

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

Tuesday

6:00PM

December 17, 2019

The meeting was called to order at 6:00p.m. by Chairman Albano who requested that Legislator Gouldman lead in the Pledge of Allegiance. Upon roll call, Legislators Gouldman, Nacerino and Chairman Albano were present.

Chairman Albano stated Item #7 on the agenda would be addressed first due to many people being in attendance for that topic.

Item #7 - Discussion/ Weight Restriction – Peekskill Hollow Road/ Legislator William Gouldman

Legislator Gouldman thanked the audience for attending to be involved in the discussion about this very important issue in the community.

Highways and Facilities Commissioner Fred Pena stated every possible alternative is being examined. He stated he is open and available to work with the Town of Putnam Valley on alternatives and developing appropriate truck routes that would be safest for the community. He stated he understands that there are only two (2) major routes in Putnam Valley; Oscawana Lake Road and Peekskill Hollow Road. He stated it has to be a collaborative effort with the Putnam Valley Town Board.

Town of Putnam Valley Supervisor Sam Oliverio questioned if a truck route has to go through Putnam Valley. He stated Route 6 is only one (1) mile separated from Peekskill Hollow Road. He suggested directing the trucks to Route 6 so that Putnam Valley can preserve its rural nature. He stated he would work with the County on this. He stated Peekskill Hollow Road is not a major thoroughfare like Route 6. He stated it is one of the most rural and historic roads in the County. He stated Putnam Valley is not a business area with box stores. He stated this is why Peekskill Hollow Road was named a historic corridor and a weight limit was put in place. He stated he believes Route 6 is the best option because it leads right into Peekskill and the box stores.

First Deputy County Attorney Andrew Negro stated as far as truck routes are concerned, he believes Supervisor Oliverio's questions would be better suited to be answered by the Town Attorney. He stated the ability to enact truck routes is under the purview of the Town. He stated

Highway Commissioner Pena has the ability to enact temporary weight restrictions on County roads.

Supervisor Olivero stated he will confer with the Town Attorney and instruct him to put together an agreeable truck route that avoids the Peekskill Hollow Road corridor.

Chairman Albano stated it needs to be a collaborative effort by the Town, County, and neighboring towns, because when one (1) road is affected, it affects other roads.

Supervisor Oliverio stated the trucks have been using Route 6 since the weight restriction was put in place. He stated he, along with the residents of Putnam Valley, are only asking that the weight restriction remain in place.

Legislator Gouldman suggested forming a commission with all the stakeholders involved. He questioned Legislative Counsel Robert Firriolo if this can be done.

Legislative Counsel Firriolo stated the Legislature has the power to conduct studies or investigations, so it is certainly possible.

Chairman Albano stated he would be in favor of that.

Supervisor Oliverio suggested not repealing the weight limit until the Commission has presented its findings.

Legislator Gouldman questioned if Highway Commissioner Pena would be willing to keep the weight limit in place.

Highway Commissioner Pena stated that was the original purpose of the temporary weight restriction, to give time to allow for the development of a truck route. He stated the smaller roads within the Town need weight restrictions, while Peekskill Hollow Road and Oscawana Lake Road can be the thoroughfares.

Victor Tishop, Putnam Valley resident, stated Peekskill Hollow Road has a weight restriction under New York State law for through-truck traffic. He stated there is an exemption for local truck traffic. He stated the public demanded the weight restriction for public safety due to the design of Peekskill Hollow Road. He stated the road is narrow and has limited sight distance. He reiterated that restricting truck traffic is done under New York State law. He stated Route 9 and Route 6 are designated truck routes. He stated it is strange that anybody could think that Peekskill Hollow Road is a viable truck route, especially because there are two (2) others in the area. He stated it is not in the public interest and it is dangerous. He stated the County Law

Department did a detailed study in 2013 that shows conclusively that the County can place a weight restriction on Peekskill Hollow Road. He stated the County Highway Department opposed the weight restriction.

First Deputy County Attorney Negro stated it is clear that the County Highway Department has the jurisdiction to place a weight restriction on a County road. He stated the restriction was put in place while there were concerns with the structural integrity of the roadway.

Chairman Albano questioned if the restriction can be extended.

Highway Commissioner Pena stated it currently conflicts with the truck route that was created by the Town of Putnam Valley to avoid a situation that happened on Tinker Hill Road. He stated under the law Article 40 Section 1650, "...temporarily exclude from any portion of any County road any vehicle of gross weight of four (4) tons or more; when, in his opinion, such highway would be materially injured by the operation." He stated this law does not allow a weight restriction for safety, speeding, or other issues that the residents are concerned with. He stated he understands it and would like to work towards a solution to those concerns, it is not within the law to do it.

