

RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
Held In Room 318
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512

Members: Chairwoman Addonizio, Legislators Gouldman & Scuccimarra

Thursday **February 12, 2015**
(Immediately Following Economic Development beginning at 6:30pm)

The meeting was called to order at 6:53 P.M. by Chairwoman Addonizio who requested Legislator Scuccimarra lead in the Pledge of Allegiance. Upon roll call, Legislators Gouldman, Scuccimarra, and Chairwoman Addonizio were present.

Item #3 - Approval of Minutes – December 9, 2014

The minutes were approved as submitted.

Item #4 - Discussion/ Proposed Resolution/ Regulating the use of Polystyrene in Putnam County Government Facilities

Steve Rosario, Senior Director of the Northeast Council for American Chemistry Council thanked the Committee and the Legislature for their willingness to hear the opinions of the Council and the other presenters. He stated he has been a representative of the American Chemistry Council for 23 years. He also stated this will provide the opportunity to dispel myths surrounding the recycling, health impacts, and production of polystyrene.

a) Presentation/ Dart

Paul Poe, Manager of Government Affairs in the Environmental Department at Dart Container thanked the Committee for the opportunity to speak. He stated Dart makes about 2,000 different food service products. He stated these products are made from foam, polystyrene, plastic, paper, and compostable materials. He stated the two (2) main topics he would like to speak about are the environmental burden and the lifecycle assessment, comparing a foam cup to a paper poly-lined cup. He stated a paper poly-lined cup takes twice the amount of energy to produce and creates twice as much waste. He stated a foam cup is 95% air. He stated expanded polystyrene is created from blowing beads into a mold. He stated only 5% of the cup is the actual resource. He stated in terms of waste, a paper cup produces five (5) times as much waste. He stated a paper cup is 20%-30% plastic as it is lined with polyethylene. He stated for the paper cup to be recycled, the polyethylene must be stripped off, which is done through an energy intensive boiling process. He stated a paper cup also produces twice as much greenhouse gases into the atmosphere. He stated when looking at the science between the two (2) choices, foam is a better environmental choice. He also stated a paper cup costs twice as much as a foam cup. He stated an added sleeve for the paper

cup when it is too hot, can add another \$0.03 or \$0.04. He stated this is a significant impact on small businesses. He also stated foam is 100% recyclable.

Christine Cassie, Recycling Manager for the Northeast at Dart Container stated the reason people use foam cups is because it is less expensive than paper and it can do the job using just one foam cup. She stated with a paper cup, customers may use two (2) cups or a sleeve to protect their hands from the heat of the cup. She stated switching from foam to paper generates more waste, which is still going to a landfill. She stated foam is 100% recyclable and Dart has been recycling foam since 1990. She stated the closest recycling facility to Putnam County is in Loyola, Pennsylvania. She stated they accept public drop-offs at each of their facilities where people can bring their foam waste, even if it is not Dart brand. She stated the items get recycled into small beads and they are then sold to companies that will turn the beads into things such as a picture frame. Ms. Cassie had an example of a side to a picture frame with her which she showed the Committee.

Legislator Scuccimarra stated she understands that the material is in fact recyclable; however it is problematic for the residents in Putnam County to recycle. She stated there are many issues with polystyrene being detrimental to the environment. She stated Putnam County is joining a host of other cities and counties that have implemented such a ban, including New York City. She stated she appreciates the information provided.

Ms. Cassie stated she understands the recycling being problematic, as the closest facility is in Pennsylvania. She stated this was an issue in Yonkers as well. She stated to combat this issue, Dart helped the City of Yonkers set up a recycling program where the residents could drop off foam products to their local recycling facility and Dart would pick up the waste and bring it to their facility in Pennsylvania so it may be recycled. She stated 90% of the foam is from packaging from things such as TV's and 10% is food service ware.

Legislator Gouldman questioned where the recycling facility is in Yonkers.

Ms. Cassie stated it is on Saw Mill River Road.

