



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

**Chairwoman Conklin requested that Legislator Oliverio present the next proclamation to the Director of the Office For Aging, Patricia Sheehy.**

## **SUPPORT FOR OLDER AMERICANS MONTH 2011 – CONNECTING THE COMMUNITY**

### ***Older Americans Month 2012...“Never Too Old To Play”***

**Whereas**, the Putnam County Office for the Aging includes 16,000 citizens aged 60 and older; and

**Whereas**, the Putnam County Office for the Aging is committed to helping all individuals maintain their health and independence in later life; and

**Whereas**, the older adults in Putnam County have an important role in sharing knowledge, wisdom, and understanding of the history of our community through interactions with children, youth, and adults from other generations; and

**Whereas**, the fruits of knowledge and experience can be effectively transferred from generation to generation through meaningful social interactions; and

**Whereas**, their interactions with family, friends, and neighbors across generations enrich the lives of everyone involved; and

**Whereas**, our community can provide opportunities to enrich citizens young and old by:

- Emphasizing the value of including elders in public and family life
- Creating opportunities for older Americans to interact with people of different generations
- Providing services, technologies, and support systems that allow older adults to participate in social activities.

**Now Therefore, We, MaryEllen Odell, County Executive and Mary Conklin, Chairperson of the County Legislature of Putnam County**, do hereby proclaim May 2012 to be Older Americans Month. We urge every citizen to take time this month to engage with our older citizens to celebrate this year’s theme, **“NEVER TOO OLD TO PLAY”** through enjoyable social interactions such as sports, games, contests, and other forms of play.

**Chairwoman Conklin requested that Legislator DiCarlo present the next proclamation to Marla Behler from the Child Advocacy Center.**

## **RECOGNIZING THE 7<sup>TH</sup> ANNUAL CHILDREN’S EXPO & PUBLIC SAFETY DAY**

**WHEREAS, the 7<sup>th</sup> Annual Children's Expo and Public Safety Day is scheduled to be held on Saturday, May 12 from 11:00 a.m. to 3:00 p.m. to raise awareness about many aspects of child and public safety; and**

**WHEREAS, this event is co-organized by the Child Advocacy Center of Putnam County and the Bureau of Emergency Services; and**

**WHEREAS, the Child Advocacy Center of Putnam County opened in 1999 to handle child abuse allegations in a coordinated way in order to minimize additional trauma to the young victims. A multidisciplinary team of child protective service workers, prosecutors, law enforcement investigators, medical care providers, victim advocates and therapists work together to provide all necessary services in one place, with the organization also providing education for the community to reduce the incidence of serious childhood injuries and death; and**

**WHEREAS, the Bureau of Emergency Services keeps county residents safe from harm, by providing services to all fire, EMS and related emergency management initiatives, including training and equipping special teams for fire investigation, fire police response and hazardous materials mitigation, and a credible assessment team (CAT). Additionally the BES maintains a countywide communications system and continually seeks ways to improve response to both natural and manmade disasters; now**

**THEREFORE, we, MaryEllen Odell, Putnam County Executive and the Putnam County Legislature do hereby urge all County residents to attend the Children's Expo and Public Safety Day co-organized by these two organizations, and with approximately 25 local organizations participating, and join with them to learn about ways we can all protect our children from harm, from fire prevention to proper fitting of bicycle helmets, along with enjoying the many games, live music and entertainment available.**

**IN WITNESS WHEREOF, we, MaryEllen Odell, Putnam County Executive, and Mary Conklin, Chairwoman of the Putnam County Legislature do hereunto set our hand and cause the seal of the County of Putnam to be affixed this first day of May, Two Thousand Twelve.**

**Chairwoman Conklin requested that Legislators Albano and Othmer lead in a moment of silence in remembrance of the four Sullivan family members lost last night in a tragic house fire.**

**Item #3 - Approval of Minutes – Regular Meeting – April 5, 2011**

**The minutes were approved as submitted.**

**Item #4 – Correspondence**

**Item #4a – County Auditor was duly noted.**

Item #4b – Enter County Executive’s Veto of Resolution #86 of 2012 into Journal was duly noted.

Item #5 - Pre-filed Resolutions:

**PERSONNEL COMMITTEE**  
(Chairman DiCarlo, Legislators LoBue & Oliverio)

Item #5a – Approval/Appointment/Legislative Clerk was next. Chairwoman Conklin recognized Legislator DiCarlo, Chairman of the Personnel Committee. On behalf of the members of the Committee, Legislators LoBue & Oliverio, Legislator DiCarlo moved the following:

**RESOLUTION #92**

**APPOINTMENT/LEGISLATIVE CLERK**

RESOLVED, that Diane Schonfeld be appointed, to fill an unexpired term, to the position of Legislative Clerk, with all the rights, privileges and duties of the Office as set forth in the Putnam County Charter, as permitted by law for the balance of a three-year term period ending December 31, 2013.

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

Item #5b – Approval/Fund Transfer (12T055)/Department of Social Services/Temporary was next. On behalf of the members of the Personnel Committee, Legislator DiCarlo moved the following:

**RESOLUTION #93**

**APPROVAL/FUND TRANSFER/DEPARTMENT OF SOCIAL SERVICES/TEMPORARY**

WHEREAS, the Commissioner of Social Services has requested a fund transfer (12T055) to provide continued caseworker coverage due to maternity leave; and  
WHEREAS, the Personnel Committee and Audit & Administration Committee have reviewed and approve said fund transfer; now therefore be it  
RESOLVED, that the following fund transfer be made:

<b>Decrease:</b>		
<b>10102000 51000</b>	<b>Pers. Svcs. – CPS Caseworker</b>	<b>\$8,079</b>
<b>Increase:</b>		
<b>10102000 51094</b>	<b>Temporary</b>	<b>\$8,079</b>

2012 Fiscal Impact – 0 –  
2013 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

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

**Item #5c – Approval/Provide a “Safe House” for the Women and Children of Putnam County Who Are Victims of Domestic Violence and In Need of Immediate Shelter was next. Chairwoman Conklin recognized Legislator Oliverio, Chairman of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators Othmer and Tamagna, Legislator Oliverio moved the following:**

**Legislator Oliverio made a motion to amend the second to last resolve clause to change “County Executive’s proposal” to “County Executive’s concept”. He felt that at this point it is just conceptual and there is no concrete proposal attached; seconded by Legislator DiCarlo. All in favor.**

**Legislator Birmingham requested that this item be tabled in order to have more time to review the memorandum received late last evening from the County Attorney’s office in response to an e-mail he sent her in April. His primary concern has nothing to do with the good work done by the Women’s Center. It pertains to NYS Constitution Article VIII, Section I, which prohibits us from giving gifts to non-governmental entities. We have done this in the past with Habitat-For-Humanity and he did have reservations with that as well. If it is not tabled tonight, he will be a reluctant “no” vote, which is more procedural in nature and certainly not a reflection on the good work that the organization does. He stated that he would make a motion to table this item after everyone has spoken.**

**Legislator Oliverio felt that the response from the Law Department was solid in its facts. He felt that we were just voting on the “concept” this evening saying that we like the idea.**

**Legislator Tamagna felt that the Law Department has done their due diligence and he believed there was no need to table this item. The property has not even been selected. If at that time there is some type of legal issue, we would have a second chance to vote.**

**Legislator Albano concurred that at this stage it is only conceptual.**

**Legislator Birmingham asked if the Legislature would agree to forward this particular question to the State Comptroller.**

Legislator Oliverio stated that he had no problem, as the Chairman of the Health Committee, reviewing that option at the next Health Committee Meeting.

**RESOLUTION #94**

**APPROVAL/PROVIDE A "SAFE HOUSE" FOR THE WOMEN AND CHILDREN OF PUTNAM COUNTY WHO ARE VICTIMS OF DOMESTIC VIOLENCE AND IN NEED OF IMMEDIATE SHELTER**

**WHEREAS, the Putnam-Northern Westchester Women's Resource Center is a not-for-profit organization dedicated to providing advocacy, education and services to the community in order to create a safe and supportive environment that eliminates violence against women and children and promotes gender equality; and**

**WHEREAS, for the last 33 years the Putnam-Northern Westchester Women's Resource Center has assisted victims of domestic violence, sexual assault, teen dating violence and child abuse in Putnam County; and**

**WHEREAS, on the many important programs offered by the Putnam-Northern Westchester Women's Resource Center is its licensed emergency safe haven shelter for victims and their children who are fleeing from domestic violence; and**

**WHEREAS, the Putnam-Northern Westchester Women's Resource Center is desirous of expanding its services offered to the community, including its emergency safe haven shelter program; and**

**WHEREAS, due to recent reductions in state and federal funding, including Temporary Aid to Needy Families (TANF) grants the Putnam-Northern Westchester Women's Resource Center has been unable to expand its much needed programs to Putnam County families who are in crisis, and in fact, it has been forced to decrease staff which has affected its ability to serve the number of victims it has served since 2008; and**

**WHEREAS, the Women's Resource Center has indicated that based upon recent trends, it is estimated that they will see an increase of 10 domestic violence cases per month, or 120 additional total cases in 2012; and**

**WHEREAS, the Women's Resource Center currently maintains one emergency domestic violence shelter in Putnam County which can only serve 5 to 6 families at a time and which will not be adequate to house the additional cases being experienced; and**

**WHEREAS, the County Executive is desirous of offering any assistance possible to the Putnam-Northern Westchester Women's Resource Center, including future private-public partnerships which will enable the Putnam-Northern Westchester Women's Center to expand its services offered to the residents of Putnam County who so greatly require same; and**

**WHEREAS, the County Executive has recommended the transfer of such property from the list of tax lien properties to the Putnam-Northern Westchester Women's Resource Center to be used to expand its licensed emergency safe haven shelter program; and**

**WHEREAS, the Putnam County Legislature has reviewed the County Executive's proposal and is in agreement that any assistance possible should be offered to the Putnam-Northern Westchester Women's Resource Center and that the transfer of such a property should be approved; now therefore be it**

**RESOLVED, that the Putnam County Legislature fully supports the vital mission and efforts of the Putnam-Northern Westchester Women's Resource Center and recognizes its importance to the families of Putnam County who may rely on the services it offers; and be it further**

**RESOLVED, that the Putnam County Legislature is in agreement with the County Executive's concept to transfer, when identified, an appropriate dwelling acquired by the County in tax foreclosure proceedings to the Putnam-Northern Westchester Women's Resource Center to be used to expand its licensed emergency safe have shelter program; and be it further**

**RESOLVED, that upon the County Executive's selection of the appropriate dwelling to be transferred to the Putnam-Northern Westchester Women's Resource Center, or any entity wholly in its control, such transfer shall be approved by the Putnam County Legislature pursuant to the provisions of Chapter 31 of the Putnam County Code.**

**BY ROLL CALL VOTE: EIGHT AYES. ONE NAY - LEGISLATOR BIRMINGHAM. MOTION CARRIES.**

**Item #5d – Approval/Support of Utilizing the Valuable Resources Provided by People with Disabilities, Senior Citizens, Veterans and Returning War Heroes was next. On behalf of the members of the Health Committee, Legislator Oliverio moved the following:**

**RESOLUTION #95**

**APPROVAL/SUPPORT OF UTILIZING THE VALUABLE RESOURCES PROVIDED BY PEOPLE WITH DISABILITIES, SENIOR CITIZENS, VETERANS AND RETURNING WAR HEROES**

**WHEREAS, the County of Putnam recognizes the need to promote job opportunities for students and job seekers with disabilities; and**

**WHEREAS, the County Executive has indicated her intent to implement a County-wide program that aims to create job opportunities that develop relationships which will increase participation in the Putnam County workforce by students and job seekers with disabilities; and**

**WHEREAS, the Putnam County Legislature supports the County Executive's initiative to build a broad and beneficial network of participants in Putnam County so as to foster relationships among those partaking in such a program; and**

**WHEREAS, endorsement of a Mentoring Day in Putnam County will promote disabilities as a central component of diversity recruitment for a more inclusive workforce, will dispel employers' fears of hiring people with disabilities and will foster**

confidence in students and job seekers with disabilities who are desirous of entering the workforce; and

WHEREAS, the Putnam Council for People with Disabilities and Careers for People with Disabilities have agreed to partner with the County of Putnam in implementing and effectuating a Mentoring Day program in Putnam County; and

WHEREAS, the County Executive has also evidenced her intent to develop a broad-based program that focuses on cultivating and utilizing the unique skills, experience, knowledge, training and interests of the County's senior citizens, veterans and returning war heroes; and

WHEREAS, the purpose of such a program would be to assist and invigorate County residents who, among other things, are unemployed, underemployed and/or have poor employment prospects; and

WHEREAS, the Putnam County Legislature hereby acknowledges that County residents can benefit from the mentoring, counsel, guidance and/or training that the County's senior citizens, veterans and returning war heroes may provide to them; and

WHEREAS, both of the above referenced, broad-based programs will assist in realizing the County's goal of optimizing manpower and maximizing the utilization of available resources; now therefore be it

RESOLVED, that the Putnam County Legislature supports the creation of a broad and beneficial network of participants to engage in a Mentoring Day program in Putnam County which will foster mentor and mentee relationships and career exploration opportunities for students and job seekers with disabilities; and be it further

RESOLVED, that the Legislature supports the development of a broad-based program focused on the utilization and optimization of the skills and experience of Putnam County's seniors, veterans and returning war heroes through the provision of training and mentoring programs.

