

District Attorney Adam Levy stated there was a clear need for someone who was experienced in dealing with the media, as media requests come in constantly. He stated without this person, the responsibility would fall on him, and he is not as experienced in dealing with the media. He stated he did not want to have the position of Public Information Officer funded with taxpayer money. He stated since the District Attorney's Office just added a bilingual investigator to assist with sex crimes, he did not want to ask to have yet another position added and put an additional burden on the taxpayers. He stated to remedy his situation; he found a qualified individual and decided to pay the salary out of pocket. He stated making this decision gave him peace of mind. He stated perhaps he should have brought this before the Legislature as a courtesy. He stated there was no maliciousness on his part. He stated the office did conduct a background check.

Chairwoman LoBue questioned if District Attorney Levy vetted the individual.

District Attorney Levy stated he vetted the individual and sent her to I/T to set up a Putnam County email address. He stated it is necessary for her to have a County email when responding through the District Attorney's office. He stated the background check was done by the District Attorney's office and as an independent contractor, she maintains her own insurance. He stated the taxpayers are getting the services of a Public Information Officer for free.

Legislator Oliverio stated when he first heard of this, it was from a reporter. He stated his concern is that a person with a civilian background is working in a very confidential office. He stated he would have felt a lot better if this had been brought before the Legislature. He stated due to the extreme confidentiality that must be upheld in the office, the person should be a County employee.

Chairwoman LoBue questioned if this individual has access to legal files.

District Attorney Levy stated no, the individual does not have access to the legal files. He also stated the DA's office has interns and other individuals who assist in the office other than just the Assistant District Attorneys and the staff. He stated at this point he is not asking for the position to be added at the taxpayer's expense since he had already added a position this year. He also stated it is his understanding that State Law would not prohibit him from what has been done.

Legislator Oliverio stated the position should be included during the budget process. He stated the office is busy and the position is needed so District Attorney Levy can spend more time on cases.

Legislator Nacerino stated she concurs with Legislator Oliverio. She stated it is the Legislature's responsibility to adhere to policy and procedure. She stated having the person brought in and paid by the Department Head makes the Legislature feel uncomfortable. She stated she would feel more comfortable with having the individual

vetted through the Personnel Committee, given a County email and a County identification card. She stated this lends itself to a potentially bad situation.

Chairwoman LoBue stated the other part of this situation is communication. She stated the public questioned the Legislators and they were not aware of this situation.

Legislator Albano stated there is certainly a need for the position, but he does not believe it should be funded as it may lead to other departments requesting the same type of funding. He also stated the email should be through District Attorney Levy, not Putnam County.

District Attorney Levy stated the individual's email is firstinitial.lastname@putnamda.org.

Legislator Castellano suggested replacing her name on the email with her title.

District Attorney Levy stated he had no issue with Legislator Castellano's suggestion.

Legislator Wright stated from a policy point of view it is difficult to permit one office to have this position.

Item #7 - Approval/Putnam County Hazard Communication Standard "Right to Know" Policy/Law Dept/Safety Officer

Deputy County Attorney for Risk and Compliance Adrienne Spadaccini stated the newest addition to the Law Department's personnel is John O'Connor, who is the County Safety Officer. She stated County Safety Officer O'Connor will assist her in moving the safety culture across the County forward. She stated historically, in order to comply with the Public Employee Safety and Health (PEOSH) and the Occupational Safety and Health Administration (OSHA) regulation there were binders in the County that had data sheets identifying any hazardous materials. She stated when an employee was exposed to a hazardous material they could look up the data sheet in one (1) of those binders and see what they were exposed to and how to address it. She stated this policy is long overdue. She stated a company was hired to provide an online database.

Legislator Nacerino questioned if there will be an obligation for each employee to complete an online training session regarding the hazardous material and how to address it.

Deputy Spadaccini stated the system does have a training component. She stated this will be housed on both the internet and the intranet. She stated those employees who do not have computer access will have face to face training.

Legislator Nacerino question when this will be implemented.

Deputy Spadaccini stated the computer module has been purchased. County Safety Officer O'Connor has been working on obtaining the safety data sheets from the various locations and is working with Director of Information/Technology, Tom Lannon, to get the information online.

