

AUDIT & ADMINISTRATION COMMITTEE MEETING
Held via Audio Webinar Pursuant to Temporary Emergency Orders

Members: Chairman Castellano, Legislators Albano & Gouldman

Monday

6:30pm

April 26, 2021

The meeting was called to order at 6:33pm by Chairman Castellano who led in the Pledge of Allegiance. Upon roll call Legislators Albano and Gouldman and Chairman Castellano were present.

Item #3 - Approval of Minutes – March 29, 2021

The minutes were approved as submitted.

Item #4 - Correspondence/County Auditor
a. Sales Tax Report

Chairman Castellano stated the amount increased significantly this month. He stated Legislator Montgomery submitted questions pertaining to the Sales Tax Report prior to the meeting regarding a breakdown of the numbers by local municipality, online sales, and the distressed hospital fund. He requested that Commissioner of Finance William Carlin address these inquiries.

Commissioner Carlin stated he would first address the quarterly payments. He stated the State bases their distribution on history, however he believes with COVID they are realizing that is not the optimal way to do it. He stated in the last month of each quarter they do a reconcile distribution and the months in between are only estimates and should not be relied on. He stated in terms of breaking down the sales tax report by municipality, it is not possible because he is not privy to that information. He stated he receives a list of all the sales tax vendors in the County, the address they use to file, and what they paid. He stated pursuant to sales tax confidentiality laws, he cannot share that information with anybody. He stated this information is not available from the State, and even if it were it may not be relevant because chain stores may have a flagship location in another state where they file from, therefore their taxes may not show within Putnam County. He stated in terms of internet sales, the State is now looking to find better reporting requirements to be able to breakout which sales are from online sales and which are from brick and mortar sales. He stated stores that offer both online and brick and mortar shopping options only provide a total number of sales tax. He stated the only way to know for sure is if a vendor is online only or brick and mortar only, and he would be unable to share that information. He also stated the name the store goes by is not always the name used to file a tax return, therefore it makes it more difficult to determine where the sales tax is coming from. He stated the information he receives is actual paid sales tax, and he is unable to share that. He stated in regard to the distressed hospital fund, in the 2020 State budget process Governor Cuomo proposed and the State Legislature adopted this distressed hospital fund, which took \$50 million in local sales tax and diverted it from the

counties into this State fund. He stated the impact on Putnam will be about \$790,000. He stated the number shown on this report shows the number withheld. He stated NYSAC (New York State Association of Counties) is working hard to try and prohibit this from happening again in the future.

Legislator Gouldman stated it is great to see the increase in the sales tax.

Legislator Montgomery thanked Commissioner Carlin for addressing the questions she had submitted in her memorandum. She stated the question about having a breakdown of sales tax revenue by local municipality is a question she gets a lot from local leaders and constituents. She stated she was unaware of the State sales tax confidentiality law that prevents the disclosure of the sales tax information by vendor. She requested that the law be cited so she can review it.

Commissioner Carlin stated he would send the law to Legislator Montgomery. He stated when he receives the information it says that he is restricted from distributing it in any identifiable form to any party.

Legislator Montgomery stated there must be a way for the public to understand sales tax by municipality. She questioned if the information could be provided by zip code, therefore no identifiable information is included.

Commissioner Carlin stated he cannot even share that information with anyone else in his office. He stated if it was possible, as he mentioned earlier, many filings come from out of state rather than where the business is located.

Legislator Montgomery stated the sales tax is being spent and generated within a municipality.

Commissioner Carlin provided an example of a resident of Putnam County purchasing a car in Poughkeepsie and paying the Putnam rate of sales tax. He stated what he would get is the information that the sale took place in Poughkeepsie. He stated it would not provide the relevant information being looked for, it just shows that the Town of Poughkeepsie would be a high tax paying municipality for Putnam County.

Chairman Castellano stated car sales are a good example as they are a big generator of sales tax revenue for the County whether it was purchased within the County or not.

Commissioner Carlin stated the internet sales tax information does not include where the purchase was made. He stated there is an internet vendor that is used throughout the County, and the information he receives is one total number linked to an out of state zip code, therefore it cannot be broken down.

