

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

**Members: Chairman Sullivan and Legislators Addonizio & Albano**

**Tuesday July 17, 2018**  
**(Immediately following Economic Development Mtg. beginning at 5:30pm)**

The meeting was called to order at 5:45pm by Chairman Sullivan who requested that Legislator Addonizio lead in the Pledge of Allegiance. Upon roll call Legislators Addonizio & Albano and Chairman Sullivan were present.

**Item #3 - Approval of Minutes – June 19, 2018**

The minutes were approved as submitted.

**Item #4 - Approval/ Budgetary Amendment 18A047/ Veterans Service Agency/  
Authorize Acceptance of Entergy Grant to Forward to Putnam County  
Joint Veterans Council**

Chairman Sullivan made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

**Item #5 - Discussion/ Financial Disclosure Statement/ List of Individuals Required  
to File**

Chairman Sullivan made a motion to waive the rules and accept the additional; Seconded by Legislator Albano. All in favor.

Chairman Sullivan stated this was originally brought forward because the Legislature receives a list of individuals who have failed to file their financial disclosure statement. He stated when this list was received a discussion was had regarding how to ensure each individual files this form. He stated within the Putnam County Code, there are multiple courses of action to take if and when an individual fails to file their form including fines, penalties, and removal.

Director of Personnel Paul Eldridge stated he serves on the Ethics Board. He stated over the years there have been various levels of compliance. He stated the majority of individuals who fail to file their financial disclosure forms are volunteers on boards. He stated the law clearly states that a member of a policy board is subject to filing a financial disclosure statement. He stated Putnam County has boards that have the authority to set policy and boards that are only advisory. He stated in 2009, advisory boards were added to those required to file the form, however many members did not comply. He stated at that point, he met with the advisory boards to discuss why the

members had not filed their form and their feedback was that the requested information was too invasive. He stated in his opinion, he does not believe the form is particularly invasive. He stated in 1990 when the form was originally created, the County was advised by NYSAC (New York State Association of Counties) that a form needed to be adopted by January 1, 1991. He stated a template form was supplied by NYSAC, which was basically adopted by Putnam County. He stated members of advisory boards did not believe they needed to provide the same information as members of policy boards, therefore it was modified. He stated the law did not require that the County have advisory board members file a financial disclosure form. He stated in 2009, the Legislature passed a resolution requiring members of advisory boards to file. He stated at that point, the form to be filled out by advisory board members was revised and most individuals filed. He stated upon being nominated to be on a board, the individual is notified that filing this form is a requirement. He stated there have been fewer issues than in the past but there are still a number of people who do not file.

Legislator Addonizio stated many people who do not file their financial disclosure statement are volunteers and it can be difficult to get volunteers on the boards in the first place.

Director Eldridge stated many board members believe that the requirement is unfair because they are giving their time to serve on the board. He stated policy board members are required by law to file their financial disclosure statement. He stated a list containing the names of the individuals who have not filed is compiled each year and sent to the Legislature.

Legislator Nacerino stated this is a “catch 22” situation because we want the boards to function properly and to do so there must be people who serve on them, however this requirement to file a financial disclosure statement is ignored by some members. She stated in order to address this issue the Legislature might be forced to remove the members who do not comply.

Legislator Albano stated the form is important to identify any potential conflicts, however if there is an individual who is joining the board with malicious intent, their form may not show a true representation of their information. He stated although the forms are checked, it would be unknown if some information was not included. He stated he does not believe the form will unveil any serious corruption.

Legislator Nacerino stated this form is required by law.

Director Eldridge stated it is required by law for members of policy boards.

Legislator Nacerino questioned if the resolution requiring all board members to file the form could be rescinded and made less invasive.

Director Eldridge stated the advisory boards could be taken off.

Legislator Nacerino stated she does not believe there should be different rules. She stated whether this practice is viable and worthwhile should be looked into.

Chairman Sullivan questioned if Legislator Nacerino means that all volunteer board members should fill out the full form.

Legislator Nacerino stated it is not fair that some members fill out the form and some do not.

