

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

Tuesday May 7, 2024 7:00 P.M.

The meeting was called to order at 7:00 P.M. by Chairman Jonke who requested Legislator Ellner lead in the Pledge of Allegiance and Legislator Nacerino lead in the Legislative Prayer. Upon roll call, Legislators Montgomery, Gouldman, Addonizio, Nacerino, Ellner, Castellano, Sayegh and Chairman Jonke were present. Legislator Crowley was absent. Also present was Legislative Counsel Firriolo.

PROCLAMATIONS

Chairman Jonke recognized Legislator Toni Addonizio who presented the “2024 Sale of Buddy Poppies” proclamation to Joan Russell and Carol Russell of the VFW Auxiliary Post #1374.

SUPPORT OF THE 2024 SALE OF BUDDY POPPIES

WHEREAS, the annual sale of Buddy Poppies by the Veterans of Foreign Wars of the United States has been officially recognized and endorsed by government leaders since 1922; and

WHEREAS, V.F.W. Buddy Poppies are assembled by disabled veterans and the proceeds of this worthy fundraising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans; and

WHEREAS, the basic purpose of the annual sale of Buddy Poppies by Veterans of Foreign Wars is eloquently reflected in the desire to “Honor the Dead by Helping the Living”; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on the day set aside for the distribution of these symbols of appreciation for the sacrifices of our honored dead; and be it further

RESOLVED, that we urge all patriotic citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedom which we continue to enjoy as American citizens.

Chairman Jonke recognized Legislator Sayegh who presented the “Mental Health Awareness” proclamation to Commissioner of Social Services Sara Servadio, Chair of the Philipstown Behavioral Health Hub Rebecca Pearsall, Coordinator of the Office for Individuals with Disabilities in Putnam County Dana Touponse, and Department of Mental Health Dual Recovery Coordinator Laura Johnson.

MAY 2024 AS MENTAL HEALTH AWARENESS MONTH

WHEREAS, mental health symptoms and diagnoses affect millions of New York Residents translating to 1 in 4 New Yorkers who have symptoms of a mental health disorder; and

WHEREAS, some populations are more at risk of certain mental health diagnoses, mental health symptoms can affect anyone regardless of their age, gender, race, religion or socioeconomic status; and

WHEREAS, four million children and adolescents in the United States suffer from a serious mental health diagnosis that causes significant functional impairments at home, at school and with peers; and

WHEREAS, the disease burden or total cost of mental health diagnoses exceeds that caused by all cancers; and

WHEREAS, having a mental health diagnosis is the number one risk factor for suicide and about 90% of individuals who die by suicide meet criteria for a mental health diagnosis, oftentimes, it is undiagnosed or untreated; and

WHEREAS, Putnam County Residents report a decreasing perception that there are sufficient quality mental health providers, high levels of pandemic impact on self-reported mental health, increasing social isolation, and increasing frequency of drug use for non-medical purposes demonstrate an overall increased burden of mental health challenges; and

WHEREAS, about a third of all people experiencing mental health diagnoses and about half of people living with severe mental illnesses also experience substance misuse making access to effective treatment even more difficult; and

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim May 2024 as Mental Health Awareness Month and along with Putnam County Department of Mental Health and all mental health providers in Putnam County encourage all residents to challenge their own stigma about mental health, learn more about local resources and reach out for help as needed.

Chairman Jonke recognized Legislator Gouldman who presented the “Older Americans” proclamation to the Director of the Office for Senior Resources Michael Cunningham, Deputy Director of the Office for Senior Resources Marlene Barrett and Senior Caseworker Yvonne Niles.

MAY 2024 AS OLDER AMERICANS MONTH “POWERED BY CONNECTION”

WHEREAS, May is Older Americans Month, a time for us to recognize and honor Putnam County’s older adults and their immense influence on every facet of American society; and

WHEREAS, Putnam County includes a growing number of older Americans who guide our younger generations and carry forward abundant cultural and historical knowledge through their wealth of life experience and wisdom; and

WHEREAS, older Americans improve our communities through intergenerational relationships, community service, civic engagement, and many other activities; and

WHEREAS, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

WHEREAS, Putnam County can work to build an even better community for our older residents by ensuring that older adults have the resources and support needed to stay involved in their community, planning programs that encourage independence, maintaining our commitment to inclusivity and connectedness; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim May 2024 to be Older Americans Month with the theme of “Powered

by Connection”. This theme emphasizes the profound impact of meaningful interactions and social connection on the well-being and health of older adults in our community. We urge every resident to recognize the contributions of our older citizens, help to create an inclusive society, and join efforts to promote programs and activities that foster connection, inclusion, and support for older adults.

Chairman Jonke recognized Legislator Sayegh who presented the “National Safe Boating” proclamation to Charlie Melchner Jr., Sheriff Kevin McConville, Mahopac Volunteer Fire Department Chief Gabe Rivera and 2nd Assistant Chief Brandon Timmins and Carmel Volunteer Fire Department Chief Scott Efferen.

NATIONAL SAFE BOATING MONTH – MAY 2024

WHEREAS, recreational boating is a fun and enjoyable sport while being an excellent source of relaxation; however, boating can be a risky sport for the unprepared; and

WHEREAS, knowledge and skills are important in reducing human error and improving judgment when boating. If a person is aware of the risks, they are likely to take precautionary measures to protect themselves, their family, and their friends; and

WHEREAS, Putnam County Sheriff’s Department and Carmel Police Department have served the County providing boating education courses, making marine dealer visitations, conducting boating safety checks, and tending multi-mission patrols. Using their own boats and equipment, reducing boating accidents and fatalities; and

WHEREAS, these vital services offered by the Coast Guard Auxiliary, Putnam County Sheriff’s Department, Carmel Police Department, Mahopac Fire Department, Mahopac Falls Fire Department, Putnam Lake Fire Department, and Carmel Fire Department work in conjunction with local law enforcement, specifically the Carmel Police Department and Putnam County Sheriff’s Department, to maintain safety on the water. As a result of the careful attention placed on boating, the waters of Putnam County are made safer through spreading messages of boating safety, not only during National Safe Boating Month, but throughout the entire year; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby support the goals of the North American Safe Boating Campaign and proclaim May 2024 as “National Safe Boating Month” in Putnam County and the start of the year-round effort to promote safe boating.

Chairman Jonke recognized Legislator Nancy Montgomery who presented the “Water Safety” proclamation to Rebecca Pearsall – Philipstown Behavioral Health Hub Board Chair and Director of Clinical Services at St. Basil’s Academy, and Chrisana Hickey – Educator at St. Basil’s Academy.

MAY 2024 AS WATER SAFETY MONTH

WHEREAS, New York’s future depends on the long-term health, safety, and wellness of its community of children and teens in our state; and

WHEREAS, drowning is the single leading cause of death for children ages 1-4 and the second leading cause of injury-related death for children up to age 14 in the United States, affecting not only the victims but also families, emergency personnel and hospitals of our community as a whole; and

WHEREAS, drowning and aquatic-related injuries are preventable; and

WHEREAS, evidence-based strategies like the National Drowning Prevention

Alliance's 5 Layers of Protection, which includes using barriers and alarms, constant adult water supervision, adults and children learning basic swim and water competency skills, use of life jackets around open bodies of water, and emergency preparation with CPR with rescue ventilation, will engage our community in water safety for all ages; and

WHEREAS, throughout the year M20 Swim has engaged with the local community in offering swimming lessons with mindfulness to all ages, promoting advocacy around drowning prevention, and teaching water safety classes; and

WHEREAS, Putnam County recognizes that May is Water Safety Month and applauds the work of M20 Swim and their collaboration with the National Drowning Prevention Alliance, Philipstown Recreation Department, Saint Basil Academy, Philipstown Behavioral Health Hub and other community organizations; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim May 2024 to be Water Safety Month and urge all citizens of Putnam County to participate in efforts to reduce the risk of drowning and aquatic injuries.

Chairman Jonke recognized Legislator Castellano who presented the "Global Youth Traffic Safety" proclamation to Executive Director of the Putnam County Youth Bureau Janeen Cunningham, Carmel High School Student Zyla Bumbery – Junior at Carmel High School.

MAY 2024 AS GLOBAL YOUTH TRAFFIC SAFETY MONTH

WHEREAS, May has been designated as Global Youth Traffic Safety Month to raise awareness of safety issues associated with teen driving and encourage and empower youth to develop and lead traffic safety education projects, support law enforcement and actively promote legislation to protect youth passengers and teen drivers; and

WHEREAS, According to the Centers for Disease Control and Prevention, traffic-related crashes are the leading cause of death for youth in the United States. Young drivers from the ages of 16 to 19 years old are three times more likely to be in a fatal car crash than drivers over the age of 20. In addition to summertime, a teen driver's risk of a fatal crash increases with each additional passenger, at night, on the weekends, and during his or her first months of driving; and

WHEREAS, Considering drivers in this age group only account for four percent of drivers on the roadways yet are involved in eight percent of all crashes on the road today, and the need for intense effort on youth traffic safety is apparent; and

WHEREAS, The New York State Governor's Traffic Safety Committee is endorsing the Putnam County Youth Bureau's initiatives to spread awareness and ensure that youth are equipped with the information they need to make safe decisions while driving. Youth can drive safer by putting away their phones when they drive, buckling up, choosing the safest route available, only driving with those with whom they feel safe and by never getting into a vehicle with someone they suspect has been drinking; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim May 2024 as Global Youth Traffic Safety Month.

Item #4 – Acceptance of Minutes – Special Meeting – March 12, 2024
Regular Meeting – April 2, 2024

The minutes were accepted as submitted.

Item #5 – Correspondence
a) County Auditor was duly noted.

Item #6 – Pre-filed resolutions:

PERSONNEL COMMITTEE
(Chairman Jonke, Legislators Castellano & Nacerino)

Item #6a – Approval/ Budgetary Amendment (24A029)/ DPW/ Reorganization/ Reclassification was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Nacerino, Chairman Jonke moved the following:

RESOLUTION #97

APPROVAL/ BUDGETARY AMENDMENT (24A029)/ DPW/ REORGANIZATION/ RECLASSIFICATION

WHEREAS, the Commissioner of DPW has requested a budgetary amendment (24A029) to account for the following proposed changes in the Department of Public Works:

- Salary Increase of \$17,800 for the Soil & Water Conservation District Manager, upon passing of exam, from \$82,200 to \$100,000 - retroactive to January 1, 2024.
- Reclassify Park Attendant to Senior Account Clerk in the Parks Department with a Salary Increase of \$4,168 from \$44,659 to \$48,827 effective June 1, 2024.
- Increase Temporary line to cover Auto Mechanic for the remainder of 2024. Auto Mechanic currently working 2 days per week, at an hourly rate of \$30.00.

