

SPECIAL MEETING
OF THE
PUTNAM COUNTY LEGISLATURE
CALLED BY THE CLERK AT THE REQUEST OF THE CHAIRWOMAN
FOR THE ADOPTION OF THE 2013 BUDGET
HELD IN THE
HISTORIC COURTHOUSE
CARMEL, NEW YORK 10512

Wednesday October 24, 2012 7:00 p.m.

The meeting was called to order at 7:00 P.M. by Chairwoman Conklin who requested Legislator LoBue lead in the Pledge of Allegiance. Upon roll call, Legislators Tamagna, Oliverio, Othmer, Albano, Gross, Birmingham, LoBue, DiCarlo and Chairwoman Conklin were present. Also present was Legislative Counsel Van Ross.

Item #3 – Pre-filed Resolutions.

Item #3a – Ramp/Lift for Kent Seniors was first. Chairwoman Conklin moved the following:

RESOLUTION #220

Ramp/Lift for Kent Seniors – (Handicap Restrooms @ Lake Carmel Community Center)

Partnership Initiative	FROM:	TO:
10101001 54936	0	10,000

A DIFFERENCE OF: \$10,000

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3b – Restore Funding for Transit was next. Chairwoman Conklin moved the following:

RESOLUTION #221

Summary of Transit Adjustment

Restore Funding for Transit

	FROM:	TO:
Early Intervention Leased Transportation		
10296000 54678	1,500,000	1,600,000

A DIFFERENCE OF: \$100,000

Social Serv – Travel Non Employees		
10103000 54670	37,000	12,000

A DIFFERENCE OF: (\$25,000)

Part Bus System – Automotive 95630000 54370	287,210	380,000
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A DIFFERENCE OF: \$92,790

Part Bus System – Transportation 95630000 54678	1,125,778	1,726,181
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A DIFFERENCE OF: \$600,403

Part Bus System – Chargeback Gas 95630000 55371	200,996	282,272
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A DIFFERENCE OF: 81,276

Part Bus System – Partnership Initiative 95630000 54936	25,000	0
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A DIFFERENCE OF: (\$25,000)

REVENUE:

Fares Part Bus 95630000 417511	245,592	319,000
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A DIFFERENCE OF: \$73,408

State Aid Part System 95630000 435211	502,555	675,000
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A DIFFERENCE OF: \$172,445

Chargeback Revenue – Gasoline 10802000 412941	375,098	456,374
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A DIFFERENCE OF: \$81,276

TOTAL INCREASE EXPENDITURES	824,469	
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TOTAL INCREASE REVENUE	<u>327,129</u>	
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NET INCREASE	497,340	
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BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3c – Highways & Facilities – Furniture & Furnishings and Miscellaneous was next. Chairwoman Conklin moved the following:

RESOLUTION #222

Highways & Facilities

	FROM:	TO:
Furniture & Furnishings 10149000 52110	5,000	1,000

A DIFFERENCE OF: (\$4,000)

Miscellaneous		
10149000 54989	15,000	12,000

A DIFFERENCE OF: (\$3,000)

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3d – Parks & Recreation – Community Gardens was next. Chairwoman Conklin moved the following:

RESOLUTION #223

Parks & Recreation

	FROM:	TO:
Revenue:		
Community Gardens		
10711000 420015	3,500	4,000

A DIFFERENCE OF: \$500

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3e – Parks & Recreation – Maintenance & Repairs was next. Chairwoman Conklin moved the following:

RESOLUTION #224

Parks & Recreation

	FROM:	TO:
Maintenance & Repairs		
10711000 54710	12,000	0
Subcontingency		
10199000 54985	0	12,000

A DIFFERENCE OF: 0

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3f – Capital Projects – Minor Renovations was next. Chairwoman Conklin moved the following:

RESOLUTION #225

Capital Projects

	FROM:	TO:
Move Minor Renovations to Subcontingency	800,000	0
Subcontingency – Capital Projects	0	800,000

A DIFFERENCE OF: \$0

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3g – Sheriff/Jail Overtime was next. Chairwoman Conklin moved the following:

RESOLUTION #226

Subcontingency Sheriff/Jail Overtime

	FROM:	TO:
10199000 54991	68,535	200,000

A DIFFERENCE OF: \$131,465

FICA

10199000 54991	0	10,058
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A DIFFERENCE OF: \$10,058

Adjust fringes and revenue accordingly

BY POLL VOTE: EIGHT AYES. ONE NAY – LEGISLATOR CONKLIN.

