

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

Wednesday

November 7, 2018

7:00 P.M.

The meeting was called to order at 7:02 P.M. by Chairman Castellano who requested Legislator Nacerino lead in the Pledge of Allegiance and Legislator Sayegh lead in the Legislative Prayer. Upon roll call, Legislators Addonizio, Nacerino, Albano, Jonke, Sayegh, Sullivan and Chairman Castellano were present. Legislators Scuccimarra and Gouldman were absent. Also present was Legislative Counsel Firriolo.

PROCLAMATIONS

Chairman Castellano recognized Legislator Sullivan who presented the “Small Business Recognition Month” proclamation to Bill Nulk, President Putnam County Chambers of Commerce; Nat Prentice, Secretary Cold Spring Area Chamber of Commerce, Michael Celestino of the Mahopac Chamber of Commerce and Henry Boyd of the Carmel-Kent Chamber of Commerce.

SMALL BUSINESS RECOGNITION MONTH – NOVEMBER 2018

WHEREAS, small business constitutes the single most important segment of our free enterprise system and our small businesspeople are the backbone of our economy; and

WHEREAS, a successful small business is evidence of the independence, initiative and hard work of the owner/operator and this spirit has been, and will continue to play an important role in maintaining and improving the vitality of our community; and

WHEREAS, small businesspeople take a leading role in civic affairs to improve the quality of life in our communities; and

WHEREAS, with the assistance of the local Chambers of Commerce, small businesspeople provide a variety of services, both business and social, to the community at large; and

WHEREAS, small businesses have and will continue to provide employment opportunities for our residents and contribute conveniences and services to our communities; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim November 2018 as Small Business Recognition Month and urge all citizens to join them in recognizing the contributions small businesses make to county-wide development and to support our local small businesses so that they can remain vital and flourish in Putnam County.

Item #4 – Approval of Minutes – Regular Meeting – October 2, 2018

Public Hearing – October 3, 2018

Special Meeting – October 9, 2018

Budget & Finance Mtg – October 18, 2018

The minutes were approved as submitted.

Item #5 – Correspondence

a) County Auditor was duly noted.

Item #6 – Pre-filed resolutions:

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

Item #6a – Approval/Budgetary Amendment (18A075)/Sheriff’s Department/ Donation/ K-9 Electronics Detection Dog was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano brought forward the following:

Legislator Nacerino stated that this item was briefly discussed in the Audit Committee meeting. She stated that there were several questions raised pertaining to the associated expenses that would be incurred. She stated that Sheriff Langley agreed and was amenable to discussing this matter in greater detail. She stated that she would like the opportunity to meet with him at the next Protective Services Committee meeting to review the details.

Legislator Nacerino made a motion to table this matter to the Protective Services Committee; seconded by Legislator Jonke. All in favor.

Legislator Jonke concurred with Legislator Nacerino and he believed it was appropriate to take a deeper look at this in order to have the Legislature’s questions answered.

Legislator Sullivan concurred with Legislator Nacerino. He explained that the Sheriff mentioned that some details are sensitive in nature pertaining to the need for the dog and would require discussion in executive session. He stated that he would like the Sheriff to provide clarification of what these sensitive issues are in order for the Legislature to have a better understanding.

Legislator Albano believed the dog would provide a tremendous potential for the County. However, he agreed that it made sense for the Legislature to hear more information.

Chairman Castellano concurred and called for a Roll Call Vote on the motion to table.

By Roll Call Vote: Seven Ayes – Legislators Addonizio, Albano, Jonke, Nacerino, Sayegh, Sullivan and Chairman Castellano. Legislators Gouldman and Scuccimarra were absent. Motion Carries.

