

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

Wednesday

April 8, 2015

7:00 P.M.

The meeting was called to order at 7:00 P.M. by Chairman Albano who requested that Legislator Castellano lead in the Pledge of Allegiance. Chairman Albano led in the Legislative Prayer. Upon roll call, Legislators Scuccimarra, Gouldman, Addonizio, Nacerino, Castellano, LoBue, Wright and Chairman Albano were present. Legislator Gross was absent. Also present was Legislative Counsel Van Ross.

PROCLAMATIONS

A representative from PARC was unable to attend due to the change in the date of the Full Legislative meeting. This proclamation will be presented at the May Full Legislative meeting.

**MARCH 2015 AS DEVELOPMENTAL DISABILITIES AWARENESS MONTH
APRIL 2015 AS AUTISM AWARENESS MONTH**

WHEREAS, PARC – Exceptional Opportunities for People with Disabilities - is an integral part of our community, serving both as a business as well as a human services agency; and

WHEREAS, for sixty one years, PARC has been the leading provider of services for children and adults with developmental disabilities from birth through advanced age; and

WHEREAS, PARC is one of the leading employers in Putnam County and also offers Vocational Training and Vocational Rehabilitation to participants so they can provide quality work to the business community, training employees in both supported and competitive placements and preparing high school special education students with the skills needed to enter the workforce; and

WHEREAS, PARC educates and assists children with autism and special needs through its Preschool to reach their fullest potential and retain their success through their participation in the public school system; and

WHEREAS, PARC's residential program provides a family atmosphere for more than 130 people in both homes and apartments throughout Putnam County; and

WHEREAS, PARC's clinic provides a support system for both PARC participants and their families through individual, group, and vocational counseling; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim March 2015 and April 2015 as Developmental Disabilities Awareness Month and Autism Awareness Month, respectively, and recognize and commend PARC on its Sixty First Anniversary and for the

valuable services this agency provides to people with disabilities, their families, and the business community.

Chairman Albano recognized Legislator Scuccimarra who presented the “Peers Influence Peers” to President Frank Reale and Executive Vice President Buck Heller of the Peers Influence Peers Partnership.

APRIL 2015 AS PEERS INFLUENCE PEERS MONTH

WHEREAS, the use of alcohol and illegal drugs cause serious health, social and educational problems for our young people; and

WHEREAS, it has been empirically proven that substance abuse is significantly involved in the three leading causes of death for young people – car crashes, homicides and suicides – and is also a major factor in school dropouts, violence and vandalism as well as HIV/AIDS, teenage pregnancy, rapes and sexual assaults; and

WHEREAS, the recent upturns in drug and alcohol usage, as documented in state and national surveys, show that we must target effective prevention strategies at key population groups, such as middle and high school students; and

WHEREAS, the Peers Influence Peers Partnership has demonstrated a great deal of initiative and sophistication in developing proactive media messages against alcohol and other drug use; and

WHEREAS, that work, which has been aired through numerous schools and cable TV systems throughout our state, has won praise from many authorities; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby recognize April 2015 as PEERS INFLUENCE PEERS MONTH in hope that this declaration and a joint effort of all agencies and authorities to encourage young people to help others by encouraging them to live safe and healthy lives, may one day rid our children and their children’s children of the scourge of drug and alcohol abuse.

Chairman Albano recognized Legislator Nacerino who presented the “Teen Driver Safety Awareness” proclamation to Undersheriff Convery and Captain Velotti.

APRIL 2015 AS TEEN DRIVER SAFETY AWARENESS MONTH

WHEREAS, statistics and experience demonstrate that the greatest danger to our youth in Putnam County, and throughout our country, are the dangers posed from traffic crashes; and

WHEREAS, highway crash statistics inform us that although teen drivers make up only 7% of the driving population, they comprise 18% of the injury related automobile crashes; and

WHEREAS, the leading cause of accidental deaths to our youthful population throughout the United States are automobile accidents; and

WHEREAS, analysis shows us that the reasons for teen overrepresentation in injury related automobile crashes include: driver inexperience, excessive speed, unnecessary risk taking, inattentive driving and use of alcohol and drugs; and

WHEREAS, in Putnam County, we have too often experienced a tragedy with the death of a teen driver at the wheel. Many of these deaths have occurred during the spring and summer months with a high incidence rate during the period leading up to prom season; and

WHEREAS, all accidents are preventable and crash rates can be lowered through the use of education and awareness programs through the use of our school systems, law enforcement programs and youth services organizations such as Boy Scouts, Girl Scouts, Junior RTC programs and the Civil Air Patrol, just to name a few; and

WHEREAS, these programs work best when there is a period set aside for local government at every level, our school districts and churches, synagogues and youth service organizations come together to provide these educational programs; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim April 2015 as Teen Driver Safety Awareness Month in Putnam County. We encourage all levels of government, our school districts, law enforcement, our churches and synagogues, our youth service organizations and all the citizens of Putnam County to support programs that promote teen driver safety awareness in Putnam County thereby protecting one of our most precious resources, our children and grandchildren.

Chairman Albano presented the “National Safe Boating” proclamation to Undersheriff Convery, Captain Velotti, Mr. Charlie Melchner and members of the Coast Guard Auxiliary #603 and the Sheriff’s Department.

MAY 2015 AS NATIONAL SAFE BOATING MONTH

WHEREAS, recreational boating is a fun and enjoyable sport while being an excellent source of relaxation; and

WHEREAS, however, boating to the unprepared can be a risky sport; and

WHEREAS, knowledge and skills are important in reducing human error and improving judgment when boating; and

WHEREAS, if a person is aware of the risks, they are likely to take precautionary measures to protect themselves, their family, and their friends; and

WHEREAS, the United States Coast Guard Auxiliary has served the County for nearly seventy (70) years by providing boating education courses, making marine dealer visitations, conducting boating safety checks, and tending multi-mission patrols; and

WHEREAS, using their own boats and equipment, the Coast Guard Auxiliary has been able to reduce boating accidents and fatalities; and

WHEREAS, through volunteer services, the Coast Guard Auxiliary has made the waters of the County safer by spreading messages of boating safety, not only during National Safe Boating Month, but throughout the entire year; now therefore be it

RESOLVED, that the Putman County Executive and the Putnam County Legislature do hereby support the goals of the North American Safe Boating Campaign and proclaim May 2015 as “National Safe Boating Month” in Putnam County and the start of the year-round effort to promote safe boating.

Chairman Albano recognized Legislator Addonizio who presented the “National Library Week” proclamation to Director of the Mahopac Library, Michele Capozzella; Trustee of the Kent Library, Florence Ratti and Town of Kent Resident Ms. Jean Ehnebuske,

NATIONAL LIBRARY WEEK APRIL 12-28, 2015

WHEREAS, libraries are the hearts and hubs of their communities and create potential and possibilities within their communities; and

WHEREAS, libraries provide essential resources, collections and programs for all ages and demographics; and

WHEREAS, libraries level the playing field for all who seek access to information and technologies; and

WHEREAS, libraries continuously grow and evolve in meeting the needs of every member of their communities across all demographics; and

WHEREAS, libraries provide gathering places for neighbors, friends, newcomers and entrepreneurs to come together to benefit and enrich their communities; and

WHEREAS, librarians are trained, tech-savvy professionals who provide their communities with Internet access, technology training and access to downloadable content like e-books; and

WHEREAS, libraries offer services such as job-seeking resources, homework help, retirement-planning sessions; storytimes, literacy classes, and summer reading programs; and

WHEREAS, libraries, librarians, library staff and supporters across America are celebrating National Library Week; Now therefore be it

RESOLVED, that I, Carl Albano, Chair of the Putnam County Legislature, and I, MaryEllen Odell, Putnam County Executive, proclaim National Library Week, April 12 – 18, 2015. We encourage all county residents to visit their local libraries to take advantage of the wealth of library resources our libraries provide.

Chairman Albano recognized Legislator Wright who presented the “Organ Donation Awareness” proclamation to the Representative of LiveOnNY, Mr. Stefan Segadlo; Liver Recipient, Ms. Janet Ocasio and Heart Recipient, Ms. Jessi-Ann Bettcher.

