

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

Tuesday

September 2, 2014

7:00 P.M.

The meeting was called to order at 7:00 P.M. by Chairman Albano who requested Legislator Gross 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 September 11th – National Day of Service & Remembrance proclamation to the representatives of the Putnam County Communities That Care Coalition: Deputy Commissioner of Social Services/Mental Health/Youth Bureau; Joseph DeMarzo as Co-Chair, Ms. Elaine Santos as Coordinator and Chauntel Wright as VetCorps Prevention Coordinator. Ms. Santos stated that residents are encouraged to attend the actual event where they can write cards and letters to our service people. It will be held on September 11th at Corner Stone Park from 2:00-5:00 pm.

SEPTEMBER 11TH – NATIONAL DAY OF SERVICE & REMEMBRANCE

WHEREAS, On September 11, 2001, the peace and security of our nation was shattered by terrorist attacks that killed many innocent people at the World Trade Center towers in New York City, at the United States Pentagon, and in the pristine fields of Shanksville, Pennsylvania. Although the terrorists' goal was to strike a powerful blow to the hearts of all Americans and tear at the fabric of our nation, what arose from the very ashes of that tragedy came a remarkable spirit of unity, compassion and determination that will never be forgotten, just as we will never forget those who were lost and injured on that day, and those who came in service during the rescue and recovery efforts and in defense of our nation both here at home and abroad; and

WHEREAS, people of all ages and walks of life, across America, and around the world, collectively witnessed an event of immense tragedy on September 11, 2001; and

WHEREAS, an unprecedented, historic bonding of Americans ascended from the collective shock, unifying the country in an outpouring of national spirit, pride, selflessness, generosity, courage and service; and

WHEREAS, many brave people heroically, tirelessly and courageously participated in an extraordinarily difficult and dangerous rescue and recovery effort, in some cases voluntarily putting their own well-being at risk; and

WHEREAS, the President of the United States, on September 11, 2009, issued the Patriot Day Proclamation officially and permanently designating September 11th as a National Day of Service and Remembrance, and calling upon all interested Americans to participate in this observance through moments of silence, the flying of the flag of

the United States at half-staff, as well as community service and charitable activities in tribute and remembrance; now therefore be it

RESOLVED, that the Putnam County Executive, and the Putnam County Legislature recognize the VetCorps Project c/o Putnam County Communities That Care Coalition and the Putnam County Office of Veterans' Services for coordinating a community event that will invite and welcome residents to write "Thank You" letters to First Responders, Veterans Abroad, Veterans at Home, Police Officers and Fire Fighters and express their sincere observance and appreciation for the outpouring of dedicated service. September 11th will never, and should never be just another day in the hearts and minds of all Americans and people around the world.

Chairman Albano recognized Legislator Oliverio who presented the "National Recovery Month" proclamation to the Deputy Commissioner of Social Services/Mental Health/Youth Bureau; Joseph DeMarzo, Executive Director of the National Council on Alcoholism and Other Drug Dependencies/Putnam; Kristin McConnell and the National Council on Alcoholism Coordinator of Special Projects, Michele Gumina.

Ms. McConnell also mentioned that, as part of recovery month, they are hosting a Medication Take Back Day in Cold Spring on September 20, 2014 from 9:00 am – 12:00 pm at the American Legion on Cedar Street and another Medication Take Back Day at Putnam Hospital on November 1, 2014 from 9:00 am – 2:00 pm.

RECOGNIZING SEPTEMBER AS "NATIONAL RECOVERY MONTH"

WHEREAS, behavioral health is an essential part of health and one's overall wellness and prevention of mental and/or substance use disorders works, treatment is effective, and people recover in our area and around the nation; and

WHEREAS, preventing and overcoming mental and/or substance use disorders is essential to achieving healthy lifestyles, both physically and emotionally; and

WHEREAS, we must encourage relatives and friends of people with mental and/or substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

WHEREAS, 2.5 million people ages 12 or older received specialty treatment for a substance use disorder and 34.1 million adults ages 18 or older received mental health services, according to the *2012 National Survey on Drug Use and Health*. Given the serious nature of this public health problem, we must continue to reach the millions more who need help; and

WHEREAS, to help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP), and the National Council on Alcoholism and Other Drug Dependencies/Putnam and Putnam County prevention and treatment providers invite all residents of Putnam County to participate in *National Recovery Month (Recovery Month)*; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim September 2014 as *National Recovery Month* and together with the Putnam County Communities That Care Coalition encourage all Putnam County residents to observe this month with appropriate programs, activities, and ceremonies to support this year's *Recovery Month*.

Item#3 - Approval of Minutes – Regular Meeting – August 5, 2014

The minutes were approved as submitted.

Item #4 – Correspondence

- a) County Auditor was duly noted.

Item #5 – Pre-filed resolutions:

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

Item #5a – Approval/Fund Transfer (14T168)/District Attorney/Stenographer & Special Services was next. Chairman Albano recognized Legislator Gross, Chairman of the Protective Services Committee. On behalf of the members of the Committee, Legislators LoBue and Wright, Legislator Gross moved the following:

RESOLUTION #196

APPROVAL/FUND TRANSFER /DISTRICT ATTORNEY/STENOGRAPHER & SPECIAL SERVICES

WHEREAS, the District Attorney has requested a fund transfer (14T168) to cover costs needed for Stenographer & Special Services Budget Lines; and

WHEREAS, the Protective Services Committee and the Audit & Administration Committee have reviewed and approve said fund transfer; now therefore be it

RESOLVED, that that following fund transfer be made:

Decrease:

| | | |
|-----------------------|------------------------------|---------------|
| 10199000 54980 | General Contingencies | 30,000 |
|-----------------------|------------------------------|---------------|

Increase:

| | | |
|-----------------------|------------------------------|---------------|
| 10116500 54612 | Stenographic Services | 20,000 |
|-----------------------|------------------------------|---------------|

| | | |
|-----------------------|-------------------------|----------------------|
| 10116500 54682 | Special Services | <u>10,000</u> |
|-----------------------|-------------------------|----------------------|

| | | |
|--|--|----------------------|
| | | <u>30,000</u> |
|--|--|----------------------|

2014 Fiscal Impact \$30,000

2015 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5b – Approval/Grant Applications/Bureau of Emergency Services/ Critical Infrastructure Grant/ Technical Rescue / Urban Search and Rescue Grant / Hazardous Materials Emergency Preparedness Grant was next. On behalf of the members of the Protective Services Committee, Legislators LoBue and Wright, Legislator Gross moved the following:

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

RESOLUTION #197

APPROVAL/GRANT APPLICATIONS/BUREAU OF EMERGENCY SERVICES/ CRITICAL INFRASTRUCTURE GRANT/ TECHNICAL RESCUE / URBAN SEARCH AND RESCUE GRANT / HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT

WHEREAS, Section 5-1(D)(1) of the Putnam County Code requires the Legislature to approve all grant applications prior to submission and that in the event when time is of the essence requiring submission before Legislature approval, consideration of the application shall occur at the next Full Legislative Meeting; and

WHEREAS, the Bureau of Emergency Services has and would like to apply for three grants under the current Homeland and State Security Grants with deadlines for application occurring before this Legislative Meeting; and

WHEREAS, one of these applications is for a Critical Infrastructure Grant to upgrade the back-up emergency communications shelter of Mt. Ninham which grant is 100% funded, being due on August 4, 2014; and

WHEREAS, the second application is for Technical Rescue / Urban Search and Rescue Grant to fund and create a County Special Operations Team to support the volunteer emergency service network in Putnam County which grant is 100% funded, being due July 29, 2014; and

WHEREAS, the third application is for a Hazardous Materials Emergency Preparedness Grant to assist Local Emergency Planning Committees for the period of October 1, 2014 – September 31, 2015 with a minimum funding of \$2,961.53 which grant is 100% funded being due August 29, 2014; and

WHEREAS, the Protective Services Committee has considered and approved of these grant applications; now therefore be it

RESOLVED, that the Putnam County Legislature approves and authorizes the Putnam County Bureau of Emergency Services to apply for these three grants under the current Homeland and State Security Grants.

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

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

Item #5c – Approval/Budgetary Transfer (14T175)/Law Department/Legal Services 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 #198

APPROVAL/BUDGETARY TRANSFER /LAW DEPARTMENT/LEGAL SERVICES

WHEREAS, the County Attorney has requested a budgetary transfer (14T175) to cover the cost of legal services for the remainder of 2014; and

WHEREAS, the Rules, Enactments & Intergovernmental Relations Committee and the Audit & Administration Committee have reviewed and approve said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Increase Appropriations:

| | | |
|----------------|---------------------------------|--------|
| 10142000 54125 | Law Department – Legal Services | 50,000 |
|----------------|---------------------------------|--------|

Decrease Expenses:

| | | |
|----------------|-----------------------|--------|
| 10199000 54980 | General Contingencies | 50,000 |
|----------------|-----------------------|--------|

2014 Fiscal Impact \$50,000

2015 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5d – Approval/Local Law/Amend Chapter 83 of the Code of Putnam County Entitled “Department of Probation” was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Tartaro and Wright, Legislator LoBue moved the following:

RESOLUTION #199

APPROVAL/LOCAL LAW/AMEND CHAPTER 83/CODE OF PUTNAM COUNTY ENTITLED “DEPARTMENT OF PROBATION”

A Local Law to Amend Chapter 83 of the Code of Putnam County entitled “Department of Probation”

BE IT ENACTED by the Legislature of the County of Putnam, New York as follows:

Section 1.

A new Article IV entitled “Fees for Drug and/or Alcohol Testing” is hereby added to Chapter 83 of the Code of Putnam County to read as follows:

Section 83-16. Legislative Intent and Objectives:

The Putnam County Legislature hereby determines that the costs associated with the administration of drug and/or alcohol testing services provided by the County of Putnam, by and through its Probation Department, should be defrayed by requiring drug and/or alcohol testing fees established by the Putnam County Probation Department be paid by adult individuals who have been convicted of a crime, who may be ordered to serve a sentence of probation supervision or diversion, as defined under New York State Penal Law, the Family Court Act of the State of New York, and including Treatment Court participants, and any adult person who is subject to a term of interim probation, or a sentence of Conditional Discharge, where, as a condition of supervision or probation, such person is required to submit to drug and/or alcohol testing.

Section 83-17. Authorization to Charge and Enforcement of Drug and Alcohol Testing Fees:

(a) Every person who has been sentenced to a period of adult probation supervision, as that term is defined under New York State Penal Law, upon conviction of a crime, who is subject to supervision by the Probation Department under other conditional probation terms with drug and/or alcohol testing requirements, including adults placed on probation supervision in Family Court, and Treatment Court participants, shall pay to the Probation Department such fees as established by the Probation Department for the administration of such drug and/or alcohol testing.

(b) The Probation Department may waive part or all of the drug and/or alcohol testing fee where, because of the indigence of the offender, the payment of such fee would work an unreasonable hardship on such offender, his or her immediate family, or any other person who is dependent on such offender for financial support.

(c) Monies collected pursuant to this Article IV shall be deposited with the Commissioner of Finance and shall be utilized for such purposes as contemplated under this Article IV.

(d) In the event of non-payment of any testing fees which have not been waived by the Probation Department, the County may seek to enforce payment of such fees in any manner permitted by law for the enforcement of a debt.

Section 83-18. Agreement:

Every person liable to pay a drug and/or alcohol testing fee under this Article IV shall be informed of and be required to review a Payment Notification and Agreement in such form and substance as the Probation Department prescribes. The individual assessed such testing fee(s) may, but not be required to, sign the Payment Notification and Agreement form.

Section 83-19. Rules and Regulations.

The Director of Probation is empowered to adopt departmental policies and procedures necessary to implement this Article IV, including, as may, from time to time, be required, the testing fees established by the Probation Department, and any other portion of this Article IV.

Section 83-20. Aid and Reimbursement.

All drug and/or alcohol testing fees collected hereunder shall be excluded from consideration by the Division of Probation when it determines state aid reimbursement pursuant to Section 246 of the Executive Law.

Section 83-21. Severability.

If any section, subsection, sentence, clause, phrase or other portion of this amendment to Chapter 83 Local Law Article IV is, for any reason, declared unconstitutional, invalid and/or unenforceable, in whole or in part, by any court of competent jurisdiction, such section, subsection, sentence, clause, phrase or other portion shall be deemed severable and such unconstitutionality, invalidity and/or unenforceability shall not affect the remaining portions of this Local Law Article IV, which shall remain in full force and effect.

Section 83-22. Applicability.

This article shall only be applicable on or after the effective date of this Article IV to those individuals set forth in Section 83-17 hereof.

Section 2.

This Local Law shall take effect immediately.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5e – Approval/Amend Local Law #9 of 2012/ In Relation to Requirement of Providing an Apprenticeship Training Program and Having Appropriate Apprenticeship Agreements in Place by Contractors/ Subcontractors to Putnam County Project Labor Agreements in Connection with the Purchase of Construction Goods and Services for Major Construction Projects was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Tartaro and Wright, Legislator LoBue moved the following:

Legislator LoBue stated that this related to major construction projects over \$1 million dollars.

Legislator Gross thanked his colleagues for holding this off for thirty days as we did at the August Full meeting. It allowed the Legislature to review the fine print and look at all the components to make sure a local non-union contractor would be able to compete successfully on projects.

Chairman Albano believed the apprenticeship program was something that he wanted to see in the future for our youth that are getting involved in trade businesses.

Legislator LoBue stated that this is in conjunction with the Project Labor Agreement and an analysis is performed to determine if this would be cost effective.

RESOLUTION #200

APPROVAL/AMEND LOCAL LAW #9 OF 2012 / IN RELATION TO REQUIREMENT OF PROVIDING AN APPRENTICESHIP TRAINING PROGRAM AND HAVING APPROPRIATE APPRENTICESHIP AGREEMENTS IN PLACE BY CONTRACTORS/ SUBCONTRACTORS TO PUTNAM COUNTY PROJECT LABOR AGREEMENTS IN CONNECTION WITH THE PURCHASE OF CONSTRUCTION GOODS AND SERVICES FOR MAJOR CONSTRUCTION PROJECTS

WHEREAS, by Resolution #39 of 1998, the Legislature of Putnam County authorized enactment of Local Law #7 of 1998, known as the “Putnam County Project Labor Agreement Law,” and by Resolution #162 of 2012, the Legislature of Putnam County authorized enactment of Local Law #9 of 2012, amending Local Law #7 of 1998, which legislation is in relation to consideration and utilization of Project Labor Agreements, when appropriate, in connection with the purchase of construction goods and services for major construction projects in Putnam County; and

WHEREAS, Putnam County wishes to further amend the Project Labor Agreement contained in Local Law #9 of 2012; now therefore be it

BE IT ENACTED by the Legislature of the County of Putnam, New York as follows:

LOCAL LAW #9 of 2012 is hereby amended to read as follows:

Section 1. Legislative Intent and Objectives:

1. The Legislature of the County of Putnam, together with the County Executive, hereby determines that, where appropriate, the consideration and utilization of Project Labor Agreements in connection with the planning, preparation and execution of Major Construction Projects in the County will serve to promote the intents and purposes of competitive bidding statutes, including the prevention of favoritism, improvidence, extravagance, fraud and corruption in the awarding of public contracts, assures the prudent use of public monies and facilitates the obtaining of high quality goods and services at the lowest possible price. It is the objective of the Local Law, formally known as the “Putnam County Project Labor Agreement Law,” as amended, to ensure that a Project Labor Agreement is used by the County of Putnam in connection with a Major Construction Project only if it is demonstrated that the use of the Project Labor Agreement in any given Major Construction Project is in furtherance of such intents and purposes.

2. The use of Project Labor Agreements will be considered only in connection with Major Construction Projects. For the purposes of this Local Law, as amended, a “Major Construction Project” shall be construed to mean any project: (i) where the total estimated construction cost exceeds the sum of one million dollars (\$1,000,000); or (ii) the estimated time of completion exceeds thirty-six months; or (iii) where time is of the essence in completing the project due to the constraints of any mandated schedule contained in a judgment, order or consent decree of any court of any state or federal agency having jurisdiction.

3. When considering utilizing a Project Labor Agreement in any Major Construction Project, the heads of all departments and offices of the County of Putnam engaged or involved in the planning, preparation and execution of any Major Construction Project shall consider the purposes of the competitive bidding statutes, namely, the prevention of favoritism, improvidence, extravagance, fraud and corruption in the awarding of public contracts and obtaining high quality goods and services at the lowest possible price, and such heads of all departments and offices of the County of Putnam shall consider, examine and determine whether the use of a Project Labor Agreement in any given Major Construction Project is in the best interest of the County of Putnam.

4. In determining whether the use of a Project Labor Agreement is in the best interests of the County of Putnam, the heads of all departments and offices of the County of Putnam engaged or involved in the planning, preparation and execution of any Major Construction Project shall consider the intents and purposes of competitive bidding statutes as set forth in subdivision one of this Section.

5. The decision by the County of Putnam to utilize Public Labor Agreements in connection with the planning, preparation and execution of Major Construction Projects will be made on a case-by-case basis and not on a *pro forma* basis.

6. In addition to, but not in limitation of, the foregoing requirements, Contractors and Subcontractors to a Project Labor Agreement in any Major Construction Project shall provide trade-specific apprenticeship programs, through supervised training and education, and have in place, prior to entering into any Project Labor Agreement, apprenticeship agreements, appropriate for the type and scope of the work to be performed, that have been registered with and approved by the State Commissioner of Labor, pursuant to Article 23 of the New York Labor Law.

Section 2. Impact Analysis of Project Labor Agreements:

The heads of all departments and offices of the County of Putnam engaged or involved in the planning, preparation and execution of any Major Construction Project seeking to justify the use of a Project Labor Agreement on a given Major Construction Project must conduct an analysis and direct the preparation of a feasibility/due diligence report substantiating any projected economic savings and demonstrating that the use of a Project Labor Agreement will promote the objective of completing the project at the lowest reasonable cost. Such an analysis and preparation of the feasibility/due diligence report must be completed prior to the inclusion of a Project Labor Agreement provision in any bid specification. A predetermination shall be made in advance of directing the required analysis and preparation of the feasibility/due diligence report by the heads of all departments and offices of the County of Putnam engaged or involved in the planning, preparation and execution of any Major Construction Project to determine the appropriateness of utilizing a Project Labor Agreement in any given Major Construction Project. No Project Labor Agreement shall discriminate against union or non-union contractors or employees. In demonstrating that the use of a Project Labor Agreement will result in the completion of the project at the lowest reasonable cost, the analysis should address such factors as: the percentage of union and non-union contractors expected to bid on the project; an analysis of local collective bargaining agreements to determine their number and diversity and whether a Project Labor Agreement will result in significant cost savings by harmonizing their divergent provisions; the likelihood of interrupted revenues and/or whether labor unrest will occur on the project and the economic impact that any delays resulting from such unrest will have on the project or the facilities being improved thereby; an analysis of the size and likely duration of the project to determine whether a Project Labor Agreement will be beneficial by providing continuity in the terms and conditions that will govern a project through its completion; document how the Project Labor Agreement will achieve significant, verifiable economic savings due to the coordination of various craft schedules and other terms and conditions by using a uniform agreement rather than various local union agreements; describe how the Project Labor Agreement will alter provisions in existing collective bargaining agreements relating to, among other things: wages, including provisions relating to overtime and shift differentials; work rules and practices; and productivity, safety, efficiency and dispute resolution; identify potential cost savings and flexibility due to alternative dispute resolution procedures in response to job site problems, jurisdictional disputes and workers compensation claims; and consider the likelihood of immediate and efficient access to skilled journey level workers and the opportunity for apprentice recruitment and training.

The terms of any Project Labor Agreement negotiated pursuant to the Putnam County Labor Agreement Law, as amended, shall comply with all applicable federal, state and local laws and regulations which require equal employment opportunities.

Section 3. Project Labor Agreement Implementation and Content:

Upon a determination by the County of Putnam to utilize a Project Labor Agreement in connection with a specific Major Construction Project, the County Executive, or his/her duly appointed representative(s), shall be directly involved in negotiating the terms of the Project Labor Agreement. Upon a determination by the County of Putnam to utilize a Project Labor Agreement in connection with any specific Major Construction Project, the unions affiliated with the Putnam County Building and Construction Trades Council shall designate a board composed of not less than five nor more than seven members who shall act as the exclusive bargaining agent and representative for tradespeople employed for the project for the purpose of negotiating the terms of a Project Labor Agreement. Any Project Labor Agreement negotiated pursuant to the terms of this Local Law, as amended, shall require that the parties shall not discriminate against any employee or applicant on the basis of age, race, creed, color, national origin, sex, disability (excluding a bona fide occupational qualification), genetic predisposition or carrier status, or marital status and shall require the parties to operate in full compliance with all applicable federal, state and local laws and regulations which require equal employment opportunities. The Project Labor Agreement, when duly approved, shall be included in the bid specification for the project. The form of any Project Labor Agreement to be entered into by the County of Putnam in connection with any Major Construction Project shall be subject to the approval of the County Attorney. Nothing contained in the Local Law, as amended, shall be construed to authorize or permit the inclusion of any term or condition in any Project Labor Agreement or in any bid specification issued by the County of Putnam which would unduly restrict competition, unlawfully discriminate or otherwise impair the ability of all contractors to participate and submit bids in connection with a proposed public work project, in strict accordance with the requirements of Section 103 of the New York State General Municipal Law. All successful bidders shall become signatories to the respective Major Construction Project's Project Labor Agreement.

Upon a determination by the County of Putnam to utilize a Project Labor Agreement in connection with any specific Major Construction Project, Contractors' and Subcontractors' apprenticeship agreements shall follow the standards set forth by Article 23 of the New York Labor Law.

Section 4. Effective Date:

This Local Law shall take effect immediately.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5f – Approval/Re-Appointments/Putnam County Home Improvement Board was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Tartaro and Wright, Legislator LoBue moved the following:

RESOLUTION #201

APPROVAL/RE-APPOINTMENTS/PUTNAM COUNTY HOME IMPROVEMENT BOARD

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

Peter Joseph Domin, Town of Southeast, as a Citizen Representative, for the remainder of the two (2) year term, said term to expire December 31, 2014 and for an additional two (2) year term, said term to expire December 31, 2016.

Michael Porcelli, Town of Carmel, as a Contractor Representative, for the remainder of the two (2) year term, said term to expire December 31, 2014 and for an additional two (2) year term, said term to expire December 31, 2016.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

RESOLUTION #202

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

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

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

- (a) the administration of examinations (testing fees)**
- (b) the issuance and/or renewal of licenses (licensing fees)**
- (c) application fees and**
- (d) electrical inspection fees; and**

WHEREAS, by Resolution #102 of 2012, the Putnam County Legislature last set these fees; and

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

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

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

FEE SCHEDULE

| | |
|--|------------------|
| Application Fee | \$ 150.00 |
| Master License Fee | \$ 500.00 |
| Special Master License Fee | \$ 500.00 |
| Limited Data Communications Technician Fee | \$ 150.00 |
| Journey Level License Fee | \$ 100.00 |
| Helper Certification Fee (2 years) | \$ 20.00 |
| Late Fee (after 1/31) for Master License | \$ 100.00 |
| Late Fee (after 10/31) for Journeyman License | \$ 25.00 |

| | | |
|--|----|-------|
| Decals (first one free) | \$ | 6.00 |
| Underwriter Application Fee | \$ | 30.00 |
| Certified Copy of Master License Fee | \$ | 10.00 |
| Testing Fee (given by Thomson Prometric) | \$ | 90.00 |
| Copy of Test Results | \$ | 15.00 |
| Annual Shelving Fee of Master License | \$ | 50.00 |
| Bi-Annual Shelving fee of Journeyman License | \$ | 50.00 |

Reciprocal Electrical License Fees

| | | |
|--|----|--------|
| Westchester County (per calendar year) | \$ | 500.00 |
|--|----|--------|

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5h – Approval/Electrical Civil Penalties/Pursuant to Section 145-26(C)(2) of the Putnam County Code was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Tartaro and Wright, Legislator LoBue moved the following:

RESOLUTION #203

APPROVAL/ELECTRICAL CIVIL PENALTIES/PURSUANT TO SECTION 145-26(C)(2) OF THE PUTNAM COUNTY CODE

WHEREAS, section 145-26(c)(2) of the Putnam County Code authorizes the Putnam County Electrical Board to impose a civil penalty as set by the County Legislature; and

WHEREAS, by Resolution #103 of 2012, the Putnam County Legislature last set these fees; and

WHEREAS, pursuant to Section 145-26(c)(2) a civil penalty schedule has been reviewed and approved by the Rules, Enactments & Intergovernmental Relations Committee; now therefore be it

RESOLVED, that the following Civil Penalty Schedule is hereby approved and adopted by the Putnam County Legislature:

CIVIL PENALTY SCHEDULE

| | | |
|--|----|-----------|
| Transfer of License (covering) (145-15) | \$ | 5,000.00 |
| Unlicensed Electrical Work (145-5,17,18,19,20 & 23) | \$ | 1,250.00+ |
| Violation of Prohibitive Acts (145-11) | \$ | 1,000.00+ |
| Master Allowing Work Under Him/Her by an Unlicensed Journeyman or Unregistered Helper (145-16) | \$ | 1,000.00+ |
| Failure to File Electrical Underwriter Application (145-13) | \$ | 150.00+ |
| No Decal on Vehicle (145-24C) | \$ | 50.00+ |
| No Signage on Vehicle (145-24D) | \$ | 100.00+ |
| Contractor Failure to Maintain E-Verify and/or Payroll Documentation of Workers on Job Site | \$ | 500.00+ |
| Worker on Job Site with No ID (per Worker)** | \$ | 250.00 |
| **Contractor and Worker Provide ID, E-Verify, Payroll Records within 2 County Working Days Reduces Fine | \$ | 100.00 |
| Master Found in Violation of Worker's Comp. Exemption | \$ | 500.00 |

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5i – Approval/Amend Legislative Manual/ Legislative Prayer was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Tartaro and Wright, Legislator LoBue moved the following:

RESOLUTION #204

APPROVAL/ AMEND LEGISLATIVE MANUAL/ LEGISLATIVE PRAYER

WHEREAS, the Putnam County Legislature is desirous of opening its Legislative Meetings with a non-denominational prayer; and

WHEREAS, the U.S. Supreme Court in a recent ruling allowed this type of prayer in the case of Town of Greece v. Galloway 2014 WL 17577828; and

WHEREAS, the County Attorney’s office has opined that this type of prayer is acceptable as long as it complies with the following guidelines:

- A) The Legislature is not required to censure the content of the religious leaders’ speeches by removing references to religious themes or figures. Id. at *10.
- B) The prayers must be directed at the *Legislature* and should not “direct [] the public to participate in the prayers, single [] out dissidents....or indicate [] that [the legislative body’s] decisions might be influenced by a person’s acquiescence in the prayer.” Id. at *15.
- C) Over time, the prayers should not “denigrate nonbelievers or religious minorities, threaten damnation, or preach conversion.” Id. at *11.
- D) The Legislature should maintain a policy of nondiscrimination concerning the religious affiliation of any minister or layman who wishes to give prayers. As long as such a policy is maintained, “the Constitution does not require [a legislative body] to search beyond its borders for non-Christian prayer givers in an effort to achieve religious balancing.” Id. at *13.; and

WHEREAS, the Rules, Enactments & Intergovernmental Relations Committee has reviewed and approves of this procedure; now therefore be it

RESOLVED, that Section IV of the Putnam County Legislative Manual entitled Rules of Order and Procedure; Subsection Rule 5(A) entitled Order of Business; Subsection 1 be amended to read as follows:

- 1a. Pledge of Allegiance
- 1b. Legislative Prayer

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

PERSONNEL COMMITTEE
(Chairwoman Nacerino, Legislators Castellano & Tartaro)

Item #5j – Approval/Fund Transfer (14T159)/Department of Social Services/Overtime 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 #205

APPROVAL/FUND TRANSFER/DEPARTMENT OF SOCIAL SERVICES/OVERTIME

WHEREAS, the Department of Social Services has requested a fund transfer (14T159) to utilize funds from vacant CPS Caseworker position June-August to cover Services for Child Welfare, Child Protective and Adult Protective projected overtime and on-call through year end; and

WHEREAS, the Personnel Committee and the Audit & Administration Committee have reviewed and approve said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

| | | |
|----------------------------|--------------------|--------------|
| Decrease: | | |
| 10102000 51000 (601002126) | Personnel Services | 12,357 |
| Increase: | | |
| 10102000 51093 | Overtime | 5,984 |
| 10102000 51098 | On-Call | <u>6,373</u> |
| | | 12,357 |

2014 Fiscal Impact – 0 –

2015 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5k – Approval/Reclassification of Principal Typist Position in Office for Senior Resources was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Tartaro, Legislator Nacerino moved the following:

RESOLUTION #206

APPROVAL/RECLASSIFICATION OF PRINCIPAL TYPIST POSITION IN OFFICE FOR SENIOR RESOURCES

WHEREAS, the position of Principal Typist in the Office of Senior Resources under Title III is in need of upgrading to that of Confidential Secretary; and

WHEREAS, there is no additional cost to the County for this upgrade; and

WHEREAS, the Personnel Committee has considered and approved of this upgrade; now therefore be it

RESOLVED, that the Position of 677210103 in the Office of Senior Resources is hereby upgraded from Principal Typist to Confidential Secretary.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #5L – Approval/Negative Declaration/ Planning Department/ADA Transit Accessibility II Project (PIN 8823.44) was next. On behalf of the members of the Physical

Services Committee, Legislators Nacerino and Scuccimarra, Chairman Albano moved the following:

RESOLUTION #207

APPROVAL/NEGATIVE DECLARATION/ PLANNING DEPARTMENT /ADA TRANSIT ACCESSIBILITY II PROJECT (PIN 8823.44)

WHEREAS, by Resolution #383 of 2011 the Putnam County Legislature approved and authorized the Department of Planning, Development & Public Transportation to apply for a grant from the Federal Transit Administration's New Freedom Program for the construction and reconstruction of sidewalks and improvements in the Towns of Carmel and Southeast; and

WHEREAS, this grant application was granted; and

WHEREAS, this project now known as the ADA Transit Accessibility II Project (PIN 8823.44) will involve the construction of concrete curbing and sidewalk at four locations. The vast majority of new sidewalks will be constructed on existing impervious surfaces. Work associated with the sidewalk construction includes concrete curbing, closed drainage along curb lines, signing and pavement striping. Installation of the sidewalk/curbing will require sawcutting the existing asphalt approximately 1 inch off the proposed curb line and removal of the existing material for installation of curbing, 6 inch of sub-base and 4 inch of concrete for sidewalk; and

WHEREAS, the proposed projects are located at four (4) locations within Putnam County, New York; Old Route 6 in the Town of Carmel, North Main Street in the Town of Southeast, Peaceable Hill Road in the Town of Southeast, and the intersection of Route 6 and Allview Avenue in the Town of Southeast; and

WHEREAS, the ADA Transit Accessibility II Project (PIN 8823.44) has been determined to be a SEQR Unlisted Action in accordance with the New York State Department of Environmental Conservation's Part 617; and

WHEREAS, a Short Environmental Assessment form was prepared pursuant to SEQR; and

WHEREAS, as part of the environmental review process, the Putnam County Planning Department conducted an uncoordinated review in accordance with §617.6 and determined that the proposed project will not result in any potential significant adverse environmental impacts; now therefore be it

RESOLVED, that the Putnam County Legislature, as lead agency, hereby accepts and adopts the Negative Declaration prepared in connection with the ADA Transit Accessibility II Project (PIN 8823.44), a copy of which is annexed hereto and made a part hereof.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5m – Approval/Putnam County Veterans' Residence/ Lease Agreement Renewals was next. On behalf of the members of the Physical Services Committee, Legislators Nacerino and Scuccimarra, Chairman Albano moved the following:

RESOLUTION #208

APPROVAL/PUTNAM COUNTY VETERANS' RESIDENCE/LEASE AGREEMENT RENEWALS

WHEREAS, the County of Putnam is the owner of certain real property, including the building situated thereon, located at 9 Drew Lane, Carmel, New York 10512, which is known as the Putnam County Veterans' Residence; and

WHEREAS, the Putnam County Veterans' Residence is operated as a communal residence for veterans who meet the established eligibility criteria; and

WHEREAS, the County of Putnam previously entered into separate lease agreements with the veterans listed in the attached Schedule "A", for single-residence rooms in the Putnam County Veterans' Residence; and

WHEREAS, said lease agreements expired on July 31, 2014 and the County of Putnam is desirous of renewing same for a period of one (1) year; now therefore be it

RESOLVED, that the County of Putnam approves the renewal of the leases between the County and the veterans listed in the attached Schedule "A"; and be it further

RESOLVED, that the County Executive is authorized to execute renewal lease agreements with the veterans listed in the attached Schedule "A", for said single-residence rooms in the Putnam County Veterans' Residence at the rental amounts listed in the attached Schedule "A", which renewal leases shall be in the form attached hereto as Schedule "B"; and be it further

RESOLVED that the County Attorney is authorized to take whatever legal action is necessary to effectuate said renewal lease agreements in the manner approved herein and as written.

RESOLVED, this Resolution shall take effect immediately.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5n – Approval/SEQRA Determination was next. On behalf of the members of the Physical Services Committee, Legislators Nacerino and Scuccimarra, Chairman Albano moved the following:

RESOLUTION #209

APPROVAL/ SEQRA DETERMINATION

WHEREAS, the Putnam County Legislature is considering a \$500,000 Bond issue for the Reconstruction and/ or Resurfacing of Various County Highways in Putnam County, New York, and

WHEREAS, this action has been determined to be a Type II Action in accordance with 6 NYCRR Part 617.5(c)(4) "repaving of existing highways not involving the addition of new travel lanes", now therefore be it

RESOLVED, that the Putnam County Legislature accepts the determination that this project is a Type II Action and pursuant to the State Environmental Quality Review Act §617.6(1)(i), there is no further environmental review necessary.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5o – Approval/Bond Resolution/ Reconstruction and/or Resurfacing of Various County Highways 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 he would be voting “no” on all of these bonds. He stated that the Auditors Report stated that the County has a surplus right now of \$19 million dollars. Legislator Oliverio also anticipated that there will be an excess of \$2.5 million collected in sales tax revenue for this year, which would bring the surplus total to approximately \$21 million dollars. He asked that the Legislature support these projects by paying for them with cash. He stated that these bonds tonight total approximately \$1.6 million dollars. He believed this amount should come out of the excess surplus or excess sales tax revenue. He believed that we would be putting our County in serious debt by bonding. He stated that he asked the Auditors if it was a good idea to increase the debt to a level of \$70 million dollars, which is approximately half the amount of our total budget. Legislator Oliverio stated that he was in favor of these projects but did not want to put the County in any more debt.

Legislator Nacerino stated that when the Auditors came they stated that the County was in great standing as opposed to some of our neighboring Counties. She believed that when we went over these bonds with Commissioner Carlin during the Committee meetings, it was explained to us that it was more prudent to use surplus funds on things that are more burdensome or more costly such as; pension costs. She stated that she would support this bonding.

Legislator Gross stated that with a surplus of approximately \$21 million dollars, he questioned if there was a ceiling on the amount of surplus the County can have, such as with the case of the School Districts.

Legislator Oliverio stated that when he questioned the Auditors, they recommended having at least 5% to 7% available in surplus or as high as 10% of our budget which would be equivalent to approximately \$14 million dollars. He stated that we are paying for things on credit and not paying with cash when we have the cash. He believes that it makes it look good for the immediate moment that we are not spending our surplus, however, in reality we are \$70 million dollars in debt.

Legislator Gross stated that we are facing pending litigation matters, however, he would agree with Legislator Oliverio in the fact that \$1.6 million is not a great deal of money to expend instead of bonding since we have a large surplus of funds.

Chairman Albano stated that the bonding rates are extremely low. He did not believe that we will see these low rates in the next few years. He stated that in the end if we see that we have a large surplus that we are uncomfortable with, he believed that there were many other expenses that we could pay down. He stated that there are bonds that are coming off and new bonds going on at a lower rate. He stated that financially, compared to other Counties, we are in a good position and we are not overspending.

Legislator LoBue stated that for her, increasing the debt service was not a philosophy she was in favor of. She believed that bonding was a hidden tax. She believed that we needed to prioritize spending. She stated that these were items that needed to be done, however, she believed that we should utilize the excess surplus to pay for them. She stated that earlier in the year the Administration requested that we approve a bond for the mowing equipment at the Golf Course. She stated that after a lengthy discussion it

was decided that the equipment would be purchased by using excess sales tax revenue. She stated that if you do look at other counties, as some Legislators mentioned, the biggest problems these counties have is that they are drowning in debt. She believed that we should err on the side of caution.

Legislator Wright stated that with the recent disclosure to this Legislature of its exposure in certain matters of litigation, he would be supportive of these bonds in general. However, the sentiments that have been expressed merit very careful scrutiny going forward once we know where we stand with that litigation which could take up a sizeable chunk of any surplus that we think we have. He stated that he would stand with those who oppose bonding until we get back in better condition. He stated that to be told we are in good shape among other counties is not, as was mentioned, a good place to be. He stated that some counties are in dire straits and it is time to have a clearer outlook on bonding.

Chairman Albano believed that bonding gives us some control. If we have extra money we can pay down debt.

RESOLUTION #210

EXTRACT OF MINUTES

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

September 2, 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 September 2, 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 SEPTEMBER 2, 2014, AUTHORIZING THE RECONSTRUCTION AND/OR RESURFACING OF VARIOUS COUNTY HIGHWAYS; STATING THE ESTIMATED TOTAL COST THEREOF IS \$500,000; APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$500,000 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 reconstruct and/or resurface various County highways. The estimated total cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$500,000 and said amount is hereby appropriated therefor. The plan of financing, includes the issuance of \$500,000 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 \$500,000 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 the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 of the Law, is fifteen (15) 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, Nacerino, Scuccimarra, Tartaro, Wright and Chairman Albano.

NOES: THREE – Legislators Gross, LoBue and Oliverio.

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 September 2, 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 September 2, 2014 and approved by the County Executive on _____, 2014.

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

(SEAL)

Diane Schonfeld
Clerk to the County Legislature

NOTICE

The resolution, a summary of which is published herewith, has been adopted on September 2, 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 SEPTEMBER 2, 2014, AUTHORIZING THE
RECONSTRUCTION AND/OR RESURFACING OF VARIOUS COUNTY
HIGHWAYS; STATING THE ESTIMATED TOTAL COST THEREOF IS
\$500,000; APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$500,000 SERIAL BONDS OF
SAID COUNTY TO FINANCE SAID APPROPRIATION.**

Object or purpose: to reconstruct and/or resurface various County highways

**Period of probable
usefulness:** fifteen (15) years

**Amount of obligations
to be issued:** \$500,000

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: September 2, 2014
Carmel, New York

Item #5p – Approval/SEQRA Determination was next. On behalf of the members of the Physical Services Committee, Legislators Nacerino and Scuccimarra, Chairman Albano moved the following:

RESOLUTION #211

APPROVAL/ SEQRA DETERMINATION

WHEREAS, the Putnam County Legislature is considering a \$500,000 Bond issue for the Rehabilitation and/ or Reconstruction of Various County-Owned Bridges and Culverts located in Putnam County, New York, and

WHEREAS, the proposed project would involve in-kind rehabilitation and/ or reconstruction of several county-owned bridges and culverts in need of repair with no expansions thereof, and

WHEREAS, this action has been determined to be a Type II Action in accordance with 6 NYCRR Part 617.5(c)(1) “maintenance or repair involving no substantial changes in an existing structure or facility”, now therefore be it

RESOLVED, that the Putnam County Legislature accepts the determination that this project is a Type II Action and pursuant to the State Environmental Quality Review Act §617.6(1)(i), there is no further environmental review necessary.

**BY POLL VOTE: SEVEN AYES. TWO NAYS – LEGISLATORS GROSS & LOBUE.
MOTION CARRIES.**

Item #5q – Approval/Bond Resolution/ Rehabilitation and/or Reconstruction of Various County-Owned Bridges and Culverts was next. On behalf of the members of the Physical Services Committee, Legislators Nacerino and Scuccimarra, Chairman Albano moved the following:

RESOLUTION #212

EXTRACT OF MINUTES

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

September 2, 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 September 2, 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 SEPTEMBER 2, 2014, AUTHORIZING THE REHABILITATION AND/OR RECONSTRUCTION OF VARIOUS COUNTY-OWNED BRIDGES AND CULVERTS; STATING THE ESTIMATED TOTAL COST THEREOF IS \$500,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$500,000 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 rehabilitate and/or reconstruct various County-owned bridges and culverts. The estimated total cost thereof, including preliminary costs and costs

incidental thereto and to the financing thereof, is \$500,000, and said amount is hereby appropriated therefor. The plan of financing, includes the issuance of \$500,000 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 \$500,000 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 the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 10 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, Nacerino, Scuccimarra, Tartaro, Wright and Chairman Albano.

NOES: THREE – Legislators Gross, LoBue and Oliverio.

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 September 2, 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 September 2, 2014 and approved by the County Executive on _____, 2014.

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

(SEAL)

Diane Schonfeld
Clerk to the County Legislature

NOTICE

The resolution, a summary of which is published herewith, has been adopted on September 2, 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 SEPTEMBER 2, 2014, AUTHORIZING THE REHABILITATION
AND/OR RECONSTRUCTION OF VARIOUS COUNTY-OWNED BRIDGES
AND CULVERTS; STATING THE ESTIMATED TOTAL COST THEREOF IS
\$500,000; APPROPRIATING SAID AMOUNT THEREFOR; AND
AUTHORIZING THE ISSUANCE OF \$500,000 SERIAL BONDS OF SAID
COUNTY TO FINANCE SAID APPROPRIATION.**

Object or purpose: the rehabilitation and/or reconstruction of various County-owned bridges and culverts

Period of probable usefulness: twenty (20) years

Amount of obligations to be issued: \$500,000

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: September 2, 2014
Carmel, New York

Item #5r – Approval/SEQRA Determination was next. On behalf of the members of the Physical Services Committee, Legislators Nacerino and Scuccimarra, Chairman Albano moved the following:

RESOLUTION #213

APPROVAL/ SEQRA DETERMINATION

WHEREAS, the Putnam County Legislature is considering a \$605,000 Bond issue for the Acquisition of Various Highway Equipment for the Department of Highways, Putnam County, New York, and

WHEREAS, the Department of Highways is proposing the acquisition of various highway equipment, including highway snow trucks, and

WHEREAS, this action has been determined to be a Type II Action in accordance with 6 NYCRR Part 617.5(c)(25) “purchase or sale of furnishings, equipment or supplies, including surplus government property: land, radioactive material, pesticides, herbicides or other hazardous materials”, now therefore be it

RESOLVED, that the Putnam County Legislature accepts the determination that this project is a Type II Action and pursuant to the State Environmental Quality Review Act §617.6(1)(i), there is no further environmental review necessary.

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

Item #5s – Approval/Bond Resolution/ Acquisition of Various Highway Equipment was next. On behalf of the members of the Physical Services Committee, Legislators Nacerino and Scuccimarra, Chairman Albano moved the following:

RESOLUTION #214

EXTRACT OF MINUTES

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

September 2, 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 September 2, 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 SEPTEMBER 2, 2014, AUTHORIZING THE ACQUISITION OF VARIOUS HIGHWAY EQUIPMENT; STATING THE ESTIMATED TOTAL COST THEREOF IS \$605,000; APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$605,000 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 acquire various highway equipment, including highway snow

trucks. The estimated total cost of such class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$605,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$605,000 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 \$605,000 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 the class of objects or purposes for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) 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: SEVEN – Legislators Castellano, Gross, Nacerino, Scuccimarra, Tartaro, Wright and Chairman Albano.

NOES: TWO – Legislators LoBue and Oliverio.

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 September 2, 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 September 2, 2014 and approved by the County Executive on _____, 2014.

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

(SEAL)

Diane Schonfeld
Clerk to the County Legislature

NOTICE

The resolution, a summary of which is published herewith, has been adopted on September 2, 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 SEPTEMBER 2, 2014, AUTHORIZING THE ACQUISITION OF VARIOUS HIGHWAY EQUIPMENT; STATING THE ESTIMATED TOTAL COST THEREOF IS \$605,000; APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$605,000 SERIAL BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION.

Object or purpose: the acquisition of various highway equipment, including highway snow trucks

Period of probable usefulness: fifteen (15) years

Amount of obligations to be issued: \$605,000

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: September 2, 2014
Carmel, New York

Item #5t – Approval/ Budgetary Amendment (14A076)/Highways & Facilities/2014 CHIPS Highway Aid / Account for Bonding of: Equipment, Roads, Bridges & Culverts 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 this is in support of the CHIPS which he had no problem with.

RESOLUTION #215

APPROVAL/ BUDGETARY AMENDMENT /HIGHWAYS & FACILITIES/2014 CHIPS HIGHWAY AID

WHEREAS, the Highways & Facilities Department has requested a budgetary amendment (14A076) to account for our CHIPS Highway Aid as per the adopted NYS Budget; and

WHEREAS, this budgetary amendment also accounts for three (3) bonds of; Highway Equipment, Roads and Bridges & Culverts; and

WHEREAS, the Physical Services Committee and the Audit & Administration Committee have reviewed and approve said budget amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Increase Estimated Appropriations:

| | | |
|----------------------|-------------|----------------|
| 55197000 53000 51425 | CHIPS 2014 | 220,767 |
| 55132000 52660 51430 | Snow Trucks | <u>605,000</u> |
| | | 825,767 |

Decrease Estimated Appropriations:

| | | |
|----------------------|-------------------------|----------------|
| 55197000 53000 51420 | Bridges & Culverts 2014 | 750,000 |
| 55197000 53000 51421 | Infrastructure 2014 | <u>200,000</u> |
| | | 950,000 |

| | | |
|-------------------------------------|-------------------|---------|
| Decrease Estimated Revenues: | | |
| 05000 45710E 51420 | Serial Bonds 2014 | 750,000 |
| 05000 45710E 51421 | Serial Bonds 2014 | 200,000 |

| | | |
|-------------------------------------|------------------------|----------------|
| Increase Estimated Revenues: | | |
| 55197000 435011 51425 | State Aid – CHIPS 2014 | 220,767 |
| 05000 45710E 51430 | Serial Bonds 2014 | <u>605,000</u> |
| | | 825,767 |

2014 Fiscal Impact – 0 –
2015 Fiscal Impact – Undetermined Debt Service

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #5u – Approval/Budgetary Amendment (14A075)/Finance/Legal Aid Society/Indigent Legal Services 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 #216

APPROVAL/BUDGETARY AMENDMENT /FINANCE/LEGAL AID SOCIETY/INDIGENT LEGAL SERVICES

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (14A075) to account for NYS Indigent Legal Services Distribution #4 for the period 6/1/14 – 12/31/14, as well as a grant allocation from NYS Indigent Legal Services from 8/1/14 – 12/31/14; and

WHEREAS, Putnam County will act as a pass through for these funds; and

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

RESOLVED, that the following budgetary amendment be made:

| | | |
|---|-------------------|--------|
| Increase Estimated Appropriations: | | |
| 25117000 54950 | Legal Aid Society | 69,182 |

| | | |
|-------------------------------------|-------------------------------------|--------|
| Increase Estimated Revenues: | | |
| 25117000 430251 | State Aid – Indigent Legal Services | 69,182 |

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

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5v – Approval/Budgetary Amendment (14A078)/Office for Senior Resources/Grant Award/2014 Retired and Senior Volunteer Program (RSVP) was next. On behalf of the

members of the Audit & Administration Committee, Legislators Nacerino and Tartaro, Legislator Castellano moved the following:

RESOLUTION #217

APPROVAL/BUDGETARY AMENDMENT /OFFICE FOR SENIOR RESOURCES /GRANT AWARD/2014 RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP)

WHEREAS, the Director of the Office for Senior Resources has requested a budgetary amendment (14A078) to account for the one-time augmentation to the 2014 Retired and Senior Volunteer Program (RSVP) federal award in the amount of \$2,500; and

WHEREAS, the funds will support RSVP grantees to participate in training and technical assistance opportunities; 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:

| | | |
|-----------------|-----------------------------|-------|
| 10677300 447731 | OSR RSVP – Federal Aid RSVP | 2,500 |
|-----------------|-----------------------------|-------|

Increase Appropriations:

| | | |
|----------------|-----------------------------------|--------------|
| 10677300 52130 | OSR RSVP – Computer Equipment | 1,400 |
| 10677300 54782 | OSR RSVP – Software & Accessories | <u>1,100</u> |
| | | 2,500 |

2014 Fiscal Impact – 0 –

2015 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5w – Approval/Fund Transfer (14T183)/Planning Department/Leased Transportation/ Veterans was next. On behalf of the members of the Audit & Administration Committee, Legislators Nacerino and Tartaro, Legislator Castellano moved the following:

Legislator Scuccimarra commended Transportation Manager, Vincent Tamagna for bringing this program forward. It serves the Veterans who have trouble getting to their medical appointments. She commended Mr. Tamagna and Deputy County Clerk, Michael Bartolotti for scheduling the transportation.

RESOLUTION #218

APPROVAL/FUND TRANSFER /PLANNING DEPARTMENT/LEASED TRANSPORTATION/ VETERANS

WHEREAS, the Planning Department has requested a fund transfer (14T183) to provide medical transportation for Veterans; and

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

RESOLVED, that the following fund transfer be made:

| | | |
|----------------|-----------------------------|--------|
| Decrease: | | |
| 10199000 54980 | Contingency | 65,000 |
| Increase: | | |
| 10651000 54678 | Leased Transportation | 65,000 |
| | 2014 Fiscal Impact \$65,000 | |
| | 2015 Fiscal Impact – 0 – | |

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5x – Approval/Local Law to Amend Chapter 5 of the Putnam County Code Entitled “Appropriations” was next. On behalf of the members of the Audit & Administration Committee, Legislators Nacerino and Tartaro, Legislator Castellano moved the following:

RESOLUTION #219

APPROVAL/LOCAL LAW TO AMEND CHAPTER 5 OF THE PUTNAM COUNTY CODE ENTITLED “APPROPRIATIONS”

A Local Law to Amend Chapter 5 of the Putnam County Code Entitled “Appropriations”

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

Section 1.

Section 5-1 Subsection D of the Putnam County Code is hereby amended to read as follows:

D. Grant Applications and Renewals requiring County Matching Funds.

1) The Legislature shall approve all grant applications and subsequent renewals thereafter prior to submission for all applications requiring County matching funds. In the case where time is of the essence and legislative approval before submission is not possible, the Legislature shall be furnished the grant application for consideration by the next Full Legislative meeting.

2) Once a grant application has been awarded, the Commissioner of Finance shall notify the Legislature in writing and submit the appropriate budgetary amendment for approval, identifying the line item distribution of the grant funds received.

Section 2.

Section 5-2 of the Putnam County Code is hereby amended by adding a new subsection E to read as follows:

E. Grant Applications and Renewals not requiring any County Matching Funds:

Upon any grant applications and subsequent renewals thereof not requiring any County matching funds the applicant shall notify the Putnam County Legislature of the

submission of the grant at the time of application. In the event the Legislature objects to such grant application, the applicant shall withdraw it forthwith.

Section 3.

Subsection E of the existing Putnam County Code is hereby renumbered Subsection F.

Section 4.

This Local Law shall take effect immediately.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6 – Other Business

Chairman Albano made a motion to accept the Other Business Item #6a; seconded by Legislator Oliverio.

Legislator Oliverio stated that the Legislature just received this information this afternoon. He requested that this item be tabled to the next appropriate meeting. He stated that he was concerned about two (2) of the places on the farm that he would like more information on.

Legislator Wright stated that rather than a motion to lay on the table, he wanted to clarify that we needed unanimous consent to accept the Other Business.

Chairman Albano requested a roll call vote to accept the Other Business.

By Roll Call Vote: Five Ayes – Legislators Castellano, Nacerino, Scuccimarra, Tartaro and Chairman Albano. Four Nays – Legislators Gross, LoBue, Oliverio and Wright. Motion Fails.

Item #7 – Recognition of Public

Ms. Ann Fanizzi, Southeast Resident, requested clarification on the wording of Item #5e “Requirement of Providing an Apprenticeship Training Program and Having Appropriate Apprenticeship Agreements in Place”. She questioned who determines what an appropriate apprenticeship program is.

Legislator Tartaro stated that when this was initially presented, it was not clear to him to whether a non-union apprenticeship program employed by a non-union shop would qualify to put in a bid. He stated that it was explained very thoroughly that both union and non-union apprenticeship programs are allowed under our Project Labor Agreement (PLA).

Ms. Fanizzi questioned if these apprenticeship programs were under State regulations or guidelines and independent of collective bargaining agreements that could or could not have apprenticeship programs involved.

Legislator Oliverio said, “yes”.

Ms. Fanizzi stated that she wanted to be sure that the greatest of latitude and opportunity be given to everyone to be in an apprenticeship program.

Ms. Fanizzi stated that with respect to Item #5i – Legislative Prayer, since Legislator Wright proposed this and gave as the procedure 1a. Pledge of Allegiance and 1b. Legislative Prayer, she questioned if the meeting was commenced after the Pledge.

Legislator Wright said, “indeed”, consistent with the Court’s ruling and no one need participate in it other than those Legislators who desire to do so. It is a Legislative prayer, consistent with the past practice of this Legislature going back since its inception.

Ms. Fanizzi questioned if the Pledge of Allegiance was considered the beginning of the session because her understanding of the ruling was that they wanted the prayer separate from the session so that the public would not be unduly inconvenienced by the prayer.

Ms. Fanizzi questioned if the order of the Pledge of Allegiance and the Legislative Prayer met the guidelines of the Court ruling.

Chairman Albano believed it did. He stated that this is “Recognition of the Public”. He stated that if she wanted a definitive answer to please send something in writing to the Legislature.

Ms. Fanizzi stated that she has filed a FOIL request to the Legislature, Law Department and Finance Department concerning the rents at Tilly Foster Farm. She stated that she was looking forward to a response to those FOIL’s.

Item #8 – Recognition of Legislators

Legislator Gross stated that on Saturday, September 20, 2014, the Brewster VFW Post 672 will celebrate its 75th Anniversary at the Starr Ridge Banquet Center. He stated that if anyone was interested in attending, he requested that they contact him at the Legislative Office and he would relay the time and cost of this event.

Legislator Castellano stated that this Sunday, September 7, 2014, will be Brewster’s Founders Day in the Village of Brewster.

Chairman Albano stated that he wanted to close the meeting in memory of Greg Quinn who recently passed away. Greg Quinn was a Kent Town Board member from 1980 to 1985 and he was a Putnam County Legislator from 1985 to 1993.

Legislator Wright stated that he served as a Legislator with Greg Quinn. He stated the he was a gentleman of distinction and added a great quality to deliberations.

There being no further business, at 7:44 pm, Chairman Albano made a motion to adjourn; seconded by Legislator Wright. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.