

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

Wednesday

April 3, 2013

7:00 P.M.

The meeting was called to order at 6:30 P.M. by Chairman Othmer who requested Vietnam Veteran and Silver Star recipient Karl Rohde lead in the Pledge of Allegiance. Upon roll call, Legislators Scuccimarra, Oliverio, Nacerino, Albano, Gross, Castellano, LoBue, DiCarlo and Chairman Othmer were present. Also present was Legislative Counsel Van Ross.

PROCLAMATIONS

County Historian Denis Castelli stated that the Purple Heart is an award wanted by none and respected by all. He stated that there were several Purple Heart recipients and several people who were quite active with Purple Heart organizations in attendance. He recognized Anita Pidala, Director of the National Purple Heart Hall of Honor; Peter Pennelle, NYS District 2 VFW Junior Vice Commander; Edward Todd, Commander Post 672; Andy Komonchak, Executive Director for the Purple Heart Hall of Honor Board of Directors and Richard Leigh, who is Chairman of that Board. Purple Heart Patriots are: Denis Castelli, William Nazario, who helped initiate this designation; Eugene Parrotta; Richard Gerbeth; Eugene Lang; Dale Novak; John Ascani; John Fratangelo and John Roberts. County Historian Castelli stated that there are veteran organizations in every town in Putnam, parades and celebrations on Memorial Day, the 4th of July, Veterans Day and 9/11. He stated that Putnam County has the finest Veterans Park he has ever seen anywhere outside of Washington, DC. The County received the permission and confirmation from the State and National Commanders of Military Order of the Purple Heart (MOPH) to be designated the First Purple Heart County. He stated that Putnam County was also the first County in the nation to create a life size monument honoring Gold Star Mothers which has been a model for Gold Star monuments around the Country. County Historian Castelli gave some background on the Purple Heart Award and the veterans honored in the proclamation who have received this award.

Chairman Othmer invited County Executive Odell up to the podium along with fellow military veterans Legislators Oliverio and Gross.

County Executive Odell stated that when she leaves County government she hoped her legacy would show that she was very much involved in the Gold Star Mothers monument. It was an opportunity to express her gratitude, not only for what those moms had to endure and sacrifice for freedom and liberty in this Country, but for the ultimate American belief in democracy and freedom. There are many Veterans who are silent about their service and sacrifice. She stated that tonight she was very proud to be in the company of such greatness with many of our County's Veterans that were in attendance. She stated that it is this week that we remember the 40th Anniversary of the withdrawal of troops from Vietnam. We say to all of you who are here tonight, welcome home with much love and much gratitude. County Executive Odell then read the proclamation.

Military Order of the Purple Heart Department of NY Sergeant-At-Arms Richard Gerbeth presented a United States flag which flew over his base on September 11, 2004 when he was deployed in Iraq. He wanted to donate the flag to a Veteran Museum in Putnam County.

Department of New York Junior Vice Commander and MOPH National Patriot of the Year William Nazario, thanked everyone for honoring the Veterans. He also acknowledged John Roberts, a twenty-five year old Purple Heart Recipient. He then presented a MOPH Special Recognition award to Putnam County.

County Executive Odell stated that Putnam County will be joining the "Honor Flight". It is an opportunity for our surviving World War II Veterans to visit the Washington, DC World War II Memorial. It is a one day trip, at no expense to the Veteran and is co-sponsored by Jet Blue airlines.

County Historian Castelli introduced Mary Anne Curtin, mother of Putnam Lake resident and Marine Corps Veteran LCpl. John G. Curtin. She displayed an enlarged photograph of her wounded son taken while he was a patient at Walter Reed Army Medical Center where he was presented with a Purple Heart by President Barack Obama. She stated that her son has not been able to come home yet to express his sincere thanks for the outpouring of support. She wanted to extend that gratitude tonight on his behalf.

PUTNAM COUNTY AS NEW YORK STATE'S FIRST "PURPLE HEART COUNTY"

WHEREAS, the Purple Heart is the oldest military decoration in use today and was created as the Badge of Military Merit by General George Washington in 1782; and

WHEREAS, the Purple Heart is awarded to any member of the United States Armed Forces who was wounded or killed in combat with a declared enemy of the United States of America; and

WHEREAS, the mission of the Military Order of the Purple Heart, chartered by an Act of Congress, is to foster an environment of goodwill among combat-wounded veterans and their families, promote patriotism, support legislative initiatives and most importantly, make sure we never forget; and

WHEREAS, Putnam County, while small in size, has from its very origins in 1812, provided military leaders of national and historical significance. Named for Gen. Israel Putnam, an American Revolutionary War hero, Putnam County had four fighting Generals in the Civil War including Gen. Daniel A. Butterfield who is credited with composing "Taps," and five Congressional Medal of Honor recipients: Abraham K. Arnold, Samuel N. Benjamin, William J. Brewer, Daniel A. Butterfield and John McCloy; and

WHEREAS, Cold Spring resident Albert Luke Ireland, a U. S. Marine Corps Sergeant and the recipient of nine Purple Heart medals for his service during World War II and the Korean War, was honored on August 20, 2002 when a portion of NY 301 was designated the "Sergeant Albert Ireland Memorial Highway"; and

WHEREAS, Putnam County greatly appreciates and recognizes the commitment and sacrifices made by our military service members and their families including our Gold Star and Blue Star Mothers and pledges to continue to honor and support them for their contributions; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim Putnam County as New York State's first "Purple Heart County."

Chairman Othmer requested that Legislator Oliverio present the proclamation for "Peers Influence Peers Month" to Mr. Frank Reale and the members of the Peers Influence Peers Group. Members of the group spoke about the many issues faced by High School students and explained how they addressed these issues in their programs.

APRIL 2013 AS PEERS INFLUENCE PEERS MONTH

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

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

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

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

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

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby recognize April 2013 as PEERS INFLUENCE PEERS MONTH in hope that this declaration and a joint effort of all agencies and authorities to encourage young people to help others by encouraging them to live safe and healthy lives, may one day rid our children and their children's children of the scourge of drug and alcohol abuse.

Chairman Othmer requested that Legislator Castellano present the proclamation for "Alcohol Awareness Month" to Elaine Santos from the National Council on Alcoholism and Other Drug Dependencies.

