

**REGULAR MEETING  
OF THE  
PUTNAM COUNTY LEGISLATURE  
HELD IN THE  
HISTORIC COURTHOUSE  
CARMEL, NEW YORK 10512**

Tuesday

April 3, 2018

7:00 P.M.

The meeting was called to order at 7:00 P.M. by Chairman Castellano who requested that Legislator Jonke lead in the Pledge of Allegiance and Legislator Gouldman lead in the Legislative Prayer. Upon roll call, Legislators Gouldman, Addonizio, Nacerino, Jonke, Sayegh, Sullivan and Chairman Castellano were present. Legislators Albano and Scuccimarra were absent. Also present was Legislative Counsel Firriolo.

**PROCLAMATIONS**

Chairman Castellano recognized Legislator Addonizio who presented the “Alcohol Awareness Month” proclamation to Kristin McConnell – Executive Director of the Prevention Council of Putnam and Arlene Seymour – Program Director, Alcohol & Substance Use Treatment & Prevention Services at CoveCare.

**ALCOHOL AWARENESS MONTH**

**WHEREAS**, alcohol is the most commonly used addictive substance in the United States. One in every 12 adults (17.6 million people) suffer from alcohol abuse or dependence; and

**WHEREAS**, underage drinking presents an enormous public health issue and alcohol is the drug of choice among children and adolescents. Annually, approximately 5,000 youth under the age of 21 die from motor vehicle crashes, other unintentional injuries, homicides, and suicides that involve underage drinking; 100,000 persons die each year from alcohol-related causes: drinking and driving crashes, other accidents, falls, fires, alcohol-related homicides and suicides; and

**WHEREAS**, tragic health, social, and economic problems result from the use of alcohol by youth. Underage drinking is a causal factor in a host of serious problems, including traumatic injury, violent and property crime, high risk sex, fetal alcohol syndrome, alcohol poisoning, and need for treatment for alcohol abuse and dependence; and

**WHEREAS**, the 2016 Communities That Care Prevention Needs Assessment Survey reports that 47.4% of Putnam County youth grades 8-12 have used alcohol in their lifetime; and

**WHEREAS**, young people who begin drinking before the age of 15 are four times more likely to develop alcohol dependence and are two and half times more likely to become abusers of alcohol than those who begin drinking at age 21; and

**WHEREAS**, over 7 million children live in a household where at least one parent is dependent on or has abused alcohol; and

**WHEREAS**, alcohol-related problems cost America \$224 billion in lost productivity, absenteeism, healthcare costs, crime, and family-related problems; and

**WHEREAS**, the typical American will see 100,000 beer commercials before he or she turns 18; now therefore be it

**RESOLVED**, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim April 2018 as Alcohol Awareness Month and along with the Putnam Communities That Care Coalition and all substance abuse prevention and treatment providers in Putnam County encourage all residents to increase their awareness of alcohol use disorders, the dangers of alcohol abuse, the success of prevention and treatment programs, especially for our youth, and to support and encourage referrals for treatment of individuals when an alcohol use disorder is suspected or present.

Chairman Castellano recognized Legislator Sayegh who presented the “Child Abuse Prevention” proclamation to Michael Piazza – Commissioner of Mental Health, Social Services & Youth Bureau, Marla Behler – Program Coordinator Child Advocacy Center, Frank Marocco - Director Child & Family Services within the Department of Social Services and Putnam County Sheriff Robert L. Langley, Jr.

### **CHILD ABUSE PREVENTION MONTH**

**WHEREAS**, preventing child abuse and neglect is a community problem that depends on involvement among people throughout Putnam County; and

**WHEREAS**, child abuse and neglect not only directly harm children, but also increases the likelihood of long-term physical and mental health problems, alcohol and substance abuse, continued family violence, and criminal behavior; and

**WHEREAS**, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

**WHEREAS**, the Department of Social Services Child Protective Services, Child Welfare Services, Legal Division, and Child Advocacy Center of Putnam County are deeply committed to serving child abuse victims and their families with sensitivity, understanding, and compassion and providing services necessary to help healing begin; and

**WHEREAS**, the Department of Social Services Child Protective Services, Child Welfare Services, Legal Division, and Child Advocacy Center of Putnam County especially this month should be commended and recognized for working with schools, faith communities, civic organizations, law enforcement, and the business community to implement prevention programs to ensure the physical, mental, and emotional health and well-being of the children of Putnam County; now therefore be it

**RESOLVED**, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim April 2018 as Child Abuse Prevention Month in Putnam County and call upon all citizens to increase their efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Chairman Castellano recognized Legislator Jonke who presented the “Developmental Disabilities Awareness Month & Autism Awareness Month” proclamation to David Baker – Director of Facility Operations & Transportation of Putnam ARC and Jonathan Fish – Identi-go Enrollment Specialist & Volunteer for Finders Keepers Gift Shop.

### **MARCH 2018 AS DEVELOPMENTAL DISABILITIES AWARENESS MONTH APRIL 2018 AS AUTISM AWARENESS MONTH**

**WHEREAS, The Arc Putnam NY is an integral part of our community, serving both as a business as well as a human services agency with the mission to empower individuals to achieve their highest quality of life; and**

**WHEREAS, for over sixty years, The Arc Putnam NY has been the leading provider of services for children and adults with intellectual and developmental disabilities from birth through advanced age; and**

**WHEREAS, The Arc Putnam NY is one of the leading employers in Putnam County and also offers Vocational Training and Vocational Rehabilitation to participants so they can provide quality work to the business community, training employees in both supported and competitive placements and preparing high school special education students with the skills needed to enter the workforce; and**

**WHEREAS, The Arc Putnam NY educates and assists children with autism and special needs through its Preschool to reach their fullest potential and retain their success through their participation in the public school system; and**

**WHEREAS, The Arc Putnam NY's residential program provides a family atmosphere for more than 130 people in both homes and apartments throughout Putnam County; and**

**WHEREAS, The Arc Putnam NY's clinic provides a support system for both PARC participants and their families through individual, group, and vocational counseling; now therefore be it**

**RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim March 2018 and April 2018 as Developmental Disabilities Awareness Month and Autism Awareness Month, respectively, and recognize and commend The Arc Putnam NY for the valuable services this agency provides to people with disabilities, their families, and the business community.**

**Chairman Castellano recognized Legislator Sullivan who presented the "Healthy Teen Brain Day" proclamation to Michael Piazza – Commissioner of Mental Health, Social Services & Youth Bureau, Kristin McConnell – Executive Director of the Prevention Council of Putnam and Arlene Seymour – Program Director, Alcohol & Substance Use Treatment & Prevention Services at CoveCare.**

#### **HEALTHY TEEN BRAIN DAY – APRIL 20, 2018**

**WHEREAS, Our youth are our greatest joy and our hope for the future so it is necessary for us to support them in making safe and healthy decisions, while creating a supportive environment that safeguards their future; and**

**WHEREAS, Many of our youth are making very healthy and safe decisions to remain marijuana-free and providing leadership in their schools and communities to help other youth remain marijuana-free; and**

**WHEREAS, There is strong objective evidence that marijuana is harmful to the adolescent brain, with the potential to cause distorted perceptions, difficulty with thinking and problem solving, disrupted learning and memory, and impaired reaction time, attention span, judgment, balance and coordination; and**

**WHEREAS, It is with special pleasure that we join with the youth and adult leaders of the Putnam Communities That Care Coalition in celebrating the first "Healthy Teen Brain Day" to applaud and support our youth who are making healthy decisions; and**

**WHEREAS, On behalf of the citizens of Putnam County, we are pleased and proud to join all associated with the inception of “Healthy Teen Brain Day” and urge all citizens to acknowledge this very important day.**

**RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim Wednesday, April 20, 2018 to be Healthy Teen Brain Day in Putnam County and proudly join my fellow residents in marking this very special occasion.**

**Chairman Castellano recognized Legislator Gouldman who presented the “National Library Week” proclamation to Michele Capozzella – Executive Director of the Mahopac Public Library and the Directors from Libraries within Putnam County.**

#### **NATIONAL LIBRARY WEEK – APRIL 8 – 14, 2018**

**WHEREAS, libraries are the hearts and hubs of their communities, providing essential and valued resources, collections, and programs for all ages and demographics; and**

**WHEREAS, libraries are continually evolving to meet the needs of their communities by offering opportunities to learn through both traditional services and new technologies; and**

**WHEREAS, libraries provide gathering places for neighbors, friends, newcomers, and entrepreneurs so they can come together to share ideas and enrich their communities; and**

**WHEREAS, libraries employ trained, tech-savvy professionals who provide their communities with Internet access, technology training, and access to downloadable content like e-books and magazines; and**

**WHEREAS, libraries offer services such as job-seeking resources, homework help, storytimes, literacy classes, parenting workshops, and summer reading programs; and**

**WHEREAS, libraries value, promote, and practice sound sustainability measures that ensure economical services, conserve resources, reduce long-term energy costs, and protect the environment; and**

**WHEREAS, libraries, librarians, library staff, and library supporters across America are celebrating National Library Week; now therefore be it**

**RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim the week of April 8 – 14, 2018 as National Library Week. We encourage all county residents to visit their local libraries to take advantage of the wealth of library resources our libraries provide.**

**Chairman Castellano recognized Legislator Sayegh who presented the “Peers Influence Peers” proclamation to Frank Reale – President of Peers Influence Peers Partnership who introduced the following representatives present at the meeting: Sabrina, Ian, Corinne and Vice President Stephen Velichko.**

#### **PEERS INFLUENCE PEERS MONTH**

**WHEREAS, the use of alcohol and illegal drugs cause serious health, social, and educational problems for our young people; and one in four high school girls will suffer from an abusive relationship before they graduate; and**

**WHEREAS, it has been empirically proven that substance abuse is significantly involved in the three leading causes of death for young people – car crashes, homicides,**

and suicides – and is also a major factor in school dropouts, violence, and vandalism as well as HIV/AIDS, teenage pregnancy, rapes, and sexual assaults; and

WHEREAS, the recent upturns in drug and alcohol usage, as documented in state and national surveys, show that we must target effective prevention strategies at key population groups, such as middle and high school students; and

WHEREAS, the Peers Influence Peers Partnership has demonstrated a great deal of initiative and sophistication in developing proactive media messages against dating and domestic violence as well as alcohol and other drug use; and

WHEREAS, that work, which has been aired through numerous schools and cable TV systems throughout our state, has won praise from many authorities; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby recognize April 2018 as PEERS INFLUENCE PEERS MONTH in hope that this declaration and a joint effort of all agencies and authorities to encourage young people to help others by encouraging them to live safe and healthy lives, may one day rid our children and their children's children of the scourge of drug and alcohol abuse.

Chairman Castellano recognized Legislator Nacerino who presented the "Teen Driver Safety Awareness" proclamation to Putnam County Sheriff Robert L. Langley, Jr.

#### TEEN DRIVER SAFETY AWARENESS MONTH

WHEREAS, statistics and experience demonstrate that the greatest danger to our youth in Putnam County, and throughout our country, are the dangers posed from traffic crashes; and

WHEREAS, highway crash statistics inform us that although teen drivers make up only 7% of the driving population, they comprise 18% of the injury related automobile crashes; and

WHEREAS, the leading cause of accidental deaths to our youthful population throughout the United States are automobile accidents; and

WHEREAS, analysis shows us that the reasons for teen overrepresentation in injury related automobile crashes include: driver inexperience, excessive speed, unnecessary risk taking, inattentive driving, and use of alcohol and drugs; and

WHEREAS, in Putnam County, we have too often experienced a tragedy with the death of a teen driver at the wheel. Many of these deaths have occurred during the spring and summer months with a high incidence rate during the period leading up to prom season; and

WHEREAS, all accidents are preventable and crash rates can be lowered through the use of education and awareness programs through the use of our school systems, law enforcement programs and youth services organizations such as Boy Scouts, Girl Scouts, Junior RTC programs and the Civil Air Patrol, just to name a few; and

WHEREAS, these programs work best when there is a period set aside for local government at every level, our school districts and churches, synagogues, and youth service organizations coming together to provide these educational programs; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim April 2018 as Teen Driver Safety Awareness Month in Putnam County. We encourage all levels of government, our school districts, law enforcement, our churches and synagogues, our youth service organizations and all the citizens of

Putnam County to support programs that promote teen driver safety awareness in Putnam County thereby protecting one of our most precious resources, our children and grandchildren.

Chairman Castellano recognized Legislator Sullivan who presented the “National Telecommunicators’ Week” proclamation to Bureau of Emergency Services Deputy Commissioner Robert Lipton, Bureau of Emergency Services Dispatcher Supervisor Cindy Jacobsen and Dispatcher Heather Fox.

**NATIONAL TELECOMMUNICATORS’ WEEK – APRIL 8 – 14, 2018**

WHEREAS, the Putnam County 911 Center answered 66,029 calls for help and dispatched Fire, EMS, and Police agencies 15,939 times during 2017; and

WHEREAS, emergencies can occur at any time that require police, fire, or emergency medical services; and

WHEREAS, when an emergency occurs the prompt response of police officers, firefighters, and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers, firefighters, and emergency medical services personnel is dependent upon the quality and accuracy of information obtained from citizens who telephone the Putnam 911 communications center; and

WHEREAS, Emergency Service Dispatchers are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Emergency Service Dispatchers are the single vital link for our police officers, firefighters, and emergency medical services by monitoring their activities by radio, providing them information and insuring their safety; and

WHEREAS, Emergency Service Dispatchers of the Putnam 911 communications center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year; now therefore be it

**RESOLVED**, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim the week of April 8<sup>th</sup> through April 15<sup>th</sup>, 2017 to be National Telecommunicators’ Week in Putnam County, in honor of the men and women whose diligence and professionalism keep our County and its citizens safe.

**Item #4 – Approval of Minutes – Regular Meeting – February 6, 2018  
Regular Meeting – March 6, 2018**

The minutes were approved as submitted.

**Item #5 – Correspondence  
a) County Auditor**

There was no activity during this reporting period.

**Item #6 – Pre-filed resolutions:**

**HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE  
(Chairwoman Scuccimarra, Legislators Gouldman & Sayegh)**

**Item #6a – Approval/Appointments/One Army in the War on Addiction Task Force was next. Chairman Castellano recognized Legislator Gouldman, member of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators Scuccimarra and Sayegh, Legislator Gouldman made a motion to accept the REVISED Item 6a; seconded by Legislator Jonke. All in favor.**

**APPROVAL/APPOINTMENTS/ONE ARMY IN THE WAR ON ADDICTION TASK FORCE**

**WHEREAS, by Resolution #40 of 2018, the Putnam County Legislature created the “One Army in the War on Addiction Task Force” consisting of a minimum of six (6) members; and**

**WHEREAS, by Resolution #40 of 2018, the Putnam County Legislature appointed Legislator Barbara Scuccimarra as Chairwoman to the Task Force; and**

**WHEREAS, Legislator Scuccimarra has invited several members of the Administration’s Departments and members of the dedicated provider organizations who confront this national crisis of addiction daily to join the Task Force; and**

**WHEREAS, Legislator Scuccimarra is recommending the names of the individuals who have recently accepted the invitation to be appointed to the Task Force; and**

**WHEREAS, the Health, Social, Educational & Environmental Committee has reviewed and approves said appointments; now therefore be it**

**RESOLVED, that the following be appointed as members to the One Army in the War on Addiction Task Force:**

**Robert L. Langley, Jr., Putnam County Sheriff**

**Robert Tandy, Putnam County District Attorney**

**Michael Piazza, Putnam County Commissioner of Social Services**

**Joseph DeMarzo, Putnam County Deputy Commissioner of Social Services**

**Dr. Michael Nesheiwat, Putnam County Acting Commissioner of Health**

**Susan Salomone, Executive Director of Drug Crisis in Our Backyard**

**Kristin McConnell, M.S., CPP-G Executive Director of The Prevention Council of Putnam**

**Doreen Lockwood, CASAC, CARC, Project Coordinator of Community That Cares Coalition**

**Bruce Kelly, Esq., Coordinator of Community That Cares Coalition**

**REVISED Item #6a.**

**Legislator Gouldman made a motion to move the following:**

**Legislator Addonizio stated that she is proud to be a member of this Task Force. She stated that the Task Force will be brainstorming to come up with new ideas on how to enhance our treatment programs, as well as preventative measures for our Community, State funding and State legislation. She also thanked everyone who is serving on this Task Force.**

**Chairman Castellano stated that it is a fantastic group of individuals in the community serving on this Task Force.**

**RESOLUTION #69**

**APPROVAL/APPOINTMENTS/ONE ARMY IN THE WAR ON ADDICTION TASK FORCE**

**WHEREAS, by Resolution #40 of 2018, the Putnam County Legislature created the “One Army in the War on Addiction Task Force” consisting of a minimum of six (6) members; and**

**WHEREAS, by Resolution #40 of 2018, the Putnam County Legislature appointed Legislator Barbara Scuccimarra as Chairwoman to the Task Force; and**

**WHEREAS, Legislator Scuccimarra has invited several members of the Administration’s Departments and members of the dedicated provider organizations who confront this national crisis of addiction daily to join the Task Force; and**

**WHEREAS, Legislator Scuccimarra is recommending the names of the individuals who have recently accepted the invitation to be appointed to the Task Force; and**

**WHEREAS, the Health, Social, Educational & Environmental Committee has reviewed and approves said appointments; now therefore be it**

**RESOLVED, that the following be appointed as members to the One Army in the War on Addiction Task Force:**

**Toni Addonizio**, Deputy Chairwoman Putnam County Legislature

**Robert L. Langley, Jr.**, Putnam County Sheriff

**Robert Tendy**, Putnam County District Attorney

**Michael Piazza**, Putnam County Commissioner of Social Services

**Joseph DeMarzo**, Putnam County Deputy Commissioner of Social Services

**Dr. Michael Nesheiwat**, Putnam County Acting Commissioner of Health

**Susan Salomone**, Executive Director of Drug Crisis in Our Backyard

**Kristin McConnell**, M.S., CPP-G Executive Director of The Prevention Council of Putnam

**Doreen Lockwood**, CASAC, CARC, Project Coordinator of Community That Care Coalition

**Bruce Kelly, Esq.**, Coordinator of Community That Cares Coalition

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6b – Approval/Memorialization NYSAC Resolution/ Supporting the Creation of an Industry-sponsored Paint Stewardship Program to Reduce the Costly Burden Faced by Local Governments when Collecting and Disposing of Post-Consumer Paint was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Scuccimarra and Sayegh, Legislator Gouldman moved the following:**

