

AUDIT & ADMINISTRATION COMMITTEE MEETING
Held In Room 318 of the
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512

Members: Chairman Castellano, Legislators Nacerino & Tartaro

Monday **6:30 PM** **February 24, 2014**

The meeting was called to order at 6:33 P.M. by Chairman Castellano who asked Legislator Tartaro to lead in the Pledge of Allegiance. Upon roll call, Legislators Nacerino, Tartaro, and Chairman Castellano were present.

Item #3) Approval of Minutes – January 23, 2014

The minutes were approved as submitted.

Item #4) Correspondence/County Auditor

Item #4a) Sales Tax Report

Chairman Castellano stated that it was not as good as we had hoped for in the month of January.

Legislator Oliverio stated that he believes it is because of the weather.

Commissioner Carlin stated that it is still early in the year.

Item #4b) Board In Revenue Report was duly noted.

Item #4c) Transfer/Revenue Report was duly noted.

Item #4d) Contingency/Sub-Contingency Report was duly noted.

Item #4e) OTB Report

Legislator Oliverio asked if we could invite the Putnam County Representative to the OTB Board come in next month to answer questions about new casinos.

Chairman Castellano stated he agreed and would also like to find out more about the OTB in Brewster.

Chairman Castellano agreed to invite Putnam County OTB Board Representative Vincent Tamagna to the March Audit Meeting to discuss these issues.

Item #5) Correspondence/Commissioner of Finance

Item #5a) Approval/Budgetary Amendment (13A101)/Year End Entry #3

Chairman Castellano made a motion to pre-file the necessary resolution, seconded by Legislator Nacerino. All in favor.

Item #5b) Approval/Budgetary Amendment (14A014)/District Attorney/Asset Forfeiture Program Funds to Purchase Motor Vehicle (also reviewed by the Protective Services Committee)

Chairman Castellano made a motion to pre-file the necessary resolution, seconded by Legislator Nacerino. All in favor.

Item #6) Approval/Fund Transfer (13T419)/Social Services/Year End Close Out (also reviewed by the Health Committee)

Item #7) Approval/Fund Transfer (13T420)/Social Services/Year End Close Out (also reviewed by the Health Committee)

Item #8) Approval/Fund Transfer (13T421)/Social Services/Year End Close Out (also reviewed by the Health Committee)

Item #9) Approval/Fund Transfer (13T423)/Social Services/Year End Close Out (also reviewed by the Health Committee)

Legislator Oliverio stated that if Chairman Castellano wishes, he could move these four items as a package because Commissioner of Social Services, Michael Piazza, came to the Health Committee this month to explain them all in detail.

Chairman Castellano made a motion to pre-file all the necessary resolutions for Items 6 through 9, seconded by Legislator Tartaro. All in favor.

Item #10) Approval/Fund Transfer (14T005)/Emergency Services/Cover Cost of Putnam Valley Tower/NYCOMCO Shortfall (also reviewed by the Protective Services Committee)

Chairman Castellano asked if we are renting this space with this tower.

Legislator Tartaro asked what the total is for the year.

Commissioner Carlin stated he could find that out.

Legislator Oliverio stated that he believes it is the final amount for the year but he is not certain.

Legislator Albano stated that he believes we should conduct studies on these towers with projections for 10 years out.

The Committee agreed to sign said resolution after they review the total for the year.

Item #11) Approval/Fund Transfer (14T013)/Sheriff-Corrections/Janitorial Services (also reviewed by the Protective Services Committee)

Commissioner Carlin stated that it was envisioned in the budget process that they would use temporary help but they are now using the regular cleaning bid.

Chairman Castellano asked if this number was for the entire year.

Commissioner Carlin stated that is correct.

Chairman Castellano made a motion to pre-file the necessary resolution, seconded by Legislator Tartaro. All in favor.

Item #12) Approval/Fund Transfer (14T016B)/Restructuring of the District Attorney's Office (also reviewed in the Protective Services & Personnel Committees)

Chairman Castellano made a motion to accept the additional for the meeting, seconded by Legislator Nacerino. All in favor.

Chairman Castellano stated that we had a person leaving the District Attorney's Office and the District Attorney has decided to reorganize his Assistant District Attorney staff which creates some restructuring. He stated it is a zero fiscal impact.

