

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

Wednesday July 5, 2023
(Immediately following Public Hearing beginning at 6:45 P.M.)

The meeting was called to order at 6:53 P.M. by Chairman Jonke who requested Legislator Gouldman lead in the Pledge of Allegiance and Legislator Sayegh lead in the Legislative Prayer. Upon roll call, Legislators Montgomery, Gouldman, Addonizio, Ellner, Castellano, Sayegh, Crowley and Chairman Jonke were present. Legislator Nacerino was absent. Also present was Legislative Counsel Firriolo.

PROCLAMATIONS

Chairman Jonke requested that Putnam County Sheriff McConville, members of his department and the BCI Unit join him as Chairman Jonke presented the following four (4) proclamations to members of the Sheriff's Department.

RECOGNIZING PUTNAM COUNTY SHERIFF'S DEPARTMENT BCI UNIT

WHEREAS, the Putnam County Sheriff's Department is a highly regarded office within Putnam County Government. The work done each day by members of the Sheriff's Department is imperative to maintaining the safety of each and every resident of Putnam County; and

WHEREAS, the Bureau of Criminal Investigation (BCI) Unit within the Sheriff's Department serves a vital role in investigating sensitive cases. In April 2022 the BCI began investigations in a missing persons case where they worked tirelessly with the Sheriff's Department Patrol Division, Narcotics Unit, Forensic Unit, Operation Standards, and Intelligence Unit; and

WHEREAS, after countless hours of collecting necessary information, Investigators with the BCI Unit traveled to Alamance County in North Carolina, where they were assisted by the Federal Bureau of Investigation and the Alamance County Sheriff's Office. It was in Alamance County where the unfortunate discovery was made of the missing person's remains. The cooperation of these agencies led to the successful arrest of two individuals in this case; and

WHEREAS, due to the tireless efforts of BCI Captains James Shepperly and John Alfano, Senior Investigators Corinne Pitt and John Kerwick, Investigators Brian Aisenstat, Jeffrey Devolve, Frank Gallipani, Eric Hayes, Daniel Hunsberger, John Hyla, William Kraus, Benjamin Levine, Shaun Menton, Matthew Shelters, Keith Simone, Matthew Tunney, and Sergeant Paul Piazza, this tragic case was able to be resolved; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature hereby recognize the aforementioned members of the Putnam County Sheriff's Department BCI Unit and all other units and agencies that contributed to the resolution of this case.

RECOGNIZING PUTNAM COUNTY SHERIFF'S DEPARTMENT BCI UNIT

WHEREAS, the Putnam County Sheriff's Department is a highly regarded office within Putnam County Government. The work done each day by members of the Sheriff's Department is imperative to maintaining the safety of each and every resident of Putnam County; and

WHEREAS, the Bureau of Criminal Investigation (BCI) Unit within the Sheriff's Department serves a vital role in investigating sensitive cases. In July 2022 the BCI began investigating a reported sexual assault involving two victims and two offenders. They immediately conducted interviews with the victims and collected necessary information which ultimately lead to the identification of the two suspects; and

WHEREAS, due to the coordinated efforts of multiple agencies, attention to detail, and tireless efforts of BCI Captains James Shepperly and John Alfano, Senior Investigators Corinne Pitt, John Kerwick, and Randel Hill, Investigators Brian Aisenstat, Jeffrey Devolve, Frank Gallipani, Eric Hayes, John Hyla, William Kraus, Benjamin Levine, Shaun Menton, Kevin Radovich, Matthew Shelters, Keith Simone, Matthew Tunney, and Deputies Joel Martinez and Daisy Sari, the individuals responsible for these heinous crimes have been identified; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature hereby recognize the aforementioned members of the Putnam County Sheriff's Department BCI Unit and all other units and agencies that contributed to the resolution reached in this case.

RECOGNIZING DEPUTY ASHLEY PIQUERAS

WHEREAS, the Putnam County Sheriff's Department is a highly regarded office within Putnam County Government. The work done each day by members of the Sheriff's Department is imperative to maintaining the safety of each and every resident of Putnam County; and

WHEREAS, Deputy Robert Weinburg and Deputy Ashley Piqueras have demonstrated the respect and commitment they have to their responsibility as law enforcement officers. Each with a tenure of about 3 years, Deputies Weinburg and Piqueras have worked diligently to keep Putnam County as safe as possible; and

WHEREAS, in 2022 Deputies Weinburg and Piqueras collectively issued nearly 600 traffic summons, many of which were classified as aggressive driving offenses. Their work to keep our roadways safe resulted in 42 Driving While Intoxicated (DWI) or Driving While Ability Impaired (DWAI) arrests and 53 arrests for New York State Penal Law Statute violations; and

WHEREAS, in the first half of 2023 both Deputy Weinburg and Deputy Piqueras have continued their protection of Putnam County and are on track to surpass their 2022 numbers. Putnam County is an active community where residents are often walking and biking along roadways both as a form of recreation and transportation. Through issuing summons and removing dangerous drivers from the roadways the safety of our community as a whole increases; and

WHEREAS, both Deputy Weinburg and Deputy Piqueras serve as Field Training Officers, teaching and mentoring incoming recruits with a focus of providing them the foundation for a successful career in law enforcement; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature hereby recognize the dedication Deputy Robert Weinburg and Deputy Ashley Piqueras put forward to maintain safety in Putnam County.

RECOGNIZING DEPUTY ROBERT WEINBERG

WHEREAS, the Putnam County Sheriff's Department is a highly regarded office within Putnam County Government. The work done each day by members of the Sheriff's Department is imperative to maintaining the safety of each and every resident of Putnam County; and

WHEREAS, Deputy Robert Weinberg and Deputy Ashley Piqueras have demonstrated the respect and commitment they have to their responsibility as law enforcement officers. Each with a tenure of about 3 years, Deputies Weinberg and Piqueras have worked diligently to keep Putnam County as safe as possible; and

WHEREAS, in 2022 Deputies Weinberg and Piqueras collectively issued nearly 600 traffic summons, many of which were classified as aggressive driving offenses. Their work to keep our roadways safe resulted in 42 Driving While Intoxicated (DWI) or Driving While Ability Impaired (DWAI) arrests and 53 arrests for New York State Penal Law Statute violations; and

WHEREAS, in the first half of 2023 both Deputy Weinberg and Deputy Piqueras have continued their protection of Putnam County and are on track to surpass their 2022 numbers. Putnam County is an active community where residents are often walking and biking along roadways both as a form of recreation and transportation. Through issuing summons and removing dangerous drivers from the roadways the safety of our community as a whole increases; and

WHEREAS, both Deputy Weinberg and Deputy Piqueras serve as Field Training Officers, teaching and mentoring incoming recruits with a focus of providing them the foundation for a successful career in law enforcement; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature hereby recognize the dedication Deputy Robert Weinberg and Deputy Ashley Piqueras put forward to maintain safety in Putnam County.

Chairman Jonke recognized Legislator Crowley who presented the "4-H Showcase Week" proclamation to Ms. Stefanie Hubert, Executive Director of Cornell Cooperative Extension and 4-H volunteer youth members.

DESIGNATING JULY 24- JULY 29, 2023 AS "PUTNAM COUNTY 4-H SHOWCASE WEEK"

WHEREAS, the Putnam 4-H Showcase, sponsored by Cornell Cooperative Extension of Putnam County is celebrating its 2nd year; and

WHEREAS, the Putnam County 4-H Showcase showcases for the many interests and accomplishments of Putnam's children, adults, and programs; and continues to grow as an educational, cultural, and fun event that provides a wholesome experience for families from Putnam and the surrounding region; and

WHEREAS, the Putnam County 4-H Showcase enjoys the support and dedication of 4-H Club Leaders, members and families, Master Gardeners volunteers, and community service organizations including Rotary Clubs, as well as many local businesses; and

WHEREAS, the Putnam County 4-H Showcase provides a unique opportunity to learn about our community and view educational displays and exhibits created by the many talented young and young at heart residents of Putnam; and

WHEREAS, the Putnam County 4-H Showcase provides an exhibit for arts and

an array of accomplished artists from the Hudson Valley Region; and

WHEREAS, the Putnam County 4-H Showcase delights visitors throughout the weekend with activities at the Cornell Cooperative Extension Expo Barn, local artists and craftsmen tents, Touch A Truck, crafts and face painting, and Livestock and Poultry Barn, inflatable activities, food trucks, Duck Derby and more; now therefore be it

RESOLVED, that the week of July 24th - July 29th, 2023 will be designated "Putnam County 4H Showcase Week"; and be it further

RESOLVED, that the Putnam County Executive and the Putnam County Legislature recognize and congratulate the 2nd Annual 4-H Showcase and invite all Putnam County residents to attend.