**RESOLUTION #70**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION/ SUPPORTING THE CREATION OF AN INDUSTRY-SPONSORED PAINT STEWARDSHIP PROGRAM TO REDUCE THE COSTLY BURDEN FACED BY LOCAL GOVERNMENTS WHEN COLLECTING AND DISPOSING OF POST-CONSUMER PAINT**

**WHEREAS, New York State residents purchase over 39.2 million gallons of paint annually and nearly 4 million gallons of it go unused and will need recycling; and**

**WHEREAS, even though paint is highly recoverable, reusable, and recyclable, most leftover latex paint ends up in landfills; and**

**WHEREAS, oil-based paint is considered hazardous waste, and is the most expensive product for household hazardous waste (HHW) programs to manage, costing local governments across the country up to 50 percent of their total HHW budgets; and**

**WHEREAS, options to drop off unused paint at point-of-purchase locations are limited and as a result instead of being properly disposed of through periodic household hazardous waste collections, unused paint ends up being tossed in the trash or washed down the drain; and**

**WHEREAS, other states across the country have successfully implemented paint stewardship programs—Oregon has collected and recycled over 1 million gallons of paint since its program was implemented in 2010, and in California over 350 new collection locations are now accepting paint for recycling; and**

**WHEREAS, the implementation of a state-wide industry-sponsored paint stewardship program in New York State would greatly reduce this burden on local governments to collect and manage the disposal of paint and could potentially save counties millions of dollars annually. Additionally, paint recycling produces new jobs within New York State; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the Governor and the New York State Legislature to create an industry-sponsored paint stewardship program to reduce burdens on local governments when collecting and disposing of post-consumer paint; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrance Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, the New York State Department of Environmental Conservation and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6c – Approval/Memorialization NYSAC Resolution/ Calling on the State to Pay for any Required Increases in Cost to the Child Protective Service Program was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Scuccimarra and Sayegh, Legislator Gouldman moved the following:**

#### **RESOLUTION #71**

#### **APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION /CALLING ON THE STATE TO PAY FOR ANY REQUIRED INCREASES IN COST TO THE CHILD PROTECTIVE SERVICE PROGRAM**

**WHEREAS, in 2017 the State Legislature passed a bill attempting to set a workload standards cap of no more than fifteen active cases per month per full time child protective services worker; and**

**WHEREAS, this bill was appropriately vetoed by the Governor, stating the bill was deficient due to applying a one-size-fits all approach across the State and perhaps more importantly, this bill was passed outside the State Budget process and allocated no funding to Counties for this potentially enormous increase in costs; and**

**WHEREAS, child protective services are paid for by our county governments; and**

**WHEREAS, every county has unique challenges providing this service such as geography, population, economics, and demographics that make one statewide case-cap standard illogical; and**

**WHEREAS, due to the fact that each county has unique challenges, it is the county themselves and the County DSS Commissioners that are best situated to understand and manage caseload assignments; and**

**WHEREAS, a one-size fits all standard of case-caps does not address the increased costs that this cap would cause, nor recognize case severity and oversight needs, along with each case worker's experience and skill level; and**

**WHEREAS, counties cannot meet any new state unfunded mandates while maintaining the state-imposed property tax cap; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the Governor and the Legislature to abstain from passing these types of caseworker cap bills without covering 100 percent of the costs to support these new positions; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrance Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6d – Approval/Memorialization NYSAC Resolution/ Urging the Department of Health and Division of Budget to Require Providers to maximize Reimbursement from all Third-Party Payers was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Scuccimarra and Sayegh, Legislator Gouldman moved the following:**

#### **RESOLUTION #72**

#### **APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / URGING THE DEPARTMENT OF HEALTH AND THE DIVISION OF BUDGET TO REQUIRE PROVIDERS TO MAXIMIZE REIMBURSEMENT FROM ALL THIRD-PARTY PAYERS**

**WHEREAS, prior to 2013, counties funded 100% of the cost of the state's Early Intervention Program and then sought reimbursement beginning in the following county fiscal year as required under state law; and**

**WHEREAS, in 2013, the state implemented a State Fiscal Agent administrative model that centralized billing and contracting at the state level, rather than at the county level; and**

**WHEREAS, the State Fiscal Agent used their own administrative and reimbursement information technology system to collect funds from counties and make payments to providers due to limitations with the New York State Department of Health's Early Intervention System (NYEIS); and**

**WHEREAS, problems continue to arise under the State Fiscal Agent platform related to service providers filing for payment from insurance companies in the first instance as the law requires and lacks follow through by providers when insurers request additional documentation; and**

**WHEREAS, prior to the state fiscal agent, counties were able to work directly with 3<sup>rd</sup> party insurance providers and families to maximize insurance payments; and**

**WHEREAS, counties realized more payments from 3rd party payers prior to the state fiscal agents reducing the county and state share of this cost; and**

**WHEREAS, any extensive delay in providing such information to insurance companies can result in a denial by the insurance company due to untimely filing, causing these claims to fall to the state and counties resulting in higher costs for both the state and counties; and**

**WHEREAS, we continue to support proposals from the Governor that prioritize and require providers to adhere to current insurance regulations regarding payment of Early Intervention service claims to maximize commercial insurance collections; and**

**WHEREAS, we also ask that as part of these systems enhancement proposals, Medicaid revisit the Retro Re-Billing Process where the State identifies all claims that the counties and state pay including, but not limited to, waived services, and resubmit those to Medicaid to identify if a child's coverage changed. Medicaid should be billed in the first instance, so that counties don't have to pay upfront and then receive these monies many years later; and**

**WHEREAS, the State has implemented health insurance benefit changes in its Child Health Plus program that will likely reduce third party billing opportunities, resulting in higher costs for counties in the Early Intervention Program; and**

**WHEREAS, under the statewide fiscal agent model counties remain concerned about program integrity efforts pursued by the fiscal agent and the Department of Health (DOH) through audits, and believe that third party collections are not being maximized based on the increasing drawdown of funds out of the escrow for many counties far in excess of what has been budgeted or caseload changes suggest should be the case; and**

**WHEREAS, while counties have been advised by DOH that they can pursue their own audits and collections to ensure program integrity, counties have no effective mechanism under the law, or leverage with providers, to recoup any audit findings as counties do not hold the provider contracts or have the ability to withhold payments as a way to recoup funds; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the State of New York to implement policies and procedures to ensure that provider claims are filed within 60 days to maximize commercial insurance Medicaid reimbursement; and be it further**

**RESOLVED, the State Fiscal Agent must implement systematic changes to the billing system to track claims and, as outlined in the Governor's Budget for 2016-17, ensure providers and the State Fiscal Agent exhaust all appeals within the required timeline of the insurer before moving on to the next payer of record; and be it further**

**RESOLVED, that the State require all providers to enroll in 835 electronic remits and a timely filing requirement; and be it further**

**RESOLVED, the State should carefully review all benefit changes in state supported public health insurance programs such as Medicaid and Child Health Plus to ensure new costs are not shifted to the state and county public health programs when current benefits are eliminated or modified; and be it further**

**RESOLVED, the NYS Bureau of Early Intervention should develop an audit program outside of NYEIS for provider claims to ensure state and local funds are being spent appropriately; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrance Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, the NYS Department of Health and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT.**

**MOTION CARRIES.**

**Item #6e – Approval/Memorialization NYSAC Resolution/ Supporting Continued Prioritization of Heroin and Opioid Abuse Prevention as a Top Public Safety, Public Health and Mental Health Focus in New York State for 2018 was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Scuccimarra and Sayegh, Legislator Gouldman moved the following:**

**RESOLUTION #73**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / SUPPORTING CONTINUED PRIORITIZATION OF HEROIN AND OPIOID ABUSE PREVENTION AS A TOP PUBLIC SAFETY, PUBLIC HEALTH, AND MENTAL HEALTH FOCUS IN NEW YORK STATE FOR 2018**

**WHEREAS, communities across the nation and New York State are seeing a dramatic increase in the use of heroin and opioid abuse; and**

**WHEREAS, in 2016, according to the United States Department of Health and Human Services, health care professionals dispense more than 650,000 prescriptions and 3,900 people initiate nonmedical use of prescription opioids for the first time; and**

**WHEREAS, opioid and heroin addiction often starts from the dependence of such painkillers as Oxycodone, OxyContin and Percocet; and**

**WHEREAS, as this epidemic has grown, it has become increasingly clear that the addiction does not discriminate: it can happen in any household, in any family, in any neighborhood, and in any community; and**

**WHEREAS, the addiction, abuse, and illegal use of heroin and opioids has an impact on many areas of county government ranging from public safety, public health, mental health, and corrections; and**

**WHEREAS, when prescription opioids become too expensive and difficult to obtain, opioid addicted individuals often turn to heroin, which is more readily available and much cheaper to obtain; and**

**WHEREAS, opioid and heroin addictions have reached crisis proportions and the Federal Government, New York State and counties across the state have created programs designed to combat the illegal use of these drugs; and**

**WHEREAS, in order to help monitor this growing problem, in 2013 the State instituted the Internet System for Tracking Over-Prescribing (ISTOP) and the Prescription Drug Monitoring Program (PDMP) to prevent prescription opioid abuse by tracking the prescribing and dispensing of controlled prescription drugs to patients; and**

**WHEREAS, in 2014, Attorney General Schneiderman established the Community Overdoses Prevention (COP) program that gives eligible law enforcement agencies funding for access to naloxone, which is also known as Narcan; and**

**WHEREAS, by leveraging \$5 million of funds appropriated from crime seizure monies through the 2014/15 Enacted State Budget, the Attorney General provided funding to offset the cost of a “naloxone kit” for every sworn officer in the state; and**

**WHEREAS, the 2016/17 and 2017/18 Enacted Budgets included collectively over \$500 million to provide funding for constructing and rehabilitating facilities, expanding support and treatment services, providing aid to localities, and providing preventative services; and**

**WHEREAS, counties across the nation under the leadership of the National**

Association of Counties (NACo) have joined together to create a joint National Taskforce, which Erie County Executive Mark Poloncarz served on, and provided the information directly to all the counties across New York State; now therefore be it

**RESOLVED**, that the Putnam County Legislature thanks the National Association of Counties, the Governor and the State Legislature for making heroin and opioid abuse a top public safety, public health, and mental health priority and urges them to continue to do so until the epidemic is defeated; and be it further

**RESOLVED**, county officials support increased funding to be included in the final 2018-19 state budget to support the Office of Alcohol and Substance Abuse Services (OASAS) to enhance prevention, treatment and recovery programs, residential service opportunities, and public awareness and education activities; and be it further

**RESOLVED**, that the Clerk of the Putnam County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrance Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne and NYSAC.

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6f – Approval/ Memorialization NYSAC Resolution / Urging the New York State Legislature to Reject the Governor’s Budget Proposal that Allows the Executive Branch to make Administrative Budget Cuts to Local Assistance Programs if Certain Financial Thresholds are Breached at any Time During the State Fiscal Year was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Scuccimarra and Sayegh, Legislator Gouldman moved the following:**

#### **RESOLUTION #74**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / URGING THE NEW YORK STATE LEGISLATURE TO REJECT THE GOVERNOR’S BUDGET PROPOSAL THAT ALLOWS THE EXECUTIVE BRANCH TO MAKE ADMINISTRATIVE BUDGET CUTS TO LOCAL ASSISTANCE PROGRAMS IF CERTAIN FINANCIAL THRESHOLDS ARE BREACHED AT ANY TIME DURING THE STATE FISCAL YEAR**

**WHEREAS**, Governor Cuomo has proposed in his 2018-19 Budget Recommendation that the Executive Branch be granted additional budget authority to administratively make state budget cuts to local assistance programs at any time during the fiscal year if certain fiscal thresholds are breached; and

**WHEREAS**, the two thresholds include:

- 1. A reduction of more than \$850 million in federal Medicaid funding; or a reduction in federal financial participation or other Federal aid in funding to New York State that affects the State Operating Funds financial plan by \$850 million or more, exclusive of any cuts to Medicaid; or**
- 2. The State’s revenue estimates fall \$500 million or more short of projected in the adopted Financial Plan at any point during the fiscal year; and**

**WHEREAS**, if either fiscal threshold is triggered the Executive Branch is tasked with unilaterally: 1) developing across the board funding cuts with limited state legislative review under the federal trigger, and 2) under the revenue trigger enact cuts of up to three percent across the board to local assistance funding with no state legislative review; and

**WHEREAS, defining if a threshold is triggered rests entirely with the Governor under this proposal; and**

**WHEREAS, under the federal trigger, without a clear definition, one could conclude that the trigger has already occurred based on federal budget actions that have already cut nearly \$2 billion in federal funding to New York that supports children's health insurance programs, Medicaid disproportionate share payments for hospitals and special payments to health insurers under the Affordable Care Act that funds the State's Essential Health Plan – all of which require an act of Congress to reverse; and**

**WHEREAS, under the state revenue trigger, over the last two years the state has lowered its revenue projections six times for a total \$4.2 billion; and**

**WHEREAS, given this recent history it appears the expanded Executive budget authority to enact cuts administratively seeks mainly to bypass the normal legislative process in developing the state budget which requires public input from taxpayers and stakeholders tasked with implementing state and federally mandated programs, and other critical services; and**

**WHEREAS, the Governor of New York is already vested with significant budget authority in crafting and controlling the state budget, so much so that the governor's role in New York's budget process is considered one of the most powerful in the country; and**

**WHEREAS, providing blanket authority to the Executive to effectively implement midyear budget cuts to local governments and others for expenses that may have already been incurred will require local taxpayers to absorb through higher costs or lost services with virtually no stakeholder input; and**

**WHEREAS, expanding these budget powers reduces transparency and severely restricts the taxpayer's voice in critical public policy decisions; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls upon the New York State Legislature to reject the Governor's request to expand his budget authority to make significant funding cuts administratively at any time; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrance Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6g – Approval/ Memorialization NYSAC Resolution / Calling on Governor Andrew M. Cuomo and the State Legislature to Work with New York's Congressional Delegation to Ensure and Congressional Efforts to Pass the Family First Prevention Services Act Ensures Essential Fiscal Resources are Maintained to Support Families in Need was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Scuccimarra and Sayegh, Legislator Gouldman moved the following:**

**RESOLUTION #75**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / CALLING ON GOVERNOR ANDREW M. CUOMO AND THE STATE LEGISLATURE TO WORK WITH NEW YORK'S CONGRESSIONAL DELEGATION TO ENSURE AND CONGRESSIONAL EFFORTS TO PASS THE FAMILY FIRST PREVENTION SERVICES ACT ENSURES ESSENTIAL FISCAL RESOURCES ARE MAINTAINED TO SUPPORT FAMILIES IN NEED**

**WHEREAS, the Family First Prevention Services Act, was considered in a prior Congress, but was not enacted; and**

**WHEREAS, there is a desire again to enact this legislation; and**

**WHEREAS, the legislation is well intentioned in that it would for the first time allow federal Title IV-E reimbursement for some preventive services to help children at risk of neglect or abuse; and**

**WHEREAS, the federal legislation also proposed extensive new reporting and information system requirements, eliminated federal funding for currently authorized services, imposed restrictive administrative and implementation barriers, put in place punitive maintenance-of-effort funding requirements, among other shortcomings and oversights; and**

**WHEREAS, should this federal legislation advance, New York's Office of Children and Family Services estimates that New York State and its counties could lose up to \$250 million annually in currently available federal funds for child welfare; and**

**WHEREAS, the counties of New York fund a sizable percentage of these child welfare services with locally raised property taxes and other revenues; and**

**WHEREAS, New York State and its counties have provided prevention services for this population without any federal matching funds for decades and this bill would provide no credit to states like New York that were proactive and early adopters in providing prevention services for children and families at risk; and**

**WHEREAS, Governor Cuomo, on behalf of the New York State Office of Children and Family Services (OCFS) sent letters to United States Senators' Charles E. Schumer and Kirsten E. Gillibrand notifying them of the harmful impact this legislation would have on New York, and also provided suggested amendments; and**

**WHEREAS, some of specific amendments requested included expanding the 12-month time limit for Mental Health and Substance Abuse Prevention funding not to exceed 24 months when certified by a qualified mental health or substance abuse clinician; Aid to Families with Dependent Children (AFDC) delinking; and placement settings for 16-17-year-olds; and**

**WHEREAS, the loss of federal funding and the restrictions within the current bill will jeopardize child welfare services in New York State; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls upon Governor Andrew M. Cuomo and the State Legislature to work closely with New York's Congressional Delegation to amend and improve the Family First Prevention Services Act so that early adopter states are not penalized by strict maintenance-of-effort provisions, that current federal reimbursement streams be maintained, and sufficient flexibility be provided to meet the unique circumstances in different states; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrance Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne the New York State Congressional Delegation and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6h – Approval/ Memorialization NYSAC Resolution/ Calling on the Office of Mental Health and the Governor to Ensure Long Term Viability to OMH Funded Housing Programs for Individuals with Serious Mental Illness through Support of the “Bring It**

Home” Initiative was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Scuccimarra and Sayegh, Legislator Gouldman moved the following:

#### **RESOLUTION #76**

#### **APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / CALLING ON THE OFFICE OF MENTAL HEALTH AND THE GOVERNOR TO ENSURE LONG TERM VIABILITY TO OMH FUNDED HOUSING PROGRAMS FOR INDIVIDUALS WITH SERIOUS MENTAL ILLNESS THROUGH SUPPORT OF THE “BRING IT HOME” INITIATIVE**

**WHEREAS, safe and affordable housing with supports is an essential component of recovery for many people with serious mental illness; and**