Mr. Poe stated Dart also worked with New York City when they were considering banning polystyrene food service ware. He stated polystyrene takes up 1% - 2% of the room in the landfills. He stated 20% of that 1%-2% is polystyrene food service ware. He stated it costs New York City \$2 million per year to landfill polystyrene. He stated the deal that Dart offered New York City was to recycle everything instead of banning the 20% of the 1%-2%. He stated a red Solo cup is made out of polystyrene as well, it is just in a different form. He stated Dart was going to recycle everything, whether it was a Dart product or not. He stated New York City would have gone from spending \$2 million per year to landfill to making \$8 million from selling the recycled polystyrene products. He stated New York City decided not to recycle and instead banned the polystyrene food service ware.

b) Presentation/ Genpak

Edward Rider, Vice President of Engineering at Genpak stated he had been working for Genpak for 45 years. He stated the company is in Middletown, NY. He stated he is proud to say that Genpak has designed and produced most of the food service products that are used today. He stated many Genpak employees accompanied him to the meeting. He stated the Middletown facility employs 160 people, many of whom are long term employees. He stated in addition to the employees at the Middletown location, there are 90 employees at the facility in Glens Falls, NY. He stated their foam products are made in the United States. He stated in New York State, there are 1,200 people manufacturing foam service take out containers. He stated for every one (1) manufacturing job, three (3) additional jobs are created. He stated a ban on polystyrene would jeopardize the income of these employees, which collectively adds to \$400 million. He stated foam containers are successful as food service products because they are 95% air. He stated Genpak takes solid polystyrene that weighs 64 pounds per cubic foot and reduces it to 4 pounds per cubic foot. He stated this is one of the best ways of reducing the material usage per packaging. He stated some benefits are that it is insulating, protective, and keeps the temperature of the food, whether it is hot or cold. He stated it is durable, lightweight, and moisture resistant. He stated the cost of foam containers is low because they consume less energy. He stated paper products require 2.5 times more energy to produce the same item. He stated foam products save money for the establishments that utilize them as they generally sell for less than 50% of the cost of their paper counterpart. He stated paper items are coated in polyethylene, making them non-biodegradable and non-compostable. He stated polystyrene was developed in the 1950's and foam was developed in the 1960's. He stated the first use was for meat trays. He stated prior to the utilization of polystyrene foam, the meat was packaged on paper trays. He stated if the meat was not sold that day, the tray would need to be changed. He stated there were also issues with bacteria buildup on the trays and illnesses associated with bacteria on trays. He stated since polystyrene foam trays have been used, there has been no issue with bacteria buildup. He stated Genpak is expected to produce products that are safe and he is proud to have upheld that through the years. He stated he would like the Committee to consider the job opportunities that have been brought to Middletown, NY and Glens Falls, NY. He stated although polystyrene is not biodegradable or compostable, it is recyclable.

Legislator Scuccimarra stated she appreciates the information shared tonight. She stated although polystyrene is recyclable, the percentage that does not get to the land fill or recycling centers is harmful to the environment. She stated it also leeches into the food and drink that it is holding. She stated the polystyrene meat trays would not be included in the ban.

Mr. Rider stated most landfills are lined to prevent leeching. He stated waste on the side of the road is a societal issue. He stated in the 45 years he has been working at Genpak, he has not heard any reports of health issues related to polystyrene foam.

Chairwoman Addonizio made a motion to waive the rules and accept the additional;
Seconded by Legislator Gouldman. All in favor.

