

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

Tuesday

May 5, 2015

7:00 P.M.

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

Chairman Albano made a motion to TABLE Item #6L – Approval/Confirmation/Appointment/Commissioner of Bureau of Emergency Services; seconded by Legislator LoBue. All in favor

PROCLAMATIONS

Chairman Albano recognized Legislator Scuccimarra to present the proclamation for “March 2015 as Developmental Disabilities Awareness Month and April 2015 as Autism Awareness Month” to PARC’s Executive Director Ms. Susan Limongello, Director of Day Habilitation Services Ms. Pepi Diaz Salazar and Manager of one of the PARC homes in Putnam Valley Mr. Brandon Gilson.

**MARCH 2015 AS DEVELOPMENTAL DISABILITIES AWARENESS MONTH
APRIL 2015 AS AUTISM AWARENESS MONTH**

WHEREAS, PARC – Exceptional Opportunities for People with Disabilities - is an integral part of our community, serving both as a business as well as a human services agency; and

WHEREAS, for sixty one years, PARC has been the leading provider of services for children and adults with developmental disabilities from birth through advanced age; and

WHEREAS, PARC is one of the leading employers in Putnam County and also offers Vocational Training and Vocational Rehabilitation to participants so they can provide quality work to the business community, training employees in both supported and competitive placements and preparing high school special education students with the skills needed to enter the workforce; and

WHEREAS, PARC educates and assists children with autism and special needs through its Preschool to reach their fullest potential and retain their success through their participation in the public school system; and

WHEREAS, PARC’s residential program provides a family atmosphere for more than 130 people in both homes and apartments throughout Putnam County; and

WHEREAS, PARC’s clinic provides a support system for both PARC participants and their families through individual, group, and vocational counseling; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim March 2015 and April 2015 as Developmental Disabilities Awareness Month and Autism Awareness Month, respectively, and recognize and commend PARC on its Sixty First Anniversary and for the valuable services this agency provides to people with disabilities, their families, and the business community.

Chairman Albano recognized Legislator Gross to present the “Putnam County Youth Bureau High School Senior Recognition Day” proclamation to Deputy Commissioner of Social Services/Mental Health/Youth Bureau, Joseph DeMarzo, Judge James Reitz, High School Seniors and Youth Bureau Representatives – Janeen Cunningham, Barbara Reitz, Charlessa Thatcher, Donna Scannapieco, Andrea Hoag, Pamela Follett.

High School Seniors Kaitlin Deigan of the Mentoring Program and Christopher Rueda and Megan Hoins of the Youth Court program described their involvement in the programs and expressed their thanks to the County Executive and the Legislature for their continued support of these programs.

PUTNAM COUNTY YOUTH BUREAU HIGH SCHOOL SENIOR RECOGNITION DAY

WHEREAS, Putnam County Youth Bureau Senior Recognition is an opportunity to celebrate the contributions young people make to our community every day of the year through volunteer service and service-learning;

WHEREAS, Putnam County recognizes our youth as important community members, and values their unique skills, perspectives, and ideas, as they lead awareness, service, and advocacy activities;

WHEREAS, Youth Bureau volunteers donate their time to programs such as Youth Court Teen-N-Kids Mentoring and a wide variety of service activities throughout Putnam County;

WHEREAS, realizing the need for community involvement, the citizens of Putnam County are proud to unite in assisting our youth to achieve their goals and help them to develop good citizenship;

WHEREAS, the accomplishments and achievements of these young citizens deserve the recognition and commendation of their community leaders; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim May 5, 2015 as Putnam County Youth Bureau High School Senior Recognition Day and thank these high school seniors for their long-standing dedication and commitment to the Putnam County community.

Chairman Albano recognized Legislator Addonizio to present the “Support for the 2015 Sale of Buddy Poppies” proclamation to Ms. Joan Russell and the other members of the VFW Ladies Auxiliary #1374 that were present.

SUPPORT FOR THE 2015 SALE OF BUDDY POPPIES

WHEREAS, the annual sale of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by government leaders since 1922; and

WHEREAS, V.F.W. Buddy Poppies are assembled by disabled veterans and the proceeds of this worthy fund raising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans; and

WHEREAS, the basic purpose of the annual sale of Buddy Poppies by Veterans of Foreign Wars is eloquently reflected in the desire to “Honor the Dead by Helping the Living”; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on the day set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead; and be it further

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

Chairman Albano recognized Legislator Nacerino to present the “Support for Older Americans Month 2015” proclamation to Office for Senior Resources Director Patricia Sheehy.

SUPPORT FOR OLDER AMERICANS MONTH 2015

WHEREAS, Putnam County a thriving community of older Americans who deserve recognition for their contributions and sacrifices to ensure a better life for future generations; and

WHEREAS, Putnam County is committed to helping all individuals live longer, healthier lives in the communities of their choice for as long as possible; and

WHEREAS, since 1965, the Older Americans Act has provided services that help older adults remain healthy and independently by complementing existing medical and health care systems, helping prevent hospital readmissions, and supporting some of life’s most basic functions, such as bathing or preparing meals; and

WHEREAS, these programs also support family caregivers; address issues of exploitation, neglect, and abuse of older adults; and adapt services to the needs of Native American elders; and

WHEREAS, we recognize the value of community engagement and service in helping older adults remain healthy and active while giving back to others; and

WHEREAS, our community can provide opportunities to enrich the lives of individuals of all ages by promoting and engaging in activity, wellness, and social inclusion; emphasizing home and community based services that support independent living; and ensuring community members of all ages benefit from the contributions and experience of older adults; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim May 2015 as Older Americans Month and urge every citizen to take time this month to celebrate older adults and the people who serve and support them as powerful and vital citizens who greatly contribute to our community.

The minutes were approved as submitted.

Item #5 – Correspondence

a) County Auditor

There was no activity during the reporting period.

Item #6 – Pre-filed resolutions:

**PROTECTIVE SERVICES COMMITTEE
(Chairman Gross, Legislators Gouldman & Nacerino)**

Item #6a – Approval/Memorialization/Niagara County Resolution/Opposing Executive Action to Ban Widely-Used Common .223/5.56 Rifle Ammunition Designated M855/SS109 by the U.S. Department of Justice and Bureau of Alcohol, Tobacco and Firearms and Condemning all Backdoor Gun Control Via Executive Actions was next. Chairman Albano recognized Legislator Gross, Chairman of the Protective Services Committee. On behalf of the members of the Committee, Legislators Gouldman and Nacerino, Legislator Gross moved the following:

Legislator Scuccimarra stated that she believed this had been taken off the table.

Legislator Gross stated that he believed they did, however, he believed that it was good to have Putnam County on record opposing this action.

Legislator Scuccimarra stated that she needed more information on this intricate bill.

RESOLUTION #88

APPROVAL/MEMORIALIZATION/NIAGARA COUNTY RESOLUTION/OPPOSING EXECUTIVE ACTION TO BAN WIDELY-USED COMMON .223/5.56 RIFLE AMMUNITION DESIGNATED M855/SS109 BY THE U.S. DEPARTMENT OF JUSTICE AND BUREAU OF ALCOHOL, TOBACCO AND FIREARMS AND CONDEMNING ALL BACKDOOR GUN CONTROL VIA EXECUTIVE ACTIONS

WHEREAS, the Second Amendment to the Constitution of the United States clearly states that “the right of the people to keep and bear Arms, shall not be infringed,” and

WHEREAS, Article XII of the Constitution of the State of New York clearly states, “The defense and protection of the state and of the United States is an obligation of all persons within the state,” and

WHEREAS, the County of Putnam has repeatedly affirmed this county’s recognition of the individual right to keep and bear arms, as enshrined in the Bill of Rights; and

WHEREAS, outgoing U.S. Attorney General Eric Holder did state, in a February 8, 2015 interview on MSNBC, “The single failure that I point to in my time as Attorney General, that I was not able to convince Congress to really follow the will of the American people – which was to enact...gun safety measures. The gun lobby simply won”, and

WHEREAS, the Bureau of Alcohol, Tobacco, Firearms and Explosives, an agency which falls under the U.S. Department of Justice, did, on February 13, 2015, promulgate a proposed “ATF Framework for Determining Whether Certain Projectiles are ‘Primarily Intended for Sporting Purposes’ within the Meaning of U.S. C § 921(a)(17)(C)”, and

WHEREAS, U.S.C § 921(a)(17)(C) authorizes the regulation of handgun ammunition, and not rifle ammunition; and

WHEREAS, said Executive Action would ban the civilian use of .223 Remington (5.56mm)-type rifle ammunition with a lead core designated M855 and SS109 by redesignating said rounds as “armor piercing” despite said rifle ammunition not meeting the definition of “armor-piercing” set forth in 18 USC § 921(a)(17), to wit: “(i) a projectile or projectile core which may be used in a handgun and which is constructed entirely (excluding the presence of traces of other substances) from one or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium; or (ii) a full jacketed projectile larger than .22 caliber designed and intended for use in a handgun and whose jacket has a weight of more than 25 percent of the total weight of the projectile,” on the spurious grounds said rifle round may be fired from a so-called AR pistol; and

WHEREAS, the M855 and SS109 rounds are the bullet most commonly used by hunters and target shooters firing .223 Remington/5.56 mm rifle platforms such as the AR15, Ruger Mini-14, Saiga 5.56, Remington 700, Savage Model 12, Browning A-Bolt 223, and other similar sporting rifles; and

WHEREAS, the stated purpose of said Executive Action is to protect law enforcement, however, as the Honorable Bob Goodlatte, U.S. Representative from the Commonwealth of Virginia and Chairman of the House of Representatives Committee on the Judiciary has noted, “the ATF has not even alleged,” much less shown, an actual incident where the M855/SS109 round “has been fired from a handgun at a police officer,” and

WHEREAS, Representative Goodlatte has issued a letter to B. Todd Jones, Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives that notes, “The Framework....establishes an unduly restrictive standard, does not comport with the letter or spirit of the law, and will interfere with Second Amendment rights by disrupting the market for ammunition that law abiding Americans use for sporting and other legitimate purposes,” and

WHEREAS, the ATF’s rules could be expanded to include bans on other .223 Remington and 5.56 mm ammunition, a prospect this Legislature abhors; and

WHEREAS, a ban on any ammunition constitutes backdoor gun control by rendering legally-owned guns useless; and

WHEREAS, it is the right of the citizens of Putnam County to take any reasonable measures necessary to be secure in their homes against criminals and other dangerous trespassers, and Putnam County opposes such government interference in the practice of that right as shall increase costs to make a Constitutional right too costly to practice; now therefore be it

RESOVLED, that Putnam County does hereby oppose the issuance of “ATF Framework for Determining Whether Certain Projectiles are ‘Primarily Intended for Sporting Purposes’ within the Meaning of U.S.C § 921(a)(17)(C),” and be it further

RESOLVED, that Putnam County condemns executive actions that are designed to circumvent the people’s will as enacted by their elected representatives in Congress; and be it further

RESOLVED, that Putnam County calls upon its full Congressional delegation to take all necessary steps to block imposition of said Executive Action, including legislation, court challenges, and, shall it become necessary, defunding the Bureau of Alcohol, Tobacco, and Firearms, and be it further

RESOLVED, that Putnam County does fully support the position of House Judiciary Chairman Goodlatte; and be it further

RESOLVED, that copies of this resolution be forwarded to President Barack Obama, Attorney General of the United States, ATF Director Jones, United States Senator Charles Schumer, United States Senator Kristen Gillibrand, Congressman Sean Patrick Maloney, Ms. Denise Brown – Office of Regulatory Affairs, Enforcement Programs and Services, Bureau of Alcohol, Tobacco, Firearms and Explosives, Mr. Chris Cox – National Rifle Association Institute for Legislative Action, Mr. Jacob J. Rieper – New York State Rifle and Pistol Association, New York Association of Counties and all others deemed necessary and proper.

BY POLL VOTE: EIGHT AYES. ONE ABSTENTION – LEGISLATOR SCUCCIMARRA. MOTION CARRIES.

Item #6b – Approval/Memorialization/NYSAC Resolution/Urging New York State to Fully Fund All Costs Related to Raising the Age of Criminal Responsibility to 18 Years of Age in Order to Avoid a New Unfunded Mandate on Counties and New York City was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Nacerino, Legislator Gross moved the following:

Legislator Nacerino stated that she was very supportive of raising the age to 18 years old and believed that the State should provide the funding.

RESOLUTION #89

APPROVAL/MEMORIALIZATION/NYSAC RESOLUTION/URGING NEW YORK STATE TO FULLY FUND ALL COSTS RELATED TO RAISING THE AGE OF CRIMINAL RESPONSIBILITY TO 18 YEARS OF AGE IN ORDER TO AVOID A NEW UNFUNDED MANDATE ON COUNTIES AND NEW YORK CITY

WHEREAS, as part of the state budget for 2014-15 Governor Cuomo appointed a Commission on Youth, Public Safety, and Justice to develop a plan to raise the age of criminal responsibility in New York State and make other recommendations as to how the juvenile and criminal justice system can improve outcomes for youth and promote community safety; and

WHEREAS, the Governor's 2015-16 Budget proposes to raise the age of criminal responsibility from 16 to 18 over two years; and

WHEREAS, the Budget proposal also calls for the State to be fully financially responsible for 100 percent of the cost of this new public policy; and

WHEREAS, the Governor's proposal requires counties to administer and coordinate all services for youth and families affected by this new public policy; and

WHEREAS, according to the Department of Criminal Justice Services, the number of arrests among 16 and 17 year olds statewide from January to December 2013 was 33,347; and

WHEREAS, services based on a child welfare model are more costly than the adult criminal justice system and changing the age of criminal responsibility will produce the need for job-training skills, high school equivalency education, transportation, drug and alcohol treatment, counseling, case management, and other interventions resulting in higher expenses; and

WHEREAS, the State estimates that their costs related to this public policy change could reach \$400 million annually, in several years; and

WHEREAS, if counties are expected to pay for these new costs in the first instance and wait for reimbursement from the State it could cause many counties to breach their allowable property tax cap if reimbursement is not timely; and

WHEREAS, the State currently caps funding for foster care and youth detention, and also limits reimbursement for other child welfare and probation costs, resulting in a significant unfunded mandate on counties which will grow worse if the State changes the age of criminal responsibility while not also providing full funding to alleviate these new costs, across all program areas that may be impacted from raising the age of criminal responsibility; now therefore be it

RESOLVED, that Putnam County calls on the State Legislature to support the Governor's proposal to use state resources to fully cover all new costs associated with changing the age of criminal responsibility to avoid the imposition of a new unfunded mandate on counties; and be it further

RESOLVED, that the State should establish a 100 percent State funded escrow account from which counties can draw funds to implement this new public policy to ensure no new costs are placed on county property tax payers and county property tax caps can be attained; and be it further

RESOLVED, that fiscal caps must be removed for foster care and youth detention as part of this criminal age of responsibility reform and state funding must be provided to build capacity including for infrastructure and services under child welfare and probation services; and be it further

RESOLVED, that State planning for community safety is needed as well as assessments to determine whether children are a risk to public safety and to identify mental health and drug alcohol issues and strategies to minimize absences without leave; and be it further

RESOLVED, there will need to be flexibility in recognition of the differences between small and large counties and rural versus urban areas, such that, a staggered roll-out may be appropriate to some counties depending on local conditions and service capacity; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Andrew M. Cuomo, NYS Senator Susan Serino, NYS Senator Terrence Murphy, Senate Majority Leader Dean Skelos, NYS Assemblywoman Sandra Galef, Assemblyman Stephen Katz, Assembly Speaker Carl Heastie and the New York State Association of Counties.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6c – Approval/Memorialization/NYSAC Resolution/Calling on Governor and State Legislature to Plan for Next Generation 911 in New York State and Create a NYS 911 Department that Supports County Public Safety Answering Points and Enhances Local Emergency Dispatch Services was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Nacerino, Legislator Gross moved the following:

RESOLUTION #90

APPROVAL/MEMORIALIZATION/NYSAC RESOLUTION/CALLING ON GOVERNOR AND STATE LEGISLATURE TO PLAN FOR NEXT GENERATION 911 IN NEW YORK STATE AND CREATE A NYS 911 DEPARTMENT THAT SUPPORTS COUNTY PUBLIC SAFETY ANSWERING POINTS AND ENHANCES LOCAL EMERGENCY DISPATCH SERVICES

WHEREAS, counties are the actual providers of 911 services in New York State, operating Public Safety Answering Points (PSAPs) that serve all residents in times of emergency by dispatching emergency medical, fire and police assistance; and

WHEREAS, counties continue to incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes; and

WHEREAS, these changes are a fundamental shift toward an IP based 911 system that is commonly referred to as Next Generation 911 (NG 911); and

WHEREAS, NG 911 requires greater planning and investment on the part of local governments in order to keep pace with rapidly evolving consumer technologies; and

WHEREAS, the majority of states across the country have aggressively begun preparing for NG 911 and in numerous instances deploying significant infrastructure and policies to build the foundation for a NG 911 system; and

WHEREAS, New York State has done comparatively little to prepare for NG 911 and is facing significant risk in becoming a straggler in the deployment of NG 911 technologies; and

WHEREAS, a lag in planning and investment in NG 911 places New York's citizens at risk as they rely on a legacy 911 system that is rapidly becoming obsolete; and

WHEREAS, the NYS Public Service Commissioner (PSC) is undertaking a telecommunications study on 911 that requires the insight of public safety and 911 experts to relay relevant public safety information to the PSC as they make 911 related telecommunications decisions; and

WHEREAS, a New York State effort to provide coordinated leadership in the area of 9-1-1 would be most appropriately empowered to both support the mission of the PSAPs in the state as well as transition the current state's 911 legacy system to a Next Generation 9-1-1 system that will better serve its citizens for years to come; and

WHEREAS, leadership from New York State is crucial to ensure success and to prevent further tragedies related to the 911 network in NYS; now therefore be it

RESOLVED, that Putnam County calls upon Governor Andrew M. Cuomo, the State Legislature and the Division of Homeland Security and Emergency Services to create a New York State 9-1-1 Department that best serves the public interest and supports PSAPs in New York State while continuing to allow the City of New York and the 57 counties outside of NYC to receive emergency 911 calls and dispatch emergency services in a manner that is most appropriately determined by those municipalities; and be it further

RESOLVED, that Putnam County calls upon the State Legislature and the Governor to enable a State 911 Department to serve the following roles:

- **Provide funding;**
- **Issue RFPs and award contracts as necessary to support 9-1-1;**
- **Establish Standards for 911;**
- **Apply for and distribute Federal Grant Funds;**
- **Coordinate and provide training for 911 Directors, Supervisors and Call Takers;**
- **Provide Public Education;**
- **Provide necessary networks to support 911 both in a legacy and NG 911 environment;**
- **Provide a Statewide ESInet to support interoperability within and outside of New York State;**
- **Create, maintain and distribute GIS databases;**
- **Create and maintain NG 911 and other appropriate databases to support 911 efforts;**
- **Provide and propose appropriate regulation / legislation / tariffs to support 9-1-1;**

- Represent New York State in efforts to support and advance 9-1-1 at a national level including participating in events sponsored by NASNA, NENA, APCO and the FCC;
- Provide consultative services to PSAPs in NYS in regards to industry trends, products, techniques and standards;
- Help manage Civil Service exams;
- Manage the TERT program;
- Provide legal expertise in 911 related matters;
- Serve as the liaison to 911 service providers (TELCOs, Wireless Carriers, TCCs, VoIP providers, CPE manufacturers, etc.);
- Provide coordination with the Public Service Commission and work closely with them on tariffs, legislation and other business as it pertains to the 911 field.

And be it further

RESOLVED, that Putnam County supports the extension of 911 surcharges to any device capable of connecting to 911, including prepaid devices; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Andrew M. Cuomo, NYS Senator Susan Serino, NYS Senator Terrence Murphy, Senate Majority Leader Dean Skelos, NYS Assemblywoman Sandra Galef, Assemblyman Stephen Katz, Assembly Speaker Carl Heastie, the Commissioner of the Division of Homeland Security and Emergency Services and the New York State Association of Counties.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6d – Approval/Grant Application/ Bureau of Emergency Services/2015 Homeland Security Grant Program was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Nacerino, Legislator Gross moved the following:

RESOLUTION #91

APPROVAL/GRANT APPLICATION/ BUREAU OF EMERGENCY SERVICES/HOMELAND SECURITY GRANT PROGRAM (SHSP)

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 Legislative approval, consideration of the application shall occur at the next Full Legislative meeting; and

WHEREAS, the Division of Homeland Security and Emergency Services in New York State has notified Putnam County of a tentative award of \$275,000 under the FY2015 State Homeland Security Program provided by the U.S. Department of Homeland Security, Federal Emergency Management Agency with an application deadline of May 1, 2015; and

WHEREAS, this grant requires no matching funds on the part of the County but requires 25% (\$68,750) be directed to law enforcement terrorism prevention activities; and

WHEREAS, the performance period for this grant has been expanded from two (2) years to three (3) years (projected period September 1, 2015 through August 31, 2018); and

WHEREAS, due to the time constraint, the Protective Services Committee has approved of this application; now therefore be it

RESOLVED, that the Putnam County Legislature approves and authorizes the Putnam County Bureau of Emergency Services to apply for the \$275,000 grant under the FY2015 State Homeland Security Program.

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

Item #6e – Approval/Grant Application/Bureau of Emergency Services/Hazardous Materials Emergency Preparedness Program was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Nacerino, Legislator Gross moved the following:

RESOLUTION #92

APPROVAL/GRANT APPLICATION/BUREAU OF EMERGENCY SERVICES/HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS PROGRAM

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, a grant in the approximate amount of \$3,000 is available under the Hazardous Materials Emergency Preparedness Program for local emergency planning; and

WHEREAS, the 20% local match can be met with in-kind services; and

WHEREAS, the deadline for applying for this grant is May 8, 2015; and

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

RESOLVED, that the Bureau of Emergency Services is authorized to apply for this \$3,000 grant under the Hazardous Materials Emergency Preparedness Grant Program.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

PERSONNEL COMMITTEE

(Chairwoman Nacerino, Legislators Castellano & Wright)

Item #6f – Approval/Confirmation/Re-Appointment/County Attorney was next. Chairman Albano recognized Legislator Nacerino, Chairwoman of the Personnel Committee. On behalf of the members of the Committee, Legislators Castellano and Wright, Legislator Nacerino moved the following:

RESOLUTION #93

APPROVAL/CONFIRMATION/RE-APPOINTMENT/COUNTY ATTORNEY

WHEREAS, County Executive MaryEllen Odell has re-appointed Jennifer S. Bumgarner as County Attorney, pursuant to Section 8.01 of the Putnam County Charter; and

WHEREAS, Jennifer S. Bumgarner possesses the requisite knowledge, experience and qualifications to serve as the County Attorney for the County of Putnam; and

WHEREAS, the Personnel Committee of the Putnam County Legislature considered and approved this re-appointment; now therefore be it

RESOLVED, that the Legislature hereby confirms the re-appointment of Jennifer S. Bumgarner, Esq. as the County Attorney for the County of Putnam, pursuant to Article 8, Section 8.01 of the Putnam County Charter.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6g – Approval/Confirmation/Re-Appointment/Commissioner of Finance was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Wright, Legislator Nacerino moved the following:

RESOLUTION #94

APPROVAL/CONFIRMATION/RE-APPOINTMENT/COMMISSIONER OF FINANCE

WHEREAS, County Executive MaryEllen Odell has re-appointed William J. Carlin, Jr. as Commissioner of Finance, pursuant to Section 4.01 of the Putnam County Charter; and

