

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

Tuesday July 1, 2014 7:00 P.M.

The meeting was called to order at 7:00 P.M. by Chairman Albano who requested Legislator Wright lead in the Pledge of Allegiance. Upon roll call, Legislators Scuccimarra, Oliverio, Tartaro, Nacerino, Gross, Castellano, LoBue, Wright and Chairman Albano were present. Also present was Legislative Counsel Van Ross.

PROCLAMATIONS

Chairman Albano recognized Legislator Gross who presented the “PreTrial, Probation, Parole Supervision Week” proclamation to Probation Officer Charlene Effinger from the Probation Department.

RECOGNIZING PRETRIAL, PROBATION, PAROLE SUPERVISION WEEK July 13-19, 2014

WHEREAS, Pretrial, Probation, and Parole Officers are all intricate and crucial professionals of the community corrections team; and

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

WHEREAS, community corrections professionals uphold the law with dignity, while recognizing the right of the public to be safe-guarded from criminal activity and are responsible for supervising adult and juvenile offenders in the community; and

WHEREAS, community corrections professionals are trained professionals who provide services and referrals for offenders and work in partnership with community agencies and groups; and

WHEREAS, community corrections professionals promote prevention, intervention and advocacy and provide services, support, and protection for victims; and

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

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim the week of July 13-19, 2014 as Pretrial, Probation, Parole Supervision Week and encourage all Putnam County residents to honor these community corrections professionals and to recognize their achievements.

Chairman Albano recognized Legislator Scuccimarra who presented the “4-H Fair” to Ms. Marjorie Nichols Keith, the Executive Director of Cornell Cooperative Extension and some of the 4-H Fair Youth Leaders from Carmel and Mahopac.

DESIGNATING JULY 21st through 27th 2014 AS “PUTNAM COUNTY 4-H FAIR WEEK”

WHEREAS, the Putnam 4-H Fair, sponsored by Cornell Cooperative Extension of

Putnam County, has showcased for the past forty-three years, the many interests and accomplishments of Putnam's children, adults and programs; and

WHEREAS, the Putnam County 4-H Fair continues to grow as an educational, cultural and fun event that provides a wholesome experience for families from Putnam and the surrounding region;

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

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

WHEREAS, the Putnam County 4-H Fair's Shady Grove Theater provides a showcase for Putnam youth in the performing arts and an array of accomplished performers from the Hudson Valley Region; and

WHEREAS, the Putnam County 4-H Fair delights fairgoers throughout the weekend with activities at the Discover Putnam Tent, Creative Corners, and Games Tents, Livestock Pavilion, Rabbit and Poultry Barn, Dog Obedience Trials, Country Living Auction and more; now therefore be it

RESOLVED, that the week of July 21st - July 27th 2014 will be designated "Putnam County 4H Fair Week"; and be it further

RESOLVED, that the Putnam County Executive and the Putnam County Legislature recognize and congratulate the 43rd Annual 4-H Fair and invite all Putnam County residents to attend.

Item #3 - Approval of Minutes – Regular Meeting – May 6, 2014
Special Meeting - May 13, 2014
Regular Meeting – June 3, 2014
Budget & Finance Mtg – June 3, 2014

The minutes were approved as submitted.

Item #4 - Correspondence

a) County Auditor was duly noted.

Item #5 - Pre-filed resolutions:

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

Item #5a – Approval/2015 Decentralized Budget Review Process for Preparation and Adoption of the 2015 County Budget was next. Chairman Albano moved the following:

RESOLUTION #162

APPROVAL/ 2014 DECENTRALIZED BUDGET REVIEW PROCESS

WHEREAS, the Budget and Finance Committee has reviewed and recommended the adoption of the attached Decentralized Budget Review Process for implementation in 2014 for the 2015 budget; now therefore be it

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

RESOLVED, that pursuant to Putnam County Charter Section 7.04 the Putnam County Legislature hereby adopts and notifies the County Executive of the policy and practice guidelines contained in Section E of this Decentralized Budget Review Process/2015 to be complied with by the County Executive.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE
(Chairman Oliverio, Legislators LoBue & Scuccimarra)**

Item #5b – Approval/Forward Resolution #104 of 2014 /Algonquin Gas Transmission, LLC Project was next. Chairman Albano recognized Legislator Oliverio, Chairman of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators LoBue and Scuccimarra, Legislator Oliverio moved the following:

RESOLUTION #163

APPROVAL/FORWARD RESOLUTION #104 OF 2014 /ALGONQUIN GAS TRANSMISSION, LLC PROJECT

WHEREAS, by Resolution #104 of 2014 the Putnam County Legislature adopted a resolution requesting a moratorium be enacted on the Algonquin Gas Transmission, LLC request for a pipeline expansion project with its compressor station that impacts the pipeline that runs through the Town of Southeast in the County of Putnam; and

WHEREAS, various different agencies are involved in granting the required approval for this project; and

WHEREAS, Putnam County has been requested to forward to each agency a copy of the moratorium resolution; and

WHEREAS, the Health, Social, Educational & Environmental Committee has considered and approved of this request; now therefore be it

RESOLVED, that the Clerk of the Putnam County Legislature send a copy of Resolution #104 of 2014 to each of the agencies contained in the attached list marked Exhibit “A” and request that no permit be issued until the measures called for in the resolution are fully executed.

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

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

RESOLUTION #164

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

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

Ivone Cote, Town of Carmel, filling an unexpired three (3) year term, said term to expire December 31, 2015.

Athena Lightcap, Town of Patterson, for a three (3) year term, said term to expire December 31, 2016.

Robert Joy, Jr., Town of Carmel, for a three (3) year term, said term to expire December 31, 2016.

Donna M. Ponessa, from Putnam Independent Living Services, Inc., Town of Carmel, for a three (3) year term, said term to expire December 31, 2016.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #5d – Approval/Bond Resolution/Putnam Bikeway II Phase B – PIN 8761.05 was next. On behalf of the members of the Physical Services Committee, Legislators Nacerino and Scuccimarra, Chairman Albano moved the following:

Legislator Oliverio stated that, as he mentioned several times, he is concerned about the bonding. He stated that he supports the bikeway project and wants it to continue, however, instead of bonding he asked his colleagues to consider paying “cash” for this through the fund balance. He stated that by paying cash we would not be putting future generations and ourselves in debt for 20 years.

Legislator LoBue stated that she has also spoken out in the past about the amount of bonding being done by the County. She stated that the other issue she had was that the County did not have a maintenance agreement going forward with the bikeway. She stated that we keep extending the bikeway, however, we are not quite sure how we are going to pay for the maintenance.

Chairman Albano believed that the County was in good shape with respect to bonding based on reports by Commissioner of Finance Carlin. He believed that we should keep the fund balance available for any unexpected issues that could arise.