**c) Presentation/ Plastics Food Manufacturing Group/ American
Chemistry Council**

Mike Levy, Director for the Plastics Food Service Packaging Group stated his company is part of the American Chemistry Council and he represents all the companies that were present at tonight's meeting as well as others. He stated he would like to address some issues that were behind the ban. He stated the Plastics Food Service Packaging Group supports the creation of sustainable products and reducing waste. He stated their focus has been food service recycling. He stated it is believed that biodegradable or compostable products are a more environmentally friendly alternative to polystyrene. He stated there is also a health issue concerning the Committee. He stated he has been working with cities for 30 years to reduce litter. He stated as far as the health and safety issue, any food service container must be FDA approved. He stated the FDA requires testing and data before approving any additive. To do this, they take the worst case and test it. He stated in the case of polystyrene, they have measured how much polystyrene leeches into the food under high temperatures. He stated the most recent study done on polystyrene shows the daily dietary intake is 6.6 micrograms per person per day. He stated the acceptable intake that the FDA measured is 90,000 micrograms. He stated the material leeching into the food is not an issue because it is a safe level; otherwise the product would not be used. He stated styrene is not polystyrene. He stated styrene is a liquid that is used in manufacturing. He stated polystyrene is the product. He stated the amount of styrene in polystyrene is almost unmeasurable. He stated it is believed that styrene is a carcinogen. He stated according to the National Toxicology Program, polystyrene is not a threat because of the low levels of styrene in the product. He stated that polystyrene has been used for 50 years and there have been no incidents of anyone getting sick from it. He stated there is a perception that biodegradable products are the preferred environmental solution because they "disappear" whether it is littered or put in a land fill. He stated nothing degrades. He stated the degrading process needs temperature and moisture and landfills are tombs. He stated when looking at environmentally friendly products, generally one is looking at what the overall impact on the environment is. He stated polystyrene is made of 95% air, is lightweight, takes less energy and develops less solid waste. He stated a typical compostable product weighs 2-3 times more. He stated in the case of New York City, when they banned polystyrene products, they saved \$2 million by not having to dispose of it, however it costs \$6 million to dispose of the alternative products. He stated this is because, like Putnam County, there is no infrastructure to collect all the compostable food service ware. He stated the Plastics Food Service Packaging Group is in favor of composting and recycling. He stated the science is there that shows polystyrene is not a health risk. He encouraged the Committee to look at the other Cities that have banned polystyrene and see if the ban has solved their litter problem. He stated the way to prevent litter is to get behind the behavior.

Legislator Scuccimarra stated no level of polystyrene is acceptable. She stated this product has been in use for 50 years and there have been no health issues. However, 50 years ago many people smoked and the health risks were not yet known. She stated she would like to err on the side of caution as her first responsibility as a County Employee is to watch out for the health of the residents. She stated this is a major concern of hers.

Mr. Levy stated the tests and data he has handed out to the Committee and spoken about is up to date as it is from 2013. He stated they constantly prove that it is safe.

Mr. Rosario thanked the Committee for their time. He stated it is his hope that they can work with Putnam County just as they work with Yonkers with the recycling of polystyrene products.

Legislator Gross stated the proposed ban is within Putnam County Government Facilities. He stated as it stands right now, no foam products are being used in any County Facility. He stated this legislation is setting the tone. He stated he would ask the Committee to consider a resolution asking the communities within Putnam County to consider having their carters include recycling of polystyrene products. He stated he does not like banning things as he likes to have communities make their own decisions, however he understands where Legislator Scuccimarra is coming from. He reiterated that polystyrene products are not being used in any County Facility.

Legislator LoBue stated the Office for Senior Resourced uses polystyrene cups and trays.

Legislator Scuccimarra stated the original goal was to begin this in the Putnam County Government Facilities and then expand the ban County wide.

- d) Correspondence Opposing to Polystyrene Regulation in Putnam County Government Facilities**
- e) Correspondence in Favor of Polystyrene Regulation in Putnam County Government Facilities**
- f) Correspondence/ Purchasing Dept./ Cost Comparison of Non-Polystyrene Goods**

Jerry Ravnitzky, Putnam County resident stated he understands the concerns of the chemical industry as this may be the beginning of a wide spread ban of polystyrene, just as has happened in hundreds of cities nationwide. He stated polystyrene is made from petroleum, which is a polluting substance. He stated there are environmental impacts associated with the production of polystyrene products. He stated polystyrene ranks second highest, after aluminum, in energy consumption and greenhouse gases. He stated it is a principle component of urban litter and marine debris. He stated it is not biodegradable and takes several decades to thousands of years to breakdown. He

stated it is also a major part of landfills. He stated polystyrene contains styrene and benzene, which is a known carcinogen. He stated the containers leech these toxins in high temperatures. He stated communities in Europe and Asia banned polystyrene due to negative impacts to humans and the environment. He stated a very small amount of polystyrene actually gets recycled. He stated in order to recycle it, any food residue must first be cleaned off and then recycled and this is a costly and time consuming process. He stated Dunkin Donuts is using polystyrene cups but they have indicated that in the future they will be changing over to paper. He also stated in the past, McDonalds used polystyrene containers for their food, but they have changed to paper. He stated Dell Computers has been experimenting with a new type of packaging as well. He stated the best alternative is to utilize reusable food service ware such as a coffee mug at work as opposed to disposable cups to reduce waste.

