

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

Tuesday October 1, 2024 7:00 P.M.

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

PROCLAMATIONS

Chairman Jonke recognized Legislator Crowley who presented the “Domestic Violence Awareness” proclamation to Executive Director of the Women’s Resource Center Piaget Solpiaget and Probation Director John Osterhout.

DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, Domestic Violence is an epidemic affecting individuals in every community including Putnam County, regardless of age, economic status, sexual orientation, gender, race, religion, or nationality; and

WHEREAS, 1 in 3 women and 1 in 5 men are victims of some form of physical violence by an intimate partner; and

WHEREAS, in 2023 the Putnam Northern Westchester Women’s Resource Center (WRC) answered 1,095 Hotline calls from victims; and

WHEREAS, WRC staff accompanied 89 victims to the Putnam County Sherriff, Court, District Attorney, Probation; and

WHEREAS, since it’s opening in 2022 the Special Victim Unit, a joint project of the Women’s Resource Center and the Putnam County Sheriff’s Department has so far provided safe space for more than 50 adult victims to meet with law enforcement and victim advocates following a domestic violence and/or sexual assault incident; and

WHEREAS, the Women’s Resource Center, the Putnam County Department of Probation, Sheriff’s Department, District Attorney, Child Advocacy Center, and the Department of Social Services work tirelessly together to end domestic violence; now therefore be it

RESOLVED, that Putnam County Executive Kevin Byrne and the Putnam County Legislature do hereby proclaim October 2024 as “Domestic Violence Awareness Month” in Putnam County.

Chairman Jonke recognized Legislator Ellner who presented the “National Fire Prevention” proclamation to Commissioner of Emergency Services Robert Lipton.

NATIONAL FIRE PREVENTION WEEK – OCTOBER 6 – 12, 2024

WHEREAS, National Fire Prevention Week will be October 6-12, 2024, during which attention will be focused on promoting fire safety and prevention. In 2022, there were 1,504,500 reported fires in the United States, 3,790 deaths caused by fires, and 13,250 injuries. Those fires resulted in an estimated \$18.1 billion dollars in property damage; and

WHEREAS, The National Fire Protection Association (NFPA) has announced this year's Fire Prevention Week campaign: "Smoke alarms: Make them work for you!™" strives to educate everyone about the importance of having working smoke alarms in the home; and

WHEREAS, Install smoke alarms in every bedroom, outside each separate sleeping area (like a hallway), and on each level (including the basement) of the home; and

WHEREAS, Test smoke alarms at least once a month by pushing the test button; and

WHEREAS, Replace all smoke alarms when they are 10 years old or stop responding when tested; and

WHEREAS, For the best protection, interconnect all smoke alarms. When one sounds, they all sound. It is important to have interconnected smoke alarms if you sleep with the bedroom doors closed; and

WHEREAS, Make sure smoke alarms meet the needs of all family members, including those with sensory or physical disabilities; and

WHEREAS, Putnam County is served by dedicated Volunteer Fire Departments whose service we greatly value and appreciate. In 2022 across this Nation there were 94 firefighter deaths and 65,650 firefighter injuries. Smoke alarms save lives, install smoke alarms in your house and test them monthly; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim the week of October 6-12, 2024 as National Fire Prevention Week in the County of Putnam and remind the citizens to make sure to install and test smoke alarms in your home.

Chairman Jonke recognized Legislator Addonizio who presented the "National Substance Abuse Prevention" proclamation to Dual Recovery Coordinator of DSS Lauren Johnson, Executive Director of the Prevention Council of Putnam Kristin McConnell and CoveCare Prevention Supervisor Melissa Lachapelle.

NATIONAL SUBSTANCE ABUSE PREVENTION MONTH

WHEREAS, Putnam County youth are negatively impacted by substance use with outcomes spanning from diminished academic achievement to socioemotional and safety concerns. The consequences are profound and can lead to a diagnosable Substance Use Disorder. Yet, there are evidence-based ways for our community to reduce risks and prevent negative outcomes. This month, we pay tribute to all those working to prevent substance use in our communities, and we rededicate ourselves to building a safer community, utilizing data-driven, and person-centered prevention efforts for all Putnam County residents; and

WHEREAS, by increasing awareness and reducing stigma associated with substance use, we can prevent use before it starts and increase access to supports and services; and

WHEREAS, all residents can play a role in preventing substance use. Parents and caregivers can help by talking to their kids about the dangers of substances, both legal and illegal and can also be aware of the example they set with their own behaviors.

Community coalitions comprised of school personnel, law enforcement, behavioral health professionals, faith leaders, local government and community members gather together to address substance use in their communities; and

WHEREAS, we observe National Substance Use Prevention Month, let us help to address the stigma faced by those with Substance Use Disorder by mindfully labeling our recognition as “Substance Use Prevention Month” paying particular attention to preventing and delaying onset of any substance use, and reducing negative outcomes; now therefore be it

RESOLVED, That the Putnam County Executive and Putnam County Legislature do hereby proclaim October 2024 as Substance Use Prevention Month. The Putnam County Department of Mental Health, the Prevention Council of Putnam, CoveCare Center and all substance use support services in Putnam County encourage all residents to increase their awareness of Substance Use Disorder, the dangers of substance use, the success of evidence-based prevention programs and to actively support and encourage referrals for services.

Item #4 – Acceptance of Minutes – Public Hearing – Rescue Task Force – Sept. 3, 2024
Regular Meeting – September 3, 2024

The minutes were accepted as submitted.

Item #5 – Correspondence

a) County Auditor was duly noted.

There was no activity during this reporting period.