Chairman Jonke stated that the proclamation honoring Judi Schoen & Laura Spallina will be moved to another date.

Chairman Jonke recognized Legislator Addonizio who presented the "Pretrial, Probation, Parole Supervision Week" proclamation to Probation Director John Osterhout.

PRETRIAL, PROBATION, PAROLE SUPERVISION WEEK - JULY 16-22, 2023

WHEREAS, community corrections is an essential part of the justice system; and

WHEREAS, community corrections professionals uphold the law with dignity, while recognizing the right of the public to be safe-guarded from criminal activity; and

WHEREAS, community corrections professionals are responsible for supervising adult and juvenile offenders in the community; and

WHEREAS, community corrections professionals are trained professionals who provide services and referrals for offenders; and

WHEREAS, community corrections professionals work in partnership with community agencies and groups; and

WHEREAS, community corrections professionals promote prevention, intervention, and advocacy; and

WHEREAS, community corrections professionals provide services, support, and protection for victims; and

WHEREAS, community corrections professionals advocate community and restorative justice; and

WHEREAS, community corrections professionals are a true Force for Positive Change in their communities; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim the week of July 16-22, 2023 as Pretrial, Probation, Parole Supervision Week and encourage all Putnam County residents to honor these community corrections professionals and to recognize their achievements.

Item #4 – Acceptance of Minutes – Regular Meeting – June 6, 2023

The minutes were accepted as submitted.

Item #5 – Correspondence

a) County Auditor

There was no activity during this reporting period.

Item #6 – Pre-filed resolutions:

**BUDGET & FINANCE COMMITTEE
(All Legislators)**

Item #6a – Approval/ 2024 Decentralized Budget Review Process for Preparation and Adoption of the 2024 County Budget was next. Chairman Jonke moved the following:

RESOLUTION #137

APPROVAL/ 2024 DECENTRALIZED BUDGET REVIEW PROCESS FOR PREPARATION AND ADOPTION OF THE 2024 COUNTY BUDGET

WHEREAS, the Budget and Finance Committee has reviewed and recommended the adoption of the attached Decentralized Budget Review Process for implementation in 2023 of the adoption of the 2024 budget; now therefore be it

RESOLVED, that the Putnam County Legislature hereby adopts the attached budget review process; and be it further

RESOLVED, that pursuant to Putnam County Charter Section 7.04 the Putnam County Legislature hereby adopts and notifies the County Executive of the policy and practice guidelines contained in Section E of this Decentralized Budget Review Process/2024 to be complied with by the County Executive.

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

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

Item #6b – Approval/ Budgetary Amendment (23A033)/ Planning Department/ Additional Unified Planning Work Program (UPWP) Funding Under New York Metropolitan Transportation Council (NYMTC) was next. Chairman Jonke recognized Legislator Gouldman, Chairman of the Physical Services Committee. On behalf of the members of the Committee, Legislators Castellano and Montgomery, Legislator Gouldman moved the following:

RESOLUTION #138

APPROVAL/ BUDGETARY AMENDMENT (23A033)/ PLANNING DEPARTMENT/ ADDITIONAL UNIFIED PLANNING WORK PROGRAM (UPWP) FUNDING UNDER NEW YORK METROPOLITAN TRANSPORTATION COUNCIL (NYMTC)

WHEREAS, the Acting Commissioner of Planning has requested a budgetary amendment (23A033) to account for additional UPWP Funding under NYMTC awarded to Putnam County; and

WHEREAS, the Physical 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 Estimated Revenue:		
55997000 53000 52308	Special Services	75,828

Increase Estimated Appropriations:		
55997000 449895 52308	UPWP – Federal Aid	75,828

2023 Fiscal Impact – 0 –
2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

Item #6c – Approval/ Budgetary Amendment (23A034)/ Planning Department/ Additional Unified Planning Work Program (UPWP) Funding Under New York Metropolitan Transportation Council (NYMTC) was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Montgomery, Legislator Gouldman moved the following:

RESOLUTION #139

**APPROVAL/ BUDGETARY AMENDMENT (23A034)/ PLANNING DEPARTMENT/
ADDITIONAL UNIFIED PLANNING WORK PROGRAM (UPWP) FUNDING UNDER NEW
YORK METROPOLITAN TRANSPORTATION COUNCIL (NYMTC)**

WHEREAS, the Acting Commissioner of Planning has requested a budgetary amendment (23A034) to account for additional UPWP Funding under NYMTC awarded to Putnam County; and

WHEREAS, the Physical 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 Estimated Revenue:		
55997000 53000 52308	Special Services	125,000

Increase Estimated Appropriations:		
55997000 449895 52308	UPWP – Federal Aid	125,000

2023 Fiscal Impact – 0 –
2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

Item #6d – Approval/ SEQRA Determination/ Type II/ Cantina at Tilly Foster Farm was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Montgomery, Legislator Gouldman moved the following:

Legislator Montgomery stated that she visited the Cantina building with Assemblywoman Levenberg. She stated that questions were raised about demolishing this building. She stated after being in there for quite some time, at the end of the meeting, it was clear that we were doing the right thing. She stated that she looked forward to Cornell Cooperative Extension being housed at that location. She was glad to see the farm being used by a somewhat public organization.

RESOLUTION #140

APPROVAL/ SEQRA DETERMINATION/ TYPE II/ CANTINA AT TILLY FOSTER FARM

WHEREAS, the Putnam County Legislature is considering the replacement of Building #6 (“the Cantina”) at Tilly Foster Farm with a slab on grade, 2,500 square foot wood frame structure to be used for office space and classroom instruction by Cornell Cooperative Extension. The design will be aesthetically consistent with the rest of the property and will use existing water supply and septic infrastructure, and

WHEREAS, the existing building is in poor condition and it has been determined that replacement of Building #6 is the preferred alternative for Cornell Cooperative Extension to utilize the building, and

WHEREAS, this action has been determined to be a Type II Action in accordance with 6 NYCRR Part 617.5(c)(9) “construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities” and 617.5(c)(2) “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site”, now therefore be it

RESOLVED, that the Putnam County Legislature accepts the determination that this project is a Type II Action and pursuant to the State Environmental Quality Review Act §617.6(1)(i), there is no further environmental review necessary.

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

Item #6e – Approval/ Inclusion of Parcels in Putnam County Agricultural District was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Montgomery, Legislator Gouldman moved the following:

RESOLUTION #141

APPROVAL/ INCLUSION OF PARCELS IN PUTNAM COUNTY AGRICULTURAL DISTRICT

WHEREAS, by Resolution #81 of 2003, the Putnam County Legislature created an Agricultural District in the County of Putnam; and

WHEREAS, by Resolution #193 of 2011, after the 8th year anniversary of the formation of the district, the Putnam County Legislature modified said Putnam County Agricultural District #1, and

WHEREAS, by Resolution #244 of 2003, the Putnam County Legislature established the month of November in which a landowner may request inclusion in the Putnam County Agricultural District; and

WHEREAS, by Resolution #154 of 2015, the Putnam County Legislature changed the annual thirty-day inclusion request period, from the month of November to April 1st through April 30th, commencing in the year 2016 and each year thereafter; and

WHEREAS, November 19, 2019 marked the second 8-Year Anniversary of the formation of this district requiring the Putnam County Legislature to review this district and either continue, terminate or modify the district created; and

WHEREAS, by Resolution #204 of 2019 the Putnam County Legislature determined that the Putnam County Agricultural District No. 1 remained the same in accordance with the recommendations of the Putnam County Agriculture and Farmland Protection Board to consist of 157 parcels with a total acreage of 5,113.9 acres; and