APRIL 2013 AS ALCOHOL AWARENESS MONTH

WHEREAS, alcohol is the most commonly used addictive substance in the United States and one in every 12 adults (17.6 million people) suffer from alcohol abuse or dependence. The typical American will see 100,000 beer commercials before he or she turns 18 and more than 7 million children live in a household where at least one parent is dependent on or has abused alcohol. Alcohol-related problems cost America \$224 billion (\$746 per person) in lost

productivity, absenteeism, healthcare costs, crime, and family-related problems; and

WHEREAS, underage drinking presents an enormous public health issue and alcohol is the drug of choice among children and adolescents. Annually, approximately 5,000 youth under the age of 21 die from motor vehicle crashes, other unintentional injuries, and homicides and suicides that involve underage drinking; 100,000 persons die each year from alcohol-related causes: drinking and driving crashes, other accidents, falls, fires, alcohol-related homicides and suicides; and

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

WHEREAS, the 2012 Communities That Care Prevention Needs Assessment Survey reports that 56.7% of Putnam County youth grades 8-12 have used alcohol in their lifetime and young people who begin drinking before the age of 15 are four times more likely to develop alcohol dependence and are two and half times more likely to become abusers of alcohol than those who begin drinking at age 21; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim April 2013 as Alcohol Awareness Month and along with the Putnam County Communities That Care Coalition and all substance abuse prevention and treatment providers in Putnam County encourage all residents to increase their awareness of alcohol use disorders, the dangers of alcohol abuse, the success of prevention and treatment programs, especially for our youth, and to support and encourage referrals for treatment of individuals when an alcohol use disorder is suspected or present.

Chairman Othmer requested that Legislator Nacerino present the proclamation for "Teen Driver Safety Awareness Month" to Sheriff Donald B. Smith, Undersheriff Peter Convery and Inspector General Terry Intrary.

APRIL 2013 AS TEEN DRIVER SAFETY AWARENESS MONTH

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

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

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

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

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

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

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

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim April 2013 as Teen Driver Safety Awareness Month in Putnam County. We encourage all levels of government, our school districts, law enforcement, our churches and synagogues, our youth service organizations and all the citizens of Putnam County to support programs that promote teen driver safety awareness in Putnam County thereby protecting one of our most precious resources, our children and grandchildren.

Chairman Othmer requested that Legislator Scuccimarra present the “Shop Putnam Business & Home Expo” proclamation to Ms. Marjorie Nichols Keith, Executive Director of Cornell Cooperative Extension; Bill Nulk, President of Putnam County Chambers of Commerce; Mr. Jim Reilly, Co-Chair Shop Putnam Business & Home Expo Committee and Laurie Ford, Chairwoman of The Greater Mahopac Chamber of Commerce.

SHOP PUTNAM BUSINESS & HOME EXPO WEEK – MAY 4-11, 2013

WHEREAS, the Greater Mahopac-Carmel Chamber of Commerce is hosting their Annual Shop Putnam Business and Home Expo on May 11, 2013 at the Putnam Hospital Center; and

WHEREAS, this event provides local businesses an opportunity to gain new leads, new customers and growth. There will be indoor and outdoor booths, product display areas, food and catering vendors, seminars, raffles, and is open to countywide businesses; and

WHEREAS, the May 11th event will be the largest event ever held for a Business and Home Expo in Putnam County and the coordinators of the event are hoping for a record number of 5,000 visitors who will attend the event this year; and

WHEREAS, the Shop Putnam Business and Home Expo is an event that showcases Putnam Businesses and brings the community together with many different activities and opportunities; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim the week of May 4-11, 2013 as Shop Putnam Business and Home Expo Week and congratulate the Greater Mahopac-Carmel Chamber of Commerce on their hosting of the Annual Shop Putnam Business and Home Expo on May 11, 2013. We wish them continued success and encourage all Putnam County residents and families to attend and enjoy this fantastic event.

Chairman Othmer requested that Legislator Albano present the “National Library Week” proclamation to Patricia Kaufman, Co-Chair of the Putnam County Library Association & Director of the Mahopac Library and Kent resident, Jean Ehnebuske.

NATIONAL LIBRARY WEEK – APRIL 14-20, 2013

WHEREAS, libraries are the heart of their communities, campuses and schools. They provide essential resources, collections, and programs for all ages and demographics in their communities; and

WHEREAS, librarians are trained, tech-savvy professionals who provide their communities with Internet access, technology training, and access to downloadable content like eBooks; and

WHEREAS, libraries provide gathering places for neighbors, friends and newcomers to come together to benefit and enrich their communities; and

WHEREAS, libraries respond to specific community needs by offering services such as job-seeking resources, homework help, retirement-planning sessions, and adult and early literacy programs; and

WHEREAS, libraries are refuges in the wake of disasters that provide their communities with emergency information, warmth, water, Internet access, recharging stations, and a sense of belonging; and

WHEREAS, libraries, librarians, library staff and library supporters across America are celebrating National Library Week; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim the week of April 14-20, 2013 as National Library Week and encourage all Putnam County residents to visit their libraries to take advantage of the wonderful library resources they provide for all of us.

Chairman Othmer requested that Legislators DiCarlo and LoBue present the proclamation for “Mahopac Chamber Community Park Celebrates its 10th Year Anniversary” to Kevin Bailey, Charlie Melchner, Mark Fraser, John Kraus, Eileen Martinelli and Laurie Ford, Chairwoman of The Greater Mahopac Chamber of Commerce.

THE MAHOPAC CHAMBER COMMUNITY PARK CELEBRATES ITS 10TH YEAR ANNIVERSARY

WHEREAS, approximately fifteen (15) years ago it was a mere idea brought forward by Mark Fraser at a Mahopac Chamber Board Meeting to purchase the last undeveloped parcel of land on Lake Mahopac and make it a community park, a place for people to come together; and

WHEREAS, the idea was not initially embraced, but through the encouragement, enthusiasm and efforts of Kevin Bailey, then President of the Mahopac Chamber, the idea did take flight; and

WHEREAS, through the perseverance, focus, determination and efforts of Kevin Bailey, Mark Fraser, John Kraus, Eileen Martinelli and Charlie Melchner this vision was brought to reality; and

WHEREAS, it is critical to mention, as each one of the five contributors will tell you, they did not do this alone. It was accomplished with a tremendous amount of volunteerism from the local businesses, residents, fundraising and the orchestration of the purchasing of the property, obtaining grant funding and securing sponsorship from the Open Space Institute; and

WHEREAS, the collaboration of all of these critical components resulted in the creation of the beautiful Mahopac Chamber Community Park that we are celebrating this evening; and

WHEREAS, since the first Saturday the park was officially opened in 2003 it has been the host location to brides and grooms to have their wedding photos taken, community events, family outings, and friends meeting to enjoy the lovely surroundings; and

WHEREAS, the Mahopac Chamber Community Park has lived up to the vision of it serving its community. The Park acts as a tremendous facilitator to the sense of community in Mahopac and Carmel; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby recognize and applaud the Tenth Year Anniversary of the Mahopac Chamber Community Park and look forward to the future of the park and its pivotal existence in our community.

Chairman Othmer requested that Legislator Gross present the next proclamation to Kathleen Percacciolo and Commissioner of Health, Dr. Alan Beals.

Kathleen Percacciolo thanked everyone and stated that with respect to the “Purple Heart County” Albert Luke Ireland was her mother’s cousin and she wanted to recognize another Veteran in the audience; her father Terry Lahey who is a Korean War Veteran and has also served as Commander of the Cold Spring VFW and American Legion.