Item #6 – Pre-filed resolutions:

PERSONNEL COMMITTEE
(Chairman Jonke, Legislators Castellano & Nacerino)

Item #6a – Approval – Budgetary Transfer (24T259) – Social Services – Reclassification – Salary Change was next. On behalf of the Personnel Committee, Legislators Castellano and Nacerino, Chairman Jonke moved the following:

RESOLUTION #205

APPROVAL – BUDGETARY TRANSFER (24T259) – SOCIAL SERVICES – RECLASSIFICATION – SALARY CHANGE

WHEREAS, the Commissioner of Social Services has requested a budgetary transfer (24T259) seeking approval for the upgrade and reclassification of existing vacant Forensic Interviewer / Outreach Worker position to Coordinator of Child Advocacy Center; and

WHEREAS, additional responsibilities include supervising victim advocates, implementing prevention programs, and managing team communications; and

WHEREAS, the upgrade will ensure that the Child Advocacy Center (CAC) can recruit a higher level with an advanced degree, equipped with the necessary expertise to provide the best possible response to child abuse cases and support victims; and

WHEREAS, the position was vacated mid-January 2024 and with a target hire date of October 15, 2024, there exists enough funding in the vacant line to cover the proposed increase with no fiscal impact to 2024; 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:		
22070000 51000 (104)	Pers. Serv. – Coordinator of CAC	3,118

Decrease Appropriations:		
22071000 51000 (104)	Pers. Serv. – Forensic Interviewer Outreach Worker	3,118

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

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6b – Approval – Budgetary Transfer (24T262) – Youth Bureau – Temporary was next. On behalf of the Personnel Committee, Legislators Castellano and Nacerino, Chairman Jonke moved the following:

RESOLUTION #206

APPROVAL – BUDGETARY TRANSFER (24T262) – YOUTH BUREAU – TEMPORARY

WHEREAS, the Director of the Youth Bureau has requested a budgetary transfer (24T262) to increase the Temporary line for maternity leave coverage; 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:		
10731000 51094	Temporary	3,500

Decrease Appropriations:		
10087000 51000 (103)	Pers. Serv. – Youth Program Specialist	1,400
10731000 51000 10114 (103)	Pers. Serv. - Youth Program Specialist	<u>2,100</u>
		3,500

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

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6c – Approval – Fund Transfer (24T264) – Sheriff’s Department – Reclassification – Deputy Sheriff Lieutenant Position to Deputy Sheriff 1st Sergeant Position was next. On behalf of the Personnel Committee, Legislators Castellano and Nacerino, Chairman Jonke moved the following:

Legislator Nacerino explained that no one was willing to accept the promotion to the rank of Lieutenant for reasons cited regarding pay rate, lack of overtime, lack of ability to accrue compensatory time, and lack of union representation or benefits associated with being in the union.

RESOLUTION #207

APPROVAL – FUND TRANSFER (24T264) – SHERIFF’S DEPARTMENT – RECLASSIFICATION – DEPUTY SHERIFF LIEUTENANT POSITION TO DEPUTY SHERIFF 1ST SERGEANT POSITION

WHEREAS, through a query of members whose names appeared on the expired civil service list, as well as others that would be eligible to take a promotional exam, members indicated that no one was willing to accept a promotion to rank of lieutenant; and

WHEREAS, reasons cited were the current pay rate, lack of overtime, lack of ability to accrue compensatory time, and lack of union representation; and

WHEREAS, the Putnam County Sheriff has requested a reclassification of a Deputy Sheriff Lieutenant position to a Deputy Sheriff 1st Sergeant position; and

WHEREAS, the reclassification would mean a return from management to union classification, thereby making the position viable; and

WHEREAS, the Putnam County Sheriff has requested a fund transfer (24T264) to account for this reclassification; and

WHEREAS, the Personnel Committee and the Audit & Administration Committee have reviewed and approved said fund transfer; 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:	Positions:	Salary:
17311000 51000 311017149	Deputy Sheriff Lieutenant	137,570 to 0

And be it further

RESOLVED, that the following fund transfer be made:

Decrease:		
17311000 51000 (149)	Pers. Sheriff’s Road Patrol Deputy Sheriff Lieutenant	50,407

Increase:		
17311000 51000 (176)	Pers. Sheriff's Road Deputy Sheriff 1 st Sergeant	50,407

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

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6d – Approval – Fund Transfer (24T265) – Office for Senior Resources – Reclassification – Full-Time Aging Service Aide position to Office Assistant Position was next. On behalf of the Personnel Committee, Legislators Castellano and Nacerino, Chairman Jonke moved the following:

RESOLUTION #208

APPROVAL – FUND TRANSFER (24T265) – OFFICE FOR SENIOR RESOURCES – RECLASSIFICATION – FULL-TIME AGING SERVICE AIDE POSITION TO OFFICE ASSISTANT POSITION

WHEREAS, the Director of Office for Senior Resources (OSR) stated that he submitted a proposal for the 2025 Budget to reclassify the Full-Time Aging Services (Grade 2) position to Office Assistant (Competitive Grade 5 – Part-Time, 25 hours, no benefits) position; and

WHEREAS, due to a retirement effective 8/30/24, the Director of OSR has requested this reclassification for the remainder of 2024; and

WHEREAS, this will fill a qualified Office Assistant position at the Putnam Valley Friendship Center which is equivalent to the existing positions at three (3) other OSR sites; and

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

RESOLVED, that the following fund transfer be made:

Decrease:

10677200 51000 (115)	Pers. – Aging Services Aide	10,927.42
10677900 51094	Temporary	<u>902.21</u>
		11,829.63

Increase:

10677200 51000 (152)	Pers. – Office Assistant	11,829.63
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2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #6e – Approval – Budgetary Amendment (24A081) – Health Department – Preschool 3 to 5 Program was next. Chairman Jonke recognized Legislator Sayegh, Chairwoman of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators Crowley and Gouldman, Legislator Sayegh moved the following:

RESOLUTION #209

APPROVAL – BUDGETARY AMENDMENT (24A081) – HEALTH DEPARTMENT – PRESCHOOL 3 TO 5 PROGRAM

WHEREAS, the Commissioner of Health has requested a budgetary amendment (24A081) to meet the increased cost of providing services for children enrolled in the Health Department’s Preschool 3 to 5 Program; and

WHEREAS, the Health, Social, Educational & Environmental 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:

10296000	Health – Preschool 3 to 5 Program	
432773	Education – Transportation	
	Handicapped Child 3 to 5	476,000

Increase Expenses:

10296000	Health – Preschool 3 to 5 Program	
54414	Care at Private Institution	800,000

Decrease Contingency:

10199000	Contingency	
54980	General Contingencies	324,000

2024 Fiscal Impact - \$324,000

2025 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6f – Approval – Fund Transfer (24T258) – Social Services – Mental Health Local Government Unit Crisis Intervention Team (MH LGU CIT) was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Crowley and Gouldman, Legislator Sayegh moved the following:

RESOLUTION #210

APPROVAL – FUND TRANSFER (24T258) – SOCIAL SERVICES – MENTAL HEALTH LOCAL GOVERNMENT UNIT CRISIS INTERVENTION TEAM (MH LGU CIT)