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

Item #5e – Approval/Consolidation of the Administration Department of Social Services/Mental Health/Youth Bureau was called next. On behalf of the members of the Health Committee, Legislator Oliverio moved the following:

Legislator Oliverio stated that this was discussed at length in Committee and he felt that it was very pro-active and a good idea especially because of the cut backs in funding to our Youth Bureau under the auspices of Mental Health. We can now apply for additional grants that would subsidize the monies we would lose if the consolidation did not take place.

Legislator Birmingham stated that this item came through both the Health and Audit Committees. During discussions at the Audit Meeting, the Committee asked for some indication that the State had approved this. There was an email today that the State approved part of this. He asked the Commissioner of Social Services for clarification.

Commissioner Piazza stated that they received approval from the State Department of the Office of Disability and Temporary Assistance for the Deputy Commissioner specifications on DSS and the qualifications of the proposed Deputy Commissioner has been approved. However, he has not yet received the report from the IFCC, the legal arm of the Office of Mental Health. Although, he did not anticipate any problems since the job description and the person is the same.

Chairwoman Conklin clarified that this is a consolidation of "Administration" not the department.

#### **RESOLUTION #96**

#### **APPROVAL/CONSOLIDATION OF THE ADMINISTRATION DEPARTMENT OF SOCIAL SERVICES/MENTAL HEALTH/YOUTH BUREAU**

**WHEREAS, the County of Putnam is always seeking ways to more effectively manage assets including its staff; and**

**WHEREAS, back in 1994 the NYS Department of Social Services and NYS Department of Mental Health Hygiene permitted the consolidation of the administration of the Commissioner of Social Services and Commissioner of Mental Hygiene with the Department of Mental Hygiene waiving the requirement of a full time Commissioner of Mental Health as long as there was a Director of Mental Health Services, and**

**WHEREAS, this waiver was later modified to permit Joseph DeMarzo to serve as Director of Mental Health on a part time basis, and**

**WHEREAS, it is the intent of the County Executive to consolidate and optimize the County's resources wherever appropriate; and**

**WHEREAS, it has become clear that the Youth Bureau and various administrative programs thereunder are systematically being defunded by the State of New York; and**

**WHEREAS, there are natural synergies between the Department of Social Services, the Youth Bureau and the Department of Mental Health and the resulting consolidation of administration of the department will provide the individual departments with the additional management and administrative support which each department so desperately needs; and**

**WHEREAS, the consolidation of the administration of the Departments of Social Services, Mental Health and Youth Bureau will create a small amount of available office space in Building 3 of the Donald B. Smith Office Campus thereby providing the added benefit of assisting the County in its re-organization and expansion of the Office for Aging offices; and**

**WHEREAS, the consolidation of the administration of the Departments of Social Services, Mental Health and the Youth Bureau would also result in a net savings to the taxpayers of \$44,835.00, while still maintaining the same level of services being provided to the residents of Putnam County; and**

**WHEREAS, the County Executive, together with the Commissioner of Social Services, now seek to restructure County resources by eliminating the positions of Director of Mental Health and the Director of the Youth Bureau; and**

**WHEREAS, the County is awaiting a response from the NYS Department of Mental Hygiene permitting the continuation of the waiver for a full time Commissioner of Mental Health when the Director of Mental Health's position is replaced by a Deputy Commissioner's position, and**

**WHEREAS, the County Executive, together with the Commissioner of Social Services, now seek to restructure County resources by eliminating the position of Deputy Youth Director; and**

**WHEREAS, the County Executive now seeks to establish the position of Deputy Commissioner of Social Services, Mental Health and Youth Bureau; and**

**WHEREAS, the County Executive now seeks to establish the position of Executive Director of the Youth Bureau; and**

**WHEREAS, Section 2.04(L) of the Putnam County Code grants to the County Legislature the power "to establish or abolish positions of employment and titles thereof" now therefore be it**

**RESOLVED, that the Putnam County Legislature approves of the establishment of the position of Deputy Commissioner of Social Services, Mental Health and Youth Bureau, and be it further**

**RESOLVED, that the Putnam County Legislature approves of the establishment of the position of Executive Director of the Youth Bureau, and be it further**

**RESOLVED, that the Putnam County Legislature approves of the elimination of the position of Director of Mental Health Services and Director of Youth Services, and be it further**

**RESOLVED, that this approval is subject to receiving a modification to the existing waiver from the Department of Mental Hygiene permitting the Commissioner of Mental Health to serve on a part time basis.**

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**Item #5f – Approval/Budgetary Amendment (12A017)/County Executive/ Consolidation of Department of Social Services/Mental Health/Youth Bureau was called next. On behalf of the members of the Health Committee, Legislator Oliverio moved the following:**

**RESOLUTION #97**

**APPROVAL/BUDGETARY AMENDMENT/COUNTY EXECUTIVE/CONSOLIDATION OF DEPARTMENT OF SOCIAL SERVICES/MENTAL HEALTH/YOUTH BUREAU**

**WHEREAS, the County Executive has requested a budgetary amendment (12A017) for the consolidation of Department of Social Services/Mental Health/Youth Bureau; and**

**WHEREAS, the Health Committee and the Audit & Administration Committee have reviewed and approve said budgetary amendment; now therefore be it**

RESOLVED, that the following budgetary amendment be made:

**Increase estimated appropriations:**

10120000-51000	Deputy Comm of Social Services, MH and Youth	\$34,345
10120000-58001	Fringe - Retirement	5,044
10120000-58002	Fringe - FICA	2,627
10120000-58003	Fringe - Disability	188
10120000-58004	Fringe - Worker's Compensation	109
10120000-58006	Fringe - Dental	419
10120000-58007	Fringe - Life Insurance	299
10120000-58008	Fringe - Health Insurance	6,021
10120000-58011	Fringe - Flex Plan	733
10102000-51000	Youth Director	10,789
10102000-58001	Fringe - Retirement	1,585
10102000-58002	Fringe - FICA	825
10102000-58003	Fringe - Disability	59
10102000-58004	Fringe - Worker's Compensation	34
10102000-58006	Fringe - Dental	186
10102000-58007	Fringe - Life Insurance	94
10102000-58008	Fringe - Health Insurance	2,676
10102000-58011	Fringe - Flex Plan	326
		<u>\$66,359</u>

**Decrease estimated appropriations:**

10431000-51000	Director of Mental Health and Youth Bureau	\$22,897
10431000-58001	Fringe - Retirement	3,363
10431000-58002	Fringe - FICA	1,752
10431000-58003	Fringe - Disability	125
10431000-58004	Fringe - Worker's Compensation	73
10431000-58006	Fringe - Dental	279
10431000-58007	Fringe - Life Insurance	200
10431000-58008	Fringe - Health Insurance	4,014
10431000-58011	Fringe - Flex Plan	489
10731000-51000	Director of Mental Health and Youth Bureau	11,448
10731000-51000	Deputy Youth Director	10,789
10731000-58001	Fringe - Retirement	3,266
10731000-58002	Fringe - FICA	1,701
10731000-58003	Fringe - Disability	122
10731000-58004	Fringe - Worker's Compensation	70
10731000-58006	Fringe - Dental	326
10731000-58007	Fringe - Life Insurance	194
10731000-58008	Fringe - Health Insurance	4,681

10731000-58011	Fringe - Flex Plan	<u>570</u>
		\$66,359

**Increase estimated appropriations:**

10101000 436101	State Aid - DSS Admin	\$23,374
10101000 446101	Fed Aid - DSS Admin	18,671
10101000 446111	Fed Aid - Prog Admin	<u>2,790</u>
		\$44,835

**Increase:**

10199000 54980	Contingency	\$44,835
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Fiscal Impact - 2012 - (44,835) POSITIVE FISCAL IMPACT  
 Fiscal Impact - 2013 - (44,835) POSITIVE FISCAL IMPACT

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #5g – Approval/Budgetary Amendment (12A019)/Highways & Facilities/Funding for Painting & Repairs/Historic Courthouse was next. Chairwoman Conklin recognized Legislator LoBue, Chairwoman of the Physical Services Committee. On behalf of the members of the Committee, Legislators Albano & Othmer, Legislator LoBue moved the following:

**RESOLUTION #98**

**APPROVAL/BUDGETARY AMENDMENT/HIGHWAYS & FACILITIES/FUNDING FOR PAINTING & REPAIRS/HISTORIC COURTHOUSE**

WHEREAS, the Department of Highways & Facilities has requested a budgetary amendment (12A019) to fund the painting and repairs of the Historic Courthouse; and WHEREAS, the Physical Services Committee and the Audit & Administration Committee have reviewed and approve said budgetary amendment; now therefore be it RESOLVED, that the following budgetary amendment be made:

**GENERAL FUND:**

**Increase Estimated Appropriations:**

10990100 59020	Transfer to Capital Fund	22,500
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**Increase Estimated Appropriations:**

<b>51989000 53000 50036</b>	<b>Minor Renovations</b>	<b>83,000</b>
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**Increase Estimated Revenues:**

<b>59901000 53000 50033</b>	<b>Transfer from General Fund</b>	<b>83,000</b>
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**2012 Fiscal Impact \$83,000**

**2013 Fiscal Impact – 0 –**

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**Item #5i – Approval/Lease Agreement/EDC/IDA was next. On behalf of the members of the Physical Services Committee, Legislator LoBue moved the following:**

**Legislator LoBue stated that this was the subject of much discussion to move the EDC and IDA offices from 34 Gleneida Avenue into the County Office Building. She is not in favor of seeing the offices relocated. She believed they needed autonomy and did not belong in between ten elected officials. She felt this was tied to the possible sale of 34 Gleneida which she was also not in favor of. She felt that it was a fixed asset and was something we should hold onto in this economy.**

**Legislator Oliverio concurred. He stated that EDC, IDA and SCORE are extremely important. He believed that the space on the 3<sup>rd</sup> floor of the County Office Building was miniscule compared to where they are now. He supported some small renovations to the existing space. He did not want to place any agencies in the mix of elected officials. He believed the independent agencies should be kept independent and not under the thumb of either branch of government. He also did not support the sale of 34 Gleneida Avenue.**

**Legislator Tamagna believed we were fooling ourselves if we thought 34 Gleneida only needed paint and carpeting. The building is not ADA compliant and it would be expensive to install an elevator. He supported the County Executive's plan for these public/private partnerships having everyone working together. Consolidations are important to the taxpayers and this was one step in the right direction.**

**Legislator Othmer stated that the sale of 34 Gleneida Avenue is not the issue. He stated that the President of the Board, Tom LaPerch, Kevin Bailey, the County Executive and the President of the Putnam County Chamber of Commerce are all in support of the offices being located in the County Office Building. The County Attorney has stated that there was no conflict of interest. He stated that \$120,000 dollars of taxpayer's money is given to the EDC and IDA. Therefore, he felt that they were not independent. It was also his understanding that the organization would eventually be weaned off of this money little by little. This has not happened, so that is why he questions whether they are independent or not. He further stated that SCORE is a sublease of EDC and IDA and has nothing to do with County government. He stated that the key players involved have**

stated that they can work with the space provided in the County Office Building. Also, the storage of records for EDC and IDA which is currently not in compliance with NYS standards is now being addressed.

