance Public Transportation Services in Putnam County/ \$204,532; Seconded by Legislator Jonke. All in favor.

**Item #8 - Approval/ 2018 NYS Consolidated Funding Applications (CFA) for Grant Funding for Projects Aimed to Increase Local Economic Development & Encourage Growth in Putnam County through Capital Infrastructure Projects/ Planning Dept.**

Commissioner Fusco stated the resources that are available through the CFA change a bit. She stated this year the County will be seeking a planning and feasibility study for Lake Carmel. She stated the more information that can be included with the application the better. She stated at this time there is a limited amount of information that the County has. She stated also the County will submit the Carmel/Mahopac sewer infrastructure project, as it has been done for the past two (2) years.

Legislator Jonke made a motion to approve the Application of the 2018 NYS Consolidated Funding Applications (CFA) for Grant Funding for Projects Aimed to Increase Local Economic Development & Encourage Growth in Putnam County through Capital Infrastructure Projects; Seconded by Legislator Scuccimarra. All in favor.

**Item #13 - Other Business**

**Approval/New York State and Municipal Facilities Grant Program- Applications/Commission Fusco:**

Commissioner Fusco stated these two (2) State Grants are opportunities for the County. She stated through the State of New York and office of Senator Sue Serino, the County can receive State and Municipal Facilities (SAM) Grant funding totaling \$200,000. She explained \$100,000 is for renovations and equipment at the Friendship Center in Philipstown and \$100,000 for improvement at the Sheriff's Department Sub-Station located in Putnam Valley.

**13a. Approval/Grant Application/State and Municipal Facilities Grant Program/The Friendship Center in Philipstown**

Chairman Albano made a motion to Approve the Grant Application/State and Municipal Facilities Grant Program/The Friendship Center in Philipstown; Seconded by Legislator Scuccimarra. All in favor.

**13b. Approval/Grant Application/State and Municipal Facilities Grant Program/The Sheriff's Department Sub-Station in Putnam Valley**

Chairman Albano made a motion to Approve the Grant Application/State and Municipal Facilities Grant Program/ The Sheriff's Department Sub-Station in Putnam Valley; Seconded by Legislator Scuccimarra. All in favor.

**Item #3 - Presentation/ GHES Solar/ NY PACE (Property Assessed Clean Energy) Financing Program/ GHES Solar President Jamie Glover**

Mark Thielking, Executive Director of the Energy Improvement Corporation (EIC). He stated that they are a not-for profit local development corporation that runs services on behalf of the member- municipalities across New York State. He stated that the brand name is "Energize NY". He stated there are three (3) services: Energizing the PACE Financing, Energize our Residential, and Energize Commercial Financial. He stated his presentation is related to the Pace Financial, which is a public benefit that Counties and Cities can offer, if they opt in. He stated their Board of Directors is made up of County Executives, Mayors, and other elected officials from around New York State. He presented his power point presentation. He stated this is not a new concept. He stated re-payments would be paid through the tax bill and the financing is transferable from owner to owner, like water and sewer. He stated that it is a well regulated process. He shared photos of some sites that have participated in the program, that are located in Peekskill, Ossining, Mt. Vernon, Dutchess County, Binghamton, Goshen and Orange County. To enable Energize NY PACE program three (3) things must happen: The Municipality must pass a local law establishing within its municipal borders, Sign Municipal Agreement that codifies the tax repayments to be transferred and a formal request must be made to request membership through a letter to the EIC Board. He stated that there is no charge to join and no membership fees if Putnam County decides to offer it.

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

Mark Thielking, Executive Director of EIC stated that he brought copies of the Municipal Agreement that would need to be approved by Putnam County, if they opt to join.

Legislator Jonke stated the Towns' would need to take on the administrative responsibility to create a "special district" line on the assessment software in the Town to accommodate the County. He questioned how have the other municipalities handled that.

Mark Thielking, Executive Director of EIC stated it has not been addressed as an administrative burden by any of the participating municipalities.

Legislator Addonizio stated you have shared the positives of the program. She questioned what are the negatives of the program.

Mark Thielking, Executive Director of EIC stated there is a little hesitation with the Counties in that the County must pay regardless if the property owner pays their taxes. He stated it is calibrated so that it is not causing more delinquencies/defaults.

Chairman Albano stated that in the long run the solar will result in a savings and it is a positive for the environment. He stated this program would stream line the process. He stated that the word “energize” in the title speaks to many aspects. He stated it will energize New York in many ways; create jobs, upgrading buildings all while saving costs on energy.

Legislator Sullivan stated that he finds this program to have many strong merits. He stated he does not see any negatives to it.