Legislator Gross stated that he supports the bikepath. However, he believed that the County was at a crossroads with pending litigation and we need to assess our fund balance and bonding down the line. He stated that currently the County’s bonding rating is good, however he stated that he was concerned about pending litigation.

Legislator Nacerino stated that she supported the bikepath and the bonding. She stated that Legislator LoBue brought up an excellent point regarding the O&M. She believed those were the problems we encountered during the discussions of placing advertising signage on the bikepath. She stated that she would like to have the O&M costs incorporated into or discussed as we move forward with this new phase of the bikeway.

Legislator Oliverio stated that he understood that the County's bonding ratio was good, however, we keep adding to the amount we are bonding. We have bonded close to \$13 million dollars in the last three years. He stated that at what point do we say the bonding needs to stop.

Legislator Tartaro stated that he has learned, as a new Legislator, that a significant portion of the County's fund balance is designated to make the school districts whole when resident's school tax bills are not paid on time. He understands that a lot of that money does come back to the County, however, he didn't exactly know what that dollar amount was. He also stated that he didn't know how much of the fund balance was accessible as a surplus cash flow. He believed that there were some restraints on the money leftover in the fund balance. He stated that he has requested through the Chair of the Audit Committee that the Legislature receive from Commissioner of Finance Carlin a report on the status of all the bonds. He stated that in a recent conversation with Commissioner Carlin, it was stated that we are not adding another \$400,000 dollars to the Bond total because older bonds would be coming off.

Legislator Scuccimarra concurred with Legislator Tartaro that we needed to take a broad look at what we have bonded and what bonds will be coming off. She stated that Legislator LoBue brought up a good point about the maintenance of our bike trails. She believed that the maintenance of bikepaths was a problem throughout the Country. She stated that this was the reason why she believed that having small advisement signs on the bikepath would help offset the maintenance costs.

Chairman Albano stated that he was very much in favor of reviewing our bonds. He stated that right now the bonds are at historically low rates. He believed that we might not have this same opportunity in the future.

Legislative Counsel Van Ross stated that the record should reflect that Resolution #42 of 2008 covers the SEQRA requirement.

Legislator Wright stated that he would be voting "no" only because we have requested a comprehensive review of the bonding issue. He believed that there would be no harm in waiting until we had that information in hand.

Legislator LoBue questioned if there was a time constraint with this bond. She questioned if it could be tabled until next month. She believed that the Legislature would be voting in the dark without knowing the amount in the general fund and the amount available.

Chairman Albano requested a roll call vote.

RESOLUTION #165

EXTRACT OF MINUTES

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

July 1, 2014

* * *

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 July 1, 2014, at 7 o'clock P.M. (Prevailing Time).

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

There were absent: None

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

* * *

Chairman Albano offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE COUNTY OF PUTNAM, NEW YORK, ADOPTED JULY 1, 2014, AUTHORIZING THE CONSTRUCTION OF NEW RECREATIONAL AREA IMPROVEMENTS TO THE PUTNAM BIKEWAY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$4,118,589; APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITUE OF APPROXIMATELY \$3,706,730 IN GRANT FUNDS EXPECTED TO BE RECEIVED; AND AUTHORIZING THE ISSUANCE OF \$411,870 SERIAL BONDS OF SAID COUNTY TO FINANCE THE BALANCE OF 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 construct new recreational area improvements to the Putnam Bikeway. The estimated total cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$4,118,589, and said amount is hereby appropriated therefor, including the expenditure of approximately \$3,706,730 in anticipated State and Federal grant funds. The plan of financing, includes the expenditure of said grant funds and the issuance of \$411,870 serial bonds of the County to finance the balance of 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 \$411,870 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 a portion of said appropriation.

Section 3. The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 19(a) of the Law, is twenty (20) 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: SIX – Legislators Castellano, Gross, Nacerino, Scuccimarra, Tartaro and Chairman Albano.

NOES: TWO – Legislators LoBue and Oliverio.

ABSTENTION: ONE – Legislator Wright.

The resolution was declared adopted.

APPROVED: _____
MaryEllen Odell
County Executive, Putnam County

Date of Approval: _____, 2014

CERTIFICATE

I, Diane Schonfeld, Clerk to the County Legislature of the County of Putnam, State of New York, HEREBY CERTIFY that the Resolution No. _____-2014

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 July 1, 2014, 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 July 1, 2014 and approved by the County Executive on July __, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County of Putnam this ____ day of July, 2014.

(SEAL)

Diane Schonfeld
Clerk to the County Legislature

NOTICE

The resolution, a summary of which is published herewith, has been adopted on July 1, 2014, 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 JULY 1, 2014, AUTHORIZING THE CONSTRUCTION OF NEW RECREATIONAL AREA IMPROVEMENTS TO THE PUTNAM BIKEWAY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$4,118,589; APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITUE OF APPROXIMATELY \$3,706,730 IN GRANT FUNDS EXPECTED TO BE RECEIVED; AND AUTHORIZING THE ISSUANCE OF \$411,870 SERIAL BONDS OF SAID COUNTY TO FINANCE THE BALANCE OF SAID APPROPRIATION.

Object or purpose: the construction of new recreational area improvements to the Putnam Bikeway

Period of probable usefulness: twenty (20) years

Amount of obligations to be issued: \$411,870

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: July 1, 2014
Carmel, New York

Item #5e – Approval/Budgetary Amendment (14A044)/Planning Department/Bikeway II Phase B – PIN 8761.05 was next. On behalf of the members of the Physical Services Committee, Legislators Nacerino and Scuccimarra, Chairman Albano moved the following:

RESOLUTION #166

APPROVAL/BUDGETARY AMENDMENT (14A044)/PLANNING DEPARTMENT/BIKEWAY II PHASE B – PIN 8761.05

WHEREAS, the Planning Department has requested a budgetary amendment (14A044) to update Capital Project estimated costs for Bikeway II Phase B – PIN 8761.05; and

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

Increase Estimated Appropriations:

55997000 53000 51312	Bikeway II Phase B – PIN 8761.05	3,690,000
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Increase Estimated Revenues:

55997000 430971 51312	State Aid – PIN 8761.05	411,859
55997000 448971 51312	Federal Aid – PIN 8761.05	<u>3,294,871</u>

55997000 53000 51209	Preschool Buses	2,784.00
55997000 53000 51212	Vet Mobility Van	9,235.00
55197000 53000 50241	Sodom BR PIN 8756.04	925,258.81
55197000 53000 50239	CR 35 & 36 PIN 8756.89	706,332.56
55997000 53000 50306	Bikeway 2 PIN 8757.83	25,570.94
55997000 53000 50335	Maybrook Security Fence	<u>222.25</u>
		7,452,496.95

Increase Estimated Appropriations:

59901000 53000 50358	Transfer to Debt Service Fund	217,177.92
59901000 53000 50357	Transfer to General Fund	2,530.63
55197000 53000 51211	CHIPS 2011	<u>355.69</u>
		220,064.24

Decrease Estimated Revenues:

05000 457101 50021	Serial Bonds - Parking Deck/lot	320.00
51989000 445971 50025	Fed Aid – NYSERDA Grant	32,581.00
53197000 427701 50086	Unclassified – FTC Lot Paving	2,088.54
05000 457101 50054	Serial Bonds - Repairs Contingency	1.97
55997000 448971 50304	Fed Aid _ Maybrook 1 PIN 8757.26	3,483,406.03
05000 457101 50277	Serial Bonds - Kent Revitalization	10,000.00
55997000 435971 50277	State Aid – Kent Revitalization	300,000.00
55997000 445971 50277	Fed Aid – Kent Revitalization	1,600,000.00
55997000 445971 50276	Fed Aid – ADA Transit 8760.87	439.00
55997000 435971 50273	State Aid – Carmel Revitalization	0.35
55997000 430971 50307	State Aid – Bikeway 8TRM17	7.00
55997000 430971 50329	State Aid – Bikeway 2 Relocation	605.40
55997000 448971 50329	Fed Aid – Bikeway 2 Relocation	2,654.81
05000 45710C 51202	Serial Bonds – Dam Assessment	266,350.00
05000 45710C 51209	Serial Bonds – Serial Buses	2,784.00
05000 45710C 51212	Serial Bonds – Vet Mobility Van	9,000.00
55197000 435971 50241	State Aid – Sodom RD Pin 8756.04	171,104.44
55197000 445971 50241	Fed Aid – Sodom RD Pin 8756.04	722,740.90
55197000 435971 50239	State Aid – CR 35 & 36 PIN 8756.89	38,835.29
55197000 445971 50239	Fed Aid – CR 35 & 36 PIN 8756.89	678,008.71
	Serial Bonds – Bikeway 2 PIN 8757.83	96,285.00
05000 457101 50306		
55997000 448971 50306	Fed Aid- Bikeway 2 PIN 8757.83	<u>41,337.60</u>
		7,458,550.04

Increase Estimated Revenues:

51989000 430971 50025	State Aid – NYSERDA Grant	32,580.65
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59901000 427701 50277	Unclassified – Kent Revitalization	66,582.41
55997000 445971 50273	Fed Aid – Carmel Revitalization	0.48
55997000 448971 50307	Fed Aid – Bikeway 8TRM17	1,979.00
55997000 457101 50307	Serial Bonds – Bikeway 8TRM17	2,056.00
55197000 435011 51211	State Aid – CHIPS	355.69
59901000 427701 50239	Interfund – CR 35 & 36 PIN 8756.89	10,511.44
59901000 428601 50306	Interfund- Bikeway 2 PIN 8757.83	<u>112,051.66</u>
		226,117.33

DEBT SERVICE FUND:

Increase Estimated Revenues:

V9710000 428601	Transfer From Capital Fund	217,177.92
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Decrease Estimated Revenues:

V9710000 427111	Use of Debt Service Fund Balance	217,177.92
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GENERAL FUND:

Increase Estimated Revenues:

10131000 428501	Transfer from Capital Fund	2,530.63
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Increase

10199000 54980	Contingency	2,530.63
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Fiscal Impact – 2014 - \$ (2,530.63)

Fiscal Impact – 2015 - \$ 0

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5g – Approval/Memorialization/Opposing Clean Water Act Regulation Proposed by the Environmental Protection Agency and Army Corps of Engineers was next. On behalf of the members of the Physical Services Committee, Legislators Nacerino and Scuccimarra, Chairman Albano moved the following:

Legislator Oliverio requested that this item be tabled to Physical for further discussion. He believed that the regulations were not as onerous as this memorialization makes them out to be. He requested that we ask the Department of Health to provide their input on this memorialization.

Chairman Albano stated that he has spoken to individuals that would be involved in this such as those in building and planning departments. These individuals had the opinion that we are getting to the point of having so many regulations in place that stops everything.

Legislator Oliverio made a motion to Table this item; seconded by Legislator LoBue.

Legislator LoBue concurred with Legislator Oliverio. She stated that it is a memorialization and believed that it would not hurt to put this off for another month to receive input from our Health Department.

Legislator Wright stated that he opposed tabling on the basis that it is only a memorialization resolution, and as such, he did not think County Departments, Legislators or Legislative personnel should spend any further time on this.

Legislator LoBue stated that in the past, this Legislative body has gotten in trouble because we pushed forward a memorialization regarding the New York Safe Act before giving the public the opportunity to voice their opinion. She stated another issue was a memorialization against Indian Point. She stated that with respect to these two issues, she did not believe that tabling this item for further input would be a problem.

Legislator Nacerino stated that she supported Legislators Oliverio and LoBue. She believed that, as Legislators, we needed to do our due diligence and understand what we are supporting.

Legislator Wright stated that it has been well summed up and therein lies the problem with these memorializing resolutions in general. He did not believe they were a good use of Legislative time as Legislator LoBue refers that it has gotten this Legislature into some past troubles. He did not believe these entities needed our seasoned input spent over months and months; dragging in Departments to give opinions about things that we are not going to be able to affect a result on other than to express an opinion. He believed that every Legislator could write a letter.

Chairman Albano believed that there were times when an opinion should be given. He believed that in the world today there was a lot of over regulation.

Legislator Scuccimarra stated that she did not have a problem tabling this item. However, she did believe that we were totally overregulating as far as our water is concerned, especially on this side of the County. She stated that she disagreed with Legislator Wright and believed that by sending these memorialization resolutions to the different entities was telling them how we feel.

Legislator Oliverio made a motion to table; seconded by Legislator LoBue.

By Roll Call Vote: Six Ayes – Legislators Castellano, LoBue, Nacerino, Oliverio, Scuccimarra and Tartaro. Three Nays – Legislators Gross, Wright and Chairman Albano. Motion carries.

**APPROVAL/MEMORIALIZATION/OPPOSING CLEAN WATER ACT REGULATION
PROPOSED BY THE ENVIRONMENTAL PROTECTION AGENCY AND ARMY CORPS OF
ENGINEERS**

WHEREAS, Putnam County affirms its commitment to environmental stewardship and the protection of our natural resources, and recognizes the need to harmonize municipal programs and services with the legislative intent and objectives of the Clean Water Act (CWA); and

WHEREAS, the CWA was not intended to protect ditches and other channels through which waters flows intermittently nor was it intended to capture seeps, wet

areas, isolated man-made ponds and other structures not currently subject to the CWA; and

WHEREAS, the Environmental Protection Agency (EPA) and the United States Army Corps of Engineers (ACOE) have developed a proposed regulation on Definition of “Waters of the United States” Under the Clean Water Act to clarify the EPA and ACOE’s understanding and definition of the CWA that will inform all of EPA’s regulatory programs and policy actions; and

WHEREAS, this proposed regulation creates greater uncertainty rather than clarify and would now capture a significant number of Putnam County Highway activities and transportation infrastructure that will now be subject to the CWA and its costly and time-consuming permitting and regulatory protocols; and

