

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

Tuesday

November 1, 2022

7:00 P.M.

The meeting was called to order at 7:03 P.M. by Chairman Sullivan who requested that Legislator Sayegh lead in the Pledge of Allegiance and Legislator Albano in the Legislative Prayer. Upon roll call, Legislators Montgomery, Gouldman, Addonizio, Nacerino, Albano, Jonke, Castellano, Sayegh and Chairman Sullivan were present. Also present was Legislative Counsel Firriolo.

PROCLAMATIONS

Chairman Sullivan recognized Legislator Sayegh who presented the “National Runaway Prevention” proclamation to Executive Director of the Youth Bureau Janeen Cunningham and Putnam County Sheriff Sergeant Matthew Kraisky.

NATIONAL RUNAWAY PREVENTION MONTH

WHEREAS, November has been designated as National Runaway Prevention Month to raise awareness of the issues facing runaway and homeless youth, and to educate the public about solutions and the role they can play in ending youth homelessness; and

WHEREAS, the prevalence of runaway and homelessness among youth is staggering, with studies suggesting that every year, 4.2 million people ages 13 to 25 endure some form of homelessness; and

WHEREAS, children and youth who run away are at increased danger for falling into high-risk situations, including human trafficking; and

WHEREAS, effective programs supporting runaway youth and assisting youth and their families in providing safe and stable homes, succeed because of partnerships created among families, youth-based advocacy organizations, community-based human service agencies, law enforcement, schools, faith-based organizations and businesses; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim November 2022 as National Runaway Prevention Month. We urge all citizens to support the effort to increase public awareness about, advocate on behalf of, and provide positive and safe alternatives to runaway and homeless youth and their families.

Chairman Sullivan presented the “Operation Green Light” proclamation to Director of Veterans Services Karl Rohde, Executive Director of Guardian Revival Alex Othmer and Chief of Staff of Guardian Revival Megan Castellano.

SUPPORTING OPERATION GREEN LIGHT

WHEREAS, the residents of Putnam County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served their country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women that served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Putnam County seeks to honor these individuals who have paid the high price of freedom by placing themselves in harm's way for the good of all; and

WHEREAS, Veterans continue to serve their community in the American Legion, Veterans of Foreign Wars, church groups, civil service; and

WHEREAS, Putnam County appreciates the sacrifices our United State Military Personnel made while defending freedom and believes specific recognition be accorded them in appreciation of their service and to demonstrate the honor and support they have earned; now be it

RESOLVED, as we approach Veterans Day in 2022, the Putnam County Legislature and County Executive hereby proclaim that Putnam County recognizes Operation Green Light and encourages its citizens and businesses to honoring those whose immeasurable sacrifice helped preserve our freedom by displaying a green light in a window of their place of business or residence.

Chairman Sullivan recognized Legislator Jonke who presented the "Small Business Recognition" proclamation to Nat Prentice – President of the Cold Spring Chamber of Commerce, Henry Boyd – President of Carmel/Kent Chamber of Commerce, Andres Gil – Board Member of the Brewster Chamber of Commerce, Bill Nulk – Putnam County Business Council, Jennifer Maher – Founding Chairwoman of the Putnam County Business Council, Lucas Semilone – Runs a small business called Promenade Lotto and Snacks, Shari Zimmerman – Allstate Insurance Agent in Mahopac, Paula Hernandez – Executive Director of the Brewster Chamber of Commerce, Brad Hogan – Director of the Brewster Chamber of Commerce and new owner and son of Kenny's Carpet One, John Kraus – member of the Putnam County Business Council and 30 year Commercial Banker in Putnam County.

SMALL BUSINESS RECOGNITION MONTH – NOVEMBER 2022

WHEREAS, small business constitutes the single most important segment of our free enterprise system and our small businesspeople are the backbone of our economy; and

WHEREAS, a successful small business is evidence of the independence, initiative, and hard work of the owner/operator and this spirit has been, and will continue to play an important role in maintaining and improving the vitality of our community; and

WHEREAS, small businesspeople take a leading role in civic affairs to improve the quality of life in our communities; and

WHEREAS, with the assistance of the local Chambers of Commerce, small businesspeople provide a variety of services, both business and social, to the community at large; and

WHEREAS, small businesses have and will continue to provide employment opportunities for our residents and contribute conveniences and services, both in-person and on-line, to our communities; and

WHEREAS, the November-December holiday season is important to the annual success of many of our small businesses; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim November 2022 as Small Business Recognition Month and urge all citizens to join them in recognizing the contributions small businesses make to county-wide development and Shop Small Business to support our local small businesses so that they can remain vital and flourish in Putnam County.

