

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

Tuesday September 5, 2023 7:00 P.M.

The meeting was called to order at 7:01 P.M. by Chairman Jonke who requested Legislator Gouldman lead in the Pledge of Allegiance and Legislator Addonizio lead in the Legislative Prayer. Upon roll call, Legislators Montgomery, Gouldman, Addonizio, Nacerino, Ellner, Castellano, Sayegh, Crowley and Chairman Jonke were present. Also present was Legislative Counsel Firriolo.

PROCLAMATIONS

Chairman Jonke recognized Legislator Addonizio who presented the “National Recovery Month” proclamation to Commissioner of Social Services Michael Piazza and Dr. James Schiller Executive Director at St. Christopher’s Inn.

NATIONAL RECOVERY MONTH – SEPTEMBER 2023

WHEREAS, behavioral health is an essential part of one’s overall wellness; and
WHEREAS, prevention of mental and substance use disorders works, treatment is effective, and people recover in our area and around the nation; and
WHEREAS, preventing and overcoming mental and substance use disorders is essential to achieving healthy lifestyles, both physically and emotionally; and
WHEREAS, the recovery of individuals helps improve their health and the health of their loved ones, and of the entire community; and
WHEREAS, we must encourage relatives and friends of people with mental and substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and
WHEREAS, to help more people achieve and sustain long-term recovery, the Putnam County Executive and the Putnam County Legislature invite all residents of Putnam County to participate in National Recovery Month; now therefore be it
RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim September 2023 as *National Recovery Month* and together with the Prevention Council of Putnam and the Putnam County Communities that Care Coalition encourage all Putnam County residents to observe this month with appropriate programs, activities, and ceremonies to support this year’s *Recovery Month*.

Chairman Jonke recognized Legislator Nacerino who presented the “Recognizing Sheriff’s Week” proclamation to Undersheriff Thomas H. Lindert and Captain James L. Schepperly.

RECOGNIZING SHERIFF’S WEEK – SEPTEMBER 17 – 23, 2023

WHEREAS, the Office of Sheriff has been an integral part of the criminal justice system in New York State and in Putnam County throughout our history, having been established in the State's first constitution in 1777 and continued in every succeeding Constitution, and having been one of the original constitutional offices guaranteed to the People upon the founding of our County; and

WHEREAS, despite changes in its function, status, and powers during its long history, the Office of Sheriff has maintained a continuous existence, preserved its distinguishing heritage, and continued to be an essential component of our criminal justice community; and

WHEREAS, the Office of Sheriff has evolved into a modern, professional, full-service law enforcement agency, manned by fully trained police officers using state-of-the-art technology and applying the latest and most advanced theories and practices in the criminal justice field; and

WHEREAS, the Office of Sheriff is unique in the community, and the duties of the Office go far beyond the traditional role of "Keeper of the Peace," and extend into many facets of public service, including maintaining the county jail, providing security in our courts, dispatching emergency services, and serving and executing civil process for our courts; and

WHEREAS, as a Constitutionally empowered Office directly responsible to the People, the ancient Office of Sheriff remains, even today, responsive and accountable to the public it serves; and

WHEREAS, it is fitting to celebrate the historical contributions of the Office of Sheriff and the significant role that the Sheriffs play in our modern criminal justice system; now therefore be it

RESOLVED, that the Putnam County Executive and Putnam County Legislature do recognize the important services provided to the citizens of this County by Sheriff Kevin McConville and the members of the Sheriff's Office, and do hereby proclaim September 17-23, 2023 to be Sheriffs' Week in Putnam County.

Chairman Jonke recognized Legislator Sayegh who presented the "Putnam County Youth Bureau 3rd Annual Youth-Led 9/11 Memorial" proclamation to Executive Director of the Putnam County Youth Bureau Janeen Cunningham and Brewster High School Student Zoe Juncaj.

RECOGNIZING THE PUTNAM COUNTY YOUTH BUREAU ON THEIR 3RD ANNUAL YOUTH-LED 9/11 MEMORIAL

WHEREAS, On September 11, 2001, the peace and security of our Nation was shattered by terrorist attacks that killed nearly 3,000 innocent people. Nineteen terrorists hijacked four commercial airplanes, crashing them into both the north and south towers of the World Trade Center in New York City, the United States Pentagon in Virginia, and in the pristine fields of Shanksville, Pennsylvania; and

WHEREAS, although the terrorists' goal was to tear at the fabric of our nation, arising from the very ashes of that tragedy came a remarkable spirit of unity, compassion, and determination that will never be forgotten. Many brave individuals tirelessly participated in an extraordinarily difficult and dangerous rescue and recovery effort, in some cases voluntarily putting their own well-being at risk. Each year the anniversary of the attacks is a sacred day both in Putnam County and throughout the country as citizens honor the memory of all who were lost on that day; and

WHEREAS, the Putnam County Youth Bureau recognizes the importance of introducing this tradition to the younger members of our community. This year the Youth Bureau will host their 3rd Annual Youth-Led 9/11 Memorial where youth volunteers will commemorate the 22nd anniversary of the September 11, 2001 attacks on our country by reading aloud the names of all who lost their lives on that day; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature hereby recognize the Putnam County Youth Bureau and encourage residents of Putnam County to attend the annual Youth-Led 9/11 Memorial on September 11, 2023 at the Putnam County Bureau of Emergency Services.

Item #4 – Acceptance of Minutes – Regular Meeting – July 5, 2023
Regular Meeting – August 1, 2023

The minutes were accepted as submitted.

Item #5 – Correspondence
a) County Auditor

There was no activity during this reporting period.