**WHEREAS, the OMH funded housing system currently serves approximately 40,000 individuals with serious psychiatric disabilities, who often have significant medical conditions and substance use disorders; and**

**WHEREAS, the OMH community based housing programs include several levels of care including, Community Residences (CRs), Apartment Treatment Programs (Treatment Apartments), Supported Scatter-Site Housing (Supported Housing), Community Residence – Single Room Occupancy (CR-SRO), and Supported Single Room Occupancy (SP-SRO); and**

**WHEREAS, these OMH Housing program models were developed over 30 years ago in the late 1970’s and early 1980’s and the requirements for the services and the staff needed to provide the services reflect the needs of clients at that time; and**

**WHEREAS, these programs are expected and required to serve the clients with the highest and most challenging psychiatric needs, manage the health and mental health for many clients with a co-occurring substance use disorder, and manage complicated medication regimens to treat their behavioral and other co-morbid chronic conditions such as heart disease, diabetes, high blood pressure, high cholesterol and pulmonary disease; and**

**WHEREAS, the program models originally were not created to serve these clients and the state has consistently failed to provide adequate funding to effectively support services to those with the highest needs; and**

**WHEREAS, for example, the Community Residences and Supported Single Room Occupancy (SP-SRO’s) programs have received a total increase of just 10% over the last 27 years – less than 3 tenths of a percent per year; and**

**WHEREAS, the licensed Community Residence program – the highest level of care in the state outside of a hospital - is struggling under minimal staff levels that were developed in 1984, when clients had much fewer and less challenging needs;**

**WHEREAS, the County Directors of Community Services (DCSs) are responsible for operation of the Assisted Outpatient Treatment (AOT) programs in their counties which is the court-ordered outpatient treatment which includes ensuring safe and appropriate housing; and**

**WHEREAS, DCSs throughout the state report significant waiting lists for housing and it is becoming increasingly more difficult to find an OMH housing bed that both offers the high level of services needed and that is staffed appropriately to safely serve the population; and**

**WHEREAS, the insufficient housing reimbursement is further reducing capacity and cutting access to care as housing providers will be left no choice but to close a portion of their existing housing beds which will cut off access to this vital resource for AOT and other high-needs clients; and**

**WHEREAS, decades without an adequate rate increases for OMH Housing has pushed housing providers to their tipping point where they will be forced to take down critically needed housing beds which will create a crisis situation; and**

**WHEREAS, the new supportive housing units the state has promised to develop will be funded at a much higher rate than the exact same existing units; and**

**WHEREAS, housing is the single most significant social determinant to health outcome and if individuals cannot be housed safely, all other state investment in their recovery will be undermined; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the Governor and the Office of Mental Health to support the “Bring it Home” campaign’s request for \$125 million in funding to preserve the long-term viability of the existing 40,000 units of OMH Housing and ensure New Yorkers with serious mental illness and other complex conditions have access to the housing they deserve; and be it further**

**RESOLVED, the Clerk of the Putnam County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrance Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, the State Office of Mental Health and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6i – Approval/ Memorialization NYSAC Resolution/ Calling on the Office of Alcoholism and Substance Abuse Services and the Governor to Provide State Funding to Support the Treatment and Transition Services to Individuals with Substance Use Disorders (SUD) who are Incarcerated in County Jails was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Scuccimarra and Sayegh, Legislator Gouldman moved the following:**

#### **RESOLUTION #77**

#### **APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / CALLING ON THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES AND THE GOVERNOR TO PROVIDE STATE FUNDING TO SUPPORT THE TREATMENT AND TRANSITION SERVICES TO INDIVIDUALS WITH SUBSTANCE USE DISORDERS (SUD) WHO ARE INCARCERATED IN COUNTY JAILS**

**WHEREAS, New York State is engaged in a significant effort to address the rising rate of substance use disorders, including the epidemic of opioid and heroin addiction and the increasing number of deaths due to overdose; and**

**WHEREAS, the state is taking aggressive steps to address the heroin/opioid epidemic, including the rapid expansion of community-based treatment and support services to create a continuum of care to support the individual and family in their recovery; and**

**WHEREAS; there remains a significant gap in the treatment and support in the continuum of care being developed by the state and that is available in local jails; and**

**WHEREAS, individuals who suffer from SUD’s frequently come into contact with the criminal justice system; and**

**WHEREAS, the link between offending and SUDs is well established, bringing significant numbers of individuals suffering from addiction into NYS jails; and**

**WHEREAS, alcohol and drugs are implicated in roughly 80 percent of offenses, including domestic violence, DWIs, property offenses, drug offenses, and public order offenses; and**

**WHEREAS, according to a report conducted by Policy Research Associates on behalf of the NYS Conference of Local Mental Hygiene Directors, that surveyed County Sheriff's indicated that of the individuals detained in their jail on drug-related charges, 68 percent had been in their jail before; and**

**WHEREAS, jail incarceration provides a unique opportunity to offer treatment supports during periods when people are clean and sober; and**

**WHEREAS, just over 50% of New York State localities report that they have no funding for SUD treatment services in their jails; and**

**WHEREAS, in NYS, counties bear the sole burden for supporting SUD services in jails, and it is an ever-increasing burden with substantial unmet need; and**

**WHEREAS, 51 percent of jails have no funding for substance use disorder treatment services despite strong evidence that these services reduce crime, save money, and save lives and 53 percent of jails do not have the capacity to directly transition addicted inmates to community treatment programs upon re-entry; and**

**WHEREAS, a New England Journal of Medicine study found that in the first two weeks after release, former inmates with an opioid use disorder were 12.7 times more likely than other individuals to die of an overdose; and**

**WHEREAS, a comprehensive re-entry plan is critically important to minimizing the possibility of drug use, overdose and recidivism and that for those jails that do have some treatment services, those services are far outpaced by the escalating need for them; and**

**WHEREAS, the benefits of providing effective SUD services in the jail setting have proven significant where they occur and a handful of localities in New York State have been able to support a level of service through local funding are reaping significant benefits; and**

**WHEREAS, in Albany County, the jail-based Sheriff's Heroin Addiction Recovery Program (SHARP) provides SUD treatment during incarceration and support services after release, resulting in a 28% reduction in recidivism rate; and**

**WHEREAS, New York State's own analysis of the costs and benefits of jail-based SUD treatment found that communities realize a savings of \$2,846 per person served and that there are 13 fewer victimizations per 100 people served; and**

**WHEREAS, in the property tax cap era, a dedicated State funding stream to counties is desperately needed to provide SUD treatment services in the jails, including screening and assessment at entry, education and counseling services, peer support, medication assisted treatment and discharge planning to continue treatment post-incarceration; and**

**WHEREAS, counties are requesting funding of \$12.8 million annually to the LGU's to address the existing gap in the SUD treatment continuum and support efforts to reduce the human cost of the heroin/opioid epidemic on New Yorkers, and reduce recidivism and victimization; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the Governor and the Office of Alcoholism and Substance Abuse Services to help combat the heroin and opioid epidemic, save lives and reduce the rate of recidivism, by providing state funding for the treatment and transition of incarcerated individuals with substance use disorders in our county jails; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrance Murphy,**

Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, the Office of Alcoholism and Substance Abuse Services, and NYSAC.

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

Item #6j – Approval/ Memorialization NYSAC Resolution / Urging the Governor and State Legislature to take over the Fiscal Responsibility for Costs Associated with Students Receiving Preschool Special Education Services in Integrated Universal Prekindergarten Program Classrooms was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Scuccimarra and Sayegh, Legislator Gouldman moved the following:

**RESOLUTION #78**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / URGING THE GOVERNOR AND STATE LEGISLATURE TO TAKE OVER THE FISCAL RESPONSIBILITY FOR COSTS ASSOCIATED WITH STUDENTS RECEIVING PRESCHOOL SPECIAL EDUCATION SERVICES IN INTEGRATED UNIVERSAL PREKINDERGARTEN PROGRAM CLASSROOMS**

**WHEREAS, Chapter 23 of the Laws of 1989 established the Preschool Program for Children with Handicapping Conditions as 4410 of the Education Law; and**

**WHEREAS, permanent state law requires counties to pay 30.5 percent of preschool special education costs, but each year the Governor and State Legislature disregard this statutory threshold in annual appropriation bills and require counties to pay 40.5 percent of costs associated with preschool special education; and**

**WHEREAS, the State has enacted legislation to provide universal prekindergarten for all four-year-old children in New York State to be financed 100% with state resources, but excludes children with special needs; and**

**WHEREAS, a Special Class in an Integrated Setting (SCIS) often within a universal prekindergarten classroom is most consistent with federal and State law that requires preschool students with disabilities to be educated in the least restrictive environment; and**

**WHEREAS, research has consistently shown that integrated classrooms provide numerous positive outcomes for special education students; and**

**WHEREAS, such classrooms plainly highlight the inconsistencies of a bifurcated system that fully supports “mainstream” students with State funding while requiring counties to partially fund preschool special education students; and**

**WHEREAS, the increased placement of preschool special education students in integrated universal prekindergarten programs has added further strain on county taxpayers; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls upon Governor Andrew M. Cuomo and the New York State Legislature to take over the fiscal responsibility for costs associated with students receiving preschool special education services in integrated universal prekindergarten program classrooms, thereby fully funding all students being served in the same setting, encouraging further utilization of integrated settings, and providing relief to county taxpayers; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan,**

**Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrance Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6k – Approval/ Memorialization NYSAC Resolution/ Calling for Amendments to the New York State Electronic Equipment Recycling and Reuse Act and Urging the Department of Environmental Conservation to Expedite the Promulgation of Related Regulations was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators Scuccimarra and Sayegh, Legislator Gouldman moved the following:**

**RESOLUTION #79**

**RESOLUTION CALLING FOR AMENDMENTS TO THE NEW YORK STATE ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT AND URGING THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO EXPEDITE THE PROMULGATION OF RELATED REGULATIONS**

**WHEREAS, the New York State Electronic Equipment Recycling and Reuse Act (Act) was adopted by the State in 2010 in order to assist local governments with managing the fast-growing electronics waste stream by requiring electronics manufacturers to fund a recycling infrastructure and relieve municipalities from the recycling and end-of-life management costs; and**

**WHEREAS, the Act has succeeded in significantly increasing electronics recovery and recycling in the state, but the collection infrastructure is unstable and local governments and other collectors are faced with mounting fees in the absence of consistent manufacturer funding and limited markets for cathode ray tubes (CRTs); and**

**WHEREAS, while the Act intended to place the burden of electronics recycling on the manufacturers of electronic devices, the Act failed to stipulate adequate education requirements to inform the public of the process by which they could recycle their electronics with the manufacturers; and**

**WHEREAS, the Act created a ban on disposal of electronic waste in landfills, effective January 2015, which resulted in a growing number of waste stream planning units throughout New York's counties bearing more of the fiscal responsibility for continued e-scrap collection in their communities; and**

**WHEREAS, the Act requires, and the state relies on, electronics manufacturers to fund e-scrap recycling programs that are effective, continuous and reasonably convenient to all consumers across the state; and**

**WHEREAS, once manufacturers have met their performance standard (goal), which, in many cases, is midway through the year, they no longer provide financial support to continue their collection programs, thus shifting management costs to cash-strapped local governments; and**

**WHEREAS, while the NYS Department of Environmental Conservation (DEC) indicates there are no longer performance goals, some manufacturers continue to dodge their legal responsibility to accept electronic waste; and**

**WHEREAS, the Act empowers the DEC to promulgate regulations that could address many of the shortcomings in the law, and, in 2016, the DEC began the**

rulemaking process by holding preliminary workshops and accepting comments via email; and

WHEREAS, the issue is exacerbated by the fact that electronics sold today weigh much less than the obsolete CRT devices that make up approximately 70% of the weight of e-scrap generated, which are cost intensive to responsibly manage; and

WHEREAS, this has resulted in many local governments across the state having grappled with the burden to fund or cease e-scrap collection, which has been particularly difficult in rural communities that do not benefit from retail collectors or economies of scale; and

WHEREAS, the Fiscal Year 2016-17 appropriation for the Environmental Protection Fund assists municipalities by making \$3 million available to reimburse up to 50 percent of expenses incurred for the collection/recycling of e-waste; now therefore be it

RESOLVED, that the Putnam County Legislature calls upon Governor Andrew M. Cuomo, the New York State Assembly, the New York State Senate and the State Department of Environmental Conservation to improve the current law intended to create a more stable and comprehensive manufacturer-implemented electronics recycling infrastructure; and be it further

RESOLVED, that the Putnam County Legislature calls on state lawmakers to help alleviate the financial and administrative burden on municipalities who are dealing with these electronics by continuing to fund the reimbursement of expenses incurred collecting and recycling e-waste; and be it further

RESOLVED, that the Putnam County Legislature calls on state lawmakers to implement actions to strengthen communication among stakeholders, clarify key statutory provisions in their present rulemaking efforts, and promote the adoption of changes to the Act that will provide for year-round, no-cost collection of electronics, consistent with convenience standards for both rural and urban populations that help alleviate the immediate financial pressures faced by local governments; and be it further

RESOLVED, that the Clerk of the Putnam County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrance Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, and NYSAC.

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE  
(Chairman Sullivan, Legislators Addonizio & Albano)**

Item #6L – Approval/Support Funding for Veterans Peer to Peer Support Program was next. Chairman Castellano recognized Legislator Sullivan, Chairman of the Rules, Enactments & Intergovernmental Relations Committee. On behalf of the members of the Committee, Legislators Addonizio and Albano, Legislator Sullivan moved the following:

Legislator Gouldman stated that this is a very important program. He stated that PTSD is a serious problem among our service Veterans. He stated that he is very supportive of whatever we can do to help our Veterans.

Legislator Addonizio concurred. She explained that this is a wonderful program which provides Veterans the opportunity to come together in support of each other.

Legislator Nacerino concurred. She stated that her husband is a Vietnam Veteran and reduction or elimination of this program would result in a serious disservice to our Veterans. She thanked the individuals who help our Veterans.

Chairman Castellano concurred. He stated that this is an outstanding program and nobody knows a Veteran better than another Veteran. He stated that Putnam County stands 100% behind our Veterans.

#### **RESOLUTION #80**

#### **APPROVAL/SUPPORT FUNDING FOR VETERANS PEER TO PEER SUPPORT PROGRAM**

**WHEREAS, the epidemic of military suicides has become so rampant that in recent years, death by suicide of active duty American service members rivals, and sometimes even exceeds, the numbers killed in combat; and**

**WHEREAS, post-traumatic stress disorders are a serious problem among America's service Veterans, and can greatly disrupt their daily lives; and**

**WHEREAS, Veterans and service members suffering from post-traumatic stress or other combat stress disorders are greatly helped through individual and small-group peer-to-peer counseling methods; and**

**WHEREAS, Putnam County's Joseph P. Dwyer Vet2Vet program provides invaluable service by assisting all Veterans of Putnam County and their families through free confidential and anonymous vet-to-vet outreach programs; and**

**WHEREAS, Putnam County's Joseph P. Dwyer Vet2Vet program also offers opportunities for Veterans to come together in support of each other; to listen and benefit from each other's experiences with service-related issues, including returning to civilian life, school, civilian jobs, and family life; and to navigate the services available through the Veterans Administration and community-based organizations; and**

**WHEREAS, funding for Putnam County's Joseph P. Dwyer Vet2Vet program has been eliminated from the Governor's budget for next year; and**

**WHEREAS, the reduction or elimination of funding for this program would result in a serious disservice to, and potentially dire consequences for, Putnam County's active duty service members and Veterans, as well as their families, who have made great sacrifices for the United States, the State of New York, and Putnam County; now therefore be it**

**RESOLVED, that the Legislature respectfully calls upon and hereby urges Governor Andrew M. Cuomo, Senator Terrence Murphy, Senator Susan Serino, Assemblyman Kevin Byrne, and Assemblywoman Sandra Galef to take all necessary steps to fully fund Putnam County's Joseph P. Dwyer Vet2Vet program in all future state budgets; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrance Murphy, Assemblywoman Sandra Galef and Assemblyman Kevin Byrne.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6m – Approval/ Memorialization / Urging New York State to Fully Fund Early Voting Operations was next. On behalf of the members of the Rules, Enactments &**

**Intergovernmental Relations Committee, Legislators Addonizio and Albano, Legislator Sullivan moved the following:**

**Legislator Nacerino stated that she was not in favor of early voting in Putnam County. However, if it does happen, she believed that the State should fund it, otherwise it would just become another unfunded mandate.**

**Chairman Castellano concurred. He stated that he does not believe this is an issue or necessary for Putnam County. However, he did want to give everyone the opportunity to vote. He agreed that we would need the State to fund this, otherwise it would just become another unfunded State mandate.**

#### **RESOLUTION #81**

#### **APPROVAL/ MEMORIALIZATION / URGING NEW YORK STATE TO FULLY FUND EARLY VOTING OPERATIONS**

**WHEREAS, under State law, counties in New York State manage, operate, and fund elections in New York State; and**

**WHEREAS, in his State of the State Address and Executive 2018-19 State Budget proposal, Governor Andrew M. Cuomo has proposed requiring every county to offer residents early voting opportunities through at least one early voting poll site during the 12 days leading up to Election Day; and**

**WHEREAS, the proposal will require counties to offer at least eight hours on weekdays and five hours on weekends to cast early ballots; and**

**WHEREAS, counties must have one early voting poll site for every 50,000 residents, at a location determined by the bipartisan County Board of Elections, and subject to standards of accessibility and convenience; and**

**WHEREAS, County Board of Elections will designate at least five polling places in each county, geographically located so as to provide all voters in the county with an equal opportunity to cast a ballot; and**

**WHEREAS, these proposals will significantly increase costs to County Boards of Elections for staffing and securing early voting locations, printing and counting additional ballots, and meeting other legal elections requirements associated with maintaining polling stations over an extended period of time (rather than one day); and**

**WHEREAS, under New York State law, counties have the authority to pass elections costs on to their municipal counterparts, which is done by more than half of counties; and**