RECOGNITION OF KATHLEEN PERCACCIOLO

WHEREAS, Kathleen Percacciolo exemplifies the finest qualities of a public health nurse such as outstanding professionalism and dedication to her community; and

WHEREAS, Kathleen Percacciolo’s indefatigable efforts to immunize and protect the Putnam County community from illness caused by the flu is to be commended; and

WHEREAS, Kathleen Percacciolo by her outreach to our schools and the community at large and by her leadership of the talented and caring members of the Health Department, did indeed limit the impact of this year’s serious flu season within our community; now therefore be it

RESOLVED, the Putnam County Executive and the Putnam County Legislature do hereby recognize and thank Kathleen Percacciolo for her dedicated service as a public health nurse and commend and thank her for her service to the Putnam County community.

**Item #3 – Approval of Minutes - Public Hearing Agr. Dist. – March 6, 2013
Regular Meeting – March 6, 2013**

The minutes were approved as submitted.

Item #4 – Correspondence

a) County Auditor was duly noted.

Chairman Othmer stated that in the last Resolve Clause of all of the memorialized NYSAC resolutions, he requested that NYSAC be included in receiving a copy of our resolution.

Item #5 – Pre-filed resolutions:

HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE

(Chairman Oliverio, Legislators DiCarlo & Scuccimarra)

Item #5a – Approval/Resolution for Public Health & Safety Regarding Indian Point Nuclear Power Plant was next. Chairman Othmer recognized Legislator Oliverio, Chairman of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators DiCarlo and Scuccimarra, Legislator Oliverio moved the following:

Legislator DiCarlo stated that he was in favor of this resolution. However, he believed that some of the items included in the resolution have been worked on or are in the process of being worked on which he wanted to make people aware of. He stated that the Nuclear Regulatory Commission (NRC) oversees what goes on and they are trying to do a very good job, working with Entergy, and making sure this plant is inline in what needs to be done. He believed that the evacuation zone needed to be extended from 10 miles to 50 miles.

Legislator Gross also supported the resolution. However, he wanted to point out some inaccuracies. Indian Point is being compared to Fukushima, Japan which had six reactors. Indian Point has two. The fuel rods are being stored correctly. They are also studying the seismographic area to make sure they are not on the fault line. For years they have tried to move nuclear material to the Yucca Mountains, which has been blocked politically. He believed they were on the right track in making some of these changes.

Legislator Albano stated that being that the plant is over 30 years old, he would like to see every possible safety precaution taken that makes sense. He stated that the NRC is regulating this and it is out of our hands, however, being too safe is never safe enough. He stated that he would be voting in favor of this resolution.

Legislator LoBue stated that she would be voting “no”.

Legislator Oliverio stated that he put forth this resolution through the support of many community residents. He stated that he lives eight miles from the Indian Point. It has been an area of concern for Putnam Valley and Philipstown residents. He believed it was reasonable to request Indian Point to be safe and take the right precautions.

Chairman Othmer stated that he would be voting “no” with Legislator LoBue. He believed that we should have invited some Indian Point representatives to the Health Committee Meeting when this was being discussed in order to hear their perspective.

RESOLUTION #73

APPROVAL/RESOLUTION FOR PUBLIC HEALTH & SAFETY REGARDING INDIAN POINT NUCLEAR POWER PLANT

WHEREAS, the nuclear disaster at Fukushima, Japan resulted in widespread dispersal of radioactive material in the air, land and water, and

WHEREAS, the radiological contamination from Fukushima extended 140 miles to Tokyo reservoirs, and

WHEREAS, the Indian Point Nuclear Power Plants are located within twenty miles of the New Croton and Kensico Reservoirs located in Westchester County and the

various reservoirs located in Putnam County serving various communities as well as New York City with drinking water, and

WHEREAS, the spent fuel rods at both Indian Point reactors are stored in warehouse-type buildings with commercially available steel rods, have no independent electricity or cooling systems and are not constructed with the same containment capabilities and back-up systems used to protect the reactors, now therefore be it

RESOLVED, that the Putnam County Legislature for the protection of its citizens and the County's surrounding citizens call for the emergency evacuation zone around Indian Point be extended from 10 miles to 50 miles, and be it further

RESOLVED, that full containment, as well as independent back-up electricity and cooling for the spent fuel pools be established and spent fuel rods be moved as quickly as possible into hardened dry cask storage which is more secure than the spent fuel pools, and be it further

RESOLVED, that new seismological data be taken into consideration and infrastructure upgraded accordingly for the continued operation of Indian Point, including its spent fuel storage facilities, and be it further

RESOLVED, that copies of this resolution be sent to Governor Andrew Cuomo of the State of New York; Commissioner Jerome M. Hauser, New York State Division of Homeland Security and Emergency Planning; and to Commissioner Gregory B. Jaczko, Chairman, Nuclear Regulatory Commission.

BY ROLL CALL VOTE: SEVEN AYES. TWO NAYS – LEGISLATOR LOBUE & CHAIRMAN OTHMER. MOTION CARRIES.

Item #5b – Approval/Re-Appointments/Putnam County Coordinating Council for People with Disabilities was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators DiCarlo and Scuccimarra, Legislator Oliverio moved the following:

RESOLUTION #74

APPROVAL/RE-APPOINTMENTS/PUTNAM COUNTY COORDINATING COUNCIL FOR PEOPLE WITH DISABILITIES

RESOLVED, that the following be re-appointed to the Putnam County Coordinating Council for People with Disabilities:

Abbe E. Blume, Town of Southeast, for a three (3) year term, said term to expire December 31, 2015.

Anita Schwartz, Town of Carmel, for a three (3) year term, said term to expire December 31, 2015.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #5c – Approval/Appointment/Putnam County Traffic Safety Board was next. Chairman Othmer recognized Legislator Gross, Chairman of the Protective Services

Committee. On behalf of the members of the Committee, Legislators LoBue and Oliverio, Legislator Gross moved the following:

RESOLUTION #75

APPROVAL/APPOINTMENT/PUTNAM COUNTY TRAFFIC SAFETY BOARD

RESOLVED, that the following be appointed to the Putnam County Traffic Safety Board:

Sergeant William Meyer, Putnam County Sheriff's Department, as an alternate, for a one (1) year term, said term to expire December 31, 2013.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5d – Approval/Memorialization NYSAC Resolution/Calling on Governor Cuomo to Improve Probation and Alternatives to Incarceration in New York State in Order to Protect the Public and Reduce Reliance on Prisons and Jails was next. On behalf of the members of the Protective Services Committee, Legislators LoBue and Oliverio, Legislator Gross moved the following:

RESOLUTION #76

APPROVAL/MEMORIALIZATION NYSAC RESOLUTION /CALLING ON GOVERNOR CUOMO TO IMPROVE PROBATION AND ALTERNATIVES TO INCARCERATION IN NEW YORK STATE IN ORDER TO PROTECT THE PUBLIC AND REDUCE RELIANCE ON PRISONS AND JAILS

WHEREAS, County Probation Departments are an integral part of the criminal justice system and operate within the legal framework of the Criminal Procedure Law, the Penal Law and the Family Court Act; and