Paula Clair, Putnam County resident stated she is in support of the ban on polystyrene because of the health risks. She referenced a document from the National Institute of Health which indicated that styrene is anticipated to be a human carcinogenic. She stated it is shown to have a possible association with cancer of the esophagus and pancreas. She also stated the FDA does not do their own testing. She stated they review testing done by the manufacturer in the manufacturer's lab.

John Cronin, Putnam County resident stated he has lived in the County for 34 years. He stated he is currently the Senior Fellow for Environmental Affairs at Pace University; the founding Director and CEO of the Beacon Institute for Rivers and Estuaries; the Co-Founder of the Environmental Consortium of Colleges and Universities; and the Co-Founder of the Pace Law School Environmental Litigation Clinic. He stated he is also a former commercial fisherman on the Hudson River and spent 17 years of his career as the Hudson River Keeper. He stated when he first began working on the Hudson River in 1973, one of the most obvious things about the River was the oil on the water, raw sewage, and cars. He stated through the course of his career he was able to see things change dramatically and see the water become cleaner. He stated within the last 15 years there has been an abundance of plastics in the water. He stated this includes plastic bags, Styrofoam, and hard plastic. He stated on his way to the meeting tonight, he heard a broadcast on NPR (National Public Radio) regarding a scientist from the University of Georgia who studies ocean science. He stated she was asked to do a calculation of how much plastic accumulates in our waters and she found it to be 8 million tons a year. He stated there is a worldwide concern about the abundance of plastic in our environment. He stated polystyrene is one of those plastics. He stated plastics in our waters is not only an aesthetic issue. He stated last month in Environmental Science and Technology Magazine, a study was published about polystyrene nanoparticles. He stated a nanoparticle is about a tenth of a millionth of an inch. He stated polystyrene does not biodegrade, but it does deteriorate into tiny particles. He stated the conclusion of their study showed severe effects on feeding behavior and metabolism of fish. He stated commonly used nanoparticles may have considerable effects on natural systems and ecosystem services derived from the fish. He stated this is a severe finding. He stated polystyrene is the culprit and at such a small size, it cannot be seen. He stated when thinking about polystyrene, do not think

of it as coffee cups or clamshells, but think of it as the polystyrene we do not see. He also stated to think of an island of plastic the size of Texas, which is the size that the nanoparticles would take up if they were put together. He stated this plastic is coming from the land and it is coming from rivers and estuaries such as the Hudson River. He stated in the part of the Hudson River that passes through Putnam County, the water does not stream right to the ocean, but it sloshes around and passes the same area six (6) times before moving downstream toward the ocean. This gives the polystyrene the opportunity to deteriorate into small pieces before traveling into the ocean. He stated he is no longer the Hudson River Keeper so he does not patrol the Hudson as much as he once did, however he does still spend a lot of time of the River. He stated he is not exaggerating when he says that plastic bags and polystyrene have become a menace to the environment. He stated there is no one to blame for this happening, it is an unexpected consequence of the things that we create. He stated this is not an isolated issue of paper vs. plastic, but it is a small part of a much bigger issue that year by year will have to be tackled in terms of all plastic products. He stated if this cannot be tackled at the polystyrene level, there is little hope that the bigger issue will be resolved. He stated it is his hope that what is being started at the County Government level will be expanded to the rest of the County, followed by the ban of plastic bags and other unnecessary plastics. He stated Westchester County is looking into a similar ban. He stated the Village of Hastings on Hudson and New York City have banned polystyrene. He encouraged the Committee to stick with this initiative and to think of our watershed and the Hudson River.

Legislator Nacerino stated there has been a lot of great information presented tonight. She stated she is in support of the ban. She stated it is good for Putnam County to lead by example. She stated this ban is not being imposed on any business at this point in time; this is just setting a tone. She stated Legislator Gross brought up a very good concept earlier when he suggested encouraging the carters around the County to pick up polystyrene recycling. She stated a polystyrene ban may be a hardship on the Mom and Pop shops around the County and because of this it would be possible to make them exempt from the ban. She stated within Putnam County, the Office for Senior Resources uses polystyrene and switching to an alternative will double the amount of money spent from about \$3,000 to \$6,000. She stated it is money well spent as it is a good measure.

