

**YEAR END MEETING
OF THE
PUTNAM COUNTY LEGISLATURE
HELD IN ROOM 318
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512**

Wednesday

December 22, 2021

(Immediately following Audit & Admin. Mtg. starting @ 6:30 P.M.)

The meeting was called to order at 7:44 P.M. by Chairwoman Addonizio who requested Legislator Montgomery lead in the Pledge of Allegiance and Legislator Sullivan lead in the Legislative Prayer. Upon roll call, Legislators Montgomery, Gouldman, Nacerino, Albano, Jonke, Castellano, Sullivan and Chairwoman Addonizio were present. Legislator Sayegh was absent. Also present was Legislative Counsel Firriolo.

Item #4 - Correspondence
a) County Auditor

There was no activity during the reporting period.

Item #5 – Pre-filed resolutions:

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

Item #5a – Approval/ Opposing Government Mandated COVID-19 Vaccination was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Sayegh and Nacerino, Chairwoman Addonizio moved the following:

Chairwoman Addonizio stated that she received over 300 petition signatures and approximately 100 emails to the Legislative Office in support of this resolution. She stated that people are concerned and scared for their children, and they want to make a difference. She stated that she is not anti-vaccination; she is anti-mandate. She stated that she is not here to abolish childhood vaccinations that are required to enter school. She explained that the COVID-19 vaccine mandate does not take into consideration any religious or health exemptions, even though there has always been the opportunity for a child to be exempt from immunizations due to a valid medical exemption according to the NYS Department of Health website. She stated that Assembly Bill #A8378 authorizes the Commissioner of Health to develop and supervise the execution of a program of immunization against COVID-19 for purposes of State Aid to schools. She stated that this is one (1) of the first Bills to probably be voted on when they resume on January 6th. She stated that the Bill is in Committee and will most likely pass the Assembly and then go to the Senate for an immediate vote. She stated that the sponsor of this Bill is Jeffrey Dinowitz, and the cosponsor is Philip Steck. She noted that these two Assemblymen were responsible for voting against religious exemptions for children in 2019. She explained that this is not an anti-vaccination resolution, in fact, it supports Putnam County's campaign to assist people who want to get vaccinated. She stated that the resolution also does not make any judgment about the science of vaccines, instead it is a statement of public policy which is the proper rule of the Legislature. She stated that

vaccine mandates are not only bad public policy, but they are also not supported by sound science or sound medical ethics. She stated that she was proud to bring forward this resolution. Chairwoman Addonizio read the resolution.

Legislator Sullivan explained that he believed in free will and that it was a person's choice to wear a mask or get a vaccine. He stated that it was not that we did not want them to get a vaccine or wear a mask, but it was their choice to do what they want and not the government's role to tell them what to do. He stated that he was a firm believer in freedom and the ability to make your own decisions as an adult for yourself and family. He stated that he was in favor of this resolution.

Legislator Montgomery explained last she counted there were approximately 50 emails which she read. She questioned whether Chairwoman Addonizio shared this resolution with her constituents. She questioned if the people who wrote to the Legislature were aware that what you are opposing in your resolution pertains to vaccines mandated for anyone, adults included, working anywhere in any setting such as, nursing homes, group homes, hospitals and health care centers. She stated that what you are saying in this resolution is that you do not think it is necessary for OSHA to mandate that nurses and doctors be vaccinated who are taking care of my elderly friends, parents and sick children. She stated that the first sentence of the resolution appears to be opposing the emergency temporary standard (ETS). She explained why she believed that paragraphs three (3) and four (4) were irrelevant. She stated that she asked at the last Health Committee meeting that we separate children out of this resolution because that seems to be the main concern. She stated that with this resolution, the County has done very little to protect their employees from transmission. She explained that there was an outbreak in the Sheriff's Department. She believed there were many problems with the resolution which she elaborated on. She stated that Putnam County has the most COVID cases per 100,000 residents in the Hudson Valley region.

Legislator Jonke stated that almost two (2) years ago we were told that it would take two (2) weeks to flatten the curve. He stated that the Country was shut down, government asked us to get vaccines and yet the rates are still increasing. He believed that government has gotten nothing right. He stated that he does not need medical advice to tell me that this vaccine mandate is wrong. He stated that we used to be the "land of the free" and we are less free than we were two (2) years ago. He stated that he was not anti-vaccine. He stated that both he and his daughter were vaccinated. He stated that this legislation would provide that a 14-year-old child in school could be vaccinated without their parents' consent. He stated that the idea that government knows better for a child than the parent was completely inappropriate. He believed if we did not push back, we would be steamrolled. He believed that we have been steamrolled for two (2) years now.

