

**PHYSICAL SERVICES COMMITTEE  
HELD IN ROOM #318  
PUTNAM COUNTY OFFICE BUILDING  
CARMEL, NEW YORK 10512**

**Members: Chairman Ellner and Legislators Crowley & Jonke**

**Tuesday December 9, 2025**  
**(Immediately following the Personnel & Protective Mtgs. beginning at 6:00pm)**

The meeting was called to order at 6:16pm by Chairman Ellner who requested Legislator Jonke lead in the Pledge of Allegiance. Upon roll call Legislators Crowley and Jonke and Chairman Ellner were present.

**Item #3 – Chairman’s Report**

Chairman Ellner stated he requested representatives from the Administration attend this evening to discuss the sale of County property, however none were available. He stated it has come to his attention that offers are being made and the Legislature is not being notified of those offers. He stated according to a memorandum from County Attorney Compton Spain to the Legislature which outlined the proper process, offers are to be sent to the Physical Services Committee, Legislative Counsel, Legislative Clerk, and County Executive after review by the County Attorney’s Office. He stated he would like to make sure that the Legislature receives all offers moving forward and will be sending a memorandum requesting so.

**Item #4 – Approval – Budgetary Amendment 25A120 – Planning – Fund Account for Section 5307 Program Funds**

Commissioner of Planning, Development, and Public Transportation Barbara Barosa stated this is a detailed transfer. She stated the funding is approved as a placeholder to then be adjusted once negotiations with NYMTC (New York Metropolitan Transportation Council) are complete, which this budgetary amendment accomplishes. She stated the funding is being moved from the placeholder accounts to the project account.

Chairman Ellner made a motion to pre-file the necessary resolution; Seconded by Legislator Crowley. All in favor.

**Item #5 – Approval – Budgetary Amendment 25A122 – Finance – Consolidate & Adjust UPWP Accounts to Reflect Actual Allocations**

Commissioner Barosa stated the UPWP (Unified Planning Work Program) is established by NYMTC and reimburses the County for work done on NYMTC’s behalf. She stated discretionary projects are also able to be done. She stated this is rectifying the account to actuals.

Legislator Sayegh questioned if the unused funds can be recycled somehow.

Commissioner Barosa stated a request could be made to roll over unused funds.

Chairman Ellner made a motion to pre-file the necessary resolution; Seconded by Legislator Jonke. All in favor.

**Item #6 – Approval – Fund Transfer 25T454 – Dept. of Public Works – Replace Trusses on Animal Shelter Building – Tilly Foster Farm**

Chairman Ellner made a motion to pre-file the necessary resolution; Seconded by Legislator Crowley. All in favor.

**Item #7 – Approval – Authorizing Lease Agreement – Special Victim’s Unit Facility – 20 Fair Street, Carmel**

Sheriff Brian Hess stated this is a great program and this space allows victims of domestic violence or abuse to be interviewed in a more comfortable and compassionate environment rather than a police facility.

Chairman Ellner requested clarification as to why the amount is redacted in the resolution.

Senior Deputy County Attorney Heather Abissi stated the contract has not yet been signed.

Legislator Jonke stated he was opposed to selling this property years ago because it is on the campus of County facilities. He stated shortly after selling the property, the Sheriff’s Office rented the space back. He stated similarly, a use could be found for 34 Gleneida Avenue which is also on the campus.

Legislator Crowley stated she is in favor of this however she is taken aback that it is on the agenda the way it is. She stated she does not believe the address should be public information because of its use. She stated it is her hope that we can be more discreet about these things in the future.

Legislative Clerk Diane Trabulsy stated the office questioned if the address should be listed and found it can be. She stated it was also listed on resolution #110 of 2022 therefore that precedent was followed here.

Legislator Jonke questioned who negotiates the amounts.

Senior Deputy County Attorney Abissi stated contracts are negotiated by the Executive branch and she would assume they are done in conjunction with the respective department.

Legislator Jonke stated the escalation is way too high for this lease.

Chairman Ellner made a motion to pre-file the necessary resolution; Seconded by Legislator Crowley. All in favor.

**Item #8 – FYI – Fund Transfer 25T446 – Dept. of Public Works – Cover Automotive Supplies Expenses through Year End – Duly Noted**

**Item #9 – FYI – Fund Transfer 25T447 – Dept. of Public Works – Cover Automotive Repair & Towing through Year End – Duly Noted**

**Item #10a. – Other Business – Discussion – Approval – Agriculture District Inclusion Criteria**

Chairman Ellner made a motion to waive the rules and accept the other business; Seconded by Legislator Jonke. All in favor.

Chairman Ellner stated this is a draft resolution pertaining to inclusion criteria to the Agriculture District (Ag District). He stated members of the Agricultural and Farmland Protection Board (Ag Board) have contacted him about their input and they have outlined concern with the list contained in the second Resolved clause, specifically #7 “Whether the parcel is within or adjacent to a Critical Environmental Area or a sensitive natural resource” and #9 “Whether farm operations follow agricultural Best Management Practices as defined in Agriculture & Markets Law §150(4).”

