

PHYSICAL SERVICES COMMITTEE MEETING
Held via Audio Webinar Pursuant to Temporary Emergency Orders
CARMEL, NEW YORK 10512
(Chairman Albano, Legislators Gouldman & Nacerino)

Monday

March 30, 2020

(Immediately Followed the 6:00PM Rules Comm. Mtg.)

The meeting was called to order at 6:56p.m. by Chairman Albano who lead in the Pledge of Allegiance. Upon roll call, Legislators Gouldman, Nacerino and Chairman Albano were present.

Item #3 – Approval/ Physical Services Meeting Minutes/ February 20, 2020

Chairman Albano stated the minutes were accepted as submitted.

Item #4 - Approval/ Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/ Town of Carmel, 113 Longdale Road Tax Map #65.10-1-32/ First Deputy County Attorney Andrew Negro

Chairman Albano requested that First Deputy County Attorney Andrew Negro address agenda item #4- 10.

First Deputy County Attorney Negro began by wishing everyone well, in this unchartered time. He stated agenda items #4 – 10 are requests for approval for the contract of sale on seven (7) Chapter 31 properties that offers have been made on. He explained there are eight (8) properties in total that were approved by the Legislature to list through the real estate brokers - MLS. He stated with respect the parcel referenced in agenda item # 5, 30 Shore Drive, there has been a request made to renegotiate some contract terms and items due to the ongoing pandemic. He respectfully requested that agenda item #5 be tabled. He stated he believes the negotiations will be done and this request with the updated and amended contract of sale will be ready for the April Physical Services Meeting. He stated all the other properties have contracts signed by purchasers and down payment checks. He stated all the said properties went for either the asking price or above. He stated there was very good feedback and interest in this bundle of properties. He stated the closings will be done, once they are approved.

Chairman Albano recognized that the realtors who priced the properties did so correctly, in light of the positive offers.

*Legislator Gouldman made a motion to Table Agenda Item #5 - Town of Carmel, 30 Shore Drive Tax Map #86.47-1-20; Seconded by Legislator Nacerino. All in favor.

Legislator Montgomery stated she has questions, before agenda items, #4,6,7,8, 9 and 10 are considered by the Committee. She stated she thought the Executive Order from the Governor included that all public sales of public property be put on hold.

First Deputy County Attorney Negro stated he will look into whether the Governors' Executive Order precludes this. He stated if it does it would preclude the closing and transfer of property. He explained what is before this Committee this evening is the approval of the contract of sale, it is not transferring the property.

Legislator Montgomery stated then this is not time sensitive and essential business, is that correct.

First Deputy County Attorney Andrew Negro stated he would argue that it is time sensitive. He stated the quicker a binding contract is had, the quicker the County would know that they have a deal.

Legislator Montgomery stated that she was told after making previous requests to have items placed on Agendas, in particular the Health, Social, Educational & Environment Committee, she was told by the Legislative Chair and Legislative Attorney that only time sensitive and essential matters would be put on the Committee Agendas, during this time. She questioned why this was placed on the agenda tonight, especially with an Executive Order by the Governor to put the sale of public properties on hold.

Chairman Albano stated he believes this to be time sensitive and it is on the agenda, and he is making a motion to move this to the April Full Meeting.

Legislator Montgomery stated that she has more questions. She stated she needs to understand this. The Chairman of the Committee is saying that he is moving forward with this because it is essential and time sensitive. She stated versus the items she requested regarding the Health Department which are not essential and or time sensitive. She stated these are foreclosed properties acquired by the County several years back. She stated that these have been approved for sale by licensed Real Estate Brokers. She stated she did not see in the backup who the Brokers are and what the initial offering amounts were. She stated at the December 3, 2019 meeting the Legislature passed the resolution for certain properties to be sold by Real Estate Brokers, but she did not see the offering amounts in that backup. She stated also the parcel 23.9, is not here, is she correct. She questioned if the 23.9 parcel would go up for auction.

Chairman Albano stated he would like to address what is on the agenda, and finish what in front of the Committee tonight.

Legislator Montgomery stated she is trying to get clarification if there are other properties that will be up for auction and they are different from these.

