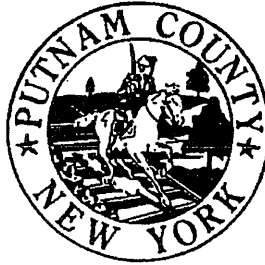


THE PUTNAM COUNTY LEGISLATURE

40 Gleneida Avenue  
Carmel, New York 10512  
(845) 808-1020 Fax (845) 808-1933

Paul E. Jonke *Chairman*  
Amy E. Sayegh *Deputy Chair*  
Diane Schonfeld *Clerk*  
Robert Firriolo *Counsel*



Nancy Montgomery	Dist. 1
William Gouldman	Dist. 2
Toni E. Addonizio	Dist. 3
Ginny Nacerino	Dist. 4
Greg E. Ellner	Dist. 5
Paul E. Jonke	Dist. 6
Joseph Castellano	Dist. 7
Amy E. Sayegh	Dist. 8
Erin L. Crowley	Dist. 9

**AGENDA**  
**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE**  
**TO BE HELD IN ROOM #318**  
**PUTNAM COUNTY OFFICE BUILDING**  
**CARMEL, NEW YORK 10512**

**Members: Chairwoman Addonizio and Legislators Ellner & Gouldman**

**Wednesday June 21, 2023**  
**(Immediately following Economic Development Mtg. beginning at 6:00pm)**

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Acceptance of Minutes – May 16, 2023**
- 4. Requests by County Executive Kevin Byrne**
  - a. Approval/ Local Law to Amend Code of Putnam County by Adding a New Chapter 227 Entitled “Unauthorized Operation of Homeless Shelters”**
  - b. Approval/ Supporting Declarations of Executive Order 3 of 2023**
- 5. FYI/ Litigation Report**
- 6. Other Business**
- 7. Adjournment**

#3

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE  
HELD IN ROOM #318  
PUTNAM COUNTY OFFICE BUILDING  
CARMEL, NEW YORK 10512**

**Members: Chairwoman Addonizio and Legislators Ellner & Gouldman**

**Tuesday** **May 16, 2023**  
**(Immediately following Physical Mtg. beginning at 6:30pm)**

The meeting was called to order at 6:50pm by Chairwoman Addonizio who requested Legislator Ellner lead in the Pledge of Allegiance. Upon roll call Legislators Ellner and Gouldman and Chairwoman Addonizio were present.

**Item #3 – Acceptance of Minutes – April 18, 2023**

The minutes were accepted as submitted.

**Item #4 – Approval/ Local Law to Amend Article 9 of the Putnam County Charter Entitled “Department of Highways & Facilities”**

Chairwoman Addonizio stated the Department of Highways & Facilities is being renamed to the Department of Public Works. She stated there will be a Commissioner of the Department of Public Works appointed by the County Executive and confirmed by the Legislature.

Legislator Jonke stated his support for this change. He stated the title of “Department of Highways & Facilities” does not accurately reflect what they do; they are more than a Highway Department.

Legislator Sayegh stated there are other departments such as Parks & Recreation that fall under this department and she agreed that the name of Department of Public Works better describes the work done.

Legislator Nacerino stated this new name better reflects the broader scope of work done by this department.

Chairwoman Addonizio made a motion to pre-file the necessary resolution; Seconded by Legislator Ellner. All in favor.

**Item #5 – Approval/ Budgetary Amendment 23A025/ Veterans Service Agency/ Peer to Peer Program/ Additional Funding from NYS Office of Mental Health for SFY 2023-2024**

Chairwoman Addonizio stated she is glad to see this vital additional funding.

Chairwoman Addonizio made a motion to pre-file the necessary resolution; Seconded by Legislator Gouldman. All in favor.