WHEREAS, the Commissioner of Social Services has requested a fund transfer (24T258) to transfer Crisis Intervention Team (CIT) funds to the correct budget line per agreement with the Sheriff’s Department; and

WHEREAS, the Health, Social, Educational & Environmental 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:

10431000 54646 10115	MH LGU – CIT Training Contracts	25,515
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Increase:
10431000 55646 10115 MH LGU – CIT Training Chargeback
Contracts 25,515

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

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6g – Approval – Grant Application - Health Department - New Position for 2025 (Solid Waste Manager) — NYS DEC Municipal Waste Reduction & Recycling Program Grant was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Crowley and Gouldman, Legislator Sayegh moved the following:

RESOLUTION #211

APPROVAL – GRANT APPLICATION - HEALTH DEPARTMENT - NEW POSITION FOR 2025 (SOLID WASTE MANAGER) — NYS DEC MUNICIPAL WASTE REDUCTION & RECYCLING PROGRAM GRANT

WHEREAS, Section 5-1(D)(1) of the Putnam County Code requires Legislative approval of all grant applications and renewals that require County matching funds; and

WHEREAS, the Health Department has requested permission to apply for the NYS Department of Environmental Conservation Municipal Waste Reduction & Recycling Program Grant for Recycling Coordination, Education, Planning, and Promotion Projects; and

WHEREAS, the grant period is currently open for projects that will implement Municipal Waste Reduction and Recycling Education, Promotion, Planning and Coordination Projects; and

WHEREAS, said grant program assists counties with funding solid waste projects, including 50% reimbursement for a full-time position (salary and fringe); and

WHEREAS, the application due date is October 31, 2024; and

WHEREAS, through a collaborative effort the County is working to ensure continuity for local solid waste and recycling initiatives, including the reliably successful household hazardous waste disposal days; and

WHEREAS, the individual responsible for coordinating solid waste related activities retired at the end of 2023 and the position has not been filled; and

WHEREAS, it is the County’s intention to create a new full-time Solid Waste Manager position in 2025 at a salary of \$80,000 plus fringes; and

WHEREAS, the Health, Social, Educational & Environmental Committee has reviewed and approved said grant application request; now therefore be it

RESOLVED, that the Health Department is authorized to apply for the NYS Department of Environmental Conservation Municipal Waste Reduction & Recycling Program Grant for Recycling Coordination, Education, Planning, and Promotion Projects.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #6h – Approval – Budgetary Amendment (24A082) – Sheriff – Licensing Software – Tyler Technologies, Inc. - Memorandum of Agreement (MOA) with Town of Kent, Village of Brewster & Village of Cold Spring 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 #212

APPROVAL – BUDGETARY AMENDMENT (24A082) – SHERIFF – LICENSING SOFTWARE – TYLER TECHNOLOGIES, INC. - MEMORANDUM OF AGREEMENT (MOA) WITH TOWN OF KENT, VILLAGE OF BREWSTER & VILLAGE OF COLD SPRING

WHEREAS, the County entered into a License and Services Agreement with Tyler Technologies, Inc. for a Computer Aided Dispatch/Records Management System (“Software”); and

WHEREAS, the Agreement allows the County to grant Affiliated Organizations, which are government entities separate from the County, access to the Software hosted on the County’s servers; and

WHEREAS, access to the same Software will benefit them in responding to emergency situations; and

WHEREAS, the County agreed to allow the Town of Kent, the Village of Brewster and the Village of Cold Spring access to the Software at no cost to them other than an annual maintenance fee as outlined in the three (3) Memorandums of Agreement; and

WHEREAS, the Putnam County Sheriff has requested a budgetary amendment (24A082) to account for the first year’s maintenance fee; and

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

Increase Revenues:

13311000	Sheriff Communications	
427701	Miscellaneous	31,000

Increase Expenses:

13311000	Sheriff Communications	
54783	Licensing Software	31,000

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

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6i – Approval/ Continuation of the Community Engagement & Police Advisory Board 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 the Community Engagement & Police Advisory Committee Board has submitted correspondence indicating that they would like to continue with this Advisory Board. She explained that the Board has served as a bridge of communication between the police departments and the residents of Putnam County. They are committed to transparency, accountability and community involvement.

Legislator Addonizio thanked the Advisory Board for their commitment to Putnam County.

Chairman Jonke recognized the members of the Advisory Board for their dedicated service and hard work.

RESOLUTION #213

APPROVAL/ CONTINUATION OF THE COMMUNITY ENGAGEMENT & POLICE ADVISORY BOARD

WHEREAS, Resolution #104 of 2021 established a Police Policy Advisory Board known as the “Community Engagement & Police Advisory Board” (CEPAB); and

WHEREAS, said Board was reestablished by Resolution #268 of 2022 and expired on December 31, 2023; and

WHEREAS, said Board was reestablished by Resolution #195 of 2023 and is set to expire on December 31, 2024; and

WHEREAS, the CEPAB members have requested the continuation of said Board via letter dated September 9, 2024; now therefore be it

RESOLVED, that unless extended by subsequent resolution, this Advisory Board shall be dissolved and terminate all activity on December 31, 2025, on which date the Advisory Board shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

RESOLVED, that this Advisory Board shall inform the Legislature of its desire to continue its existence by a written request to the Clerk of the Legislature prior to the date this Advisory Board is scheduled to terminate.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #6j – Approval – Fund Transfer (24T267) – County Attorney – Legal Services 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:

RESOLUTION #214

APPROVAL – FUND TRANSFER (24T267) – COUNTY ATTORNEY – LEGAL SERVICES

WHEREAS, the County Attorney has requested a fund transfer (24T267) to cover outstanding legal services invoices and invoices not yet received for the remainder 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	Contingency	150,000
Increase:		
10142000 54125	Legal Services	150,000
	2024 Fiscal Impact - \$150,000	
	2025 Fiscal Impact - 0 -	

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6k – Approval – Local Law to Amend the Charter of Putnam County by Amending Article 8, Section 8.01 Entitled “Department of Law – County Attorney” was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Ellner and Nacerino, Legislator Addonizio moved the following:

Legislator Crowley read a statement which voiced her concerns against this proposed local law amendment. She believed it was personal and political. She believed the proposal curtailed the County Executive’s authority, in which she or he can remove a public officer. She stated that the proposal fundamentally changes checks and balances and undermines the Executive’s ability to administer departments. It is also not written to include a mandatory referendum.

