

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

Committee Members: Chairman Ellner, Legislators Crowley & Jonke

Tuesday **6:00PM** **June 10, 2025**

The meeting was called to order at 6:00p.m. by Chairman Ellner led in the Pledge of Allegiance. Upon roll call, Legislators Crowley, Jonke and Chairman Ellner were present.

Item #3 – Discussion/ Approvals: The Putnam County Early Learning Center/ Public Health Director Rian Rodriquez

Public Health Director Rian Rodriguez began with an opening statement, that the Putnam County Administration would like to move forward with the Putnam County Early Learning Center project which would provide necessary services locally to our differently able students and their families. He stated the Administration is requesting the Legislature's support. He stated they are prepared to address any pending questions or concerns.

Legislator Jonke began by stating he has asked this question before and it may have been in Executive Session, but he does not believe it needs to be addressed in Executive Session. He proceeded and questioned how the lease rates were arrived at. He questioned whether any appraisals were done to determine what the County would be paying.

Senior Deputy County Attorney Heather Abissi stated she believes this is a topic that needs to be discussed in the Executive Session because it deals with negotiations of the lease.

Legislator Jonke stated his question is not directed to the negotiation, he wanted to know how something was established. He stated he will change the question. He questioned how much would the County be paying in rent.

Senior Fiscal Manager Bill Orr stated that was provided in the back up he sent.

Chairman Ellner requested Senior Fiscal Manager Bill Orr break it down for the long-term Large Space Lease versus what has been termed the contingency lease.

Legislator Jonke stated there are two (2) potential leases, of which he requested a breakdown on the rent payments.

Senior Fiscal Manager Bill Orr stated year 1 through year 5 it will be \$15.00 per square foot on 12,028 square feet equaling \$15,035 per month/ \$180,420 per year. He stated the total build out cost is estimated at \$2,200,000.

Legislator Jonke stated he has conducted his own research since the last meeting, and those prices are far higher than the market rate for renting similar spaces. He stated the County is proposing to invest over \$2million over a five (5) year commitment.

Senior Fiscal Manager Bill Orr stated he has no knowledge of that market.

Chairman Ellner stated that there has increased from the \$1.5million that was first reported to the Legislature.

Senior Fiscal Manager Bill Orr stated the interest rate of 7.5% was added which is \$580,000 and that is what caused the difference. He continued to go over a few more financials from the backup.

Legislator Jonke questioned how long of a period is the \$580,000 spread over.

Senior Deputy County Attorney Heather Abissi stated when discussing the interest it will depend on some factors such as how much is paid upfront.

Legislator Jonke stated for the purpose of this review, please provide the information and answers as the plan is set currently, how long is the \$580,000 of interest spread over in the current plan.

Senior Deputy County Attorney Heather Abissi stated this is a ten (10) year buildout, and the County was exercising an option for five (5) years. She stated the County would be paying on the five (5) year portion only, with an option to continue. She stated the County would only be paying 65% of whatever amount is actually financed, which remains to be seen in regards to the amount the County pays upfront.

Chairman Ellner stated he wants this project to happen, plain and simple. He wants to get to the right place so it will be the best possible plan it can be. He stated originally it was discussed that there was nothing preventing the County from paying completely upfront. He stated the version that is in front of the Legislature for review and consideration limits that.

Senior Deputy County Attorney Heather Abissi stated there is nothing limiting that. She stated if the County were to pay everything upfront, the County avoids financing all together. She stated currently the County is only committing to five (5) years with an option to renew in five (5) years.

Chairman Ellner stated he saw wording in the lease that he interpreted would limit the County from paying upfront.

Senior Deputy County Attorney Heather Abissi stated if anything regarding the lease would be discussed it needs to be done in Executive Session.

Chairman Ellner stated he would like to give the members of the public an opportunity to ask their questions. He explained he tried to have a meeting with the Department Heads to get all the information, so an Executive Session would not be needed.

Legislator Jonke stated he too would like to ask as many questions, for the public to hear, as possible. He questioned if there was a reason why the County did not seek the advice of a real estate professional/consultant and an appraiser to determine what the market rate is. He stated he does not understand why the County would want to spend all this money for a five (5) year, commitment, a short term. He questioned if anyone could explain and speak to that.

Senior Deputy County Attorney Heather Abissi stated they are envisioning ten (10) years, but it would be determined based on what happens in New York State in regards to these programs. She stated these programs have a multitude of factors. She stated the State component needs to be considered. She stated if New York State were to decide they were going to defund programs of this nature, it would be important for the County to have a mechanism to get out of that. She stated this would provide that flexibility. She stated again everyone envisions it to be for the ten (10) years, but the Administration wants to make sure the County has the flexibility.