**Item #6 – Approval/ Appointments/ Putnam County Board of Ethics/ Eldridge, Cassidy, Sweeny, Scuccimarra, & DeMarzo**

Chairwoman Addonizio stated of the five (5) member board there have been two (2) resignations and the terms of the other three (3) members are expired. She stated these appointments will fill all five (5) positions.

Legislator Ellner stated he is personally acquainted with two of the candidates, Mr. Sweeny and Mr. DeMarzo. He spoke to their character, and he believes they will do an excellent and fair job.

Legislator Nacerino stated she knows all individuals being appointed and they have the utmost integrity.

Legislator Gouldman stated this group of individuals are qualified community members that will make up a bipartisan Ethics Board. He stated he is happy to see this Board back on track.

Legislator Sayegh stated she is in favor of the eligible candidates.

Legislator Jonke recognized County Executive Byrne for making this Board current through these recommended appointments. He stated he is acquainted with all of the candidates and there couldn't be a better group of people.

Legislator Montgomery requested that the Committee make a motion to go into Executive Session to discuss important information she has pertaining to a recommended candidate.

Chairwoman Addonizio stated she would take the agenda out of order to address item #7 – Other Business before making a motion to go into Executive Session.

**Item #7 – Other Business**

**a. Approval/ Appointment/ Home Improvement Board/ Koffer**

Chairwoman Addonizio made a motion to waive the rules and accept the other business; Seconded by Legislator Ellner. All in favor.

Chairwoman Addonizio read the letter of necessity into the record.

Legislator Gouldman stated this is a qualified individual.

Chairwoman Addonizio made a motion to pre-file the necessary resolution; Seconded by Legislator Gouldman. All in favor.

**Item #6 – Approval/ Appointments/ Putnam County Board of Ethics/ Eldridge, Cassidy, Sweeny, Scuccimarra, & DeMarzo – Continued**

At 7:00pm Chairwoman Addonizio made a motion to go into Executive Session to discuss a matter leading to the appointment of a particular person; Seconded by Legislator Ellner. All in favor.

At 7:12pm Chairwoman Addonizio made a motion to come out of Executive Session; Seconded by Legislator Ellner. All in favor.

Chairwoman Addonizio stated no action was taken in Executive Session.

Legislator Ellner stated he would be voting in favor of the appointments. He requested that in the future, factual documentation be provided to support a claim being made by a fellow Legislator.

Legislator Montgomery stated she is not responsible for providing documentation, she does her own homework. She stated there was a comment made that backup would need to be provided to get votes, but she is not requesting anyone to vote a certain way. She stated she is pointing out important information about a member that is going to be appointed to the Ethics Board. She stated there was an ethics accusation against a person the Committee is ready to appoint, the Attorney General got involved and had to dissolve the not-for-profit established by this person.

Legislator Ellner stated it is not correct that the person established the not-for-profit.

Legislator Nacerino agreed with Legislator Ellner; that statement is not true.

Legislator Jonke stated an allegation was made and there was no evidence to support the allegation. He stated what he believes Legislator Ellner meant earlier is when an accusation like this is made, the person making the accusation should have supporting documents to back up their claim.

Legislator Nacerino stated all of these candidates, in her opinion, have the utmost integrity. She stated she knows them all personally and she has worked with many of them. She stated an accusation was made without any supporting evidence of the outcome. She stated the not-for-profit was not established by this person, that is a fallacy. She stated these are the recommendations of the County Executive who has vetted each individual.

Chairwoman Addonizio made a motion to pre-file the necessary resolution; Seconded by Legislator Ellner. All in favor.

### **Item #8 – Adjournment**

There being no further business at 7:16pm, Chairwoman Addonizio made a motion to adjourn; Seconded by Legislator Ellner. All in favor.

Respectfully submitted by Administrative Assistant Beth Robinson.