Legislator Montgomery thanked Commissioner Carlin for providing this information.

b. Board In Revenue Report – Duly Noted

- c. **Transfer/Revenue Report – Duly Noted**
- d. **2021 Contingency/Sub-Contingency Report – Duly Noted**

Item #5 - Correspondence/Commissioner of Finance

- a. **Overtime/Temporary Report – Duly Noted**

- b. **Approval/ Budgetary Amendment 21A023/ Veterans Service Agency/ Allocate Awarded Funding for Veterans Peer to Peer Program (Also reviewed in Rules)**

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

- c. **Approval/ Budgetary Amendment 21A025/ Health Department/ Health Department Reorganization-Health Education (Also reviewed in Personnel)**

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

- d. **Approval/ Budgetary Amendment 21A026/ Health Department/ Environmental Health Reclassification (Also reviewed in Personnel)**

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

- e. **Approval/ Budgetary Amendment 21A027/ Historian/ Utilize Donation to Purchase Historic Marker and Table (Also reviewed in Health)**

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

- f. **Approval/ Budgetary Amendment 21A028/ Sheriff's Dept./ Use Inmate Commissary Account/ Purchase Oxygen Tanks & Regulators for Correctional Facility & Transportation Vehicles (Also reviewed in Protective)**

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

- g. Approval/ Budgetary Amendment 21A029/ Sheriff's Dept./ Use Inmate Commissary Account/ Purchase Trauma, First Aid Kits for Correctional Facility & Transportation Vehicles (Also reviewed in Protective)**

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

- h. Approval/ Budgetary Amendment 21A030/ Sheriff's Dept./ Use Inmate Commissary Account/ Purchase Battery Backups for Inmate Law Library Computers in Correctional Facility (Also reviewed in Protective)**

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

- i. Approval/ Budgetary Amendment 21A031/ Sheriff's Dept./ Use Inmate Commissary Account/ Purchase Dual Sided ID Card Printer for Inmate Classification System in the Correctional Facility (Also reviewed in Protective)**

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

- j. Approval/ Budgetary Amendment 21A032/ Sheriff's Dept./ Use Inmate Commissary Account/ Purchase Replacement and New AEDs for Correctional Facility & Transportation Vehicles (Also reviewed in Protective)**

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

- k. Approval/ Budgetary Amendment 21A033/ Sheriff's Dept./ Use Inmate Commissary Account/ Purchase 30 Televisions, 4 Flexvolt Jobsite Charger Radios, & 8 Microwaves for Inmates in the Correctional Facility (Also reviewed in Protective)**

Legislator Sayegh stated she had a question about this at the Protective Services Committee Meeting. She stated in 2019 the Sheriff's Department purchased 30 televisions and six (6) microwaves. She questioned why televisions are being purchased every other year and if these are different types of televisions. She stated Samsung televisions last about 100,000 hours, meaning if they were kept on for the maximum amount of time per day they should still last six (6) years.

Captain James Greenough stated there are 20 televisions throughout the Correctional Facility that run about 14 hours per day. He stated when a purchase is made for these

televisions, the Sheriff's Department tries to get the most industrial type available. He stated there is no set time frame when televisions are purchased, they just make sure they have enough to be able to replace them as needed. He stated the last televisions they purchased were not industrial and hopefully these ones will last longer.

Legislator Sayegh stated these televisions should last 100,000 hours and there is only about 9,000 hours in a year. She stated the Inmate Commissary Account can be spent on anything to benefit the inmates, but she is wondering the value of buying more televisions as opposed to purchasing materials to assist with mental health.

Legislator Albano stated these funds could be used to purchase other forms of entertainment such as books.

Chairman Castellano stated Legislator Sayegh made a great point. He stated he understands a reserve is needed to replace televisions as they begin to break. He stated hopefully this type of television holds up better than the last ones. He questioned how many televisions are currently in use and how many need to be replaced.

Captain Greenough stated none need to be replaced immediately, they have one (1) spare television. He stated there are 20 televisions in use right now and when they begin to break their experience has been that it is typically more than one (1) at a time. He stated hopefully the televisions currently in use last a while longer, but they want to make sure they have a stock so they can be replaced as soon as they need to.