APRIL 2015 AS ORGAN DONATION AWARENESS MONTH

WHEREAS, there is a growing need for organ and tissue donors across our nation; and

WHEREAS, New York has the third highest need for donors, yet only 22% of the eligible population (over the age of 18) has registered to become an organ, eye, and tissue donor; and

WHEREAS, through increased public awareness and education on the lifesaving benefits of organ donation an increased number of people who enroll in the New York State Donate Life Registry can hopefully be achieved; and

WHEREAS, the Putnam County Executive has detailed the “Live on NY” private-public partnership with the County of Putnam, Putnam County Board of Health, and the Putnam Hospital Center to bring together the leaders in our community to highlight the need to address organ donations; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature designate the month of April as Organ Donation Awareness Month in Putnam County.

Chairman Albano recognized Legislator Scuccimarra who presented the “Alcohol Awareness” proclamation to Commissioner of Social Services, Michael Piazza.

APRIL 2015 AS ALCOHOL AWARENESS MONTH

WHEREAS, alcohol is the most commonly used addictive substance in the United States. One in every 12 adults (17.6 million people) suffer from alcohol abuse or dependence; and

WHEREAS, underage drinking presents an enormous public health issue and alcohol is the drug of choice among children and adolescents. Annually, approximately 5,000 youth under the age of 21 die from motor vehicle crashes, other unintentional injuries, and homicides and suicides that involve underage drinking; 100,000 persons die each year from alcohol-related causes: drinking and driving crashes, other accidents, falls, fires, alcohol-related homicides and suicides, and

WHEREAS, tragic health, social and economic problems result from the use of alcohol by youth. Underage drinking is a causal factor in a host of serious problems, including traumatic injury, violent and property crime, high risk sex, fetal alcohol syndrome, alcohol poisoning, and need for treatment for alcohol abuse and dependence; and

WHEREAS, the 2012 Communities That Care Prevention Needs Assessment Survey reports that 56.7% of Putnam County youth grades 8-12 have used alcohol in their lifetime; and

WHEREAS, young people who begin drinking before the age of 15 are four times more likely to develop alcohol dependence and are two and half times more likely to become abusers of alcohol than those who begin drinking at age 21; and

WHEREAS, more than 7 million children live in a household where at least one parent is dependent on or has abused alcohol; and

WHEREAS, alcohol-related problems cost America \$224 billion (\$746 per person) in lost productivity, absenteeism, healthcare costs, crime and family-related problems; and

WHEREAS, the typical American will see 100,000 beer commercials before he or she turns 18; now therefore be it

RESOLVED, that the Putnam County Executive, and the Putnam County Legislature do hereby proclaim April 2015 as Alcohol Awareness Month and along with the Putnam County Communities That Care Coalition and all substance abuse prevention and treatment providers in Putnam County encourage all residents to increase their awareness of alcohol use disorders, the dangers of alcohol abuse, the success of prevention and treatment programs, especially for our youth, and to

support and encourage referrals for treatment of individuals when an alcohol use disorder is suspected or present.

Item #4 – Approval of Minutes – Regular Meeting – March 4, 2015
Special Meeting - March 12, 2015

The minutes were approved as submitted.

Item #5 – Correspondence
a) County Auditor

There was no activity during the reporting period.

Item #6 – Pre-filed resolutions:

**ECONOMIC DEVELOPMENT & ENERGY COMMITTEE
(Chairman Gouldman, Legislators Addonizio & Scuccimarra)**

Item #6a – Approval/Memorialization/NYSAC Resolution/Recognizing the Vital Role that Industrial Development Agencies Play in New York State and Applauding the Important Work that IDAs do to Create Jobs and Encourage Economic Growth was next. Chairman Albano recognized Legislator Gouldman, Chairman of the Economic Development & Energy Committee. On behalf of the members of the Committee, Legislators Addonizio and Scuccimarra, Legislator Gouldman moved the following:

RESOLUTION #63

APPROVAL/MEMORIALIZATION/NYSAC RESOLUTION/RECOGNIZING THE VITAL ROLE THAT INDUSTRIAL DEVELOPMENT AGENCIES PLAY IN NEW YORK STATE AND APPLAUDING THE IMPORTANT WORK THAT IDAs DO TO CREATE JOBS AND ENCOURAGE ECONOMIC GROWTH

WHEREAS, Industrial Development Agencies (IDAs) are local government’s most important economic development tools; and

WHEREAS, IDA board members and staff serve at the pleasure of the governing body of the municipality and cooperate with local officials, state agencies, and businesses to focus on job retention, job creation and grant inducements for local economic benefit; and

WHEREAS, according to the Office of the State Comptroller in 2012 there were 4,521 active IDA-assisted projects in the State with total investment exceeding \$72.9 billion and projects that created 214,102 new jobs with a net value cost per job created of \$2,588, which, by any measure, is modest and efficient; and

WHEREAS, IDAs are playing an increasingly important role in revitalizing the downtowns of cities and towns and villages throughout the State; and

WHEREAS, IDAs are the nexus between the public and private sectors for economic development services; and

WHEREAS, IDAs work closely with existing employers in the community to help retain and expand their operations including a new emphasis on assisting with local and regional workforce issues; and

WHEREAS, IDAs work with colleges and universities to help implement the START-UP NY program and facilitate tech-based economic development opportunities; and

WHEREAS, IDAs lead the development and implementation of economic development strategic plans for the municipalities they serve; and

WHEREAS, IDAs are usually the “local partner” involved in supporting private sector projects also supported by the State; and

WHEREAS, in his 2015/16 Budget, Governor Cuomo introduced a proposal that would undermine local IDA authority by requiring Empire State Development to approve all State sales tax benefits offered, authorizing the Tax Commissioner to perform IDA audits, and requiring more extensive recordkeeping, reporting and clearances from the Tax Department; now therefore be it

RESOLVED, that Putnam County recognizes the important role that IDAs play in local, regional and statewide economic improvement and their essential function in creating jobs and revitalizing communities; and be it further

RESOLVED, that Putnam County calls on the Governor and State Lawmakers to take steps to strengthen the important role that IDAs play without enacting new laws and regulations that undermine IDA authority or inhibit the important work they perform; and be it further

RESOLVED, that, in order to ensure increased transparency and accuracy of IDA information, Putnam County calls for the current system of accountability and reporting be overhauled to improve accuracy of information submitted to the Authorities Budget Office through the Public Authorities Reporting Information System (PARIS); and be it further

RESOLVED, that Putnam County opposes the Governor’s proposal in the 2015/16 Executive Budget that infringes on local IDA authority, undermines the incentives IDAs can offer to businesses, and creates additional burdensome recording and reporting requirements; and be it further

RESOLVED, that copies of this resolution be sent to Governor Andrew M. Cuomo, Senator Susan Serino, Senator Terrence Murphy, Assemblyman Steve Katz, Assemblywoman Sandra Galef, Senate Majority Leader Dean Skelos, Assembly Speaker Carl Heastie, the New York State Comptroller and the New York State Association of Counties (NYSAC).

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

Item #6b – Approval/Appointment/Commission for Fiscal Vision & Accountability was next. On behalf of the members of the Economic Development & Energy Committee, Legislators Addonizio and Scuccimarra, Legislator Gouldman moved the following:

RESOLUTION #64

APPROVAL/APPOINTMENT/COMMISSION FOR FISCAL VISION & ACCOUNTABILITY

WHEREAS, by Resolution #173 of 2014, the Putnam County Legislature created a Commission for Fiscal Vision and Accountability consisting of 11 members; and

WHEREAS, by Resolution #173 of 2014, the Putnam County Legislature appointed seven (7) members to the Commission; and

WHEREAS, by Resolution #344 of 2014, the Putnam County Legislature appointed three (3) members to the Commission; and

WHEREAS, Patricia Ploeger has recently accepted the invitation to be appointed to the Commission; and

WHEREAS, the Economic Development & Energy Committee has reviewed and approves said appointment; now therefore be it

RESOLVED, that Patricia Ploeger, Town of Patterson, be appointed to the Commission for Fiscal Vision and Accountability:

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

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
(Chairwoman Addonizio, Legislators Gouldman & Scuccimarra)**

Item #6c – Approval/Re-Appointments/Region 3 Fish & Wildlife Management Board was next. Chairman Albano recognized Legislator Addonizio, Chairwoman of the Rules, Enactments & Intergovernmental Relations Committee. On behalf of the members of the Committee, Legislator Gouldman and Scuccimarra, Legislator Addonizio moved the following:

RESOLUTION #65

APPROVAL/RE-APPOINTMENTS/REGION 3 FISH & WILDLIFE MANAGEMENT BOARD

RESOLVED, that the following be re-appointed to the Region 3 Fish & Wildlife Management Board:

Raymond Merlotto, Town of Patterson, be re-appointed as Sportsman Representative for a two (2) year term, said term to expired December 31, 2015.