Legislator Albano stated that he would support the lease agreement. He felt that there were many advantages when working in partnership. He felt that 34 Gleneida Avenue is an asset and did not want it sold. His main concern was with SCORE. He believed they needed to have space and felt that they were an important part of this situation.

Legislator Birmingham stated that for him it comes down to a matter of practical over impractical. The more important opinion to him would be the people that work there on a day to day basis. We have spoken with them and received letters into the record as well at the last Committee meeting. He agreed with Legislator Tamagna that the building is 1950's vintage, however to plagiarize one of my Town Councilwomen, "40 Gleneida is now show stopper either". He would be voting against this lease agreement. We are a separate organization from these organizations. To correct the record, the County does not give any money to the Industrial Development Agency. In fact, the IDA has been self-sufficient for the last 16 or 17 years. They get their funds when they issue bonds. In fact, a lot of that money has gone over to support the EDC to help wean EDC off of County funds.

Legislator Gross stated that it comes down to three words: 1) Autonomy. He believes it needs to be autonomous from the County Office Building. 2) Space. There is no question that space is not available in the County Building and it is at 34 Gleneida Avenue. 3) SCORE. The importance of SCORE cannot be belittled. They do a lot to help new business people, which he believes is important. However, the building does need new housekeeping to make it more attractive.

Legislator DiCarlo stated that it is very interesting that we are hearing so many questions still not answered and we are being asked to take a vote. There is so much misinformation and/or separate information that has gone on. We are being asked to take a vote on what is in the best interest, not for today, but down the road. That is the big question we have to struggle with. There are a lot of unanswered questions that are still out there. He felt that some of those questions needed to be answered before we vote on this to have more information; however, he did not believe that this would happen. He will cast his vote accordingly.

Legislator Othmer made a motion to table this item; seconded by Legislator Tamagna.

By Roll Call Vote: Four Ayes, Legislators Albano, DiCarlo, Othmer and Tamagna. Five Nays, Legislators Birmingham, Gross, LoBue, Oliverio and Conklin. Motion Failed.

Legislator Birmingham called the question to move the lease.

**By Roll Call Vote: Three Ayes, Legislators Albano, Othmer and Tamagna. Six Nays, Legislators Birmingham, DiCarlo, Gross, LoBue, Oliverio and Conklin. Motion Failed.**

**APPROVAL/LEASE AGREEMENT/EDC/IDA**

**WHEREAS, the County of Putnam is the owner of certain real property located at 40 Gleneida Avenue, Carmel, New York 10512, including the building located thereon (hereinafter referred to as the “Premises”); and**

**WHEREAS, a portion of the Premises, consisting of approximately 732 square feet of space on the third (3rd) floor is not needed for use as office space by the County (hereinafter referred to as the “Surplus Office Space”); and**

**WHEREAS, the County previously entered into a lease agreement with the Putnam County Economic Development Corporation (referred to as the “EDC”) and the Putnam County Industrial Development Agency (referred to as the “IDA”) for office space in the building located at 34 Gleneida Avenue, Carmel, New York 10512; and**

**WHEREAS, said lease agreement with the EDC and IDA expired on December 31, 2010, and has continued thereafter on a month-to-month basis; and**

**WHEREAS, County Executive has proposed to relocate the EDC and IDA from the building located at 34 Gleneida Avenue, Carmel, New York 10512 to the Surplus Office Space located at the Premises; and**

**WHEREAS, the County Executive, pursuant to the authority granted to her under Section 31-22 of the Code, has entered into negotiations with the EDC and IDA for the lease of the Surplus Office Space, and has agreed to a monthly rental amount of \$736.40 per month, which is based upon the same amount per square foot as they are currently paying for the space located at 34 Gleneida Avenue; and**

**WHEREAS, pursuant to Section 31-22 of the Code, the County Executive has requested that the Putnam County Legislature approve such lease agreement; now therefore be it**

**RESOLVED, that the Surplus Office Space located at the Premises is not needed for County use; and be it further**

**RESOLVED, that the Putnam County Legislature approves the Lease Agreement between the County of Putnam and the EDC and IDA for the Surplus Office Space, in the form attached hereto and made a part hereof as Schedule “A”, and that the Putnam County Executive is authorized to execute said Lease Agreement; and be it further**

**RESOLVED, that the County Attorney is authorized to take whatever legal action is necessary to effectuate the Lease Agreement between the County of Putnam and the EDC and IDA in the manner approved herein and as written.**

**Item #5j – Approval/Lease Agreement/Putnam County Visitors Bureau, Inc. was next. On behalf of the members of the Physical Services Committee, Legislator LoBue moved the following:**

**Legislator LoBue stated that she felt the same way about the Visitors Bureau as she did with the previous leases. She stated that she discussed, with the previous Administration, moving the Visitors Bureau to a more prominent place, giving it the respect that it deserves. She stated that she suggested to County Executive Bondi at the time to move the office onto the Tilly Foster Farm property. She stated that when the County Clerk's office moves in its entirety to the County Office Building, she believed that 34 Gleneida Avenue building lends itself, with very little investment monies, for the Visitors Bureau to have a beautiful visual presence right on Main Street.**

**Legislator Oliverio concurred. Again he believed this organization should be autonomous and not be in the midst of the Executive or Legislative branches. He believed that having the Visitors Bureau right on Main Street was a superb location.**

**Legislator Othmer believed we were confusing the role of the Director of Tourism with a Welcome Center. He did not want our Director of Tourism handing out pamphlets and giving out directions. He wanted the Director to be on the phone with organizations that could bring events into the County.**

**Legislator Tamagna stated that we have a new Administration. He believed if the Administration felt this is how it needs to be managed and there is nothing really wrong with it, he did not understand why obstacles were being created. He stated that if we were looking for where tourism really belongs, it would be in his district in Cold Spring, where you get three to five thousand tourists in a weekend. He believed that the gateway to tourism was in the Town of Philipstown in the Village of Cold Spring.**

**Legislator Albano concurred with Legislators Othmer and Tamagna. He believed that a person coming into town does not necessarily want to meet with the Director of Tourism who works behind the scenes. A Welcome Center located in Cold Spring, Tilly Foster Farm and 34 Gleneida Avenue would be ideal locations to have brochures and volunteers. However, the person working behind the scenes, such as the Director, should be closest to the people who would be most helpful. He believed the 3<sup>rd</sup> floor of the County Office Building was the perfect location for that.**

**Legislator Birmingham stated that he would use the same methodology that he used for the last case, but has come to a different conclusion. The important question is, who is working there day to day, and are they comfortable with the space? It was his understanding that the person working on the 3<sup>rd</sup> floor now, despite a lease not being there but that's a discussion for another time, is very happy with the space. He believed that the Legislators could all agree that the space designated on the 3<sup>rd</sup> floor is quite a step up from being next to the garbage cans at the Donald B. Smith Campus.**

**Legislator Gross stated that he has no issue with this.**

**Legislator Oliverio stated that his biggest concern was the autonomy issue. At the Physical Services meeting, the Director of Tourism made a statement which troubled him. She stated when she needs to make “macro” decisions, she has the County Executive right down the hall. He stated that this government is a bi-structured government, Legislature and Executive branches. He did not want and will not allow the County Executive to have free reign over this County. When you destroy or put aside a Legislative branch, throughout history it has been proven that you end up with a dictatorship. He did not want an independent agency to be entrapped between the Legislative branch and the Executive branch. They need to remain independent.**

**Legislator LoBue felt that the bigger issue was that the Legislature was circumvented. The Committee process was started after the offices had already been moved and a notice to vacate was served on the EDC and IDA. We were in Committee when we realized that boxes and furniture had already been moved to the 3<sup>rd</sup> floor. Many things transpired in private and people were heavily persuaded that their jobs were in jeopardy. On a matter of principle, she stated that she would be voting no for all of these leases.**

**Legislator Albano stated that he needed to make a decision on what is best and not how the situation went down. He believed that the space on the 3<sup>rd</sup> floor works well.**

**Legislator Tamagna believed that there was a misunderstanding with the “macro” decisions. A tourism office may look at items with the Administration such as, a tour bus operator coming to Tilly Foster Farm or a tourism conference at Villa Barone. The Legislature would be involved in decisions regarding budgets or quarterly reports for items such as these. As far as what happens Monday through Friday with respect to marketing Putnam County tourism, we can’t possibly expect the Administration or the Director of Tourism not to weigh in on it. He stated that he wanted to clear up something for the record. The State does not choose our Director of Tourism.**

**Legislative Counsel Van Ross stated that the Putnam County Visitors Bureau, Inc. is a separate corporation which the County designated as our Tourist Promotion Agency. The County has no appointing powers over this corporation. The Putnam County Visitors Bureau, Inc. appoints the Director.**

#### **RESOLUTION #100**

#### **APPROVAL/LEASE AGREEMENT/PUTNAM COUNTY VISITORS BUREAU, INC.**

**WHEREAS, the County of Putnam is the owner of certain real property located at 40 Gleneida Avenue, Carmel, New York 10512, including the building located thereon (hereinafter referred to as the “Premises”); and**

**WHEREAS, a portion of the Premises, consisting of approximately 522 square feet of space on the third (3<sup>rd</sup>) floor is not needed for use as office space by the County (hereinafter referred to as the “Surplus Office Space”); and**

**WHEREAS, the office of the Putnam County Visitors Bureau, Inc. is presently located at the Donald B. Smith Government Campus, and there is no existing lease between the County and the Putnam County Visitors Bureau, Inc. for said office space; and**

**WHEREAS, the County Executive has proposed to relocate the Putnam County Visitors Bureau, Inc. to the Surplus Office Space located at the Premises; and**

**WHEREAS, the County Executive, pursuant to the authority granted to her under Section 31-22 of the Code, has entered into negotiations with the Putnam County Visitors Bureau, Inc. for the lease of the Surplus Office Space, and has agreed to an annual rate of \$1.00 plus additional in-kind services, as identified by the County Executive, which are consistent with the mission of the Putnam County Visitors Bureau, Inc. and the annual funding agreement between it and the County of Putnam; and**

**WHEREAS, pursuant to Section 31-22 of the Code, the County Executive has requested that the Putnam County Legislature approve such lease agreement; now therefore be it**

**RESOLVED, that the Surplus Office Space located at the Premises is not needed for County use; and be it further**

**RESOLVED, that the Putnam County Legislature approves the Lease Agreement between the County of Putnam and the Putnam County Visitors Bureau, Inc. for the Surplus Office Space, in the form which attached hereto and made a part hereof as Schedule "A", and the Putnam County Executive is authorized to execute said Lease Agreement; and be it further**

**RESOLVED, that the County Attorney is authorized to take whatever legal action is necessary to effectuate the Lease Agreement between the County of Putnam and the Putnam County Visitors Bureau, Inc. in the manner approved herein and as written.**

**BY ROLL CALL VOTE: SEVEN AYES. TWO NAYS - LEGISLATORS LOBUE & OLIVERIO. MOTION CARRIES.**

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

**Item #5k – Approval/Re-Appointments/Putnam County Plumbing & Mechanical Trades 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 & Gross, Legislator Othmer moved the following:**

**RESOLUTION #101**

**APPROVAL/RE-APPOINTMENTS/PUTNAM COUNTY PLUMBING & MECHANICAL TRADES BOARD**

**RESOLVED, that the following be re-appointed to the Putnam County Plumbing & Mechanical Trades Board:**

(E4(2)) Russell Bleakley, Town of Kent, as Master Plumber, for a three (3) year term, said term to expire December 31, 2014.