Item #3h – Bureau of Emergency Services – Emergency Services Coordinator Part Time was next. Chairwoman Conklin moved the following:

RESOLUTION #227

Bureau of Emergency Services

	FROM:	TO:
Emergency Serv. Coordinator Part Time 10398900 51000 (398910103)	3,090	0
FICA 10398900 58002	237	0
Subcontingency – Mgmt Salaries 10199000 54993	0	3,327

Adjust fringes and revenue accordingly

A DIFFERENCE OF: \$0

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3i – Public Private Partnership – Putnam County Economic Development Corporation was next. Chairwoman Conklin moved the following:

RESOLUTION #228

Public Private Partnership

	FROM:	TO:
Subcontingency 10199000 54981	138,845	0
Putnam County Economic Development Corporation 25642000 54950	0	128,845
Marketing Program (Shop Putnam) 25642000 54663	0	12,000

A DIFFERENCE OF: \$2,000

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3j – Subcontingency – Grant Initiative was next. Chairwoman Conklin moved the following:

RESOLUTION #229

	FROM:	TO:
Subcontingency – Grant Incentive 10199000 54986	56,447	0
Adjust fringes and revenue accordingly		

A DIFFERENCE OF: (\$56,447)

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3k – Information Technology – Software & Technology was next. Chairwoman Conklin moved the following:

RESOLUTION #230

Information Technology

	FROM:	TO:
Software & Accessories 10168000 54782	33,500	25,000

A DIFFERENCE OF: (\$8,500)

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3L – Tax Advertising & Expense – Gain from Sales of Tax Acquired Property was next. Chairwoman Conklin moved the following:

RESOLUTION #231

Tax Advertising & Expense

	FROM:	TO:
Revenue:		
Gain from Sales of Tax Acquired Property		
10136200 410511	424,000	600,000

A DIFFERENCE OF: \$176,000

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3m – Law Department – Deputy County Attorney was next. Chairwoman Conklin moved the following:

RESOLUTION #232

Law Department

	FROM:	TO:
Deputy County Attorney		
10142000 51000		
(142010110)	57,095	0

A DIFFERENCE OF: (\$57,095)

Adjust fringes and revenue accordingly 23,482 0
A DIFFERENCE OF: (\$23,482)

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3n – Planning Department – Regional Grant Coordinator was next. Chairwoman Conklin moved the following:

RESOLUTION #233

Planning Department

	FROM:	TO:
Regional Grant Coordinator		
10802000 51000		

(802010907) 50,000 0

A DIFFERENCE OF: (\$50,000)

Adjust fringes and revenue accordingly 23,929 0

A DIFFERENCE OF: (\$23,929)

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3o – Law Department – Senior Deputy County Attorney and Compliance Officer was next. Chairwoman Conklin moved the following:

By Roll Call Vote: Four Ayes - Legislators Gross, LoBue, Oliverio and Chairwoman Conklin. Five Nays – Legislators Albano, Birmingham, DiCarlo, Othmer and Tamagna. Motion Fails.

Law Department

	FROM:	TO:
Senior Deputy County Attorney and Compliance Officer 10142000 51000 (142010196)	2,001	0

A DIFFERENCE OF: (\$2,001)

FICA 10142000 58002	153	0
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A DIFFERENCE OF: (\$153)

Adjust fringes and revenue accordingly

Item #3p – Personnel Department – Personnel Specialist was next. Chairwoman Conklin moved the following:

By Roll Call Vote: Three Ayes – Legislators LoBue, Oliverio and Chairwoman Conklin. Six Nays – Legislators Albano, Birmingham, DiCarlo, Gross, Othmer and Tamagna. Motion Fails.

Personnel Department

	FROM:	TO:
Personnel Specialist 10143000 51000 (143010906)	4,000	0

A DIFFERENCE OF: (\$4,000)

FICA 10143000 58002	306	0
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A DIFFERENCE OF: (\$306)

Adjust fringes and revenue accordingly

Item #3q – Health Nursing Lead Prevention – Machine Maintenance – Lead Analyzer was next. Chairwoman Conklin moved the following:

RESOLUTION #234

Health Nursing Lead Prevention

	FROM:	TO:
Machine Maintenance – Lead Analyzer		
11015000 54510	0	3,000

A DIFFERENCE OF: \$3,000

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3r – Adjust Revenue Chargeback was next. Chairwoman Conklin moved the following:

RESOLUTION #235

REVENUE:

	FROM:	TO:
To Adjust Chargeback Revenue		
10511100 412932	7,500	0
To Adjust Chargeback Revenue		
10511100 412941	0	13,500

A DIFFERENCE OF: \$6,000

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3s – Board of Elections – Commissioners was next. Chairwoman Conklin moved the following:

Legislator Tamagna stated that he would vote to support this increase for the Commissioners of Elections. However, when future Legislators look back at what we have done, though we cannot bind next year’s Legislature, our intent was to give the Commissioners incremental adjustments of \$8,000 dollars over a four year period which started in 2012. He stated that he was in favor of giving them the full time salary amount, however, that did not pass. He would like future Legislators to review these salaries. He felt that we were one of the few Counties that consider the Commissioners of Elections part time even though they are there full time.