Legislator Oliverio stated that this is a no brainer and we need to give credit to the District Attorney's Office for being cutting edge with this reorganization. He stated that he fully supports it.

Legislator LoBue stated that she agrees with it. She stated that she asked the District Attorney if he is going one penny over the budget and he stated that he is not. She stated that she supports it. She stated that she wished all departments took the same initiative.

Legislator Albano stated that he is good with this too. He stated all of the questions have been addressed. He stated that this is very early in the year. He stated that if a request like this came to the Legislature in June, July, or August it would be easy to say wait to the end of the year. He stated he has no problem with it.

Legislator Scuccimarra stated that she does not either. She stated that he is taking the initiative to make his Department even stronger than it is. She congratulated him.

Chairman Castellano stated that this is certainly an office that has to be fully staffed. He stated that we certainly could not leave that position vacant for any point in time so that is why we are moving so quickly on this.

Legislator Nacerino thanked District Attorney Levy for answering all the questions and concerns. She stated that she believes that the forum for open and transparent discussion does take place in committee and we had a healthy dialogue where District Attorney Levy addressed her concerns. She stated that she has no qualms about the value of the people or the monetary raises that they deserve. She stated that she had concerns around these issues and they have been answered.

Legislator Tartaro stated that he was unaware that in our budget we have an approximately \$700,000 factor and that even though on paper there may be no a fiscal impact that in reality there actually is. He stated he is supportive of this item. He stated

the District Attorney made a very powerful case for justification of these changes. He stated that he is happy that the backup information that we received supports the assertion the District Attorney made.

District Attorney Levy thanked everyone for their respect and their level of appreciation for what they do in the District Attorney's Office. He stated that his staff and a majority of the County employees do a phenomenal job. He stated he is always looking for ways to make the Office more efficient and that is why he took on this restructuring when he learned about it. He thanked Legislator Nacerino for giving him the opportunity at the Personnel Committee to address not only her concerns but also the issue of the residency matter which quite frankly was somewhat of a surprise to him because he was not aware that it was on the agenda. He stated it was okay because he does not mind surprises. He stated it was his pleasure to provide the information, at that time, concerning the statutory authority for his request. He stated he appreciates the open and honest dialogue and transparency. He stated he was surprised at certain communications that were had afterwards where he was not provided with information by one of the Legislators in attendance. He stated the details are in his correspondence that was just made part of the record. He stated that he would hope that to the extent that that Legislator has not already reviewed it, he will notify everyone here tonight that that was provided to that Legislator at twelve o'clock this afternoon. He stated that he simply offered that Legislator an opportunity that that Legislator did not offer him which is to discuss whatever issues were of a concern before doing so not only (1) in a public forum in an effort to catch me off-guard which he thinks that Legislator learned very quickly it is a little difficult to do when talking about business of the District Attorney's Office. He stated that but then to follow-up with an email to the Legislators wherein his history and experience in Putnam County Government was then used as somehow of a tool by him to afford more respect than perhaps he was otherwise entitled to with respect to a level of knowledge that he would assume everyone here would expect him to have. He stated that he believes that his detailed correspondence outlined with specificity and confirmed everything he said to this Committee on the 18th and 11th of February. He stated that the last thing he ever wants to do is to embarrass the Legislature or any member of the County Government. He stated he believes in mutual respect and he does not believe he was shown any respect by that Legislator. He stated that he believes his letter outlines the reasons why. He stated he most certainly provided that Legislator with an opportunity to discuss it with him before he made his comments here tonight and that Legislator chose not to do so. He stated that he stands ready, willing, and able to justify anything, any representation, that he made to this Committee, whether it be Audit, Personnel, Protective Services, or the Full Legislature, what have you, as it pertains to the District Attorney's Office, he stands willing and able to provide the statutory basis for his request, the legal precedent, and quite simply nothing more than just plain old good common sense. He stated he appreciates the trust put in him and his department. He stated he is here to work, to keep us safe, and he thanked them for that opportunity.

Legislative Counsel Van Ross stated that the Committee has a revised resolution before them tonight. He stated it also sets the salary and includes the job descriptions.

Chairman Castellano made a motion to pre-file the necessary resolution, seconded by Legislator Nacerino. All in favor.