Supervisor Oliverio stated but it can be done for the condition of the road. He stated an 18 wheeler is the equivalent of 9,000 passenger cars going over the road. He stated that is a statistic that is provided by the State. He stated this will deteriorate the road. He stated this is why the curb of the road is already collapsing and the guardrails are bending. He stated every time a truck goes on the road it weakens the subsurface. He stated this is grounds for the Highway Department to protect the road.

Highway Commissioner Pena stated it is normal wear and tear.

Supervisor Oliverio stated it is not normal.

Highway Commissioner Pena stated this is something to discuss with the attorneys. He stated he does not believe normal use by these vehicles would fall under the definitions in the law.

Legislator Montgomery stated she wonders if there is support the County can receive from the State. She stated there could be another layer of protection due to the historic designation of the road. She questioned if the State recognizes that the road is designated as historic.

Supervisor Oliverio stated the resolution that designated Peekskill Hollow Road as historic was sent to the State.

Chairman Albano stated that is another aspect to investigate and see if that designation has any bearing on this weight restriction staying in place. He stated Legislator Gouldman has the right idea to have a Commission look at all the details.

Supervisor Oliverio stated prior to the weight restriction there were multiple times where he had to avoid a truck hitting him while he was driving. He stated he is now seeing fewer and fewer 18 wheelers on the road. He stated the weight restriction has helped.

Chairman Albano stated there have been similar comments made about other roads such as Fair Street. He stated it is not an easy fix.

Mr. Tishop stated in addition to what Highway Commissioner Pena cited in Article 40 of the law, there is also Section 4a which goes beyond temporary excluding trucks. He stated this has come up because Highway Commissioner Pena wants and is pushing for Peekskill Hollow Road to be a through-truck route.

Highway Commissioner Pena stated he only wants a logical solution that does not allow trucks to get lost on local roads, which creates more of a hazard, and results in the incident that occurred on Tinker Hill Road. He stated he speculates that that incident occurred because the truck was trying to avoid the weight restriction on Peekskill Hollow Road. He stated the weight restriction, which is illegal and poorly thought out, is going to continue to push truck traffic onto Town roads that are more dangerous than Peekskill Hollow Road. He stated a logical truck route has to be worked out.

Mr. Tishop noted that truckers are required to use commercial GPS system. He stated after the weight restriction was put in place, he contacted a major GPS company and they had no idea about the restriction. He stated there has not been any enforcement to make sure truckers are using the commercial GPS. He stated this is all due to the illegal action of one (1) trucker.

Peter Kirchner, Peekskill Hollow Road resident, stated Highway Commissioner Pena should not speculate. He disagreed with the suggestion the incident on Tinker Hill Road happened due to the residents trying to protect their community.

Highway Commissioner Pena stated he is only suggesting that you need to be careful when closing off a road, because the truck traffic must go somewhere.

Chairman Albano stated he hears all the concerns and they are serious. He stated the best thing we can do is to address it correctly by having all the stakeholders look into the best scenario moving forward.

Mr. Kirchner stated it should not be legal for trucks to use Peekskill Hollow Road.

Judy Allen, Putnam Valley resident and Board Member of Tompkins Corners Cultural Center, stated personal safety is not considered under the current law. She stated many people come to Tompkins Corners and there are a lot of children in the area. She stated the trucks and cars on Peekskill Hollow Road go too fast as it is. She stated if 18 wheelers are permitted on Peekskill Hollow Road, it could be disastrous.

Chairman Albano stated we hear your concerns.

Supervisor Oliverio stated he would like to be kept apprised if a commission is formed.

Chairman Albano stated he will because Supervisor Oliverio should be a part of it.

Legislator Nacerino stated she believes it is important to form this commission to find a suitable alternative route and divert the traffic in some way. She stated it is important to keep the safety and integrity of the community in mind. She stated keeping the integrity in place is important in the small towns of Putnam County.

Mr. Kirchner questioned if turning over Peekskill Hollow Road to Town control is possible.

Chairman Albano stated that is a possibility that can be addressed by the commission.

Chris Rosen, Putnam Valley resident, stated he lives in the area and there is not a lot of truck traffic in the area. He stated the truck involved in the accident on Tinker Hill Road had to pass many signs that noted the restriction.

Legislator Gouldman stated those signs went up after the incident.

Chairman Albano stated we will continue to look into this.

Item #3 - Approval/ Physical Services Meeting Minutes/ October 9, 2019

The minutes were approved as submitted.

Item #4 - Approval/ State Environmental Quality Review Act (SEQR) Determination – Energy Upgrades at Putnam County Facilities/ Commissioner, Department of Planning, Development and Public Transportation Sandra Fusco

Chairman Albano made a motion to move Approval/ State Environmental Quality Review Act (SEQR) Determination – Energy Upgrades at Putnam County Facilities to the Full Legislative meeting; Seconded by Legislator Nacerino. All in favor.