Legislator Montgomery stated that there were two (2) recusals from a Legislator regarding this matter. She wondered if we would have that recusal again.

Chairman Jonke questioned on what grounds.

Legislator Montgomery stated that this is the same issue where the Legislator previously recused themselves. She stated that nothing has changed.

Chairman Jonke stated that a lot has been changed.

Legislator Montgomery voiced her concerns with the proposal and believed that power was being taken away from the County Executive and he would not be able to retain an attorney.

Chairman Jonke stated that he would allow that Legislator to answer the recusal question when the time comes. He explained that nothing changes for the County Executive; we are not changing any of his authority. He stated that the County Attorney works for the Legislature. He stated that the Legislature is not a county department; we are a branch of government. He stated that the Legislature has the authority to confirm the County Executive’s choice of County Attorney, and he believed that we should also have the right to remove that person too. He stated that this proposal gives the ability of this Legislature to be able to remove our attorney. He stated that this was personal and

political when the County Attorney filed an ethics complaint against a member of this Legislature after he was, in his words “summoned” to a Rules Committee meeting. He explained that the previous County Attorney never felt they were being summoned when they were invited to a Legislative meeting to address questions or provide updates on legal topics in the County. He stated that the retaliation came from the County Attorney.

Legislator Nacerino stated that she is in favor of this proposal. She believed that we were conflating the issue. She believed the comments being made were based on speculation and conjecture. She stated that the Legislature is an equal branch of government and should have the right to choose our own attorney. She stated that from the beginning this was about giving the Legislature the voice that we deserve. She stated that it has no effect on the present County Attorney, and this was done to ensure there were no misinterpretations. She supported this legislation.

Legislator Gouldman believed that this was a bad law. He stated that it would change the balance of power. He stated that the current system has checks and balances between the branches of government. He stated that we must depend on the authority of each branch of government. He believed that by passing this law, we were chipping away the authority of the Executive branch. He questioned what powers we were going to go after next. He did not support this legislation.

Chairman Jonke clarified that this was not chipping away any authority from the County Executive.

Legislator Montgomery stated that based on what Chairman Jonke, she believed this proposal was retaliation. She stated that this proposal was impeding the County Executive’s ability to choose his own representation and putting him in a position to appoint a new individual to the post in the hope that the Legislature agrees with his choice. She stated that the County Attorney would then feel pressured to continuously please the members of the Legislature, thereby placing the position of County Attorney squarely within the Legislature’s control and jurisdiction.

Legislator Montgomery made a motion to remove this proposal from the agenda; seconded by Legislators Gouldman and Crowley.

By Roll Call Vote: Three Ayes – Legislators Crowley, Gouldman & Montgomery. Six Nays – Legislators Addonizio, Castellano, Ellner, Nacerino, Sayegh & Chairman Jonke. Motion Fails.

Legislator Nacerino stated that again, this is based on speculation and opinion. She stated that this was brought to the forefront because it raised the awareness of the situation, it was not because anyone was retaliating. If it was retaliatory, this County Attorney would not be exempt. She stated that this law will not take effect until January 1, 2027.

Legislator Ellner stated that there is a provision in the local law that is very good that we have been overlooking. He stated that it says, “the County Attorney shall not engage in any private practice nor be employed by any private law firm or other governmental entity in his or her field of expertise of employment.” He believed it was important that when we hire a County Attorney that they work solely for Putnam County.

Legislator Castellano stated that to continue along that line, the current County Attorney is excluded from the wording. He stated that we have taken that into consideration and there is nothing retaliatory here.

Legislator Crowley stated that we were not only talking about the County Attorney, but also his office and their ability to help the County.

Chairman Jonke called for a Roll Call Vote on the proposed local law.

RESOLUTION #215

APPROVAL - LOCAL LAW TO AMEND THE CHARTER OF PUTNAM COUNTY BY AMENDING ARTICLE 8, SECTION 8.01 ENTITLED "DEPARTMENT OF LAW – COUNTY ATTORNEY"

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

Section 1.

Section 8.01 of the Charter of the County of Putnam is hereby amended to read as follows:

§ 8.01 – Department of Law – County Attorney

There shall be a Department of Law under the direction of a County Attorney who shall be appointed by the County Executive, subject to confirmation by the County Legislature. At the time of his or her appointment, and throughout his or her term of office, the County Attorney shall be and remain duly licensed and entitled to practice law in the State of New York. He or she shall be appointed on the basis of his or her legal experience and other qualifications for the responsibilities of his or her office. The County Attorney may be removed by the County Executive, subject to a two-thirds vote of concurrence by the County Legislature. The County Attorney may also be removed by the County Legislature by a two-thirds vote of the Legislature, however, this provision shall not be applicable to the County Attorney serving at the time this law takes effect. The County Attorney shall not engage in any private practice nor be employed by any private law firm or other governmental entity in his or her field of expertise of employment. This restriction on employment by the County Attorney shall not be applicable to the County Attorney serving at the time this law takes effect.

Section 2.

This Local Law shall take effect on January 1, 2027 and is subject to permissive referendum.

BY ROLL CALL VOTE: SIX AYES. THREE NAYS – LEGISLATORS CROWLEY, GOULDMAN & MONTGOMERY. MOTION CARRIES.

Item #6L – Approval – Appointment of Outside Counsel for the Legislature was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Ellner and Nacerino, Legislator Addonizio moved the following:

Legislator Montgomery stated that this was related to the previous local law. She believed that this was serving the Legislature instead of serving the people of Putnam County.

Legislator Crowley stated that in the great words of Nancy Pelosi, where we must pass a bill to find out what is in it, she explained that we have not addressed what the matters are or what we need outside counsel for. She did not believe that FOIL was a conflict of interest. She stated that if certain members of the Legislative body feel that we need outside counsel, then write a memo and do your own bidding.

Legislator Nacerino stated that we just approved \$150,000 for outside legal services for the Law Department that cannot handle their own workload that is coming out of contingency. She stated that the Legislature had an executive session last month where an outside attorney came because the County Attorney was not present. She stated that this was unprecedented in her 12 years when the former County Attorney was present at every executive session for a settlement. She stated that we do not just do “a memo” to obtain counsel. She stated that this whole toboggan was not created by anyone on this Legislature. She stated that the Law Department then assigned the Legislature an outside counsel. She stated that we should have the right to choose our own attorney. She stated that as an equal branch of government, the County Attorney serves the Legislature if there is a conflict between the County Executive and the County Legislature. She stated that it is the County Attorney’s obligation to serve the County Legislature first and foremost. She stated that she supports this legislation.

