

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

Tuesday April 3, 2012 7:00 P.M.

The meeting was called to order by Chairwoman Conklin who led in the Pledge of Allegiance. Upon roll call, Legislators Tamagna, Oliverio, Othmer, Albano, Gross, LoBue, DiCarlo and Chairwoman Conklin were present. Also present was Legislative Counsel Van Ross.

In celebration of the County's Bicentennial, Chairwoman Conklin has requested that a resident lead the Legislature in a patriotic song as the beginning of each meeting. Chairwoman Conklin then recognized Ms. Kristen Huttunen, a Junior at Brewster High School who sang God Bless America.

PROCLAMATIONS

HONORING RECIPIENTS OF THE PROFESSIONAL WOMEN OF PUTNAM AWARDS:

**MARY COURTNEY
THE MAHOPAC FEMALE ENTREPRENEUR OF THE YEAR AWARD**

**AMY PEARCE-HAYDEN
THE PUTNAM FEMALE ENTREPRENEUR OF THE YEAR AWARD**

**GERI MUNNICK
THE PUTNAM COUNTY WOMAN OF EXCELLENCE IN COMMUNITY SERVICE AWARD**

**AMY SAYEGH
THE PUTNAM COUNTY WOMEN IN LEADERSHIP AWARD**

RECOGNIZING PEERS INFLUENCE PEERS MONTH

WHEREAS, the use of alcohol and illegal drugs cause serious health, social and educational problems for our young people; and

WHEREAS, it has been empirically proven that substance abuse is significantly involved in the three leading causes of death for young people – car crashes, homicides and suicides – and is also a major factor in school dropouts, violence and vandalism as well as HIV/AIDS, teenage pregnancy, rapes and sexual assaults; and

WHEREAS, the recent upturns in drug and alcohol usage, as documented in state and national surveys, show that we must target effective prevention strategies at key population groups, such as middle and high school students; and

WHEREAS, the Peers Influence Peers Partnership has demonstrated a great deal of initiative and sophistication in developing proactive media messages against alcohol and other drug use; and

WHEREAS, that work, which has been aired through numerous schools and cable TV systems throughout our state, has won praise from many authorities; now therefore be it

RESOLVED, that we, MaryEllen Odell, County Executive, and the Putnam County Legislature, do hereby recognize April 2012 as PEERS INFLUENCE PEERS MONTH in hope that this declaration and a joint effort of all agencies and authorities to encourage young people to help others by encouraging them to live safe and healthy lives, may one day rid our children and their children's children of the scourge of drug and alcohol abuse.

APRIL 2012 ALCOHOL AWARENESS MONTH

WHEREAS, underage drinking presents an enormous public health issue. Annually, approximately 5,000 youth under the age of 21 die from motor vehicle crashes, other unintentional injuries, and homicides and suicides that involve underage drinking; and

WHEREAS, tragic health, social and economic problems result from the use of alcohol by youth. Underage drinking is a causal factor in a host of serious problems, including traumatic injury, violent and property crime, high risk sex, fetal alcohol syndrome, alcohol poisoning, and need for treatment for alcohol abuse and dependence; and

WHEREAS, the 2010 Communities That Care Prevention Needs Assessment Survey, which is conducted every two (2) years, reports that 64% of Putnam County youth grades 8-12 have used alcohol in their lifetime; and

WHEREAS, young people who begin drinking before the age of 15 are four times more likely to develop alcohol dependence and are two and half times more likely to become abusers of alcohol than those who begin drinking at age 21; and

WHEREAS, parental support, monitoring and communication can significantly reduce drinking among adolescents; now therefore be it

RESOLVED, that MaryEllen Odell, Putnam County Executive, and the Putnam County Legislature do hereby proclaim April 2012 Alcohol Awareness Month. The Putnam County Communities That Care Coalition and the National Council on Alcoholism and other Drug Dependencies/ Putnam encourage all residents to increase their awareness of alcohol use disorders, the dangers of alcohol abuse, the success of prevention and treatment programs, especially for our youth, and to support and encourage referrals for treatment of individuals when an alcohol use disorder is suspected or present.