Chairwoman Addonizio stated she agrees with Legislator Nacerino in that it is important to lead by example. She also stated it is very important to look into recycling, such as the program they have in Yonkers.

Legislator Albano stated the information stated has all been very interesting. He stated recycling is one of the biggest issues and perhaps representatives from the recycling centers around the County should be invited to come before the Committee to be a part of the discussion.

Legislator Scuccimarra stated looking into recycling is a great idea.

Chairwoman Addonizio made a motion to move the proposed resolution to the Full Legislative Meeting; Seconded by Legislator Scuccimarra. All in favor.

Item #5 - Discussion/ Proposing Local Law to Create Animal Cruelty Registry

Legislator Gouldman stated he would like to develop an Animal Cruelty Registry within the County. He stated it would be similar to convicted sex offender registries. He stated Westchester, Rockland, Suffolk, Nassau, and Albany Counties all have Animal Abuse Registries. He stated the registry would be accessible to the public and would show the person's photograph, name, and address. He stated those who sell animals will be able to check the registry prior to any sale. He stated animal cruelty has been a felony in New York since 1999, with the creation of Buster's Law. He stated Buster was a cat in Schenectady, NY who was doused in kerosene and set on fire. He stated violence toward animals is often a gateway to violence toward humans. He stated if each County had a registry, the State could then have a registry. He stated pets are a part of one's family and this would be to protect family members who are unable to speak for themselves. He stated this would be a major step forward in protecting the rights of animals.

Chief Kenneth Ross of the Putnam County SPCA (Society for Prevention of Cruelty to Animals) stated currently, there is no mechanism for an adoption agency or pet stores to check if the person looking to purchase an animal has been convicted of animal abuse. He stated in the case of someone abusing an animal, the animal is generally taken away by the court. He stated as of right now, there is nothing stopping that same person from going out and purchasing another animal. He stated there is a direct connection between animal abuse and domestic violence. He stated creating a registry for convicted animal abusers is very important. He stated he would like it to be mandatory for adoption agencies or pet stores to check the registry prior to any sale. He stated there also must be enforcement as well as penalties. He stated there was a situation in Putnam Valley where an individual had cruelly treated a German Shepard puppy and the dog was removed. He stated the court ruled that the person could not own an animal for a certain amount of years. He stated that individual had a home in Florida and he asked his lawyer if the ruling applied there. He stated this is a problem as animal abusers feel the need to have dominance over the animal. He stated having a registry is very important and having the ability to network with other Counties is important as well. He stated the Putnam County SPCA would be happy to assist with the formulation and enforcement of this local law.

Legislator LoBue questioned who enforces the law in Westchester County.

Chief Ross stated the issue with the Westchester law is that there is no enforcement clause. He stated anyone who can enforce State law can enforce this law. He suggested including enforcement by any police officer or officer of the SPCA in the Putnam County local law. He stated the SPCA makes the arrests of 99% of animal cruelty crimes, which is why it is important the SPCA officers are included as enforcers in the law. He also stated the SPCA is aware of the people who are committing the

crimes and they are aware of people who may have committed crimes in Westchester and moved to Putnam.

Chairwoman Addonizio stated in Rockland County, the Sheriff is in charge of the registry. She stated a \$50.00 fee is charged to the convicted abuser.

Chief Ross stated who takes control of the registry depends on how active the SPCA is in that County. He stated in Putnam, the SPCA would control the registry.

Legislator Scuccimarra thanked Chief Ross for attending the meeting and stated she is supportive of this registry.

Chairwoman Addonizio stated she would like to see a psychological evaluation be mandatory for convicted abusers.

Chief Ross stated in New York City when the ASPCA used to enforce the animal cruelty laws, a psychological evaluation was one of the stipulations that the District Attorney would bring up if it was a felony. He stated it was also attempted to add a mandatory psychological evaluation in Buster's Law, however it did not pass. He stated it would be a great thing to have in the County Law.

Legislator Nacerino stated she is supportive of this registry. She stated our pets are family members.

