

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

Committee Members: Chairman Ellner, Legislators Castellano & Crowley

Tuesday

September 17, 2024

The meeting was called to order at 6:30p.m. by Chairman Ellner who requested Legislator Crowley lead in the Pledge of Allegiance. Upon roll call, Legislators Castellano, Crowley, and Chairman Ellner were present.

Item #3 – Acceptance/ Physical Services Meeting Minutes/ July 23 and August 20, 2024

Chairman Ellner stated the minutes were accepted as submitted.

Chairman Ellner made a motion to go out of order and address Agenda Item #16 first; Seconded by Legislator Castellano. All in favor.

Item #16 - Approval/ Grant Application/ State and Municipal Facilities Grant Program/ Putnam County Veterans Museum Quonset Hut/ Commissioner Department of Planning, Development & Public Transportation Barbara Barosa

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa stated the County has been notified that the County is eligible to receive \$50,000 from Assemblyman Matt Slater. She stated this funding would be put towards the purchase of a Quonset Hut for the Putnam County Veterans Museum at the Putnam County Veterans Memorial Park.

Legislator Castellano requested a brief description of what a Quonset Hut is.

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa stated it is a military style building that will be used as the County's military museum.

Director of Veterans Affairs Karl Rhode stated where the military museum is currently is being repurposed, so this will replace that. He stated this funding will pay for the Quonset Hut. The stated additional funds will be needed to prepare the inside. He stated the new location of where the Quonset Hut would be is more visible which will be a positive in terms of attracting folks. He stated they have some fantastic artifacts.

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa stated it will be a four (4) seasons structure.

Legislator Jonke questioned Director Rhode if he had a projection of how much it would cost to prepare the inside of the Quonset Hut.

DPW Commissioner Thomas Feighery spoke to what the \$50,000 will cover and he said they will be able to open to the public with the \$50,000.

Legislator Montgomery commented that this matter came up at the Capital Project Meeting. She stated she is in support of housing the artifacts. She stated it will take additional funding and she believes it deserves to be curated and maintained and staffed at some point.

Chairman Ellner made a motion to Approve Grant Application/ State and Municipal Facilities Grant Program/ Putnam County Veterans Museum Quonset Hut; Seconded by Legislator Castellano. All in favor.

Item #4 - Discussion/ Putnam County Agriculture District Inclusion Criteria (Reso #139-2007)

Chairman Ellner requested if any Legislators would like to start the discussion.

Legislator Crowley questioned if the County is about to amend our current resolution to change the soil qualifications when dealing with farm animals and equine as it would relate to the change that the State made in 2011 regarding equine.

Interim Director of Soil & Water Neal Tomann stated in 2021, there were two (2) applications denied, one (1) due to the soil requirement even though it was an equine operation. He stated there have been many decisions made on the 50% soil requirement rule. He stated he pointed this out at the start of this process. He stated there are a lot of decisions that have been made on the 50% rule and he found at least one (1) that did involve an equestrian operation. He stated that he has discussed the need for something to be done with both Commissioner Barosa and Commissioner Feighery. He stated for the record in his research he has not found any case where it was stated, “well they don’t have the 50%, but that’s ok”. He stated he has only seen it brought up as a reason that an application was denied. He stated when the Putnam County Agricultural Board sends their paperwork to the State of New York, they check to see that the application has been passed by the County and they look for the SEQRA Review. He stated that seems to be the criteria that the State is concerned with.

Legislator Crowley questioned if it would be helpful to require the SEQRA at the beginning of the process rather than wait till the end of the process.

Interim Director of Soil & Water Neal Tomann stated yes that would be helpful, and there is actually more action that could be built into the early part of the process that would be helpful. He continued to speak to his opinion on the subject of the SEQRA.

Chairman Ellner facilitated further discussion amongst the Legislators.

Chairman Jonke stated that he has discussed this matter with members from his district's Town Board. He reported that three (3) of the members of the Southeast Town Board support abolishing the Agricultural District all together. He stated then if there is a resident who wants to start a farm in the Town of Southeast, they would approach the Town of Southeast and work with the Planning Board and work within Zoning regulations that are already in place at the Town level. He stated moving forward if it is decided to make changes to the requirements, he would like the notification of property owners within 500 feet, to be added to the requirements. He stated everyone within 500 feet should be made aware of what is taking place in their neighborhood and have a right to have input in it. He expressed his appreciation to Interim Director of Soil & Water Neal Tomann and the members of the Agricultural Board for the work they have been doing.