WHEREAS, in 2023, requests were presented to the Putnam County Legislature to modify the existing Agricultural District in the County of Putnam by including the following parcels in the District:

Town of Putnam Valley:

Hollister Hills Farm (Stag Millwork LLC) – Tax Map #72.-1-33 (66.44 Acres) Total Acreage: 66.44

Town of Southeast:

BarnDog LLC – Tax Map #80.-1-3.3 (4.99 acres); Tax Map #80.-1-3.2 (32.62 Acres); and Tax Map #80.-1-3.1 (27.91 Acres) Total Acreage: 65.52

Total acreage in petitions: 131.96

WHEREAS, pursuant to Article 25 AA of the Agriculture and Market Law, section 303-b, a public hearing on the requests was conducted by the Putnam County Legislature on July 6, 2021; and

WHEREAS, the Putnam County Agriculture and Farmland Protection Board considered the requests for inclusion and reported which, if any, parcels for inclusion would serve the public interest by assisting in maintaining a viable agricultural industry within the District and recommended the inclusion of said parcels in the Putnam County Agricultural District; and

WHEREAS, the Physical Services Committee of the Putnam County Legislature reviewed and approved the recommendations made by the Putnam County Agriculture & Farmland Protection Board; and

WHEREAS, the Putnam County Legislature has considered the comments of the speakers at the public hearing, the recommendations of the Putnam County Agricultural and Farmland Protection Board, the various letters in support and in opposition to the inclusion of these parcels in the modification of the Agricultural District; now therefore be it

RESOLVED, that the Putnam County Legislature accepts and adopts the findings provided by the Putnam County Agriculture and Farmland Protection Board; and be it further

RESOLVED, that the Putnam County Legislature hereby declines to include any of the parcels requested for inclusion in the Putnam County Agricultural District.

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

***Copy of Applications on file in the Legislative Office for review.**

Item #6f – Approval/ Ratification of Applications Submitted for Grant Funding Available Through the 2023 Consolidated Funding Application (CFA) Program Aimed to Increase Local Economic Development and Encourage Growth in Putnam County was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Montgomery, Legislator Gouldman moved the following:

Legislator Montgomery expressed that she would have preferred to see these projects separated and not on one (1) resolution. She understands that there will come a time when we will vote on these projects separately when the funding is actually allocated. She stated that this is just to apply for the grant funding. She stated that she was not in favor of seeing \$1.5 million go to the Golf Course Maintenance and Cart Storage. She believed that enough money has been invested in this property. She believed that our County employees desire a better place to work. She explained that she was in favor of applying for the grant and was happy we could vote on these separately in the future.

Legislator Sayegh stated that these are proposed projects that might possibly receive CFA funding. She explained that this is just for the approval to apply for the CFA funding.

RESOLUTION #142

APPROVAL/ RATIFICATION OF APPLICATIONS SUBMITTED FOR GRANT FUNDING AVAILABLE THROUGH THE 2023 CONSOLIDATED FUNDING APPLICATION PROGRAM AIMED TO INCREASE LOCAL ECONOMIC DEVELOPMENT AND ENCOURAGE GROWTH IN PUTNAM COUNTY

WHEREAS, the County Executive and the Putnam County Legislature (the “Legislature”) agree that through economic development efforts that generate, retain and/or create jobs; prevent, maintain and upgrade government facilities to improve operations; and increase business and economic activity in Putnam County (the “County”); and

WHEREAS, competitive funding opportunities are offered through New York State and set forth in NYSREDC’s 2023 Available CFA Resources Manual (the “Manual”), for which the submission deadline of applications is July 28, 2023; and

WHEREAS, funding opportunities described in the Manual include repairing or renovating historic structures, implementation of carbon neutral projects, and economic development generating infrastructure projects including property restoration/ trail and dam renovation projects, all of which are expected to improve the economic and environmental conditions of County facilities and promote social viability and vitality, thereby positively impacting the County’s economic competitiveness, which is wholly in the best interests of County taxpayers; and

WHEREAS, the County, by and through the Putnam County Department of Planning, Development and Public Transportation (the “Department”), is desirous to competitively seek grant funds through REDC’s 2023 CFA program; and

WHEREAS, if grant funding is awarded to the County, depending on the award and grant category, the state award is a maximum of eighty to fifty percent of the total project costs:

Proposed Project	Location	Estimated Costs	CFA Application
<i>Putnam County Salt Storage Facility</i>	<i>841 Fair Street Carmel, NY</i>	<i>\$619,000</i>	<i>\$309,500</i>
<i>Putnam County Historic Courthouse Column Restoration</i>	<i>40 Gleneida Avenue Carmel, NY</i>	<i>\$175,000</i>	<i>\$87,500</i>
<i>Fire Training Center</i>	<i>192 Gypsy Trail Road Carmel, NY</i>	<i>\$750,000</i>	<i>\$200,000</i>
<i>Golf Course Maintenance and Cart Storage facility</i>	<i>187 Hill Street Mahopac, NY</i>	<i>\$1,500,000</i>	<i>\$1,125,000</i>
<i>Putnam County Trail Maintenance</i>	<i>Mahopac, NY</i>	<i>\$250,000</i>	<i>\$200,000</i>
<i>Dam Improvement Project</i>	<i>South Lake Dams Kent, NY</i>	<i>\$250,000</i>	<i>\$200,000</i>
<i>Strategic Plan for County-owned Buildings</i>	<i>Various Locations</i>	<i>\$200,000</i>	<i>\$100,000</i>

Now therefore be it

RESOLVED, that the County Executive, together with the Legislature, supports and approves of the County's applications for CFA grant funding to be submitted by the Department by July 28, 2023 to the NYREDC for its consideration; and it is hereby further RESOLVED, that this Resolution shall take effect immediately.

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

PERSONNEL COMMITTEE
(Chairman Jonke, Legislators Castellano & Nacerino)

Item #6g – Approval/ Confirmation/ Appointment/ Commissioner of Finance was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Nacerino, Chairman Jonke moved the following:

Chairman Jonke stated that it was his honor to move this confirmation of appointment for the new Commissioner of Finance Michael J. Lewis. He explained that Mr. Lewis has worked for the Putnam County Finance Department, and he interviewed for this position. He stated he has big shoes to fill with the retirement of Commissioner Carlin.

Legislator Castellano stated that he was proud to have someone within Putnam County government to take over this responsibility. He explained that, as Chairman of the Audit

& Administration Committee, he had the chance to sit in during the interview process. He stated that there were several good, qualified candidates and Mr. Lewis rose above them all. He believed that he would do a fantastic job and looked forward to working with him.

Legislator Crowley stated that, as a new Legislator, Mr. Lewis has made himself accessible to all her questions which she very much appreciated. She explained that he is extremely knowledgeable, and she looks forward to working with him.

Legislator Addonizio stated that it was an honor to confirm her vote for Mr. Lewis. She stated that his qualifications are outstanding. She congratulated to him on this appointment.

Legislator Sayegh concurred. She explained that he has a previous background as an Auditor and experience in government. He is very open and transparent to the Legislature. She was happy to approve this appointment.

Legislator Montgomery stated that she was thrilled to approve Mr. Lewis' appointment. She stated that he has made information more accessible, and she believed it would be great for the public to have him as Commissioner of Finance.

Legislator Gouldman stated that Michael Lewis is a wonderful choice as Commissioner of Finance.

Legislator Ellner stated that he had the pleasure of working with Mr. Lewis on a few things. He stated that Mr. Lewis is thorough, efficient and would be an asset to Putnam County.