WHEREAS, it is the mission of probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and

WHEREAS, State funding for Probation was drastically reduced between 1990 and 2011 from a 46.5% State share in 1990 to less than 12% in 2011, putting a huge strain on counties and cost to county property taxpayers; and

WHEREAS, at the same time there have been increases in the number of mandated programs and the services county probation departments are required to provide; and

WHEREAS, the New York State Council of Probation Administrators, representing NYS Probation Directors, Administrators and Commissioners has diligently worked with the New York State Association of Counties (NYSAC) and State leaders to bring more awareness to the important work that probation does to protect the public; and

WHEREAS, in 2012, under direction from Governor Andrew Cuomo, Deputy Secretary for Public Safety Elizabeth Glazer and the division of Criminal Justice Services (DCJS) engaged with the Council of State Governments Justice Center to examine the problems New York's Probation Departments face and generate solutions to promote better public safety through more effective probation; now therefore be it

RESOLVED, that Putnam County supports NYSAC's call for the enactment of statutory and regulatory changes that improve probation and alternatives to incarceration (ATI) in the following ways:

1. Allow judges the ability to tailor a sentence of probation to the severity of the crime by creating flexible terms for felonies from 3-5 years and for misdemeanors from 2-3 years.
2. Eliminates the mandate that pre-sentence investigations must be conducted when a sentence of up to one year in jail has been negotiated.
3. In response to Violation of Probation Petitions (VOP):
 - a. Requires counties to develop swift, certain graduated responses.
 - b. Require the courts to dispose of the VOP's within 90 days.
 - c. Enable probation to administratively modify conditions of probation as required.
4. Allow for the expansion and monitoring of ATI programs to ensure risk reduction programing is available to all pre-trial offenders.
5. Reinvest the savings generated by policy changes back into Probation and ATI programing, and be it further

RESOLVED, that copies of this resolution be sent to our elected State representatives, Senator Greg Ball, Senator Terry Gipson, Assemblywoman Sandra Galef, Assemblyman Stephen Katz; and be it further

RESOLVED, that copies of this resolution also be forwarded to Governor Andrew Cuomo, the Senator Majority Leader, the Speaker of the Assembly, Deputy Secretary for Public Safety Elizabeth Glazer and the New York State Association of Counties.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5e – Approval/Memorialization NYSAC Resolution/Calling for the State Legislature and the Governor to Allocate 9-1-1 Surcharge Funds to Counties to Support 9-1-1 and Public Safety Communications was next. On behalf of the members of the Protective Services Committee, Legislators LoBue and Oliverio, Legislator Gross moved the following:

RESOLUTION #77

APPROVAL/MEMORIALIZATION NYSAC RESOLUTION /CALLING FOR THE STATE LEGISLATURE AND THE GOVERNOR TO ALLOCATE 9-1-1 SURCHARGE FUNDS TO COUNTIES TO SUPPORT 9-1-1 AND PUBLIC SAFETY COMMUNICATIONS

WHEREAS, the State of New York imposes a \$1.20 public safety surcharge on all wireless telephones, a surcharge created to be spent on 9-1-1 operations to help first responders to communicate and respond to emergencies; and

WHEREAS, after years of diverting the proceeds of this fund for non-public safety purposes, and to the detriment of local 9-1-1 centers, the State of New York has begun allocating more of these monies to counties in the form of Statewide Interoperable Communications Grants (SICG); and

WHEREAS, the 2013/14 Executive Budget Proposal, released on January 22, 2013 allocated an additional \$75 million to the SICG program; and

WHEREAS, while these grants were a welcome step in the right direction when they were first created, they have not helped deliver much needed funding to counties, as the State is years behind schedule in awarding these monies to counties, which need

the funding to make upgrades to their emergency communications equipment and systems; and

WHEREAS, the Governor's office has announced plans to award \$102 million in funding through the SICG program previously appropriated in 2011-12 and 2012-13 Stated fiscal years, in order to expedite the release of prior year grant funding; and

WHEREAS, counties and other municipalities are the actual providers of 9-1-1 services to the people of New York State and incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes such as Next Generation 9-1-1 (NG 911), which is estimated to take 10 years to implement at a cost of approximately \$22 billion in New York State; and

WHEREAS, most counties have been able to establish local surcharges to help sustain their county's emergency communications needs; and

WHEREAS, New York State requires that each county that wants to establish a local 9-1-1 surcharge first obtain authorization in the form of State legislation, before they can create this local fee; and

WHEREAS, while nearly all counties have obtained the authority through the State Legislature to charge a local fee, a handful of counties remain unable to obtain such authorization to create a local surcharge, putting their local 9-1-1 centers at a financial disadvantage to meet the current emergency communications needs of their communities; now therefore be it

RESOLVED, that Putnam County supports the New York State Association of Counties' (NYSAC) call upon the Governor to direct the Division of Homeland Security and Emergency Services to expedite the award of grant monies through the Statewide Interoperable Communications Grant program and to simplify and streamline the grant application and award process for counties to implement multi-year grant applications; and be it further

RESOLVED, that Putnam County supports NYSAC's call upon the State Legislature and the Governor to pass legislation that authorizes all counties to create a public safety local surcharge to fund costs associated with the provision of 9-1-1; and be it further

RESOLVED, that Putnam County supports NYSAC's call upon the State Legislature and the Governor to pass legislation that imposes the \$1.20 and \$0.30 local surcharges on pre-paid wireless phones as well as all devices capable of connecting to 9-1-1 and direct those monies to counties' 9-1-1 center operations; and be it further

RESOLVED, that copies of this resolution be sent to Governor Andrew M. Cuomo, Senator Greg Ball, Senator Terry Gipson, Assemblywoman Sandra Galef, Assemblyman Stephen Katz, Senate Majority Leader, Speaker of the Assembly, the Commissioner of the Division of Homeland Security and Emergency Services and the New York State Association of Counties.

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

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
(Chairwoman Nacerino, Legislators Castellano & DiCarlo)**

Item #5f – Approval/Memorialization NYSAC Resolution/Calling for the Governor and State Legislature to Compensate Counties for State-mandated District Attorney Salary was next. Chairman Othmer recognized Legislator Nacerino, Chairwoman of the Rules,

Enactments & Intergovernmental Relations Committee. On behalf of the members of the Committee, Legislator Nacerino moved the following:

RESOLUTION #78

APPROVAL/MEMORIALIZATION NYSAC RESOLUTION/CALLING FOR THE GOVERNOR AND STATE LEGISLATURE TO COMPENSATE COUNTIES FOR STATE-MANDATED DISTRICT ATTORNEY SALARY

WHEREAS, salaries of full time district attorneys and the clerks of the five boroughs of New York City are statutorily tied to those of New York State judges and justices in the Unified Court System; and

WHEREAS, when salaries increase for judges and justices, counties are mandated to raise the salaries of their district attorneys as required under section 183-a of the Judiciary Law; and

WHEREAS, in 2012 the State Legislature increased the salary for judges and justices by 22% over a three year period; and