Chairman Albano thanked Mark Thielking, Executive Director of EIC for the information. He stated that they will review the information, and put it back on an agenda to discuss further.

**Item #5 - Request for County to Consent to Right of Way Over Town of Kent Owned Parcel – Kent TM #22.-1-23.2**

Town of Kent Deputy Supervisor Bill Huestis stated the Town of Kent needs commercial development. He stated the Town of Kent Recycling Center is a great operation. He stated that he would make sure that their program’s integrity is kept. He stated this approval would effectuate opening approximately 100 acres of land locked property that will put some money in the tax rolls for the County, School District and the Town.

Town of Kent Supervisor Maureen Fleming stated a substantial amount of the Town of Kent is residential. She stated there is limited commercial/ industrial avenues to develop. She stated on route 52 there are some limited parcels. She stated that routes 52 and 311 are the only developable commercial and or industrial areas in the Town of Kent. She stated this proposal is really low impact. She stated it is a really reputable business that is looking to bring their business into the Town of Kent. She stated that Clancy Relocation and Logistics (Clancy) is really a fantastic business. She stated the only obstacle preventing the finalization of this purchase is the matter of the easement. She stated the proposal is that Clancy would expand the road to 50 feet. She stated the Recycling Center operates on Wednesdays 10:00a.m. -1:00p.m. and on Saturdays they have longer hours. She stated that Clancy has committed to not have

trucks in and out on Saturdays. She stated therefore we are looking at this roadway being shared for three (3) hours a week. She stated Clancy will take on the entire cost of the road expansion and maintenance of said road. She stated that she walked the site with Legislator Jonke and verified that there is no other viable entrance to the property. She stated that she understands the concerns of the members of the Kent Recycling Center. She stated the Town is willing to work with them. She stated the assessment on this approximately 100 acre parcel is \$350,000 and the total tax on the property is \$14,000. She stated the estimated value, once the buildout occurs, would be \$28 million. She stated that would increase the taxes to the Town, County, Fire District and Schools 80 times. She stated currently \$14,000 is being paid in taxes. She stated this buildout would bring \$1,120,000 in taxes. She stated it would bring an economic boom to the Town of Kent. She stated the Town of Kent is tax strapped. She stated the taxes have not been raised in four (4) years. She stated, but the Town does not have the commercial and or an industrial base necessary to give relief to the residents. She stated unfortunately if the Town is required to pass up on a project like this; a clean project from a reputable enterprise, the door will be shut on the Town of Kent. She stated if it is decided to turn down a company like Clancy, who is bringing a wonderful proposal forward, no other business will want to approach the Town of Kent. She stated the Town of Kent for many years had a reputation as the "Town of Can't". She stated the current Town Board has worked hard to do away with that impression. She stated they have been working with the EDC, Realtors to make a difference in the Town of Kent. She stated if this project is not allowed, then she believes that no other business will come to Kent.

Town of Kent Deputy Supervisor Bill Huestis stated he wants this project to stay in Putnam County. He stated if this does not work out, Clancy will most likely take this business to Connecticut.

Legislator Jonke stated after the May Physical Services Meeting he did volunteer to meet with Mr. Carpenter of the Town of Kent Recycling Center. He explained they walked along route 52, to the northern part of the frontage of the Town of Kent property that is being discussed. He stated it was obvious that the water and wetland was an obstruction to what was offered by the members of the Town of Kent Recycling Center, as an alternative to this particular entrance, being discussed this evening. He stated he does not see any other options. He stated as a Town of Kent employee, he recommended an appraiser. He stated that he met with the appraiser and he went over the methodology with the appraiser and agreed with the value. He stated that there was a question and concern raised that the Town may receive compensation. He stated Supervisor Fleming may like to speak to that.

Town of Kent Supervisor Fleming stated if that is a concern for the County it is recommended that the price be \$55,000. She stated there was not an official vote taken, but she polled every member of the Town Board as well as the County's Attorney. She stated all parties agreed if that is the issue then the Town would clearly be very happy for the County to benefit from that. She stated what this project would do for the residents is clearly what is most important. She stated that there may even be job opportunities that would be available.

Legislator Addonizio stated she has met with the members of the Town of Kent Recycling Center. She stated on their behalf she would like to put on the record some concerns that they have, and would like them considered when negotiating the final project. She stated that they would like the name of the road to remain the same, Ray Singer Court, and the landscaping is a concern they have as far as who would maintain it, they want the signage to remain on Route 52 for the Kent Recycling Center, they want the rock monument to remain in place, the gate would need to be moved back and altered to accommodate the expanded driveway. She stated also there is a sharp curve in the existing road that would need to be addressed. She stated the last thing is the members of the recycling center would like to know who will maintain the snow removal.

