

**REGULAR MEETING
OF THE
PUTNAM COUNTY LEGISLATURE
HELD IN THE
HISTORIC COURTHOUSE
CARMEL, NEW YORK 10512**

Tuesday May 3, 2022 7:00 P.M.

The meeting was called to order at 7:00 P.M. by Chairman Sullivan who requested that Legislator Sayegh lead in the Pledge of Allegiance and Legislator Addonizio in the Legislative Prayer. Upon roll call, Legislators Montgomery, Addonizio, Nacerino, Jonke, Castellano, Sayegh and Chairman Sullivan were present. Legislators Gouldman and Albano were absent. Also present was Legislative Counsel Firriolo.

PROCLAMATIONS

Chairman Sullivan recognized Legislator Sayegh who presented the “Putnam County Youth Bureau High School Senior Recognition Day” proclamation to Janeen Cunningham – Executive Director of the Youth Bureau, Pamela Phillips-Zeller – Youth Services Specialist, Kim Flynn & Dana Erickson - Youth Program Specialists, John DeMuro – Youth Aid, and High School Seniors.

**PUTNAM COUNTY YOUTH BUREAU HIGH SCHOOL SENIOR RECOGNITION DAY
MAY 3, 2022**

WHEREAS, Putnam County Youth Bureau Senior Recognition is an opportunity to celebrate the contributions young people make to our community every day of the year through volunteer service and service-learning; and

WHEREAS, Putnam County recognizes our youth as important community members, and values their unique skills, perspectives, and ideas, as they lead awareness, service, and advocacy activities; and

WHEREAS, Youth Bureau volunteers donate their time to programs such as Youth Court, Youth Forum, Youth Board, Teen-N-Kids Mentoring and a wide variety of service activities throughout Putnam County; and

WHEREAS, realizing the need for community involvement, the citizens of Putnam County are proud to unite in assisting our youth to achieve their goals and help them to develop good citizenship; and

WHEREAS, the accomplishments and achievements of these young citizens deserve the recognition and commendation of their community leaders; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim May 3, 2022 as Putnam County Youth Bureau High School Senior Recognition Day and thank these high school seniors for their long-standing dedication and commitment to the Putnam County community.

Chairman Sullivan presented the “Global Youth Traffic Safety” proclamation to Janeen Cunningham – Executive Director of the Youth Bureau, Pamela Phillips-Zeller – Youth

Services Specialist, Kim Flynn & Dana Erickson - Youth Program Specialist and Youth Court Students.

MAY 2022 AS GLOBAL YOUTH TRAFFIC SAFETY MONTH

WHEREAS, May has been designated as Global Youth Traffic Safety Month to raise awareness of safety issues associated with teen driving and encourage and empower youth to develop and lead traffic safety education projects, support law enforcement and actively promote legislation to protect youth passengers and teen drivers; and

WHEREAS, According to the Centers for Disease Control and Prevention, traffic-related crashes are the second leading cause of death for youth in the United States. Young drivers from the ages of 16 to 19 years old are three times more likely to be in a fatal car crash than drivers over the age of 20. In addition to summertime, a teen driver's risk of a fatal crash increases with each additional passenger, at night, on the weekends, and during his or her first months of driving; and

WHEREAS, Considering drivers in this age group only account for six percent of drivers on the roadways yet are involved in 13 percent of all accidents and nine percent of all fatal accidents on the road today, and the need for intense effort on youth traffic safety is apparent; and

WHEREAS, The New York State Governor's Traffic Safety Council is endorsing the Putnam County Youth Bureau's initiatives to spread awareness and ensure that youth are equipped with the information they need to make safe decisions while driving. Youth can drive safer by putting away their phones when they drive, buckling up, choosing the safest route available, only driving with those with whom they feel safe and by never getting into a vehicle with someone they suspect has been drinking; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim May, 2022 as Global Youth Traffic Safety Month.

Chairman Sullivan recognized Legislator Addonizio who presented the "Sale of Buddy Poppies" proclamation to Ms. Joan Russell, other members of the VFW Ladies Auxiliary #1374 and Karl Rohde - Director of Putnam County Veterans' Affairs Agency.

SUPPORT OF THE 2022 SALE OF BUDDY POPPIES

WHEREAS, the annual sale of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by government leaders since 1922; and

WHEREAS, V.F.W. Buddy Poppies are assembled by disabled veterans and the proceeds of this worthy fundraising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans; and

WHEREAS, the basic purpose of the annual sale of Buddy Poppies by Veterans of Foreign Wars is eloquently reflected in the desire to "Honor the Dead by Helping the Living"; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on the day set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead; and be it further

RESOLVED, that we urge all patriotic citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedom which we continue to enjoy as American citizens.

Chairman Sullivan recognized Legislator Nacerino who presented the “Keep Putnam Beautiful” proclamation to Shawn Rogan – Putnam County Health Department Director of Environmental Health, Jane Meunier – Putnam County Health Department Solid Waste Management Coordinator, Jennifer Beiss-Wenger – PARC Assistant Director of Employment Services, David Liebman – PARC Job Coach, Gerard Turner, Craig Malstrom and Sean Butterfield – Members of the Litter Patrol.

KEEP PUTNAM BEAUTIFUL

WHEREAS, Putnam County is one of the most unique counties in New York State as it is located in close proximity to large cities, but remains a quiet, pastoral community where many natural and historic sites can be enjoyed; and

WHEREAS, Acknowledging the bucolic nature of Putnam County and the importance of preserving it, the County of Putnam established the Keep Putnam Beautiful program in 2005. Led by Program Coordinator Walt Thompson, Keep Putnam Beautiful utilized an education and community volunteerism approach to work toward their goal of not only preserving the environment, but enhancing it along the way. The collaborative effort set forth involved the towns and villages within the County to achieve a common goal; and

WHEREAS, Legislator Ginny Nacerino recognized that the need to maintain and even improve the environment in Putnam County is ever-present and thereby has launched a campaign to reintroduce the *Keep Putnam Beautiful* slogan and reestablish the program. The Putnam County Health Department and Tourism Department join in the effort with Towns, Villages, and Individual Community Volunteers to make the prevention of litter and preservation of the environment a priority in our community. By employing the same spirit and concerted effort as the original program, a renewed pride will be instilled in our County and Putnam will remain the idyllic home and destination it is and has always been; now therefore be it

RESOLVED, that Putnam County Executive MaryEllen Odell and the Putnam County Legislature, hereby proclaim May as Keep Putnam Beautiful Month and encourage all residents to remain cognizant of their impact on the environment.

Chairman Sullivan recognized Legislator Jonke who presented the “Older Americans Month” proclamation to Michael Cunningham – Director of Office for Senior Resources.

MAY 2022 AS OLDER AMERICANS MONTH “AGE MY WAY”

WHEREAS, Putnam County includes a growing number of older Americans who contribute their strength, wisdom, and experience to our community; and

WHEREAS, Putnam County benefits when people of all ages, abilities, and backgrounds are welcomed, included, and supported; and

WHEREAS, Putnam County recognizes our need to create a community that provides the services and supports older Americans’ need to thrive and live independently for as long as possible; and

WHEREAS, Putnam County can work to build an even better community for our older residents by planning programs that encourage independence, ensuring activities

are responsive to individual needs and preferences, and increasing access to services that support aging in place; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim May 2022 to be Older Americans Month with the theme of “Age My Way”. This theme will encourage and celebrate the countless contributions that older adults provide to their communities. Their time, experience, and talents benefit families, peers, and neighbors every day. We urge every resident to recognize the contributions of our older citizens, help to create an inclusive society, and join efforts to support older Americans’ choices about how they age in their communities.

Item #4 – Approval of Minutes – Regular Meeting – April 5, 2022

The minutes were approved as submitted.