Item #13) Approval/Resolution In Support of Putnam County's Limited Exemption of Sales and Use Tax on Purchase of Qualified Clothing and Footwear

Legislator LoBue asked why we are trying this again if it failed twice already.

Legislator Scuccimarra stated that there is no harm in trying.

Senior Deputy County Attorney Fusco stated that this is in fact our third attempt at passing a bill of this type. She stated that we did have our State Representatives present the bill in both houses but we did not garner the necessary support to pass the bill. She stated that a sales tax exemption we would have to commit to for a year and we do not want to do that at this time. She stated that we are hoping that Putnam County will be given the autonomy that we can ask for it by way of Home Rule to be granted a limited sales tax exemption.

Legislator LoBue stated that she had a conversation with Assemblywoman Galef and that they do not want to spend time pushing something that they know is going to fail. She stated Assmeblywoman Galef was a little bit concerned about that. She stated that there are a lot of things going on and a lot of other bills that are being brought forward that they don't even want to give it the consideration.

Chairman Castellano asked if she would have the right just to say no to us.

Legislator LoBue stated that she will but she does not want to speak for her.

Chairman Castellano stated that that is her prerogative. He stated it is that time of year where people buy things to go back to school and it would be a boost to hopefully have more people come into Putnam County.

Legislator LoBue stated that she does not disagree with the intent but it is a matter of getting it through.

Legislative Counsel Van Ross stated that these bills have been reintroduced this year. He stated we are also here giving the County Executive and Clerk of the Legislature authority to sign a Home Rule message to go along with those bills and then it is up to the State Legislature whether they pass it or not.

Chairman Castellano stated that a unique thing about Putnam County, especially with Interstates 84 and 684, is that you can go right over to Connecticut and get the better sales tax deal and it hurts us here in Putnam County. He stated that this is an opportunity to help local consumers and plus maybe help get some people coming in from Westchester, Dutchess, or Connecticut as well.

Legislator Nacerino stated that we do not know the outcome and it may be grim but she supports the County Executive's initiative to help the people of Putnam County to give them some relief no matter how small the relief may be. She stated that in the spirit of it all, she would like us to try.

Legislator Scuccimarra stated that she agrees. She stated that the businesses in Putnam County are hurting a lot of the time and this would give them a real shot in the arm and get people to shop Putnam. She stated that she does not care whether it puts more burden on the State Assembly because that is their job to find these things and push them through for us. She believes we should try.

Chairman Castellano asked for clarification on how much of a sales tax waive it would be.

Senior Deputy County Attorney Fusco stated that we would waive the 4% County Sales Tax on qualifying purchases of \$110.00.

Chairman Castellano made a motion to pre-file the necessary resolution, seconded by Legislator Nacerino. All in favor.

Item #14) FYI/County Deposits & Investments Report Fourth Quarter Ending December 31, 2013

Commissioner Carlin stated that rates are anemic. He stated that there is not much interest there. He stated that he is certainly not going to chase more risk and yield because that is the reason he is here. He stated the rates are what they are.

Item #15) FYI/Schedule of Revenues/Fines Levied by Boards/Consumer Affairs was duly noted.

Item #16) Other Business

Item #16a) Approval/Fund Transfer (14T020)/Board of Elections/Extended Warranties for Voting Machines

Commissioner Carlin stated that Board of Elections informed us that they pre-qualified this for HAVA reimbursement.

Chairman Castellano asked if we are moving \$82,000 out of the printing line for the time being.

Commissioner Carlin stated yes and whether they need more money in the printing line will depend on the extent of what they need for special ballots. He stated that money is for ballots but he does not know what they'll need this year, we'll see.

Chairman Castellano clarified that we are looking to recoup this \$82,000.

Commissioner Carlin stated that is correct, we will.

Chairman Castellano made a motion to pre-file the necessary resolution, seconded by Legislator Nacerino. All in favor.

Item #16b) Approval/Resolution Approving Lease – Putnam County Veteran’s Residence – Room #8

Legislator Tartaro made a motion to pre-file the necessary resolution, seconded by Legislator Nacerino. All in favor.

There being no further business, at 7:02 P.M., Chairman Castellano made a motion to adjourn, seconded by Legislator Tartaro. All in favor.

Respectfully submitted by Krista M. Butler, Administrative Assistant.