(E7) Robert Sleight, Town of Carmel, as LP Representative, for a three (3) year term, said term to expire December 31, 2014.

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

Item #5L – Approval/Electrical Fees/Pursuant to Section 145-8(H) of the Putnam County Code was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislator Othmer moved the following:

**RESOLUTION #102**

**APPROVAL/ELECTRICAL FEES/PURSUANT TO SECTION 145-8(H) OF THE PUTNAM COUNTY CODE**

WHEREAS, section 145-8(H) of the Putnam County Code provides for the Putnam County Legislature to adopt the fees to be collected under the County Electrical Licensing Law; and

WHEREAS, this section provides that the following fees be adopted:

- (a) The administration of examinations (testing fees)
- (b) The issuance and/or renewal of licenses (licensing fees)
- (c) Application fees and
- (d) Electrical inspection fees; and

WHEREAS, by Resolution #121 of 2011, the Putnam County Legislature last set these fees; and

WHEREAS, the Electrical Board of Putnam County desires to revise these fees for the upcoming year; and

WHEREAS, the new proposed fees have been reviewed and approved by the Rules, Enactments & Intergovernmental Relations Committee; now therefore be it

RESOLVED, that the following fee schedule be approved and adopted by the Putnam County Legislature:

**FEE SCHEDULE**

Application Fee	\$ 150.00
Master License Fee	\$ 500.00
Special master License Fee	\$ 500.00
Limited Data Technician Fee	\$ 150.00
Journey Level License Fee (2 years)	\$ 100.00
Helper Certification Fee (2 years)	\$ 20.00
Late Fee (after 1/31) for Master License	\$ 100.00



No Signage on Vehicle (145-24D)	\$ 100+
Contractor Failure to Maintain E-Verify and/or Payroll Documentation of Workers on Job Site	\$ 500+
Worker on Job Site with No ID (per Worker)**	\$ 250
**Contractor and Worker Provide ID, E-Verify, Payroll Records within 2 County Working Days Reduces Fine	\$ 100
Master found in Violation of Worker's Comp. Exemption	\$ 500

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

Item #5n – Approval/Ceremoniously Designate a Portion of Route 301 “The Hudson River Turnpike” Formally known as the Philipstown Turnpike was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislator Othmer moved the following:

Legislator Tamagna stated that he would like to co-sponsor this item. This is a beautiful road that joins the east side with the west side of the County.

**RESOLUTION #104**

**APPROVAL/CEREMONIOUSLY DESIGNATE PORTION OF ROUTE 301 “THE HUDSON RIVER TURNPIKE” FORMALLY KNOWN AS THE PHILIPSTOWN TURNPIKE**

WHEREAS, NY Route 301 is an intra-county state highway stretching across three-quarters of the County of Putnam and is Putnam’s original highway joining east and west; and

WHEREAS, NY Route 301 extends past or through four of the County’s six towns, two of the County’s three incorporated villages, a half dozen hamlets, the Appalachian National Scenic Trail, Fahenstock State Park, several multiple use areas, the Chuang Yen Buddhist Monastery, and the bucolic views of Canopus Lake and the Boyds Corner and West Branch Reservoirs of the New York City Watershed; and

WHEREAS, the County Executive seeks to restore this historic road in our Bicentennial year by recognizing the historical nature of NY Route 301 which was an integral part of county history where wagons transported manufacturers goods inland prior to the advent of the railroad; and

WHEREAS, on April 15, 1815, an act to incorporate the Philipstown Turnpike Company in the County of Putnam was passed and eventually the Philipstown Turnpike, which followed a significant portion of the current NY Route 301, was abandoned because the tolls received were not sufficient to defray the expense of maintaining the road and associated bridges; and

WHEREAS, on August 20, 2002, the portion of NY Route 301 between NY Route 9D and US Route 9 was designated as the "Sergeant Albert Ireland Memorial Highway" which ceremonial designation honors Albert Luke Ireland, a U.S. Marine Corps Sergeant from Cold Spring who was awarded many citations, including nine Purple Hearts, for his service during World War II and the Korean War; and

**WHEREAS, the County Executive wishes to ceremoniously designate the remaining portion of NY Route 301 between Route 52 and Route 9 as the “The Hudson River Turnpike”; and**

**WHEREAS, such designation is both timely and appropriate as no other historic turnpike or highway followed the exact path of said portion of NY Route 301; and**

**WHEREAS, the most effective manner of implementing such a change is by requesting that the New York State Legislature amend Article 12 of the New York State Highway Law such that that portion of Route 301 between Route 52 and Route 9 be designated and known as “The Hudson River Turnpike”; now therefore be it**

**RESOLVED, that the Putnam County Legislature hereby requests that the New York State Legislature adopt a bill which would amend Article 12 of the New York State Highway Law between Route 52 and Route 9 to be designated and known as “The Hudson River Turnpike”; and it be further**

**RESOLVED, that the Putnam County Legislature hereby directs its Clerk 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. CARRIED UNANIMOUSLY.**

**Item #5o – Approval/Amend Resolution #375 of 2011/County Signage Policy was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislator Othmer moved the following:**

**By Roll Call Vote: Three Ayes, Legislators Albano, Othmer and Tamagna. Six Nays, Legislators Birmingham, DiCarlo, Gross, LoBue, Oliverio and Chairwoman Conklin. Motion Failed.**

#### **APPROVAL/AMEND RESOLUTION #375 OF 2011/COUNTY SIGNAGE POLICY**

**WHEREAS, the County previously adopted a signage policy pursuant to Resolution #314 of 1990; and**

**WHEREAS, Resolution #314 of 1990 was superseded by Resolution #134 of 2011; and**

**WHEREAS, Resolution #134 of 2011 was subsequently amended by Resolution #191 of 2011 and Resolution #375 of 2011, respectively; and**

**WHEREAS, the County signage policy is in need of further revision; now therefore be it**

**RESOLVED, that Resolution #375 of 2011 is hereby amended to read as follows:**

**WHEREAS, the primary duty of elected officials, appointees, department heads, and employees of the County of Putnam, is to serve the people of the County; and**

**WHEREAS, public projects, installations, or operations in the service of the people of the County emerge from the labor of the entire body of government and not solely from individual initiative; and**

**WHEREAS, the proliferation of signage on County roads affects the landscape and physical appearance of the County enjoyed by the travelling public; now therefore be it**

**RESOLVED, that except for office directories or bulletin boards in or adjacent to public buildings, or as otherwise provided by law, no sign, placard, billboard or similar device purchased, manufactured, or installed through the expenditure of public funds and installed in or adjacent to any public place, facility, road or highway, shall bear the name of any present elected official, appointee, department head, or employee of the County of Putnam, unless approved by resolution of the Legislature, and be it further**

**RESOLVED, that notwithstanding the foregoing, a program open to the general public, such as the Adopt-A-Road Program, may provide for signage to display a person's name, but in no event shall the title of any public office be displayed on such sign or device, and be it further**

**RESOLVED, that political signs can only be installed on a County road thirty (30) days prior to any primary, general or school election and must be removed within fifteen (15) days of said election, and be it further**

**RESOLVED, that no signs are to be attached to any tree or utility pole on the County Road Right of Way; and be it**

**RESOLVED, that any such sign, placard, billboard or similar device new in existence be modified to conform to this resolution or be removed.**

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

**Item #5p – Approval/Budgetary Amendment(12A018)/Legislature/Reorganize Legislative Staff Salaries Due to a Retirement was next. Legislator Conklin, as Chairwoman of the Audit & Administration Committee, moved the following on behalf of the members, Legislators Birmingham & LoBue:**

**RESOLUTION #105**

**APPROVAL/BUDGETARY AMENDMENT/LEGISLATURE/REORGANIZE LEGISLATIVE STAFF SALARIES DUE TO RETIREMENT**

**WHEREAS, the Audit & Administrative Committee has requested a budgetary amendment (12A018) to reorganize the Legislative Staff salaries due to a retirement; 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:**

<b>10101001 51000</b>	<b>Personnel Services</b>	<b>\$ 19,632</b>
<b>10751000 51000</b>	<b>Personnel Services</b>	<b>11,759</b>

10751000 58001	Fringe – Retirement	2,423
10751000 58002	Fringe – FICA	947
10751000 58003	Fringe – Disability	90
10751000 58004	Fringe – Worker’s Compensation	52
10751000 58006	Fringe – Dental	620
10751000 58007	Fringe – Life Insurance	144
10751000 58008	Fringe – Health Insurance	5,275
10751000 58011	Fringe – Flex Plan	<u>814</u>
		\$ 41,756

**Increase Estimated Appropriations:**

10101001 51094	Temporary	\$ 12,769
10906000 58061	Retiree Health Insurance	6,863
10751000 58001	Fringe – Retirement	2,423
10751000 58002	Fringe – FICA	947
10751000 58003	Fringe – Disability	90
10751000 58004	Fringe – Worker’s Compensation	52
10751000 58006	Fringe – Dental	620
10751000 58007	Fringe – Life Insurance	144
10751000 58008	Fringe – Health Insurance	5,275
10751000 58011	Fringe – Flex Plan	<u>814</u>
		\$ 29,997

**Decrease Estimated Revenues:**

10131000 427705	Vacancy Control Factor	\$ 11,759
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Fiscal Impact – 2012 – (11,759) Positive Impact

Fiscal Impact – 2012 – (37,319) Positive Impact

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**Item #5q – Approval/Budgetary Amendment (12A022)/Health Department/Public Health Emergency Preparedness Grant was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:**

**RESOLUTION #106**

**APPROVAL/BUDGETARY AMENDMENT (12A022)/HEALTH DEPARTMENT/PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT**

**WHEREAS, the Health Department has requested a budgetary amendment (12A022) to properly allocate additional “risk-based” funding awarded through the Public Health Emergency Preparedness Grant; 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:

**Increase Estimated Revenue:**

26401001 444892 10066      Public Health Emergency Preparedness      \$6,727

**Increase Estimated Appropriations:**

26401001 52180 10066      PHEP – Other Equipment      \$6,727

2012 Fiscal Impact – 0 –

2013 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

Item #5r – Approval/Budgetary Amendment (12A024)/Commissioner of Finance/Vacancy Control/March 2012 was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:

**RESOLUTION #107**

**APPROVAL/BUDGETARY AMENDMENT/COMMISSIONER OF FINANCE/VACANCY CONTROL/MARCH 2012**

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (12A024) to provide for the vacancy control factor for March 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	\$41,715
See Attached Sheet	FICA	3,679
See Attached Sheet	Dental	614
See Attached Sheet	Life Insurance	264
See Attached Sheet	Health Insurance	9,411
See Attached Sheet	Vision	77
See Attached Sheet	Flex Plan	<u>977</u>
		\$56,737

**Decrease Estimated Revenues:**

10101000 436101	State Aid – DSS	\$ 7,684
10101000 446101	Federal Aid – DSS	7,602

10431000 434873	State Aid – Mental Health	781
10131000 427705	Vacancy Control Factor	<u>40,670</u>
		\$56,737

2012 Fiscal Impact – 0 –  
2012 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5s – Approval/Fund Transfer (12T063)/Commissioner of Finance/Humane Society/May & June 2012 Payment was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:

RESOLUTION #108

APPROVAL/FUND TRANSFER/COMMISSIONER OF FINANCE/HUMANE SOCIETY/MAY & JUNE 2012 PAYMENT

WHEREAS, the Commissioner of Finance has requested a fund transfer (12T063) to provide funding for the May & June 2012 payment; 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	Sub-Contingency	\$23,486.66
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Increase:

25851200 54950	Humane Society	\$23,486.66
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2012 Fiscal Impact – 0 –  
2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5t – Approval/Fund Transfer (12T069)/Health Department/Fund Medical Consultant for April 2012 was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:

RESOLUTION #109

APPROVAL/FUND TRANSFER/HEALTH DEPARTMENT/FUND MEDICAL CONSULTANT FOR APRIL 2012

WHEREAS, the Health Department has requested a fund transfer (12T069) to fund the account for the Medical Consultant for April 2012; 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:

10401000 51000	Admin. Personal Serv.	\$6,000
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Increase:

10401000 54646	Administration Contracts	\$6,000
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2012 Fiscal Impact – 0 –

2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5u – Approval/Bond Resolution/Revitalization of Roads/Town of Carmel/Additional Costs was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:

RESOLUTION #110

**PUTNAM COUNTY RESOLUTION**

**EXTRACT OF MINUTES**

**Meeting of the County Legislature of  
the County of Putnam, New York**

**May 1, 2012**

\* \* \*

A regular meeting of the County Legislature of the County of Putnam, New York, was held at the Historic County Courthouse, Gleneida Avenue, Carmel, New York, on May 1, 2012, at 7 o'clock P.M. (Prevailing Time).