Item #6 – Pre-filed resolutions:

PERSONNEL COMMITTEE
(Chairman Jonke, Legislators Castellano & Nacerino)

Item #6a – Approval/ Fund Transfer (23T211)/ Purchasing/ Reclassification/ Account Clerk to Senior Account Clerk was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Nacerino, Chairman Jonke moved the following:

RESOLUTION #172

APPROVAL/ FUND TRANSFER (23T211)/ PURCHASING/ RECLASSIFICATION/ ACCOUNT CLERK TO SENIOR ACCOUNT CLERK

WHEREAS, the Personnel Department recently conducted a job classification evaluation on the duties of the Account Clerk position in the Purchasing Department; and

WHEREAS, it was determined that this position be reclassified as a Senior Account Clerk; and

WHEREAS, Purchasing Director John Tully has requested a fund transfer (23T211) to account for this reclassification effective July 1, 2023; and

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

RESOLVED, that the following fund transfer be made:

Decrease:		
10161000 54314	Postage – Central Services	1,675
Increase:		
10134500 51000 (105)	Personnel – Purchasing	1,556

10134500 58002

FICA

119
1,675

2023 Fiscal Impact – 0 –

2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6b – Approval/ Fund Transfer (23T228)/ Social Services/ Additional Fiscal Manager Position from 11/06/23 through 12/31/23 was next. On behalf of the members of the Personnel Committee, Chairman Jonke moved the following:

RESOLUTION #173

APPROVAL/ FUND TRANSFER (23T228)/ SOCIAL SERVICES/ ADDITIONAL FISCAL MANAGER POSITION FROM 11/06/23 THROUGH 12/31/23

WHEREAS, the 2023 Social Services and Mental Health budget reflects one full-time Fiscal Manager position and funding in the Temporary line; and

WHEREAS, the purpose of this was to hire a new Fiscal Manager and have the existing Fiscal Manager stay on as a Temporary employee to train the new Fiscal Manager of the complexities of this position with handling both Mental Health and Social Services; and

WHEREAS, since the Temporary line was not utilized, funding is available to have two (2) Fiscal Manager work full-time in budgeted positions from November 1, 2023 through December 31, 2023; and

WHEREAS, the Commissioner of Social Services has requested a fund transfer (23T228) to add an additional budgeted Fiscal Manager position for the period of November 6, 2023 through December 31, 2023, at a salary of \$108,680; and

WHEREAS, the 2024 budget will reflect one (1) full-time Fiscal Manager and funding in the Temporary line like the original 2023 approved budget; and

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

RESOLVED, that the following fund transfer be made:

Decrease:

10120000 51094	Social Serv. Admin. – Temporary	10,032
10431000 51094	Mental Health – Temporary	<u>6,688</u>
		16,720

Increase:

10120000 51000 (601020124)	Fiscal Manager – Social Serv.	10,032
10431000 51000 (601020124)	Fiscal Manager – Mental Health	<u>6,688</u>
		16,720

2023 Fiscal Impact – 0 –

2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE
(Chairwoman Sayegh, Legislators Crowley & Nacerino)**

Item #6c – Approval/ Resolution Changes to the Putnam County Youth Board By-Laws/ Resolution #109 of 1978 was next. Chairman Jonke recognized Legislator Sayegh, Chairwoman of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators Crowley and Nacerino, Legislator Sayegh moved the following:

RESOLUTION #174

APPROVAL/ RESOLUTION CHANGES TO THE PUTNAM COUNTY YOUTH BOARD BY-LAWS/ RESOLUTION #109 of 1978

WHEREAS, by Resolution #109 of 1978 the Putnam County Legislature created the Putnam County Youth Board to recommend and put into effect those measures most suitable to supplement and aid in coordinating the work of existing religious and social institutions for the prevention of delinquency and youth crime and the advancement of the moral, physical, mental, and social well-being of the youth of Putnam County; and

WHEREAS, the Putnam County Youth Board, in order to better serve Putnam County and the needs of its youth, want to update their By-Laws, specifically the number of members that can serve on the Board and the duties of the Board; and

WHEREAS, these changes have been considered and approved by the Health, Social, Educational & Environmental Committee; now therefore be it

RESOLVED, that the Putnam County Youth Board created by Resolution #109 of 1978 is hereby amended to reflect that the Youth Board will consist of eleven (11) Board members, two (2) of which shall be youth members, each serving a two-year term and may be re-appointed at the end of their membership term. The Youth Board Membership Chair shall make a recommendation to appoint a potential member who has fulfilled their requirement of attending three (3) Board meetings to the Board, who will vote to approve the potential member. If approved, the name of the potential member will be sent to the Putnam County Executive to formally appoint the member. Members shall serve on a voluntary basis; and be it further

RESOLVED, that duties of the Putnam County Youth Board is expanded to include the following: (1) Develop effective programs for the prevention and control of delinquency and crimes by youth; (2) Supplement and aid in coordinating the activities of public, private, and voluntary agencies devoted in whole or in part to the prevention or delinquency and youth crime and serve as a consultant to such agencies; (3) Encourage closer cooperation between employees, labor, school, churches, recreation commissions, state and local employment bureaus, service clubs and other public and private agencies so as to stimulate employment for youth and encourage sound youth programs on the basis of community planning; (4) Promote and encourage grants from the State, Federal, or County governments and establish reasonable basis for allocations of these funds to youth programs so as to serve most effectively the purpose of this article; (5) Promote programs for positive development of Youth Services; (6) Devise and analyze all plans for the creation or expansion of recreation and youth service projects or other youth programs as defined by laws of the State of New York and appropriate recommendations of the County Executive; (7) Obtain, assemble, and develop statistical records and data including those that reflect the incidence and trends of delinquency and youthful crimes and offenses in the County; (8) Appoint such advisory groups and committees so may be

necessary to carry out its powers and duties; (9) The Youth Bureau Director will submit an Annual Report to the County Executive and other reports; and (10) Perform other such duties as may be recommended by the County Executive or the Youth Bureau Director; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
(Chairwoman Addonizio, Legislators Ellner & Gouldman)**

