

members object to the idea of having to file the financial disclosure statements. He stated the statement itself does not require a great deal of information and is lenient. He stated the penalty has been recommended, and it is now up to the Legislature to take action.

Legislator Wright questioned if Chairman Bickford had a list of people who failed to file the required statements and now have the recommendation of the penalty.

Chairman Bickford stated there were five (5) people total who did not file. He stated one came to the hearing so there are four (4) who have the penalty recommendation. He stated an issue of enforcement arises when a person leaves the Board.

Legislator Wright questioned if the penalty recommendation is capped at \$100.

Chairman Bickford stated yes, the penalty is up to \$100.

Legislator Oliverio stated he is against the fining of Board members as they are volunteers. He suggested setting a deadline of six (6) months and if this deadline was missed rather than a fine, the member would be removed from the Board. He stated on the list received by the Legislature, two (2) members had resigned.

Legislator Nacerino concurred with Legislator Oliverio. She stated she does not believe a \$100 fine is going to persuade any member one way or the other. She stated it should be made clear to new members that this statement is a requirement to be part of the Board. She stated the members should be removed after ample time is given.

Legislator Albano and Legislator Gross stated they agree with the removal rather than a fine as well.

Legislator Wright stated as per the Law Department, a hearing had to take place. He stated perhaps the Law Department could assist the Legislature in composing a letter to the delinquent members notifying them they are required by State Law to file the statement. He stated the letter should also include the suggestion of removal from the Board rather than the fine. He suggested having a deadline of three (3) months rather than six (6) months. He questioned if Chairman Bickford was comfortable with the suggestions made.

Chairman Bickford stated he agrees with the Legislature's discussion.

Legislative Counsel Clem Van Ross stated the code must be changed to reflect the removal rather than the penalty.

Legislator Wright suggested the Legislature request the change be made to the Code of Ethics by the Law Department and placed on the agenda of next month's Rules Committee Meeting.

First Deputy County Attorney Andrew Negro stated the section 55-9 of the Code gives authorization for removal; however the code would need to be changed to reflect any time constraints.

Chairman Bickford stated the Board can adopt their own rules to appoint the time constraint.

Legislator Wright questioned if the Board of Ethics has the authority to remove members.

First Deputy County Attorney Negro stated the Board of Ethics makes the recommendation to the Legislature, who then has the authority to remove the member(s).

Chairman Bickford suggested this begin with the new group of members.

Legislator Tartaro stated the three (3) individuals who have not filed in four (4) years should be notified immediately. He further stated these members should also be notified that all members will be receiving a letter specifying that there is a three (3) month deadline and if this deadline is not met, they may be removed.

Chairman Bickford questioned if a letter should be written to the Legislature recommending the removal of those delinquent members.

Legislator Wright stated due to the fact that the Legislature is more comfortable with removing the members rather than fining them, Chairman Bickford should issue those members a letter notifying them of the decisions made tonight.

Chairman Bickford stated this is a reasonable solution.

Item #5 - Gas Inspections/Update
a) Individual Towns

Director of Consumer Affairs Jean Noel stated Carmel, Philipstown and Kent are now inspecting on their own gas stations. She stated this is working well. She stated the Village of Nelsonville is the only one who is not yet inspecting. She stated calls have been made and it seems this will be worked out among them. She stated Putnam County is officially out of the gas inspection business.

Legislator Tartaro questioned is the Village of Nelsonville is taken care of by the Town of Philipstown.

Director Noel stated is it part of Philipstown, but they have their own building inspector.

b) Constituent Complaint/Gasoline Station/Water in Underground Fuel Tank

Legislator Wright stated a letter of appreciation was sent to Director Noel in reference to her rapid action regarding a gas station selling the customer gas containing water, which caused severe damage to his vehicle.

Director Noel stated she is thankful to the Legislature for having the resources to be able to react as quickly as they did.

Item #6 - County Seal/Discussion

Legislator Wright stated this discussion will be tabled and will be placed on the agenda for next month's meeting.