Teen Driver Safety Awareness Month

WHEREAS, statistics and experience demonstrate that the greatest danger to our youth in Putnam County, and throughout our country, are the dangers posed from traffic crashes; and

WHEREAS, highway crash statistics inform us that although teen drivers make up only 7% of the driving population, they comprise 18% of the injury related automobile crashes; and

WHEREAS, the leading cause of accidental deaths to our youthful population throughout the United States is automobile accidents; and

WHEREAS, analysis shows us that the reasons for teen overrepresentation in injury related automobile crashes include: driver inexperience, excessive speed, unnecessary risk taking, inattentive driving and use of alcohol and drugs; and

WHEREAS, Putnam County has too often experienced a tragedy with the death of a teen driver at the wheel. Many of these deaths have occurred during the spring and summer months with a high incidence rate during the period leading up to prom season; and

WHEREAS, all accidents are preventable and crash rates can be lowered through the use of education and awareness programs through the use of our school systems, law enforcement programs and youth services organizations such as Boy Scouts, Girl Scouts, Junior RTC programs and the Civil Air Patrol, just to name a few; and

WHEREAS, these programs work best when there is a period set aside for local government at every level, our school districts and churches, synagogues and youth service organizations coming together to provide these educational programs; now therefore be it

RESOLVED, that MaryEllen Odell County Executive and the Putnam County Legislature declare April 2012 as Teen Driver Safety Awareness Month in Putnam County. They encourage all levels of government, our school districts, law enforcement, our churches and synagogues, our youth service organizations and all the citizens of Putnam County to support programs that promote teen driver safety awareness in Putnam County thereby protecting one of our most precious resources, our children and grandchildren.

**Item #3 – Approval of Minutes – Regular Meeting - March 6, 2012
Special Meeting – March 13, 2012
State of County – March 15, 2012**

Item #4 – Correspondence/County Auditor was duly noted.

Item #5 – Pre-filed Resolutions:

**HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE
(Chairman Oliverio, Legislators Othmer & Tamagna)**

Item #5a – Approval/Memorialization/State Legislature to Provide Medicaid Relief was called first. Chairwoman Conklin recognized Legislator Oliverio, Chairman of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators Othmer & Tamagna, Legislator Oliverio moved the following:

RESOLUTION #77

APPROVAL/MEMORIALIZATION/STATE LEGISLATURE TO PROVIDE MEDICAIDE RELIEF

WHEREAS, Putnam County and all other counties in New York State are facing a dire financial situation and require Medicaid fiscal relief in the State Budget; and

WHEREAS, State budget negotiations are entering the final stretch and the New York State Legislature needs to accelerate Medicaid relief for counties in the final State

budget, as proposed by the New York State Senate, so that local services can be preserved; and

WHEREAS, the Governor's budget proposal included a phased-in freeze to local Medicaid financing, pension reforms and a restructuring of the State's Early Intervention and Preschool Special Education programs which would have saved counties and local taxpayers \$1.5 billion over the next five years; and

WHEREAS, both houses of the Legislature have rejected a good portion of the Governor's proposed relief; now therefore be it

RESOLVED, that Putnam County urges the New York State Legislature to support the acceleration of the hard cap on the local share of Medicaid; and be it further

RESOLVED, that copies of this resolution be sent to Governor Cuomo, President Pro Tem of the Senate, the Speaker of the Assembly, New York State Senator Ball, New York State Senator Saland, New York State Assemblywoman Galef, New York State Assemblyman Katz and NYSAC.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

PHYSICAL SERVICES COMMITTEE
(Chairwoman LoBue, Legislators Albano & Othmer)

Item #5b – Approval/Agreement to Extend Pilot Indexed Lump Sum Basis Snow & Ice Agreement was next. Chairwoman Conklin recognized Legislator LoBue, Chairwoman of the Physical Services Committee. On behalf of the members of the Committee, Legislators Albano and Othmer, Legislator LoBue moved the following:

RESOLUTION #78

APPROVAL/AGREEMENT TO EXTEND PILOT INDEXED LUMP SUM BASIS SNOW & ICE AGREEMENT

WHEREAS, by Resolution #286 of 2009 the Putnam County Legislature approved a Pilot Agreement with the State of New York for Snow and Ice Removal, and

WHEREAS, this was for three (3) years and was encompassed by Agreement No. D014735, and

WHEREAS, it has been proposed to extend this agreement through June 30, 2014, and

WHEREAS, this extension has been approved by the Physical Services Committee, now therefor be it

RESOLVED, that the County Executive is authorized to sign the annexed extension to the Pilot Agreement for Snow and Ice Removal originally passed by this Legislature by Resolution #286 of 2009.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
(Chairman Othmer, Legislators Albano & Gross)**

Item #5c – Approval/Re-Appointment/Region 3 Fish & Wildlife Management Board was next. Chairwoman Conklin recognized Legislator Othmer, Chairman of the Rules, Enactments & Intergovernmental Relations Committee. On behalf of the members of the Committee, Legislators Albano and Gross, Legislator Othmer moved the following:

RESOLUTION #79

APPROVAL/RE-APPOINTMENT/REGION 3 FISH & WILDLIFE MANAGEMENT BOARD

RESOLVED, that Raymond Merlotto, Town of Patterson, be re-appointed as Sportsman Representative to the Region 3 Fish & Wildlife Management Board for a two (2) year term, said term to expire December 31, 2013.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

Item #5d – Approval/Re-Appointments/Putnam County Board of Electrical Examiners was called next. On behalf of the members of the Rules Committee, Legislator Othmer moved the following:

RESOLUTION #80

APPROVAL/RE-APPOINTMENTS/PUTNAM COUNTY BOARD OF ELECTRICAL EXAMINERS

RESOLVED, that the following be re-appointed to the Putnam County Board of Electrical Examiners:

John Morrison, Town of Kent, as (D1) Master Electrician, for a three year term, said term to expire December 31, 2014.

Randy Taggart, Town of Philipstown, as (D3) Journeyman Electrician, for a three year term, said term to expire December 31, 2014.

Andrew Elio, Town of Carmel, as (D5) Limited Data Communications Technician, said term to expire December 31, 2014.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

Item #5e – Approval/Re-Appointments/Putnam County Home Improvement Board was next. On behalf of the members of the Rules Committee, Legislator Othmer moved the following:

RESOLUTION #81

APPROVAL/RE-APPOINTMENTS/PUTNAM COUNTY HOME IMPROVEMENT BOARD

RESOLVED, that the following be re-appointed to the Putnam County Home Improvement Board:

Paul Harnish, Town of Carmel, as a Tradesperson, for a two (2) year term, said term to expire December 31, 2013.

Matthew Mastrantone, Town of Philipstown, as a Tradesperson, for a two (2) year term, said term to expire December 31, 2013.

Dale Phillips, Town of Putnam Valley, as a Contractor, for a two (2) year term, said term to expire December 31, 2012.

Michael Porcelli, Town of Carmel, as a Contractor, for a two (2) year term, said term to expire December 31, 2012.

Christopher Cusanelli, Town of Southeast, as an Engineer, for a two (2) year term, said term to expire December 31, 2013.

John Goudey, Town of Southeast, as a Citizen Representative, for a two (2) year term, said term to expire December 31, 2013.

Charles R. Hull, Town of Carmel, as a Citizen Representative, for a two (2) year term, said term to expire December 31, 2013.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

Item #5f – Approval/Appointment Putnam County Board of Ethics was next. On behalf of the members of the Rules Committee, Legislator Othmer moved the following:

RESOLUTION #82

APPROVAL/CONFIRMATION/APPOINTMENT/PUTNAM COUNTY BOARD OF ETHICS

WHEREAS, the County Executive has appointed Paul Eldridge to fill the vacancy in the term of member of the Putnam County Board of Ethics, said term to expire December 31, 2012.