Item #4 – Approval of Minutes – Regular Meeting – October 5, 2022

B&F Mtg – Budget Presentation – October 6, 2022

B&F Mtg – Budget Public Hearing – October 6, 2022

Budget Public Hearing – October 25, 2022

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:

**SPECIAL PHYSICAL COMMITTEE MEETING
(Chairman Albano, Legislators Castellano & Gouldman)**

Item #6a – Approval/ Eminent Domain Procedure Law Settlement/ Fair Street Reconstruction Project/ Town of Carmel Tax Map No. 44.14-1-47 was next. Chairman Sullivan recognized Legislator Albano, Chairman of the Physical Services Committee. On behalf of the members of the Committee, Legislators Castellano and Gouldman, Legislator Albano moved the following:

RESOLUTION #214

APPROVAL/ EMINENT DOMAIN PROCEDURE LAW SETTLEMENT/ FAIR STREET RECONSTRUCTION PROJECT/ TOWN OF CARMEL TAX MAP NO. 44.14-1-47

WHEREAS, the County of Putnam (“County”) is proposing to generally reconstruct an approximately 1.3 mile long section of Fair Street between Route 52 (Gleneida Avenue) and a point approximately 1,300 feet east of the intersection of Fair Street with Hill & Dale Road in the Town of Carmel, County of Putnam, State of New York (P.I.N. 8756.09) (the “Project”); and

WHEREAS, the purpose of the Project is to help address traffic operations, traffic congestion, safety concerns and pavement/drainage/bridge conditions along Fair Street in the Town of Carmel; and

WHEREAS, the Project is being progressed by the County Department of Highways and Facilities, with oversight by the New York State Department of Transportation (“NYSDOT”) and in close coordination with the Federal Highway Administration (“FHWA”), in accordance with Federal and State laws, regulations, rules and policies; and

WHEREAS, in order to accomplish the Project, it is necessary for the County to acquire real property interests in, to, on, over and through multiple tax map parcels situated along Fair Street in the Town of Carmel, New York; and

WHEREAS, among the real property interests that the County needs to acquire in order to accomplish the Project are an approximately 820 square foot fee interest and an approximately 687 square foot temporary easement interest in, to, on, over and through portions of Tax Map Parcel 44.14-1-47 in the Town of Carmel, New York; and

WHEREAS, in accordance with the New York Eminent Domain Procedure Law (“EDPL”), the County caused the real property interests that it needs to acquire for the project to be appraised by an independent, certified real estate appraiser, following which the County has made written offers to the respective landowners to purchase such real property interests for amounts equal to the highest approved appraised value of such real property interests; and

WHEREAS, the amount of the County’s written offer to purchase the fee and temporary easement interests in, to, on, over and through portions Tax Map Parcel 44.14-1-47 is twenty-three (\$23,000) dollars; and

WHEREAS, the owner of record of Tax Map Parcel 44.14-1-47 has rejected the County’s offer to purchase the aforementioned fee and temporary easement interests for the sum of twenty-three thousand (\$23,000), but has agreed to accept the sum of thirty thousand (\$30,000) dollars for the sale of such real property interests; and

WHEREAS, the landowner agreed to a settlement with the County, subject to the Legislature’s approval, in which the County agreed to pay the landowner the sum of thirty thousand (\$30,000) dollars; and

WHEREAS, the County Attorney, the County’s outside counsel, Robert Hite, and the Commissioner of Highways and Facilities have recommended the settlement as an alternative to trial; and

WHEREAS, the settlement is in the public interest and has avoided the costs of further litigation; now therefore be it

RESOLVED, that the settlement of this matter for the sum of thirty thousand (\$30,000) dollars is hereby approved.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6b – Approval/ Eminent Domain Procedure Law Settlement/ Fair Street Reconstruction Project/ Town of Carmel Tax Map No. 44.14-2-3 was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Gouldman, Legislator Albano moved the following:

RESOLUTION #215

APPROVAL/ EMINENT DOMAIN PROCEDURE LAW SETTLEMENT/ FAIR STREET RECONSTRUCTION PROJECT/ TOWN OF CARMEL TAX MAP NO. 44.14-2-3

WHEREAS, the County of Putnam (“County”) is proposing to generally reconstruct an approximately 1.3 mile long section of Fair Street between Route 52 (Gleneida Avenue) and a point approximately 1,300 feet east of the intersection of Fair Street with Hill & Dale Road in the Town of Carmel, County of Putnam, State of New York (P.I.N. 8756.09) (the “Project”); and

WHEREAS, the purpose of the Project is to help address traffic operations, traffic congestion, safety concerns and pavement/drainage/bridge conditions along Fair Street in the Town of Carmel; and

WHEREAS, the Project is being progressed by the County Department of Highways and Facilities, with oversight by the New York State Department of Transportation (“NYSDOT”) and in close coordination with the Federal Highway Administration (“FHWA”), in accordance with Federal and State laws, regulations, rules and policies; and

WHEREAS, in order to accomplish the Project, it is necessary for the County to acquire real property interests in, to, on, over and through multiple tax map parcels situated along Fair Street in the Town of Carmel, New York; and

WHEREAS, among the real property interests that the County needs to acquire in order to accomplish the Project is an approximately 102,587 square foot fee acquisition of a portion of Tax Map Number 44.14-2-3 to be used for the construction of a stormwater retention basin and an approximately 2,884 square foot temporary easement interest in, to, on, over and through portions of Tax Map Number 44.14-2-3 in the Town of Carmel, New York which easement is to be used for grading purposes; and

WHEREAS, in accordance with the New York Eminent Domain Procedure Law (“EDPL”), the County caused the real property interests that it needs to acquire for the project to be appraised by an independent, certified real estate appraiser, following which the County has made written offers to the respective landowners to purchase such real property interests for amounts equal to the highest approved appraised value of such real property interests; and

WHEREAS, the amount of the County’s written offer to purchase the fee and temporary easement interests in, to, on, over and through portions of Tax Map Number 44.14-2-3 is eighty-seven thousand, five hundred (\$87,500) dollars; and

WHEREAS, the owner of record of Tax Map Parcel 44.14-2-3 has rejected the County’s offer to purchase the aforementioned fee and temporary easement interests for the sum of eighty-seven thousand, five hundred (\$87,500) dollars, but has agreed to accept the sum of one hundred thousand (\$100,000) dollars for the transfer of such real property interests; and

WHEREAS, the landowner agreed to a settlement with the County, subject to the Legislature’s approval, in which the County agreed to pay the landowner the sum of one hundred thousand (\$100,000) dollars; and

WHEREAS, the County Attorney, the County’s outside counsel, Robert Hite, and the Commissioner of Highways and Facilities have recommended the settlement as an alternative to trial; and

WHEREAS, the settlement is in the public interest and has avoided the costs of further litigation; now therefore be it

RESOLVED, that the settlement of this matter for the sum of one hundred thousand (\$100,000) dollars is hereby approved.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6c - Approval/ Eminent Domain Acquisition/ Sprout Brook Road Over Canopus Creek Replacement Project / P.I.N. 8762.13 / Town of Philipstown was next. On behalf of the members of the Physical Services Committee, Legislators Castellano and Gouldman, Legislator Albano moved the following:

RESOLUTION #216

APPROVAL/ EMINENT DOMAIN ACQUISITION/ SPROUT BROOK ROAD OVER CANOPUS CREEK REPLACEMENT PROJECT / P.I.N. 8762.13 / TOWN OF PHILIPSTOWN

WHEREAS, Sprout Brook Road and the bridge (“Bridge”) carrying Sprout Brook Road over Canopus Creek in the Town of Philipstown are owned and maintained by the County of Putnam (“County”); and

WHEREAS, the Bridge carries Sprout Brook Road over Canopus Creek immediately before Sprout Brook Road intersects with Winston Lane; and

WHEREAS, the Bridge is narrower than the approach roadway, and the geometry of the adjoining intersection of Sprout Brook Road and Winston Lane is a safety concern; and