Timothy C. Keith, Town of Carmel, as Sportsman Alternate Representative, for a two (2) year term, said term to expire December 31, 2015.

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

Item #6d – Approval/Confirmation/Re-Appointment/Putnam County Board of Ethics was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Gouldman and Scuccimarra, Legislator Addonizio moved the following:

RESOLUTION #66

APPROVAL/CONFIRMATION/RE-APPOINTMENT/PUTNAM COUNTY BOARD OF ETHICS

RESOLVED, that upon the recommendation of the County Executive, the Putnam County Legislature confirms the following re-appointment to the Putnam County Board of Ethics:

Kathleen Delamere, for a three (3) year term, said term to expire December 31, 2017.

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

**PROTECTIVE SERVICES COMMITTEE
(Chairman Gross, Legislators Gouldman & Nacerino)**

Item #6e – Approval/Local Law Adding a New Chapter 197 to the Putnam County Code by Allowing for Sparkling Devices to be Excluded from the Dangerous Fireworks Definition as Permitted by New York State Penal Law Section 405(B) was next. Chairman Albano recognized Legislator Nacerino, member of the Protective Services Committee. On behalf of the members of the Committee, Chairman Gross and Legislator Gouldman, Legislator Nacerino moved the following:

RESOLUTION #67

A LOCAL LAW ADDING A NEW CHAPTER 197 TO THE PUTNAM COUNTY CODE BY ALLOWING FOR SPARKLING DEVICES TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK STATE PENAL LAW SECTION 405(B).

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

Section 1.

A new Chapter 197 entitled Sparkling Devices is hereby added to the Putnam County Code to read as follows:

Sale and Use of Sparkling Devices

§197-1. Establishment.

In keeping with New York State Chapter 477 of the Laws of 2014, and New York State Penal Code Section 405, the Putnam County Legislature finds and determines that sparkler devices may be sold and enjoyed within Putnam County.

§197-2. Definitions.

- A. “Sparkling Devices” which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:**

- (1) Cylindrical fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape but the interior**

tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.

- (2) Cone fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as is outlined in this subparagraph.
- (3) Wooden sparkler/dipped stick: these devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.
- (4) Novelties which do not require approval from the United States Department of Transportation, shall not be regulated as explosives, provided that they are manufactured and packaged as described below; are as follows:
 - (1) Party popper: Small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.
 - (2) Snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

§197-3. Devices Permitted to be Sold, Used & Distributed.

The sale and use of sparkler devices is permitted with the following restrictions:

- (1) Sales will only be permitted on or between June 1st through July 5th, and December 26th and January 2nd of each calendar year.
- (2) All distributors, manufacturers and retailers must be licensed through the New York State Department of State.
- (3) Only those 18 years of age or older may purchase said products.

§197-4. Severability.

If any part of or provisions of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or application thereof to other persons or circumstances.

Section 2. Effective Date.

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

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

**PERSONNEL COMMITTEE
(Chairwoman Nacerino, Legislators Castellano & Wright)**

Item #6f – Approval/Fund Transfer (15T021)/Sheriff’s Department/ Reclassification of Title was next. Chairman Albano recognized Legislator Nacerino, Chairwoman of the Personnel Committee. On behalf of the members of the Committee, Legislators Castellano and Wright, Legislator Nacerino moved the following:

RESOLUTION #68

APPROVAL/FUND TRANSFER (15T021)/SHERIFF’S DEPARTMENT/ RECLASSIFICATION OF TITLE

WHEREAS, due to changing times and personnel the Sheriff has requested a title change for the position of Chief Investigator, Bureau of Criminal Investigation to Criminal Investigations Captain; and

WHEREAS, this change in title will promote the filling of this position from within rather than hire from outside agencies; and

WHEREAS, the Personnel Department has provided a new job description for this position; and

WHEREAS, a fund transfer (15T021) is required to cover the additional funds needed for this Criminal Investigations Captain position; and

WHEREAS, the Personnel Committee and the Audit & Administration Committee have reviewed and approve said title change and fund transfer; now therefore be it RESOLVED, that the title of the position of Chief Investigator, Bureau of Criminal Investigation is hereby changed to Criminal Investigations Captain effective April 7, 2015; and be it further

RESOLVED, that the following fund transfer be made:

Decrease:		
10311000 51094	Temporary	4,782

Increase:		
10311000 51000 (311010114)	Personnel	4,782

2015 Fiscal Impact – 0 –
2016 Fiscal Impact \$9,629

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

Item #6g – Approval/Local Law to Amend the Putnam County Charter to Provide Procedure for Incorporating the Salaries Set for Election Workers Pursuant to Section 3-300 of the New York State Election Law was next. On behalf of the members of the Personnel Committee, Legislators Castellano and Wright, Legislator Nacerino moved the following:

RESOLUTION #69

A LOCAL LAW TO AMEND THE PUTNAM COUNTY CHARTER TO PROVIDE PROCEDURE FOR INCORPORATING THE SALARIES SET FOR ELECTION WORKERS PURSUANT TO SECTION 3-300 OF THE NEW YORK STATE ELECTION LAW

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

Section 1.

Section 2.04(g) of the Putnam County Charter is hereby amended to read as follows:

(g) To fix by resolution the compensation of all officers and employees paid from County funds except members of the judiciary and employees whose salary is set by the Board of Elections pursuant to Section 3-300 of the Election Law; also except that the compensation of any elected official paid from County funds shall not be decreased during his or her term of office.

Section 2.

A new subsection (d) is hereby added to Putnam County Charter Section 7.04(A)(5) to read as follows:

(d) The tentative budget shall contain such line items appropriations requested by the Board of Elections pursuant to Section 3-300 of the New York State Election Law. These requests must be submitted to the County Legislature by the 15th day of August

with a copy to the Commissioner of Finance. The County Executive may make recommendations to the Legislature as to whether these requests should be adjusted.

Section 3.

Subsection (9) of Section 7.04 is hereby amended to read as follows:

9. Appropriations Resolution. Upon adoption of the final annual operating budget, the County Legislature shall adopt an appropriations resolution to provide for the conduct of County government for the ensuing year. The resolution shall specify the appropriations to provide for Board of Elections personnel, the appropriations to provide for Board of Elections overtime, and the appropriations to provide for Board of Elections temporary employees.

Section 4.

Section 12.01 of the Putnam County Charter is hereby amended to read as follows:

1. There shall be a Putnam County Board of Elections constituted according to state law. The Commissioners of Elections shall be appointed by the County Legislature in accordance with the State Election Law, and shall have and exercise all powers and duties now or hereafter conferred or imposed by applicable law. The certificate of party recommendation required by § 3-204 of the Election Law shall be filed with the Clerk of the Legislature at least 30 days but no more than 60 days before the 1st day of January in any year in which a Commissioner of Elections must be appointed.
2. The Board of Elections shall file with the Commissioner of Finance and the County Legislature by the 15th of November of each year the salaries set for election workers for the upcoming year pursuant to Section 3-300 of the New York State Election Law.

Section 5.

