

PHYSICAL SERVICES COMMITTEE MEETING
40 Gleneida Avenue Room #318
CARMEL, NEW YORK 10512
(Chairman Albano, Legislators Castellano & Gouldman)

Wednesday

September 22, 2021

(Health, Social, Educational & Environmental Comm Mtg Immediately Followed)

The meeting was called to order at 6:17p.m. by Chairman Albano who requested Legislator Gouldman to lead in the Pledge of Allegiance. Upon roll call, Legislator Gouldman and Chairman Albano were present. Legislator Castellano arrived at 6:20p.m.

Item #3 - Approval/ Physical Services Meeting Minutes/ August 25, 2021

Chairman Albano stated the minutes were accepted as submitted.

Item #4 - Discussion/ Town of Kent – South Lake County Conservation Area- Request a Memorandum of Understanding/ County Executive MaryEllen Odell

Chairman Albano explained the County Superintendent of Parks Chris Ruthven is present to speak to this matter.

Superintendent of Parks Chris Ruthven stated the community that we are discussing has three (3) separate lakes. He stated the County owns two (2) of the lakes, acquired through tax foreclosure. He stated there is a collective group in the community that is interested in improving the water quality and the recreational ability of these lakes. He stated Stephan Beffre, Chair of the South Lake Association, has put together a proposal to establish the Lake Association (Association), and has gotten all of the necessary insurance and requirements in place. He stated their attorney is a local attorney, Frank Smith. He stated the County currently carries out the required Department of Environmental Conservation (DEC) inspections. He stated other than that, the County does not have the time or resources to do more than that.

Stephan Beffre, Chair of the South Lake Association, stated he is a wildlife biologist with the U.S. Department of Agriculture and a citizen of Kent. He stated he owns a home in the South Lake Community. He is present to request a Memorandum of Understanding (MOU) with the County, that would allow of the Association to manage certain aspects of the lake. He stated South Lake is an approximately 40 acre lake owned by Putnam County. He stated the residents would like to be able to make some improvements to South Lake, through this MOU agreement with the County. He explained he started the work and conversations with his neighbors approximately one (1) year ago. He stated Superintendent of Parks Chris Ruthven has been very helpful in this process. He has been in communication with Town of Kent Supervisor Maureen Fleming and the Town of Kent Lakes Consultant Bruce Farber. He stated they have all provided good communication to move this forward. He continued to speak to the support of the residents

of the community. He stated if the Legislature supports this, they are ready to establish themselves as a not-for-profit. He continued to speak to the plans they have to complete the work that is required. He spoke to the goals they would like to accomplish if the MOU is approved. He stated they are not asking for complete control of the lake. He explained it would be a volunteer effort and would like it to be in partnership with the County.

Superintendent of Parks Chris Ruthven stated Mr. Beffre approached him last year when the County was working with the Hudson Highlands Land Trust, Inc. in reference to the Granite Mountain Agreement (Reso #60 of 2021). He stated he believed this is a similar scenario. He stated if the Legislature gives its blessing, the Association will continue to move forward and start working on the finer details with the County Law Department.

Chairman Albano questioned if the DEP is involved with these three (3) lakes.

Superintendent of Parks Chris Ruthven stated the DEP owns the third lake, the County owns the first two (2).

Chairman Albano stated it sounds like a good concept. He stated he looks forward to hearing back from the County Attorney after they have had an opportunity to review it.

Legislator Gouldman stated it sounds like a great proposal. He stated for the residents wanting to take ownership over the area where they live, he thinks it is great.

Legislator Castellano stated he is in support of this proposed agreement. He stated he too looks forward to hearing back from the County Attorney after she has had time to review this matter.

Legislator Sayegh stated she finds this proposal very interesting. She explained she has a community in her district who may be interested in doing the same thing. She questioned if this has been done in the past. She questioned if this does get approved, would this set a precedent.