Legislator Birmingham echoed Legislator Tamagna's comments for the same reasons.

Legislator Oliverio stated that he would respectfully disagree. These individuals were appointed, they requested the appointment and in some cases lobbied for the appointment knowing what the salary was. To increase the salary to over \$100,000 dollars from a base of \$55,000 dollars is not acceptable. He did not know of any position in government that doubles their salary in a year's time. He felt that increasing the salary by \$8,000 dollars was quite a bit to begin with especially when many of our managers are receiving absolutely nothing.

Legislator Othmer stated that the job duties of the Board of Election Commissioners are getting more technical. He stated that the Commissioners were part time employees and he believed their deputies received salary increases in the past because they manned the offices on a full time basis. He questioned if this meant we were now going to have four individuals receiving full time salaries. Do we decrease the salaries of the deputies and give the Commissioners a full time salary?

Legislator DiCarlo stated that we should look at the amount of that Department's budget which is not used and goes back to the County coffers each year. He believed it was over \$250,000 dollars three years ago and this year is approximately \$175,000 dollars. The Department is very frugal in what they do and do not look to spend out their budgets.

Legislator Othmer stated that for next year he felt that this topic should be discussed more in depth.

Legislator DiCarlo stated that he would be sending out a memo, as the Chairman of the Personnel Committee, that we vet these personnel positions months before the budget process. This way when it comes to budget time we will know what is, what isn't, and be able to move forward.

RESOLUTION #236

Board of Elections

	FROM:	TO:
Commissioner of Elections 10145000 51000 (145010101)	55,477	63,477
A DIFFERENCE OF: \$8,000		
Commissioner of Elections 10145000 51000 (145010102)	55,477	63,477
A DIFFERENCE OF: \$8,000		
FICA 10145000 58002	0	1,224

A DIFFERENCE OF: \$1,224

Adjust fringes and revenue accordingly

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3t – Highway – Putnam National was next. Chairwoman Conklin moved the following:

RESOLUTION #237

Highway - Putnam National

	FROM:	TO:
Operations Manager 10085000 51000 (711030101)	80,000	0
Greens Keeper 10085000 51000 (711030102)	90,000	0
Facilities Manager 10085000 51000 (711030103)	80,000	0
Account Clerk 10085000 51000 (711030104)	34,705	0
Adjust Fringes and Revenue Accordingly	99,765	0
Subcontingency – Mgmt Salaries 10199000 54993	0	384,470

A DIFFERENCE OF: \$0

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3u – Management Adjustments was next. Chairwoman Conklin moved the following:

Legislator Othmer felt that this was a great initiative proposal. The Motor Vehicle Department will have monitors and will be working with the various departments in the County. As people are standing in line it will give them the opportunity to view what is going on in County government. They will also be actively engaging Automobile Dealerships, across the Connecticut and Westchester borders, to register their vehicles in Putnam County. This will enable the County to receive 12.7% revenue from each transaction. He believed the adjustment in salary for these three positions should be made available January 1, 2013.

Legislator Birmingham echoed Legislator Othmer. He stated that this was not the first time this proposal has come to the Legislature. A few years back the County Clerk presented a similar program along the lines of leaving drop boxes at various Town Halls to essentially promote registering in Putnam County. There is a campaign going on in Albany right now to keep all the registration fees to themselves. Albany is very eager, as we all know, to ship mandates down to us. However, when it comes to a few fees that we can levy on our own, they are quick to think of ways to get all the money back to Albany. He felt that the County Clerk has done his homework and encouraged his colleagues to vote this down and keep the salaries in the Executive's budget. He believed the County Clerk's office was one of the few departments in the County that actually runs a surplus and actually pays for itself through taxpayer dollars such as fees, fines or judgments.