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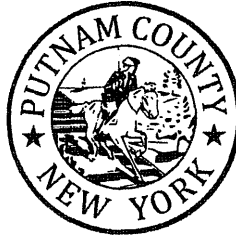
**AGENDA**

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE  
TO BE HELD IN ROOM #318  
PUTNAM COUNTY OFFICE BUILDING  
CARMEL, NEW YORK 10512**

**Members: Chairwoman Addonizio and Legislators Ellner & Gouldman**

**Tuesday May 16, 2023**  
**(Immediately following Physical Mtg. beginning at 6:30pm)**

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- 6. Approval/ Appointments/ Putnam County Board of Ethics/ Eldridge, Cassidy, Sweeny, Scuccimarra, & DeMarzo**
- 7. Other Business**
- 8. Adjournment**




#4

PUTNAM COUNTY EXECUTIVE  
KEVIN M. BYRNE

2023 JUN 15 PM 1:57  
LEGISLATURE  
PUTNAM COUNTY  
CARMEL, NY

June 15, 2023

To: Putnam County Legislature

From: County Executive Kevin M. Byrne 

**Re: Request for Special Legislative Meeting for New Local Law & Resolution**

Chairman Jonke,

As a follow-up to our conversation after the Personnel Committee meeting on Tuesday evening, I write to respectfully request the Putnam County Legislature call a special meeting to review and pass local legislation which would better protect Putnam County, its residents, and the resources they rely on, from the improper use of permitted temporary residencies by outside municipalities or their agents. This action would reduce the need for Putnam County to rely on the executive orders that correspond within the Putnam County State of Emergency Declaration signed on Monday May 22<sup>nd</sup>, 2023. State of emergencies and executive orders are not intended nor designed for long-term use. While executive orders do assist in addressing the immediate nature of an emergency, I still believe long-term solutions are best formulated and implemented through our proper law-making process which requires participation and assistance from our elected representatives in the Legislature.

The State of Emergency signed May 22<sup>nd</sup>, 2023 was initially declared in response to actions taken by the City of New York which sought to misuse permitted temporary residences in Putnam County and surrounding counties throughout the Hudson Valley region. This problem was magnified significantly by the expiration of Title 42 which was previously invoked in 2020 by the United States Centers for Disease Control and Prevention. The expiration of Title 42, combined with the emergent migrant crisis in New York City, and Mayor Adams' decision to discreetly send migrants settled in New York City to neighboring counties throughout the Hudson Valley, without proper communication or planning, prompted my administration to implement the State of Emergency Declaration which included three Executive Orders. For the time being, it appears this act has proven to be effective.

Executive Order 1 prohibits hotels, motels, and other facilities that are permitted to provide short-term rentals from entering contracts with New York City or its agents to house said migrants and/or asylum seekers which would essentially transform their facilities into homeless shelters, absent a proper shared services agreement between New York City and Putnam County. Executive Order 2 serves as an enforcement mechanism to more easily allow us to synchronize and utilize resources with local governments to effectuate Executive Order 1. Executive Order 3 declares Putnam County a "rule of law" county, and states definitively that we are not a "sanctuary" county. This reaffirms Putnam County's commitment to collaborate and work with federal immigration enforcement agencies while also simultaneously confirming Putnam County's continued support of our United States Constitution, including but not limited to, the 4<sup>th</sup>, 5<sup>th</sup>, and 14<sup>th</sup> Amendments as they pertain to

an individual's right to privacy and due process, as well as fair, equal and just application of the law free of discrimination.

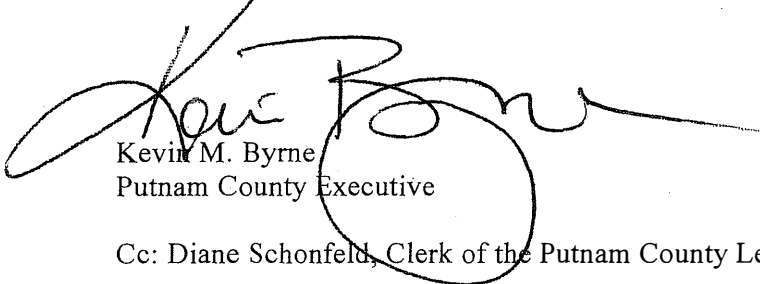
This Emergency Declaration, which is authorized to me as Chief Executive Officer of the County of Putnam under New York State Executive Law, Chapter 19, Article 2-B, §24, expires after thirty days (June 22nd, 2023), and may be extended.