Superintendent of Parks Chris Ruthven stated this is the first time he is aware the homeowners have approached the County requesting to take over some of the duties to maintain the lake. He explained he believes this to be very similar to the agreement that the County recently approved with the Hudson Highland Land Trust, Inc. in relation to the County Conservation property on Granite Mountain in Putnam Valley (Reso #60 of 2021) as stated earlier.

Legislator Montgomery stated that she is in full support of this. She stated anything that can be done to protect our lakes in Putnam County is something she is completely in favor of. She requested clarification of the ownership of the three (3) lakes.

Superintendent of Parks Chris Ruthven stated there are three (3) lakes. He stated the DEP owns the third lake and the two (2) lakes are completely owned by Putnam County, with the exception of the front dam, that is owned by the Town of Kent, their road goes over the top of it. He explained the second dam, between lakes 1 & 2, that is owned by Putnam County and the third dam has the property line down the center of it. He stated these are small dams and are not high hazard dams. He stated the Town of Kent's dam is the larger of the three (3) and he believes the Town may be in the process of looking into having it maintained.

Legislator Montgomery explained dam repair and taking care of the County's lakes, she is in full support of. She expressed her appreciation to the members of the Association and Superintendent Ruthven for working on this. She questioned if the Association or County would carry the liability in terms of people using the lake.

Chairman Albano stated this is preliminary and conceptual at this phase. He stated once the County Attorney has researched and reviewed this proposal she will provide the details to the Legislature prior to our consideration of this agreement.

County Attorney Bumgarner spoke broadly to the agreement and what the Association needs to get done before the County can consider this agreement.

Stephan Beffre, Chair of the South Lake Association, stated they wanted some assurance that the County was interested in the proposal and would support moving forward with an agreement.

Item #5 - Approval/ Lease Putnam County Veterans' Residence Room #3/ County Attorney Bumgarner

Chairman Albano stated this is a lease for a new tenant of the Putnam County Veteran's Residence. He stated the start date is different than the other leases that were just approved at the September Full Meeting, Reso #170. He stated the end date will be the same as the other leases, July 31, 2022.

Chairman Albano made a motion to Approve Lease Renewal Putnam County Veterans Residence Room #3; Seconded by Legislator Gouldman. All in favor.

Item #6 - Approval/ Budgetary Amendment (21A073)/ Adjust the Capital Budget to Complete the Maybrook Bikeway II Phase "A" Project/ Commissioner of Planning, Development & Public Transportation Sandra Fusco

Chairman Albano stated Commissioner Fusco is present to speak to this matter.

Commissioner of Planning, Development & Public Transportation Sandra Fusco stated this is a project to do repairs to a bridge that crosses over Route 22 in Brewster, there is a crack in the abutment. He stated the funding will cover the design and construction. She stated this project will involve FTA Formula Funds, State Funds and County Funds: 80% Federal funds, 10% State funds and 10% County funds.

Legislator Castellano requested clarification, if this is the bridge that Metro North owns.

Commissioner of Planning, Development & Public Transportation Sandra Fusco stated that is correct. She explained it is a dual bridge, on one side it is railroad tracks on the other side it is the bike path. She stated in order for the work on the bike path to progress the crack in the abutment must be repaired.

Chairman Albano made a motion to Approve Budgetary Amendment (21A073)/ Adjust the Capital Budget to Complete the Maybrook Bikeway II Phase “A” Project; Seconded by Legislator Castellano. All in favor.

Item #7 - Approval/ Budgetary Amendment (21A083)/ Amend the Capital Budget to Fund the Purchase of Four (4) PART Transit Buses – Utilizing Federal CARES Act Funds/ Commissioner of Planning, Development & Public Transportation Sandra Fusco

Commissioner of Planning, Development & Public Transportation Sandra Fusco explained Putnam County was fortunate enough to receive approximately \$2.9 million in CARES Act Funds to be used on transit related projects. He stated this request is to utilize \$350,000 of the CARES Act funds. She stated there is no County match required. She stated there is a specific formula which determines when a bus must be replaced.