WHEREAS, William J. Carlin, Jr. possesses the requisite knowledge, experience and qualifications to serve as the Commissioner of Finance for the County of Putnam; and

WHEREAS, the Personnel Committee of the Putnam County Legislature considered and approved this re-appointment; now therefore be it

RESOLVED, that the Legislature hereby confirms the re-appointment of William J. Carlin, Jr. as the Commissioner of Finance for the County of Putnam, pursuant to Article 4, Section 4.01 of the Putnam County Charter.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6h – Approval/Confirmation/Re-Appointment/Commissioner of Highways & Facilities was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Wright, Legislator Nacerino moved the following:

RESOLUTION #95

APPROVAL/CONFIRMATION/RE-APPOINTMENT/COMMISSIONER OF HIGHWAYS & FACILITIES

WHEREAS, County Executive MaryEllen Odell has re-appointed Fred Pena as the Commissioner of Highways and Facilities for the County of Putnam, pursuant to Section 9.01 of the Putnam County Charter; and

WHEREAS, Fred Pena possesses the requisite knowledge, experience and qualifications to serve as the Commissioner of Highways and Facilities for the County of Putnam; and

WHEREAS, the Personnel Committee of the Putnam County Legislature considered and approved this re-appointment; now therefore be it

RESOLVED, that the Legislature hereby confirms the re-appointment of Fred Pena as the Commissioner of Highways and Facilities for the County of Putnam, pursuant to Article 9, Section 9.01 of the Putnam County Charter.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6i – Approval/Confirmation/Re-Appointment/Director of Purchasing was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Wright, Legislator Nacerino moved the following:

RESOLUTION #96

APPROVAL/CONFIRMATION/RE-APPOINTMENT/DIRECTOR OF PURCHASING

WHEREAS, County Executive MaryEllen Odell has re-appointed Alessandro Mazzotta as Director of Purchasing, pursuant to Section 5.01 of the Putnam County Charter; and

WHEREAS, Alessandro Mazzotta possesses the requisite knowledge, experience and qualifications to serve as the Director of Purchasing for the County of Putnam; and

WHEREAS, the Personnel Committee of the Putnam County Legislature considered and approved this re-appointment; now therefore be it

RESOLVED, that the Legislature hereby confirms the re-appointment of Alessandro Mazzotta as the Director of Purchasing for the County of Putnam, pursuant to Article 5, Section 5.01 of the Putnam County Charter.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6j – Approval/Confirmation/Re-Appointment/County Historian was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Wright, Legislator Nacerino moved the following:

RESOLUTION #97

APPROVAL/CONFIRMATION/RE-APPOINTMENT/COUNTY HISTORIAN

WHEREAS, County Executive MaryEllen Odell has re-appointed Sarah A. Johnson as the Putnam County Historian, pursuant to Section 12.11 of the Putnam County Charter; and

WHEREAS, Sarah A. Johnson possesses the requisite knowledge, experience and qualifications to serve as the County Historian for the County of Putnam; and

WHEREAS, the Personnel Committee of the Putnam County Legislature considered and approved this re-appointment; now therefore be it

RESOLVED, that the Legislature hereby confirms the re-appointment of Sarah A. Johnson as the County Historian for the County of Putnam, pursuant to Article 12, Section 12.11 of the Putnam County Charter.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6k – Approval/Confirmation/Re-Appointment/Director of the Office for Senior Resources was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Wright, Legislator Nacerino moved the following:

RESOLUTION #98

APPROVAL/CONFIRMATION/RE-APPOINTMENT/DIRECTOR OF THE OFFICE FOR SENIOR RESOURCES

WHEREAS, County Executive MaryEllen Odell has re-appointed Patricia T. Sheehy as the Putnam County Director of the Office for Senior Resources, pursuant to Section 12.04 of the Putnam County Charter; and

WHEREAS, Patricia T. Sheehy possesses the requisite knowledge, experience and qualifications to serve as the Director of the Office for Senior Resources for the County of Putnam; and

WHEREAS, the Personnel Committee of the Putnam County Legislature considered and approved this re-appointment; now therefore be it

RESOLVED, that the Legislature hereby confirms the re-appointment of Patricia T. Sheehy as the Director of the Office for Senior Resources, pursuant to Article 12, Section 12.04 of the Putnam County Charter.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6L – Approval/Confirmation/Appointment/Commissioner of Bureau of Emergency Services was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Wright, Legislator Nacerino stated that this item was TABLED at the beginning of the meeting.

APPROVAL/CONFIRMATION/APPOINTMENT/COMMISSIONER OF BUREAU OF EMERGENCY SERVICES

WHEREAS, the County Executive's choice not to re-appoint the former Commissioner of the Bureau of Emergency Services is currently being challenged in the Putnam County Supreme Court; and

WHEREAS, the case is currently fully submitted and a decision of the Court is forthcoming; and

WHEREAS, County Executive MaryEllen Odell has appointed Anthony W. Sutton, of 1364 Route Six, Carmel, New York, as the Putnam Commissioner of the Bureau of Emergency Services, pursuant to Section 12.20 of the Putnam County Charter; and

WHEREAS, Anthony W. Sutton possesses the requisite knowledge, experience and qualifications to serve as the Commissioner of the Bureau of Emergency Services for the County of Putnam; and

WHEREAS, the Personnel Committee of the Putnam County Legislature considered and approved this appointment; now therefore be it

RESOLVED, that the Legislature hereby confirms the appointment of Anthony W. Sutton as the Commissioner of the Bureau of Emergency Services for the County of Putnam, pursuant to Article 12, Section 12.20 of the Putnam County Charter, subject to the successful resolution of the above referenced Supreme Court matter.

Item #6m – Approval/Reclassification of Position/Executive Assistant District Attorney and Chief of Appeals was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Wright, Legislator Nacerino moved the following:

RESOLUTION #99

APPROVAL/RECLASSIFICATION OF POSITION/ EXECUTIVE ASSISTANT DISTRICT ATTORNEY AND CHIEF OF APPEALS

WHEREAS, the District Attorney has requested a reclassification of title of the position 116510105 from Assistant District Attorney to Executive Assistant District Attorney and Chief of Appeals; and

WHEREAS, the need for this reclassification arose due to the additional duties being assumed by this position; and

WHEREAS, this reclassification has been considered and approved by the Personnel Committee; now therefore be it

RESOLVED, that the position 116510105 in the District Attorney’s office is hereby reclassified from Assistant District Attorney to Executive Assistant District Attorney and Chief of Appeals.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**PHYSICAL SERVICES COMMITTEE
(Chairman Albano, Legislators Castellano & Wright)**

Item #6n – Approval/Budgetary Amendment (15A026)/Highways & Facilities/2015 CHIPS was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Wright, Chairman Albano moved the following:

RESOLUTION #100

APPROVAL/BUDGETARY AMENDMENT (15A026)/HIGHWAYS & FACILITIES/2015 CHIPS

WHEREAS, the Commissioner of Finance requested a budgetary amendment (15A026) to amend the 2015 CHIPS County Capital Project Budget to reflect the adopted NYS Budget; and

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

RESOLVED, that the following budgetary amendment be made:

Increase Estimated Appropriations:

55197000 53000 51503 CHIPS 2015 112,213

Increase Estimated Revenues:

55197000 435011 51503 State Aid – CHIPS 2015 112,213

2015 Fiscal Impact – 0 –

2016 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6o – Approval/Offer Certain County Properties for Sale Utilizing Real Estate Brokers & MLS Pursuant to Chapter 31 of the Putnam County Code was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Wright, Chairman Albano moved the following:

RESOLUTION #101

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

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

WHEREAS, said properties were acquired by tax foreclosure proceedings pursuant to Article 11 of the New York State Real Property Tax Law; and

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

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

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

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

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

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

RESOLVED, that the County Attorney is hereby authorized to bring whatever legal proceedings shall be necessary to eject any and all occupants of the properties identified

in the attached Schedule "A", as shall be necessary to properly market and effectuate the sale of same.

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

Item #6p – Approval/Butterfield Hospital/Letter of Intent was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Wright, Chairman Albano moved the following:

Legislator Scuccimarra stated that, as the Legislator for District #1, it has been her goal to make Butterfield Senior Center a reality. She stated that the Town of Philipstown has the highest percentage of seniors of its overall population; 23%. She stated that in five (5) years that number will grow to 29% and then doubles in ten years; thus making the space at the current location in the American Legion inadequate. She thanked the American Legion, and its members, for providing this space, however, it can only accommodate a fraction of our seniors. She stated that the Office for Senior Resources is doing the best they can, however, they aren't able to provide so many vital services and so many needed programs to this center due to its size. She stated that the Legislature has looked at the numbers and has reviewed the letter of intent. She asked that her fellow Legislators approve this resolution tonight to make a difference in the quality of life for the seniors on the western side of the County.

Legislator LoBue stated that unfortunately she is unable to support this letter of intent at this time, not because she is not committed to providing senior services to the western side, but because it appears that the preliminary costs are approximately \$4 million for a fifteen year lease on a building that we would not own. It also includes upgrades that the County would be responsible for which would increase the value of the facility. She stated that from a fiscal standpoint she did not see how we could move forward on this. She stated that she learned from the previous Administration that the County got out of the leasing business and started to purchase our facilities. She believed that this would be setting a terrible precedent, since we own the two (2) other senior centers; Koehler Center and the Putnam Valley Center. She stated that she wanted to mention that Former County Executive Bondi wanted to terminate the lease at the American Legion and she stated that she fought hard to maintain that lease in order to continue providing senior services to the western side of the County.

Legislator Wright stated that he would like to see the purchase option language and structure improved, however, this is only a letter of intent. He stated that he would also like to see the lease options broken up into smaller sections, some of which has been discussed with the Administration. He stated that he would not withhold support for what is only a letter of intent at this point. He believed that the project has moved a little bit away from what we were originally led to believe.

Legislator Gross stated that he would support the letter of intent as well. However, he stated that he did have reservations about the fine print in the lease. He was not concerned about the next five (5) years, but was concerned about the next twenty years as the 2% increase occurs each year. He believed that there should be a senior center on the western side of the County, but was concerned about the fiscal impact as a result of the agreement.

Chairman Albano stated that he supported the letter of intent. He believed there needed to be a County presence on the western side of the County. He stated that owning a building could also incur a great deal of expenses. He believed that Butterfield was a good option.

Legislator Nacerino stated that she was also in favor of this project. She stated that the seniors on the western side of the County were in desperate need of this service. She stated that we were not taking anything of the tax rolls. She stated that it is proven to be more expensive to own and operate some of our facilities in the County than it would be to lease. She stated that there are more details that need to be worked out.

Chairman Albano stated that there was a tremendous expense to the County a few years ago in developing a Kent Senior Center which never came to fruition. He believed that the option in front of us this evening was a realistic option.

Legislative Counsel Van Ross asked if the Legislature would be voting on the Revised Letter of Intent dated April 21, 2015.

Chairman Albano said, "yes."

Legislator Addonizio wanted clarification that in supporting this letter of intent it is with the understanding that there is still an investigation. She stated that the Town of Kent seniors would also like a facility.

Chairman Albano stated that hopefully the Senior Center in Carmel could help accommodate the seniors in the Town of Kent.

RESOLUTION #102

APPROVAL OF BUTTERFIELD HOSPITAL LETTER OF INTENT

WHEREAS, Putnam County has the fastest growing senior population in the State of New York; and

WHEREAS, seniors are a valuable segment of our community who need to be honored and embraced; and

WHEREAS, the senior community in the Town of Philipstown has been woefully underserved for the past several years; and

WHEREAS, the growing number of seniors throughout Putnam County, including in the Town of Philipstown, require facilities where they can receive and enjoy all of the essential services and activities offered by the Office of Senior Resources; and

WHEREAS, the Legislature is desirous of addressing the need for improved and enhanced services for the seniors of the Town of Philipstown by developing a new senior center to serve the community; and

WHEREAS, Butterfield Square, a new development project located in the Village of Cold Spring, is in the final stages of approval before the Town of Philipstown, and the owner of said project has approached the County with a proposal for the lease of a portion of said space for use as a senior center; and

WHEREAS, the owner, Butterfield Realty, LLC, has negotiated a Letter of Intent for the use of space in either Building 1 or Building 2 of the Butterfield Square project, which outlines the general intent of the County and Butterfield Realty, LLC and the general parameters for the eventual development of a Lease Agreement; and

WHEREAS, the Physical Services Committee of the Legislature had the opportunity to review and discuss the proposal to lease space at the Butterfield Square project for use as a senior center on March 19, 2015 and April 13, 2015; and

WHEREAS, the Legislature is in agreement with the County Executive, the Director of the Office for Senior Resources and the Commissioner of Highways & Facilities that the proposed lease of space at the Butterfield Square project would be advantageous to the County, and would serve the needs of our senior population in the Town of Philipstown; now therefore be it

RESOLVED, that the Legislature approves and adopts the attached Letter of Intent, and thereby directs the County administration and all parties involved to continue negotiating a Lease Agreement with Butterfield Realty, LLC for the appropriate space at the Butterfield Square project for use as a senior center; and be it further

RESOLVED, that this Resolution shall take effect immediately.

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

**ECONOMIC DEVELOPMENT & ENERGY COMMITTEE
(Chairman Gouldman, Legislators Addonizio & Scuccimarra)**

Item #6q – Approval/Amend Resolution #173 of 2014/Fiscal Vision & Accountability Commission/Changing Number of Members to Twelve was next. Chairman Albano recognized Legislator Gouldman, Chairman of the Economic Development & Energy Committee. On behalf of the members of the Committee, Legislators Addonizio and Scuccimarra, Legislator Gouldman moved the following:

RESOLUTION #103

APPROVAL/AMEND RESOLUTION #173 OF 2014/FISCAL VISION & ACCOUNTABILITY COMMISSION/CHANGING NUMBER OF MEMBERS TO TWELVE

WHEREAS, by Resolution #173 of 2014 the Putnam County Legislature Re-established the Fiscal Vision & Accountability Commission consisting of 11 members; and

WHEREAS, there has been a request to change the Fiscal Vision & Accountability Commission from an 11 member Commission to a 12 member Commission; and

WHEREAS, the Economic Development & Energy Committee has reviewed and approved this request; now therefore be it

RESOLVED, that the Fiscal Vision & Accountability Commission consisting of an 11 member Commission be changed to consist of a 12 member Commission.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6r – Approval/Appointment/Commission For Fiscal Vision & Accountability was next. On behalf of the members of the Economic Development & Energy Committee, Legislators Addonizio and Scuccimarra, Legislator Gouldman moved the following:

RESOLUTION #104

APPROVAL/APPOINTMENT/COMMISSION FOR FISCAL VISION & ACCOUNTABILITY

WHEREAS, by Resolution #103 of 2015 the Putnam County Legislature changed the Fiscal Vision & Accountability Commission from an 11 member Commission to a 12 member Commission; and

WHEREAS, Dr. Stephen Baranowski has recently accepted the invitation to be appointed to the Commission; and

WHEREAS, the Economic Development & Energy Committee has reviewed and approves said appointment; now therefore be it

RESOLVED, that Dr. Stephen Baranowski be appointed to the Commission for Fiscal Vision & Accountability.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6s – Approval/Memorialization/Dutchess County Resolution/Requesting Federal and State Representatives Publically Oppose and Repeal Federal Energy Regulatory Commission (FERC) Capacity Zone Plan was next. On behalf of the members of the Economic Development & Energy Committee, Legislators Addonizio and Scuccimarra, Legislator Goldman moved the following:

RESOLUTION #105

APPROVAL/MEMORIALIZATION/DUTCHESS COUNTY RESOLUTION/REQUESTING FEDERAL AND STATE REPRESENTATIVES PUBLICALLY OPPOSE AND REPEAL FEDERAL ENERGY REGULATORY COMMISSION (FERC) CAPACITY ZONE PLAN

WHEREAS, Putnam County has spoken with near unanimity against the Federal Energy Regulatory Commission (FERC) decision to impose a double digit energy rate increase on those who live and work here as part of its ill-conceived capacity zone plan; and

WHEREAS, FERC's decision was not approved by any elected official or by voters yet the rate increase has and will continue to have, a tremendous financial impact on local residents, businesses and municipalities with limited, if any, guaranteed benefits; and

WHEREAS, the creation of the new capacity zone means a projected yearly price increase for electric consumers in the region; and

WHEREAS, on behalf of a community attempting to rebound from an eight-year recession, we must join together and demand that the commissioners of FERC repeal this new capacity zone and provide much needed relief from skyrocketing energy costs; now therefore be it

RESOLVED, that Putnam County hereby requests its State and Federal representatives take the necessary steps to publically oppose and seek repeal of the costly and undemocratic decision imposed by FERC under the guise of a capacity zone plane; and be it further

RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to President Barack Obama, United States Senator Charles Schumer, United States Senator Kristen Gillibrand, Congressman Sean Patrick Maloney, Governor Andrew M. Cuomo, NYS Senator Susan Serino, NYS Senator Terrence Murphy, NYS Assemblywoman Sandra Galef and Assemblyman Stephen Katz.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
(Chairwoman Addonizio, Legislators Gouldman & Scuccimarra)**

Item #6t – Approval/Appointment/Region 3 Fish & Wildlife Management Board was next. Chairman Albano recognized Legislator Addonizio, Chairwoman of the Rules, Enactments & Intergovernmental Relations Committee. On behalf of the members of the Committee, Legislators Gouldman and Scuccimarra, Legislator Addonizio moved the following:

RESOLUTION #106

APPROVAL/APPOINTMENT/REGION 3 FISH & WILDLIFE MANAGEMENT BOARD

RESOLVED, that David E. Keith, Town of Carmel, be appointed as Landowner Representative to the Region 3 Fish & Wildlife Management Board for a two (2) year term, said term to expire December 31, 2016.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6u – Approval/Litigation Settlement was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Gouldman and Scuccimarra, Legislator Addonizio moved the following:

RESOLUTION #107

APPROVAL/LITIGATION SETTLEMENT

WHEREAS, on twelve (12) separate incidents, the claimant, Thomas Delduca, (hereinafter “Delduca”) while employed by the Putnam County Department of Highways, Facilities and Parks, had work related injuries; and

WHEREAS, the claimant received medical treatment as a result of said injury, including surgery, physical therapy and doctor visits; and

WHEREAS, Delduca would be entitled to a significant Scheduled Loss of Use to both his right and left shoulders; and

WHEREAS, claimant is desirous of entering into a Section 32 agreement with the County, subject to the Legislature’s approval, in which the County agrees to pay the sum of one hundred ten thousand (\$110,000.00) dollars to Delduca and twenty thousand (\$20,000.00) to his counsel; and

WHEREAS, the Law Department and our third party administrator, POMCO Group, recommend the settlement as an alternative to ongoing litigation; and

WHEREAS, POMCO Group, through its claims representative, has in fact settled the matter with the claimant for the sum of one hundred thirty thousand (\$130,000.00) dollars and has obtained settlement documents from the claimant, which, upon approval of the Putnam County Legislature and the Worker’s Compensation Board, will discontinue all of Delduca’s matters with the Court and which will allow the claimant to receive the Section 32 settlement payment; and

WHEREAS, the settlement is in the public interest and will additional substantial litigation cost and exposure; now therefore be it

RESOLVED, that the settlement of this matter for the sum of one hundred ten thousand (\$110,000.00) dollars to claimant and twenty thousand (\$20,000.00) to his counsel is approved; and be it further

RESOLVED, that Commissioner Carlin is hereby directed to pay such settlement, if approved by the Worker's Compensation Board, from the Six Fund.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6v – Approval/Memorialization/NYSAC Resolution/Calling to Increase the Share of Revenue Counties Retain for Providing State DMV Services was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Gouldman and Scuccimarra, Legislator Addonizio moved the following:

RESOLUTION #108

APPROVAL/MEMORIALIZATION/NYSAC RESOLUTION/CALLING TO INCREASE THE SHARE OF REVENUE COUNTIES RETAIN FOR PROVIDING STATE DMV SERVICES

WHEREAS, 51 of the 62 New York Counties are mandated by the State to operate a local Department of Motor Vehicles (DMV) Office; and

WHEREAS, this local DMV operation is one of many examples of shared services that counties provide for the state; and

WHEREAS, under current law the State of New York takes 87.3% of all fees collected from the work performed by the county operated DMV's; and

WHEREAS, the remaining 12.7% county share has not been increased since 1999, yet the amount of work required by the local DMV offices has increased in that same time period; and

WHEREAS, the Governor and the State Legislature have repeatedly stated that lowering the property tax burden on local residents is a key priority; and

WHEREAS, increasing the county DMV revenue sharing rate with the state will not result in any increased costs or fees to local residents or taxpayers and will provide counties with needed revenue to continue to provide necessary local government services; and

WHEREAS, there is a clear inequity present when a county DMV provides all the services, including overhead and staffing needs to fulfill these DMV needed for state residents, yet the state takes 87.3% of the revenue generated from providing said service; now therefore be it

RESOLVED, that Putnam County calls on Governor Andrew M. Cuomo and members of the State Legislature to require a substantial increase of the county DMV revenue share with the state; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Andrew M. Cuomo, NYS Senator Susan Serino, NYS Senator Terrence Murphy, Senate Majority Leader Dean Skelos, NYS Assemblywoman Sandra Galef, Assemblyman Stephen Katz, Assembly Speaker Carl Heastie and the New York State Association of Counties.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6w – Approval/Memorialization/NYSAC Resolution/Requiring Updated Driver’s License Photos over a Reasonable Period of Time was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Gouldman and Scuccimarra, Legislator Addonizio moved the following:

RESOLUTION #109

APPROVAL/MEMORIALIZATION/NYSAC RESOLUTION/REQUIRING UPDATED DRIVER’S LICENSE PHOTOS OVER A REASONABLE PERIOD OF TIME

WHEREAS, currently New York State law and regulations require that all New York driver’s licenses are renewed and updated at a minimum of every eight (8) years; and

WHEREAS, this requirement for updated license information is for safety precautions and the required updates listing changes in height, residential address and listing eye examination results; and

WHEREAS, under current state law and regulations there is the requirement to obtain an eye exam every eight (8) years which can be achieved at county and state operated DMV’s; and

WHEREAS, New York State and Nevada are the only two (2) states in the country that lack the requirement to update photos on driver’s licenses; and

WHEREAS, due to this inconsistency with all other states, many New York driver’s license photos are decades old; and

WHEREAS, the intent of requiring a picture on driver’s licenses is to help verify identity and prevent fraud, identity theft and to increase safety; and

WHEREAS, allowing license holders to have photos that are decades old may work against the goals identified above; and

WHEREAS, the requirement to get an updated photo on a driver’s license would not have to include an additional cost to the state resident license holder; and

WHEREAS, the requirement to get an updated photo on a driver’s license should not be an inconvenience for the license holder as they can get the updated photo in the same DMV and at the same time as taking the state law required eye exam; and

WHEREAS, in New York and throughout the country a driver’s license is the leading document provided to safety officials, government workers, and private businesses when picture verification is needed; and

WHEREAS, an updated photo is necessary to prevent fraud, provide accurate information to police officers in the field, and strengthen homeland security efforts; now therefore be it

RESOLVED, that Putnam County calls on Governor Cuomo and members of the State Legislature to require an updated photo on all driver’s licenses in keeping with 48 other states in our nation; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Andrew M. Cuomo, NYS Senator Susan Serino, NYS Senator Terrence Murphy, Senate Majority Leader Dean Skelos, NYS Assemblywoman Sandra Galef, Assemblyman Stephen Katz, Assembly Speaker Carl Heastie and the New York State Association of Counties.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE
(Chairwoman Scuccimarra, Legislators Gross & LoBue)**

Item #6x – Approval/Local Law to Amend Chapter 203 of the Putnam County Code by Revising the Definition of “Smoking” set forth in Section 203-3 to Include the Use of Electronic Cigarettes was next. Chairman Albano recognized Legislator Scuccimarra, Chairwoman of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators Gross and LoBue, Legislator Scuccimarra moved the following:

RESOLUTION #110

APPROVAL/LOCAL LAW TO AMEND CHAPTER 203 OF THE PUTNAM COUNTY CODE BY REVISING THE DEFINITION OF “SMOKING” SET FORTH IN SECTION 203-3 TO INCLUDE THE USE OF ELECTRONIC CIGARETTES

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

Section 1.

Chapter 203 of the Putnam County Code is hereby amended to revise the definition of “Smoking” set forth in Section 203-2 Definitions as follows:

SMOKING – To inhale or exhale the smoke of burning tobacco or any form of tobacco substitute, or the vapor of an electronic smoking device, and also to carry burning tobacco or tobacco substitute, in the form of a cigarette, electronic cigarette, cigar, pipe, or any other smoke or vapor producing device.

Section 2.

This amendment shall take effect immediately.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**AUDIT & ADMINISTRATION COMMITTEE
(Chairman Castellano, Legislators Gross & Nacerino)**

Item #6y – Approval/Budgetary Amendment (15A027)/Commissioner of Finance/2015 Bond Refunding was next. Chairman Albano recognized Legislator Castellano, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #111

APPROVAL/BUDGETARY AMENDMENT /COMMISSIONER OF FINANCE/2015 BOND REFUNDING

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (15A027) to provide for the 2015 Bond Refunding which took place on 4/15/15; 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:		
V9710000 54646	Contracts	108,412.45
V9710000 59991	Transfer to Refunding Escrow	12,496,110.60
V9710000 56147	Public Ref Bonds – 2015	80,000.00
V9710000 57147	Public Ref Bonds – 2015	<u>114,109.00</u>
		12,798,632.05

Decrease Estimated Appropriations:		
V9710000 57135	Public Imp Bonds – 2007	246,819.00

Increase Estimated Revenues:		
V9710000 427101	Refunding Premium	1,544,523.05
V9710000 457912	Advance Refunding Bonds 2015	<u>11,060,000.00</u>
		12,604,523.05

Decrease Estimated Revenues:		
V9710000 424012	Courthouse Interest	41,178.00
V9710000 427111	Use of Debt Service Reserve	<u>11,532.00</u>
		52,710.00
	2015 Fiscal Impact (\$11,532)	
	2016 Fiscal Impact – 0 –	

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6z – Approval/Budgetary Amendment (15A032)/Veterans/Peer to Peer Program Contract was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #112

APPROVAL/BUDGETARY AMENDMENT/VETERANS/PEER TO PEER PROGRAM CONTRACT

WHEREAS, the Finance Department has requested a budgetary amendment (15A032) to allocate a portion of the funds received for the Veterans Peer to Peer Program to cover the cost of their 2015 contract with the Mental Health Association of Putnam County through the end of the year; 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:		
10651000 437895 10105	State Aid Veterans Peer to Peer	40,065.42

Increase Appropriations:		
10651000 54646 10105	Veterans Peer to Peer Contracts	40,065.42

**2015 Fiscal Impact – 0 –
2016 Fiscal Impact – 0 –**

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6aa – Approval/Fund Transfer (15T053)/Probation/Temporary was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #113

APPROVAL/FUND TRANSFER /PROBATION/TEMPORARY

WHEREAS, the Director of the Probation Department has requested a fund transfer (15T053) for temporary costs to cover employee out on family leave; and

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

RESOLVED, that the following fund transfer be made:

Decrease:

10314000 51000 (10118)	Salary expense	10,000
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Increase:

10314000 51094	Temporary	10,000
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2015 Fiscal Impact – 0 –

2016 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6bb – Approval/Semi-Annual Mortgage Tax Report/October 1, 2014 Through March 31, 2015 was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #114

APPROVAL/SEMI-ANNUAL MORTGAGE TAX REPORT/OCTOBER 1, 2014 THROUGH MARCH 31, 2015

WHEREAS, upon receipt of approval of the Semi-Annual Report showing the amounts to be credited to each district of the County of the money collected during the period October 1, 2014 through March 31, 2015 from the New York State Department of Taxation and Finance, the Putnam County Audit and Administration Committee reviewed and hereby forwards same to the Putnam County Legislature; now therefore be it

RESOLVED, that pursuant to Section 261 of the Tax Law, the Putnam County Legislature issues tax warrants for the payment to the respective districts of the amounts so credited and authorizes and directs the Commissioner of Finance to make a payment of said amounts to the respective district in accordance with the report as follows:

Town of Carmel	\$ 394,115.98
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Town of Kent	107,301.59
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Town of Patterson	83,133.98
Town of Philipstown	
Village of Cold Spring	10,586.18
Village of Nelsonville	3,092.31
Town Outside	133,147.91
Town of Putnam Valley	108,196.14
Town of Southeast	
Village of Brewster	6,217.19
Town Outside	<u>185,641.90</u>
Total	<u>\$1,031,433.18</u>

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6cc – Approval/Amending Resolution #240 of 2010, As Amended Putnam County Match/MS4 Stormwater Retrofit Program was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #115

APPROVAL/AMENDING RESOLUTION #240 OF 2010, AS AMENDED PUTNAM COUNTY MATCH/MS4 STORMWATER RETROFIT PROGRAM

WHEREAS, Putnam County (the “County”), among others, is subject to SPDES General Permit GP-0-10-002 issued by the New York State Department of Environmental Conservation (the “DEC”) for Municipal Separate Storm Sewer Systems (the “MS4 Permit”), pursuant to which the County is required to implement stormwater retrofit plans (the “SRPs”) and encouraged to participate in a regional stormwater retrofit plan; and

WHEREAS, by Resolution #240 of 2010, as amended by Resolution #368 of 2010, Resolution #132 of 2011, and Resolution #208 of 2011 (collectively the “Amendments”), the County guaranteed \$8.2 Million from the East of Hudson (the “EOH”) Water Quality Investment Program (the “WQIP”) funds for the purpose of funding the first five years of the MS4 Stormwater Retrofit Program (the “Program”) as such Program was presented to the Putnam County Legislature’s Physical Services Committee by the Putnam County MS4 Coordinating Committee (the “PCMS4CC”) on July 22, 2010; and

WHEREAS, by Resolution #126 of 2011, the Legislature approved the County’s participation in a coordinated approach to implementing the Program and authorized the County to enter into an Inter-municipal Agreement in furtherance thereof; and

WHEREAS, by Resolution #203 of 2011, the Legislature authorized the formation of the EOH Watershed Corporation (the "Corporation") and consented to the County's becoming a member of the Corporation for the purpose of jointly organizing, coordinating, administering and implementing the regional stormwater plans under the MS4 Permit for the period January 1, 2010 to December 31, 2014; and

WHEREAS, by Resolution #208 of 2011, the Legislature approved the transfer by the County of the unused and remaining balance of the guaranteed \$8.2 Million EOH WQIP funds to the Corporation, which Corporation assumed the obligations of certain municipalities that lie in the EOH Watershed area (the "Municipalities"); and

WHEREAS, through collaborative and coordinated efforts, implementation of the Program is achieved by, among other things, allowing for unified (bubble) compliance by providing greater efficiency to meet annual and future phosphorus reduction targets established by the New York State Department of Environmental Conservation (the "DEC"), choosing the most cost efficient projects to further such reduction targets, sharing information, reducing administrative costs, including, but not limited to, legal resources necessary to acquire adequate funding for programs mandated by the state and federal governments, and jointly implementing SRPs throughout the participating Municipalities' communities, all in furtherance of efficiently implementing and achieving Program goals as a whole; and

WHEREAS, by Letter Agreement dated March 5, 2012 between the County and the Corporation, the Corporation agreed to, among other things, use the remaining balance of the guaranteed \$8.2 Million EOH WQIP funds, transferred to the Corporation by the County on or about June 15, 2012 in the amount of \$7,447,815.35, to fund only eligible costs associated with the Regional Retrofit Plans, such funds subject to the provisions of the 1997 New York City Watershed Memorandum of Agreement (the "Watershed MOA") and the Agreement between the County and the New York City Department of Environmental Protection (the "DEP") regarding the EOH WQIP; and

WHEREAS, the County and the Legislature agree it is in the best interests of the County to continue, by and through the Corporation, the coordinated approach to implement the Program through unified (bubble) compliance in order to achieve phosphorous removal targets and/or requirements as a whole for an additional five year period; now therefore be it

RESOLVED, that Resolution #240 of 2010, and Amendments thereto, is further amended to reflect the County's commitment of the unused and remaining balance of the \$8.2 Million EOH WQIP funds, transferred to the Corporation and guaranteed by the County to fund the Program, shall be extended for an additional five year period, namely, for period January 1, 2015 through December 31, 2019; and be it further

RESOLVED, that the County Executive, with the assistance of the County Attorney, is authorized to draft/execute the required Agreement and/or addenda in connection with the County's continued desire to commit the unused and remaining balance of the \$8.2 Million EOH WQIP funds, by and through the Corporation, for an additional five year period, namely, for period January 1, 2015 through December 31, 2019; and be it further

RESOLVED, that all remaining provisions of Resolution #240 of 2010, and Amendments thereto, shall remain in full force and effect, except that in the event the terms and conditions of this Resolution conflict with any other terms and conditions of Resolution #240 of 2010 and Amendments thereto, the terms and conditions of this Resolution shall prevail.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #7 – Other Business

Chairman Albano made a motion to waive the rules and accept the additional Item #7a; seconded by Legislator Nacerino. All in favor.

Item #7a - Approval/Home Rule Request/Assembly Bill A7104/Senate Bill S5059-2015 – Extend 1% Sales Tax was next. Chairman Albano moved the following; seconded by Legislator Scuccimarra.

Chairman Albano stated that without the extension of the 1% sales tax, Putnam County would lose approximately \$14 million in sales tax revenue which would then be passed on to our property owners. He believed that the 1% was not a noticeable fee and individuals visiting our County contribute to this revenue when purchasing items and gasoline.

Legislator Wright stated that he would not support this resolution. He stated that he has asked the Legislature to consider something less than the 1%. He stated that the business community has urged us to send a message that we are headed in the right direction. He stated that we are constantly calling upon our business community to try and enhance our tax base; yet we burden them with the highest sales tax that can be found within any kind of reasonable driving distance. He stated that if we start small, at ¾%, it would send a message that we are trying to work on what we know is an albatross that we have hung around the business community's neck.

Legislator LoBue stated that she would be voting “no” as well. She stated that you can't speak about economic development in the County without referring to the sales tax which is a “yoke” on the business community. She stated that it is very difficult for Putnam County to compete with the State of Connecticut which has a sales tax percentage of 6 3/8%. She stated that she disagreed with Chairman Albano that the loss in revenue would be placed on the property owners. She believed that we needed to reduce Putnam County's budget to make up that difference.

Chairman Albano stated that the last thing he would want to do is raise property taxes. He believed that what worked well with the extension of the 1% sales tax is that everyone contributes something, even individuals traveling through the County.

Legislator Nacerino believed that no one was happy about the high sales tax; however, we would still need to fill the gap if we reduced this levy. She stated that we need that \$14 million. If we need to decrease the budget, would we be compromising services? She stated that she agreed with Chairman Albano with the fact that people come through our County all the time and frequent our restaurants, gas stations and shop at our stores. She agreed that this was a way to distribute some of the burden off of our taxpayers.

Legislator Scuccimarra stated that she would be supporting this resolution as well. She stated that if we lost the \$14 million in sales tax revenue and the burden was placed on the property tax owners, she believed with the school taxes being what they are it would be almost impossible for some people to pay their taxes.

Legislator Gross stated that he supported the philosophy of reducing the additional sales tax percentage a little at a time. However, he believed that with the economy as it is now it was not the appropriate time to reduce it.

Legislator Castellano stated that reducing the percentage by one quarter would be equivalent to a \$3.5 million loss in sales tax revenue which we would need to find somewhere else.

RESOLUTION #116

APPROVAL/HOME RULE REQUEST/ASSEMBLY BILL A7104 / SENATE BILL S5059-2015

WHEREAS, by Resolution #38 of 2015 the Putnam County Legislature requested our State Senate and Assembly members to extend the additional 1% sales tax that is set to expire on November 30, 2015; and

WHEREAS, Assemblyman Stephen Katz has introduced Assembly Bill A7104 to accomplish this request; and

WHEREAS, the Rules Committee of the New York State Senate has introduced Senate Bill S5059 to accomplish this request; now therefore be it

RESOLVED, that the Putnam County Executive and the Clerk of the Putnam County Legislature are authorized to file the annexed home rule request for Senate Bill S5059 and Assembly Bill A7104 entitled "An act to amend the tax law, in relation to the imposition of sales and compensating use taxes in Putnam County."

BY ROLL CALL VOTE: SIX AYES. THREE NAYS – LEGISLATORS GOULDMAN, LOBUE & WRIGHT.

Chairman Albano made a motion to waive the rules and accept the additional Item #7a; seconded by Legislator Nacerino. All in favor.

Item #7b – Approval/Home Rule Request/Assembly Bill A7205 / Senate Bill S4809 – 2015 / Exemption of County Sales Tax on Certain Clothing & Footwear During the Week of August 15-24, 2015. Chairman Albano moved the following; seconded by Legislator Gross.

Legislator Nacerino stated that she supports this wholeheartedly as it will help families as they purchase clothing items for their children going to school in the fall.

Legislator Gross stated that the last few years this Legislature has approved this item; however it has been defeated in Albany.

RESOLUTION #117

APPROVAL/HOME RULE REQUEST/ ASSEMBLY BILL A7205 / SENATE BILL S4809 – 2015

WHEREAS, by Resolution #82 of 2015 Putnam County requested its State representatives to have a bill adopted to amend New York State Tax Law Article 29 to allow the County to exempt its portion of Sales and Use Tax on purchases of qualified clothing and footwear from August 15 through August 24, 2015, and

WHEREAS, this bill was introduced in the New York State Senate by Senator Terrence Murphy under Senate Bill S4809, and

WHEREAS, this bill was introduced in the New York State Assembly by Assemblyman Stephen Katz under Assembly Bill A7205, now therefore be it

RESOLVED, that the Putnam County Legislature authorizes the County Executive and the Clerk of the Putnam County Legislature to file a Home Rule Message for this request under Senate Bill S4809 and Assembly Bill A7205 for the bill entitled “ AN ACT to amend the tax law, in relation to authorizing the county of Putnam to exempt from county sales and compensating use taxes certain clothing and footwear, during the period commencing on August fifteenth and through August twenty-fourth, two thousand fifteen”.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #8 – Recognition of Public.

There were no members of the public that wished to be recognized.

Item #9 – Recognition of Legislators.

Legislator Gross stated that May 25, 2015 is Memorial Day and many of the communities in Putnam County will be hosting events in recognition of Americans who have died protecting our Country’s freedom.

Legislator Nacerino wished all the moms a “Happy Mother’s Day.”

Chairman Albano asked everyone to keep the Nepal earthquake victims in their thoughts and prayers.

Commissioner of Finance Carlin stated that as a County employee he has had the privilege to serve with two great Undersheriff’s; current Undersheriff Peter Convery and past Undersheriff Phil Prinz who passed away today.

There being no further business, at 8:01 P.M., Chairman Albano made a motion to adjourn; seconded by Legislator Nacerino. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.