WHEREAS, the Rules Committee has considered and approves said appointment, now therefore be it

RESOLVED, that the Putnam County Legislature confirms the appointment of Paul Eldridge to fill the vacancy in his first term as member of the Putnam County Board of Ethics term to expire December 31, 2012.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

Item #5g – Approval/Rescind Resolutions #134, #191 & #375 of 2011/County Signage was next. On behalf of the members of the Rules Committee, Legislator Othmer made a motion to table this item back to Committee; seconded by Legislator LoBue. All in favor.

APPROVAL/RESCIND RESOLUTIONS #134, #191 & #375 OF 2011/COUNTY SIGNAGE

RESOLVED, that Resolutions #134, #191 & #375 of 2011 are hereby rescinded.

**PROTECTIVE SERVICES COMMITTEE
(Chairman Albano, Legislators Gross & Oliverio)**

Item #5h – Approval/Support for the Creation/Emergency Storm Response Task Force was next. Chairwoman Conklin recognized Legislator Albano, Chairman of the Protective Services Committee. On behalf of the members of the Committee, Legislators Gross and Oliverio, Legislator Albano moved the following:

RESOLUTION #83

APPROVAL/SUPPORT FOR CREATION/EMERGENCY STORM RESPONSE TASK FORCE

WHEREAS, it is a fundamental responsibility within all levels of government to protect its citizens in a time of emergency; and

WHEREAS, on February 28, 2003, the President of the United States, George W. Bush, issued a homeland Security Directive (HSPD-5) which directed the Secretary of Homeland Security to develop and administer a National Incident Management System (hereinafter “NIMS”); and

WHEREAS, NIMS provides a consistent nationwide template to enable the federal government, state governments, nongovernmental organizations and the private sector to work together to prevent, protect against, respond to, recover from and mitigate the effects of natural disasters or man-made incidents, regardless of size, location or complexity; and

WHEREAS, pursuant to Resolution #327 of 2005, Putnam County subscribed to the doctrines, concepts and principles of NIMS; and

WHEREAS, consistent with those doctrines, concepts and principles, Putnam County maintains a comprehensive systematic approach to incident management; has developed a set of preparedness concepts and principles for all hazards; administers a set of principles for interoperability of communications and information management;

institutes standardized resource management procedures that enable coordination among different jurisdictions and organizations; utilizes a scalable incident management system which can be used for any size incident; and has adopted a dynamic system that promotes ongoing management and maintenance; and

WHEREAS, Putnam County's philosophy, approach and efforts with respect to emergency management and incident response has played a vital role in insuring that the citizens of Putnam County remain safe and secure in times of crisis, including recent natural incidents such as Tropical Storm Irene; and

WHEREAS, notwithstanding the foregoing, it is understood that the areas of emergency management and incident response are constantly evolving and are always subject to improvement and enhancement; and

WHEREAS, the County Executive recognizes this fact and is adamant that the protection of the citizens of Putnam County remains a governmental priority; and

WHEREAS, the County Executive has suggested several enhancements to the County's comprehensive emergency management and incident response plans ("CEMP"), such as the improvement of the County's communications and information management system such that the sharing of information with both traditional front line agencies and the general public during times of emergency may be improved and expanded; and

WHEREAS, the County Executive has also suggested that the County workforce be included in the County's emergency management response plans such that their training and knowledge of operations with respect to emergency management and incident response can be utilized; and

WHEREAS, in connection with the County Executive's review of the Comprehensive Emergency Management Plan it was determined that an Emergency Storm Response Task Force needed to be created to bring together all first responders and necessary stakeholders, which include, but are not limited to, local, State and County highway departments, the Red Cross, the Putnam County Sheriff's Department, NYSEG and Central Hudson, the Putnam County workforce, local fire, police and ambulance corps, the local media, the Putnam County Bureau of Emergency Services, Office of Emergency Management and all residents and visitors within Putnam County so as to increase and improve coordination between them in the areas of emergency management and incident response and to prepare an emergency response plan specific to storms and meteorological natural disasters; and

