

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

Members: Chairwoman LoBue and Legislators Albano & Scuccimarra

Wednesday July 13, 2016
(Immediately Following Protective Svcs. Mtg. Beginning @ 6:00pm)

The meeting was called to order at 6:20p.m. by Chairwoman LoBue who requested that Legislator Albano lead in the Pledge of Allegiance. Upon roll call Legislators Albano & Scuccimarra and Chairwoman LoBue were present.

Item #3 - Approval of Minutes – June 20, 2016

The minutes were approved as submitted.

Item #4 - Approval/ Local Law to Amend Article 5-A.01 of the Putnam County Charter Entitled “Department of Planning, Development, and Public Transportation: Commissioner”

Chairwoman LoBue stated she was surprised and disappointed to see this proposal because it is downgrading the credentials for this position. She stated in 2010, a charter review commission made up of members of the Administration, the Legislature, and the public was formed and the requirements for this position were worked on. She stated at that time, it was agreed upon that higher standards were necessary. She stated she looked into the requirements for the Commissioner of Planning in Dutchess County and they were much more stringent than Putnam County. She stated the Dutchess County Commissioner of Planning is required to have a Master’s degree in Planning and eight (8) years of experience, four (4) of which being in a supervisory or administrative position. She stated she is not supportive of this Local Law amendment as she believes it is downgrading the professionalism of the Putnam County Government. She stated this position is pivotal in terms of the future of this County.

Legislator Nacerino stated she would not classify this amendment as a downgrade of the position. She stated the person being recommended is an attorney. She stated this amendment makes it different, however it is parallel. She stated the education that an attorney is required to have is parallel to or beyond the education required to be a planner. She stated this person has been serving as Deputy Commissioner of the Planning Department for several months and has demonstrated their ability to handle this position. She stated this person has worked diligently and obtained a large grant for the County. She stated she is supportive of this amendment.

Chairwoman LoBue stated a law degree cannot be compared to a planning degree. She stated Putnam will be the only county in the area that does not require a Master’s degree in planning and urban development. She stated six (6) months of experience in

the department does not compare to the four (4) years of experience that is required in Dutchess. She stated there have been numerous mistakes on the SEQRA applications and it is her understanding that a junior planner is working on the grants. She stated a retired planner had to be brought back in order to oversee the completion of the bike path. She stated this position is vitally important.

Legislator Gross stated his concern is that the requirements for this position have been diluted. He stated the whole planning piece of the requirements has been basically taken away. He stated he does not know the background of the individual. He stated he is concerned that the position is being weakened when there is someone in the Department with the proper experience.

Chairwoman LoBue stated she is unaware if the position was advertised or not.

Legislator Albano stated a job template is created is for individuals who are coming in from elsewhere. He stated fortunately, the County has been able to see this person perform over the past several months and has proven to be a very dedicated and knowledgeable person. He stated as an attorney, things such as federal regulations would be easily understood. He stated he has not seen anything to cause concern as far as mistakes with the SEQRA applications. He stated he would like to support the person coming from in-house. He stated the job description and requirements are not perfect, and there are people who may not meet every requirement but can still do an outstanding job.

Deputy County Executive Bruce Walker stated the point raised by Chairwoman LoBue is valid. He stated this is an extremely important position, which is why a lot of time has been spent over the past two (2) years with Acting Commissioner of Planning John Tully and Commissioner of Highways & Facilities Fred Pena to work through the details of what this position really entails. He stated he and Director of Personnel Paul Eldridge went through the requirements of this job and one (1) of the things that was agreed upon was that the job requirements are so narrowly scoped that they preclude a lot of very qualified, capable people. He stated the requirement of a degree in urban planning was mentioned earlier; however there are no urban areas in Putnam County therefore, an urban planning degree in Putnam County is not useful. He stated this job, on a day-to-day basis, works very closely with NYMTC (New York Metropolitan Transportation Council). He stated they lay out plans for infrastructure within the County. He stated the plans required in this County are obvious because there has been no infrastructure growth in the last 20 years that tie in with the commercial corridors of Putnam County. He stated where the commercial corridors are have already been outlined and they know what the infrastructure requirements are, which is why the County is going through all of the contracts, negotiations, and everything that is required. He stated the fact of the matter is most of the things that go through the Planning Department are legal in nature. He stated every issue that has come up with the bikeway or NYMTC have been contractual. He stated the County is currently applying for a CFA (Consolidated Funding Agreement), which is about \$150 million worth of grants. He stated that is more than the County has applied for in the past 30 years. He stated the reason for that is because of the personnel at the time and the fact that the contracts for

these grants can be 60 pages long and require an attorney to go through them. He stated an urban planner does not have this skill set. He stated many of the tasks that the Commissioner of Planning has are legal in nature. He stated that is why an attorney was moved to be placed into that position. He stated Director Eldridge also reviewed the requirements and description of this job and agreed that it was too narrowly scoped. He stated although it is a planning position, the skill set required for this job is that of a lawyer. He stated a lawyer could be dedicated to the Planning Department along with a Planner, however having a lawyer that is the Planner is more fiscally responsible.

