

**PHYSICAL SERVICES COMMITTEE
MINUTES**

**(REMOTELY)
MONDAY, APRIL 26, 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
Michael F. Amo, Independence Party Leader
Thomas J. Faggione, Legislator
Kathy 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
Travis Ewald, Deputy Commissioner, Dept. of Public Works/Engineering Div.
Robert Gray, Deputy Commissioner, Dept. of Public Works/EF&S
James S. Brooks, Commissioner of Parks, Recreation & Conservation
Deanna P. Crawford, Deputy Commissioner, Department of Parks, Recreation &
Conservation
Deborah Slesinski, Deputy Budget Director
Liz Delaney, Budget Analyst

Chairman Cheney opened the committee meeting at 3:30 p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present.

Mr. Paduch moved to approve the request for supplemental appropriation to the capital projects budget for Parks Historic Structures Initiative. This project has been approved under the 2021 Capital Project Plan as Project No. 100. Upon approval, the funds will increase existing Capital Project No. 742, \$150,000.00 (bonding), seconded by Mr. Kulisek.

Mr. Brooks stated these funds will be used to improve different sites throughout the county such as Algonquin Park, Plum Point and the D&H Canal.

Motion carried. All in favor.

Mr. Tuohy moved to approve the request to approve and endorse the application for a NYS Hudson River Valley Greenway Trails Grant for \$20,000.00 under the Greenway Conservancy Trail Grant Program. The grant will be used to repave the section of the Heritage Trail from Chester (railroad station) to Monroe (Airplane Park). A 50% match is required and the cost to the County will be \$20,000.00, seconded by Mrs. Bonelli.

Mr. Brooks explained this grant was brought to his attention by the Planning Department and will cover the parking lot in Chester south from the train station which was the original section of the trail done in the 1990's.

Mr. Cheney clarified that there were some communications regarding this resolution and making modifications. He also asked if bike racks will be installed on the trail.

Ms. Crawford stated that there were modifications to the language in the resolution which the Planning Department sent to the Law Department and she believes they will get the bike racks.

Mr. Cheney asked Ms. Abraham if the resolution is consistent to what they are asking to have done.

Legislative Counsel Abraham replied if there is going to be a change that is meaningful in any way, it should be added to the agenda, therefore, time should be given for the change to be made as it cannot be addressed today.

Ms. Crawford pointed out that the changes were sent to the Law Department last week and there were no major modifications made to the grant.

Clerk Ramppen stated she saw the email communication between Ms. Crawford and the Law Department and agrees this is a technicality, so there is no reason to re-do the legislative request.

Mr. Cheney clarified that the motion they have before them is acceptable and can include the changes.

Legislative Counsel Abraham stated that is correct, she was not aware of the changes, therefore, if there is no substance of change, it is acceptable.

Ms. Crawford reiterated that there is no substance.

Motion carried. All in favor.

Mr. Kulisek moved to approve the request for supplemental appropriation to the capital projects to the capital projects budget in the amount of \$800,000.00 for Fleet Replacement. Funding is from the State Consolidated Local Street and Highway Improvement Program (CHIPS) in the amount of \$700,000.00

and \$100,000.00 is from County borrowing. This project has been approved under the 2021 Capital Plan as Project No. 44 (bonding), seconded by Mr. Ruskiewicz.

Mr. Denega stated this request is for fleet replacement for the Highway Division and referred to the back-up documentation which is attached to the legislative request (see original minutes). He added that four of the items are CHIPS reimbursable.

Motion carried. All in favor.

Mr. Gray addressed the committee with an update regarding the Department of Environmental Facilities and Services. The first item he spoke to is the Orange County Sewer District No. 1. He stated that they are coordinating with the Village of Chester and the Town of Monroe to address the Inflow and Infiltration issues between the municipalities. There is a meeting scheduled and he has had conversations with both the Mayor and the Town Supervisor who are looking at grants for addressing Inflow and Infiltration. The second item is the Kiryas Joel pump station screener which is currently under construction. It will be a duplex screener that will run at the same time and should be complete by within the next two weeks. He expects the screener will result in 200,000 gallons a day of sewage that goes to the Kiryas Joel Plant where it is currently being bypassed down to Harriman. Furthermore, all the wastewater from Kiryas Joel goes to a splitter box which sends some of the flow to the pump station which then goes directly to the plant. All the flow other than Kiryas Joel Poultry gets to the plant through this pump station, so the screener is important to remove the rag loading that clogs impellers, slows pumps down and reduces the amount of sewage that gets to the plant. The 200,000 gallons per day will create additional capacity. He explained that they have also entered the SEQRA process for the three million a gallon a day expansion for the Harriman Plant and Delaware Engineering is preparing the draft Environmental Impact Statement (EIS). Once the EIS is submitted, it goes through completion review by the Orange County Sewer District Advisory Committee and then gets voted on by the legislature. When it is deemed complete, a public hearing will be held where comments will be taken and incorporated into a Final Environmental Impact Statement (FEIS). The final step for the FEIS would be approval from the legislature who is the lead agency of the project. He also mentioned that Synagro is their primary disposable site.

Mr. Denega added the project is included in the local law which was passed by the legislature. The local law allows the developer to cover the cost of the replacement.

Mr. Tuohy commented that over the course of the winter there was limited inconvenience to the residents in the area where the work was done on the north interceptor and as he was driving by there today, the land has been reclaimed and looks like it has been seeded. He thanked Mr. Gray for his hard work.

Mr. Gray continued his update with a brief discussion about solid waste and the Waste to Energy request for proposals that they did last year. The bottom line is they received one proposal which was incomplete due to lack of information that was required in the RFP. A new award letter was issued, and the feedback received from the vendors were that they were not willing to bid because the quantity of material coming into the facility was unknown. Be that as it may, they are planning on staying put and keeping an eye on what the surrounding counties are doing as there may be some opportunities to join in on what they are doing. Regarding the Solid Waste Hauling contract, he stated this is a contract for all solid waste contractors including the current one which is

IWS who haul to a landfill in Pennsylvania. IWS's contract expires in November, therefore, they are preparing an RFP to go out in June. Once the prices from the RFP are submitted, they will evaluate them and implement as desirable or potential to determine whether they should extend the existing contract. In addition to that, they are planning four Hazardous Household Waste events for this year in Port Jervis, Thomas Bull Park, New Hampton, and Delano Hitch.

Mr. Cheney clarified that the bid for hauling and disposal is under one contract.

Mr. Gray stated that it is combination pricing and has not yet been decided on how to put it in the contract.

Mr. Cheney then asked if there were multiple bidders last year or just one.

Mr. Gray replied they had multiple bidders on trucking and disposal sites, but all of them were further than Pennsylvania and the prices were high.

Chairman Brescia clarified that citizens can still drop-off garbage.

Mr. Gray stated that is correct. They also collect televisions, computer monitors, scrap metal, etc.

Regarding the Newburgh Transfer Station, Mr. Kulisek clarified that the plant will not be re-built.

Mr. Denega stated there were preliminary discussions pertaining to the bids that were received and how they were too high at that time. It is his understanding that this could be up for discussion again, but at this point they are under a mandate by the DEC to get the site demolished which they will do based on the budget constraints and then later it will be a legislative decision.

The next agenda item was update from Mr. Porr regarding the Sale of the Newburgh Grand Street Properties.

Mr. Porr explained that a contract has been drafted by the county, the attorney made some amendments which were reviewed by the County Executive and a meeting will be held Wednesday to further discuss the final details. Other related issues are the zoning changes have been accomplished by the city and project financing for the Simms Foster Hotel is in place; therefore, the project is moving forward.

Mr. Kulisek asked if the negotiation of the price was mentioned.

Mr. Porr replied yes, and it is still being negotiated.