RESOLUTION #143

APPROVAL/ CONFIRMATION/ APPOINTMENT/ COMMISSIONER OF FINANCE

WHEREAS, County Executive Kevin M. Byrne has appointed Michael J. Lewis as Commissioner of Finance, pursuant to Article 4, Section 4.01 of the Putnam County Charter effective June 3, 2023; and

WHEREAS, Michael J. Lewis possesses the requisite knowledge, experience, and qualifications to serve as the Commissioner of Finance for the County of Putnam; and

WHEREAS, the Personnel Committee of the Putnam County Legislature considered and approved this appointment; now therefore be it

RESOLVED, that the Legislature hereby confirms the appointment of Michael J. Lewis as the Commissioner of Finance for the County of Putnam, pursuant to Article 4, Section 4.01 of the Putnam County Charter; and be it further

RESOLVED, that Michael J. Lewis shall serve at the pleasure of the County Executive in accordance with the terms of Section 4.01 of the Putnam County charter; and be it further

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

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

Item #6h – Approval/ Confirmation/ Appointment/ Director of Real Property Tax Services was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Nacerino, Chairman Jonke moved the following:

Chairman Jonke explained that he was on the phone during the interview process of Ms. McLoughlin a few weeks ago. He stated that he knows of her past background in the appraisal business. He stated that she shined in her interview, and it gives him great pleasure to move this appointment forward.

Legislator Sayegh stated that Ms. McLoughlin comes highly recommended. She has an impeccable reputation and has great experience. She believed she would be an asset to Putnam County.

Legislator Gouldman believed that Ms. McLoughlin is a wonderful choice to be the Director of Real Property. He congratulated her on the appointment and welcomed her to the County.

Legislator Montgomery stated that she was happy to approve this appointment. She welcomed Ms. McLoughlin and looked forward to working with her.

RESOLUTION #144

APPROVAL/ CONFIRMATION/ APPOINTMENT/ DIRECTOR OF REAL PROPERTY TAX SERVICES

WHEREAS, County Executive Kevin M. Byrne has appointed Patricia McLoughlin as Director of Real Property Tax Services, effective June 12, 2023, pursuant to Article 4, Section 4.03 of the Putnam County Charter; and

WHEREAS, Paul Eldridge, Personnel Officer, was advised by the NYS Department of Tax and Finance, Office of Real Property Tax Services in a letter dated May 17, 2023, that Patricia McLoughlin meets the minimum qualification standard for County Director as set forth in section 20 NYCRR 8188-4.3 of the rules for real property tax administration; and

WHEREAS, the Director of Real Property Tax Services is a term appointed position of 6 years as provided for in NYS Real Property Tax law; and

WHEREAS, the current term time frame began on October 1, 2019, and expires on October 1, 2025; and

WHEREAS, Ms. McLoughlin is being appointed to serve the remainder of the current term's time frame, after which, she would be eligible for a full six-year term; and

WHEREAS, the Personnel Committee of the Putnam County Legislature considered and recommends approval of this appointment, now therefore be it

RESOLVED, that the Legislature hereby confirms the appointment of Patricia McLoughlin as Director of Real Property Tax Services for Putnam County pursuant to Article 4, Section 4.03 of the Putnam County Charter; and be it further

RESOLVED, that Patricia McLoughlin shall serve the remainder of the current term time frame as stated above; and be it further

RESOLVED, that this appointment shall comply with the requirements to file an Oath of Office pursuant to New York State law.

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

Item #6i – Approval/ Policy for Service Animals was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Nacerino, Chairman Jonke moved the following:

Legislator Montgomery stated that this new policy would prohibit anyone from bringing their animal onto County premises unless it is a service animal. She understands that a policy is needed but believed this was too prohibitive. She explained that we all know the benefits animals provide for mental health whether they are certified or not. She believed there should be some discretion for Department Heads and people in the buildings. She stated that we are a dog friendly county and wherever you go other states are way more dog friendly. She stated that she would be voting no on this.

Legislator Crowley believed that we did need discretions pertaining to this. She stated that there was an emotional support guinea pig in the Health Department at one (1) point. She believed that it could cause some health and safety issues. She believed that some restrictions were needed when it came to what type of animals were being brought in as emotional support animals.

Legislator Montgomery stated that there are many people who cannot get dogs. When their children want an animal, there are many that get them guinea pigs as an emotional support and a way of showing them how to care for a pet.

Legislator Sayegh stated that this policy was well researched by our Personnel Department. She explained that under the Americans with Disabilities Act, we may not discriminate against individuals with disabilities, and we must permit a service animal in all areas. She believed it was just making it clear where animals are allowed or not. She explained that it was limited to the guidelines of the American Disabilities Act. She believed that it was important to have guidelines in place to protect all of our employees.

Legislator Castellano believed that it was fair to have to have a policy in place to fall back on for supervisors and employees of the County.

Legislator Montgomery stated that this policy would prohibit the SPCA from even hosting an event in a County building by bringing in animals to showcase.

Chairman Jonke stated that, as someone with a family member who is disabled and has a service animal, he understood the need for a service animal and complying with the Americans with Disabilities Act. He stated that our County facilities are places of business and should be treated that way.

RESOLUTION #145

APPROVAL/ POLICY FOR SERVICE ANIMALS

WHEREAS, under the Americans with Disabilities Act, businesses and facilities that serve the public may not discriminate against individuals with disabilities and must

permit a service animal in all areas of the facility where customers are allowed or the public is invited; and

WHEREAS, no individual assisted by a service dog satisfying the definition pursuant to the provisions of the Americans with Disabilities Act (ADA) will be denied access to any Putnam County facility to areas where the public is normally allowed access; and

WHEREAS, Putnam County prohibits individuals, including employees, from bringing onto the premises an animal that does not meet the ADA's definition of service animal. This shall not apply to law enforcement animals or animals that are property of Putnam County; now therefore be it

RESOLVED, that subject to any applicable agreement by and with the respective collective bargaining agents of the various employee units of the County of Putnam: All service animals must be licensed in compliance with state and local laws. Service animals must also be vaccinated against rabies and other diseases typically found in that animal and must wear a tag displaying its vaccinated status. Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents them from using these devices, in which case the individual must maintain control of the animal through voice, signal or other effective controls; and be it further

RESOLVED, that the service animal's handler must be in complete control of the service animal at all times. The care and supervision of a service animal is solely the responsibility of its handler. An individual who brings a service animal onto Putnam County's premises is completely and solely liable for any injuries or damage to personal property caused by the animal. Any repair or cleaning costs incurred by a service animal will be charged to the handler; and be it further

RESOLVED, in the event it is not obvious what service the service animal provides, pursuant to the Americans with Disabilities Act very limited inquiry is permitted before granting access; and be it further

RESOLVED, a person with their service animal seeking access to a Putnam County facility cannot be denied entry or asked or required to remove a service dog from the premises unless: (1) the dog is out of control, (2) the dog is not housebroken, or (3) the dog is in violation of any provision of this policy; and be it further

RESOLVED, that allergies and/or fear of dogs are not valid reasons for denying access or refusing service to people using service animals; and be it further

RESOLVED, that establishments that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises. Employees cannot isolate people who use service animals from other patrons, treat them less favorably than other patrons, or charge fees that are not charged to other patrons without animals; and be it further

RESOLVED, that County employees are not required to provide care or food for a service animal and should not pet, feed, distract or interact with a service animal, that is not their own, in any way; and be it further

RESOLVED, that this Resolution shall take effect immediately and shall be subject to renewal or continuation by Resolution; and be it further

RESOLVED, that the Personnel Officer and the various County Department Heads are hereby directed to undertake such administrative acts and tasks as are necessary and proper such as the creation of policies and/or procedures to carry out the intention of this resolution.

BY ROLL CALL VOTE: SEVEN AYES. ONE NAY – LEGISLATOR MONTGOMERY. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

Item #6j – Approval/ Policy for Public Facility Access was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Nacerino, Chairman Jonke moved the following:

Legislator Montgomery clarified that this means that the public will no longer be able to freely use their camera or video tape. It will be determined by the individual Department Head, or staff member, what is considered private or public in County buildings.

Chairman Jonke stated that this is to protect the privacy of our residents meaning that when people visit our facilities, they cannot get behind a desk and freely video tape computer screens or paperwork on someone’s desk. This policy would restrict the release of private information.

Legislator Sayegh stated that it also defines a designated public access area and a nonpublic access area where employees are performing their jobs.

Legislator Montgomery believed that in a time where access to county government is currently very limited, this policy was overreaching. It does not really define but leaves it up to interpretation of the individual Department Head, or staff member, of where or when public access is. She believed this was doing more to limit public access.