Chairwoman LoBue stated she disagrees with Deputy County Executive Walker. She stated a lawyer is not needed for this position, a planner is. She stated when the transportation company used within the County was changed, the contracts were reviewed by this attorney. She stated the ridership has since decreased and the buses are constantly broken down. She stated there were huge differences between the two (2) contracts that were not enumerated and the transportation system is suffering.

Deputy County Executive Walker stated there is no demonstration based on facts that ridership has decreased.

Chairwoman LoBue stated the demonstration is that the revenue has decreased. She questioned what the outcome of the Federal Transportation audit was.

Deputy County Executive Walker stated the County made out fine.

Chairwoman LoBue stated she would like a copy of the audit.

Deputy County Executive Walker stated if the audit did not turn out fine the Legislature and the County Executive would have received a letter.

Chairwoman LoBue stated she believes the current Acting Commissioner of Planning has no knowledge about planning.

Deputy County Executive Walker stated the current Acting Commissioner of Planning is not the person being appointed to Commissioner of Planning.

Chairwoman LoBue stated Putnam will be the only County without the requirement of a Master's degree in Planning for its Commissioner. She stated she believes the County is going in reverse.

Deputy County Executive Walker stated this person has a Juris Doctorate degree. He stated a Master's degree in Planning is not necessary to do this job.

Legislator Gross stated the job is Commissioner of Planning; however the word "planner" has been removed from the description. He suggested changing the title as well. He stated it seems that this amendment was tailored for this individual. He stated a background in planning should be required.

Chairwoman LoBue agreed with Legislator Gross. She stated in the history of the County, a Master's degree in Planning has always been required.

Legislator Nacerino stated this person has demonstrated that they can run the Planning Department. She stated the Planner in the Town of Patterson does not have a degree and is one of the finest and most knowledgeable planners in all of Putnam County.

Legislator Scuccimarra stated things have been stated as fact that may not be. She stated the transportation system is going well. She stated she is constantly impressed by the person being put into the Commissioner of Planning position. She stated Putnam County does not have to be like the surrounding counties. She stated Putnam is small and pretty well built out. She stated she has no problem with this person heading this Department.

Legislator Albano made a motion to approve the Local Law to Amend Article 5-A.01 of the Putnam County Charter Entitled "Department of Planning, Development, and Public Transportation: Commissioner"; Seconded by Legislator Scuccimarra.

By poll vote: 2 Ayes – Legislator Albano and Legislator Scuccimarra. 1 Nay – Chairwoman LoBue. Motion Carries.

Item #5 - Approval/Law Department/ Grant Application/ 2016-2017 New York State Occupational Safety & Health Training and Education-Hazard Abatement Board (HAB) – Duly Noted

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

Item #6 - Discussion/ NYSAC/ Resolution Calling on all State and County Officials, Residents, and Business Owners to Adopt the "Think Differently" Initiative to Assist Individuals with Special Needs and their Families

Legislator Nacerino stated this is a wonderful initiative and it is important to raise awareness.

Chairwoman LoBue stated a lot of the things mentioned in the resolution are already being done within Putnam County.

Legislator Nacerino stated Putnam County would be memorializing support for this initiative.

Chairwoman LoBue stated it is not a memorialization. She referenced line 22 of the proposed resolution which states what the County will do should this resolution be adopted. She stated many of these things are being implemented by PARC (Partner. Achieve. Reach. Connect.).

Legislator Scuccimarra stated Putnam County does a lot for individuals with special needs. She stated it is important to bring awareness, especially with New York State threatening to close the work places where those individuals in programs such as PARC work. She stated this will push many of these individuals into everyday life.

Legislator Nacerino stated the resolution could be amended to show support.

Legislator Scuccimarra stated there are many great initiatives outlined in this resolution that could be encouraged.

Legislator Albano stated he supports this resolution.

Legislator Gross agreed with Legislator Scuccimarra. He stated the opportunities presented to those in PARC give those individuals a real purpose each day. He stated it is a wonderful program and he does not understand why the State would be putting an end to it.

Legislative Counsel Clem Van Ross stated the resolution before the Committee is a NYSAC resolution.

Chairwoman LoBue stated the resolution can be amended and put on the agenda for next month.

Chairwoman LoBue made a motion to table this resolution; Seconded by Legislator Scuccimarra. All in favor.

Item #7 – Discussion/ Mandated Apprenticeship Programs

Chairwoman LoBue stated correspondence was received from the Empire State Chapter of the Associated Builders & Contractors regarding apprenticeship programs. She stated the correspondence states that many small businesses operate well without apprenticeship programs. She stated she would like to have a representative come to a meeting to discuss this further.

Item #8 – FYI/ Litigation Report – Duly Noted

Item #9 – Other Business - None

Item #10 – Adjournment

There being no further business at 6:52 p.m. Legislator Scuccimarra made a motion to adjourn; Seconded by Legislator Albano. All in favor.

Respectfully submitted by Administrative Assistant Beth Green