Chairwoman LoBue made a motion to approve the Putnam County Hazard Communication Standard "Right to Know" Policy; Seconded by Legislator Wright. All in favor.

Item #8 - Approval/Amend Local Law #9 of 2012/Local Law #7 of 1998/ Project Labor Agreements

Legislator Wright made a motion to table the amendment of Local Law #9 of 2012/local law #7 of 1998; Seconded by Legislator Tartaro. All in favor.

Item #9 - Board of Ethics/Correspondence

a) Annual Report/FYI

b) Recommendation/Civil Penalties for Failure to File Annual Financial Disclosure Statements

Legislator Oliverio stated he does not believe a volunteer should be made to pay a fine. He stated rather than a fine, a warning should be given and if the member is still not in compliance, then they should be removed from the Board.

Chairwoman LoBue stated she does not believe it is worth spending money on litigation to enforce such a fine. She stated she is unsure if the Legislature has the jurisdiction to enforce a fine.

Legislative Counsel Van Ross stated the Ethics Law will need to be changed. He stated as it stands, fines are written in the Law; however removal of a member is not.

Legislator Wright questioned if the Legislature was awaiting correspondence from the Law Department on this matter.

Chairwoman LoBue stated yes.

Legislator Oliverio stated legal opinion was not sought on this matter.

Legislative Counsel Van Ross stated the Legislature should question if they lose jurisdiction once someone leaves the Board.

IDA Chairman Ruchala stated this is the strictest and most comprehensive disclosure form.

Item #10 - NYS Comptroller/Report of Examination/Putnam County Industrial Development Agency/Discussion

Chairwoman LoBue stated the Legislature received an audit report from Comptroller DiNapoli's office regarding the Putnam County IDA. She stated there are eleven recommendations within the report.

IDA Chairman Rich Ruchala stated most of the questions have been answered in the response. He stated most questions were regarding cost benefit analysis. He stated he learned of a software program the IDA can get that would keep the cost benefit analysis adjusted.

Chairwoman LoBue stated the report seems to be procedural in nature. She stated the report was broken up into four categories. She stated the categories were Evaluation Criteria, Verifying Application Data, Cost Benefit Analysis, and Monitoring Performance for the Companies that Receive Benefits.

IDA Chairman Ruchala stated he spoke to IDA Board member Maureen McLaughlin who stated she would like to get involved with monitoring performance of the companies who receive benefits. He stated he spoke to a representative from one of the companies who were concerned because the number of jobs produced in the report was 34, however he produced 51 jobs. He stated he would like recipients to come to the Board to discuss matters so the full Board and public have the opportunity to be updated. He stated this is part of the future Correction Action Policy (CAP). He stated it was a goal to get the policy done quickly. He stated in effect, the policy is done.

Legislator Oliverio stated there are responses within the report and they are definitive and conclusive. He stated he is pleased.

IDA Chairman Ruchala stated in fixing the recommendations made in the report, he had completed the Correction Action Policy without even realizing it.

Chairwoman LoBue questioned if the policy had been implemented.

IDA Chairman Ruchala stated the questions have been answered. He stated he had individuals who he wanted to add to the Board, however due to the political atmosphere and the Audit; he wanted to wait until all the issues were resolved, and then add the members onto the Board.

Chairwoman LoBue questioned when the 90 days expire.

IDA Chairman Ruchala stated the Board will meet and correct the deficiencies.

Chairwoman LoBue questioned if IDA Chairman Ruchala would come back before the Committee before the 90 days expire to provide an update on the progress.

IDA Chairman Ruchala stated he would come back.

Legislator Nacerino stated at the Economic Development Meeting Bill Nulk was appointed to the IDA Board. She questioned the Legislature's ability to appoint members.

Chairwoman LoBue stated she would like to discuss that matter after the report and Correction Action Plan is discussed.

Legislator Wright questioned if what was on the report regarding the Correction Action Plan was going to be used as a framework for the formal Correction Action Plan. He questioned if there is a timeline.

IDA Chairman Ruchala stated yes, the questions should all be answered within 60 days. He stated it is procedural and administrative in effect.

Legislator Wright questioned if the State would like a formalized plan rather than the implementation of the plan.

