

THE PUTNAM COUNTY LEGISLATURE

40 Gleneida Avenue
Carmel, New York 10512
(845) 808-1020 Fax (845) 808-1933

Toni E. Addonizio *Chairwoman*
Neal L. Sullivan *Deputy Chair*
Diane Schonfeld *Clerk*
Robert Firriolo *Counsel*



Nancy Montgomery	Dist. 1
William Gouldman	Dist. 2
Toni E. Addonizio	Dist. 3
Ginny Nacerino	Dist. 4
Carl L. Albano	Dist. 5
Paul E. Jonke	Dist. 6
Joseph Castellano	Dist. 7
Amy E. Sayegh	Dist. 8
Neal L. Sullivan	Dist. 9

AGENDA

**ECONOMIC DEVELOPMENT & ENERGY COMMITTEE MEETING
To Be Held Via Audio Webinar Pursuant To Temporary Emergency Orders**

Members: Chairman Gouldman, Legislators Montgomery & Sayegh

Monday

May 18, 2020

(Immediately Following the Personnel Meeting at 6PM)

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Approval of Minutes – February 18, 2020**
- 4. Discussion/County Executive Odell's Letter to Senator Harckham/Governor Cuomo's Moving New York Forward Plan**
- 5. Other Business**
- 6. Adjournment**

**ECONOMIC DEVELOPMENT & ENERGY COMMITTEE MEETING
HELD IN ROOM 318 OF THE
PUTNAM COUNTY OFFICE BUILDING
CARMEL, NEW YORK 10512**

Members: Chairman Gouldman, Legislators Montgomery & Sayegh

Tuesday

February 18, 2020

The meeting was called to order at 8:07 P.M. by Chairman Gouldman who requested that Legislator Addonizio lead in the Pledge of Allegiance. Upon roll call, Legislator Montgomery, Legislator Sayegh and Chairman Gouldman were present

Item #3 - Approval of Minutes – December 9, 2019

The minutes were approved as submitted.

Item #4 - Discussion/Growing Airbnb Sector in Putnam County

Legislator Sayegh requested that Deputy County Attorney Conrad Pasquale speak to this item.

Deputy County Attorney Pasquale stated the Airbnb matter is more of a social issue and not something that is currently being legislated. She stated Tourism Director Tracey Walsh would be better suited to speak on this topic. He added he would be most beneficial in speaking about the next item.

Tourism Director Walsh stated she was part of a lively discussion with the Cold Spring Chamber of Commerce about the Airbnb sector. She stated Cold Spring Chamber of Commerce President Eliza Starbuck is present and can speak on this.

Legislator Montgomery stated when she was notified that this item would be on the agenda, she reached out to Ms. Starbuck, Vice President of the Cold Spring Chamber of Commerce Nat Prentice, and Putnam Valley Supervisor Sam Oliverio. She stated this has been an important topic for these individuals.

Ms. Starbuck stated this has been an important topic in Cold Spring because the Village Code is currently being updated. She stated it is a polarizing topic. She stated the Chamber has organized community forums and discussions for both sides to voice their opinions. She stated the Village has also organized discussions to decide how to most appropriately write their code to support the needs of the community, as well as the economics of the region. She read the attached statement from the Cold Spring Chamber of Commerce Board.

Chairman Gouldman stated it sounds like a logical plan that the Chamber has put together.

Legislator Sayegh made a motion to waive the rules and accept the additional; Seconded by Legislator Montgomery. All in favor.

Deputy County Attorney Pasquale stated as far as using the Town of Irvington as an example, typically the County is not involved in each municipality's legislation.

Ms. Starbuck agreed that it was part of the Town Code, but they are merely saying it is an idea worth considering.

Chairman Gouldman requested that Supervisor Oliverio speak on this matter.