Chairman Sullivan stated members who do not vote on financial policy for the County, should not be required to fill out the financial piece of the form.

Legislator Nacerino stated members of advisory boards are required to file the form.

Director Eldridge stated members of advisory board fill out a modified form.

Legislator Nacerino stated there are still some members that file the form and some that do not. She questioned if consideration should be given to rescinding the requirement that they file the form so everyone is on the same playing field.

Legislator Albano stated the question is how to address individuals who fail to file the form.

Chairman Sullivan stated there are many approaches written in the law that can be taken when dealing with the situation where someone does not file their form. He stated they include: penalties, warnings, misdemeanor, etc. He stated there are plenty of possible consequences in place to address the failure to file.

Legislator Nacerino stated the decision must be made to either exercise those options or turn a blind eye. She stated the failure to file is consistently an issue because board members view it as an unfair practice.

Legislator Addonizio members of advisory boards should not be required to provide the same information.

Chairman Sullivan agreed.

Legislator Nacerino suggested rescinding the resolution requiring advisory board members to file.

Legislative Counsel Robert Firriolo stated the disclosure form filed by advisory board members require significantly less information than the form to be filed by policy board members.

Legislator Addonizio questioned why there is such an issue with individuals failing to file if the form requires less information.

Legislator Albano stated a decision needs to be made whether those who fail to file should be penalized.

Eric Gross, member of the Emergency Services Safety Advisory Board, stated originally, advisory board members were not required to file a financial disclosure form. He questioned why the change was made to require the form from advisory board members as well.

Director Eldridge stated former Legislator Tony Hay spearheaded this in 2009 and he believed that anyone appointed to a County board should be submitting this information. He stated the Legislature at that time passed this requirement unanimously. He stated once backlash was received from members of advisory boards, he collected feedback from the boards and came before the Legislature to revise and simplify the form to include only information that would identify a potential conflict of interest. He stated once it was revised, most members filed their form.

Legislator Castellano questioned when the revision was made.

Director Eldridge stated the revision was made in 2009; the requirement for advisory board members to file was made prior to that.

Chairman Sullivan read some of the requested information on the form for advisory board members. He stated he can understand why volunteers would be hesitant to provide so much information.

Director Eldridge stated compared to the form required for policy board members, the advisory board form does not request much.

Legislator Nacerino stated she understands that these individuals do not want to divulge their personal information in order to volunteer on a board.

Legislator Addonizio stated each person is notified that this form is a requirement to serve on the board.

Legislator Nacerino stated she believes there must be 100% compliance rather than some people filing and others not.

Chairman Sullivan questioned if the form for advisory boards should be rewritten with less information being requested.

Legislator Albano stated he does not believe it makes a difference because the form could be filled out incorrectly.

Legislator Addonizio stated if an inaccuracy is found on the form, the individual is held responsible.

Director Eldridge stated the forms are subject to FOIL (Freedom of Information Law). He stated the information required on the financial disclosure form for policy board members goes into more depth than the advisory board form. He stated he is unsure how much more simplified the form for advisory board members could be made.

Legislator Castellano questioned what the percentage of individuals not filing the form is.

Director Eldridge stated he would guess about 3-4% fail to file the form, which is about 10-15 individuals.

Legislator Castellano questioned if those people have been on a board since before this requirement was passed.

Director Eldridge stated yes, some have been on the board since before this was a requirement. He stated mostly, the objection comes from those individuals.

Legislator Castellano stated that is understandable.

Chairman Sullivan stated when the list of individuals who have failed to file is submitted to the Legislature, it is a reminder that people are not filing the form and the discussion is revisited of how to increase compliance.

Legislator Castellano suggested not re-appointing the individuals who fail to file since only 3-4% are not filing.

Director Eldridge stated there are about 130 positions and there are about 20 people total who fail to file the form. He stated each January a notice is sent to all individuals required to file that their financial disclosure form is due May 15<sup>th</sup>.

Legislator Albano suggested sending a letter to those who have failed to file that their term will not be renewed unless they file their financial disclosure form.