The following Legislators were present: Albano, Birmingham, DiCarlo, Gross, LoBue, Oliverio, Othmer, Tamagna and Chairwoman Conklin.

There were absent: None

Also present: Diane Schonfeld – Legislative Clerk  
Clement Van Ross – Legislative Counsel

\* \* \*

Legislator Conklin offered the following resolution and moved its adoption:

**BOND RESOLUTION OF THE COUNTY OF PUTNAM, NEW YORK, ADOPTED MAY 1, 2012, AUTHORIZING THE COUNTY'S SHARE OF THE COST OF THE REVITALIZATION OF ROADS IN THE TOWN OF CARMEL, IN AND FOR SAID COUNTY, AT A REVISED MAXIMUM ESTIMATED COST OF \$275,000, AND AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$187,500 BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF.**

WHEREAS, by bond resolution #259 of 2008 dated September 2, 2008, the County Legislature of the County of Putnam, New York, duly authorized the issuance of \$87,500 bonds of said County to pay the County's share of the cost of the revitalization of roads in the Town of Carmel, in and for said County, including sidewalk replacement and other incidental improvements and expenses, the maximum estimated cost of said class of objects or purposes being determined to be \$87,500, and

WHEREAS, said capital project, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant effect on the environment; and

WHEREAS, it has now been determined that the maximum estimated cost of such class of objects or purposes is \$275,000, an increase of \$187,500 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$187,500 bonds of said County for such class of objects or purposes; NOW, THEREFORE,

**BE IT RESOLVED, THE COUNTY LEGISLATURE OF THE COUNTY OF PUTNAM, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Legislature) AS FOLLOWS:**

**Section 1.** The County of Putnam, New York (herein called the "County") is hereby authorized to pay additional costs related to the revitalization of roads in the Town of Carmel, in said County, including sidewalk replacement and other incidental improvements and expenses in connection therewith, in and for said County. The

maximum estimated cost thereof, including costs incidental thereto and the financing thereof, is now determined to be \$275,000 and said amount, or so much as not heretofore been appropriated, is hereby appropriated therefor.

**Section 2.** The plan for the financing of the \$275,000 maximum estimated cost is as follows:

- a. By the issuance of the \$87,500 bonds of said County authorized to be issued pursuant to a bond resolution dated and duly adopted September 2, 2008, as described in the preambles hereof; and
- b. By the issuance of an additional \$187,500 bonds of said County herein authorized.

The County shall finance said appropriation pursuant to the provisions of the Local Finance Law, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

**Section 3.** There are hereby authorized to be issued additional bonds of the County in the principal amount of \$187,500 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law").

**Section 4.** The period of probable usefulness of the class of objects or purposes for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20(c) of the Law, is fifteen (15) years, calculated from November 15, 2008, the date of the first obligations issued therefor.

**Section 5.** The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

**Section 6.** Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

**Section 7.** Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 thereof relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 thereof relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and Sections 50.00, 56.00 to 60.00 and 168.00 thereof, the powers and duties of the County Legislature relative to authorizing bond anticipation notes, or the renewals thereof, and relative to providing for substantially level or declining annual debt service, and prescribing the terms, form and contents, and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of

said bonds, and the renewals of said notes, as well as to executing agreements for credit enhancements, are hereby delegated to the Commissioner of Finance, the chief fiscal officer of the County.

**Section 8.** The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

**Section 9.** This bond resolution shall take effect upon the approval of the Putnam County Executive, and the Clerk of the County Legislature is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in "*The Putnam Press*," and "*The Putnam County News & Recorder*," three newspapers, each having a general circulation in the County and hereby designated as the official newspapers of the County for such publications.

\* \* \* \* \*

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

**AYES:           NINE – Legislators Albano, Birmingham, DiCarlo, Gross, LoBue, Oliverio, Othmer, Tamagna and Chairwoman Conklin**

**NOES:           NONE**

The resolution was declared adopted.

\* \* \* \* \*

**CERTIFICATE**

I, DIANE SCHONFELD, Clerk to the County Legislature of the County of Putnam, State of New York, HEREBY CERTIFY that the Resolution No. 110-2012 contained in the foregoing annexed extract from the minutes of a meeting of the County Legislature of said County of Putnam duly called and held on May 1, 2012, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof and of the whole of said original Resolution, which was duly adopted by the County Legislature of the County of Putnam on May 1, 2012 and approved by the County Executive on \_\_\_\_\_, 2012.

IN WITNESS WHEREOF,

I have hereunto set my hand and affixed the corporate seal of said County of Putnam this \_\_\_\_ day of \_\_\_\_\_, 2012.

(SEAL)

\_\_\_\_\_  
Diane Schonfeld  
Clerk to the County Legislature

**LEGAL NOTICE**

The resolution, a summary of which is published herewith, has been adopted on the 1st day of May, 2012, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the COUNTY OF PUTNAM, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

**DIANE SCHONFELD**  
Clerk to the County Legislature

**BOND RESOLUTION OF THE COUNTY OF PUTNAM, NEW YORK, ADOPTED MAY 1, 2012, AUTHORIZING THE COUNTY'S SHARE OF THE COST OF THE REVITALIZATION OF ROADS IN THE TOWN OF CARMEL, IN AND FOR SAID COUNTY, AT A REVISED MAXIMUM ESTIMATED COST OF \$275,000, AND AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$187,500 BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF.**

<b>Class of objects or purposes:</b>	<b>Revitalization of roads, including sidewalk replacement</b>
<b>Period of probable usefulness:</b>	<b>Fifteen (15) years</b>
<b>Revised maximum estimated cost:</b>	<b>\$275,000</b>
<b>Additional amount of obligations to be issued:</b>	<b>\$187,500 Bonds</b>
<b>SEQRA status:</b>	<b>Type II Action</b>

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Clerk to the Legislature, at the County Office Building, 40 Gleneida Avenue, Carmel, New York.

Dated: \_\_\_\_\_, 2012  
Carmel, New York

**Item #5v – Approval/Bond Resolution/Construction/Reconstruction of Sidewalks/Additional Costs was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:**

**RESOLUTION #111**

**PUTNAM COUNTY RESOLUTION**

**EXTRACT OF MINUTES**

**Meeting of the County Legislature of**

**the County of Putnam, New York**

**May 1, 2012**

**\* \* \***

**A regular meeting of the County Legislature of the County of Putnam, New York, was held at the Historic County Courthouse, Gleneida Avenue, Carmel, New York, on May 1, 2012, at 7 o'clock P.M. (Prevailing Time).**

**The following Legislators were present: Albano, Birmingham, DiCarlo, Gross, LoBue, Oliverio, Othmer, Tamagna & Chairwoman Conklin.**

**There were absent: None**

**Also present: Diane Schonfeld – Legislative Clerk**

**Clement Van Ross – Legislative Counsel**

**\* \* \***

**Legislator Conklin offered the following resolution and moved its adoption:**

**BOND RESOLUTION OF THE COUNTY OF PUTNAM, NEW YORK, ADOPTED MAY 1, 2012, AUTHORIZING THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, THROUGHOUT AND IN AND FOR SAID COUNTY, AT A REVISED MAXIMUM ESTIMATED COST OF \$208,500, AND AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$62,500 BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF.**

WHEREAS, by bond resolution #262 of 2011 dated October 4, 2011, the County Legislature of the County of Putnam, New York, duly authorized the issuance of \$146,000 bonds of said County to pay costs related to the construction and reconstruction of sidewalks and curbs, including incidental expenses and improvements in connection therewith, throughout and in and for said County, the maximum estimated cost of said class of objects or purposes being determined to be \$146,000, and

WHEREAS, said capital project, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant effect on the environment; and

WHEREAS, it has now been determined that the maximum estimated cost of such class of objects or purposes is \$208,500, an increase of \$62,500 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$62,500 bonds of said County for such class of objects or purposes; NOW, THEREFORE,

**BE IT RESOLVED, THE COUNTY LEGISLATURE OF THE COUNTY OF PUTNAM, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Legislature) AS FOLLOWS:**

**Section 1.** The County of Putnam, New York (herein called the "County") is hereby authorized to pay additional costs related to the construction and reconstruction of sidewalks and curbs, including incidental expenses and improvements in connection therewith, throughout and in and for said County. The maximum estimated cost thereof, including costs incidental thereto and the financing thereof, is now determined to be \$208,500 and said amount, or so much as not heretofore been appropriated, is hereby appropriated therefor.

**Section 2.** The plan for the financing of the \$208,500 maximum estimated cost is as follows:

- a. By the issuance of the \$146,000 bonds of said County authorized to be issued pursuant to a bond resolution dated and duly adopted October 4, 2011, as described in the preambles hereof; and
- b. By the issuance of an additional \$62,500 bonds of said County herein authorized.

The County shall finance said appropriation pursuant to the provisions of the Local Finance Law, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

**Section 3.** There are hereby authorized to be issued additional bonds of the County in the principal amount of \$62,500 pursuant to the provisions of the Local Finance

Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law").

**Section 4.** The period of probable usefulness of the class of objects or purposes for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 24 of the Law, is ten (10) years, calculated from November 15, 2011, the date of the first obligations issued therefor.

**Section 5.** The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

**Section 6.** Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

**Section 7.** Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 thereof relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 thereof relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and Sections 50.00, 56.00 to 60.00 and 168.00 thereof, the powers and duties of the County Legislature relative to authorizing bond anticipation notes, or the renewals thereof, and relative to providing for substantially level or declining annual debt service, and prescribing the terms, form and contents, and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, as well as to executing agreements for credit enhancements, are hereby delegated to the Commissioner of Finance, the chief fiscal officer of the County.

**Section 8.** The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

**Section 9.** This bond resolution shall take effect upon the approval of the Putnam County Executive, and the Clerk of the County Legislature is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in "*The Putnam Press*," and "*The Putnam County News & Recorder*," three newspapers, each having a general circulation in

the County and hereby designated as the official newspapers of the County for such publications.

\* \* \* \* \*

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

**AYES:**           **NINE** – Legislators Albano, Birmingham, DiCarlo, Gross, LoBue, Oliverio, Othmer, Tamagna and Chairwoman Conklin

**NOES:**           **NONE**

The resolution was declared adopted.

\* \* \* \* \*

**CERTIFICATE**

I, DIANE SCHONFELD, Clerk to the County Legislature of the County of Putnam, State of New York, HEREBY CERTIFY that the Resolution No. 111-2012 contained in the foregoing annexed extract from the minutes of a meeting of the County Legislature of said County of Putnam duly called and held on May 1, 2012, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof and of the whole of said original Resolution, which was duly adopted by the County Legislature of the County of Putnam on May 1, 2012 and approved by the County Executive on \_\_\_\_\_, 2012.

IN WITNESS WHEREOF,

I have hereunto set my hand and affixed the corporate seal of said County of Putnam this \_\_\_\_ day of \_\_\_\_\_, 2012.