WHEREAS, this state-imposed salary increase has forced counties to increase pay for district attorneys; and

WHEREAS, the Governor's 2013-14 Executive Budget proposal provides for the 100% reimbursement of the DA's salary increase for 2013; and

WHEREAS, although the state pays the entire salary and benefits of judges and justices, the state only provides supplemental appropriations to counties to partially cover the cost of state-mandated pay for local district attorneys; now therefore be it

RESOLVED, that Putnam County supports the New York State Association of Counties' (NYSAC) call upon the State Legislature to enact the Governor's proposal to reimburse 100% of the DA's salary increase and to also reimburse counties for the entire amount of district attorneys' mandated pay and its associated retirement and social security costs, leaving counties responsible only for any portion of district attorneys' compensation that exceeds the state's mandated amount; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Andrew M. Cuomo, Senator Greg Ball, Senator Terry Gipson, Assemblywoman Sandra Galef, Assemblyman Stephen Katz, Senate Majority Leader, Speaker of the Assembly and the New York State Association of Counties.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5g – Approval/Memorization/NYSAC Resolution/Urging the NYS Legislature to Honor Home Rule Sales Tax Requests in Order to Meet the Intent of Home Rule Authority Granted to Counties in the State Constitution was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Castellano and DiCarlo, Legislator Nacerino moved the following:

RESOLUTION #79

APPROVAL/MEMORIALIZATION/NYSAC RESOLUTION/URGING THE NYS LEGISLATURE TO HONOR HOME RULE SALES TAX REQUESTS IN ORDER TO MEET THE INTENT OF HOME RULE AUTHORITY GRANTED TO COUNTIES IN THE STATE CONSTITUTION

WHEREAS, counties continue to face significant challenges in balancing their local budgets largely due to a significant drop in local revenues stemming from the recession and a continued weak economic recovery; and

WHEREAS, counties must administer and pay for more than 40 State programs and mandated services that can consume up to 85% of a county's entire budget; and

WHEREAS, local sales tax revenue is one of the two primary sources of revenue for county government; and

WHEREAS, counties share more than \$1 out of every \$4 local sales tax dollars collected with cities, towns, villages and even local school districts to help these local governments pay for services delivered by these municipalities, or to directly lower the amount of property taxes levied in these jurisdictions; and

WHEREAS, the pass through of local sales tax revenue from counties to cities, towns, villages and school districts exceeded \$1.6 billion in 2011; and

WHEREAS, the State Legislature has made important steps in limiting future mandated cost increases to county taxpayers by capping the growth in local Medicaid costs effective in 2015 and through the creation of a new pension tier; and

WHEREAS, while these mandate relief initiatives are important, the overall growth in costs incurred by counties to support other state mandates, coupled with counties being required to absorb hundreds of millions of dollars in new state program costs since 2007, continues to outstrip the ability of counties to support rising costs; and

WHEREAS, county "home rule bills" generally seek authority and fiscal management flexibility from the State to implement and deliver State mandated programs and local public health and safety, economic development and "quality of life" services demanded by county residents; and

WHEREAS, the rejection of local home rule authority by the State Legislature requires county leaders to either:

- 1. Raise property taxes (which are already among the highest in the nation) to pay for state mandated spending because non-property tax alternatives, or sufficient relief from state mandated spending is not keeping pace with rising costs; or**
- 2. Cut local quality of life services such as those that protect public safety, ensure the public health, encourage local economic development and care for our seniors and veterans in their communities.**

NOW, THEREFORE, BE IT RESOLVED, Putnam County supports the call of New York State Association of Counties (NYSAC) for the Governor's Budget proposal to allow counties to renew the extension of current county sales tax rates without State Legislative approval, which will eliminate unnecessary and duplicative legislative activity at the State and local level that is currently required under state law; and be it further

RESOLVED, that Putnam County supports NYSAC for further improvement to the county home rule process by allowing county elected officials to determine their own local sales tax rates commensurate with the permanent sales tax authority already granted to New York City without the need for State legislative renewals; and be it further

RESOLVED, that Putnam County does not support State legislative proposals that require counties to undertake a voter referendum to change local sales tax rates; and be it further

RESOLVED, that copies of this resolution be sent to Governor Andrew M. Cuomo, Senator Greg Ball, Senator Terry Gipson, Assemblywoman Sandra Galef, Assemblyman Stephen Katz, Senate Majority Leader, Speaker of the Assembly and the New York State Association of Counties.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5h – Approval/Memorialization/NYSAC Resolution/Opposing the Passage of Legislation to Allow Early Voting, or to Allow Counties to Opt-In to Early Voting Opportunities, and for the State to Fully Fund any Increased Costs Associated with Early Voting was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Castellano and DiCarlo, Legislator Nacerino moved the following:

RESOLUTION #80

APPROVAL/MEMORIALIZATION NYSAC RESOLUTION/OPPOSING THE PASSAGE OF LEGISLATION TO ALLOW EARLY VOTING, OR TO ALLOW COUNTIES TO OPT-IN TO EARLY VOTING OPPORTUNITIES, AND FOR THE STATE TO FULLY FUND ANY INCREASED COSTS ASSOCIATED WITH EARLY VOTING

WHEREAS, A.689 (Silver)/ S.1461 (Stewart-Cousins) has been introduced in the New York State Legislature establishing early voting in primary, general and special elections in the State of New York; and

WHEREAS, this bill would allow early voting to take place up to 14 days before a general election and up to a week before a primary or special election, from 8:00 am until 7:00 pm on every early voting day including Saturday and Sunday; and

WHEREAS, county boards of elections would be required to select a minimum of five polling places throughout each county and provide election inspectors at each location; and

WHEREAS, county boards of elections would also be required to follow the same polling place protocols that are observed on election day on all early voting days; and

WHEREAS, there will be costs associated with staffing early voting locations, and printing and county paper ballots associated with early voting; and

WHEREAS, the 2% tax cap and insufficient relief from state-imposed mandates has placed an unprecedented strain on local governments to provide more services with less funding; now therefore be it

RESOLVED, that Putnam County supports the New York State Association of Counties' opposition of the passage of legislation requiring counties to implement early voting; and be it further

RESOLVED, if the proposal is enacted, allow counties to opt-in to providing early voting opportunities and the State needs to fully fund the cost of early voting for those counties that provide early voting; and be it further

RESOLVED, that copies of this resolution be sent to Governor Andrew M. Cuomo, Senator Greg Ball, Senator Terry Gipson, Assemblywoman Sandra Galef, Assemblyman Stephen Katz, Senate Majority Leader, Speaker of the Assembly and the New York State Association of Counties.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**PHYSICAL SERVICES COMMITTEE
(Chairman Albano, Legislators Othmer & Scuccimarra)**

Item #5i – Approval/Offer Certain County Properties for Sale Utilizing Real Estate Brokers & MLS Pursuant to Chapter 31 of the Putnam County Code was next. Chairman Othmer

recognized Legislator Albano, Chairman of the Physical Services Committee. On behalf of the members of the Committee, Legislators Othmer and Scuccimarra, Legislator Albano moved the following:

Legislator LoBue stated that she has spoken out against this in Committee. She has a problem with it morally. It is one thing to auction off the property for the taxes that are due; however, this is to sell the property for market value. She had a problem with the County making a profit on these properties.