WHEREAS, the Bureau of Emergency Services has recently created a comfort station/shelter committee which will also be included in the Emergency Storm Response Task Force as well so that it may contribute valuable insight regarding the establishment of emergency comfort stations and/or shelters during times of need; and

WHEREAS, the County Executive recognizes the important role that public notification plays in all emergencies and as such has determined that NY-Alert, a full feature notification system which is available free of charge to Putnam County, will be utilized whenever possible and practicable for all planning and/or emergency notifications; and

WHEREAS, the Emergency Storm Response Plan which will eventually be developed and recommended by this task force will eventually be included in the County's Comprehensive Emergency Management Plan; now therefore be it

RESOLVED, that the Putnam County Legislature supports the County Executive's initiative to enhance and improve the County's emergency management and incident response plans by including all of the necessary stakeholders in said plans; and be it further

RESOLVED, that the Putnam County Legislature also supports the creation of an Emergency Storm Response Task Force to explore the various ways in which the County's emergency management and incident response plans can be improved and enhanced so as to insure that the residents of Putnam County are fully protected and served during an incident or emergency.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

AUDIT & ADMINISTRATION COMMITTEE
(Chairwoman Conklin, Legislators Birmingham & LoBue)

Item #5i – Approval/Budgetary Amendment/Commissioner of Finance/Vacancy Control Factor/February 2012 was next. Legislator Conklin, as Chairwoman of the Audit & Administration Committee, moved the following on behalf of the members, Legislators Birmingham & LoBue:

RESOLUTION #84

APPROVAL/BUDGETARY AMENDMENT/COMMISSIONER OF FINANCE/VACANCY CONTROL FACTOR/FEBRUARY 2012

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (12A016) to provide for the vacancy control factor for February 2012 as provided in the adopted 2012 County Budget; and

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

RESOLVED, that the following budgetary amendment be made:

Decrease estimated appropriations:

See Attached Sheet	Personal Services	\$61,655
See Attached Sheet	Fica	5,204
See Attached Sheet	Dental	1,053
See Attached Sheet	Life Insurance	381
See Attached Sheet	Health Insurance	11,181
See Attached Sheet	Vision	134
See Attached Sheet	Flex Plan	<u>1,339</u>
		\$ 80,947

Decrease estimated revenues:

10101000 436101	State Aid-DSS	7,783
10101000 446101	Federal Aid-DSS	8,641
10431000 434873	State Aid-Mental Health	781
10131000 427705	Vacancy Control Factor	<u>63,742</u>
		\$80,947

2012 Fiscal Impact -0-

2013 Fiscal Impact -0-

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

Item #5j – Approval/Fund Transfer/Commissioner of Finance/Humane Society/April 2012 Payment was next. On behalf of the members of the Audit Committee, Legislator Conklin moved the following:

RESOLUTION #85

APPROVAL/FUND TRANSFER/COMMISSIONER OF FINANCE/HUMANE SOCIETY/APRIL 2012 PAYMENT

WHEREAS, the Commissioner of Finance has requested a fund transfer (12T52) for the April monthly payment to the Humane Society; and

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

RESOLVED, that the following fund transfer be made:

Decrease:

10199000 54981	Subcontingency	\$11,743.33
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Increase:

25851200 54950	Humane Society	\$11,743.33
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2012 Fiscal Impact -0-

2013 Fiscal Impact -0-

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

Item #5k – Approval/Discontinue Eviction Proceedings/34 Gleneida Avenue was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:

RESOLUTION #86

APPROVAL/DISCONTINUE EVICTION PROCEEDINGS/34 GLENEIDA AVENUE

WHEREAS, at the Putnam County Legislature's Physical Services Committee meeting held on March 19, 2012, the County Attorney informed the members of the Committee that she had forwarded a Notice to Quit to the Putnam County Economic Development Corporation (EDC) and the Putnam County Industrial Development Agency (IDA) which required these organizations to vacate their premises at 34 Gleneida Avenue, Carmel, New York in thirty days and to move their offices to the County Office Building, 40 Gleneida Avenue, Carmel, New York on the third floor; and

WHEREAS, the Putnam County Legislature had not been notified of this action prior to the County Attorney's announcement at the March Physical Services Committee meeting; and

WHEREAS, by Chapter 31, Article II, Section 31-22 of the Putnam County Code, the Putnam County Legislature is authorized to approve or disapprove any proposed lease agreement within 60 days of its receipt of same; and

WHEREAS, the Putnam County Legislature has not yet approved any lease for the EDC/IDA in the County Office Building; and

WHEREAS, the Putnam County Legislature has not had the time to consider whether it is in the best interest of the County to sell the premises located at 34 Gleneida Avenue, now therefore be it

RESOLVED, that the Putnam County Legislature hereby directs the County Attorney to discontinue any eviction proceedings against the EDC/IDA at 34 Gleneida Avenue, Carmel, New York until further response and action by the Putnam County Legislature.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

Item #5L – Approval/Request for the Required Home Rule Legislation/Sales Tax Free Holiday was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:

RESOLUTION #87

APPROVAL/REQUEST FOR THE REQUIRED HOME RULE LEGISLATION/SALES TAX FREE HOLIDAY

WHEREAS, pursuant to authority granted under Article 28 of the New York State Tax Law, Putnam County may elect to exempt from imposing sales tax on purchases of qualified goods and merchandise; and

WHEREAS, in accordance with Article 29 of the New York State Tax Law, the exemption of sales tax imposed by a county on any category of merchandise is a year round commitment and a county's election or repeal of said exemption may only be effectuated annually on March 1st; and

WHEREAS, the County Executive has proposed that exemption of Putnam County's sales tax collected on qualified purchases of goods and merchandise, with the exception of automobiles and gasoline, and solely for the period of time before the new school year commences, specifically August 10 through August 19th, will, among other things, improve retail sales, realize cost benefits to retailers, create jobs and promote economic growth in Putnam County; and

WHEREAS, the County Executive has also proposed that Putnam County, working together in a public-private partnership with the Putnam County Chambers of Commerce and the Putnam County Economic Development Corporation ("EDC"), in developing a sales tax free holiday, will promote and encourage small business growth in Putnam County, which is ultimately in the long term best interests of the County and its taxpayers; and

WHEREAS, it is the desire of the Putnam County Legislature to implement the County Executive's proposal; and

WHEREAS, the most effective manner of implementing such a change is for the Putnam County Legislature to request, as authorized under Municipal Home Rule Law §10, that the New York State Legislature amend relevant New York State Tax Law such that Putnam County may elect to exempt merchandise and goods, with the exception of gasoline and automobiles and only from August 10th-19th, from the collection of sales tax; now therefore be it

RESOLVED, that the Putnam County Legislature hereby requests that the New York State Legislature adopt a bill to amend New York State Tax Law Article 29 by adding a new subsection which would apply to Putnam County thereby permitting Putnam County to effectuate its election to exempt sales tax on purchases of goods and merchandise sold in the County, with the exception of gasoline and automobiles from August 10th through the 19th, notwithstanding any other provision of law to the contrary; and be it further

RESOLVED, that the Putnam County Legislature hereby directs the Clerk of the Legislature to transmit copies of this Resolution to each member of the New York State Legislature who represents any portion of the County of Putnam, the Speaker of the State of New York Assembly and the Majority Leader of the New York State Senate.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

Item #6 - Other Business

Item #6a – Approval/Amend Resolution #52 of 2012/Re-appointments/Putnam County Agriculture & Farmland Protection Board was next. Chairwoman Conklin moved the following; seconded by Legislator Tamagna.