(SEAL)

\_\_\_\_\_  
Diane Schonfeld  
Clerk to the County Legislature

**LEGAL NOTICE**

The resolution, a summary of which is published herewith, has been adopted on the 1st day of May, 2012, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the COUNTY OF PUTNAM, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

**DIANE SCHONFELD**  
Clerk to the County Legislature

**BOND RESOLUTION OF THE COUNTY OF PUTNAM, NEW YORK, ADOPTED MAY 1, 2012, AUTHORIZING THE CONSTRUCTION AND RECONSTRUCTON OF SIDEWALKS, THROUGHOUT AND IN AND FOR SAID COUNTY, AT A REVISED MAXIMUM ESTIMATED COST OF \$208,500, AND AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$62,500 BONDS OF SAID COUNTY TO PAY PART OF THE COST THEREOF.**

<b>Class of objects or purposes:</b>	<b>Construction/reconstructon of sidewalks</b>
<b>Period of probable usefulness:</b>	<b>Ten (10) years</b>
<b>Revised maximum estimated cost:</b>	<b>\$208,500</b>
<b>Additional amount of obligations to be issued:</b>	<b>\$62,500 Bonds</b>
<b>SEQRA status:</b>	<b>Type II Action</b>

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Clerk to the Legislature, at the County Office Building, 40 Gleneida Avenue, Carmel, New York.

Dated: \_\_\_\_\_, 2012  
Carmel, New York

Item #5w – Approval/Budgetary Amendment (12A020)/Highways & Facilities/Additional Funding to Complete Carmel Revitalization/ADA Accessibility Projects was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:

**RESOLUTION #112**

**APPROVAL/BUDGETARY AMENDMENT/HIGHWAYS & FACILITIES/ADDITIONAL FUNDING TO COMPLETE CARMEL REVITALIZATION /ADA ACCESSIBILITY PROJECTS**

WHEREAS, the Department of Highways & Facilities has requested a budgetary amendment (12A020) to provide additional funding to complete the Carmel Revitalization/ADA Accessibility Projects; and

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

**Increase Estimated Appropriations:**

55997000 53000 50273	Carmel Revitalization 2	187,500
55997000 53000 50276	ADA – Carmel Revitalization 2	<u>62,500</u>
		250,000

**Increase Estimated Revenues:**

05000 45710C 50273	Proceeds from Serial Bonds	187,500
05000 45710C 50276	Proceeds from Serial Bonds	<u>62,500</u>
		250,000

2012 Fiscal Impact – 0 –  
2013 Fiscal Impact – Undetermined Debt Service

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

Item #5x – Approval/Bond Resolution/Intent to Borrow/Reconstruction and Improvement of County Office Building/Hill & Dale Facility/121 Main Street Facility was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:

Legislator Tamagna made a motion to accept the additional material submitted for this item; seconded by Legislator Birmingham. All in favor.

Legislator Oliverio made a motion to split the question that the facilities be broken out into three separate items; seconded by Legislator LoBue.

By Roll Call Vote for Hill & Dale item: All Ayes. Carried Unanimously.

By Roll Call Vote for 121 Main Street item: All Ayes. Carried Unanimously.

Legislator Oliverio stated that the reason he requested that these items be broken out was because he was uncomfortable with the amount of money being spent in the rehabilitation of our County Office Building. He said “shame on us” for giving a blank check for some of our projects. The costs should have been broken out before hand with respect to what repairs were going to be done.

Legislator Tamagna stated that there hasn't been money invested in this building since Julius Cesar was Highway Commissioner. There is also a cost associated with not maintaining a building. The County Office Building is in desperate need of maintenance. The amount of \$17,000 dollars is not being spent friverously.

Legislator Oliverio felt that there was a difference between maintenance repair and cosmetic work. Knocking down walls and putting in kitchens on the 3<sup>rd</sup> floor is not maintenance and repair. That is why he said "shame on me" and this Legislative body for allowing that work to be done without any accountability. All he was asking for was a detail of what the \$17,000 dollars was going to be used for.

Legislator Othmer believed this amount was nothing compared to that amount needed in replacing a window and brick work framing on 34 Gleneida Avenue.

Legislator Albano stated that he had no problem with the \$17,000 dollars. It is our County seat and the improvements done were long overdue. He did not believe it was an exorbitant amount of money. He agreed that we should look at exactly what is being spent, but from what he sees it makes perfect sense and does not look out of line.

Legislator Gross concurred with Legislator Oliverio with respect to more details in the game plan. He states that he supports what is being done and the space on the 3<sup>rd</sup> floor looks nice.

Legislator Birmingham stated that we are incrementally getting to where we need to be with respect to our Capital Projects. Out of all of us, the one who has complained about this the most, right fully so is Legislator Tamagna. We never had a space analysis. Quite frankly our Capital Budget Process is involved in the Charter. However, the Charter as compared to other counties throughout the State is very superficial and lax when it comes to detail. This is worlds beyond what we use to have. This money will help to get the County Clerk's office all back on one floor in the County Office Building. There will be more money needed. Commissioner Pena has assured us that those details going forward will be forth coming. With respect to this \$17,000 dollars, we have been offered to view the schematics. He shared Legislator Oliverio's frustration, however on this proposal he had enough of the details to move forward.

Legislator LoBue stated that this is only one component. Once we move forward with the \$17,000 dollars it will require us to move forward with the rest of the renovations, and yet we do not have the costs associated with the total build out. Therefore, she would not be voting in favor of this. She believed that it was indicative of what has been going on. We have been backing into projects without knowing the total costs.

Legislator Albano stated that there are certain things that have to be done. He had mentioned in Committee that he is very much in favor and should explore the option of central air conditioning on the first floor. We should at least see if we can retrofit things into the ceiling at the time of renovation, so that if the day comes where we do put it in its in place without ripping everything apart. If we want to do this, we need to do it right. We should explore our options with respect to items that may need to be done in the near future and at least make accommodations to be halfway there.

**By Roll Call Vote for County Office Building item: Eight Ayes. One Nay, Legislator LoBue.**

**RESOLUTION #113**

**EXTRACT OF MINUTES**

**Meeting of the County Legislature of  
the County of Putnam, New York**

**May 1, 2012**

**\* \* \***

**A regular meeting of the County Legislature of the County of Putnam, New York, was held at the Historic County Courthouse, Gleneida Avenue, Carmel, New York, on May 1, 2012, at 7 o'clock P.M. (Prevailing Time).**

**The following Legislators were present: Albano, Birmingham, DiCarlo, Gross, LoBue, Oliverio, Othmer, Tamagna and Chairwoman Conklin.**

**There were absent:               None**

**Also present:                       Diane Schonfeld – Legislative Clerk**

**Clement Van Ross – Legislative Counsel**

**\* \* \***

**Legislator Conklin offered the following resolution and moved its adoption:**

**RESOLUTION DATED MAY 1, 2012.**

**RESOLUTION OF INTENT REGARDING THE TEMPORARY EXPENDITURE OF GENERAL FUND MONIES PRIOR TO THE PROPOSED SALE AND ISSUANCE OF GENERAL OBLIGATION BONDS AND/OR NOTES OF THE COUNTY OF PUTNAM, NEW YORK, IN THE AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING AN ADDITIONAL \$ 30,000 FOR RECONSTRUCTION AND IMPROVEMENT OF THE COUNTY OFFICE BUILDING (\$ 17,000), THE HILL & DALE FACILITY, (\$ 6,000) AND THE 121 MAIN STREET FACILITY (\$ 7,000), IN AND FOR SAID COUNTY.**

**WHEREAS, the County of Putnam, New York (the "County"), has the power and authority to issue general obligation bonds of the County for the purpose of, among other things, paying the cost of the reconstruction and improvement of the County Office Building and other buildings and facilities, including original equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, pursuant to the provisions of the Local Finance Law of the State of New York (the "Act"); and**

**WHEREAS, the County Legislature of the County is considering to proceed under the provisions of the Act to authorize, sell and issue its general obligation bonds and/or notes in anticipation thereof, for said purpose, subject to the terms and conditions set forth in one or more bond resolutions in an aggregate principal new money amount not to exceed \$300,000 to be adopted thereafter in accordance with requirements of the Act; and**

**WHEREAS, the Internal Revenue Code of 1986, as amended, and the United States Treasury Department regulations promulgated thereunder (together, the "Code") require that an issuer who intends to reimburse itself for monies to be advanced and expended for a capital project from the proceeds of a debt obligation of the issuer, adopt a declaration of official intent to so reimburse not later than sixty days after the payment of any such original expenditures paid with such advanced monies; and**

**WHEREAS, the Code provides that such declaration may be made in the form of a resolution of the issuer and such declaration has heretofore been made as to \$300,000 in connection therewith;**

**NOW, THEREFORE, BE IT RESOLVED, by the County Legislature of the County of Putnam, New York, as follows:**

**Section 1. The County Legislature of the County hereby finds and determines:**

- (a) By virtue of the Act, the County has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act.**
- (b) It is the intent of the County to authorize, sell and issue its general obligation bonds and/or notes in the aggregate new money principal amount not exceeding \$30,000 (the "Bonds" and the "Notes") for the purpose of paying the cost of the reconstruction and improvement of the County Office Building and other County buildings and facilities as follows: County Office Building (\$17,000), Hill and Dale Facility (\$6,000), and the 121 Main Street Facility (\$7,000), including original equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith (the "Project"), pursuant to the provisions of the Act.**

- (c) It is expected that under Section 149(e) of the Code, interest on the Bonds and/or Notes will not be includable in gross income for federal income tax purposes.
- (d) In anticipation of the issuance of the Bonds and/or Notes, the County hereby states its intention to reimburse general fund monies of the County heretofore and hereafter expended in an amount not to exceed an additional \$ 30,000 in connection with the Project through the issuance of the Bonds and/or Notes, such reimbursement allocations to be made not later than eighteen months after the date the original expenditure is paid and such expenditure of general fund monies is hereby authorized pursuant to resolutions of this County Legislature authorizing said Project.

Section 2. A copy of this resolution shall be placed on file in the office of the Clerk of the County Legislature where the same shall be available for inspection during business hours.

Section 3. This resolution shall take effect immediately.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

- AYES: EIGHT – Legislators Albano, Birmingham, DiCarlo, Gross, Oliverio, Othmer, Tamagna and Chairwoman Conklin.
- NAYS: ONE – Legislator LoBue.
- ABSENT: NONE
- EXCUSED: NONE

This resolution was thereupon declared duly adopted.

\* \* \* \* \*

**CERTIFICATE**

I, DIANE SCHONFELD, Clerk to the County Legislature of the County of Putnam, State of New York, HEREBY CERTIFY that the Resolution No. 113-2012 contained in the foregoing annexed extract from the minutes of a meeting of the County Legislature of said County of Putnam duly called and held on May 1, 2012, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof and of the whole of said original Resolution, which was duly adopted by the County Legislature of the County of Putnam on May 1, 2012 and approved by the County Executive on \_\_\_\_\_, 2012.

IN WITNESS WHEREOF,

I have hereunto set my hand and affixed the corporate seal of said County of Putnam this \_\_\_\_ day of \_\_\_\_\_, 2012.

(SEAL)

\_\_\_\_\_  
Diane Schonfeld  
Clerk to the County Legislature

(CORPORATE SEAL)

Item #5y – Approval/Budgetary Amendment (12A025)/Commissioner of Finance/Rehabilitation of County Office Building was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:

**RESOLUTION #114**

**APPROVAL/BUDGETARY AMENDMENT/COMMISSIONER OF FINANCE/REHABILITATION OF COUNTY OFFICE BUILDING**

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (12A025) to allocate funding to continue the rehabilitation of the County Office Building; 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:

**Increase Estimated Appropriations:**

51989000 53000 50036	Renovations – COB 2 <sup>nd</sup> floor	2,500
51989000 53000 51216	Renovations – COB 1 <sup>st</sup> floor	14,500
51989000 53000 51214	Renovations – Hill & Dale	6,000
51989000 53000 51215	Renovations – 121 Main Street	<u>7,000</u>
		30,000

**Increase Estimated Revenues:**

05000 45710C 50036	Bond Proceeds – 2012	2,500
05000 45710C 51216	Bond Proceeds – 2012	14,500
05000 45710C 51214	Bond Proceeds – 2012	6,000
05000 45710C 51215	Bond Proceeds – 2012	<u>7,000</u>
		30,000

2012 Fiscal Impact – 0 –

2012 Fiscal Impact – Undetermined Debt Service

BY ROLL CALL VOTE: EIGHT AYES. ONE NAY – LEGISLATOR LOBUE. MOTION CARRIES.