WHEREAS, the Bridge is misaligned with the Canopus Creek stream channel, and discharge from local drainage is eroding the downstream bank; and

WHEREAS, the Bridge was constructed in 1935, with a major rehabilitation in 1958; and

WHEREAS, the Bridge is a 27-foot long, steel multi-girder bridge with a reinforced concrete deck founded on gravity abutments; and

WHEREAS, the superstructure of the Bridge is in poor condition, with significant section loss to the girders and areas of spalling with exposed transverse rebar of the concrete deck; and

WHEREAS, both Bridge abutments have spalled areas that extend into the wingwalls and undermine various girders; and

WHEREAS, the footings of the Bridge are partially exposed and exhibit minor to moderate abrasions along the water line; and

WHEREAS, due to the high section loss of the girders and the undermining of the bearing plates from the spalled areas, two (2) yellow flags have been issued and the Bridge is load posted for 18 tons; and

WHEREAS, in the course of considering the options to address the deteriorated condition and hydraulic deficiencies of the Bridge, the County considered three (3) alternatives, including a null alternative, a bridge rehabilitation alternative, and a bridge replacement alternative; and

WHEREAS, due to the deteriorated condition of the Bridge, the Bridge’s misalignment with the Canopus Creek stream bed, deficiencies in the Bridge’s hydraulic opening, and concerns regarding the geometry of the intersection of Sprout Brook Road and Winston Lane, the County selected the alternative involving the replacement of the Bridge (“Project”); and

WHEREAS, the structure of the replacement bridge will consist of a 28-foot span, 3-sided, pre-cast concrete rigid frame which will be aligned with the stream and carry the roadway consisting of two (2) ten (10) foot travel lanes with two (2) five (5) foot wide shoulders; and

WHEREAS, the Project location is an approximately 275 feet long section of Sprout Brook Road beginning on the southern side of Canopus Creek and extending north to the intersection of Winston Lane in the Town of Philipstown, County of Putnam, State of New York; and

WHEREAS, purpose of the Project is to improve the hydraulic opening and structural condition of the Bridge, as well as to improve the geometry of the adjoining intersection; and

WHEREAS, the main objectives of the Project are to: restore the bridge condition rating to 5 (fully functional and non-deficient condition) or greater for at least 75 years using cost effective techniques to minimize the life cycle cost of maintenance and repair; improve the hydraulic opening and reduce the replacement bridge's susceptibility to scour; use a design which is consistent with NYSDOT Bridge Standards and the NYSDOT Standard Specifications; and address geometric deficiencies to improve traffic flow and facilitate traffic operations on the Bridge; and

WHEREAS, it is anticipated that it will be necessary for the County to acquire real property interests in and to portions of two (2) tax map parcels in order to accomplish the Project; and

WHEREAS, in the course of acquiring the real property interests that are necessary to accomplish the Project, the County must comply with the provisions of the New York Eminent Domain Procedure Law ("EDPL"); and

WHEREAS, due to title issues and/or non-responsive landowners, it may be necessary for the County to acquire the real property right-of-way interests in and to portions of some of the tax map parcels by resort to Article 4 of the EDPL; and

WHEREAS, the Project is a Locally Administered Federal Aid Transportation Project administered by the County; and

WHEREAS, because of the Federal funding involved, the Project is subject to compliance with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 ("Uniform Act"); and

WHEREAS, in the course of progressing the Project, the County must comply with the provisions of the Environmental Conservation Law; and

WHEREAS, in accordance with the provisions of Article 3 of the EDPL and the Uniform Act and its implementing regulations, the County caused to be appraised the real property interests that must be acquired in order to accomplish the Project, thereafter established amounts which the County believes represents just compensation for such respective real property interests, and has conveyed to each respective record title owner a written offer representing 100 percentum of the highest approved appraisal amount for such real property interests to be acquired; and

WHEREAS, EDPL Article 2 requires, as a condition precedent to acquiring title by means of an EDPL Article 4 proceeding, that the County conduct a public hearing to inform the public and to review the public use to be served by the proposed project and the impact on the environment and residents of the locality where the proposed project

will be constructed unless such project is exempt from the EDPL Article 2 hearing requirements in accordance with EDPL Section 206; and