Item #5 – Correspondence

a) County Auditor

There was no activity during this reporting period.

Item #6 – Pre-filed resolutions:

**PERSONNEL COMMITTEE
(Chairman Jonke, Legislators Addonizio & Nacerino)**

Item #6a – Approval/ Budgetary Amendment (22A023)/ Health Department/ NYS Fellowship Program/ Amend Resolution #28 of 2022 Public Health Graduate Fellows was next. Chairman Sullivan recognized Legislator Jonke, Chairman of the Personnel Committee. On behalf of the members of the Committee, Legislators Addonizio and Nacerino, Legislator Jonke moved the following:

Legislator Nacerino stated that these individuals possess a master’s degree, and they will indeed meet the needs of the Health Department.

Legislator Addonizio stated that there was a zero fiscal impact.

Legislator Jonke stated that it is funded through a New York State grant program. He stated that it is a cost-free program for the County of Putnam.

Legislator Sayegh stated that it is New York State aid to support Fellows in the County.

RESOLUTION #75

APPROVAL/ BUDGETARY AMENDMENT (22A023)/ HEALTH DEPARTMENT/ NYS FELLOWSHIP PROGRAM/ AMEND RESOLUTION #28 OF 2022 PUBLIC HEALTH GRADUATE FELLOWS

WHEREAS, by Resolution #28 of 2022, the Putnam County Legislature approved budgetary amendment number (22A001) to account for the NYS Fellowship Program Grant award; and

WHEREAS, as outlined in the NYS Department of Health award letter, the Putnam County Department of Health may modify the number and type of Fellows to best meet the needs of the Health Department; and

WHEREAS, it has been determined that it was necessary to hire two (2) Public Health Graduate Fellows at a salary of \$60,000 in lieu of hiring two (2) Public Health Fellows at a salary of \$50,000 as outlined in Resolution #28 of 2022; and

WHEREAS, the Commissioner of Health has requested a budgetary amendment (22A023) to account for this modification; and

WHEREAS, the Personnel Committee and the Audit & Administration Committee have reviewed and approved said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Increase Appropriations:

26401001 51000 10173	Personnel Services	
Position #401055102	PHC Graduate Fellow	10,000
26401001 51000 10173	Personnel Services	
Position #401055103	PHC Graduate Fellow	10,000
26401001 58002 10173	FICA	<u>1,530</u>
		21,530

Increase Estimated Revenues:

26401001 444892 10173	State Aid – NYS Health Fellowship	21,530
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2022 Fiscal Impact – 0 –

2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

Item #6b – Approval/ Fund Transfer (22T043)/ Sheriff’s Department/ Compensation Time Payout was next. On behalf of the members of the Personnel Committee, Legislators Addonizio and Nacerino, Legislator Jonke moved the following:

RESOLUTION #76

APPROVAL/ FUND TRANSFER (22T043)/ SHERIFF’S DEPARTMENT/ COMPENSATION TIME PAYOUT

WHEREAS, the Putnam County Sheriff has requested a fund transfer (22T043) to cover unpredicted Compensation Time Payout; and

WHEREAS, the Personnel Committee and the Audit & Administration Committee have reviewed and approved said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:

32311000 51000 10113	Deputy Sheriff criminal Investigation BCI Personnel	13,549.00
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Increase:
 32311000 51093 10113 Sheriff BCI – Overtime 13,549.00

2022 Fiscal Impact – 0 –
 2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT.
 MOTION CARRIES.

Item #6c – Approval/ Fund Transfer (22T060)/ Sheriff’s Department/ Deputy Sheriff Positions in Community & Youth Division was next. On behalf of the members of the Personnel Committee, Legislators Addonizio and Nacerino, Legislator Jonke moved the following:

RESOLUTION #77

APPROVAL/ FUND TRANSFER (22T060)/ SHERIFF’S DEPARTMENT/ DEPUTY SHERIFF POSITIONS IN COMMUNITY & YOUTH DIVISION

WHEREAS, the Putnam County Sheriff has requested a fund transfer (22T060) to cover the salary of two (2) Deputy Sheriff Positions in the Community & Youth Division due to position move; and

WHEREAS, the Personnel Committee and the Audit & Administration Committee have reviewed and approved said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:

17311000 51000 10117	Deputy Sheriff Personnel – Road Patrol	3,408
17311000 51000 10123	Deputy Sheriff Personnel – Road Patrol	94
17311000 58002	FICA	<u>268</u>
		3,770

Increase:

16311000 51000 10115	Deputy Sheriff Pers – Community & Youth	3,408
16311000 51000 10105	Deputy Sheriff Pers – Community & Youth	94
16311000 58002	FICA	<u>268</u>
		3,770

2022 Fiscal Impact – 0 –
 2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT.
 MOTION CARRIES.

Item #6d – Approval/ Fund Transfer (22T061)/ Sheriff’s Department/ Deputy Sheriff Positions in Community & Youth Division and Road Patrol was next. On behalf of the members of the Personnel Committee, Legislators Addonizio and Nacerino, Legislator Jonke moved the following:

RESOLUTION #78

APPROVAL/ FUND TRANSFER (22T061)/ SHERIFF'S DEPARTMENT/ DEPUTY SHERIFF POSITIONS IN COMMUNITY & YOUTH DIVISION AND ROAD PATROL

WHEREAS, the Putnam County Sheriff has requested a fund transfer (22T061) to cover the salary a one (1) Deputy Sheriff in the Community & Youth Division and one (1) Deputy Sheriff in Road Patrol due to position moves; and

WHEREAS, the Personnel Committee and the Audit & Administration Committee have reviewed and approved said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:

13311000 51000 10111	Deputy Sheriff Pers. – Communications	92,715
13311000 51000 10109	Deputy Sheriff Pers. – Communications	86,048
13311000 58002	FICA	13,676
13311000 51096	Holiday Pay	<u>3,000</u>
		195,439

Increase:

16311000 51000 10113	Deputy Sheriff Pers. – Community & Youth	30,073
16311000 58002	FICA	2,301
17311000 51000 10153	Deputy Sheriff Pers. – Road Patrol	62,642
17311000 51000 10154	Deputy Sheriff Pers. – Road Patrol	86,048
17311000 58002	FICA	11,375
17311000 51096	Holiday Pay	<u>3,000</u>
		195,439

2022 Fiscal Impact – 0 –

2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
(Chairwoman Addonizio, Legislators Nacerino & Sayegh)**

Item #6e – Approval/ Consideration of Rule 68 Offer/ Grimaldi v. County of Putnam was next. Chairman Sullivan recognized Legislator Addonizio, Chairwoman of the Rules, Enactments & Intergovernmental Relations Committee. On behalf of the members of the Committee, Legislators Nacerino and Sayegh, Legislator Addonizio moved the following:

RESOLUTION #79

APPROVAL/ CONSIDERATION OF RULE 68 OFFER/ GRIMALDI V. COUNTY OF PUTNAM

WHEREAS, on or about March 15, 2017, the Plaintiff filed a Summons and Complaint in the United States District Court for the Southern District of New York alleging violations of Title II of the Americans with Disabilities Act and 42 U.S.C. §1983, including, but not limited to, rights guaranteed by the First, Eighth and Fourteenth

Amendments of the United States Constitution, as well as for wrongful death and negligent hiring, training and supervision; and

WHEREAS, Plaintiff sought recovery for compensatory and punitive damages in an undetermined amount; and

WHEREAS, the County's insurer, NYMIR, has directed counsel to serve a Rule 68 Offer of Settlement in the amount of four hundred thousand (\$400,000) dollars, inclusive of attorney's fees, thereby settling the matter or, in the alternative, potentially limiting liability for future costs and attorney's fees; and

WHEREAS, Section 11-1 of the Putnam County Code requires that the County Attorney obtain the approval of the Legislature for the settlement of all matters in excess of five thousand (\$5,000) dollars; and

WHEREAS, the County Attorney, the County's outside counsel, James A. Randazzo, and NYMIR's claims representative recommended the settlement in the sum of four hundred thousand (\$400,000) dollars as an alternative to trial and as a method of potentially limiting liability in the litigation moving forward; and

WHEREAS, the Rule 68 offer is in the public interest and may avoid the costs of further litigation; now therefore be it

RESOLVED, that the County Attorney is authorized to direct counsel, James A. Randazzo, Esq., to file a Rule 68 offer of settlement in connection with the Grimaldi v. County of Putnam, et al. case in the amount of four hundred thousand (\$400,000) dollars, inclusive of attorney's fees.