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

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

**HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE
(Chairwoman Scuccimarra, Legislators Gross & LoBue)**

Item #6h – Approval/Budgetary Amendment (15A018)/Commissioner of Health/ Reallocation of Personnel/Vacancy in Nursing Division was next. Chairman Albano recognized Legislator Scuccimarra, Chairwoman of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators Gross and LoBue, Legislator Scuccimarra moved the following:

RESOLUTION #70

**APPROVAL/BUDGETARY AMENDMENT (15A018)/COMMISSIONER OF HEALTH/
REALLOCATION OF PERSONNEL/VACANCY IN NURSING DIVISION**

WHEREAS, the Commissioner of Health has requested a budgetary amendment (15A018) to reallocate Personnel due to a vacancy in the Nursing Division; and

WHEREAS, the Health, Social, Educational & Environmental Committee and the Audit & Administration Committee have reviewed and approve said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Decrease Estimated Appropriations:

10408200 51000	Personal Services	14,697
10408200 58002	FICA	165
10408200 58006	Dental	221
10408200 58008	Health Insurance	2,930
10408200 58009	Vision	36
11015000 51000	Personal Services	14,697
11015000 58002	FICA	863
11015000 58006	Dental	221
11015000 58008	Health Insurance	2,930
11015000 58009	Vision	36
21401000 51094	Temporary	3,720
21401000 58002	FICA	<u>285</u>
		40,801

Decrease Estimated Revenues:

10131000 427705	Vacancy Control Factor	13,959
10408200 434011	State Aid – WIC	777
11015000 434011	State Aid – Lead	5,453
21401000 434011	State Aid – Health Ed	<u>1,339</u>
		21,528

Increase Estimated Revenues:

11401000 434011	Stated Aid – Nursing	98
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Increase Estimated Appropriations:

10408200 51094	Temporary	12,540
11015000 51094	Temporary	3,420
11401000 51000	Personal Services	272
11401000 58002	FICA	20
11401000 58006	Dental	442
11401000 58008	Health Insurance	2,605
11401000 58009	Vision	<u>72</u>
		19,371

2015 Fiscal Impact (\$13,959)

2016 Fiscal Impact (\$13,959)

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

Item #6i – Approval/Appointment/Putnam County Board of Health/Dr. Raymond E. Phillips was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Gross and LoBue, Legislator Scuccimarra moved the following:

RESOLUTION #71

APPROVAL/APPOINTMENT/PUTNAM COUNTY BOARD OF HEALTH/DR. RAYMOND E. PHILLIPS

RESOLVED, that Dr. Raymond E. Phillips be appointed to the Putnam County Board of Health, to fill the unexpired six (6) year term of Dr. Michael Gaesser, said term to expire December 31, 2016.

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

Item #6j – Approval/ Resolution Requesting NYSDEC to Implement Safety Upgrades in the Transportation of Crude Oil was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Gross and LoBue, Legislator Scuccimarra moved the following:

Legislator Scuccimarra stated that millions of gallons of volatile crude oil travel through New York every day along the Hudson River over crumbling bridges and through towns and villages. She stated that we must protect our communities and ecosystems. She stated that with this resolution we join other counties stating that we need to reduce or eliminate the risks associated with train derailments.

Chairman Albano stated that this is a major issue that is right in our backyards that most people are not even aware of.

Legislator LoBue stated that she supported this resolution 100%. She stated it was brought to the Legislature's attention that these rail cars that are transporting oil were originally designed to transport orange juice. She was concerned that there were no safeguards in place. She believed if there was an explosion it would be catastrophic to the area; especially for the towns located along the Hudson River.

RESOLUTION #72

APPROVAL/ RESOLUTION REQUESTING NYSDEC TO IMPLEMENT SAFETY UPGRADES IN THE TRANSPORTATION OF CRUDE OIL

WHEREAS, crude oil is increasingly being transported by railroads from production fields in the west (particularly from the Bakken shale oil formation of North Dakota and heavy tar sands oil fields of Alberta, Canada) to ports including Albany, New York for transfer to barges and ships to be transported on the Hudson River to East Coast refineries; and

WHEREAS, crude oil from the Bakken shale deposits has proven to be more explosive and more corrosive than typical crude oils, and heavy, sinking oils from tar sands formations to be much more viscous than typical crude oils, making the protection

of public safety and environmental health from these particular types of oils, as well as spill response and remediation, extremely difficult and dangerous; and

WHEREAS, the nationwide volume of crude oil transported by rail has increased to more than 400,000 carloads in 2013 compared to 9,500 carloads in 2008, a more than 40-fold increase; as much as 20% of the highly volatile crude oil extracted from the Bakken formation is transported through New York State communities and ecosystems; and

WHEREAS, roughly two to three crude oil unit trains, each carrying approximately 3 million gallons of crude oil, travel everyday through Putnam County's adjoining County Orange County, including the City of Newburgh, and the Towns of Newburgh, New Windsor and Cornwall, and near critical public infrastructure including hospitals, municipal buildings, water and sewer treatment plants, and private businesses; and

WHEREAS, crude is commonly transported in class DOT-111 rail tank cars designed for general purpose liquid transport, not for hazardous cargos, despite the fact that these railcars lack even the most basic safety measures (such a shields, pressure vents, or double hulls), and despite repeated recommendations from the NTSB over the past 30 years (most recently in March 2012 and January 2014) that they not be used for crude oil transport; and

WHEREAS, Pipeline and Hazardous Materials Safety Administration (PHMSA) and Federal Railroad Administration (FRA) issued a joint safety advisory on May 7, 2014 advising railroad companies to avoid using DOT-111 railcars to ship Bakken crude oil whenever reasonably practicable; and

WHEREAS, DOT-111 railcars are unacceptably dangerous, particularly in light of the woeful state of railroad enforcement, inspection, oversight, and safety, highlighted by the testimony of the Chair of the Surface Transportation Board in April, 2014, that "no community is prepared for a worst-case scenario" for crude oil-by-rail disasters; and

WHEREAS, the volume of oil carried in a DOT-111 railcar is just small enough to avoid triggering the development of a "comprehensive" response plan, meaning that no collaboration must take place between the railroads and the towns through which these rail cars transport crude (along the Hudson or through the rest of the nation), and that no official government certification that there is adequate response capacity for emergencies is required; and

WHEREAS, there have been a series of crude oil train derailments in the United States and Canada that have led to loss of life, loss of property, and significant economic and environmental damage, including the loss of 47 lives in Lac-Mégantic, Quebec, in July 2013; and

WHEREAS, on April 30, 2014, 17 tanker cars derailed in Lynchburg, Virginia, including three that rolled into the James River and one that spilled about 30,000 gallons of crude oil into the river, requiring the shutdown of a downstream public water supply; and

WHEREAS, there have been at least four oil train derailments in New York State since December 2013, including those in West Nyack, Town of Ulster, Selkirk, and Cheektowaga; and

WHEREAS, CSX Corporation was fined \$10,000 for failing to timely report its two February 2014 oil train derailments in Ulster and Selkirk, New York; and

WHEREAS, a train carrying crude oil blocked access to about 60 homes in the Town of Saugerties on March 31, 2014, for approximately 90 minutes without notifying local emergency responders; and

WHEREAS, on June 29, 2014, 100 gallons of oil spilled from a rail car at the Global Partners, LLC terminal facility in the Port of Albany, a spill that was not reported to local officials; and

WHEREAS, joint state-federal “inspection blitzes” have identified dozens of train and rail car safety defects requiring corrective action in rail yards in Albany and Buffalo, highlighting the chronic, widespread and acute risks facing our communities and environment; and

WHEREAS, on January 28, 2014, New York State Governor Andrew Cuomo signed an Executive Order recognizing that crude oil transportation by rail car and river vessels presents an ongoing major risk to New York communities and the environment, shortly after two safety recommendations by the National Transportation Safety Board reached the same conclusion and called for major system-wide reforms; and

WHEREAS, on May 7, 2014, the United States Department of Transportation Secretary Anthony Foxx issued an Emergency Order requiring rail carriers to provide State Emergency Response Commissions with advance notice; it is imperative that emergency managers and first responders are given up-to-date information on what materials are being transported through their regions, when these transports are occurring, and where this crude oil will be stored; and

WHEREAS, the NYS Department of Environmental Conservation has granted numerous permits to subsidiaries of Global Partners LP (Global) and Buckeye Partners LP (Buckeye) which authorize the transfer of up to 2.8 billion gallons per year of crude oil from train to barge or ship in the Port of Albany, for transport down the Hudson River; and

WHEREAS, approximately one articulated barge per day carrying 4 million gallons and one tanker per week carrying 7 million gallons currently pass Orange County on the Hudson River; and

WHEREAS, the *Stena Primorsk*, the first tanker carrying crude oil on the Hudson River, ran aground and pierced its outer hull just six miles downstream of the Port of Albany in December 2012, though none of the 12 million gallons of oil it carried were spilled; and

WHEREAS, recent barge collisions resulting in petroleum spills in the Mississippi River and Galveston Bay have shown that even double-hulled vessels are not protective in all accidents; and