Chairman Jonke stated that this is unrelated to the previous local law just approved. He stated that if more details are wanted, he stated that we have the County Attorney’s brother FOILING records from our office. He stated that some of those records may be deemed confidential. He stated that we do not have an attorney to advise us other than the attorney that the County Attorney has recommended. He stated that there may be or may not be an inherent conflict in that. He stated that, as Chairman of the Legislature, he would feel more comfortable being able to choose our own attorney.

Legislator Gouldman believed that the language should be specific. He stated that we have been assigned outside counsel.

Legislator Castellano stated that we just approved \$150,000 which the County Attorney asked for tonight for outside counsel invoices. He stated that the County Attorney appointed outside counsel for us, which we are in a disagreement with right now. He believed it was in our best interest that we choose our own counsel in this circumstance.

Legislator Nacerino called the question.

By Roll Call Vote: Six Ayes – Legislators Addonizio, Castellano, Ellner, Nacerino, Sayegh and Chairman Jonke. Three Nays – Legislators Crowley, Gouldman and Montgomery. Motion Fails.

Chairman Jonke called for a Roll Call Vote on the resolution.

RESOLUTION #216

APPROVAL/ APPOINTMENT OF OUTSIDE COUNSEL FOR THE LEGISLATURE

WHEREAS, by memorandum dated September 11, 2024, the Chair of the Legislature informed the County Attorney that, due to actual or potential conflicts involving the Law Department and Legislative Counsel, the Legislature finds itself in the position of being without counsel on several different matters; and

WHEREAS, in said memorandum, the Chair of the Legislature requested that, pursuant to Putnam County Code Section 140-3.5 ("Contracting for legal services"), the County Attorney appoint Keane & Beane, P.C., Attorneys at Law, as counsel to the Legislature; and

WHEREAS, Putnam County Code Section 140-3.5 authorizes the County Legislature to approve its own procurement for a contract for the services of legal counsel, which shall be approved by the Chairperson of the Legislature and the County Attorney; and

WHEREAS, pursuant to Putnam County Charter Section 8.02(f), the County Attorney shall have all the powers and perform all the duties conferred or imposed by law on a County Attorney, and perform such other and related nonconflicting duties required by the County Executive or the County Legislature; and

WHEREAS, it is a conflicting duty for the County Attorney to approve or deny approval of the Legislature's choice of counsel to deal with matters where the County Attorney has a conflict; and

WHEREAS, pursuant to Putnam County Charter 2.04(q), the County Legislature shall have the power to appoint, as deemed necessary and proper, by resolution duly adopted, outside counsel on a per case basis; now therefore be it

RESOLVED, that, pursuant to Putnam County Code Section 140-3.5, the Putnam County Legislature approves the procurement for a contract for the services of legal counsel with Keane & Beane, P.C., Attorneys at Law, as counsel to the Legislature, as previously approved by the Chair of the Legislature; and be it further

RESOLVED, that in the event that there is any impediment to the procurement of such a contract pursuant to Putnam County Code Section 140-3.5, the Legislature invokes its authority pursuant to Putnam County Charter 2.04(q) to directly appoint outside counsel for the purpose of dealing with matters where there is a conflict involving the County Attorney or the Department of Law; and be it further

RESOLVED, that in the event the firm of Keane & Beane is unable or unwilling to accept the appointment for any reason, or to continue as counsel to the Legislature after being engaged, the Chair of the Legislature shall approve and be authorized to appoint alternate counsel for the Legislature.

BY ROLL CALL VOTE: SIX AYES. THREE NAYS – LEGISLATORS CROWLEY, GOULDMAN & MONTGOMERY. MOTION CARRIES.

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

Item #6m – Approval – Budgetary Amendment (24A080) – DPW – Insurance Recovery – Guardrail Damages – Farmers Mill & White Pond and Deans Corners Rd & Rt 22 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 #217

APPROVAL – BUDGETARY AMENDMENT (24A080) – DPW – INSURANCE RECOVERY – GUARDRAIL DAMAGES – FARMERS MILL & WHITE POND AND DEANS CORNERS RD & RT 22

WHEREAS, the Department of Public Works has been compensated a total of \$14,419.76 for guardrail damages resulting from two (2) separate accidents; and

WHEREAS, compensation has been received in the amount of \$7,172.91 from Geico for guardrail damages on Farmers Mills Road & White Pond Road, and \$7,246.85 from State Farm Insurance for guardrail damages on Deans Corners Road & Route 22; and

WHEREAS, Risk Manager Mat Bruno requested a budgetary amendment (24A080) 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 42680	DPW – Rd/Bridges – Insurance Recoveries	14,419.76
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Increase Expenses:

10511000 54410	DPW – Rd/Bridges – Supplies & Materials	4,077.84
10511000 54647	DPW – Rd/Bridges – Sub-Contractors	<u>10,341.92</u>
		14,419.76

2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6n – Approval – Budgetary Amendment (24A085) – Soil & Water Performance Measures Funds was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Crowley, Legislator Ellner moved the following:

RESOLUTION #218

APPROVAL – BUDGETARY AMENDMENT (24A085) – SOIL & WATER PERFORMANCE MEASURES FUNDS

WHEREAS, the Soil & Water Conservation Board voted to utilize \$57,000 of Performance Measures Funds in the Soil & Water Conservation District Trust Funds to purchase a “batwing” mower to be used on environmentally sensitive areas maintained by the County, and \$20,000 to assist the Town of Putnam Valley with the repair to their Lake Peekskill Culvert System; and

WHEREAS, the Soil & Water Conservation Board agreed to fund the purchase of a hydrodynamic separator to help reduce future sediment production from the culvert system; and

WHEREAS, the Putnam County Soil & Water District Manager has requested a budgetary amendment (24A085) to account for the purchase of this piece of equipment and partnership initiative; 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 Appropriations:

10874500 52680	Soil & Water – Other Equipment	57,000
10874500 54936	Soil & Water – Partnership Initiative	<u>20,000</u>
		77,000

Increase Revenue:

10874500 439105	Soil & Water – Performance Measures	77,000
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2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6o – Approval – Budgetary Amendment (24A087) – DPW – Parks & Recreation Water Sewer Charges was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Crowley, Legislator Ellner moved the following:

RESOLUTION #219

APPROVAL – BUDGETARY AMENDMENT (24A087) – DPW – PARKS & RECREATION WATER SEWER CHARGES

WHEREAS, the Department of Public Works Deputy Commissioner has requested a budgetary amendment (24A087) to the Parks & Recreation Water Sewer Charges; and

WHEREAS, the funding will allow for DPW to proceed with upgrades to the ultraviolet disinfection lamp, repair backup generator, and cover additional general operating costs for the remainder of the year; and

WHEREAS, the County is reimbursed by the Department of Environmental Protection (DEP) for 50-60 percent of these costs; 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 Appropriations:

10085000 54632	DPW Golf – Waste Water Sewer	22,500
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Decrease Contingency:

10199000 54980	Contingency – General Contingency Charges	22,500
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2024 Fiscal Impact - \$22,500

2025 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6p – Approval – Budgetary Transfer (24T280) – Soil & Water Conservation District Board – NYS Department of Agriculture & Markets Award - Fish Cradles at Kirk Lake was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Crowley, Legislator Ellner moved the following:

RESOLUTION #220

APPROVAL – BUDGETARY TRANSFER (24T280) – SOIL & WATER CONSERVATION DISTRICT BOARD – NYS DEPARTMENT OF AGRICULTURE & MARKETS AWARD - FISH CRADLES AT KIRK LAKE

WHEREAS, the Putnam County Soil & Water District program has received \$6,000 from the NYS Department of Agriculture & Markets; and

WHEREAS, these funds are to be used on approved community conservation projects in the year of receipt; and

WHEREAS, any unused funds must be returned to the Agriculture & Markets; and

WHEREAS, the Soil & Water Conservation District Board has approved the use of the 2024 award for the installation of fish cradles at Kirk Lake in Mahopac as part of an effort to provide shelter for smaller fish in the lake food chain; and

WHEREAS, the Soil & Water District Manager has requested a budgetary transfer (24T280) to account for this award; and

WHEREAS, the Physical Services 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:

Increase Appropriations:

10874500 54682	Soil & Water – Special Services	6,000
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Decrease Appropriations:

10874500 54554	Soil & Water – Agriculture Board	6,000
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2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6q – Approval – Department of Public Works – Use of Capital Reserve – Amend (19CP06) (Hire Professional Architectural and/or Engineering Services) was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Crowley, Legislator Ellner moved the following:

RESOLUTION #221

APPROVAL - DEPARTMENT OF PUBLIC WORKS - USE OF CAPITAL FACILITY RESERVE - AMEND (19CP06) (Hire Professional Architectural and/or Engineering Services)

WHEREAS, by Resolution #97 of 2019, the Putnam County Legislature approved the use of the Capital Facility Reserve fund for Project #19CP06 – Hire Professional Architectural and/or Engineering Services, at a cost not to exceed \$100,000; and

WHEREAS, by Resolution #107 of 2022, the Putnam County Legislature approved an amendment to Project #19CP06, adding additional funding of \$30,000; and

WHEREAS, by Resolution #97 of 2023, the Putnam County Legislature approved an amendment to Project #19CP06, adding additional funding of \$50,000; and

WHEREAS, the use of outside consultants continues to be necessary; and

WHEREAS, the Commissioner of DPW has proposed an additional amount of \$50,000 from the Capital Facility Reserve fund to allow the department to continue to move projects forward through the use of outside consultants; and

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

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

19CP06 – Hire Professional Architectural and/or Engineering Services

\$ 100,000 – Approved by Resolution #97 of 2019

30,000 – Approved by Resolution #107 of 2022

50,000 – Approved by Resolution #97 of 2023

50,000 – Additional Funding

\$ 230,000 – Total Project cost not to exceed

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6r – Approval - Department of Public Works - Use of Capital Facility Reserve - Amend (19CP09) (Roof Replacements at Three County Facilities) was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Crowley, Legislator Ellner moved the following:

RESOLUTION #222

APPROVAL - DEPARTMENT OF PUBLIC WORKS - USE OF CAPITAL FACILITY RESERVE - AMEND (19CP09) (Roof Replacements at Three County Facilities)

WHEREAS, by Resolution #123 of 2019, the Putnam County Legislature approved the use of the Capital Facility Reserve fund for Project #19CP09 – Roof Replacements – Cornerstone Park, Salt Shed at Carmel location & Salt Shed at Patterson location, at a cost not to exceed \$99,000; and

WHEREAS, by Resolution #118 of 2021, the Putnam County Legislature approved an amendment to Project #19CP09, adding an additional \$20,000 to provide ongoing maintenance to County facility roofs; and

WHEREAS, by Resolution #108 of 2022, the Putnam County Legislature approved an amendment to Project #19CP09, adding an additional \$45,000 towards the roof replacement of the Schweiger Hall building at Camp Wilbur Herrlich; and

WHEREAS, by Resolution #246 of 2023, the Putnam County Legislature approved an amendment to Project #19CP09, adding an additional \$75,000 for repairs at Building 2 at the Donald B. Smith Campus and the Koehler Senior Center; and

WHEREAS, the Commissioner of DPW has proposed an additional amount of \$100,000 to allow for programmatic roof repairs and replacements throughout our County facilities in order to keep our buildings 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:

19CP09 – Roof Replacements

\$ 99,000 – Approved by Resolution #123 of 2019
20,000 – Approved by Resolution #118 of 2021
45,000 – Approved by Resolution #108 of 2022
75,000 – Approved by Resolution #246 of 2023
100,000 – Additional Funding
\$339,000 – Total Project cost not to exceed

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6s – Approval – Department of Public Works - Use of Capital Facility Reserve - Amend (20CP01) (Access Control) was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Crowley, Legislator Ellner moved the following:

RESOLUTION #223

APPROVAL – DEPARTMENT OF PUBLIC WORKS - USE OF CAPITAL FACILITY RESERVE - AMEND (20CP01) (Access Control)

WHEREAS, by Resolution #144 of 2017 & Resolution #55 of 2020, the Putnam County Legislature approved the use of the Capital Facility Reserve fund for an “Access Control” Project to provide uniform access control systems throughout County Facilities; and

WHEREAS, by Resolution #74 of 2021, Resolution #98 of 2023 and Resolution #94 of 2024, the Putnam County Legislature approved an amendment to Project #20CP01, adding additional funding to further continue this program; and

