

**PHYSICAL SERVICES COMMITTEE MEETING
40 Gleneida Avenue Room #318
Carmel, NY 10512**

Committee Members: Chairman Ellner, Legislators Castellano & Crowley

Tuesday November 12, 2024

(Immediately Followed the Special Full and Personnel Mtgs.)

The meeting was called to order at 7:08p.m. by Chairman Ellner who requested Legislator Castellano lead in the Pledge of Allegiance. Upon roll call, Legislator Castellano was present. Legislator Crowley was absent.

Item #3 - Acceptance/ Physical Services Meeting Minutes/ September 17, 2024

Chairman Ellner stated the minutes were accepted as submitted.

Item #4 - Approval/ Putnam County Leases with Not-for-Profit Organizations/ Director Compliance and Intergovernmental Relations Jennifer Caruso:

- a. Approval/Lease Agreement/ Cornell Cooperative Extension of Putnam County**
- b. Approval/Lease Agreement/ Putnam Community Action Partnership (CAP)/ WestCOP**
- c. Approval/Lease Agreement/ United For The Troops**

Legislator Montgomery stated she did not see a memorandum from the Chair of this Committee, Legislator Ellner, that went out requesting the sender of this agenda item or someone from the Administration to be present to speak to this.

Chairman Ellner stated that is because this is a matter that was sent to him as Chair of this Committee to be considered by the Physical Services Committee.

Legislator Jonke stated his agreement. He stated the Legislature was sent the October 18, 2024, memo and backup from Director of Compliance and Intergovernmental Relations Jennifer Caruso requesting the draft resolutions be considered.

Chairman Ellner welcomed Commissioner of Department of General Services (DGS) John Tully, who was present to address this matter on behalf of the Administration.

Commissioner DGS Tully stated the County Executive mentioned during his presentation of the 2025 Budget that there were no lease agreements in place for these three (3) County properties. He stated these draft leases have been sent to the Legislature for consideration.

Chairman Ellner stated in his review of the draft leases, he noticed there is not a cancellation clause in them. He stated he would like that included in each of the leases to serve as protection for the County. He stated as an example the County has 30 or 45 days to terminate the lease. He noted that each of the leases look to be for one (1) year.

Legislator Castellano stated that he agrees with that. He stated this is a lease drafted by the County Attorney but it is not clear that the individuals leasing the property have reviewed the lease and are in agreement with it.

Commissioner of DGS Tully stated he does not know for sure if the individuals have reviewed the lease.

Chairman Ellner stated he is under the impression a lot of this is recycling of the previous leases considering the previous amounts. He stated in concept he is fine with this. He stated but there are some refinements that are needed to these drafts.

Commissioner of DGS Tully questioned if the Legislature wanted a discussion before the December Full Meeting.

Legislator Nacerino questioned if a final copy will be sent to the Legislature.

Commissioner of DGS Tully stated these are what they are asking to be approved. He stated if the Legislature wants an amendment done, he can bring the request back to the Administration.

Chairman Ellner stated that he would like the cancellation clause added to each lease. He questioned if any other Legislators had suggested amendments.

Legislator Jonke stated he would like a quick discussion on the County property, 34 Gleneida Avenue. He stated the Legislature instructed the previous County Executive and the last instruction follows through to this Administration, that 34 Gleneida be sold. He stated tonight there is a proposed lease for said property. He questioned what are the plans.

Commissioner of DGS Tully stated they are continuing to try and sell 34 Gleneida. He stated the tenant is aware that the possibility of a sale exists.

Legislator Jonke questioned if there is a provision in that lease that if it is sold they will have to vacate.

Legislator Addonizio suggested that a Month-to-Month Lease be offered for 34 Gleneida.

Legislator Jonke questioned if 34 Gleneida is on the market currently.

Commissioner of DGS Tully stated he has notified the realtor and is finalizing the agreement with the realtor. He stated it will be the same real estate agent as the last time.

Legislator Jonke questioned if it will be the same asking price.

Commissioner of DGS Tully stated as far as he knows, it is all staying the same. He stated if there are updates to the asking price he will advise the Legislature for direction.