Legislator Jonke stated even ten (10) years is short term. He stated as he has stated publicly in other meetings he is in support of this because, he has been affected by having a child who had to travel long distance early in her life. He stated he is interested in getting this done. He continued the thought of only ten (10) years sounds like a short period of time.

Senior Deputy County Attorney Heather Abissi stated this kind of support is important and admirable. She stated it is unknown if the support of New York State will exist forever. She stated the County commits in chunks and periods of time to allow for flexibility to deal with things outside the County's control.

Legislator Jonke questioned clarification as to if New York State cuts their funding the County would walk away from this.

Senior Deputy County Attorney Heather Abissi stated no, but the County may need to envision a different set of negotiated standards to make sure the County would account for the new budget requirements that continuing the program might entail. She stated it would allow the Legislature to have the flexibility to accommodate things under any circumstances, even the things outside the County's control.

Legislator Jonke stated our job is to spend the Taxpayers' money as wisely as we can. He stated he looks at this as if it were his own business, and there is no way he would sign a lease like this. He stated it is excessive. He stated the County is proposing building something brand new that does not need to be built and spending money that should not be spent. He stated there have not been real estate consultants involved.

Legislator Crowley stated this matter has been on the agenda previously and it was agreed that all of the questions would be asked so we could make this dream for many families come to

fruition. She questioned why Legislator Jonke did not contact the law department to get answers to his questions.

Legislator Jonke stated that he is doing his job, and focusing on spending the taxpayers' money wisely. He stated for the record, this is a project that has been being worked on for over a year, and he just learned of it in April.

EI & Preschool Program Supervisor Valerie Kurtz stated she did consult with Kathleen Abels the President of the Economic Development Corporation and she connected her with Angela Briante, owner of Briante Real Estate. She stated Dr. Nesheiwat was with her when they toured all of the locations and they continue to feel this is the best place.

Legislator Jonke stated he is no longer talking about the other places anymore, he is addressing this proposed location and what was sent to this Committee and Legislature for consideration. He stated the buildout, the cost, and the length of time it will take to get the children into the facility all come into his consideration, it is the Legislature's job, to spend the money of the Taxpayers wisely.

Senior Fiscal Manager Bill Orr stated both programs plus the five year and ten year are all costs absorbed, there would actually be a savings to the County. He stated there are a lot of moving parts and the financials listed in the backup may not end up to be exact, but the building costs will be absorbed.

Legislator Crowley stated if we do go with the full ten (10) years it is going to save the County approximately \$1million.

Senior Fiscal Manager Bill Orr stated a little less.

Legislator Crowley stated and the savings would grow if the County stayed longer. She stated this would be a flagship, and stated the cost saving in transportation and the reimbursement from the School Districts that the County will receive will permit the County to recoup the funding rather than give it back to another location.

Chairman Ellner stated if there were no buildout costs, would there be an increase in savings.

Senior Fiscal Manager Bill Orr stated that is correct.

Chairman Ellner requested confirmation that what is being reported is that there will be a savings in comparison to what the County currently pays for this program.

Senior Fiscal Manager Bill Orr stated that is correct.

Chairman Ellner stated if there was not the buildout cost in the equation the County would be saving an additional approximate \$2.2million. He stated that additional savings could be invested in this program. He continued to speak to the backup.

Legislator Montgomery stated for the purpose of comparison in 2018, prior to her being a Legislator, this Legislature approved a 6,000 square foot space at a cost of \$11,000/per month, last she checked. She stated she is referring to the Senior Center space in Cold Spring. She requested if Commissioner of DGS John Tully could state what the rent currently is for said Senior Center.

Commissioner of DGS John Tully stated he did not have that information with him. He explained that was one of the comparable locations he did look at, and this project showed to be on par to that.

Legislator Jonke stated what Legislator Montgomery just referenced equals \$22.00/per square foot.

Commissioner of DGS John Tully stated the proposed project is at \$15.00/per square foot.

Legislator Jonke stated with the buildout the proposed project is \$38.00/per square foot.

Commissioner of DGS John Tully stated the \$11,000/per month referenced is not the only number. He stated to make a fair comparison there was also a significant investment by the County to the Senior Center project in Cold Spring. He stated if you were to amortize over the term of the lease we are on par with the proposed project.

Legislator Jonke stated he was not a member of the Legislature at that time. He stated however as he understands it the Legislature at the time had many months of review and discussion regarding that project.