First Deputy County Attorney Negro stated these are the properties that were approved by the Legislature to be sold through the Chapter 31 – Real Estate Brokers. He stated there is another list of properties that will be auctioned. He stated that those parcels are more appropriate for the auction process. He stated the Auction was supposed to occur on April 2 and 3, 2020, but it has been postponed until the current crisis is over. He stated with respect to the properties at issue, there are two (2) others: the one (1) the Committee voted to table and there is one (1) other property that there has not been a buyer go to contract on yet. He stated in respect to the offers that came in on the properties were lower and with less desirable terms and typically those are not forwarded to the Legislature.

Legislator Montgomery clarified that the “Auction Process” is what she was referring to in relation to the Executive Order. She stated moving forward with the properties going up for sale, she would like to see a relationship established with the Putnam County Land Trust and other land trust in the area. She stated there is an interest for some properties. She stated they find out after the fact. She stated that the Putnam County Land Trust has been trying to speak with the County’s Finance Department about some of the properties that New York State is very interested in. She stated it is a parcel that adjoins the Wonder Lake State Park. She stated that Orange County has a relationship with the foreclosure issues in their County that the Public Land Trust and Private Land Trust are notified before they go to sale to see if there is any interest and it could be mutually beneficial for the Municipality, the County and the Land Trust.

Chairman Albano stated these properties are listed with local Relators, so they are available to anyone who may be interested in the property. He stated these properties are a substantial cost to the County. He stated considering these times he believes it to be important to move these properties, they are of no value to the County, other than through their sale, which will help to reimburse the money the County has paid.

Chairman Albano made a motion to Approve Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/ Town of Carmel, 113 Longdale Road Tax Map #65.10-1-32;
Seconded by Legislator Nacerino.

Legislator Jonke requested to speak. He stated that he believes there is a “time of the essence” with the MLS property items. He stated when it comes to real estate deals time is very important. He stated he is in support of moving on this and believes these agenda items to be essential.

Legislator Nacerino stated she echoes Legislator Jonke's comments. She stated First Deputy Attorney Negro provided a very complete and articulate answer to the questions presented this evening and provided a clear understanding of the rationale to consider these matters this evening.

Legislator Sullivan stated he agrees this is time sensitive and essential business of the County. He stated as mentioned with real estate transactions and things changing all the time the goal is to close the deals as soon as possible. He stated when we were referencing the questions of whether the business we are working on is time sensitive and essential, that memo was written two (2) weeks ago when the pandemic was very new. He stated at that point there needed to focus on what and how we would be moving forward. He stated now that we have a process in place and are settling into it, he believes discussions can be had that need to take place on behalf of the taxpayers and the County. He stated the Legislature needs to conduct business.

Legislator Nacerino stated that she agrees and believes the Legislature could be less stringent moving forward. She stated also all requests made are at the discretion of the Chairperson of the Committee.

Legislator Montgomery stated that her request to have Public Health on an agenda has been rejected since January.

Again, Chairman Albano made a motion to Approve Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/ Town of Carmel, 113 Longdale Road Tax Map #65.10-1-32; Seconded by Legislator Nacerino. All in favor.

Item #5 - Approval/ Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/Town of Carmel, 30 Shore Drive Tax Map #86.47-1-20/ First Deputy County Attorney Andrew Negro

*Legislator Gouldman made a motion to Table Agenda Item #5 - Town of Carmel, 30 Shore Drive Tax Map #86.47-1-20; Seconded by Legislator Nacerino. All in favor.

Item #6 - Approval/ Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/ Town of Southeast, 86 North Brewster Road Tax Map #56.28-1-43/ First Deputy County Attorney Andrew Negro

Chairman Albano made a motion to Approve Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/ Town of Southeast, 86 North Brewster Road Tax Map #56.28-1-43; Seconded by Legislator Nacerino. All in favor.

Item #7 - Approval/ Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/ Town of Putnam Valley, 7 Evergreen Road Tax Map #62.11-1-23/ First Deputy County Attorney Andrew Negro

Chairman Albano made a motion to Approve Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/ Town of Putnam Valley, 7 Evergreen Road Tax Map #62.11-1-23; Seconded by Legislator Nacerino. All in favor.