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

RESOLVED, that Resolution #274 of 2023 setting the Salaries for Officers and Employees paid from County Funds is hereby amended for the following position:

Budget Line:	Position:	Salary:
10874500 51000 802110107	Soil & Water Conservation District Manager	82,200 to 100,000

And be it further

RESOLVED, that the following budgetary amendment be made:

GENERAL FUND:

Increase Appropriations:

10874500 51000 (107)	Pers. – Soil & Water Conservation District Manager	17,800
10874500 58002 (107)	Social Security	1,362
10711000 51000 (111)	Pers. – DPW Parks – Sr. Acct Clerk	<u>4,168</u>
		23,330

Decrease Appropriations:

10711000 51094	DPW Parks – Temporary	4,168
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Increase Estimated Revenues:

10874500 439105	Soil & Water – Performance Measure Part C	19,162
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COUNTY ROAD:

Increase Appropriations:

10511000 59055	Transfer Out – Road Machinery	26,913
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Decrease Appropriations:

10511000 51000 (101)	Pers. – Construction Material & Highway Dispatcher	25,000
10511000 58002 (101)	Social Security	<u>1,913</u>
		26,913

ROAD MACHINERY:

Increase Estimated Revenues:

10513000 51094	Temporary	25,000
10513000 58002	Social Security	<u>1,913</u>
		26,913

Increase Estimated Revenues:

10513000 428601	Transfer In – County Road	26,913
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2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

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

Item #6b – Approval/ Budgetary Transfer (24T079)/ Social Services/ Temporary/ Administrative & Legal Training was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Crowley, Chairman Jonke moved the following:

RESOLUTION #98

APPROVAL/ BUDGETARY TRANSFER (24T079)/ SOCIAL SERVICES/ TEMPORARY/ ADMINISTRATIVE & LEGAL TRAINING

WHEREAS, upon retirement, the former Director of Children and Family Services transitioned into a temporary position to support the Department of Social Services Legal Department; and

WHEREAS, although weekly hours may vary depending on workload, the Commissioner of Social Services has requested a budgetary transfer (24T079) to utilize funding from several vacant administrative positions to support an average of 20 hours per week for 43 weeks (3/4/24 – 12/31/24); and

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

RESOLVED, that the following budgetary transfer be made:

GENERAL FUND:

Increase Appropriations:

10120000 51094	Temporary – Legal/Administration	56,751
10120000 58002	Social Security	<u>3,842</u>
		60,593

Decrease Appropriations:

10120000 51000 (114)	Pers. Serv. – Acct Clerk/Typist II	11,292
10120000 51000 (118)	Pers. Serv. – Senior Typist	11,292
10120000 51000 (121)	Pers. Serv. – Acct Clerk II	11,292
10120000 51000 (115)	Pers. Serv. – Steno Secretary	12,741
10120000 51000 (117)	Pers. Serv. – Pr Office Assistant	<u>13,976</u>
		60,593

2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

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

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

Item #6c – Approval/ Budgetary Amendment (24A026)/ Veterans Service Agency/ Peer to Peer Program 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 Nacerino, Legislator Addonizio moved the following:

Legislator Addonizio stated that this program helps our Veterans to feel less isolated as they find support and guidance to help overcome challenges. She stated that she was happy to see this funding approved for 2024.

Legislator Sayegh reiterated how important this program was. She stated that we just presented a proclamation that recognized May as Mental Health Awareness Month. She stated that there is a huge mental health crisis in the Veteran community. She stated that every day we lose 22 of our Veterans to suicide. She stated that it was very important to support our Veteran’s mental health. She thanked the state of New York for funding this program again.

RESOLUTION #99

APPROVAL/ BUDGETARY AMENDMENT (24A026)/ VETERANS SERVICE AGENCY/ PEER TO PEER PROGRAM

WHEREAS, Putnam County has been notified by the NYS Office of Mental Health of \$199,800 in funding for the Putnam County Veterans Service Agency Peer to Peer Support Pilot Program for SFY 23-24; and

WHEREAS, these funds are to assist Veterans suffering from post-traumatic stress syndrome or other related combat stress disorders through individual and small group peer-to-peer counseling methods; and

WHEREAS, the funds are available for the calendar year of 2024; and

WHEREAS, the Department of Social Services, Mental Health has requested a budgetary amendment (24A026) to account for these funds; and

WHEREAS, the Rules, Enactments & Intergovernmental Relations 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 Revenues:

10651000 437895 10105	Veterans Peer to Peer Program	199,800
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Increase Appropriations:

10651000 54646 10105	Veterans Peer to Peer Program – Contracts	199,800
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2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

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

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

RESOLUTION #100

APPROVAL/ LITIGATION SETTLEMENT/ MANZOEILLO V. COUNTY OF PUTNAM

WHEREAS, on May 17, 2021, a police cruiser operated by defendant Sergeant William E. Quick on Route 301, a police officer employed by the Putnam County Sheriff's Department, collided with a dump truck being driven by Plaintiff Marc Manzoeillo (Plaintiff). As a result of such collision, Plaintiff was ejected from his vehicle and sustained multiple severe injuries; and

WHEREAS, on or about January 14, 2022 Plaintiff commenced action against the County of Putnam, Putnam County Sheriff's Office and Sergeant William E. Quick, alleging that his injuries were caused, *inter alia*, by defendants' negligence, carelessness and/or recklessness, specifically that defendant Sergeant William E. Quick, driving recklessly/negligently on Route 301 caused a collision with Plaintiff's vehicle; and

WHEREAS, Plaintiff sought recovery for compensatory damages in an undetermined amount as well as costs, disbursements, attorney's fees, and interest; and

WHEREAS, the County's insurer, the New York Municipal Insurance Reciprocal (NYMIR), assigned the Portale Randazzo law firm, James A. Randazzo, Esq., to defend the County's interests in this matter which litigation has been handled by counsel since action was commenced in 2022; and

WHEREAS, the Claims Committee for NYMIR recently arrived at a settlement value for this case of seven hundred and seventy-five thousand (\$775,000.00) dollars; and

WHEREAS, Plaintiff agreed to a settlement with the County, subject to the Legislature's approval, in which the County agreed to pay Plaintiff the sum of seven hundred and seventy-five thousand (\$775,000.00) dollars; and

WHEREAS, the County Attorney, the County's outside counsel, James A. Randazzo, Esq., and NYMIR's claims representative have recommended the settlement as an alternative to trial; and

WHEREAS, counsel for the County of Putnam has in fact settled the matter with Plaintiff for the sum of seven hundred and seventy-five thousand (\$775,000.00) dollars, and Plaintiff has executed the required General Release which, upon approval by the Legislature will be filed with the Court, thereby discontinuing this matter, and allowing Plaintiff to receive his settlement payment in the agreed upon amount; and

WHEREAS, the aforementioned settlement is in the public interest and avoids the costs of further litigation, additional attorney's fees and costs and the risk of a high jury verdict; now therefore be it

RESOLVED, that the proposed settlement of this matter for the sum of seven hundred and seventy-five thousand (\$775,000.00) dollars is hereby approved.

RESOLVED, that the County Executive is hereby authorized to sign any required settlement documents on behalf of the County including a Settlement Agreement and Release with respect thereto.

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

Item #6e – Approval/ Fund Transfer (24T078)/ County Attorney/ Judgment & Claims/ Manzoello v. County of Putnam was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Ellner and Nacerino, Legislator Addonizio moved the following:

RESOLUTION #101

APPROVAL/ FUND TRANSFER (24T078)/ COUNTY ATTORNEY/ JUDGMENT & CLAIMS/ MANZOEILLO V. COUNTY OF PUTNAM

WHEREAS, the County Attorney has requested a fund transfer (24T078) to cover costs associated with the Manzoello vs. County of Putnam settlement pursuant to Resolution #100 of 2024; 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:		
10199000 54980	General Contingency	250,000

Increase:		
10193000 54933	Judgment & Claims	250,000

2024 Fiscal Impact - \$250,000

2025 Fiscal Impact – 0 –

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

Item #6f – Approval/ Local Law to Amend Article 5 of the Putnam County Charter Entitled “Executive Department” was next.

Legislator Addonizio explained at the April 9, 2024 Rules Committee meeting, in Section 5.03 the Committee approved the requirement of having the County Executive appoint the Director of IT instead of the appointment being made by the Commissioner of the Department of General Services. She stated that she realized after the meeting that although the appointment was to be made by the County Executive, confirmation by the Legislature was not contained in the revision from the Law Department. She stated that the Revised Item 6f(1) contains said wording, “subject to the confirmation of the County Legislature.”

Legislator Addonizio made a motion to amend to substitute Item #6f(1) for Item 6f; seconded by Chairman Jonke. All in favor.

A LOCAL LAW TO AMEND ARTICLE 5 OF THE PUTNAM COUNTY CHARTER ENTITLED “EXECUTIVE DEPARTMENT”

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

Section 1.

Article 5 of the Putnam County Charter is hereby REPEALED and REPLACED as provided hereinafter:

ARTICLE 5

DEPARTMENT OF GENERAL SERVICES

§ 5.01 Department of General Services; Commissioner.

There shall be a Department of General Services under the direction of a Commissioner of General Services who shall be appointed by the County Executive, subject to confirmation by the County Legislature. The appointment shall be on the basis of education, professional experience, and qualifications for the duties of the office. The Commissioner shall hold at minimum a Bachelor's degree and four (4) years' experience as a buyer, purchaser or an equivalent position. He or she shall have the authority within budgetary appropriations, and in accordance with County policy or as may be otherwise required by law, to appoint and remove such staff as may be necessary. The Commissioner shall be directly responsible to and serve at the pleasure of the County Executive.

The Commissioner shall not hold any other public or political office, whether elected or appointed, as long as he or she remains in the current position of County employment. He or she and all full-time managerial employees in the department shall serve on a full-

time basis and shall not engage in any private practice, nor be employed in their field of expertise with the County by any private or other government entity.

§ 5.02 Commissioner of General Services; powers and duties.

Except as otherwise provided by law, the Commissioner of General Services shall have the following duties:

- A. Have charge, oversight, and supervision of the Department;**
- B. Make all purchases of materials, supplies, and equipment, and contract for rentals and servicing of equipment for the County in accordance with applicable law;**
- C. Assure suitable specifications or standards for all materials, supplies, and equipment to be purchased and assure inspection of all deliveries to determine their compliance with such specifications and standards;**
- D. Make purchases for municipalities or other civil divisions of the County upon the written request of the governing body thereof;**
- E. Have authority to transfer or reassign equipment, material, and supplies among offices, departments and agencies of the County upon approval of the County Executive;**
- F. Be responsible for disposing of any surplus, obsolete or unwanted County property in a manner provided by state law;**
- G. Manage the County's vehicle fleet, with the exception of those heavy vehicles which maintain, improve, and plow County highways.**
- H. Administer all central administrative services for the County government, including but not limited to mail and messenger service, printing and reproduction, telephone, and other related operational services;**
- I. Monitor and enforce procurement and contract compliance practices throughout County government and coordinate training to ensure such compliance;**
- J. Identify and evaluate grant initiatives of benefit to the County; provide assistance and training to units of County government with application drafting, contract monitoring, reporting and compliance requirements; ensure that procurement practices and contracts are in compliance with the terms and conditions of all applicable federal or state grants, including all applicable laws, regulations, and policies related thereto;**
- K. Be responsible for the continuing development of programs designed to provide accurate, sufficient and timely information for decision making and service**

provisions by all units of Putnam County Government, and any entity contracting with Putnam County for such services;

- L. Exercise such further power and authority as the Legislature of Putnam County may, from time to time, delegate by local law or resolution or as the County Executive may delegate in his or her administrative capacity; and
- M. Perform all the duties now or hereafter conferred or imposed by law.

§ 5.03 Division of Information Technology/Geographic Information Systems; Director.

There shall be within the Department of General Services an independent Division of Information Technology/Geographic Information Systems (IT/GIS), which shall be headed by a Director of Information Technology/GIS. The Director shall be appointed by the County Executive on the basis of professional training, experience in IT, education, and other qualifications appropriate to the responsibilities of the office in the manner provided by state law. The Director shall have the authority, within budgetary appropriations and in accordance with County policy or as may be otherwise required by law, to appoint and remove such staff as he or she deems necessary.