Chairman Albano stated everyone present recognizes the value of the Kent Recycling Center and will do everything we can to preserve it. He stated further detail will be discussed in Executive Session.

Town of Kent Supervisor Fleming stated she would like to speak to some of the items that were raised by Legislator Addonizio. She stated that Clancy would be responsible for all the constructions related to the widening of the road, and it is her understanding, which she will verify, that Clancy will maintain it. She stated that they have discussed the monument with Clancy. She stated if this is approved, the Town of Kent will certainly involve the members of the Recycling Center in the discussions with regard to the widening of the road and its design. She stated in no way is it the desire of the Town of Kent to interfere with recycling. She stated the recycling center is an asset to the Town of Kent, and that is recognized and valued.

Howard Carpenter Town of Kent Recycling Center Member stated his request along with the other members is that the general character of the entrance way be preserved.

Town of Kent Supervisor Fleming stated she believes that is a legitimate request, and she agrees with it.



**9:25p.m.**

Chairman Albano made a motion to go into Executive Session to discuss the proposed sale or lease of real property; Seconded by Legislator Jonke. All in favor.

**9:40p.m.**

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

Chairman Albano stated that no action was taken in the Executive Session.

Chairman Albano continued with the discussion of the topic after the executive session.

Chairman Albano stated it is the opinion of the Legislators present this evening that the taxpayers have contributed to this project. He stated the thought is that the value to Clancy is \$65,000. He stated he would recommend that amount go to the County to reimburse the tax payers. He stated also a draft easement of the Right-of-way is needed. He stated he would like the facts specific to what Clancy would be responsible for, as discussed this evening: the widening of the road, snow removal etc. He stated that he believes this is a good project and if all parties involved work together it will work. He stated once the draft easement is received the Legislative Counsel and County Attorney will review it. He stated the County is aware that the process needs to be kept moving.

Legislative Counsel Firriolo stated as a note for the attorney who will be preparing the draft easement. He stated the proposed easement would be a limited waiver of the Reverter Clause, not a general waiver. He stated the County's Reverter Clause would still be in place.

Supervisor Fleming stated that she will be sure to relay that message to the Town's attorney.

Chairman Albano stated as soon as the County Law Department receives the appropriate paperwork and they have reviewed it, it will be sent back to the Legislature and will be processed and considered in accordance with the proper procedure of the Legislature.

Legislator Jonke stated for the record, as an employee of the Town of Kent he will be recusing himself from voting on this matter.

**Item #9 - Approval/ Authorize CP-11/ Fire Training Center/ Highways & Facilities**

Chairman Albano stated that there is no one present to speak to this matter. He stated as a result of his review of the documentation provided, he would recommend that the requested amount of \$70,000 be reduced to "Not to exceed \$60,000".

Legislators Scuccimarra and Jonke stated they were in support of that amendment.

Chairman Albano made a motion to approve as amended on the floor that the CP-11/ Fire Training project not to exceed \$60,000; Seconded by Legislator Jonke. All in favor.

**Item #10 - Approval/ Budgetary Amendment 18A040/ Koehler Center Access Road Funding**

Chairman Albano stated that it is the consensus of all involved that this area be all channeled to the intersection that has a traffic light.

Office for Senior Resources Director Michael Cunningham stated that at the County's Senior Center, the Koehler Center located along route 6 in Mahopac, currently making a left turn as you exit the complex is very difficult, due to the volume of traffic on route 6. He stated the idea is to provide access to the bank roadway that leads out to route 6 via a traffic light. He stated the intersection with the traffic light on route 6 provides a level of ease and safety to the vehicular traffic. He stated that the Senior Housing that is located in the same vicinity is interested in accessing the intersection where the traffic light is as well. He stated so all of the involved parties are in agreement and willing to work with each other to get this done.

Chairman Albano stated that he went to the location that is being discussed, and fully agrees that this would be a beneficial move. He stated the funding that is being requested will fund the preliminary engineering and design work required for the Koehler Center's access road.

Chairman Albano made a motion to approve Budgetary Amendment 18A040/ Koehler Center Access Road Funding; Seconded by Legislator Scuccimarra. All in favor.

**Item #11 - Approval/ Bond Resolution/ Acquisition of Various Highway Machinery & Apparatus for Highways & Facilities Dept./ \$500,000**

Chairman Albano made a motion to approve Bond Resolution/ Acquisition of Various Highway Machinery & Apparatus for Highways & Facilities Department; Seconded by Legislator Scuccimarra. All in favor.

**Item #12 - Update/ Capital Projects Report – Duly Noted**

**Item #14 - Adjournment**

There being no further business at 9:50p.m., Chairman Albano made a motion to adjourn; Seconded by Legislator Nacerino. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.