

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

Tuesday

March 1, 2016

7:00 P.M.

The meeting was called to order at 7:03 P.M. by Chairwoman Nacerino who requested that Legislator LoBue lead in the Pledge of Allegiance. Chairwoman Nacerino requested Legislator Castellano lead in the Legislative Prayer. Upon roll call, Legislators Scuccimarra, Addonizio, Albano, Gross, Castellano, LoBue, Wright and Chairwoman Nacerino were present. Legislator Gouldman arrived at 7:28 P.M. Also present was Legislative Counsel Van Ross.

PROCLAMATION

Chairwoman Nacerino requested that Legislator Scuccimarra present the "March 2016 as Developmental Disabilities Awareness Month" proclamation. PARC's Executive Director Ms. Susan Limongello attended the meeting. Ms. Marie O'Connor and Ms. Patty Dwayne accepted the proclamation.

March 2016 as Developmental Disabilities Awareness Month

WHEREAS, PARC – with the mission to empower individuals to achieve their highest quality of life - is an integral part of our community, serving both as a business as well as a human services agency; and

WHEREAS, for over sixty 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 PARC's day programs offer meaningful and productive options for people to learn about and explore their communities while building life skills; 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 2016 as Developmental Disabilities Awareness Month and recognize and commend PARC for the valuable services

this agency provides to people with disabilities, their families, and the business community.

Item #4 – Approval of Minutes – Regular Meeting – February 3, 2016

The minutes were approved as submitted.

Item #5 – Correspondence

a) County Auditor

There was no activity during this reporting period.

Item #6 – Pre-filed resolutions:

**ECONOMIC DEVELOPMENT & ENERGY COMMITTEE
(Chairwoman Addonizio, Legislators Gouldman & Gross)**

Item #6a – Approval/Request Administration to Forward Budgetary Amendment/Transfer \$75,000 from Sub-contingency to Industrial Development Corp. (IDA) was next. Chairwoman Nacerino recognized Legislator Addonizio, Chairwoman of the Economic Development & Energy Committee. On behalf of the members of the Committee, Legislator Gouldman and Gross, Legislator Addonizio made a motion to TABLE this item. She stated that this issue will be revisited at the March Economic Development Committee meeting; seconded by Legislator LoBue. All in favor.

**APPROVAL/REQUEST ADMINISTRATION TO FORWARD BUDGETARY AMENDMENT/
TRANSFER \$75,000 FROM SUB-CONTINGENCY TO INDUSTRIAL DEVELOPMENT CORP.
(IDA)**

WHEREAS, Section 927(f) of the General Municipal Law enacted by the New York State Legislature in 1987 permitted Putnam County to establish an Industrial Development Agency (IDA); and

WHEREAS, pursuant to this authority, a seven (7) member IDA was created by Putnam County which agency has continued to this day with various personnel changes; and

WHEREAS, since its inception the IDA has had no problem receiving revenues based on its bonding ability; and

WHEREAS, recently the law was changed removing not-for-profit corporations as a source for IDA bonding; and

WHEREAS, other changes by New York State has further limited the IDA's sources of revenue; and

WHEREAS, due to the down turn in the economy and the limitation of revenue sources from IDA bonding, the Putnam IDA has had serious problems in securing revenue sources, leaving it with a fund balance of approximately \$300.00; and

WHEREAS, Putnam County did not provide for IDA funding in the 2016 budget but did place \$75,000 in a sub-contingency account for a potential IDA funding contribution; and

WHEREAS, members of the IDA perceived no movement by Putnam County for its future financial commitment, and with filing and other requirements due by the IDA the members of the IDA tendered their resignations to the Putnam County Legislature; and

WHEREAS, the Putnam County Legislature is desirous of resolving the problems that exist with the IDA including their revenue problems; and

WHEREAS, \$75,000 was placed in sub-contingency for the benefit of the IDA; and

WHEREAS, the Economic Development & Energy Committee has considered and approved of a budgetary transfer from sub-contingency to the IDA for this \$75,000; now therefore be it

RESOLVED, that the Putnam County Legislature requests the Administration prepare and forward a budgetary amendment transferring the \$75,000 in sub-contingency to the IDA.