§ 5.04 Director of Information Technology/GIS; powers and duties.

Except as otherwise provided in this Charter, the Director of Information technology shall have the power to:

- A. Coordinate, plan, and develop all information technology systems and resources, which shall include all computer, telephone and radio hardware, fax machines, software, peripherals, applications (including electronic and voice mail), networks and network connections (including to the Internet), documentation and other capabilities intended for the purpose of processing, transferring or storing data to conduct County business and provide access to government information and government services;
- B. Administer the storage and security of electronic data as may be required by departments and agencies, and in compliance with federal and/or state governmental requirements. In furtherance of this, the Director of Information Technology shall consult with the County Clerk to meet records retention requirements;
- C. Provide and support the communications and technology infrastructure as may be required by departments and agencies;
- D. Develop and administer policies and protocols governing information technology systems employed by the County and to ensure maximum intra- and interdepartmental compatibility;

- E. Have charge of the management and processing of information and data for all units of Putnam County Government and all other local governments or other entities that may contract with Putnam County for such services;
- F. Be responsible for the ongoing development of efficient information systems including data and word processing, and other information management techniques;
- G. Coordinate and consult with all units of Putnam County Government and any entity contracting with Putnam County for such services, relating to the planning, development, organization and use of information management techniques;
- H. Advise and assist the Putnam County Legislature in matters and decisions related to the selection and implementation of information technology services;
- I. Perform such other and related duties required by the County Executive or County Legislature and work with the Commissioner of General Services to assist in completing the responsibilities required under this Article.

Section 2.

This Local Law shall take effect forty-five (45) days after its passage and is subject to permissive referendum.

Item #6f(1) - Approval/ Local Law to Amend Article 5 of the Putnam County Charter Entitled "Executive Department" was next.

Legislator Addonizio moved the following revised local law.

Chairman Jonke clarified that this was not giving any authority to the Legislature that we did not already have.

Chairman Jonke called for a Roll Call.

RESOLUTION #102

A LOCAL LAW TO AMEND ARTICLE 5 OF THE PUTNAM COUNTY CHARTER ENTITLED "EXECUTIVE DEPARTMENT"

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

Section 1.

Article 5 of the Putnam County Charter is hereby REPEALED and REPLACED as provided hereinafter:

ARTICLE 5

DEPARTMENT OF GENERAL SERVICES

§ 5.01 Department of General Services; Commissioner.

There shall be a Department of General Services under the direction of a Commissioner of General Services who shall be appointed by the County Executive, subject to confirmation by the County Legislature. The appointment shall be on the basis of education, professional experience, and qualifications for the duties of the office. The Commissioner shall hold at minimum a Bachelor's degree and four (4) years' experience as a buyer, purchaser or an equivalent position. He or she shall have the authority within budgetary appropriations, and in accordance with County policy or as may be otherwise required by law, to appoint and remove such staff as may be necessary. The Commissioner shall be directly responsible to and serve at the pleasure of the County Executive.

The Commissioner shall not hold any other public or political office, whether elected or appointed, as long as he or she remains in the current position of County employment. He or she and all full-time managerial employees in the department shall serve on a full-time basis and shall not engage in any private practice, nor be employed in their field of expertise with the County by any private or other government entity.

§ 5.02 Commissioner of General Services; powers and duties.

Except as otherwise provided by law, the Commissioner of General Services shall have the following duties:

- A. Have charge, oversight, and supervision of the Department;**
- B. Make all purchases of materials, supplies, and equipment, and contract for rentals and servicing of equipment for the County in accordance with applicable law;**
- C. Assure suitable specifications or standards for all materials, supplies, and equipment to be purchased and assure inspection of all deliveries to determine their compliance with such specifications and standards;**
- D. Make purchases for municipalities or other civil divisions of the County upon the written request of the governing body thereof;**
- E. Have authority to transfer or reassign equipment, material, and supplies among offices, departments and agencies of the County upon approval of the County Executive;**
- F. Be responsible for disposing of any surplus, obsolete or unwanted County property in a manner provided by state law;**
- G. Manage the County's vehicle fleet, with the exception of those heavy vehicles which maintain, improve, and plow County highways.**

- H. Administer all central administrative services for the County government, including but not limited to mail and messenger service, printing and reproduction, telephone, and other related operational services;
- I. Monitor and enforce procurement and contract compliance practices throughout County government and coordinate training to ensure such compliance;
- J. Identify and evaluate grant initiatives of benefit to the County; provide assistance and training to units of County government with application drafting, contract monitoring, reporting and compliance requirements; ensure that procurement practices and contracts are in compliance with the terms and conditions of all applicable federal or state grants, including all applicable laws, regulations, and policies related thereto;
- K. Be responsible for the continuing development of programs designed to provide accurate, sufficient and timely information for decision making and service provisions by all units of Putnam County Government, and any entity contracting with Putnam County for such services;
- L. Exercise such further power and authority as the Legislature of Putnam County may, from time to time, delegate by local law or resolution or as the County Executive may delegate in his or her administrative capacity; and
- M. Perform all the duties now or hereafter conferred or imposed by law.

§ 5.03 Division of Information Technology/Geographic Information Systems; Director.

There shall be within the Department of General Services an independent Division of Information Technology/Geographic Information Systems (IT/GIS), which shall be headed by a Director of Information Technology/GIS. The Director shall be appointed by the County Executive, subject to confirmation by the County Legislature. The Director of Information Technology/GIS shall be appointed on the basis of professional training, experience in IT, education, and other qualifications appropriate to the responsibilities of the office in the manner provided by state law. The Director shall have the authority, within budgetary appropriations and in accordance with County policy or as may be otherwise required by law, to appoint and remove such staff as he or she deems necessary.

§ 5.04 Director of Information Technology/GIS; powers and duties.

Except as otherwise provided in this Charter, the Director of Information technology shall have the power to:

- A. Coordinate, plan, and develop all information technology systems and resources, which shall include all computer, telephone and radio hardware, fax machines, software, peripherals, applications (including electronic and voice mail), networks and network connections (including to the Internet), documentation and other

capabilities intended for the purpose of processing, transferring or storing data to conduct County business and provide access to government information and government services;

- B. Administer the storage and security of electronic data as may be required by departments and agencies, and in compliance with federal and/or state governmental requirements. In furtherance of this, the Director of Information Technology shall consult with the County Clerk to meet records retention requirements;
- C. Provide and support the communications and technology infrastructure as may be required by departments and agencies;
- D. Develop and administer policies and protocols governing information technology systems employed by the County and to ensure maximum intra- and interdepartmental compatibility;
- E. Have charge of the management and processing of information and data for all units of Putnam County Government and all other local governments or other entities that may contract with Putnam County for such services;
- F. Be responsible for the ongoing development of efficient information systems including data and word processing, and other information management techniques;
- G. Coordinate and consult with all units of Putnam County Government and any entity contracting with Putnam County for such services, relating to the planning, development, organization and use of information management techniques;
- H. Advise and assist the Putnam County Legislature in matters and decisions related to the selection and implementation of information technology services;
- I. Perform such other and related duties required by the County Executive or County Legislature and work with the Commissioner of General Services to assist in completing the responsibilities required under this Article.

Section 2.

This Local Law shall take effect forty-five (45) days after its passage and is subject to permissive referendum.

BY ROLL CALL VOTE: EIGHT AYES. LEGISLATOR CROWLEY WAS ABSENT. MOTION CARRIES.

Item #6g – Approval/ Local Law to Amend Section 7.05 of the Putnam County Charter Entitled “Capital Program and Capital Budget” was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Ellner and Nacerino, Legislator Addonizio moved the following:

RESOLUTION #103

A LOCAL LAW TO AMEND SECTION 7.05 OF THE PUTNAM COUNTY CHARTER ENTITLED “CAPITAL PROGRAM AND CAPITAL BUDGET”

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

Section 1.

Subsection 3 of Section 7.05(B) of the Putnam County Charter is hereby amended to read as follows:

§ 7.05 Capital program and capital budget.

- 3. Review by the Capital Projects Committee. There shall be a Capital Projects Committee consisting of the County Executive as Chairman, the Commissioner of Finance as Vice-Chairman, the Commissioner of General Services, the Commissioner of Planning, Development and Public Transportation, the Commissioner of Public Works, the Chairman of the County Legislature, a designee of the Budget and Finance Committee and a member of the County Legislature representing the minority political party, if another party is represented, or a member elected without party endorsement, to review the capital project requests in consideration of the capital program and the capital budget. In the event there is no member of the County Legislature representing another party nor any member of the County Legislature elected without party endorsement, then the County Legislature shall select any other member of the County Legislature not serving on the Capital Projects Committee as the additional member of this Committee.**

Section 2.

This Local Law shall take effect forty-five (45) days after its passage and is subject to permissive referendum.

BY ROLL CALL VOTE: EIGHT AYES. LEGISLATOR CROWLEY WAS ABSENT. MOTION CARRIES.

Item #6h – Approval/ Local Law to Amend Chapter 117 Entitled “Apprenticeship Training Program” and Chapter 140 Entitled “Contracts and Procurement” of the Putnam County Code in Relation to the Creation of the Department of General Services was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Ellner and Nacerino, Legislator Addonizio moved the following:

RESOLUTION #104

A LOCAL LAW TO AMEND CHAPTER 117 ENTITLED “APPRENTICESHIP TRAINING PROGRAM” AND CHAPTER 140 ENTITLED “CONTRACTS AND PROCUREMENT” OF THE

PUTNAM COUNTY CODE IN RELATION TO THE CREATION OF THE DEPARTMENT OF GENERAL SERVICES

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

<<PUTNAM COUNTY CODE CHAPTER 117>>

Section 1.

Section 117-5 of the Putnam County Code is hereby amended to read as follows:

§ 117-5 Enforcement.

The Commissioner of General Services is hereby authorized, empowered and directed to promulgate and, from time to time amend, such rules and regulations that he deems necessary for the implementation and enforcement of any provisions of this chapter. However, this local law shall not preclude the Commissioner of General Services, along with the Putnam County Attorney, from negotiating such terms and conditions with the construction contract contractor to assure a sufficient labor workforce on the job so as not to delay timely completion of the construction contract project.

Section 2.

Section 117-8 of the Putnam County Code is hereby amended to read as follows:

§ 117-8 Effective date.

This chapter shall become effective 90 days after its filing in the office of the Secretary of the State pursuant to Municipal Home Rule Law, provided, however, that any regulations of the Commissioner of General Services may be promulgated prior to the effective date of this chapter.

<<PUTNAM COUNTY CODE CHAPTER 140>>

<<ARTICLE I: General Provisions>>

Section 3.

Section 140-1.3 of the Putnam County Code is hereby amended to read as follows:

§ 140-1.3 Exemptions.

Unless otherwise ordered by regulation the following commodities, supplies or services need not be procured through the Department of General Services in accordance with the County's Procurement Policy, and shall be procured by the appropriate agency, department or committee:

- A. Works of art for public display.**

Section 4.

Section 140-1.6 of the Putnam County Code is hereby amended to read as follows:

§ 140-1.6 Definitions.

CHANGE ORDER

A written order signed and issued by the Commissioner of General Services, directing the contractor to make changes in relation to a specific purchase order or County contract.

<<ARTICLE II: Office of the Commissioner Of General Services>>

Section 5.

Section 140-2.1 of the Putnam County Code is hereby amended to read as follows:

§ 140-2.1 Authority and duties.