Supervisor Oliverio stated the Town of Putnam Valley has been studying this issue for about a year and a half. He stated the town has held three (3) different public hearings on the issue, trying to figure out how to limit the amount of Airbnbs in the community. He stated wealthy individuals are buying homes, just to rent them out. He stated it increases the prices of the houses, because the wealthy people are willing to pay. He stated a 700 square foot home on Lake Oscawana just sold for \$1.5million. He stated it is hard to prove any wrongdoings. He stated the people with the Airbnbs have threatened litigation and the threats are massive. He stated there are many residents who claim that the Airbnbs are destroying neighborhoods. He stated the Sheriff's Department has been called many times to these rentals and they do a great job with enforcement. He stated the town wanted to put in a permit process but then owners will just not tell the town they are renting. He stated enforcement is the toughest aspect. He stated people will just say they are letting a relative stay at their house. He stated this is just another added burden and it is a mess. He stated it could be a revenue producer if the permit process is successful. He stated the frustrating part is that it is outsiders buying the homes and not other residents.

Chairman Gouldman questioned if it is similar in the Town of Philipstown.

Ms. Starbuck stated it is a mixed bag. She noted that the more reasonable the fees are for permits, the more likely the homeowners are to comply. She stated suggested that is why a room tax would be more suitable. She stated Airbnb has a history with working with counties which allows them to report statistics.

Supervisor Oliverio stated when they hear there is an outsider trying to buy a home for renting purposes, they have inspectors investigate the house. He stated many communities in Europe have been destroyed by the Airbnb sector.

Legislator Sayegh stated the local zoning should take precedence and the towns should decide if they want Airbnbs. She stated with that said, the County should have some sort of a room tax to help regulate. She stated there needs to be some sort of regulation.

Chairman Gouldman questioned if there is a standard tax in the surrounding counties or if it varies.

Ms. Starbuck stated it varies and is generally between 2%-6%.

Legislator Sayegh stated and on top of that there could be a town tax.

Deputy County Attorney Pasquale stated agreed that the town could impose a tax as well.

Legislator Montgomery stated she would question how much of the County tax is going back to the municipality and how do we know that it is going back to the municipalities. She stated she would love for Philipstown to have a room tax. She stated in the past, taxes collected by the County has not gone back to the towns, so she would like for the towns to impose their own taxes to ensure they are receiving the funds.

Ms. Starbuck stated she has not seen any examples where towns and villages have a “tax”. She stated she is unsure if that is possible. She stated she believes towns can only have a permitting fee. She stated the taxing can only be done by a city, county or state.

Deputy County Attorney Pasquale stated that may be correct.

Supervisor Oliverio stated he loves the idea of a tax by the County. He stated then the towns can know where the rentals are and regulate them.

Bill Nulk, Chairman of the Putnam County IDA, stated that Airbnbs are here to stay. He stated there are various options for Airbnbs throughout Putnam County. He agreed with the idea of a tax. He stated other municipalities have specifically designated where the tax funds go to support. He stated that would be fair.

Chairman Gouldman stated he believes if a tax is moved forward, a tax should be passed along to the towns, because the towns are going to be dealing more directly with this issue. He stated the municipality can decide how to utilize the money.

Legislator Nacerino stated she supports a tax because it is the only way it can be regulated. She stated the permit process worked well in the Town of Patterson. She stated there are penalties in place if there is an Airbnb operating without a permit. She stated it is a complicated situation.

Director Walsh stated when she was looking into this matter, she found homes in Putnam Valley that are advertising they could sleep 25-30 people. She stated there are publications like Hudson Valley Magazine which are already advertising that Putnam County has a plethora of Airbnbs.

Erin Crowley, resident, questioned where people stay if there are no Airbnbs, considering there is only one (1) hotel. She questioned how many rooms are in the hotel.

Director Walsh stated there are 57 rooms.

Legislator Sayegh stated it behooves the County to look into the opportunity for tourism tax dollars. She stated she appreciates the discussion.

Legislator Nacerino stated Airbnbs are a liability for homeowners. She questioned if there is separate insurance.

Ms. Starbuck stated they need different insurance than other homeowners.

Director Walsh stated Airbnb covers the homeowner for \$1million of liability.

Legislator Nacerino stated it is scary to have complete strangers in a house you own.

IDA Chairman Nulk stated it is similar with ride-sharing services.

Supervisor Oliverio told a story of an after-wedding party that destroyed the property at an Airbnb in Putnam Valley.

Ms. Starbuck stated regular homeowners' insurance does not cover Airbnbs because the house is no longer functioning as the owner's home.