During the COVID-19 Pandemic our disgraced-former Governor exercised his executive powers to enact sweeping mandates that encroached and ultimately infringed on numerous Constitutional rights. These executive directives remained in place for prolonged periods of time and effectively cut the legislative body out of the law-making process. As Putnam County Executive, I have no desire to follow that misguided practice, and continue to respect the Legislature, the people it represents, and the powers and duties afforded to it as stated in our County Charter.

It is my position that we should work to enact a permanent policy into local law, through the Legislature, that protects our county from any out-side municipality which may seek to misuse permitted facilities in Putnam County, transforming their permitted purpose, without a shared services agreement with Putnam County. I also believe that a resolution further declaring Putnam County a "rule of law" county is merited as the "sanctuary" designation has clearly become a magnet for attracting additional hardship which should be addressed separately by the federal government.

Enclosed with this letter, for your consideration, is a copy of a draft local law and resolution that has been reviewed by our Law Department and seeks to address these needs.

Thank you for your leadership, your commitment to the people of Putnam County, and your thoughtful consideration of this request.



Kevin M. Byrne  
Putnam County Executive

Cc: Diane Schonfeld, Clerk of the Putnam County Legislature

Enclosure: State of Emergency (May 22, 2023) and Executive Orders 1, 2, 3  
Draft Law  
Draft Resolution



PUTNAM COUNTY EXECUTIVE | KEVIN M. BYRNE

**PUTNAM COUNTY STATE OF EMERGENCY DECLARATION**

**&**

**CORRESPONDING EXECUTIVE ORDERS INCLUDING  
DECLARATION OF PUTNAM COUNTY AS A RULE OF LAW  
COUNTY**

**WHEREAS**, there is currently a national immigration crisis at the border between the United States and Mexico in that unprecedented and overwhelming numbers of migrants and/or asylum seekers are now or will be crossing over the open border of the United States; and

**WHEREAS**, the federal government has failed, refused or neglected to anticipate and satisfactorily react to the exigent and emergent circumstances, resulting in thousands of undocumented migrants and/or asylum seekers crossing the border of the United States; and

**WHEREAS**, due to the failure of the federal government to provide the resources required to enforce our nation's laws, the Governor of Texas, Greg Abbott, has relocated thousands of migrants and/or asylum seekers crossing the Texas border to New York City.

**WHEREAS**, the Mayor of New York City, Eric Adams has in similar fashion appeared to have now sent the same migrants and/or asylum seekers to counties throughout the greater Hudson Valley area as well as upstate New York; and

**WHEREAS**, the City of New York has long declared itself a 'sanctuary city', and has thereby condoned the shielding of certain criminal undocumented or illegal migrants from Immigration Customs Enforcement (ICE) in order to delay or prevent deportation proceedings, but in doing so has also failed and refused to adequately address the



needs of such lawful migrants and/or asylum seekers transferred to New York City, even though New York City was appropriated \$1 billion in the recently passed New York State budget, and has instead transferred, in part, said duties and responsibilities to neighboring counties, including Rockland and Orange Counties, which upon information and belief may expand to additional counties, including Putnam County; and

**WHEREAS**, the City of New York is advertising and printing brochures for migrants and/or asylum seekers promoting long-term housing solutions in the Hudson Valley for at least four months, and which is believed will be longer, if not permanent; and