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

Item #6b – Approval/Re-establish Fiscal Vision & Accountability Commission 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:

RESOLUTION #46

APPROVAL/ RE-ESTABLISH FISCAL VISION & ACCOUNTABILITY COMMISSION

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

WHEREAS, by Resolution #103 of 2015 the Putnam County Legislature changed the Fiscal Vision and Accountability Commission number of members to a 12 member Commission; and

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

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

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

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

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

RESOLVED, that the Putnam County Legislature hereby continues the Commission for Fiscal Vision and Accountability consisting of 12 members; and be it further

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

RESOLVED, that the following others be re- appointed as members of this Commission:

- 1. Maureen Fleming, Town of Kent Supervisor**
- 2. Denise Camilloni, Town of Putnam Valley**

3. Jeffery D. Kellogg, Town of Carmel
4. Charlie Melchner, Town of Carmel
5. Neal Sullivan, Town of Carmel
6. Stephen Baranowski, Town of Carmel
7. Michael Johnson, Town of Carmel
8. Patricia Ploeger, Town of Paterson
9. Nathaniel Prentice, Town of Philipstown
10. Vacancy

and be it further

RESOLVED, that the member selected to fill the Vacancy of this Commission be approved by the Legislature upon the recommendation of the Rules, Enactments & Intergovernmental Relations Committee; and be it further

RESOLVED, that this Commission shall expire on December 31, 2016 unless further extended by this Legislature.

BY POLL VOTE: ALL AYES. LEGISLATOR GOULDMAN WAS ABSENT. MOTION CARRIES.

Item #6c – Approval/Re-Appointments/Putnam County Plumbing & Mechanical Trades Board was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Albano and Scuccimarra, Legislator LoBue moved the following:

Legislator LoBue referred to Legislative Counsel on an amendment that needs to be made to Items #6c, 6d & 6e.

Legislative Counsel Van Ross stated that a resolve would be added which reads: that these re-appointees comply with any requirements to file an Oath of Office pursuant to the New York State Public Officers Law.

Legislator LoBue made a motion to include the amendment to Items #6c, 6d & 6e; seconded by Legislator Wright. All in favor.

Legislator LoBue moved the following as amended:

RESOLUTION #47

APPROVAL/RE-APPOINTMENTS/PUTNAM COUNTY PLUMBING & MECHANICAL TRADES BOARD

RESOLVED, that the following be re-appointed to the Putnam County Plumbing & Mechanical Trades Board:

(2) Kevin Raab, Town of Kent, as Journeyman Plumber, for a three (3) year term, said term to expire, December 31, 2018.

(5) Homer Losee, Town of Patterson, as Master Plumber, for a three (3) year term, said term to expire, December 31, 2018.

(8) Henry Boyd, Town of Kent, as Well Driller Representative, for a three (3) year term, said term to expire, December 31, 2018.

And be it further,

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

BY POLL VOTE: ALL AYES. LEGISLATOR GOULDMAN WAS ABSENT. MOTION CARRIES.

Item #6d – Approval/Re-Appointments/Putnam County Board of Electrical Examiners was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Albano and Scuccimarra, Legislator LoBue moved the following:

RESOLUTION #48

APPROVAL/RE-APPOINTMENTS/PUTNAM COUNTY BOARD OF ELECTRICAL EXAMINERS

RESOLVED, that the following be re-appointed to the Putnam County Board of Electrical Examiners:

Robert Counihan, Town of Southeast, as (D4) Representative from NYSEG, for a three (3) year term, said term to expire December 31, 2018.

Julie Butler, Town of Kent, as (D8) Citizen Representative, filling a vacant three (3) year term, said term to expire December 31, 2016.

Andrew Pidala, Town of Philipstown, as (D7) Electrical Worker’s Union Representative, for a three (3) year term, said term to expire December 31, 2018.

And be it further,

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

BY POLL VOTE: ALL AYES. LEGISLATOR GOULDMAN WAS ABSENT. MOTION CARRIES.

Item #6e – Approval/Appointments/Putnam County Board of Electrical Examiners was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Albano and Scuccimarra, Legislator LoBue moved the following:

RESOLUTION #49

APPROVAL/APPOINTMENTS/PUTNAM COUNTY BOARD OF ELECTRICAL EXAMINERS

RESOLVED, that the following be appointed to the Putnam County Board of Electrical Examiners:

Ron Massaro, Town of Philipstown, as (D5) Limited Data Communications Technician, filling a vacant three (3) year term, said term to expire December 31, 2017.

Robert McCarthy, Town of Patterson, as (D6) Building Inspector Representative, for a three (3) year term, said term to expire December 31, 2018.

And be it further,

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

BY POLL VOTE: ALL AYES. LEGISLATOR GOULDMAN WAS ABSENT. MOTION CARRIES.

