

**PERSONNEL COMMITTEE  
ROOM 318  
OF THE  
PUTNAM COUNTY OFFICE BUILDING  
CARMEL, NEW YORK 10512**

**Members: Chairwoman Nacerino, Legislators Castellano and Tartaro**

**Monday**

**May 19, 2014**

**The meeting was called to order at 6:30 p.m. by Chairwoman Nacerino who requested Legislator Tartaro lead in the Pledge of Allegiance. Upon roll call, Chairwoman Nacerino and Legislators Castellano and Tartaro were present.**

**Item #3) Approval/Personnel Committee Meeting Minutes/April 22, 2014**

Legislator Tartaro made a motion to approve the April 22, 2014 Meeting Minutes as submitted; Seconded by Legislator Castellano. All in favor.

**Item #4) Approval/Health Department Reorganization/Budgetary Amendment (14A037)  
(Discussed at the May 13<sup>th</sup> Health Committee Mtg)**

Chairwoman Nacerino stated this reorganization has come about as a result of a resignation and a vacancy in the Health Department. She stated that the proposed reorganization will result in a fiscal savings of \$29,260.00 for 2014 and will result in an annual savings of approximately \$40,000.

Legislator Tartaro made a motion to approve the Health Department Reorganization/Budgetary Amendment (14A037); Seconded by Legislator Castellano. All in favor.

Legislator Castellano made a motion to waive the Rules and accept the additional; Seconded by Legislator Tartaro. All in favor.

**Item #5) Approval/Commissioner of Health Renewal of Appointment**

Chairwoman Nacerino stated this is to approve Dr. Beals to complete serving his remaining four (4) years of his six (6) year term as the Putnam County Commissioner of Health.

Chairwoman Nacerino made a motion to move the approval of Commissioner of Health- Renewal of Appointment to the Audit & Administration Committee Meeting; Seconded by Legislator Castellano. All in favor.

**Item #6) Approval/Resolution to restore the salary of the Commissioner of Health/  
Budgetary Amendment (14A042)**

Chairwoman Nacerino stated when Dr. Beals was appointed as the Putnam County Commissioner of Health by County Executive Odell, it was stated that there were some courses that he needed to take as the Commissioner of Health. Dr. Beals has satisfied all of the requirements of the State. She stated that the approval of this budgetary amendment (14A042) will restore his salary to \$167,000, effective June 5, 2014, which is the salary of the previous Commissioner of Health.

Chairwoman Nacerino made a motion to move the Approval of Budgetary Amendment (14A042) to the Audit & Administration Committee Meeting; Seconded by Legislator Tartaro. All in favor.

**Item #7) Approval/Office For Senior Resources (Formerly :Office For Aging)/Cover Sub CDL Driver/Fund Transfer (14T071)**

Legislator Castellano made a motion to Approve Office For Senior Resources Fund Transfer (14T071); Seconded by Legislator Tartaro. All in favor.

**Item #8) Other Business**

**a.) Discussion/District Attorney to Address May 17, 2014 LoHud Article Regarding Appointment of Chief Assistant District Attorney**

Chairwoman Nacerino stated that she will invite Legislator Oliverio to address this matter.

Legislator Oliverio stated that he met with District Attorney Levy regarding the article posted on LoHud May 17, 2014. He stated that District Attorney Levy explained that the article was completely inaccurate and the statements made by Attorneys in the article are not Practicing Attorneys. The article pertained to the appointment of the Chief Assistant District Attorney in the Putnam County District Attorney's Office. The bottom line is that residency is not a requirement for the person in that position as long as that person is not designated to carry out the responsibilities of the District Attorney if he/she is unable to do so. He stated that District Attorney Levy notified him that he received approval of his appointment of his Chief Assistant District Attorney and his appointment of his designee to fill in as District Attorney if he is unable to carry out his duties as District Attorney from the head of the New York State District Attorneys Ethics Committee.

Chairwoman Nacerino stated that when she read the article she believed that it was just a bunch of propaganda. She stated this matter was vetted out by this Legislature earlier this year, when the District Attorney brought his proposal to this committee. She stated that there was no opposing opinion from the Legislative Counsel. She stated that the District Attorney's proposal of his Chief Assistant District Attorney was passed by resolution with an eight (8) to one (1) vote of the Full Legislature. She stated that she was very comfortable with her vote then as she is now.

District Attorney Levy stated that the Public Officers Law §3.55 and the New York State County Law section §7.02 have been followed in his appointments. He stated that he sent a copy of the opinion he received from the previous President of the New York State District Attorneys' Association in regards to his appointments in the Putnam County District Attorney's Department to the reporter who wrote the article, Mr. Higgins. He stated that Mr. Higgins apparently was not interested in the facts. He stated that there is nothing unlawful in the appointments he made. District Attorney Levy explained that he believes that Mr. Higgins continues to write inaccurate articles, creating stories, rather than reporting news. He stated that the media should, in his view, serve as the fourth branch of government; keeping checks and balances on the other three (3). However, when you have reporters such as Mr. Higgins and his editors who simply allow such salacious claims to be printed against good, hardworking, honest public servants for the simple purpose of selling newspapers it tarnishes us all. He stated that the people of this County should be able to feel confident that the local reporters are reporting on the facts and on the news. The reporters should not be creating news. He stated that the use of his famous mother's name, "Judge Judy", is a draw to his articles. It is Mr. Higgins' attempt to get "hits" on his articles by using "Judge Judy" in every article that he writes about him. District Attorney Levy stated, "Shame on Mr. Higgins, shame on the Journal News", the people of Putnam County deserve better. He stated that there is a lot more

important work going on in Putnam County that the people should be reading about. Reporters like Mr. Higgins are doing a huge disservice to our residents. He stated he would like to go back to the business of protecting the people of this County from those who would do harm.

Chairwoman Nacerino stated that she agrees with District Attorney Levy. She stated an article like this also challenges the integrity of this Legislature; and insinuates that the Legislators were remiss in their legislative responsibilities. She stated that the Legislators vetted this matter out at the time that it was presented and the Legislature was very comfortable with their decision.

Legislator LoBue stated that not only are they targeting, in her opinion, the District Attorney personally, but they are also doing a disservice to the entire District Attorney Office. She stated there are a lot of people who make that office run and they need to stay focused and concentrated, as the District Attorney said, on the important issues; solving crimes and protecting the County. They are doing a disservice on so many levels. In her opinion, it is an embarrassment to our County.

District Attorney stated that he has always been one to come before this Legislature whenever a topic comes up involving his office. He stated he does not send a representative from his office to do his bidding, or to provide an explanation of an area of law, that he should know himself. He stated that he comes in front of this board because he believes that the Legislature is entitled to hear from him directly, the elected District Attorney of Putnam County. He stated that he will continue to come up to this Legislature to answer any question (s). He stated he believes in open government and transparency.

**b) Discussion/June Personnel Meeting/Status of Temporary Employee**

Legislator LoBue stated that she has a matter that she would like addressed at the June Personnel Meeting regarding a Temporary Employee who was hired to fill in for the Director of Communications, while she was absent. She stated that she is still gathering information on this matter and would like it addressed next month.

**Item #9) Adjournment**

**There being no further business, at 6:50 P.M. Chairwoman Nacerino made a motion to adjourn; Seconded by Legislator Castellano. All in favor.**

**Respectfully submitted by Diane Trabulsy, Deputy Clerk of the Legislature.**