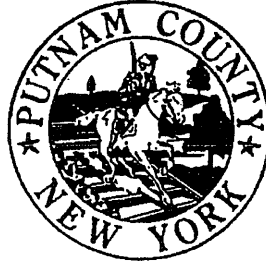


THE PUTNAM COUNTY LEGISLATURE

40 Gleneida Avenue
Carmel, New York 10512
(845) 808-1020 Fax (845) 808-1933

Paul E. Jonke *Chairman*
Amy E. Sayegh *Deputy Chair*
Diane Schonfeld *Clerk*
Robert Firriolo *Counsel*



Nancy Montgomery	Dist. 1
William Gouldman	Dist. 2
Toni E. Addonizio	Dist. 3
Ginny Nacerino	Dist. 4
Greg E. Ellner	Dist. 5
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Joseph Castellano	Dist. 7
Amy E. Sayegh	Dist. 8
Erin L. Crowley	Dist. 9

AGENDA
RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
TO BE HELD IN ROOM #318
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512

Members: Chairwoman Addonizio and Legislators Ellner & Gouldman

Tuesday 6:30pm **April 18, 2023**

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Acceptance of Minutes – March 22, 2023**
- 4. Approval/ Local Law to Amend Chapter 220 of the Code of Putnam County Entitled “Taxation”**
- 5. Approval/ Support Putnam County’s Request to New York State to Amend Public Officer’s Law/ Planning Commissioner Residency**
- 6. Other Business**
- 7. Adjournment**

#3

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
HELD IN ROOM #318
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512**

Members: Chairwoman Addonizio and Legislators Ellner & Gouldman

**Wednesday March 22, 2023
(Immediately following Economic Development Mtg. at 6:00pm)**

The meeting was called to order at 6:32pm by Chairwoman Addonizio who requested Legislator Ellner lead in the Pledge of Allegiance. Upon roll call Legislators Ellner and Gouldman and Chairwoman Addonizio were present.

Item #3 – Acceptance of Minutes – December 14, 2022 & January 19, 2023

The minutes were accepted as submitted.

Item #4 – Approval/ Putnam Arts Council Grants for 2023

Chairwoman Addonizio stated the Putnam Arts Council received 25 funding requests totaling \$77,782 this year. She stated the available funding for the grant program is \$44,793 (\$13,993 from Putnam County and \$30,800 from New York State). She stated the Putnam Arts Council will be funding 25 projects, 15 of them being funded with County dollars.

Legislator Gouldman questioned how the grants are determined.

Executive Director of the Putnam Arts Council Joyce Picone stated the grant program is open to all community non-profits and presenters that are Putnam County based. She stated the applications are then reviewed by an independent panel. She stated artistic merit and number of people it will reach are the primary focus of each project.

Legislator Gouldman questioned how the panelists are determined and why some are not from Putnam County.

Executive Director Picone stated several of the individuals moved out of the County recently but are still familiar with Putnam County. She stated the panel members serve a three (3) year term but they sometimes see changes more often than that.

Legislator Gouldman requested clarification on the number of grants being awarded.

Executive Director Picone stated the list of projects provided to the Legislature is reflective of the 15 projects being funded utilizing the funds received from the County. She stated she would be happy to provide a full list of the 25 grants being awarded.

Chairwoman Addonizio thanked Executive Director Picone for her hard work and spoke to the importance of art programs in the community.

Executive Director Picone stated the arts are important in terms of culture and enrichment as well as economic development. She stated arts are a leader in job creation and for every \$1 spent there are \$7-\$8 indirectly raised through arts programming.

Chairwoman Addonizio stated there are also many programs that are beneficial for senior citizens.

Executive Director Picone stated there are art programs all over the County with a range of disciplines and accessibility. She stated the arts are also great for children to help with self-esteem.

Legislator Crowley thanked Executive Director Picone for her work. She questioned if there is a comprehensive plan for the arts in the community and if Tourism is involved.

Executive Director Picone stated yes, the Putnam Arts Council works with Tourism a lot. She stated she is also working on a new comprehensive plan and she would be glad to share her strategic plan.

Legislator Montgomery stated she recently toured Boscobel with County Executive Byrne; it is the most visited tourist cultural center in Putnam County. She stated arts inject over \$6 million into the regional economy each year. She stated she is grateful for the grant money coming into her district, but when compared to the sales tax revenue coming back to the County there is an imbalance. She stated she hopes her colleagues will look at it from that perspective and consider increasing funding for the arts.

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

Item #5 – Discussion/ Decreased Funding for Department of Veterans Services in NYS Fiscal Year 2024 Budget

Chairwoman Addonizio stated there is a \$4.5 million decrease in the Fiscal Year 2024 Executive Budget for Veterans Services.