- A. Principal public purchasing official. Except as otherwise provided herein, the Commissioner of General Services shall serve as the principal public purchasing official for the County, and shall be responsible for the procurement of supplies, services, equipment, and public works projects in accordance with this policy, as well as the management and disposal of supplies, services, and equipment.**
- B. Duties. In accordance with this policy, the Commissioner of General Services shall:**
- (1) Procure or supervise the procurement of all supplies, services, materials and equipment, as well as public works projects.**
 - (2) Exercise direct supervision over the County's central stores and general supervision over all other inventories of supplies belonging to the County;**
 - (3) Sell, trade, or otherwise dispose of surplus supplies belonging to the County; and**
 - (4) Establish and maintain programs for specification development, contract administration and inspection and acceptance, in cooperation with the public agencies using the supplies, services, and construction.**
- C. Operational procedures. Consistent with this policy, the Commissioner of General Services may adopt operational procedures relating to the execution of its duties.**

Section 6.

Section 140-2.2 of the Putnam County Code is hereby amended to read as follows:

§ 140-2.2 Delegations to other County officials.

With the approval of the County Executive, the Commissioner of General Services may delegate authority to purchase certain supplies, services, equipment, or construction items to other County officials, if such delegation is deemed necessary for the effective procurement of those items.

Section 7.

Section 140-2.3 of the Putnam County Code is hereby amended to read as follows:

§ 140-2.3 Procurement card program.

- A. With the approval of the County Executive, the Commissioner of General Services, under the authority provided in § 140-2.1 of this policy, may establish a procurement card program to improve efficiency and streamline the purchasing process of small-dollar items, thereby eliminating the need for many petty cash accounts, and also reducing the volume of individual purchase orders and payments processed by the County to suppliers. Audits shall be required to ensure that the cardholders and their respective department head or commissioner are adhering to proper policies and procedures.**
- B. Conditions for use. The Commissioner of General Services and the Commissioner of Finance shall develop procurement card policies and procedures that detail the regulations which will govern the program. The Procurement Card Policy shall be reviewed annually by the County Legislature in conjunction with its annual review of the County's Procurement Policy. The Procurement Card Policy shall include:**
- (1) Purpose of the procurement card program.**
 - (2) Scope of the program.**
 - (3) Detailed listing of all card holders, card limits, and approved uses.**
 - (4) Applicability of the policies and procedures.**
 - (5) Responsibilities.**
 - (6) Assignment and control of the procurement cards.**
 - (7) Card holder use of the procurement card.**
 - (8) Prohibited use of the procurement card.**
 - (9) Procedures for making and paying for purchases.**
 - (10) Procedures for disputes.**

- (11) Review of purchases by departments.
- (12) Audit requirements.

<<ARTICLE III: Source Selection, Bidder Qualifications, Contract Formation and Administration >>

Section 8.

Section 140-3.1 of the Putnam County Code is hereby amended to read as follows:

140-3.1 Competitive sealed bidding; lowest responsible bidder.

- A. Conditions for use. All contracts of the County of Putnam shall be awarded by competitive sealed bidding except as otherwise provided in §§ 140-3.3 (Competitive sealed proposals), 140-3.5 (Contracting for legal services), 140-3.7 (Small purchases), 140-3.8 (Sole source procurement), 140-3.9 (Emergency procurements).**
- B. Invitation for bids. An invitation for bids shall be issued and shall include specifications, and all contractual terms and conditions applicable to the procurement.**
- C. Public notice. Adequate public notice of the invitation for bids shall be given, not less than 14 calendar days prior to the date set forth therein for the opening of bids, unless it is determined by the Commissioner of General Services, in writing, that a public notice of less than 14 days is adequate. In no instance shall the public notice be less than five business days. Such notice shall include publication in the newspaper(s) of general circulation as designated by the County Legislature. The public notice shall state the place, date, and time of the bid opening.**
- D. Bid opening. Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The amount of each bid, and such other relevant information as the Commissioner of General Services deems appropriate, together with the name of each bidder, shall be recorded; the record and each bid shall be open to public inspection in accordance with § 140-1.7 (Public access to procurement information).**
- E. Bid acceptance and bid evaluation. Bids shall be unconditionally accepted without alteration or correction, except as authorized in this policy. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs, and total or life cycle costs. The invitation for bids shall set forth the evaluation criteria to be used. No criteria that are not set forth in the invitation for bids may be used in bid evaluations.**

F. Correction or withdrawal of bids; cancellation of awards. Correction or withdrawal of inadvertently erroneous bids before or after bid opening, or cancellation of awards or contracts based on such bid mistakes, may be permitted where appropriate. Mistakes discovered before bid opening may be modified or withdrawn by written notice received in the office designated in the invitation for bids prior to the time set for bid opening. After bid opening, correction of bids shall not be permitted. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the County or fair competition shall be permitted. In lieu of bid correction, a bidder alleging a material mistake of fact may be permitted to withdraw his bid if:

(1) The mistake is clearly evident on the face of the bid document but the intended correct bid is not similarly evident; or

(2) The bidder submits evidence that clearly and convincingly demonstrates that a mistake was made. All decisions to permit correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by written determination made by the Commissioner of General Services.

G. Award. The contract shall be awarded with reasonable promptness by appropriate written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids.

H. Receipt of bids.

(1) Bids are to be packaged, sealed and submitted to the location stated in the bid specifications. Bidders are solely responsible for timely delivery of their bids to the location set forth in the bid specification prior to the stated bid opening date/time; or

(2) If authorized by the bid specification, bids may be submitted in an electronic format. Submission in an electronic format may not, however, be required as the sole method for the submission of bids.

(a) The receiving device designated by the County of Putnam will be the Empire State Purchasing Group's e-Procurement software from Bidnet or the Bonfire e-Procurement software and will be identified in the bid specification. Both receiving devices will:

[1] Document the time and date of each bid received electronically;

[2] Authenticate the identity of the sender;

[3] Ensure the security of the information transmitted; and

[4] Ensure confidentiality of the bid until the time and date established for opening of the bids.

- (b) The timely submission of an electronic bid in compliance with instructions provided for such submission in the advertisement for bids and/or specifications shall be the sole responsibility of each bidder or prospective bidder. The County shall not incur any liability from delays of or interruptions in the receiving device designated for the submission and receipt of electronic bids.**

Section 9.

Section 140-3.2 of the Putnam County Code is hereby amended to read as follows:

§ 140-3.2 Best value awards.

- A. Purchase contracts (including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the Labor Law) may be awarded on the basis of best value, as defined in § 163 of the State Finance Law and as authorized in § 103 of the General Municipal Law, to a responsive and responsible offeror.**
- B. Where the basis for award is the best value offer, the Commissioner of General Services shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which, whenever possible, shall be quantifiable, the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.**
- C. The Commissioner of General Services shall select a formal competitive procurement process and document its determination in the procurement record. The process shall include, but is not limited to, a clear statement of need; a description of the required specifications governing performance and related factors; a reasonable process for ensuring a competitive field; a fair and equal opportunity for offerors to submit responsive offers; and a balanced and fair method of award. Where the basis for the award is best value, documentation in the procurement record shall, where practicable, include a quantification of the application of the criteria to the rating of proposals and the evaluation results or, where not practicable, such other justification which demonstrates that best value will be achieved.**
- D. The solicitation shall prescribe the minimum specifications or requirements that must be met in order to be considered responsive and shall describe and disclose the general manner in which the evaluation and selection shall be conducted. The solicitation shall identify the relative importance and/or weight of cost and the overall evaluation criterion to be considered by the County in its determination of best value.**
- E. In assessing best value when awarding the purchase contract, non-price factors can be considered. Non-price factors can include, but are not limited to, reliability of a product, efficiency of operation, difficulty/ease of maintenance, useful lifespan, ability to meet needs regarding timeliness of performance and experience of a service**

provider with similar contracts. The basis for a best value award, however, must reflect, whenever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerors that are small businesses or certified minority- or women-owned business enterprises as defined in Subdivisions 1, 7, 15 and 20 of § 310 of the Executive Law.

Section 10.

Section 140-3.3 of the Putnam County Code is hereby amended to read as follows:

§ 140-3.3 Competitive sealed proposals.

- A. Conditions for use.** When the Commissioner of General Services determines, in writing, that the use of competitive sealed bidding is either not practicable or not advantageous to the County, a contract may be entered into by the use of the competitive sealed proposal method.
- B. Request for proposals.** Proposals shall be solicited through a request for proposals.
- C. Public notice.** Adequate public notice of the request for proposal shall be given in the same manner as provided in § 140-3.1C (Competitive sealed bidding, public notice), provided the minimum time shall be 14 calendar days.
- D. Receipt of proposals.** No proposals shall be handled so as to permit disclosure of the identity of any offeror or the contents of any proposal to competing offerors during the process of negotiation. A register of proposals shall be prepared containing the name of each offeror, the number of modifications received, if any, and a description sufficient to identify the item offered. The register of proposals shall be open for public inspection only after contract award.
- E. Evaluation factors.** The request for proposals shall state the importance of price and other evaluation factors.
- F. Discussion with responsible offerors and revisions to proposals.** As provided in the request for proposals, discussions may be conducted with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and conformance to, the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offerors. In conducting discussions, there shall be no disclosure of the identity of competing offerors or of any information derived from proposals submitted by competing offerors.
- G. Award.** Award shall be made to the responsible offeror whose proposal is determined, in writing, to offer the best value to the County, taking into consideration price and the evaluation factors set forth in the request for proposals. No other factors or

criteria shall be used in the evaluation. The contract file shall contain the basis on which the award was made.

Section 11.

Section 140-3.7 of the Putnam County Code is hereby amended to read as follows:

§ 140-3.7 Purchases not subject to competitive bidding.

A. The following purchases are not subject to competitive bidding:

- (1) Purchases of \$20,000 or less for commodities, equipment, materials, supplies and services.**
- (2) Purchases of \$35,000 or less for public works projects.**
- (3) Purchases through preferred sources pursuant to § 162 of the state Finance Law.**
- (4) Purchases in excess of \$500, of materials, equipment and supplies (except printed material) through the New York State Office of General Services (OGS), subject to rules established by OGS (see State Finance Law, § 163).**
- (5) Purchases through other New York State counties contracts, pursuant to General Municipal Law § 103(3).**
- (6) Purchases of surplus and secondhand supplies, materials or equipment from the federal government, the State of New York or from any other political subdivision, district or public benefit corporation with the state, pursuant to General Municipal Law § 103(6).**
- (7) Purchases through contracts let by the United States of America or any agency thereof, any state or any other political subdivision or district therein if such contract was let to the lowest responsible bidder or on the basis of best value.**

B. Section 104-b of the New York State General Municipal Law requires that procedures for purchasing goods and services that fall below the monetary bid limits be established and approved by the governing board. The following shall constitute Putnam County policy:

- (1) Cumulative purchases.**
 - (a) Purchases shall be evaluated with attention given to cumulative dollar amounts expected in a given fiscal year. The Commissioner of General Services shall canvas using agencies to determine yearly value of a commodity or service. Past history can be taken into consideration when evaluating yearly costs associated with the purchase of a commodity or**

service. If the bid limit is suspected to be exceeded, competitive bidding shall be used. This decision shall rest with the Commissioner of General Services.

- (b) If there are several comparable separate public works projects for the same or various locations, in a foreseeable time frame, whose expected cumulative total is more than \$10,000, written quotes must be obtained from a minimum of three suppliers.

(2) Methods of procurement not covered by competitive bidding.