WHEREAS, Global has submitted pending applications to the New York State Department of Environmental Conservation (DEC) seeking approval to redevelop its oil terminals in New Windsor and Newburgh to handle between 1.3 billion and 1.8 million gallons of crude oil per year; the expanded facility could double the number of trains and marine vessels carrying crude oil that pass through Orange County; and

WHEREAS, Global has also submitted an application to the New York State Environmental Conservation to modify its Title V Air Facility Permit to install boilers to heat heavy crude oil at its facility in the Port of Albany, which would give Global Partners and its affiliates the capability to ship heavy crude oils, such as tar sands bitumen from Alberta, Canada, through Orange County on the Hudson River; and

WHEREAS, there have been no spill response drills in Putnam County waters focused on responding to a spill of heavy crude oil; and

WHEREAS, Putnam County’s shorelines include private residences and businesses, public parks, and critical public infrastructure that would be at significant risk in the case of a crude oil spill; and

WHEREAS, tourism based on a clean environment is an important part of Putnam County’s economy; and

WHEREAS, the Global New Windsor site is located next to and within 1.4 miles of three distinct Significant Coastal Fish and Wildlife Habitats: Hudson Highlands, Moodna Creek and Fishkill Creek; and

WHEREAS, the tidal nature of the Hudson River could cause oil from a spill to be quickly transported both up and downriver, harming fish and wildlife; now therefore be it

RESOLVED, that the Putnam County Legislature recognizes that the transport of crude oil, especially Bakken and heavy crudes, by rail and marine vessel through our communities presents an immediate, significant risk for the people, economy and environment of our region; and be it further

RESOLVED, that the Putnam County Legislature calls on the DEC to immediately rescind its Negative Declaration of Significance for Global's proposed expansion of its Albany Terminal operations and order a full, integrated environmental impact study of the proposed expansion of Global's operations at its terminals in New Windsor, Newburgh and Albany, including the potential impacts of increased crude transport by train, barge, or ship through our County's adjoining County, Orange County; and be it further

RESOLVED, that the Putnam County Legislature calls on the DEC to immediately revoke permits granted to Global and Buckeye allowing for the transport of up to 2.8 billion gallons per year of crude oil on the Hudson River, order full environmental impact studies, including the potential impacts of crude oil spill in the Hudson River affecting Putnam County shoreline property, environmental resources and drinking water; and be it further

RESOLVED, that copies of this Resolution be forwarded to Governor Andrew Cuomo, DEC Commissioner Joe Martens, Senate Majority Leader Dean Skelos, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Stephen Katz and NYSAC.

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

Item #6k – Approval/Grant Application/Commissioner of Social Services/2015 Sub-Award was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Gross and LoBue, Legislator Scuccimarra moved the following:

RESOLUTION #73

APPROVAL/GRANT APPLICATION/COMMISSIONER OF SOCIAL SERVICES/2015 SUB-AWARD

WHEREAS, Section 5-1(D)(1) of the Putnam County Code requires Legislature approval of all grant applications and subsequent renewals there after prior to submission; and

WHEREAS, the Department of Social Services has requested permission to apply for a \$9,000 grant under the continuation of the 2015 Sub-award grant program; and

WHEREAS, this application must be submitted by April 13, 2015; and

WHEREAS, this grant is available to support Children's Advocacy Centers; and

WHEREAS, the Health, Social, Educational & Environmental Committee has considered and approved of this application; now therefore be it

RESOLVED, that the Department of Social Services request to apply for a \$9,000 grant under the 2015 Sub-award grant program is hereby authorized and approved.

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

**PHYSICAL SERVICES COMMITTEE
(Chairman Albano, Legislators Castellano & Wright)**

Item #6L – Approval/SEQRA/Agricultural District was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Wright, Chairman Albano moved the following:

RESOLUTION #74

APPROVAL/SEQRA/AGRICULTURAL DISTRICT

WHEREAS, the Department of Agriculture and Markets as Lead Agency for the Agricultural Districts Program has conducted a programmatic review of the environmental effects of Agricultural Districts and has concluded that there is little likelihood of significant adverse environmental impact resulting from the formation or modification of such districts; and

WHEREAS, it is the responsibility of the County to review the site-specific proposals under consideration to determine if unique circumstances exist which increase the likelihood of environmental significance; and

WHEREAS, the Department of Agriculture and Markets recommends that the County Legislative body serve as the Lead Agency to insure compliance with the requirement of the State Environmental Quality Review Act as it is the only other agency required to undertake an action except for the Department of Agriculture and Markets; now therefore be it

RESOLVED, that the Putnam County Legislature declares itself to be the lead agency to insure compliance with the requirements of the State Environmental Quality Review Act; and be it further

RESOLVED, that the Putnam County Legislature, as Lead Agency, hereby determines that the site-specific parcels contained in the proposed Agriculture District modifications will not have a significant adverse effect on the environment and that a Draft Environmental Impact Statement will not be prepared; and be it further

RESOLVED, that the Putnam County Legislature, as lead agency, hereby accepts and adopts the Negative Declaration prepared in connection with the proposed Agriculture District modifications, a copy of which is annexed hereto and made a part hereof.

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

Item #6m – Approval/Inclusion of Parcels in Putnam County Agricultural District was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Wright, Chairman Albano moved the following:

RESOLUTION #75

APPROVAL/INCLUSION OF PARCELS IN PUTNAM COUNTY AGRICULTURAL DISTRICT

WHEREAS, by Resolution #81 of 2003, the Putnam County Legislature created an Agricultural District in the County of Putnam; and

WHEREAS, by Resolution #193 of 2011, after the 8th year anniversary of the formation of the district, the Putnam County Legislature modified said Putnam County Agricultural District #1, and

WHEREAS, by Resolution #244 of 2003, the Putnam County Legislature established the month of November in which a landowner may request inclusion in the Putnam County Agricultural District; and

WHEREAS, requests were presented to the Putnam County Legislature to modify the existing Agricultural District in the County of Putnam by including the following parcels in the District:

Town of Putnam Valley:

Forest Charolais Farms – Tax Map #85.-1-24 (39.3 acres), 85.-1-25 (53.8 Acres) Total Acreage: 93.11

Town of Patterson:

Robert Mancini – Tax Map #23.-2-27 (104.47 acres), 23.-2-32 (32.68 acres), 34.-3-63 (31.16 acres) Total Acreage: 168.31

Town of Philipstown:

Cold Spring Farm – Marian & Nicholas Rockwell – Tax Map #38.-3-25 (85 acres) Total Acreage: 85.0

WHEREAS, pursuant to Article 25 AA of the Agriculture and Market Law, section 303-b, a public hearing on the requests was conducted by the Putnam County Legislature on April 8, 2015; and

WHEREAS, the Putnam County Agriculture and Farmland Protection Board considered the requests for inclusion and reported that the parcels for inclusion would serve the public interest by assisting in maintaining a viable agricultural industry within the District and recommended the inclusion of said parcels in the Putnam County Agricultural District; and

WHEREAS, the Putnam County Legislature has considered the comments of the speakers at the public hearing, the recommendations of the Putnam County Agriculture and Farmland Protection Board, the various letters in support and in opposition to the inclusion of these parcels in the modification of the Agricultural District; now therefore be it

RESOLVED, that the Putnam County Legislature accepts and adopts the findings provided by the Putnam County Agriculture and Farmland Protection Board; and be it further

RESOLVED, that the Putnam County Legislature hereby includes in the Putnam County Agricultural District the following Tax Map identified parcels:

Town of Carmel:

Forest Charolais Farms – Tax Map #85.-1-24 (39.3 acres), 85.-1-25 (53.8 Acres) Total Acreage: 93.11

Town of Patterson:

Robert Mancini – Tax Map #23.-2-27 (104.47 acres), 23.-2-32 (32.68 acres), 34.-3-63 (31.16 acres) Total Acreage: 168.31

For a total of 261.42 acres.