Item #6d – Approval/ Fund Transfer (23T201)/ Board of Elections/ Election Management Server was next. Chairman Jonke recognized Legislator Addonizio, Chairwoman of the Rules, Enactments & Intergovernmental Relations Committee. On behalf of the members of the Committee, Legislators Ellner and Gouldman, Legislator Addonizio moved the following:

RESOLUTION #175

APPROVAL/ FUND TRANSFER (23T201)/ BOARD OF ELECTIONS/ ELECTION MANAGEMENT SERVER

WHEREAS, the Commissioners of Board of Elections has requested a fund transfer (23T201) for the purchase of new Election Management Server Hardware, Software and Support Services for Election Voting Machines; and

WHEREAS, the Rules, Enactments & Intergovernmental Relations Committee and the Audit & Administration Committee have reviewed and approved said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:

10145000 52130	Computer Equipment	28,433
10145000 54646	Contracts	<u>9,277</u>
		37,710

Increase:

10145000 52680	Other Equipment	37,710
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2023 Fiscal Impact – 0 –
2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6e – Approval/ Settlement of Litigation/ Orlando v. County of Putnam was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Ellner and Gouldman, Legislator Addonizio moved the following:

RESOLUTION #176

APPROVAL/ SETTLEMENT OF LITIGATION/ ORLANDO V. COUNTY OF PUTNAM

WHEREAS, long term former Putnam County employee Paul Orlando (“Orlando”) sought a cash health insurance buy out at his retirement based upon his desire not to take retiree health insurance benefits through Putnam County (“the County”) upon his retirement on October 31st, 2016; and

WHEREAS, the County’s position, presented by Personnel Officer Paul Eldridge and advanced by outside counsel, was that because Orlando was not enrolled in the New York State Health Insurance Program (NYSHIP) at the time of his retirement, which is an eligibility requirement of NYSHIP (copy attached), that therefore, Orlando was not entitled to the cash buyout; and

WHEREAS, more specifically, reading the CSEA collective bargaining agreement which states “Any employee who retires on or after 1/1/08 and who is eligible (emphasis added) for retiree health insurance benefits and who opts out of such retiree health insurance due to other coverage, shall receive a cash payout...”, the county’s position was that the retiree was not eligible for retiree health insurance coverage, and as such there was nothing from which to buy him out; and

WHEREAS, Orlando’s position in contrast, was that the applicable collective bargaining agreement provision applied to him to receive the buyout. As such Orlando felt he could have taken the Putnam County offered NYSHIP health plan as an employee and retiree - that he was eligible for it - but did not do so because his wife covered him on her policy (not with Putnam County) instead; and

WHEREAS, on or about May 31st, 2018, plaintiff Paul Orlando commenced an action against the County of Putnam in Supreme Court for the county of Putnam alleging breach of the collective bargaining agreement that he was covered by; and

WHEREAS, plaintiff sought recovery for financial damages in an undetermined amount as well as costs, disbursements, attorney’s fees and interests; and

WHEREAS, Putnam County, was represented by outside counsel Keane & Beane, P.C. and where they have stated “...in it’s Decision, the Court ignored the retiree health insurance eligibility requirements contained in the NYSHIP manual and held that as an employee with the county, Mr. Orlando was eligible for retiree health insurance benefits, and thus the buyout.”; and

WHEREAS, Supreme Court, Putnam County (Zugibe, J.) issued an Order denying Putnam County’s motion for summary judgment dismissing the complaint and granting Plaintiff’s cross-motion for summary judgment on the complaint; and

WHEREAS, the Supreme Court, Putnam County’s Order in favor of Plaintiff was later affirmed, with costs, by the Appellate Division, Second Judicial Department; and

WHEREAS, although outside counsel for the County sought to continue to litigate the issues presented before New York’s highest court, in July 2023 the Court of Appeals declined to hear the matter without comment; and

WHEREAS, rather than proceed to inquest on a determination of monetary damages, outside counsel entered into a Stipulation of Settlement with Orlando wherein counsel agreed the amount Orlando is owed for damages covering the years 2016 through 2022 was \$39,528.20; and

WHEREAS, per the Court’s decision Orlando is also due the “cash payout equivalent to fifty (50%) percent of the value of individual health insurance coverage for the plan with the most active employee enrollees moving forward”, which amount has been determined by Personnel Officer Eldridge to be \$654.17 each month moving forward while the premium remains \$1,308.34; and

WHEREAS, a Stipulation of Settlement has been executed by all parties, and So Ordered by Hon. Gina C. Capone, Supreme Court Justice (a copy of said Stipulation is attached hereto as Schedule "A"); and

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

RESOLVED, that the County of Putnam approves the settlement of this matter for the sum of thirty-nine thousand five hundred twenty-eight dollars and twenty cents (\$39,528.20) and an additional cash payout equivalent to fifty (50%) percent of the value of individual health insurance coverage for the plan with the most active employee enrollees moving forward which amount has been determined by Personnel Officer Eldridge to be \$654.17 per month.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

ECONOMIC DEVELOPMENT & ENERGY COMMITTEE
(Chairman Ellner, Legislators Addonizio & Crowley)

Item #6f – Approval/ Designation/ County of Putnam/ Tourist Promotion Agency was next. Chairman Jonke recognized Legislator Ellner, Chairman of the Economic Development & Energy Committee. On behalf of the members of the Committee, Legislators Addonizio and Crowley, Legislator Ellner moved the following:

Legislator Montgomery stated that she will continue to petition the State and the County, that while we are promoting tourism in Putnam County, we are not offering any resources to handle the tourism that we are inundated with. She stated that the funding received from New York State for the I Love NY Program serves to promote tourism outside of the County. She stated that they cannot handle the volume of tourism currently in her District. She stated that they need the support of County resources. She explained that sales tax revenue generated in her District goes directly to Putnam County and is not shared with the Town of Philipstown. She stated that she will continue to petition New York State as well.