APPROVAL/BUDGETARY AMENDMENT /SHERIFF’S DEPARTMENT/ DONATION/ K-9 ELECTRONICS DETECTION DOG

WHEREAS, the Sheriff’s Department has received, through the generosity of Joseph D. Stilwell, a donation amount of \$5,000.00 with the intention that these funds be used to purchase a K-9 Electronics Detection Dog; and

WHEREAS, the Sheriff’s Department has requested a budgetary amendment (18A075) to account for this donation; 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:

13311000	Sheriff Comm	
427050	Gifts and Donations	5,000

Increase Expenses:

13311000	Sheriff Comm – Canine	
54150	Canine	5,000

2018 Fiscal Impact – 0 –
2019 Fiscal Impact – 0 –

Item #6b – Approval/Budgetary Amendment (18A076)/Planning/Roundabout Feasibility Study Capital Project was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:

Legislator Sullivan believed the feasibility study would be helpful. He explained that there are intersections that might benefit in having roundabouts to help the flow of traffic.

Legislator Nacerino concurred and was very supportive of the study. She believed that roundabouts provided better flow of traffic in other areas that have them.

Legislator Addonizio supported the feasibility study. She stated that this budgetary amendment provides a zero fiscal impact.

Legislator Albano stated that he is in favor of any study that will look to improve the traffic in our area.

Legislator Sayegh stated that she is in favor of the study too. She stated that it is not only about traffic flow, but traffic safety. She stated that there are a lot of dangerous intersections in Putnam County that could benefit from having a roundabout.

RESOLUTION #246

APPROVAL/BUDGETARY AMENDMENT /PLANNING/ROUNDAABOUT FEASIBILITY STUDY CAPITAL PROJECT

WHEREAS, the Commissioner of Planning has requested a budgetary amendment (18A076) to conduct a Roundabout Feasibility Study Capital Project; and

WHEREAS, the New York Metropolitan Transportation Council (NYMTC), through the Uniform Planning Work Program (UPWP) will fund this project; and

WHEREAS, the total project cost is \$75,000 (\$60,000 consultant, \$15,000 in-kind services); 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 Estimated Appropriations:
55997000 53000 51812 Feasibility Study – Roundabouts 60,000

Increase Estimated Revenues:
55997000 445971 51812 Federal Aid – UPWP 60,000

2018 Fiscal Impact – 0 –
2019 Fiscal Impact – 0 –

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

Item #6c – Approval/Budgetary Amendment (18A080)/Commissioner of Finance/Legal Aid Society was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:

RESOLUTION #247

APPROVAL/BUDGETARY AMENDMENT /COMMISSIONER OF FINANCE/LEGAL AID SOCIETY

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (18A080) to account for the NYS Indigent Legal Services Distribution #8; and

WHEREAS, the contract term runs from 01/01/18 through 12/31/20 and the County acts as a pass through for these funds; 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 Estimated Appropriations:
25117000 54950 Legal Aid Society 94,564

Increase Estimated Revenues:
25117000 430251 State Aid – Indigent Legal Services 94,564

2018 Fiscal Impact – 0 –
2019 Fiscal Impact – 0 –

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

Item #6d – Approval/Budgetary Amendment (18A083)/Sheriff’s Department/ ERT Training Overtime was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:

RESOLUTION #248

APPROVAL/BUDGETARY AMENDMENT /SHERIFF'S DEPARTMENT/ ERT TRAINING OVERTIME

WHEREAS, the Sheriff's Department has requested a budgetary amendment (18A083) to cover Emergency Response Team (ERT) training overtime; 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 422601 10102	Sheriff Patrol ERT Trng – Outside Svcs	14,200
------------------------------	---	---------------

Increase Appropriation:

17311000 51093 10102	Sheriff Patrol – ERT Trng – Overtime	13,191
17311000 58002 10102	Sheriff Patrol – ERT Trng – FICA	<u>1,009</u>
		14,200

2018 Fiscal Impact – 0 –

2019 Fiscal Impact – 0 –

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

Item #6e – Approval/Fund Transfer (18T269)/Sheriff's Department/Maintenance & Repairs was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano brought forward the following:

Chairman Castellano made a motion to waive the rules and accept the additional material for this item; seconded by Legislator Jonke. All in favor.

Legislator Sullivan explained that the additional information was just received. He believed that some of the Legislators had some questions about some of the items on the list. He believed that the questions should be addressed by the Sheriff.