Legislator Gross questioned if animal abuse is an issue within Putnam County. He stated he has not heard many cases involving animal cruelty within the County.

Chief Ross stated animal cruelty takes the form of abuse or neglect. He stated the Putnam County SPCA is currently working on a case where a person no longer wants their dog so they locked it in their basement. He stated the report had come from someone out of state who stated the owner was not going to feed the dog. He stated often times the case is that the owner is suffering from a sort of mental issue and no longer wants the animal and lets it die. He stated this time of year, the winter, the SPCA runs into many cases of dogs being left outside. He stated many times, the owner will say that the dog likes to be outside, however a short haired dog cannot handle the low temperatures. He stated this is a form of animal abuse. He stated this proposed Local Law would probably not cover leaving a dog outside because that is more of an education situation. He stated the owner must understand that the animal cannot handle the temperature. He stated there are situations with people who own farm animals and no longer want them, so they stop feeding them. He stated when there was a downturn in the economy in Putnam County, people locked their dogs in their houses and left. He stated dogs are also left on the side of the road, sometimes in cages, sometimes tied up. He stated the person who feels they no longer want their dog and therefore abandons it may decide to get a new dog shortly after, which puts that new dog at risk. He stated most of the time they are able to track down the owner of the abandoned dog, and a registry would stop that person from purchasing another

dog or animal. He stated arrests were made in Westchester for dog fighting and it was found that this was an issue from Westchester, through Putnam Valley, up into Dutchess County. He stated there was another situation where a mother had 17-20 cats and an 11 year old daughter living in a house. He stated CPS (Child Protective Services) called the Putnam County SPCA because the child was inhaling the odor of the cat urine. He stated when they got to the house, it was covered in feces and the 11 year old girl's bed was soaked in cat urine and she had to keep her clothes in the dryer because otherwise the cats would defecate on them. He stated it does happen in Putnam County and it happens on different levels. He stated these situations are not always in the paper, especially when CPS is involved.

Legislator LoBue stated she is in support of this registry. She stated she would like to make sure it is done properly so it may be enforced. She stated in the past, there were issues with enforcement in another Local Law. She also stated often times; people who are emotionally unstable are attracted to animals.

Legislator Gouldman stated it has also been shown that abusing animals is a gateway to abusing humans.

Legislator Castellano questioned who would maintain the registry and what the cost would be.

Chief Ross stated the registry would be maintained through the Putnam County SPCA and any fee would be charged to the convicted abuser. He stated this annual payment would sustain the website. He stated the convicted abuser would submit their fee, name, address, and a photo. He stated all of this information would be put on the registry.

Legislator Castellano questioned who maintained the registry in the other Counties.

Chief Ross stated three (3) Counties have their SPCA maintaining it and in Westchester and Rockland, the registry is run by their police. He stated it depends on the activity of the SPCA within that County.

Legislator Castellano stated he was under the impression that in Westchester it was a one (1) time fee.

Chief Ross stated after the person is convicted and they pay the court fees, they must go to the County police and provide their name, address, a photo, and their payment to be on the registry. He stated this process is repeated each year. He stated he believes in Westchester it is for five (5) years.

Legislator Castellano questioned if the charge is a felony or a misdemeanor in Westchester.

Chief Ross stated it would depend on the offense. He stated Buster's Law is a felony and only covers companion animals. He stated when this law is drawn, he suggests including all animals. He stated he would also like to include criminal mischief. He also stated those who move into the County and may be on another registry must be mandated to register on the registry in Putnam County.

Legislator Nacerino questioned how the law would be enforced if someone purchased an animal online.

Chief Ross stated if someone were to go outside of the County to avoid the law, it would be a misdemeanor.

Legislator Nacerino questioned how the SPCA would find out.

Chief Ross stated sometimes people who are connected to or live near the person will call the SPCA to make them aware.

Legislator Castellano questioned if there will be a penalty to the seller of the animal if they sold one to a convicted abuser.

Chief Ross stated if they are in the County, then there would be a penalty.

Legislator LoBue stated there is a lot to enforce.