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE
(Chairwoman Sayegh, Legislators Addonizio & Jonke)

Item #6f – Approval/ Budgetary Amendment (22A019)/ County Historian/ Minor Sales/ Printing Costs was next. Chairman Sullivan recognized Legislator Sayegh, Chairwoman of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators Addonizio and Jonke, Legislator Sayegh moved the following:

RESOLUTION #80

APPROVAL/ BUDGETARY AMENDMENT (22A019)/ COUNTY HISTORIAN/ MINOR SALES/ PRINTING COSTS

WHEREAS, the Putnam County Historian has requested a budgetary amendment (22A019) which will enable the Historian to reimburse printing costs for the publication of "Putnam Valley: A Look Back;" and

WHEREAS, all proceeds from the sale of this book are shared by the Putnam County Historian's Office and the Putnam Valley Historical Society; and

WHEREAS, the Health, Social, Educational & Environmental Committee and the Audit & Administration Committee have reviewed and approved said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Increase Revenues:

10751000 426551 Historian – Minor Sales 955

Increase Expenses:

10751000 54311 Historian – Printing & Forms 955

2022 Fiscal Impact – 0 –

2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

Item #6g – Approval/ Budgetary Amendment (22A025)/ Health Department/ NYS Fellowship Program Office Supplies was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Addonizio and Jonke, Legislator Sayegh moved the following:

RESOLUTION #81

APPROVAL/ BUDGETARY AMENDMENT (22A025)/ HEALTH DEPARTMENT/ NYS FELLOWSHIP PROGRAM OFFICE SUPPLIES

WHEREAS, the Commissioner of Health has requested a budgetary amendment (22A025) to fund the purchase of Office Supplies, Computer Equipment (Desktops for the office and laptops for field work), and desk phones for four (4) new Fellowship positions; and

WHEREAS, the Health, Social, Educational & Environmental Committee and the Audit & Administration Committee have reviewed and approved said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Increase Appropriations:

26401001 52130 10173	Computer Equipment	3,000
26401001 52140 10173	Audio/ Visual Equipment	100
26401001 54310 10173	Office Supplies	4,000
26401001 54634 10173	Telephone	<u>1,970</u>
		9,070

Increase Estimated Revenues:

26401001 444892 10173	State Aid – NYS Health Fellowship	9,070
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2022 Fiscal Impact – 0 –

2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

Item #6h – Approval/ Authorizing the Filing of an Application for a State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Master Grant Contract, Under the Appropriate Laws of New York State

was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Addonizio and Jonke, Legislator Sayegh moved the following:

RESOLUTION #82

APPROVAL/ AUTHORIZING THE FILING OF AN APPLICATION FOR A STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE MASTER GRANT CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, Putnam County, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW THEREFORE BE IT RESOLVED by the Putnam County Legislature

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.
2. That the Commissioner of Health or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application, to sign the resulting contract if said application is approved by the STATE; and to provide such additional information as may be required.
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for share of such costs as indicated in the contract.
4. That two (2) certified copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

**ECONOMIC DEVELOPMENT & ENERGY COMMITTEE
(Chairman Gouldman, Legislators Jonke & Montgomery)**

Item #6i – Approval/ Appointment/ Putnam County Industrial Development Agency Board was next. Chairman Sullivan recognized Legislator Jonke, member of the Economic Development & Energy Committee. On behalf of the members of the Committee, Legislators Gouldman and Montgomery, Legislator Jonke moved the following:

RESOLUTION #83

APPROVAL/ APPOINTMENT/ PUTNAM COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD

RESOLVED, that the following be appointed to the Putnam County Industrial Development Agency:

Simon Carey, Town of Kent, to fill the unexpired term of the resignation of Stephen Baranowski, for a term to expire December 31, 2023.

And be it further

RESOLVED, that this appointment comply with any requirements to file an Oath of Office pursuant to the New York State Public Officers Law.

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

Item #6j – Approval/ Appointment/ Putnam County Industrial Development Agency Board was next. On behalf of the members of the Economic Development & Energy Committee, Legislators Gouldman and Montgomery, Legislator Jonke moved the following:

RESOLUTION #84

APPROVAL/ APPOINTMENT/ PUTNAM COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD

RESOLVED, that the following be appointed to the Putnam County Industrial Development Agency:

Ben Cheah, Town of Philipstown, to fill a vacancy for a term to expire December 31, 2022.

And be it further

RESOLVED, that this appointment comply with any requirements to file an Oath of Office pursuant to the New York State Public Officers Law.

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

Item #6k – Approval/ Appointment/ Putnam County Industrial Development Agency Board was next. On behalf of the members of the Economic Development & Energy Committee, Legislators Gouldman and Montgomery, Legislator Jonke moved the following:

RESOLUTION #85

APPROVAL/ APPOINTMENT/ PUTNAM COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD

RESOLVED, that the following be appointed to the Putnam County Industrial Development Agency:

Abigail O'Brien, Town of Putnam Valley, for a term to expire December 31, 2023.

And be it further

RESOLVED, that this appointment comply with any requirements to file an Oath of Office pursuant to the New York State Public Officers Law.

BY POLL VOTE: SIX AYES. ONE NAY – LEGISLATOR MONTGOMERY. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

**PHYSICAL SERVICES COMMITTEE
(Chairman Albano, Legislators Castellano & Gouldman)**

Item #6L - Approval/ SEQRA/ Negative Declaration/ Rehabilitation of Maybrook Bikeway II Phase A Bridge 5/ Town of Southeast/ Village of Brewster was next. Chairman Sullivan recognized Legislator Castellano, member of the Physical Services Committee. On behalf of the members of the Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #86

APPROVAL/ SEQRA/ NEGATIVE DECLARATION/ REHABILITATION OF MAYBROOK BIKEWAY II PHASE A BRIDGE 5/ TOWN OF SOUTHEAST/ VILLAGE OF BREWSTER

WHEREAS, the Putnam County Legislature is considering the approval of a Putnam County project referred to as the "Rehabilitation of Maybrook Bikeway II Phase A Bridge 5" ("the Project"); and

WHEREAS, the proposed project would involve the construction of the final section of the Maybrook Bikeway over the East Branch Croton River. Due to the need for structural repairs to Bridge 5 that were found during bikeway construction, the segment over the bridge wasn't completed. The proposed project involves new concrete substructure sections at the west bridge abutment, replace bridge bearings and construction of a paved path at grade and install prefabricated bridge decking to connect the approach pathway sections between the Brewster Honda lot and Peaceable Hill Road over the East Branch Croton River. The path approach and bridge will be fenced. During construction, there will be installation of temporary access roadway from Peaceable Hill Road to the west bridge abutment via a gravel roadway that will be removed and restored with topsoil, seeding, mulch, and deciduous trees; and

WHEREAS, the proposed action is subject to review under the State Environmental Quality Review Act and the Regulations promulgated thereunder ("SEQRA 6 NYCRR Part 617"); and