WHEREAS, the proposed regulation greatly expands the number of projects subject to jurisdictional determination or CWA permitting which do not currently require such oversight at great expense to the taxpayers of Putnam County with little, if any, substantive environmental benefit while diverting scarce resources from other programs that do provide environmental protection and conservation benefits; and

WHEREAS, the financial impact of the proposed regulation to Putnam County will create significant ongoing maintenance costs and delays to County citizens due to the need for jurisdictional determinations and expanded jurisdictional authority of EPA and the ACOE; and

WHEREAS, Putnam County believes that the standards for making jurisdictional determinations under the CWA and clarification or definition of the intent of the CWA should be accomplished only through the U.S. Congress, and limited by the decisions of the U.S. Supreme Court; now therefore be it

RESOLVED, that Putnam County urges EPA and the ACOE to withdraw the proposed CWA regulation immediately, work collaboratively with states and local governments to clarify federal jurisdiction under the CWA that is reasonable, environmentally responsible and respects the authority of state and local governments in ensuring the protection of our water resources; and be it further

RESOLVED, that Putnam County supports any federal legislation consistent with the above recommendations and urges it Congressional and State representatives to intercede with EPA and request that EPA report to them on their response and adaptations regarding the aforementioned concerns; and be it further

RESOLVED, that a copy of this resolution be forwarded to U.S. Senator Charles Schumer, U.S. Senator Kirsten Gillibrand, U.S. House Representative Sean Patrick Maloney, Governor Andrew Cuomo, NYS Senator Terry Gipson, NYS Senator Greg Ball, NYS Assemblywoman Sandra Galef, NYS Senator Stephen Katz, EPA Administrator Gina McCarthy and EPA Region 2 Administrator Judith Enck.

PERSONNEL COMMITTEE
(Chairwoman Nacerino, Legislators Castellano & Tartaro)

Item #5h – Approval/Standard Work Day and Reporting Resolution was next. Chairman Albano recognized Legislator Nacerino, Chairwoman of the Personnel Committee. On behalf of the members of the Committee, Legislators Castellano and Tartaro, Legislator Nacerino moved the following:

RESOLUTION #168

APPROVAL/STANDARD WORK DAY AND REPORTING RESOLUTION

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

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

- Resolution #195 of 2010 and Resolution #286 of 2010 (one employee only).
- Resolution #338 of 2011 correcting Resolution #190 of 2011.
- Resolution #218 of 2012 correcting Resolution #155 of 2012.
- Resolution #143 of 2013.

and

WHEREAS, it is now time to file the report for 2014, now therefore be it

RESOLVED that the County of Putnam hereby established the following as standard work days for the listed elected officials in Schedule "A" and will report the following days worked to the New York State and Local Employees' Retirement system based upon time and attendance records or on the record of activities maintained and submitted by these officials to the Clerk of this body.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5i – Approval/Budgetary Amendment (14A051)/Highways & Facilities/Putnam Invests in Leaders of Tomorrow (PILOT) Intern Program was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Tartaro, Legislator Nacerino moved the following:

RESOLUTION #169

APPROVAL/BUDGETARY AMENDMENT /HIGHWAYS & FACILITIES/PUTNAM INVESTS IN LEADERS OF TOMORROW (PILOT) INTERN PROGRAM

WHEREAS, the Highways & Facilities Department has requested a budgetary amendment (14A051) to provide funding to cover the Putnam Invests in Leaders of Tomorrow (PILOT) intern program for the summer of 2014; and

WHEREAS, the Personnel 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:

COUNTY ROAD FUND:

Decrease Appropriations:

10511000 51000	County Road Fund – Personnel Svcs	10,383
10511000 51000	County Road Fund – Personnel Svcs	12,279
10511000 58002	County Road Fund – Social Security	<u>1,734</u>
		24,396

Increase Appropriations:

02990100 59030	Interfund Transfers – Trans to General Fund	24,396
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GENERAL FUND:

Increase Revenues:

10131000 428551 Interfund Transfers – Transfer from Road Fund 24,396

Increase Appropriations:

10149000 51094	Highway Admin – Temporary	22,662
10149000 58002	Highway Admin – Social Security	<u>1,734</u>
		24,396

2014 Fiscal Impact – 0 –

2015 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5j - Approval/Ratification/Putnam County Sheriff's Benevolent Association (PBA) Contract was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Tartaro, Legislator Nacerino moved the following:

RESOLUTION #170

APPROVAL/RATIFICATION/PUTNAM COUNTY SHERIFF'S BENEVOLENT ASSOCIATION (PBA) CONTRACT

WHEREAS, the Putnam County Sheriff's Benevolent Association ("PBA") and the County of Putnam and Putnam County Sheriff are parties to a Collective Bargaining Agreement ("CBA") which expired on December 31, 2011; and

WHEREAS, negotiations with the PBA for a new and/or amended CBA took place on or about June 8, 2012, July 11, 2012, September 14, 2012, October 22, 2012, November 14, 2012, December 17, 2012, January 11, 2013, January 28, 2013 and April 11, 2013; and

WHEREAS, a final draft of an MOA, dated May 7, 2013, was agreed to by the negotiating teams for the County, the Putnam County Sheriff and the PBA, but was voted down by the PBA Membership; and

WHEREAS, a final meeting took place between the negotiating teams of the PBA, the County of Putnam and the Putnam County Sheriff on October 24, 2013, and the PBA presented a final, unacceptable offer to the County of Putnam and the Sheriff; and

WHEREAS, as a result of the parties' inability to arrive at a mutually acceptable Agreement, a Declaration of Impasse was filed by the County of Putnam, with the agreement of the Sheriff, on November 1, 2013 with the Office of Conciliation of the Public Employment Relations Board; and

WHEREAS, mediation sessions took place between the PBA, the County of Putnam and the Putnam County Sheriff with mediator, Laurie Matles, on February 19, 2014, April 4, 2014 and May 12, 2014; and

WHEREAS, comparable arbitration awards were analyzed and indicated that, on average, police units were being awarded 1.5 to 2.5% per year; and

WHEREAS, in an effort to reach an agreement, the County agreed to increase its offer for 2012 and 2013 from a 0% increase to a 1.5% increase in 2012 and a 2% increase in 2013, however, the PBA agreed that no retroactive payment would be required of the County; and

WHEREAS, in light of this compromise, the PBA, the Putnam County Sheriff and the County of Putnam ultimately came to an Agreement concerning all of the terms and conditions of the employment of its members for the years January 1, 2012 to December 31, 2016 after the aforementioned lengthy period of negotiations and mediation; and

WHEREAS, a Memorandum of Agreement (“MOA”) was executed by Putnam County Executive MaryEllen Odell, by Donald B. Smith, the Putnam County Sheriff, and the attorneys for both Putnam County and the PBA, in which the specific changes to the underlying Collective Bargaining Agreement were outlined; and