IDA Chairman Ruchala stated a formalized plan is in effect.

Legislator Wright stated he understood the Correction Action Plan to have a 90 day window.

IDA Chairman Ruchala stated the formal Correction Action Plan is in effect. He stated the IDA needed to return their corrections within 30 days. He stated questions were answered in regard to how issues were going to be corrected.

Legislator Oliverio questioned if it was accepted by the State.

IDA Chairman Ruchala stated it was accepted. He stated it is now a matter of implementing the plans and getting everything done correctly.

Legislator Wright questioned what the 90 days was related to.

IDA Chairman Ruchala stated if the Correction Action Plan was not done, the IDA then had 90 days to do it. He stated it was done immediately.

Chairwoman LoBue stated when she earlier questioned if IDA Chairman Ruchala would come back to the Legislature before the 90 days were up to provide an update, she was not aware the Correction Action Plan was completed. She stated IDA Chairman Ruchala has already satisfied a request.

IDA Chairman Ruchala stated that request has been satisfied; however he would like to let the Legislature know what the IDA was doing about each recommendation.

Legislator Tartaro questioned if the businesses were notified that they were required to submit ST-340 forms.

IDA Chairman Ruchala stated at this point, they have not been notified. He stated they had two closings on refundings which both businesses completed. He stated the form is the tax return.

Legislator Tartaro questioned if this applies to all business in the program.

IDA Chairman Ruchala stated they will be notified. He also stated it is the responsibility of the business to file the form, and the responsibility of the IDA to make sure they are being filed.

Legislator Nacerino stated at the Economic Development Meeting Legislator Oliverio brought up that there was a lack of governance in this situation. She stated the IDA has laid out their plan and that plan now must be implemented. She questioned what the Legislature's responsibility is since the IDA is independent.

Chairwoman LoBue stated this was why she would like to have an update from the IDA before the 90 days is up.

Legislative Counsel Clem Van Ross stated the IDA is an independent agency. He stated the Legislature appoints the seven (7) members of the Board. He stated if the Legislature is not happy with how the IDA is working, they can put new people on the Board.

Legislator Oliverio stated his reference to lack of governance applies to both the Legislature and the Administration. He stated the oversight is also a responsibility of the Legislature. He stated the IDA should be brought forward to provide updates to the Legislature.

Legislator Albano stated the paperwork to show how well it is working is missing. He questioned once the numbers are in if they can be compared to other IDAs.

IDA Chairman Ruchala stated a comparison can be made. He stated in 2010 or 2011 a cost benefit analysis was done and Putnam County exceeded other IDAs. He stated the Putnam County IDA was the only one that produced more jobs than they said they would. He stated Putnam County was also under other County's costs.

Legislator Albano stated the failure was in producing the numbers to show what was going on. He stated the paperwork is what needs to be fixed, not the procedure.

Chairwoman LoBue stated the comments on the report were procedural in nature. She questioned how many jobs the County was short by.

IDA Chairman Ruchala stated we are ahead. He stated another 12 jobs came from Broad Reach and another 17 jobs out of UCP.

Chairman Albano stated once everything is organized, we will be able to look at the IDA and see that a good job is being done and the procedural defects were corrected.

Chairwoman LoBue stated process and procedure must be followed. She stated the IDA has been in Putnam County for 20 years. She stated recommendations for the Board have always been brought to the Legislature by the Chair of the Board. She stated she believes it is unfair that an individual was appointed outside of this process. She stated her comments have nothing to do with the individual, only with the process.

Legislative Counsel Van Ross stated all other Boards recommend members to the Legislature, and based on that recommendation, the individual is approved as a member.

Chairwoman LoBue questioned what the proper procedure is regarding the appointment approved out of Committee at the Economic Development Meeting.

Legislative Counsel Van Ross requested clarification as to what happened as he was unable to attend the meeting.

Chairwoman LoBue stated recommendations were made by the CEO of the IDA.

IDA Chairman Ruchala stated under the by-laws of the IDA, it is the Board's responsibility to vet, vote on, and recommend individuals. He stated the CEO has no vote. He stated one (1) Board member on the Governance Committee made a recommendation, while another Board member disagreed. He stated one (1) Board member resigned, which made the Board short a member. He stated they will make it a full board by mid-late April.