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

RESOLUTION #50

APPROVAL/LITIGATION SETTLEMENT

WHEREAS, on or about August 25, 2013, the Plaintiff, Nancy Mulligan, allegedly sustained personal injuries as the result of an arrest effectuated by the Defendants, The County of Putnam through the Putnam County Sheriff's Department; and

WHEREAS, Plaintiff sought recovery for the personal injury damages; and

WHEREAS, Plaintiff agreed to a settlement with the County, subject to the Legislature's approval, in which the County agreed to pay said Plaintiff the sum of fifteen thousand (\$15,000.00) dollars; and

WHEREAS, the County Attorney, the Putnam County Sheriff, assigned counsel and NYMIR's claims representative have all recommended the settlement as an alternative to costly litigation; and

WHEREAS, NYMIR, through its claims representative, has in fact settled the matter with the Plaintiff for the sum of fifteen thousand (\$15,000.00) dollars and has obtained settlement documents from the Plaintiffs which, upon filing with the Court, will discontinue this matter with the Court and which will allow Plaintiff to receive her settlement payment; and

WHEREAS, the settlement is in the public interest and has avoided the costs of further litigation; now therefore be it

RESOLVED, that the settlement of this matter for the sum of fifteen thousand (\$15,000.00) dollars is hereby approved.

BY ROLL CALL VOTE: ALL AYES. LEGISLATOR GOULDMAN WAS ABSENT. MOTION CARRIES.

Item #6g – Approval/Putnam Arts Council Grants for 2016 was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Albano and Scuccimarra, Legislator LoBue moved the following:

RESOLUTION #51

APPROVAL/PUTNAM ARTS COUNCIL GRANTS FOR 2016

WHEREAS, on February 4, 2016, the Putnam Arts Council reported to the Putnam County Legislature their recommendations for distribution of the Putnam Arts Fund Grants 2016 totaling \$11,000; and

WHEREAS, this distribution has been considered and approved by the Rules, Enactments & Intergovernmental Relations Committee; now therefore be it

RESOLVED, that the Putnam County Legislature accepts and approves the recommendation of the Putnam Arts Council dated February 4, 2016 for the distribution of the Putnam Arts Fund Grants 2016 for the first round of applications totaling \$11,000 pursuant to the attached list.

BY POLL VOTE: ALL AYES. LEGISLATOR GOULDMAN WAS ABSENT. MOTION CARRIES.

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

Item #6h - Approval/Operation And Maintenance Policy EOHWC Stormwater Retrofit Projects 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 #52

APPROVAL/OPERATION AND MAINTENANCE POLICY EOHWC STORMWATER RETROFIT PROJECTS

WHEREAS, the County of Putnam is a member of the East of Hudson Watershed Corporation ("EOHWC"), a not-for-profit local development corporation formed to assist the member municipalities located within the New York City watershed east of the Hudson River in complying with the stormwater retrofit requirements of the Municipal Separate Storm Sewer System Permit ("MS4 Permit"); and

WHEREAS, the County, along with the other member municipalities, are individually subject to a MS4 Permit, pursuant to which municipalities are required to implement stormwater retrofits and are encouraged to participate in a regional stormwater retrofit plan; and

WHEREAS, EOHWC has installed and will continue to install stormwater retrofit projects ("SRPs") or has reimbursed member municipalities for installing SRPs in compliance with the first five-year Regional Stormwater Retrofit Plan, and intends to do so for the second five-year plan to the extent funding is provided by the New York City Department of Environmental Protection ("DEP"); and

WHEREAS, the MS4 Permit requires member municipalities to maintain each SRP for its useful life to ensure that it continues to operate as it was designed; and

WHEREAS, the Board of Directors of EOHWC has adopted an Operation and Maintenance Policy ("O&M Policy") setting forth the equitable share of the costs and responsibilities under such policy by all member municipalities in a manner consistent with the MS4 Permit bubble compliance (a shared responsibility for the installation of

stormwater retrofits) and requiring the legislative body of each member municipality to agree to comply with the terms and conditions of the O&M Policy; and

WHEREAS, approval of the O&M Policy is a Type II action exempt from the State Environmental Quality Review Act ("SEQRA") under 6 NYCRR 617.5(c)(1) as it relates to the routine maintenance of the SRPs; and

WHEREAS, approval of the O&M Policy is in the best interests of the County as it assures continued compliance by the County with the MS4 Permit; now therefore be it

RESOLVED, that the County of Putnam accepts and agrees to the terms and conditions of the EOHWC O&M Policy, attached hereto as "Schedule A", and be it further RESOLVED, that this Resolution shall take effect immediately.

BY POLL VOTE: ALL AYES. LEGISLATOR GOULDMAN WAS ABSENT. MOTION CARRIES.

Item #6i – Approval/Sale of County Property Pursuant to Chapter 31 of the Putnam County Code / Kent TM # 43.-2-69 was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Scuccimarra, Legislator Albano moved the following:

Legislator Addonizio stated that she would be recusing herself from voting on the Chapter 31 properties. She stated that she is a licensed realtor and has sent a letter to the Board of Ethics requesting their opinion on whether or not there is a conflict and questioned if she should recuse herself on these matters.