Chairman Jonke read the fifth, sixth and seventh RESOLVED clause from the resolution. He believed the language was clear.

RESOLUTION #146

APPROVAL/ POLICY FOR PUBLIC FACILITY ACCESS

WHEREAS, Putnam County is committed to protecting the administration of the Putnam County government and the rights of citizens under the First Amendment of the United States Constitution; now therefore be it

RESOLVED, that subject to any applicable agreement by and with the respective collective bargaining agents of the various employee units of the County of Putnam: Putnam County shall establish and adopt a Public Facility Access Policy; and be it further

RESOLVED, that this policy shall define and establish different levels of Public Facility access areas; and be it further

RESOLVED, that each department shall establish area designations based on the definitions within this policy; and be it further

RESOLVED, that each level of Public Facility Access shall allow differing levels of recording; and be it further

RESOLVED, that in all areas, employees shall make every reasonable effort to safeguard private and/or confidential information; and be it further

RESOLVED, that employees shall allow the peaceful photography or recording of designated public areas during the hours such space is open to the public. Loud disruptive and/or threatening behavior will not be tolerated. Visitors that are disrupting the administration of County government will be respectfully asked to leave or alter their behavior; and be it further

RESOLVED, that any person threatening County employees or other members of the public will be asked to vacate the premises. In the event that a visitor is loud, disruptive, or threatening, and will not vacate the premises when asked, law enforcement will be called; and be it further

RESOLVED, that this Resolution shall take effect immediately and shall be subject to renewal or continuation by Resolution; and be it further

RESOLVED, that the Personnel Officer and the various County Department Heads are hereby directed to undertake such administrative acts and tasks as are necessary and proper such as the creation of policies and/or procedures to carry out the intention of this resolution.

BY ROLL CALL VOTE: SEVEN AYES. ONE NAY – LEGISLATOR MONTGOMERY. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

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

Item #6k – Approval/ Budgetary Amendment (23A032)/ Legal Aid Society/ Indigent Legal Services was next. Chairman Jonke recognized Legislator Nacerino, Chairwoman of the Protective Services Committee. On behalf of the members of the Committee, Legislators Addonizio and Nacerino, Legislator Sayegh moved the following:

RESOLUTION #147

APPROVAL/ BUDGETARY AMENDMENT (23A032)/ LEGAL AID SOCIETY/ INDIGENT LEGAL SERVICES

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (23A032) to adjust the 2023 budget to account for State Aid from the New York State Office of Indigent Legal Services; and

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

Increase Estimated Appropriations:

25117000 54950	Legal Aid Society	250,000
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Increased Estimated Revenues:

25117000 430251	State Aid – Indigent Legal Services	250,000
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2023 Fiscal Impact – 0 –

2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

Item #6L – Approval/ Budgetary Amendment (23A037)/ Sheriff’s Department/ State and Municipal (SAM) Facilities Grant Program was next. On behalf of the members of the

Protective Services Committee, Legislators Addonizio and Nacerino, Legislator Sayegh moved the following:

RESOLUTION #148

APPROVAL/ BUDGETARY AMENDMENT (23A037)/ SHERIFF'S DEPARTMENT/ STATE AND MUNICIPAL (SAM) FACILITIES GRANT PROGRAM

WHEREAS, by Resolution #118 of 2022, the Putnam County Legislature approved an application for grant funding in the amount of \$50,000 administered through Dormitory Authority State of New York (DASNY); and

WHEREAS, the grant was awarded by the State and Municipal (SAM) Facilities Program Grant for costs associated with the purchase of equipment, to include license plate reader system, crime scene camera system, computers, a printer/copier/scanner and an alarm enhancement at the Philipstown substation; and

WHEREAS, said grant does not require matching County funds, and is effective from April 23, 2023, through April 13, 2026; and

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (23A037) to account for said grant award; 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 Appropriations:

17311000 52130 10203	Patrol – Computer Equipment	2,698
17311000 52140 10203	Patrol – Audio Visual Equipment	7,296
17311000 52180 10203	Patrol – Other Equipment	8,909
17311000 52630 10203	Patrol – Computer Equipment	5,109
17311000 52680 10203	Patrol – Other Equipment	25,767
17311000 54300 10203	Patrol – Miscellaneous Supplies	<u>221</u>
		50,000

Increase Estimated Revenues:

17311000 437897 10203	State Aid – SAMS Grant (Project #25075)	50,000
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2023 Fiscal Impact – 0 –

2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

Item #6m – Approval/ Fund Transfer (23T146) / Sheriff's Department/ Comp Payout was next. On behalf of the members of the Protective Services Committee, Legislators Addonizio and Nacerino, Legislator Sayegh stated that there was a revision made.

Chairman Jonke made a motion to accept the revised resolution; seconded by Legislator Ellner. All in favor.

Legislator Sayegh moved the following revised resolution:

RESOLUTION #149

APPROVAL/ FUND TRANSFER (23T146) / SHERIFF'S DEPARTMENT/ COMP PAYOUT

WHEREAS, the Putnam County Sheriff has requested a fund transfer (23T146) to cover projected future comp payout requests for 2023; 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:

10311000 51093	Sheriff Admin Overtime	10,000
17311000 51093 10144	Sheriff Patrol Acc. Recon Overtime	10,000
17002000 51093	Sheriff Patrol Weight Enforcement OT	10,000
17311000 51093	Sheriff Patrol Overtime	35,000

Increase:

10311000 51092	Sheriff Admin Comp Payout	65,000
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2023 Fiscal Impact – 0 –

2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
(Chairwoman Addonizio, Legislators Ellner & Gouldman)**

Item #6n – Approval/ Local Law to Amend the Code of Putnam County by Adding a New Chapter 170 Entitled “Homeless Shelters” was next. Chairman Jonke recognized Legislator Addonizio, Chairwoman of the Rules, Enactments & Intergovernmental Relations Committee. On behalf of the members of the Committee, Legislators Ellner and Gouldman, Legislator Addonizio moved the following:

Legislator Addonizio read the resolution. She stated that she did not believe that any municipality should have the authority to dictate what goes on in our County. She stated that we do not have the resources, infrastructure, or capacity to provide shelter for New York City homeless right here in Putnam County. She explained that the County Executive is just asking that any outside municipality should enter into a shared services agreement before providing any temporary housing.

Legislator Crowley stated that with this being a humanitarian crisis of epic proportions, Putnam County does not have resources to handle any kind of influx of homeless from any other municipalities in the State. She stated that our community is already struggling to survive, and we simply do not have the capacity to fund, house, feed, and school a population increase. She stated that she was in favor of this law.

Legislator Montgomery stated that Putnam County does not currently have a licensing scheme for its homeless shelters. She explained that ironically there is a section in the Putnam County Code for an animal shelter. She stated that this County will take an

animal sent from Texas that end up at our publicly funded shelters and potentially stay there for years, costing taxpayers thousands of dollars. She stated that because Putnam County has no existing licensing scheme, this local law puts our existing homeless shelters at risk for improper operation. She believed that it was imposing a heavy bureaucratic burden on these already overburdened shelters, and we have done nothing to support them. She stated that any funding we receive for these types of services are received from State and Federal government. She stated that she votes no on the budget because Putnam gives out big raises for upper management and elected officials and never increases funding for social services. She stated that there is so much here about what Putnam will have to provide if the non-existing crisis happens. She stated that what our elected leaders fail to do, even right here tonight, is to tell the public there are resources that have been made available for this crisis. She stated that the NYS Emergency Declaration number 28 comes with funding for the Red Cross. State Finance Law Section 97-g allows for the purchase of food, supplies, and equipment to assist effected local governments and individuals the addition of funding for the relocation. She stated that none of this was mentioned at the Rules Committee meeting. She believed that the definition of a homeless shelter in this law was vague and provided a few examples. She believed that the law left the County wide open to being sued again and again. She believed that the law was a violation of the rights of business owners.

Legislator Ellner stated that he would be voting in favor of this. He explained that this is a new law that does not affect any existing homeless shelters. He stated that this is also about other municipalities, not private businesses, being good neighbors in communicating with Putnam County.