WHEREAS, EDPL §206 (A) provides that the County is exempt from compliance with the provisions of the EDPL Article 2 hearing requirements when, pursuant to other state, federal, or local law or regulation, it considers and submits factors similar to those enumerated in Article 2, subdivision (B) of section 204, to a state, federal, or local government agency, board, or commission before proceeding with the acquisition and obtains a license, a permit, a certificate of public convenience or necessity, or other similar approval from such agency, board, or commission; and

WHEREAS, the factors enumerated in EDPL §204 (B) are as follows:

- 1) the public use, benefit or purpose to be served by the proposed public project;
- (2) the approximate location for the proposed public project and the reasons for the selection of that location;
- (3) the general effect of the proposed project on the environment and residents of the locality;
- (4) such other factors as it considers relevant; and

WHEREAS, the Project is being progressed by the County Department of Highways and Facilities, with oversight by the New York State Department of Transportation (“NYSDOT”) and in close coordination with the Federal Highway Administration (“FHWA”), in accordance with the requirements of the NYSDOT “Procedures for Locally Administered Federal Aid Projects” manual and other applicable NYSDOT documents; and

WHEREAS, in order to progress to the Project through the project design phase, it was necessary for the County to obtain from NYSDOT and FHWA approval that the County has satisfied the requirements of the NYSDOT “Procedures for Locally Administered Federal Aid Projects” manual and other applicable NYSDOT documents, as well as Federal laws and regulations; and

WHEREAS, the County, in conjunction with its consultant, completed a Final Design Report for the Project (“Final Design Report”) in October, 2021, and submitted the Final Design Report to FHWA and NYSDOT for approval; and

WHEREAS, both FHWA and NYSDOT completed a review of the Final Design Report and approved the County’s preferred alternative, and NYSDOT has provided preliminary project approval to the County and issued an Authorization to Proceed With Final Design and Right-Of-Way Acquisition; and

WHEREAS, the Final Design Report for the Project clearly sets forth the public use, benefit or purpose to be served by the Project, the approximate location for the Project, the reasons for the selection of that location and other information relative to the Project; and

WHEREAS, in the course of progressing the design of the Project, and as is more fully set forth in the Final Design Report, the County examined and considered the social, economic and environmental consequences of the Project and activities associated with the Project, including its impacts on: local residents; other affected populations; school districts; recreation areas; places of worship; businesses; police, fire and ambulance services; highway, traffic and overall public safety and health; social groups; regional and local economies and business districts; surface waters; water source quality; general ecology; wildlife; historic and cultural resources; farmlands; and visual resources; and

WHEREAS, Federal and State requirements for projects such as the Project include a mandate that the County undertake the action and satisfy the requirements of the National Environmental Policy Act (“NEPA”) as a condition precedent to the issuance of Final Design Approval and Right-of-Way Authorization for the Project; and

WHEREAS, in satisfaction of its obligations under NEPA and FHWA regulations, the Project is being progressed in conjunction with NYSDOT, on behalf of FHWA, as a Class II Action (Categorical Exclusion) because it is primarily a bridge rehabilitation, reconstruction or replacement or the construction of grade separation to replace existing at-grade railroad crossings (23 CFR 771.117(c)(28)) and does not significantly impact the environment, as documented in the Federal Environmental Approvals Worksheet (FEAW) that was prepared by the County; and

WHEREAS, NYSDOT has determined that the Project will not induce significant environmental impacts, and it meets the conditions and criteria for a NEPA Categorical Exclusion; and

WHEREAS, the County has satisfied the requirements of 23 CFR 771.129 in regard to the evaluation of the Project under NEPA; and

WHEREAS, the County, in fulfillment of its obligations and duties under the New York State Environmental Quality Review Act (“SEQRA”), acted as Lead Agency, classified the Project as a Type II Action in accordance with 6 NYCRR Part 617, Section 5, Subdivision (c), Item 2, in that it involves the replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds and of the thresholds in section 617.4, and duly issued a Negative Declaration; and

WHEREAS, the County has satisfied the requirements of SEQRA in regard to the Project; and

WHEREAS, the comprehensive Federal and State statutory and regulatory scheme relating to Federal Aid Transportation Projects requires the examination and consideration of land-air-water environmental, social, economic, historic and cultural factors as a condition of approving a project such as the Project to progress to Final Design and Right-of-Way acquisition phases; and