**WHEREAS, the cost of early voting has been estimated at \$6.4 million per year; and**

**WHEREAS, the state-imposed property tax cap makes it difficult for local governments to absorb new costs of any kind; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the State to fund all costs associated with early voting; and be it further**

**RESOLVED, that the State consider removing the requirement unless they are able to fully fund; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, the New York State Board of Elections and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6n – Approval/ Memorialization NYSAC Resolution/ Commending the State’s Efforts to Improve Cyber Security for Election Systems, and Calling for Expanding those Efforts to Include all County Information Systems was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Addonizio and Albano, Legislator Sullivan moved the following:**

**RESOLUTION #82**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION/ COMMENDING THE STATE’S EFFORTS TO IMPROVE CYBER SECURITY FOR ELECTION SYSTEMS, AND CALLING FOR EXPANDING THOSE EFFORTS TO INCLUDE ALL COUNTY INFORMATION SYSTEMS**

**WHEREAS, in New York State, counties are responsible for managing election operations, which includes maintaining voting machines, voter databases, and all of the processes that go into holding federal, state, and local elections each year; and**

**WHEREAS, as the 2016 elections approached, it became increasingly clear that bad actors were trying to hack into the information systems and databases maintained by boards of elections across the United States of America, including in New York; and**

**WHEREAS, the New York State Cyber Security Council, the New York State Police, Homeland Security, and the State Board of Elections encouraged counties to bolster security over their election IT systems to ensure that systems had not been compromised; and**

**WHEREAS, in his State of the State Address and Executive 2018-19 State Budget proposal, Governor Andrew M. Cuomo proposed a four-pronged approach to further strengthen cyber protections for New York’s elections infrastructure that includes creating an election support center, developing an elections cyber security support toolkit, providing cyber risk vulnerability assessments and support for local boards of elections, and requiring counties to report data breaches to state authorities; and**

**WHEREAS, all county IT systems, including but not limited to election systems, are more vulnerable than ever to bad actors trying to infiltrate, access, and hold hostage the wide range of data managed by counties; and**

**WHEREAS, county governments maintain IT systems that house a range of sensitive personal information; and**

**WHEREAS, county governments maintain the voter database, sensitive personal information, and even DMV-related personal information; and**

**WHEREAS, the threat to our counties is real and constitutes a cyber emergency based on recent attacks by cybercriminals; and**

**WHEREAS, counties continue to use best efforts to secure and shield our systems, but often do not have the resources necessary to properly perform risk assessments to protect our IT infrastructure; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the state to extend their support of board of election risk assessment exercises to other county information systems, and provide access to either through grants from an additional pool of state funding, from the State Board of Elections, the Department of Homeland Security, or from another appropriate state agency; and be it further**

**RESOLVED**, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, the New York State Board of Elections, and NYSAC.

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6o – Approval/ Memorialization NYSAC Resolution/ Calling on the State to help Counties and Local Governments Reduce Local Taxes by Prohibiting Cost Shifts and New Costs to Counties, and taking more Fiscal Responsibility for State Health, Human Service, and Public Safety Programs was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Addonizio and Albano, Legislator Sullivan moved the following:**

**RESOLUTION #83**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION/ CALLING ON THE STATE TO HELP COUNTIES AND LOCAL GOVERNMENTS REDUCE LOCAL TAXES BY PROHIBITING COST SHIFTS AND NEW COSTS TO COUNTIES, AND TAKING MORE FISCAL RESPONSIBILITY FOR STATE HEALTH, HUMAN SERVICE, AND PUBLIC SAFETY PROGRAMS**

**WHEREAS**, counties have long used shared services and functional consolidation as a primary tool in improving local government efficiency; and

**WHEREAS**, over the last several years the State has endorsed a variety of shared services initiatives to encourage more consolidation and service sharing at the local level; and

**WHEREAS**, since 2011, the State has enacted a series of laws requiring local governments to reduce property tax increases and find new opportunities to share services and reduce costs at the local level; and

**WHEREAS**, these laws included the property tax cap enacted in 2011, the Government Efficiency Program enacted in 2014, and the County-Wide Shared Services Initiative enacted in 2017; and

**WHEREAS**, in 2015, 48 counties submitted Government Efficiency Plans with annual savings at more than \$290 million for a three-year total of \$882 million from 1,303 different projects; and

**WHEREAS**, in the 2017-18 State Budget, the County-Wide Shared Services Initiative called for county leaders to take the lead in convening and developing new shared services and consolation proposals designed to reduce the burden of local property taxes; and

**WHEREAS**, as part of this law, 34 counties submitted 389 proposals that identified \$208 million in projected savings in 2018, \$75 million in 2019 and \$76.1 million in 2020; and

**WHEREAS**, in 2018, remaining counties will convene county-wide shared service panels in compliance with the law; and

**WHEREAS**, in 2018, Governor Andrew M. Cuomo proposed that state funding for local government performance aid will now be conditional on the continuation of shared services panels; and

**WHEREAS, counties are committed to the pursuit of achieving greater efficiencies through shared services and are concerned about overly prescriptive state mandates that intrude upon local home rule authority guaranteed under the state constitution; and**

**WHEREAS, these state-enacted laws requiring counties and local governments to reduce costs do not recognize the state's role in driving up local costs, including the programs it mandates counties to deliver and fund, and the policies and regulations that it requires all local governments and school districts to follow; now therefore be it**

**RESOLVED, that the Putnam County Legislature hereby calls on the state to help counties and local governments reduce local property taxes by constitutionally prohibiting all new costs to local governments, taking more fiscal responsibility for state health, human service, and public safety programs delivered by counties, reducing or reforming state mandated programs, and increasing flexibility on various regulations required of local governments; and be it further**

**RESOLVED, counties support incentives to facilitate shared services such as making state matching funds permanent and providing seed funding to help counties develop and evaluate complex shared services proposals; and be it further**

**RESOLVED, to maximize benefits for property taxpayers, schools and fire districts should be included in these shared services incentive programs; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6p – Approval/ Memorialization NYSAC Resolution/ Calling for the Full Repeal of the New York State Scaffold Law or Reform to Include a Pure Standard of Comparative Negligence was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Addonizio and Albano, Legislator Sullivan moved the following:**

**Legislator Addonizio stated that the Scaffold Law imposes strict liability on employers and owners of buildings. She stated that half of the 30 largest law suits stem from the Scaffold Law issues. She stated that it has been decreasing the new construction jobs created every year, making it very difficult for many of the New York skilled laborers to find appropriate employment.**

**Legislator Sullivan concurred. He stated that the Scaffolding Law creates a huge expense on builders. He stated that the law is outdated and New York is the only State in the United States that still has a law like this on the books. He explained that because of the lawsuits, the cost of insurance is exorbitant, which we are all paying for. He stated that this is a substantial problem in New York and unfortunately we can't get this changed in Albany.**

**Legislator Nacerino concurred and stated that this is an antiquated law that has been on the books since 1885. She stated that it has been noted that while scaffold related injuries have decreased in the past 20 years, the number of claims have increased by 500%. She explained that this resolution proposes a shift in responsibility away from the**

employer, if in fact the worker had contributed to his/her injury. She stated that it does not underscore the injury, however, there needs to be some responsibility.

#### **RESOLUTION #84**

#### **APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION/ CALLING FOR THE FULL REPEAL OF THE NEW YORK STATE SCAFFOLD LAW OR REFORM TO INCLUDE A PURE STANDARD OF COMPARATIVE NEGLIGENCE**

**WHEREAS, New York Labor Law §240 and §241, commonly known as the “Scaffold Law,” outlines liability for injuries caused by an employee’s fall from a height; and**

**WHEREAS, the laws impose strict liability on employers and owners of buildings if a worker falls from any height; and**

**WHEREAS, the law was first imposed in 1885 at a time when worker safety was lacking in New York State and at a time when modern safety equipment and scaffolding techniques did not exist; and**

**WHEREAS, the Scaffold Law has caused a dramatic increase in construction costs due to higher insurance required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation; and**

**WHEREAS, the Scaffold Law is a boon to personal injury lawyers as half of the 30 largest law suits in the state stem from Scaffold Law issues, and while scaffold related injuries have decreased in the past 20 years the number of Scaffold Law claims has increased 500%; and**

**WHEREAS, New York is the only state in the country to impose a construction law like the Scaffold Law that imposes strict liability on the employer; further it is one of a very few laws that mandate strict liability in the State of New York; and**

**WHEREAS, the increase in costs in New York drives away investment in our infrastructure when developers and contractors can get better rates in neighboring states; and**

**WHEREAS, not only does the law drive away out-of-state investment in infrastructure but the lost investment to other states also serves to decrease the number of new construction jobs created every year, making it more difficult for many of New York’s skilled laborers to find appropriate employment; and**

**WHEREAS, this negligence standard under the Scaffold Law would not ban recovery for an injured worker due to their own negligence, but would allow the employer to bring issues with employee culpability to mitigate the damages in cases where the worker’s actions contributed to his or her injury; and**

**WHEREAS, federal regulations have been enacted that attempt to protect workers from injury due to falls by requiring certain precautions be in place for people working at a height above the ground and allows an outlet for workers concerned about their safety to engage federal review of any worksite for compliance with these regulations; now therefore be it**

**RESOLVED, that the Putnam County Legislature is in support of Scaffold Law reform as well as meaningful protection of construction workers; and be it further**

**RESOLVED, that the Putnam County Legislature supports the full repeal of the Scaffold Law or its modification to include a pure standard of comparative negligence; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan,**

**Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6q – Approval/ Memorialization NYSAC Resolution/ Supporting the Governor’s Initiative to Match State Judgement Interest Rates with Federal Levels was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Addonizio and Albano, Legislator Sullivan moved the following:**

**RESOLUTION #85**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION/ SUPPORTING THE GOVERNOR’S INITIATIVE TO MATCH STATE JUDGEMENT INTEREST RATES WITH FEDERAL LEVELS**

**WHEREAS, the option to appeal a civil case court ruling is a fundamental right in the United States; and**

**WHEREAS, in New York State, defendants in civil cases are required to pay interest on an original judgement until an appellate division determination is made; and**

**WHEREAS, under State Law, judgement interest rates are set at 9 percent; and**

**WHEREAS, this judgement interest rate was set in Law in the 1970’s, when 9 percent matched the federal interest rate and at a time, and when there were fewer cases in the court, so there was a quicker appeals process; and**

**WHEREAS, today, due to court backlogs, the current appeals process can take months or years to be resolved, and in some instances interest penalties can exceed the underlying award; and**

**WHEREAS, too often, a county must forfeit their right to appeal a case due to the costs associated with the interest payments during the appeal process; and**

**WHEREAS, today, federal interest rates and federal judgement interest rates are below 2 percent; and**

**WHEREAS, the 2018-2019 Governor’s Executive Budget proposes a simple and equitable solution to this problem, matching the state judgement interest rate with current federal interest rate; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the Senate and the Assembly to support and pass this needed rate change in the proposed 2018-2019 Executive State Budget to insure a county’s decision to appeal can be made by legal merit and not predetermined by interest rate cost to taxpayers; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**ECONOMIC DEVELOPMENT & ENERGY COMMITTEE  
(Chairman Gouldman, Legislators Addonizio & Sayegh)**

Item #6r – Approval/Budgetary Transfer (18T036)/Commissioner of Finance/ Putnam County Visitors Bureau/ Tourism Matching Funds was next. Chairman Castellano recognized Legislator Gouldman, Chairman of the Economic Development & Energy Committee. On behalf of the members of the Committee, Legislators Addonizio and Sayegh, Legislator Gouldman moved the following:

**RESOLUTION #86**

**APPROVAL/BUDGETARY TRANSFER /COMMISSIONER OF FINANCE/ PUTNAM COUNTY VISITORS BUREAU/ TOURISM MATCHING FUNDS**

WHEREAS, the Commissioner of Finance has requested a budgetary transfer (18T036) to account for the increase in Tourism Matching Funds received from the NYS Department of Economic Development’s Division of Tourism; and

WHEREAS, the 2018 Tourism Matching Funds grant totals \$62,163 while the 2018 budget provided for only a \$60,000 grant thereby leaving the Matching Funds program \$2,163 short; and

WHEREAS, the Economic Development & Energy Committee and the Audit & Administration Committee have reviewed and approve said budgetary transfer; now therefore be it

RESOLVED, that the following budgetary transfer be made:

**Increase Estimated Appropriations:**

25641000 54621	Tourism – Matching Funds	2,163
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**Decrease Estimated Appropriations:**

10199000 54980	Contingency	2,163
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2018 Fiscal Impact \$2,163

2019 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**PHYSICAL SERVICES COMMITTEE  
(Chairman Albano, Legislators Nacerino & Scuccimarra)**

Item #6s – Approval To Apply for New York State Dedicated Mass Transportation Trust Fund Grant Funding to Reduce the Total Costs Associated with Capital Projects at the Putnam County Transit Facility was next. Chairman Castellano recognized Legislator Nacerino, member of the Physical Services Committee. On behalf of the members of the Committee, Legislators Albano and Scuccimarra, Legislator Nacerino moved the following:

Legislator Nacerino stated that this is not a competitive grant, but rather formula based. She stated that we have approximately \$1.7 million in repairs needed at our transit facility. She stated that this grant calls for a 16% County match and we welcome the additional funding to help reduce the total project cost.

**RESOLUTION #87**

**APPROVAL TO APPLY FOR NEW YORK STATE DEDICATED MASS TRANSPORTATION TRUST FUND GRANT FUNDING TO REDUCE THE TOTAL COSTS ASSOCIATED WITH CAPITAL PROJECTS AT THE PUTNAM COUNTY TRANSIT FACILITY**

WHEREAS, New York State Finance Law §89-c established the Dedicated Mass Transportation Trust Fund (“DMTTF”), to be administered through the New York State Department of Transportation (“NYSDOT”), by and through the Modernization Enhancement Program, with monies appropriated thereto be utilized for the reconstruction, replacement, purchase, modernization, improvement, reconditioning, preservation and/or maintenance of mass transit facilities, vehicles and rolling stock; and

WHEREAS, municipalities were invited to submit proposals for consideration by NYSDOT for mass transportation capital projects; and

WHEREAS, Putnam County (“the County”) submitted a proposal to NYSDOT for its consideration, namely, the “Rehabilitation of Putnam County Transit Facility” Project (the “Project”) and NYSDOT approved the proposed Project; and

WHEREAS, the County, as the Municipality/Sponsor of the Project, desires to accept the funds allocated to it by New York State, by and through the Modernization Enhancement Program, in the amount of \$412,895, thereby reducing total Project costs therefor by said amount; now therefore be it

RESOLVED, that the Putnam County Legislature hereby approves the aforesaid Project; and it is hereby further

RESOLVED, that the Putnam County Legislature hereby authorizes the County to accept the DMTTF funding allocated to it by New York State, by and through the Modernization Enhancement Program, in the amount of \$412,895, thereby reducing the total Project costs by said amount; and it is hereby further

RESOLVED, that the County Executive, with the advice and assistance of the County Attorney, is authorized to finalize and execute a Mass Transportation Capital Project Agreement pertaining to the Project, in substantial form and substance as that annexed hereto as Exhibit A; and it is hereby further

RESOLVED, that this Resolution shall take effect immediately.

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6t – Approval/ Utility Easement/ Carmel Tax Map #55.15-1-21/ (For Cell Tower located at Donald B. Smith Campus) was next. On behalf of the members of the Physical Services Committee, Legislators Albano and Scuccimarra, Legislator Nacerino moved the following:**

**RESOLUTION #88**

**APPROVAL/ UTILITY EASEMENT/ CARMEL TAX MAP #55.15-1-21/ (For Cell Tower Located at Donald B. Smith Campus)**

WHEREAS, the County is the record owner of a certain parcel of property which is designated and described as 110-112 Old Route 6, Carmel, New York 10512 (Town of

Carmel Tax Map No.: 55.15-1-21), which is also known as the Donald B. Smith County Government Campus (hereinafter the "Property"); and

WHEREAS, pursuant to Resolution # 244 of 2016, the Putnam County Legislature approved a public-private partnership with Homeland Towers, LLC for the purpose of constructing a tower on a certain portion of the Property (hereinafter the "Tower Project"); and

WHEREAS, in order to provide additional electric service to the site of the Tower Project, the New York State Electric and Gas Corporation will need to install a pad mounted transformer on the Property; and

WHEREAS, New York State Electric and Gas Corporation has furnished a proposed utility easement, which provides the New York State Electric and Gas Corporation the right to install and maintain said pad mounted transformer; and

WHEREAS, the Putnam County Department of Highways and Facilities engineers have reviewed the proposed utility easement (a copy of which is attached hereto and made a part hereof as Exhibit "A"), and have determined same to be acceptable; and

WHEREAS, the Putnam County Attorney has reviewed and approved the proposed utility easement as to form; now therefore be it

RESOLVED, that Putnam County Legislature hereby approves and authorizes the subject utility easement in the form and content attached hereto and made a part hereof as Exhibit "A"; and be it further

RESOLVED, that the Putnam County Executive is authorized to execute said utility easement on behalf of the County, which shall thereafter be recorded in the Putnam County Clerk's Office, Division of Land Records; and be it further

RESOLVED, that the County Attorney is authorized to take whatever legal action is necessary to effectuate said utility easement in the manner approved herein and as written; and be it further

RESOLVED, that this Resolution shall take effect immediately.

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

Item #6u – Approval/ Memorialization NYSAC Resolution/ To Support Funding for Farmland Preservation and Agriculture Local Assistance Programs was next. On behalf of the members of the Physical Services Committee, Legislators Albano and Scuccimarra, Legislator Nacerino moved the following:

Legislator Nacerino stated that she is very supportive of this NYSAC resolution to support funding for farmland preservation and agriculture local assistance programs. She stated that she wants to encourage people to continue farming in our State and hope that the funding will be an incentive to do so. She stated that one fourth of land in New York State is farmland. She stated that, from a health perspective, it is also important to know where our food is coming from and what better than our local meat, produce and dairy here in New York State.

Legislator Gouldman stated that the agricultural industry is a major part of New York State economy providing critical jobs, revenue and food for the State and Country.

**RESOLUTION #89**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION /TO SUPPORT FUNDING FOR FARMLAND PRESERVATION AND AGRICULTURE LOCAL ASSISTANCE PROGRAMS**

**WHEREAS, the agriculture industry remains a top contributor to the New York State economy, providing critical jobs, revenues and food for our state and beyond; and**

**WHEREAS, the agricultural sector, farms and related food system are major economic engines in New York State; and**

**WHEREAS, the enacted 2017/2018 budget allocated \$20 million to farmland protection and \$32,899,000 to agriculture local assistance programs; and**

**WHEREAS, the Governor's 2018/19 proposed budget, released on January 16, 2018, allocated \$20 million to farmland preservation and \$21,421,000 to agriculture local assistance programs; and**

**WHEREAS, New York's farmland protection and agriculture assistance programs help sustain this vital industry; and**

**WHEREAS, while funding for farmland protection and agriculture assistance has grown, there is no guarantee that this level of funding will be continued in future years; and**

**WHEREAS, more than 30 percent of the farmers in New York State, who cultivate two million acres of land, are 65 years of age or older; and**

**WHEREAS, research shows that over 90 percent of these senior farmers do not have a young farmer working alongside them to help manage their business; and**

**WHEREAS, farmland in transition is most vulnerable to being sold out of farming; and**

**WHEREAS, access to affordable land suitable to starting a new farm operation is the number one barrier that new and beginning farmers face when trying to get started; and**

**WHEREAS, there were 30 percent fewer young farmers in New York in 2012 than in 2002; and**

**WHEREAS, farmland protection is an important contributor to successful farmland transition and affordable farmland access; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls upon Governor Andrew M. Cuomo and New York State Legislature to continue New York's commitment to local farms and the agricultural sector by maintaining funding for farmland protection from the State Environmental Protection Fund at \$20 million and agriculture local assistance programs at \$32,899,000 in the FY 2018/19 budget; and be it further**

**RESOLVED, that the Putnam County Legislature calls upon the State of New York to fund a Farmland for a New Generation Program, which would help to ensure that the two million acres expected to be transferred over the next decade stays in farming by creating a centralized statewide resource center, website and first point of contact, while also building regional capacity within New York to assist with farmland access and transfer; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, the Commissioner of Agriculture and Markets and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6v – Approval/Memorialization NYSAC Resolution/ Urging Increasing and Consolidating Local Road, Bridge and Culvert Funding Distributed through CHIPS was next. On behalf of the members of the Physical Services Committee, Legislators Albano and Scuccimarra, Legislator Nacerino moved the following:**

**Legislator Nacerino stated that after this past winter, she believed that we recognize more than ever the huge concerns for funding to maintain our local infrastructure. She stated that she supported this NYSAC resolution to increase levels and allow local discretion.**

**RESOLUTION #90**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / URGING INCREASING AND CONSOLIDATING LOCAL ROAD, BRIDGE AND CULVERT FUNDING DISTRIBUTED THROUGH CHIPS**

**WHEREAS, funding for the Consolidated Local Streets and Highway Improvement Program (CHIPS) and enhanced State assistance to local governments through BRIDGE NY, PAVE NY and Extreme Winter Recovery initiatives in the latest state budget is helping counties to meet the overwhelming needs of the locally-owned transportation systems; and**

**WHEREAS, while this additional funding is most welcomed and already being put to good use, locally-owned roads and bridges account for eighty-seven percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges and counties still struggle to raise enough funding for the maintenance and replacement of this vast system of aging and ailing infrastructure; and**

**WHEREAS, studies show that half of local road pavements are rated fair or poor; and**

**WHEREAS, New York State Comptroller Thomas P. DiNapoli reports that 20.7% of bridges in New York are functionally obsolete and 12.8% are structurally deficient and the cost to repair all of these bridges is \$27.4 billion dollars with local bridges more likely to be structurally deficient than state-owned bridges; and**

**WHEREAS, programs designed to direct state funding directly to local transportation infrastructure needs such as CHIPS, PAVE NY, BRIDGE NY and Extreme Winter Recovery are undoubtedly helping to improve the conditions of New York's roads, bridges and culverts as more of these critical projects are being funded each year; and**

**WHEREAS, with the state seeking hundreds of millions of additional dollars to address the critical and deserving needs of the NYC transit system, the state's commitment to MTA-NYS DOT capital plan parity will mean the historical expectation of a comparable increase in funding to address the unmet needs of state and local transportation infrastructure; and**

**WHEREAS, CHIPS is the financial lifeblood of any local highway department, distributing vital and reoccurring state funding through a formula to every local government in the state yet the 2017-2018 State Budget holds the base level for CHIPS at \$438M for the fifth year in a row; and**

**WHEREAS, a safe and efficient statewide integrated transportation system is necessary for trade, economic development and revitalization, job creation and retention, schools, agriculture, businesses, health and hospital facilities and emergency responders, as well as the general traveling public; now therefore be it**

**RESOLVED, that the Putnam County Legislature commends Governor Cuomo and the New York State Legislature for recent budget actions enacted to enhance state**

investments in local roads, bridges and culverts, and urges that the state assistance to local highway departments continues at increasing levels and that the state's commitment to MTA-NYS DOT parity be further honored; and be it further

**RESOLVED**, that state elected officials continue to partner with local governments and agree to increase CHIPS funding and consider consolidating Extreme Winter Recovery funds if available and PAVE NY into the CHIPS funding base in the future, the total of which to be distributed through the CHIPS formula, thus building on a program that provides a fair distribution of funds to every municipality in the state and maximizes flexibility for local highway departments to direct this funding to priority maintenance, pavement preservation, and bridge and culvert rehabilitation projects where it is needed most; and be it further

**RESOLVED**, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne and NYSAC.

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

Item #6w – Approval/Memorialization NYSAC Resolution / Urging Enactment of Legislation to Increase the CHIPS Bidding Threshold was next. On behalf of the members of the Physical Services Committee, Legislators Albano and Scuccimarra, Legislator Nacerino moved the following:

**RESOLUTION #91**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / URGING ENACTMENT OF LEGISLATION TO INCREASE THE CHIPS BIDDING THRESHOLD**

**WHEREAS**, regular incremental raises in the competitive bidding threshold for highway projects are necessary to compensate for increases in inflation impacting material, transportation, labor, equipment and other highway construction costs; and

**WHEREAS**, under current law, the local assistance funds allocated for local street or highway projects under the Consolidated Local Street and Highway Improvement Program (CHIPS) are used to undertake work on projects either with the municipality's own resources and work forces or by competitively-bid contracts; and

**WHEREAS**, when the estimate for the contract work exceeds \$250,000 the work must be performed by contract let by competitive bid in accordance with the provisions for competitive bidding in the General Municipal Law; and

**WHEREAS**, the last increase in the competitive bidding threshold was in 2011 to bring the threshold up from \$100,000 to the current \$250,000 level; and

**WHEREAS**, legislation has been introduced in both houses of the State Legislature to increase the amount of the current cost threshold from \$250,000 to \$500,000 over which local highway and bridge construction work under the CHIPS program must be contracted through a competitive bid; and

**WHEREAS**, under the legislation, projects which have construction contract work in excess of \$500,000 would continue to be subject to the mandatory competitive bid process; now therefore be it

**RESOLVED**, that the Putnam County Legislature supports S.6928/A.8808 to enact an increase in the CHIPS bidding threshold to give municipalities flexibility and the

option to bid out or perform in-house projects that cost less than \$500,000, allowing more opportunities for local governments to act to minimize the cost of its transportation projects on behalf of local taxpayers; and be it further

RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne and NYSAC.

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

**PERSONNEL COMMITTEE**  
(Chairwoman Nacerino, Legislators Jonke & Sullivan)

Item #6x – Approval/Budgetary Amendment (18A022)/Restructuring/Purchasing Department and Highways & Facilities Department was next. Chairman Castellano recognized Legislator Nacerino, Chairwoman of the Personnel Committee. On behalf of the members of the Committee, Legislators Jonke and Sullivan, Legislator Nacerino moved the following:

Legislator Nacerino stated that she would like to applaud Purchasing Director Alex Mazzotta, Commissioner of Highways and Facilities Fred Pena and Deputy Commissioner of Highways & Facilities John Tully for their collaboration in continuing to work to seek efficiencies and maximize the expertise of our staff. She stated that this will generate a cost savings of \$32,576.

Legislator Jonke thanked Director Mazzotta for taking the initiative on this restructure and wished him luck on this reallocation of resources.

Legislator Sullivan thanked Director Mazzotta and Commissioner Pena for looking at ways to make government more efficient and save taxpayer monies.

Chairman Castellano stated that this is great work of the people of Putnam County government to consolidate efforts and save money.

**RESOLUTION #92**

**APPROVAL/BUDGETARY AMENDMENT /RESTRUCTURING/ PURCHASING DEPARTMENT AND HIGHWAYS & FACILITIES DEPARTMENT**

WHEREAS, due to two (2) vacant positions, the Director of Purchasing has evaluated the structure of the Purchasing Department; and

WHEREAS, after consulting with the County Executive and the Commissioner of Highways & Facilities, it was determined that both the Purchasing Department and the Highways & Facilities Department would restructure their departments by eliminating certain positions, creating new positions and sharing certain personnel; and

WHEREAS, the Highways & Facilities Department will eliminate budget lines 511110107 - Head Maintenance Worker \$70,977 and 511010135 - RMEO 1 \$44,037, and create two (2) new Maintenance Worker positions (budget lines 511110117 & 511110118)

at \$45,689 each and one (1) new Project Manager position at \$75,000 (budget line 511110136); and

WHEREAS, the Purchasing Department will eliminate budget lines 134510104 Account Clerk/Typist \$36,966 and 134510105 Purchaser \$51,889 and increase the Director position by \$6,750; and

WHEREAS, the Highways & Facilities budget lines 149010121 Asset Manager and 149010107 Assistant Supervisor of Planning & Design will be shared 50/50 by Highways & Facilities and the Purchasing Departments; and

WHEREAS, these changes will generate a cost savings of \$32,576; and

WHEREAS, the proposal has been reviewed by the Personnel Committee and the Audit & Administration Committee of the Putnam County Legislature; now therefore be it

RESOLVED, that Resolution #260 of 2017 setting the Salaries for Officers and Employees paid from County Funds is hereby amended for the following positions effective April 1, 2018:

Budget Line:	Position:	Salary:
134510101	Director of Purchasing & Ctrl Svcs	120,000
511110136	Project Manager	75,000
149010121	Asset Manager (Highway)	32,500
134510121	Asset Manager (Purchasing)	32,500

And be it further

RESOLVED, that the following budgetary amendment (18A022) be made:

**GENERAL FUND:**

**Increase Estimated Appropriations:**

10134500 51000 (101)	Personal Svcs (Purchasing Director)	6,750
10511100 51000 (117)	Personal Svcs (Maint Worker)	45,689
10511100 51000 (118)	Personal Svcs (Maint Worker)	45,689
10511100 58002	FICA	7,507
10134500 51000 (121)	Personal Svcs (Asset Manager)	32,500
10134500 51000 (107)	Personal Svcs (Asst Supv Plan&Dsgn)	57,167
10134500 58001	Retirement	11,684
10134500 58002	FICA	6,860
10134500 58004	Workers Comp	982
10134500 58006	Dental	1,409
10134500 58007	Life Insurance	264
10134500 58008	Health	23,247
10134500 58009	Vision	121
10990100 59010	Transfer to Road Fund	<u>33,332</u>
		273,201

**Decrease Estimated Appropriations:**

10134500 51000 (104)	Personal Svcs (Acct Clk/Typist)	36,966
10134500 51000 (105)	Personal Svcs (Purchaser)	51,889
10311000 58002	FICA	6,797
10149000 51000 (121)	Personal Svcs (Asset Manager)	32,500
10149000 51000 (107)	Personal Svcs (Asst Supv Plan&Dsgn)	57,167
10149000 58001	Retirement	11,684
10149000 58002	FICA	6,860
10149000 58004	Workers Comp	982
10149000 58006	Dental	1,409

10149000 58007	Life Insurance	264
10149000 58008	Health	23,247
10149000 58009	Vision	121
10511100 51000 (107)	Personal Svcs (Head Maint Worker)	70,977
10511100 58002	FICA	<u>5,430</u>
		306,293

**Decrease Estimated Revenues:**

10131000 427705	Vacancy Control Factor	32,576
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**ROAD FUND:**

**Increase Estimated Appropriations:**

10511000 51000 (136)	Personal Svcs (Project Manager)	75,000
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**Decrease Estimated Appropriations:**

10511000 51000 (135)	Personal Svcs (RME0 1)	44,037
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**Increase Estimated Revenues:**

10511000 428601	Transfer from General Fund	33,332
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2018 Fiscal Impact (\$32,576)

2019 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

Item #6y – Approval/Fund Transfer (18T025)/Sheriff/ Overtime was next. On behalf of the members of the Personnel Committee, Legislators Jonke and Sullivan, Legislator Nacerino moved the following:

**RESOLUTION #93**

**APPROVAL/FUND TRANSFER /SHERIFF/ OVERTIME**

WHEREAS, the Sheriff has requested a fund transfer (18T025) to transfer funds from personnel lines to Overtime for Administration and Road Patrol lines; and

WHEREAS, the Personnel Committee, Protective Services Committee and the Audit & Administration Committee have reviewed and approved said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

**Decrease:**

10311000 51000 (10125)	Personnel Line	7,440.00
10311000 51000 (10110)	Personnel Line	7,440.00
10311000 58002	FICA	<u>596.16</u>
		15,449.16

**Increase:**

10311000 51093	Overtime	7,440.00
17311000 51093	Overtime	7,440.00
17311000 58002	FICA	<u>569.16</u>

15,449.16

2018 Fiscal Impact – 0 –  
2019 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

Item #6z – Approval/Fund Transfer (18T041)/Sheriff/Overtime was next. On behalf of the members of the Personnel Committee, Legislators Jonke and Sullivan, Legislator Nacerino moved the following:

**RESOLUTION #94**

**APPROVAL/FUND TRANSFER /SHERIFF/OVERTIME**

WHEREAS, the Sheriff has requested a fund transfer (18T041) to cover Overtime costs for an Officer out on family leave; and

WHEREAS, the Personnel Committee, Protective Services Committee and the Audit & Administration Committee have reviewed and approved said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:		
10315000 51000 (10139)	Personnel Line	5,905
Increase:		
10315000 51093	Overtime	5,905

2018 Fiscal Impact – 0 –  
2019 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

Item #6aa – Approval/Fund Transfer (18T043)/Office for Senior Resources /Overtime was next. On behalf of the members of the Personnel Committee, Legislators Jonke and Sullivan, Legislator Nacerino moved the following:

Legislator Gouldman stated that Putnam County was hit hard by the Nor'easter storms in March. He stated that opening the Putnam Valley Senior Center and other warming centers was a very important lifesaving move. He thanked the individuals who worked at the centers.

Chairman Castellano stated that “neighbors helping neighbors” is what makes Putnam County great.

**RESOLUTION #95**

**APPROVAL/FUND TRANSFER /OFFICE FOR SENIOR RESOURCES /OVERTIME**

WHEREAS, the Office for Senior Resources has requested a fund transfer (18T043) to cover Overtime staffing of the warming centers during the March 2018 Nor'easter storms; and

WHEREAS, the Personnel Committee and the Audit & Administration Committee have reviewed and approve said fund transfer; now therefore be it

RESOVLED, that the following fund transfer be made:

**Decrease:**

10677700 51000 (10114)	Daycare Helper	1,475
10677700 58002	Social Security	<u>115</u>
		1,590

**Increase:**

10677200 51093	Overtime	525
10677200 58002	Social Security	41
10677300 51093	Overtime	800
10677300 58002	Social Security	62
10677400 51093	Overtime	150
10677400 58002	Social Security	<u>12</u>
		1,590

2018 Fiscal Impact – 0 –

2019 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

Item #6bb – Approval/Budgetary Transfer (18T046)/Sheriff/ Staff Reorganization was next. On behalf of the members of the Personnel Committee, Legislators Jonke and Sullivan, Legislator Nacerino moved the following:

Legislator Nacerino explained that this reorganization will allow for the promotion of a Sergeant to a Lieutenant position. She stated that this is an extremely important position, recognizing that this officer oversees all of our school's Resource Officers and many safety programs and initiatives that protect our youth and community. She stated that the transfer will have a fiscal impact of \$8,176 in both 2018 and 2019; however, this fiscal impact will be offset by overtime not earned as a result of the promotion. She stated that it is without reservation that she will support this transfer and promotion.

Chairman Castellano explained that the school resource program has been in effect since approximately 1996. He thanked the Sheriff for doing a fantastic job.

**RESOLUTION #96**

**APPROVAL/BUDGETARY TRANSFER /SHERIFF/ STAFF REORGANIZATION**

WHEREAS, the Putnam County Sheriff has requested a budgetary transfer (18T046) to allow for the Reorganization of the Sheriff's Department Youth and

Community Services Division, promoting the Sergeant position (311016101) to a Lieutenant position; and

WHEREAS, the fiscal impact is expected to be offset by overtime pay not earned as a result of the promotion; and

WHEREAS, the Personnel Committee and the Audit & Administration Committee have reviewed and approve said budgetary transfer; now therefore be it

RESOLVED, that the salaries set by Resolution #260 of 2017 and amended by Resolutions #31, #32 & #33 of 2018 setting the salaries of Officers and Employees Paid from County Funds is further amended to include the new Lieutenant position effective April 1, 2018:

Budget Line:	Position:	Salary:
311016101	Lieutenant	\$113,056

And be it further

RESOLVED, that the following budgetary transfer be made:

Increase Estimated Appropriations:

16311000 51000 (101)	Personnel Services	7,595
16311000 58002	FICA	<u>581</u>
		8,176

Decrease:

10199000 54980	Contingency	8,176
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2018 Fiscal Impact - \$8,176

2019 Fiscal Impact - \$8,176

BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.