Legislator Albano stated that he totally supports this resolution and concurs with Legislator Jonke. He stated that they are telling people to do something without any clear evidence. He stated that we have vaccines, with close to 70% vaccinated and we are still dealing with this. He stated that he did not want anyone telling him what to do, especially when it applied to his children.

Legislator Nacerino stated that she received a groundswell of support for this resolution from her constituents. She stated that the essence of this resolution clearly states that we believe medical treatment and preventive measures are an individual choice and government has no role in mandating COVID vaccinations. She stated that we are not

saying we are anti-vax or attempting to encourage or persuade anyone against the COVID-19 vaccine. She stated that she and her family are vaccinated and have received their booster shots. She stated that this is about personal choice and personal liberties to make decisions regarding what is injected in our own bodies and that of our children without governmental interference.

Legislator Castellano concurred. He stated that he was amazed at where we have been in the last two (2) years. He stated that he could not imagine having children in the school districts right now with all these concerns going on in the world. He believed that it was the parents' decision to make. He explained that he and his wife are vaccinated, along with his adult children who decided to be vaccinated as well. He stated that he did not know what happened to HIPAA regulations regarding not knowing a persons' medical condition. He believed that it was important to be vaccinated, however, he explained that if a person decides not to be vaccinated, because of whatever issue they might have, he believed that he should not be made aware of the reason and that person did not need to be vaccinated. He stated that he is fully in support of this resolution.

Legislator Gouldman stated that the last two (2) years have been very humbling. He stated that he is not a doctor or have been trained in any type of healthcare electives. He stated that our Federal and State government have acted like clowns in the last few years regarding the COVID-19 issue. He stated that he has been following the science and, in his opinion, it was sending mixed messages. He stated that he is not anti-vax. He stated that he has been vaccinated and will be receiving the booster very soon. He believed that the decision to get the vaccine was a personal one between you, your family and your healthcare provider. He did not believe it should be mandated by government. He stated that he supports this resolution.

Legislator Montgomery clarified that the ETS had nothing to do with children. She stated that she hated that we could not mandate vaccinations for our correction officers or people providing this vaccine service in our Health Department.

RESOLUTION #295

APPROVAL / OPPOSING GOVERNMENT MANDATED COVID-19 VACCINATION

WHEREAS, on September 9, 2021, the federal government announced plans to direct the U.S. Department of Labor's Occupational Safety and Health Administration ("OSHA") to develop an emergency temporary standard ("ETS") directed at private-sector businesses with one hundred (100) or more employees to require their employees to either be vaccinated against the COVID-19 virus or require any workers who remain unvaccinated to produce a negative test result on at least a weekly basis before coming to work; and

WHEREAS, it is anticipated that the OSHA ETS will impact over 80 million workers in private-sector businesses with one hundred (100) or more employees; and

WHEREAS, in light of the stay recently issued by the 5th Circuit Court of Appeals finding that legal challenges to the ETS are "likely to succeed on the merits," OSHA has suspended its activities related to the implementation and enforcement of the ETS pending the outcome of the constitutional challenges; and

WHEREAS, on November 29, 2021, a preliminary injunction was issued by the United States District Court for the Eastern District of Missouri against enforcement of the vaccine mandate against any and all Medicare- and Medicaid-certified providers and

suppliers within the States of Alaska, Arkansas, Iowa, Kansas, Missouri, Nebraska, New Hampshire, North Dakota, South Dakota, and Wyoming; and

WHEREAS, private-sector employers have been overwhelmed by the contingencies, restrictions, and requirements placed upon them due to COVID-19, especially over the last two years; and

WHEREAS, the Putnam County Legislature believes that medical treatment and preventative measures are an individual choice and that the government has no role to play in mandating COVID-19 vaccinations; and

WHEREAS, the County of Putnam implemented a successful campaign and vaccination program to ensure that residents of the County who want to be vaccinated against the COVID-19 virus have that option and have vaccine administered to them; and

WHEREAS, every citizen who wants a COVID-19 vaccine possesses the right to obtain one, but no COVID-19 vaccine should be mandated by law; and

WHEREAS, people have the right to refuse for themselves, and parents for their children, COVID-19 vaccination based on religious or medical reasons, and every medical intervention requires informed consent and the right of refusal, including the COVID-19 vaccine; now, therefore be it

RESOLVED, that the Putnam County Legislature expresses its opposition to COVID-19 vaccine mandates by any local, state, or federal government that affect citizens' rights to make their own health care choices; and be it further

RESOLVED, that the Putnam County Legislature expresses its opposition to COVID-19 vaccine mandates by any local, state, or federal government that affect parents' rights to make health care decisions in the best interests of their children; and be it further