RESOLUTION #88

APPROVAL/AMEND RESOLUTION #52 OF 2012/RE-APPOINTMENTS/PUTNAM COUNTY AGRICULTURE & FARMLAND PROTECTION BOARD

WHEREAS, by Resolution #52 of 2012 certain individuals were re-appointed to three (3) year terms on the Putnam County Agriculture & Farmland Protection Board; and

WHEREAS, pursuant to Section 302 of the New York State Agriculture and Market Law these terms are four (4) years; now therefore be it

RESOLVED, that the following be re-appointed to the Putnam County Agriculture & Farmland Protection Board:

Mary Ellen Finger, Town of Philipstown, for a four (4) year term, said term to expire December 31, 2015;

Joni Lanza, Town of Philipstown, for a four (4) year term, said term to expire December 31, 2015;

Ervin Raboy, Town of Southeast, for a four (4) year term, said term to expire December 31, 2015.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

Item #6b – Approval/Chairwoman’s Appointment/Legislative Representative to the Hudson Valley Regional Council was next. Chairwoman Conklin moved the following; seconded by Legislator Oliverio.

RESOLUTION #89

APPROVAL/CHAIRWOMAN’S APPOINTMENT/LEGISLATIVE REPRESENTATIVE TO THE HUDSON VALLEY REGIONAL COUNCIL

RESOLVED, that Vincent M. Tamagna be appointed to the Hudson Valley Regional Council for a one year term, said term to expire December 31, 2012.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

Item #6c – Approval/Authorization/Bureau of Emergency Services/Sheriff’s Department/Apply for 2012 State Homeland Security Program Grant was next. Chairwoman Conklin moved the following; seconded by Legislator DiCarlo & Tamagna.

RESOLUTION #90

APPROVAL/AUTHORIZATION/BUREAU OF EMERGENCY SERVICES/SHERIFF’S DEPARTMENT/APPLY FOR 2012 STATE HOMELAND SECURITY PROGRAM GRANT

WHEREAS, in the past, Putnam County has applied for Homeland Security grants by the Bureau of Emergency Services and the Sheriff’s Department; and

WHEREAS, these grants were received by way of the State Homeland Security Program (SHSP) and the Local Law Enforcement Prevention Program (SLETP); and

WHEREAS, for the 2012 Program these grants have been combined into one County application; and

WHEREAS, Section 5-1(D) of the Putnam County Code requires all grant applications be approved by the Putnam County Legislature prior to submission; and

WHEREAS, the New York State Division of Homeland Security and Emergency Services has announced that Putnam County has been awaiting award under the FY2012 State Homeland Security Program with funds allocated towards law enforcement terrorism prevention activities and for Emergency Services; and

WHEREAS, the FY2012 State Homeland Security Program is 100% funded and requires no County match; and

WHEREAS, the Putnam County Bureau of Emergency Services has requested approval to submit application for the grants that become available under this Program as they become available; now therefore be it

RESOLVED, that the Bureau of Emergency Services is authorized to apply for grants under the 2012 State Homeland Security Grant Program as they become available; and be it further

RESOLVED, that the Bureau of Emergency Services keep the Putnam County Legislature apprised of the grants applied for and received.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

Item #6d – Approval/Authorization/Sheriff’s Department/Apply for 2012 Port Security Grant was next. Chairwoman Conklin moved the following; seconded by Legislator Tamagna.

RESOLUTION #91

APPROVAL/AUTHORIZATION/SHERIFF’S DEPARTMENT/APPLY FOR 2012 PORT SECURITY GRANT PROGRAM

WHEREAS, Section 5-1(D) of the Putnam County Code requires all grant applications be approved by the Putnam County Legislature prior to submission; and

WHEREAS, Putnam County has the opportunity to apply for a \$25,000 grant under the 2012 Port Security Grant Program to purchase an equipment trailer for training equipment and a ballistic blanket to support the Emergency Services Unit; and

WHEREAS, this grant is 100% funded under the grant program; now therefore be it

RESOLVED, that the Putnam County Sheriff’s Office is authorized to apply for a \$25,000 grant under the 2012 Port Security Grant Program to purchase equipment trailer for training equipment and a ballistic blanket to support the Emergency Services Unit.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM WAS ABSENT.