Legislator Montgomery stated the same amount, \$350,000, was approved in the 2022 Capital Project Buses, for the purchase of Early Intervention Buses and Pre- School Buses. She questioned if this is the same thing.

Commissioner of Planning, Development & Public Transportation Sandra Fusco stated the School Buses cannot be purchased with Federal CARES Act Funds. She provided further details on that matter.

Legislator Montgomery expressed her appreciation to Commissioner Fusco for her explanation of the funding sources, and clarifying that although the amounts are the same, \$350,000, the purchase of buses in the 2022 Capital Project budget is not related to the request in front of this committee tonight.

Cold Spring Trustee Kathleen Foley questioned about the Paratransit fixed routes. She has two (2) constituents requesting Paratransit Service. She provided the details of the constituent who lives in the Village of Cold Spring and relies on the use of a wheelchair. She stated because the constituent does not live within the required parameters of the fixed route she cannot get service. She stated after contacting Commissioner Fusco's department the constituent was offered the option of being lifted onto a County Senior Center Bus, because there are no lifts on those buses. The Constituent did not feel comfortable with that option. She stated as the County replaces the buses, in addition to focusing on the need for energy efficient buses, which is of course very important, she would like a solution to providing services to those residents who do not live within the area of the Routes.

Commissioner of Planning, Development & Public Transportation Sandra Fusco stated there are options available. She spoke to the different options.

Cold Spring Trustee Kathleen Foley stated she would like the Cold Spring side of the County to be considered when the master planning is being worked on for the Paratransit routes.

Legislator Addonizio explained she had a constituent in a similar situation. She shared that the individual can call the Officer of Senior Resources and schedule an appointment, 10 to 12 days in advance. She stated they will send a handicap accessible bus.

Cold Spring Trustee Kathleen Foley stated her constituent has a scooter and was told it would not fit on the bus, and as stated earlier, is not comfortable with option to be lifted on the bus. She stated she does not agree that a County Employee should lift a person onto a bus, in terms of liability.

Legislator Jonke stated he does not see so much as a geographical issue as much as an issue with the County buses. He stated he would like clarification that the County in fact does not have Office of Senior Resources (OSR) Buses with lifts for wheelchairs and/or scooters. He stated he would like to contact Director of OSR Mike Cunningham and get clarification on the ability of the County's fleet of buses to meet the needs of all seniors.

Chairman Albano made a motion to Approve Budgetary Amendment (21A083)/ Amend the Capital Budget to Fund the Purchase of Four (4) PART Transit Buses – Utilizing Federal CARES Act Funds; Seconded by Legislator Castellano. All in favor.

Item #8 - Approval/ Disadvantaged Business Enterprise (DBE) Program Plan in Conformance with and as Required by The U.S. Department of Transportation (USDOT) 49 CFG Part 26/ Commissioner of Planning, Development & Public Transportation Sandra Fusco

Commissioner of Planning, Development & Public Transportation Sandra Fusco explained because the County receives Federal Funding, the County is required to have certain plans and programs in place. She stated this is one of the plans, Disadvantaged Business Enterprise (DBE) Program Plan. She stated this plan was created by the County.

Chairman Albano made a motion to Approve/ Disadvantaged Business Enterprise (DBE) Program Plan in Conformance with and as Required by The U.S. Department of Transportation (USDOT) 49 CFG Part 26; Seconded by Legislator Gouldman. All in favor.

Item #9 - Approval/ Application/ Multi-Modal Project Grant through the Offices of Assemblyman Kevin Byrne and Administered through the New York State Department of Transportation for Access to the Empire State Trailway at Route 311 in the Town of Patterson and Route 312 in the Town of Southeast/ Commissioner of Planning, Development & Public Transportation Sandra Fusco

Commissioner of Planning, Development & Public Transportation Sandra Fusco explained Assemblyman Byrne has secured this funding that can be used for access points to the Empire State Trailway.

Chairman Albano facilitated further discussion.

