

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

Tuesday

February 7, 2017

7:00 P.M.

The meeting was called to order at 7:00 P.M. by Chairwoman Nacerino who requested that Legislator Sullivan lead in the Pledge of Allegiance and Legislator LoBue lead in the Legislative Prayer. Upon roll call, Legislators Scuccimarra, Gouldman, Addonizio, Albano, Jonke, Castellano, LoBue, Sullivan and Chairwoman Nacerino were present. Also present was Legislative Counsel Representative First Deputy County Attorney, Andrew Negro.

Item #4 – Approval of Minutes – Regular Meeting – December 6, 2016
Year End Meeting – December 20, 2016
Organizational Meeting – January 3, 2017

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:

**AUDIT & ADMINISTRATION COMMITTEE
(Chairman Castellano, Legislators Jonke & Sullivan)**

Item #6a – Approval/Re-Adopt Resolution #258 of 2016 /Local Law Establishing the 2017 Salary of the Putnam County Executive was next. Chairwoman Nacerino recognized Legislator Castellano, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Jonke and Sullivan, Legislator Castellano moved the following:

RESOLUTION #30

APPROVAL/RE-ADOPT RESOLUTION #258 OF 2016 / LOCAL LAW ESTABLISHING THE 2017 SALARY OF THE PUTNAM COUNTY EXECUTIVE

A LOCAL LAW ESTABLISHING THE 2017 SALARY OF THE PUTNAM COUNTY EXECUTIVE

BE IT ENACTED BY THE PUTNAM COUNTY LEGISLATURE AS FOLLOWS:

Section 1.

Section 3.01 of the Putnam County Charter requires that the County Executive's salary be fixed annually by local law.

Section 2.

The salary of the County Executive for 2017 is hereby set at the following amount effective January 1, 2017:

MaryEllen Odell.....\$151,608.00

Section 3.

THIS LOCAL LAW SHALL TAKE EFFECT FORTY-FIVE DAYS AFTER ITS PASSAGE AND IS SUBJECT TO PERMISSIVE REFERENDUM.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6b – Approval/Re-Adopt and Revise Resolution #259 of 2016 /Local Law Establishing the 2017 Salaries of Certain Appointed Officers Serving for Fixed Terms was next. On behalf of the members of the Audit & Administration Committee, Legislators Jonke and Sullivan, Legislator Castellano moved the following:

RESOLUTION #31

APPROVAL/RE-ADOPT & REVISE RESOLUTION #259 OF 2016 / LOCAL LAW ESTABLISHING THE 2017 SALARIES OF CERTAIN APPOINTED OFFICERS SERVING FOR FIXED TERMS

A LOCAL LAW ESTABLISHING THE 2017 SALARIES OF CERTAIN APPOINTED OFFICERS SERVING FOR FIXED TERMS

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

Section 1.

Section 201 of the County Law and Municipal Home Rule Law, Section 24, requires that certain salary increases of fixed term officers be established by Local Law, subject to permissive referendum.

Section 2.

The annual salaries of the hereinafter designated County Officers appointed for a fixed term are hereby set at the following amounts effective January 1, 2017:

| | |
|--|-----------|
| Paul Eldridge | \$129,387 |
| Personnel Director | |
| Lisa Johnson | \$ 91,800 |
| Director of Real Property Tax Services | |
| Michael Piazza | \$137,932 |
| Commissioner of Social Services/Mental Health/Youth Bureau | |

| | |
|---------------------------------|-----------|
| Anthony Scannapieco | \$ 82,687 |
| Commissioner Board of Elections | |
| Catherine Croft | \$ 82,687 |
| Commissioner Board of Elections | |
| Michele Alfano-Sharkey..... | \$105,036 |
| County Auditor | |
| Commissioner of Health..... | \$173,747 |

Section 3.

THIS LOCAL LAW SHALL TAKE EFFECT FORTY-FIVE DAYS AFTER ITS PASSAGE AND IS SUBJECT TO PERMISSIVE REFERENDUM.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6c – Approval/Re-Adopt Resolution #260 of 2016 /Local Law Establishing the 2017 Salary of Certain Elected Officials Serving for Fixed Terms was next. On behalf of the members of the Audit & Administration Committee, Legislators Jonke and Sullivan, Legislator Castellano moved the following:

RESOLUTION #32

APPROVAL/RE-ADOPT RESOLUTION #260 OF 2016 / LOCAL LAW ESTABLISHING THE 2017 SALARY OF CERTAIN ELECTED OFFICIALS SERVING FOR FIXED TERMS

A LOCAL LAW ESTABLISHING THE 2017 SALARY OF CERTAIN ELECTED OFFICIALS SERVING FOR FIXED TERMS

BE IT ENACTED BY THE PUTNAM COUNTY LEGISLATURE AS FOLLOWS:

Section 1.