Director of the Veterans Service Agency Karl Rohde stated Governor Hochul expanded the Joseph P. Dwyer Vet to Vet program from 35 counties to all 62 counties in New York State. He clarified that this expansion is not budgeted under Veterans Services, but rather under Mental Health. He stated Putnam County has had the Joseph P. Dwyer Vet to Vet program for eight (8) years and has never received an increase in funding. He listed the programs that were cut in this year's Executive Budget and what their funding was last year (the bolded items have the most impact on Putnam County):

- New York State Defenders Association Veterans Defense Program (\$500,000)
- **Legal Services of the Hudson Valley Veterans & Military Families Advocacy Project (\$405,000)**
- Clear Path for Veterans (\$325,000)
- New York State Defenders Association Veterans Defense Program – Long Island (\$220,000)
- **Helmets-to-Hardhats (\$200,000)**
- Legal Services of NYC Veterans Justice Project (\$200,000)
- **Sage Veterans' Project (\$150,000)**
- **Outdoor RX (\$150,000)**
- North Country Veterans Association (\$125,000)
- **Department of New York Veterans of Foreign Wars of United States, Inc. (\$125,000)**
- American Legion Dunbar Post 1642 (\$100,000)
- Vietnam Veterans of America – New York State Council (\$100,000)
- John Venditti War Veterans Post 1 (\$10,000)
- Rome Veterans' Park (\$10,000)

He stated another funding cut that could have a big impact is the \$5 million construction grant that has been available in previous budgets. He stated local Veterans Service Agencies can submit an application for funding through this bucket of funds for needed renovations to their Veterans facilities and Veterans homes. He stated this is vital funding because many Veterans Service Agencies do not have a great deal of income to pay for these projects. He stated Veterans should not have to beg for this funding and his fear is that these cuts are the beginning of even more decreases moving forward.

Chairwoman Addonizio stated that \$5 million construction fund is separate from the \$4.5 million decrease she referred to earlier.

Director Rohde stated that is correct. He stated Assemblyman Matt Slater held a press conference on these budget cuts as well.

Chairwoman Addonizio stated she would like to draft a resolution to send to Governor Hochul and our New York State representatives to implore them to restore this funding before finalizing the budget.

Director Rohde stated he would send the information he has to the Legislature.

Legislator Montgomery questioned if our other State representatives were contacted regarding these cuts.

Director Rohde stated he spoke with Assemblywoman Levenberg as well.

Legislator Jonke stated he is grateful Assemblyman Slater organized the press conference and he was happy to attend. He stated it is disgraceful that every year we have to beg for our Veterans.

Director Rohde stated he is on a Veterans Advisory Committee for the New York State Social Workers Association and similarly, they need to lobby in Albany every year for funding.

Legislator Sayegh stated every day 22 Veterans commit suicide; these services are a lifeline. She stated discontinuing these services can have a detrimental impact. She requested clarification on the \$5 million construction grant.

Director Rohde stated local American Legions and VFWs can apply for funding to renovate their facilities. He stated programs were also added to the budget for Veterans this year. He stated one program is that a fleet of vans will go into remote areas to provide Veterans Services. He stated this is not a program that will have a great impact on Putnam County. He stated the other program is that they are doubling farmers market coupons provided to Veterans. He stated last year he had \$500 worth of them leftover; nobody wanted them because they are difficult to use. He stated there are only two (2) places that accept them. He stated these two programs that have been increased will not have a significant impact on Putnam County.

Item #6 – Discussion/ Request by Carl Albano/ Proposal of Cancellation of Delinquent Property Tax Interest, Penalties, and Other Charges

Carl Albano, resident, clarified that his proposal is a reduction of delinquent property tax, not a cancellation. He stated this matter came to his attention at the end of last year (when he was the Legislator for District #5). He stated someone who owes, for example, \$30,000 in taxes could be paying \$9,000 in interest and penalties. He stated \$28 million is currently owed to the County and the accrued interest is \$6 million, which is around 20% of what is owed. He stated his first question was if reducing the interest and penalties was something the County was able to do, and it is permissible under New York State Law but would require a local law to be adopted. He stated he believes charging the high penalties and interest is not in the best interest of the taxpayers, especially with the financial hardship that the COVID pandemic created for many residents. He requested that the local law be amended to allow the County to consider their options in regard to reducing penalties and interest. He stated foreclosing on properties is an expensive process. He stated there are 1200-1300 properties currently in arrears dating back to 2014. He stated offering taxpayers the opportunity to catch up on their taxes might alleviate some of the workload associated with those properties.

Chairwoman Addonizio questioned if Mr. Albano's proposal would be a one (1) time opportunity for taxpayers.

Mr. Albano stated that would be up to the Legislature.

Chairwoman Addonizio questioned if the tax rate is set by New York State.