Item #6cc – Approval/ Memorialization NYSAC Resolution/ Urging Governor Cuomo and the State Legislature to Amend State Insurance Law to Allow Shared Municipal Health Insurance Consortiums was next. On behalf of the members of the Personnel Committee, Legislators Jonke and Sullivan, Legislator Nacerino moved the following:

RESOLUTION #97

APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION/ URGING GOVERNOR CUOMO AND THE STATE LEGISLATURE TO AMEND STATE INSURANCE LAW TO ALLOW SHARED MUNICIPAL HEALTH INSURANCE CONSORTIUMS

WHEREAS, health insurance costs are among the fastest growing costs for local governments across the state; and

WHEREAS, to address this challenge, counties are reviewing options to create municipal health insurance consortiums to jointly self-fund their health plans with other local governments at a significantly lower cost for taxpayers; and

WHEREAS, these plans would reduce costs for taxpayers and increase flexibility while ensuring quality coverage for counties, municipalities, and local government employees; and

**WHEREAS, many local governments across the state would like to become part of their county's self-insured plan; and**

**WHEREAS, in order to lower health insurance costs for property taxpayers, these consortiums need to be allowed to purchase stop-loss insurance to cover the most serious and costly injuries and sicknesses; and**

**WHEREAS, Governor Andrew M. Cuomo is strongly encouraging local governments to pool resources, share services, and consolidate operations to improve efficiency and reduce costs to taxpayers; and**

**WHEREAS, whenever two or more local governments want to join forces to provide employee health insurance, Article 47 of the Insurance Law is triggered; and**

**WHEREAS, the onerous regulations and reserve requirements of Article 47 have allowed only one consortium to form since 1991; and**

**WHEREAS, current State Insurance Law §§ 4237-a and 3231 prohibits local governments with fewer than 100 employees from purchasing stop-loss insurance policies; and**

**WHEREAS, these State laws represent significant barriers to local government efficiency, shared services and cost savings for property taxpayers; and**

**WHEREAS, counties have on numerous occasions asked the state to review its current legal and regulatory requirements that allow counties to establish shared health insurance risk pools to help lower costs for local governments; and**

**WHEREAS, recent state legislation would have authorized municipalities to join county self-funded or self-insured health plans without triggering the barriers presented by these onerous state laws; now therefore be it**

**RESOLVED, that the Putnam County Legislature does hereby urge Governor Andrew M. Cuomo and the State Legislature to amend State Insurance Law to make it easier to form municipal health insurance consortiums and allow these consortiums to include local governments with fewer than 100 employees to purchase stop-loss health insurance policies; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6dd – Approval/ Memorialization NYSAC Resolution / Calling on the State to Increase the Salary Cap for Retired Public Employees Seeking County Employment was next. On behalf of the members of the Personnel Committee, Legislators Jonke and Sullivan, Legislator Nacerino moved the following:**

**RESOLUTION #98**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / CALLING ON THE STATE TO INCREASE THE SALARY CAP FOR RETIRED PUBLIC EMPLOYEES SEEKING COUNTY EMPLOYMENT**

**WHEREAS, under current state law a retired public employee may earn up to \$30,000 if retained/rehired to a state or local government position without this salary impacting their retirement benefits; and**

**WHEREAS, any retired public employee salary amount over \$30,000 will result in a decrease in pension payments for the employee; and**

**WHEREAS, the \$30,000 cap was set in 2007, with the intent of minimizing misuse, while at the same time providing enough incentive for employees with broad experience and institutional knowledge to be retained in a government service capacity; and**

**WHEREAS, this cap has not been adjusted since 2007 and has eroded in value to inflation over the last decade; and**

**WHEREAS, every county has unique challenges when hiring for certain skilled or knowledge based positions due to each county having different populations, economics, and demographics; and**

**WHEREAS, county governments are being asked to provide more services with less funding, a goal that becomes more difficult when those that best understand local government service needs are retiring and their continued connection to public service in a limited fashion is being deterred by state policies; and**

**WHEREAS, in 2017 a bill was introduced (S.3576 (Tedisco)/A.3327 (McDonald)) that recognizes adjusting this cap modestly to \$35,000 to keep pace with inflation and provide the State and the local governments more hiring options when they seek to fill a position that requires unique skill sets, government experience, and, in some cases, reduces health insurance costs as the person is already retired; now therefore be it**

**RESOLVED, that the Putnam County Legislature hereby calls on the Governor and the legislature to enact legislation supporting an increase in this earnings rate as part of their 2018-19 state budget negotiations; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**PROTECTIVE SERVICES COMMITTEE  
(Chairman Jonke, Legislators Gouldman & Sullivan)**

**Item #6ee – Approval/Budgetary Amendment (18A021)/Commissioner of Finance/ Bureau of Emergency Services/ 2017 Statewide Interoperable Communications Grant (SICG) was next. Chairman Castellano recognized Legislator Jonke, Chairman of the Protective Services Committee. On behalf of the members of the Committee, Legislators Gouldman and Sullivan, Legislator Jonke moved the following:**

**RESOLUTION #99**

**APPROVAL/BUDGETARY AMENDMENT (18A021)/COMMISSIONER OF FINANCE/  
BUREAU OF EMERGENCY SERVICES/ 2017 STATEWIDE INTEROPERABLE  
COMMUNICATIONS GRANT (SICG)**

**WHEREAS, by Resolution #249 of 2017, the Putnam County Legislature approved and authorized the Putnam County Bureau of Emergency Services to apply for a grant under the 2017 Statewide Interoperable Communications Grant (SICG) Program; and**

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (18A021) to adjust the budget for the receipt of the 2017 SICG – Formula Grant award in the amount of \$454,708.00; and

WHEREAS, the performance period for the 2017-18 SICG grant will be 24 months from January 1, 2018 through December 31, 2019 and expenses that the County wishes to claim must occur within that period; and

WHEREAS, the Protective Services Committee and the Audit & Administration Committee have reviewed and approve said budgetary amendment; now therefore be it RESOLVED, that the following budgetary amendment be made:

**CAPITAL FUND:**

**Increase Estimated Appropriations:**

53097000 53000 51809	SICG – 2017 Formula	454,708.00
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**Increase Estimated Revenues:**

53097000 433971 51809	State Aid – Public Safety	454,708.00
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2018 Fiscal Impact – 0 –

2019 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

Item #6ff – Approval/ Grant Application/ Bureau of Emergency Services/ FY2017 Technical Rescue & Urban Search and Rescue (USAR) Grant Program was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Sullivan, Legislator Jonke moved the following:

**RESOLUTION #100**

**APPROVAL/ GRANT APPLICATION/ BUREAU OF EMERGENCY SERVICES/ FY2017 TECHNICAL RESCUE & URBAN SEARCH AND RESCUE (USAR) GRANT PROGRAM**

WHEREAS, Section 5-1(D)(1) of the Putnam County Code requires the County Legislature to approve all grant applications and subsequent renewals prior to submission; and

WHEREAS, the Bureau of Emergency Services requested permission to apply for up to \$150,000 grant from the New York State Division of Homeland Security and Emergency Services under its “FY2017 Technical Rescue & Urban Search and Rescue (USAR) Grant Program”; and

WHEREAS, this grant does not require any matching funds on behalf of the County; and

WHEREAS, the deadline for application under this program is April 17, 2018; and

WHEREAS, the Protective Services Committee has reviewed and approved said grant application; now therefore be it

RESOLVED, that the Putnam County Legislature approves and authorizes the Bureau of Emergency Services to apply for a \$150,000 grant under the New York State Division of Homeland Security and Emergency Services “FY2017 Technical Rescue & Urban Search and Rescue (USAR) Grant Program.”

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6gg – Approval/Appointment/ Legislative Representative/ Putnam County Traffic Safety Board was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Sullivan, Legislator Jonke moved the following:**

**Legislator Nacerino stated that she is very supportive of this measure to have Legislators serve as members on the Traffic Safety Board and would like to see this on a rotating basis every year.**

**RESOLUTION #101**

**APPROVAL/APPOINTMENT/ LEGISLATIVE REPRESENTATIVE/ PUTNAM COUNTY TRAFFIC SAFETY BOARD**

**RESOLVED, that Joseph Castellano and Neal Sullivan be appointed as the Legislative Representatives to the Putnam County Traffic Safety Board for a period of one (1) year, said term to expire on December 31, 2018.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6hh – Approval/Appointment/ Putnam County Traffic Safety Board was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Sullivan, Legislator Jonke moved the following:**

**Chairman Castellano thanked John Lord who has been a valuable member of the Town of Southeast community and the Village of Brewster. He continues to serve Putnam County in a great way.**

**RESOLUTION #102**

**APPROVAL/APPOINTMENT/ PUTNAM COUNTY TRAFFIC SAFETY BOARD**

**RESOLVED, that the following be appointed to the Putnam County Traffic Safety Board:**

**John Lord, Town of Southeast, for a three (3) year term, balance of said term to expire December 31, 2018.**

**And be it further**

**RESOLVED, that this appointment comply with any requirements to file an Oath of Office pursuant to the New York State Public Officers Law.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

Item #6ii – Approval/Re-Appointments/ Putnam County Traffic Safety Board was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Sullivan, Legislator Jonke moved the following:

**RESOLUTION #103**

**APPROVAL/RE-APPOINTMENTS/ PUTNAM COUNTY TRAFFIC SAFETY BOARD**

**RESOLVED**, that the following be re-appointed to the Putnam County Traffic Safety Board:

**Lieutenant Kevin Owens, Town of Kent Police Department, for a three (3) year term, said term to expire December 31, 2020.**

**Councilwoman Nancy Montgomery, Town of Philipstown, for a three (3) year term, said term to expire December 31, 2020.**

**John O'Connor, Putnam County Project Coordinator/Safety Officer, for a three (3) year term, said term to expire December 31, 2020.**

**Patrick Perry, Town of Southeast, for a three (3) year term, said term to expire December 31, 2020.**

**Sergeant William Meyer, Putnam County Sheriff's Department, as an Alternate Member, for a one (1) year term, said term to expire December 31, 2018.**

**John Tully, Deputy Commissioner of Highways & Facilities, Town of Patterson, as an Alternate Member, for a one (1) year term, said term to expire December 31, 2018.**

**And be it further**

**RESOLVED**, that these appointments comply with any requirements to file an Oath of Office pursuant to the New York State Public Officers Law.

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

Item #6jj – Approval/ Memorialization NYSAC Resolution/ Urging New York State to Fully Fund New Costs incurred by Counties Related to Raising the Age of Criminal Responsibility, Invest in Provider Capacity to Ensure Appropriate and Meaningful Services and Diversion Programs are Available, and to Develop a Comprehensive Transition and Waiver Process as Counties and New York City Begin Implementing the Law was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Sullivan, Legislator Jonke moved the following:

**RESOLUTION #104**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / URGING NEW YORK STATE TO FULLY FUND NEW COSTS INCURRED BY COUNTIES RELATED TO RAISING THE AGE OF CRIMINAL RESPONSIBILITY, INVEST IN PROVIDER CAPACITY TO ENSURE APPROPRIATE AND MEANINGFUL SERVICES AND DIVERSION PROGRAMS ARE**

**AVAILABLE, AND TO DEVELOP A COMPREHENSIVE TRANSITION AND WAIVER PROCESS AS COUNTIES AND NEW YORK CITY BEGIN IMPLEMENTING THE LAW**

**WHEREAS, the state has enacted legislation to raise the age of criminal responsibility in New York effective October 1, 2018; and**

**WHEREAS, the state has indicated they will fully fund incremental costs counties incur related to raise the age provisions as long as they remain within the state imposed property tax cap; and**

**WHEREAS, significant questions remain unanswered on how incremental costs will be defined and how counties experiencing fiscal stress will be treated in regard to state reimbursement; and**

**WHEREAS, the state currently caps funding for foster care and youth detention, limits reimbursement for other child welfare and probation programs, and is proposing the elimination of PINS funding by 2020 under the new law, causing concern among counties of a potentially significant increase in unreimbursed state mandated costs related to changing the age of criminal responsibility; and**

**WHEREAS, structural changes to raising the age of criminal responsibility will require a significant investment in services based on a children and families social services model and a significant recalibration of the treatment of impacted youth and their families in the court, juvenile justice and educational systems; and**

**WHEREAS, the human services based models will require the need for enhanced job training skills, significant engagement of the education system before youth need intervention, transportation supports, drug and alcohol treatment, family and individual counseling, remedial and vocational education for youth and adults, coordinated mental hygiene services, case management, and an increase in trained foster parents with skills to care for and provide guidance to older troubled youth, and other interventions resulting in higher expenses; and**

**WHEREAS, the law includes significant reforms to and places new mandates upon public safety, probation and county legal departments; and**

**WHEREAS, there are significant changes required under the law to the criminal justice system for youth requiring a fundamental realignment of court jurisdiction; training of judges, prosecutors, defense attorneys; and numerous other activities that are under the control of the Judicial Branch of New York government; and**

**WHEREAS, the release of draft guidelines for the construction of specialized secure detention facilities were released in December 2017, with the expectation they will become final in February 2018; and**

**WHEREAS, counties are to have secured and/or built new specialized secure detention facility beds by October 1, 2018, a mere eight months from the effective date of the final regulation; and**

**WHEREAS, while counties are working diligently with the State on these construction plans, the draft regulations do not provide for any streamlining of state procurement laws and rules nor provide for advanced state funding of capital costs; and**

**WHEREAS, the draft regulations include provisions that will likely increase the length of time necessary to build these facilities and make them fully operational by requiring state certification and approval of requests for proposals and change orders; and**

**WHEREAS, the draft regulations related to specialized secure detention facility construction and operations include waiver provisions that may help facilitate construction or rehabilitation of existing facilities, counties remain highly concerned over the ability to satisfy all state law procurement requirements while meeting the implementation deadlines of the new law; and**

**WHEREAS, beyond the need for counties to show that they have built their own specialized secure detention beds, or secured bed availability through other counties, many regions of the state continue to struggle with ensuring they have adequate capacity to provide the type and quantity of necessary services to affected youth and their families in their local communities; and**

**WHEREAS, numerous questions related to the new legal and judicial requirements remain open; and**

**WHEREAS, the Governor's Office and state agencies continue strong outreach efforts on the new law in coordination with county officials and others that will implement the law, but process and other implementation concerns of counties remain; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the State of New York to fully cover all new costs associated with changing the age of criminal responsibility for counties and New York City to avoid the imposition of a new unfunded mandate on local taxpayers; and be it further**

**RESOLVED, the State should decouple the requirement that counties adhere to the property tax cap in order to be eligible for full state reimbursement related to new costs incurred by the law; and be it further**

**RESOLVED, the state should consider removing fiscal caps for foster care and youth detention as part of this age of criminal responsibility reform, as well as restore the 65 percent state matching rate for child welfare services and continue state funding for PINS; and be it further**

**RESOLVED, the state needs to provide a clear service needs plan and make the capital investment to ensure there is sufficient provider capacity and detention space in all areas of the state, including:**

- **Providing counties access to idle or unoccupied state facilities that could potentially meet the new requirements of the law,**
- **Allowing the use of design-build construction methods; and**
- **Financing construction costs up front through the State Dormitory Authority, or other state mechanism, to accelerate approvals, lower borrowing costs and potentially increase the pool of minority and women owned businesses that could respond to contract offerings; and be it further**

**RESOLVED, the state needs to do extensive outreach and engage the K-12 school system as a partner in these systemic reforms; and be it further**

**RESOLVED, given the fast approaching deadlines we strongly encourage the state to consider a waiver process during the early transition years, especially in regard to finding appropriate placement options for youth and families in need of services, as well as for cases where placement in new adolescence detention facilities are required, but may not yet be built and fully operational; and be it further**

**RESOLVED, that fiscal waivers should be guaranteed for counties in the early years of the transition, or until such time that reliable historical data is available to help counties develop accurate budget projections; and be it further**

**RESOLVED, that the Putnam County Legislature strongly encourages state agencies and the judicial branch to continue to work with counties on solidifying pending fiscal, caseload and capital costs related to this law as soon as practicable so that counties can prudently plan their budget, staffing and borrowing needs in a timely manner; and be it further**

**RESOLVED, the state should recognize there will need to be flexibility in accommodating differences between small and large counties and rural versus urban areas, such that, a staggered roll-out may be appropriate in some counties depending on local conditions and service capacity; and be it further**

**RESOLVED**, that the Putnam County Legislature appreciates the outreach by the Governor and state agencies related to implementation and we strongly encourage this dialogue to continue and be expanded in the future; and be it further

**RESOLVED**, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne and NYSAC.

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6kk – Approval/ Memorialization NYSAC Resolution /Calling on the State of New York to Fully Reimburse Counties for District Attorney Salary Increases that are Set and Controlled by the State was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Sullivan, Legislator Jonke moved the following:**

**Legislator Nacerino explained that the increase in the District Attorney’s salary is set and mandated by the State. She believed that it shouldn’t be burdensome to our local government. She stated that she was in support of the State paying the increase.**

#### **RESOLUTION #105**

#### **APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / CALLING ON THE STATE OF NEW YORK TO FULLY REIMBURSE COUNTIES FOR DISTRICT ATTORNEY SALARY INCREASES THAT ARE SET AND CONTROLLED BY THE STATE**

**WHEREAS**, on December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increasing all state judge salaries in 2016 and 2018; and

**WHEREAS**, the recommended increase placed Supreme Court judges’ salaries at \$193,000 in 2016 and approximately \$207,000 in 2018 and placed County Court Judges at 95% of a Supreme Court Justice’s salary; and

**WHEREAS**, on April 1, 2016 the state approved the Commission’s recommendation; and

**WHEREAS**, New York State Judiciary Law Section 183-a links judicial salaries to county District Attorney (DA) salaries, requiring them to be equal or higher than either the County Court Judge or Supreme Court Judge in a county, depending on county size and full-time or part-time status; and

**WHEREAS**, historically, for over 50 years, the state has fully funded all district attorney salary increases that they imposed on the counties; and