Chief Ross stated 90% of the time, a misdemeanor is downgraded to a violation. He stated the SPCA makes an average of 12-20 arrests per year. He stated most of the time, the owner needs education. He stated last summer they removed 51 dogs from cars, but only issued one (1) summons. He stated when they spoke to the owners about the dangers of leaving the dog in the car in high temperatures, they understood and were let off with warnings. The one owner that received a summons did not understand what the officer was explaining. He stated the registry would be for people purposefully harming animals.

John Cronin questioned how cases involving animals traveling into the County would work.

Chief Ross stated the law would apply to any animal within Putnam County.

John Cronin questioned what would happen if the animals were part of a fair or circus.

Chief Ross stated if the person is arrested in Putnam County, they would go on the registry.

Legislator Albano suggested making the law broad and allowing for the officer to use discretion when necessary.

Director of Consumer Affairs Jean Noel stated she is supportive of this registry. She stated even though these cases may not be seen or heard about, there are many issues in Putnam County.

Chief Ross stated the courts work with the SPCA and the local police utilize the SPCA. He stated if there is an animal cruelty call in Kent, the Kent police will call the SPCA and have them handle the case. He stated under State law, a deputy must make an arrest; however under the same law, an SPCA Officer may make an arrest, so there is more leniency.

Director Noel stated the registry can also be useful for people looking for a pet sitter.

Item #6 - Approval/ Amend Legislative Manual/ Section V(A)/ Relationship Between the Legislature and Executive Branch

Legislator Gross stated a memorandum was received from the County Executive regarding the procedure of Legislators contacting Department Heads. He stated the procedure is always followed by the Legislative Office when sending a memorandum to a Department Head from a Legislator. He stated he is concerned about smaller issues. He gave the example of a constituent calling requesting information about flu vaccinations. He stated a Legislator should be able to contact the Health Department and address the issue without notifying the Administration. He stated he wanted to clarify that the Legislators have a responsibility to meet the needs of their constituents. He read from a letter that a past Legislator wrote regarding this issue.

Legislator Albano stated if it is a general question from a constituent a Legislator should be able to contact a Department Head on their own. He also stated that if a Legislator is requesting information or attendance at a meeting from a Department Head, it should be done so formally in a memorandum and sent to the County Executive.

Legislator LoBue stated this has never been an issue. She stated the Legislators should have access to the Departments within the County. She stated it seems that the public has more access to the Departments than the Legislators do, which is untrue. She stated a Legislator may contact any Department Head and ask any questions. She stated if a Legislator would like a Department Head to come to a Committee Meeting to speak on an issue it must be done so through the County Executive. She also stated the Legislators also have direct access to all outside agencies. She stated outside agencies used to be located outside of the County building. She stated currently, there are some located on the third floor of the County Office Building.

Legislator Gross stated he toured the Jail recently and contacted the County Executive's Office to notify the County Executive of the tour as a courtesy. He stated the procedure is in place and is utilized.

Legislator Nacerino stated it is good that this topic has been brought to light. She stated it is a reminder of the procedure.

Legislator Albano stated he does not agree with amending the Legislative Manual to add "...contacting or receiving any information..." He stated contacting a Department Head is fine, however if a Legislator is requesting information from a Department, the request should go through the County Executive. He stated otherwise, each Legislator could be requesting information with no documentation of the request.

Legislator Scuccimarra stated she agrees with Legislator Albano.

Legislator LoBue stated the Legislature and the County Executive are co-equal branches of Government. She stated she agrees with the amendment.

Legislator Albano stated submitting a request for information through the County Executive allows for structure. He stated it could get confusing if each Legislator was requesting information on their own. He stated he has never seen a situation where information was refused. He stated the Legislature is an equal branch, but there must be structure.

Legislator Scuccimarra stated it is also a courtesy.

Legislator LoBue stated information has been refused. She stated as a courtesy and for record purposes she has sent formal written correspondence. She stated she had requested financials for Tilly Foster Farm in March of 2014 and received the information in October. She stated the Legislature should be privy to what is going on in the County, especially when it comes to financials. She stated there has never been chaos in regards to requesting information.

Legislative Counsel Van Ross stated the only change is in the last sentence which reads "Nothing shall prevent any individual Legislator in the performance of his or her duties from contacting or receiving any information from any unit of County government." He stated the amendment is paraphrasing past Legislator Birmingham's letter (attached as backup in agenda).