Legislator Albano stated that the County makes the towns whole when the taxes aren't paid. He felt that it was the County's obligation to get the maximum amount of money on the property for the taxpayers. We don't want to make money on these properties, but at the same time we want to get fair market value. In his opinion this was a great idea. If the properties don't sell for fair market value, at that time we could decide to put them up for auction.

Legislator Oliverio stated that many of these properties were foreclosed upon many years ago. In his town, there were two properties that have been sitting with school, county and town taxes unpaid; one of them for close to fifteen years and another for ten years. Finally, through numerous court actions and thousands of dollars of taxpayers monies was used to force the foreclosures. These individuals refused to pay their school, county and town taxes. These were not mortgage delinquencies. Through these court actions the County has acquired these problems. He stated that, rightfully, the taxpayers should be reimbursed for all the expenses the County paid. He commended the County Executive for bringing this procedure forward. It is fair and just, especially for each and every one of us who pay our taxes on time.

Legislator LoBue believed that the property located in Putnam Valley was the exception, not the rule. She stated that there is 10 ½ % unemployment in the County and a record number of foreclosures; both bank and tax foreclosures. She believed most of these properties were because these individuals could not afford to pay their taxes during these hard economic times. She believed that most of these properties did not fall into the same category as the property in Putnam Valley which Legislator Oliverio mentioned.

Legislator Oliverio stated that we were not liquidating any of these properties in one or two years. The average time for the foreclosure process is an excess of five years. Within that time period, individuals are offered guidance. Although, he believed in many cases the people just will refuse to pay.

Chairman Othmer stated that this program will help make the rest of the population in the County whole. He commended the Law Department and the Commissioner of Finance for bringing this plan into fruition.

RESOLUTION #81

APPROVAL/OFFER CERTAIN COUNTY PROPERTIES FOR SALE UTILIZING REAL ESTATE BROKERS & MLS PURSUANT TO CHAPTER 31 OF THE PUTNAM COUNTY CODE

WHEREAS, the County has acquired title to the properties identified in the attached Schedule "A"; and

WHEREAS, said properties were either previously deeded to the County or have been acquired by tax foreclosure proceedings pursuant to Article 11 of the New York State Real Property Tax Law; and

WHEREAS, said properties are not needed for use by the County; and

WHEREAS, the Putnam County Legislature has reviewed this matter and has determined that it would be most financially advantageous to the County to offer said properties for sale through the applicable Multiple Listing Service utilizing the services of the licensed real estate brokers under contract with the County; now therefore be it

RESOLVED, that the properties identified in the attached Schedule "A" are not needed for use by the County; and be it further

RESOLVED, that pursuant to the authority vested in the Putnam County Legislature in Section 31-4 and Section 31-8 of the Putnam County Code, it is the determination of the Putnam County Legislature that it would be most financially advantageous to the County to offer the properties identified in the attached Schedule "A" for sale through the applicable Multiple Listing Service utilizing the services of the licensed real estate brokers under contract with the County; and be it further

RESOLVED, that the County Executive is authorized to offer the properties identified in the attached Schedule "A" for sale through the applicable Multiple Listing Service utilizing the services of the licensed real estate brokers under contract with the County, pursuant to exclusive right to sell agreements as shall be approved by the County Attorney; and be it further

RESOLVED, that pursuant to Section 31-4 and Section 31-8 of the Putnam County Code the initial offer amounts of the properties identified in the attached Schedule "A" shall be hereinafter determined by the Putnam County Executive, based upon a comparative market analysis, and with the advice and recommendation of the Legislature and the licensed real estate broker; and be it further

RESOLVED, that the County Attorney is hereby authorized to bring whatever legal proceedings shall be necessary to eject any and all occupants of the properties identified in the attached Schedule "A", as shall be necessary to properly market and effectuate the sale of same.

BY POLL VOTE: EIGHT AYES. ONE NAY – LEGISLATOR LOBUE.

Item #5j – Authorizing the Implementation, and Funding in the First Instance 100% of the Federal-aid Eligible Costs, of a Transportation Federal-Aid Project, and Appropriating Funds was next. On behalf of the members of the Physical Services Committee, Legislators Othmer and Scuccimarra, Legislator Albano moved the following:

RESOLUTION #82

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS

WHEREAS, a Project for Emergency Repair work to correct damages caused by February 24-26, 2010 Storms, at various locations in Putnam County, PIN 8701.75 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, Putnam County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs.

NOW, THEREFORE, the Putnam County Legislature, duly convened does hereby RESOLVE, that the Putnam County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Putnam County Legislature hereby authorizes Putnam County to pay in the first instance 100% of the federal and non-federal share of the cost of construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$104,266 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Putnam County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Executive thereof, and it is further

RESOLVED, that the Putnam County Executive be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of Putnam County with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Putnam County Executive the following municipal titles: Commissioner of Highways & Facilities, Deputy Commissioner of Highways & Facilities, Supervisor of Planning and Design and Commissioner of Finance are also hereby authorized to execute any necessary agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5k – Authorizing the Implementation, and Funding in the First Instance 100% of the Federal-Aid Eligible Costs, of a Transportation Federal-Aid Project, and Appropriating Funds was next. On behalf of the members of the Physical Services Committee, Legislators Othmer and Scuccimarra, Legislator Albano moved the following:

RESOLUTION #83

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS

WHEREAS, a Project for Emergency Repair Work caused by Hurricane Irene on August 26, 2011 on various roads in Putnam County, identified as PIN 8701.79 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, Putnam County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction work.

NOW, THEREFORE, the Putnam County Legislature, duly convened does hereby RESOLVE, that the Putnam County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Putnam County Legislature hereby authorizes the Putnam County to pay in the first instance 100% of the federal and non-federal share of the cost of construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$77,758 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Putnam County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Executive, thereof, and it is further

RESOLVED, that the Putnam County Executive be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of Putnam County with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Putnam County Executive the following municipal titles: Commissioner of Highways & Facilities, Deputy Commissioner of Highways & Facilities, Supervisor of Planning and Design and Commissioner of Finance are also hereby authorized to execute any necessary agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**ECONOMIC DEVELOPMENT & ENERGY COMMITTEE
(Chairwoman Scuccimarra, Legislators Gross & LoBue)**

Item #5L – Approval/Memorialization NYSAC Resolution/Urging Renewed State Investment in Airports to Promote Economic Development and Job Creation was next. Chairman Othmer recognized Legislator Scuccimarra, Chairwoman of the Economic Development & Energy Committee. On behalf of the members of the Committee, Legislators Gross and LoBue, Legislator Scuccimarra moved the following:

RESOLUTION #84

APPROVAL/MEMORIALIZATION NYSAC RESOLUTION URGING RENEWED STATE INVESTMENT IN AIRPORTS TO PROMOTE ECONOMIC DEVELOPMENT AND JOB CREATION

WHEREAS, airports play a critical role in New York State's economy, job growth and transportation infrastructure, providing essential air service, general aviation

functions and play a critical role in homeland security for all of New York's local and regional communities and for the nation; and

WHEREAS, a New York State Department of Transportation (DOT) study featuring New York airports and the aviation industry's contribution to the state's economy found that \$50 billion in annual economic activity for New York State businesses is attributable to aviation and further reports that approximately 394,500 jobs in New York State are related directly or indirectly to aviation, representing 4.6% of the 8.5 million jobs in the state; and

WHEREAS, finding from this study demonstrate the rationale for investments in the aviation mode of transportation by showing aviation's contributions to the state's economy; and

WHEREAS, the state's Transportation Bond Act, enacted in 2004, allocated on average \$15 million for important airport development and revenue generating projects over the last five years but has now expired, with no new state budget appropriations enacted to replace any part of this funding; and

WHEREAS, the state budget appropriation for the state match for federal Airport Improvement Program (AIP) dollars has been reduced to \$4 million from its historic annual appropriation of \$8 million; and

WHEREAS, despite the study's findings about the benefits of public investment in airports, state funding now directed to airport enhancement, expansion and development falls woefully short of the levels required as determined by DOT; and

WHEREAS, the State DOT has submitted to the New York Works Task Force a proposed 2-year transportation capital plan for the years 2013-2014 and 2014-2015 that proposes to double the fund match available for the non-federal share of the FAA Airport Improvement Program (AIP) grants to New York airports, in response to newly-enacted reductions in the federal share from 95% to 90% of the total project cost; and

WHEREAS, the DOT also supports a New York Aviation Management Association (NYAMA) initiative to provide that, during the two year period, if any of these allocated match funds are not required to support FAA grants, they would be redirected to support additional aviation infrastructure investments; and

WHEREAS, also recognizing the financial pressure that the expiration of the State's Transportation Bond Act is having on airport infrastructure preservation and construction efforts, the DOT Plan calculates the benefits from an additional level of investment of \$14 million over two-years would provide an important opportunity to address the capital needs of the state's airports and to drive economic development.

WHEREAS, the Executive Budget rejects the recommendations of the NYSDOT, holding AIP at \$4 million despite the reduction in federal reimbursement and providing no new funding to make up for the loss of Bond Act money for airports, which expired in 2009; and

WHEREAS, the Executive Budget does include more than \$300 million in the New York Works funds directed for capital investment in transportation infrastructure, creating an opportunity to boost AIP funding and provide critical investments at airports; now therefore be it

RESOLVED, that Putnam County supports the New York State Association of Counties' (NYSAC) call upon the Governor and the Legislature to provide reoccurring and reliable funding for the maintenance and development of the State's airports, allowing for the promotion of a safe and efficient air transportation system and to create high-level employment opportunities in regions throughout New York; and be it further

RESOLVED, that Putnam County supports NYSAC's call upon the Governor and the Legislature to increase the annual appropriation for the State's AIP from \$4 million to \$8 million to allow for the transfer of unused AIP funds for airport infrastructure and

insure that funding is allocated in the next 2-year transportation capital plan as proposed by the DOT; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Greg Ball, Senator Terry Gipson, Assemblywoman Sandra Galef, Assemblyman Stephen Katz, Senate Majority Leader, Speaker of the Assembly and the New York State Association of Counties.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

AUDIT & ADMINISTRATION COMMITTEE
(Chairman Castellano, Legislators Albano & Nacerino)

Item #5m – Approval/Budgetary Amendment (13A009)/Finance/Vacancy Control Factor/January & February 2013 was next. Chairman Othmer recognized Legislator Castellano, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Albano and Nacerino, Legislator Castellano moved the following:

RESOLUTION #85

APPROVAL/BUDGETARY AMENDMENT/FINANCE/VACANCY CONTROL FACTOR /JANUARY & FEBRUARY 2013

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (13A009) to provide for the vacancy control factor for January and February of 2013; 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	125,367
See Attached Sheet	FICA	9,591
See Attached Sheet	Dental	3,439
See Attached Sheet	Life Insurance	423
See Attached Sheet	Health Insurance	29,009
See Attached Sheet	Vision	354
See Attached Sheet	Flex Plan	<u>2,168</u>
		170,351

Increase Estimated Revenues:

10131000 428551	Transfer from Road Fund	33,056
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Decrease Estimated Appropriations:

02990100 59030	Transfer to General Fund	33,056
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Decrease Estimated Revenues:

10131000 427705	Vacancy Control Factor	<u>170,351</u>
		170,351

2013 Fiscal Impact – 0 –
2014 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5n – Approval/Fund Transfer (13T043)/Department of Social Services/Temporary was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Nacerino, Legislator Castellano moved the following:

RESOLUTION #86

APPROVAL/FUND TRANSFER /DEPARTMENT OF SOCIAL SERVICES/TEMPORARY

WHEREAS, the Department of Social Services has requested a fund transfer (13T043) to provide continued clerical support coverage through 5/31/13 due to typist position retirement effective 2/25/13; 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:		
10101000 51000	Personal Services	\$5,786

Increase:		
10101000 51094	Temporary	\$5,786

2013 Fiscal Impact – 0 –
2014 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5o – Approval/Bond Resolution/Reconstruction of Various County Highways was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Nacerino, Legislator Castellano moved the following:

RESOLUTION #87

EXTRACT OF MINUTES

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

April 3, 2013

* * *

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 April 3, 2013, at 6:30 o'clock P.M. (Prevailing Time).

The following Legislators were present: Albano, Castellano, DiCarlo, Gross, LoBue, Nacerino, Oliverio, Scuccimarra and Chairman Othmer.

There were absent: None

**Also present: Diane Schonfeld, Clerk of the County Legislature
Clement Van Ross, Legislative Counsel**

*** * ***

Legislator Castellano offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE COUNTY OF PUTNAM, NEW YORK, ADOPTED APRIL 3, 2013, AUTHORIZING THE PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE RECONSTRUCTION OF VARIOUS COUNTY HIGHWAYS; STATING THE ESTIMATED TOTAL COST THEREOF IS \$730,000; APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$730,000 SERIAL BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION.

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 "County"), is hereby authorized to prepare surveys, preliminary and detailed plans, specifications and estimates necessary for planning the reconstruction of various County highways. The estimated total cost of said specific of objects or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$730,000 and said amount is hereby appropriated therefor. The plan of financing, includes the issuance of \$730,000 serial bonds of the County to finance said appropriation, 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 2. Bonds of the County in the principal amount of \$730,000 are hereby authorized to be issued 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 "Law"), to finance said appropriation.

Section 3. The period of probable usefulness of said specific object or purpose, within the limitations of Section 11.00 a. 62(2nd) of the Law, is five (5) years.