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

Item #6n – Approval/NYS DOT Grant Agreement/Bikeway and Bus Projects was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Wright, Chairman Albano moved the following:

RESOLUTION #76

APPROVAL/NYS DOT GRANT AGREEMENT/BIKEWAY AND BUS PROJECTS

WHEREAS, the Putnam County Legislature, by Resolution #233 of 2010, authorized Putnam County (the “County”) to enter into a Master Mass Transportation Capital Project Grant Agreement (Contract No. K007017) (the “Agreement”) with the Commissioner of Transportation of the New York State Department of Transportation (the “Commissioner”) dated September 15, 2010, for a five-year term, in connection with undertaking municipal projects as described on Schedule A of the Agreement, together with subsequent Supplemental Grant Agreement(s) in connection therewith; and

WHEREAS, pursuant to New York State Finance Law, Section 89-c, which established the Dedicated Mass Transportation Trust Fund (the “DMTTF”), following appropriation by the Legislature, monies shall be utilized for the design, construction, reconstruction, replacement, purchase, modernization, improvement, reconditioning, preservation and maintenance of mass transit facilities, vehicles and rolling stock; and

WHEREAS, pursuant to appropriation or re-appropriation by the DMTTF, the Legislature authorized certain funding programs for the costs of mass transportation capital projects and facilities, regional public transportation authorities and mass transit systems undertaken by municipalities; and

WHEREAS, the Putnam County Legislature, by Resolution #364 of 2010, approved the County’s proposed Project for the construction and inspection of Maybrook Bikeway II and Bikeway II, Stage 4, PIN 8756.84.001 and PIN 8759.05.001, respectively, and authorized the County Executive to execute Supplemental Grant Agreement #1 dated November 17, 2010 in connection therewith; and

WHEREAS, the Putnam County Legislature, by Resolution #153 of 2011, approved the County’s proposed Project for the construction and inspection of Bikeway II, Stage 4, and the purchase of transit buses and Project Administration, PIN 8759.05.001, 8TRM.76.001, 8TRM.61.001, respectively, and authorized the County Executive to execute Supplemental Grant Agreement #2 dated August 1, 2011 in connection therewith; and

WHEREAS, the Putnam County Legislature, by Resolution #219 of 2013, approved the County’s proposed Project, authorized the County Executive to execute Supplemental Grant Agreement #3 dated October 21, 2013 in connection therewith, increasing the State matching funds in the amount of \$549,088 for FTA approved projects; and

WHEREAS, the County’s currently proposed Project(s) qualify for funding pursuant to the aforesaid appropriations or re-appropriations by the DMTTF, the programmatic criteria and guidelines therefor and has been approved by the Commissioner (in a program of mass transportation capital projects); now therefore be it

RESOLVED, that the Putnam County Legislature hereby approves the Amendment to the Agreement annexed hereto as Schedule A (the Supplemental Grant Agreement #4

with Schedule A annexed thereto) increasing the State matching funds in the amount of \$113,082 for FTA approved projects; and be it further

RESOLVED, that the County Executive is hereby authorized to execute the annexed Supplemental Grant Agreement #4 with Schedule A to said Agreement.

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

AUDIT & ADMINISTRATION COMMITTEE
(Chairman Castellano, Legislators Gross & Nacerino)

Item #6o – Approval/Budgetary Amendment (15A017)/Commissioner of Finance/Vacancy Control/ January & February 2015 was next. Chairman Albano recognized Legislator Castellano, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #77

**APPROVAL/BUDGETARY AMENDMENT (15A017)/COMMISSIONER OF FINANCE/
VACANCY CONTROL / JANUARY & FEBRUARY 2015**

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (15A017) to provide for the Vacancy Control Factor for January and February 2015; and

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

RESOLVED, that the following budgetary amendment be made:

GENERAL FUND:

Decrease Estimated Appropriations:

SEE ATTACHED SHEET	Personal Services	213,814
SEE ATTACHED SHEET	FICA	16,357
SEE ATTACHED SHEET	Dental	1,323
SEE ATTACHED SHEET	Life Insurance	288
SEE ATTACHED SHEET	Health Insurance	51,398
SEE ATTACHED SHEET	Vision	66
SEE ATTACHED SHEET	Flex Plan	<u>1,986</u>
		285,232

Decrease Estimated Revenues:

10601000 446151	Federal Aid – DSS	7,725
10101000 436101	State Aid – DSS	28,910
10101000 446101	Federal Aid – DSS	29,092
10601000 446111	Federal Aid – DSS	849
12401000 434011	State Aid – Health	2,318
10131000 427705	Vacancy Control Factor	<u>237,586</u>
		306,480

Increase Estimated Revenues:

10131000 428551	Transfer from Road Fund	43,665
10131000 428661	Transfer from Road Machinery Fund	<u>11,446</u>
		55,111

COUNTY ROAD FUND

Increase Estimated Appropriations:
02990100 59030 Transfer to General Fund 43,665

Decrease Estimated Appropriations:
SEE ATTACHED SHEET Personal Services 28,747
SEE ATTACHED SHEET FICA 2,199
SEE ATTACHED SHEET Dental 982
SEE ATTACHED SHEET Health Insurance 11,577
SEE ATTACHED SHEET Vision 160
43,665

COUNTY ROAD MACHINERY FUND

Increase Estimated Appropriations:
03990100 59030 Transfer to General Fund 11,446

Decrease Estimated Appropriations:
SEE ATTACHED SHEET Personal Services 9,095
SEE ATTACHED SHEET FICA 696
SEE ATTACHED SHEET Dental 246
SEE ATTACHED SHEET Health Insurance 1,369
SEE ATTACHED SHEET Vision 40
11,446

2015 Fiscal Impact – 0 –
2016 Fiscal Impact – 0 –

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

Item #6p – Approval/Budgetary Amendment (15A019)/Commissioner of Finance/ Contracts/Putnam Golf Income was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #78

APPROVAL/BUDGETARY AMENDMENT /COMMISSIONER OF FINANCE/ CONTRACTS/ PUTNAM GOLF INCOME

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (15A019) to account for sales tax proceeds and inventory costs which are accounted for in MUNIS as expenses and revenues; and

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

RESOLVED, that the following budgetary amendment be made:

Increase Estimated Appropriations:

10085000 54646	Contracts	120,000
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Increase Estimated Revenues:

10085000 420031	Putnam Golf Income	120,000
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2015 Fiscal Impact – 0 –

2016 Fiscal Impact – 0 –

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

Item #6q – Approval/Budgetary Amendment (15A022)/Probation/Stop-DWI Foundation Grant was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #79

APPROVAL/BUDGETARY AMENDMENT (15A022)/PROBATION/STOP-DWI FOUNDATION GRANT

WHEREAS, by Resolution #245 of 2014 the Legislature approved and authorized the Stop DWI Coordinator to apply to the NYS STOP-DWI Foundation for a \$29,696.00 grant under its High Visibility Road Check program; and

WHEREAS, under this program \$27,136 has been allocated to Putnam County requiring a budgetary amendment (15A022) to reflect the receipt of these funds; and

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

RESOLVED, that the following budgetary amendment (15A022) be made:

Increase Revenues:

10331500 443890	Probation DWI – Public Safety Other	27,136
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Increase Appropriations:

10331500 54936	Probation DWI – Partnership Initiative	27,136
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2015 Fiscal Impact – 0 –

2016 Fiscal Impact – 0 –

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

Item #6r – Approval/Fund Transfer (15T022)/Sheriff’s Department/Corrections Overtime was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #80

**APPROVAL/FUND TRANSFER (15T022)/SHERIFF'S DEPARTMENT/CORRECTIONS
OVERTIME**

WHEREAS, the Sheriff's Department has requested a fund transfer (15T022) to cover the cost of Overtime due to Correction Officer vacancies; and

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

RESOLVED, that the following fund transfer be made:

Decrease:

10315000 51000 (10105)	Personnel	3,500
10315000 51000 (10118)	Personnel	<u>3,500</u>
		<u>7,000</u>

Increase:

10315000 51093	Overtime	7,000
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2015 Fiscal Impact – 0 –

2016 Fiscal Impact – 0 –

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

Item #6s – Approval/Local Law to Amend Chapter 5 of the Putnam County Code Entitled “Appropriations” by Adding a New Subsection F to Section 5-1 was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

Chairman Albano stated he would be voting “no.” He stated that the transfers are being reviewed by the Legislature. He believed that those lines should stay as they are until the end of the year. He believed that the proposed change is the right intention but the language does not have enough bite.

Legislator Nacerino believed that it was important to move this forward as she believed it was not good to co-mingle these lines for any other purpose. She believed that it was important to have these restrictions and policy in place. She suggested amending or tabling the resolution.