**WHEREAS**, the District Attorneys Association of the State of New York (DAASNY), recognizing the automatic nature of these increases and its effect on local county budgets, and further to support the counties’ position, requested in correspondences with state officials that the state fund this salary increase; and

**WHEREAS**, in 2016 and 2017 the State Legislature enacted separate \$150 billion State Budgets but did not include state funding for the \$1.6 million in costs for the increase in District Attorney salaries; and

**WHEREAS**, the state has been careful over the past few years to avoid shifting costs to the local tax base, mindful of the impact locally with the state imposed property tax cap; and

**WHEREAS, the Governor and State Legislature have recognized lowering property taxes is the main priority to ensure a healthy Upstate New York Economy; and**

**WHEREAS, for some counties, the D.A. salary increase represented approximately one third of their total allowable property tax growth for all government operation in 2016 and 2017; and**

**WHEREAS, in 2018 this annual unfunded mandate will increase significantly as Judicial salaries, and the D.A. Salary tied to them, will be required to increase approximately \$10,000 more; and therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the State of New York to fully fund this mandated salary increase as part of the 2018-19 budget and thereafter, including a one-time amount for the retroactive salary increase that has not been funded to date; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6LL – Approval/Memorialization NYSAC Resolution / Calling on the Governor and the State Legislature to Provide Funding for the State Mandate Pertaining to Inmate Supervision/ Drug Overdose Precautions at County Operated Correctional Facilities was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Sullivan, Legislator Jonke moved the following:**

**RESOLUTION #106**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / CALLING ON THE GOVERNOR AND THE STATE LEGISLATURE TO PROVIDE FUNDING FOR THE STATE MANDATE PERTAINING TO INMATE SUPERVISION/ DRUG OVERDOSE PRECAUTIONS AT COUNTY OPERATED CORRECTIONAL FACILITIES**

**WHEREAS, State law requires that each county in New York “maintain a county jail,” under County Law; Section 217, which further requires that within each county “the sheriff ... shall have custody of the county jail” and that they “receive and safely keep in the county jail of his county each person lawfully committed to his custody;” and**

**WHEREAS, this is the case in each county, except for New York City and Westchester, where a separate Department of Corrections has been established to manage their jails; and**

**WHEREAS, all local corrections institutions in New York State are overseen by a constitutionally-created Commission on Correction (SCOC) charged with “visiting and inspecting or causing to be visited and inspected by members of its staff, all institutions used for the detention of sane adults charged with or convicted of crime”; and**

**WHEREAS, in a local correctional facility, the sheriff’s office is responsible for ensuring the safety, health, and security of all individuals who are committed to the custody of the sheriff; and**

**WHEREAS, in 2016 the SCOC Chairman issued a memorandum requiring inmate supervision for drug and alcohol overdose prevention immediately following intake of an individual to the jail suspected of being under the influence of drugs or alcohol; and**

**WHEREAS, while this practice is helpful to ensure safety, health, and security, without the proper funding, manpower and training for correction officers it is hard to implement appropriately; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the Governor and the New York State Legislature to support the efficient and satisfactory implementation of this dedicated supervision by providing funding necessary to accommodate the increase in financial burden placed on taxpayers by mandating this dedicated supervision; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, Chairman of the State Commission On Corrections and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6mm – Approval/ Memorialization NYSAC Resolution / In Support of Efforts to Improve Probation and Alternative to Incarceration in New York State to Protect the Public and Reduce Reliance on Prisons, Jails and Detention was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Sullivan, Legislator Jonke moved the following:**

#### **RESOLUTION #107**

#### **APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / IN SUPPORT OF EFFORTS TO IMPROVE PROBATION AND ALTERNATIVE TO INCARCERATION IN NEW YORK STATE TO PROTECT THE PUBLIC AND REDUCE RELIANCE ON PRISONS, JAILS AND DETENTION**

**WHEREAS, county probation departments are an integral part of the criminal justice system and operate within the legal framework of the Criminal Procedure Law, the Penal Law and the Family Court Act; and**

**WHEREAS, it is the mission of probation to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change; and**

**WHEREAS, State funding for probation was drastically reduced between 1990 and 2015 from a 46.5 percent State share in 1990 to less than 10 percent in 2017, putting a huge strain on counties and cost to county property taxpayers; and**

**WHEREAS, at the same time there have been increases in the number of mandated programs and services County Probation Departments are required to provide; and**

**WHEREAS, the New York State Council of Probation Administrators, representing NYS Probation Directors, Administrators and Commissioners has diligently worked with NYSAC and State leaders to bring more awareness to the important work that Probation does to protect the public; now therefore be it**

**RESOLVED, that the Putnam County Legislature supports proposals put forward by the Governor to immediately enact statutory and regulatory changes that improve Probation and Alternatives to Incarceration in the following ways:**

**In response to Raise the Age legislation:**

- \* Raise the minimum age that a youth can be charged as a juvenile delinquent from seven to twelve years old.
- \* Increase the maximum time frame for diversion services from four to six months for juvenile delinquents.
- \* Mandate that the state's evidence- based criteria should account for existing local best programs.
- \* Allow probation the ability to make an application for a temporary order of protection as a part of the adjustment process.
- \* Establish a dedicated funding stream through DCJS/OPCA for 100% of all local probation costs including but not limited to probation personnel and evidence based programming associated with Raise the Age legislation.
- \* Eliminate the requirement of a sentence of a conditional discharge or probation for Leandra's Law cases when a defendant has been sentenced to a definite jail term or a term of imprisonment; and be it further

**RESOLVED**, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, Deputy Secretary for Public Safety Letizia Tagliafierro and NYSAC.

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6nn – Approval/Memorialization NYSAC Resolution/ Calling on the State to Reimburse Counties for the Temporary Detainment of Parole Violators at Local Correctional Facilities was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Sullivan, Legislator Jonke moved the following:**

**RESOLUTION #108**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / CALLING ON THE STATE TO REIMBURSE COUNTIES FOR THE TEMPORARY DETAINMENT OF PAROLE VIOLATORS AT LOCAL CORRECTIONAL FACILITIES**

**WHEREAS**, those who violate their parole are often held at local correctional facilities while appeals and extensions on hearing the violation are granted by the court; and

**WHEREAS**, the parole violator must appear before the court within 10 business days of the court's notice to appear; and

**WHEREAS**, the time the violator spends in the local correctional facility is credited to their sentence and oftentimes their additional sentence is served in a local correctional facility; and

**WHEREAS**, this is causing a financial and personnel strain on local correctional facilities; and

**WHEREAS**, S.744 (Ritchie)/A.305 (Gunther) requires parole violators to be transferred to state correctional facilities after 10 days in a local correctional facility; and

**WHEREAS**, the legislation also requires Department of Correctional and Community Supervision (DOCCS) to reimburse the local facility for the cost of the temporary detainment of the parole violator if they are not transferred to a DOCCS facility within 10 days; and

**WHEREAS, operating local jails imposes a significant cost to counties and it is important to implement policies that require the state to be responsible for the costs of detaining state parole violators; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the Governor and the New York State Legislature to support legislation that requires parole violators be transferred to state correctional facilities after 10 days or reimburse counties for temporary detainment of parole violators; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #600 – Approval/ Memorialization NYSAC Resolution/ Calling on Governor Andrew M. Cuomo and the Department of Homeland Security and Emergency Services, Office of Interoperable Communications, to more Equitably and Efficiently Release the Interoperable Emergency Communication Funds Authorized was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Sullivan, Legislator Jonke moved the following:**

#### **RESOLUTION #109**

#### **APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / CALLING ON GOVERNOR ANDREW M. CUOMO AND THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY SERVICES, OFFICE OF INTEROPERABLE COMMUNICATIONS, TO MORE EQUITABLY AND EFFICIENTLY RELEASE THE INTEROPERABLE EMERGENCY COMMUNICATION FUNDS AUTHORIZED**

**WHEREAS, the funding mechanism that counties use to help operate, maintain, and upgrade 9-1-1 system capability and performance is out of date and does not correspond well to recent technology and marketplace changes; and**

**WHEREAS, unfortunately and unlike other states, too much funding is diverted by New York State for non-9-1-1 purposes, resulting in a system that does not direct sufficient revenue to allow counties to properly maintain existing systems, while also preparing to implement the next generation of 9-1-1 technology required under federal law; and**

**WHEREAS, under current law, for the last two budget years, \$10 million was authorized and targeted directly to PSAPs and up to \$65 million was set aside for the provision of grants and reimbursements to counties administered by the state interoperable communications grants (SICG) program, administered by the division of homeland security; and**

**WHEREAS, to our understanding a total of \$150 million has been authorized for county 9-1-1 purposes, but only \$20 million has been released (\$20 million for PSAPs over the two years, while \$45 million for authorized purposes from the SFY 2016-17 Budget under a new formula based methodology, while identified, has not been made available to draw down yet); and**

**WHEREAS, the goal of upgraded 9-1-1 systems is to make sure that all devices capable of connecting to the system can do so using voice, text, video images and other**

data formats to better inform the emergency responders to the situation they will be entering; and

WHEREAS, upgraded systems will be able to better pinpoint an emergency caller that may be in a remote area of the state or in a skyscraper in one of our cities.

Recognizing a more precise location of those needing emergency services will improve outcomes and save lives, but this cannot be accomplished without consistent and timely funding from the state; now therefore be it

RESOLVED, that the Putnam County Legislature calls upon Governor Andrew M. Cuomo and the Department of Homeland Security and Emergency Services, Office of Interoperable Communications to release all funds authorized so far and to ensure that future authorizations are released in full in the budget year they are appropriated; and be it further

RESOLVED, releasing these funding obligations on a regular schedule will provide certainty and build continuity as we upgrade and maintain existing systems and prepare for NextGen 9-1-1 development and implementation at the county level; and be it further

RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, the Commissioner of The Division of Homeland Security and Emergency Services, and NYSAC.

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

Item #6pp – Approval/Memorialization / Calling for State Funding of a School Resource Officer for every Elementary and Secondary School in New York State was next. On behalf of the members of the Protective Services Committee, Legislators Gouldman and Sullivan, Legislator Jonke moved the following:

Legislator Jonke stated that he fully supported this and he believed that there should be a police officer in every school.

Legislator Gouldman concurred.

Legislator Nacerino concurred. She stated that she works for the Brewster Central School District and knows firsthand how important this is and how valuable the SRO's are in the buildings. She explained that she supports this, in light of the climate of our Country with too many shootings throughout the Country.

Legislator Sayegh stated that she fully supports this as well. She believed our children were our greatest resource and most valuable part of our society. She believed that protecting each and every one of our schools in our State is money well spent. She urged the State of New York to fund Resource Officers for every elementary and secondary schools.

Chairman Castellano explained that he has twin daughters who are about to graduate from Brewster High School. He stated that they both went to Garden Street Elementary school when the SRO's were first brought into the school. He stated that it was a fantastic program all throughout their education at Brewster Central School District.

**RESOLUTION #110**

**APPROVAL/MEMORIALIZATION / CALLING FOR STATE FUNDING OF A SCHOOL RESOURCE OFFICER FOR EVERY ELEMENTARY AND SECONDARY SCHOOL IN NEW YORK STATE**

**WHEREAS, our children are deserving of the best protection possible when they are away from their homes and in the care and custody of our educational institutions, and**

**WHEREAS, we are, unfortunately, in an era where children in schools have too often become a target for evil persons wishing to cause mayhem and terror; and**

**WHEREAS, chief among the things that can be done quickly to increase the safety of our children and their schools is to provide an armed police presence in the schools; and**

**WHEREAS, due to budget constraints, tax caps and limited sources of revenue, it is beyond the fiscal capability of many school districts and other local government entities to fund the placing of an armed police officer in every school; and**

**WHEREAS, the current threat to the safety of our children in their schools is a public safety emergency requiring a statewide response by our state government, with its multiple revenue sources, to address this emergency; now therefore be it**

**RESOLVED, that the Putnam County Legislature does hereby support the New York State Sheriffs' Association in its call for the state funding of an armed school resource officer in every elementary and secondary school in New York State, and does hereby call upon the New York State Legislature and the Governor to include in the 2018 Annual State Budget funding for that purpose; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne and the New York State Sheriffs' Association.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**AUDIT & ADMINISTRATION COMMITTEE  
(Chairman Castellano, Legislators Albano & Jonke)**

**Item #6qq – Approval/ Memorialization/ Resolution Opposing Governor Cuomo's Proposal Contained in the 2018 Budget Review Bill to change the Law Regarding Taxation of State Lands from the Current Locally Assessed System to a Payment in Lieu of Taxes ("PILOT") System Administered and Controlled Solely by the State of New York was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano made a motion to REMOVE this item from the agenda since the Governor's proposal to change the law regarding State owned lands was removed from his budget; seconded by Legislators Sullivan and Nacerino. All in favor.**

**APPROVAL/ MEMORIALIZATION/ RESOLUTION OPPOSING GOVERNOR CUOMO'S PROPOSAL CONTAINED IN THE 2018 BUDGET REVIEW BILL TO CHANGE THE LAW**

**REGARDING TAXATION OF STATE LANDS FROM THE CURRENT LOCALLY ASSESSED SYSTEM TO A PAYMENT IN LIEU OF TAXES (“PILOT”) SYSTEM ADMINISTERED AND CONTROLLED SOLELY BY THE STATE OF NEW YORK**

**WHEREAS, New York State-owned lands are currently assessed by each local municipality substantially the same way as is private land and current law provides that this is the exclusive province of the municipality and its local assessors; and**

**WHEREAS, the Governor’s 2018 Budget Review Bill proposes to change the local assessment of state owned lands from the current locally assessed system to a Payment in Lieu of Taxes (PILOT) method capped at 2% per year, or the increase in the level of assessment by means of an allowable levy growth factor, whichever is lower; and**

**WHEREAS, this method will be centrally controlled by the state, and be based upon a formula, rather than increases or decreases in the actual market value of the lands as is the current methodology; and**

**WHEREAS, the proposal is an extreme usurpation of the ability of local municipalities to assess and tax real property within their jurisdictions to raise revenue upon which they rely in order to provide important and necessary services to their constituencies; and**

**WHEREAS, the NYS Real Property Tax Law §532(d) has required the state to pay taxes on state-owned lands, in part, in recognition of the negative impact of tax exempt lands on the economies of municipalities; and**

**WHEREAS, this proposal will result in the loss of revenue by the local municipalities and will shift the tax burden to the local tax payers for the County, Towns, Schools and Villages, and**

**WHEREAS, the State owned taxable lands within Putnam County consist of over 25,000 acres; and the State owned lands generated over \$4.6 million in tax dollars in the past year, which was #3 in our Top Ten tax payer list.**

**WHEREAS, the residents, businesses, and municipalities located within Putnam County are already unreasonably and unfairly constrained and prohibited from using the vast majority of the property located in the park for commercial, industrial, and even residential purposes which has resulted in the inability of municipalities within Putnam County to attract and sustain business and development resulting in extreme and unfair loss in tax revenue; and**

**WHEREAS, in addition to current prohibitive laws which restrict business, development and growth in Putnam County, the State of New York has increasingly saddled its municipalities with state mandates expecting them to find ways to fund these mandates with little or no help from the state; this coupled with the current law which requires no greater than a 2% tax cap on municipal budgets; and**

**WHEREAS, the most economically beneficial use of state land is prohibited by the New York State Constitution “Forever Wild” clause; and**

**WHEREAS, state conservation easement lands cannot be used for economically beneficial uses, other than forestry and recreation; and**

**WHEREAS, in the past, local governments have been able to support land acquisition proposals because of the certainty created by the Ad Valorem Tax payments; and**

**WHEREAS, Putnam County and its municipalities are concerned by change from the current means of assessing state lands on Ad Valorem basis to a capped PILOT system will be the first step to phasing out payments of state preserve lands to local municipalities and school districts which would catastrophically affect the ability of the municipalities and school districts to function; now therefore be it**

**RESOLVED, that the Putnam Legislature is vehemently and stalwartly opposed to the 2018 Budget Review proposal to convert state owned land taxation from the current municipal based assessment to a capped Payment in Lieu of Taxes (PILOT) program and strongly and with all sense of urgency implores the New York State Legislature and Governor Cuomo to continue the current means of assessment of state lands by the local municipalities; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward a copy of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, the New York Association of Counties, NYSDEC Commissioner Basil Seggos, and NYSDEC Region 3 Director Kelly Turturro.**

**Item #6rr – Approval/ Memorialization/ Resolution Opposing Governor Cuomo’s Proposal Contained in the 2018 Budget Review Bill to Amend Laws Regarding the Current 480 & 480-A Forest Exemption and to Add a New 480-B Taxation of Forest Land under a Forest Practice Program or Forest Certification Program known as the Empire Forests for the Future Initiative was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano made a motion to REMOVE this item from the agenda since the Governor’s proposal was removed from his budget; seconded by Legislators Sullivan and Nacerino. All in favor.**

**APPROVAL/ MEMORIALIZATION/ RESOLUTION OPPOSING GOVERNOR CUOMO’S PROPOSAL CONTAINED IN THE 2018 BUDGET REVIEW BILL TO AMEND LAWS REGARDING THE CURRENT 480 & 480-A FOREST EXEMPTION AND TO ADD A NEW 480-B TAXATION OF FOREST LAND UNDER A FOREST PRACTICE PROGRAM OR FOREST CERTIFICATION PROGRAM KOWN AS THE EMPIRE FORESTS FOR THE FUTURE INITIATIVE**

**WHEREAS, New York State currently has two forest exemptions, 480 Forest and Reforested Lands & 480-a Taxation of Forest Land, which are currently administered by each local municipality and its local assessors; and**

**WHEREAS, the Governor’s 2018 Budget Review Bill proposes to add an additional 480-b Taxation of Forest Land under a Forest Practice Program or Forest Certification Program; and**

**WHEREAS, the proposal grants a 70% reduction of the assessed value on eligible land under the Forest Certification Program and a 40% reduction of the assessed value on eligible land under the Forest Management Practice Plan; and**