Legislator Sullivan made a motion to table this item to the Protective Committee; seconded by Legislator Sayegh. All in favor.

Legislator Sayegh believed it was important to review this new information to know exactly what we will be voting on.

Legislator Jonke concurred. He stated that there were items on this list that he believes were on another request. He wants to make sure that they were not requested twice.

By Roll Call Vote: Seven Ayes – Legislators Addonizio, Albano, Jonke, Nacerino, Sayegh, Sullivan and Chairman Castellano. Legislators Gouldman and Scuccimarra were absent. Motion Carries.

APPROVAL/FUND TRANSFER/ SHERIFF'S DEPARTMENT/MAINTENANCE & REPAIRS

WHEREAS, the Putnam County Sheriff has requested a fund transfer (18T269) to cover Maintenance & Repair costs of facility equipment; 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:		
10315000 54580	Prisoner Board Out	25,000

Increase:		
10011000 54710	Maintenance & Repairs	25,000

2018 Fiscal Impact – 0 –

2019 Fiscal Impact – 0 –

Item #6f – Approval/Fund Transfer (18T272)/Sheriff’s Department/ Overtime was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:

RESOLUTION #249

APPROVAL/FUND TRANSFER /SHERIFF’S DEPARTMENT/ OVERTIME

WHEREAS, the Putnam County Sheriff has requested a fund transfer (18T272) for Overtime costs incurred for September due to two (2) Correction Officer Vacancies and two (2) Officers on 207C; 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:		
10315000 51000 (10139)	Jail Personnel Services	5,905
10315000 51000 (10154)	Jail Personnel Services	4,034
10315000 58002	FICA	<u>760</u>
		10,699

Increase:		
10008000 51093	Jail Medical Overtime	9,939
10008000 58002	FICA	<u>760</u>
		10,699

2018 Fiscal Impact – 0 –

2019 Fiscal Impact – 0 –

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

Item #6g – Approval/Fund Transfer (18T285)/Finance/ County Executive-Contracts/ Laberge Group was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:

RESOLUTION #250

APPROVAL/FUND TRANSFER /FINANCE/ COUNTY EXECUTIVE CONTRACTS/ LABERGE GROUP

WHEREAS, the Commissioner of Finance has requested a fund transfer (18T285) to cover balance owed for the Laberge Group Shared Services Plan; and

WHEREAS, the amount includes \$200 for the Contract and \$258.42 for reimbursable expenses; 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:

10199000 54980	Contingency	460
----------------	-------------	-----

Increase:

10123000 54646	County Executive – Contracts	460
----------------	------------------------------	-----

2018 Fiscal Impact \$460

2019 Fiscal Impact – 0 –

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

Item #6h – Approval/Fund Transfer (18T298)/Health Department/ Household Hazardous Waste was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:

Chairman Castellano explained that there was an incident that took place during the last Household Hazardous Waste Day which then caused the event to be cancelled. He explained that this would now allow those, who were not able to participate at the last event, the opportunity to attend.

Legislator Nacerino stated that there were unforeseen circumstances at the last event which caused 170 residents to be turned away. She believed it was important that the event be re-scheduled to give these residents another opportunity to attend.

Legislator Addonizio stated that the fund transfer has a zero fiscal impact.

RESOLUTION #251

APPROVAL/FUND TRANSFER /HEALTH DEPARTMENT/ HOUSEHOLD HAZARDOUS WASTE

WHEREAS, due to unforeseen circumstances, 170 residents were turned away at the last Household Hazardous Waste Day after it was determined it was unsafe to continue the event; and

WHEREAS, the Health Department has requested a fund transfer (18T298) to account for a make-up Household Hazardous Waste Day event; and

WHEREAS, the event will be held at Fahnestock State park; date to be determined; 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:

10027000 54646	Health Litter Contracts	25,000
----------------	-------------------------	--------

Increase:

10816000 54185	Recycling – Household Hazardous Waste	25,000
----------------	---------------------------------------	--------

2018 Fiscal Impact – 0 –

2019 Fiscal Impact – 0 –

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

Item #6i – Approval/Semi-Annual Mortgage Tax Report/April 1, 2018 through September 30, 2018 was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:

Legislator Jonke stated that the County does not get any of this money. He explained that the County receives the money and distributes it back the Towns.