Chairman Castellano questioned what the radios being purchased will be used for.

Captain Greenough stated the radios are used when the inmates are out in the exercise yard, for the community worker program, and in the kitchen when inmates are cleaning up. He stated these are industrial type boombox radios.

Legislator Jonke questioned what the population in the jail is.

Captain Greenough stated the current population in the jail is 56.

Legislator Sullivan stated the COVID pandemic brought financial, mental, and social hardships to many people. He stated as Legislator Sayegh pointed out, the current televisions have substantial life left in them and this purchase is not necessary just to keep some more in reserve. He stated he does not understand why high quality industrial televisions are needed when televisions are becoming almost disposable. He stated in his opinion, it would be better to get cheaper, more disposable televisions that can be replaced readily. He stated he does not believe any new televisions need to be purchased at the moment.

Chairman Castellano stated the Sheriff's Department is looking to purchase 30 televisions at a cost of about \$485 each and hopefully these ones will last a long time. He stated there is currently one (1) backup television and 20 are currently in use. He stated these

purchases are being made from the Inmate Commissary Fund, which must be used for the benefit of the inmates. He stated this is not taxpayer money.

Legislator Montgomery requested a list of items allowed to be purchased with Inmate Commissary Funds prior to the Full Legislative Meeting. She questioned if the Sheriff needs permission from the Legislature to make these purchases with the Inmate Commissary Funds.

Chairman Castellano stated he will request the list of items that can be purchased from the Sheriff's Department. He questioned if Commissioner Carlin had any information on this.

Commissioner Carlin stated he does not have information specifically for the Inmate Commissary Funds, but this discussion has been had about seized asset funds in the past. He stated the law provides that the Sheriff proposes the purchase, but the County purchasing procedures must be followed.

Legislative Counsel Robert Firriolo stated the specific statute is within the New York State Code of Rules and Regulations #9 NYCRR 7016.1(c) states that: "Profits resulting from commissary sales shall be deposited in a separate bank account and shall be utilized only for the purposes of prisoner welfare and rehabilitation." He stated there is no definition of "prisoner welfare and rehabilitation". He stated there is a New York State Comptroller advisory opinion from 1980 where things such as radios, televisions, and recreational athletic equipment are referenced. He stated legislative approval is not in the statute, however that is dictated by what was mentioned by Commissioner Carlin.

Chairman Castellano questioned if he could divide this budgetary amendment to separate the purchase of the televisions from the purchase of the radios and microwaves. He stated he would like to move both to the Full Legislative Meeting, but many Legislators have had questions about the purchase of the televisions.

Legislative Counsel Firriolo stated Chairman Castellano can make a motion to divide the question. He referred the matter of how the actual budgetary amendment would be split to Commissioner Carlin.

Commissioner Carlin stated if the budgetary amendment were to be divided, a new number could be assigned.

Chairman Castellano stated 30 televisions at a total of \$14,544.90 seems like a large purchase, but it is important that the inmates have the necessities they need each day. He stated this Inmate Commissary Account is not taxpayer money and is to be used only for the welfare and rehabilitation of the inmates.

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Gouldman. By roll call vote: 2 Ayes. 1 Nay – Legislator Albano. Motion carries.

I. Approval/ Budgetary Amendment 21A034/ Highway/ Amend Capital Budget to Provide for 2021 Equipment Purchases, Infrastructure, and Bridge & Culvert Repairs (Budgetary Amendment and Bonds reviewed in Physical)

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

m. Approval/ Budgetary Amendment 21A035/ Sheriff's Dept./ Use T-Commission Reserve Funds/ Purchase Replacement Camera Systems & Accessories for Patrol Cards (Also reviewed in Protective)

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

n. Approval/ Budgetary Amendment 21A038/ Finance/ Vacancy Control Factor January-March 2021

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

Item #6 – Approval/ Fund Transfer 21T062/ Sheriff's Dept./ February Overtime Expenses – 6 CO Vacancies & 1 on 207C (Also reviewed in Personnel & Protective)

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

Item #7 – Approval/ Semi-Annual Mortgage Tax Payments/ October 1, 2020-March 31, 2021

Chairman Castellano stated this is significantly higher than the same time last year. He stated residential sales in Putnam County have increased 60% over what they were in January, February, & March of 2020 before the COVID pandemic began. He stated this is reflected in this Semi-Annual Mortgage Tax Report which shows payments to the local municipalities.