Mr. Albano stated the tax rate is not a mandatory amount.

Legislator Ellner stated there are a lot of moving parts here including whether those in arrears are a commercial entity or a single taxpayer. He stated the objective of this proposal is for the County to collect part of what it is owed. He stated his concern is that if this amnesty is granted, what could happen down the line. He stated it could make people less inclined to pay what they owe. He recognized that there are many people facing hardship.

Mr. Albano stated this specific proposal addresses those currently in arrears. He stated these cases date back to 2014. He stated COVID created financial hardship for many people. He stated the County received Federal funding in response to the COVID pandemic and collected more sales tax than what was budgeted for; the County is in good financial health.

Legislator Ellner stated looking at this from a different perspective, it raises the question why this was not addressed previously when there are 1,300 properties that have not paid their fair share.

Mr. Albano stated that is a good point; if it had come to his attention earlier he would have brought this forward sooner.

Legislator Gouldman stated in some ways this proposal makes a lot of sense, but it needs some limitations and restrictions. He stated he has no issue offering a break to the average taxpayer however he does not believe a developer or business should be eligible. He stated if the Legislature moves forward with this proposal, he suggested that it only be offered to low income and middle-class taxpayers. He stated it should not be offered for properties that are vacant land or multiple parcels; it should only be for properties with a home where the homeowner resides. He suggested capping the forgiveness at \$20,000. He stated this should really be for an individual or a family who is facing a real hardship, not a developer. He provided two examples of situations where he does not believe the County should grant amnesty; one is a developer who owns land in Putnam Valley and owes \$500,000 in property taxes. This developer was offered fair market value for the property and refused the offer. He stated there is also an individual who owns multiple homes in Putnam Valley and throughout Putnam County and has not paid their property taxes. He stated those who have a need and who are invested in the community are those who should be entitled to this.

Mr. Albano agreed with Legislator Gouldman. He stated there are many details to be worked out, but the first step is to amend the local law to allow the County to move forward with this. He stated the County should do everything it can to get these properties dating back to 2014 off the books. He stated other issues can follow these types of properties. He restated that his proposal is not to waive or forgive the taxes, but rather allow the taxpayer to pay what is due and provide a break on the penalties and interest.

Legislator Gouldman stated it is important to be careful not to send a bad message to taxpayers that some are “getting away” with not paying their taxes.

Mr. Albano agreed, it should not be a cancellation. He stated the first step is to amend the local law.

Legislator Crowley stated after putting a lot of consideration into this, what it comes down to is if it is fair and equitable. She stated she has many concerns including where the loss of revenue will be made up if 50% of the interest and penalties are forgiven and if that cost will be passed along to taxpayers. She stated we are quite possibly heading into a recession and although the County currently has a surplus of funds, the future cannot be predicted. She stated this program does not give the residents who pay their taxes on time incentive to continue doing so and it is not retroactive for those who were in arrears and did everything they could to pay their debt. She stated the County offers a payment plan for those who communicate the need for assistance. She stated during the COVID pandemic an Executive Order was issued by then-Governor Cuomo that offered counties the ability to implement an amnesty program similar to the one being proposed, however at that time Putnam County did not opt in. She stated there were also federally funded programs, such as the New York State Homeowners Assistance Fund, dedicated to helping homeowners at risk of default, foreclosure, or displacement and a result of financial hardship caused by the COVID pandemic. She stated she researched similar initiatives and contacted surrounding counties, Dutchess, Westchester, and Orange, and found that no program like the one being proposed here was being offered. She stated she also reached out to Commissioner of Finance Bill Carlin, who provided the following statement: *“Pursuant to your inquiry, please be advised that our tax software is designed to process real property tax law as it exists today. If a cap on interest and penalties were to be implemented, I could not ensure that our software would be able to accommodate changes to perform the necessary calculations. The finance department would have to be apprised of the specific changes recommended, and then we would need to perform an evaluation to determine what computer software needs to be recoded, if applicable. I can advise you that if recoding is necessary, our experience has been that it can be a time consuming, expensive process. Finally, any cap calculations would require a software solution, as it would be impractical to be performed by hand.”*

Legislator Sayegh stated she believes the reason these properties are backed up from 2014 is due to limitations faced in the Law Department during the COVID pandemic. She agreed with Legislator Crowley’s statement regarding residents who have made every effort to pay their taxes on time and it could seem like those who did not are being rewarded.

Mr. Albano stated this program would not cause a financial burden to the County because it will incentivize taxpayers to pay what they owe to the County. He stated the proposal is to reduce the excessive interest. He stated any incentive to encourage people to pay their debt is a positive thing. He stated it would be better to have the taxes paid on these properties than to have to foreclose on the properties. He stated by

thinking outside of the box, these payments can be made more fair for the taxpayers and Putnam could be the first county to offer such a program.