Legislator Jonke stated the last resolution was done in 2019.

Legislator Nacerino stated it will be offered as formerly offered, with no parking available.

Commissioner of DGS Tully stated that is his understanding.

Legislator Sayegh stated she would like to know why it was not on the market this whole time. She stated it was voted for and approved to be on the market.

Commissioner of DGS Tully stated that was a great question. He stated he will try to answer it. He stated they did not have a valid RFP for real estate services. He stated last year the laws changed with respect to how real estate transactions are supposed to happen with respect to a buyer's and seller's Agent.

Legislator Jonke stated it was a Federal Lawsuit that affected how real estate sales are conducted in the United States of America. He stated it went into effect as of August this year, 2024. He stated there was no reason for this property not to be on the market.

Commissioner of DGS Tully stated he cannot comment on that.

Legislator Jonke suggested the Real Estate Agency involved do an updated analysis on the asking price.

Chairman Ellner stated he had a discussion with Deputy County Executive months ago about this property. He stated that Deputy County Executive informed him being that the Title for the property was all settled, in their opinion, it was going back on the market, within 72 hours of said discussion. He stated because of that conversation he assumed this property had been on the market for months.

Legislator Addonizio stated the changes that occurred in laws related to Real Estate only affect how the commission is paid.

Legislator Jonke stated this is all new in the Real Estate Industry. He suggested that the new laws be reviewed because he does not believe they apply to commercial property.

Chairman Ellner stated the bottom line for him is that this property get listed as soon as possible.

Legislator Addonizio questioned when does this listing expire and would need to come back to the Legislature.

Legislator Jonke stated there is no termination stated.

Item #5 - Approval/ Putnam County Veterans Memorial Park Fee Reduction/ County Executive Kevin Byrne

Chairman Ellner stated DPW Commissioner Feighery and Deputy Commissioner Bellucci were present to speak to this agenda item. He stated the proposal from the County Executive is to give a 50 % reduction for all Putnam County employees and first responders who purchase an annual park permit for use of the Veterans Memorial Park.

Commissioner DPW Thomas Feighery stated this was presented at the 2025 Budget presentation by County Executive Byrne. He stated the hope is to get this approved at the December 2024 Full Meeting, so that the new rates could go into effect in 2025.

Legislator Jonke requested that the old schedule be provided so it is clear as to what the changes were.

Legislator Nacerino expressed her appreciation for the County Executive's initiative. She stated she believes it serves the public well.

Chairman Ellner stated his agreement that this is a great idea of the County Executive. He stated he hopes in addition to lowering the cost it will increase the use of this beautiful resource of Putnam County.

Legislator Addonizio questioned if this includes the Dog Park.

Commissioner DPW Feighery stated there is a fee for the Dog Park and it will be included on the list he will provide the Legislature tomorrow.

Chairman Ellner made a motion to approve Putnam County Veterans Memorial Park Fee Reduction; Seconded by Legislator Castellano. All in favor.

Item #6 - Approval/ Fund Transfer 24T372/ DPW- Properly Allocate and Cover Road Machinery Overtime through End of Year/ Commissioner DPW Thomas Feighery

Chairman Ellner made a motion to approve Fund Transfer 24T372/ DPW – Properly Allocate and Cover Road Machinery Overtime Through End of Year; Seconded by Legislator; Seconded by Legislator Castellano. All in favor.

Item #7 – Discussion/Approval/ Budgetary Amendment 24A102/ Planning Dept.– NYSEDA Clean Energy Communities Program Award/ Commissioner Department of Planning, Development & Public Transportation Barbara Barosa (Item Tabled from November 6, 2024 Full Mtg)

Chairman Ellner stated thanks to the diligent efforts of Commissioner Barosa the County has been awarded \$125,000 from the NYSEDA Clean Energy Communities Program Grant. He stated originally the plans were to use the funds for windows and better insulation in the

buildings at the Donald B. Smith Campus, which he was in support of, unfortunately NYSEERDA did not approve that. He stated NYSEERDA said the funds must be used towards electric vehicles or for solar panels. He stated the proposal is to use the funds for solar panels on the County's Planning Building.