Chairman Ellner stated as he has reviewed and worked on this looking through the history with Director Tomann, it is clear that the intent of the State has always been to protect the existing farms from unreasonable local laws.

Interim Director of Soil & Water Neal Tomann stated there are several sticking points that need to be addressed related to the soil requirement, the SEQRA requirement, and to be in the Agricultural District you are required to be a commercial operation. He stated every applicant was in a residentially zoned parcel. He stated that is something that needs to be worked out with the local Planning and Zoning Boards. He does not believe it would be wise for the County to begin spot zoning.

Legislator Montgomery stated she believes we should commission an Agricultural Farmland Protection Review. She stated the last one done was in 2004. She recommended everyone read that. She stated there may be grant funding available that could assist in this.

Legislator Castellano stated his opinion is he totally believes in home rule, local Zoning, and local Planning. He stated he was on his Town's Zoning Board for eight (8) years. He stated he does not believe the current system in place is fair to the Towns. He stated he supports Legislator Jonke's statement regarding a requirement to notify the neighbors just as they require in a zoning board application.

Attorney George Calcagnini, representing the owners of Ridge Ranch, located in Patterson, New York, stated what is being discussed is a County resolution, which can be amended at any time. He stated the problem is the Soil Test being a disqualifying event. He stated the solution is to amend the resolution.

Interim Director of Soil & Water Neal Tomann stated the County's resolution is a derivative of State Law. He stated the State Law "requires predominantly prime or agriculturally viable soils". He stated the County cannot just change that.

Owner of Ridge Ranch Dr. Daniel Honovich expressed his disagreement to that interpretation of the New York State Law. He stated the alternative for he and his family of going through all of this is selling his 114-acre property to developers, who have already approached him. He stated if he cannot be a farm that is his alternative, as is the case with the other farms. He stated he and his family have worked very hard to build what they have. He continued to report the different discussions he has had with different agencies.

Chairman Ellner questioned what is the unreasonable restriction of the Town that Ridge Ranch needs to be exempt from.

Attorney George Calcagnini, representing the owners of Ridge Ranch, stated the concept that a Farm is governed by a local Building Inspector. He stated a Farm is not a residence. He stated Farm needs to have greater freedom from the normal residence to operate.

Legislator Jonke stated in the County resolution that follows the State Law it states the, "...the following factors shall be considered..." the sixth bullet states, "Each parcel must contain at least 50% of Prime Farmland and/or Statewide important soils which are in the NYS Agriculture & Markest agricultural land soil groups 1-6". He questioned Dr. Daniel Honovich as to how long his farm has existed.

Owner of Ridge Ranch Dr. Daniel Honovich responded three (3) years.

Legislator Jonke stated with all due respect to his right to farm, his neighbors have their right to the quiet enjoyment of their properties as well. He stated no one is telling Dr. Daniel Honovich that they cannot farm. He stated they can continue to farm but need to work within the boundaries of the Town's Planning and Zoning codes.

Attorney George Calcagnini, representing the owners of Ridge Ranch, stated this is contrary to the policy of the State to encourage farms. He stated if you eliminate all of your farms, people will get hungry sooner or later.

Legislator Jonke stated they are not eliminating farms.

Chairman Ellner stated New York State is the 3rd largest Agricultural State. He stated the intent of the State's requirements are to protect "farmland" not necessarily protect farms. He stated

Ridge Ranch is land in a residential neighborhood, and now trying to convert it to a commercial enterprise in a residential neighborhood.

Owner of Ridge Ranch Dr. Daniel Honovich stated the history of the Ridge Ranch property reflects that it was a pig farm. He stated at this stage he is being told he cannot farm it, while it has been untaxed farmland for its entire existence in this County.

Chairman Ellner facilitated further discussion. He returned to his question regarding what is the Town preventing the Farm Owner from doing.