WHEREAS, some of the facilities and departments with successful security installation under this program include the Law Department, the Sheriff’s Department, the Department of Motor Vehicles, the County Office Building, the Donald B. Smith Campus Building 3 and Board of Elections Building; and

WHEREAS, the Commissioner of DPW has requested an additional amount of \$20,000 to continue this program, providing new security and access control at various facilities; and

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

RESOLVED, that the Putnam County Legislature approves and authorizes the expenditure of \$20,000 from the Capital Facility Reserve fund budget line 55197000 53000 51509 as follows:

20CP01 – Access Control

\$ 82,537 – Approved by Resolution #144 of 2017 (CP-6)

75,000 – Approved by Resolution #55 of 2020
35,000 – Approved by Resolution #74 of 2021
20,000 – Approved by Resolution #98 of 2023
50,000 – Approved by Resolution #94 of 2024
20,000 - Additional funds requested to continue project
\$282,537 - Total Project cost not to exceed

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6t – Approval - Department of Public Works - Use of Capital Facility Reserve - Amend (20CP04) (Concrete Sidewalk & Stair Safety Repair Program) was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Crowley, Legislator Ellner moved the following:

RESOLUTION #224

APPROVAL - DEPARTMENT OF PUBLIC WORKS - USE OF CAPITAL FACILITY RESERVE - AMEND (20CP04) (Concrete Sidewalk & Stair Safety Repair Program)

WHEREAS, by Resolution #120 of 2020, the Putnam County Legislature approved the use of the Capital Facility Reserve fund for Project #20CP04 – Concrete Sidewalk & Stair Safety Repair Program for County facilities at a cost not to exceed \$50,000; and

WHEREAS, by Resolution #247 of 2023, the Putnam County Legislature approved an amendment to Project #20CP04, adding additional funding to further continue this program; and

WHEREAS, the Commissioner of DPW has proposed an additional amount of \$25,000 for the continuation of this safety program on an as needed basis throughout our County facility locations 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 \$25,000 from the County Facility Reserve fund budget line 55197000 53000 51509 as follows:

20CP04 – Concrete Sidewalk & Stair Safety Repair Program

\$ 50,000 – Approved by Resolution #120 of 2020
100,000 - Approved by Resolution #247 of 2023
25,000 – Additional funding
\$175,000 – Total Project cost not to exceed

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6u – 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 #225

**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, Resolution #100 of 2023, and Resolution #248 of 2023 the Putnam County Legislature approved amendments to Project #22CP01, adding additional funds to continue the program; and

WHEREAS, the Commissioner of DPW has proposed an additional amount of \$75,000 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 \$75,000 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
75,000 – Additional funding
\$450,000 – Total Project cost not to exceed**

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6v – Approval – Department of Public Works - Use of Capital Facility Reserve - (23CP13) (Doors, Frames & Hardware 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 #226

**APPROVAL – DEPARTMENT OF PUBLIC WORKS - USE OF CAPITAL FACILITY RESERVE
- (23CP13) (Doors, Frames & Hardware Replacement Program at Various County Facilities)**

WHEREAS, by Resolution #112 of 2023, the Putnam County Legislature approved the use of \$50,000 from the Capital Facility Reserve to fund Project #23CP13 – Doors, Frames & Hardware Replacement Program at Various County Facilities; and

WHEREAS, under this program, issues at the DPW Administrative Building, IT/GIS and Cornerstone Park were addressed and remedied; and

WHEREAS, additional facilities are currently being evaluated and will need to be addressed; and

WHEREAS, the Commissioner of DPW has proposed an additional amount of \$25,000 for the continuation of this 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 approves and authorizes the expenditure of \$25,000 from the Capital Facility Reserve fund budget line 55197000 53000 51509 as follows:

23CP13 – Doors, Frames & Hardware Replacement Program

\$ 50,000 – Approved by Resolution #112 of 2023

25,000 – Additional Funding

75,000 – Total Project cost not to exceed

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6w – Approval – Putnam County Legislature’s Intent to Act as Lead Agency under SEQRA Re: Lease Approval and Monroe Balancing Test for an Emergency Wireless Telecommunications Facility was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Crowley, Legislator Ellner moved the following:

RESOLUTION #227

APPROVAL - PUTNAM COUNTY LEGISLATURE’S INTENT TO ACT AS LEAD AGENCY UNDER SEQRA RE: LEASE APPROVAL AND MONROE BALANCING TEST FOR AN EMERGENCY WIRELESS TELECOMMUNICATIONS FACILITY

WHEREAS, the Town of Philipstown is the owner of the property located at 50 Fishkill Road, Cold Spring, New York (“Property”); and

WHEREAS, the County desires to use a portion of the Property for the installation of a 120 foot cellular monopole tower with the associated equipment shelter, backup generators and telecommunications equipment; and

WHEREAS, the County, working with Motorola, desires to use a portion of the Property to install the support structure and compound area necessary to accommodate the emergency telecommunications coverage needs of various County Emergency Service Departments; and

WHEREAS, the County and Motorola desire to enter into a public private partnership with the Town of Philipstown by entering into a lease agreement (“Agreement”), for the purpose of constructing the monopole tower and supporting equipment (the “Facility”), with County emergency service antennas located thereon all of which shall be situated on or within the lease parcel; and

WHEREAS, the property is subject to a conservation easement through Open Space Institute (“OSI”), of whom the County has worked closely with to receive authorization/ approval to construct the Facility thereon; and

WHEREAS, the County Legislature intends to also review the proposal to determine whether the Facility should be exempt from local zoning requirements; and

WHEREAS, the approval of the Agreement and the determination whether the Facility should be exempt from local zoning requirements shall be deemed the “Project”;
and

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

WHEREAS, involved and interested agencies have been identified in connection with the proposed action; and

WHEREAS, a full Environmental Assessment form (EAF) has been prepared for the Project; and

WHEREAS, the Putnam County Legislature (the “Legislature”), after review of Part 617, finds that the proposed action is an “Unlisted” action, as defined in 6 NYCRR Part 617.2; now therefore be it

RESOLVED, that the Legislature hereby declares its intent to serve as the Lead Agency under the procedures and requirements of SEQRA and will circulate a Lead Agency Notice along with the EAF and associated documentation to all Involved and Interested Agencies and will follow protocol in accordance with and as required by all relevant rules and regulations.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6x – Approval – Grant Application – State and Municipal (SAM) Facilities Grant Program – Putnam County Veterans Museum Quonset Hut was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Crowley, Legislator Ellner moved the following:

RESOLUTION #228

APPROVAL - GRANT APPLICATION - STATE AND MUNICIPAL (SAM) FACILITIES GRANT PROGRAM - PUTNAM COUNTY VETERANS MUSEUM QUONSET HUT

WHEREAS, Section 5-2(E) of the Putnam County Code provides that an applicant of any grant application that does not require local Putnam County (“the County”) matching funds shall notify the Putnam County Legislature (“the Legislature”) of the submission of a grant application and, further, if the Legislature objects to such grant application, the applicant shall not apply for said grant; and

WHEREAS, by and through the State of New York and the Office of Assemblyman Matt Slater, the County has the opportunity to apply for a State and Municipal (“SAM”) Facilities Program Grant in the amount of \$50,000 administered by the Dormitory Authority of the State of New York (“DASNY”) for the construction of the Putnam County Veterans Museum Quonset Hut project in the lower portion of Veterans Memorial Park (“the Project”); and

WHEREAS, the purpose of the grant funds is to subsidize the costs associated with the Project; and

WHEREAS, there is no matching fund requirement by the County to accept the SAM Facilities grant for the Project; now therefore be it

RESOLVED, that the Legislature authorizes and approves the County’s submission, by the Department of Planning, Development and Public Transportation, of its application for a \$50,000 grant administered through DASNY and awarded by the SAM Facilities Grant Program for the Project; and be it further

RESOLVED, that this resolution shall take effect immediately.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #6y – Approval – Budgetary Amendment (24A084) – Sheriff’s Department – NYS Sheriff’s Association, Inc. Assistance – BCI Overtime 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 #229

APPROVAL – BUDGETARY AMENDMENT (24A084) – SHERIFF’S DEPARTMENT – NYS SHERIFF’S ASSOCIATION, INC. ASSISTANCE – BCI OVERTIME

WHEREAS, the Putnam County Sheriff requested a budgetary amendment (24A084) to cover Overtime expenses for one (1) Sheriff’s Department BCI Officer to attend training courses during June 2024; and

WHEREAS, funding assistance for these courses is covered by grant funding through the NYS Governor’s Traffic Safety Committee; and

WHEREAS, reimbursement is for said Officer to attend Drug Recognition Expert (DRE) School courses June 3rd- 7th and June 10th- 14th, as well as an Advanced Roadside Impaired Driving Enforcement (ARIDE) Class June 20th- 21st; 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 Revenues:

32311000 427701 Sheriff BCI – Unclassified 5,609.04

Increase Expenses:

32311000 51093 Sheriff BCI – Overtime 5,210.57

32311000 58002 Sheriff BCI – Social Security 398.47

5,609.04

2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6z – Approval – Budgetary Amendment (24A086) – Legal Services – 18B State Aid – Indigent Legal Services was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

RESOLUTION #230

APPROVAL – BUDGETARY AMENDMENT (24A086) – LEGAL SERVICES – 18B STATE AID – INDIGENT LEGAL SERVICES

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (24A086) to amend the 2024 Putnam County Legal Aid Services budget to recognize State Aid received that was not included in the budget; 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 Appropriations:

25117100 54125	Legal Aid 18B – Legal Services	116,000
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Increase Revenues:

25117100 430251	State Aid-Indigent Legal Services	116,000
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2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6aa – Approval – Budgetary Amendment (24A088) – Department of General Services (DGS) – Automotive Insurance Recovery was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

RESOLUTION #231

APPROVAL – BUDGETARY AMENDMENT (24A088) – DEPARTMENT OF GENERAL SERVICES (DGS) – AUTOMOTIVE INSURANCE RECOVERY

WHEREAS, the Department of General Services (DGS) has been compensated for a Vehicle Accident Claim in the amount of \$864.29; and

WHEREAS, the Risk Manager Mat Bruno requested a budgetary amendment (24A088) to proceed with the repair of the vehicle used to transport the mail; 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 Revenues:

10161000 426802	DGS – Insurance Recoveries	864.29
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Increase Expenses:

10161000 54370	DGS – Automotive	864.29
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2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6bb – Approval – Fund Transfer (24T291) – Office for Senior Resources – Food & Janitorial Supplies was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

RESOLUTION #232

APPROVAL – FUND TRANSFER (24T291) – OFFICE FOR SENIOR RESOURCES – FOOD & JANITORIAL SUPPLIES

WHEREAS, the Director of the Office for Senior Resources has requested a fund transfer (24T291) to cover the increase in food costs and janitorial supplies; and

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

RESOLVED, that the following fund transfer be made:

Decrease:

10677900 54646	Contracts	38,178.00
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Increase:

10677200 54419	Janitorial Supplies	643.80
10677400 54320	Food	10,983.69
10677400 54326	Commodity Food	2,848.89
10677400 54419	Janitorial Supplies	766.12
10677400 54320 10185	Food	5,062.79
10677400 54326 10185	Commodity Food	1,355.80
10677400 54419 10185	Janitorial Supplies	354.09
10677800 54320	Food	11,670.16
10677800 54326	Commodity Food	3,037.67
10677800 54419	Janitorial Supplies	811.19
10677900 54419	Janitorial Supplies	<u>643.80</u>
		38,178.00

2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #7 – Other Business

There was no other business submitted to the meeting.

Item #8 – Recognition of Public on Agenda Items

There were no members of the public that wished to speak.

Item #9 - Recognition of Legislators

Legislator Addonizio stated that the Department of Health will be holding a Household Hazardous Waste Day in her Legislative District in Kent on Saturday, October 5, 2024 from 8:30am to 12:30pm at Fahnestock State Park, Canopus Beach Parking Lot. She stated that pre-registration is required, and you can register by visiting the website at: putnamcountyny.gov/health/recycle#HHWD or call 845-808-1390 extension 43125.

Legislator Montgomery believed that the path the Legislature was taken was unfortunate for the people of Putnam County. She stated that we have seen an attack on the very foundation of democracy where at this meeting I was not allowed to speak more than once. She stated that democracy is based on deliberation. She did not believe that we were capable of doing that here, which was unfortunate. She believed it was politics without ethics.

Legislator Gouldman reminded everyone to get involved in the 2025 Putnam County Budget process which starts this Thursday, October 3rd in this building at 7:00pm when the County Executive will present the budget.

There being no further business, at 7:54 P.M., Chairman Jonke made a motion to adjourn; seconded by Legislator Ellner. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.