Director Walsh stated she believes if it an occupied house it is different.

Chairman Gouldman questioned if the Legislative Staff could find out what the neighboring counties are doing in regards to Airbnb.

Legislator Montgomery stated she believes the Town of Bedford banned Airbnbs.

IDA Chairman Nulk provided the information Chairman Gouldman requested.

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

Legislator Castellano questioned if the County can write to Airbnb for the number of rentals in Putnam County.

Ms. Starbuck stated it is all public information.

Legislator Montgomery stated that is a great idea put forward by Legislator Castellano.

Item #5 - Discussion/Potential Hotel Tax

Deputy County Attorney Pasquale stated the State Constitution allows the County to be able to put a hotel tax in place, but there still needs to be State approval before moving forward. He stated first there would need to be a resolution passed which states that the County is seeking to implement the tax. He stated it would then be up to the State to approve it. He noted that this was attempted in 2012, but the resolution was vetoed. He stated there are approximately 48 counties in New York State that have passed similar resolutions. He stated 4% is the average tax rate and is what was attempted in 2012. He stated if the State approves it, then there would need to be a local law passed. He stated the burgeoning online rental business would fall under this tax. He stated there is an exemption for bungalows, but he needs to do more research on it. He stated the hotels would collect the money directly and remit it to the County. He stated this tax could address the effects of tourism and travel related lodging has on infrastructure. He stated

the burden is mostly going to be on non-residents. He stated the County can dictate how the funds are going to be used. He stated the procedure for collecting the funds would likely fall on the Finance Department. He stated an obstacle is room remarketers such as Expedia or Travelocity. He stated they are now considered the same as a hotel operator. He stated there is no statute requiring companies such as Airbnb to collect the tax, because they are technically not the hotel operators. He stated he has more research to do on this. He stated most counties have entered a "Voluntary Tax Collection Agreement" with Airbnb. He stated this is likely the route that Putnam County would take. He stated sites like Airbnb are very protective of their client's data and will not be disclosing it to the County. He stated New York City tried to pass a law to require them to disclose this information but was unsuccessful. He stated the County will essentially have to take the sites at their word, that they are paying the correct tax amount to the County. He stated he would not recommend how Ulster County is handling it. He stated they are essentially enforcing the tax collection themselves. He stated the County could reach out to sites like Airbnb to see what guarantees can be made. He stated the 2012 resolution was vetoed because on the uncertainty surrounding it and if there would be an ongoing cost to the County. He stated it was also vetoed because there was no fiscal information in the resolution.

Legislator Sayegh stated it is very prudent to have this discussion considering the new hotel is opening. She stated she appreciates all the information provided. She stated she does not want to burden businesses, but tourism does put a strain on infrastructure.

IDA Chairman Nulk stated the hotel should be ready within the next week. He noted that Danbury has a 15% hotel tax because they have no sales tax.

Deputy County Attorney Pasquale noted that the Connecticut hotel tax is 12% and Danbury adds another 3% onto it.

IDA Chairman Nulk stated Westchester County started in 1980 with a 3% tax and Dutchess County currently has a 4% tax. He also noted that New York State does not have a hotel tax statewide, though most states do.

Legislator Sayegh thanked Deputy County Attorney Pasquale for his time.

Item #6 - FYI/Unemployment Report – Duly Noted.

Item #7 - Other Business – None.

Item #8 – Adjournment

There being no further business, at 9:17 P.M., Chairwoman Gouldman made a motion to adjourn; Seconded by Legislator Montgomery. All in favor.

Respectfully submitted by Administrative Assistant Ed Gordon.

From: Cold Spring Area Chamber of Commerce
To: Putnam County Legislature
Putnam County Economic and Energy Committee

Statement on Short-term Rentals, Airbnb, and Room Taxes
February 18, 2020

SUMMARY

The board of the Cold Spring Area Chamber of Commerce supports short-term rentals, such as Airbnbs, if they are clearly defined in applicable zoning codes, regulated to protect public health and safety and the environment, and fairly taxed so they contribute to the region's economic growth. We are particularly concerned that steps must be taken to prevent the use of residential properties solely as short-term rentals. Such conversions deplete the residential building stock, erode neighborhoods, and compete unfairly with the hotel industry. Our position is based on a careful reading of current regulations in communities across New York State, data provided by Airbnb and state tourism officials, a community survey conducted by the Chamber, and comments from Philipstown residents and business owners at public meetings held by the Chamber and the Village of Cold Spring.