**WHEREAS**, according to the promotional brochures provided by New York City, that migrants and/or asylum seekers shall in addition to shelter also receive medical care, food, laundry and other necessities, only initially and possibly partially to be funded by the City of New York with no explanation of where such funding will come from thereafter; and

**WHEREAS**, Mayor Adams has already represented to officials of neighboring counties, specifically Orange and Rockland Counties, that a limited number of adult male migrant and/or asylum seekers will be transported to their counties. However, they have since learned that the Adams' administration has also sought to house additional hundreds of migrants and/or asylum seekers at additional locations without notifying or conferring with county officials and as a result they can no longer rely on the representations of New York City officials; and

**WHEREAS**, there is no reason to believe these migrants and/or asylum seekers will leave the County of placement after New York City ceases to pay for the housing and any other necessary services they are presently receiving in and from New York City, or that many thousands more migrants and/or asylum seekers that follow will not be similarly transported to Putnam County as they have been to neighboring jurisdictions; and

**WHEREAS**, Putnam County is already a diverse County that serves people of many backgrounds, cultures and identities; and

**WHEREAS**, there is a justifiable and reasonable apprehension of immediate danger of public emergency of potentially thousands of persons being transported to Putnam County and that Putnam County will then be responsible for the public safety and sustenance of these persons and all others effected in Putnam County;

**WHEREAS**, there are significant concerns regarding migrant and /or asylum seekers not being properly screened or vaccinated against communicable diseases, including but not limited to tuberculosis, in New York City prior to transport to Putnam County and neighboring jurisdictions which presents additional Public Health concern; and

**WHEREAS**, Putnam County, unlike the City of New York, is unable to rely on a full-time career municipal emergency services system, nor does it have the financial resources to support such a system, and continues to rely predominantly on volunteer fire and ambulance agencies which an influx of unaccounted migrants would almost certainly stress beyond existing capabilities; and

**WHEREAS**, the County of Putnam has received no information or assurances of proper vetting through background checks or commitments by the federal government that these individuals will be regularly observed; and

**WHEREAS**, it is also reasonably anticipated that New York City hereafter will transport additional migrants to Putnam County, whose presence likely will exponentially spike the number of people in need of government services at all levels of government in the County; and

**WHEREAS**, there is no legal basis to provide adequate services to these migrants or asylum seekers by the County's Department of Social Services due to their age, immigration status and other factors; and

**WHEREAS**, the County of Putnam anticipates potential demonstrations on this issue both for and against the transportation of migrants/asylum seekers to Putnam which may result in overburdening the taxing of law enforcement resources; and

**WHEREAS**, local zoning codes do not allow use of temporary residence hotels or other temporary residence facilities for use as long-term residential housing or homeless shelters and therefore New York City's transportation of migrants and/or asylum seekers to Putnam County for that purpose is illegal and in violation of local laws; and

**WHEREAS**, through enforcement of local zoning codes, said migrants and/or asylum seekers will face refusal, or eviction from these unlawful residences and short-term residential facilities, resulting in large scale homelessness for these migrants and/or asylum seekers which will only serve to exacerbate the existing problems brought on by this failure to anticipate their future needs and tax County resources; and

**WHEREAS**, with limited temporary housing shelter beds in Putnam County to begin with, all temporary housing shelter beds in Putnam County are currently at or close to maximum capacity and cannot accommodate additional homeless individuals much less in the volume that is anticipated as a result of the City of New York's transferring its duties in this regard to Putnam County; and

**WHEREAS**, providing temporary housing shelter beds by utilizing the limited number of hotels currently located in Putnam County, in addition to creating the potential for building and fire-safety violations, is in contravention of New York Public Health Law and the Putnam County Sanitary Code; and

**WHEREAS**, the US Centers for Disease Control and Prevention previously issued a public health order aimed to stop the spread of COVID-19 known as Title 42 which allowed authorities to swiftly expel migrants at United States land borders and have them returned to their respective home countries; and