Legislator Sayegh stated that one (1) of the main purposes of government is to protect its citizens, and part of that is creating laws to protect our County. She explained that by amending the Code of Putnam County to include this chapter, we are protecting our citizens and resources from possibly being overrun by outside municipalities who are shifting their responsibility to counties like Putnam. She explained that the law prohibits outside municipalities from offering or providing temporary housing in our County without first entering into a shared services agreement with Putnam County. She stated that we cannot strain our limited resources and infrastructure. She explained that we have local towns that do not want or cannot have Vrbo short term vacation rentals and towns that have strict laws governing zoning. She explained that we have limited public transportation and sidewalks, and towns overrun with tourism that cannot handle weekend influxes of visitors. She believed that a shared services agreement was an open and transparent government. She stated that she recently attended a press conference in Dutchess County lead by Interim Dutchess County Executive William O'Neil. She explained that there were several local officials at the event from both sides of the political aisle. She explained that this local law is preparing for a situation that may or may not come here to Putnam County. She believed that we must be prepared to address a potential crisis.

Legislator Castellano concurred. He stated that this is a homeless issue that we have in front of us, and we are trying to be proactive to prevent a housing crisis. He stated that New York City (NYC) needs to reach out to Putnam County government if they are looking for a shared services agreement. He believed that it would be a tremendous burden to our infrastructure, schools and employment in our area and we need to do what is right for the people of Putnam County. He stated that we can help NYC if necessary, but they need to come to the table and speak to us and not go behind our

backs speaking to local hotels and motels trying to move their crisis up to Putnam County.

Legislator Gouldman stated that a few months ago New York City Mayor Adams said that the southern state governors that are sending homeless up to New York State were morally bankrupt. He stated that he is now doing the same thing by trying to shift the strain that New York City is under to smaller suburban counties without even the courtesy of a conversation or discussion whether these municipalities can handle this. He believed that Putnam, as well as other counties, should not be held liable for the irresponsibility of New York City's failed policies, and also for the failures of the federal government in not dealing with the southern border. He believed that if the largest city in the nation, New York City, is feeling stressed and cannot handle this, who in their right mind would believe that one (1) of the smallest counties in New York State, Putnam County, could handle this. He stated that this local law is putting a stop to this before it occurs. He believed that the federal government should close the southern border as it has had a tremendous negative impact on New York City. He stated that it is clear there is no leadership or real plan to handle this crisis throughout this country. He proceeded to read a letter received from Putnam Valley Supervisor Jacqueline Annabi who supported County Executive Byrne's position on this issue.

Chairman Jonke stated that this Legislative body has an obligation to protect the health and welfare of our residents. He stated that we have heard from our Health and Social Services departments. He stated that there was an allusion about bringing animals from out of state and housing them in Putnam County animal shelters and comparing that to a homeless human, which he believed was mind-boggling. He stated that before any outside municipality sends their homeless to Putnam County, they must have a shared services agreement in place. He stated that this is protecting the resources in Putnam County that we all pay dearly for. He stated that our limited facilities in Putnam County are already being used to serve our population. He stated that we have an obligation to serve our residents first.

Chairman Jonke requested a Roll Call Vote.

Legislator Montgomery asked to make a comment.

Chairman Jonke stated that everyone had their chance to comment and he called for a Roll Call Vote.

RESOLUTION #150

APPROVAL/ LOCAL LAW TO AMEND THE CODE OF PUTNAM COUNTY BY ADDING A NEW CHAPTER 170 ENTITLED "HOMELESS SHELTERS"

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

Section 1.

A new Chapter 170 is hereby added to the Code of the County of Putnam to read as follows:

**CHAPTER 170
HOMELESS SHELTERS**

§ 170-1 Purpose.

The County has a critical interest in maintaining the health, safety, and welfare of its residents. As such, it has fallen on the County to take steps to ensure that neither external municipalities nor local businesses attempt to subvert state law and threaten the orderly functioning of this County by improperly operating a homeless shelter without appropriate government authority or resources to care for those in need. Putnam County may legislate such matters under the authority granted to it by Municipal Home Rule Law § 10(1)(ii)(a)(12), which allows it to adopt and amend local laws related to the government, protection, order, conduct, safety, health and well-being of persons or property therein.

§ 170-2 Definitions.

Homeless shelter

Any building or physical location that provides overnight sleeping accommodations and is substantially intending to provide such accommodations to the homeless in general or for specific populations of the homeless.

Temporary housing

Temporary housing shall include any facility maintained primarily for overnight occupancy by persons who are provided at least some part or portion of the use of the facilities, including but not limited to hotels, motels, camping units, or other rental properties.

§ 170-3 Shared services agreement required.

No municipality outside of Putnam County, or agent thereof, may offer or provide temporary housing within Putnam County, thereby creating a homeless shelter as defined above, without first entering into a shared services agreement with Putnam County to provide said services.

Section 2.

This local law shall take effect immediately upon its filing with the NYS Secretary of State.

**BY ROLL CALL VOTE: SEVEN AYES. ONE NAY – LEGISLATOR MONTGOMERY.
LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.**

Item #6o – Approval/ Supporting Declarations of Executive Order 3 of 2023 was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Ellner and Gouldman, Legislator Addonizio moved the following:

Legislator Montgomery stated that this Legislature and the County Executive want to protect Putnam County, yet we are being sued and will be sued again and continue to be sued for no reason, because New York City has gone on record and stated that there are no plans to house, bring, shelter migrants in Putnam. She stated that this County will fail to protect the resources and eight (8) members of this Legislature will pass this legislation to prevent asylum seekers from relocating to the County. She stated that it is unconstitutional and violates federal civil rights statutes. She stated that Executive

Order 2 is what a lawyer will call ultra vires, acting or done beyond one's legal power or authority. She questioned under what legislative code, rule or regulation does the County Executive believe he has this broad power. She proceeded to read part of the first paragraph of Executive Order 2 and stated that it was setting a dangerous precedent and again believed the County Executive's power was too broad. She believed the County Executive must define exactly where he believes he obtains this authority and exactly what he proposes as the County Executive control over local officials means. She was surprised that any town Supervisor is willing to hand this authority over to this overreaching county government without understanding the unintended consequences. She proceeded to address concerns regarding the County Executive's authority she received from Cold Spring Mayor Foley. Legislator Montgomery stated that these individuals have fled their home countries due to persecution, violence and unimaginable hardships. She stated that we must play our part in repairing this broken world. She stated that a community is formed by a shared set of values which involves a commitment to integrate, not divide. She believed that a way to be a part of the solution is not with this self-centered legislation.

Legislator Sayegh stated that this is not a law we are passing, it is a policy. She stated that we are a nation of laws that protect our citizens. She explained that so called sanctuary policies are designed to restrict cooperation with the federal government and authorities and bypassing immigration law in our country. She stated that we have immigration law in this country to immigrate in an orderly fashion. She stated that by circumventing federal immigration authorities these policies place the public at risk by preventing the authorities from locating, arresting, and prosecuting criminal aliens, possible gang members and drug cartel. She stated that our State is being flooded with illegal fentanyl which is killing our children. She believed that it puts us all at risk. She stated that the only people benefiting from sanctuary policies are the criminals. She stated that her in-laws came to this country 50 years ago and came here the right way. She stated that she would support this Executive Order.

Legislator Ellner stated that contrary to popular opinion, New York State is not a sanctuary State. He stated that Syracuse University has issued studies over the last few years, and it is obvious that nationwide over the last two (2) years that two-thirds of the asylum seekers were denied asylum. Regardless of your status Federal law prohibits these individuals from working in the United States. He stated that we cannot afford them. He stated that he supports the County Executive and will be voting in favor of this policy.

Chairman Jonke stated that he was pro-immigration. He is the son of an immigrant who came here legally. He stated that he supports the rule of law, the constitution and the County Executive and will be voting yes.