Legislator Jonke agreed with Mr. Albano that the Legislature should at the very least entertain the local law. He stated a few Legislators mentioned "fair and equitable" and he clarified that this proposal would not discount taxes; it would relieve some penalties and interest that have built up over time. He stated he has worked within the boundaries of real property tax law for 35 years and knows what fair and equitable is. He stated he also knows there are exemptions in life and this falls into that category. He stated he would be in favor of implementing this for a limited amount of time when people can pay their tax bill and a percentage of the penalties and interest with a discount or exemption. He stated there are only 43,000 parcels in Putnam County and if 1,300 of them are in arrears. He stated we need to do what we can to allow the taxpayers who can to pay their tax bill. He stated he also spoke with Commissioner Carlin, who is opposed to this, and his response was that the County does not need the money. He disagreed with that; the County could always use the money. He stated the first step is to amend the local law.

Chairwoman Addonizio questioned how realistic it is that individual taxpayers would have the money on hand to cover their tax bill. She stated a payment plan might be a better option.

Mr. Albano questioned what Legislator Castellano's experience is with foreclosures in Westchester County and if it is sometimes settled for less.

Legislator Castellano stated a foreclosure proceeding could be settled for less, there are negotiations involved. He stated to be so far behind is a big burden on the County Law Department. He stated there are a lot of good points being brought forward. He stated collecting payments and fixing the books at the same time would be great; the County certainly does not want to foreclose on all of these properties.

Legislator Nacerino stated the compounded interest is what is becoming more of a burden to any property owner. She stated no revenue is being generated from taxes on the properties in arrears dating back to 2014. She stated as Legislator Jonke mentioned, if this local law is amended the County will have the ability to design the criteria however it deems appropriate. She stated she is interested in moving forward to develop a plan that would benefit both the County and offer some relief to homeowners.

Legislator Crowley questioned if the program could differentiate between residential and commercial properties, or if that would be discriminatory.

Legislative Counsel Robert Firriolo stated currently in the Putnam County Code there is a requirement that taxes be imposed equitably. He stated he would have to look into the State law to find if it could be distinguished that way. He stated there is also a practical consideration as to whether or not the tax system is capable of determining if a given property is being occupied as residential or if it's owned by a commercial entity or

a resident. He stated the local law is enabling legislation that, if enacted, would not grant any exemptions or reductions but simply authorize the Legislature to draft a resolution which would do that. He stated the local law is the first step.

Legislator Montgomery stated she would like to see how many of the properties in arrears are owned by individuals and how many are owned by corporations or developers. She stated there are some people who go into foreclosure and then declare bankruptcy when the property is on the auction block and the house remains theirs. She suggested looking into offering grant funding for those who are really hurting utilizing ARPA (American Rescue Plan Act) funding. She stated she knows this has been done for businesses in other counties, but is unsure about individual homeowners. She stated enacting the program proposed this evening opens it up across the board to everyone including predatory developers and those who play games with the property taxes. She recognized there are many people in need and it is getting harder to live in Putnam County. She stated there are other ways to help using the County's surplus revenue and ARPA funding.

Legislator Ellner stated he would be more comfortable if there was a structured payment plan and if the taxpayer adhered to the plan, at the end is when the relief would be granted. He recognized that many residents are hurting.

Mr. Albano stated putting the law in place will allow the County to structure this in a way that is fair to Putnam County as a whole.

Legislator Montgomery stated we could start by not raising taxes each year with no new services being provided.

Chairwoman Addonizio stated the school taxes are very costly.

Mr. Albano stated not all counties do this, but Putnam County makes the towns, villages, and schools whole when taxes are not paid.

Legislator Sayegh questioned if the County currently has a payment plan for those in arrears.

Mr. Albano stated yes, they do.

Chairwoman Addonizio stated she would request how many people are currently on a payment plan.

Legislator Montgomery stated she would like to see how many individuals and how many corporations are on a payment plan.

Mr. Albano requested the Committee to look at the local law. He believes this is the right thing to do for the taxpayers.

Item #7 – Other Business – None

Item #8 – Adjournment

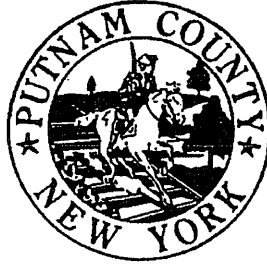
There being no further business at 7:28pm, Chairwoman Addonizio made a motion to adjourn; Seconded by Legislator Gouldman. All in favor.

Respectfully submitted by Administrative Assistant Beth Robinson.