Legislator LoBue stated that she is in favor of the program, however, she was not in favor of giving out compensation before we even know whether or not the program will be successful. When the County Executive presented the budget it was stated that there would be no salary increases and no layoffs. It is so unfair to all of the County workers. There is no consistency. The Director of Real Property position is vacant and the person in that office assuming the responsibility is not getting an increase. It is the same for the vacant position for Commissioner of Planning. John Pilner who has been the top Planner for thirty years has been carrying the department since the Commissioner retired. He is not getting an increase. Everyone is giving 110%. We started off when we looked at the budget saying we have to do more with less. It's called shared sacrifice.

Legislator Albano stated that every time an employee comes up with an idea such as this with the potential to bring in tenfold of the cost, it was crazy not to encourage this. He can't see how this would fail. He supported the salary increase.

Legislator Gross stated that Legislator LoBue made a good point, however, he believed this is a proactive program. It has the potential to pick up additional revenue by going into Westchester and Fairfield Counties. It is his understanding that Albany would like to take over all Motor Vehicle Departments and take all the money. He believed that we should support this initiative. He also agreed with Legislator LoBue and believed that we needed to look at and give some type of incentive to those individuals who go above and beyond their duties.

Legislator Othmer agreed with Legislator LoBue even though he was going to vote in favor of the program. He stated that when the Administration states that there will be no raises, we assume it to be true. Now we get the budget and it now puts the Legislature in a bit of a moral crisis reviewing the raises that have been submitted. He stated that for next year there should either be no raises or raises for all the employees. He stated that he supports this proposed initiative and believes it will be successful. He felt that County Government needed to be reinvented into the twenty-first century and that is why he believed in incentives being given to employees. It is a way for the County to take advantage of bringing in new revenues.

Chairwoman Conklin stated that we are not taking the raises for these individuals out of the budget. We are putting them in subcontingency.

Legislator DiCarlo believed that if we decide to go this way, we are setting practice in the future that we need to have discussions early on about raises such as this. By putting

the money in subcontingency we still have a safety net. As a Legislative body, we are holding the money to see if the individuals produce the additional revenue which we have been told will be produced from this program. If they do or go beyond that, the money will be given to them. The Legislature is being told there is a program out there that can generate revenue. We as a Legislative body are saying basically “prove it”. If it can be proven then we will give you “xyz”, if not then you don’t. He believed this was fair all the way around, because they will go out and work hard. If they do, we will receive the information and the data and move forward from there.

Legislator Oliverio stated that these are tough economic times. Professions in the public domain are expected to do more with less. He was in favor of holding the money in subcontingency. If we incentivize all these positions, we are going to kill the taxpayers.

Legislator DiCarlo stated that if the individuals do not generate the revenue, you are not incentivizing. The Legislature still has control by placing the money in subcontingency.

Legislator Albano stated that this is a show of support for somebody that came up with a good idea. In his heart he does not have a doubt that we will make this money back.

Legislator Tamagna stated that either way we are supporting the initiative. This gives the Legislature more control. It forces communication.

RESOLUTION #238

Management Adjustments

	FROM:	TO:
County Clerk Confidential Secretary 10141000 51000 (141010904)	1,930	0
FICA 10141000 58002	148	0
Motor Vehicle Dept. Deputy County Clerk 10141100 51000 (141110901)	2,156	0
Motor Vehicle Dept. Deputy County Clerk 10141100 51000 (141110903)	3,344	0
FICA 10141100 58002	421	0
Subcontingency – Salary Adjustments 10199000 54982	0	7,999

Adjust Fringes and Revenue Accordingly

A DIFFERENCE OF: \$0

BY ROLL CALL VOTE: FIVE AYES – LEGISLATORS DICARLO, LOBUE, OLIVERIO, TAMAGNA & CHAIRWOMAN CONKLIN. FOUR NAYS – LEGISLATORS ALBANO, BIRMINGHAM, GROSS AND OTHMER. MOTION CARRIES.

Item #3v – Planning Department – Deputy Commissioner of Planning was next. Chairwoman Conklin moved the following:

Chairwoman Conklin suggested not creating this position. There is no Commissioner of Planning yet. Earlier in the year we approved a Transportation Program Manager position and a Fiscal Manager position. This would be a third position. She believed it should be for next year after a new Commissioner has a chance to come back and let us know what they need.

Legislator Oliverio stated that this is the one position he favored since the discussion of the Planning Department began. He believed that the positions which were important were the Commissioner, Deputy Commissioner and the person overseeing transportation. He stated the he defended this position because he believed that while the Commissioner is overseeing the entire mechanism of the department, the Deputy is doing the brass tacks work of getting the revenues and coordinating the other workers in the department.