Chairman Ellner made a motion to approve Budgetary Amendment 24A102/ Planning Dept.– NYSEERDA Clean Energy Communities Program Award; Seconded by Legislator; Seconded by Legislator Castellano. All in favor.

Item#8 - Approval/ Putnam County Legislature Intent to Act As Lead Agency Under SEQRA Re: Lease Approval and Monroe Balancing Test for a Wireless Communications Facility – Loc: County owned Property at 161-165 Hill Street, Mahopac/ Commissioner Department of Planning, Development & Public Transportation Barbara Barosa

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa stated this is a project to erect a Wireless Tower through the Homeland Tower Company. She stated they would build the Tower and the County would get the coverage for free. She stated the SEQRA (State Environmental Quality Review Act) provides for an Environmental Review on the project itself, including the lease and the Monroe Balancing Test, which would exempt the County from local zoning regulations.

Legislator Castellano questioned if a balloon test has been done.

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa stated that is part of what is included in this request.

Legislator Sayegh questioned if there have been any discussions with the residents in the neighborhood that are close by to the proposed site.

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa stated she is being brought in late in this process, she would need to check on that with the I/T Department.

Legislator Sayegh questioned if it will be visible to the neighborhood.

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa confirmed it would be, it would be 175 ft tower. She stated it would be a key location for 911 services.

Legislator Montgomery questioned if this Tower will allow co-locators.

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa stated it would.

Chairman Ellner stated it is his understanding no residents have been notified, and questioned if the Town of Carmel been notified.

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa stated this requested approval will authorize her to start notifying.

Chairman Ellner made a motion to Approve/ Putnam County Legislature Intent to Act As Lead Agency Under SEQRA Re: Lease Approval and Monroe Balancing Test for a Wireless Communications Facility – Loc: County owned Property at 161-165 Hill Street, Mahopac; Seconded by Legislator Castellano. All in Favor.

Item #9 - Approval/ Putnam County Legislature Intent to Act As Lead Agency Under SEQRA Re: Snake Hill Road Over Philipse Brook Culvert Replacement/ Commissioner Department of Planning, Development & Public Transportation Barbara Barosa

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa stated this is a DPW project of which the County received funding from Bridge NY Program. She stated this is a request to start the environmental review process, declare lead agency, and begin the process of circulating all of the documents.

Chairman Ellner made a motion to Approve Putnam County Legislature Intent to Act As Lead Agency Under SEQRA Re: Snake Hill Road Over Philipse Brook Culvert Replacement; Seconded by Legislator Castellano. All in favor.

Item #10 - Approval/ Putnam County Legislature Intent to Act As Lead Agency Under SEQRA Re: Peekskill Hollow Road Over Wiccopee Brook Culvert/ Commissioner Department of Planning, Development & Public Transportation Barbara Barosa

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa stated this is another Bridge NY funded project the DPW will work on. She stated it is in the Town of Putnam Valley. She stated this is a request to start the environmental review process, declare lead agency, and begin the process of circulating all of the documents.

Chairman Ellner made a motion to Approve Putnam County Legislature Intent to Act As Lead Agency Under SEQRA Re: Peekskill Hollow Road Over Wiccopee Brook Culvert; Seconded by Legislator Castellano. All in favor.

Item #11 - Approval/ Ratification of Application for State Fiscal Year 2024 Grant Funds Available through the NYS Department of Transportation's (NYSDOT) Public Transportation Modernization and Enhancement Program (MEP)/ Commissioner Department of Planning, Development & Public Transportation Barbara Barosa

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa stated MEP funding has been awarded to the County for six (6) years. She stated the County has to apply with an eligible project, similar to NYSERDA. She stated the project needs to be something with the transit system. She stated the County will be requesting funds to implement a cashless fare app.

Legislator Montgomery requested efforts to address a cashless system for the Trolley as well, it would be greatly appreciated. She stated that is a major complaint she hears about the Trolley.

Chairman Ellner made a motion to approve the Ratification of Application for State Fiscal Year 2024 Grant Funds Available through the NYS Department of Transportation's (NYSDOT) Public Transportation Modernization and Enhancement Program (MEP); Seconded by Legislator Castellano. All in favor.