By Poll Vote: Five Ayes – Legislators Albano, Castellano, Gross, Scuccimarra & Chairwoman Nacerino. Two Nays – Legislators LoBue & Wright. One Recusal – Legislator Addonizio. Legislator Gouldman was absent. Motion Fails.

APPROVAL/SALE OF COUNTY PROPERTY PURSUANT TO CHAPTER 31 OF THE PUTNAM COUNTY CODE

WHEREAS, per Resolution # 81 of 2013 the Putnam County Legislature authorized the County Executive to offer certain County owned properties for sale through the applicable Multiple Listing Service utilizing the services of the licensed real estate brokers under contract with the County; and

WHEREAS, per Resolution # 123 of 2013, the Putnam County Legislature recommended that said properties be offered for sale and listed at the initial offer amounts suggested in the comparative market analyses performed by the real estate brokers for the properties, and

WHEREAS, said properties have been listed on the applicable Multiple Listing Service; and

WHEREAS, the Putnam County Administration has entered into negotiations with a prospective purchaser for the property identified as 24 Reservoir View Court, Carmel, New York (Kent TM # 43.-2-69); and

WHEREAS, the Putnam County Administration recommends the acceptance of the negotiated offer of \$15,000.00, and as further specified in the Contract of Sale, which is attached hereto and made a part hereof as Schedule "A"; and

WHEREAS, the Putnam County Legislature has reviewed said negotiated offer, now therefore be it

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, the Putnam County Legislature approves the sale of the property identified as 24 Reservoir View Court, Carmel, New York (Kent TM # 43.-2-69) for such amount and upon such other terms and conditions as are contained in the Contract of Sale, which is attached hereto and made a part hereof as Schedule “A”; and be it further

RESOLVED, that the County Executive is authorized to execute the Contract of Sale for the property identified as 24 Reservoir View Court, Carmel, New York (Kent TM # 43.-2-69) which Contract of Sale shall be in the form attached hereto and made a part hereof as Schedule “A”; and be it further

RESOLVED, that the County Attorney shall be authorized to take all necessary steps to complete the transfer of said property in accordance with the terms and conditions of the aforementioned Contract of Sale.

Item #6, – Approval/Sale of County Property Pursuant to Chapter 31 of the Putnam County Code / Patterson TM # 25.41-1-19 was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Scuccimarra, Legislator Albano moved the following:

By Poll Vote: Five Ayes – Legislators Albano, Castellano, Gross, Scuccimarra & Chairwoman Nacerino. Two Nays – Legislators LoBue & Wright. One Recusal – Legislator Addonizio. Legislator Gouldman was absent. Motion Fails.

APPROVAL/SALE OF COUNTY PROPERTY PURSUANT TO CHAPTER 31 OF THE PUTNAM COUNTY CODE

WHEREAS, per Resolution # 101 of 2015 the Putnam County Legislature authorized the County Executive to offer certain County owned properties for sale through the applicable Multiple Listing Service utilizing the services of the licensed real estate brokers under contract with the County; and

WHEREAS, per Resolution # 209 of 2015, the Putnam County Legislature recommended that said properties be offered for sale and listed at the initial offer amounts suggested in the comparative market analyses performed by the real estate brokers for the properties, and

WHEREAS, said properties have been listed on the applicable Multiple Listing Service; and

WHEREAS, the Putnam County Administration has entered into negotiations with a prospective purchaser for the property identified as 16 Freemont Road, Patterson, New York (Patterson TM # 25.41-1-19); and

WHEREAS, the Putnam County Administration recommends the acceptance of the negotiated offer of \$45,000.00, and as further specified in the Contract of Sale, which is attached hereto and made a part hereof as Schedule “A”; and

WHEREAS, the Putnam County Legislature has reviewed said negotiated offer, now therefore be it

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, the Putnam County Legislature approves the sale of the property identified as 16 Freemont Road, Patterson, New York (Patterson TM # 25.41-1-19) for such amount and upon such other terms and conditions as are contained in the Contract of Sale, which is attached hereto and made a part hereof as Schedule “A”; and be it further

RESOLVED, that the County Executive is authorized to execute the Contract of Sale for the property identified as 16 Freemont Road, Patterson, New York (Patterson TM # 25.41-1-19) which Contract of Sale shall be in the form attached hereto and made a part hereof as Schedule "A"; and be it further

RESOLVED, that the County Attorney shall be authorized to take all necessary steps to complete the transfer of said property in accordance with the terms and conditions of the aforementioned Contract of Sale.