WHEREAS, on March 1, 2022, as part of Resolution #22- 53, the County Legislature issued an Unlisted Action determination for the above referenced Project, and declared its intent to serve as Lead Agency with respect to SEQRA; and

WHEREAS, a short Environmental Assessment form (EAF) has been prepared for the Project; and

WHEREAS, the EAF and associated documentation was circulated to all involved and interested agencies for the requisite 30 days with a Notice of the Putnam County Legislature's Intent to Serve as Lead Agency and no objections were received thereto; and

WHEREAS, the Putnam County Legislature, acting as Lead Agency, conducted a coordinated environmental review in accordance with 6 NYCRR Part 617.6; and

WHEREAS, based upon a careful review of the action as a whole, of the EAF and the criteria set forth in 6 NYCRR Part 617.7(c), it has been determined that the proposed project will not result in any potential significant adverse environmental impacts; now therefore be it

RESOLVED, the Putnam County Legislature, as Lead Agency, determines that the proposed project will not have any potential significant adverse impacts and a Draft Environmental Impact Statement will not be prepared; and be it further

RESOLVED, that in accordance with 6 NYCRR Part 617, the Putnam County Legislature, as Lead Agency, hereby accepts and adopts the Negative Declaration prepared in connection with the Rehabilitation of Maybrook Bikeway II Phase A Bridge 5 project, a copy of which is annexed hereto and made a part hereof, and be it further

RESOLVED, that this Resolution shall take effect immediately.

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

Item #6m - Approval/ Eminent Domain Acquisition / Fair Street (CR 60) Reconstruction Project / PIN 8756.09 / Town of Carmel was next. On behalf of the members of the Physical Services Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #87

APPROVAL/ EMINENT DOMAIN ACQUISITION / FAIR STREET (CR 60) RECONSTRUCTION PROJECT / P.I.N. 8756.09 / TOWN OF CARMEL

WHEREAS, Fair Street (CR 60) ("Fair Street") is part of the County of Putnam's arterial roadway network connecting NYS Route 52 (Gleneida Avenue) and NYS route 311 near the I-84 Interchange 18 in the Town of Carmel; and

WHEREAS, the County of Putnam ("County") owns and maintains the segment of Fair Street between New York State Route 52 and a point approximately 600 feet east of John Simpson Road in the Town of Carmel, County of Putnam, State of New York; and

WHEREAS, Fair Street is also a main connector from residential neighborhoods to the Town of Carmel's commercial center as well as Carmel High School; and

WHEREAS, Fair Street generally consists of two lanes that vary in width from 10 feet to 11 feet with a shoulder that varies in width from 0 feet to 4 feet; and

WHEREAS, the Fair Street corridor consists of deteriorated pavement, non-standard geometrics, inadequate drainage and bridge facilities, and insufficient pedestrian accommodations; and

WHEREAS, sight distance along Fair Street is limited in several locations due to non-standard vertical curves, with existing vertical geometry and roadside features such as trees, utility poles, and back slopes located within the clear zone also limiting the sight distance along Fair Street for motorists entering the roadway from side roads and driveways; and

WHEREAS, the south side of Fair Street has an existing concrete curb from NYS Route 52 (Gleneida Avenue) to approximately 130 feet east of Carmel High School, and the north side has existing concrete curb from NYS Route 52 (Gleneida Avenue) to approximately 180 feet west of Michael Brook; and

WHEREAS, the condition of the existing concrete curb ranges from good to severely deteriorated, with many areas exhibiting inadequate curb reveal; and

WHEREAS, pedestrian facilities along Fair Street are limited to concrete sidewalks located between NYS Route 52 (Gleneida Avenue) and Vink Drive along the north side of the roadway, and between NYS Route 52 (Gleneida Avenue) and Carmel High School along the south side, with access to existing sidewalks for persons with disabilities only provided near the post office and Vink Drive; and

WHEREAS, the condition of the sidewalk near the school and Laura Spain Memorial Cornerstone Park is good while the remaining sidewalk is in poor condition and deteriorating; and

WHEREAS, the existing drainage system within the Project corridor is a combination of closed and open systems, with the closed systems being deficient in handling surface runoff during rain events due in part to a build-up of sediment, and the open drainage systems operating at less than maximum efficiency; and

WHEREAS, due to the foregoing, the County is proposing to reconstruct an approximately 1.3 mile long section of Fair Street (CR 60) between Route 52 (Gleneida Avenue) and a point approximately 1,300 feet east of the intersection of Fair Street with Hill & Dale Road (CR 44) in the Town of Carmel, County of Putnam, State of New York (P.I.N. 8756.09) (the "Project"); and

WHEREAS, the purpose of the Project is to help address traffic operations, traffic congestion, safety concerns and pavement/drainage/bridge conditions along Fair Street in the Town of Carmel; and

WHEREAS, the objectives of the Project are as follows:

- **Provide traffic capacity improvements to maintain a minimum level of service through the design year;**
- **Provide safety improvements within the project area by improving non-standard and non-conforming roadway features, replacing the pavement structure and three (3) culverts and providing additional capacity;**
- **Provide congestion mitigation at the NYS Route 52 (Gleneida Avenue) and Fair Street intersection;**
- **Correct pavement deficiencies that will extend the useful life of the roadway and maintain it in a structurally sound condition using cost effective pavement treatments, which provide low life cycle costs;**
- **Replace the three (3) existing culverts (with additional hydraulic capacity); and**
- **Improve roadway drainage by constructing a new closed drainage system with adequate capacity to collect and convey surface runoff; and**

WHEREAS, the Project will include the full-depth reconstruction of the existing roadway on an improved vertical and horizontal alignment, as well as improvements to traffic capacity, traffic congestion, and the replacement of three (3) culverts that carry Michael Brook and its tributary under Fair Street; and

WHEREAS, the proposed highway typical section will consist of 14 feet shared (vehicles and bicycles) travel lanes with curb and no shoulder, and ADAAG compliant

concrete sidewalks will be provided along both sides of Fair Street from NYS Route 52 (Gleneida Avenue) to the area of Carmel High School; and

WHEREAS, a westbound designated left-turn lane will be provided on Fair Street at its intersection with NYS Route 52 (Gleneida Avenue) to help improve traffic operations., and a two-way left-turn lane will be provided in front of the Carmel High School and the Post Office; and

WHEREAS, the Project also includes a new closed drainage system along Fair Street, with new concrete curbs to convey surface runoff to drop inlets located along the roadway; and

WHEREAS, it is anticipated that it will be necessary for the County to acquire real property right of way interests in and to multiple tax map parcels in order to accomplish the Project; and

WHEREAS, the right-of-way acquisitions that are proposed along Fair Street will accommodate the proposed sidewalk, roadway widening and realignment to better meet standard design criteria, and widening for a two-way left-turn lane at the western end of the project; and

WHEREAS, in the course of acquiring the real property interests that are necessary to accomplish the Project, the County must comply with the provisions of the Eminent Domain Procedure Law (“EDPL”); and

WHEREAS, due to title issues and uncooperative landowners, it will be necessary for the County to acquire the real property right-of-way interests in and to portions of some of the tax map parcels by resort to Article 4 of the EDPL; and

WHEREAS, the Project is a Locally Administered Federal Aid Transportation Project administered by the County; and

WHEREAS, because of the Federal funding involved, the Project is subject to compliance with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (“Uniform Act”); and

WHEREAS, in the course of progressing the Project, the County must comply with the provisions of the Environmental Conservation Law; and

WHEREAS, in accordance with the provisions of Article 3 of the EDPL and the Uniform Act and its implementing regulations, the County caused to be appraised the real property interests that must be acquired in order to accomplish the Project, thereafter established amounts which the County believes represents just compensation for such respective real property interests, and has conveyed to each respective record title owner a written offer representing 100 percentum of the highest approved appraisal amount for such real property interests to be acquired; and