WHEREAS, in light of the several written approvals and authorizations of FHWA and NYSDOT following the County’s consideration and submission to those agencies of factors similar to those set forth in EDPL §204 (B), as required by Federal statute, FHWA regulations and NYSDOT statutes, regulations and policies, the County has satisfied the

criteria set forth in EDPL §206 (A) and, therefore, is exempt from the requirement to hold an EDPL Article 2 hearing; and

WHEREAS, EDPL §206(D) provides a basis for exemption from the EDPL Article 2 public hearing requirement, "when in the opinion of the [County] the acquisition is de minimis in nature so that the public interest will not be prejudiced by the construction of the project or because of an emergency situation the public interest will be endangered by any delay caused by the public hearing requirement"; and

WHEREAS, in order for the County to accomplish the Project, it will need to acquire a fee interest and a temporary easement interest each in, on, over and through portions of two (2) tax map parcels; and

WHEREAS, the fee interest that the County seeks to acquire in one tax map parcel consists of approximately 1,207 square feet of area, situated adjacent to the western highway boundary line of Sprout Brook Road, partially within the bed of Canopus Creek; and

WHEREAS, the fee interest that the County seeks to acquire in the other tax map parcel consists of approximately 296 square feet of area, situated adjacent to the southern highway boundary of Winston lane, and partially within the bed of Canopus Creek; and

WHEREAS, the temporary easements are situated immediately adjacent to the aforementioned fee areas and consist of approximately 476 square feet and 171 square feet of area, respectively; and

WHEREAS, the County's acquisitions of the aforementioned fee interests and temporary easement interests in, to, on, over and through portions of the two (2) tax map parcels will not affect the remainder of those tax map parcels; and

WHEREAS, the acquisitions of the aforementioned fee and temporary easement interests and the construction of the Project will not prejudice the public interest.

NOW, THEREFORE, it is hereby

RESOLVED, that the Legislature of the County of Putnam has considered all relevant information pertaining to the proposed Sprout Road Over Canopus Creek Bridge Replacement Project and has determined the project development process implemented by the County, which necessarily involves and requires the approvals and authorizations obtained from FHWA and NYSDOT qualify the County and the Project for exemption from the hearing requirements of EDPL Article 2, pursuant to EDPL §206(A); and it is further

RESOLVED, that in light of the location, size and nature of the proposed fee and temporary easement interest acquisitions in, to, on, over and through small portions of two (2) tax parcels, as well as the benefits to be achieved by the completion of the Project, it is the opinion of the Legislature of the County that the proposed acquisitions and the Project are de minimis in nature so as to qualify the County and the Project for exemption from the public hearing requirements of EDPL Article 2, pursuant to EDPL §206(D); and it is further

RESOLVED, that the County hereby authorizes and directs the Commissioner of the County Department of Highways and Facilities to take such steps and perform such acts as are necessary for the County to acquire the real property right-of-way interests in, to, on, over and through portions of all Tax Map Parcels that may be necessary to accomplish the Project, including acquisitions by exercise of the right of eminent domain in accordance with the provisions of the EDPL.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #6d – Approval/ Budgetary Amendment (22A068)/ Highways & Facilities Parks & Recreation/ Insurance Reimbursement was next. Chairman Sullivan recognized Legislator Castellano, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #217

APPROVAL/ BUDGETARY AMENDMENT (22A068)/ HIGHWAYS & FACILITIES PARKS & RECREATION/ INSURANCE REIMBURSEMENT

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (22A068) to account for the reimbursement received from NYMIR to offset the cost of repairing the fence at Tilly Foster Farm which was damaged on September 12, 2022; an

WHEREAS, the Audit & Administration Committee has reviewed and approved said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Increase Appropriations:

10711000 54710	Parks & Rec – Maintenance & Repairs	1,676.77
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Increase Estimated Revenues:

10711000 426801	Parks & Rec – Insurance Recoveries	1,676.77
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2022 Fiscal Impact – 0 –

2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6e – Approval/ Budgetary Amendment (22A069)/ Youth Bureau/ Arbor House Runaway and Homeless Youth Services was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #218