Item #8 - Approval/ Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/ Town of Patterson, 56 Fairfield Drive Tax Map #36.30-1-8/ First Deputy County Attorney Andrew Negro

Legislator Nacerino stated this property is located at the gateway of Putnam Lake, which is in her district. She stated the property has been neglected for many years. She stated she looks forward to the property being brought up to par.

Chairman Albano made a motion to Approve Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/ Town of Patterson, 56 Fairfield Drive Tax Map #36.30-1-8; Seconded by Legislator Nacerino. All in favor.

Item #9- Approval/ Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/ Town of Southeast, 55-61 Main Street Tax Map #67.34-2-51/ First Deputy County Attorney Andrew Negro

Chairman Albano made a motion to Approve Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/ Town of Southeast, 55-61 Main Street Tax Map #67.34-2-51; Seconded by Legislator Nacerino. All in favor.

Item #10 - Approval/ Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/ Town of Putnam Valley, 23 Point Drive South Tax Map #83.74-1-8/ First Deputy County Attorney Andrew Negro

Chairman Albano made a motion to Approve Sale of County Property Pursuant to Chapter 31 of the Putnam County Code/ Town of Putnam Valley, 23 Point Drive South Tax Map #83.74-1-8; Seconded by Gouldman. All in favor.

Item #11- Approval/ SEQRA Determination/ Bond - Bridges and Culvert Reconstruction – Mill Street Culvert Rehabilitation/ Commissioner, Planning, Development and Public Transportation Sandra Fusco

Chairman Albano requested that Deputy Commissioner of Highways and Facilities John Tully speak to this since Planning Commissioner Fusco is not on the call.

Legislator Gouldman questioned when will the project begin.

Deputy Commissioner Tully stated as soon as everything is ready they will begin and plan to have it completed in time to avoid any disruption with the opening of School in September 2020.

Legislator Gouldman questioned if the road will be closed during the construction.

Deputy Commissioner Tully stated currently they do not see a way of keeping the road open during construction. He stated that there have been detours identified, which he would be happy to discuss with Legislator Gouldman.

Legislator Montgomery questioned if the County has gone out to bid.

Deputy Commissioner Tully stated in this particular instance that is correct, the County is looking to secure the funds before going out to bid.

Legislator Montgomery questioned if there is a budget, the Legislature could receive a copy of.

Deputy Commissioner Tully stated he could supply a copy of the Engineer's estimate, which is less than the \$500,000, which is being requested to Bond. He stated generally the Engineer's estimates come in below the actual cost. He stated the bonded funds would only be used on this project. He stated if there is money left over, they will work with the Legislature to use the balance of the funds on another bridge or culvert project that would be eligible. He stated that would take a separate Legislative approval.

Legislator Montgomery questioned if this project meets the standards and guideline in the Governors Executive Order to be identified as "essential construction".

Deputy Commissioner Tully stated he sees this as being an essential project. He stated hopefully we will be out of the constraints of the Executive Order and facing this pandemic by the time the construction is ready to begin.

Chairman Albano made a motion to approve Approval/ SEQRA Determination/ Bond - Bridges and Culvert Reconstruction – Mill Street Culvert Rehabilitation; Seconded by Legislator Gouldman. All in favor.

Item #12 - Approval/ Bond – Bridges and Culvert Reconstruction/ Deputy Commissioner Highways and Facilities John Tully

Legislator Montgomery questioned why the County is bonding with the recent news that NYSAC reported last week that municipal bond bases rose from 6 to 11, almost doubling the debt the County would be taking on for this.

Finance Commissioner William Carlin stated Legislator Montgomery is correct at the beginning of last week the credit market actually froze. He stated since then it has settled down. He stated the County did the Article 9 Financing, which he submitted on this agenda for approval at a favorable rate of 2.799%. He stated if the rates jump the project will not get done. He stated the borrowing for the bridge/culvert project would not take place until early summer or fall. He stated depending on what happens in the credit markets will determine how the County will proceed. He stated this is an important project that needs to get done, that is why the bond is being brought forward now. He stated another reason it is on this agenda, is because he needs to know if the Legislative Board will support the project. He stated if the decision was not in favor of the project, then rather than waste resources there would be no need to get the project designed and bid out.