Owner of Ridge Ranch Dr. Daniel Honovich stated when he first purchased the property he contacted the Town and asked what he needed to do to have a farm, and he was directed, and all was going well. He stated that he got shipping containers, which he said he did mention to the Town, and they said it would be fine. He stated the shipping containers are used for storage. He stated he got a violation over shipping containers which he had talked to the town about. He stated that is the kind of thing. He stated he believes he was getting bullied by his Town.

Attorney George Calcagnini, representing the owners of Ridge Ranch, stated shipping containers are often used on farms as a reliable affordable tool for storage.

Owner of Ridge Ranch Dr. Daniel Honovich stated getting into the Ag District is about giving the small guy a chance to exercise their right to farm.

Attorney George Calcagnini, representing the owners of Ridge Ranch, stated that is one example, but his client does not have the ability to predict the future, what is the next shoe that will drop. He stated where if he was in the Agricultural District he would be protected under State statutes.

Legislator Montgomery stated that she hopes this resolution can be revised in time for next year. She stated that she hopes Dr. Honovich will apply again next year, and he comes to a compromise with the Town. She stated there was another farm that spoke about wanting to get more Roosters, but their Town restricts it. She stated personally she would not like to live with a bunch of roosters in her back yard. She stated there does have to be a compromise. She stated hopefully the Resolution can be revised and Dr. Honovich can work with his Town to find a happy medium before that.

Chairman Ellner requested Dr. Honovich speak to the farming he does on Ridge Ranch.

Owner of Ridge Ranch Dr. Daniel Honovich stated they do livestock. He stated they have different breeds of cows, goats and donkeys. He stated their livestock sale of their Highland breed cows is their main income.

Chairman Ellner stated for clarification that these are breeding stock, they are not raised for beef.

Owner of Ridge Ranch Dr. Daniel Honovich stated he also discussed with the Town Supervisor that they were planning to have tours on the farm, which would he believed would be a positive to the Town as well, in terms of tourism in the County.

Chairman Ellner facilitated further discussion.

Interim Director of Soil & Water Neal Tomann stated when discussing this it is very easy to get into the weeds. He explained that he approaches this based on the requirements set by the State, which he listed. He stated once a property is in the Agricultural District it does limit what the Town and the neighbors can do. He stated there is a very important matter which we have not even begun to talk about, proximity to a wetland. He stated there are environmental concerns, farms are not pollution free. He continued to speak to this matter and his concerns.

Legislator Addonizio questioned how close the closest neighbor is.

Owner of Ridge Ranch Dr. Daniel Honovich stated one house is connected to his family's driveway. He stated after them, it is about 600- 700 feet to the next neighbor. He stated when he first moved in, he hired a company to assist in creating a better habitat for wildlife. He stated he hates when he hears people discrediting for polluting the land. He stated he is a veterinarian, and he loves animals. He stated again his alternative is to sell his property to developers.

Chairman Ellner pointed out the point of the need for proper management of manure for the 50 – 80 animals that are on the property at a time, per Dr. Honovich. He then facilitated further discussion.

Legislator Sayegh stated she is in favor of farming and believes we need more farmland. She stated the task here is to reconcile this resolution.

Legislator Crowley stated by farming and having the animals on the property that will change the soil rating. She questioned how long that would take.

Owner of Ridge Ranch Dr. Daniel Honovich stated he sees signs such a green plush grass growing where he pastured his cows last year. He spoke to part of the obstacle with the soil tests, is that the maps that are used are not up to date.

Interim Director of Soil & Water Neal Tomann stated he has told the applicants there are other agencies where you can go to get a soil test. He stated as an example the NRCS (National

Resources Conservation Service) which is a federal program. He stated that he also suggested that people consider lot line adjustments. He stated it is his opinion that the best tool for an applicant is to do a site plan to demonstrate and show what their plan is for the property.

Chairman Ellner facilitated additional discussion. He thanked Dr. Honovich for his input.

Legislator Montgomery questioned what will be done from here. She stated the next time it is on the agenda she would like someone from the New York State Department of Agriculture and Markets to be invited.

Interim Director of Soil & Water Neal Tomann stated the Putnam County Agricultural Board will be meeting and addressing this matter. He explained they took the month of August off but will reconvene in September. He stated that these are not new conversations. He stated these items discussed have been being discussed for a very long time.