BACKGROUND

Hudson Valley Pattern for Progress¹ reported last year that tourism is the second fastest-growing economic sector in the mid-Hudson region. Visitors to the region spend more on lodging (20%–30% of their tourist expenditures) than on food services, transportation, retail, or recreation.² In 2019 Airbnb ranked the Hudson Valley and the Catskill Mountains eleventh out of the nineteen most popular destinations for guests around the world.³ Putnam County in 2018 had ninety Airbnb hosts, who lodged 8,700 guests and each earned an average of \$8,700 in Airbnb income.⁴

Putnam County has benefited from the rise in tourism: visitors have spent \$63–\$65 million annually in the county during the past few years. There is room for growth in this number. Of the six counties comprising the Hudson Valley region, Putnam generates the least in tourism dollars (Westchester produces the most), and it underperforms the others when they are compared on an equalized basis of size or population. Putnam's recently established Department of Tourism will expand the number of visitors. Accommodating ever-more tourists in communities that are often historic, heavily residential, and averse to development requires a diverse range of solutions. Hotels can fill some of the demand, appealing to those who want full-service options

¹ *Out of Alignment, An Abstract, Mid-Hudson Valley from the Great Recession to 2030* (October 2019), by Hudson Valley Pattern for Progress

² *The Economic Impact of Tourism in New York* (2018), by Tourism Economics, and *Where Do Visitors Spend the Most (and Least) Money in New York's 62 Counties?* (Aug. 31, 2018), by Advanced Local NY.

³ <https://news.airbnb.com/airbnb-reveals-the-19-destinations-to-visit-in-2019/>

⁴ "Hudson Valley Airbnb Hosts Earn \$50M in 2018, Ulster Tops," Lohud (<https://www.lohud.com/story/news/local/2019/01/29/hudson-valley-airbnb-hosts-earn-50-m-2018/2524779002/>).

in food, drink, and housekeeping. Airbnb offers an essential complementary solution, serving a broader range of budgets and locations. In historic village destinations, such as Cold Spring, there is little place for new hotel-style developments. Visitor accommodations in owner-occupied homes can meet market needs, while also giving residents supplemental income that may enable them to remain in their homes and maintain the buildings in good condition.

Historically, many middle-class households rented spare rooms to travelers, contract workers, and other short-term occupants. The only fundamental change created by online services like Airbnb is that they allow the practice to occur more easily. This greater ease means that sensible regulation is needed to prevent the harmful effects of excessive short-term renting, such as the following:

- Speculation in short-term-rental properties can drive up real estate prices, causing a shortage of affordable housing stock for residents.
- The conversion of homes to short-term rentals not occupied by their owners deprives neighborhoods of residents, causing a drop in public school enrollment, a reduction in the pool of volunteers for government and other forms of service, and a general loss of community feeling.
- Group vacation activities by renters can disturb quiet residential neighborhoods and place additional demands on local law enforcement.
- If inadequately taxed, short-term rentals compete unfairly with hotels and profit from local amenities and services without contributing to them.
- If inadequately regulated, short-term rentals can endanger public health and safety and the environment.

RECOMMENDATIONS

At the state level, we ask for new regulations requiring short-term rentals to be defined in codes as home-based hospitality businesses that must be registered with local authorities. Operators of short-term rentals must collect sales tax on transactions just as hotels do.

At the county level, we recommend the creation of a room tax for short-term rentals, hotels, and motels. A room tax would provide the county and its municipalities with funding for initiatives to better manage tourism (such as constructing and maintaining public restrooms, upgrading sidewalks, developing new parking facilities, collecting waste, creating and staffing visitors' centers, and producing signage, maps, and other guides). Neighboring New York counties, such as Ulster, Orange, Dutchess, and Westchester, have imposed room taxes ranging from 2% to 6% without seeing any drop in tourism growth.