Item # 7 - Recognition of Public was next.

Ms. Bette Aubrey, a resident of the Town of Kent, stated that she was not in favor of selling the County property at 34 Gleneida Avenue. She felt that the County may not need the property at this time, but it may be needed sometime in the future. The County’s

purchase price was approximately \$870,000. The purchase was bonded and there has been interest paid on the bond. In her opinion, there would be no money made if the County were to sell it for \$900,000. The maintenance costs are only \$30,000 a year. She did agree to place satellite offices in Cold Spring.

First Deputy County Attorney Andrew Negro stated that with respect to the resolution the Legislature just passed regarding no further eviction proceedings for the tenants at 34 Gleneida Avenue, no eviction proceedings were ever commenced to the EDC/IDA. What occurred previously was that the County Executive on advice of the Law Department, had presented the EDC/IDA informally of a Notice to Quit. What that basically does is, under State Real Property Law, since they are a month-to-month tenant, just gives them prior notice and advises them of a termination in the future of their month-to-month lease. That was done in anticipation of a new lease approval in the County Office Building. This in no way started an eviction proceeding. They were never formally served by a process server or any similar mechanism. Basically under Section 232-d of the Real Property Law, it advises a month-to-month tenant that their month-to-month lease will terminate in the future. Eviction Proceedings are covered under a separate section of law. There is a very specific mechanism for eviction proceedings. They would have to be served with formal eviction papers issued in a formal manner filed with the Court. Only an attorney or a court can issue the necessary papers, not the County Executive's office. While the Legislature's resolution really does not hurt, it is not responsive to the actual circumstances in what has transpired.

Ms. Ann Fanizzi, a resident of the Town of Southeast, urged all residents to participate in the MS Walk to be held the end of April and to "walk for those who cannot walk".

Item #8 – Recognition of Legislators was next.

Legislator Oliverio wished everyone a great holiday week whether they were celebrating Passover or Easter. He also thanked the retiring Legislative Clerk, Chris Marrone, and wished her well in her retirement.

Legislator DiCarlo stated that last weekend Legislator Oliverio and he attended the "People with Disabilities Summit". The people in attendance stressed the importance for support on the local level and asked that their needs be kept in mind during the budget process. New York State is cutting a lot of the funding for programs and services for people with disabilities. New York State passed their budget but did not address unfunded mandates. Elected State officials need to have their feet held to the fire so they no longer put the financial burden of unfunded mandates on counties and local taxpayers. It will affect how County government is run and what services can be offered. He also wished the retiring Clerk well in her retirement.

Legislator Othmer stated that Justin Ackley from Mahopac, who plays baseball for the Seattle Mariners Baseball team, is doing very well.

Legislator Gross also thanked the retiring Clerk for her guidance and wished her well. He further stated that Chairwoman Conklin is also known as “Coach Conklin”. She coaches a ski team and the members performed very well in the State finals. She was selected as “Ski Team Coach of the Year”.

Chairwoman Conklin also thanked the retiring Clerk and wished her well in all her future endeavors.

Legislator Albano stated that there had been some discussion regarding the “Adopt-A-Road” program. He wanted to thank all the residents who participate in the program and take their responsibilities seriously for cleaning up the litter and debris on their designated roads.

County Executive Odell stated that Putnam County was just ranked Number 1 as the Healthiest County in New York State. That was on top of being designated the Safest County in New York State.

There being no further business, at 7:50 P.M., Legislator Oliverio made a motion to adjourn; seconded by Legislator Tamagna. All in favor.

Respectfully submitted, Diane Schonfeld, Acting Clerk.