Item #12 - Approval/ Budgetary Amendment 24A114/ Allocation of FFY2024 Section 5307/ 5340/ 5339 Danbury, CT-NY Small Urbanized Area Funds between Putnam County, Connecticut and Metropolitan Transportation Authority (MTA)/ Commissioner Department of Planning, Development & Public Transportation Barbara Barosa

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa stated Putnam County is part of two (2) metro areas; New York and a small area of Danbury. She stated Putnam receives some funding from each. She stated this is funding from the Danbury portion.

Chairman Ellner made a motion to approve Budgetary Amendment 24A114/ Allocation of FFY2024 Section 5307/ 5340/ 5339 Danbury, CT-NY Small Urbanized Area Funds between Putnam County, Connecticut and Metropolitan Transportation Authority (MTA); Seconded by Legislator Castellano. All in favor.

Item #13 - Discussion/Approval/ Memorialize Greene County's Resolution Concerning the Impacts of Efforts to Electrify Highway Department Vehicles By adoption of the Advanced Clean Truck Rule/ Legislator Toni Addonizio

Legislator Addonizio stated requiring the County Highway Department have Electric Vehicles (EV) could have a huge impact on Putnam County.

Commissioner DPW Feighery stated there is nothing set in stone currently. He stated he has heard the New York Governor has pushed the deadline date out a bit. He stated currently the Highway and DPW are against this. He stated there was going to be a requirement to purchase some sort of electric vehicle (EV) for the fleet. He stated the vast majority of the departments do not have the ability to even charge that kind of vehicle. He stated emergency vehicles and first responders, fire departments, would not have this same requirement. He stated the Highway Departments are getting together to see if, as first responders and essential departments in times of storms and like, for them to also be exempt from the requirement. He continued to speak to some more of the concerns. He stated in summary Putnam County is just not ready for this yet.

Chairman Ellner spoke to his concerns with the EV Trucks, such as where to store them, the amount of time it takes for them to get charged etc. He stated his agreement with Commissioner Feighery's opinion that Putnam County is not ready for these large EV at this time. He stated there are costs to be considered, insurance costs to be considered, and there are safety matters to be considered.

Legislator Nacerino stated she is very concerned about the safety as well as the EV, especially when discussion of EV school buses are becoming part of the discussion.

Commissioner DPW Tom Feighery stated his hope is that the Highway Departments will be classified as “essential” and therefore not be held to this requirement.

Legislator Montgomery stated she is listening to all of the reasons why Putnam County cannot do this, she sees this is an opportunity for bi-partisan legislating. She agreed that this roll out of the Clean Truck Tule is not perfect. She stated we need to communicate our concerns to State Officials. She stated she would like Putnam County to start putting the infrastructure in place so that we can move forward with the process of incorporating EV into the County fleets.

Chairman Ellner stated that he owns an EV and there are draw backs to them, which he spoke to. He stated this evening what is being discussed are big vehicles, and he supports Commissioner Feighery concerns.

Chairman Ellner facilitated further discussion on this matter.

Chairman Ellner made a motion to Approve Memorialize Greene County’s Resolution Concerning the Impacts of Efforts to Electrify Highway Department Vehicles By adoption of the Advanced Clean Truck Rule; Seconded by Legislator Castellano. All in favor.

Item #14 - Other Business

Chairman Ellner made a motion to Waive the Rules and Accept the Other Business; Seconded by Legislator Castellano. All in favor.

a. Approval/ District Attorney- Office Renovations/ Capital Project 24CP06

Chairman Ellner stated this request for funding, not to exceed \$20,000, is to make necessary renovations to accommodate a newly hired Attorney coming on board in the District Attorney’s Office. He stated a letter of necessity was sent with this request for its consideration as Other Business on this agenda.

Chairman Ellner made a motion to Approve District Attorney- Office Renovations/ Capital Project 24CP06; Seconded by Legislator Castellano. All in favor.

Item #15 - Adjournment

There being no further business at 7:56 P.M. Chairman Ellner made a motion to adjourn; Seconded by Legislator Crowley. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.