RESOLVED, that the Putnam County Legislature continues to encourage all citizens who make the individual choice to get vaccinated against the COVID-19 virus to avail themselves of the many opportunities to receive the vaccine; and be it further

RESOLVED, that the Putnam County Legislature continues to encourage all citizens who make the individual choice not to get vaccinated against the COVID-19 virus to follow the most recently updated Center for Disease Control and Prevention (CDC) guidelines; and be it further

RESOLVED, that the Clerk of the Putnam County Legislature shall send certified copies of this Resolution to the President of the United States of America, Joseph R. Biden, New York State Governor Kathy Hochul, and to each New York State Senator and Assemblyperson who represents the County of Putnam; and be it further

RESOLVED, that this Resolution shall take effect immediately.

BY ROLL CALL VOTE: SEVEN AYES. ONE NAY – LEGISLATOR MONTGOMERY.
LEGISLATOR SAYEGH WAS ABSENT. MOTION CARRIES.

PROTECTIVE SERVICES COMMITTEE
(Chairwoman Nacerino, Legislators Sayegh & Sullivan)

Item #5b – Approval/ Budgetary Amendment (21A106)/ Commissioner of Finance/ Amend Town of Carmel Marine Enforcement Budget was next. Chairwoman Addonizio recognized Legislator Nacerino, Chairwoman of the Protective Services Committee. On behalf of the members of the Committee, Legislators Sayegh and Sullivan, Legislator Nacerino moved the following:

Legislator Nacerino explained that the County is merely a passthrough for these funds.

RESOLUTION #296

**APPROVAL/ BUDGETARY AMENDMENT (21A106)/ COMMISSIONER OF FINANCE/
AMEND TOWN OF CARMEL MARINE ENFORCEMENT BUDGET**

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (21A106) to amend the Town of Carmel Marine Enforcement budget to correspond to the actual voucher; and

WHEREAS, the Town of Carmel will pickup the 50% local share, resulting in no cost to Putnam County; 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 Estimated Appropriations:

17003000 54646	Contracts	69,583
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Increase Estimated Revenues:

17003000 415896	Marine Navigation – Town of Carmel	34,791
17003000 433891	State Aid – NYS Parks & Rec	<u>34,792</u>
		69,583

2021 Fiscal Impact – 0 –

2022 Fiscal Impact – 0 –

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

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
(Chairman Sullivan, Legislators Albano & Castellano)**

Item #5c - Approval/ Budgetary Amendment (21A101)/ County Clerk/ Contracts/ Software/Accessories was next. Chairwoman Addonizio recognized Legislator Sullivan, Chairman of the Rules, Enactments & Intergovernmental Relations Committee. On behalf of the members of the Committee, Legislators Albano and Castellano, Legislator Sullivan moved the following:

RESOLUTION #297

**APPROVAL/ BUDGETARY AMENDMENT (21A101)/ COUNTY CLERK/ CONTRACTS/
SOFTWARE/ACCESSORIES**

WHEREAS, the County Clerk has requested a budgetary amendment (21A101) to fund a public facing portal for greater access to Public Records; and

WHEREAS, the Rules, Enactments & Intergovernmental Relations Committee and the Audit & Administration Committee have reviewed and approve said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Increase Estimated Appropriations:

10141000 54646	Contracts	9,143
10141000 54782	Software/Accessories	<u>40,957</u>
		50,100

Increase Estimated Revenues:		
10141000 412551	Clerk Fees	50,100

2021 Fiscal Impact – 0 –
2022 Fiscal Impact – 0 –

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

Item #5d – Authorization for Intermunicipal / Agreement with Westchester County to Effectuate a Mutual Aid and Rapid Response Plan for the Police Departments of Participating Municipalities and to Delegate to the Sheriff the Powers Granted to the Chief Executive Officer to Request and Grant Police Assistance was next. On behalf of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Albano and Castellano, Legislator Sullivan moved the following:

RESOLUTION #298

AUTHORIZATION FOR INTERMUNICIPAL AGREEMENT WITH WESTCHESTER COUNTY TO EFFECTUATE A MUTUAL AID AND RAPID RESPONSE PLAN FOR THE POLICE DEPARTMENTS OF PARTICIPATING MUNICIPALITIES AND TO DELEGATE TO THE SHERIFF THE POWERS GRANTED TO THE CHIEF EXECUTIVE OFFICER TO REQUEST AND GRANT POLICE ASSISTANCE

WHEREAS, the police departments of Westchester County, New York have created and entered into a Mutual Aid and Rapid Response Plan (the “Plan”) to formalize operational procedures for Law enforcement assistance to participating agencies; and