Legislator Montgomery stated her point was to bring up a comparison which she believes was similar. She stated she believes the focus currently with this proposed project is on the dollar being spent. She stated she respects and appreciates Senior Fiscal Manager Orr for doing the calculations that lay out the cost savings that will be resulted. She stated like the Senior Center in Cold Spring, this is another critical service that Putnam County is in desperate need of. She stated she advocates for this. She stated that we need to plan. She stated the partnerships that will come along with this proposal in her opinion are valuable and a strong reason for her support.

Senior Deputy County Attorney Heather Abissi cautioned again, that any details of this project would have to be discussed in Executive Session.

Legislator Montgomery concluded by stating we would be investing in the children, not in brick and mortar and the County would be saving money based on what is currently spent in the existing model that does not serve anyone, especially the children who have to sit on the buses for hours. She stated the costs that she sees are the 3- and 4-year-olds who have to ride on the buses, and that is the cost she is most concerned about. She stated every month of delay is a missed opportunity for a child who could be thriving. She stated slower is not smarter here. She stated the Administration has spent months reviewing, touring and presenting this initiative. She stated every relevant agency has weighed in and the County Executive has made his team

available to the Legislature. She stated maybe a meeting cannot be convened, but any Legislator can call any Department Head who is an expert in this project and get the answers they need. She stated the families and the children are counting on us to act.

Chairman Ellner stated he would like to see this project move forward without being wasteful. He stated the “large space” may take 3 – 4 months to build out that space. He questioned when is it planned that space will be occupied.

Public Health Director Rian Rodriguez stated it depends when it is complete, he stated having a contingency place is important.

Chairman Ellner questioned if it is his goal to have students in there by January 2026 or September 2026.

Public Health Director Rian Rodriguez stated January 2026.

Chairman Ellner stated this will be taxpayer money paying for this work. He stated he wants to say this for the record, he wants to make sure that all of the workers on this job are legal tax paying workers. He stated he wants to have E-Verify and I-9 forms in place for all of the workers on this job. He questioned what is the extra fee that he sees proposed by the landlord.

Senior Deputy County Attorney Heather Abissi stated that is a specific item in the lease term, which would require an Executive Session to discuss it.

Chairman Ellner questioned Public Health Director Rodriguez as to his hope for when the leases should get approved.

Public Health Director Rian Rodriguez stated the hope is that it would be approved during the meetings process. He stated they need to complete the paperwork and submit it to the State of New York. He stated that requires that they have leases so they can seek insurance. He stated they are aiming to have the contingency location up for September.

Senior Deputy County Attorney Heather Abissi stated the leases are contingent upon each other, so both need to be executed. She stated that was explained at the previous meeting.

Legislator Jonke questioned Senior Deputy County Attorney Heather Abissi asking if the leases are in their final form.

Senior Deputy County Attorney Heather Abissi stated yes they are, they just need to be dated and signed.

Legislator Jonke stated he is uncomfortable with the wording in the second “RESOLVED” of the proposed Resolution, he read from it: “the County Attorney is authorized to take whatever legal action is necessary to effectuate the lease agreements for the Premises for the purposes of establishing the Putnam County Early Learning Center: A Think Differently Initiative in the manner approved herein; and be it further”. He requested an interpretation of that.

Senior Deputy County Attorney Heather Abissi stated it means if there is any legal actions that needs to be taken in order to ensure a provision that need to be addressed in the resolution that will be done.

Legislator Jonke questioned Senior Deputy County Attorney Heather Abissi as to if said wording provides that if a lawsuit needs to be filed this would allow that to be done.

Senior Deputy County Attorney Heather Abissi stated yes, if it is to effectuate the directive.

Legislator Jonke stated he has a problem with that language. He stated it is the same language that caused trouble with another property.

Legislator Sayegh went over the back up again and presented some questions. She questioned if the County will be paying for the cleaning, maintenance, smartboards etc.

Senior Fiscal Manager Bill Orr stated that is correct.

Legislator Sayegh stated after all of these additional costs, maybe it will not result in a savings.

EI & Preschool Program Supervisor Valerie Kurtz stated it still will be a savings. She stated that currently each child cost is \$50,000 compared to this proposed initiative which would cost \$22,000. She stated, plus, all of the children will no longer have to be transported to Westchester.

Legislator Sayegh stated all with the initiative pre-k will be accepted. She questioned who would pay for the pre-k students.

EI & Preschool Program Supervisor Valerie Kurtz stated the School Districts pay for them 100%. She stated the County needs to pay for the CPSE (Committee on Pre-School Special Education). She stated the County pays 100% and then does get some reimbursement for the CPSE children and that will continue in this initiative.