WHEREAS, the Membership of the PBA met on May 21, 2013 and approved the MOA; and

WHEREAS, the Personnel Committee held a meeting on June 17, 2014 to discuss the terms of the MOA; and

WHEREAS, the Legislature is in agreement with the administration and the negotiating team that the MOA is in the best interests of the County of Putnam, the Putnam County Sheriff and the Membership of the PBA; now therefore be it

RESOLVED that the Putnam County Legislature hereby approves and ratifies the Memorandum of Agreement, dated May 12, 2014, which was entered into with the PBA for the period of January 1, 2012 up to and including December 31, 2016.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5k – Approval/Budgetary Transfer (14T086)/Commissioner of Finance/Provide Funding for Contract Settlement/Putnam County Sheriff’s Benevolent Association (PBA) was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Tartaro, Legislator Nacerino moved the following:

RESOLUTION #171

APPROVAL/BUDGETARY TRANSFER /COMMISSIONER OF FINANCE/PROVIDE FUNDING FOR CONTRACT SETTLEMENT/PUTNAM COUNTY SHERIFF’S BENEVOLENT ASSOCIATION (PBA)

WHEREAS, the Commissioner of Finance has requested a budgetary transfer (14T086) to provide the funding pursuant to the ratified contract settlement between Putnam County and the Putnam County Sheriff’s Department Police Benevolent Association, Inc.; and

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

RESOLVED, that the following budgetary transfer be made:

GENERAL FUND:

Increase Estimated Appropriations:

17311000 51000	Personal Services	185,561
17311000 58002	FICA	14,196
10311000 51000	Personal Services	68,148
10311000 58002	FICA	5,213
19005060 51000	Personal Services	5,518
19005060 58002	FICA	423
15311000 51000	Personal Services	16,988
15311000 58002	FICA	1,300
16311000 51000	Personal Services	21,145
16311000 58002	FICA	1,618
13311000 51000	Personal Services	23,138
13311000 58002	FICA	1,770

14311000 51000	Personal Services	41,625
14311000 58002	FICA	3,185
20311000 51000	Personal Services	5,953
20311000 58002	FICA	<u>456</u>
		396,237

Decrease Estimated Appropriations:		
19311000 51000	Personal Services	38,124
19311000 58002	FICA	<u>2,916</u>
		41,040

Decrease:		
10199000 54981	Sub-Contingency	355,197

2014 Fiscal Impact – 0 –
2015 Fiscal Impact \$355,197 plus

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5L – Approval/Memorialization/Resolution Calling upon the Governor and the New York State Legislature to Refrain from Enacting New Public Employee Benefit Mandates was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Tartaro, Legislator Nacerino made a motion to Table this item:

Legislator Nacerino stated that she would like to table this resolution to ensure that the language fits our framework here in Putnam County. She stated that the resolution speaks to conforming the Taylor Law and the Triborough Amendment. She stated that while we recognize that something needs to be done to stop State mandates, we are not in total agreement of this template resolution.

Legislator Nacerino made a motion to Table this item; seconded by Legislator Oliverio.

By Roll Call Vote: All Ayes. Carried Unanimously.

APPROVAL/MEMORIALIZATION/RESOLUTION CALLING UPON THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO REFRAIN FROM ENACTING NEW PUBLIC EMPLOYEE BENEFIT MANDATES

WHEREAS, New York State has the highest state and local tax burden in the nation; and

WHEREAS, rising local property taxes contribute to New York’s unenviable status in regards to tax burden; and

WHEREAS, nine state mandates contribute to 90% of the County property tax levy statewide; and

WHEREAS, Governor Andrew M. Cuomo and the Legislative leaders have all pledged on numerous occasions to reduce the burden of local property taxes on businesses and homeowners, including a cap on property taxes, as a way to stimulate the State’s economic recovery; and

WHEREAS, recent reforms to pension costs will generate significant savings many years from now, but counties still struggle with growing pension costs over the near term; and

WHEREAS, the provisions of the Taylor Law and the Triborough Amendment, and mandates for new employee leave benefits contribute to higher personnel costs to counties; and

WHEREAS, the Putnam County recognizes and supports recent efforts by the Governor to decrease the costs to municipalities associated with binding arbitration; and

WHEREAS, these mandated personnel cost increases directly lead to budget increases for counties, and translate to added burdens to local taxpayers who have to pay the costs of these new benefits; now therefore be it

RESOLVED, that the State's Taylor Law reforms should include:

- 1. Further reducing or eliminating the costs and use of interest/binding arbitration;**
- 2. An arbitration panel shall consider an employer's ability to pay when making award determinations and in no event shall an award cause the municipality to exceed, or further exceed, the 2% tax cap;**
- 3. Providing for effective remedies when public employers and unions are found to have refused to negotiate a collective bargaining agreement in good faith;**
- 4. Restrictions on the appointments to the three-member PERB to those persons who have not been employer or union advocates for three years before their appointment;**
- 5. Simplifying the grounds for injunctive relief in improper practice proceedings;**
- 6. Repealing the Triborough Amendment.**

And be it further

RESOLVED, that Putnam County hereby calls upon the NYS Legislature not to enact and the Governor not to approve, any new personnel cost mandates as a first step in achieving their promised reduction in the local property tax burden; and be it further

RESOLVED, that Putnam County calls upon the NYS Legislature and the Governor to enact meaningful mandate relief and additional reforms of compulsory interest arbitration, municipal compensation benefits, and other existing personnel cost mandates that have increased personnel budget costs and added to the burden of local property taxpayers; and be it further

RESOLVED, that copies of this resolution shall be forwarded to Governor Andrew M. Cuomo, Senator Greg Ball, Senator Terry Gipson, Assemblyman Steve Katz, Assemblywoman Sandra Galef, Senate Majority Leader Dean Skelos and Assembly Speaker Sheldon Silver.

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
(Chairwoman LoBue, Legislators Tartaro & Wright)**

Item #5m – Approval/Appointment/Putnam County Home Improvement Board was next. Chairman Albano recognized Legislator LoBue, Chairwoman of the Rules, Enactments & Intergovernmental Relations Committee. On behalf of the members of the Committee, Legislators Tartaro and Wright, Legislator LoBue moved the following:

RESOLUTION #172

APPROVAL/APPOINTMENT/PUTNAM COUNTY HOME IMPROVEMENT BOARD

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

Erin Meagher, Village of Brewster in the Town of Southeast, as a Citizen Representative, for a two (2) year term, said term to expire December 31, 2015.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #5n – Approval/ Re-Establish Fiscal Vision & Accountability Commission was next. Chairman Albano recognized Legislator Scuccimarra, Chairwoman of the Economic Development & Energy Committee. On behalf of the members of the Committee, Legislator Scuccimarra moved the following:

Legislator Oliverio stated that he applauded the bipartisan group of individuals chosen for the Committee. He believed they were a good group of concerned citizens and volunteers. He stated that it was good to have this Committee back and running.