At the town and village levels, we recommend that short-term-rental businesses be defined in codes and permitted in residential districts. Common sense updates to zoning codes that recognize the potential benefits of short-term rentals will support local economic growth without detriment to the community. The Village of Irvington passed sensible short-term-rental legislation that we recommend as a model. These are its main points:

1. Short-term rentals are permitted only in one- and two-family homes that comply with zoning and building codes.
2. Short-term rentals are allowed only with an annual permit, which costs \$250 in the first year and \$150 if renewed for a subsequent year.
3. The property must be the owner's primary residence and have been its present size for five years.
4. The rental is not available for parties or events.
5. The owner or a surrogate must be within thirty minutes to respond to complaints.
6. The owner is responsible for ensuring that all garbage, recycling, and snow-removal requirements are complied with at the property.
7. A property may be rented for no more than 180 days in a year. When the limit is reached, the owner must occupy the residence for 90 days before renting may resume after the start of the next annual cycle.
8. No more than fifty permits are approved at any one time.

In drafting these recommendations, the Cold Spring Area Chamber of Commerce has not favored the interests of any particular group. Rather, the Chamber has weighed all the available commentary from business owners and residents in the community and given first priority to the goal of supporting the area's economic development while preventing the detrimental effects of development on business owners, residents, and the region's natural resources.

Thank you for taking the time to read and consider our report and its recommendations.

PUTNAM COUNTY EXECUTIVE

MaryEllen Odell
County Executive

40 Gleneida Avenue
Carmel, New York 10512
(845) 808-1001 Fax (845) 808-1901
www.putnamcountyny.gov

Patricia Simone
Chief of Staff



MEMORANDUM

To: Toni Addonizio, Chairwoman
Putnam County Legislature

From: MaryEllen Odell
Putnam County Executive

MaryEllen Odell

RE: Letter to Sen. Peter Harckham- Governor Cuomo's Moving New York Forward Plan

Date: May 6, 2020

I respectfully request that you place on the agenda for discussion the attached Letter sent the Senator Peter Harckham in reference to Governor Cuomo's Moving New York Forward Plan. In the letter I have asked the Senator to urge the Governor to consider reevaluating the composition of the Mid-Hudson region.

Thank you for your consideration.

2020 MAY - 6 AM 11:46
LEGISLATURE
PUTNAM COUNTY
CARMEL, NY

PUTNAM COUNTY EXECUTIVE

MaryEllen Odell
County Executive

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Patricia Simone
Chief of Staff



May 6, 2020

Hon. Peter Harckham
NYS Senator (40th District)
New York State Senate
188 State Street, Legislative Office Building
Room 812
Albany, NY 12247

Re: Governor Cuomo's Moving New York Forward Plan

Dear Senator Harckham:

I am writing to you on behalf of all of the residents and business owners of Putnam County concerning the current plan outlined by Governor Cuomo to re-open New York State. As you are aware, the plan provides that New York will re-open on a regional basis as each region meets the criteria necessary to protect public health as businesses re-open. Presently, Putnam County is included in the Mid-Hudson region, which also includes Westchester, Rockland, Orange, Dutchess, Sullivan and Ulster Counties.

Undoubtedly, the residents and business community in Putnam County, as is the case with so many other counties in New York State have been tremendously impacted financially as a result of their compliance with the NYS on Pause requirements. It goes without saying that the need to social distance and to take all other preventive measures to flatten the curve was completely necessary for the public health and safety of all. However, it appears that NYS is now at a point where we can make the move to safely ease social isolation, get people back to work, and to hopefully mitigate the enormous blow to our economy.

As you know, here in Putnam County we have been impacted to a much lesser extent than our neighbors to our immediate south. In fact, throughout this public health emergency, the State has reported that Westchester and Rockland Counties have had an average of at least a thirty percent (30%) positivity rate, while to the contrary, Putnam County has maintained a twenty percent (20%) positivity rate. To this end, Putnam County's positivity rate is more akin to that of Ulster, Dutchess and Sullivan Counties where populations are less dense.