Legislator Scuccimarra agreed.

Legislator Castellano stated he would be in favor of simplifying the form that advisory board members fill out. He agreed with Legislator Albano's suggestion of not renewing the term if the form has not been filed.

Chairman Sullivan stated when the list is received by the Legislature a notice can be sent that those individuals will not be reappointed.

Legislator Nacerino stated this has been a discussion amongst the Legislature for a long time and action must be taken.

Lynne Eckardt, Town of Southeast Councilwoman, stated she is required to file a financial disclosure form as well in her position on the Southeast Town Board. She stated these forms are required to help protect the public and it seems as though the concern here is more directed to the board members. She stated although the form could be filled out incorrectly, each individual filling out the form is expected to do their due diligence by filling it out accurately. She stated she does not understand why the form was simplified, as it does not take long to complete. She stated the form should not be simplified any further. She stated if anyone is uncomfortable providing the required information, they should not interview for the position. She stated the public needs to be protected, and this is one step in that process.

Legislator Castellano questioned how long the terms are for a board member.

Director Eldridge stated it varies. He stated he believes generally, they are three (3) year terms.

Legislator Castellano questioned how many members are on advisory and policy boards.

Director Eldridge stated the majority people who have not filed their form are on an advisory board. He stated there are a lot more policy board members than advisory board members.

Chairman Sullivan stated he would like to send a memo to the boards to notify them that moving forward when an individual is up for reappointment, if they have not filed their financial disclosure form they will not be reappointed.

Director Eldridge stated the appointment to the board goes before the Legislature, therefore a warning would be given to the individual that if they have not filed their form, they will be subject to not being reappointed.

Legislator Addonizio questioned what could be done if the individual is in the middle of their term and they do not file.

Director Eldridge stated they could be removed from the board.

#### **Item #6 - Update/ Veteran's Service Medal Advisory Panel**

Legislator Castellano stated he is happy to report that the molds for the medals are completed. He stated as soon as the Panel gives final approval on the molds, the first 400 medals will be cast soon after. He stated the Panel will have a table set up at the July 21, 2018 Medal of Honor Parade and will have photos of what the medal will look like along with information and applications for the medal. He stated the Panel met with the Patterson Rotary Club and they were very interested in the medals. He stated it is his hope to visit with all local rotary clubs in the near future as well. He stated a

fundraiser is being planned to be held in September. He stated they are hopeful that the first medals will be given out in September as well.

Legislator Addonizio questioned how many applications have been received.

Veteran's Service Agency Director Karl Rohde stated he does not have the total number, however a special postcard about the parade was sent out that included information about the medal. He stated the traveling Vietnam Wall will also be returning to Putnam County. He stated a lot of applications have come in recently.

Legislator Castellano stated he would find out the exact total. He stated the Panel will decide how to distribute the medals and if first preference should be given to older Veterans. He stated he would like to have the older Veterans receive their medal first.

Legislator Addonizio stated that could depend on how many applications are received.

**Item #7 - FYI/ Letters sent to Towns and Villages Requesting Input on the Possibility of County-Wide Taxi & Limousine Commission**  
**a. Response from Town of Putnam Valley Supervisor Sam Oliverio**

Chairman Sullivan stated last month the regulation of taxis and limousines on a County level was discussed. He stated after the meeting, letters were sent to each town and village within Putnam County to request their input and opinion on this matter. He stated responses have been received from Town of Putnam Valley Supervisor Sam Oliverio, Town of Patterson Supervisor Richard Williams, and Village of Nelsonville Mayor Bill O'Neill.

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

Mr. Gross questioned if the responses received were in support of a County-wide regulation.

Chairman Sullivan stated Putnam Valley did not object to the County moving forward with it. He stated Nelsonville responded, but did not offer an opinion. He stated Patterson was not supportive of County-wide regulation.

Legislator Nacerino stated Patterson is not supportive of the regulation because of a lack of concrete information.

Councilwoman Eckardt stated the Southeast Town Board met and discussed this topic and also believed it was vague. She stated the Board would like a Legislative representative to attend a future Town Board meeting to participate in the discussion.