**WHEREAS, this proposal severely lowers the qualifications for an approved forest stand; and**

**WHEREAS, the proposal has the potential to dramatically reduce the taxable value of local taxing jurisdictions; and**

**WHEREAS, local municipalities should be reimbursed for the full loss of the tax base, not the proposed above 1%; and**

**WHEREAS, the proposal includes the provision that the annual certification of the commitment to continued forest crop production will no longer be made to the Department of Environmental Conservation but instead will be filed with the local assessor, representing a shift in statutory duties that constitutes an unfunded mandate, and**

**WHEREAS, this proposal should be a local option to municipalities; now therefore be it**

**RESOLVED, that the Putnam County Legislature is opposed to Governor Cuomo's proposal contained in the 2018 Budget Review Bill to amend laws regarding the current 480 and 480-a Forest Exemptions and to add a new 480-b Taxation under a Forest Practice Program or Forest Certification Program known as The Empire Forests for the Future Initiative; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward a copy of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, and NYSAC.**

**Item #6ss – Approval/ Memorialization NYSAC Resolution / Urging the Governor to Sign Senate Bill 2122A (O'Mara)/ Assembly Bill 1841A (Morelle), which Requires Property Subject to a PILOT to be included in the Tax Base Growth Factor was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:**

#### **RESOLUTION #111**

#### **APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / URGING THE GOVERNOR TO SIGN SENATE BILL 2122A (O'MARA)/ ASSEMBLY BILL 1841A (MORELLE), WHICH REQUIRES PROPERTY SUBJECT TO A PILOT TO BE INCLUDED IN THE TAX BASE GROWTH FACTOR**

**WHEREAS, New York State's counties supported the inclusion of the quantity change factor in the original tax cap legislation in order to not penalize local communities experiencing strong economic growth and development; and**

**WHEREAS, the inclusion of this factor allows a municipality's tax levy to increase due to "quantity change", including new growth and/or significant additions to existing properties; and**

**WHEREAS, a community that sees this expanded development must pay for the necessary public services and infrastructure to support the growth but is not allowed to proportionately grow their tax base under the current tax cap provisions; and**

**WHEREAS, this situation hampers the ability of local governments to ensure a high level of services for residents and, over time, will be counterproductive to the state's economic development and job creation goals; and**

**WHEREAS, the quantity change factor calculation as implemented under the state's property tax cap also fails to include the full impact that payment in lieu of tax (PILOT) exclusion agreements have on the property tax base and the need for public services; and**

**WHEREAS, there are approximately 4,600 active PILOT IDA projects with an average investment of \$18 million, therefore these pilot arrangements can significantly impact some taxing jurisdictions; and**

**WHEREAS, in June 2017, both chambers of the New York State Legislature unanimously passed legislation that would require assessed property under an IDA PILOT agreement to be made part of the calculation for determining a taxing jurisdiction's quantity change factor; and**

**WHEREAS, Governor Andrew M. Cuomo vetoed this legislation in December 2017; now therefore be it**

**RESOLVED, that the Putnam County Legislature urges the Governor to sign S.2122A (O'Mara)/A. 1841A (Morelle), thereby amending the general municipal law to require property subject to a PILOT to be included in the Tax Base Growth Factor; and be it further**

**RESOLVED, the passage of this legislation is necessary for local governments to continue to provide a high level of services to their residents; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward a copy of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6tt – Approval/ Memorialization NYSAC Resolution / Urging the Governor and Legislature to Renew their Commitment to Fully Fund the State Share of Community College Costs and to fully Fund the Costs of FIT Chargebacks for Students Working toward Bachelors and Masters Degrees was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:**

**Legislator Addonizio stated that the Fashion Institute of Technology (FIT) is a SUNY school.**

**Chairman Castellano urged the State to fund their share of the school's operating costs. He explained that it does cost the people of Putnam County a considerable amount of money and we don't have a community college in Putnam County. He stated that the SUNY school system is a great educational system.**

**RESOLUTION #112**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / URGING THE GOVERNOR AND LEGISLATURE TO RENEW THEIR COMMITMENT TO FULLY FUND THE STATE SHARE OF COMMUNITY COLLEGE COSTS AND TO FULLY FUND THE COSTS OF FIT CHARGEBACKS FOR STUDENTS WORKING TOWARD BACHELORS AND MASTERS DEGREES**

**WHEREAS, under state law, funding for community colleges is to be provided through state aid, a county sponsor contribution and student tuition and fees; and**

**WHEREAS, the establishment and continued operation of a statewide community college system was based on a commitment to ongoing State aid funding of at least one third of community college operating costs; and**

**WHEREAS, the State funding amount has declined over the years below the historic one-third commitment; and**

**WHEREAS, the Legislature and Governor have been providing modest increases in state aid the last few years, but that commitment remains far below the intended one third commitment; and**

**WHEREAS, this year the Governor's Executive 2018-19 State Budget proposal cuts funding to Community Colleges by \$24.4 million or five percent under last year's funding; and**

**WHEREAS, Section 6305 of the State education law requires the state to reimburse counties for Fashion Institute of Technology chargebacks, but the state has not provided the necessary appropriations to comply with this state law requirement; and**

**WHEREAS, counties are currently being charged back for students attending FIT for bachelors and master's degrees, which was not the intent of the community college chargeback funding requirement; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the Governor and State Legislature to make continued state investment in community college operating costs a priority; and be it further**

**RESOLVED, the state should restore the full funding of FIT chargebacks to counties related to all educational instruction provided after two years (coursework necessary for a 4-year, and/or master's degree); and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward a copy of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6uu – Approval/ Memorialization NYSAC Resolution/ Calling on the State to use Existing Gaming Facilities if Sports Wagering becomes Legal in New York State was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:**

**RESOLUTION #113**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / CALLING ON THE STATE TO USE EXISTING GAMING FACILITIES IF SPORTS WAGERING BECOMES LEGAL IN NEW YORK STATE**

**WHEREAS, on December 5, 2017 the United States Supreme Court heard oral arguments in Christie v. National Collegiate Athletic Association; and**

**WHEREAS, at issue is the Federal Professional and Amateur Sports Protection Act of 1992, which restricts sports gambling and sports gambling operations to four states (Nevada, Oregon, Delaware, and Montana); and**

**WHEREAS, in early 2018 the Supreme Court could strike down existing federal law and in turn all 50 states may regulate sports gambling in the near future; and**

**WHEREAS, already New York State Legislators are drafting bills in anticipation of this federal change, in order to legalize and control how sports betting can operate in New York; and**

**WHEREAS, if New York State allows for and regulates sports gaming, they must recognize and utilize local gaming facilities already in place, serving local residents, and providing local jobs and revenue such as OTB's, racinos, horse and harness tracks, and casinos; now therefore be it**

**RESOLVED, if sports gaming is legalized in New York, the Putnam County Legislature calls on the State to distribute an equitable percentage of income and gaming revenues to local governments and to use preexisting gaming facilities in order to retain revenue locally, keep and create local jobs, and to ensure needed local government revenue; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward a copy of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6vv – Approval/ Memorialization NYSAC Resolution / Urging the State to Enact Legislation to Ensure a Fair and Level Playing Field for all Retailers by Addressing Shortfalls in Internet Sales Tax Collection Practices was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:**

**Legislator Sullivan believed that he read today that this was not included in the State's budget. He stated that he was shocked and he believed it was a competitive disadvantage for our local businesses that must collect sales tax. He explained that when sales tax is not collected from the purchases made online, it is money that the State is missing out on because many of these online businesses are located out of State. He stated that it was a shame that the Legislature in Albany has decided not to back this item.**

**Legislator Gouldman stated that it was not good for New York State businesses.**

**Legislator Nacerino concurred. She stated that it puts the “brick and mortar” stores at a disadvantage. She stated that they are already at a disadvantage with the convenience of ordering products from the comfort of your home. She stated that many people are unaware that, even if sales tax is not charged through the internet, it is their responsibility to report that themselves. She stated that she is disappointed that this did not go through the State budget.**

**Chairman Castellano concurred. He believed that people do not realize the implications of the sales tax not collected and that it should be claimed on their taxes. He stated that clearly there is a shortfall of sales tax collected and believed this would have been the right thing for all taxpayers and businesses in New York State and Putnam County.**

**RESOLUTION #114**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / URGING THE STATE TO ENACT LEGISLATION TO ENSURE A FAIR AND LEVEL PLAYING FIELD FOR ALL RETAILERS BY ADDRESSING SHORTFALLS IN INTERNET SALES TAX COLLECTION PRACTICES**

**WHEREAS, the State has identified significant loopholes in certain Internet-based sales tax collection practices and the State estimates that more than \$300 million annually in state and local sales taxes are not being collected; and**

**WHEREAS, the Governor has proposed legislation to correct this inequity by requiring marketplace providers that facilitate online transactions to collect the sales tax that is due on these transactions on behalf of vendors using these online portals, while not changing current rules regarding sales tax nexus; and**

**WHEREAS, Internet-based sales transactions through marketplace providers is estimated to be growing at annual rates of 15 percent; and**

**WHEREAS, enacting such legislation will streamline sales tax collection practices and reduce burdens on small vendors and improve compliance; and**

**WHEREAS, a more efficient, modern, and fairer system of collecting sales tax owed under state law will provide critically important revenues for counties, towns, cities, villages and some school districts, and help local governments keep property taxes lower; and**

**WHEREAS, providing an easy to use platform for large, highly experienced Internet transaction facilitators to collect sales tax on behalf of their participating vendors will create a fairer and more balanced marketplace for local “bricks and mortar” New York based retailers, as well as New York based online vendors; and**

**WHEREAS, these improvements recognize the changing retail marketplace and will provide more stability in sales tax collections for the state and local governments while enhancing fairness in the overall retail market that supports locally owned and operated New York businesses; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the State to enact legislation that treats all marketplace providers as persons required to collect sales taxes, therefore reducing the need for many vendors to collect this tax on their own and creating a level playing field for retailers; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward a copy of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

**Item #6ww – Approval/ Memorialization NYSAC Resolution/ Urging State Legislative Leaders to focus their Property Tax Relief efforts on Fiscal Reforms that will lead to Permanent and Historic Property Tax Reduction by Assuming the Cost of State Programs that Counties are Currently Required to Pay for under State Law was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Jonke, Chairman Castellano moved the following:**

**RESOLUTION #115**

**APPROVAL/ MEMORIALIZATION NYSAC RESOLUTION / URGING STATE LEGISLATIVE LEADERS TO FOCUS THEIR PROPERTY TAX RELIEF EFFORTS ON FISCAL REFORMS THAT WILL LEAD TO PERMANENT AND HISTORIC PROPERTY TAX REDUCTION BY ASSUMING THE COST OF STATE PROGRAMS THAT COUNTIES ARE CURRENTLY REQUIRED TO PAY FOR UNDER STATE LAW**

**WHEREAS, State leaders have identified property taxes as the number one fiscal burden for homeowners and small businesses, as well as the largest impediment to economic growth and job creation in Upstate New York and Long Island; and**

**WHEREAS, the Governor and State Legislature have enacted several laws over the last few decades designed to address New York's highest in the nation property taxes, including the creation of STAR school tax relief, a property tax cap, a temporary two year property tax freeze and rebate check program, and two separate temporary state matching grant program for eligible local government shared services efforts; and**

**WHEREAS, for decades, counties and other local governments have implemented, and continue to implement, thousands of shared services projects and other government efficiencies; and**

**WHEREAS, county elected leaders have strongly advocated in support of ways to lower the property tax burden for homeowners and businesses across the state going back nearly 50 years when the largest state mandate, Medicaid, was first imposed on counties, growing from \$100 million then to over \$7.5 billion today; and**

**WHEREAS, since that time the State has required county taxpayers to finance with local taxes dozens of other state programs that, for the most part, counties in other states are not required to finance; and**

**WHEREAS, many of these state mandated programs are very comprehensive and generous to their recipients compared to what other states provide and often are among the most expensive in the country in total dollars, as well as per beneficiary; and**

**WHEREAS, state imposed mandates on counties require more than \$12 billion annually in locally raised taxes to be sent to the State Capitol so they can be used in lieu of state raised revenues to pay for statewide programs and initiatives; and**

**WHEREAS, state elected officials recognize that mandating local governments to finance state-designed and controlled programs directly impacts the property tax burden and to help mitigate this they have enacted important mandate relief for county property taxpayers including the implementation of two separate caps on the growth in the local share of Medicaid costs and major pension reforms; and**

**WHEREAS, since the enactment of these mandate relief initiatives the growth rate in aggregate county property taxes has slowed dramatically, generally averaging two percent per year over the last decade, less than the rate of inflation over that time frame; and**

**WHEREAS, county officials believe that one of the best ways to improve New York's economic climate and competitiveness is to not just slow the rate of growth in property taxes, but to lower them from today's levels; and**

**WHEREAS, counties believe that aligning the cost of the state's human services programs with the governmental entity that defines and controls them will result in historic and sustainable reductions in county property taxes and establish a more appropriate and equitable distribution of the cost of the state's human services programs; and**

**WHEREAS, the cost of the state Medicaid program in a typical county (outside of New York City) equals about one half of the county property tax levy; and**

**WHEREAS, the benefits, scope, and ultimate cost of Medicaid has been set and controlled by the State for 50 years, but not fully financed with state resources, therefore transferring a significant burden to local property taxpayers and contributing greatly to the disparity between property taxes in New York and other states; and**

**WHEREAS, Cornell University researchers have documented how New York's practice of shifting fiscal responsibilities from the state to lower levels of government including counties creates severe imbalances between New York and other states in relation to property taxes; and**

**WHEREAS, we attribute the practice of using local revenues to subsidize statewide spending initiatives as the number one reason why New York's property taxes are the highest in the nation; now therefore be it**

**RESOLVED, that the Putnam County Legislature calls on the Governor and State Legislature to focus on enacting a phased-in state takeover of the costs of its own mandated human services, starting with Medicaid, that would provide immediate, permanent, and measurable county property tax reductions and lower tax rates for New York City residents; and be it further**

**RESOLVED, that the Clerk of the Putnam County Legislature forward a copy of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Susan Serino, Senator Terrence Murphy, Assemblywoman Sandra Galef, Assemblyman Kevin Byrne, and NYSAC.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ALBANO & SCUCCIMARRA WERE ABSENT. MOTION CARRIES.**

#### **Item #7 – Other Business**

**There was no other business submitted to the meeting.**

#### **Item #8 – Recognition of Public on Agenda Items**

**Liz Armstrong of the Highlands Current newspaper questioned if the School Resource Officer resolution only applied to Public Schools.**

**Chairman Castellano stated that it would be every school in New York State, however, they could not force private schools to have one.**

**Ms. Armstrong stated that if the money was available, she questioned if they would be willing to pay this at private schools as well.**

**Chairman Castellano stated that is what the resolutions states.**

**Karl Rohde, Director of Veterans Services thanked the Legislature for supporting the funding for the Veterans Peer to Peer program. He stated that he had the unofficial word that the funding for the next year was approved in the State's budget. He stated that it would allow Putnam County to continue the Peer to Peer program for the next 18 months. He stated that there is no cost to the County; this is State funding for this program.**

**Lynne Eckardt from the Town of Southeast stated that instead of the County relying on the State to require sales tax to be paid on internet sales, she questioned if the Legislature could look at ways to possibly lower our sales tax in Putnam County, especially the temporary 1%. She stated that Putnam County's sales tax is 1% higher than Westchester and Dutchess counties and a full 2% higher than Connecticut. She stated that it needs to be realized that when we are asking New York State for money; it's still our money.**

#### **Item #9 – Recognition of Legislators**

**Legislator Gouldman stated that the County will be running a community shuttle for the residents of Putnam Valley which was approved by the Legislature last month. He stated that it will start approximately at the end of April or beginning of May. He encouraged the residents to utilize this service.**

**Legislator Nacerino stated that she wanted to remind everyone that April 22<sup>nd</sup> is the Heart Walk at Brewster High School beginning at 9:00 a.m. She encouraged everyone to join her and participate.**

**Legislator Addonizio stated that this evening we've had several resolutions relating to addiction and alcohol abuse. She stated that there were many factors which lead to this abuse and she believed there was a component that relates to bullying. She stated that she will be moving forward with an anti-bullying campaign. She has contacted several agencies in the area, CoveCare and Drug Crisis in our Backyard. She believed it was important to bring awareness and to stress the connection between bullying and depression which could lead to the risk of addiction. She believed that recognizing the warning signs was the key.**

**Legislator Jonke reminded residents to appropriately place their house number on their homes and mailboxes so that emergency services can identify their house in the case of emergency. He stated that Tuesday, April 24<sup>th</sup> and May 22<sup>nd</sup> at 6:30 p.m., New York State Citizens Preparedness or Training Program will be held at Putnam County Emergency Services' Center, TOPS Bldg., for the public to prepare for future emergencies.**

**Legislator Sayegh stated that on Saturday, April 28<sup>th</sup> the Greater Mahopac Chamber of Commerce will be hosting its second annual Carmel Spring Fair. It will be along Route 52 from Fair Street to Vink Drive from 1:00 – 5:00. There will be food trucks, rides, entertainment, local businesses and a sneak preview of "Tea with Alice" interactive adventure that will be at Tilly Foster Farm.**

**Legislator Sullivan stated that May 4<sup>th</sup> is this year's "Paint the Town Purple Day" in Mahopac. It is the day that proclaims the coming of Relay For Life. He stated that it is a day where we join together and show those who are battling cancer, those who have battled cancer and those whose journeys ended too soon that we consider them to be very special members of our community. It also honors those who care for family members and friends whose lives have been touched by cancer.**

**Chairman Castellano thanked the Putnam County Highways & Facilities Department and the local town Highway Departments for the fantastic job they did clearing the roads during all the recent storms. He stated that he would also like to thank the NYSEG workers who restored the power.**

**There being no further business, at 8:33 P.M., Chairman Castellano made a motion to adjourn; seconded by Legislators Nacerino and Sayegh. All in favor.**

**Respectfully submitted by Diane Schonfeld, Clerk.**