Importantly, we have also been in a position where we have been able to handle the number of positive cases we have encountered. In addition, moving forward, I believe we will be able to ease constraints without seeing a surge in exposures and positive cases and/or overwhelming our hospital system. In fact, our hospital system currently meets all of the criteria contained in the Moving New York Forward Plan. Furthermore, at this point the only residents of Putnam County

who are actively commuting into New York City are first responders who are utilizing necessary PPE and taking all necessary precautions.

Accordingly, I respectfully submit to you and request that you urge the Governor to consider reevaluating the composition of the Mid-Hudson region. Specifically, I propose that the current Mid-Hudson region be split into a southern sub-region, comprised solely of Westchester and Rockland Counties, and a northern sub-region, comprised of Putnam, Orange, Dutchess, Sullivan and Ulster Counties. Again, while all cases of infections and deaths resulting from COVID-19 are undoubtedly devastating, our numbers in Putnam County are exponentially lower than our southern neighbors, and to a great extent have been isolated to our senior population with underlying health issues. Therefore, we should be placed in a position where we should be allowed to safely re-open and move toward dealing with the immense economic toll this is taking upon our families. Our residents and our future deserve no less.

Importantly, my administration has already worked extensively with all of our Unions, our Health Department and our Safety Committee on developing protocols and plans for re-opening local government which sets us apart and ahead in preparation for getting back to a "new normal".

In closing, please know that the County of Putnam is deeply grateful to both you and Governor Cuomo for prioritizing the best interests of all New Yorkers, as we all have. Tough times require tough decisions. I therefore ask that you consider this request on behalf of all the Main Street business owners, employees, non profit corporations and our families in recognition of the commitment to public health and safety which we in Putnam County recognize as our number one responsibility as leaders, colleagues, neighbors and New Yorkers.

As always, your valued representation and assistance are much appreciated.

Very truly yours,



MaryEllen Odell
Putnam County Executive

Cc: Jennifer Bumgarner
Putnam County Attorney

MEO/to

WG/AS

EDC
Rev. m/g
All

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MEMORANDUM

DATE: May 12, 2020
TO: William Gouldman
Chairman, Economic Development & Energy Committee
FROM: Amy Sayegh *Amy E. Sayegh*
Legislator, District #8
RE: Putnam County EDC at Economic Development Meeting

As a follow up to the May 6, 2020 memorandum from County Executive MaryEllen Odell, I respectfully request that Putnam County EDC President Kathleen Abels be invited to participate in the discussion at the May 18, 2020 Economic Development & Energy Committee meeting regarding reopening Putnam County's businesses. As the County looks to reopen, I believe it would be greatly beneficial to have insight from the EDC on how it will be moving forward.

Thank you for your attention to this request.

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May 13, 2020

Kathleen Abels
President, Putnam County Economic Development Corporation

Dear Ms. Abels,

The attached memorandum from County Executive MaryEllen Odell will be discussed at the May 18, 2020 Economic Development & Energy Committee meeting audio conference. At the request of my colleague Legislator Amy Sayegh, I respectfully request that you participate in the discussion regarding Putnam County moving forward with reopening. The Putnam County EDC is a valuable resource for our community and your professional insight is greatly appreciated. The audio conference is scheduled to begin immediately following the Personnel Meeting scheduled for 6pm and the link for the webinar will be available on the Legislature's website.

Thank you for your attention to this request.

Regards,


William Gouldman

Chairman, Economic Development & Energy Committee

Attachment

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May 13, 2020

Jennifer Maher
Chairwoman, Putnam County Business Council
Sent Via Email Only

Dear Ms. Maher,

The attached memorandum from County Executive MaryEllen Odell will be discussed at the May 18, 2020 Economic Development & Energy Committee meeting audio conference. I respectfully request that you participate in the discussion regarding Putnam County moving forward with reopening. The Putnam County Business Council is a valuable resource for our community and your professional insight is greatly appreciated. The audio conference is scheduled to begin immediately following the Personnel Meeting scheduled for 6pm and the link for the webinar will be available on the Legislature's website.

Thank you for your attention to this request.

Regards,

A handwritten signature in cursive script that reads "William Gouldman".

William Gouldman
Chairman, Economic Development & Energy Committee

Attachment