

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

Wednesday

July 6, 2016

7:00 P.M.

The meeting was called to order at 7:07 P.M. by Chairwoman Nacerino who requested that Legislator LoBue lead in the Pledge of Allegiance. Chairwoman Nacerino requested that Legislator Wright lead in the Legislative Prayer. Upon roll call, Legislators Gouldman, Addonizio, Albano, Castellano, LoBue, Wright and Chairwoman Nacerino were present. Legislators Scuccimarra and Gross were absent. Also present was Legislative Counsel Van Ross.

PROCLAMATIONS

Chairwoman Nacerino recognized Legislator Albano who presented the “Recognizing Pretrial, Probation, Parole Supervision Week July 17-23, 2016” proclamation to Director of Probation Gene Funicelli.

RECOGNIZING PRETRIAL, PROBATION, PAROLE SUPERVISION WEEK July 17-23, 2016

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

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

WHEREAS, community corrections professionals uphold the law with dignity, while recognizing the right of the public to be safe-guarded from criminal activity; and

WHEREAS, community corrections professionals are trained professionals who provide services and referrals for offenders; and

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

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

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim the week of July 17-23, 2016 as Pretrial, Probation, Parole Supervision Week and encourage all Putnam County residents to honor these community corrections professionals and to recognize their achievements.

Chairwoman Nacerino recognized Legislator Addonizio who presented the “Designating July 25th through 31st as Putnam County 4-H Fair Week” proclamation to Ms. Marjorie Nichols Keith, the Executive Director of Cornell Cooperative Extension and 4-H Fair volunteer members; Patrick and Robert Salerno of Mahopac, Ryan and Grace Fisher and Beatriz Lopes.

DESIGNATING JULY 25th through 31ST 2016 AS “PUTNAM COUNTY 4-H FAIR WEEK”

WHEREAS, the Putnam 4-H Fair, sponsored by Cornell Cooperative Extension of Putnam County is celebrating its 45th year; and

WHEREAS, the Putnam County 4-H Fair showcases for the many interests and accomplishments of Putnam’s children, adults, and programs; and continues to grow as an educational, cultural, and fun event that provides a wholesome experience for families from Putnam and the surrounding region; and

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

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

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

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

RESOLVED, that the week of July 25th - July 31st 2016 will be designated “Putnam County 4H Fair Week”; and be it further

RESOLVED, that the Putnam County Executive and the Putnam County Legislature recognize and congratulate the 45th Annual 4-H Fair and invite all Putnam County residents to attend.

Item #4 – Approval of Minutes – Regular Meeting – June 7, 2016

Budget & Finance Meeting – June 7, 2016

The minutes were approved as submitted.

Item #5 – Correspondence

a) County Auditor

The approval for an erroneous tax application is Item #6x on the agenda.

Item #6 – Pre-filed resolutions:

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

Item #6a – Approval/2017 Decentralized Budget Review Process for Preparation and Adoption of the 2017 County Budget was next. Chairwoman Nacerino moved the following:

Chairwoman Nacerino explained the Budget & Finance Committee added the following three (3) items to Section E. of the Guidelines for the County Executive: Item #20 – which requires certain documentation be provided from not-for-profits; #21 – which requires a break out of the “Contracts” line for the Golf Facility and #22 – which requires a break

out of the Cell Phone expense from the total telephone expense and to provide a separate account number for the cell phone item.

RESOLUTION #132

APPROVAL/ 2017 DECENTRALIZED BUDGET REVIEW PROCESS

WHEREAS, the Budget and Finance Committee has reviewed and recommended the adoption of the attached Decentralized Budget Review Process for implementation in 2016 for the 2017 budget; now therefore be it

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

RESOLVED, that pursuant to Putnam County Charter Section 7.04 the Putnam County Legislature hereby adopts and notifies the County Executive of the policy and practice guidelines contained in Section E of this Decentralized Budget Review Process/2017 to be complied with by the County Executive.

BY ROLL CALL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

**PROTECTIVE COMMITTEE
(Chairman Gouldman, Legislators Gross & Wright)**

Item #6b – Approval/Budgetary Amendment (16A028)/Bureau of Emergency Services/ 2015 Public Safety Answering Points (PSAP) Grant was next. Chairwoman Nacerino recognized Legislator Gouldman, Chairman of the Protective Services Committee. On behalf of the members of the Committee, Legislators Gross and Wright, Legislator Gouldman moved the following:

RESOLUTION #133

APPROVAL/BUDGETARY AMENDMENT (16A028)/BUREAU OF EMERGENCY SERVICES/ 2015 PUBLIC SAFETY ANSWERING POINTS (PSAP) GRANT

WHEREAS, by Resolution #277 of 2015 the Putnam County Legislature approved and authorized the Putnam County Bureau of Emergency Services to apply for a grant under the 2015-2016 Public Safety Answering Point (PSAP) Grant Program; and

WHEREAS, by Resolution #34 of 2016 the Putnam County Legislature approved budgetary amendment (16A002) for the 2015-2016 PSAP Grant awarded in the amount of \$126,883; and

WHEREAS, the Putnam County Bureau of Emergency Services has determined how they wish to apply these funds and have requested budgetary amendment (16A028) to reallocate the funds from contingency, per Resolution #34 of 2016, to the appropriate lines; and

WHEREAS, the Protective 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 Revenue:

10398900 430891 10127	St Aid – Public Safety Answering Point Grant (PSAP)	126,883
Decrease Revenue:		
10398900 430891	St Aid – Public Safety Answering Point Grant (PSAP)	126,883
Increase Appropriations:		
10398900	St Aid – Public Safety Answering Point Grant	
52110 10127	Furniture & Furnishings	8,240
52640 10127	Audio Visual Equipment	114,923
54782 10127	Software	<u>3,720</u>
		126,883
Decrease Appropriations:		
10199000 54980	Contingency	126,883

2016 Fiscal Impact – 0 –
2017 Fiscal Impact – 0 –

BY POLL VOTE: SIX AYES. ONE RECUSAL – LEGISLATOR WRIGHT. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6c – Approval/Confirmation/Re-Appointments/Putnam County Emergency Services Safety Advisory Board was next. On behalf of the members of the Protective Services Committee, Legislators Gross and Wright, Legislator Gouldman moved the following:

RESOLUTION #134

APPROVAL/CONFIRMATION/RE-APPOINTMENTS/PUTNAM COUNTY EMERGENCY SERVICES SAFETY ADVISORY BOARD

WHEREAS, Section 25-38 of the Putnam County Code provides for the appointment of members to the Putnam County Emergency Services Safety Advisory Board by the County Executive subject to confirmation by the Putnam County Legislature; and

WHEREAS, the County Executive has re-appointed the following:

Fran McCarthy, Putnam County Community Representative, for a three (3) year term, said term to expire on December 31, 2018 and

Albert Jacobs, Emergency Medical Services Council Representative, for a three (3) year term, said term to expire on December 31, 2018, subject to County Legislature confirmation; and

WHEREAS, the Protective Services Committee of the Putnam County Legislature has reviewed and approved of said re-appointments; now therefore be it

RESOLVED, that the Putnam County Legislature hereby confirms the re-appointments of Fran McCarthy and Albert Jacobs to the Putnam County Emergency Services Safety Advisory Board; and be it further

RESOLVED, that these appointments comply with any requirements to file an Oath of Office pursuant to the New York State Public Officers Law.