Legislator Othmer concurred. He believed the Planning Department right now consisted of an answering machine. He stated that in reviewing the bus routes, he found that the County does not have any routes going from the Park and Rides to the Train Stations. He believed that if we had a fully staffed Planning Department we would not have overlooked this. He believed our current staff in that department was overwhelmed.

Legislator Birmingham agreed with Legislators Othmer and Oliverio. He stated that he had a problem with the Grant Coordinator position. However, this position is more of a “catch all”. He stated that we have a lot of work to do with our infrastructure. Not only our County owned infrastructure, but our Towns and Villages in approval of their master plans. Statutorily, it is required that these master plans go through the County Planning Department. He stated that we are all thankful for our working Commissioners, however, with our former Commissioner of Planning, John Lynch, it got to a level of absurdity that as a Commissioner he had to be essentially a clerk of the works who wore so many hats. It was amazing that he was able to get the big things done that he did because he was so bogged down with the smaller things. He supported this new position. He stated that there was more staff in the Planning Department in the late 1980’s. He believed we could all agree that our County Government is asked to do a lot more these days from a planning perspective.

Legislator Gross stated that planning is critical for the future of Putnam County. The department needs the help that has been missing over the years. This is a consolidation effort the way this Deputy position has been defined. Down the line it will save money and improve the County.

Legislator Tamagna stated that in defensive of former Commissioner Lynch, he came to the Legislature many times looking for additional personnel. He worked very, very hard, often with a ball and chain around his leg in making sure he did the Federal Transportation forms. He stated that he never wanted to see a Commissioner doing something that we could pay someone \$12 - \$15 dollars an hour to do. He stated that John Lynch was a very effective Planning Commissioner and when he said he needed fifteen people when he left this County, he was not kidding. He stated that this is a conservative approach we take to place a couple of people in that department. He believed the Legislature, next year, needed to take a close look at how the Planning Department operates.

RESOLUTION #239

Planning Department

	FROM:	TO:
Deputy Commissioner of Planning Subcontingency – Mgmt Salaries 10199000 54993	0	80,000
Adjust fringes and revenue accordingly	0	29,362

A DIFFERENCE OF: \$109,362

BY ROLL CALL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #3w – Sales Tax Revenue was next. Chairwoman Conklin moved the following:

RESOLUTION #240

	FROM:	TO:
Sales Tax 10131000 411100	50,586,763	51,050,763

A DIFFERENCE OF: \$464,000

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #4 - Legislators' Adjustments

Item #4a – Approval/Request NYS to Perform Forensic Audit/MTA Charges was next. Legislator Tamagna moved the following; seconded by Legislator Oliverio.

Legislator Tamagna stated that there will be more difficult budgets that will be faced every single year. We discuss mandates and we need mandate relief for sure. He stated that another concern he has had is the MTA charges. When you look at the five Train Stations that are in Putnam County and the cost of the MTA subsidy and MTA Station Maintenance charges, we need to make a statement loud and clear. He asked for the support of the Legislature, approving this resolution which requests New York State to perform a Forensic Audit and state how offensive we feel these charges are. He stated

that the County pays \$1,333,227 dollars for Subsidy and Station Maintenance. He believed this money was going into a bigger pot to fund New York City bus routes and the subways. He believed the people using those services are the ones who should pay for those services. Putnam County is thinking of cutting our own local bus routes, while we are supporting and funding New York City Metropolitan Transportation System. He believed there was something very wrong with that.

Legislator Tamagna asked for the Legislature's support and read the following resolution.

RESOLUTION #241

APPROVAL/REQUEST NYS TO PERFORM FORENSIC AUDIT/MTA CHARGES

WHEREAS, we have heard relentlessly about the benefits brought to our taxpayers by the "Tax Cap" enacted last year by the State; and

WHEREAS, what we do not hear is the other side of the equation "Mandate Relief". We get lip service on this topic but no action; and

WHEREAS, more and more State contributions to these mandated programs are reduced; and

WHEREAS, Putnam County is particularly concerned with the burden placed upon it by the MTA Station Maintenance charges and the MTA Subsidy; and

WHEREAS, the combined total of these mandates is \$1,333,227 for the upcoming year 2013; and

WHEREAS, most of our residents must use their own vehicles to get to their places of employment while no one subsidizes them for these transportation expenses they incur; and

WHEREAS, Putnam County has only five stations, yet we pay over \$950,000 for MTA Station Maintenance; and

WHEREAS, MTA should be able to maintain their own stations as they receive all of the passenger revenues paid; and

WHEREAS, seeking outside contributions is in reality a ridiculous concept; and

WHEREAS, our residents are over taxed as it is, but now we must charge them over a million dollars to subsidize the transportation needs of others; and

WHEREAS, those who use the MTA should pay; now therefore be it

RESOLVED, that the Putnam County Legislature hereby requests relief from the burden of these onerous taxes on our citizens; and be it further

RESOLVED, that as Putnam County contributes to the MTA through the Station Maintenance and Subsidies, the Putnam County Legislature requests that Governor Cuomo and the NYS Legislature perform a forensic audit on the MTA and provide the findings to Putnam County.