RESOLUTION #177

APPROVAL / DESIGNATION / COUNTY OF PUTNAM / TOURIST PROMOTION AGENCY

WHEREAS, pursuant to Sections 162 and 163 of the New York State Economic Development Law, the Putnam County Legislature may designate any not-for-profit corporation or other non-profit organizations, associations, or agencies as the Tourist Promotion Agency of the County of Putnam and authorize such agency to make application for and receive grants for the purposes specified in the New York State Tourism Promotion Act; and

WHEREAS, the County of Putnam previously designated itself as the Tourist Promotion Agency for Putnam County; and

WHEREAS, the County of Putnam has established a Department of Tourism and appointed a Director of Tourism for the purposes of promoting tourism throughout Putnam County; and

WHEREAS, as the lead agency in the promoting of Putnam County, the County of Putnam is qualified to be designated as the Tourist Promotion Agency for Putnam County; now therefore be it

RESOLVED, that the Putnam County Legislature hereby designates the County of Putnam as the Tourist Promotion Agency for the County of Putnam; and be it further

RESOLVED, that this designation shall be effective immediately upon adoption and shall remain in effect until December 31, 2024; and be it further

RESOLVED, that the Putnam County Legislature approves and authorizes the Tourist Promotion Agency to make application for and receive grants for the purpose specified in the New York State Tourism Promotion Act.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**PROTECTIVE SERVICES COMMITTEE
(Chairwoman Nacerino, Legislators Addonizio & Sayegh)**

Item #6g – Approval/ Department of Public Works/ Use of Capital Facility Reserve/ (23CP14) (Fire Training Center) was next. Chairman Jonke recognized Legislator Nacerino, Chairwoman of the Protective Services Committee. On behalf of the members of the Committee, Legislators Addonizio and Sayegh, Legislator Nacerino moved the following:

Legislator Nacerino stated that we are very excited to plan on having our own new Fire Training Facility which will allow our first responders the opportunity for training right here in our County.

Legislator Addonizio was thrilled to see this move forward. She stated that this state-of-the-art facility will increase training for our first responders, making them better prepared for emergencies. She stated that by providing a training facility right here in Putnam County, she was hopeful that we would maximize recruitment.

Legislator Gouldman thanked the County Executive for having the foresight in providing this opportunity. He believed that it was an asset to have local training available for our first responders who would otherwise travel outside of the County to receive the necessary training.

Chairman Jonke stated that this is an example of the County giving back to our local municipalities, town Fire Departments and Emergency Services who will all be able to utilize the facility.

RESOLUTION #178

**APPROVAL/ DEPARTMENT OF PUBLIC WORKS/ USE OF CAPITAL FACILITY RESERVE/
(23CP14) FIRE TRAINING CENTER**

WHEREAS, the Department of Public Works has proposed the use of \$1.3 million from the Capital Facility Reserve to fund Project #23CP14 – Fire Training Facility; and

WHEREAS, the County’s existing Fire Training Facility is outdated and currently unusable due to long ongoing safety issues; and

WHEREAS, without a viable fire training facility, local emergency services personnel are forced to travel to and train at neighboring County’s facilities; and

WHEREAS, the lack of a training facility within the County contributes to the difficulty in the retention and recruitment of emergency services personnel and fails to

fulfill the County's strong commitment to the safety and preparedness of our emergency services community; and

WHEREAS, funding will be used for the demolition of the existing facility and the necessary site work, purchase, and installation of a new facility; and

WHEREAS, a new, modern, and safe Putnam County Fire Training Facility will afford our local agencies the opportunity to train and prepare for emergency situations so that they are best equipped to ensure for the safety and well-being of County residents during an emergency response; and

WHEREAS, \$1 million of ARPA funding will be transferred to the Capital Facility Reserve funds by Resolution #180 of 2023, \$50,000 will also be transferred from Bureau of Emergency Services Maintenance & Repairs and \$50,000 from Federal Aid (LATCF) Grant funds by Resolution #179 of 2023; and

WHEREAS, the balance of \$200,000 will come from existing Capital Facility Reserve funds; and

WHEREAS, the Protective Services Committee has reviewed and approved this request; now therefore be it

RESOLVED, that the Putnam County Legislature approves and authorizes the expenditure of \$1.3 million from the Capital Facility Reserve Fund budget line 55197000 53000 51509 as follows:

23CP14 – Fire Training Center

Project cost not to exceed \$1.3 million

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6h – Approval/ Budgetary Amendment (23A039)/ Emergency Services/ Fire Training Center/ Local Assistance & Tribal Consistency Funds (LATCF) and Capital Facility Reserve Funds 23CP14 was next. On behalf of the members of the Protective Services Committee, Legislators Addonizio and Sayegh, Legislator Nacerino moved the following:

RESOLUTION #179

APPROVAL/ BUDGETARY AMENDMENT (23A039)/ EMERGENCY SERVICES/ FIRE TRAINING CENTER/ LOCAL ASSISTANCE & TRIBAL CONSISTENCY FUNDS (LATCF) AND CAPITAL FACILITY RESERVE FUNDS 23CP14

WHEREAS, the Commissioner of the Bureau of Emergency Services has requested a budgetary amendment (23A039) to earmark funds for the demolition, site work, and foundation preparation of the new Fire Training Center Project; and

WHEREAS, \$50,000 will be funded from the Local Assistance & Tribal Consistency Funds (LATCF) which were received earlier this year; and

WHEREAS, another \$50,000 will be funded from the Bureau of Emergency Services' operating budget; and

WHEREAS, pending receipt of \$200,000 from Grant proceeds, said funds will be placed back in the Capital Facility Reserve Fund for this Capital Project 23CP14; and