Legislator Nacerino questioned if the Town of Southeast has any regulations or permit fees for taxis and limousines.

Councilwoman Eckardt stated the Town of Southeast does not, but the Village of Brewster does.

Legislative Counsel Firriolo stated because of the home rule requirements the issue was that currently regulations of taxis and limousines are in the realm of localities. He stated the State must grant explicit permission for a County to regulate taxis and limousines, which could require the localities within the County to cede their power. He stated therefore, the letters were sent out to get an idea of if the towns and villages would be in favor of doing so. He stated the County can make the request for control to the State, but it would be stronger with the support of some or all of the towns and villages.

Councilwoman Eckardt stated when this was requested many years ago, it was vetoed by then-Governor Pataki.

Legislator Albano stated he believes there should be some kind of regulation for taxis and limousines. He stated the regulation does not need to be very extensive. He stated his opinion on this matter stems from multiple personal experiences with unlicensed taxi drivers in this area. He stated having regulation in place would protect the public against unscrupulous taxi and limousine drivers.

Legislator Addonizio suggested issuing a decal to be displayed in the window of the taxi. She stated this would notify the customer that they are entering a safe and regulated taxi.

Legislator Nacerino stated taxi and limousine companies from Putnam County are required to pay expensive fees to Westchester County in order to operate there.

Chairman Sullivan stated the reason this is being considered is because the Legislature was approached by a local taxi company owner who requested this be looked into.

Bill Nulk of the Putnam County Chamber of Commerce stated Putnam County is very close to both Westchester County and New York City; however the taxi companies are not permitted to enter or drop off a customer in either place without the proper licensing. He stated Putnam County does not have a unified agency that can negotiate with the agencies in place in both Westchester and New York City to determine a reciprocal agreement. He stated without a Putnam County agency, the businesses in Putnam County have no choice but to get a permit in Westchester County, which is expensive.

Legislator Jonke stated it is admirable that the business owners came to the Legislature to have regulation created to help them in their business. He stated a fair playing field should be created for both the public and the businesses.

Legislator Castellano questioned if a letter was sent to the Westchester County Taxi & Limousine Commission.

Chairman Sullivan stated a letter was not sent.

Legislator Castellano stated he believes Dutchess County has a Taxi & Limousine Commission as well and he would like to find out how they work with Westchester County.

Chairman Sullivan stated it seems as though the consensus is for the Legislature to continue pursuing the creation of taxi and limousine regulation.

**Item #8 - Other Business**

**a. Legislator Albano/ Discussion/ Reciprocity between Counties for Services**

Legislator Albano stated along the same lines as the desired reciprocity for the taxi and limousine companies, many licensed workers such as electricians and plumbers face a similar issue. He stated their license applies in Putnam County, but may not apply in Westchester County. He stated there should be a simpler way, perhaps an additional fee, to have a reciprocal agreement with Westchester County so all workers are following the same rules and can operate in both counties.

**b. Verbal Update/ Congressional Medal of Honor Parade/ July 21, 2018**

Chairman Sullivan requested Director Rohde speak to the Medal of Honor Parade being held this weekend.

Director Rohde stated this parade is to honor all Veterans. He listed many Veteran-friendly organizations that will be present to provide information that can help Veterans and their families. He stated the Governor may be attending as well. He stated there will be a short ceremony including County Executive MaryEllen Odell, two (2) Veterans, and Rita Cosby. He stated line up will be between 11:00am-11:30am and the parade will step off at 12:00pm. He stated many donations have been received from the local community. He stated ShopRite is supplying and manning all hydration stations and they donated an additional \$2,000. He stated the parade will march down Gleneida Ave. from Paladin to Fair Street. He stated both the VFW and the Knights of Columbus will be open as cooling stations.

**Item #9 - Adjournment**

There being no further business at 6:43pm Chairman Sullivan made a motion to adjourn; Seconded by Legislator Addonizio. All in favor.

Respectfully submitted by Administrative Assistant Beth Green.