**APPROVAL/ BUDGETARY AMENDMENT (22A069)/ YOUTH BUREAU/ ARBOR HOUSE
RUNAWAY AND HOMELESS YOUTH SERVICES**

WHEREAS, the Executive Director of the Youth Bureau has requested a budgetary amendment (22A069) to reflect the NYS Office of Children and Family Services final 2022 funding allocations for Runaway and Homeless Youth Services for \$21,485 more than the amount in the 2022 approved County Budget; and

WHEREAS, the Audit & Administration Committee has reviewed and approved said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Increase Appropriations:

10731000 54970	Youth Admin – Arbor House	19,116
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Increase Estimated Revenues:

10731000 438623	Youth Admin – Arbor House RHY	19,116
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10731000 438622	Youth Admin – Runaway Coordination	2,369
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Decrease Estimated Revenues:

10131000 427161	Fund Balance	2,369
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2022 Fiscal Impact - (2,369)

2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6f – Approval/ Budgetary Amendment (22A071)/ Law Department/ Highway Department Insurance Recovery was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #219

**APPROVAL/ BUDGETARY AMENDMENT (22A071)/ LAW DEPARTMENT/ HIGHWAY
DEPARTMENT INSURANCE RECOVERY**

WHEREAS, the Risk Manager in the Law Department has requested a budgetary amendment (22A071) to account for the Farmers Insurance reimbursement to offset the cost of property damage dated back on July 8, 2022; and

WHEREAS, the Audit & Administration Committee has reviewed and approved said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Increase Appropriations:

10511100 54647	Highway Facilities – Sub Contractors	2,113.03
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Increase Estimated Revenues:

10511100 426801	Highway Facilities – Ins. Recoveries	2,113.03
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2022 Fiscal Impact – 0 –

2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6g – Approval/ Budgetary Amendment (22A072)/ Probation Department/ County Pretrial Services Grant/ NY Division of Criminal Justice Services (DCJS) was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #220

APPROVAL/ BUDGETARY AMENDMENT (22A072)/ PROBATION DEPARTMENT/ COUNTY PRETRIAL SERVICES GRANT AWARD/ NY DIVISION OF CRIMINAL JUSTICE SERVICES (DCJS)

WHEREAS, the New York Division of Criminal Justice Services (DCJS) awarded funding to Putnam County funding to offset the costs associated with the provision of certified pretrial services, including but not limited to screening, assessments, supervision, and reporting as provided in the SFY 2022-23 New York State budget for the period April 1, 2022 through March 31, 2023; and

WHEREAS, the Acting Probation Director has requested a budgetary amendment (22A072) to account for this award; and

WHEREAS, the Audit & Administration Committee has reviewed and approved said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Increase Appropriations:

10199000 54980	Contingency	132,617
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Increase Estimated Revenues:

10314000 433106	State Aid – County Pretrial Serv FY22	132,617
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2022 Fiscal Impact – (132,617)

2023 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6h – Approval/ Fund Transfer (22T259)/ Finance/ Natural Gas/ Utility Increase was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #221

APPROVAL/ FUND TRANSFER (22T259)/ FINANCE/ NATURAL GAS/ UTILITY INCREASE

WHEREAS, the Commissioner of Finance has requested a fund transfer (22T259) to cover increase in utility costs through remainder of 2022; and

WHEREAS, the Audit & Administration Committee has reviewed and approved said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:		
10199000 54980	Contingency	16,120
Increase:		
10116200 54630	Natural Gas	16,120
	2022 Fiscal Impact – 16,120	
	2023 Fiscal Impact – 0 –	

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6i – Approval/Budgetary Transfer (22T260)/ Law Department/ Liability Coverage was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Gouldman, Legislator Castellano moved the following:

RESOLUTION #222

APPROVAL/BUDGETARY TRANSFER (22T260)/ LAW DEPARTMENT/ LIABILITY COVERAGE

WHEREAS, the Risk Manager in the Law Department has requested a budgetary transfer (22T260) to cover Excess Liability Coverage Invoices for November and December, and any other Insurance Expenses for the remainder of 2022, due to rate increases; and

WHEREAS, the Audit & Administration Committee has reviewed and approved said budgetary transfer; now therefore be it

RESOLVED, that the following budgetary transfer be made:

Increase Estimated Appropriations:		
10191500 54830	Insurance – General & Excess Liability	45,000
Decrease Estimated Appropriations:		
10199000 54980	Contingency	45,000
	2022 Fiscal Impact – 45,000	
	2023 Fiscal Impact – 0 –	

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #7 – Other Business

There was no other business submitted to the meeting.