Item #5 - Approval/ Bond for Roof Replacement and/ or Rehabilitation Various County Facility Roofs/ Finance Commissioner William Carlin

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

Chairman Albano stated this is for roofs that are in desperate need of repair. He stated the amount is \$1,327,500.

Legislator Nacerino stated this is for two (2) roofs at the Donald B. Smith Campus and one (1) at the Kern Building.

Chairman Albano made a motion to move Approval/ Bond for Roof Replacement and/ or Rehabilitation Various County Facility Roofs to the Full Legislative Meeting; Seconded by Legislator Nacerino. All in favor.

Item #6 - Approval/ Budgetary Amendment (19A085)/ To Fund Article 9 Energy Efficiency Program/ Finance Commissioner William Carlin

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

Chairman Albano stated that Finance Commissioner Carlin submitted a copy of all of the projects throughout the that County that will fall under the Article 9 Efficiency Program.

Chairman Albano made a motion to move Budgetary Amendment 19A085 to the Audit & Administration Meeting; Seconded by Legislator Nacerino. All in favor.

Item #8 - Approval/ Snow and Ice Agreement/ Deputy Commissioner of Highways & Facilities John Tully

Chairman Albano stated this is a partnership where the County gets reimbursed by the State for snow removal the County handles on State roads.

Chairman Albano made a motion to move Approval/ Snow and Ice Agreement to the Full Legislative Meeting; Seconded by Legislator Nacerino. All in favor.

Item #9 - Approval/ Budgetary Amendment (19A083)/ State and Municipal Facilities Program (SAM) Grant/ Veterans Memorial Park ADA – Compliant Restrooms Project/ Finance Commissioner William Carlin

Chairman Albano made a motion to move Budgetary Amendment 19A083 to the Audit & Administration Meeting; Seconded by Legislator Nacerino. All in favor.

Item #10 - Approval/ Offer County Property for Sale Utilizing Real Estate Broker & MLS Pursuant to Chapter 31 of the Putnam County Code/ 34 Gleneida Avenue/ County Executive MaryEllen Odell

Chairman Albano stated this building is currently not serving a purpose. He stated he would still prefer to keep the building, but would go along with what his constituents want.

Legislator Nacerino stated she would like to table this matter due to there being some Legislators absent from this meeting. She stated she would like to hear all the Legislators' thoughts. She stated there has not been a comprehensive discussion about this.

Legislator Castellano stated he hates to see the building remain vacant. He stated this government is not growing so he does not believe the space is needed. He stated if it goes back to becoming private property it goes back on the tax rolls. He stated there are a lot of benefits of letting the property be sold and the County could always say no to the sale. He stated he thinks putting it on the market could be a great idea.

Legislator Sullivan stated as Legislator Castellano mentioned this is just to put it on the market to see if there is interest from potential buyers and the County would have to approve the sale. He stated the County should at least put it out there to gauge interest.

Legislator Nacerino stated she would support that because this property has been discussed in the past. She stated there has not been a CMA (Comparative Market Analysis) since April of 2018. She stated there should be a more up to date CMA for the Legislature to consider. She stated there is no harm in gauging interest. She stated she would support this overture.

First Deputy County Attorney Negro stated if the Legislature passes this resolution, this real estate broker who is assigned the property would have to do a new CMA. He stated then a new initial list price would have to be approved by the Legislature, based on the new CMA. He stated if there is a prospective buyer, the Legislature would also have to approve the sale.

Chairman Albano stated if it is sold, he would like to see some deed restrictions placed on the property to control what goes in there, because it is in the heart of the area.

Legislator Castellano stated he likes the option of removing the building to show off the new Courthouse behind it, but that is not the prudent thing to do.

Legislator Nacerino agreed to withdraw her motion to table this item.

Legislator Nacerino made a motion to move Approval/ Offer County Property for Sale Utilizing Real Estate Broker & MLS Pursuant to Chapter 31 of the Putnam County Code/ 34 Gleneida Avenue to the Full Legislative Meeting; Seconded by Legislator Gouldman. All in favor.

Item #11 - Approval/ Budgetary Amendment (19A068)/ NYMTC Unified Planning Work Program (UPWP)- Southeast Danbury Rail Link Feasibility/ Planning Study/ Commissioner of Planning, Development & Public Transportation Sandra Fusco (Stipend for Project Mgr Addressed at 12/11 Personnel Mtg.)

Chairman Albano stated this is a stipend because there is going to be a lot of work going into this. He stated this project has tremendous potential. He stated the Interstate 84 corridor is congested with traffic and extending the rail to Danbury could help alleviate it.