Item #6k – Approval/Sale of County Property Pursuant to Chapter 31 of the Putnam County Code / Southeast TM # 56.81-1-8 was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Scuccimarra, Legislator Albano moved the following:

By Poll Vote: Five Ayes – Legislators Albano, Castellano, Gross, Scuccimarra & Chairwoman Nacerino. Two Nays – Legislators LoBue & Wright. One Recusal – Legislator Addonizio. Legislator Gouldman was absent. Motion Fails.

APPROVAL/SALE OF COUNTY PROPERTY PURSUANT TO CHAPTER 31 OF THE PUTNAM COUNTY CODE

WHEREAS, per Resolution # 101 of 2015 the Putnam County Legislature authorized the County Executive to offer certain County owned properties for sale through the applicable Multiple Listing Service utilizing the services of the licensed real estate brokers under contract with the County; and

WHEREAS, per Resolution # 209 of 2015, the Putnam County Legislature recommended that said properties be offered for sale and listed at the initial offer amounts suggested in the comparative market analyses performed by the real estate brokers for the properties, and

WHEREAS, said properties have been listed on the applicable Multiple Listing Service; and

WHEREAS, the Putnam County Administration has entered into negotiations with a prospective purchaser for the property identified as 20 Putnam Terrace, Brewster, New York (Southeast TM # 56.81-1-8); and

WHEREAS, the Putnam County Administration recommends the acceptance of the negotiated offer of \$43,500.00, and as further specified in the Contract of Sale, which is attached hereto and made a part hereof as Schedule "A"; and

WHEREAS, the Putnam County Legislature has reviewed said negotiated offer, now therefore be it

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, the Putnam County Legislature approves the sale of the property identified as 20 Putnam Terrace, Brewster, New York (Southeast TM # 56.81-1-8) for such amount and upon such other terms and conditions as are contained in the Contract of Sale, which is attached hereto and made a part hereof as Schedule "A"; and be it further

RESOLVED, that the County Executive is authorized to execute the Contract of Sale for the property identified as 20 Putnam Terrace, Brewster, New York (Southeast TM # 56.81-1-8) which Contract of Sale shall be in the form attached hereto and made a part hereof as Schedule "A"; and be it further

RESOLVED, that the County Attorney shall be authorized to take all necessary steps to complete the transfer of said property in accordance with the terms and conditions of the aforementioned Contract of Sale.

Item #6L – Approval/Sale of County Property Pursuant to Chapter 31 of the Putnam County Code / Putnam Valley TM # 73.5-2-60 was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Scuccimarra, Legislator Albano moved the following:

By Poll Vote: Five Ayes – Legislators Albano, Castellano, Gross, Scuccimarra & Chairwoman Nacerino. Two Nays – Legislators LoBue & Wright. One Recusal – Legislator Addonizio. Legislator Gouldman was absent. Motion Fails.

APPROVAL/SALE OF COUNTY PROPERTY PURSUANT TO CHAPTER 31 OF THE PUTNAM COUNTY CODE

WHEREAS, per Resolution # 101 of 2015 the Putnam County Legislature authorized the County Executive to offer certain County owned properties for sale through the applicable Multiple Listing Service utilizing the services of the licensed real estate brokers under contract with the County; and

WHEREAS, per Resolution # 209 of 2015, the Putnam County Legislature recommended that said properties be offered for sale and listed at the initial offer amounts suggested in the comparative market analyses performed by the real estate brokers for the properties, and

WHEREAS, said properties have been listed on the applicable Multiple Listing Service; and

WHEREAS, the Putnam County Administration has entered into negotiations with a prospective purchaser for the property identified as 9 Sunset Hill Road, Putnam Valley, New York (Putnam Valley TM # 73.5-2-60); and

WHEREAS, the Putnam County Administration recommends the acceptance of the negotiated offer of \$70,000.00, and as further specified in the Contract of Sale, which is attached hereto and made a part hereof as Schedule “A”; and

WHEREAS, the Putnam County Legislature has reviewed said negotiated offer, now therefore be it

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, the Putnam County Legislature approves the sale of the property identified as 9 Sunset Hill Road, Putnam Valley, New York (Putnam Valley TM # 73.5-2-60) for such amount and upon such other terms and conditions as are contained in the Contract of Sale, which is attached hereto and made a part hereof as Schedule “A”; and be it further

RESOLVED, that the County Executive is authorized to execute the Contract of Sale for the property identified as 9 Sunset Hill Road, Putnam Valley, New York (Putnam Valley TM # 73.5-2-60) which Contract of Sale shall be in the form attached hereto and made a part hereof as Schedule “A”; and be it further

RESOLVED, that the County Attorney shall be authorized to take all necessary steps to complete the transfer of said property in accordance with the terms and conditions of the aforementioned Contract of Sale.

