

**PHYSICAL SERVICES COMMITTEE
MINUTES**

**(REMOTELY)
MONDAY, FEBRUARY 22, 2021
3:30 P.M.**

PRESENT: Barry J. Cheney, Chairman
Leigh J. Benton, Katie Bonelli, James M. Kulisek, Joseph J. Minuta,
Michael D. Paduch, Paul Ruskiewicz, Peter V. Tuohy

ALSO

PRESENT: L. Stephen Brescia, Chairman
Kathy A. Stegenga, Legislator
John S. Vero, Legislator
Betsy N. Abraham, Legislative Counsel
Harold J. Porr, III., Deputy County Executive
Dan Bloomer, Director, Operations and Cost Control
Stacy Butler, Senior Assistant County Attorney
Erik Denega, Commissioner, Dept. of Public Works
Robert Gray, Deputy Commissioner, Dept. of Public Works/
Environmental Facilities & Services
Michael F. Amodio, Deputy Commissioner, Dept. of Parks, Recreation & Conservation
Ermin Siljkovic, Recycling Coordinator, Environmental Facilities and Services
Deanna Crawford, Budget Analyst

Chairman Cheney opened the committee meeting at 3:31 p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present.

Mr. Paduch moved to approve the request authorizing the filing of an application for state assistance from the Household Hazardous Waste State Assistance Program and Supplement Electronic Waste Assistance Grants and the signing of the associated state master grant contract under the appropriate laws of New York State, seconded by Mr. Kulisek.

Mr. Siljkovic explained that this request is to apply for and accept a grant from the New York State DEC for 50% reimbursement of all contractor and outreach expenses from the Household Hazardous Waste Events that were organized in 2020. They were scheduled to have more events, but due to COVID-19, they were only able to successfully accomplish two events. He added that the total expenditure was \$59,136.00 and they are requesting a reimbursement of \$29,568.33.

Motion carried. All in favor.

Mr. Ruskiewicz moved to approve the request for supplemental appropriation to increase Capital Project No. 745-20, Hickory Hill Golf Course Equipment from

\$147,000.00 to \$156,000.00. The said Capital Project was placed on hold in 2020. The increase reflects New York State contract pricing increase for 2021 (bonding), seconded by Mr. Tuohy.

Mr. Amodio stated all three of the requests today are very similar as there was no capital spending in 2020. If the capital spending is "relaxed," they would like to move forward and order these various pieces of equipment. He referred to the legislative request which includes further information (see original minutes). The increase is \$147,000.00 to \$156,000.00. He pointed out that last year he and Mr. Brooks addressed the committee with the justifications along with the Golf Course Superintendent who also gave some insight on the capital request for equipment.

Mr. Paduch asked if the 1.5% increase is the normal yearly increase from the state.

Mr. Amodio replied any equipment that has been purchased in the past, they have come before the committee for approval and then the equipment was purchased within the same year. This is the first time that they are going into the following year; therefore, he cannot speak to the increase.

Mr. Kulisek clarified that the next two agenda items were put on hold last year because of budget constraints and asked what changed this year.

Mr. Amodio stated that is correct and responded that they want to put everything in place so that if they are able to purchase it in 2021, they are ready.

Motion carried. All in favor.

Mrs. Bonelli moved to approve the request for supplemental appropriation to increase Capital Project No. 737-20, Parks Equipment from \$76,000.00 to \$78,000.00. The said Capital Project was placed on hold in 2020. The increase reflects New York State contract pricing for 2021 (bonding), seconded by Mr. Ruskiewicz.

Mr. Amodio explained this is very similar to the justification of the previous request as the 2020 model is no longer available. One piece of equipment shows that there is a New York State contract price increase and the other one shows a few changes to the attachments for the equipment which has lowered the price.

Motion carried. All in favor.

Mr. Tuohy moved to approve the request for supplemental appropriation to increase Capital Project No. 746-20, Stony Ford Golf Course Equipment from \$103,000.00 to \$110,000.00. The said Capital Project was placed on hold in 2020. The increase reflects New York State contract pricing in 2021 (bonding), seconded by Mr. Minuta.

Mr. Amodio stated this request is for five pieces of equipment (see original minutes). Three out of the five pieces of equipment increased in price due to the New York State contract, one piece of equipment is no longer available and the other had no change in price.

Motion carried. All in favor.

Mr. Cheney addressed the next agenda item which was a brief update regarding the Dutchess Quarry Sites National Register District Management Committee. He explained that he reached out to the Orange County Chapter of the New York State Archaeological Association and is still waiting on a response. They have the ability to recommend the appointment of two of their members to serve on that committee. He has only received one resume to be appointed as the committee member at-large, however, there are supposed to be two of them, so if there is anything that any legislators can do to reach out to potential candidates, he asks them to do so. Furthermore, he is hoping to have more recommendations by next month's committee meeting.

Mr. Ruskiewicz asked if there is an application online or if the interested person should send in a letter.