- (a) Purchases for commodities, equipment, supplies, materials and services in the amount of \$3,000 or less shall be awarded at the discretion of the Commissioner of General Services; purchases of more than \$3,000 up to and including \$20,000 shall require a minimum of three electronic or written quotes. All purchases of more than \$20,000 shall be competitively bid.
- (b) Purchases that are defined as public works projects in the amount of \$10,000 or less shall be awarded at the discretion of the Commissioner of General Services; purchases of more than \$10,000 up to and including \$35,000 shall require a minimum of three written or electronic quotes. All purchases of more than \$35,000 shall be competitively bid.
- (c) Purchases and contracts defined as professional services in the amount of \$50,000 or less shall be awarded at the discretion of the County Executive, Commissioner of General Services and the Commissioner or Director of the using agency. Purchases and contracts of more than \$50,000 shall require the issuing of a formal request for proposal and the approval of the County Executive.

(3) Award. All awards from telephone, facsimile, e-mail or written quotes shall be made to the supplier offering the best value to the County. In determining the best value for the County, the purchase price and whether the goods or services meet specifications are the most important considerations. However, the Commissioner of General Services may consider other relevant factors, including:

- (a) Installation costs;
- (b) Life cycle costs;
- (c) The quality and reliability of the goods and services;
- (d) The delivery terms;
- (e) Indicators of probable supplier performance under the contract such as past supplier performance, the supplier's financial resources and ability to perform, the supplier's experience or demonstrated capability and responsibility, and the supplier's ability to provide reliable maintenance agreements and support;

- (f) The cost of any employee training associated with a purchase;
- (g) The effect of a purchase on agency productivity; and
- (h) Other factors relevant to determining the best value for the County in the context of a particular purchase, including the status of the vendor as a Putnam County based small business.

(4) Documentation. All quotes (written or telephone) shall be documented in the procurement record and shall be filed in the respective year's quote files or attached to the Department of General Services' copy of the purchase order. All purchases resulting from a written, electronic or telephone quote shall have the quote number referenced on the electronic purchase order or voucher, thus creating an audit trail.

Section 12.

Section 140-3.8 of the Putnam County Code is hereby amended to read as follows:

§ 140-3.8 Sole source procurement.

- A. A contract may be awarded without competition when the Commissioner of General Services determines in writing, after conducting a good faith review of available resources that there is only one source for the required commodity, supply, service or construction item. The Commissioner of General Services shall conduct negotiations, as appropriate, as to price, delivery and terms. A record of sole source procurements shall be maintained as a public record and shall list each supplier's name, the amount and type of each contract, a listing of the item(s) procured under each contract, and the identification number of each contract file.
- B. In determining whether procurement qualifies as a sole source, the Department of General Services and the agency requesting the procurement shall show, at a minimum:
 - (1) The unique benefits to the County of the item as compared to other products available in the marketplace;
 - (2) That no other product provides substantially equivalent or similar benefits;
 - (3) That, considering the benefits received, the cost of the item is reasonable in comparison to other products in the marketplace;
 - (4) That there is no possibility of competition, as from competing dealers or distributors.

Section 13.

Section 140-3.9 of the Putnam County Code is hereby amended to read as follows:

§ 140-3.9 Emergency procurements.

Notwithstanding any other provisions of this policy, the Commissioner of General Services, with the approval of the County Executive and the Chairman of the Legislature, may make or authorize others to make emergency procurements of commodities, supplies, services, or construction items when there exists a threat to public health, welfare, or safety, or County property, provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular supplier shall be included in the contract file. As soon as practicable, a record of each emergency procurement shall be made and shall set forth the supplier's name, the amount and type of contract, a listing of the item(s) procured under the contract, and the identification number of the contract file.

A. All Departments, except for Department of Public Works: During periods of emergency, such as (1) natural catastrophes such as landslides, snowfalls, flooding or other acts of nature which prevent normal operations, (2) damage to buildings, roads, or other structures requiring immediate repair to prevent further deterioration or losses, and (3) breakdown of essential mechanical systems and machinery, such as boilers, electrical circuits, water mains or pipes, the normal purchasing procedures are not practical. Therefore, special emergency procedures are established to aid the departments in their operations. In those cases of emergency requiring immediate actions, the department head responsible for that operation will assume charge for the operation. The following procedure will then be used:

- (1) If possible, immediately notify the Commissioner of General Services of the nature of the emergency and your plans to cope with the situation.**
- (2) Contact the vendor immediately and arrange the purchase.**
- (3) Notify the Department of General Services, as soon as practical, that the emergency purchases are necessary and being arranged.**
- (4) Within five days after the emergency purchase is made, the department head will prepare and forward to the Department of General Services a receiving report, indicating descriptions of the purchase and other information.**

B. Department of Public Works: For field employees: If an emergency purchase is required, such as natural catastrophes (e.g., landslides, snowfalls, flooding or other acts of nature which prevent normal operations), damage to buildings, roads, or other structures requiring immediate repair to prevent further deterioration or losses. Breakdown of essential mechanical systems and machinery, such as boilers, electrical circuits, water mains or pipes:

- (1) Normal purchasing procedures are not practical. Therefore, the following should be followed:**

- (a) Contact vendor.
- (b) Notification to your supervisor and/or commissioner.
- (c) Make purchase.

(2) For Public Works Administration Office only:

- (a) Public Works Administration only will provide documentation as to the item/service purchased, vendor, date and justification as to why this procedure was utilized to the Department of General Services via letter or e-mail.
- (b) The Department of General Services will then document verification of purchase to audit.

Section 14.

Section 140-3.11 of the Putnam County Code is hereby amended to read as follows:

§ 140-3.11 Responsibility of bidders and offerors.

- A. Determination of nonresponsibility.** If a bidder or offeror who otherwise would have been awarded a contract is found nonresponsible, a written determination of nonresponsibility, setting forth the basis of the finding, shall be prepared by the Commissioner of General Services. The unreasonable failure of a bidder or offeror promptly to supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of nonresponsibility with respect to such bidder or offeror. The final determination shall be made part of the contract file and be made a public record.
- B. Right of nondisclosure.** To the extent possible under the New York State Freedom of Information Law (FOIL), information furnished by a bidder or offeror pursuant to this section shall not be disclosed by the County outside of the office of the Commissioner of General Services, or using agency, without prior written consent of the bidder or offeror.

Section 15.

Section 140-3.13 of the Putnam County Code is hereby amended to read as follows:

§ 140-3.12 Cost or pricing data.

- A. Required submissions relating to the award of contracts.** A prospective contractor shall submit cost or pricing data when the contract is expected to exceed \$100,000 and is to be awarded by competitive sealed proposals (§ 140-3.3, Competitive sealed

proposals), or by sole source procurement authority (§ 140-3.8, Sole source procurement).

- B. Exceptions. The submission of cost or pricing data relating to the award of a contract is not required when:**
- (1) The contract price is based on adequate price competition;**
 - (2) The contract price is based on established catalog prices or market prices;**
 - (3) The contract price is set by law or regulation; or**
 - (4) It is determined, in writing, by the Commissioner of General Services that the requirements of § 140-3.12A (Cost or pricing data, Required submissions relating to the award of contracts) may be waived, and the determination states the reasons for such a waiver.**
- C. Required submissions relating to change orders or contract modifications. A contractor shall submit cost or pricing data prior to the pricing of any change order or contract modification, including adjustments to contracts awarded by competitive sealed bidding, whether or not cost or pricing data was required in connection with the initial pricing of the contract, when the change or modification involves aggregate increases or aggregate decreases in costs plus applicable profits that are expected to exceed 10% of the original contract amount.**
- D. Exceptions. The submission of cost or pricing data relating to the pricing of a change order or contract modification is not required when unrelated and separately priced adjustments for which cost or pricing data would not be required are consolidated for administrative convenience.**
- E. Certification required. A contractor, actual or prospective, required to submit cost or pricing data in accordance with this section, shall certify that, to the best of its knowledge and belief, the cost or pricing data submitted was accurate, complete, and current as of a mutually specified date prior to the award of the contract or the pricing of the change order or contract modification.**
- F. Price adjustment provision required. Any contract award, change order, or contract modification under which the submission and certification of cost or pricing data are required shall contain a provision stating that the price to the County of Putnam, including profit or fee, shall be adjusted to exclude any significant sums by which the County of Putnam finds that such price was increased because the contractor-furnished cost or pricing data that was inaccurate, incomplete, or not current as of the date agreed upon between the County of Putnam and the contractor.**

Section 16.

Section 140-3.14 of the Putnam County Code is hereby amended to read as follows:

§ 140-3.14 Bid and performance bonds on supply or service contracts.

- A. Bid and performance bonds or other security may be requested for supply contracts or service contracts as the Commissioner of General Services or head of a using agency deems advisable to protect the County of Putnam's interests. Any such bonding requirements shall be set forth in the solicitation. Bid or performance bonds shall not be used as a substitute for a determination of a bidder's or offeror's responsibility.**
- B. The County reserves its right to approve the form, sufficiency, or manner of execution of surety bonds and contracts of insurance furnished by the surety company selected by the bidder to underwrite such bonds or contracts. In addition, all surety companies shall be licensed by the State of New York and have a Best's rating on bonds and contracts of insurance of an A- or better.**
- C. In addition, the County reserves the right to approve or reject the contractor's proposed surety company. The County shall notify potential bidders, as part of the bid solicitation, of any surety company that has been deemed unacceptable to the County.**

Section 17.

Section 140-3.15 of the Putnam County Code is hereby amended to read as follows:

§ 140-3.15 Types of contracts.

- A. General authority. Subject to the limitations of this section, any type of contract which is appropriate to the procurement and which will promote the best interests of the County of Putnam may be used. A cost reimbursement contract may be used only when a determination is made, in writing, that such contract is likely to be less costly to the County of Putnam than any other type or that it is impracticable to obtain the supply, service, or construction item required under such a contract.**
- B. Multiterm contracts.**
 - (1) Specified period. Unless otherwise provided by law, a contract for supplies or services may be entered into for any period of time deemed to be in the best interests of the County of Putnam, provided the term of the contract and conditions of renewal or extension, if any, are included in the solicitation and funds are available for the first fiscal period at the time of contracting. Payment and performance obligations for succeeding fiscal periods shall be subject to the availability and appropriations of funds thereafter.**
 - (2) Determination prior to use. Prior to the utilization of a multiterm contract, it shall be determined in writing that:**

(a) Estimated requirements cover the period of the contract and are reasonably firm and continuing; and

(b) Such a contract will serve the best interests of the County of Putnam by encouraging effective competition or otherwise promoting economies in County of Putnam procurements.

(3) Cancellation due to unavailability of funds in succeeding fiscal periods. When funds are not appropriated or otherwise made available to support continuation of performance in a subsequent fiscal period, the contract shall be cancelled.

C. Multiple source contracting.

(1) General. A multiple source award is an award of an indefinite quantity contract for one or more similar supplies or services to more than one bidder or offeror. The obligation to order the County of Putnam's actual requirements is limited by the provision of Uniform Commercial Code § 2-306(1).

(2) Limitations on use. A multiple source award may be made when award to two or more bidders or offerors for similar products is necessary for adequate delivery, service, or product compatibility. Any multiple source award shall be made in accordance with the provisions of § 140-3.1 (Competitive sealed bidding), § 140-3.2 (Competitive sealed proposals), § 140-3.7 (small purchases), and § 140-3.9 (Emergency procurements), as applicable. Multiple source awards shall not be made when a single award will meet the County of Putnam's needs without sacrifice of economy or service. Awards shall not be made for the purpose of dividing the business, making available product or supplier selection to allow for user preference unrelated to utility or economy, or avoiding the resolution of tie bids. Any such awards shall be limited to the least number of suppliers necessary to meet the actual requirements.