THE PUTNAM COUNTY LEGISLATURE

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AGENDA

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
TO BE HELD IN ROOM #318
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512**

Members: Chairwoman Addonizio and Legislators Ellner & Gouldman

Wednesday March 22, 2023
(Immediately following Economic Development Mtg. at 6:00pm)

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Acceptance of Minutes – December 14, 2022 & January 19, 2023**
- 4. Approval/ Putnam Arts Council Grants for 2023**
- 5. Discussion/ Decreased Funding for Department of Veterans Services in NYS Fiscal Year 2024 Budget**
- 6. Discussion/ Request by Carl Albano/ Proposal of Cancellation of Delinquent Property Tax Interest, Penalties, and Other Charges**
- 7. Other Business**
- 8. Adjournment**

#4

A LOCAL LAW TO AMEND CHAPTER 220 OF THE CODE OF PUTNAM COUNTY ENTITLED "TAXATION"

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

Section 1.

Section 220-35 of the Code of Putnam County is hereby amended to read as follows:

§ 220-35 Legislative intent.

The purpose of this article is to establish a policy for handling delinquent property taxes by of the County of Putnam. An eligible owner will be permitted to apply for the installment of payment of delinquent property taxes in installments. Upon written application of an eligible owner, submitted to the Commissioner of Finance, the County of Putnam will consider the payment of such taxes in installments in accordance with the terms and conditions contained herein.

This article also recognizes the authority of the Legislature to waive interest, penalties, and other charges related to delinquent property taxes. Nonetheless, it is intended by the County of Putnam, in formulating this policy, to treat all delinquent taxpayers similarly situated in the same manner.

Section 2.

Section 220-50 of the Code of Putnam County is hereby amended to read as follows:

§ 220-50 ~~Effective date.~~ Cancellation or reduction of interest, penalties, and other charges.

If the governing body of any tax district shall determine that it is for the best interests of the tax district, it shall have the power, by resolution, to authorize the enforcing officer to permit the cancellation in whole or in part of any interest, penalties or other charges imposed by law to which the tax district or any other municipal corporation shall be lawfully entitled; provided, however, that in cases where such interest, penalties, or other charges, if collected by the tax district, belong to a municipal corporation therein, no reduction or remission in whole or in part of such interest, penalties, or other charges shall be made without the consent of the municipal corporation affected, which consent may be given by resolution adopted after a public hearing. This article shall be made effective on January 1, 1995.

Section 3.

This Local Law shall take effect immediately upon filing with the New York Secretary of State.

Putnam County legislature

April 10, 2023

ATT: Chairwomen Rules Committee, Toni E. Addonizio

At this time, I would like to submit for consideration an amendment to our local County law, chapter 220, Article VI. At the end of last year, it came to my attention that the county is backed up on past due tax foreclosures as far back as 2014. There are 1,200-1.300 properties that have taxes owed. This situation clearly needs to be addressed.

Currently the County is owed approximately \$28,300,000. Accrued interest and penalties are approximately \$6,232,000. These interest and penalties appear to be well over 20% being charged to constitutes who are clearly struggling. In these times, I can't imagine that any legislator believes it is fair to charge these exorbitant fees and interest. Please note that an amendment to the law we'll have no immediate effect on outstanding taxes and penalties.

The proposed amended Law will merely give the legislature the ability to explore this issue and perhaps make some changes or modifications to penalties and interest due. One suggestion was to cut interest and penalties in half for those who pay up. The resulting tax and interest penalty would be closer to 10%. Still high, however much more inline with what might be considered fair.

This amendment to the law will in no way consider waving taxes due. It will merely allow the legislature to consider some relief on the exorbitant interest and penalties that Putnam is currently charging.

This situation is not unique to Putnam. I believe that if Putnam was a leader and addressed this issue, other Counties would follow.

This is perhaps the best time to revisit this issue since covid clearly was a burden for many. In addition the County refinanced most of its dept at 2-3% interest.

Please consider the facts. The County debt is financed at around 3% interest and yet we charge those that are struggling over 20%. Only the credit card companies can top that.

I have to believe that no one clearly looked at this issue and if they did there would have been a more fair process in place today. It is time to amend the law to allow consideration for other logical options. Every fair opportunity should be considered to help our constituents to keep their properties and homes.

Thank you,
Carl Albano



2023 APR 10 PM 2:16
LEGISLATURE
PUTNAM COUNTY
CARMEL, NY

WILLIAM J. CARLIN, Jr. CPA
Commissioner of Finance



MICHAEL J. LEWIS
Chief Deputy Commissioner of Finance

SHEILA M. BARRETT
Deputy Commissioner of Finance

DEPARTMENT OF FINANCE

MEMORANDUM TO: Diane Shonfeld
Legislative Clerk

MEMORANDUM FROM: William J. Carlin, Jr. *WJC*
Commissioner of Finance

DATE: January 4, 2023

REFERENCE: December 29, 2022 Memo

Attached please find response to the December 29, 2022 Memo from Chairman Neal Sullivan.