WHEREAS, the Bureau of Emergency Services will continue to monitor and apply for any grants that would support this important project; and

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

RESOLVED, that the following budgetary amendment be made:

GENERAL FUND:

Increase Appropriations:

10990100 59020 Transfer Out – Capital Fund 100,000

Decrease Appropriations:

10398900 54710 BES - Maintenance & Repairs 50,000

Increase Estimated Revenues:

10131000 440893 Federal Aid – LATCF Funds CFDA 21.032 50,000
(Did not apply for funds)

CAPITAL FUND:

Increase Appropriations:

55197000 532314 51509 Capital – 23CP14 – Fire Training Center 300,000

Decrease Appropriations:

55197000 53000 51509 Capital – Facility Renovation Reserve 200,000

Increase Estimated Revenues:

55197000 428601 51509 Transfer In – General Fund 100,000

2023 Fiscal Impact – 0 –

2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6i – Approval/ Budgetary Amendment (23A043)/ Emergency Services/ Resolution #135 of 2022 ARPA Funding Earmarked for Radios - Police & Fire/ Repurpose for Fire Training Center/ Capital Facility Reserve Funds 23CP14 was next. On behalf of the members of the Protective Services Committee, Legislators Addonizio and Sayegh, Legislator Nacerino moved the following:

Legislator Sayegh stated that the Commissioner of Finance stated at the Committee meeting that it was determined that this project was an approved use of ARPA funding. She believed that there was no better investment in our community than the health and safety of our constituents. She believed this was a wonderful use of ARPA funding.

RESOLUTION #180

**APPROVAL/ BUDGETARY AMENDMENT (23A043)/ EMERGENCY SERVICES/
RESOLUTION #135 OF 2022 ARPA FUNDING EARMARKED FOR RADIOS - POLICE &
FIRE/ REPURPOSE FOR FIRE TRAINING CENTER/ CAPITAL FACILITY RESERVE FUNDS
23CP14**

WHEREAS, per Resolution #135 of 2022, ARPA funds were earmarked to go towards the Statewide Interoperable Communications Grant (SICG) Targeted Grant Program to allow the County to enhance their public safety operations by strengthening communications infrastructure which is critical in emergency situations; and

WHEREAS, it has been determined that the County will continue to utilize SICG – Formula Grant awards towards this project and can repurpose \$1 million to go towards the procurement and installation of the Fire Training Center and other project related costs that will serve the fire fighters from Putnam County’s fire departments and surrounding area departments; and

WHEREAS, the County’s consultant has indicated that the Fire Training Center is an allowable use of ARPA funds which is classified under the 3.4 Public Sector Capacity category which includes investment to support emergency response; and

WHEREAS, the Commissioner of the Bureau of Emergency Services has requested a budgetary amendment (23A043) to repurpose these funds; and

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

RESOLVED, that the following budgetary amendment be made:

CAPITAL FUND:

Increase Appropriations:

55197000 532314 51509	Capital – 23CP14 – Fire Training Center (ARPA Funding)	1,000,000
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Increase Estimated Revenues:

55197000 449898 51509	Federal Aid – ARPA CFDA 21.027	1,000,000
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Decrease Appropriations:

53097000 53000 51601	Capital – Interoperable Public Safety Communication	1,000,000
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Decrease Estimated Revenues:

53097000 449898 51601	Federal Aid – ARPA CFDA 21.027	1,000,000
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2023 Fiscal Impact – 0 –

2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6j – Approval/ Budgetary Amendment (23A052)/ Sheriff’s Department/ Correctional Facility/ Use of T-Commission Funds/ Equipment was next. On behalf of the members of the Protective Services Committee, Legislators Addonizio and Sayegh, Legislator Nacerino moved the following:

RESOLUTION #181

**APPROVAL/ BUDGETARY AMENDMENT (23A052)/ SHERIFF’S DEPARTMENT/
CORRECTIONAL FACILITY/ USE OF T-COMMISSION FUNDS/ EQUIPMENT**

WHEREAS, Putnam County Sheriff Kevin McConville has requested a budgetary amendment (23A052) to utilize T-Commission Reserve Funds to purchase equipment needed to provide internet access to the Correctional Facility and Inmate Law Library; and

WHEREAS, the Protective Services Committee and the Audit & Administration Committee have reviewed and approved said budgetary amendment; now therefore be it **RESOLVED**, that the following budgetary amendment be made:

Increase Revenue:
10315000 426605 Jail – Inmate T-Commission Use of Reserve 25,709.72

Increase Appropriations:
10315000 54636 Jail – Internet Costs 25,709.72

2023 Fiscal Impact – 0 –
2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**PHYSICAL SERVICES COMMITTEE
(Chairman Gouldman, Legislators Castellano & Montgomery)**

Item #6k – Approval/ Budgetary Amendment (23A048)/ Public Works/ Social Services/ Risk & Compliance/ Insurance Recovery was next. Chairman Jonke recognized Legislator Gouldman, Chairman of the Physical Services Committee. On behalf of the members of the Committee, Legislators Castellano and Montgomery, Legislator Gouldman moved the following:

RESOLUTION #182

APPROVAL/ BUDGETARY AMENDMENT (23A048)/ PUBLIC WORKS/ SOCIAL SERVICES/ RISK & COMPLIANCE/ INSURANCE RECOVERY

WHEREAS, the Department of Public Works is in receipt of a check for \$6,273.41 from Geico Insurance Co. to cover damages to one (1) of Social Services’ vehicles involved in an accident on March 3, 2023; and

WHEREAS, Risk Manager Mat C. Bruno, Jr. has requested a budgetary amendment (23A048) to proceed with the repair of said vehicle; and

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

RESOLVED, that the following budgetary amendment be made:

Increase Estimated Revenues:
10513000 426802 Hwy Road Machinery – Insurance Recovery 6,273.41

Increase Appropriations:
10513000 54370 Hwy Road Machinery – Automotive 6,273.41

2023 Fiscal Impact – 0 –
2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6L – Approval/ Budgetary Amendment (23A050)/ Public Works/ Repurpose ARPA Funds/ Fair Street Project PIN 8756.09 was next. On behalf of the members of the

Physical Services Committee, Legislators Castellano and Montgomery, Legislator Gouldman moved the following:

RESOLUTION #183

APPROVAL/ BUDGETARY AMENDMENT (23A050)/ PUBLIC WORKS/ REPURPOSE ARPA FUNDS/ FAIR STREET PROJECT PIN 8756.09

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (23A050) to Repurpose ARPA funding for the Fair Street Reconstruction Project; and

WHEREAS, by Resolution #135 of 2022, the Putnam County Legislature originally approved designating \$988,800 of ARPA funding towards the Drewville Road Bridge project; and

WHEREAS, the County was awarded Marchiselli funding in the amount of \$798,000; and

WHEREAS, by Resolution #57 of 2023, the Putnam County Legislature approved a budgetary amendment which utilized said Marchiselli award for the Drewville Road Bridge project which then freed up ARPA funding earmarked for this project; and

WHEREAS, due to the current economic conditions, by Resolution #71 of 2023, the Putnam County Legislature approved earmarking \$500,000 of the \$798,000 in ARPA funding to be used towards Countywide Bridges and Culverts, instead of going out to bond; and

WHEREAS, since then it has been determined that \$252,180 of the \$500,000 earmarked for Countywide Bridges and Culverts be reallocated towards the Fair Street Reconstruction Project (PIN 8756.09) for additional design services; and

WHEREAS, the Physical Services Committee and the Audit & Administration Committee have reviewed and approved said budgetary amendment; now therefore be it RESOLVED, that the following budgetary amendment be made:

CAPITAL FUND:

Increase Appropriations:

55997000 53000 51622	Capital – Fair Street – PIN 8756.09	252,180
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Increase Estimated Revenues:

55197000 428601 51622	Transfer In – General Fund	252,180
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Decrease Appropriations:

55197000 53000 52201	Capital – Bridges & Culverts	252,180
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Decrease Estimated Revenues:

55197000 428601 52201	Transfer In – General Fund	252,180
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GENERAL FUND:

Increase Appropriations:

10990100 59020 51622	Transfer Out – Capital	252,180
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Increase Estimated Revenues:

10131000 449898 51622	Federal Aid – ARPA CFDA 21.027	252,180
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Decrease Appropriations:

10990100 59020 52201	Transfer Out – Capital	252,180
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Decrease Estimated Revenues:
 10131000 449898 52201 Federal Aid – ARPA CRDA 21.027 252,180

2023 Fiscal Impact – 0 –
 2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6m – Approval/ Budgetary Amendment (23A051)/ Public Works/ Resolution #135 of 2022 ARPA Funding Earmarked for Countywide Highway Infrastructure Projects/ Sprout Brook Road Bridge Project PIN 8762.13 was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Montgomery, Legislator Gouldman moved the following:

RESOLUTION #184

APPROVAL/ BUDGETARY AMENDMENT (23A051)/ PUBLIC WORKS/ RESOLUTION #135 OF 2022 ARPA FUNDING EARMARKED FOR COUNTYWIDE HIGHWAY INFRASTRUCTURE PROJECTS/ SPROUT BROOK ROAD BRIDGE PROJECT PIN 8762.13

WHEREAS, per Resolution #135 of 2022, ARPA funds were earmarked to go towards Countywide Highway Infrastructure projects (Project 52202); and

WHEREAS, to date, \$760,430 is still available in this project; and

WHEREAS, it has been determined by the Department of Public Works that approximately \$720,000 is needed to cover anticipated construction and construction inspection costs in connection to the Sprout Brook Road Bridge Project PIN 8762.13; and

WHEREAS, the project is subject to NYSDOT deadlines to meet reimbursement requirements; and

WHEREAS, the preliminary bid package has been developed by our consultants and has been approved by the NYSDOT for Construction Phase Authorization with construction anticipated to begin in early 2024; and

WHEREAS, the Acting Deputy Commissioner of Public Works has requested a budgetary amendment (23A051) to account for request; and

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

RESOLVED, that the following budgetary amendment be made:

CAPITAL FUND:

Increase Appropriations:

55197000 53000 51914	Capital – Sprout Brook Rd Bridge PIN 8762.13	720,000
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Increase Estimated Revenues:

55197000 428601 51914	Transfer In – General Fund	720,000
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Decrease Appropriations:

55197000 53000 52202	Capital – ARPA – Highway Infrastructure	720,000
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Decrease Estimated Revenues:

Decrease Appropriations:
55197000 53000 51509 Capital – Facility Renovation Reserve 225,000

Decrease Estimated Revenues:
55197000 428601 51509 Transfer In – General Fund 225,000

2023 Fiscal Impact – 0 –
2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6o – Approval/ Department of Public Works/ Use of Capital Facility Reserve/ (23CP15) (Donald B. Smith Campus Improvements) was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Montgomery, Legislator Gouldman moved the following:

RESOLUTION #186

APPROVAL/ DEPARTMENT OF PUBLIC WORKS/ USE OF CAPITAL FACILITY RESERVE/ (23CP15) (Donald B. Smith Campus Improvements)

WHEREAS, the Department of Public Works has proposed the use of \$50,000 from the Capital Facility Reserve to fund Project #23CP15 – Donald B. Smith Campus Improvements; and