WHEREAS, each member police agency agrees to make available its police personnel and equipment to the others upon the occurrence of a condition which is beyond the scope of its police resources; and

WHEREAS, the County of Putnam desires to enter into this existing agreement with neighboring municipalities in and outside of Westchester, invitation to entry having been extended by the County of Westchester; and

WHEREAS, entry into such intermunicipal agreement is permitted under Article 5-G of the General Municipal Law; and

WHEREAS, due to prevailing world, national, and local security situations, the ever-increasing flow of intelligence, and actual threats directed against once benign sites and facilities, the parties desire that the Plan be flexible and subject to review and revision as necessary in a timely manner; and

WHEREAS, the Plan is governed by, and liabilities and costs are apportioned pursuant to, the provisions of New York State General Municipal Law Section 209-m, which provides, inter alia, that absent agreement to the contrary, the municipality receiving police aid shall reimburse the municipality providing such aid for any money paid by it for police salaries and other expenses incurred by it including damage to, or loss of, equipment and supplies; and

WHEREAS, the Plan is to be revised as necessary and revisions to the Plan will be approved and implemented by the Westchester County Chiefs of Police Association, and

such revisions may include, but are not limited to, updates in protocols and additions of new municipalities and their police departments located within or outside of the physical boundaries of Westchester County to participate in the Plan; now therefore be it

RESOLVED, that the County of Putnam be and hereby is authorized to enter into an inter-municipal agreement (“IMA”) with certain municipal corporations as defined in Article 5-G of the New York State General Municipal Law, located both within and outside of the County of Westchester (collectively the “Participating Municipalities”), in order to effectuate a Mutual Aid and Rapid Response Plan for the police departments of the Participating Municipalities (the “Plan”) to carry out the purposes described in Section 209-m of the New York State General Municipal Law; and be it further

RESOLVED, that such IMA and the Plan shall be substantially similar in form and content to the draft items accompanying this Resolution; and be it further

RESOLVED, the term of the IMA will conform with the existing term agreed upon by the municipalities, which is five (5) years commencing on July 31, 2020, and continuing through July 30, 2025; and be it further

RESOLVED, that the County Executive is authorized to execute said IMA on behalf of the County of Putnam; and be it further

RESOLVED, that this Resolution shall take effect immediately.

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

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

Item #5e – Approval/ Budgetary Amendment (21A103)/ Planning Department/ Transit Facility/ Federal CARES Act and NYS Modernization & Enhancement Grant Funds was next. Chairwoman Addonizio recognized Legislator Albano, Chairman of the Physical Services Committee. On behalf of the members of the Committee, Legislators Castellano and Gouldman, Legislator Albano moved the following:

RESOLUTION #299

APPROVAL/ BUDGETARY AMENDMENT (21A103)/ PLANNING DEPARTMENT/ TRANSIT FACILITY/ FEDERAL CARES ACT AND NYS MODERNIZATION & ENHANCEMENT GRANT FUNDS

WHEREAS, the Commissioner of Planning, Development & Public Transportation has requested a budgetary amendment (21A103) to amend the Capital Budget to fund repairs at the Transit Facility utilizing Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act and NYS Modernization and Enhancement Grant Funds; 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:

GENERAL FUND:

Increase Estimated Appropriations:

10990100 59020	Transfer to Capital Fund	2,165
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Decrease Estimated Appropriations:

10136400 54911	Taxes & Assessments	2,165
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Increase Estimated Appropriations:
 55997000 53000 52009 Transit Facility Rehabilitation 975,871

Increase Estimated Revenues:
 55997000 445894 52009 Federal Aid – CARES Act 835,827
 55997000 435971 52009 State Aid – Transit Facility 146,745
 55997000 428601 52009 Transfer from General Fund 2,165

Decrease Estimated Revenues:
 55997000 435970 52009 State Aid – 5307 Funds 8,866

2021 Fiscal Impact – 0 –
 2022 Fiscal Impact – 0 –

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

Item #5f – Approval/ Budgetary Amendment (21A104)/ Highways & Facilities/ County Office Building (COB) Façade was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Gouldman, Legislator Albano moved the following:

RESOLUTION #300

APPROVAL/ BUDGETARY AMENDMENT (21A104)/ HIGHWAYS & FACILITIES/ COUNTY OFFICE BUILDING (COB) FAÇADE

WHEREAS, Putnam County is in receipt of a transmittal letter and check in the amount of \$164,097.75 from Old Republic Surety Company for the full settlement payment for the COB Façade project with regard to Cornerstone Restoration Corp.; and