**WHEREAS**, Title 42, which federal officials have relied on in order to manage a spiraling and exacerbating situation at the border, expired on May 11, 2023; and

**WHEREAS**, lifting Title 42 is anticipated to spur a significant increase in the number of migrants attempting to cross into the United States; and

**WHEREAS**, without Title 42 in place, federal immigration authorities will return to outdated protocols at a time wherein there is expected to be unprecedented mass migration that impacts the United States borders; and

**WHEREAS**, that due to the above circumstances, I find reasonable apprehension of immediate danger thereof in that public safety is jeopardized thereby, for not only the migrants and/or asylum seekers, but also to the many affected residents of Putnam County and their families; and

**WHEREAS**, the County of Putnam and its various municipalities impacted by the decision of Mayor Adams must be reimbursed by New York City for any expenses incurred as a result of New York City's program to move migrants and/or asylum seekers to Putnam County; and

**WHEREAS**, New York City has no shared service agreement with Putnam County to provide additional housing for the migrants and/or asylum seekers being transported at Mayor Adams' direction; and

**WHEREAS**, there have already been declared state of emergencies in nearby and overlapping jurisdictions including the state of New York by Governor Hochul (effective May 9, 2023), Rockland County by County Executive Ed Day (effective May 6, 2023), and Orange County by County Executive Steve Neuhaus (effective May 9, 2023), Dutchess County by County Executive William F.X. O'Neil (effective May 19, 2023) as well as new emergency local legislation enacted within the Town of Fishkill as authorized by Supervisor Ozzy Albra (effective May 12, 2023); and

**WHEREAS**, many of the aforementioned concerns enumerated in this declaration were already shared directly with Mayor Adams in written correspondence from the Putnam County Executive dated May 11, 2023.

**THEREFORE**, I, Kevin M. Byrne, as Chief Executive Officer of the County of Putnam, New York hereby exercise the authority granted to me under New York State Executive Law, Chapter 18, Article 2-B, §24 to preserve the public safety, and to make available and provide for all required assistance which is vital to the security, well-being, and health of the citizens of this county by declaring a State of Emergency.

**RESOLVED**, I declare, in order to protect life and property, or to bring the emergency situation under control, and to ensure compliance with New York Public Health Law and Putnam County Sanitary Code, a State of Emergency in the County of Putnam and make the following **ORDERS**:

**EXECUTIVE ORDER 1**

**THEREFORE**, I, Kevin M. Byrne, as Chief Executive Officer of the County of Putnam, New York hereby exercise the authority granted to me under New York State Executive Law, Chapter 18, Article 2-B, §24 to preserve the public safety, and I direct that all hotels, motels and/or any facilities allowing short-term rentals do not accept said migrants and/or asylum seekers for housing in what would effectively be homeless shelters within Putnam County absent a proper shared services agreement between New York City and Putnam County to provide said services.

**I FURTHER FIND** that this State of Emergency and Executive Order does not in any way impact travel or County employees or County operations, is not weather related, and does not suspend County operations. This Executive Order and all portions thereof shall take effect immediately, be filed and published as required by law, and individually expire as required by law. This local state of Emergency shall be effective as of May 22, 2023 and shall remain in effect for thirty (30) days and may be extended at that time.

**EXECUTIVE ORDER 2**

**THEREFORE**, I, Kevin M. Byrne, as Chief Executive Officer of the County of Putnam, New York, may use any and all facilities, equipment, supplies, personnel and other resources – including but not limited to town, and village law enforcement, building code enforcement officers, fire departments, public health inspectors and zoning code enforcement personnel – in order to effectuate the County Executive's Executive Order declaring a State of Emergency and any Emergency Order attendant thereto, and to take whatever steps are necessary in order to protect life, property and public infrastructure, to enforce State and County and local codes, laws and regulations, and to provide such emergency assistance as deemed necessary.