2023 JAN 11 - 5 PM 12:44

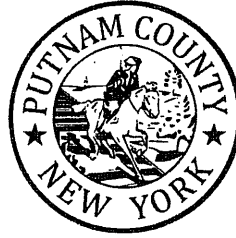
Response to Legislature Memorandum of December 29, 2022

Putnam County Delinquent tax as of 1/4/2023

Lien Year	Outstanding taxes	Accrued interest	50% Accrued interest
2014 Lien	\$1,374,531.87	\$316,898.30	\$158,449.15
2015 Lien	\$1,685,411.54	\$460,334.64	\$230,167.32
2016 Lien	\$2,104,561.36	\$920,239.01	\$460,119.51
2017 Lien	\$2,125,499.24	\$929,949.99	\$464,975.00
2018 Lien	\$2,407,213.93	\$930,908.11	\$465,454.06
2019 Lien	\$2,840,642.06	\$949,097.03	\$474,548.52
2020 Lien	\$3,493,543.44	\$898,951.38	\$449,475.69
2021 Lien	\$4,834,754.64	\$676,866.69	\$338,433.35
2022 Lien	\$7,427,575.33	\$148,552.09	\$74,276.05
Totals	\$28,293,733.41	\$6,231,797.24	\$3,115,898.62

Fiscal impact on County if 50% accrued interest is forgiven

\$3,115,898.62



#5

PUTNAM COUNTY EXECUTIVE
KEVIN M. BYRNE

March 24, 2023

The Honorable Paul Jonke
Chairman, Putnam County Legislature
County Office Building
40 Gleneida Avenue
Carmel, NY 10512

2023 MAR 24 PM 2:03
LEGISLATURE
PUTNAM COUNTY
CARMEL, NY

FYI: Planning Commissioner Residency Requirements

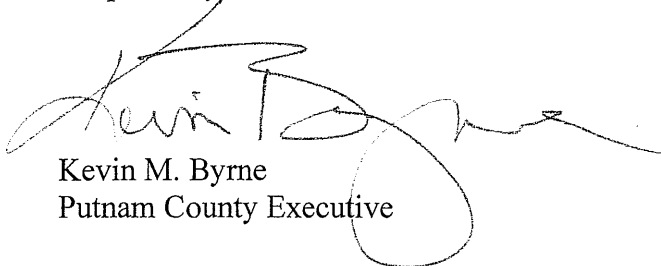
Dear Chairman Jonke,

For your reference, I wish to inform you of state legislation that we have requested regarding the residency requirements for the Putnam County Commissioner of Planning, Development and Public Transportation. As you are aware, the Department has been without a permanent Commissioner since June of 2022. The position was posted publicly as soon as I took office; however, the current residency requirement significantly, under the state's Public Officers Law, limits the pool of qualified candidates for the position.

After discussions with the Personnel Department, we have elected to request an exemption to the Public Officers Law from the state Legislature so that Putnam County will be able to recruit from counties contiguous to our own in New York. This will allow us to tap into a wider pool of candidates. It is important to note that the existing residency requirement, as currently written, is a New York State requirement and is not contained within our Putnam County Charter and Code. The state legislation would remedy this issue. A resolution in support from the county legislature, while it may not be required, would be valuable and deeply appreciated.

Please do not hesitate to share this letter with your colleagues. If you have any questions, my office number is 845-808-1001 or please feel welcome to call me on my personal cell.

Respectfully,



Kevin M. Byrne
Putnam County Executive

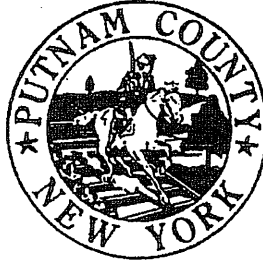
THE PUTNAM COUNTY LEGISLATURE

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MEMORANDUM

DATE: April 11, 2023

TO: Kevin Byrne
Putnam County Executive

FROM: Toni Addonizio
Chairwoman, Rules, Enactments, & Intergovernmental Relations Committee

RE: Planning Commissioner Residency Requirements

The Legislature is in receipt of your letter dated March 24, 2023 notifying us that your office has made a request for an exemption to the State Public Officers Law to allow the Putnam County Planning Commissioner to reside in a contiguous New York county.

Your request for a supporting resolution by the Legislature would go before the Rules, Enactments, & Intergovernmental Relations Committee for consideration. As Chairwoman of the Rules Committee, I respectfully ask that you provide a copy of the request your office made to New York State for the Committee's review as well as a draft resolution in support of the request.

Please note in order to have this item considered at the April 18, 2023 Rules Committee Meeting, this information will need to be submitted to the Legislative Office no later than tomorrow, Wednesday, April 12, 2023 to be included on the agenda.