Item #5 - Approval/ Budgetary Amendment 24A080/ Guardrail Damage Compensation/ Insurance Recoveries/ Two (2) Separate Accidents which Resulted in Guardrail Damage on County Roads/ Risk Manager Mat Bruno

Chairman Ellner recognized the successful efforts of Risk Manager Bruno with these insurance recoveries.

Chairman Ellner made a motion to Approve Budgetary Amendment 24A080/ Guardrail Damage Compensation/ Insurance Recoveries; Seconded by Legislator Crowley. All in favor.

Item #6 - Approval/ Budgetary Amendment 24A085/ Soil and Water Conservation District Trust Funds to Purchase a Piece of Equipment to Assist Town of Putnam Valley Repair Lake Peekskill Culvert System/ Putnam County Soil and Water Conversation District Manager Neal Tomann

Chairman Ellner stated there is zero fiscal impact to the 2024 and 2025 budgets.

Chairman Ellner made a motion to Approve Budgetary Amendment 24A085/ Soil and Water Conservation District Trust Funds to Purchase a Piece of Equipment to Assist Town of Putnam Valley Repair Lake Peekskill Culvert System; Seconded by Legislator Crowley. All in favor.

Item #7 - Approval/ Budgetary Amendment 24A087/ Amend Parks and Recreation Water Sewer Charges to Allow Department of Public Works (DPW) to Proceed with Upgrades and Cover Additional General Costs for Remainder of the Year/ Deputy Commissioner Department of Public Works Joseph Bellucci

DPW Deputy Commissioner Bellucci stated this request is for funding to address the standard upgrades to the water treatment plant at the Putnam County Golf Course.

Chairman Ellner made a motion to Approve Budgetary Amendment 24A087/ Amend Parks and Recreation Water Sewer Charges to Allow Department of Public Works (DPW) to Proceed with Upgrades and Cover Additional General Costs for Remainder of the Year; Seconded by Legislator Castellano. All in favor.

Item #8 – Approval/ Fund Transfer 24T280/ Putnam County Soil and Water District Funds from NYS Department of Agriculture and Markets/ To Be used for Community Conservation Projects/ Putnam County Soil and Water Conversation District Manager Neal Tomann

Putnam County Soil and Water Conversation District Manager Neal Tomann stated this funding will be put towards the purchase of the equipment and work referenced in agenda item #6 (see above).

Chairman Ellner made a motion to Approve Fund Transfer 24T280/ Putnam County Soil and Water District Funds from NYS Department of Agriculture and Markets/ To Be used for Community Conservation Projects; Seconded by Legislator Crowley. All in favor.

Item #9 - Approval/ Amend 19CP06/ DPW/ Use of Capital Facility Reserve -Architectural /Engineering Services/ Commissioner Department of Public Works Thomas Feighery

DPW Commissioner Thomas Feighery stated the following agenda requests are related to CPs (Capital Project) and the requests are to put additional funding, as specified in each request, to the different projects. He stated these projects are ones that come up quickly and the work can be done in house.

Legislator Jonke questioned who is the Architect that is used for these projects.

DPW Commissioner Thomas Feighery stated there are approximately 20 Architectural firms that they work with. He stated the firms are qualified for different projects. He offered the example of the front of the Courthouse, there are probably three (3) qualified firms that would be canvassed.

Chairman Ellner made a motion to Approve Amend 19CP06/ DPW/ Use of Capital Facility Reserve -Architectural /Engineering Services; Seconded by Legislator Castellano. All in favor.

Item #10 - Approval/ Amend 19CP09/ DPW/ Use of Capital Facility Reserve – Roof Repair and Replacement Program/ Commissioner Department of Public Works Thomas Feighery

Chairman Ellner questioned would any of the requested additional funding be used on Schweiger Hall Building Roof at Camp Herrlich.

DPW Commissioner Thomas Feighery stated no. He stated this request is for funding that will be specifically used on repairs of County Buildings.

Chairman Ellner made a motion to Approve Amend 19CP09/ DPW/ Use of Capital Facility Reserve – Roof Repair and Replacement Program; Seconded by Legislator Crowley. All in favor.