Legislative Counsel Van Ross stated correct procedure dictates that the recommendation should come from the Board itself.

Legislator Wright stated he would like to lay it on the table and take it off the table the following month when the Legislature is possessed of the Board's recommendation.

Legislator Tartaro stated there are currently four (4) members. One (1) member has not been available for the past several months. He stated the CEO made a recommendation to fill the three (3) vacancies. He stated his concern is the fourth member is needed to take a valid vote. He stated Legislator Albano recommended to appoint one person to the Board so a valid vote could be made. He stated this appointment is not for a full term, but just until the year end. He stated the one person appointment to make the Board five (5) members is somewhat of an insurance to the Board.

Legislator Nacerino stated that is why the Committee moved the action forward. She stated she had a concern with the Legislature's ability to do this. She further stated the intent of the motion was to fill a deficient Board, which has 3½ members while one is away. She stated the Legislature's consideration of Mr. Nulk was to give the IDA a jump start so they were able to achieve what they needed so the Board could be filled.

IDA Chairman Ruchala stated he has no qualms with Bill Nulk being a member of the Board. He stated his concern is the precedent of the Legislature placing a person on the Board. He stated he would rather take the chance and have the Board approve the recommendation correctly. He stated he has no issue with Bill Nulk becoming a member of the Board. He stated he is from Kent, which is a town he does not yet have a member from. He stated he would prefer to have Mr. Nulk put on by the Board rather than the Legislature.

Legislator Nacerino stated as a Legislative body, she thinks everyone would prefer to do things the right way.

Legislator Oliverio stated the CEO does not have the right to express their opinion as they work at the pleasure of the Board.

Chairwoman LoBue stated it is important for the outside agencies to be autonomous. She stated procedure must be followed.

Legislator Wright stated it was explained what the internal rules are of the Board are. He stated he believes the Legislature should let the Board take this through the regular process and it will be over in a matter of weeks.

Deputy County Executive Bruce Walker suggested changing the by-laws. He stated as it stands, the member who is in Florida is unable to call in and attend the Board meeting via a conference call.

IDA Chairman Ruchala stated the IDA does not have the ability to change the by-laws. He stated the Authorities Budget Office (ABO) will not allow an amendment to be done by the IDA. He stated the IDA is under the same rules as the MTA. He stated the member in Florida is not allowed to call in to take a vote.

Legislator Albano stated he is still in favor of making one (1) appointment to have a definite number.

Chairwoman LoBue stated that is breaking process. She stated the positions are voluntary and she would like to have trust between the boards. She stated she believes the Legislature is overstepping their boundaries. She stated this is not an emergency and as the IDA Chairman stated, it will be addressed within the next month. She stated the reason for the discussion tonight is the report from the State Comptroller.

Legislative Counsel Van Ross recommended the Committee pass a resolution requesting the Legislature to table the motion that came out of the Economic Development Committee to appoint Bill Nulk to the IDA Board for one (1) month.

Chairwoman LoBue made a motion to request the Legislature to table the appointment that came out of Economic Development for one (1) month; Seconded by Legislator Tartaro. All in favor.

Legislator Tartaro questioned what would happen if no recommendation is given next month.

Legislative Counsel Van Ross stated it is their ability to conduct their business. He stated if they can handle the Board with the minimum amount of members, it is up to them. He questioned if there were any matters that required action right away.

IDA Chairman Ruchala stated no, there were not.

Legislator Castellano stated that if the IDA meeting is not going to be prior to the Economic Development Meeting, he would be happy to put it on the Audit agenda at the end of the month so it can be approved at the May Full Legislature Meeting. He questioned if IDA Chairman Ruchala had enough candidates to choose from to recommend next month.

IDA Chairman Ruchala stated he has enough candidates.

Item #11 - Approval/Re-Appointments/Putnam County Plumbing & Mechanical Trades Board – Alonge, Losee, Mancone, Capalbo, Boyd

Legislator Wright made a motion to approve all reappointments; Seconded by Legislator Tartaro. All in favor.