Item #6m – Approval/Sale of County Property Pursuant to Chapter 31 of the Putnam County Code / Putnam Valley TM # 62.17-3-62 & 63 was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Scuccimarra, Legislator Albano moved the following:

By Poll Vote: Five Ayes – Legislators Albano, Castellano, Gross, Scuccimarra & Chairwoman Nacerino. Two Nays – Legislators LoBue & Wright. One Recusal – Legislator Addonizio. Legislator Gouldman was absent. Motion Fails.

APPROVAL/SALE OF COUNTY PROPERTY PURSUANT TO CHAPTER 31 OF THE PUTNAM COUNTY CODE

WHEREAS, per Resolution # 101 of 2015 the Putnam County Legislature authorized the County Executive to offer certain County owned properties for sale through the applicable Multiple Listing Service utilizing the services of the licensed real estate brokers under contract with the County; and

WHEREAS, per Resolution # 209 of 2015, the Putnam County Legislature recommended that said properties be offered for sale and listed at the initial offer amounts suggested in the comparative market analyses performed by the real estate brokers for the properties, and

WHEREAS, said properties have been listed on the applicable Multiple Listing Service; and

WHEREAS, the Putnam County Administration has entered into negotiations with a prospective purchaser for the property identified as 13 Dusty Lane, Putnam Valley, New York (Putnam Valley TM # 62.17-3-62 & 63); and

WHEREAS, the Putnam County Administration recommends the acceptance of the negotiated offer of \$75,000.00, and as further specified in the Contract of Sale, which is attached hereto and made a part hereof as Schedule “A”; and

WHEREAS, the Putnam County Legislature has reviewed said negotiated offer, now therefore be it

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, the Putnam County Legislature approves the sale of the property identified as 13 Dusty Lane, Putnam Valley, New York (Putnam Valley TM # 62.17-3-62 & 63) for such amount and upon such other terms and conditions as are contained in the Contract of Sale, which is attached hereto and made a part hereof as Schedule “A”; and be it further

RESOLVED, that the County Executive is authorized to execute the Contract of Sale for the property identified as 13 Dusty Lane, Putnam Valley, New York (Putnam Valley TM # 62.17-3-62 & 63) which Contract of Sale shall be in the form attached hereto and made a part hereof as Schedule “A”; and be it further

RESOLVED, that the County Attorney shall be authorized to take all necessary steps to complete the transfer of said property in accordance with the terms and conditions of the aforementioned Contract of Sale.

Item #6n – Approval/Putnam County Legislature to Act as Lead Agency Under SEQRA in Re Permit Modification and 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 questioned if a vote was needed to accept the additional material. He stated that the additional Environmental Assessment Form (EAF) that has been presented to the Legislature is different than the one that was presented to the Physical Services Committee.

Chairwoman Nacerino made a motion to accept the additional material; seconded by Legislator Scuccimarra.

Legislator Wright stated that he would not accept the additional material. He stated that the applicant/sponsor is a different person and he didn't know who was responsible for the application. He didn't believe that the WHEREAS paragraph in the resolution, relative to the Legislature having conducted a review of Part 617 and made a finding, is accurate. He stated that he did not want to accept the additional for those reasons.

Legislator Albano questioned if the Legislature could vote on the original document.

Legislator Wright stated that subsequent to the Physical Services Committee's meeting on the matter, the EAF upon which the Committee reportedly acted on has been altered. He stated that there are different responsible parties set forth. He stated that Deputy Commissioner of Highways & Facilities was the original applicant/sponsor and on the revised the applicant/sponsor is the Putnam County Legislature. He stated that there was no review of Part 617 by the Legislature. He believed that the Planning Department did not want the EAF which was before the Committee to be sent to the DEC since they have revised and supplemented it.

Legislator Castellano made a motion to TABLE the resolution; seconded by Legislator Wright.

By Roll Call Vote: Seven Ayes – Legislators Addonizio, Castellano, Gross, LoBue, Scuccimarra, Wright and Chairwoman Nacerino. One Nay – Legislator Albano. Legislator Gouldman was absent. Motion Carries.

Legislator Albano stated that this resolution was to remove and replace fuel storage tanks. He stated the he welcomed the opportunity and believed that it was imperative to replace any tanks that we have in the ground. He stated that with respect to the SEQRA process, this was how it has been done in the past. He stated that the Legislature has departments that advise us of these situations and how to proceed.