WHEREAS, EDPL Article 2 requires, as a condition precedent to acquiring title by means of an EDPL Article 4 proceeding, that the County conduct a public hearing to inform the public and to review the public use to be served by the proposed project and the impact on the environment and residents of the locality where the proposed project will be constructed unless such project is exempt from the EDPL Article 2 hearing requirements in accordance with EDPL Section 206; and

WHEREAS, EDPL §206 (A) provides that the County is exempt from compliance with the provisions of the EDPL Article 2 hearing requirements when, pursuant to other state, federal, or local law or regulation, it considers and submits factors similar to those enumerated in Article 2, subdivision (B) of section 204, to a state, federal, or local government agency, board, or commission before proceeding with the acquisition and obtains a license, a permit, a certificate of public convenience or necessity, or other similar approval from such agency, board, or commission; and

WHEREAS, the factors enumerated in EDPL Section 204 (B) are as follows:

- 1) the public use, benefit or purpose to be served by the proposed public project;
- 2) the approximate location for the proposed public project and the reasons for the selection of that location;
- 3) the general effect of the proposed project on the environment and residents of the locality;
- 4) such other factors as it considers relevant; and

WHEREAS, the Project is being progressed by the County Department of Highways and Facilities, with oversight by the New York State Department of Transportation (“NYSDOT”) and in close coordination with the Federal Highway Administration (“FHWA”), in accordance with the requirements of the NYSDOT “Procedures for Locally Administered Federal Aid Projects” manual and other applicable NYSDOT documents; and

WHEREAS, in order to progress to the Project through the project design phase, it was necessary for the County to obtain from NYSDOT and FHWA approval that the County has satisfied the requirements of the NYSDOT “Procedures for Locally Administered Federal Aid Projects” manual and other applicable NYSDOT documents, as well as Federal laws and regulations; and

WHEREAS, the County, in conjunction with its consultant, completed a Final Design Report for the Project in July, 2021, revised the Final Design Report in August, 2021, and submitted the Revised Final Design Report (“Final Design Report”) to FHWA and NYSDOT for approval; and

WHEREAS, the Final Design Report for the Project clearly sets forth the public use, benefit or purpose to be served by the Project, the approximate location for the Project, the reasons for the selection of that location and other information relative to the Project; and

WHEREAS, in the course of progressing the design of the Project, and as is more fully set forth in the Final Design Report, the County examined and considered the social, economic, and environmental consequences of the Project, and activities associated with the Project, including its impacts on: local residents; other affected populations; school districts; recreation areas; places of worship; businesses; police, fire and ambulance services; highway, traffic and overall public safety and health; social groups; regional and local economies and business districts; surface waters; water source quality; general ecology; wildlife; historic and cultural resources; farmlands; and visual resources; and

WHEREAS, the County submitted the Final Design Report to NYSDOT and FHWA for their concurrence and approvals, following which both FHWA and NYSDOT completed a review of the Final Design Report and approved the County’s preferred alternative; and

WHEREAS, FHWA and NYSDOT completed a review of the Final Design Report, and NYSDOT has provided preliminary project approval to the County and issued an Authorization to Proceed With ROW Acquisition; and

WHEREAS, Federal and State requirements for projects such as the Project include a mandate that the County undertake the action and satisfy the requirements of the National Environmental Policy Act (“NEPA”) as a condition precedent to the issuance of Final Design Approval and Right-of-Way Authorization for the Project; and

WHEREAS, in satisfaction of its obligations under NEPA and FHWA regulations, the Project is being progressed in conjunction with NYSDOT and FHWA as a Class II Action (Categorical Exclusion) because it does not individually or cumulatively have significant environmental impacts and is excluded from the requirement to prepare an Environmental Impact Statement (EIS) or an Environmental Assessment (EA) as documented in the Federal Environmental Approvals Worksheet (FEAW) that was prepared by the County; and

WHEREAS, in accordance with the FHWA's regulations in 23 CFR 771.117(c), this Project is one of the project types described in the 'd' list as primarily an "Action described in paragraph (c)(26), (c)(27) and (c)(28) of this section that does not meet the constraints in paragraph (e) of this section" and does not significantly impact the environment; and

WHEREAS, NYSDOT has determined, and FHWA has concurred, that the Project will not induce significant environmental impacts, and it meets the conditions and criteria for a NEPA Class II, D-List Categorical Exclusion with Documentation; and

WHEREAS, the County has satisfied the requirements of 23 CFR 771.129 in regard to the evaluation of the Project under NEPA; and

WHEREAS, the County, acting as Lead Agency, has completed a Full Environmental Assessment Form, has advanced the Project as a Type 1 action, and has issued a Negative Declaration for the Project; and

WHEREAS, in order to accomplish the Project, the County will have to obtain from the New York State Department of Environmental Conservation ("NYSDEC") an Article 15, Section 401 Water Quality Certification/Permit, a State Pollutant Discharge Elimination System (SPDES) General Permit (GP-0-20-001), NYSDEC Article 24 Freshwater Wetlands Permit, NYSDEC Article 15 Permit, as well as an Army Corps of Engineers Section 404 Nationwide Permit #14; and

WHEREAS, the Federal and State statutory and regulatory structures relating to Federal Aid Transportation Projects require the examination and consideration of land-air-water environmental, social, economic, historic and cultural factors as a condition of approving a project such as the Project to progress to Final Design and Right-of-Way acquisition phases; and

WHEREAS, In light of the several written approvals of FHWA and NYSDOT following the County's consideration and submission to those agencies of factors similar to those set forth in EDPL §204 (B), as required by Federal statute, FHWA regulations and NYSDOT statutes, regulations and policies, the County has satisfied the criteria set forth in EDPL §206 (A) and, therefore, is exempt from the requirement to hold an EDPL Article 2 hearing; and

WHEREAS, EDPL Section 206 (C) provides that the County is exempt from compliance with the hearing and determination and findings requirements of EDPL Article 2 when, "pursuant to other law or regulation it undergoes or conducts or offers to conduct prior to an acquisition one or more public hearings upon notice to the public and owners of property to be acquired, and provided further that factors similar to those enumerated in subdivision (B) of section two hundred four herein may be considered at such public hearings"; and

WHEREAS, the Project is subject to the provisions of 23 U.S.C. §128, 23 and 23 CFR §771.111; and

WHEREAS, 23 U.S.C. §128 requires, among other things, that prior to the acquisition of right-of-way interests for a public project, a public hearing must be held, or the opportunity for such be afforded, at which public hearing there are considered factors similar to those enumerated in subdivision (B) of Eminent Domain Procedure Law §204; and

WHEREAS, in accordance with the provisions of Title 23, U.S. Code, Section 128, and Title 40, U.S. Code of Federal Regulations, Parts 1500 to 1508 and other applicable statutes and regulations, on June 16, 2021, and after due notice thereof was provided, public hearing was conducted concerning the subject public Project; and

WHEREAS, the hearing was part of a larger process during which the County described the alternatives and preferred alternative, discussed right-of-way needs, construction impacts, and considered and addressed the potential social, historic, economic and environmental consequences of the proposed Project; and

WHEREAS, in light of the foregoing, the County has conducted a public hearing, upon notice to the public and owners of property to be acquired, at which factors similar to those enumerated in EDPL Section 204(B) were presented and considered, as a consequence of which the County is exempt from the EDPL Article 2 hearing requirements with respect to the Project.