WHEREAS, the Donald B. Smith Campus houses offices provides services which are critical to the public as well as County employees including, but not limited to, the Office for Senior Resources, the Department of Social Services, Putnam County Youth Bureau, Veterans’ Affairs, Bureau of Emergency Services, Consumer Affairs, Personnel, and IT/GIS; and

WHEREAS, currently there is no clear directional site signage and several unmarked exterior doors to each building making it difficult for the visiting public and staff to efficiently and accurately locate the appropriate offices/services; and

WHEREAS, additionally there are several aging metal aesthetic panels on the exterior of the buildings that are in disrepair; and

WHEREAS, the requested funding would be used to create clear directional site signage, place marked awnings above entrance doors for clarity of purpose, and replace the aging aesthetic building panels with modern, more easily maintained PVC panels; and

WHEREAS, the Physical services Committee has reviewed and approved this request; now therefore be it

RESOLVED, that the Putnam County Legislature approved and authorized the expenditure of \$50,000 from the County Facility Reserve fund budget line 55197000 53000 51509 as follows:

23CP15 – Donald B. Smith Campus Improvements

Project cost not to exceed \$50,000

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6p – Approval/ Lease of Portion of Tilly Foster Farm/ Cornell Cooperative Extension of Putnam County was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Montgomery, Legislator Gouldman moved the following:

Chairman Jonke made a motion to amend the second RESOLVED clause, stating that the Legislature approves the lease as revised according to the additional terms set forth in his memorandum dated, August 29, 2023, to the County Attorney which is included with the backup information for this item. He read the third and fourth paragraphs from his memorandum which read:

“Lessee’s use of the Premises, as set forth in Article I, should be made more specific. Lessee’s use should be consistent with Lessee’s purpose as a non-profit entity and also consistent with the current mission of Putnam County’s Cornell Cooperative Extension, to wit, the advancement of agriculture, the environment, human health and well-being, and communities through its agriculture, gardening, food and nutrition, energy, environment, and 4-H Youth programs.

Given that this lease is for a ninety-nine (99) year term, provisions ensuring that the premises are used only for the stated purposes should be strengthened. Toward that end, please insert a material covenant that requires Lessee’s continuing compliance with the use of the Premises as set forth in revised Article I. Use of the Premises for other than the purposes set forth in Article I shall constitute a default under Article XVI.”

Motion to amend was seconded by Legislator Ellner.

Legislator Montgomery stated that considering that this was not discussed in Committee and we did not hear from Cornell Cooperative Extension about these changes, she questioned if we could open this up for discussion and hear from Executive Director of Cornell Cooperative Extension Stefani Hubert who is present this evening.

Chairman Jonke stated that our rules do not allow for discussion.

Legislator Montgomery made a motion to table this until she had the time to discuss this with Executive Director Hubert.

There being no second, motion failed.

Legislator Ellner stated that he requested this amendment because of the extensive length of time of the term of the lease. He stated that he wanted to make sure that the use for Cornell Cooperative Extension as it is today will continue to be the same use in the future.

Chairman Jonke stated that he was fine with the original terms of the lease and believed this was basically strengthening the definition of the use of the property. He did not believe we were changing much with this language.

Legislator Sayegh concurred. She stated that we are simply using the same language from Cornell Cooperative’s mission statement, which was also in the original lease. She

stated that this is strengthening the wording. She stated that it does not really change anything that has to do with the lease, the mission of Cornell Cooperative Extension, or our support.

Legislator Nacerino concurred with Legislator Sayegh and Chairman Jonke. She stated that it does not change the lease. She explained that we often have contracts or legal documents that contain broad based language, leaving it up to interpretation. She stated that this strengthens the language to make it very clear.

Legislator Montgomery explained that considering the extent of the work being done by Cornell Cooperative Extension and their investment in this property, and since we were basically allowing them to utilize County property, which is the property of the residents and not the County, she strongly suggested that we have an open and transparent discussion in public. She believed that there should be input from the Executive Director and the Cornell Cooperative Extension Board.

Chairman Jonke called for a Roll Call Vote on the motion to amend. By Roll Call Vote: Eight Ayes. One Abstention – Legislator Montgomery. Motion carries.

Legislator Sayegh believed this was a great lease of County property which benefits everyone in our community. She stated that Cornell Cooperative Extension was making an incredible investment.

Chairman Jonke thanked Executive Director of Cornell Cooperative Extension Stefanie Hubert for her patience, and former Legislator Carl Albano for his contribution in making this happen.

RESOLUTION # 187

APPROVAL/ LEASE OF PORTION OF TILLY FOSTER FARM/ CORNELL COOPERATIVE EXTENSION OF PUTNAM COUNTY

WHEREAS, the County of Putnam (“County”) is the owner of certain real property located at 100 Route 312, Brewster, New York 10509, including the numerous buildings located thereon, which is commonly known as Tilly Foster Farm; and

WHEREAS, a certain portion of Tilly Foster Farm, specifically Building # 6 (“Cantina”), has been vacant and unused since the County took ownership thereof; and

WHEREAS, the County has no public use for the Cantina; and

WHEREAS, Tilly Foster Farm is subject to a certain conservation easement, the beneficial interest of which is held by Watershed Agricultural Council of the New York City Watersheds, Inc.; and

WHEREAS, Cornell Cooperative Extension of Putnam County (“Cornell Cooperative”) is an institution that, as part of its mission, provides a variety of educational programs and services for the residents of the County; and

WHEREAS, Cornell Cooperative is desirous of furthering its mission by leasing the land under the Cantina from the County, for a period of ninety-nine years, for the purpose of constructing a new building (“Cornell Cooperative Center”) on its site; and

WHEREAS, in order to prepare the leased premises for the construction of the Cornell Cooperative Center, the Putnam County Department of Public Works must first demolish and raze the Cantina building; and

WHEREAS, the proposed lease, demolition and construction are permissible under the terms of the aforementioned conservation easement; and