Item #7 - Elected Officials Hiring Workers Out of Pocket/Discussion

Legislator Oliverio stated he requested a legal opinion on this matter and it would be a moot point if they said it was legal. He stated the Law Department found that no laws were broken. He stated he was blindsided when he received a call from a reporter questioning him about this issue. He stated this has come to a good conclusion.

District Attorney Adam Levy thanked Legislator Oliverio. He stated often times reporters will attempt to put Elected Officials on the spot. He stated reporters will create controversy when there is not controversy. He stated this does a tremendous disservice to the citizens of Putnam County. He stated the residents of Putnam County should be proud of their Elected Officials who truly understand the purpose of being a public servant. He stated he wishes he did not need a Public Information Officer to clarify the record, but he does. He stated everyone in public office could use one to correct misstatements made. He again thanked Legislator Oliverio for making it clear that this added position being paid out of pocket was legal, ethical, moral and did not violate any Federal, State, or Local Laws. He stated Elected Officials and those who have been appointed should not allow themselves to be ambushed or manipulated by the media. He stated from the time he became District Attorney, any questions coming from the Legislature have been answered honestly and personally by himself. He further stated the Legislature should not let anyone knock them off course, especially an unethical reporter.

Legislator Oliverio stated it is difficult when he is questioned regarding a topic he does not yet have any information on and may require legal opinion. He stated he was glad when First Deputy County Attorney Negro responded that this was legal.

District Attorney Levy stated he is not blaming Legislator Oliverio. He stated the relationship he has forged with each Legislator is one based upon respect and a mutual ability to work together to get the job done. He stated the agenda of Elected Officials is

to do the people's work and this should not be thrown off course by the agenda of a reporter.

Legislator Wright stated other than a cost factor, no government department would be ill-served by having a Public Information Officer. He stated the matter in unfair in which other departments or agencies do not have the resources to add such a position. He stated this sets the District Attorney's Office apart from the rest of the County team, which he believes may have been the cause of the knee-jerk reaction when the topic came to light. He stated it has an affect without being improper. He stated this matter was not approached in the best way.

Item #8 - Approval/Worker's Compensation Settlement

Legislator Tartaro questioned if this was the final settlement.

Senior Deputy County Attorney for Risk and Compliance Adrienne Spadaccini stated this is the final settlement and it is a true closed case.

Legislator Tartaro questioned if there were any injuries after the claims were filed.

Senior Deputy County Attorney for Risk and Compliance Spadaccini stated there were four (4) injuries filed initially and each received ongoing medical treatment. She stated the person is continuing to add additional claims. She stated the list of injuries is continuing to grow, and therefore the medical expenses are continuing to grow as well. She stated it is her recommendation to cut the cord.

Legislator Tartaro made a motion to accept the settlement; Seconded by Legislator Wright. All in favor.

Item #9 - Fiscal Vision & Accountability Commission/Discussion

Legislator Wright stated as per a conversation with Legislator Scuccimarra, any recommended Board members brought to Economic Development shall be tabled due to the closeness of the Economic Development Committee Meeting to the Full Legislative Meeting.

Legislator Scuccimarra stated at the last meeting, Chairwoman LoBue expressed an issue with the electronic appearance legislation that was brought forward through this Commission. She stated she had since spoken to District Attorney Levy who notified her that the electronic appearance is being implemented in Kent, Patterson, and Carmel. She stated Director of IT/GIS Tom Lannon is instructing the clerks at the three (3) sites how to use the technology. She stated Director Lannon believes this will be a huge money saver for the County. She stated the Commission has also considered infrastructure improvements, tax assessment, County and Town organizational analysis, energy consumption, Highway Department sharing services, Police Department consolidations, Building Department consolidations, Tourism consolidations, etc.

Legislator Wright stated he would like to see more private citizens on the Board rather than Governmental Representatives.

Charlie Melchner, Constituent thanked the Legislature and stated it is a pleasure to have the ability to come to meetings. He stated through Fiscal Vision he was able to expand his knowledge about the great County in which he resides. He stated one of the first things the Commission did was researched how Putnam County ranked in New York State in regards to spending and they found the County came in at a good percentage. He stated the town-wide reassessment is a great thing. He stated he is looking forward to being asked to be a member of this Commission.