RESOLUTION #151

APPROVAL / SUPPORTING DECLARATIONS OF EXECUTIVE ORDER 3 OF 2023

WHEREAS, The federal government under the provisions of the Immigration and Nationality Act as codified in the United States Code (U.S.C.) is responsible for the establishment and enforcement of the laws of the United States of America pertaining to legal immigration; and

WHEREAS, the authority for enforcement of the Immigration and Nationality Act and the U.S.C. is vested with the federal government, and it is the responsibility of all levels of government to fully support the federal government in the exercise of its obligations under the law pertaining to immigration; and

WHEREAS, the level of immigration enforcement by the federal government has been inadequate in preventing millions of persons from illegally entering the United States without complying with the laws of our nation; and

WHEREAS, Putnam County continues to work with the County Sheriff's Department and Immigration Customs Enforcement (ICE) to properly identify arrested felons and gang-associated members who are suspected violators of federal immigration laws; and

WHEREAS, Putnam County continues to support our nation's governing document, the United States Constitution, in its current form including, but not limited to, both the 4th, 5th, and 14th Amendments as they pertain to an individual's right to privacy and due process, and thereby continues to support fair, equal, and just application of the law free of discrimination; now therefore be it

RESOLVED, that the Putnam County Legislature, on behalf of the County of Putnam and in support of the previous enactment by the Putnam County Executive, hereby pledges support of federal immigration enforcement efforts within the scope of local authority in accordance with the county charter, state, and US Constitutions; and be it further

RESOLVED, that the Putnam County Legislature, on behalf of the County of Putnam and in support of the previous enactment by the Putnam County Executive, hereby declares that Putnam County is not a sanctuary county and is in fact a county committed to upholding the rule of law, including our nation's immigration laws, as a Rule of Law County; and be it further

RESOLVED, that the Putnam County Legislature, on behalf of the County of Putnam and in support of the previous enactment by the Putnam County Executive, hereby declares that Putnam County will remain dedicated with its personnel, policies, and resources to support adherence of the rule of law as applied to immigration enforcement for the greater good of all citizens and residents of Putnam County.

BY ROLL CALL VOTE: SEVEN AYES. ONE NAY – LEGISLATOR MONTGOMERY. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

**AUDIT & ADMINISTRATION COMMITTEE
(Chairman Castellano, Legislator Ellner & Gouldman)**

Item #6p - Approval/ Budgetary Amendment (23A038)/ Youth Bureau/ 2023 Runaway & Homeless Youth Programs was next. Chairman Jonke recognized Legislator Castellano, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

RESOLUTION #152

APPROVAL/ BUDGETARY AMENDMENT (23A038)/ YOUTH BUREAU/ 2023 RUNAWAY & HOMELESS YOUTH PROGRAMS

WHEREAS, the Director of the Youth Bureau requested a budgetary amendment (23A038) to adjust the State Aid allocations for the Runaway & Homeless Youth (RHY) programs in accordance with the most recent State Aid funding authorization, 23-OCFS-LCM-01, from the NYS Office of Children and Family Services (OCFS) dated 1/18/23; and

WHEREAS, the funds are available for the period of January 1, 2023 through September 30, 2023; and

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

RESOLVED, that the following budgetary amendment be made:

Increase Estimated Revenues:

10731000	Youth Admin	
438623	Arbor House RHY	1,424
10731000	Youth Admin	
438204	Green Chimney's TLP	7,250
10731000	Youth Admin	
438622	Runaway Coordinator	<u>277</u>
		8,951

Decrease Appropriations:

10731000	Youth Admin	
54970	Arbor House RHY	10,077

Increase Appropriations:

10731000	Youth Admin	
54907	Green Chimney's TLP	12,083

Increase Contingency:

10199000 54980	General Contingencies	6,945
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2023 Fiscal Impact – (6,945)

2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

Item #6q – Approval/ Fund Transfer (23T155)/ Finance/ Correct Vacancy Control Line was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Goldman, Legislator Castellano moved the following:

RESOLUTION #153

APPROVAL/ FUND TRANSFER (23T155)/ FINANCE/ CORRECT VACANCY CONTROL LINE

WHEREAS, by Resolution #135 of 2023, the Putnam County Legislature approved a budgetary amendment to provide for the Vacancy Control Factor for 2023; and

WHEREAS, the Commissioner of Finance has requested a fund transfer (23T155) to correct an account line approved by Resolution #135; and

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

RESOLVED, that the following fund transfer be made:

Decrease:		
10802000 51000	Planning Personnel Services	19,137
10802000 58002	Planning FICA	<u>1,464</u>
		20,601

Increase:		
10874500 51000	Soil & Water Pers. Services	19,137
10874500 58002	Soil & Water FICA	<u>1,464</u>
		20,601

2023 Fiscal Impact – 0 –
2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

Item #7 – Other Business

Item #7a – Amend Resolution #63 of 2023/ Budget & Finance Committee Representative/ Capital Projects Committee was next.

Chairman Jonke explained that there is a conflict with the Legislative Representative assigned to the Capital Project Committee. He explained that this would replace Legislator Gouldman with Legislator Nacerino.

Chairman Jonke made a motion to add this item as other business to the agenda; seconded by Legislator Crowley. All in favor.

Chairman Jonke moved the following:

RESOLUTION #154

AMEND RESOLUTION #63 OF 2023/ BUDGET & FINANCE COMMITTEE REPRESENTATIVE / CAPITAL PROJECTS COMMITTEE

WHEREAS, by Resolution #63 of 2023, the Putnam County Legislature appointed William Gouldman as Budget & Finance Committee Representative to the County's Capital Projects Committee; and

WHEREAS, the Chairman of the Putnam County Legislature, Paul Jonke, has requested an amendment be made to this appointed designee of the Budget & Finance Committee; now therefore be it

RESOLVED, that Ginny Nacerino replace William Gouldman as the Budget & Finance Committee Representative to the County's Capital Projects Committee for the remainder of the one (1) year term, said term to expire on December 31, 2023.

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

Item #7b - Approval/ Standard Work Day and Reporting Resolution was next.

Chairman Jonke made a motion to add this Standard Work Day and Reporting resolution, along with the additional material, as other business on the agenda; seconded by Crowley. All in favor.

Chairman Jonke moved the following:

RESOLUTION #155

APPROVAL/ STANDARD WORK DAY AND REPORTING RESOLUTION

WHEREAS, the New York State and Local Employees' Retirement System requires the County to file the Standard Work Days for elected and appointed employees based on time and attendance records or the records of activities maintained and submitted by these officials to the Clerk of the Legislature, and

WHEREAS, a copy of this report was contained in the following:

- **Resolution #195 of 2010 and Resolution #286 of 2010 (one employee only).**
- **Resolution #338 of 2011 correcting Resolution #190 of 2011.**
- **Resolution #218 of 2012 correcting Resolution #155 of 2012.**
- **Resolution #143 of 2013.**
- **Resolution #168 of 2014.**
- **Resolution #150 of 2015.**
- **Resolution #148 of 2016.**
- **Resolution #156 of 2017.**
- **Resolution #244 of 2017 reflecting change made on Resolution #226 of 2014 which corrected Resolution #143 of 2013 (one employee only).**
- **Resolution #170 of 2018.**
- **Resolution #141 of 2019.**
- **Resolution #266 of 2019 correcting Resolution #141 of 2019.**
- **Resolution #115 of 2020.**
- **Resolution #176 of 2020 correcting Resolution #115 of 2020.**
- **Resolution #125 of 2021.**
- **Resolution #209 of 2021 correcting Resolution #125 of 2021.**
- **Resolution #131 of 2022.**
- **Resolution #266 of 2022.**

And

WHEREAS, it is now time to file the report for 2023; now therefore be it

RESOLVED that the County of Putnam hereby established the following as standard work days for the listed elected officials in schedule "A" and will report the following days worked to the New York State and Local Employees' Retirement system

based upon time and attendance records or on the record of activities maintained and submitted by these officials to the Clerk of this body.

BY POLL VOTE: ALL AYES. LEGISLATOR NACERINO WAS ABSENT. MOTION CARRIES.

Item #8 – Recognition of Public on Agenda Items

Chairman Jonke stated that due to the number of people wanting to speak, he would limit comments to three (3) minutes. He asked that everyone be respectful, regardless of if they agreed with the comments being made or not. He stated that prior to making a comment, he requested that they state their name and the town in which they reside. He also requested that they fill the same information out on the sign in sheet.