Thank you for your attention to this request.



PUTNAM COUNTY EXECUTIVE
KEVIN M. BYRNE

2023 APR 12 PM 4:18
LEGISLATURE
PUTNAM COUNTY
CARMEL, NY

Memorandum

DATE: April 12, 2023

TO: Toni Addonizio
Chairwoman, Rules, Enactments, & Intergovernmental Relations Committee

FROM: County Executive Kevin Byrne

SUBJECT: Planning Commissioner Residency Requirements Letter

Upon your request, attached is a letter sent by my office to Senator Peter Harckham and Assemblyman Matt Slater dated March 6th, 2023 requesting the introduction of state legislation to amend the Public Officers Law (§) 3 (1) "Qualifications for Holding Office" to permit the position of Commissioner of Planning, Development and Public Transportation to be held by a qualified individual who is a resident of a New York county contiguous to Putnam County.

For your additional information, Assemblyman Slater and Senator Harckham have both introduced the requested legislation and there is an Assembly and Senate bill on file (A05742/S06062.) The legislative bill draft is also attached for your convenience.

Thank you and please feel free to contact my office with any additional follow-up questions related to this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Kevin M. Byrne", written over a large, stylized circular flourish.

Kevin M. Byrne
Putnam County Executive



**PUTNAM COUNTY EXECUTIVE
KEVIN M. BYRNE**

March 6, 2023

Senator Pete Harckham
188 State Street
Legislative Office Building
Room 315
Albany, NY 12247

Assemblyman Matt Slater
188 State Street
Legislative Office Building
Room 433
Albany, NY 12247

Dear Senator Harckham and Assemblyman Slater,

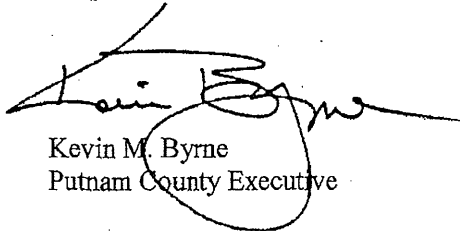
I thank you for your commitment to serving the people of Putnam County and advocating for our community at the state level. I am reaching out to you to ask for your assistance in passing legislation related to our Planning, Development, and Public Transportation Department. As you are likely aware, this department is an essential part of county government, serving our citizens and driving economic growth on a daily basis.

The Department has been without a Commissioner since July 2022. My administration conducted an extensive search for a replacement even prior to taking office in January 2023. Unfortunately, we have been hampered by current requirements that the Putnam County Commissioner of Planning, Development and Public Transportation, in addition to having highly technical and specialized training and skill qualifications, must be a resident of Putnam County. This has limited our candidate pool significantly. Although Putnam County has a talented and robust workforce, identifying qualified candidates to fill this unique and specialized position in a small county has been challenging.

I am requesting that your office introduce legislation during the 2023 New York State Legislative Session that will amend the Public Officers Law § 3 (1) "Qualifications For Holding Office" to permit the position of Commissioner of Planning, Development & Public Transportation be held by an qualified individual who is a resident of a New York county contiguous to Putnam County.

Legislation permitting Putnam County the opportunity to expand the pool of candidates it can consider for this critical position would greatly aid our county and support long-term community development that all our citizens deserve. Please contact Matt Covucci, Chief of Staff, at 845-808-1001 if you have any questions.

Respectfully,



Kevin M. Byrne
Putnam County Executive

KB/mc/md

Legislative Bill Drafting Commission
10230-01-3

S. -----
Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

PUBOFFLA
(Waives the residency requirement
for the commissioner of planning,
development and public transporta-
tion within Putnam county)

Pub Off. Putnam county waiver

AN ACT

to amend the public officers law, in
relation to waiving the residency
requirement for the commissioner of
planning, development and public
transportation within Putnam county

The People of the State of New
York, represented in Senate and
Assembly, do enact as follows:

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal:

s15 Addabbo	s34 Fernandez	s28 Krueger	s01 Palumbo	s42 Skoufis
s43 Ashby	s60 Gallivan	s24 Lanza	s21 Parker	s11 Stavisky
s36 Bailey	s12 Gianaris	s16 Liu	s19 Persaud	s45 Stec
s57 Borrello	s59 Gonzalez	s50 Mannion	s13 Ramos	s35 Stewart- Cousins
s46 Breslin	s26 Gouardes	s04 Martinez	s05 Rhoads	s44 Tedisco
s25 Brisport	s53 Griffo	s07 Martins	s33 Rivera	s06 Thomas
s55 Brouk	s40 Harckham	s02 Mattera	s39 Rolison	s49 Walczyk
s09 Canzoneri- Fitzpatrick	s54 Helming	s48 May	s61 Ryan	s52 Webb
s17 Chu	s41 Hinchey	s37 Mayer	s18 Salazar	s38 Weber
s30 Cleare	s47 Hoylman- Sigal	s03 Murray	s10 Sanders	s08 Weik
s14 Comrie	s31 Jackson	s20 Myrie	s23 Scarcella- Spanton	
s56 Cooney	s27 Kavanagh	s51 Oberacker	s58 O'Mara	s32 Sepulveda
s22 Felder	s63 Kennedy	s62 Ortt	s29 Serrano	