Joseph Baldanza, Putnam County Enforcement Officer, for Consumer Affairs requested that the contractors who do work for the County be registered and licensed by Putnam County. He stated as an Enforcement Officer he has noticed there have been some projects where unlicensed and unregistered people were working on the jobs.

Chairman Ellner stated for clarification that the County would not be hiring the workers it would be the Landlord doing the hiring. He expressed his support for workers on the job be properly vetted.

Legislator Montgomery questioned if Enforcement Officer Joseph Baldanza is saying that he has found on County projects unlicensed workers.

Joseph Baldanza, Putnam County Enforcement Officer, for Consumer Affairs stated that is correct. He stated it happened in the past, and has been addressed. He just wanted to mention it so moving forward it does not happen.

Commissioner DGS John Tully stated he is very surprised to hear that because the County has project labor agreements, prevailing wages. He stated he is not aware of any County project, paid for with County funds where there were illegal contractors on the job. He stated Enforcement Officer Baldanza stated it occurred in the past. He suggested he may want to correct himself and then questioned when in the past.

Joseph Baldanza, Putnam County Enforcement Officer, for Consumer Affairs stated within the past 5 – 10 years.

Chairman Ellner stated he wanted to return to the agenda item. He requested confirmation that there is no way to separate the two (2) leases.

Senior Deputy County Attorney Heather Abissi stated they have to be approved together. She explaining in order to commit to a lease in a contract you would not commit to a contingency space if there is not going to be a future space. She stated you cannot sign a contingency lease if there is no contingency factor.

6:45p.m. Chairman Ellner made a motion to go into Executive Session to discuss details of the Leases; Seconded by Legislator Jonke. All in favor.

7:29p.m. Chairman Ellner made a motion to come out of Executive Session; Seconded by Legislator Crowley. All in favor.

Chairman Ellner stated no action was taken in Executive Session.

Item #3b. - Approval/ Enter into Lease Agreements by the and between the County of Putnam and the Community Based Services, Inc. as and for Short-Term and Long-Term Leases of the Premises herein denoted as 40 Jon Barrett Road, Patterson, New York for the Purpose of Utilizing Such Premises for the Provision of Universal Pre-Kindergarten Services to Eligible Residents Children

Legislator Jonke stated his amendment to the proposed Resolution, agenda **Item #3b.**

Legislator Jonke made a motion to Approve/ Amending Resolution, agenda **Item #3b.** the 2nd “Resolved” to read: “the County Attorney is authorized with Legislative Approval to take whatever legal action is necessary etc.”

Roll Call Vote:

Legislator Crowley – Aye

Legislator Jonke – Aye

Chairman Ellner – Aye

Motion to Amend Carries.

Chairman Ellner made a motion to Approve as Amended proposed Resolution, agenda **Item #3b.**; Seconded by Legislator Jonke. All in favor.

Item #3a. – Approval/ Early Learning Center: A ThinkDIFFERENTLY Initiative, Located in Patterson, NY/ Public Health Director Rian Rodriquez

Chairman Ellner made a motion to Approve agenda **Item #3a**; Seconded by Legislator Crowley. All in Favor.

- **Interim Lease for the Putnam County Early Learning Center with Community Based Services, Inc.**

Chairman Ellner stated he will be voting next on the Interim Lease. He consulted with Senior Deputy County Attorney Heather Abissi about including the wording requiring compliance with E-Verify and the use of the I-9 form in both the Interim Lease for the Putnam County Early Learning Center with Community Based Services, Inc. and the Lease for the Putnam County Early Learning Center with Community Based Services, Inc.

Senior Deputy County Attorney Heather Abissi directed him to make a motion to Amend each lease and she would make sure the editing is made to each lease with the approved amendment.

Chairman Ellner made a motion to Approve As Amended the Interim Lease for the Putnam County Early Learning Center with Community Based Services, Inc. to include language requiring that the Contractors working on this project comply with E-Verify and the I-9 Form; Seconded by Legislator Jonke. All in favor.

- **Lease for the Putnam County Early Learning Center with Community Based Services, Inc.**

Chairman Ellner made a motion to Approve As Amended the Lease for the Putnam County Early Learning Center with Community Based Services, Inc. to include language requiring that the Contractors working on this project comply with E-Verify and the I-9 Form; Seconded by Legislator Jonke.

Roll Call Vote:

Legislator Crowley – Aye

Legislator Jonke – Aye

Chairman Ellner – Aye

Motion to Amend Carries.

Item #18 - Adjournment

There being no further business at 8:27 P.M. Chairman Ellner made a motion to adjourn;
Seconded by Legislator Crowley. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.