Legislator Montgomery stated she believes the Legislature should see the budget for the project before approving the Bond.

Deputy Commissioner Tully stated he will contact the Engineer and get a preliminary budget for the project, prior to the April Full Meeting of the Legislature.

Chairman Albano stated he agrees this is a critical project that needs to get done. He stated he believes the County needs to keep things moving and then make the final decisions in the future. He stated this type of work is necessary to keep the public safe.

Legislator Gouldman stated this bridge needs to get done.

Chairman Albano made a motion to approve Approval/ Bond – Bridges and Culvert Reconstruction; Seconded by Legislator Gouldman. All in favor.

Item #13 - Approval/ Putnam County Parking and Transfer Program and Intercity Bus/ Mass Transportation Joint Service Agreement to Operate the Croton Falls Commuter Shuttle/ Commissioner, Department of Planning, Development and Public Transportation Sandra Fusco

Legislator Montgomery requested if this is a current shuttle route.

Deputy Commissioner Tully stated he is not aware of the specific details of this request, but believes it is an existing route.

Legislator Sayegh stated this is a shuttle route funded by New York State Department of Transportation. She stated that it provides transportation from the Mahopac Temple Beth Shalom parking lot to the Croton Falls Train Station.

Commissioner Carlin stated the County, through this contract, maintains park and rides throughout the County. He stated this agreement helps them get the reimbursement.

Legislator Nacerino stated she believes this is an existing route.

Legislator Montgomery stated she had additional questions as related to the backup provided with this item.

Legislator Nacerino stated she agrees with Legislator Montgomery, there is a need for more clarification and confirmation. She would like the information before the April Full Meeting.

Chairman Albano stated he will make a motion to approve this item subject to the outstanding questions being answered prior to the April Full Meeting.

Legislator Montgomery stated that she believes this matter should be tabled.

Chairman Albano stated he is pretty sure this is not an issue, it is an existing program. He stated if there are any issues with the questions raised, it does not have to be put through at the April Full Meeting.

Legislator Nacerino stated she agrees with Chairman Albano. She stated if we are not satisfied with the information and answers presented, then the matter can be tabled at the Full Meeting.

Chairman Albano made a motion to approve/ Putnam County Parking and Transfer Program and Intercity Bus subject to the outstanding questions be answered prior to the April Full Meeting; Seconded by Legislator Gouldman. All in favor.

Item #14 - Approval/ 20CP03 – Water Systems/ Alexis Hawley, Assistant Supervisor of Planning & Design

Chairman Albano questioned if Deputy Commissioner Tully could speak to this item.

Deputy Commissioner Tully stated the description provided in the backup by Assistant Supervisor Alexis Hawley is accurate and a good accounting of the situation. He stated there are a few other sites throughout the County that they are looking into. He stated this requested funding would allow the County to move forward to get a design for a water treatment plan, that is currently be evaluated with the Department of Health.

Legislator Gouldman questioned how the petroleum got in the water.

Deputy Commissioner Tully stated they do not know the precise source of the pollutants, it is a small portion that is being treated, not to minimize it. He stated the water treatment was planned well before the County's awareness of the pollutants.

Legislator Gouldman questioned what will the \$135,000 pay for.

Deputy Commissioner Tully stated \$65,000- 70,000 will pay for the water treatment system. He stated the balance of the funding will pay for consultant fees and the drilling for a secondary well. He stated after the issues at the Putnam Valley Senior Center are resolved they will come back to the Legislature with a plan to use the designed system for other County facilities.

Legislator Montgomery stated she was not aware of this issue at the Putnam Valley Senior Center. She stated this location also serves as Putnam Valley's Emergency Shelter. She agrees this is time sensitive and essential and is very glad it is on this agenda.

Deputy Commissioner Tully stated there is nothing preventing this site from being opened as a Shelter, there is a backup water supply, in the form of a tanker truck that supplies water to the building.

Chairman Albano made a motion to Approval/ 20CP03 – Water Systems; Seconded by Legislators Gouldman and Nacerino. All in favor.

Item #15 - Other Business - None

Item #16 - Adjournment

There being no further business at 7:41PM Chairman Albano made a motion to adjourn; Seconded by Legislator Nacerino. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.