Item #5z – Approval/Fund Balance Classification Policy/Pursuant to Governmental Accounting Standards Board (GASB) Statement No. 54 was next. . On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:

RESOLUTION #115

APPROVAL/FUND BALANCE CLASSIFICATION POLICY/PURSUANT TO GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 54

WHEREAS, the Commissioner of Finance is the Chief Fiscal Officer for Putnam County and is responsible for the preparation of County Financial statements, and

WHEREAS, the Governmental Accounting Standards Board (GASB) issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, in February 2009, and

WHEREAS, GASB Statement No. 54 has left unchanged the total amount reported as fund balance but has altered the categories and terminology used to describe its components, and

WHEREAS, the Fund Balance classification must be recorded in accordance with governmental accounting standards as promulgated by the Governmental Accounting Standards Board (GASB), and

**WHEREAS, the requirements of GASB Statement No. 54 are effective for financial statements for periods beginning after June 15, 2010 and are applicable for Putnam County's 2011 financial statements; now therefore be it**

**RESOLVED, that the Putnam County Commissioner of Finance, as the Chief Fiscal Officer for the County of Putnam, in furtherance of his obligation to prepare the County's annual financial statements, be and hereby is designated, authorized, and empowered to allocate Fund Balance in accordance with the principals and definitions contained in the Governmental Accounting Standards Board (GASB) 54.**

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**Item #5aa – Approval/Memorialization/Support of Initiatives to Reform Funding of State Mandated Programs was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:**

**RESOLUTION #116**

**APPROVAL/MEMORIALIZATION/SUPPORT OF INITIATIVES TO REFORM FUNDING OF STATE MANDATED PROGRAMS**

**WHEREAS, counties in New York have long served as the principal partner in administering the State's most critical programs in areas such as health, human services and public protection; and**

**WHEREAS, such areas in which the County has become involved in funding with the State include, but are not limited to, Medicaid, public employee pensions, public assistance, adult protective services, preschool special education and early intervention, criminal prosecution functions, Article 18-B indigent defense services, juvenile detention, probation services, County corrections, Board of Elections, and consumer protection; and**

**WHEREAS, over the last four decades, the State has increasingly shifted the costs of these mandated programs to County taxpayers, which has effectively required County taxpayers to subsidize these programs; and**

**WHEREAS, such mandated programs consume 90 percent of the entire County property tax levy collected statewide, and have therefore resulted in dramatic property tax increases which have driven businesses and families out of New York State; and**

**WHEREAS, on June 24, 2011, Governor Andrew M. Cuomo signed into law certain legislation (see Chapter 97 of the NYS Laws of 2011) which established a cap on the amount that the property tax levy of local governments and school districts, outside of New York City, may increase each year; and**

**WHEREAS, the tax cap law requires counties to raise property taxes each year by no more than two percent or the rate of inflation, whichever is less; and**

**WHEREAS, while a property tax cap at first impression appears to be positive, simply capping property taxes without enacting corresponding relief from the underlying unfunded and underfunded State mandated programs only serves to place a further strain on county budgets; and**

**WHEREAS, the State recently indicated that it again plans on reducing its portion of funding on mandated programs, such as preschool special education and early intervention, which reductions will result in decreased services and/in further strain on county budgets; and**

**WHEREAS, pursuant to Resolution #80 of 2011, Putnam County previously urged the Governor and the New York State Legislature to address the root cause of high**

property taxes by instituting meaningful relief from unfunded State mandates, cut State spending without shifting the cost burden to counties, and reform the service delivery system; and

WHEREAS, based upon such funding reduction indications, coupled with the already intolerable fiscal requirements placed upon counties by the State, the County Executive has requested that the County Legislature evidence its support, by memorialization, of any and all initiative with respect to the reformation of State mandated programs and the County's funding thereof; now therefore be it

RESOLVED, that the Putnam County Legislature supports, by memorialization, any and all reasonable initiatives which may be proposed by the County Executive with respect to the reformation of State mandated programs and the County's funding thereof.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5bb – Approval/Budgetary Transfer (12T082)/Consumer Affairs/Temporary Coverage Due to Maternity Leave was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:

RESOLUTION #117

**APPROVAL/BUDGETARY TRANSFER/CONSUMER AFFAIRS/TEMPORARY COVERAGE DUE TO MATERNITY LEAVE**

WHEREAS, the Director of Consumer Affairs has requested a budgetary transfer (12T082) to provide temporary coverage for an employee out presently on maternity leave; and

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

RESOLVED, that the following budgetary transfer be made:

**Increase Estimated Appropriations:**

10661000 51094	Temporary	\$11,500
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**Decrease Estimated Appropriations:**

10661000 51000	Personnel Services	\$11,500
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2012 Fiscal Impact – 0 –

2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5cc – Approval/Local Law to Amend Article 7, Section 7.04 of the Putnam County Charter Entitled “Annual Operating Budget” was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:

Legislator Birmingham explained the current budget process. He further stated that Commissioner Carlin wanted to move the process later on in the year so the department heads have more recent and accurate projections. Also, the State equalization office,

(ORPS) Office of Real Property Tax Services and the NYS Department of Taxation and Finance, gives each county, town and city the increase in assessment upon which we are able to base our tax cap levy on. This number is usually received after the Legislature gets the budget. Commissioner Carlin made the point that it is unfair to the Administration since they do not have this information prior to submitting the budget to the Legislature. However, Legislator Birmingham stated that he likes the fact that the entire budget is done before Election Day. It has been this way for approximately 32 years. He is sensitive to the fact that we are in the year of a tax cap, however, the budget itself is an estimate at best, even if it was adopted by December 31<sup>st</sup>. Budgets are merely a plan. He stated that there is no room for mischief if the entire budget, soup to nuts, is started and completed prior to Election Day.

Legislator Tamagna stated that during the Charter Review Commission, the citizens that reviewed our Charter recommended a change in the budget process. The debate over whether somebody would do something to swing an election, he did not believe was an issue. He takes his oath of office seriously and believes everyone else does too. The voters have a very long memory if something was to go awry. There have been many changes over the years. He did not believe we should say this is the way it has been done for 32 years, so this is the way we should continue to do it. Instead, let's look at why it needs to change and how can we tweak it so that it would be most efficient to protect the taxpayers.

Legislator Albano stated that when making a decision on the budget you would rather have three quarters of the information rather than half. The more information we have, the more accurate the budget will be.

Legislator Gross stated that the key word is "data". The more data you have, the more accurate budget you can produce.

Legislator Othmer stated that the key information that Legislator Birmingham conveyed to him was that the budget will be completed by the Legislature before Election Day. The only thing that could happen after Election Day would be vetoes by the County Executive. The Legislature would be able to override them by a super majority.

## **RESOLUTION #118**

### **A LOCAL LAW TO AMEND ARTICLE 7, SECTION 7.04 OF THE PUTNAM COUNTY CHARTER ENTITLED "ANNUAL OPERATING BUDGET".**

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

#### **Section 1.**

Article 7, Section 7.04 of the Putnam County Charter is hereby amended to read as follows:

#### **§ 7.04. Annual operating budget.**

A. Preparation of the tentative budget.

1. On or before the 15th day of July each year, the County Legislature shall notify the County Executive in writing of any changes to the policy and practice guidelines previously adopted by the County Legislature for determining expenditures, limits and priorities.
2. Notification of dates and data. On or before the fifteenth (15<sup>th</sup>) day of July, the County Executive shall notify annually, in writing, the head of each administrative unit of County government or authorized agency receiving County funds of the date fixed which the estimates and appropriation requests for the ensuing fiscal year must be submitted. This notification shall identify the form of, and information to be contained in the estimates and appropriation requests and include the policy and practice guidelines as may be provided by the County Legislature for determining expenditures, limits and priorities.
3. Submission of estimates and appropriation requests. On or before the fifteenth (15th) day of August each year, or such earlier date as the County Executive may prescribe, the head of each administrative unit of County government or authorized agency shall furnish to the Commissioner of Finance an estimate of revenues and expenditures of his or her respective unit or authorized agency for the ensuing fiscal year, exclusive of capital projects. The estimates of each unit or authorized agency shall show the sources of revenues and the character and object of expenditures, which may be subclassified by functions and activities and shall be subdivided according to the internal organization of such. Estimates shall be submitted in such form and shall contain such additional information as the County Executive and the Commissioner of Finance shall require, and the estimate of expenditures shall constitute or be accompanied by a request for an appropriation. Such estimates shall be based on and shall be accompanied by a tentative work program by each unit or authorized agency.
4. Review of requests. The Commissioner of Finance, upon receipt of the estimates and appropriation requests, shall proceed to make such review and investigation thereon, and conduct such meetings and hearings of heads of administrative units and authorized agencies, as he or she may deem necessary. He or she may require the head of each administrative unit of County government, or any officer or employee thereof, and any authorized agency requesting County funds for the ensuing fiscal year, to furnish data and information and to answer inquiries pertinent to such review or investigation. Members of the County Legislature, the Clerk of the County Legislature and the County Auditor shall be entitled to attend and participate in all such meetings and hearings.
5. Tentative budget.
  - (a) Upon completion of the review and investigation of the estimates and appropriation requests from the various administrative units and authorized agencies, the Commissioner of Finance shall prepare, under the direction of the County Executive, the tentative budget for the ensuing fiscal year for both current operating and capital budget purposes.

- (b) The tentative budget shall be filed with the Clerk of the County Legislature on or before the first (1<sup>st</sup>) day of October. The tentative budget shall include such information and detail as may be requested by the County Legislature pursuant to § 7.04(A)(2).
  - (c) The tentative budget shall include, without modification by the County Executive, such line item appropriation requests of the County Legislature, the Clerk of the County Legislature and the County Auditor, as are submitted by the Chair of the County Legislature and a member of the County Legislature representing the member of another minor political party, if another party is represented, or a member elected without party endorsement, if any. This budget request shall be submitted to the Commissioner of Finance in writing before the first (1<sup>st</sup>) day of September.
6. Estimated revenues. The estimated revenues in the tentative budget shall be classified by accounts and units of County government, shall show sources of income and shall contain the following:
- (a) A statement of all revenues which it is estimated will be received by the County during the ensuing fiscal year, except from taxes to be levied;
  - (b) A statement of all unexpended balances, if any, at the end of the last completed fiscal year which are available to meet the expenditure requirements of the ensuing fiscal year for which the tentative budget is being prepared;
  - (c) An estimate of anticipated receipts from delinquent taxes, which shall not exceed the amount received in the previous fiscal year.
7. Additional data concerning debt. In addition to items of operation and maintenance, the tentative budget shall include or be supplemented by a statement showing the bonded indebtedness of the County government and its agencies, the debt redemption and interest requirements, the indebtedness authorized and unissued, the condition of the capital reserve funds and the borrowing capacity of the County, and any other matter which the County Executive may deem advisable and the County Legislature may require.
8. Budget message. The tentative budget shall be accompanied by the budget message from the County Executive. The budget message shall include an outline of the fiscal policy of the County government and a description of the important features of the budget with reference both to proposed expenditures and anticipated income. It shall include a request for an appropriation for the ensuing fiscal year.

B. Adoption of the annual operating budget.

- 1. Submission to the County Legislature. The Clerk of the County Legislature, upon receipt of the tentative budget from the County Executive as provided in § 7.04(A)(5)(b), shall transmit a copy of said tentative budget to each legislator and cause copies to be printed and made available to the public.