WHEREAS, the payment and terms were agreed to in the fully executed Tender Agreement regarding this project; and

WHEREAS, the Commissioner of Highways & Facilities has requested a budgetary Amendment (21A104) to amend the Capital Budget to account for a surety payment so the project may proceed to completion with the tendered contractor per the Agreement; 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 Appropriations:
 51997000 53000 51910 COB Façade 164,098

Increase Estimated Revenues:
 51997000 426800 51910 COB Façade – Surety Payment 164,098

2021 Fiscal Impact – 0 –
 2022 Fiscal Impact – 0 –

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

Item #5g – Approval/ Lease Agreement/ Tilly Foster Farm, Building #7/ Jar Worthy, Inc. was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Gouldman, Legislator Albano moved the following:

Legislator Albano made a motion to accept the additional revised lease; seconded by Legislators Sullivan and Nacerino. All in favor.

Legislator Albano stated that the revised lease is for two (2) years, and it included an insurance clause. He stated that he visited the facility this weekend. He stated that the facility is beautiful. He stated that he would welcome something like this for no rent in a sense because it complements the farm, and it is not a big enterprise. He explained that the building was vacant and in need of a lot of repairs. He stated that heat and electric was kept on because the basement houses an area that provides water for the farm. He believed this lease provided a good opportunity to utilize the facility and bring people to the farm.

Legislative Counsel Firriolo clarified that the additional Legislator Albano moved forward not only contained the revised lease, but it also contained a revised resolution. He explained that the resolution moved out of Committee was before the Watershed Agricultural Council (WAC) gave its approval. He stated that the Law Department provided this revised resolution to account for the fact that WAC has approved this.

Legislator Montgomery questioned if the change in the lease provides that the tenant carries insurance. She questioned the actual change in the lease.

Legislator Albano stated that they must maintain liability insurance and list the County as additional insured.

Legislative Counsel Firriolo stated that Article VIII of the lease contains a new second paragraph which pertains to what Legislator Albano explained.

Legislator Montgomery questioned if manufacturing a product required additional insurance.

Legislator Albano stated that he did not believe there was a requirement. He stated that when you say “manufacturing” he stated that basically what Jar Worthy has is a little crockpot that uses water to heat anything she would make pertaining to candles.

Legislator Montgomery stated that if you are making something and selling it you are manufacturing something no matter what size.

Legislator Jonke stated that during the Committee meeting he had an objection to the process. He stated that it is keeping with the vision of the Administration, and he understands that the person in the facility was wonderful, however, he believed they were put in a bad position with the fact that they were given keys to this space and permission to improve the space without a lease. He explained that he has a background in commercial property ownership, and he would never allow anyone into a space without a lease. He stated that the lease then went from four (4) years to two (2) years with no 3% escalation. He believed there was transparency lacking and his fear was that somewhere

down the road one (1) of his constituents may come to him and ask why they were not given an opportunity to have their business at this location. He stated that for those reasons he would be voting no. He explained that his vote was not a reflection on the business owners or the business itself. He stated that it was a reflection on the process.

Legislator Castellano explained that he visited the facility this past weekend. He explained that he had been in the building before and was aware of what it was being used for regarding the intake for water in the basement, and he believed the internet went through there as well. He stated that the building is vitally important. He explained that the improvements they made on the first floor kept with the character of the farm. He explained that they are making candles, but they are not a huge manufacturer of candles. He stated that he liked that it was changed to a two (2) year lease, and he wished the tenants the best. He believed it was an improvement to Tilly Foster Farm and he encouraged people to visit the store. He stated that he would support this lease.

Legislator Albano stated that the lease states that the first floor is approximately 1600 square feet. He believed that it was closer to 1300 square feet that was being utilized. He stated that one (1) of the areas is an unheated front porch, like a three (3) season room, that could be considered as an entrance.

Legislator Sullivan believed that it was important to support local businesses and given that we are doing everything we can to keep businesses alive during COVID, we are supporting this business. He believed that they were a nice fit for the type of facility Tilly Foster Farm is becoming and he was in favor of this lease.

Legislator Montgomery stated that she appreciated what Legislator Jonke said. She explained that she asks questions and a lot of the time it has nothing to do with the person, but it has everything to do with the process and her job as a County Legislator was to protect the County. She stated that these are probably wonderful people. She stated that she supports women in business, and she believed there were a lot of businesswomen in her district that would love to fix up a place for \$800.00 a month rent. She stated that we are giving the keys to the County away and giving keys to Advanced Life Support (ALS) away before we have a signed contract. She questioned if the lease was going to start when they entered in October. She stated that she understands it is an internet business. She questioned if there would be shipping out of there which does not seem to be in keeping with the farm. She believed the public had the right to know the market value of the facility, and the relationship between the General Manager of Tilly Foster Farm and the tenant. She believed it was not ethical to give space away to friends and family which no one has been able to address.