Legislator Albano stated he believes Putnam County had the highest increase in sales as compared to neighboring counties.

Legislator Jonke questioned what year the assessment rolls were from that were used in calculating how the mortgage tax was apportioned on the second page.

Commissioner Carlin stated he would check with Real Property and get that information before the Full Legislative Meeting.

Legislator Sayegh stated these numbers have more than doubled from the same time period in 2019.

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

Item #8 – Approval/ Ratification of Putnam County’s Application Submitted for Funding Available through, among others, the Federal Surface Transportation Authorization Acts for an Eligible Federal Transit Administration Project in Putnam County

Commissioner of Planning, Development, & Public Transportation Sandra Fusco stated they received notice that Congressional earmarks were once again available after many years. She stated the office of Congressman Sean Patrick Maloney posted notices of what was available, what projects were eligible, their funding sources, and webinars for municipalities to attend. She stated there is a very short time frame and therefore she was unable to get this item on the Physical Services Agenda. She stated having a resolution in place will be necessary if the project is selected for the Congressional earmark. She stated this project is a transit hub that has been on the Transportation Improvement Program (TIP) for several years, but there have been other projects that have taken priority. She stated the projects being sought were those already on the TIP or could be put on the TIP quickly. She stated this project already had preliminary work done including a proposed budget and drawings so it was all submitted for consideration. She stated the turnaround time was less than two (2) weeks from when the notice first came out in which the webinars had to be attended and the project had to be submitted. She stated thankfully this project was already started and could be submitted quickly for consideration.

Chairman Castellano requested an overview of the project that was submitted.

Commissioner Fusco stated there is a transfer point for the various PART routes at Putnam Plaza in Carmel where there are businesses, but no County facilities. She stated the intention is to change the transfer point to the Donald B. Smith campus because it provides more ease for the riders, especially elderly individuals, Veterans, or anyone needing to go to the County facility offices located at the Donald B. Smith campus. She stated a question in the submission was how the project will assist with climate within the community and the response was that this project will encourage mass transportation. She stated a lot of those who utilize this transportation are senior citizens, people with disabilities, and young individuals who all utilize County services located at the Donald B. Smith campus. She stated when the project was first being worked on a few years ago the goal was to create a location where the buses could park to wait for the other buses and allow riders to transfer with a kiosk available where riders could purchase bus tickets.

Legislator Albano stated the notice for the Congressional earmark was very short but the response was quick and he thanked Commissioner Fusco for staying cognizant of the availability of funding. He stated this project will be good for the environment as it addresses and encourages mass transit.

Chairman Castellano thanked Commissioner Fusco for her work on this. He stated if this funding comes through it will be a great thing for the taxpayers of Putnam County.

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

Item # 9 – Other Business

a. Approval/ Bureau of Emergency Services/ FY2021 Emergency Management Preparedness Grant

Chairman Castellano made a motion to waive the rules and accept the Other Business; Seconded by Legislator Gouldman. All in favor.

Chairman Castellano stated this grant has a 50% County match.

Deputy Commissioner of Bureau of Emergency Services Robert Lipton stated this is the annual Emergency Management Preparedness Grant (EMPG) and is a 50% match against his salary. He stated the funding is used only to support his salary. He stated this year, the grant award was \$41,401 which is comparable to last year. He stated this was requested to be added as other business because the grant is due this Friday; they had nine (9) days to write and submit the grant.

Chairman Castellano made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

Item #10 – Adjournment

There being no further business, at 7:34pm Chairman Castellano made a motion to adjourn; Seconded by Legislator Albano. All in favor.

Respectfully submitted by Administrative Assistant, Beth Robinson.