Item #8 – Recognition of Public on Agenda Items

There was no member of the public that wished to speak.

Item #9 - Recognition of Legislators

Legislator Castellano stated that Friday, November 11, 2022, is Veterans Day. He encouraged people to attend at least one (1) of the many Veterans Day ceremonies taking place throughout the County. He stated that without our Veterans we would not be here tonight.

Legislator Gouldman stated that early voting has started. He reminded everyone to take advantage of early voting or to vote on Election Day, November 8, 2022.

Legislator Montgomery stated that November is also Native American Heritage month. She recognized the Native American soldiers who fought for us. She stated that Putnam County has a rich Native American heritage. She honored and recognized the contributions of the first inhabitants of the United States and Putnam County; particularly the Lenape who were here long before Henry Hudson. She stated that it was a privilege to recently be part of a dedication of a new trail which was named after Daniel Nimham. She stated that before she takes any action on the Legislature, she always likes to honor the Lenape and other indigenous caretakers of these lands and waters who lived here before us. She stated that regarding honoring small businesses, the month of October saw a high volume of people visiting the County in her district. She stated that it was wonderful for small businesses and Putnam County, however, it was not easy on the land, the residents of Cold Spring or the Town of Philipstown. She stated that people arrived by boat, car, bus and train, where it was standing room only. She stated that thousands were dropped off into the tiny village, creating massive traffic and parking issues. She stated that to address this onslaught, the Village added additional police and garbage resources, which was a big hit to their tiny budget, especially when they do not see any return or support that was previously given by the County. She also provided data from New York State Parks on the number of people who accessed the trails in the Town of Philipstown. She stated that the residents are bearing the cost of this explosion, while all the sales tax revenue goes to Putnam County. She stated that she has been meeting with mental health providers throughout the County. She stated that it was evident that we are in the midst of mental health crisis that is beyond manageable. She stated that their number one (1) concern is that there are not enough resources in Putnam County. She believed that the County should provide funding to assist. She provided information about the HEAP application process. She stated that eligible households could receive up to \$976.00 in heating assistance.

Legislator Sayegh stated that in looking towards Thanksgiving, she stated that she was thankful for this beautiful County and Country that we live in. She stated that she was thankful for all the small businesses in the County and reminded everyone that Saturday, November 26, 2022, was "Small Business Saturday." She encouraged everyone to support their local businesses. She explained that when she started her non-for-profit, she joined the Chamber of Commerce in 2008. She believed it was fantastic what these organizations do to support small businesses throughout the County.

Chairman Sullivan stated that there were some questions over the last few months regarding our Legislative Prayer and why we do it. He explained that the Putnam County Legislature opens every Full Legislative meeting with a brief nonsectarian prayer. He stated that this Legislature proudly follows a long tradition in local, state and national Legislatures that was established at the founding of our nation. It draws its roots from both the houses of the British parliament, which Chairman Sullivan provided history on

dating back to 1774. He stated that almost all state Legislatures use an opening prayer as part of their tradition and procedure. He stated that according to the American Civil Liberties Union the United States Supreme Court has twice considered this issue and held that Legislative prayer is indeed constitutional. He stated that the practice of Legislative prayer is imbedded in the history and practice of the country that it does not violate the separation of church and state, nor does it risk establishing a state religion. He stated that as recently as 2017, the United States Court of Appeals upheld the practice of a nondenominational Legislative led prayer as constitutional under the Supreme Court precedent. He stated that just as we begin all our meetings with the Pledge of Allegiance to our flag and republic and to the principles for which they stand, we also engage in a brief prayer to solemnize and lend gravity to the occasion, reminding ourselves that we are here to serve others and seek guidance and wisdom from a higher power. He stated that this is the tradition of the Putnam County Legislature that he is proud of and that he hopes never ends.

There being no further business, at 7:34 P.M., Chairman Sullivan made a motion to adjourn; seconded by Legislators Jonke and Nacerino. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.