2. Preliminary review. The County Executive and Commissioner of Finance shall meet with the Budget and Finance Committee of the County Legislature within five (5) days after the transmittal of the tentative budget to review the document with said Committee.
3. Review by the Budget and Finance Committee. The Budget and Finance Committee of the County Legislature shall conduct a public hearing on the tentative budget as submitted by the County Executive. The County Executive and the Commissioner of Finance shall be present to answer questions about the tentative budget. The Budget and Finance Committee shall then review the tentative budget submitted by the County Executive and shall file a report with the Clerk of the County Legislature on or before the twentieth (20<sup>th</sup>) day of October. The report shall set forth any proposed changes, alterations or revisions to the tentative budget, including any recommendations made by the Budget and Finance Committee. Copies of the report shall be made available to the public.
4. Public hearing by the County Legislature. On or before the twenty-fifth (25<sup>th</sup>) day of October, the County Legislature shall conduct a public hearing on the tentative budget submitted by the County Executive and the report of the Budget and Finance Committee of the County Legislature.
5. Legislative action after the public hearing. Following completion of the public hearing by the County Legislature and prior to the twenty-eighth (28<sup>th</sup>) day of October, the Chair of the County Legislature shall convene a regular or special meeting of the County Legislature to consider for adoption the annual operating budget. The County Legislature, by resolution, may change, alter and revise the tentative budget by striking items of appropriations or anticipated revenues from the tentative budget or reduce items therein, excepting appropriations required by law for debt service, or add to or increase all such appropriations or revenue items in such budget. The County Legislature shall state separately and distinctly any change, alteration or revision made to the tentative budget and provide along with the budget it adopts a legislative memorandum detailing its amendments to the tentative budget.
6. Legislature's failure to act. In the event that the County Legislature shall fail to adopt a budget, as herein provided, on or before the first (1<sup>st</sup>) day of November, the tentative budget as submitted by the County Executive shall constitute the annual operating budget for the ensuing fiscal year.
7. Executive veto. Within three (3) business days following the adoption of said annual budget by the County Legislature, the Clerk of the County Legislature shall forward to the County Executive the changes, alterations and revisions made by the County Legislature in the tentative budget for approval or veto by the County Executive. The County Executive shall approve or veto any or all such changes, alterations and revisions by line item and return the same to the Clerk of the County Legislature on or before the eighth (8<sup>th</sup>) day of November, together with a message containing justification of each line item veto. If no action is taken by the County Executive on or before the eighth (8<sup>th</sup>)

day of November, he or she shall be deemed to have approved the amendments and the tentative budget with such changes, alterations and revisions, made by the County Legislature, shall constitute the annual operating budget for the ensuing fiscal year.

8. Legislative reconsideration. Upon receipt of the veto message from the County Executive, the Chair of the Legislature shall convene the County Legislature on or before the fifteenth (15<sup>th</sup>) day of November for the purpose of reconsidering each vetoed item. Following such final action of the County Legislature, the tentative budget, as amended by the legislative revision and approved by the County Executive, and items vetoed by the County Executive but overridden by the County Legislature by an affirmative vote of at least two-thirds (2/3) of the whole number of its members, shall become the final annual operating budget for the ensuing fiscal year.
9. Appropriations resolution. Upon adoption of the final annual operating budget, the County Legislature shall adopt an appropriations resolution to provide for the conduct of County government for the ensuing fiscal year.

## **Section 2.**

This Local law shall take effect forty-five (45) days after its adoption, subject to referendum on petition in accordance with the provisions of Section 24 of the New York State Municipal Home Rule Law.

**BY ROLL CALL VOTE: EIGHT AYES. ONE NAY – LEGISLATOR BIRMINGHAM. MOTION CARRIES.**

**Item #5dd – Approval/Local Law to Amend Article 7, Section 7.05 of the Putnam County Charter Entitled “Capital Program and Capital Budget” was next. On behalf of the members of the Audit & Administration Committee, Legislator Conklin moved the following:**

**Legislator Birmingham stated that this is a companion piece to what we just voted on. This deals with the Capital Budget and just moves the dates.**

**Legislator Tamagna stated that we really need to take a closer look at the Legislative body. He did not believe we had anywhere near what we need to have when it comes to how we move forward with our Capital Projects.**

## **RESOLUTION #119**

**APPROVAL/LOCAL LAW/AMEND ARTICLE 7, SECTION 7.05/PUTNAM COUNTY CHARTER/ENTITLED “CAPITAL PROGRAM AND CAPITAL BUDGET”**

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

## **Section 1.**

Article 7, Section 7.05 of the Putnam County Charter is hereby amended to read as follows:

### **§ 7.05. Capital program and capital budget.**

#### A. Definitions

1. The term “capital project” as used herein shall mean:
  - (a) Any physical betterment or improvement, including furnishings, machinery, apparatus or equipment for such physical betterment or improvement;
  - (b) Any preliminary study and/or surveys relating to any physical betterment or improvement;
  - (c) Any acquisitions of land or rights in the land; or
  - (d) Any combination of “a”, “b” and “c” above.
2. The term “capital program” as used herein shall mean the program which consists of capital projects for the ensuing six (6) fiscal years and considers the feasibility of all proposed capital projects in reference to their necessity, priority, location, cost and method of financing.

#### B. Preparation of the capital program and the capital budget.

1. Preparation and submission of the capital projects requests. On or before the first (1<sup>st</sup>) day of May, the County Executive shall furnish all necessary forms to the head of each administrative unit of County government or authorized agency receiving County funds for the ensuing fiscal year for capital projects. The capital project requests must include the description, justification and estimate of costs for each capital project request proposed during the ensuing six (6) years. On or before the first (1<sup>st</sup>) day of June, the head of each administrative unit of County government or authorized agency shall file his or her capital requests, including accompanying documentation with the County Executive.
2. Preliminary review by the Department of Planning, Development and Public Transportation. Upon receipt of the proposed capital project requests from the County Executive, the Department of Planning, Development and Public Transportation shall review the information provided therein. On or before the fifteenth (15<sup>th</sup>) day of July, the Department of Planning, Development and Public Transportation shall submit a report to the County Executive which shall include a compilation of the capital project requests, an opinion of each capital project request in relation to the long-range capital needs of the County and any recommendation of additional capital projects requests in order of priority to the County.

3. Review by the Capital Projects Committee. There shall be a Capital Projects Committee consisting of the County Executive as Chairman, the Commissioner of Finance as Vice-Chairman, the Commissioner of Planning, Development and Public Transportation, the Commissioner of Highways and Facilities, the Chairman of the County Legislature, a designee of the Budget and Finance Committee and a member of the County Legislature representing the minority political party, if another party is represented, or a member elected without party endorsement, to review the capital project requests in consideration of the capital program and the capital budget.
  - (a) The Capital Projects Committee shall meet each year during the period between the fifteenth (15th) day of July through the first (1st) day of September, as directed by the Chairman of this Committee, and shall prepare a report, including a proposed capital budget for the ensuing fiscal year and a proposed capital program for the next six (6) years, for both existing and newly proposed capital projects.
  - (b) The report shall also indicate the order of priority of each proposed capital project and shall state the following:
    - i. A description of the project and the estimated total cost thereof.
    - ii. The proposed method of financing, indicating the amount proposed to be financed by direct budgetary appropriation; the amount, if any, estimated to be received from the federal and/or state governments; and the amount to be financed by the issuance of obligations, showing the proposed type or types of obligations, together with the period of probable usefulness for which they are proposed to be issued.
    - iii. An estimate of the financial impact, if any, upon the operating budget of the County for each of the next six (6) fiscal years.
  - (c) On or before the first (1st) day of September, such Committee shall submit the written report to the County Legislature and to the County Executive to be included with the submission of the tentative budget.
4. Preparation of the capital program and the capital budget. The Commissioner of Finance shall prepare the proposed capital program and the proposed capital budget under the direction of the County Executive. The proposed capital budget shall include the amount proposed for the capital program to be financed by direct budgetary appropriation for the ensuing fiscal year shall indicate the proposed down payments and other expenditures for the new capital projects and shall provide all proposed capital financing, including but not limited to reserve funds, sinking funds, current revenues, temporary borrowing, bond sales, federal and state grants, loans or advances. The capital budget for the ensuing fiscal year shall be incorporated into the tentative budget and shall be submitted to the County Legislature by the first (1<sup>st</sup>) day of October in accordance with section 7.04(A)(5) of this Charter.

C. Monthly Report.

The Chairman of the Capital Projects Committee, or his/her designee, shall report on a monthly basis to the Physical Services Committee of the County Legislature and provide a detailed status report on all capital projects.

**Section 2.**

This Local law shall take effect forty-five (45) days after its adoption, subject to referendum on petition in accordance with the provisions of Section 24 of the New York State Municipal Home Rule Law.

**BY ROLL CALL VOTE: EIGHT AYES. ONE NAY – LEGISLATOR BIRMINGHAM. MOTION CARRIES.**

**Item #6 – Other Business**

**Item #6a – Approval/Budgetary Amendment (12A028)/Commissioner of Finance/MS4 Program was next. Chairwoman Conklin moved the following; seconded by Legislator Tamagna.**

**RESOLUTION #120**

**APPROVAL/BUDGETARY AMENDMENT (12A028)/COMMISSIONER OF FINANCE/MS4 PROGRAM**

**WHEREAS, the Commissioner of Finance has requested a budgetary amendment (12A028) to return contingency funding used as per Resolution #369 of 2010 and instead utilize EOH funding; and**

**WHEREAS, the Putnam County Legislature has reviewed and approves said budgetary amendment; now therefore be it**

**RESOLVED, that the following budgetary amendment be made:**

**GENERAL FUND:**

**Increase Estimated Appropriations:**

<b>10199000 54980</b>	<b>Contingency</b>	<b>55,200</b>
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**Increase Estimated Revenues:**

<b>10131000 428501</b>	<b>Transfer from Capital Fund</b>	<b>55,200</b>
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**CAPITAL FUND:**

**Decrease Estimated Revenues:**

<b>59901000 427701 50355</b>	<b>Interfund – General Fund</b>	<b>55,200</b>
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**Decrease Estimated Appropriations:**

58989000 53000 50355 MS4 Program 55,200

**Increase Estimated Appropriations:**

58989000 53000 50355 MS4 Program 43,000

**Increase Estimated Revenues:**

58989000 423891 50355 EOH – Fund 43,000

2012 Fiscal Impact \$(55,200) Positive Impact

2013 Fiscal Impact – 0 –

**BY ROLL CALL VOTE: SEVEN AYES. ONE NAY – LEGISLATOR LOBUE. ONE ABSTENTION – LEGISLATOR BIRMINGHAM. MOTION CARRIES.**

**Item #7 – Recognition of Public**

Kent Resident, Betty Aubry stated that as a taxpayer, she believed the budget should be approved by October 31<sup>st</sup> so that the taxpayers are aware before Election Day.

Director of Veterans Affairs, Karl Rohde stated that Memorial Day is approaching. Seven years ago our monument was desecrated. After that we started “watch fires” for three nights in a row from 6:00 P.M. to 6:00 A.M., where Veterans stand guard over our monuments so they are not desecrated again. We also retire American Flags and have averaged approximately three to four thousand flags per year. He invited the public to stop by.

County Historian, Denis Castelli thanked the Legislature for their decision to finance the repairs on the Historic Courthouse in preparation for the Bicentennial Event.

**Item #8 – Recognition of Legislators**

Legislator Albano stated that the postprom party held at the Carmel High School is an amazing event that keeps our children safe. He thanked the people for their time and efforts in hosting this event and to the many organizations for their donations. He also wanted to remind everyone that June 9<sup>th</sup> starts off our Bicentennial Celebration.

Legislator Birmingham stated that May is an important holiday for all of us. It is Mother’s Day. He wished all mothers a very Happy Mother’s Day.

There being no further business, at 8:43 P.M., Legislator Oliverio made a motion to adjourn; seconded by Legislator Birmingham. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.