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6d - Approval/Confirmation/Appointment/Putnam County Emergency Services Safety Advisory Board was next. On behalf of the members of the Protective Services Committee, Legislators Gross and Wright, Legislator Gouldman moved the following:

RESOLUTION #135

APPROVAL/CONFIRMATION/ APPOINTMENT/PUTNAM COUNTY EMERGENCY SERVICES SAFETY ADVISORY BOARD

WHEREAS, Section 25-38 of the Putnam County Code provides for the appointment of members to the Putnam County Emergency Services Safety Advisory Board by the County Executive subject to confirmation by the Putnam County Legislature; and

WHEREAS, the County Executive has appointed the following:

Kevin Neary, filling the expired term of Gregory McGee as Chiefs Association Representative, for a three (3) year term, said term to expire December 31, 2018, subject to County Legislature confirmation; and

WHEREAS, the Protective Services Committee of the Putnam County Legislature has reviewed and approved of said appointment; now therefore be it

RESOLVED, that the Putnam County Legislature hereby confirms the appointment of Kevin Neary to the Putnam County Emergency Services Safety Advisory Board; and be it further

RESOLVED, that these appointments comply with any requirements to file an Oath of Office pursuant to the New York State Public Officers Law.

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

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

Item #6e – Approval/Re-Appointments/Putnam County Soil & Water Conservation District Board was next. Chairwoman Nacerino recognized Legislator Albano, Chairman of the Physical Services Committee. On behalf of the members of the Committee, Legislators Castellano and Scuccimarra, Legislator Albano moved the following:

RESOLUTION #136

APPROVAL/RE-APPOINTMENTS/PUTNAM COUNTY SOIL & WATER CONSERVATION DISTRICT BOARD

RESOLVED, that the following be re-appointed to the Putnam County Soil & Water Conservation District Board:

Marjorie Thorpe, Town of Southeast, for a three (3) year term, said term to expire December 31, 2018.

Chris Ruthven, Town of Kent, for a three (3) year term, said term to expire December 31, 2017.

Ervin Raboy, Town of Southeast, for a three (3) year term, said term to expire December 31, 2016.

And be it further

RESOLVED, that these appointments comply with any requirements to file an Oath of Office pursuant to the New York State Public Officers Law.

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6f – Approval/Negative Declaration / Route 6N Storage Facility Permit Modification with Fuel Dispensing System Relocation was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Scuccimarra, Legislator Albano moved the following:

Legislator Wright stated that he would be voting “no” because he voted against the original declaration. He stated that he didn’t believe the declaration language was appropriate.

RESOLUTION #137

APPROVAL/ NEGATIVE DECLARATION/ ROUTE 6N STORAGE FACILITY PERMIT MODIFICATION WITH FUEL DISPENSING SYSTEM RELOCATION

WHEREAS, Putnam County (the “County”) desires to remove and have properly disposed three underground fuel storage tanks currently located at the Putnam County Highway Garage located at 600 Rt. 6N (the “Garage”); and

WHEREAS, the County further desires to have two aboveground fuel storage tanks with associated tank mounted dispensing systems and a fire suppression system installed at an existing County Highway yard outpost facility located at 454 Route 6N (the “Outpost Facility”); and

WHEREAS, the County is also desirous to utilize the Outpost Facility for the temporary stockpiling by County contractor(s) of materials that result from tree removal, trimming, felling, and pruning and/or during major storm events for work being performed along County roads in proximity to the Outpost Facility, as well as the temporary stockpiling of job materials (e.g., Item 4, topsoil, stone, etc.) associated with County projects located in close proximity to the Outpost Facility, all the foregoing collectively called the “Project”; and

WHEREAS, the premises where the Outpost Facility is located is owned by the New York City Department of Environmental Protection (the “NYCDEP”) for watershed protection purposes and is subject to the terms of a Land Use Permit and the Project requires a modification to the existing permit; and

WHEREAS, the proposed action hereunder is subject to review under the State Environmental Quality Review Act and the Regulations promulgated thereunder (“SEQRA 6 NYCRR Part 617”); and

WHEREAS, pursuant to Resolution # 76 of 2016 the Putnam County Legislature determined that the proposed action is an “Unlisted” action, as defined in 6 NYCRR Part 617.2, and declared its intent to serve as Lead Agency with respect to SEQRA; and

WHEREAS, a Full Environmental Assessment form (EAF) was prepared for the Project; and

WHEREAS, the EAF was circulated to all involved and interested agencies for the requisite 30 days with Notice of the Putnam County Legislature’s Intent to Serve as Lead Agency and no objections were received thereto; and

WHEREAS, the Putnam County Legislature, acting as Lead Agency, conducted a coordinated environmental review in accordance with §617.6, and

WHEREAS, based upon a careful review of the action as a whole, of the EAF, and the criteria set forth in 6 NYCRR Part 617.7(c), it has been 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, determines that the proposed Project will not have any potential significant adverse impacts and a Draft Environmental Impact Statement will not be prepared; and be it further

RESOLVED, that in accordance with 6 NYCRR Part 617, the Putnam County Legislature, as Lead Agency, hereby accepts and adopts the Negative Declaration prepared in connection with the Route 6N Storage Facility Permit Modification with Fuel Dispensing System Relocation, a copy of which is annexed hereto and made a part hereof; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BY POLL VOTE: FIVE AYES. TWO NAYS – LEGISLATORS LOBUE & WRIGHT. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6g – Approval/Issuance/ Quitclaim Deed/Town of Kent Tax Map #9.-1-54 was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Scuccimarra, Legislator Albano moved the following:

RESOLUTION #138

APPROVAL/ISSUANCE/ QUITCLAIM DEED/ TOWN OF KENT TAX MAP #9.-1-54

WHEREAS, Dennis Tompkins and Kelly Frey (hereinafter the “Owners”) are the record owners of a certain parcel of property in the Town of Kent, which is designated and described as Tax Map No. 9.-1-54 (hereinafter the “Property”); and

WHEREAS, the Owners have requested that the County assist in resolving certain potential title issues with respect to the Property by issuing a quitclaim deed to them; and

WHEREAS, said quitclaim deed would specifically serve to assist in the resolution of such title issues which surround possible prior misdescriptions of the Property and claims of the County’s potential interest in same; and

WHEREAS, the Putnam County Attorney has reviewed and approved the proposed conveyance; and

WHEREAS, the Putnam County Legislature has reviewed this matter and is desirous of assisting the Owner in correcting any title marketability issues with respect to the Property, in the manner described herein; now therefore be it

RESOLVED, that Putnam County Legislature hereby approves and authorizes the issuance of a quitclaim deed to Dennis Tompkins and Kelly Frey which shall convey any possible interest the County has in the parcel described in the legal description attached hereto as Exhibit "A"; and be it further

RESOLVED, that the Putnam County Executive is authorized to execute said quitclaim deed on behalf of the County, which shall thereafter be recorded in the Putnam County Clerk's Office, Division of Land Records.

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6h – Approval/2016 Consolidated Funding Applications (CFA) for Grant Funding for Projects aimed to Increase Local Economic Development and Encourage Growth in Putnam County through Capital Public Infrastructure Projects was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Scuccimarra, Legislator Albano moved the following:

RESOLUTION #139

APPROVAL / 2016 CONSOLIDATED FUNDING APPLICATIONS (CFA) FOR GRANT FUNDING FOR PROJECTS AIMED TO INCREASE LOCAL ECONOMIC DEVELOPMENT AND ENCOURAGE GROWTH IN PUTNAM COUNTY THROUGH CAPITAL PUBLIC INFRASTRUCTURE PROJECTS

WHEREAS, the County Executive and the Putnam County Legislature agree that through economic development efforts that generate, retain and/or create jobs; prevent, reduce and/or eliminate unemployment and underemployment; and increase business and economic activity in Putnam County (the "County"), employment opportunities will develop and jobs will be created, property values will improve and increased sales tax revenues realized, all of the foregoing positively impacting the County's economic competitiveness, which is in the best interests of County taxpayers; and

WHEREAS, competitive funding opportunities are being offered through New York State, more particularly, the New York Empire State Development Council (NYESDC), as set forth in the recently published New York State Regional Economic Development Councils 2016 Available CFA Resources Manual¹ (the "Manual"), for which submission of applications are due to NYESDC on or before July 29, 2016; and

WHEREAS, funding opportunities exist in connection with, among other things, projects that focus on public infrastructure and economic growth investments, including enhancements to water and sewer infrastructure, drinking water/clean water/storm water and public works, repairing or replacing existing systems, constructing new systems and/or expanding existing systems previously unserved, which, if implemented in the County, are expected to positively impact the County's economic and social viability and vitality and are wholly in the best interests of County taxpayers; and

WHEREAS, the County Executive and the Putnam County Legislature agree that the County should submit its competitive funding applications in connection with

projects as aforesaid for grant funding, more specifically, in connection with local wastewater treatment and sewer and drinking/water lines infrastructure, the foregoing expected to positively impact the County’s economic competitiveness which is in the best interests of County taxpayers; and

WHEREAS, if grant funding is awarded to the County by the NYESDC, depending on the award and grant category, the maximum contributions by NYESDC will be twenty (20%) percent match, *to wit*:

<u>Proposed Project</u>	<u>Location</u>	<u>Estimated Construction Costs</u>	<u>CFA Application</u>
Wastewater Treatment Plant (WTP)	Patterson Crossing/ Lake Carmel area	\$70 million	\$14.0 million
Sewer/Water Lines Infrastructure	Southeast	\$12 million	\$2.4 million
Sewer Lines Infrastructure	Union Place/Route 6 Mahopac	\$8 million	\$1.6 million
Drinking/Water Lines Infrastructure	Oregon Corners Putnam Valley	\$2.5 million	\$500,000

and

WHEREAS, the County, by and through the Putnam County Department of Planning, Development and Public Transportation, is desirous to competitively seek grant funds through the 2016 CFA competitive grant application process as outlined in the Manual; and

WHEREAS, the County, by and through the Putnam County Department of Planning, Development and Public Transportation, has/continues efforts to seek and make application for supplemental grant funding for the aforesaid Proposed Projects; now therefore be it

RESOLVED, that the County Executive, together with the County Legislature, support the County’s applications for CFA grant funding for submission on or before July 29, 2016 and approves the Putnam County Department of Planning, Development and Public Transportation’s request to apply for 2016 CFA grant competitive funding; and it is hereby further

RESOLVED, that this Resolution shall take effect immediately.

BY POLL VOTE: SIX AYES. ONE ABSTENTION – LEGISLATOR LOBUE. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6i – Approval/Request for County Attorney/Prepare Proposed Lease with Camp Herrlich was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Scuccimarra, Legislator Albano moved the following:

Legislator Wright made a motion to amend the resolution as follows: Paragraph 3 – the Putnam County Legislature “supports” this expansion. Paragraph 4 – has proposed

terms acceptable to Camp Herrlich. Paragraph 5 – prepare a proposed lease with Camp Herrlich acceptable to all parties for an extension to the existing lease.

Seconded by Legislator LoBue. All in favor.

RESOLUTION #140

APPROVAL/REQUEST FOR COUNTY ATTORNEY/PREPARE PROPOSED LEASE WITH CAMP HERRLICH

WHEREAS, Camp Herrlich desires to expand their facilities located on property owned by the County of Putnam and leased to Camp Herrlich by lease dated April 25, 2006 and amended March 30, 2012; and

WHEREAS, in order to accomplish said expansion the lease must be extended for a longer period of time in order for private donors to Camp Herrlich to make private contributions for this project; and

WHEREAS, the Putnam County Legislature supports this expansion; and

WHEREAS, the Deputy County Executive, by way of letter dated June 14, 2016, has proposed terms acceptable to Camp Herrlich; now therefore be it

RESOLVED, that the Putnam County Legislature requests the Putnam County Attorney to prepare a proposed lease with Camp Herrlich acceptable to all parties for an extension to the existing lease incorporating the terms of the Deputy County Executive's letter of June 14, 2016; and be it further

RESOLVED, that this proposed lease be in conformity with New York State Law and terms of the letter of Ira Stern, Director of NYCDEP Watershed Lands and Community Planning dated April 10, 2006.

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6j – Approval/Grant Application/Office for Senior Resources/New York State Department of Transportation FTA Section 5310 Grant Program was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Scuccimarra, Legislator Albano moved the following:

RESOLUTION #141

APPROVAL/GRANT APPLICATION/OFFICE FOR SENIOR RESOURCES/NEW YORK STATE DEPARTMENT OF TRANSPORTATION FTA SECTION 5310 GRANT PROGRAM

WHEREAS, when County matching funds are required Section 5-1(D)(1) of the Putnam County Code requires the Legislature to approve all grant applications and subsequent renewals thereof prior to submission for all applications requiring County matching funds; and

WHEREAS, this Section also provides that in the case when time is of the essence and Legislature approval before submission is not possible, the Legislature shall be furnished the grant application for consideration by the next Full Legislature meeting; and

WHEREAS, the Putnam County Office for Senior Resources is seeking approval for a grant in the amount of \$284,528.00 under the New York State Department of

Transportation FTA Section 5310 Grant Program which requires a Count matching fund of \$56,905.60; and

WHEREAS, this application was due July 1, 2016 before the meeting of the Legislature; and

WHEREAS, this grant application was considered and approved by the Physical Services Committee of the Putnam County Legislature at its June 16, 2016 meeting; now therefore be it

RESOLVED, that the Putnam County Legislature approves retroactively the application of the Office for Senior Resources for a \$284,528.00 grant under the New York State Department of Transportation FTA Section 5310 Grant Program.

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
(Chairwoman LoBue, Legislators Albano & Scuccimarra)

Item #6k – Approval/Support for Putnam County Housing Corporation Home Improvement Grant was next. Chairwoman Nacerino recognized Legislator LoBue, Chairwoman of the Rules, Enactments & Intergovernmental Relations Committee. On behalf of the members of the Committee, Legislators Albano and Scuccimarra, Legislator LoBue moved the following:

Legislator LoBue made a motion to amend the resolution to remove the words “and approves of” from the Resolve Clause and have it read: “Putnam County Legislature supports the application.”

Seconded by Legislator Wright. All in favor.

RESOLUTION #142

APPROVAL/SUPPORT FOR PUTNAM COUNTY HOUSING CORPORATION HOME IMPROVEMENT GRANT

WHEREAS, the Putnam County Housing Corporation is applying for a \$200,000 Home Improvement Grant from the New York State Affordable Housing Corporation to assist Putnam Homeowners in making necessary improvements to their homes; and

WHEREAS, this grant application is not a County application, however the Housing Corporation is seeking support for this application; and

WHEREAS, the Rules, Enactments & Intergovernmental Relations Committee of the Putnam County Legislature has considered this request and believes it is in the interest of the County to support this application as a representative body of the residents of Putnam County; now therefore be it

RESOLVED, that the Putnam County Legislature supports and approves of the application of the Putnam County Housing Corporation for a \$200,000 grant from the New York State Affordable Housing Corporation.

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6L – Approval/Local Law to Amend Subsection 3 of Section 7.05 of the Putnam County Charter Entitled “Review by the Capital Projects Committee” was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Albano and Scuccimarra, Legislator LoBue moved the following:

RESOLUTION #143

APPROVAL/LOCAL LAW TO AMEND SUBSECTION 3 OF SECTION 7.05 OF THE PUTNAM COUNTY CHARTER ENTITLED “REVIEW BY THE CAPITAL PROJECTS COMMITTEE”

A Local Law to Amend Subsection 3 of Section 7.05 of the Putnam County Charter Entitled “Review by the Capital Projects Committee”

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

Section 1.

Subsection 3 of Section 7.05 of the Putnam County Code is hereby amended to read as follows:

- 3. Review by the Capital Projects Committee. There shall be a Capital Projects Committee consisting of the County Executive as Chairman, the Commissioner of Finance as Vice-Chairman, the Commissioner of Planning, Development and Public Transportation, the Commissioner of Highways and Facilities, the Chairman of the County Legislature, a designee of the Budget and Finance Committee and a member of the County Legislature representing the minority political party, if another party is represented, or a member elected without party endorsement, to review the capital project requests in consideration of the capital program and the capital budget. In the event there is no member of the County Legislature representing another party nor any member of the County Legislature elected without party endorsement, then the County Legislature shall select any other member of the County Legislature not serving on the Capital Projects Committee as the additional member of this Committee.**

Section 2.

Subsection a, b and c of Subsection 3 shall remain the same.

Section 3.

This local law shall take effect forty-five (45) days after its adoption, subject to referendum on petition in accordance with the provisions of Section 24 of the New York State Municipal Home Rule Law.

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6m – Approval/Local Law Amending the Putnam County Code by Adding a New Chapter 115 Entitled “Animal Protection” was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Albano and Scuccimarra, Legislator LoBue made a motion to TABLE this item.

Legislator LoBue stated that her request to table this resolution is because the District Attorney was unable to attend the last Rules Committee meeting. Seconded by Chairwoman Nacerino and Legislator Wright. All in favor.

A LOCAL LAW AMENDING THE PUTNAM COUNTY CODE BY ADDING A NEW CHAPTER 115 ENTITLED “ANIMAL PROTECTION”

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

Section 1.

A New Chapter 115 of the Putnam County Code entitled “Animal Protection” is hereby added to read as follows:

**ARTICLE I
Animal Cruelty Registry Law**

§115-1. Legislative Intent

Animal cruelty is a serious problem, resulting in the abuse of thousands of animals each year in the United States. While New York State has criminalized the cruel treatment of animals, animal abuse continues to occur in Putnam County and throughout New York State. Studies show that people who have abused animals in the past are likely to do so in the future and that there is a near 100% recidivism rate for certain types of abuse such as animal hoarding. Furthermore, individuals who abuse animals are statistically more likely to commit violent acts against humans and a strong correlation has been established linking individuals who abuse animals with incidents of domestic violence.

The Putnam County Legislature finds that it is in the best interest of Putnam County residents to establish an online registry identifying individuals residing in Putnam County that have been convicted of an animal abuse crime and prevent these individuals convicted of animal cruelty from adopting, purchasing, or otherwise obtaining animals from any animal shelter, pet seller, or other person or entity involved in the exchange of animals by adoption, sale, or other means. Therefore, the purpose of this law is to establish an online registry of individuals residing in Putnam County who are convicted of animal abuse crimes.

§115-2. Definitions

A. “Animal Abuse Crime” shall mean the commission of the following enumerated crimes against an animal:

- (1) Animal Fighting, as defined in the New York State Agriculture and Markets Law (hereinafter “A.M.L.”) §351;

- (2) **Overdriving, Torturing and Injuring Animals; Failure to Provide Proper Sustenance, as defined in A.M.L. §353;**
 - (3) **Aggravated Cruelty to Animals, as defined in A.M.L. §353-a;**
 - (4) **Abandonment of Animals, as defined in A.M.L. § 355;**
 - (5) **Failure to provide proper food and drink to Impounded Animals, as defined in A.M.L. §356;**
 - (6) **Carrying animal in a cruel manner, as defined in A.M.L. §359;**
 - (7) **Poisoning or Attempting to Poison Animals, as defined in A.M.L. §360;**
 - (8) **Interference with or Injury to certain Domestic Animals, as defined in A.M.L. §361;**
 - (9) **Throwing substances injurious to animals in public place, as defined in A.M.L. §362;**
 - (10) **Clipping or cutting the ears of dogs, as defined in A.M.L. §365;**
 - (11) **Companion Animal Stealing, as defined in A.M.L §366;**
 - (12) **Removing, seizing or transporting dogs for research purposes, as defined in A.M.L. §366-a;**
 - (13) **Harming a Service Animal in the second degree, as defined in New York State Penal Code §242.10;**
 - (14) **Harming a Service Animal in the first degree, as defined in New York State Penal Code §242.15;**
 - (16) **Sexual Misconduct with an Animal, as defined in New York State Penal Code §130.20(3);**
 - (17) **Harming an Animal trained to aid a person with a disability in the first degree, as defined in New York Penal Code §195.12.**
- B. “Animal” shall mean any living mammal (except a Human Being), bird, reptile, amphibian, or fish.**
- C. “Animal Abuse Offender” shall mean any person eighteen (18) years of age, or older, convicted of an Animal Abuse Crime, except youthful offenders whose convictions or adjudications include sealed records.**
- D. “Convicted Of” shall mean an adjudication of guilt by any court of competent jurisdiction, whether upon a verdict or plea of guilty.**
- E. “Pet Seller” shall mean any individual person, partnership, firm, corporation or other entity which offers animals for sale or is engaged in the sale, exchange, or other transfer of ownership of animals.**
- F. “Pet Dealer” shall mean any individual person, partnership, firm, corporation or other entity who or which sells or offers to sell more than nine animals per year for profit to the public. Such definition shall include pet stores, as defined in this Article and breeders who sell or offer to sell directly to the consumer animals born and raised on the breeder’s residential premises.**
- G. “Animal Shelter” shall mean any public, privately owned, or not for profit organization including, but not limited to, any duly incorporated humane society, pound, animal protective association or animal rescue group which maintains buildings, structures, or other property for the purpose of harboring animals which may be stray, unwanted, lost, abandoned, or abused and seeks to find appropriate temporary or permanent homes for such animals.**
- H. “Pet Store” shall mean any facility of an individual, firm, partnership, corporation, company or entity who or which offers animals for sale as part of a business.**

- I. “Residence” shall mean the local where a person maintains a fixed, permanent and principal home and to which he/she, wherever temporarily located, always intends to return.

§115-3. Creation of Animal Cruelty Registry

An online registry shall be established containing the name, residence information, and a head photo, including shoulders, of any individual residing in Putnam County who has been convicted of any animal abuse crime, as defined in this Article. The Putnam County Sheriff is hereby authorized, empowered and directed to collaborate with the Putnam County Society for the Prevention of Cruelty to Animals, Inc. (PCSPCA) to establish and maintain an Animal Cruelty Registry (the “Registry”) for such individuals in Putnam County. The Registry shall also contain links to other county Animal Abuse Registries that are available, or as they become available in the future, in the State of New York, with such other county registries to be used as informational resources by Animal Shelters, Pet Sellers, Pet Dealers, or other persons or entities located in Putnam County when they shall sell, exchange or otherwise transfer the ownership of any animal. The PCSPCA shall receive all fees associated with the registration as the cost of maintenance and administration of the Registry. The Registry shall be publicly available on the PCSPCA website.

The Registry shall contain the required information about each Animal Abuse Offender for a period of ten (10) years following his or her release from incarceration; or if not incarcerated, from the date of entry judgment. Persons who are convicted of subsequent animal abuse crimes shall remain on the Registry for ten (10) years following their most recent conviction. Upon notification to the Putnam County Sheriff’s Office of a successful appeal of a conviction of an animal abuse crime by any individual who had been required to register pursuant to this local law, the information for that individual shall be removed from the Registry within five (5) days following said notification.

§115-4. Registry Requirements

- A. All Animal Abuse Offenders who reside in Putnam County and who are convicted of animal abuse crime on or after the effective date of this law must register with the Registry at the PCSPCA, within the later of ten (10) days of their release from incarceration or if not incarcerated, from the date of entry of judgment.
- B. When a person is convicted of an animal abuse crime in Putnam County, the prosecuting agency shall endeavor to forward to the PCSPCA, the name and address of the convicted person along with the name of the animal abuse crime the person was convicted of, thereby notifying the PCSPCA that the person is required to enroll in the Registry.
- C. Each person required to enroll in the Registry shall submit to the PCSPCA:
 - (1) Their name and any aliases they are known by;
 - (2) Their residential address; and
 - (3) A photograph of their head and shoulders taken from the front not less than 2” x 3” or a digital image commonly known as a digital photograph of the front of their head and shoulders.

- D. Each person required to enroll in the Registry shall update their registration information annually in January and within five (5) days of any change of residential address and/or upon any official change of name.
- E. Every person required to enroll in the Registry must pay a fee of fifty (\$50) dollars to the PCSPCA upon initial registration and every January thereafter at the time of their registration update. These funds will be used to pay the administrative and maintenance costs of maintaining the Registry. The PCSPCA may waive part or the entire registration fee where, because of the indigence of the person, 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 person for financial support.
- F. Each Person convicted of an animal abuse crime in another New York County who moves into Putnam County must enroll in the Registry within ten (10) days of establishing residence in Putnam County.
- G. Each person required to enroll in the Registry is prohibited from possessing, adopting, owning, purchasing or exercising control over any animal at any time while the person is required to be listed on the Registry.
- H. The Putnam County Sheriff, or his/her designee, is hereby authorized and empowered to promulgate such rules and regulations necessary to implement this law.

§115-5. Prohibition from Transferring Animal Ownership to Animal Abuse Offenders

- A. No Pet Seller, Pet Dealer, Pet Store, Animal Shelter, other person or entity located in Putnam County, or any other authorized agents thereof, shall knowingly sell, exchange or otherwise transfer the ownership of any animal to any person listed on the Registry.
- B. Prior to the sale, adoption, exchange, or other transfer of ownership of any animal within Putnam County, the Pet Seller, Pet Dealer, Pet Store, Animal Shelter, other person or entity located in Putnam County, or any other authorized agents thereof, is required to examine the Registry to confirm that the name of the potential owner of the animal is not listed thereon.

§115-6. Penalties

- A. Any Animal Abuse Offender who fails to enroll in the Registry shall be guilty of a violation punishable by:
 - (1) A fine of not less than two hundred and fifty dollars (\$250) and not more than one thousand dollars (\$1,000); or
 - (2) Imprisonment for not more than fifteen (15) days; or
 - (3) both.
- B. Any Animal Abuse Offender required to enroll, or to update his/her enrollment, with the Registry and who, for a second time within any two (2) year period, fails to do so shall be guilty of a class "A" misdemeanor.
- C. Any Animal Abuse Offender who violates the prohibition against possessing, adopting, owning, purchasing, or exercising control over any animal at any time while the person is required to be listed on the Registry shall be guilty of a violation punishable by:

- (1) A fine of not less than two hundred and fifty dollars (\$250) but not more than one thousand dollars (\$1,000); or
 - (2) Imprisonment for not more than fifteen (15) days; or
 - (3) both.
- D. Any Animal Abuse Offender required to enroll in the Registry and who, for a second time within any two (2) year period, possesses, adopts, owns, purchases, or exercises control over any animal at any time while the person is required to be listed on the Registry shall be guilty of a class “A” misdemeanor.
- E. Any Pet Seller, Pet Dealer, Pet Store, Animal Shelter or other individual or entity located in Putnam County, or any authorized agents thereof, who violate Section 95-14 of this Local Law, shall be guilty of a violation and subject to a maximum fine of two hundred and fifty dollars (\$250). It shall not be a violation of this law if the Pet Seller, Pet Dealer, Pet Store, Animal Shelter or other individual, entity or any authorized agents thereof, checked with the Registry and the name did not appear thereon.
- F. Any Pet Seller, Pet Dealer, Pet Store, Animal Shelter, or other individual or entity located in Putnam County, or any authorized agents thereof, who a second time within two (2) years violates Section 95-14 of this Local Law shall be guilty of a class “A” misdemeanor.
- G. Any person who knowingly purchases or adopts an animal on behalf of an individual who is required to register with the Registry shall be guilty of a violation punishable by a fine of not less than two hundred and fifty thousand dollars (\$250) but not more than one thousand dollars (\$1,000), or imprisonment for not more than fifteen (15) days, or both.

§115.7. Applicability

This law shall apply to all persons convicted of animal abuse crimes as defined by Section 95-11 of Article III, on or after the effective date of this law.

§115.8. Enforcement

This law shall be enforced by the Putnam County Sheriff Department, local law enforcement officers and officers of the PCSPCA.

§115.9. Severability

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 2. Effective Date

This law shall take effect immediately upon filing with the New York Secretary of State.

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

Item #6n – Approval/Budgetary Amendment (16A034)/Office for Senior Resources/Elder Abuse Education and Outreach Program (EAEOP) Community Mini-Grant was next. In the absence of Legislator Scuccimarra, Chairwoman Nacerino recognized Legislator LoBue, member of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators Addonizio and Scuccimarra, Legislator LoBue moved the following:

RESOLUTION #144

APPROVAL/BUDGETARY AMENDMENT /OFFICE FOR SENIOR RESOURCES/ELDER ABUSE EDUCATION AND OUTREACH PROGRAM (EAEOP) COMMUNITY MINI-GRANT

WHEREAS, the Office for Senior Resources has requested a budgetary amendment (16A034) to participate in an Elder Abuse Education and Outreach Program (EAEOP) Community Mini-grant with Lifespan of Greater Rochester Inc., a not-for-profit corporation; and

WHEREAS, this grant runs from April 1, 2016 through September 30, 2016; and

WHEREAS, this grant was reviewed by the Health, Social, Educational & Environmental Committee of the Putnam County Legislature at its April 12, 2016 meeting; and

WHEREAS, there are no matching County funds required and therefore no approval resolution was needed to apply for said grant; and

WHEREAS, the Health, Social, Educational & Environmental 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 Revenues:

10677200 437720 10128	OSR – St Aid – Elder Abuse Education Prevention	6,500
10677200 427701 10128	OSR – Elder Abuse Education Prevention – Miscellaneous	5,000
		11,500

Increase Appropriations:

10677200 54310 10128	OSR – Elder Abuse Education Prevention (EAEP) – Office Supplies	200
10677200 54311 10128	OSR – EAEP – Printing/Forms	4,300
10677200 55314 10128	OSR – EAEP – Chargeback Pstg	5,000
10677300 54989 10128	OSR – EAEP – Miscellaneous	<u>2,000</u>
		11,500

2016 Fiscal Impact – 0 –

2017 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6o – Approval/Fund Transfer (16T114)/Office for Senior Resources/Temporary was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Addonizio and Scuccimarra, Legislator LoBue moved the following:

RESOLUTION #145

APPROVAL/FUND TRANSFER /OFFICE FOR SENIOR RESOURCES/TEMPORARY

WHEREAS, the Office for Senior Resources has requested a fund transfer (16T114) to cover temporary line due to unplanned staff shortage April 2016 through June 2016; and

WHEREAS, the Health, Social, Educational & Environmental 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:

10677400 51000 (10102)	Driver w/CDL	11,000
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Increase:

10677400 51094	Temporary	11,000
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2016 Fiscal Impact – 0 –

2017 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6p – Approval/Commissioner of Social Services/Victim and Witness Assistance Grant Program/Increase in State Funding was next. . On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Addonizio and Scuccimarra, Legislator LoBue moved the following:

RESOLUTION #146

APPROVAL/ COMMISSIONER OF SOCIAL SERVICES / VICTIM AND WITNESS ASSISTANCE GRANT PROGRAM/ INCREASE IN STATE FUNDING

WHEREAS, by Resolution #301 of 2014 the Putnam County Legislature approved the extension of a Crime Assistance grant through the New York State Office of Victim Services for the period of October 1, 2014 through September 30, 2017; and

WHEREAS, the grant amount for the year October 1, 2016 through September 30, 2017 was \$115,078.10; and

WHEREAS, the grant has recently been increased to \$135,386.00; and

WHEREAS, this increase has been considered and approved by the Health, Social, Educational & Environmental Committee of the Putnam County Legislature; now therefore be it

RESOLVED, that the Putnam County Legislature accepts the increase grant in the total amount of \$135,386.00 for the year October 1, 2016 through September 30, 2017 from the Victim and Witness Assistance Grant Program.

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

PERSONNEL COMMITTEE
(Chairwoman Nacerino, Legislators Castellano & Wright)

Item #6q – Approval/Fund Transfer (16T122)/Real Property/Temporary was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Wright, Chairwoman Nacerino moved the following:

RESOLUTION #147

APPROVAL/FUND TRANSFER /REAL PROPERTY/TEMPORARY

WHEREAS, the Real Property Department has requested a fund transfer (16T122) to cover temporary line; 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:

10131000 51000 (10106)	Personnel	1,500
10135500 51000 (10106)	Personnel	<u>1,500</u>
		3,000

Increase:

10131000 51094	Temporary	1,500
10135500 51094	Temporary	<u>1,500</u>
		3,000

2016 Fiscal Impact – 0 –

2017 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6r – Approval/Standard Work Day And Reporting Resolution was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Wright, Chairwoman Nacerino moved the following:

RESOLUTION #148

APPROVAL/STANDARD WORK DAY AND REPORTING RESOLUTION

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

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

- **Resolution #195 of 2010 and Resolution #286 of 2010 (one employee only).**
- **Resolution #338 of 2011 correcting Resolution #190 of 2011.**
- **Resolution #218 of 2012 correcting Resolution #155 of 2012.**
- **Resolution #143 of 2013.**
- **Resolution #168 of 2014.**
- **Resolution #150 of 2015.**

And

WHEREAS, it is now time to file the report for 2016, now therefore be it

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

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6s – Approval/Confirmation/Appointment of Director of Consumer Affairs/Weights & Measures/Trades Licensing & Registration was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Wright, Chairwoman Nacerino moved the following:

Chairwoman Nacerino stated that Mr. Budzinski would assume the responsibilities of the Director of Consumer Affairs in addition to his current position as Director of Engineering in the Department of Health. She stated that the stipend would be \$20,000 per year which will be prorated for the remainder of six months this year. She stated that, as mentioned by Personnel Director during the Personnel Committee meeting, this was a fine example of consolidation. She stated that we would move this to be effective until December 31, 2016 and revisit the matter to see if this proves to be successful and effective.

Legislator LoBue stated that her comments do not reflect Mr. Budzinski. She stated that she was concerned about making this full-time position into a part-time position. She believed that it devalues the Consumer Affairs Department. She believed that the department was vitally important as it protects small businesses and the consumer. She believed this change would open the door for people to cheat consumers. She believed more oversight was needed, not less. She stated that even Congress recently created a consumer protection agency. She stated that our Consumer Affairs Department protects consumer's rights, especially our society's most vulnerable; seniors and veterans. She stated that a contractor contacted her today and voiced his concerns since he deals with the Consumer Affairs Department on a regular basis. She stated that at one time this

department had three (3) Code Enforcement Officers and now they are down to one (1). She believed that we were heading in the wrong direction.

Chairwoman Nacerino stated that one (1) of the salary points brought up by Director Eldridge during the Personnel meeting was that there has been an absence of a Director for several months now. However, there is an Office Manager who is very astute in her duties and responsibilities. She stated that Deputy County Executive Walker also frequently visits the department with general oversight and will continue to do so. She stated that this is an appointment for six (6) months and if this matter proves to be ineffective or not reaching the expectations that we have, we will be able to make that adjustment.

Legislator Albano stated that he supported the position. He believed that it would be a good way to finish out the year and then reevaluate the matter.

RESOLUTION #149

APPROVAL/CONFIRMATION/APPOINTMENT OF DIRECTOR OF CONSUMER AFFAIRS/WEIGHTS & MEASURES/TRADES LICENSING & REGISTRATION

WHEREAS, pursuant to NYS Agriculture and Markets Law, Article 18, Section 180 and the Putnam County Charter, Article 12, Section 12.05, there shall be a Director of Consumer Affairs/Weights and Measures/Trades Licensing and Registration that shall be appointed by the County Executive subject to the confirmation by the County Legislature; and

WHEREAS, the Administration is revising this position to be a Part-time position; and

WHEREAS, County Executive Odell has appointed Michael Budzinski to the position based upon his knowledge and expertise subject to confirmation by the Legislature; now therefore be it

RESOLVED, that the Putnam County Legislature hereby confirms the County Executive's appointment of Michael Budzinski to serve as Putnam County Director of Consumer Affairs, Weights and Measures, Trades Licensing and Registration.

BY ROLL CALL VOTE: SIX AYES. ONE NAY – LEGISLATOR LOBUE. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

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

Item #6t – Approval/Budgetary Transfer (16T150)/Director of Consumer Affairs/Weights & Measures/Trades Licensing & Registration Position Stipend was next. Chairwoman Nacerino recognized Legislator Castellano, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

Legislator LoBue stated that one (1) of the concerns that was also brought to her attention was that individuals who are unlicensed do not pay sales tax; therefore she believed that having less oversight would not yield any savings for the County. She stated that contractors will now be competing with individuals who are not licensed or

insured. She believed it was an unfair playing field. She believed that the Consumer Affairs Department and the Director position is vitally important. She explained that she did not know how a County employee working 40 hours per week in the Health Department could now work 10 hours per week in the Consumer Affairs Department.

Chairwoman Nacerino believed those who are disingenuous and try to circumvent the legal process of registering their businesses has been an ongoing problem despite the fact whether the County has a part-time or full-time Director of Consumer Affairs.

Legislator Castellano quoted the phrase “consumers beware.” He stated that before hiring someone, the consumer should see if the contractor is licensed, and if not, they can protect themselves by not hiring them.

RESOLUTION #150

APPROVAL/BUDGETARY TRANSFER /DIRECTOR OF CONSUMER AFFAIRS/WEIGHTS & MEASURES/TRADES LICENSING & REGISTRATION POSITION STIPEND

WHEREAS, the Commissioner of Finance has requested a budgetary transfer (16T150) to provide for a \$20,000 per year stipend for the newly revised Part-time position of Director of Consumer Affairs/Weights & Measures/Trades Licensing & Registration; and

WHEREAS, this stipend has been prorated to cover through year end; and

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

RESOLVED, that the following budgetary transfer be made:

Increase Estimated Appropriations:

10661000 51901	Stipend – Director	10,000
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Decrease Estimated Appropriations:

10661000 51000 (10101)	Personnel Services	10,000
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2016 Fiscal Impact – 0 –

2017 Fiscal Impact – 0 –

BY POLL VOTE: SIX AYES. ONE NAY – LEGISLATOR LOBUE. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6u – Approval/Budgetary Amendment (16A031)/Commissioner of Finance/Vacancy Control/March, April & May 2016 was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #151

APPROVAL/BUDGETARY AMENDMENT /COMMISSIONER OF FINANCE/VACANCY CONTROL/MARCH, APRIL & MAY 2016

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (16A031) to provide for the Vacancy Control Factor for March, April & May 2016; and WHEREAS, the Audit & Administration Committee has reviewed and approves said budgetary amendment; now therefore be it RESOLVED, that the following budgetary amendment be made:

GENERAL FUND:

Decrease Estimated Appropriations:

SEE ATTACHED SHEET	Personal Services	155,762
SEE ATTACHED SHEET	FICA	11,915
SEE ATTACHED SHEET	Dental	4,205
SEE ATTACHED SHEET	Life Insurance	584
SEE ATTACHED SHEET	Health Insurance	12,599
SEE ATTACHED SHEET	Vision	546
SEE ATTACHED SHEET	Flex Plan	<u>544</u>
		186,155

Decrease Estimated Revenues:

10131000 427705	Vacancy Control Factor	<u>215,948</u>
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Increase Estimated Revenues:

10131000 428551	Transfer from Road fund	29,793
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COUNTY ROAD FUND:

Increase Estimated Appropriations:

02990100 59030	Transfer to General Fund	29,793
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Decrease Estimated Appropriations:

SEE ATTACHED SHEET	Personal Services	25,631
SEE ATTACHED SHEET	FICA	1,962
SEE ATTACHED SHEET	Dental	1,900
SEE ATTACHED SHEET	Vision	<u>300</u>
		29,793

2016 Fiscal Impact – 0 –

2017 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6v – Approval/Budgetary Amendment (16A032)/Planning Department/Perform Planning/Feasibility Study was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #152

APPROVAL/BUDGETARY AMENDMENT /PLANNING DEPARTMENT/ PERFORM PLANNING/FEASIBILITY STUDY

WHEREAS, by Resolution #81 of 2016 the Putnam County Legislature approved and authorized the County Executive to apply for a \$200,000 Planning and Feasibility Study grant from the New York State and Empire Development; and

WHEREAS, by said Resolution #81 of 2016 the Legislature also approved a budgetary amendment (16A019) in the amount of \$50,000 to complete the funding for this project; and

WHEREAS, the County was previously awarded \$150,000 through the New York Metropolitan Council (NYMTC) Unified Planning Work Program (UPWP); and

WHEREAS, the Regional Council will reimburse the County \$50,000 once the project is completed and UPWP will reimburse the County its related expenses during the term of the project; and

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (16A032) to provide for this Planning and Feasibility Study, now therefore be it

RESOLVED, that the following budgetary amendment be made:

Decrease Estimated Appropriations:

10802000 54647	Subcontractors	50,000
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Decrease Estimated Revenues:

10802000 439020	State Aid – ESD	50,000
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Increase Estimated Appropriations:

55997000 53000 51616	Planning/Feasibility Study	200,000
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Increase Estimated Revenues:

55997000 439020 51616	State Aid – ESD	50,000
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55997000 439021 51616	Stated Aid – UPWP	150,000
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2016 Fiscal Impact – 0 –

2017 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6w – Approval/Fund Transfer (16T142)/Sheriff’s Department/Repairs to Correctional Facility was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #153

APPROVAL/FUND TRANSFER (16T142)/SHERIFF’S DEPARTMENT/REPAIRS TO CORRECTIONAL FACILITY

WHEREAS, the Sheriff’s Department has requested a fund transfer (16T142) for maintenance and repairs in the Correctional Facility; and

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

RESOLVED, that the following fund transfer be made:

Decrease:

10010000 54646	Contracts	800
10009000 52180	Other Equipment	3,000
10009000 54510	Machine Maintenance	3,000
10011000 52180	Other Equipment	4,128
10011000 54300	Miscellaneous	2,000
10315000 54311	Printing	6,000
10315000 54313	Books & Supplements	1,295
10315000 54322	Inmate Supplies	11,500
10315000 54782	Software & Accessories	<u>8,500</u>
		40,223

Increase:

10011000 54710	Maintenance & Repairs	40,223
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2016 Fiscal Impact – 0 –
2017 Fiscal Impact – 0

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6x – Approval/Refund of Taxes/Bernard & Dorothy Small/Town of Carmel/Tax Map #87.5-1-1 was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #154

APPROVAL/REFUND OF TAXES/BERNARD & DOROTHY SMALL/TOWN OF CARMEL/TAX MAP #87.5-1-1

WHEREAS, Bernard & Dorothy Small have requested a tax refund of \$3,700.15 for Tax Map #87.5-1-1 in the Town of Carmel; and

WHEREAS, the Director of Real Property Tax Services Agency, the Commissioner of Finance, the Department of Law, the County Executive and the County Auditor have reviewed and approve said tax refund; now therefore be it

RESOLVED, that the Putnam County Legislature approves the application for refund of taxes by Bernard & Dorothy Small for Tax Map #87.5-1-1 in the Town of Carmel in the amount of \$3,700.15.

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6y – Approval/Corrective Action Plan/Putnam County Department of Consumer Affairs/Misappropriation of Cash Receipts was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #155

APPROVAL/CORRECTIVE ACTION PLAN/PUTNAM COUNTY DEPARTMENT OF CONSUMER AFFAIRS/MISAPPROPRIATION OF CASH RECEIPTS

WHEREAS, the New York State Comptroller's Office, Division of Local Government & School Accountability has forwarded to the County a Report of Examination of the Putnam County Department of Consumer Affairs under file No. 2014M-310; and

WHEREAS, the Putnam County Executive has issued a Corrective Action Plan (CAP) under date of June 22, 2016 responding to the various Audit Recommendations with an Implementation Plan of Action; and

WHEREAS, this CAP has been reviewed and approved by the Audit Committee of the Putnam County Legislature, now therefore be it

RESOLVED, that the Putnam County Legislature accepts the Corrective Action Plan prepared by the County Executive dated June 22, 2016 and authorizes it to be sent to the N.Y.S. Comptroller's Office, Division of Local Government and School of Accountability.

BY POLL VOTE: ALL AYES. LEGISLATORS GROSS & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #7 – Other Business

There was no other business presented to the meeting.

Item #8 – Recognition of Public

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

Item #9 – Recognition of Legislators

Legislator Gouldman stated that Jeanne Gordon recently passed away. She was the wife of previously deceased Jim Gordon. He stated that Jim served as Putnam County Legislator for Putnam Valley District #2 from 1988-1996. He extended his condolences to the family.

Legislator Castellano stated that last weekend was the Southeast Firework Event. He thanked the Sheriff's Department, Emergency Services and New York State Police for doing a fantastic job in keeping everyone safe. He stated that it was a fantastic event and something we should be proud of in Putnam County.

Chairwoman Nacerino stated that she too attended the event. She stated that it was very well orchestrated and there was a seamless process in getting the vehicles out at the end of the evening. She mentioned the 4-H Fair coming up in July and wished everyone a happy and safe summer.

There being no further business, at 7:46 P.M., Chairwoman Nacerino made a motion to adjourn; seconded by Legislator Castellano. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.