Chairwoman Addonizio reiterated that the Legislative Manual states that any Legislator can contact or request information from any Department within the County.

Legislator Albano stated requests for more complex information should go through the County Executive in order to have structure.

Legislator LoBue stated the Legislators should be asking individually for the information they desire. She stated each Legislator is elected individually, and therefore should be able to act individually.

Chairwoman Addonizio made a motion to approve the Legislative Manual amendment. By Roll Call vote: Two Ayes: Chairwoman Addonizio and Legislator Gross. One Nay: Legislator Scuccimarra.

Item #7 - Approval/ Establish Policy/ Identifying Utility and Gas Lines as Non-Transferrable Budget Lines

Legislator Nacerino stated Commissioner of Finance Bill Carlin has made the inability to transfer money from the utility and gas lines a practice; however she would like to make it policy. She stated during the course of the year, money is transferred from the utility and gas line for non-essential items. She stated the budget should be more controlled.

Legislator Gouldman questioned if this may be micromanaging.

Legislator Nacerino stated this is not micromanaging. She stated the fund transfers are too fluid. She stated the budget is made available to the public, however if any line can be amended, it is not a true budget.

Legislator LoBue stated she agrees with Legislator Nacerino. She stated the Legislature has the authority to deny any fund transfer. She stated Departments come to the Committees to request transfers, however no record is provided of what has already been spent.

Legislator Albano stated this is a good idea with these lines. He also stated some lines do need to be flexible.

Legislator Nacerino stated this will also avoid unnecessary paperwork and time that goes along with the fund transfers if a Department is looking to move funds from their gas or utility lines. She states having this as a policy will make it clear that these lines are off limits.

Legislator Gross stated it is important to keep in mind that unplanned events come up throughout the year, therefore some lines do need to remain flexible. He stated he agrees that structure is needed as well.

Legislator Castellano stated last year, with the drop of gasoline prices there was a surplus in each Department's gasoline lines. He stated these lines should be controlled.

Chairwoman Addonizio made a motion to table this item pending a resolution be drawn; Seconded by Legislator Scuccimarra. All in favor.

Item #8 - Approval/ Re-Appointment/ Home Improvement Board/ Rossano

Chairwoman Addonizio made a motion to approve the appointment of Rossano to the Home Improvement Board; Seconded by Legislator Scuccimarra. All in favor.

Director Noel stated Mr. Rossano is filling the remainder of a two (2) year term.

Legislative Clerk Diane Schonfeld stated there was a mistake with some titles within the Home Improvement Board. She stated Mr. Rossano is being appointed as a tradesperson. She stated Mr. Paul Harnish, who was already appointed is a contractor. She stated these corrections will be reflected in the resolution.

Item #9 - Approval/ Putnam Arts Council Grants for 2015

Chairwoman Addonizio made a motion to approve the Putnam Arts Council Grants for 2015; Seconded by Legislator Scuccimarra. All in favor.

Item #10 - Approval/ Re-Appointments/ Putnam County Veterans Memorial Park Advisory Board

Chairwoman Addonizio made a motion to approve the re-appointments to Putnam County Veterans Memorial Park Advisory Board; Seconded by Legislator Scuccimarra. All in favor.

Item #11 - Approval/ Appointment/ Putnam County Veterans Memorial Park Advisory Board/ Gilchrist

Chairwoman Addonizio made a motion to approve the appointment of Gilchrist to the Putnam County Veterans Memorial Park Advisory Board; Seconded by Legislator Gouldman. All in favor.

Item #12 - FYI/ Board of Elections/ 2014 Annual Report – Duly Noted

Item #13 - FYI/ County Clerk/ 2014 Annual Report – Duly Noted

Item #14 - Other Business

a. Approval/ Re-Appointment/ Board of Ethics/ Delamere

Legislator Gouldman made a motion to approve the re-appointment of Delamere to the Board of Ethics; Seconded by Legislator Scuccimarra. All in favor.

Item #15 – Adjournment

There being no further business at 8: 55 P.M. Chairwoman Addonizio made a motion to adjourn; Seconded by Legislator Scuccimarra. All in favor.

Respectfully submitted by Administrative Assistant Beth Green.