Legislator Sullivan stated that he wanted to talk about the so-called nepotism. He stated that we all know that Putnam County is small. He stated that people know one another and often the best people for the job happen to know one another. He stated that this is true on both sides of the County and in his opinion, it is part of what makes Putnam County great. He believed it was counterproductive to use this as a weapon and quite frankly it is taking a cheap shot because the argument is weak. He stated that we are a small County, and everyone knows each other. He believed to say it was nepotism was not fair to the people involved.

Legislator Albano explained that we were not in the business to rent space and could probably leave it empty because there are disadvantages in renting. He stated that we

were not anxious to rent out this building and it was not advertised. He stated that we have a building across the street that will probably be torn down. He stated that this business is conducive to the farm and works very well.

Legislator Albano stated that he would like to call the question.

Legislative Counsel Firriolo stated that procedurally, the additional lease and resolution were accepted as additional, however, in order to vote on that, you would need a motion to substitute the revised lease and resolution on the floor and then it could be voted on.

Legislator Albano made a motion to substitute the revised lease and resolution; seconded by Legislator Castellano. All in favor.

Legislator Montgomery questioned who and how the profits would be tracked and how we would know what they were using from the farm.

Legislator Albano stated that the candles are their business, however, in addition to that they will assist the County in selling some things the County will offer.

Legislator Montgomery questioned where that agreement was.

Legislator Albano stated that it was in the lease.

RESOLUTION #301

APPROVAL/ LEASE AGREEMENT/ TILLY FOSTER FARM, BUILDING #7/ JAR WORTHY, INC.

WHEREAS, the County of Putnam is the owner of the property designated and described as Building #7 located on the Tilly Foster Farm property, located at 100 Route 312, in Southeast, New York (hereinafter "Tilly Foster Farm, Building #7"); and

WHEREAS, the First Floor space of Tilly Foster Farm, Building #7, a Floor Plan of which is attached hereto as Schedule "A", is not needed for use by the County (hereinafter referred to as the "Surplus Space"); and

WHEREAS, Jar Worthy, Inc. has approached the County Executive and has indicated that it is desirous of leasing the Surplus Space from the County; and

WHEREAS, the County Executive, pursuant to the authority granted to her under Section 31-22 of the Putnam County Code, has entered into negotiations with Jar Worthy, Inc. for the lease of the Surplus Space; and

WHEREAS, said negotiations include the operation of a General Store by Jar Worthy, Inc. at the Surplus Space, which shall include the sale of goods and items created by Jar Worthy, as well as those goods produced by the County on Tilly Foster Farm; and

WHEREAS, the County will have the opportunity, through Jar Worthy, Inc.'s lease of the Surplus Space, to make its products accessible to the general public and to realize the financial benefits of its agricultural production; and

WHEREAS, Tilly Foster Farm, Building #7 is currently located in the Municipal Acceptable Development Area of the conservation easement with the Watershed Agricultural Council ("WAC"), and as such would require a change of use; and

WHEREAS, the County requested such change of use for Tilly Foster Farm, Building #7 through the Watershed Agricultural Council's Committee and has received said approval on December 10, 2021; and

WHEREAS, pursuant to Section 31-22 of the Putnam County Code, the County Executive has requested that the Putnam County Legislature approve the lease agreement which is attached hereto as Schedule "B", which has also been approved by WAC; now therefore be it

RESOLVED, that the Surplus Space located at Tilly Foster Farm, Building #7 is not needed for County use; and be it further

RESOLVED, that the Putnam County Legislature approves the Lease Agreement between the County of Putnam and Jar Worthy, Inc. for the Surplus Space, in the form attached hereto and made a part hereof as Schedule "B", and that the Putnam County Executive is authorized to execute said Lease Agreement; and be it further

RESOLVED, that the County Attorney is authorized to take whatever legal action is necessary to effectuate the Lease Agreement between the County of Putnam and Jar Worthy, Inc. in the manner approved herein.

BY ROLL CALL VOTE: FIVE AYES. THREE NAYS – LEGISLATORS GOULDMAN, JONKE & MONTGOMERY. LEGISLATOR SAYEGH WAS ABSENT. MOTION CARRIES.