Chairman Albano made a motion to Approve the Multi-Modal Project Grant through the Offices of Assemblyman Kevin Byrne and Administered through the New York State Department of Transportation for Access to the Empire State Trailway at Route 311 in the Town of Patterson and Route 312 in the Town of Southeast; Seconded by Legislator Castellano. All in favor.

Item #10 - Approval/ SEQRA/ Intent to Serve as Lead Agency/ Empire State Trail Access/ Towns of Southeast and Patterson/ Commissioner of Planning, Development & Public Transportation Sandra Fusco

Commissioner of Planning, Development & Public Transportation Sandra Fusco explained this is related to the above project (Item #9). She stated this is to designate the Legislature to serve as the Lead Agency.

Chairman Albano made a motion to Approve / SEQRA/ Intent to Serve as Lead Agency/ Empire State Trail Access/ Towns of Southeast and Patterson; Seconded by Legislator Gouldman. All in favor.

Item #11 - Approval/ SEQRA/ Negative Declaration Sprout Brook Road Bridge Replacement/ Commissioner of Planning, Development & Public Transportation Sandra Fusco

Commissioner of Planning, Development & Public Transportation Sandra Fusco explained the process was followed, after the Legislature was declared the Lead Agency. She stated the last resolution was circulated and no objections were received.

Chairman Albano made a motion to approve/ SEQRA/ Negative Declaration Sprout Brook Road Bridge Replacement; Seconded by Legislator Castellano. All in favor.

Item #12 - Approval/ SEQRA/ Negative Declaration/ Drewville Road Bridge Replacement/ Commissioner of Planning, Development & Public Transportation Sandra Fusco

Chairman Albano made a motion to approve SEQRA/ Negative Declaration/ Drewville Road Bridge Replacement; Seconded by Legislator Gouldman. All in favor.

Item #13 - Approval/ Amend Capital Project (19CP08)- Demolition of the “Blue House”/ Assistant Supervisor of Planning & Design Alexis Hawley

Chairman Albano made a motion to approve Amend Capital Project (19CP08)- Demolition of the “Blue House”; Seconded by Legislator Castellano. All in favor.

Item #14 - Approval/ Capital Project – Storm Debris (21CP04)/ Deputy Commissioner Highways & Facilities John Tully

Chairman Albano made a motion to approve Capital Project – Storm Debris (21CP04); Seconded by Legislator Gouldman. All in favor.

Item #15 - Other Business

Chairman Albano made a motion to waive the Rules and Accept the Other Business; Seconded by Legislator Gouldman. All in favor.

a. Approval/ Fund Transfer (12T226)/ To Pay for COVID Cleaning of Buses/ Commissioner of Planning, Development & Public Transportation Sandra Fusco

Legislator Castellano questioned if there is federal funding that is available, since this work is directly related to COVID.

Commissioner of Planning, Development & Public Transportation Sandra Fusco stated it is going to be paid for with CARES Act funding, which is Federal funding, and there is no match required. She stated the buses are fumigated and deep cleaned daily, in accordance with the COVID cleaning standards.

Legislator Castellano stated that the fund transfer reflects funds being transferred from the Leased Transportation to the Automotive Budget Line, so the money will be reimbursed.

Commissioner of Planning, Development & Public Transportation Sandra Fusco confirmed that is correct.

Chairman Albano made a motion to approve Fund Transfer (12T226)/ To Pay for COVID Cleaning of Buses; Seconded by Legislator Castellano. All in favor.

b. Approval/ Lease Putnam County Veterans' Residence Room #8/ County Attorney Bumgarner

Chairman Albano stated this is a lease that will begin on October 1, 2021, and will expire along with the other Veterans' Residence leases on July 31, 2022.

Chairman Albano made a motion to approve Putnam County Veterans' Lease Residence Room #8; Seconded by Legislator Castellano. All in favor.

Item #15 - Adjournment

There being no further business at 7:01 PM Chairman Albano made a motion to adjourn; Seconded by Legislator Castellano. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.