Legislator LoBue questioned if there were still vacancies on this Board.

Legislator Scuccimarra said “yes”. They need to have four (4) more members.

RESOLUTION #173

RE-ESTABLISH FISCAL VISION & ACCOUNTABILITY COMMISSION

WHEREAS, the residents of Putnam County are being over taxed by the various taxing authorities in the County; and

WHEREAS, this over taxation is being basically caused by out of control State mandates; and

WHEREAS, this taxation problem in Putnam County may only be addressed through a unique collaboration of both the public and private sector to study the current services that are being provided and to seek ways to consolidate where possible so that we can stake out a new cause of action for the next generation; and

WHEREAS, this problem is not an easy one to solve as it has developed over the course of many years; and

WHEREAS, a Commission should be established to study and prepare a Fiscal Vision and Accountability Program for Putnam County; now therefore be it

RESOLVED, that the Putnam County Legislature hereby creates a Commission for Fiscal Vision and Accountability consisting of 11 members; and be it further

RESOLVED, that Legislators Barbara Scuccimarra and Ginny Nacerino be appointed as Co-Chairs this Commission; and be it further

RESOLVED, that the following be appointed members of this Commission:

Maureen Fleming, Town of Kent Supervisor
Denise Camilloni, Town of Putnam Valley
Jeffery D. Kellogg, Town of Carmel
Charlie Melchner, Town of Carmel
Neal Sullivan, Town of Carmel

and be it further

RESOLVED, that the additional members of this Commission be approved by the Legislature upon the recommendation of the Economic Development & Energy Committee; and be it further

RESOLVED, that this Commission shall expire on December 31, 2015 unless extended by this Legislature.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #5o – Approval/Budgetary Amendment (14A049)/Commissioner of Finance/Vacancy Control Factor/March 2014 through May 2014 was next. Chairman Albano recognized Legislator Castellano, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Nacerino and Tartaro, Legislator Castellano moved the following:

RESOLUTION #174

APPROVAL/BUDGETARY AMENDMENT /COMMISSIONER OF FINANCE/VACANCY CONTROL FACTOR/ MARCH 2014 THROUGH MAY 2014

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (14A049) to provide for the Vacancy Control Factor for March 2014 through May 2014; 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:

GENERAL FUND:

Decrease Estimated Appropriations:

SEE ATTACHED SHEET	Personal Services	201,649
SEE ATTACHED SHEET	FICA	12,050
SEE ATTACHED SHEET	Dental	863
SEE ATTACHED SHEET	Life Insurance	114
SEE ATTACHED SHEET	Health Insurance	37,292
SEE ATTACHED SHEET	Vision	59
SEE ATTACHED SHEET	Flex Plan	<u>1,082</u>
		253,109

Decrease Estimated Revenues:

10101000 436101	State Aid – DSS	54,765
10101000 446101	Federal Aid – DSS	56,608
10601000 446111	Federal Aid – DSS	4,616
10131000 427705	Vacancy Control Factor	<u>137,120</u>
		253,109

2014 Fiscal Impact – 0 –
2015 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5p – Approval/Budgetary Amendment (14A052)/Probation/DWI Partnership Initiative was next. On behalf of the members of the Audit & Administration Committee, Legislators Nacerino and Tartaro, Legislator Castellano moved the following:

RESOLUTION #175

APPROVAL/BUDGETARY AMENDMENT /PROBATION/DWI PARTNERSHIP INITIATIVE

WHEREAS, the New York State Governor’s Traffic Safety Committee (GTSC) has been allocated federal grant funds for DWI Crackdown Enforcement and DRE Callouts; and

WHEREAS, the NYS Stop-DWI Foundation, Inc., a 501(C)3 organization has entered into contract with NYS GTSC to reallocate these funds to local governments; and

WHEREAS, the Probation Department has requested a budgetary amendment (14A052) to allow for the pass through of funds received from the Foundation to the appropriate participating County agencies; 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 Revenues:

10331500 443890	Probation DWI – Public Safety Other	5,366.52
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Increase Appropriations:

10331500 54936	Probation DWI – Partnership Initiative	5,366.52
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2014 Fiscal Impact – 0 –

2015 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5q – Approval/Budgetary Amendment (14A053)/Emergency Services/2013 Homeland Security Grant was next. On behalf of the members of the Audit & Administration Committee, Legislators Nacerino and Tartaro, Legislator Castellano moved the following:

Legislator Wright stated that he would be recusing himself from this vote because his son is the Assistant Director for Homeland Security.

RESOLUTION #176

APPROVAL/BUDGETARY AMENDMENT /EMERGENCY SERVICES/2013 HOMELAND SECURITY GRANT

WHEREAS, the Bureau of Emergency Services has requested a budgetary amendment (14A053) for the 2013 Homeland Security Grant (SH13-1043-D00) awarded in the amount of \$165,000.00; and

WHEREAS, this grant application was authorized by the Putnam County Legislature by Resolution #217 of 2013; and

WHEREAS, this grant period runs from September 1, 2013 through August 31, 2015; 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 Revenues:

10398901 440891 10112	FY13 Homeland Security – SH13-1043-D00	165,000
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Increase Appropriations:

10398901 51094 10112	FY13 Homeland Security Temporary	7,000
10398901 58002 10112	FY13 Homeland Security Social Security	536
10398901 52130 10112	FY13 Homeland Security Computers <\$5,000	10,000
10398901 52180 10112	FY13 Homeland Security Spec Technical <\$5,000	10,000
10398901 52680 10112	FY13 Homeland Security Spec Technical >\$5,000	75,000
10398901 54540 10112	FY13 Homeland Security Radio Communications	10,000
10398901 54646 10112	FY13 Homeland Security Contracts	50,000
10398901 54510 10112	FY13 Homeland Security Machine Maintenance	<u>2,464</u>
		165,000

2014 Fiscal Impact – 0 –

2015 Fiscal Impact – 0 –

BY POLL VOTE: EIGHT AYES. ONE RECUSAL – LEGISLATOR WRIGHT. MOTION CARRIES.

Item #5r – Approval/Amend the Salaries of Captains in the Putnam County Sheriff’s Department Division of Law Enforcement was next. On behalf of the members of the Audit & Administration Committee, Legislators Nacerino and Tartaro, Legislator Castellano moved the following:

Legislator Castellano stated that this came into play because of the recent PBA Agreement in the Sheriff’s Department and the disparity of the salaries for the employees in charge who are not part of that bargaining agreement.

Legislator Nacerino stated that we needed to lessen the gap between the union employees and the Captains and Lieutenants. She believed that if this is not done we would be targeting our own growth in the County. Officers will no longer seek these non-union management positions in the Sheriff’s Department. She stated that she supported this increase.