Item #5h - Approval/ Ratification of Application for Grant Funds Available through the New York State Department of Transportation's Public Transportation Modernization and Enhancement Program was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Gouldman, Legislator Albano moved the following:

RESOLUTION #302

APPROVAL/ RATIFICATION OF APPLICATION FOR GRANT FUNDS AVAILABLE THROUGH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION'S PUBLIC TRANSPORTATION MODERNIZATION AND ENHANCEMENT PROGRAM

WHEREAS, the New York State Department of Transportation (NYSDOT) has apportioned over \$41 Million in State funding for counties, cities and regional authorities to upgrade and enhance public transportation services, such funds to be awarded through a competitive selection process through New York State's 2021 Public Transportation Modernization and Enhancement Program (MEP); and

WHEREAS, it is intended that NYSDOT's MEP discretionary grant funds will be awarded to projects that support innovative and transformative capital projects which will enhance service coordination, improve access to services and deploy new technology; and

WHEREAS, the grant funding is one hundred (100%) percent State funding; and

WHEREAS, the MEP discretionary funding is included in the 5-year State Transportation Plan administered through NYSDOT, and the deadline for application submission has passed; and

WHEREAS, Section 5-1(D)(1) of the Putnam County Code requires the Legislature approve all grant applications prior to their submission and that in the event time is of the essence requiring submission before Legislature approval is obtained for such application submission, consideration of the application shall occur at the next Full Legislature Meeting; and

WHEREAS, the County, by and through the Putnam County Department of Planning, Development and Public Transportation, is desirous to competitively seek grant funds

through NYSDOT's MEP grant program and in furtherance thereof submitted a grant application NYSDOT for such competitive funds totaling to \$137,909; and

WHEREAS, the Legislature, by and through the Physical Services Committee, approves the County's application for MEP grant funding and the Department of Planning, Development and Public Transportation herewith provides the application, attached hereto as "Schedule A," post-submission to the Legislature for review and ratification thereof for NYSDOT MEP grant funding; now therefore be it

RESOLVED, that the County Executive, together with the County Legislature, supports the County's application for NYSDOT's MEP grant funding, such application attached hereto as "Schedule A," which was required to be submitted formally to NYSDOT and now subsequently presented to the County Legislature by the Putnam County Department of Planning, Development and Public Transportation for consideration and ratification thereof.

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

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

Item #5i – Approval/ Budgetary Amendment (21A105)/ Commissioner of Finance/ Amend Debt Service Budget / Account for Refunding Bonds was next. Chairwoman Addonizio recognized Legislator Castellano, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #303

**APPROVAL/ BUDGETARY AMENDMENT (21A105)/ COMMISSIONER OF FINANCE/
AMEND DEBT SERVICE BUDGET / ACCOUNT FOR REFUNDING BONDS**

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (21A105) to amend the Debt Service Budget to account for the Refunding Bonds issued in 2021; 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:

V9710000 51380	Refunding Bond Issue Costs	64,433
V9710000 59991	Transfer to Escrow Agent	2,622,020
V9710000 56159	Principal – 2021 Refunding Bonds	5,000
V9710000 57159	Interest – 2021 Refunding Bonds	<u>15,991</u>
		2,707,444

Increase Estimated Revenues:

V9710000 427101	Premium on Obligations	52,000
V9710000 427102	Issuance – Premium Costs	201,453
V9710000 457920	2021 Refunding Bonds Issued	<u>2,485,000</u>
		2,738,453

Decrease Estimated Revenues:		
V9710000 424011	Interest Earnings	7,000
V9710000 427161	Use of Fund Balance	<u>24,009</u>
		31,009

2021 Fiscal Impact – 0 –
2022 Fiscal Impact – 0 –

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

Item #5j – Approval/ Budgetary Amendment (21A107)/ Sheriff’s Department/ Putnam/Northern Westchester Women’s Resource Center Grant Funding/ Special Victim Unit Facility was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

Legislator Castellano stated that this would hopefully establish a site near the Courthouse where the victims of crime will have a safe environment to stay in while waiting for the court date.

RESOLUTION #304

APPROVAL/ BUDGETARY AMENDMENT (21A107)/ SHERIFF’S DEPARTMENT/ PUTNAM/NORTHERN WESTCHESTER WOMEN’S RESOURCE CENTER GRANT FUNDING/ SPECIAL VICTIM UNIT FACILITY

WHEREAS, the Putnam County Sheriff’s Department has been awarded Grant Funding from the Putnam/Northern Westchester Women’s Resource Center in the amount of \$29,176.00 annually (\$26,176.00 PCSD Sub-Contract plus \$3,000 Special Victims Interview Location); and

WHEREAS, the five (5) year grant period runs from January 1, 2021 through December 31, 2025, not to exceed \$145,880.00 for the contract period; and

WHEREAS, the grant is related to the establishment of a Special Victim’s Unit Facility and will not require matching Putnam County funds; and