Item #12 - Legislative Procedures/Discussion
a) Seven Day Rule for Meeting Item Information

Legislator Nacerino stated having additional correspondence at the meetings is not open and transparent. She stated having correspondence handed out the night of the meeting does not give the Legislature or public adequate time to review. She stated the seven (7) day rule must be adhered to. She stated if this rule is not adhered to, it is the Legislature's responsibility to have the department who sent the correspondence wait for the following month. She stated an exception being if the matter is time sensitive.

Chairwoman LoBue stated she has been on the Legislature for five (5) years and this has been a yearly discussion. She stated the problem is those who procrastinate and then come to the Legislature stating their matter is an emergency and a Legislator allows it onto the agenda. She stated another issue with the additional is that it does

not get posted on the website and the public is therefore unaware that it will be addressed at the meeting.

Legislator Wright stated if correspondence comes in less than seven (7) days prior to the meeting, a form letter or email should be sent back to the department explaining that it will not be addressed at the meeting due to the rule.

Legislator Nacerino questioned if additional constitutes information pertaining to an already existing agenda item.

Chairwoman LoBue stated that could be an issue as well as the additional can sometimes be a large document, and even though the topic is being discussed, the Committee does not have the time to review the correspondence. She stated it is a lack of respect to have correspondence handed out minutes before a topic is being discussed. She stated the Legislature then must make a decision on whether or not to pass it.

Legislator Nacerino stated if a department would like the Legislature's consideration they should adhere to the seven (7) day rule and send the necessary information in a timely fashion.

Legislative Counsel Van Ross stated the department should maybe have a letter of necessity from the County Executive. He stated this would ensure truly important matters would be accepted.

Legislator Wright made a motion to have any submissions received less than seven (7) days prior to the appropriate meeting accompanied by a letter of necessity from the County Executive; Seconded by Legislator Tartaro. All in favor.

b) Procedure for Placing a Proclamation on the Full Legislative Meeting Agenda

Legislator Oliverio stated when the Legislature recognizes individuals for something they do in the community that can be replicated in other communities, it sets a bad precedent. He stated a proclamation was presented to a member of the Carmel Rotary for his long standing membership and service. He stated after the presentation of this proclamation, he received a phone call questioning why this specific person was given a proclamation when there are other members who may be deserving as well. He stated the Full Legislative Meeting is not the place for this type of proclamation. He stated the proclamations should be recognizing County events or organizations. He stated his fear is that the Full Legislative Meeting will become a place to present numerous proclamations, when the meeting is meant to conduct business of the people. He stated what is done for one should be done for all.

Chairwoman LoBue stated her agreement with Legislator Oliverio. She stated the intention of the Full Legislative Meeting is to bring the business to the attention of the public.

Legislator Wright stated proclamations should be given out at the end of the meeting rather than at the beginning.

Legislator Oliverio stated when certificates are given out for events such as an Eagle Scout honor; it is done at the private event. He stated he does not think individual proclamations should be presented so publicly due to the amount of business that must be attended to.

Legislator Nacerino stated individual proclamations have been given out in years past. She stated there is nothing new happening with these proclamations. She stated the Legislature is here for the people. She stated if a Legislator sees a need to recognize an individual's good deeds, they should be able to do so. She stated she looked back at past years and does not believe it is excessive to have two (2) or three (3) individual proclamations per year.

Legislator Oliverio stated he believes it is opening a can of worms. He stated again what you do for one, you must do for all. He also stated there are proclamations that come from the Executive Branch and not the Legislative Branch, which is also an issue.

Legislator Albano stated in regard to the phone call from the Carmel Rotary to Legislator Oliverio, if the proclamation was requested for another member who had been there for many years, he would have approved it. He stated this should be vetted if and when there is a Full Legislative Meeting with an excessive number of proclamations. He stated it is not going to make or break the meetings.

Legislator Castellano stated last year, 2013, there was only one (1) meeting that had an excessive amount of proclamations. He suggested having a limit of three (3).

Legislator Wright suggested putting the proclamation request onto the appropriate Committee's agenda for approval.

Legislator Oliverio stated he would like that.

Legislator Nacerino questioned if this would be done for the typical proclamations that are presented each year.

Legislator Wright stated typical proclamations would not require an appearance at the Committee Meeting. He stated the Department Head could send a letter requesting the proclamation, which would then be vetted by the Committee.