Judy Allen, Resident of Putnam Valley disagreed with the County Executive declaring a State of Emergency for the migrant situation. She believed it was alarmist and compared it to the story of “Chicken Little” which had morals of not forming incorrect conclusions from insufficient data, not stoking fear in others without good cause, and not taking other people’s words for things when they are making extraordinary claims. She believed the County Executive issued an Executive Order based on fear of an unlikely eventuality. She expressed concern with the Legislature codifying the measures from the Executive Order into law.

Peter Preuss, Resident of Mahopac, expressed the disaster at the southern border and the adverse impact it has on New York City. He stated that these are not asylum seekers, they are financial illegal immigrants. He expressed his concern that this will escalate, and the numbers will increase. He detailed the different funding sources they receive from this country. He stated that the taxpayers will be paying for this and believed that it will negatively impact our quality of life. He stated we are a country of immigrants, but a country of legal immigrants.

Steve Clorofilla, Resident of Mahopac, stated he is a union supporter and historically, unions have been attacked by the wealthy people that would bring in illegal immigrants to lower the wage scale for union workers. He stated this influx will hurt the working class, and our tax dollars will be utilized to care for illegal immigrants. He was also concerned about the possible diseases they may be bringing into the country. He thanked the members of the Legislature that want to protect the people of Putnam County.

Marilyn Miller, Resident of Brewster, stated that the illegal immigrants are already here, and she has witnessed bus loads being unloaded while she was coming back from an EMS call to pick up an illegal immigrant who fell while drunk. She noted that a citizen who broke their hip had to wait for an ambulance due to having to respond to the illegal immigrant. She expressed the problems already happening in Brewster, which she believed were from illegal immigrants.

Cindy Trimble, Resident of Cold Spring, expressed concern over the terms being used by Legislator Montgomery to describe those who disagree with her. She thanked the County Executive and the Legislators for putting the taxpayers in this County first by enacting this legislation.

Bill Schutte, Resident of Mahopac, expressed that the Legislators who voted in favor of this Local Law make him proud to be an American.

Prakash Tewari, Resident of Carmel, stated that he made Carmel his home 23 years ago. He stated that people are blurring the lines between legal and illegal immigrants. He explained how he came to America on a visa due to a scholarship, then got a work permit, green card, and eventually citizenship. He explained how many records were needed for him to become a citizen. He stated that is called legal immigration and he is proud of it. He noted a similar situation with asylum seekers that happened in France a few years ago which has had adverse effects. He told a story about an asylum seeker stealing money from his son's bank account.

Linda Harris, Resident of Carmel, thanked the Legislature for the opportunity to speak and for the County's Juneteenth celebration. She gave an overview of her background and character. She stated that in 2022 the County received \$19 million in Build Back Better Federal Funds. She stated that the first project was to renovate the County's Golf Course. She believed that a portion of the funding should have been put towards permanent staffing for the Fire Departments and EMT services. She believed that the County Executive is using New York City as a scapegoat, because the root of the problem are the Governor of Florida Ron DeSantis and Governor of Texas Greg Abbott whose actions have caused this situation. She expressed that she wished the Legislators did not listen to social media or try to score political points.

John Sparano, Resident of Kent, thanked the Legislators who voted in favor of the Local Law. He expressed his disapproval of housing homeless and illegal immigrants. He stated that he moved to Putnam County 37 years ago to give his family the safety and serenity it provides. He expressed that he finds it unacceptable to house people who have not been vetted. He stated that many immigrants have entered the country illegally and he did not want to reward them with taxpayer funded services. He believed that they stopped becoming illegal aliens and have all become asylum seekers.

Jean Hopper, Resident of Mahopac, asked everyone to reflect on their compassion and humanity. She expressed her disapproval of how certain tax dollars are handled, such as funding for the Golf Course. She questioned what we needed protection from. She stated to not paint with a broad brush, there is good and evil. She believed that we are better when we try to help each other, rather than fight each other.

Eileen McDermott, Resident of Brewster, stated that she knows that the public comments tonight falls on deaf ears, as the Legislature has already voted, but she wanted it on the record that she believes the County Executive and most of the Legislature are lying to the people about a threat that does not exist. She stated the immigrants who are coming here are coming the right way, as they are asylum seekers. She noted that New York City (NYC) has sued Putnam County and the counties who have enacted similar legislation and has already won injunctions against Rockland and Orange counties. She stated that is because this legislation is unconstitutional. She stated NYC has made it clear that housing the migrants, as well as providing services will be at the City's expense. She proceeded to read an excerpt of the lawsuit. She stated she spoke with the County Executive recently who said his belief was that any people living long-term without jobs, money, or services, will resort to crime. She stated this is not true due to NYC providing

for these migrants. She stated the vast majority of these asylum seekers are people in poverty fleeing from countries with economic collapse, political violence, and destruction from natural disasters.

Abigail Santana, Resident of Carmel, stated this County has racism in it. She believed that the Legislature does not see the division in the County. She explained that people need to be more empathetic towards the asylum seekers. She believed it was inhumane to turn your backs on these people.

Jim Wise, Resident of Carmel, listed asylum seekers who tried to come to America during the Holocaust, were turned away and eventually killed in Europe. He stated the United States passed the Immigration and Nationality Act of 1952, which stated asylum seekers would be allowed into the Country while their claims that their safety is in danger were investigated and they would be deported if it was found that they were lying. He stated these immigrants are legal under this Act.

John Garafolo, Resident of Kent, explained his belief that the rights of our Country belong to the citizens. He explained that this is not about race, it is about the problems that come with taking all these people in. He addressed his concerns about what is going on in our country.

Pastor Jen Boyd, of Trinity Lutheran Church in Brewster, stated people are not illegal, they are humans. She stated she has been to Guatemala, and the people coming from there are coming for similar reasons that our ancestors did. She stated they are escaping war, violence, corruption, and natural disasters. She stated she believes they would love to stay in their own homes, but it is not safe. She believed that we should treat them with humanity and help them to live new lives. She stated the religious belief to welcome the stranger. She stated we have lost our sense of humanity.

Kristina Dellasorte, Resident of Danbury, stated she is here to support her neighbors because she is concerned about what could happen here and that it will flow over to neighboring communities. She read a letter dated January 28, 1965, from Nelson Rockefeller, Governor of New York at the time, to her father who immigrated from Germany. She noted her father needed a separate sponsor to live here and to work here. She stated that he became a citizen and was proud of it. She stated immigration needs to be done the right way.

James Hayes, Resident of Southeast, stated Putnam County and the rest of the United States does not have the economy that we did decades ago. He stated that we cannot support this influx of immigrants. He stated there are tens of millions of illegal immigrants in this country that citizens now have to compete with in the workforce. He stated he appreciated the Legislature looking out for the citizens of this County.

Mike Webb, Resident of Hopewell Junction, stated he sponsored a legal immigrant, and it took seven (7) years of effort to get citizenship. He explained why immigrants want to come here and how there are too many for the United States to support. He explained that even though Federal, State, and City governments will pay for it, the money still comes from the citizens.

Peter Fioti, Resident of Mahopac, explained he does not agree with spending tax money for social efforts that people do not agree with. He explained his concern that the City will pay for these people only long enough until they establish residency and thus, the City does not have to pay for them anymore. He expressed that he does not want other municipalities to take advantage of Putnam County.

James Adams, Resident of Philipstown, stated we are a nation of immigrants but have a shameful history of bigotry against others. He gave multiple historical examples of this. He explained how asylum seekers can work in our Country and contribute to the economy. He stated immigrants are what is going to keep our Country going.

Elisa Ann, Resident of Carmel, recited a poem about a snake, which was about being careful of what you take in to take care of.

Item #9 – Recognition of Legislators

Legislator Crowley stated that Sergeant Thomas Lee in the Sheriff's Department recently retired. She thanked him for his years of service.

Legislator Gouldman thanked everyone for attending tonight. He stated that it was good to see democracy at work. He wished everyone and enjoyable and safe summer.

Chairman Jonke thanked Sheriff McConville for his staff who kept order in the room during this meeting. He thanked everyone for attending and wished everyone good night.

There being no further business, at 9:18 P.M., Chairman Jonke made a motion to adjourn; seconded by Legislators Crowley and Sayegh. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.