CEO of the IDA Neal Sullivan stated the Commission for Fiscal Vision did great work, as mentioned by Legislator Scuccimarra. He stated Town of Kent Highway Superintendent Richie Othmer is in agreement to share equipment with the County, which will save the County money. He stated the Commission's goal is to look into efficiency and effectiveness of Government to try to save taxpayer dollars. He stated anyway taxpayers can help by investing their ideas, time, and efforts to ensure Government is running as efficiently as possible, they are happy to do it. He stated the Commission did not have too much Government involved, but it was nice to have some Government involvement.

Legislator Nacerino stated she reached out to Legislator Scuccimarra in October 2013 regarding the re-establishment of this Commission. She stated they came to an agreement where they would co-chair this Commission together. She stated the mission remains the same: to increase effectiveness and efficiency of services and operations in and across all levels of Government in Putnam County. She stated the Commission has now been dormant for nearly four (4) years and she would like to evolve towards the future. She stated the Commission has not met as it has not yet been approved. She stated upon approval, a meeting will take place. She stated this Commission is not judicial and has no power.

Legislator Wright stated his view of the resolution is the filling of the vacancy of the Chair. He stated he encourages the Committee to not appoint too many Elected Officials onto the Board. He stated a document from the Committee's prior work lists two (2) Legislators, a Town Supervisor, the Deputy County Executive, a Town Counsel, and two (2) or three (3) private citizens.

Legislator Tartaro made a motion to send the creation of the Fiscal Vision Commission to the Economic Development Committee along with the recommended members to be reviewed and held for 30 days in Committee before approval; Seconded by Legislator Wright. All in favor.

Item #10 - Enacting a Local Law for Putnam County/ Regulating the Use of Polystyrene Foam Disposable Food Service Ware by Chain Food Service Establishments/Discussion

Legislator Wright stated he is concerned that the Legislature is telling businesses how to do business.

Legislator Scuccimarra stated this matter is being considered in the Assembly and the Senate. She stated Assemblywoman Sandy Galef co-sponsored the bill, which was for Styrofoam use by municipalities. She stated this is a product that does not recycle and it causes both health and environmental concern. She stated Albany County has passed a Local Law regulating the use of polystyrene foam in chain restaurants. She stated in Albany County, for the remainder of 2014 they have suggested these municipalities use other materials rather than Styrofoam and it will be mandated beginning in 2015. She stated because this is a carcinogenic, she believes Putnam should take the lead.

Legislator Nacerino stated her support for this ban. She stated it is vital to give businesses the time to change over from using this product. She stated for example, Dunkin Donuts uses Styrofoam cups for their coffee and time is needed to seek an alternative.

Legislator Wright stated his concern is should the State not move on more comprehensive legislation and this remains a Local Law, restaurants may decide to leave the County.

Legislator Tartaro stated Kent Recycling Center will recycle any kind of plastic, but cannot recycle Styrofoam.

Legislator Scuccimarra stated the New York City Council recently passed a ban on polystyrene foam food containers as well as the foam packing peanuts.

Legislator Albano stated the County should not wait for the State to act on this matter. He stated it is common sense that this material is not good for the environment. He stated there is no warning on the containers about the dangers of reheating food in them and his concern is children who are unaware of the dangers. He stated this is something that is easy to correct.

Legislator Oliverio stated originally, Big Macs were sold in cardboard boxes and coffee was sold in cardboard cups. He stated we need to go back to the way it was prior to Styrofoam being invented.

Legislator Albano stated there is no downside to this legislation.

Legislator Gross stated he understands Legislator Wright's comment regarding Government becoming involved in business; however this does pose a danger. He

stated ample time must be given to the companies. He stated McDonald's is now making an effort to move away from the Styrofoam and go back to cardboard.

Legislator Nacerino stated some municipalities have also began banning the use of plastic bags.

Director Noel stated the Kent General Store has reopened and they use paper cups. She stated the key is education to reduce the use of these products.

Legislator Gross stated he was in Carmel, California and there were no plastic bags in the stores.

Legislative Counsel Van Ross stated there was a page missing within the back-up for this item.

Legislator Wright stated this matter will be tabled until the full packet can be obtained.