Chairwoman LoBue stated the proclamations in question are the outside proclamations that are not affiliated with the County.

Legislator Nacerino and Legislator Albano stated they do not think it is an issue.

Legislator Wright made a motion to have future proclamation requests for outside agencies and individuals approved by the appropriate committee; Seconded by Legislator Tartaro. All in favor.

c) Duties of Chairman

Chairwoman LoBue stated this item is in respect to the Legislative Meeting that was held at Putnam County Golf Course. She stated the Chairman should speak to each Legislator and inform them when a request comes in from the County Executive's office rather than making a unilateral decision. She stated she was notified of the location via a postcard she received in the mail. She stated each Legislator represents their respective districts and it is a courtesy to be kept up to date.

Legislator Oliverio stated he would like a request to be made that if future County events are held at the Putnam County Golf Course to have designated parking for the Administration, Legislators, and their staff. He stated the meeting cannot exist without the Legislature and Administration, and therefore there should be designated parking.

Legislator Wright stated he is unsure about the idea of designated parking because if he were a citizen and he came to the meeting, after walking in the cold from parking far and saw a line of reserved spots for the Administration and Legislature, he would be upset.

Legislator Albano suggested that if anyone would like a designated space, to announce they would like one beforehand.

Legislator Wright stated the set up at the meeting was odd as the Legislature had to turn around to see PowerPoint.

Chairwoman LoBue stated she also felt awkward turning to look at the PowerPoint. She stated a paper copy is usually handed out and this year there was nothing handed out.

Item #13 - Fiscal Vision & Accountability Commission/Discussion

Chairwoman LoBue stated the reintroduction of this Commission is dangerous. She stated any issue that needs to be discussed should go through the committee process.

Legislator Nacerino stated it was her initiative to try and resurrect this Commission. She stated it would be beneficial to tap the resources and talents within the community. She stated this will allow people to think outside of the box. She stated she would like to keep evolving. She stated if people are willing to volunteer their time, their ideas and perspectives should be taken advantage of. She stated Legislator Scuccimarra was a former member.

Legislator Wright questioned if this is the role of interested civic organizations. He stated there is nothing wrong with the general concept; however a Commission could be created for every issue that arises.

Legislator Nacerino stated it is not limited to any one subject. She stated the Commission was intact and was successful in the past.

Chairwoman LoBue questioned what came out of the Commission.

Legislator Nacerino stated court appearances came from the Commission.

Chairwoman LoBue stated that was a misnomer because it was used as a political vehicle. She stated the court appearance is not up and running. She stated State Law dictates that the accused must give their permission. She stated there has not been one case that someone opted to use the equipment.

Legislator Nacerino stated she believes it will be used more in the future.

Legislator Castellano stated he believed it is a great idea. He stated the Westchester County Clerk's office switched to e-filing which saved money. In order to do this, the State needed to change the law. He stated this must be taken one step at a time. He stated when e-filing was first introduced no one wanted to do it. He stated when it became mandatory, millions of dollars were saved. He stated if something such as the electronic court appearances came out of this Commission that is great.

Legislator Wright questioned if background on the prior committee could be obtained.

Legislator Oliverio stated Senator Leibell hand-picked individuals to be on the Commission.

Chairwoman LoBue stated Senator Leibell wanted to increase the mortgage tax and used the Commission as a vehicle.

Legislator Albano stated there is nothing to lose and there is potential for something good to come out of the commission.

Chairwoman LoBue stated due to changes in the staffing, she wanted to ensure there would be no additional burden on the staff. She stated this is another layer of government.

Legislator Wright stated they are subject to open meeting law, meaning minutes must be taken. He stated FOIL requests can be submitted as well.

Legislator Oliverio stated the meetings are productive and it should go to the Full Legislative Meeting so all the Legislators have a chance to vote.

Legislator Tartaro made a motion to move this to the Full Legislative Meeting.

There was no second.

Item #14 - Other Business - None

Item #15 – Adjournment

There being no further business at 9:50P.M. Legislator Wright made a motion to adjourn; Seconded by Legislator Tartaro. All in favor.

Respectfully submitted by Administrative Assistant Beth Green.