Legislator Sullivan believed that Putnam County was one of the fewer counties who don't have a tax on the mortgage transfer tax.

RESOLUTION #252

APPROVAL/SEMI-ANNUAL MORTGAGE TAX REPORT/ APRIL 1, 2018 THROUGH SEPTEMBER 30, 2018

WHEREAS, upon receipt of approval of the Semi-Annual Report showing the amounts to be credited to each district of the County of the money collected during the period April 1, 2018 through September 30, 2018 from the New York State Department of Taxation and Finance, the Putnam County Audit and Administration Committee reviewed and hereby forwards same to the Putnam County Legislature; now therefore be it

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

Town of Carmel

\$ 467,708.99

Town of Kent		155,551.19
Town of Patterson		153,787.73
Town of Philipstown		
	Village of Cold Spring	15,205.81
	Village of Nelsonville	4,386.25
	Town Outside	188,528.52
Town of Putnam Valley		166,085.74
Town of Southeast		
	Village of Brewster	6,310.21
	Town Outside	<u>188,891.27</u>
Total		<u>\$1,346,456.01</u>

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

Item #6j – Approval/ Denial of Application/ Refund of Taxes/ Town of Carmel/ Tax Map #76.5-1-49 was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:

Legislator Jonke explained that this was a property purchased by the Town of Carmel, known as Swan Cove, which is located at the intersection of Route 6 & 6N. It was purchased after the taxable status date of March 1st. He stated that they would have automatically become exempt if it was purchased before March 1st. They were seeking a refund for the bill they received from the Mahopac School District, however the law does not allow for it. He stated that next year they will be exempt.

RESOLUTION #253

APPROVAL/ DENIAL OF APPLICATION/ REFUND OF TAXES/ TOWN OF CARMEL/ TAX MAP #76.5-1-49

WHEREAS, the Town of Carmel has requested a tax refund for Tax Map #76.5-1-49; and

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

RESOLVED, that the Putnam County Legislature denies the application for refund of taxes by the Town of Carmel for Tax Map #76.5-1-49.

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

Item #6k – Approval/Appointment/ One Army in the War on Addiction Task Force was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:

Legislator Addonizio stated that she is on the Task Force and had the opportunity to meet Mr. Wilkens. She believed he would be an asset to the Task Force.

RESOLUTION #254

APPROVAL/APPOINTMENT/ONE ARMY IN THE WAR ON ADDICTION TASK FORCE

WHEREAS, by Resolution #40 of 2018, the Putnam County Legislature created the “One Army in the War on Addiction Task Force” consisting of a minimum of six (6) members; and

WHEREAS, by Resolution #40 of 2018, the Putnam County Legislature appointed Legislator Barbara Scuccimarra as Chairwoman to the Task Force; and

WHEREAS, by Resolution #69 of 2018, the Putnam County Legislature appointed 10 members to the Task Force; and

WHEREAS, by Resolutions #118 and #153 of 2018, the Putnam County Legislature appointed two (2) additional members to the Task Force; and

WHEREAS, Legislator Scuccimarra has invited Bill Wilkens from Putnam County MADD, to join the Task Force; and

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

RESOLVED, that the following be appointed as a member to the One Army in the War on Addiction Task Force:

Bill Wilkens, Putnam County MADD (Mothers Against Drunk Driving)

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

Item #6L – Approval / 2018 Federal Transit Administration Grant Funding Opportunity For Access And Mobility Partnership Projects Through The Human Services Coordination Research Program was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:

Legislator Nacerino supported this and read some excerpts from the Whereas clauses.