Section 301 of the County Law and Municipal Home Rule Law requires that salary increases of fixed term officers shall be established by Local Law, subject to permissive referendum.

Section 2.

The annual salary of the hereinafter designated County Officers elected for a fixed term is hereby set the following amounts effective January 1, 2017:

**Donald B. Smith
Putnam County Sheriff.....\$142,818**

**Robert Tendy
Putnam County District Attorney.....\$183,000**

**Michael Bartolotti
Putnam County Clerk.....\$124,322**

**Bernadine LoBue
Putnam County Legislator.....\$ 35,839**

Joseph Castellano
Putnam County Legislator.....\$ 35,839

William Gouldman
Putnam County Legislator.....\$ 35,839

Virginia Nacerino
Putnam County Legislator.....\$ 35,839

Barbara Scuccimarra
Putnam County Legislator.....\$ 35,839

Toni Addonizio
Putnam County Legislator.....\$ 35,839

Michael Nesheiwat
Putnam County Coroner.....\$171-per diem

John Bourges
Putnam County Coroner.....\$171-per diem

Section 3.
THIS LOCAL LAW SHALL TAKE EFFECT FORTY-FIVE DAYS AFTER ITS PASSAGE AND IS SUBJECT TO PERMISSIVE REFERENDUM.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6d – Approval/Local Law to Amend Chapter 220, Article XI (Cold War Veterans Exemption), Section 220-71 of the Code of Putnam County Entitled “Amount of Exemption” was next. On behalf of the members of the Audit & Administration Committee, Legislators Jonke and Sullivan, Legislator Castellano moved the following:

RESOLUTION #33

APPROVAL/LOCAL LAW TO AMEND CHAPTER 220, ARTICLE XI (COLD WAR VETERANS EXEMPTION), SECTION 220-71 OF THE CODE OF PUTNAM COUNTY ENTITLED “AMOUNT OF EXEMPTION”

A Local Law to Amend Chapter 220, Article XI (Cold War Veterans Exemption), Section 220-71 of the Code of Putnam County Entitled “Amount of Exemption”

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

Section 1.

Chapter 220, Article XI, Section 220-71 of the Putnam County Code is hereby amended to read as follows:

Section 220-71. Amount of Exemption.

The maximum exemptions allowable from County real property taxation pursuant to Section 458-b of the Real Property Tax Law shall be 15% of the property's assessment, not to exceed ~~12,000~~ 54,000 multiplied by the latest final state equalization rate for service during the "Cold War" and a percentage of the property's assessment equal to one-half of any service connected disability rating not to exceed ~~54,000~~ 180,000 multiplied by the latest final state equalization rate.

Section 2.

This local law shall take effect immediately upon its filing with the Secretary of State.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6e – Approval/Budgetary Amendment (17A001)/Sheriff's Department/Purchase Motorcycle was next. On behalf of the members of the Audit & Administration Committee, Legislators Jonke and Sullivan, Legislator Castellano moved the following:

RESOLUTION #34

APPROVAL/BUDGETARY AMENDMENT /SHERIFF'S DEPARTMENT/PURCHASE MOTORCYCLE

WHEREAS, the Putnam County Sheriff has requested a budgetary amendment (17A001) to utilize T-Commission funds to purchase a Police Motorcycle to be used by the Road Patrol Division; and

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

RESOLVED, that the following budgetary amendment be made:

Increase Revenue:

| | | |
|-----------------|------------------------------------|--------|
| 17311000 426605 | Road Patrol | |
| | Inmate T-Commission Use of Reserve | 18,195 |

Increase Appropriation:

| | | |
|----------------|----------------|--------|
| 17311000 52650 | Road Patrol | |
| | Motor Vehicles | 18,195 |