APPROVE/PUTNAM COUNTY LEGISLATURE TO ACT AS LEAD AGENCY UNDER SEQRA IN RE PERMIT MODIFICATION AND 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, 600 Rt. 6N ; and

WHEREAS, the County further desires to have two aboveground fuel storage tanks, 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 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 (such stockpiling collectively referred to as “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 foregoing 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, other possible/potential/interested agencies (the “Involved Agencies”) have been identified in connection with the proposed action; and

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

WHEREAS, the Putnam County Legislature (the “Legislature”), after a review of Part 617, finds that the proposed action is an “Unlisted” action, as defined in 6 NYCRR Part 617.2; and

WHEREAS, pursuant to the requirements of 6 NYCRR Part 617.6(b)(3) a coordinated review of this action will be conducted; now therefore be it

RESOLVED, that the Legislature hereby declares its intent to serve as the Lead Agency under the procedures and requirements of SEQRA, and will circulate a Lead Agency Notice along with the EAF and associated documentation to all Involved Agencies and will follow protocol in accordance with and as required by all relevant rules and regulations.

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

Item #6o – Approval/Re-Appointments/Putnam County Traffic Safety Board was next. Chairwoman Nacerino stated that Legislator Gouldman, Chairman of the Protective Services Committee, is running late this evening. She recognized Legislator Gross, member of the Protective Services Committee. On behalf of the members of the Committee, Legislators Gouldman and Wright, Legislator Gross moved the following:

RESOLUTION #53

APPROVAL/RE-APPOINTMENTS/PUTNAM COUNTY TRAFFIC SAFETY BOARD

RESOLVED, that the following be re-appointed to the Putnam County Traffic Safety Board:

Sergeant Robert Behan, Town of Carmel Police Department, for a three (3) year term, said term to expire December 31, 2018.

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

Ron Cummings, Town of Putnam Valley, for a three (3) year term, said term to expire December 31, 2018.

Peter Dandreaano, Town of Patterson, for a three (3) year term, said term to expire December 31, 2018.

John Van Tassell, Town of Philipstown, for a three (3) year term, said term to expire December 31, 2018.

Sergeant William Meyer, Putnam County Sheriff's Department, as an Alternate Member, for a one (1) year term, said term to expire December 31, 2016.

John Tully, Town of Patterson, as an Alternate Member, for a one (1) year term, said term to expire December 31, 2016.

And be it further,

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

BY POLL VOTE: ALL AYES. LEGISLATOR GOULDMAN WAS ABSENT. MOTION CARRIES.

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

Item #6p – Approval/Memorialization/NYS Assembly Bill #A08409A and NYS Senate Bill #S06039A /An Act to Amend the Public Health Law and the Penal Law, In Relation to Synthetic Cannabinoids and Synthetic Cathinones was next. Chairwoman Nacerino recognized Legislator Scuccimarra, Chairwoman of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators Addonizio and LoBue, Legislator Scuccimarra moved the following:

RESOLUTION #54

APPROVAL/MEMORIALIZATION/NYS ASSEMBLY BILL #A08409A AND NYS SENATE BILL #S06039A /AN ACT TO AMEND THE PUBLIC HEALTH LAW AND THE PENAL LAW, IN RELATION TO SYNTHETIC CANNABINOIDS AND SYNTHETIC CATHINONES

WHEREAS, the dangers caused by synthetic marijuana also known as synthetic cannabinoids and synthetic cathinones have come to the forefront of drug abuse that the public should be concerned about; and

WHEREAS, these drugs are being sold at local stores, providing easy access to purchasing these drugs; and

WHEREAS, under federal law the sale of synthetic marijuana is prohibited if sold for human consumption. However, sellers of synthetic marijuana have found a loophole in federal law by labeling packages of synthetic marijuana not intended for human consumption; and

WHEREAS, a State prohibition and enforcement is needed to provide the tools necessary to protect our communities from these lethal drugs; and

WHEREAS, the Health, Social, Educational & Environmental Committee has reviewed this legislation and found it in Putnam County's best interest; now therefore be it

RESOLVED, that the Putnam County Legislature requests the New York State Assembly and the New York State Senate to enact Assembly Bill #A08409A and Senate Bill #S06039A; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Susan Serino, Senator Terrence Murphy, Senator John J. Flanagan, Assemblywoman Sandra Galef, Assemblyman Stephen Katz and Assemblyman Carl Heastie.

BY POLL VOTE: ALL AYES. LEGISLATOR GOULDMAN WAS ABSENT. MOTION CARRIES.

Item #6q – Approval/Memorialization/NYS Assembly Bill #A07625 and NYS Senate Bill #S05751A / Relating to Financial Liability for Major Facilities, Vessels and Railroads (Transport of Crude Oil) was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Addonizio and LoBue, Legislator Scuccimarra moved the following:

Legislator Gross stated that Legislator Scuccimarra brought this topic up some time ago as a result of some accidents in the Midwest. He thanked Legislator Scuccimarra for bringing this to the forefront.