Director Sheehy stated the Office for the Aging uses a lot of Styrofoam for cups and plates. She stated to switch to paper products would be a huge cost to the department.

Item #11 - Designated Parking/Putnam County Golf Course/Discussion

Legislator Oliverio stated the parking at the State of the County address was a fiasco. He stated there were people who were disabled who turned around and went home due to the lack of appropriate parking. He stated it was difficult for the Legislators to get there as well. He stated two (2) accidents occurred, one being an emergency vehicle which fell off the road. He stated the job of the Legislature is to serve the people, and the public should be able to attend such meetings. He stated the State of the County was held at the Putnam County Golf Course to provide a better venue for the public, yet the parking was a disaster.

Legislator Wright questioned if the resolution was for designated Legislative parking.

Legislator Oliverio stated it was for the parking in general. He stated the meeting cannot happen without the Legislators because it is a Legislative meeting. He stated there should be an area for the County Executive and her staff, the Auditor, and the Legislature to park without being afraid. He stated more thought should be put into where these major presentations are held. He stated the Donald B. Smith campus had adequate parking and was easy for the community to get to.

Legislator Tartaro stated the parking at the Donald B. Smith campus was great, however the room was too small.

Legislator Oliverio stated the issue is the invitations that were sent out to business people and they are who got the seats rather than the public.

Legislator Albano stated handicap accessible spaces are vital to such an event. He stated there are not many venues in the County that can hold an audience so large. He stated the parking lot at the Golf Course is being expanded. He stated once inside, the room worked great for the crowd. He also stated if there were designated parking spots for the Legislators he would feel guilty.

Legislator Tartaro stated at the least, there should be designated handicapped spots close to the building.

Director Noel stated there are three (3) handicapped spots at the Golf Course.

Legislator Nacerino stated the parking situation was not the best. She stated she does not agree with having designated parking spaces for the Legislators. She stated the Legislators are here to serve the people, and if those people choose to come out to listen to their Elected Officials speak, a bad tone would be set if there were parking spots reserved for the Elected Officials. She stated she would be just as comfortable walking the length of the parking lot, just as their constituents are expected to do.

Legislator Scuccimarra stated the public is wanted at the State of the County.

Legislator Oliverio stated the meeting could have been held at George Fischer Middle School, where they have an auditorium that seats 560 people and adequate parking.

Legislator Scuccimarra stated she had no qualms with the venue.

Legislator Gross stated the State of the County has grown into a production. He stated invitations are sent out to individuals who do not have much to do with the County. He stated this is a Legislative meeting, and control must be taken back. He stated having the meeting at a school is a great idea as there is ample parking, restrooms, and seating.

Legislator Wright stated there is a fine line between keeping it lively and entertaining and being factual and boring. He stated he did not like the layout as the Legislature was seated in front of the screen, facing the opposite way. He stated it is a Legislative meeting and if the Legislature is disappointed with the turn out, shame on us. He suggested this should be placed on the agenda for a few months before the meeting or an ad hoc committee should be formed with the County Executive to come to a solution that everyone is happy with.

Legislator Albano stated there must be more input and suggestions. He stated the TOPS building did not work. He stated his wife came to see the meeting and had to go into another room. He stated there was too big of an audience for that size venue.

Legislator Nacerino stated this can be planned better for next year. She stated schools have high fees to hold such a meeting there. She stated having the meeting at the Putnam County Golf Course is saving money by using a County owned facility.

Legislator Oliverio stated he spoke to Superintendent Manko who stated Mahopac's auditorium could have been used for free.

Legislator Gross stated there are many schools all around the County. He suggested having such meeting at various school locations throughout the County each year.

Legislator Nacerino stated this is a premature discussion.

Legislator Albano stated it will be brought up early next year.

Legislator Tartaro stated it is an excellent concept to rotate around the County.

Item #12 - Legislative Protocol of Recusals & Abstentions/Discussion

Legislator Wright stated Legislative Counsel or the Law Department should formulate a response to this item to be presented at next month's Rules meeting.

Legislator Nacerino stated her hope was that Legislative Counsel Van Ross would have an opinion on the matter and join the discussion. She stated she would like the Legislature to be clear and concise on the distinction between a recusal and an abstention. She stated when Legislator Wright abstains from a vote he provides a reason as to why, which is what she believes to be protocol. She stated Legislator Oliverio recused himself from a vote in which he took part in discussion the previous night. She stated if a recusal is to be used, there should be no engagement whatsoever on the topic.

Legislator Oliverio stated his understanding was that discussion may be had, but a vote must not be taken.

Legislator Nacerino stated having this put onto next month's agenda is fine, she would like clarification.

Legislator Wright stated while at the NYSAC conference he was made aware of this and understood it to be closer to how Legislator Nacerino has explained it.

Legislative Counsel Van Ross state a recusal has its roots in the Ethics Board while an abstention has its roots in the Legislative Manual.

Item #13 - Correspondence/NYS Department of Taxation & Finance/2014-2015 State Budget/FYI

Legislator Tartaro stated the concept of the tax cap is wonderful; however the shared services provision that begins next year is going to be a nightmare. He stated it is probable that Putnam County will receive a credit for prior consolidation efforts.

Legislator Wright stated there is nothing wrong with incentivizing. He stated the County cannot wait for the State. He stated goals do not need to be accomplished, but a good dialogue must be had.

Item #14 - Litigation Report/FYI – Duly Noted

Item #15 - Other Business

a) Approval/Local Law to Amend Article 12, Section 12.04 of the Putnam County Charter/ Changing Title of “Office for the Aging” to “Office for Senior Resources”

Legislator Tartaro made a motion to waive the rules and accept the additional material; Seconded by Legislator Wright. All in favor.

Director of Office for the Aging Pat Sheehy stated 2014 is the year of the senior and this is not by happenstance. She stated this year; seniors are the fastest growing segment of the population in Putnam County, as well as New York State. She stated almost one (1) in every four (4) residents is over the age of 60. She stated seniors do not like being called “aging” and some are even deterred from participating in services provided by the Office. She stated seniors are resources in the community as they provide over \$500,000 worth of volunteer services throughout the County. She stated having the name “Office for Senior Resources” is more descriptive. She stated research had been done and it was found that a similar name change has taken place in many Offices for Aging throughout New York State as well as the Nation. She stated upon speaking with the State, they found New York is in favor of the name change. She also stated along with the name change will come a slogan: “Living the Future.” She stated this will require a charter change and a local law. She stated May is Older Americans Month and she would like to incorporate this name change into the recognition that will be given that month.

Legislator Tartaro made a motion to approve the amendment of the Putnam County Charter Article 12, Section 12.04; Seconded by Legislator Wright. All in favor.

b) Property Tax Card Initiative/ Shop Locally and Earn Property Tax Dollars

Legislator Albano stated the Putnam County Chambers of Commerce brought to his attention a program that is used by other Counties. He stated this program involves a card sponsored by a business and when the card is used, a credit is given on one’s tax bill at the end of the year. He stated he will look into the concept more.

Legislator Tartaro questioned who makes up the difference.

Legislator Albano stated the business makes up the difference.

c) Carmel Resident/Ann Fanizzi/Concerns of Events at Tilly Foster Farm

Ann Fanizzi, Constituent stated two events have taken place at Tilly Foster Farm that concerned her. She stated these events were held by religious churches. She stated the events were the Blessing of the Animals and the Journey to the Manger. She questioned who to address a letter to.

Legislator Oliverio questioned if these events took place recently.

Ann Fanizzi, Constituent stated the Blessing of the Animals took place in the fall of 2013 and the Journey to the Manger took place in December 2013.

Legislator Tartaro questioned if Ms. Fanizzi had raised her concern at the Tilly Foster Farm Public Hearings that have taken place recently.

Ann Fanizzi, Constituent stated she had not brought this up at the meetings. She stated she did not bring it up at the time, but since the County is starting over with the Farm since the termination of the lease agreement, she thought it was wise to bring it up.

Item # 16 - Adjournment

There being no further business at 8:02 P.M. Legislator Tartaro made a motion to adjourn; Seconded by Legislator Wright. All in favor.

Respectfully submitted by Administrative Assistant Beth Green.