NOW, THEREFORE, it is hereby

RESOLVED, that the Legislature of the County of Putnam has considered all relevant information pertaining to the proposed Fair Street (CR 60) Reconstruction Project and has determined the project development process implemented by the County, as well as the approvals necessarily obtained from FHWA, NYSDOT and SHPO, qualify the County and the Project for exemptions from the hearing requirements of EDPL Article 2, pursuant to EDPL Section 206 (A) and (C); and it is further

RESOLVED, the County hereby authorizes and directs the Commissioner of the County Department of Highways and Facilities to take such steps and perform such acts as are necessary for the County to acquire the real property right-of-way interests in, on, over and through portions of all Tax Map Parcels that may be necessary to accomplish the Project, including acquisitions by exercise of the right of eminent domain in accordance with the provisions of the EDPL.

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

**PROTECTIVE SERVICES COMMITTEE
(Chairwoman Nacerino, Legislators Sayegh & Sullivan)**

Item #6n – Approval/ Budgetary Amendment (22A024)/ Sheriff’s Department/ Insurance Recoveries/ Automotive was next. Chairman Sullivan recognized Legislator Nacerino, Chairwoman of the Protective Services Committee. On behalf of the members of the Committee, Legislators Sayegh and Sullivan, Legislator Nacerino moved the following:

RESOLUTION #88

**APPROVAL/ BUDGETARY AMENDMENT (22A024)/ SHERIFF’S DEPARTMENT/
INSURANCE RECOVERIES/ AUTOMOTIVE**

WHEREAS, the Putnam County Sheriff has requested a budgetary amendment (22A024) to recognize the State Farm Mutual Insurance Company reimbursement received to offset the cost of repairing one (1) of the Sheriff’s vehicles involved in an accident February 2, 2022; and

WHEREAS, the Protective Services Committee and the Audit & Administration Committee have reviewed and approved said budgetary amendment; now therefore be it RESOLVED, that the following budgetary amendment be made:

Increase Revenues:
17311000 426801 Sheriff Patrol – Insurance Recoveries 2,901.74

Increase Expenses:
17311000 54370 Sheriff Patrol – Automotive 2,901.74

2022 Fiscal Impact – 0 –
2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

Item #6o - Approval/ Budgetary Amendment (22A026)/ Sheriff's Department/ Corrections Division/ Purchase of Two (2) Vehicles was next. On behalf of the members of the Protective Services Committee, Legislators Sayegh and Sullivan, Legislator Nacerino moved the following:

RESOLUTION #89

APPROVAL/ BUDGETARY AMENDMENT (22A026)/ SHERIFF'S DEPARTMENT/ CORRECTIONS DIVISION/ PURCHASE OF TWO (2) VEHICLES

WHEREAS, the Putnam County Sheriff has requested a budgetary amendment (22A026) to utilize unspent previous Federal SCAAP Grant awards for the Purchase of two (2) Vehicles in the Corrections Division; and

WHEREAS, the Protective Services Committee and the Audit & Administration Committee have reviewed and approved said budgetary amendment; now therefore be it RESOLVED, that the following budgetary amendment be made:

Increase Revenue:
10315001 44389F 10032 Jail Fed/SCAAP- Crim Alien- SCAAP Grant 88,569

Increase Expenses:
10315001 52650 10032 Jail Fed SCAAP Grant – Automotive 88,569

2022 Fiscal Impact – 0 –
2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

Item #6p - Approval/ Budgetary Amendment (22A027)/ Sheriff's Department/ Donation/ K-9 Equipment was next. On behalf of the members of the Protective Services Committee, Legislators Sayegh and Sullivan, Legislator Nacerino moved the following:

Legislator Nacerino explained that Mr. Stilwell very generously has previously made several donations to the K-9 unit.

Legislator Addonizio thanked Mr. Stilwell for his generosity.

RESOLUTION #90

**APPROVAL/ BUDGETARY AMENDMENT (22A027)/ SHERIFF'S DEPARTMENT/
DONATION/ K-9 EQUIPMENT**

WHEREAS, the Sheriff's Department has received, through the generosity of Joseph D. Stilwell, a donation amount of \$5,000 with the intention that these funds be used to purchase several thermal imaging cameras to better equip the Sheriff's Office K-9 Unit; and

WHEREAS, the Putnam County Sheriff has requested a budgetary amendment (22A027) to account for this donation; and

WHEREAS, the Protective Services Committee and the Audit & Administration Committee has reviewed and approved said budgetary amendment; now therefore be it **RESOLVED**, that the following budgetary amendment be made:

Increase Appropriations:

17311000 52140	Audio Visual Equipment	4,260
17311000 54782	Software Accessories	131
17311000 54410	Supplies & Materials	322
17311000 54150	Canine	<u>287</u>
		5,000

Increase Estimated Revenues:

17311000 427050	Road Patrol, Gifts & Donations	5,000
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2022 Fiscal Impact – 0 –

2023 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT.
MOTION CARRIES.**

Item #6q – Approval/ Budgetary Transfer (22T063)/ District Attorney/ Special Services/ People v. Andrew Krivak was next. On behalf of the members of the Protective Services Committee, Legislators Sayegh and Sullivan, Legislator Nacerino moved the following:

Legislator Montgomery stated that we received some correspondence from the public in opposition to this. She stated that based on what she learned in executive session, and throughout this process in understanding this case, she stated that she would support this transfer.

Legislator Castellano stated that this would normally be available in the District Attorney's budget. He explained that this happened after the budget process and that was the reason why we were taking the funding from contingency.

Legislator Jonke stated that we received some correspondence from individuals who believed that we should not move forward with the prosecution. He believed that the young lady who was raped, murdered and left in the woods, and the family members deserves better than that. He stated that it is a lot of money to spend on expert witnesses, but he believed that she deserves this. He hoped that none of us, or the individuals who wrote letters, would be in the position to have a family member have done to them what happened to this little girl.

RESOLUTION #91

APPROVAL/ BUDGETARY TRANSFER (22T063)/ DISTRICT ATTORNEY/ SPECIAL SERVICES/ PEOPLE V. ANDREW KRIVAK

WHEREAS, the District Attorney has requested a budgetary transfer (22T063) to provide funding for re-trial cost relating to People v. Andrew Krivak; and

WHEREAS, the Protective Services Committee and the Audit & Administration Committee have reviewed and approved said budgetary transfer; now therefore be it RESOLVED, that the following budgetary transfer be made:

Increase Estimated Appropriations:

10116500 54682	Special Services	195,000
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Decrease Estimated Appropriations:

10199000 54980	Contingency	195,000
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2022 Fiscal Impact – 195,000

2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

Item 6r - Approval/ Budgetary Transfer (22T064)/ Sheriff's Department/ BCI Motor Vehicle Purchase was next. On behalf of the members of the Protective Services Committee, Legislators Sayegh and Sullivan, Legislator Nacerino moved the following:

Legislator Montgomery explained that Legislator Gouldman pointed out the fact that we are going outside of New York State for these purchases. She would like to see in the future some attempt with looking into buying electric vehicles. She explained that many municipalities have taken the effort to change over their entire fleet to electric. She stated that there are a lot of incentives to do this. She was hoping that we would make some progress in getting off our addiction of fossil fuels. She believed that electric vehicles could be a benefit to the people of Putnam County.