**I FURTHER FIND** that this State of Emergency and Executive Order does not in any way impact travel or County employees or County operations, is not weather related, and does not suspend County operations. This Executive Order and all portions thereof shall take effect immediately, be filed and published as required by law, and individually expire as required by law. This local state of Emergency shall be effective as of May 22, 2023 and shall remain in effect for thirty (30) days and may be extended at that time.

### **EXECUTIVE ORDER 3**

**WHEREAS**, the federal government under the provisions of the Immigration and Nationality Act as codified in the United States Code (U.S.C.) is responsible for the establishment and enforcement of the laws of the United States of America as they pertain to legal immigration; and

**WHEREAS**, the authority for enforcement of the Immigration and Nationality Act and the U.S.C. is vested with the federal government, and it is the responsibility of all levels of government to fully support the federal government in the exercise of its obligations under the law pertaining to immigration; and

**WHEREAS**, the level of immigration enforcement by the federal government has been inadequate in preventing millions of persons from illegally entering the United States without complying with the laws of our nation; and

**WHEREAS**, Putnam County will continue to work with the County Sheriff's Department and Immigration Customs Enforcement (ICE) to properly identify arrested felons and gang-associated members who are suspected violators of federal immigration laws; and,

**WHEREAS**, Putnam County continues to support our nation's governing document, the United States Constitution, in its current form including, but not limited to, the 4<sup>th</sup>, 5<sup>th</sup>, and 14<sup>th</sup> Amendments as they pertain to an individual's right to privacy and due process, and thereby continues to support fair, equal, and just application of the law free of discrimination; and

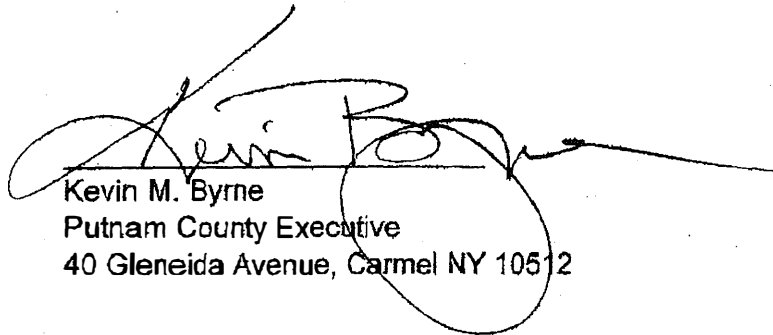
**THEREFORE**, County Executive Kevin M. Byrne, on behalf of the County of Putnam, does:

1. hereby pledge support of federal immigration enforcement efforts within the scope of local authority in accordance with the county charter, state, and US Constitutions.
2. hereby declare that Putnam County is not a sanctuary county and is in fact a county committed to upholding the rule of law, including our nation's immigration laws, as a Rule of Law County.
3. hereby declare that Putnam County will remain dedicated with its personnel, policies, and resources to support adherence of the rule of law as applied to immigration enforcement for the greater good of all citizens and residents of Putnam County.

**I FURTHER FIND** that this State of Emergency and Executive Order does not in any way impact travel or County employees or County operations, is not weather related, and does not suspend County operations. This Executive Order and all portions

thereof shall take effect immediately, be filed and published as required by law, and individually expire as required by law. This local state of Emergency shall be effective as of May 22, 2023 and shall remain in effect for thirty (30) days and may be extended at that time.

DATED: 5/22/23



Kevin M. Byrne  
Putnam County Executive  
40 Gleneida Avenue, Carmel NY 10512

#4a

**APPROVAL/LOCAL LAW TO AMEND THE CODE OF PUTNAM COUNTY BY  
ADDING A NEW CHAPTER 227 ENTITLED “UNAUTHORIZED OPERATION  
OF HOMELESS SHELTERS”**

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

**Section 1.**

A new Chapter 227 is hereby added to the Code of the County of Putnam to read as follows:

CHAPTER 227  
UNAUTHORIZED OPERATION OF HOMELESS SHELTERS

§ 227-1 Purpose.