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a078 Alvarez	a140 Conrad	a150 Goodell	a017 Mikulin	a016 Sillitti
a031 Anderson	a032 Cook	a116 Gray	a122 Miller	a052 Simon
a121 Angelino	a039 Cruz	a100 Gunther	a051 Mitaynes	a075 Simone
a037 Ardila	a043 Cunningham	a139 Hawley	a145 Morinello	a114 Simpson
a035 Aubry	a021 Curran	a083 Heastie	a144 Norris	a094 Slater
a120 Barclay	a018 Darling	a028 Hevesi	a045 Novakhov	a005 Smith
a106 Barrett	a053 Davila	a128 Hunter	a069 O'Donnell	a118 Smullen
a105 Beephan	a072 De Los Santos	a029 Hyndman	a091 Otis	a022 Solages
a107 Bendett	a003 DeStefano	a079 Jackson	a132 Palmesano	a110 Steck
a082 Benedetto	a070 Dickens	a104 Jacobson	a088 Paulin	a010 Stern
a042 Bichotte	a054 Dilan	a011 Jean-Pierre	a141 Peoples- Stokes	a127 Stirpe
Hermelyn	a081 Dinowitz	a134 Jensen	a023 Pheffer	a102 Tague
a117 Blankenbush	a147 DiPietro	a115 Jones	Amato	a064 Tannousis
a015 Blumencranz	a009 Durso	a077 Joyner	a063 Pirozzolo	a086 Tapia
a073 Bores	a099 Eachus	a125 Kelles	a089 Pretlow	a071 Taylor
a098 Brabenec	a048 Eichenstein	a040 Kim	a019 Ra	a001 Thiele
a026 Braunstein	a074 Epstein	a013 Lavine	a030 Raga	a033 Vanel
a138 Bronson	a109 Fahy	a065 Lee	a038 Rajkumar	a055 Walker
a046 Brook-Krasny	a061 Fall	a126 Lemondes	a006 Ramos	a143 Wallace
a020 Brown, E.	a008 Fitzpatrick	a095 Levenberg	a062 Reilly	a112 Walsh
a012 Brown, K.	a004 Flood	a060 Lucas	a087 Reyes	a041 Weinstein
a093 Burdick	a057 Forrest	a135 Lunsford	a149 Rivera	a024 Weprin
a085 Burgos	a124 Friend	a123 Lupardo	a027 Rosenthal, D.	a059 Williams
a142 Burke	a050 Gallagher	a129 Magnarelli	a067 Rosenthal, L.	a113 Woerner
a119 Buttenschon	a131 Gallahan	a101 Maher	a025 Rozic	a080 Zaccaro
a133 Byrnes	a007 Gandolfo	a036 Mamdani	a111 Santabarbara	a096 Zebrowski
a044 Carroll	a068 Gibbs	a130 Manktelow	a090 Sayegh	a056 Zinerman
a058 Chandler- Waterman	a002 Giglio, J.A.	a108 McDonald	a076 Seawright	
a049 Chang	a148 Giglio, J.M.	a014 McDonough	a084 Septimo	
a136 Clark	a066 Glick	a097 McGowan	a092 Shimsky	
a047 Colton	a034 Gonzalez- Rojas	a146 McMahan	a103 Shrestha	

1) Single House Bill (introduced and printed separately in either or
both houses). Uni-Bill (introduced simultaneously in both houses and printed
as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2
signed copies of bill and: in Assembly 2 copies of memorandum in support, in
Senate 4 copies of memorandum in support (single house); or 4 signed copies
of bill and 6 copies of memorandum in support (uni-bill).

1 Section 1. Section 3 of the public officers law is amended by adding a
2 new subdivision 73 to read as follows:

3 73. In the county of Putnam, the provisions of this section requiring
4 a person to be a resident of the political subdivision or municipal
5 corporation of the state for which he or she shall be chosen or within
6 which his or her official functions are required to be exercised, shall
7 not prevent a person from holding the office of commissioner of plan-
8 ning, development and public transportation, provided that such person
9 resides in a county adjoining Putnam county within the state of New
10 York; provided, however that any person performing such functions or
11 holding such offices in any other county shall be a resident of such
12 county unless otherwise provided by law.

13 § 2. This act shall take effect immediately.