RESOLUTION #92

APPROVAL/ BUDGETARY TRANSFER (22T064)/ SHERIFF'S DEPARTMENT/ BCI MOTOR VEHICLE PURCHASE

WHEREAS, the Putnam County Sheriff has requested a budgetary transfer (22T064) to release budgeted funds in subcontingency earmarked for the purchase of a Bureau of Criminal Investigations (BCI) vehicle; and

WHEREAS, the Protective Services Committee and the Audit & Administration Committee have reviewed and approved said budgetary transfer; now therefore be it RESOLVED, that the following budgetary transfer be made:

Increase Estimated Appropriations:

32311000 52650	BCI – Motor Vehicles	35,000
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Decrease Estimated Appropriations:

10199000 54986	Sheriff – Subcontingency	35,000
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2022 Fiscal Impact – 0 –

2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

Item #6s - Approval/ Budgetary Transfer (22T065)/ Sheriff's Department/ Civil Division/ Motor Vehicle Purchase was next. On behalf of the members of the Protective Services Committee, Legislators Sayegh and Sullivan, Legislator Nacerino moved the following:

RESOLUTION #93

APPROVAL/ BUDGETARY TRANSFER (22T065)/ SHERIFF'S DEPARTMENT/ CIVIL DIVISION/ MOTOR VEHICLE PURCHASE

WHEREAS, the Putnam County Sheriff has requested a budgetary transfer (22T056) to utilize funds budgeted in subcontingency earmarked for the purchase of Civil Division Vehicle; and

WHEREAS, by Resolution #94 of 2022, fund transfer (22T070) will cover the shortfall of the purchase of this vehicle; and

WHEREAS, the Protective Services Committee and the Audit & Administration Committee have reviewed and approved said budgetary transfer; now therefore be it RESOLVED, that the following budgetary transfer be made:

Increase Estimated Appropriations:

15311000 52650	Sheriff Civil – Motor Vehicles	45,000
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Decrease Estimated Appropriations:

10199000 54986	Sheriff – Subcontingency	45,000
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2022 Fiscal Impact – 0 –

2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

Item #6t - Approval/ Fund Transfer (22T070)/ Sheriff's Department/ Civil Division/ Motor Vehicle Purchase Shortfall was next. On behalf of the members of the Protective Services Committee, Legislators Sayegh and Sullivan, Legislator Nacerino moved the following:

Legislator Nacerino explained that with the rising costs there was a shortfall of \$10,349 from the \$45,000 that was budgeted for this year and placed in subcontingency. It was also stipulated during budget that it must be a marked vehicle.

Legislator Montgomery stated that she would like to see some effort in finding out about purchasing electric vehicles. She stated that we approved a resolution several years ago about becoming a climate smart community. She stated that we have not made any progress on that, and this would go a long way in checking off those boxes and getting incentives to pay for this.

Legislator Sayegh agreed that we should move towards the purchase of some electric vehicles. She stated that in speaking with the Highways & Facilities Department about this, she was informed that equipment and tools would then also need to be changed. She believed that it would need to be a gradual implementation over time as it would be a huge undertaking.

Legislator Nacerino concurred with Legislator Montgomery that a conversation needs to take place and that we should be moving in that direction. She stated that it would need careful analysis of the expense and what is involved in doing so. She stated that, as Legislator Sayegh mentioned, it would be a gradual transition. She hoped that we would move in that direction in the future. She stated that there would be a lot involved and we did not know how cost effective it would be. She stated that this funding was encumbered last year in subcontingency for this purchase.

Legislator Castellano stated that he was not opposed to purchasing electric vehicles, however he did not believe we were at that point yet. He believed that the technology was there yet because you cannot just recharge a vehicle in a few minutes the same way you fuel a vehicle. He stated that the electric vehicles are also more expensive to purchase. He believed that this transfer was the right way to go right now to benefit the taxpayers, however he was open to electric vehicles in the future.

Legislator Montgomery pointed out that we passed the Climate Smart resolution approximately three (3) years ago, and she believed that electric vehicles were the future. She stated that we just approved several vehicles, and we could have started with the purchase of one (1) electric vehicle for the Sheriff's Department. She explained that the charge on these specialized vehicles lasts approximately 11 hours, lasting two (2) shifts. She stated that we have had discussions about this but yet nothing is moving forward, and we are now approving the purchase of several gas vehicles.

RESOLUTION #94

**APPROVAL/ FUND TRANSFER (22T070)/ SHERIFF'S DEPARTMENT/ CIVIL DIVISION/
MOTOR VEHICLE PURCHASE SHORTFALL**

WHEREAS, by Resolution #93 of 2022, the Putnam County Legislature approved the purchase of a Civil Division Vehicle in the Sheriff's Department, utilizing funds budgeted and earmarked in subcontingency for the purchase of said vehicle; and WHEREAS, the Protective Services Committee and the Audit & Administration Committee have reviewed and approved said fund transfer; now therefore be it RESOLVED, that the following fund transfer be made:

Decrease:		
17311000 52650	Road Patrol Motor Vehicle	10,349
Increase:		
15311000 52650	Civil Division – Motor Vehicle	10,349
	2022 Fiscal Impact – 0 –	
	2023 Fiscal Impact – 0 –	

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

Item #6u – Approval/Grant Application/ Bureau of Emergency Services/ 2022 Statewide Interoperable Communications Grant- Targeted Program (2022 SICG- Targeted Program) was next.

Legislator Nacerino explained that Items #6u and #6v involved grant applications that were moved forward from the Protective Committee for approval by the Full Legislature. There was a thorough discussion in Committee and general support for these grant applications. She explained that the grants do not require the expenditure of County matching funds, and since they do not involve the transfer of funds from subcontingency accounts budgeted for maintenance, repair and minor renovations, Legislative approval is not required by the Putnam County Code. She explained that, based on that information, she would not be moving forward with these two (2) agenda items.

Legislator Nacerino made a motion to remove Items #6u and #6v from the agenda; seconded by Legislator Sayegh.

Legislator Montgomery stated that she wanted to talk about the ropes team grant. She stated that this is a great thing and she was hoping to speak about it's long history.

Chairman Sullivan called for a vote on the motion to remove these items from the agenda.

By Poll Vote: All Ayes. Legislators Albano and Gouldman were absent. Motion carries.

APPROVAL/ GRANT APPLICATION/ BUREAU OF EMERGENCY SERVICES/ 2022 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT- TARGETED PROGRAM (2022 SICG- TAREGETED PROGRAM)

WHEREAS, the Bureau of Emergency Services would like to apply for a grant under the 2022 Statewide Interoperable Communications Grant- Targeted Program (2022 SICG- Targeted Program); and

WHEREAS, the total funding available for the 2022 SICG- Targeted Program is \$62,427,798 and it is a non-competitive grant program for counties and New York City upon application;

WHEREAS, the maximum available award is \$6 million; and

WHEREAS, this grant is a 100% reimbursement grant with no matching funds required; and

WHEREAS, the funds would be used towards Radio Communications; and

WHEREAS, the Grant Performance Period is four (4) years from the origination of the contract, with a potential for extension; and

WHEREAS, the application for this grant is due May 11, 2022; and

WHEREAS, the Protective Services Committee has considered and approved of this grant application; now therefore be it

RESOLVED, that the Putnam County Legislature approves and authorizes the Putnam County Bureau of Emergency Services to apply for this grant under the 2022 Statewide Interoperable Communications Grant- Targeted Program.

Item #6v – Approval/Grant Application/ Bureau of Emergency Services/ FY2020 Technical Rescue & Urban Search and Rescue (USAR) Grant Program was next.

Legislator Nacerino removed this item from the agenda by a motion made during Item #6u.

APPROVAL/GRANT APPLICATION/ BUREAU OF EMERGENCY SERVICES/ FY2020 TECHNICAL RESCUE & URBAN SEARCH AND RESCUE (USAR) GRANT PROGRAM

WHEREAS, the Bureau of Emergency Services has requested permission to apply for a \$150,000 grant from the New York State Division of Homeland Security and Emergency Services under its “FY2020 Technical Rescue & Urban Search and Rescue (USAR) Grant Program”; and

WHEREAS, the application cap for this grant is \$225,000 for Multi-County Team applications and \$75,000 for Single-County applications; and

WHEREAS, working in conjunction with Westchester County, Putnam County will apply for the Multi-County Team application in the amount of \$150,000; and

WHEREAS, this grant does not require any matching funds on behalf of the County; and

WHEREAS, the deadline for the application under this program is May 5, 2022; and

WHEREAS, the Protective Services Committee has reviewed and approved said grant application; now therefore be it

RESOLVED, that the Putnam County Legislature approves and authorizes the Bureau of Emergency Services to apply for a \$150,000 grant under the New York State Division of Homeland Security and Emergency Services “FY2020 Technical Rescue & Urban Search and Rescue (USAR) Grant Program.”