WHEREAS, the Putnam County Sheriff has requested a budgetary amendment (21A107) to account for these grant 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:		
32311000 54646 10174	Contracts	29,176

Increase Estimated Revenues:		
32311000 44389 10174	Federal Aid – Victim Service Grant	29,176

2021 Fiscal Impact – 0 –
2022 Fiscal Impact – 0 –

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

Item #5k – Approval/ Budgetary Amendment (21A108)/ Commissioner of Finance/ Vacancy Control Factor April through December 2021 was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #305

**APPROVAL/ BUDGETARY AMENDMENT (21A108)/ COMMISSIONER OF FINANCE/
VACANCY CONTROL FACTOR APRIL THROUGH DECEMBER 2021**

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (21A108) to provide for the Vacancy Control Factor for April through December 2021; and

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

RESOLVED, that the following budgetary amendment be made:

GENERAL FUND

Decrease Estimated Appropriations:

SEE ATTACHED SHEET	Personal Services	284,539
SEE ATTACHED SHEET	FICA	<u>21,431</u>
		305,970

Decrease Estimated Revenues:

10131000 427705	Vacancy Control Factor	305,970
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2021 Fiscal Impact – 0 –

2022 Fiscal Impact – 0 –

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

Item #6 - Other Business

Item #6a - Approval/ Tax Collector Warrants/ Enter into the 2021 Book of Proceedings was next. Chairwoman Addonizio moved the following; seconded by Legislator Nacerino.

RESOLUTION #306

APPROVAL/ TAX COLLECTOR WARRANTS/ ENTER INTO 2021 BOOK OF PROCEEDINGS

WHEREAS, Tax Collector Warrants have been received for the Towns of Carmel, Kent, Patterson, Philipstown, Putnam Valley and Southeast and signed by the Chairwoman and the Clerk of the Putnam County Legislature; now therefore be it

RESOLVED, that the Tax Collector Warrants for the Towns of Carmel, Kent, Patterson, Philipstown, Putnam Valley and Southeast are hereby entered into the 2021 Book of Proceedings for the Putnam County Legislature.

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

Item #6b – Approval/ Date, Time & Place of Organizational Meeting/ 2022 was next. Chairwoman Addonizio moved the following; seconded by Legislator Sullivan.

RESOLUTION #307

APPROVAL/DATE, TIME & PLACE OF ORGANIZATIONAL MEETING / 2022

WHEREAS, the Legislative Manual provides for the Putnam County Legislature to set by resolution, the date, time and place of the Organizational Meeting of the Legislature in the preceding December; now therefore be it

RESOLVED, that the Organizational Meeting of the Putnam County Legislature for 2022 be held on Tuesday, January 4, 2022 at 7:00 P.M. in the Historic Courthouse located in Carmel, New York; and be it further

RESOLVED, that the agenda for said meeting also include any items that might normally be included in a regular meeting or special meeting of the Legislature.

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

Item #7 – Recognition of Public on Agenda Items

There were no members of the public present at the meeting.

Item #8 – Recognition of Legislators

Legislator Gouldman wished everyone a happy holiday, Merry Christmas and a healthy and Happy New Year.

Legislator Sullivan stated that 2021 was a difficult and challenging year for many of us. He stated that we were able to accomplish great things even with these challenges. He thanked all the dedicated employees of Putnam County for continuing to provide all the essential services that we so critically need. He wished everyone a Merry Christmas, happy holiday, and a happy and healthy New Year.

Legislator Nacerino wished everyone a Merry Christmas and a happy and healthy New Year. She stated that she looked forward to serving as Legislator along with her colleagues, Legislators Castellano, and Montgomery, as they start their new term of office in January.

Legislator Albano wished everyone a blessed Christmas. He looked forward to a productive year as he serves his last year as a Legislator.

Legislator Jonke wished everyone a Merry Christmas and Happy New Year.

Legislator Castellano concurred and wished everyone the same. He stated that it has been a difficult two (2) years. He put the emphasis on “healthy” and hoped that we were looking at the end of COVID.

Legislator Montgomery wished everyone a Merry Christmas, happy holidays and to be kind, be careful and be cautious.

Chairwoman Addonizio stated that tonight was her last meeting serving as Chairwoman of the Legislature. She stated that it has been a challenging two (2) years as everyone has mentioned because of COVID. She stated that it has also been an honor and a privilege to be Chair. She wished everyone a Merry Christmas, happy holiday and a healthy and happy 2022.

There being no further business, at 8:35 P.M., Chairwoman Addonizio made a motion to adjourn.

Respectfully submitted by Diane Schonfeld, Clerk.