Legislator Gross concurred with Legislator Nacerino. He stated that it corrects the inequity that has been going on for quite some time. Some management positions are at a lower salary than the union employees that work under them. This puts that back into perspective. He stated that management employees have more responsibilities and are not paid overtime or receive other union benefits. He stated that this is a problem with not only law enforcement, but also other departments within the County which will be addressed.

Chairman Albano agreed and stated that he also supported this. He stated that it was important at budget time that Department Heads point out where these salary inequities

are occurring. He stated that if the Legislature knows where these inequities exist, then with the Department Heads input, we can address them where they are most appropriate.

RESOLUTION #177

APPROVAL/RESOLUTION TO AMEND THE SALARIES OF CAPTAINS IN THE PUTNAM COUNTY SHERIFF'S DEPARTMENT DIVISION OF LAW ENFORCEMENT

WHEREAS, the Personnel Committee of the Putnam County Legislature considered the approval of the Memorandum of Agreement entered into by the County of Putnam and the Putnam County Sheriff with the Putnam County Police Benevolent Association on June 17, 2014; and

WHEREAS, the MOA was fully ratified at a meeting of the Full Legislature on July 1, 2014; and

WHEREAS, said MOA provides for increases to the base salary of every employee included in the PBA Membership as follows:

Effective January 1, 2012: 1.5% increase to the salary schedule, with no retroactive payment;

Effective January 1, 2013: 2.0% increase to the salary schedule, with no retroactive payment;

Effective January 1, 2014: 2.0% increase to the salary schedule, plus a \$1,000.00 one-time bonus payment

Effective January 1, 2015: 2.0% increase to the salary schedule, plus a \$1,000.00 one-time bonus payment

Effective January 1, 2016: 2.75% increase to the salary schedule; and

WHEREAS, there have been no commensurate salary increases for the Captains who manage and supervise the individuals holding the positions included in the PBA Membership; and

WHEREAS, it is the intent of Putnam County to avoid inequities in pay scales and to recognize the fact that the individuals in said positions would have received the increases included in the PBA collective bargaining agreement had they not taken the promotions which led them to their current positions; and

WHEREAS, such promotions resulted in those affected individuals taking on greater responsibilities without a corresponding increase in salary; and

WHEREAS, Putnam County intends to insure that the base salaries of individuals holding the position of Captain cannot be surpassed by those of individuals serving in subordinate positions; now therefore be it

RESOLVED, that the base salary of individuals whose title is "Captain" shall be increased in each of the years covered by the aforementioned MOA such that they remain at least fifteen percent (15%) higher than the base salary of the highest paid individual holding the position of 1st Sergeant at all times; the base salary of 1st Sergeant being defined as the salary contained in the PBA Contract salary schedule Grade 52 Step 1 (said salary equaling \$ 100,838 in 2014); and be it further

RESOLVED, that an additional stipend of \$6262.00 shall be added to the base salary of the position of Criminal Justice Captain as compensation for additional special duties rendered to the County and Sheriff in the following capacities: as a duly licensed attorney at law rendering legal services for the County and Sheriff, as the Sheriff's Office Records Access Officer designated under the County Code, and as the Sheriff's designated representative in collective bargaining and labor management processes, and that said additional stipend shall be paid only so long as the holder of the position of

Criminal Justice Captain shall be a duly licensed attorney at law and shall continue to perform such special duties; and be it further

RESOLVED, that the annual salaries, effective July 1, 2014, for the "Captain" titled positions pursuant to this Resolution will be

Road Patrol - Captain	\$ 115,964
Communications - Operations Captain	\$ 115,964
Civil -Criminal Justice Captain	\$ 122,226

and be it further

RESOLVED, that said salaries for the "Captain" titled positions shall increase in each of the years following in accordance with the conditions specified above such that they remain at least fifteen percent (15%) greater than the base salary (as that term is defined above) of the highest paid individual holding the position of 1st Sergeant in each successive year of the aforementioned MOA with the PBA; and be it further

RESOLVED, that the individuals whose title is "Captain" shall also receive the \$1,000 bonus which the PBA Membership is entitled to in both 2014 and 2015; and be it further

RESOLVED, that the following budgetary transfer (14T117) be made:

Increase Estimated Appropriations:

13311000 51000	Personal Services	\$ 4,633
10311000 51000	Personal Services	\$ 4,633
15311000 51000	Personal Services	\$ 4,633
13311000 58002	FICA	\$ 354
10311000 58002	FICA	\$ 354
15311000 58002	FICA	\$ 354
		<u>\$ 14,961</u>

Decrease Estimated Appropriations:

15311000 51094	Temporary	\$ 13,898
15311000 58002	FICA	\$ 1,063
		<u>\$ 14,961</u>

Fiscal Impact 2014 - \$ 0

Fiscal Impact 2015 - \$ 34,506 Plus applicable fringe Benefits

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5s – Approval/Resolution to Amend the Salaries of Captain and Lieutenant in the Putnam County Sheriff's Department Division of Corrections was next. On behalf of the members of the Audit & Administration Committee, Legislators Nacerino and Tartaro, Legislator Castellano moved the following:

RESOLUTION #178

APPROVAL/RESOLUTION TO AMEND THE SALARIES OF CAPTAIN AND LIEUTENANT IN THE PUTNAM COUNTY SHERIFF'S DEPARTMENT DIVISION OF CORRECTIONS

WHEREAS, the Sheriff has recommended that the base salary of Correction Captain be comparable to the base salaries of Law Enforcement Division Captain(s); and

WHEREAS, the Sheriff further recommends that the base salary of Lieutenant be 7.5% lower than the base salary of the Corrections Captain; and

WHEREAS, the Personnel Committee of the Putnam County Legislature has reviewed this proposal and forwarded it on to the Audit & Administration Committee; and

WHEREAS, the Audit and Administration Committee has reviewed and approved the Sheriff's recommendation; now therefore be it

RESOLVED, that the annual salaries, effective July 1, 2014, of the individuals whose titles are "captain" and "lieutenant" in the division of Corrections, pursuant to this Resolution, will be

Corrections Captain	\$ 115,964
Corrections Lieutenant	\$ 107,873

And be it further

RESOLVED, that the individuals whose title is "Corrections Captain" and "Corrections Lieutenant" shall also receive the \$1,000 bonus the Law Enforcement "Captains" are entitled to in both 2014 and 2015; and be it further

RESOLVED, that the following budgetary transfer (14T118) be made:

Increase Estimated Appropriations:

10315000 51000	Personal Services	\$ 9,445
10315000 58002	FICA	\$ 723
		<u>\$ 10,168</u>

Decrease Estimated Appropriations:

10311000 51094	Temporary	\$ 9,445
10311000 58002	FICA	\$ 723
		<u>\$ 10,168</u>

Fiscal Impact 2014 - \$ 0

Fiscal Impact 2015 - \$ 21,196 Plus applicable fringe benefits

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5t – Approval/Purchasing Department/Acceptance of Credit Card Payments from the Public was next. On behalf of the members of the Audit & Administration Committee, Legislators Nacerino and Tartaro, Legislator Castellano moved the following:

Legislator Gross stated that it should be noted that there is a transaction fee of 2.65% that the person paying by credit card will have to pay.