**AUDIT & ADMINISTRATION COMMITTEE
(Chairman Castellano, Legislators Albano & Gouldman)**

Item #6w - Approval/ Local Law to Amend Chapter 41 of the Putnam County Code Entitled "Deposit & Investment Policy" was next. Chairman Sullivan recognized Legislator Castellano, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #95

APPROVAL/ LOCAL LAW TO AMEND CHAPTER 41 OF THE CODE OF PUTNAM COUNTY ENTITLED "DEPOSIT & INVESTMENT POLICY"

Be it enacted by the County Legislature of the County of Putnam as follows:

Section 1.

Section 41-8 Permitted investments. Subsections A(1) through A(7) of the Putnam County Code are hereby repealed and replaced to read as follows:

- A. As authorized by General Municipal Law § 11, Putnam County authorizes the Commissioner of Finance to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:
- (1) Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in New York State;
 - (2) Through a Deposit Placement Program, certificates of deposit in one or more "banking institutions," as defined in Banking Law Section 9-r;
 - (3) Obligations of the United States of America;
 - (4) Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;
 - (5) Obligations of the State: With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e., Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district, or district corporation in New York State other than the County of Putnam;
 - (6) General obligation bonds and notes of any state other than New York State, provided that such bonds and notes receive the highest rating of at least one independent rating agency designated by the state comptroller;
 - (7) Obligations of any corporation organized under the laws of any state in the United States maturing within two hundred seventy days, provided that such obligations receive the highest rating of two independent rating services designated by the state comptroller, and that the issuer of such obligations has maintained such ratings on similar obligations during the preceding six

months; provided, however, that the issuer of such obligations need not have received such rating during the prior six month period if such issuer has received the highest rating of two independent rating services designated by the state comptroller and is the successor or wholly-owned subsidiary of an issuer that has maintained such ratings on similar obligations during the preceding six month period, or if the issuer is the product of a merger of two or more issuers, one of which has maintained such ratings on similar obligations during the preceding six month period; provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one corporation;

- (8) Bankers' acceptances maturing within two hundred seventy days which are eligible for purchase in the open market by federal reserve banks and which have been accepted by a bank or trust company which is organized under the laws of the United States or of any state thereof, and which is a member of the federal reserve system and whose short-term obligations meet the criteria outlined in paragraph seven (7) of this section; provided, however, that no more than two hundred fifty million dollars may be invested in such bankers' acceptances of any one bank or trust company;
- (9) Obligations of, or instruments issued by, or fully guaranteed as to principle and interest by, any agency or instrumentality of the United States acting pursuant to a grant of authority from the Congress of the United States, including but not limited to, any federal home loan bank or banks, the Tennessee valley authority, the federal national mortgage association, the federal home loan mortgage corporation, and the United States postal service; provided, however, that no more than two hundred fifty million dollars may be invested in such obligations of any one agency; or
- (10) No-load money market mutual funds registered under the Securities Act of 1933, as amended, and operated in accordance with Rule 2a-7 of the Investment Company Act of 1940, as amended, provided that such funds are limited to investments in obligations issued or guaranteed by the United States of America, or in obligations of agencies or instrumentalities of the United States of America, where the payment of principal and interest are guaranteed by the United States of America (including contracts for the sale and repurchase of any such obligations) and are rated in the highest rating category by at least one nationally recognized statistical rating organization; provided, however, that no more than two hundred fifty million dollars may be invested in such funds.

Subsection 41-8(B) to remain the same.

Section 2.

Section 41-10. Purchase of investments is hereby amended by adding a new subsection (A)(2)(c) to read as follows:

(A)(2)(c) J.P. Morgan Securities LLC.

Section 3.

This local law shall take effect immediately.

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & GOULDMAN WERE ABSENT. MOTION CARRIES.

Item #7 – Other Business

There was no other business submitted to the meeting.

Item #8 - Recognition of Public on Agenda Items

There were no members of the public wishing to speak.

Item #9 - Recognition of Legislators

Legislator Nacerino wished all her colleagues, Legislative staff, and all those who are moms a Happy Mother's Day.

Legislator Montgomery explained that last month and this month, she just basically requested some information from the Sheriff's Department to make sure the department was properly funded and staffed, and that our public and deputies were safe. She believed that the request she made was completely distorted by the Legislature, the one-sided reporting of the Putnam County News & Recorder, and the Putnam County Courier. She stated that she just asked a question about staffing. She explained that there was a similar case in the Town of Ramapo where the number of police officers on duty was requested. She stated that the request was denied because it would endanger the lives and the safety of the citizens of Ramapo. She stated that the opinion was that by releasing the number of officers on duty at any specific time could hamper the police department. She stated that she was not interested in the location of where the police officers might be stationed, but rather the numbers of shifts performed by officers. As she stated in her April 22nd memo to the Sheriff, she understood that the patrols were cut in March due to a lack of funding. She stated that we had six (6) patrols on since Sheriff Donald B. Smith. She stated that apparently there are now four (4) or five (5). She stated that the majority party of this Legislature voted to defund many items in the previous Sheriff's budget; but patrols were not one (1) of them. She stated that the reason for her inquiry was not to micromanage the Sheriff. She wanted to help and know why we were down patrols. She stated that her request pertained to prior activity. She stated that unfortunately she cannot get this information with a one-on-one phone call, in a Committee meeting of the Legislature, or by requesting it in a meeting with the Sheriff. She stated that she guessed she would have to go to the State to receive this information. She stated that we commissioned a study, and the last check was signed, paid, and cashed on March 22, 2022, for the Bonadio Report. She stated that obviously that report is available, however, we did not receive it. She stated that we spent an entire year during Covid-19 doing a police policy review. She stated that one (1) of the priorities of that was proper staffing. She believed that her request for information was totally distorted and she had no intention of starting off on the wrong foot with the Sheriff. She stated that she made many attempts to correspond with him in good faith. She stated that on another note, May is Mental Health Awareness Month. She stated that there was no doubt that too many in our community have been lost due to opioid

overdose, struggled silently everyday with issues related to depression, anxiety and addition. In 2019 Putnam County set out with a community health assessment and health improvement plan. She stated that the number one (1) priority of that plan was to promote the wellbeing and prevent mental and substance use disorders. She explained that she would continue to advocate for funding for the community-based organizations that provide much needed mental health. She hoped that ARPA funding would be utilized for this.

Chairman Sullivan mentioned that May is Motorcycle Safety Awareness month. He explained that information can be found on the Putnam County Sheriff's website reminding motorists to share the road with motorcycles, particularly during these crucial times as traffic is returning to pre-pandemic levels. He also shared the many tips that can be found on the website which motorists should be mindful of. He thanked the Sheriff for posting this important information. He also wished all mothers a Happy Mother's Day.

Legislator Sayegh stated that, as Chair of the Health Committee, she was proud to announce that Putnam County was once again ranked among the healthiest counties in the State of New York. She explained that this was a collaborative effort between our Health Department, Office for Senior Resources Department, Department of Social Services, Mental Health and all our not-for-profits that support health in Putnam County. She stated that in 2013 the number of uninsured residents was nearly 10%. She stated that today that figure has dropped to 4%. She thanked Health Commissioner Dr. Michael Nesheiwat for keeping Putnam County on track.

There being no further business, at 7:56 P.M., Chairman Sullivan made a motion to adjourn; seconded by Legislators Addonizio, Montgomery and Nacerino. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.