2017 Fiscal Impact – 0 –

2018 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6f - Approval/ Fund Transfer (16T412)/Sheriff's Department/Jail Overtime was next. On behalf of the members of the Audit & Administration Committee, Legislators Jonke and Sullivan, Legislator Castellano moved the following:

RESOLUTION #35

APPROVAL/ FUND TRANSFER (16T412)/SHERIFF'S DEPARTMENT/JAIL OVERTIME

WHEREAS, the Sheriff's Department has requested a fund transfer (16T412) to cover the cost of Jail Overtime through Year End; 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:

| | | |
|----------------|--------------------|------------|
| 10009000 51093 | Transport Overtime | 10,000 |
| 10009000 58002 | FICA | <u>765</u> |
| | | 10,765 |

Increase:

| | | |
|----------------|---------------|------------|
| 10315000 51093 | Jail Overtime | 10,000 |
| 10315000 58002 | FICA | <u>765</u> |
| | | 10,765 |

2016 Fiscal Impact – 0 –

2017 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6g – Approval/Fund Transfer (16T414)/District Attorney/Special Services was next. On behalf of the members of the Audit & Administration Committee, Legislators Jonke and Sullivan, Legislator Castellano moved the following:

RESOLUTION #36

APPROVAL/FUND TRANSFER /DISTRICT ATTORNEY/SPECIAL SERVICES

WHEREAS, the District Attorney has requested a fund transfer (16T414) to cover expert witness costs for upcoming trial; 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:

| | | |
|----------------|--------------|--------------|
| 10116500 51094 | Temporary | 1,515 |
| 10116500 52110 | Furniture | 200 |
| 10116500 54313 | Books | 6,400 |
| 10116500 54612 | Stenographic | 6,100 |
| 10116500 54675 | Travel | <u>5,000</u> |
| | | 19,215 |

Increase:

| | | |
|----------------|------------------|--------|
| 10116500 54682 | Special Services | 19,215 |
|----------------|------------------|--------|

2016 Fiscal Impact – 0 –

2017 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6h – Approval/Fund Transfer (16T415)/Bureau of Emergency Services/Purchase Various Equipment for Homeland Security was next. On behalf of the members of the Audit & Administration Committee, Legislators Jonke and Sullivan, Legislator Castellano moved the following:

RESOLUTION #37

APPROVAL/FUND TRANSFER/BUREAU OF EMERGENCY SERVICES/ PURCHASE VARIOUS EQUIPMENT FOR HOMELAND SECURITY

WHEREAS, the Commissioner of the Bureau of Emergency Services has requested a fund transfer (16T415) to cover costs associated with the purchase of various equipment for Homeland Security; 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:

| | | |
|-----------------------------|-----------------------------|------------------------|
| 10398901 52130 10125 | Computer Equipment | 48.32 |
| 10398901 52190 10125 | Medical Equipment | 12,455.07 |
| 10398901 52650 10125 | Motor Vehicle | 778.00 |
| 10398901 52680 10125 | Other Equipment | 10,313.69 |
| 10398901 54385 10125 | Uniforms | 11,919.33 |
| 10398901 54540 10125 | Radio Communications | 41.04 |
| 10398901 54782 10125 | Software Accessories | <u>9,800.00</u> |
| | | 45,355.45 |

Increase:

| | | |
|-----------------------------|------------------------|------------------|
| 10398901 52180 10125 | Other Equipment | 45,355.45 |
|-----------------------------|------------------------|------------------|

2016 Fiscal Impact – 0 –

2017 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6i – Approval/Fund Transfer (17T005)/Sheriff’s Department/New Hire was next. On behalf of the members of the Audit & Administration Committee, Legislators Jonke and Sullivan, Legislator Castellano moved the following:

RESOLUTION #38

APPROVAL/FUND TRANSFER /SHERIFF’S DEPARTMENT/NEW HIRE

WHEREAS, the Sheriff’s Department has requested a fund transfer (17T005) to cover cost to pay new hire, step 3 position; 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: | | |
| 10311000 51000 (311010102) | Personnel Line | 6,754.58 |
| 10311000 51000 (311010108) | Personnel Line | 5,110.42 |
| 10311000 58002 | FICA | <u>908.00</u> |
| | | 12,773.00 |

| | | |
|----------------------------|----------------|---------------|
| Increase: | | |
| 13311000 51000 (311013109) | Personnel Line | 11,865.00 |
| 13311000 51000 | FICA | <u>908.00</u> |
| | | 12,773.00 |

2017 Fiscal Impact – 0 –
 2018 Fiscal Impact \$12,773

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6j – Approval/Budgetary Transfer (17T012)/County Attorney/Legislative Counsel was next. On behalf of the members of the Audit & Administration Committee, Legislators Jonke and Sullivan, Legislator Castellano moved the following:

RESOLUTION #39

APPROVAL/BUDGETARY TRANSFER /COUNTY ATTORNEY/LEGISLATIVE COUNSEL

WHEREAS, the County Attorney has requested a budgetary transfer (17T012) to provide for the per diem services of Deputy County Attorneys attending Legislative Committee Meetings at a rate of \$49.00 per hour until the vacancy of Legislative Counsel is filled; and

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

RESOLVED, that the following budgetary transfer be made:

| | | |
|---|--------------------|-------|
| Increase Estimated Appropriations: | | |
| 10101001 51089 | Per Diem Services | 1,000 |
| Decrease Estimated Appropriations: | | |
| 10101001 51000 (101010112) | Personnel Services | 1,000 |

2017 Fiscal Impact – 0 –
 2018 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6k – Approval/Worker’s Compensation Settlement was next. On behalf of the members of the Audit & Administration Committee, Legislators Jonke and Sullivan, Legislator Castellano moved the following:

RESOLUTION #40

APPROVAL/WORKER’S COMPENSATION SETTLEMENT

WHEREAS, on or about July 30, 2010, the claimant, Jerome Odell, (hereinafter “claimant”), while employed by Putnam County in the Department of Highways, Facilities and Parks, began experiencing pain throughout his right shoulder after shoveling and sweeping the edge of pavement; and

WHEREAS, on or about May 21, 2015, the claimant, while employed by Putnam County in the Department of Highways, Facilities and Parks, once again began experiencing pain throughout his right shoulder while raking blacktop; and

WHEREAS, the claimant received medical treatment as a result of said injuries, including surgery; and

WHEREAS, the parties began negotiations as a result of the difference in the medical opinions regarding the scheduled loss of use; and

WHEREAS, claimant is no longer seeking treatment and is desirous of entering into an agreement with the County, subject to the Legislature’s approval, in which the County would agree to pay the sum of Eighty Four Thousand Five Hundred Forty Seven dollars and one cent (\$84,547.01) representing a 35% scheduled loss of use of the right shoulder apportioned 50% to the 2010 case and 50% to the 2015 case; and

WHEREAS, the Law Department and the County’s third party administrator, POMCO Group, both recommend the settlement, as there is a difference of medical opinion and if a hearing is conducted, it would likely result in the claimant’s favor; and

WHEREAS, POMCO Group, through its claims representative, has in fact settled the matter with the claimant for the sum of Eighty Four Thousand Five Hundred Forty Seven Dollars and One Cent (\$84,547.01) and has obtained settlement documents, which, upon approval of the Putnam County Legislature and the Worker’s Compensation Board, will discontinue this matter with the Court; and

WHEREAS, the settlement is in the public interest and will avoid additional exposure and expense; now therefore be it

RESOLVED, that the settlement of this matter for the sum of Eighty Four Thousand Five Hundred Forty Seven Dollars and One Cent (\$84,547.01) is approved; and be it further

RESOLVED, that from said settlement the County will be reimbursed Ten Thousand Four Hundred Twenty Two Dollars and Eighty One Cents (\$10,422.81) for time paid to claimant and the claimant will receive the remainder less his attorney fees of Eleven Thousand (\$11,000.00) in full settlement of this matter; and be it further

RESOLVED, that the Claimant shall therefore receive Sixty Three Thousand One Hundred Twenty Four Dollars and Twenty Cents (\$63,124.20) in full settlement of this matter; and be it further

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

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #7 – Other Business

There was no other business submitted to the meeting.

Item #8 – Recognition of the Public

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

Item #9 – Recognition of Legislators

Legislator Albano welcomed new Legislators Jonke and Sullivan.

Legislator LoBue stated that she would like to close the meeting in memory of both Andrew Edward Simone, Jr., 99 years old and Thomas G. Lotrecchiano, 92 years old, two legendary gentlemen who recently passed away.

There being no further business, at 7:11 P.M., Chairwoman Nacerino made a motion to adjourn; seconded by Legislators Addonizio and LoBue. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.