Mr. Cheney replied a letter can be sent to the Chairman of the Legislature.

Mr. Paduch moved to approve the request confirmation of appointments to the Orange County Water Authority (P. Tuohy, E. Denega, D. Cordisco, L. Ingrassia), seconded by Mrs. Bonelli.

Mr. Porr stated former members of the Water Authority have resigned, so they are bringing the board back to life. The board will consist of seven members and those seeking confirmation by the County Executive and seek approval of the Legislature are Peter V. Tuohy, Erik Denega, Dominic Cordisco, and Louis J. Ingrassia.

Mr. Paduch commented that Mr. Ingrassia has been a long-time friend, very knowledgeable on all the issues, works for the Town of Wallkill Public Works and is the Co-Director of the Town of Wallkill Office of Emergency Management. He recommended Mr. Ingrassia to Deputy County Executive Porr and is happy to see that he will be appointed.

Mr. Kulisek stated that in past years the legislature has been defunding and underfunding the Water Authority and asked if their mission statement has changed.

Mr. Porr replied yes.

Mr. Kulisek pointed out there was an active board then they resigned and maybe it is because the Water Authority was defunded. He then asked if there would be funding for this commission.

Mr. Porr replied that once the board is re-formed there will be a discussion. The original purpose of the Water Authority was to create a water loop around the county. That mission was long lost and found way in a different manner over the years. The only positions to fund at this time is Eenika Cruz who is the Executive Administrator. He added there are two projects in the works that need to be attended to.

Mr. Kulisek asked if the two projects need to go through a Water Authority in order to complete.

Mr. Porr replied that the project in the Town of Crawford would have to because they are taking water from one of our properties and the second one in the Town of New Windsor, the Water Authority was a recipient of a grant for the purchase of the property; therefore, yes.

Mr. Kulisek stated there is an agreement with the City of Middletown to use water and asked if that was through the Water Authority.

Mr. Porr replied he does not recall but knows the County Legislature voted on it.

Mr. Cheney stated it did go through the Water Authority.

Mr. Kulisek commented that he applauds the Water Authority's mission because water is needed, but this has been back and forth since 2006.

Mr. Porr pointed out that the mission created has changed compared to the original purpose to what it is now.

Mr. Cheney mentioned one of the strong benefits it has shown in the last five to seven years has been its ability to access grants from the State to support water projects in the county. It has done a wonderful job in bringing money into the county from the State.

Mr. Minuta stated that as a former member of the Water Authority, he can say that the mission did change, and they helped facilitate that mission which became a facilitator of water throughout the county. The Water Authority brought all the entities together so that discussions could be had. Moving forward, he would like to say he is very happy to see the individuals being proposed for this and feels they will bring a lot to the table, he is in support of the resolution.

Mr. Cheney clarified that Mr. Minuta was on the Water Authority and when he became a legislator it was deemed that he should step down because of his new position.

Mr. Minuta stated that is correct.

Mr. Cheney asked that Legislative Counsel Abraham further explain the appointment of Legislator Tuohy to make sure they are doing everything in accordance with legislation that established the Water Authority to begin with.

Legislative Counsel Abraham explained that she had the opportunity to review the Public Authority's Law and the statute is silent as to whether a legislator can sit on the board. In a situation like this, they should rely upon prevailing case law that would give guidance on whether holding the two offices would be incompatible in some way. The standard is that if one office is subordinate to the other there might be an inherent inconsistency between the two offices. She would like to further review this so she can provide more in-depth analysis to everyone involved.

Mr. Paduch pointed out the Commissioner of Planning sits as a Sullivan County Legislator, so he is unsure if that is in the same realm and asked that Legislative Counsel look into it as well.

Mr. Cheney stated that in his opinion, the two cases do not line up.

Mr. Paduch commented there is a lot of connection and wanted everyone to be aware.

Mr. Cheney stated there are two ways to deal with this, one way would be to approve the resolution without including Mr. Tuohy and the other way would be to approve it as it is and then after further research if it is deemed to be fine, it will go to the full legislature.

Chairman Brescia suggested to proceed as is and if there are changes to be made, they can do so at the Legislative Session.

Mrs. Bonelli agreed with Chairman Brescia by also suggesting they move forward as is and continue adding a legislator because it is a good idea.

Motion carried. All in favor with the exception of Legislator Kulisek who voted against.

The last agenda item was an update regarding the Newburgh Grand Street Properties.

Mr. Porr stated this morning, he and the County Executive met with the Mayor of Newburgh as well as the City Manager. A few positive updates are the sales contract is in the hands of the Foster Group and he feels things will be agreed upon soon, zoning issues are complete and in place, and everything is moving forward. He added the project will get underway within a couple of months.

Mr. Kulisek asked if the sale price was negotiated.

Mr. Porr replied no, he has not spoken to the group about money but expressed that he is looking for more and will get it if he can.

Mr. Paduch suggested that Mr. Porr negotiate the lease payments that still need to be made since it is outstanding.

The meeting adjourned at 4:05 p.m.