BY POLL VOTE: ALL AYES. LEGISLATOR BIRMINGHAM NOT PRESENT FOR THE VOTE. MOTION CARRIES.

At 7:41 P.M., Legislator Birmingham made a motion to recess and requested County Auditor Alfano-Sharkey to figure the total property tax percentage increase at this point; seconded by Legislator DiCarlo. All in favor.

At 7:45 P.M., Legislator Birmingham made a motion to reconvene; seconded by Chairwoman Conklin. All in favor.

Item 4b - Proposal/ Tax Advertising & Expense – Gain from Sales of Tax Acquired Property was next. Legislator Tamagna moved the following; seconded by Legislator Albano:

County Auditor Alfano-Sharkey stated that we were at 1.76%.

Legislator Tamagna stated that he was concerned. The County is only entitled to a 2% tax cap by the ridiculous plan proposed by our State Legislature last year. He stated that for years Putnam County had a 0% tax increase and then a year with almost a 40% tax increase. He felt that this has been a great budget process, however, we are in uncharted waters with regard to the new initiative of the sale of County owned properties. He stated that once the good quality properties are gone, there will be a revenue hole to fill for future Legislators. It is not revenue that will always be there. He stated that at the Budget & Finance Meeting the Legislature increased the revenue from \$424,000 to \$600,000. He now proposed reducing the \$600,000 by \$92,504. He believed that would be a more conservative projected revenue for each year. It would also bring the threshold back up to the 2% property tax increase proposed by the County Executive.

Legislator Tamagna made a motion to reduce the Gain from Sales of Tax Acquired Property by \$92,504; seconded by Legislator Albano.

Legislator Birmingham stated that it appears that there may be a comfort level at the 2% tax cap. He stated that we are at 1.76% and to go up another 24 basis points just to say we hit the 2% mark, he believed was a bit artificial. He stated that he was originally a big skeptic of the proposed sale of County properties through Multiple Listing. He believed the program the County used for 30 years for the sale of tax acquired properties through the auction process worked well in the past. However, he became a believer of the new program. He believed that Commissioner Carlin had stated that the estimated revenue would be 10% of the assessed value which he believed was conservative. Legislator Birmingham felt that there was some room in the projected revenue amount. He believed that our real property taxpayers needed some relief. He felt that these 24 basis points that were on the table right now to bring the property tax increase to 2% could be the last straw for some residents. The rate of foreclosures is not going down. He stated that we have not had a property tax sale in 2012. Therefore, the property tax sale in 2013 will be the culmination of two years' worth of properties. He stated that he was comfortable with the \$600,000.

Legislator Othmer stated that we are dealing with an abstract number and assuming a certain amount of properties are going to be sold. He did not want to inherit a larger tax increase next year when we can be a little frugal now. He concurred with Legislator Tamagna. He requested that Commissioner Carlin explain why it would be advantageous for us to go to the 2% tax cap.

Legislator Birmingham stated not to forget that we have a carry-over too. If we do not hit 2% of whatever the real number is, which is above the 2%, we can carry-over the difference.

Commissioner of Finance Carlin stated that every policy decision obviously is that of the Legislature. However, if you go to the 2%, every dollar that you raise now you won't have to raise next year. It won't widen your gap, so to speak. If you raise \$92,000 dollars more

this year that would be \$92,000 dollars that you won't have to raise next year. He stated that Legislator Birmingham was correct that we do have carry-overs, however, they fall off over time. He felt that you not only needed to decide what the best tax rate is for the citizens of the County, not only this year, but the year after that.

Legislator Birmingham stated that what this proposed resolution advocates is in essence, overtaxing the people this year for money that this Legislature has decided that we don't need this year.

Legislator Oliverio stated that as a Legislature we should be applauding ourselves that we took the budget presented to us and actually restored the transportation program and amended the budget so that it came in lower than the 2%. He believed the Legislature did an outstanding job. He thought it was crazy if we raised taxes now on the taxpayers. He requested Legislator Tamagna to recall 1999 when Legislator Oliverio stated to stop stealing from the surplus. He believed it was falsifying the budget and taking money that was not there. We ended up with double digit tax increases because no one wanted to put a little bit of money aside for a rainy day. He believed this was a fair budget.