The County has a critical interest in maintaining the health, safety, and welfare of its residents. As such, it has fallen on the County to take steps to ensure that neither external municipalities nor local businesses attempt to subvert state law and threaten the orderly functioning of this County by improperly operating a homeless shelter without appropriate government authority or resources to care for those in need. Putnam County may legislate such matters under the authority granted to it by Municipal Home Rule Law § 10(1)(ii)(a)(12), which allows it to adopt and amend local laws related to the government, protection, order, conduct, safety, health and well-being of persons or property therein.

§ 227-2 Definitions.

**Homeless shelter**

Any building or physical location that provides overnight sleeping accommodations and is substantially intending to provide such accommodations to the homeless in general or for specific populations of the homeless.

**Temporary housing**

Temporary housing shall include any facility maintained primarily for overnight occupancy by persons who are provided at least some part or portion of the use of the facilities, including but not limited to hotels, motels, camping units, or other rental properties.

§ 227-2 Shared services agreement required.

No municipality outside of Putnam County, or agent thereof, may offer or provide temporary housing within Putnam County, thereby creating a homeless shelter as defined above, without first entering into a shared services agreement with Putnam County to provide said services.

§ 228-3 Unauthorized homeless shelters; prohibited

No Individual, person, or business may offer or provide temporary housing within Putnam County, thereby creating a homeless shelter as defined above, without first being licensed and certified to operate as a homeless shelter under the New York State Social Services Law.

**Section 2.**

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



#46

**RESOLUTION**

**APPROVAL SUPPORTING DECLARATIONS OF EXECUTIVE ORDER 3 OF 2023**

**WHEREAS**, The federal government under the provisions of the Immigration and Nationality Act as codified in the United States Code (U.S.C.) is responsible for the establishment and enforcement of the laws of the United States of America pertaining to legal immigration; and

**WHEREAS**, the authority for enforcement of the Immigration and Nationality Act and the U.S.C. is vested with the federal government, and it is the responsibility of all levels of government to fully support the federal government in the exercise of its obligations under the law pertaining to immigration; and

**WHEREAS**, the level of immigration enforcement by the federal government has been inadequate in preventing millions of persons from illegally entering the United States without complying with the laws of our nation; and

**WHEREAS**, Putnam County continues to work with the County Sheriff's Department and Immigration Customs Enforcement (ICE) to properly identify arrested felons and gang-associated members who are suspected violators of federal immigration laws; and,

**WHEREAS**, Putnam County continues to support our nation's governing document, the United States Constitution, in its current form including, but not limited to, both the 4<sup>th</sup>, 5<sup>th</sup>, and 14<sup>th</sup> Amendments as they pertain to an individual's right to privacy and due process, and thereby continues to support fair, equal, and just application of the law free of discrimination; and

**NOW**, therefore, be it

**RESOLVED**, that the Putnam County Legislature, on behalf of the County of Putnam and in support of the previous enactment by the Putnam County Executive, hereby pledges support of federal immigration enforcement efforts within the scope of local authority in accordance with the county charter, state, and US Constitutions; and it is further

**RESOLVED**, that the Putnam County Legislature, on behalf of the County of Putnam and in support of the previous enactment by the Putnam County Executive, hereby declares that Putnam County is not a sanctuary county and is in fact a county committed to upholding the rule of law, including our nation's immigration laws, as a Rule of Law County; and it is further

**RESOLVED**, that the Putnam County Legislature, on behalf of the County of Putnam and in support of the previous enactment by the Putnam County Executive, hereby declares that Putnam County will remain dedicated with its personnel, policies, and resources to support adherence of the rule of law as applied to immigration enforcement for the greater good of all citizens and residents of Putnam County.

**June 21, 2023  
Rules Meeting**

**#5**

## **FYI – Litigation Report**