Legislator Nacerino made a motion to table the resolution; seconded by Chairman Albano.

By Roll Call Vote: Eight Ayes – Legislators Addonizio, Castellano, Gouldman, LoBue, Nacerino, Scuccimarra, Wright and Chairman Albano. Legislator Gross was absent. Motion Carries.

**APPROVAL/LOCAL LAW TO AMEND CHAPTER 5 OF THE PUTNAM COUNTY CODE
ENTITLED “APPROPRIATIONS” BY ADDING A NEW SUBSECTION F TO SECTION 5-1**

A Local Law to Amend Chapter 5 of the Putnam County Code by adding a New Subsection F to Section 5-1

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

Section 1.

A New Subsection F is hereby added to Section 5-1 of the Putnam County Code to read as follows:

F. Except for transfers between utility and gas budget lines, there shall be no line item transfer from any utility or gas budget line which include but not limited to electric, telephone, heating oil, gasoline, natural gas and propane without approval of the Legislature.

Section 2.

This Local Law shall become effective immediately.

Item #6t – Approval/Local Law to Amend Chapter 41, Section 41-5 and Section 41-10 A (2)(a) of the Code of Putnam County Entitled “Deposit & Investment Policy” was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #81

APPROVAL/LOCAL LAW TO AMEND CHAPTER 41, SECTION 41-5 AND SECTION 41-10 A (2)(a) OF THE CODE OF PUTNAM COUNTY ENTITLED “DEPOSIT & INVESTMENT POLICY”

A Local Law to Amend Chapter 41, Section 41-5 and Section 41-10 A (2) of the Code of Putnam County Entitled “Deposit & Investment Policy”

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

Section 1.

Section 41-5 of the Putnam County Code is hereby amended to read as follows:

Section 41-5. Designation of Official Depositories.

The banks and trust companies authorized for the deposit of monies up to the maximum amounts are:

DEPOSITORY NAME	MAXIMUM AMOUNT
First Niagara	\$30,000,000
JP Morgan Chase	\$30,000,000
Key Bank	\$30,000,000
M&T Bank	\$30,000,000
Mahopac National Bank	\$10,000,000
Putnam County National Bank	\$10,000,000

PCSB Commercial Bank subsidiary of Putnam County Savings Bank	\$10,000,000
Sterling National Bank	\$10,000,000
TD Bank	\$10,000,000
Webster Bank	\$10,000,000
Wells Fargo	\$30,000,000

Section 2.

Section 41-10 A (2)(a) of the Putnam County Code is hereby amended to read as follows:

A(2)(a) New York Liquid Asset Fund – RBC Global Asset Management (U.S.) Inc.

Section 3.

This local law shall take effect immediately.

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

Item #6u – Approval/Support of Putnam County’s Limited Exemption of Sales and Use Tax on Purchases of Qualified Clothing and Footwear was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #82

APPROVAL/SUPPORT OF PUTNAM COUNTY’S LIMITED EXEMPTION OF SALES AND USE TAX ON PURCHASES OF QUALIFIED CLOTHING AND FOOTWEAR

WHEREAS, pursuant to authority granted under Article 29 of the New York State Tax Law, Putnam County may elect to exempt from imposing sales and use tax on purchases of qualified clothing and footwear; and

WHEREAS, in accordance with Article 29 of the New York State Tax Law, the exemption of sales and use tax imposed by a County on purchases of qualified clothing and footwear is a year round commitment and a County’s election or repeal of such exemption may only be effectuated annually on March 1st; and

WHEREAS, the County Executive proposes that a limited “sales tax free holiday,” namely, exemption of Putnam County’s sales and use tax collected on purchases of qualified clothing and footwear during a specific ten-day period in 2015, more particularly, August 21st through August 30th, will, among other things, improve retail sales, realize cost benefits to retailers, create jobs and promote economic growth in Putnam County; and

WHEREAS, the County Executive also proposes that in developing a limited “sales tax free holiday,” Putnam County, working together in a private-public partnership with, among others, the Putnam County Chambers of Commerce and the Putnam County Economic Development Corporation (the “EDC”), will promote and encourage small business growth in Putnam County, which is ultimately in the best interests of Putnam County and its taxpayers; and

WHEREAS, the Putnam County Legislature supports and desires to implement the County Executive's proposal to effectuate a limited exemption of sales and use tax on purchases of qualified clothing and footwear; and

WHEREAS, the most effective manner of implementing such a change is for the Putnam County Legislature to request, as authorized under Municipal Home Rule Law §10, that the New York State Legislature amend relevant New York State Tax Law such that Putnam County may elect to exempt from collection of the County portion of sales and use tax on purchases of qualified clothing and footwear and only for the limited period of August 21 through August 30, 2015; now therefore be it

RESOLVED, that the Putnam County Legislature hereby requests that the New York State Legislature adopt a Bill, in form and substance to the proposed Bill annexed hereto, to amend New York State Tax Law Article 29 by the addition of a new subsection which would be applicable to Putnam County, permitting Putnam County to effectuate its election to exempt the County's portion of the sales and use tax on purchases of qualified clothing and footwear from August 21 through August 30, 2015, notwithstanding any other provision of law to the contrary; and be it further

RESOLVED, that the Putnam County Legislature hereby directs the Clerk of the Legislature to transmit copies of this Resolution, together with the proposed Memorandum in Support annexed hereto, to each member of the New York State Legislature who represents any portion of the County of Putnam, the Speaker of the State of New York Assembly and the Majority Leader of the New York State Senate.

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

Item #6v – Approval/Grant Application/IT GIS/Round 4 Statewide Interoperable Communications Grant Program was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

Legislator Wright stated that he would be recusing himself from this vote because his son is the Assistant Director for Homeland Security.

RESOLUTION #83

APPROVAL/GRANT APPLICATION/IT GIS/ROUND 4 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT PROGRAM

WHEREAS, Section 5-1(D)(1) of the Putnam County Code requires Legislative approval of all grant applications and subsequent renewals thereof prior to submission; and

WHEREAS, the Department of Information Technology has requested approval to apply for a \$3.5 million dollar grant under Round 4 Statewide Interoperable Communications Grant program; and

WHEREAS, the purpose of the grant is to enhance interoperability between State agencies and local municipalities; and

WHEREAS, this grant includes microwave connectivity, towers, transmission equipment, etc.; and

WHEREAS, any County contribution can be fulfilled by in-kind services; and

WHEREAS, the Audit & Administration Committee has reviewed and approves of this application; now therefore be it

RESOLVED, that the Putnam County Legislature approves and authorizes the Department of Information Technology to apply for a \$3.5 million dollar grant under Round 4 Statewide Interoperable Communications Grant program.

BY POLL VOTE: SEVEN AYES. ONE RECUSAL – LEGISLATOR WRIGHT. LEGISLATOR GROSS WAS ABSENT. MOTION CARRIES.

Item #6w – Approval/Memorialization/Dutchess County Legislature/Requesting New York State Legislature Repeal the MTA Payroll Tax was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

Chairman Albano believed that it did not make sense to tax payroll.

RESOLUTION #84

APPROVAL/MEMORIALIZATION/DUTCHESS COUNTY LEGISLATURE/REQUESTING NEW YORK STATE LEGISLATURE REPEAL THE MTA PAYROLL TAX

WHEREAS, Putnam County was designated by State statute to be part of the Metropolitan Commuter Transportation District, which funds and provides for mass transportation services in the New York City metropolitan region through the Metropolitan Transportation Authority (MTA); and

WHEREAS, since its enactment in 2009, the MTA payroll tax has imposed a serious financial burden on businesses and employers in the commuter region and, in particular, owned companies, not-for-profit agencies, hospitals, school districts, and Putnam County taxpayers, have suffered the burden of a 34 cents on every \$100.00 of payroll and a .34% tax on net-earnings exceeding \$10,000.00 annually for self-employed Putnam County residents; and

WHEREAS, the MTA payroll tax has cost Putnam County Government over \$500,000 dollars since its creation and it is anticipated to cost the County an additional \$167,000 in 2015; and

WHEREAS, this anti-job creation payroll tax has had a crippling effect on residents within the Metropolitan Commuter Transportation District, particularly Putnam County's small business owners and taxpayers; now therefore be it

RESOLVED, that Putnam County hereby requests the New York State Legislature and Governor adopt legislation which will repeal the MTA payroll tax immediately; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Stephen Katz, Senate Majority Leader Dean Skelos and Assembly Speaker Carl Heastie.