Legislator DiCarlo stated that it was discussed that if we were over this year and revenues came back, we would establish a Capital Reserve Fund so that we would not have to bond. Based on that same philosophy, he asked Commissioner Carlin if we go over the projected \$600,000 dollars, can we create a reserve fund where that money would automatically go to the following year?

Commissioner Carlin stated that it would go to the General Fund Surplus and the law only allows specific surpluses to be set up. The Comptroller frowns on taking certain revenues and putting them away to be used for certain reasons. It would depend on the reserve that was set up. He stated that you could set up specific reserve funds depending on the capital expenditures. General Municipal Law section 6, gives you all the reserve funds that can be set up.

Legislator Albano stated that to balance the budget money was still taken out of savings. So to say it is a true budget, we are still taking out of the piggybank. Bottom line is that there is an account that is going down and in a few years will disappear.

Legislator Gross did not believe the taxpayers needed to be hit with an increase in the property tax. The Legislature should be commended.

Legislator LoBue stated that she was in favor of reducing the tax levy. She concurred with Legislators Birmingham, Oliverio and Gross. The Legislature was able to uphold the funding for transportation, restored the funding for EDC so it would stay autonomous, restored the funding for Shop Putnam and still stayed under the 2% tax cap. She stated that there is almost 10% unemployment. She stated that we should stay at the 1.76%. She believed it was a true budget and would not put us over the fiscal cliff.

Chairwoman Conklin concurred. She did not believe we should add something to the budget in order to reach the 2% tax cap. The Legislature worked diligently to get what we need in the County for this year.

Legislator Tamagna stated that he was concerned that we were in uncharted territory. He stated that \$4 million dollars was pulled out of a \$16 million dollar fund to balance the

budget. In approximately five years, if that much money is pulled out every year, Putnam County could be bankrupt. He believed we needed to be conservative now and bump up that extra little bit, approximately a quarter on everyone's tax bill by the time we are finished. He believed this would be much more conservative at the end of the day.

Legislator Birmingham stated that the Fund Balance gets replenished every year. He stated that at the end of the year reconciliation we have what he calls "spilling out of the budget" because we overtax each year and our budgets are estimates. He believed there will be money that spills out into fund balance next year. He did not think that anyone should be concerned that we will be bankrupt in four years. He did not believe it would happen. We never appropriate fund balance. It is essentially a function of left over money that we've already taxed. We never appropriate fund balance in a sense that we tax for it and say that it will be put in fund balance. He believed we would receive more sales tax revenue this year than anticipated.

Legislator Othmer believed that the Legislature should pursue Legislator DiCarlo's idea with respect to creating a reserve fund. He stated that he is also working with County Auditor Alfano-Sharkey and Commissioner Carlin. They are trying to itemize the tax bill to show residents State and Federal mandated items and what portion of their tax bill is actually County tax.

By Roll Call Vote: Three Ayes – Legislators Albano, Othmer and Tamagna. Six Nays – Legislators Birmingham, DiCarlo, Gross, LoBue, Oliverio and Chairwoman Conklin. Motion Fails.

Tax Advertising & Expense

Revenue:

	FROM:	TO:
Gain from Sale of Tax Acquired Property 10136200 410511	600,000	507,496

To Reduce to 2%
(Reduce by \$92,504)

Item #5 – Approval/Budget Adoption

Item #5a – Approval of the 2013 Budget Resolutions was next. Chairwoman Conklin moved the following: seconded by Legislators Birmingham, Oliverio and Tamagna.

RESOLUTION #242

APPROVAL OF THE 2013 BUDGET RESOLUTIONS

RESOLVED, that the Putnam County Legislature hereby approves the 2013 budget resolutions as pre-filed by the Budget & Finance Committee and amended by the Legislature on October 24, 2012; and be it further

RESOLVED, that the individual votes on each budget resolution be made a part of this resolution.

BY ROLL CALL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5b - Approval/Resolution Adopting the Budget for Fiscal Year 2013 Commencing January 1, 2013 Making Appropriations for the Operation of the County Government and Establishing Rates of Compensation for Officers and Employees for the Fiscal Year 2013. Chairwoman Conklin moved the following; seconded by Legislator Tamagna.