Senior Deputy County Attorney Abissi stated both #7 and #9 are statutory requirements and are not subject to change. She stated in 1988 the Great Swamp was designated as a Critical Environmental Area, which makes this apply directly to Putnam County.

Legislator Sayegh questioned how a Critical Environmental Area is defined and if that definition could be cited in our resolution.

Senior Deputy County Attorney Abissi stated it is defined in the law and yes, the resolution can be revised to cite that definition.

Commissioner Barosa stated New York State Department of Environmental Conservation identifies and designates Critical Environmental Areas and they have a map showing those areas.

Senior Deputy County Attorney Abissi stated she would be happy to add any additional areas to the resolution.

Legislator Crowley stated she wanted to make sure what is written in #10 under the second Resolved clause was correct. She stated it speaks the status of the farm at the time of inspection and if a violation is issued after inspection it should not disqualify the farm from inclusion. She stated if a property has a violation at inspection and they fix it, the law states the property cannot become retroactively compliant.

Senior Deputy County Attorney Abissi stated New York State has taken the position that Putnam County has the right to govern their own Ag District. She stated while they will provide opinions and guidance when asked, they recognize Putnam County is unique in its small size so they do not want the County to be unduly restrictive either. She stated that being said, the applicant is responsible for clearing any violations before applying. She stated it is up to the County to accept an applicant who has issued a violation during inspection and then corrected the issue.

Legislator Crowley stated that was her concern, she would not want to create a retaliatory situation.

Senior Deputy County Attorney Abissi stated these were structured as factors and left within the discretion of the Ag Board to determine these factors and what relative weight to give them. She stated these are not criteria; they are factors. She stated if the Legislature wanted to require that the applicants are free of violations, that can be added.

Legislator Crowley stated #11 says “Whether notice has been provided to adjacent landowners of the applicant’s intention to seek inclusion of the specified parcel in the Ag District.” She questioned if this is required.

Senior Deputy County Attorney Abissi stated it is in the County’s best interest for notice to be provided to adjacent landowners because there is an easement of their property of 500 feet. She stated that is being satisfied through the public notice issued by the County.

Legislator Crowley questioned why it is included if not required.

Senior Deputy County Attorney Abissi stated these are phrased in the “whether” because they are factors; not requirements.

Legislator Crowley suggested making these items part of the application and having the applicant check “yes” or “no” to each.

Senior Deputy County Attorney Abissi stated there would be no basis to include it on the form without being passed via the resolution. She stated this resolution provides the Ag Board with the Legislature’s intentions and what they would like to see.

Legislator Montgomery stated the word “adjacent” is difficult because properties that may not be adjacent to another may still be affected.

Senior Deputy County Attorney Abissi stated those property owners would have an opportunity to speak at the public hearing.

Legislator Montgomery stated she believes towns have another layer of Critical Environmental Area or Sensitive Natural Resource that would affect this as well.

Senior Deputy County Attorney Abissi stated she will work with Commissioner Barosa to gather that information which can be attached to the resolution as “Schedule A”.

Legislator Montgomery requested clarification about the County’s ability to identify factors to guide the Ag District reviews; she believes Counties cannot create new thresholds.

Senior Deputy County Attorney Abissi stated this is one of the few areas of law where the County is allowed to pre-empt New York State law. She stated in Putnam, we have chosen to largely be guided by New York State law, which is a more conservative approach. She stated that is why this was structured as factors rather than requirements.

Legislator Montgomery stated she would like to do more research. She stated our job is to protect viable farmland and prevent unreasonable restrictions on agriculture and to never again find ourselves in court defending actions that were never within our authority in the first place. She stated she is in favor of this resolution and hopes it will move forward this evening.

Legislator Crowley stated regarding the third to last Resolved clause, she suggested clarifying that denial for inclusion was decided by the Ag Board.

Cassandra Roth, member of the Agricultural and Farmland Protection Board stated her appreciation for Senior Deputy County Attorney Abissi’s assistance. She stated other counties do not have a resolution outlining their guidelines. She stated the Ag Board was created as a resource for farmers to be able to mediate and come to a reasonable resolution for neighbors in concert with agricultural practices. She stated she is comfortable with the resolution, although it is long.

Brett Yarris, resident of Carmel, stated this resolution puts the responsibility onto the Ag Board where it belongs. He stated the Ag Board is a volunteer advisory board, which provides advice to the Legislature in their decision-making process. He stated this resolution provides the Ag Board with the criteria that everyone is comfortable with.

Legislator Montgomery thanked Commissioner Barosa, Cassandra Roth, Brett Yarris, and Senior Deputy County Attorney Abissi for their work on this.

Legislator Crowley thanked everyone involved in this process.

Chairman Ellner made a motion to pre-file the necessary resolution; Seconded by Legislator Crowley. All in favor.

### **Item #11 – Adjournment**

There being no further business at 7:09pm, Legislator Crowley made a motion to adjourn; Seconded by Legislator Jonke. All in favor.

Respectfully submitted by Deputy Clerk Beth Robinson.