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

Item #6x – Approval/Memorialization/Dutchess County Resolution/Requesting New York State Legislature Repeal the MTA Supplemental Vehicle Registration Fee and Other Associated Fees was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #85

APPROVAL/MEMORIALIZATION/DUTCHESS COUNTY RESOLUTION/REQUESTING NEW YORK STATE LEGISLATURE REPEAL THE MTA SUPPLEMENTAL VEHICLE REGISTRATION FEE AND OTHER ASSOCIATED FEES

WHEREAS, Putnam County was designated by State statute to be part of the Metropolitan Commuter Transportation District, which funds and provides for mass transportation services in the New York City metropolitan region through the Metropolitan Transportation Authority (MTA); and

WHEREAS, this tax was part of a comprehensive budget package intended to bail out the MTA and, therefore, accompanies a number of burdensome fees and taxes including: supplemental vehicle registration and licensing fees payable by all New York State drivers, increased fees on all taxicab fares within the Metropolitan Commuter Transportation District, and an additional 5% tax on every passenger car rented within the Metropolitan Transportation Commuter District; and

WHEREAS, the MTA supplemental vehicle registration and licensing fees, payable by all New York State drivers with funds going to the MTA for services that may or may not be utilized by the people paying the fees, cost Putnam County motorists substantial sums and will continue to cost them more each year unless these fees are eliminated by the State Legislature; now therefore be it

RESOLVED, that Putnam County hereby requests the New York State Legislature and Governor adopt legislation which will repeal the supplemental vehicle registration and licensing fees as well as the other MTA related fees immediately; and be it further

RESOLVED, that should the State be unwilling to repeal the supplemental vehicle registration and licensing fees as well as the other MTA related fees for the entire state or region that it at least do so for the County of Putnam; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Stephen Katz, Senate Majority Leader Dean Skelos and Assembly Speaker Carl Heastie.

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

Item #6y – Approval/Litigation Settlement was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #86

APPROVAL/LITIGATION SETTLEMENT

WHEREAS, on or about May 3, 2013, the Plaintiff, New York State and Local Government Services Foundation, Inc., as attorney in fact for New York Municipal Insurance Reciprocal (“NYMIR”), commenced an action against the County of Putnam, Daniel Stephens, Jeffrey Deskovic and Linda McGarr, in the United States District Court for the Southern District of New York, seeking a judgment declaring that NYMIR has no continued obligation to defend and/or indemnify the County in connection with underlying actions commenced by Jeffrey Deskovic and Linda McGarr under the terms,

conditions, provisions and exclusions of the County's Law Enforcement Liability Policy number MLE 037-001; and

WHEREAS, Daniel Stephens was an insured under the LEL Policy; and

WHEREAS, Putnam County submitted the Underlying Action for coverage under the LEL Policy on April 4, 2008; and

WHEREAS, upon receipt of the Underlying Action, NYMIR advised Putnam County and Daniel Stephens that it was providing a defense to Putnam County and Daniel Stephens, under a reservation of rights as to the coverage issues; and

WHEREAS, NYMIR filed an intervenor complaint for declaratory judgment against Putnam County and Daniel Stephens on April 30, 2013, captioned New York State Local Government Services Foundation, Inc., as attorney-in-fact for New York Municipal Insurance Reciprocal v. County of Putnam, et. al., (the "Coverage Action"), seeking a declaration of that NYMIR is not obligated to defend or indemnify Putnam County and Daniel Stephens for the Underlying Action; and

WHEREAS, NYMIR has denied that Putnam County and Daniel Stephens were entitled to coverage for the Underlying Action under the NYMIR Policies; and

WHEREAS, the Parties have reached an agreement to (1) settle and discontinue the Coverage Action; and (2) to forever resolve any differences with regard to those questions and controversies that exist or may exist regarding the applicability, extent and scope of the insurance coverage that may or may not be available to Putnam County and Daniel Stephens, under the terms and conditions of the NYMIR Policies, with respect of the Underlying McGarr and Deskovic Action; and

WHEREAS, in connection with said settlement, Plaintiff agreed has agreed, subject to the Legislature's approval, in which the Plaintiff agreed to pay the County the sum of One Million, Five Hundred Thousand (\$1,500,000.00) Dollars; and

WHEREAS, the County Attorney recommends the settlement as an alternative to lengthy and ongoing litigation; and

WHEREAS, NYMIR, through its claims representative, has obtained the approval of its Board of Directors to settle the claim for the sum of One Million, Five Hundred Thousand (\$1,500,000.00) Dollars and has drafted settlement documents which are currently being reviewed by the County's assigned counsel, and which, upon filing with the Court, will discontinue this matter with the Court thereby allowing the County to receive its settlement payment; and

WHEREAS, the settlement is in the public interest and has avoided the costs of further litigation, as well as the risk of losing the action altogether; now therefore be it

RESOLVED, that the settlement of this matter for the sum of One Million, Five Hundred Thousand (\$1,500,000.00) Dollars is hereby approved.

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

Item #6z – Approval/Litigation Settlement was next. On behalf of the members of the Audit & Administration Committee, Legislators Gross and Nacerino, Legislator Castellano moved the following:

RESOLUTION #87

APPROVAL/LITIGATION SETTLEMENT

WHEREAS, it has been alleged by Plaintiff, Perry-Gething Foundation, that on or about July 11, 2011, the Putnam County Department of Highways & Facilities caused wall

damage, wall and land erosion, aqueduct damage and aqueduct erosion by allegedly diverting water onto its real property (commonly referred to as "Mandeville House") located at Route 9D and Route 403 in the Town of Philipstown; and

WHEREAS, Plaintiff sought recovery for resulting property damage; and

WHEREAS, Plaintiff agreed to a settlement with the County, subject to the Legislature's approval, in which the County agreed to pay Plaintiff the sum of twelve thousand (\$12,000.00) dollars and the New York State Department of Transportation ("NYSDOT") agreed to also pay the Plaintiff twelve thousand (\$12,000.00) dollars; and

WHEREAS, the County Attorney and NYMIR's claims representative both recommended the settlement as an alternative to lengthy litigation; and

WHEREAS, NYMIR, through its claims representative, has in fact settled the matter with the Plaintiff for the sum of twenty-four thousand (\$24,000.00) dollars, of which twelve thousand (\$12,000.00) dollars will be paid by the County; and

WHEREAS, NYMIR will obtain settlement documents from the Plaintiff which, upon filing with the Court, will discontinue this matter with the Court and which will allow Plaintiff to receive its settlement payment; and

WHEREAS, the settlement is in the public interest and has avoided the costs of further litigation; now therefore be it

RESOLVED, that the settlement of this matter for the sum of twenty-four thousand (\$24,000.00) dollars, of which the County will be required to pay twelve thousand (\$12,000.00) dollars, is hereby approved.

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

Item #7 – Other Business.

Legislator Wright stated that with respect to the last two Items, #6y and #6z, he stated that the Rules Committee is the Committee that should review the litigation settlements. He believed that every attempt to adhere to that procedure should be followed. He stated that historically the Rules Committee has exercised jurisdiction and some distinct oversight with regard to litigating matters and he believed it was beneficial procedure that all such settlements go through that Committee and such other Committees as deemed appropriate.

Legislative Counsel Van Ross stated that this was a request from the County Attorney to present before the Audit meeting. The Rules Committee is the Committee that would review litigation matters.

Legislator Castellano stated that since the Audit Committee is the last meeting of the month, sometimes items which are time sensitive are brought before that Committee.

Legislator LoBue believed that it was important, not just on this matter, but all matters that they are reviewed by the appropriate Committee.

Item #8 – Recognition of Public.

There were no members of the public that wished to be recognized.

Item #9 – Recognition of Legislators.

Legislator Nacerino stated that she would like to close the meeting in memory of Stuart Goldfarb who passed away recently. She stated that Mr. Goldfarb was a Postal Clerk at the Brewster Post Office. She stated that he was a big part of our community and everyone who frequently went to that Post Office knew and loved him. He will truly be missed.

There being no further business, at 8:05 P.M., Legislator Nacerino made a motion to adjourn; seconded by Chairman Albano. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.