Section 4. 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 5. 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. 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 6. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 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 of the Law, 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 7. 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 8. 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 County Courier*," "*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: EIGHT – Legislators Albano, Castellano, DiCarlo, Gross, Nacerino, Oliverio, Scuccimarra and Chairman Othmer.

NOES: ONE – Legislator LoBue.

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. 87 - 2013 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 April 3, 2013, 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 April 3, 2013 and approved by the County Executive on April 11, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County of Putnam this _____ day of April, 2013.

(SEAL)

Diane Schonfeld
Clerk to the County Legislature

NOTICE

The resolution, a summary of which is published herewith, has been adopted on the 3rd day of April, 2013, 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 APRIL 3, 2013, AUTHORIZING THE PREPARATION OF
SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS
AND ESTIMATES NECESSARY FOR PLANNING THE
RECONSTRUCTION OF VARIOUS COUNTY HIGHWAYS; STATING
THE ESTIMATED TOTAL COST THEREOF IS \$730,000;
APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING
THE ISSUANCE OF \$730,000 SERIAL BONDS OF SAID COUNTY TO
FINANCE SAID APPROPRIATION.**

Object or purpose: to prepare surveys, preliminary and detailed plans, specifications and estimates necessary for planning the reconstruction of various County highways

Period of probable usefulness: five (5) years

Amount of obligations to be issued: \$730,000

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: April 3, 2013
Carmel, New York

Item #6 – Other Business

Legislator Oliverio made a motion to waive the rules and accept the other business; seconded by Legislator DiCarlo. All in favor.

Item #6a – Approval/Request to Extend 1% County Sales Tax was next. Chairman Othmer made a motion to approve the revised version of Item #6a; seconded by Legislator Nacerino.

RESOLUTION #88

APPROVAL/PUTNAM COUNTY’S REQUEST TO EXTEND THE 1% INCREASED COUNTY SALES TAX FOR AN ADDITIONAL TWO YEARS

WHEREAS, in light of the current and ongoing fiscal challenges facing Putnam County government, it is appropriate to maintain revenues by renewing the previously authorized one (1%) percent County sales tax increase; and

WHEREAS, in accordance with Chapter 113 of the Laws of 2011 and pursuant to Resolution #41 of 2011, the Putnam County Legislature approved the introduction and passage of legislation for the continued authorization of Putnam County’s sales tax to be increased from three (3%) percent to four (4%) percent for period September 1, 2007

through November 30, 2013, which authorization is about to expire and needs to be renewed; and

WHEREAS, the Putnam County Executive and Putnam County Legislature further determine that as an alternative to dramatically raising real property taxes in Putnam County it is necessary to renew the expiring one (1%) percent County sales tax increase; now therefore be it

RESOLVED, that the Putnam County Executive and Putnam County Legislature hereby support and request the introduction and passage of legislation authorizing the renewal of the expiring one (1%) percent County sales tax increase for an additional two (2) years, that is, for period December 1, 2013 through November 30, 2015; and be it further

RESOLVED, that the Clerk of the Putnam County Legislature is hereby directed to forward a copy of this Resolution to our State representatives in the State Legislature as well as the Governor and leadership of our State Legislature.

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

Item #7 – Recognition of Public

Director of Veterans Affairs, Karl Rohde, thanked the Legislature and the County Executive for the recognition of the Purple Heart County. He stated that he wanted to mention the suicide rate among veterans. He stated that more service members died of their own hands last year than in Afghanistan. He stated that this was a horrifying figure. These are soldiers that are not going to get Purple Hearts even though they may have had traumatic brain injury or post-traumatic stress. He stated that 22 veterans per day are committing suicide. He wanted to bring awareness to this and believes that one a day was even too many. As a County we needed to be cognizant of these problems and think of a way to help these young men and women. He hoped that as the Director of Veterans Affairs, his office could provide education on suicide prevention courses.

Ms. Judy Allen, resident of Putnam Valley, thanked the Legislature for passing the resolution regarding Indian Point. She stated that Indian Point is 14 miles away from her home and therefore not included in the evacuation zone. The residents just want to make sure that in the event something happens at the plant that people are taken care of. She stated that when Indian Point was built, they were aware of the Ramapo fault that ran about a mile from the plant. However, they were not aware of the Peekskill Stanford fault that they just found a few years ago.

Mr. Victor Tishop, resident of Putnam Valley, believed there was no greater threat to Hudson Valley and the Putnam County residents than Indian Point. He has attend many Nuclear Regulatory Commission (NRC) meetings and stated that they have consistently lowered safety requirements in many areas for the benefit of the industry. He stated that what we gain from the energy produced by Indian Point downstate is about 5% of the power. Above the 5% is sold on the open market and does not benefit downstate New York. If there was an accident, consequences could be catastrophic. He stated that when there are known issues, and Indian Point is at the end of its service life, and safety requirements are constantly being reduced to benefit the industry, he believed that interest leaves the realm of accident and enters the realm of criminal negligence. He urged the Legislature to stand up and remove this safety threat and protect the residents of Putnam County. He mentioned that the VA Hospital, utilized by our wounded warriors,

is very close to Indian Point. They would be in harm's way, one that they could not fight against.

Item #8 – Recognition of Legislators

Legislator Oliverio stated that in 2002 there was a resolution introduced by former Legislator Vincent Tamagna opposing Indian Point which passed unanimously.

Legislator DiCarlo stated that he visited Putnam National Golf Course and met with Michael McCall, who is overseeing both the Golf operations, as well as Albert Ciuffetelli from Homestyle Food Service & Caterers LLC. He encouraged the Legislators to meet with them as well. They are working very hard in turning the facility around, making it more user friendly and more affordable for the public.

Legislator Albano stated that he truly believes the Golf Course is moving in the right direction. He felt that it will be a beautiful place for Putnam County in the near future and we will see some great improvements. He also wished all the moms a Happy Mother's Day next month.

Legislator Scuccimarra stated that April 27, 2013 is "Medication Take Back Day" at Putnam Hospital Center from 9:00 am – 2:00 pm. She stated that on May 18, 2013 from 9:00 am – 12:00 pm at Fahenstock Park the County will hold another "Household Hazardous Waste Day".

Chairman Othmer stated that County Historian Castelli has provided National Purple Heart Hall of Honor applications for anyone that may have family members they wanted to give them too. He also mentioned that Director of Tourism, Libby Pataki has provided brochures on the World Class Cycling Event which will take place on May 4th & 5th, 2013.

Legislator Gross wanted to remind everyone that April 28, 2013 is the Heart Walk at the Brewster High School.

Legislator Nacerino stated that she would like to close the meeting in memory of Paul Piazza. He is the father of Sheriff's Deputy Paul Piazza and Christopher Piazza and husband of Judy Piazza. Paul was the ex-Chief of the Patterson Fire Department. He was also very active in the Patterson Little League and will be sorely missed.

There being no further business, at 8:18 P.M., Legislator Oliverio made a motion to adjourn; seconded by Legislator DiCarlo. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.