RESOLUTION #255

APPROVAL / 2018 FEDERAL TRANSIT ADMINISTRATION GRANT FUNDING OPPORTUNITY FOR ACCESS AND MOBILITY PARTNERSHIP PROJECTS THROUGH THE HUMAN SERVICES COORDINATION RESEARCH PROGRAM

WHEREAS, the County Executive and the Putnam County Legislature agree that implementing projects that support effective and efficient public transportation services to seniors, individuals with disabilities and low-income persons by coordinating human services transportation and/or planning activities is wholly in the best interests of the County taxpayers; and

WHEREAS, grant funding opportunities exist through the Federal Transit Administration (FTA) competitive solicitation process, more specifically, for proposed projects that address gaps in services or planning activities to improve transportation services, offer innovative solutions to provide more effective and efficient public transportation services for seniors, people with disabilities and low-income individuals, utilize coordination methods and concepts such as mobility management improvements, travel management systems and operating efficiencies in the local communities, all of which is in the best interests of the County taxpayers; and

WHEREAS, if grant funding is awarded to the County for its Project Proposal in connection with the aforesaid grant funding by the FTA, the maximum Federal contribution for capital project costs is eighty (80%) percent match, and fifty (50%) percent match for operating project costs, *to wit*:

<u>Proposed Project</u>	<u>Location/Description</u>	<u>Federal Amount</u>	<u>County Match</u>
Human Transportation Services Improvement Project	Putnam County - Capital expense - Operating expense	\$240,000 \$30,000	\$60,000 \$30,000

and

WHEREAS, the County Executive and the Putnam County Legislature agree that the County's submission of a Project Proposal, together with supporting documentation, data and information as part of the overall application process, in furtherance of the aforesaid goals that support effective and efficient public transportation services to seniors, people with disabilities and low-income individuals, is in the best interests of the County taxpayers; now therefore be it

RESOLVED, that the County Executive, together with the County Legislature, support the County's application and submission for FTA funding and approves the Putnam County Department of Planning, Development and Public Transportation's request to submit to the associated competitive application process for the aforesaid FTA funding; and it is hereby further

RESOLVED, that the County Executive, with the advice and assistance of the County Attorney, is authorized to finalize and execute federal/state/local agreement(s), as the case may be, upon approval by the respective agency(s) of the County's Project Proposal and application as aforesaid; and it is hereby further

RESOLVED, that this Resolution shall take effect immediately.

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

Item #7 – Other Business

Chairman Castellano made a motion to waive the rules and accept the other business; seconded by Legislator Jonke. All in favor.

Item #7a – Approval/ Renew Contract/ Outside Auditors was next. Chairman Castellano moved the following; seconded by Legislator Sullivan.

RESOLUTION #256

APPROVAL/ RENEW CONTRACT/ OUTSIDE AUDITORS

WHEREAS, by Resolution #197 of 2013 the Putnam County Legislature designated O'Connor Davies, LLP for outside services for the years 2013 – 2017 under the terms set forth in their August 21, 2013 response to a Request for Proposal; and

WHEREAS, said Request for Proposal included an option of two, one year renewals; and

WHEREAS, the Putnam County Legislature desires to exercise the option to renew the contract agreement with OConnor Davies, LLP for the year 2018, under the terms set forth in their letter of July 12, 2018 to the Director of Purchasing; now therefore be it

RESOLVED, that the Putnam County Legislature approves the renewal of the contract with O'Connor Davies, LLP for outside services for the year 2018 under the terms set forth in their letter of July 12, 2018.

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

Item #8 – Recognition of Public on Agenda Items

Ms. Lynne Eckardt, Town of Southeast Councilwoman representing herself congratulated Chairman Castellano and Legislator Nacerino on their elections. She thanked all the small businesses who are the backbone of Putnam County.

Item #9 – Recognition of Legislators

Legislator Addonizio wished everyone a Happy and Healthy Thanksgiving.

Legislator Jonke asked everyone to remember our Veterans on Veteran's Day.

Legislator Sayegh stated that there will be a lot of activities this weekend in every town in celebration of Veteran's Day. She stated that there will be a parade in Mahopac. She stated that it is a great time to visit an American Legion or VFW and to remember all our Veterans.

There being no further business, at 7:30 P.M., Chairman Castellano made a motion to adjourn; seconded by Legislator Nacerino. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.