Legislator Castellano stated this is an incredible opportunity. He stated there is a train line in place, but the trains have not used it since 2007. He stated he knows there are some bridges that need to be replaced for this to work. He stated he would like to see a new monorail type system be put in place that takes people from Danbury to Putnam and then they could switch trains to go down to New York City, as opposed to using the larger trains. He stated it would be a shuttle for people going back and forth between Danbury and Brewster.

Legislator Gouldman stated that is an interesting suggestion and could bring more business to Brewster.

Legislator Castellano stated it would also benefit the people of Brewster who can more easily access Danbury. He stated it could be similar to a subway line.

Chairman Albano stated Metro North, NYMTC (New York Metropolitan Transportation Council), and the City of Danbury are all involved in this project. He stated the Putnam representative for this project can pass these thoughts along.

Legislator Gouldman questioned if there is another system in New York that does something similar.

Legislator Castellano stated not to his knowledge.

Legislator Nacerino stated it is a great concept for people who live in Putnam, but for those in Danbury it could be an inconvenience to take a shuttle train and then switch to another train.

Legislator Castellano stated he is suggesting that the cost be looked into for something like it.

Chairman Albano stated the bottom line is that there will be a feasibility/planning study and all of our suggestions should be passed along and considered.

Legislator Castellano stated many train commuters use the parking near Home Depot and if this is put in place, it could eliminate business that comes into Putnam from those commuters. He stated there needs to be a give and take with the benefits.

Legislator Nacerino stated she agrees but she wonders if it will be beneficial to the people of Danbury. She stated this is being looked at as a partnership.

Chairman Albano stated when he sees the amount of traffic on the Interstate 84 corridor, he thinks this could only help the situation.

Legislator Montgomery requested clarification on what is being approved.

Chairman Albano stated this is a stipend for the Putnam representative for the project.

Legislator Montgomery stated this is a great project. She questioned if there is a guideline for the expertise needed from the person who is the Project Manager for Putnam. She questioned if there is a job description for this position.

Chairman Albano stated that can all be looked into.

Chairman Albano made a motion to move Budgetary Amendment 19A068 to the Audit & Administration Meeting; Seconded by Legislator Nacerino. All in favor.

Item #12 - Approval/ Grant Application/ U. S. 2020 Census Complete Count Outreach Grant Program/ Commissioner of Planning, Development & Public Transportation Sandra Fusco

Legislator Gouldman questioned what this money is being used for.

Chairman Albano stated it is for reaching areas that historically have not responded well. He stated fliers will be posted for the census.

Legislator Gouldman questioned if we know which areas will be focused on.

Chairman Albano stated Town offices, Social Services, Health Department, Department of Motor Vehicles, and PART Buses.

Chairman Albano made a motion to move Approval/ Grant Application/ U. S. 2020 Census Complete Count Outreach Grant Program to the Full Legislative Meeting; Seconded by Legislator Nacerino. All in favor.

Item #13 - FYI/ Fund Transfer (19T409)/ For Feed Costs Thru Year End & Vet Services/Supplies Thru Year End/ Highways & Facilities Commissioner Fred Pena

Legislator Montgomery questioned if this was an unexpected expense that was not projected for.

Chairman Albano stated he believes it was a shortfall.

Legislator Montgomery questioned why there is no representative from the Highway Department to address any questions.

Chairman Albano stated it is not a large amount of money and is self-explanatory. He stated he knows that a small horse had some issues with its hooves.

Item #14 - FYI/ Fund Transfer (19T433)/ To Properly Allocate for Snow Blades/ Highways & Facilities Fiscal Manager Jeanette Saccavino – Duly Noted

Item #15 - FYI/ Fund Transfer (19T436)/ To Cover Heating Costs thru Y/E/ Highways & Facilities Fiscal Manager Jeanette Saccavino – Duly Noted

Item #16 - Other Business

Legislator Sullivan thanked the team from Ameresco for attending tonight and providing information on an exciting project. He stated it will help the County save money and be environmentally responsible. He stated the County has been waiting a long time for this project.

Chairman Albano agreed with Legislator Sullivan.

Legislator Montgomery questioned if Ameresco has been apprised of the County's Climate Smart initiative. She stated there is a Task Force, which she is on, but she has not been notified of any meetings. She stated the initiative was handed over to the County Executive and there has been no movement.

Chairman Albano stated the point of the project with Ameresco is energy efficiency and green energy. He stated if there is something that Climate Smart can help with, it will be explored.

Legislator Montgomery stated but there is no established program with Climate Smart in the County yet.

Legislator Sayegh stated the Climate Smart funds can still be applied for.

Purchasing Director Mazzotta stated there is no prohibition for receiving Climate Smart credit for this project.

Item # 17 – Adjournment

There being no further business at 7:03PM Chairman Albano made a motion to adjourn;
Seconded by Legislator Gouldman. All in favor.

Respectfully submitted by Administrative Assistant Ed Gordon.