(3) Contract and solicitation provisions. All eligible users of the contract shall be named in the solicitation, and it shall be mandatory that the actual requirements of such users that can be met under the contract be obtained in accordance with the contract, provided that:

(a) The County of Putnam shall reserve the right to take bids separately if a particular quantity requirement arises which exceeds its normal requirement or an amount specified in the contract; and

(b) The County of Putnam shall reserve the right to take bids separately if the Commissioner of General Services approves a finding that the supply or service available under the contract will not meet a nonrecurring special need of the County of Putnam.

(4) Intent to use. If a multiple source award is anticipated prior to issuing a solicitation, the County of Putnam shall reserve the right to make such an award, and the criteria for award shall be stated in the solicitation.

(5) Determination required. The Commissioner of General Services shall make a written determination setting forth the reasons for a multiple source award, which shall be made a part of the procurement file.

D. Multiple source contracting: purchase of office furnishings by percentage discount awards.

(1) General. A multiple source award for office furnishings is an award of an indefinite quantity contract on one or more office furnishings manufacturer's product lines to more than one bidder or offeror. The obligation to order the County of Putnam's actual requirements is limited by the provisions of Uniform Commercial Code Section 2-306(1).

(2) Limitations of use. A multiple source award may be made when award to two or more bidders or offerors for similar product lines is necessary for adequate delivery, service or product compatibility. All multiple source awards shall be made in accordance with the provisions of § 140-3.1 (Competitive sealed bidding), § 140-3.2 (Competitive sealed proposals), § 140-3.7 (small purchases), and § 140-3.9 (Emergency procurements), as applicable. Multiple source awards shall not be made when a single award will meet the County of Putnam's needs without sacrifice of economy or service. Awards shall not be made for the purpose of dividing the business, making available product or supplier selection to allow for user preference unrelated to utility or economy, or avoiding the resolution of tie bids. Any such awards shall be limited to the least number of suppliers necessary to meet actual requirements.

(3) Contract and solicitation provisions. Specifications shall be drafted to include and utilize a mini-bid system to ensure that the County receives the best value for dollars expended.

(4) Mini-bid procurement process. The Department of General Services shall issue bids for discounts off of manufacturers' product lines and suggested retail price list. Award will be made by product line to the bidder offering the highest discount. Departments may request a specific brand and item based on the bid awards made. The Department of General Services shall review the requested requisition and obtain a minimum of three additional quotations from a minimum of three additional contract vendors for an "equivalent" item from other manufacturers. The Department of General Services shall review all of the mini-bid quotations and select the vendor/manufacturer that meets the form, function, utility and quality of the requesting agency, and also offers the lowest price.

(5) Waiver of mini bid procurement process. The Commissioner of General Services may waive the requirement of the mini-bid process for those procurements that are additions to and alterations of existing systems furniture groups. The reasons for such waiver shall be documented, in writing, and made part of the procurement record.

E. Design service contracts for office furnishings.

- (1) General.** The Commissioner of General Services or his/her designee may enter into separate contracts for design services or space planning services as deemed necessary for a particular project.
- (2) Limitations on use.** A design services or space planning services contract may be entered into in accordance with the provisions of § 140-3.2 (Competitive sealed proposals), § 140-3.7 (small purchases), and § 140-3.9 (Emergency procurements), as applicable.
- (3) Contract and solicitation provisions.** All solicitations and contracts for design services and space planning services shall include the following requirements:
 - (a)** All specifications prepared under this contract shall be drafted so as to promote overall economy for the purpose intended and encourage competition in satisfying the County's needs and shall not be unduly restrictive. Design service contractors are prohibited from recommending or specifying any manufacturer's products or brand names in their plans and specifications if the design services contractor currently holds a bid award for that product line/manufacturer with the County of Putnam.
 - (b)** When brand names are used in the plans and specifications developed by the Contractor, the contractor shall identify a minimum of three brand names that will satisfy the requirements of the plans and specifications.

Section 18.

Section 140-3.16 of the Putnam County Code is hereby amended to read as follows:

§ 140-3.16 Contract clauses and their administration.

- A. Contract clauses.** All County of Putnam contracts for supplies, services, materials and equipment, as well as public works projects, shall include provisions necessary to define the responsibilities and rights of the parties to the contract. The Commissioner of General Services, after consultation with the County Attorney, may issue clauses appropriate for supply, service, or public works contracts, addressing among others, the following subjects:
- (1)** The unilateral right of the County of Putnam to order, in writing, the changes in the work within the scope of the contract;
 - (2)** The unilateral right of the County of Putnam to order, in writing, temporary stopping of the work or delaying performance that does not alter the scope of the contract;

- (3) Variations occurring between estimated quantities of work in contract and actual quantities;**
- (4) Defective pricing;**
- (5) Liquidated damages;**
- (6) Specified excuses for delay or nonperformance;**
- (7) Termination of the contract for default;**
- (8) Termination of the contract, in whole or in part, for the convenience of the County of Putnam;**
- (9) Suspensions of work on a construction project or by the County of Putnam; and**
- (10) Site conditions differing from those indicated in the contract, or ordinarily encountered, except that a differing site conditions clause need not be included in a contract:**
 - (a) When the contract is negotiated;**
 - (b) When the contractor provides the site or design; or**
 - (c) When the parties have otherwise agreed with respect to the risk of differing site conditions.**

B. Price adjustments.

- (1) Adjustments in price resulting from the use of contract clauses required by Subsection A of this section shall be computed in one or more of the following ways:**
 - (a) By agreement on a fixed price adjustment before commencement of the pertinent performance or as soon thereafter as practicable;**
 - (b) By unit prices specified in the contract or subsequently agreed upon;**
 - (c) By the costs attributable to the events or situations under such clauses with adjustment of profit or fee, all as specified in the contract or subsequently agreed upon;**
 - (d) In such other manner as the contracting parties may mutually agree.**
- (2) A contractor shall be required to submit cost or pricing data if any adjustment in contract price is subject to the provisions of § 140-3.12 (Cost or pricing data).**

- C. **Standard clauses and their modification.** The Commissioner of General Services, after consultation with the County of Putnam County Attorney, may establish standard contract clauses for use in County of Putnam contracts. If the Commissioner of General Services establishes any standard clauses addressing the subjects set forth in Subsection A of this section, such clauses may be varied, provided that any variations are supported by a written determination that states the circumstances justifying such variations, and provided that notice of any such material variation be stated in the invitation for bids or requests for proposals.

Section 19.

Section 140-3.17 of the Putnam County Code is hereby amended to read as follows:

§ 140-3.17 Approval of accounting system.

Except with respect to firm fixed-price contracts, no contract shall be awarded unless it has been determined in writing by the Commissioner of General Services that:

- A. The proposed contractor's accounting system will permit timely development of all necessary cost data in the form required by the specific contract type contemplated; and
- B. The proposed contractor's accounting system is adequate to allocate costs in accordance with generally accepted cost accounting principles.

Section 20.

Section 140-3.21 of the Putnam County Code is hereby amended to read as follows:

§ 140-3.21 Procurement records.

1. **Contract file.** All determinations and other written records pertaining to the solicitation, award, or performance of a contract shall be maintained by the County of Putnam in a contract file by the Commissioner of General Services.
2. **Retention of procurement records.** All procurement records shall be retained and disposed of by the County of Putnam in accordance with record retention guidelines and schedules approved by the State of New York.

<<ARTICLE IV: Specifications>>

Section 21.

Section 140-4.2 of the Putnam County Code is hereby amended to read as follows:

§ 140-4.2 Brand name or equal specification.

- A. Use. Brand name or equal specifications may be used when the Commissioner of General Services determines in writing that:**
- (1) No other design or performance specification is available;**
 - (2) Time does not permit the preparation of another form of purchase description, not including a brand name specification;**
 - (3) The nature of the product or the nature of the County of Putnam's requirements makes use of a brand name or equal specification suitable for the procurement; or**
 - (4) Use of a brand name or equal specification is in the County of Putnam's best interests.**
- B. Designation of several brand names. Brand name or equal specifications shall seek to designate three, or as many different brands as are practicable, as "or equal" references and shall further state that substantially equivalent products to those designated will be considered for award.**
- C. Required characteristics. Unless the Commissioner of General Services determines in writing that the essential characteristics of the brand names included in the specifications are commonly known in the industry or trade, brand name or equal specifications shall include a description of the particular design, functional, or performance characteristics that are required.**
- D. Nonrestrictive use of brand name or equal specifications. Where a brand name or equal specification is used in a solicitation, the solicitation shall contain explanatory language that the use of a brand name is for the purpose of describing the standard of quality, performance, and characteristics desired and is not intended to limit or restrict competition.**

Section 22.

Section 140-4.3 of the Putnam County Code is hereby amended to read as follows:

§ 140-4.3 Brand name specification.

- 1. Use. Since use of a brand name specification is restrictive of product competition, it may be used only when the Commissioner of General Services makes a written determination that only the identified brand name item or items will satisfy the County of Putnam's needs. After the Commissioner of General Services prepares the written determination, a request shall be forwarded to the County Legislature to pass a standardization resolution. Under no circumstances shall any solicitation offered by the County contain only one brand name, without allowing for "or equal" products, unless a standardization resolution has been passed by the County Legislature.**

2. **Competition.** The Commissioner of General Services shall seek to identify sources from which the designated brand name item or items can be obtained and shall solicit such sources to achieve whatever degree of price competition is practicable. If only one source can supply the requirement, the procurement shall be made under § 140-3.8 (Sole source procurement).

<<ARTICLE V: Debarment or Suspension>>

Section 23.

Section 140-5.1 of the Putnam County Code is hereby amended to read as follows:

§ 140-5.1 Authority to debar or suspend.

After reasonable notice to the person involved and reasonable opportunity for that person to be heard, the Commissioner of General Services, after consultation with the County Attorney, is authorized to debar a person for cause from consideration for award of contracts. The debarment shall be for a period of not more than three years. After consultation with the County Attorney, the Commissioner of General Services is authorized to suspend a person from consideration for award of contracts if there is probable cause to believe that the person has engaged in any activity that might lead to debarment. The suspension shall be for a period not to exceed three years. The causes for debarment include:

- A. Conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such a contract or subcontract;**
- B. Conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a County of Putnam contractor;**
- C. Conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;**
- D. Violation of contract provisions, as set forth below, of a character which is regarded by the Commissioner of General Services to be so serious as to justify debarment action:**
 - a. Deliberate failure, without good cause, to perform in accordance with the specifications or within the time limit provided in the contract; or**
 - b. A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, provided that failure**

to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment;

- E. Any other cause the Commissioner of General Services determines to be so serious and compelling as to affect responsibility as a County of Putnam contractor, including debarment by another governmental entity for any cause listed in this policy; and
- F. For violation of the ethical standards set forth in Article VII (Ethics in Public Contracting).

Section 24.

Section 140-5.2 of the Putnam County Code is hereby amended to read as follows:

§ 140-5.2 Decision to debar or suspend.

The Commissioner of General Services shall issue a written decision to debar or suspend. The decision shall state the reasons for action taken and inform the debarred or suspended person involved of its rights concerning judicial or administrative review.