Mr. Paduch clarified that Mr. Porr is negotiating the contract, making changes, but there is no price set even though he is trying to get more.

Mr. Porr stated the price is \$1.25 million and he would like to get more.

Mrs. Bonelli moved to adopt a resolution of the Orange County Legislature to the Governor of New York State regarding a return to normal operations and activities following the expiration of Executive Order 202.1 during the COVID-19 Pandemic, seconded by Mr. Minuta.

Mr. Amo stated that last week at the Round Table meeting, they discussed the steps necessary to phase in the opening of the Orange County Legislature in terms of who can participate such as staff, legislators, county employees and public. It occurred to them that a phase in plan will be necessary so the steps can be laid out and pulled together. Currently, the executive order by the governor allowing them to work remotely is in place until May 6, 2021, so if he does not renew it, they will be forced to come back to the building. He believes they need more time to develop a safe re-opening plan. This resolution asks the governor to consider extending the order which will allow them the opportunity to begin the plan of how and when the legislative process will open. He added that the resolution asks for that as well as asks us as a county to put together a plan that would explain the phase in process of the legislature. He and Chairman Brescia have discussed this and it seems that it is important to do this inclusively because all twenty-one legislators need to have input in the process.

Mr. Paduch commented that there was great discussion at the meeting regarding the possibility of coming back. He was asked to speak to Commissioner Burpoe regarding the possibility of the legislature using the screens in the legislative chambers. Mr. Burpoe stated that there is a program that can incorporate Microsoft Teams to work in conjunction with the laptops meaning they can be in the legislative chambers, use the big screen for the public, and there is also a possibility of having public participation. When this does happen Chairman Brescia and the leaders will be notified to come into the chambers to see how everything works before it is presented to the full legislature for approval. He is hopeful that Mr. Burpoe will contact him this week and when he does, he will make sure to forward the information to Chairman Brescia and the leaders for further discussion.

Mr. Amo stated that Mr. Paduch is correct. The operative word is "could" because they do not know when this will happen or how long it will take especially if there are complications, or the cost is too high. Subsequently, they do need a little bit of breathing room, so if it takes two or three weeks to get done that is fine because he would like to get things up and running the right way.

Mr. Paduch commented that Mr. Porr also attended the meeting and approved funding for any updates that may be needed for the equipment in the legislative chambers.

Mrs. Bonelli commented that they did have a good discussion and they would like to get back into the chambers to the new normal that everyone will be working under while making sure that everyone feels safe and comfortable including the public. In an effort to do this, they need a plan, so not only does this resolution put the governor on notice, but it also shows that the county needs some notice. She reiterated that they need to have a better idea of where the governor is going with this. Furthermore, Mr. Porr was very cooperative in helping make this happen.

Mr. Kulisek asked if there is a survey amongst legislators and office personnel on who has been vaccinated and who has not because they as a legislature should be able to meet in person in the building if they are spaced out. He added that if everyone is trying to do the right thing they should have been vaccinated.

Mr. Cheney replied that he does not have a specific answer to the question in terms of whether the polling has taken place.

Mr. Amo stated that would be part of their plan and he is hoping the Health Department will assist them.

Mrs. Bonelli commented that to her knowledge there has not been anything put out there and she is not sure they can ask people if they have been vaccinated. There are several things they need to investigate before asking these questions.

Mr. Cheney stated the intent of the resolution is to formulate a plan.

Mr. Minuta pointed out that as someone who has recently traveled, all the precautions have been in place, but none are being enforced. One thing they all need to consider is how effective all of this is when the airlines are not complying. He agrees with Mrs. Bonelli as there are HIPPA compliant issues.

Mr. Paduch asked that everyone keep in mind that if you are vaccinated, it does not stop you from carrying COVID-19, so he agrees with Mrs. Bonelli as this is a HIPPA violation. He added that the Health Department discussed that as well and the fact is, someone can follow all the protocols and still get the virus.

Motion carried. All in favor.

The meeting adjourned at 4:24 p.m.