Legislator Albano stated that this is a very serious issue. He stated that as you look across the river, there are tanker trains going back and forth that aren't built to carry these fuels. He stated that there are bridges that have major issues and there are few inspections being conducted underneath these bridges.

RESOLUTION #55

APPROVAL/MEMORIALIZATION/NYS ASSEMBLY BILL #A07625 AND NYS SENATE BILL #S05751A / RELATING TO FINANCIAL LIABILITY FOR MAJOR FACILITIES, VESSELS AND RAILROADS (TRANSPORT OF CRUDE OIL)

WHEREAS, accidents in the transport and storage of petroleum products can result in substantial financial losses to public entities who have the responsibility to respond to these incidents; and

WHEREAS, these accidents include explosions and spills from the improper handling of volatile and toxic crude oil shipments; and

WHEREAS, the local municipalities are often left to pay the ever increasing cost to cleanup these accidents; and

WHEREAS, there is a need to require these transporters of volatile products to provide for these cleanup costs by requiring financial surety measures be enacted by the State; and

WHEREAS, Assembly Bill #A07625 and Senate Bill #S05751A would ensure that any bulk petroleum storage facility, vessel, and railroad has the necessary financial security to balance the risk of an accident occurring that is directly related to storing crude oil; and

WHEREAS, the Health, Social, Educational & Environmental Committee has reviewed this legislation and found it in Putnam County's best interest; now therefore be it

RESOLVED, that the Putnam County Legislature requests the New York State Assembly and New York State Senate to enact Assembly Bill #A07625 and Senate Bill #S05751A; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Susan Serino, Senator Terrence Murphy, Senator John J. Flanagan, Assemblywoman Sandra Galef, Assemblyman Stephen Katz and Assemblyman Carl Heastie.

BY POLL VOTE: ALL AYES. LEGISLATOR GOULDMAN WAS ABSENT. MOTION CARRIES.

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

Item #6r – Approval/Budgetary Amendment (15A099)/Commissioner of Finance/ Year End Journal Entry #3 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:

RESOLUTION #56

APPROVAL/BUDGETARY AMENDMENT /COMMISSIONER OF FINANCE/YEAR END JOURNAL ENTRY #3

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (15A099) for the third year end entry for the year ended December 31, 2015; and

WHEREAS, further entry(s) will follow as more information becomes available during the year end closing process; 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:

Increase Estimated Appropriations: SEE ATTACHED SHEET	137,695.00
Decrease Estimated Appropriations: SEE ATTACHED SHEET	1,325,627.00
Increase Estimated Revenues: SEE ATTACHED SHEET	724,105.00
Decrease Estimated Revenues: SEE ATTACHED SHEET	1,912,307.00

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

BY POLL VOTE: ALL AYES. LEGISLATOR GOULDMAN WAS ABSENT. MOTION CARRIES.

Item #6s – Approval/Fund Transfer (16T024)/Office for Senior Resources/Temporary & Overtime was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #57

APPROVAL/FUND TRANSFER /OFFICE FOR SENIOR RESOURCES/TEMPORARY & OVERTIME

WHEREAS, the Office for Senior Resources has requested a fund transfer (16T024) for Temporary & Overtime to cover unplanned staff shortage January 2016 through March 2016; and

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

RESOLVED, that the following fund transfer be made:

Decrease:

10677400 51000		
(677410102)	Driver with CDL	8,098
10677300 51000		
(677310102)	Driver with CDL	8,503
10677300 58002	Social Security	<u>651</u>
		17,252

Increase:

10677400 51094	Temporary	8,098
10677800 51093	Overtime	1,467
10677800 51094	Temporary	7,036
10677800 58002	Social Security	<u>651</u>
		17,252

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

BY POLL VOTE: ALL AYES. LEGISLATOR GOULDMAN WAS ABSENT. MOTION CARRIES.

Item #7 – Other Business

There was no other business submitted 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 Castellano stated that the St. Patrick's Day Parade is on Sunday, March 13th in the afternoon. He welcomed everyone to attend this event.

Legislator LoBue wished everyone a Blessed Easter.

Legislator Scuccimarra wished Legislator Gross a Happy Birthday.

Chairwoman Nacerino wished both Legislators Gross and Addonizio a Happy Birthday.

Chairwoman Nacerino stated that she would like to close the meeting in memory of two very special men who passed away in February, Jason Lieberman and John Boder. She stated that both of these men gave so much of their time, talents, and energy to the people of the Town of Patterson and Putnam County. She stated that Jason Lieberman was a member of the Patterson Library Board of Trustees and John Boder was an active member of the Patterson Fire Department.

There being no further business, at 7:32 P.M., Chairwoman Nacerino made a motion to adjourn; seconded by Legislator Albano. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.