Item #11 - Approval/ Amend 20CP01/ DPW/ Use of Capital Facility Reserve – Access Control Throughout County Facilities/ Commissioner Department of Public Works Thomas Feighery

DPW Commissioner Thomas Feighery stated the vast majority of the County Buildings have swipe access. He stated the requested funding will be used for the maintenance and even put towards video imaging.

Chairman Ellner made a motion to Approve Amend 20CP01/ DPW/ Use of Capital Facility Reserve – Access Control Throughout County Facilities; Seconded by Legislator Castellano. All in favor.

Item #12 - Approval/ Amend 20CP04/ DPW/ Use of Capital Facility Reserve – Sidewalk and Stair Safety Repair Throughout County Facilities/ Commissioner Department of Public Works Thomas Feighery

Chairman Ellner made a motion to Approve Amend 20CP04/ DPW/ Use of Capital Facility Reserve – Sidewalk and Stair Safety Repair Throughout County Facilities/ Commissioner Department of Public Works Thomas Feighery; Seconded by Legislator Crowley. All in favor.

Item #13 - Approval/ Amend 22CP01/ DPW/ Use of Capital Facility Reserve – Flooring Repair & Replacement Program in County Facilities/ Commissioner Department of Public Works Thomas Feighery

DPW Commissioner Thomas Feighery stated of course the first concern with flooring in the County facilities is safety and then to also keep the facilities maintained.

Legislator Sayegh questioned if there is a time frame related to these projects.

DPW Commissioner Thomas Feighery stated no. He explained the work is done as it is needed.

Legislator Montgomery complimented Commissioner Feighery on the work that is being done throughout the County facilities.

Chairman Ellner made a motion to Approve Amend 22CP01/ DPW/ Use of Capital Facility Reserve – Flooring Repair & Replacement Program in County Facilities; Seconded by Legislator Crowley. All in favor.

Item #14 - Approval/ Amend 23CP13/ DPW/ Use of Capital Facility Reserve – Doors, Frames & Hardware Repair and Replacement Program in County Facilities/ Commissioner Department of Public Works Thomas Feighery

DPW Commissioner Thomas Feighery stated this work is related to the old doors and frames that need replacement throughout the County facilities. He stated the costs vary depending on where the work needs to be done. He stated in some scenarios the doors being addressed have been there for 100 plus years.

Chairman Ellner made a motion to Approve Amend 23CP13/ DPW/ Use of Capital Facility Reserve – Doors, Frames & Hardware Repair and Replacement Program in County Facilities; Seconded by Legislator Castellano. All in favor.

DPW Commissioner Thomas Feighery extended an invitation to the Legislators to attend the Safety Day Event that was scheduled to be held the next day (Sept. 18, 2024) at the Veterans Memorial Park at 11:30a.m. He stated it is a shared services event. He provided a brief overview of what the schedule of the day is.

Item #15 - Approval/ Putnam County Legislature Intent to Act As Lead Agency Under SEQRA Re: Lease Approval and Monroe Balancing Test for an Emergency Wireless Telecommunications Facility/ Commissioner Department of Planning, Development & Public Transportation Barbara Barosa

Chairman Ellner stated it had been communicated to him that the Town of Philipstown has been contacted and are in favor of this project.

Commissioner Department of Planning, Development & Public Transportation Barbara Barosa stated the County would be leasing this property by the Salt Shed in Philipstown, on Fishkill Road. She stated this will be site of a E911 Radio Tower and where it will be constructed. She stated the proposed resolution before the committee would declare the Legislature to Act As Lead Agency in order to start an environmental review. She stated notice will be given to the Towns, the Village and any other involved agencies.

Legislator Montgomery expressed her appreciation to all who worked on this very challenging process.

Chairman Ellner made a motion to Approve the Putnam County Legislature Intent to Act As Lead Agency Under SEQRA Re: Lease Approval and Monroe Balancing Test for an Emergency Wireless Telecommunications Facility; Seconded by Legislator Crowley. All in favor.

Item #17 - Other Business – None

Item #18 - Adjournment

There being no further business at 6:48 P.M. Chairman Ellner made a motion to adjourn; Seconded by Legislator Crowley. All in favor.

Respectfully submitted by Deputy Clerk Diane Trabulsy.