<<ARTICLE VI: Appeals and Remedies>>

Section 25.

Section 140-6.1 of the Putnam County Code is hereby amended to read as follows:

§ 140-6.1 Bid protests.

- A. Right to protest. Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the County Executive. Protestors are urged to seek resolution of their complaints initially with the Commissioner of General Services. A protest with respect to an invitation for bids or request for proposals shall be submitted, in writing, prior to the opening of bids or the closing date of proposals, unless the aggrieved person did not know and should not have known of the facts giving rise to such protest prior to bid opening or the closing date for proposals. The protest shall be submitted within three calendar days after such aggrieved person knows or should have known of the facts giving rise thereto.
- B. Stay of procurements during protests. In the event of a timely protest under Subsection A of this Section, the Commissioner of General Services shall not proceed further with the solicitation or award of the contract until all administrative and judicial remedies have been exhausted or until the County Executive makes a

determination on the record that the award of a contract without delay is necessary to protect substantial interests of the County of Putnam.

Section 26.

Section 140-6.2 of the Putnam County Code is hereby amended to read as follows:

§ 140-6.2 Contract claims.

- A. Decision of the Commissioner of General Services. All claims by a contractor against the County of Putnam relating to a contract, except bid protests, shall be submitted in writing to the Commissioner of General Services for a decision. The contractor may request a conference with the Commissioner of General Services on the claim. Claims include, without limitation, disputes arising under a contract, and those based upon breach of a contract, mistake, misrepresentation, or other causes for contract modification or rescission.**
- B. Notice to the contractor of the Commissioner of General Services' decision. The decision of the Commissioner of General Services shall be promptly issued, in writing, and shall be immediately mailed or otherwise furnished to the contractor. The decision shall state the reasons for the decision reached, and shall inform the contractor of its appeal rights under Subsection C of this section.**
- C. Finality of Commissioner of General Services' decision; contractor's right to appeal. The Commissioner of General Services' decision shall be final and conclusive unless, within five calendar days from the date of receipt of the decision, the contractor mails or otherwise delivers a written appeal to the County Executive or commences an action in a court of competent jurisdiction.**
- D. Failure to render timely decision. If the Commissioner of General Services does not issue a written decision regarding any contract controversy within 20 days after written request for a final decision, or within such longer period as may be agreed upon between parties, then the aggrieved party may proceed as if an adverse decision had been received.**

Section 27.

Section 140-6.4 of the Putnam County Code is hereby amended to read as follows:

§ 140-6.4 Authority of Commissioner of General Services to settle bid protests and contract claims.

The Commissioner of General Services is authorized to settle any protest regarding the solicitation or award of a County of Putnam contract, or any claim arising out of the performance of a County of Putnam contract, prior to an appeal to the County Executive or the commencement of an action in a court of competent jurisdiction.

Section 28.

Section 140-6.5 of the Putnam County Code is hereby amended to read as follows:

§ 140-6.5 Remedies for solicitations or awards in violation of law.

- A. Prior to bid opening or closing date for receipt of proposals. If, prior to the bid opening or closing date for receipt of proposals, the Commissioner of General Services, after consultation with the County Attorney, determines that a solicitation is in violation of federal, state, or municipal law, then the solicitation shall be cancelled or revised to comply with applicable law.**
- B. Prior to award. If, after bid opening or the closing date for receipt of proposals, the Commissioner of General Services, after consultation with the County Attorney, determines that a solicitation or a proposed award of a contract is in violation of federal, state, or municipal law, then the solicitation or proposed award shall be cancelled.**
- C. After award. If, after an award, the Commissioner of General Services, after consultation with the County Attorney, determines that a solicitation or award of a contract was in violation of applicable law, then:
 - (1) If the person awarded the contract has not acted fraudulently or in bad faith:
 - (a) The contract may be ratified and affirmed, provided it is determined that doing so is in the best interests of the County of Putnam; or**
 - (b) The contract may be terminated and the person awarded the contract shall be compensated for the actual costs reasonably incurred under the contract, plus a reasonable profit, prior to the termination; or****
 - (2) If the person awarded the contract has acted fraudulently or in bad faith, the contract may be declared null and void or voidable, if such action is in the best interests of the County of Putnam.****

<<ARTICLE VII: Ethics in Public Contracting>>

Section 29.

Section 140-7.8 of the Putnam County Code is hereby amended to read as follows:

§ 140-7.8 Sanctions.

- A. Employees. Sanctions against employees shall be in accordance with Chapter 55 of the Laws of Putnam County (Code of Ethics).**

B. Nonemployees. The Commissioner of General Services may impose any one or more of the following sanctions on a non-employee for violations of ethical standards:

(1) Written warnings or reprimands;

(2) Termination of contracts; or

(3) Debarment or suspension as provided in § 140-5.1 (Authority to debar or suspend).

<<ARTICLE VIII: Disposition of Surplus Personal Property>>

Section 30.

Section 140-8.1 of the Putnam County Code is hereby amended to read as follows:

§ 140-8.1 Purpose.

No statute prescribes a procedure for the sale of unneeded County personal property, and, therefore, there is no statutory mandate that such property be sold only after public advertisement for sealed bids or advertisement for public auction. The method chosen for sale is within the sound discretion of the Commissioner of General Services, subject to the approval of the County Executive. However, in order to fill a fiduciary duty, the method of sale adopted should be one which is thought to bring the best price or maximum benefits and may include sale by either auction, private negotiation, or competitive bidding.

<<ARTICLE IX: Additional Requirements for Federal Transit Administration Funded Contracts>>

Section 31.

Section 140-9.4 of the Putnam County Code is hereby amended to read as follows:

§ 140-9.4 Duty to inquire into vendor's election not to submit a bid.

Should any request for bid or request for proposal result in only one submitted bid or proposal, the Department of General Services will contact all vendors that received a bid or RFP package and inquire into why they elected not to submit a bid or proposal.

Section 32.

Section 140-9.5 of the Putnam County Code is hereby amended to read as follows:

§ 140-9.5 Procedures to implement provisions.

The Commissioner of General Services shall develop and implement procedures for the execution of this article.

<<ARTICLE X: Uniform Guidance for Compliance for Federal Awards>>

Section 33.

Section 140-10.2 of the Putnam County Code is hereby amended to read as follows:

§ 140-10.2 General policy statement.

B.(13) County departments will be required to notify the Department of General Services and Department of Law that federal funding will be used for a certain procurement/contract. When requesting a written contract, the County Department will be responsible for running the vendor/contractor's name through the System for Award Management (SAM) to determine any exclusions. A copy of the SAM search will be included with the contract request. Prior to issuing a purchase order using federal funds, the Department of General Services will check the SAM to determine if any exclusions exist for the vendor/contractor. If a vendor/contractor is found to be suspended or debarred, the County will immediately cease to do business with the vendor.

Section 34.

This Local Law shall take effect forty-five (45) days after its passage and is subject to permissive referendum.

BY ROLL CALL VOTE: EIGHT AYES. LEGISLATOR CROWLEY WAS ABSENT. MOTION CARRIES.

**PHYSICAL SERVICES COMMITTEE
(Chairman Ellner, Legislators Castellano & Crowley)**

Item #6i – Approval/ Budgetary Amendment (24A028)/ DPW/ Insurance Recovery/ Guardrail Damages/ Farmers Mills Road & Croton Falls Road was next. Chairman Jonke recognized Legislator Ellner, Chairman of the Physical Services Committee. On behalf of the members of the Committee, Legislators Castellano and Crowley, Legislator Ellner moved the following:

RESOLUTION #105

**APPROVAL/ BUDGETARY AMENDMENT (24A028)/ DPW/ INSURANCE RECOVERY/
GUARDRAIL DAMAGES/ FARMERS MILLS ROAD & CROTON FALLS ROAD**

WHEREAS, the Department of Public Works has been compensated a total of \$15,197.50 for guardrail damages resulting from two (2) separate accidents; and

WHEREAS, compensation has been received in the amount of \$4,573.90 from Progressive Insurance for guardrail damages on Farmers Mills Road, and \$10,623.60 from Utica National Insurance Group for guardrail damages on Croton Falls Road; and

WHEREAS, Risk Manager Mat Bruno requested a budgetary amendment (24A028) to proceed with the repair of said guardrails; 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 Revenues:

10511000 426801	DPW – Rd/Bridges – Insurance Recoveries	15,197.50
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Increase Expenses:

10511000 54410	DPW – Rd/Bridges – Supplies & Materials	6,661.50
10511000 54647	DPW – Rd/Bridges – Sub-Contractors	<u>8,536.00</u>
		15,197.50

2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

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

Item #6j – Approval/ SEQRA/ Intent to Serve as Lead Agency/ County Office Building ADA Ramp and Entry Door Project/ Town of Carmel was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Crowley, Legislator Ellner moved the following:

Legislator Nacerino believed that making the County Office Building more ADA accessible should have been done a long time ago. She was happy to see this move forward.

RESOLUTION #106

APPROVAL/ SEQRA / INTENT TO SERVE AS LEAD AGENCY/ COUNTY OFFICE BUILDING ADA RAMP AND ENTRY DOOR PROJECT/ TOWN OF CARMEL

WHEREAS, the Putnam County Legislature is considering the approval of a Putnam County Department of Public Works project to install an ADA ramp and entry door for public visitor, elected official and county employee access to the main entrance of the Putnam County David D. Bruen County Office Building located at 40 Gleneida Avenue, Carmel, New York; and

WHEREAS, the proposed ramp will consist of a switchback design with a minimum of 42 inches unobstructed width at all points, a maximum 1:12 grade on sloped areas, a 60-inch unobstructed radius on both platforms and a safety railing where required. The entry door will be a 3/0 x 6/8 steel frame full glass outswing design complete with a handicap access sill and automatic opener/closer activated by push

buttons located on both the interior and exterior walls of the building. The ramp and entry door will be constructed using applicable ADA & NYS Building Code compliant practices; and

WHEREAS, the proposed action is subject to review under the State Environmental Quality Review Act and the Regulations promulgated thereunder (“SEQRA 6 NYCRR Part 617”); and

WHEREAS, other potential involved or interested agencies have been identified in regards to the proposed action; and

WHEREAS, a full Environmental Assessment form (EAF) has been prepared for the proposed project along with supporting documentation, which is attached hereto and made a part hereof; and

WHEREAS, the Putnam County Legislature, after a review of SEQRA 6 NYCRR Part 617 *et seq.*, finds that the proposed action is Type I action “occurring wholly or partially within, or substantially contiguous to, any historic building, structure, facility, site or district or prehistoric site that is listed on the National Register of Historic Places (Volume 36 of the *Code of Federal Regulations*, parts 60 and 63, which is incorporated by reference pursuant to Section 617.17 of this Part), or that is listed on the State Register of Historic Places or that has been determined by the Commissioner of the Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places pursuant to sections 14.07 or 14.09 of the Parks, Recreation and Historic Preservation Law”; now therefore be it

RESOLVED, the Putnam County Legislature hereby declares its intent to act as the Lead Agency under the procedures and requirements of SEQRA and will conduct a coordinated SEQRA environmental review for the proposed action; and be it further

RESOLVED, that this Resolution shall take effect immediately.