WHEREAS, once built, the Cornell Cooperative Center will enable Cornell Cooperative to provide further services to the residents of the County; and

WHEREAS, the County Executive, pursuant to the authority granted to him under Section 31-22 of the Putnam County Code, has entered into negotiations with Cornell Cooperative for such a lease; and

WHEREAS, the Putnam County Law Department has prepared a lease consistent with the terms negotiated between the County Executive and Cornell Cooperative, such lease being attached hereto as Schedule "A"; and

WHEREAS, Cornell Cooperative has prepared certain design plans for the proposed Cornell Cooperative Center to be built pursuant to said lease, such plans being attached hereto as Schedule "B"; and

WHEREAS, the Putnam County Legislature finds that the proposed lease and the construction of the Cornell Cooperative Center will benefit the community by promoting educational programs consistent with the purpose of Tilly Foster Farm; and

WHEREAS, pursuant to Section 31-22 of the Putnam County Code, the County Executive has requested that the Putnam County Legislature approve such lease agreement; now therefore be it

RESOLVED, that the Cantina building of the Tilly Foster Farm is not required for the County's use and therefore constitutes surplus space; and be it further

RESOLVED, that the Putnam County Legislature approves the lease between the County of Putnam and Cornell Cooperative, which shall be in substantial conformance with the form attached hereto and made a part hereof as Schedule "A", as revised to add the provisions specified in the memorandum from Chairman Paul Jonke to the Putnam County Attorney dated August 29, 2023 (attached), and that the Putnam County Executive is authorized to execute said revised lease; and be it further

RESOLVED, that the County Attorney is authorized to take whatever legal action is necessary to effectuate the lease between the County of Putnam and Cornell Cooperative in the manner approved herein; and be it further

RESOLVED, that this resolution shall take immediate effect.

BY ROLL CALL VOTE: EIGHT AYES. ONE ABSTENTION – LEGISLATOR MONTGOMERY. MOTION CARRIES.

**AUDIT & ADMINISTRATION COMMITTEE
(Chairman Castellano, Legislators Ellner & Gouldman)**

Item #6q – Approval/ Fund Transfer (23T208)/ Finance/ Correct Vacancy Control Factor 2023 Entry was next. Chairman Jonke recognized Legislator Castellano, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

RESOLUTION #188

APPROVAL/ FUND TRANSFER (23T208)/ FINANCE/ CORRECT VACANCY CONTROL FACTOR 2023 ENTRY

WHEREAS, by Resolution #135 of 2023, the Putnam County Legislature approved a budgetary amendment to provide for the Vacancy Control Factor for 2023; and

WHEREAS, Resolution #153 of 2023 corrected an account entry approved by Resolution #135 of 2023; and

WHEREAS, Resolution #170 of 2023 further corrected account lines on Resolution #135 of 2023; and

WHEREAS, the Commissioner of Finance has requested a fund transfer (23T208) to further correct account lines approved by Resolution #135 of 2023; 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:

10431000 51000 10167	ELC Reopening – Pers. Serv.	30,388
10431000 58002 10167	ELC Reopening – FICA	<u>2,325</u>
		32,713

Increase:

10431000 51000	Mental Health – Pers. Serv.	30,388
10431000 58002	Mental Health - Pers. Serv. – FICA	<u>2,325</u>
		32,713

2023 Fiscal Impact – 0 –

2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #7 – Other Business

There was no other business submitted to the meeting.

Item #8 – Recognition of Public on Agenda Items

Former Legislator Carl Albano thanked the Legislature for the approval of the Cornell Cooperative Extension lease.

Item #9 - Recognition of Legislators

Legislator Montgomery gave a special shout out to the Philipstown Behavioral Health Hub which serves as a center of activities, programs and resources related to mental health and addiction. She also thanked the churches and facilities throughout the County who offer their buildings for AA meetings. She thanked those individuals who step up to run the meetings and provide service through sponsorship. She stated that the AA program is based on helping people, not through being allied with any sect, denomination, politics, organization, or institution. AA does not engage in any controversy, does not endorse or oppose any cause. Its primary purpose is to help people stay sober and achieve sobriety. She recognized the selfless individuals who created AA and to all those who keep coming back, especially during recovery month. She thanked Assemblywoman Dana Levenberg and Senator Peter Harckham for the “Save the Hudson” bill that was signed into law by Governor Hochul on August 18, 2023. She thanked them and the New Yorkers for their advocacy of being opposed to the discharge of nuclear waste into the Hudson River from Indian Point by Holtec

International. She stated that this is a victory for citizen action, in addition to 35 municipalities who passed resolutions in support of this legislation. She stated that the Putnam County Legislature, with the leadership of the Health Committee, failed to answer formal requests from both her and Legislator Gouldman. She stated that, despite hearing from the concerns of our constituents, they failed to support the protection of our most important resource. She proceeded to read a quote by Pete Seeger, a famous advocate of the Hudson River, which she added a few of her own lines to.

Legislator Gouldman stated that children are heading back to school. He reminded drivers to be extra vigilant for pedestrians before and after school. He stated that over the last decade, nearly one (1) in four (4) child pedestrian fatalities occur between the hours of 3:00 p.m. and 7:00 p.m. He asked everyone to please drive safely. He wished all the children a great school year. He stated that Saturday, September 16, 2023 is Putnam Valley Town Day, held at the Putnam Valley Town Park, 156 Oscawana Lake Road, from 2:00 p.m. to 9:00 p.m.

Legislator Sayegh reminded everyone that there were several 9/11 ceremonies taking place in Putnam County this week. She stated that the one she attends is at Cornerstone Park where we remember all those who perished from Putnam County. She stated that we also remember our first responders, those who selflessly ran into the buildings and all those who helped in many different ways.

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

Respectfully submitted by Diane Schonfeld, Clerk.