Legislator LoBue wanted to clarify that the 2.65% is not a profit for the County. It is a fee that is being charged by the credit card company.

Legislator Tartaro stated that prior to accepting the credit card payment, not only will there be signs posted indicating that there is a 2.65% fee, but each transaction would require the individual to sign a waiver stating that they understand they will be paying this additional charge.

RESOLUTION #179

APPROVAL/PURCHASING DEPARTMENT/ACCEPTANCE OF CREDIT CARD PAYMENTS FROM PUBLIC

WHEREAS, Sections 5 and 5-b of the General Municipal Law authorize certain officers of local governments to collect taxes, fees, charges, fines, civil penalties, rents and rates through credit or debit card payments; and

WHEREAS, a contract has been awarded to a Financing Agency/credit card issuer in accordance with the County's Procurement Policy; and

WHEREAS, New York State has certified Financing Agencies authorized to act as servicing entities for credit card payments to local governments; now therefore be it

RESOLVED, that the Legislature of the County of Putnam hereby finds and determines it to be in the public interest to accept credit cards and credit card Internet payments of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations and other amounts, including penalties, special assessments and interest; and be it further

RESOLVED, that the Commissioner of Finance or his/her designee(s) is hereby authorized to accept credit cards and credit card Internet payments of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations and other amounts, including penalties, special assessments and interest; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contracts and/or agreements on behalf of the County with one or more credit card issuers or financing agencies for the purpose of collecting such payments, including provisions requiring the card holder to pay any and all service, "convenience" or transaction fee charges in connection with the credit card payment, in accordance with Sections 5 and 5-b of the General Municipal Law in form and substance as may be approved by the County Attorney.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5u – Renewal of Lease Agreement between County of Putnam and American Legion Post #275 Town of Philipstown was next. On behalf of the members of the Audit & Administration Committee, Legislators Nacerino and Tartaro, Legislator Castellano moved the following:

RESOLUTION #180

APPROVAL/RENEWAL OF LEASE AGREEMENT BETWEEN PUTNAM COUNTY AND AMERICAN LEGION POST #275/TOWN OF PHILIPSTOWN

WHEREAS, American Legion Post #275 is the owner of certain real property located at Cedar Street, Town of Philipstown, State of New York, including the building, parking area and storage space located thereat (hereinafter the "American Legion"); and

WHEREAS, by Resolution #171 of 2012, the Legislature of Putnam County approved the execution of a Lease Agreement between Putnam County and American Legion Post #275 for the purposes of maintaining and providing a nutrition program and providing a senior center for the elderly population of Putnam County; and

WHEREAS, by Lease Agreement dated August 23, 2012 (hereinafter the "Lease"), Putnam County leased the American Legion for period August 1, 2012 through July 31, 2014 for the above stated purposes; and

WHEREAS, the Lease will expire on July 31, 2014; and

WHEREAS, Putnam County is desirous of continuing to occupy the American Legion and use the American Legion for the above stated purposes; and

WHEREAS, Putnam County is desirous of renewing the Lease with American Legion Post #275 for an additional two-year period; and

WHEREAS, the County Executive, with the advice and assistance of the County Attorney, has entered into preliminary discussions and negotiations with American Legion Post #275 for the renewal of the Lease for an additional two-year period, all other terms and conditions to remain the same; and

WHEREAS, pursuant to New York State County Law Section 215, the County Executive requests that the Putnam County Legislature authorize the renewal of the Lease; now therefore be it

RESOLVED, that Putnam County may renew the Lease with American Legion Post #275 for American Legion; and be it further

RESOLVED, that the County Executive, with the advice and assistance of the County Attorney, is authorized to finalize and execute the renewal of the Lease for an additional two-year period, all other terms and conditions to remain the same as on the current Lease, which renewal Lease shall be in substantial conformance with the form attached hereto as "Schedule A"; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6 - Other Business

a) Decentralized Budget Process/Concern Addressed by Legislator Wright

Legislator Wright stated that this evening the Legislature approved Item #5a – Approval/2015 Decentralized Budget Review Process for Preparation and Adoption of the 2015 County Budget. He stated that Section E provides the guidelines to the County Executive adopted by the Legislature for determining expenditures, limits and priorities. In Paragraph E, Subsection 20 provides that the Legislature is permitted, and he would suggest encouraged, to give such guidance and direction. He stated that apparently an examination of recent, if not all, records in the last ten years disposes that this Legislature has not made any such recommendations to the County Executive in connection with the budget review process. He requested that the Budget & Finance Committee meet at least once before the issue of what additional new items we might want to include in the review process is too late to be acted upon.

Item #7 - Recognition of Public

Undersheriff Convery stated that on behalf of Sheriff Smith he wanted to thank the Legislature for resolving the salary inequities of our career professionals and managers in the Sheriff's Department.

Item #8 - Recognition of Legislators

Legislator Scuccimarra stated that summer is here and although during the holidays we are very generous to our food pantries, the summer months are a very hard time for them. She asked that everyone please remember to donate to them. She stated that a little donation goes a long way.

Legislator Oliverio stated that he wished everyone a Happy 4th of July. He stated that there are many activities taking place in the County, including the Putnam County Fair, and wished everyone to stay safe.

Chairman Albano stated that we have an exciting weekend coming up and hope that a lot of people get to visit the Tilly Foster Farm Fair.

Legislator Gross wished everyone a wonderful 4th of July. He stated that there are many activities taking place; Tilly Foster Farm Fair through the weekend and also the Town of Southeast will have their firework display in the Home Depot area.

Chairman Albano stated that because of these activities taking place, there will be different traffic patterns in this area and asked everyone to be prepared and take this into consideration when they are traveling.

Legislator LoBue wished everyone a healthy and happy summer season. She mentioned that the Red Mills Historic District Committee will host an Independence Day concert on July 4th at Red Mills Historic Park which will begin at 7:30 pm.

Reporter for the Putnam County Courier, Eric Gross, requested that the meeting be closed in memory of three long time fire service members in Putnam County.

Legislator LoBue stated that she would like to close the meeting in memory of Chris Kristensen who was a 40 year member of the Mahopac Falls Fire Department; and Jena Nolan, the 14 year old young lady who drowned in Lake Mahopac. She stated that our hearts and prayers go out to their families.

Mr. Eric Gross stated that there were also two gentlemen from the Carmel Fire Department that passed away in the last week; John Duane who was head of the Fire Police for many years and the former Chief Thomas Boyce.

There being no further business, at 7:48 P.M., Chairman Albano made a motion to adjourn; seconded by Legislator Oliverio. All in favor.

Respectfully submitted, Diane Schonfeld, Clerk.