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

Item #6k – Approval/ Department of Public Works/ Use of Capital Facility Reserve/ Amend (22CP01) (Flooring Repair & Replacement at Various County Facilities) was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Crowley, Legislator Ellner moved the following:

RESOLUTION #107

APPROVAL/ DEPARTMENT OF PUBLIC WORKS/ USE OF CAPITAL FACILITY RESERVE/ AMEND (22CP01) (Flooring Repair & Replacement at Various County Facilities)

WHEREAS, by Resolution #109 of 2022, the Putnam County Legislature approved the use of the Capital Facility Reserve fund for Project #22CP01 – Flooring Repair & Replacement at Various County Facilities of \$100,000, to fund specific and programmatic replacement of aging, worn, and damaged flooring in County facilities; and

WHEREAS, by Resolution #261 of 2022, the Putnam County Legislature approved an amendment to Project #22CP01, adding an additional \$75,000 to continue the program; and

WHEREAS, by Resolution #100 of 2023, the Putnam County Legislature approved an amendment to Project #22CP01, adding an additional \$80,000 to continue the program; and

WHEREAS, by Resolution #248 of 2023, the Putnam County Legislature approved an amendment to Project #22CP01, adding an additional \$100,000 to continue the program; and

WHEREAS, the Commissioner of DPW has proposed an additional amount of \$100,000 for the continuation of this flooring program on an as needed basis throughout our County facilities to keep them safe and in a state of good repair; 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 \$100,000 from the County Facility Reserve fund budget line 55197000 53000 51509 as follows:

22CP01 – Flooring Repair & Replacement at Various County Facilities

\$120,000 – Approved by Resolution #109 of 2022
75,000 - Approved by Resolution #261 of 2022
80,000 - Approved by Resolution #100 of 2023
100,000 – Approved by Resolution #248 of 2023
100,000 – Request for additional funding
\$475,000 – Total Project cost not to be exceeded

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

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

Item #6L – Approval/ Budgetary Amendment (24A030)/ Sheriff’s Department / Emergency Services/ FY2023 State Homeland Security Program (SHSP) Grant/ Re-Allocate Funding from Resolution #223 of 2023 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:

RESOLUTION #108

APPROVAL/ BUDGETARY AMENDMENT (24A030)/ SHERIFF’S DEPARTMENT / EMERGENCY SERVICES/ FY2023 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT/ RE-ALLOCATE FUNDING FROM RESOLUTION #223 OF 2023

WHEREAS, the Putnam County Legislature approved Resolution #223 of 2023 to account for the FY2023 State Homeland Security Program (SHSP) Grant award in the amount of \$234,731; and

WHEREAS, per Federal guidelines, at least 35% (\$82,156) of the grant award must be directed towards law enforcement terrorism prevention activities; and

WHEREAS, Resolution #223 of 2023 accounted for and complied with said guidelines; and

WHEREAS, the Putnam County Sheriff has requested a budgetary amendment (24A030) to reallocate \$42,156 of the \$82,156 SHSP Grant award for the purchase of equipment; 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:

17311000 52195 10210	PCSO Rd Patrol – Rescue Equipment	7,500
17311000 52695 10210	PCSO Rd Patrol - Rescue Equipment	10,000
17311000 52680 10210	PCSO Rd Patrol – Other Equipment	18,925
17311000 52180 10210	PCSO Rd Patrol – Other Equipment	<u>5,731</u>
		42,156

Decrease Appropriations:

10364501 54646 10210	PCSO DHSES – Contracts	42,156
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Increase Estimated Revenues:

17311000 440891 10210	PCSO – SHSP 2023	42,156
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Decrease Estimated Revenues:

10364501 440891 10210	PCSO DHSES – SHSP 2023	42,156
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2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

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

Item #6m – Approval/ Grant Application/ Bureau of Emergency Services/ Hazard Mitigation Grant Program (HMGP) was next. On behalf of the members of the Protective Services Committee, Legislators Addonizio and Sayegh, Legislator Nacerino moved the following:

Legislator Nacerino explained that an updated Hazard Mitigation Plan is required every five (5) years. She stated that we are still two (2) years away, however Commissioner Lipton indicated that this process takes approximately 18 months - two (2) years to complete.

Legislator Montgomery expressed the importance of this program, especially now with all the recent storms. She stated that we have recognized all of our vulnerable areas throughout our County, especially our villages and towns who have been hit so hard. She stated that if those areas are not in the mitigation plan it is hard to recover funds to do repairs. She stated that it is good that we are working on this now. She stated that sometimes it is often hard to get the other municipalities to participate. She appreciated the Commissioner’s initiative to get this going now.

RESOLUTION #109

APPROVAL/ GRANT APPLICATION/ BUREAU OF EMERGENCY SERVICES/ HAZARD MITIGATION GRANT PROGRAM (HMGP)

WHEREAS, the Bureau of Emergency Services Commissioner had requested permission to apply for the Hazard Mitigation Grant Program (HMGP) under the New York State (NYS) Division of Homeland Security and Emergency Services (DHSES); and

WHEREAS, funding will be used for the update of the Hazard Mitigation Plan; and

WHEREAS, the amount of the grant is \$150,000; with a Federal share of \$112,500 and 25% matching County funds of \$37,500; and

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

RESOLVED, that the Bureau of Emergency Services is authorized to apply for grant funding in the amount of \$150,000 through the New York State (NYS) Division of Homeland Security and Emergency Services (DHSES) the Hazard Mitigation Grant for the Hazard Mitigation Grant Program (HMGP).

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

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

Item #6n – Approval/ Budgetary Amendment (23A095)/ Finance / Year End Journal Entry #4 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 #110

APPROVAL/ BUDGETARY AMENDMENT (23A095)/ FINANCE/ YEAR END JOURNAL ENTRY #4

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (23A095) for the 4th Year End Entry for the year ending December 31, 2023; and

WHEREAS, further entry(s) will follow as more information becomes available during the year end closing process; 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:

CAPITAL FUND:

Increase Appropriations: SEE ATTACHED SHEET	10,031.00
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Increase Estimated Revenues: SEE ATTACHED SHEET	10,031.00
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GENERAL FUND:

Increase Appropriations: SEE ATTACHED SHEET	33,814.00
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Decrease Appropriations:
SEE ATTACHED SHEET 33,814.00

DEBT SERVICE FUND:

Increase Appropriations:
SEE ATTACHED SHEET 33,814.00

Increase Estimated Revenues:
SEE ATTACHED SHEET 33,814.00

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

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

Item #6o – Approval/ Budgetary Amendment (24A032)/ Social Services/ Child Advocacy Center was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

RESOLUTION #111

APPROVAL/ BUDGETARY AMENDMENT (24A032)/ SOCIAL SERVICES/ CHILD ADVOCACY CENTER

WHEREAS, the Commissioner of Social Services has requested a budgetary amendment (24A032) to amend the 2024 DSS budget to include expenses other than Personnel Services funded in accordance with the contract renewal awarded to the Child Advocacy Center (CAC) for the period 10/01/23 – 9/30/24; 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 Revenue:
22071000 446131 OEOP Crime Victims’ Board 39,473

Increase Estimated Appropriations:
22071000 52110 Furniture 7,157
22071000 52130 Computer Equipment 5,500
22071000 54640 Education & Training 8,917
22071000 54646 Contracts 16,070
22071000 54675 Travel 250
22071000 55370 Chargeback Automotive 1,579
3,9473

2024 Fiscal Impact – 0 –
2025 Fiscal Impact – 0 –

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

Item #6p – Approval/ Semi-Annual Mortgage Tax Report/ October 1, 2023 through March 31, 2024 was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

Legislator Castellano read the amounts that the towns would receive.

RESOLUTION #112

APPROVAL/SEMI-ANNUAL MORTGAGE TAX REPORT/ OCTOBER 1, 2023 THROUGH MARCH 31, 2024

WHEREAS, upon receipt of approval of the Semi-Annual Report showing the amounts to be credited to each district of the County of the money collected during the period October 1, 2023 through March 31, 2024 from the New York State Department of Taxation and Finance, the Putnam County Audit and Administration Committee reviewed and hereby forwards same to the Putnam County Legislature; now therefore be it

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

Town of Carmel	\$ 398,314.10
Town of Kent	142,963.14
Town of Patterson	124,798.17
Town of Philipstown	
Village of Cold Spring	9,961.31
Village of Nelsonville	2,812.11
Town Outside	119,661.71
Town of Putnam Valley	130,295.73
Town of Southeast	
Village of Brewster	10,054.87
Town Outside	<u>324,990.79</u>
Total	\$1,263,851.93

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

Item #6q – Approval/ Authorizing the Filing of an Application for a State Assistance from the Household Hazardous Waste (HHW) State Assistance Program and Signing of the Associated State Master Grant Contract, Under the Appropriate Laws of New York State was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

RESOLUTION #113

APPROVAL/ AUTHORIZING THE FILING OF AN APPLICATION FOR A STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE MASTER GRANT CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, Putnam County, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

NOW THEREFORE BE IT RESOLVED by the Putnam County Legislature

- 1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.**
- 2. That the Commissioner of Health or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application, to sign the resulting contract if said application is approved by the STATE; and to provide such additional information as may be required.**
- 3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for share of such costs as indicated in the contract.**
- 4. That two (2) certified copies of this Resolution be prepared and sent to the New York State Department of Environmental Conservation together with a complete application.**
- 5. That this resolution shall take effect immediately.**

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

Item #7 – Other Business

There was no other business submitted to the meeting.

Item #8 – Recognition of Pubic on Agenda Items

There were no members of the public wishing to speak.

Item #9 - Recognition of Legislators

Legislator Nacerino wished all the mothers a Happy Mother's Day. She stated that she would be thinking about all the mothers who are no longer with us on that special day.

Legislator Sayegh stated that as a member of the Mahopac Rotary Club, she informed everyone that on Friday, May 10th, there will be a Rock-n-Roll Spectacular at the Mahopac High School. She stated that it is one (1) of the Mahopac Rotary's biggest fundraisers of the year where they will give out grants and scholarships to students. She encouraged everyone to attend this fabulous show.

Legislator Castellano reminded everyone about the Memorial Day events taking place throughout the County. He stated that in his opinion Putnam County was the most patriotic state.

Chairman Jonke read a statement explaining that the subject to consider video recording Committee meetings, similarly to the current video recording of Full Legislative meetings, has been deliberated by the Legislature during his tenure as a Legislator, especially over the last five (5) years. He stated it is not currently required by law, as our Legislative Counsel Firriolo has consistently and thoroughly monitored any changes to the public meetings or public officer's laws. He stated that in October of 2022, the previous Chairman of the Legislature, Legislator Neal Sullivan, included funds in the 2023 Legislative budget to modify the setup in Legislative Conference Room #318 to allow for the Committee meetings to be video recorded. Throughout 2023, Legislator Jonke stated that, as Chairman of the Legislature, he met with the Director of IT, Thomas Lannon, multiple times to discuss our options of how to best implement video recording. He stated that given the technical difficulties we experienced during the COVID-19 webinars, we were sensitive to ensuring that this process goes as smoothly as possible. Subsequently he placed orders for the necessary equipment and made plans for its installation. After some delays due to equipment supply, he stated that he was happy to report that thanks to efforts by the County's IT Department and Legislative staff, we are now ready to begin video recording Committee meetings in May starting with the Health, Social, Educational & Environmental Committee meeting and the Personnel Committee meeting scheduled for May 14th. He stated that it has been a concerted effort to make this possible in the most efficient and fiscally responsible manner. He stated that these recordings will not require any additional staff or production team, which will add no new cost to taxpayers. He stated that this is a great step forward for an additional layer of transparency for the people of Putnam County that we represent.

There being no further business, at 7:50 P.M., Chairman Jonke made a motion to adjourn; seconded by Legislator Sayegh. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.