RESOLUTION #243

A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR 2013 COMMENCING JANUARY 1, 2013 MAKING APPROPRIATIONS FOR THE OPERATION OF THE COUNTY GOVERNMENT AND ESTABLISHING RATES OF COMPENSATION FOR OFFICERS AND EMPLOYEES FOR THE FISCAL YEAR 2013

WHEREAS, the Putnam County Legislature has met and considered the Tentative Budget as submitted by the County Executive and has held a Public Hearing thereon pursuant to both Article 7.04(b)(4) of the Putnam County Charter and Section 359 of the County Law of the State of New York; and

WHEREAS, this Legislature has made certain adjustments to the Tentative Budget as submitted by the County Executive which are included as part of this budget adoption; now therefore be it

RESOLVED, that the Putnam County Legislature hereby adopts the Tentative Budget, as amended by this Legislature, except for budget line #25641000 54950 (County Contribution), which sets forth the appropriations for the objects and purposes as specified, and further establishes the rates of compensation to be paid provided that said tentative budget as amended does not exceed the 2% tax cap as provided for in state law; and be it further

RESOLVED, that this act takes effect on January 1, 2013.

BY ROLL CALL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5c - Approval/Additional Resolution Adopting Budget for Fiscal Year 2013 Commencing January 1, 2013 Making Appropriations for the Operation of the County Government and Establishing Rates of Compensation for Officers and Employees for the Fiscal Year 2013 was next. Legislator Othmer moved the following; seconded by Legislator LoBue.

RESOLUTION #244

AN ADDITIONAL RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR 2013 COMMENCING JANUARY 1, 2013 MAKING APPROPRIATIONS FOR THE OPERATION OF THE COUNTY GOVERNMENT AND ESTABLISHING RATES OF COMPENSATION FOR OFFICERS AND EMPLOYEES FOR THE FISCAL YEAR 2013

RESOLVED, that the Putnam County Legislature hereby adopts budget line #25641000 54950 (County Contribution) as shown in the Tentative Budget and as amended by the Legislature as an addition to the Budget adopted by Resolution #243 of 2012 provided that said tentative budget as amended does not exceed the 2% tax cap as provided for in state law; and be it further

RESOLVED, that this act takes effect January 1, 2013.

**BY ROLL CALL VOTE: EIGHT AYES. ONE ABSTENTION – LEGISLATOR CONKLIN.
MOTION CARRIES.**

Item #6 – Approval/Worker’s Compensation Settlement was next. Legislator Tamagna moved the following; seconded by Legislator Birmingham.

RESOLUTION #245

APPROVAL/WORKER’S COMPENSATION SETTLEMENT

WHEREAS, on or about November 10, 1987, the claimant, Gail Hosmer, (hereinafter “Hosmer”) while employed by the Putnam County Sheriff’s Department, became involved in an altercation while attempting to restrain an inmate at the jail and was thrown against a concrete wall several times; and

WHEREAS, the claimant received medical treatment as a result of said injury, including physical therapy and chiropractic treatment; and

WHEREAS, on February 3, 2010, Judge Wilk deemed Hosmer to have a permanent, partial disability and ordered Putnam County to pay the claimant \$128.25 per week from the date of accident for her lifetime; and

WHEREAS, claimant is no longer seeking treatment and is desirous of entering into a Section 32 agreement with the County, subject to the Legislature’s approval, in which the County agrees to pay the sum of forty thousand (\$40,000.00) dollars to Hosmer and four thousand eight hundred fifty eight dollars and fifty cents (\$4,858.50) to her counsel; and

WHEREAS, the Law Department and our third party administrator, Triad Group, both recommend the settlement as an alternative to lifetime payments; and

WHEREAS, Triad Group, through its claims representative, has in fact settled the matter with the claimant for the sum of forty thousand (\$40,000.00) dollars and has obtained settlement documents from the claimant, which, upon approval of the Putnam County Legislature and the Worker’s Compensation Board, will discontinue this matter with the Court and which will allow the claimant to receive the Section 32 settlement payment; and

WHEREAS, the settlement is in the public interest and will avoid lifetime payments to the claimant; now therefore be it

RESOLVED, that the settlement of this matter for the sum of forty thousand (\$40,000.00) dollars to claimant and four thousand eight hundred fifty eight dollars and fifty cents (\$4,858.50) to counsel is approved; and be it further

RESOLVED, that Commissioner Carlin is hereby directed to pay such settlement, if approved by the Worker’s Compensation Board, from the Six Fund.

BY ROLL CALL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

There being no further business, at 8:15 P.M., Legislator Oliverio made a motion to adjourn in the memory of Mary Courtney who ran Pine Grove Day School and our former OTB liaison, Charlie Ferrante both of whom passed away recently; seconded by Legislator Birmingham. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk