

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

Tuesday                      February 6, 2024                      7:00 P.M.

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

**PROCLAMATIONS**

Chairman Jonke recognized Legislator Ellner who presented the following proclamation honoring the Mahopac Putnam Valley Carmel Varsity Girls Swim Team.

**HONORING THE MAHOPAC PUTNAM VALLEY CARMEL VARSITY GIRLS SWIM TEAM**

WHEREAS, the hard work, dedication, talent, and exceptional team chemistry of the Mahopac Putnam Valley Carmel Varsity Girls Swim Team led them to secure the 2023 League Championship after an undefeated season for the second year in a row; and

WHEREAS, the co-op Team expanded to a third school district as they entered the 2023 season with the addition of 9 Carmel High School swimmers. The team's success in the previous year presented them with a new challenge as they were moved up from League 4 to League 3, placing them among stronger teams. Determined to have another successful season, each swimmer brought their all to every single event, overcoming illnesses and injuries along the way. During the Championships the team saw at least one "personal best" in each event, showcasing the true talent of each individual swimmer; and

WHEREAS, coming out victorious in the 2023 season has resulted in them moving up once again and the Team will enter the 2024 season in League 2, a well-deserved placement for this unstoppable team; now therefore be it

RESOLVED, that Putnam County Executive Kevin Byrne and the Putnam County Legislature hereby congratulate the Mahopac Putnam Valley Carmel Varsity Girls Swim Team on their second consecutive undefeated season and winning the 2023 League Championship!

Chairman Jonke recognized Legislator Montgomery who presented the following proclamation honoring Continental Village Volunteer Fire Department Chief Robert Boddie and Cold Spring Volunteer Fire Department Chief Jeffery Phillips.

**HONORING CHIEF ROBERT BODDIE AND CHIEF JEFFERY PHILLIPS**

WHEREAS, on the morning of January 15, 2024 the Continental Village Volunteer Fire Department was dispatched to a structure fire at 56 Roa Hook Road in the town of Cortlandt; and

**WHEREAS, Chief of the Continental Village Volunteer Fire Department Robert Boddie and Chief of the Cold Spring Volunteer Fire Department Jeffery Phillips arrived on the scene within two minutes of receiving the call. Upon their arrival, residents injured in the fire who had narrowly escaped, informed Chief Boddie and Chief Phillips that their family members were still inside of the burning building. The two Chiefs immediately sprang into action, entering the burning building and began their search, knowing there was not enough time to wait for the first Fire Engine bringing water and additional personnel to arrive; and**

**WHEREAS, once inside the building the two Chiefs encountered a dangerous environment of low visibility and rising heat. With the conditions rapidly deteriorating, they knew their mission of finding the remaining individuals was becoming even more paramount as potential survival waned and the fire became more powerful. Relying on their training and immense courage, Chief Boddie and Chief Phillips located the two individuals, an adult and child, inside the building and got them to safety; now therefore be it**

**RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby recognize Chief of the Continental Village Volunteer Fire Department Robert Boddie and Chief of the Cold Spring Volunteer Fire Department Jeffery Phillips for their instinctive calling to help those in need and their swift actions on January 15, 2024 that resulted in the survival of all residents of 56 Roa Hook Road. We are proud to represent a County that is home to such brave, selfless individuals who constantly put others before themselves.**

**Item #4 – Acceptance of Minutes – Special Meeting – November 14, 2023  
Regular Meeting – December 5, 2023  
Year End Meeting – December 19, 2023  
Organizational Meeting – January 2, 2023**

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

**There was no activity during this reporting period.**

**PERSONNEL COMMITTEE  
(Chairman Jonke, Legislators Castellano & Nacerino)**

**Item #6a - Approval/ Budgetary Amendment (24A002)/ Tourism/ Temporary and I Love New York Award was next. On behalf of the members of the Personnel Committee, Chairman Jonke moved the following:**

**RESOLUTION #25**

**APPROVAL/ BUDGETARY AMENDMENT (24A002)/ TOURISM/ TEMPORARY AND I LOVE NEW YORK AWARD**

**WHEREAS, the Director of the Department of Putnam County Tourism retired as of December 31, 2023; and**

**WHEREAS, said Director of Tourism looks forward to continuing to work for Putnam County on a part-time basis in the Tourism Department; and**

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (24A002) to reduce the I Love New York budgeted amount from \$120,000 to \$103,478 to reflect the award from NYS in the amount of \$51,739; and

WHEREAS, said budgetary amendment also reflects changes to the Director of Tourism Personnel line, Miscellaneous line, and Temporary line to account for said Retirement, Temporary position, and I Love NY Matching Funds award; and

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

**GENERAL FUND:**

**Increase Appropriations:**

10641000 51094	Tourism – Temporary	16,990
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**Decrease Appropriations:**

10641000 51000 (101)	Tourism – Personnel Services	4,167
10641000 54328	Tourism – I Love New York	16,522
10641000 54989	Tourism – Miscellaneous	4,562

**Decrease Estimated Revenues:**

10641000 437151	Tourism – State Aid – I Love NY	8,261
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2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

Item #6b - Approval/ Budgetary Amendment (24A005)/ Sheriff's Department/ Corrections Division/ State Criminal Alien Assistance Program (SCAAP) Grant was next. On behalf of the members of the Personnel Committee, Chairman Jonke moved the following:

**RESOLUTION #26**

**APPROVAL/ BUDGETARY AMENDMENT (24A005)/ SHERIFF'S DEPARTMENT/ CORRECTIONS DIVISION/ STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) GRANT**

WHEREAS, the Putnam County Sheriff has requested a budgetary amendment (23A005) to accurately reflect the Personnel expenses associated with the SCAAP Grant; and

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

**Increase Estimated Appropriations:**

**Jail SCAAP**

10315001 51000 10032 (01111)	Personnel Services Corrections Sergeant	105,859
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10315001 58001 10032 (01111)	Retirement	15,981
10315001 58002 10032 (01111)	FICA	8,098
10315001 58004 10032 (01111)	Workers Comp	1,880
10315001 58006 10032 (01111)	Dental	2,004
10315001 58008 10032 (01111)	Health Insurance	28,284
10315001 58009 10032 (01111)	Vision	<u>242</u>
		162,348

**Decrease Estimated Appropriations:**

**Jail**

10315000 51000 (10161)	Personnel Services	
	Corrections Sergeant	105,859
10315001 58001 (10161)	Retirement	15,981
10315001 58002 (10161)	FICA	8,098
10315001 58004 (10161)	Workers Comp	1,880
10315001 58006 (10161)	Dental	2,004
10315001 58008 (10161)	Health Insurance	28,284
10315001 58009 (10161)	Vision	<u>242</u>
		162,348

**Increase Estimated Revenue:**

**Jail Federal**

10315001 44389F 10032	SCAAP Grant	56,489
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**Increase Estimated Appropriations:**

10199000 54980	Contingency	56,489
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2024 Fiscal Impact – (\$56,489)

2025 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

Item #6c - Approval/ Ratification of PuMA Collective Bargaining Agreement was next. On behalf of the members of the Personnel Committee, Chairman Jonke moved the following:

Legislator Crowley commended everyone involved in negotiating this contract quickly and taking care of our union members.

Chairman Jonke stated that he too thanked and congratulated the County Executive, President of the PuMA Shawn Rogan, Personnel Director Paul Eldridge and anyone else involved in the negotiations. He stated that it is a good contract for our union members and the people of Putnam County.

**RESOLUTION #27**

**APPROVAL/ RATIFICATION OF PUMA COLLECTIVE BARGAINING AGREEMENT**

WHEREAS, the negotiating teams for the Putnam Management Association (“PuMA”) and the County of Putnam (“the County”) met on November 20, 2023, December 4, 2023 and December 8, 2023 to discuss amended contract language and terms and conditions of employment; and

WHEREAS, PuMA and the County have come to an Agreement concerning the terms and conditions of the employment of its members for the years January 1, 2024, through December 31, 2027; and

WHEREAS, a Memorandum of Agreement (“MOA”) was executed by Putnam County Executive Kevin M. Byrne and various representatives of the PuMA unit, in which all of the terms and conditions of employment of its members were outlined; and

WHEREAS, the membership of PuMA met on December 20, 2023, to vote to ratify the MOA; and

WHEREAS, the Personnel Committee also met and discussed the terms of the MOA on January 29, 2024; and

WHEREAS, the Legislature is in agreement with the Administration and the negotiating teams that the MOA is in the best interests of both the County and the membership of PuMA; now therefore be it

RESOLVED, the Putnam County Legislature hereby approves and ratifies the Memorandum of Agreement, dated December 15, 2023, which was entered into with Putnam Management Association for the period of January 1, 2024 through and including December 31, 2027.

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

Item #6d - Approval/ Budgetary Transfer (24T011)/ Commissioner of Finance/ PuMA Contract Settlement was next. On behalf of the members of the Personnel Committee, Chairman Jonke moved the following:

**RESOLUTION #28**

**APPROVAL/ BUDGETARY TRANSFER (24T011)/ COMMISSIONER OF FINANCE/ PUMA CONTRACT SETTLEMENT**

WHEREAS, the Commissioner of Finance has requested a budgetary transfer (24T011) to provide funding for the 2024 Salary and Benefit costs pursuant to the Ratified Contract Settlement between Putnam County and PuMA; and

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

RESOLVED, that the following budgetary transfer be made:

**Increase Estimated Appropriations:**

10033000 51000	Personnel Services	5,068
10033000 58002	Social Security	388
10102000 51000	Personnel Services	1,531
10102000 58002	Social Security	117
10108000 51000	Personnel Services	2,229
10108000 58002	Social Security	170
10116500 51000	Personnel Services	992
10116500 58002	Social Security	76

10120000 51000	Personnel Services	6,037
10120000 58002	Social Security	462
10131000 51000	Personnel Services	2,622
10131000 58002	Social Security	201
10142000 51000	Personnel Services	7,896
10142000 58002	Social Security	604
10143000 51000	Personnel Services	7,720
10143000 58002	Social Security	591
10144000 51000	Personnel Services	2,013
10144000 58002	Social Security	154
10401000 51000	Personnel Services	3,520
10401000 58002	Social Security	269
10431000 51000	Personnel Services	1,992
10431000 58002	Social Security	152
10661000 51000	Personnel Services	4,335
10661000 58002	Social Security	332
10677200 51000	Personnel Services	5,614
10677200 58002	Social Security	429
10677300 51000	Personnel Services	1,628
10677300 58002	Social Security	125
10677900 51000	Personnel Services	512
10677900 58002	Social Security	39
10762000 51000	Personnel Services	171
10762000 58002	Social Security	13
12401000 51000	Personnel Services	3,669
12401000 58002	Social Security	281
22070000 51000	Personnel Services	1,021
22070000 58002	Social Security	78

**Decrease Estimated Appropriations:**

10199000 54980	Contingency	63,050
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2024 Fiscal Impact - \$63,050

2025 Fiscal Impact - \$58,895

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

Item #6e - Approval/ Confirmation/ Appointment/ Interim Commissioner of Health was next. On behalf of the members of the Personnel Committee, Chairman Jonke moved the following:

Chairman Jonke stated that Dr. Michael Nesheiwat will be stay on an interim basis as Commissioner of Health.

Legislator Sayegh thanked Dr. Nesheiwat for always doing the right thing for Putnam County. She stated that he is here now temporarily until the County finds a Commissioner of Health.

Chairman Jonke acknowledged the selflessness of Dr. Nesheiwat. He stated that the County needs him and Dr. Nesheiwat stated that he would be here for as long as the County needed him.

**RESOLUTION #29**

**APPROVAL/ CONFIRMATION/ APPOINTMENT/ INTERIM COMMISSIONER OF HEALTH**

WHEREAS, County Executive Kevin M. Byrne previously appointed Michael J. Nesheiwat M.D. as Interim Commissioner of Health, pursuant to Article 10, Section 10.04 of the Putnam County Charter; and

WHEREAS, this appointment was confirmed by the County Legislature pursuant to Resolution #40 of 2023; and

WHEREAS, this interim appointment shall be continued effective January 1, 2024, while active recruitment continues for a fully qualified candidate; and

WHEREAS, continuation of said appointment has been acknowledged by the New York State Department of Health allowing for such appointment while active recruitment continues and until such time as a fully qualified candidate has been found and an appointment has been made; and

WHEREAS, Michael J. Nesheiwat, M.D. possesses the requisite knowledge, experience, and qualifications to serve as the Interim Commissioner of Health for the County of Putnam; and

WHEREAS, the Personnel Committee of the Putnam County Legislature considered and confirms this continuing appointment; now therefore be it

RESOLVED, that the Legislature hereby confirms the continued appointment of Michael J. Nesheiwat, M.D., as the Interim Commissioner of Health for the County of Putnam, pursuant to Article 10, Section 10.04 of the Putnam County Charter, for a term expiring December 31, 2024, unless another qualified candidate has been found and appointed prior thereto; and be it further

RESOLVED, that this appointment shall comply with the requirements to file and Oath of Office pursuant to the New York State Public Officers Law

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

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

Item #6f - Approval/ Budgetary Amendment (23A091)/ Commissioner of Finance/ Year End Journal Entry #2 was next. Chairman Jonke recognized Legislator Castellano, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

**RESOLUTION #30**

**APPROVAL/ BUDGETARY AMENDMENT (23A091)/ COMMISSIONER OF FINANCE/ YEAR END JOURNAL ENTRY #2**

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (23A091) for the second Year End Journal Entry for the year ending December 31, 2023; and

WHEREAS, further entry(s) will follow as more information becomes available during the year end closing process; and

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

RESOVED, that the following budgetary amendment be made:

**GENERAL FUND:**

Increase Estimated Appropriations:  
SEE ATTACHED SHEET 1,098,689.35

Increase Estimated Revenues:  
SEE ATTACHED SHEET 1,098,689.35

**DEBT SERVICE FUND:**

Increase Estimated Appropriations:  
SEE ATTACHED SHEET 3,599.55

Increase Estimated Revenues:  
SEE ATTACHED SHEET 3,599.55

**CAPITAL FUND:**

Increase Estimated Appropriations:  
SEE ATTACHED SHEET 252,443.42

Decrease Estimated Appropriations:  
SEE ATTACHED SHEET 136,712.22

Increase Estimated Revenues:  
SEE ATTACHED SHEET 4,589,267.91

Decrease Estimated Appropriations:  
SEE ATTACHED SHEET 4,473,536.71

2023 Fiscal Impact – (\$152,288.90)

2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.

Item #6g - Approval/ Fund Transfer (23T478)/ Sheriff's Department/ Security Services Temporary was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

RESOLUTION #31

**APPROVAL/ FUND TRANSFER (23T478)/ SHERIFF'S DEPARTMENT/ SECURITY SERVICES TEMPORARY**

WHEREAS, the Putnam County Sheriff has requested a fund transfer (23T478) to cover the Temporary line for County Security Services; 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:**

17311000 51093	Sheriff Patrol Overtime	20,000
17311000 58002	FICA	<u>1,530</u>
		21,530

**Increase:**

19311000 51094	Sheriff Security Svs Temporary	20,000
19311000 58002	Sheriff Security Svs FICA	<u>1,530</u>
		21,530

2023 Fiscal Impact – 0 –

2024 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

Item #6h - Approval/ Fund Transfer (23T497)/ Social Services/ Mental Health Subcontractors was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

**RESOLUTION #32**

**APPROVAL/ FUND TRANSFER (23T497)/ SOCIAL SERVICES/ MENTAL HEALTH SUBCONTRACTORS**

WHEREAS, the Commissioner of Social Services has requested a fund transfer (23T497) to adjust the MH Reinvestment Subcontractor account and the MH Supported Housing Subcontractor account in accordance with the amended agreement; and

WHEREAS, the Health, Social, Educational & Environmental Committee and the Audit & Administration Committee have reviewed and approved said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

**Decrease:**

10040000 54647	Subcontractor – MH Reinvestment	4,968
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**Increase:**

10034000 54647	Subcontractor – MH Supported Housing	4,968
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2023 Fiscal Impact – 0 –

**2024 Fiscal Impact – 0 –**

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

**Item #6i - Approval/ Fund Transfer (23T507)/ Health Department/ Preschool Chargeback Gasoline was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:**

**RESOLUTION #33**

**APPROVAL/ FUND TRANSFER (23T507)/ HEALTH DEPARTMENT/ PRESCHOOL CHARGEBACK GASOLINE**

**WHEREAS, the Interim Commissioner of Health has requested a fund transfer (23T507) to cover the cost of gasoline for year end 2023; and**

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

**RESOLVED, that the following fund transfer be made:**

**Decrease:**

<b>10296000 54678</b>	<b>Preschool Leased Transportation</b>	<b>7,100</b>
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**Increase:**

<b>10296000 55371</b>	<b>Preschool Chargeback Gasoline</b>	<b>7,100</b>
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**2023 Fiscal Impact – 0 –**

**2024 Fiscal Impact – 0 –**

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

**Item #6j - Approval/ Fund Transfer (23T508)/ Health Department/ Early Intervention-Itinerant Services was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:**

**RESOLUTION #34**

**APPROVAL/ FUND TRANSFER (23T508)/ HEALTH DEPARTMENT/ EARLY INTERVENTION-ITINERANT SERVICES**

**WHEREAS, the New York State Education Department has increased the rates for Preschool Evaluations; and**

**WHEREAS, the number of children being referred to Preschool for an evaluation to determine eligibility has also increased; and**

**WHEREAS, the Early Intervention budget for Itinerant Services is also short for the year 2023; and**

WHEREAS, the Interim Commissioner of Health has requested a fund transfer (23T508) to cover the budget deficit of the unforeseen increased costs associated with Preschool Program for the remainder of 2023; and

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

RESOLVED, that the following fund transfer be made:

Decrease:

10405900 54483	Early Intervention – Asst. Tech.	15,000
10405900 54414	Early Intervention – Care at Priv. Inst.	40,000
10405900 54417	Early Intervention – Evaluations	<u>33,000</u>
		88,000

Increase:

10405900 54441	Early Intervention – Itinerant Services	88,000
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2023 Fiscal Impact – 0 –

2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.

Item #6k - Approval/ Fund Transfer (23T509)/ Health Department/ Preschool Evaluations and Care at Private Institution was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

RESOLUTION #35

APPROVAL/ FUND TRANSFER (23T509)/ HEALTH DEPARTMENT/ PRESCHOOL EVALUATIONS AND CARE AT PRIVATE INSTITUTION

WHEREAS, the New York State Education Department has increased the rates for Preschool Evaluations; and

WHEREAS, the number of children being referred to Preschool for an evaluation to determine eligibility has also increased; and

WHEREAS, the Interim Commissioner of Health has requested a fund transfer (23T508) to cover the budget deficit of the unforeseen increased costs associated with Preschool Program for the remainder of 2023; and

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

RESOLVED, that the following fund transfer be made:

Decrease:

10296000 54113	Preschool – Exc. School Dist. Adm	30,000
10296000 54441	Preschool – Itinerant Services	<u>240,000</u>
		270,000

Increase:

10296000 54417	Preschool – Evaluations	30,000
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10296000 54414	Preschool – Care at Private Institution	<u>240,000</u> 270,000
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2023 Fiscal Impact – 0 –  
2024 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

**Item #6L - Approval/ Budgetary Transfer (23T510)/ County Attorney/ Judgement & Claims was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:**

**RESOLUTION #36**

**APPROVAL/ BUDGETARY TRANSFER (23T510)/ COUNTY ATTORNEY/ JUDGEMENT & CLAIMS**

WHEREAS, the County Attorney has requested a budgetary transfer (23T510) to cover costs in connection with the Rivera vs. County of Putnam settlement pursuant to Resolution #268 of 2023; 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:

**GENERAL FUND:**

**Increase Appropriations:**

10193000 54933	Judgements & Claims	125,000
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**Decrease Appropriations:**

10199000 54980	General Contingency	125,000
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2023 Fiscal Impact - \$125,000  
2024 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

**Item #6m - Approval/ Fund Transfer (23T512)/ Health Department/ Preschool Travel Non-Employee was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:**

**RESOLUTION #37**

**APPROVAL/ FUND TRANSFER (23T512)/ HEALTH DEPARTMENT/ PRESCHOOL TRAVEL NON-EMPLOYEE**

WHEREAS, the Interim Commissioner of Health has requested a fund transfer (23T512) to cover the Preschool-Travel Non-Employee line due to more parents driving their child to school-based programs in 2023 than forecasted; 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:		
10296000 54678	Preschool-Leased Transportation	5,000

Increase:		
10296000 54670	Preschool-Travel Non-Employee	5,000

2023 Fiscal Impact – 0 –

2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.

Item #6n - Approval/ Budgetary Transfer (23T516)/ Commissioner of Finance/ Assigned Legal Counsel – 18B was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

RESOLUTION #38

APPROVAL/ BUDGETARY TRANSFER (23T516)/ COMMISSIONER OF FINANCE/  
ASSIGNED LEGAL COUNSEL – 18B

WHEREAS, the Commissioner of Finance has requested a budgetary transfer (23T516) to address the shortfall in the Assigned Legal Counsel representing indigent clients through Article 18B of County Law; 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:

GENERAL FUND:

Increase Appropriations:		
25117100 54125	Legal Services – 18b	75,000

Decrease Appropriations:		
10249000 54925	Community College Tuition	25,000
10131000 54646	Finance – Contracts	10,000
10193000 54960	Certiorari Refunds	40,000

2023 Fiscal Impact – 0 –

2024 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.

Item #6o - Approval/ Budgetary Amendment (24A003)/ Youth Bureau/ Runaway & Homeless Youth (RHY) Allocations 2023/2024 was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

**RESOLUTION #39**

**APPROVAL/ BUDGETARY AMENDMENT (24A003)/ YOUTH BUREAU/ RUNAWAY & HOMELESS YOUTH (RHY) ALLOCATIONS 2023/2024**

WHEREAS, the Youth Bureau has received an increase in state funding from the Office of Children and Family Services for the 2023/24 fiscal year; and

WHEREAS, the Director of the Youth Bureau has requested a budgetary amendment (24A003) to account for this increase in funding; and

WHEREAS, the Health, Social, Educational & Environmental Committee and the Audit & Administration Committee have reviewed and approved said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

**GENERAL FUND:**

**Increase Estimated Revenues:**

10731000 438204	RHY – Green Chimneys TLP	1,260
10731000 438622	RHY – Runaway Coordination	764
10731000 438623	RHY – Arbor House RHY	19,544

**Increase Appropriations:**

10731000 54907	RHY – Green Chimneys TLP	2,100
10731000 54970	RHY – Arbor House RHY	38,930

**Decrease Appropriations:**

10199000 54980	General Contingencies	19,462
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2024 Fiscal Impact - \$19,462

2025 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

Item #6p - Approval/ Budgetary Amendment (24A004)/ Social Services/ Youth Bureau/ Safe Harbor was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

**RESOLUTION #40**

**APPROVAL/ BUDGETARY AMENDMENT (24A004)/ SOCIAL SERVICES/ YOUTH BUREAU/ SAFE HARBOR**

WHEREAS, the Commissioner of Finance and Youth Bureau Director have requested a budgetary amendment (24A004) to amend the DSS budget to include Putnam County's Safe Harbor allocation for the purpose of contracting with a provider to address the needs of trafficked and commercially sexually exploited children and youth in accordance with Putnam County's Safe Harbor project plan approved by the NYS Office of Children and Family Services (OCFS); 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:

**GENERAL FUND:**

Increase Estimated Revenues:

10058000 436101	State Aid – Safe Harbor	30,000
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Increase Appropriations:

10058000 54646	Contracts – Safe Harbor	30,000
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2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.

Item #6q - Approval/ Budgetary Amendment (24A006)/ Planning/ 5307/5340 Danbury, CT-NY Small Urbanized Area (SUZA) Funds/ Metropolitan Transportation Authority (MTA) was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

**RESOLUTION #41**

**APPROVAL/ BUDGETARY AMENDMENT (24A006)/ PLANNING/ 5307/5340 & 5339 DANBURY, CT-NY SMALL URBANIZED AREA (SUZA) FUNDS/ METROPOLITAN TRANSPORTATION AUTHORITY (MTA)**

WHEREAS, Putnam County and the Metropolitan Transportation Authority (MTA) have reached an agreement on the fair and rational sub-regional allocation of the Federal Fiscal Year (FFY) 2023 Sections 5307/5340 and 5339 funds apportioned to the New York side of Danbury, CT-NY Small Urbanized Area; and

WHEREAS, the Commissioner of Planning has requested a budgetary amendment (24A006) to account for this final FFY 2023 allocation; and

WHEREAS, said budgetary amendment accounts for the 10% State and 10% local matching funds; 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:

**CAPITAL FUND:**

Increase Estimated Revenues:

55997000 428601 52306	Interfund Transfer – General (local 10%)	32,631
55997000 435970 52306	State Aid – Transit 5307/5339 FFY23	32,631
55997000 445970 52306	Federal Aid – Transit 5307/5339 FFY23	261,052

**Increase Appropriations:**

55997000 53000 52306	Capital – Transit Section 5307 FFY23	285,879
55997000 53000 52306	Capital – Transit Section 5339 FFY23	40,435

**GENERAL FUND:**

**Increase Appropriations:**

10990100 59020	Transfer Out – General	32,631
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**Decrease Appropriations:**

10199000 54980	Contingency	32,631
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2024 Fiscal Impact - \$32,631

2025 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

**Item #6r - Approval/ Budgetary Amendment (24A007)/ Social Services/ Adjust Mental Health Budget / Office of Addiction Services and Supports (OASAS) was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:**

**RESOLUTION #42**

**APPROVAL/ BUDGETARY AMENDMENT (24A007)/ SOCIAL SERVICES/ ADJUST MENTAL HEALTH BUDGET / OFFICE OF ADDICTION SERVICES AND SUPPORTS (OASAS)**

**WHEREAS, the Commissioner of Social Services has requested a budgetary amendment (24A007) to amend the County’s Mental Health budget based on approved state aid level funding through the NYS Office of Mental Health (OMH) and NYS Office of Addiction Services and Supports (OASAS); and**

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

**RESOLVED, that the following budgetary amendment be made:**

**GENERAL FUND:**

**Increase Estimated Revenues:**

10030000 434884	State Aid – Private OASAS Local Asst	593
10037000 434946	State Aid – Adult Case Mgt	17,696

**Increase Appropriations:**

10030000 54647	OASAS Contracted Svs – Sub Contractors	593
10037000 54647	MH Intv Case Mgmt - Sub Contractors	17,696

2024 Fiscal Impact – 0 –  
2025 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

**Item #6s - Approval/ Budgetary Amendment (24A008)/ Social Services/ Day Care Registration and Inspection Allocation was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:**

**RESOLUTION #43**

**APPROVAL/ BUDGETARY AMENDMENT (24A008)/ SOCIAL SERVICES/ DAY CARE REGISTRATION AND INSPECTION ALLOCATION**

WHEREAS, the Commissioner of Social Services has requested a budgetary amendment (24A008) to amend the County’s Social Services’ budget to increase the funding level for Putnam’s Day Care Registration and Inspection allocation in accordance with program approved by the NYS Office of Children and Family Services (OCFS); and

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

RESOLVED, that the following budgetary amendment be made:

**GENERAL FUND:**

**Increase Estimated Revenues:**

<b>10601000 446102</b>	<b>Federal Aid – SS Program Admin CDBG 93.575</b>	<b>19,612</b>
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**Increase Appropriations:**

<b>10102000 54647</b>	<b>SS Program Admin Svcs – Sub Contractors</b>	<b>19,612</b>
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2024 Fiscal Impact – 0 –  
2025 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

**Item #6t - Approval/ Budgetary Amendment (24A009)/ Probation Department/ County Pretrial Services Grant Award/ NY Division of Criminal Justice Services (DCJS) was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:**

**RESOLUTION #44**

**APPROVAL/ BUDGETARY AMENDMENT (24A009)/ PROBATION DEPARTMENT/ COUNTY PRETRIAL SERVICES GRANT AWARD/ NY DIVISION OF CRIMINAL JUSTICE SERVICES (DCJS)**

WHEREAS, the New York Division of Criminal Justice Services (DCJS) granted 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 in the SFY 2023-24 New York State budget for the period April 1, 2023 through March 31, 2024; and

WHEREAS, the Director of Probation has requested a budgetary amendment (24A009) 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:

**GENERAL FUND:**

**Increase Estimated Revenues:**

10314000 433106	State Aid – Pretrial Grant FY23-24 NYSDCJS	130,809
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**Increase Appropriations:**

10199000 54987	Sub-contingency – Probation	130,809
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2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

Item #6u - Approval/ Budgetary Amendment (24A011)/ DPW/ Risk Manager/ Guide Rail Damage/ Insurance Recoveries was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

**RESOLUTION #45**

**APPROVAL/ BUDGETARY AMENDMENT (24A011)/ DPW/ RISK MANAGER/ GUIDE RAIL DAMAGE/ INSURANCE RECOVERIES**

WHEREAS, the Risk Manager has requested a budgetary amendment (24A011) to recognize reimbursement from Progressive Insurance Co. for damages to a guide rail; 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 Revenues:**

10511000 426801	DPW Rd/Bridges – Insurance Recoveries	7,438.94
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**Increase Expenses:**

10511000 54647	DPW Rd/Bridges – Sub Contractors	7,438.94
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2024 Fiscal Impact – 0 –

2025 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.

Item #6v - Approval/ Fund Transfer (24T012)/ DPW/ Tilly’s Table/ Insurance Bill was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

Legislator Montgomery thanked Risk Manager Mat Bruno for providing the information from the questions raised during the Committee meeting. She stated that from what was explained by Risk Manager Bruno, the insurance costs have not increased. She stated that she was not sure how there was a fiscal impact \$13,218. She stated that when there are any future negotiations, with the caterer to run Tilly’s Table, she would like to see this amount reflected in the rent that they pay the County. She believed that we were collecting rent that was below value, and the taxpayers are paying the brunt of the insurance, maintenance, and upkeep of the farm.

Legislator Sayegh stated that it was her understanding that the caterer does pay their share of their insurance and the County must provide insurance for the County buildings.

RESOLUTION #46

APPROVAL/ FUND TRANSFER (24T012)/ DPW/ TILLY’S TABLE/ INSURANCE BILL

WHEREAS, the Commissioner of Finance has requested a fund transfer (24T012) to address the shortfall in the Tilly Foster Insurance budget line to cover an insurance invoice; 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	General Contingencies	13,218
Increase:		
10084000 10137	DPW – Tilly’s Table – Insurance	13,218
	2024 Fiscal Impact - \$13,218	
	2025 Fiscal Impact – 0 –	

BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.

Item #6w – Approval/ Authorization/ Legislators to Attend February New York State Association of Counties Conference was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

Legislator Montgomery believed it was also a great opportunity and resource for our Clerks to attend the NYSAC conference if they were interested.

#### **RESOLUTION #47**

#### **APPROVAL / AUTHORIZATION / LEGISLATORS TO ATTEND FEBRUARY NEW YORK STATE ASSOCIATION OF COUNTIES CONFERENCE**

WHEREAS, six (6) Legislators have requested permission to attend the New York State Association of Counties Conference to be held in Albany, New York in February 2024 for registration and lodging total expenditure of approximately \$960 per person; and

WHEREAS, the Audit & Administration Committee has reviewed and approved their requests; now therefore be it

RESOLVED, that the Putnam County Legislature authorizes six (6) Legislators to attend the New York State Association of Counties Conference to be held in Albany, New York in February 2024.

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

Item #6x - Approval/ Brewster Industrial Owner, LLC Project/ Payment in Lieu of Taxes (PILOT) Agreement (Revised) / Industrial Development Agency (IDA) was next. On behalf of the members of the Audit & Administration Committee, Legislators Ellner and Gouldman, Legislator Castellano moved the following:

Legislator Castellano explained that this was a revised resolution for the resolution previously approved.

Legislator Montgomery stated that she has struggled with this. She stated that the project has gone through a vigorous approval process through the Planning Board. She stated that the Brewster School District has not approved this yet. She explained that the PILOT agreement is tax payment at a reduced rate over time for this project. She stated that it did not have the full support of the IDA. She stated that for a project like this with the visual impact on the community and now we are giving them a tax break, does not feel right to her. She stated that she would not be supporting this resolution.

Legislator Ellner clarified that it was his understanding that this modifies a provisional agreement which was a tax break originally for 12 years and reduces that to only 10 years. She stated that the agreement also separates both structures so in essence if the owner chooses to sell a structure, they could now do so without voiding the agreement.

Legislator Sayegh stated that Chairwoman of the Rules Committee, Legislator Addonizio asked her to read a statement on her behalf. In Legislator Addonizio's statement she explained that, as Chairwoman of the Rules Committee, she has been advocating for compliance with the IDA Labor Policy. She recognized the advantage of the newly proposed PILOT and wanted to express her appreciation and applaud the IDA and the board members for their commitment to enforcing the Labor Policy. She understood that some IDA Board members voted against the PILOT Agreement, presumably because Brewster Industrial owners were focused on building one million square feet for

speculation. She stated that she was also not in favor of granting PILOTS for projects built from speculation. She also stated that she was hoping the Labor Policy would be enforced in the future in order to create local jobs in the Hudson Valley.

Legislator Crowley believed that we needed to provide the IDA with more resources to enforce the Labor Law to be able to have identification to go on the job sites and be more active in the role they play.

Legislator Montgomery spoke to the Chairman's point during the Committee meeting about giving the IDA the appropriate resources, however, she believed that we were not there yet. She questioned how the labor policies were going to be enforced. She stated that it is a challenge right now to get the information we need moving forward with this project. She was in favor of more support for the IDA, but believed this was not the time to approve this PILOT.

Legislator Sayegh stated that the IDA does an incredible job of inviting businesses to Putnam County. She stated that development in Putnam County brings in tax dollars. She stated that although they are receiving a 10-year tax break by paying reduced taxes, they are still paying taxes in Putnam County and will continue to pay taxes in Putnam County. She believed Putnam County needed to be open for business to reduce the tax burden on Putnam County homeowners.

Chairman Jonke concurred. He stated that he spent 35 years of his life in a career dealing with property taxes. He stated that we really do need a balance of commercial and residential. He stated that this project will bring in a lot of tax dollars to a school district without the school district having to provide a service to this property. He commended IDA Chairman Bill Nulk for adopting policies, however, the County did not give him the support to enforce those policies. As he stated during the Committee meeting, this is something we need to address moving forward. He stated that this project is in his Legislative District, the Southeast Town Board does support it, and the school district is waiting for the County to approve this and they would then approve it within the next 30 days.

#### **RESOLUTION #48**

#### **APPROVAL / BREWSTER INDUSTRIAL OWNER, LLC PROJECT / PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT (REVISED) / INDUSTRIAL DEVELOPMENT AGENCY (IDA)**

WHEREAS, pursuant to Resolution #169 of 2023, the Putnam County Legislature authorized and approved a twelve-year real property tax abatement schedule and payment in lieu of taxes ("PILOT") agreement in connection with certain improvements to be operated as a distribution center on property situated at 101 and 201 Pugsley Road, Brewster, New York 10509, further described as Section 45, Block 1, Lot 5, and Section 45, Block 1, Lot 8.2 on the Official Tax Map of the Town of Southeast (collectively, the "Subject Premises"); and

WHEREAS, the project is being done with the financial assistance of the Putnam County Industrial Agency ("IDA"); and

WHEREAS, project owner Brewster Industrial Owner, LLC, has requested a revised property tax abatement schedule of ten (10) years, which will now align with

the ten-year benefit schedule outlined in NY Real Property Tax Law Section 485-B;  
and

WHEREAS, the Audit and Administration Committee of the Putnam County Legislature has reviewed the project owner's request and its proposed, revised schedule of property tax payments for each parcel (attached hereto), as well as the additional information provided by the IDA regarding the request and the status of the project; now therefore be it

RESOLVED, that the Putnam County Legislature hereby authorizes and approves the following revised tax abatement schedule to be applied only to so much of the assessed valuation of the Subject Premises applicable solely to the improvements made pursuant to the IDA benefits package contemplated hereunder:

Year 1	50%
Year 2	45%
Year 3	40%
Year 4	35%
Year 5	30%
Year 6	25%
Year 7	20%
Year 8	15%
Year 9	10%
Year 10	5%

And be it further

RESOLVED, that the Clerk of the Putnam County Legislature shall forward a certified copy of this resolution to the Putnam County Industrial Development Agency, the Assessor of the Town of Southeast and the Town of Southeast Receiver of Taxes.

BY ROLL CALL VOTE: SIX AYES. ONE NAY – LEGISLATOR MONTGOMERY.  
LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.

Item #7 - Other Business

Item #7a - Approval/ Litigation Settlement/ TD Auto Finance LLC v. County of Putnam was next.

Chairman Jonke made a motion to add other business Item #7a to the agenda; seconded by Legislator Sayegh. All in favor.

RESOLUTION #49

APPROVAL/ LITIGATION SETTLEMENT/ TD AUTO FINANCE LLC V. COUNTY OF PUTNAM

WHEREAS, on or about November 4, 2021, Plaintiff TD Auto Finance LLC (Plaintiff) commenced action against the County of Putnam in United States District Court, Southern District of New York alleging Section 1983 civil rights violations, specifically that the County's practice and custom in civil forfeiture matters did not provide Plaintiff with due process of law as Plaintiff was not timely notified of the seizure of the subject vehicle and

not provided with an opportunity to be heard at any point in connection with the seizure; and

WHEREAS, Plaintiff sought recovery for financial damages in an undetermined amount as well as costs, disbursements, attorney's fees and interest; and

WHEREAS, the County's insurer, NYMIR, assigned the Portale Randazzo law firm, James A. Randazzo, Esq., to defend the County's interests in this matter, which litigation has been handled by counsel since action was commenced; and

WHEREAS, following extensive motion practice the Court granted Plaintiff's motion for summary judgment determining in doing so that the County violated Plaintiff's procedural due process rights under the Fourteenth Amendment concerning the County's handling of the subject impounded vehicle; and

WHEREAS, Plaintiff proposed for consideration a settlement with the County subject to the County Attorney's endorsement and Legislature's approval, in which the County, would pay Plaintiff, inclusive of attorneys' fees and costs, the sum of one hundred fifteen thousand two hundred sixty six dollars and forty five cents (\$115,266.45); and

WHEREAS, in response to Plaintiff's settlement demand of \$115,266.45, outside counsel, negotiated a reduced settlement of one hundred two thousand five hundred dollars (\$102,500.00); and

WHEREAS, the County Attorney, the County's outside counsel, James A. Randazzo, Esq., and NYMIR's claims representative conditionally recommended settlement as an alternative to proceeding with an appeal that outside counsel does not believe will be successful; and

WHEREAS, the County Attorney and the County's outside counsel, now present this updated settlement to the Legislature and approve the proposed settlement as an alternative to appeal so as to minimize the County's exposure and risk potential for an increased amount; and

WHEREAS, the proposed settlement is in the public interest and would avoid the costs of further litigation, additional attorney's fees and costs and the risk of an appeal; now therefore be it

RESOLVED, that the proposed settlement of this matter for the sum of one hundred two thousand five hundred dollars (\$102,500.00) is hereby approved.

RESOLVED, that the County Executive is hereby authorized to sign any required settlement documents on behalf of the County including a Settlement Agreement and General Release with respect thereto.

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

**Item #7b – Confirmation/ Designation of Jail Chief Medical Officer (Tabled from Organizational Meeting) was next.**

**Chairman Jonke made a motion to add Item #7b to the agenda; seconded by Legislator Crowley. All in favor.**

**Chairman Jonke stated that this item was tabled at the Organizational meeting. He stated that we were waiting for confirmation from the contractor, PrimeCare, of their designation of the Jail Physician.**

**RESOLUTION #50**

## **DESIGNATION OF JAIL CHIEF MEDICAL OFFICER**

**WHEREAS, due to a change in the Corrections Law, Section 501 in July of 2017, a physician from the medical services provider to the Putnam County Jail shall be designated by the Putnam County Legislature to act as the Chief Medical Officer of the Jail; and**

**WHEREAS, PrimeCare was awarded the RFP to provide medical services for the Putnam County Corrections Facility initially through December 31, 2021; and**

**WHEREAS, as stated in Resolution #48 of 2023, Putnam County exercised the contractual option to extend Prime Care's contract under the terms of the RFP response through December 31, 2023; and**

**WHEREAS, Putnam County has exercised the contractual option to extend Prime Care's contract under the terms of the RFP response through December 31, 2024; and**

**WHEREAS, PrimeCare has proposed Dr. Michael Nesheiwat to act as the Chief Medical Officer for the Jail; now therefore be it**

**RESOLVED, that the Putnam County Legislature hereby designates Dr. Michael Nesheiwat to act as the Chief Medical Officer for the Putnam County Corrections Facility, for a period of one (1) year, said term to expire December 31, 2024.**

**BY POLL VOTE: ALL AYES. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

**Item #7c – Approval/Appointment/ Budget & Finance Committee Representative / Capital Projects Committee (Tabled from Organizational Meeting) was next.**

**Chairman Jonke made a motion to add Item #7c to the agenda; seconded by Legislator Sayegh. All in favor.**

**Legislator Montgomery explained that this will be the fourth Committee that Legislator Ellner will be appointed to, and she too serves on this Capital Projects Committee, per the Charter, which meets once a year. She stated that her fellow Legislators are appointed to serve on two (2) or three (3) Committees, and she does not serve on any.**

**Legislator Montgomery made a motion to remove Legislator Ellner from the Rules Committee before he is appointed to the Capital Projects Committee.**

**There was no second. Motion failed.**

**Legislator Montgomery stated that she serves this County well. She explained that many items she has put forward to a Committee sometimes do not receive a second, and certainly do not get approved. However, these items eventually become policy like the Complete Streets Policy approved last month, which she proposed one year ago but it was turned down. She stated that someone else proposed it one month ago and it was approved. She also suggested receiving a resume before appointing individuals to serve on our Boards and it was never enforced. She stated that when someone else brought it up, it became the policy. She explained that she paved the way for the Climate Smart Initiative and sales tax sharing with the towns.**

**RESOLUTION #51**

**APPOINTMENT/ BUDGET & FINANCE COMMITTEE REPRESENTATIVE/ CAPITAL PROJECTS COMMITTEE**

**WHEREAS, County Charter § 7.05 (B)(3) provides that there shall be a Capital Projects Committee consisting of various members including a designee of the Budget and Finance Committee; now therefore be it**

**RESOLVED, that Greg Ellner be appointed as Budget & Finance Committee Representative to the County's Capital Projects Committee for a period of one (1) year, said term to expire on December 31, 2024.**

**BY ROLL CALL VOTE: SIX AYES. ONE NAY – LEGISLATOR MONTGOMERY. LEGISLATORS ADDONIZIO & NACERINO WERE ABSENT. MOTION CARRIES.**

**Item #8 – Recognition of Public on Agenda Items**

**Judith Farrell, Town of Philipstown Council Member stated that she was speaking about Item #7c – Appointment/ Budget & Finance Committee Representative/ Capital Projects Committee. She wanted to comment on Committees in general.**

**Chairman Jonke requested that it be specific to this item number appointing Legislator Ellner to the Capital Projects Committee.**

**Ms. Farrell stated that the people in the towns of Philipstown and Putnam Valley that have elected Legislator Montgomery as their Legislator believe that she deserves to be treated the same way the other eight Legislators are treated. She believed that the voters in Legislator Montgomery's district needed to be respected and Legislator Montgomery needed to be appointed to Committees to represent them.**

**Chairman Jonke explained that the Legislative rules regarding speaking to agenda items needed to be respected. He explained that Ms. Farrell was not speaking about the agenda item appointing Legislator Ellner to the Capital Projects Committee. He believed that part of the problem, which he will address in his remarks during Recognition of Legislators, is that Legislator Montgomery does not care about rules when she encouraged you to speak on an item that is not on the agenda.**

**Legislative Counsel Firriolo stated, as a point of information to the Chair and so that everyone understands, the Capital Projects Committee is not a standing Committee of the Legislature to which the Chair makes appointments. It is a Committee that is created by statute and has its own rules for appointments and confirmation by the Full Legislature. He stated that the Capital Projects is not a standing Committee, and standing Committees are not part of agenda items.**

**Janice Hogan, Town of Philipstown resident, stated that she would speak to Item #7c.**

**Legislator Montgomery stated that all the standing Committees are on the agenda.**

**Legislative Counsel Firriolo stated that it is the Chair's decision.**

Ms. Hogan requested a moment to speak as a constituent of Legislator Montgomery's residing in District #1. She explained that Legislator Montgomery was elected as District #1 representative twice and she believed that Philipstown deserves to have a voice in what is happening in Putnam County. She requested that the Legislature set aside differences and to work together professionally. She stated that it did not make sense to have one (1) Legislator from any district not appointed to one (1) of the standing Committees. She explained that as Legislators of Putnam County, by not including Legislator Montgomery, the Legislature was excluding the Town of Philipstown.

Chairman Jonke again explained that this was not an agenda item.

Debbi Milner, Town of Philipstown resident, stated that she supports her neighbors and Legislator on this issue and requested an explanation of why their Legislator who represents them cannot represent them fully.

Chairman Jonke stated that he will be answering Ms. Milner question under recognition of Legislators.

Constancia Romilly, Town of Philipstown resident, read the title of agenda Item #7. She questioned how many working Committees there were.

Chairman Jonke stated that there were seven (7).

Ms. Romilly believed that it did not make sense to have nine (9) Legislators and seven (7) Committees and wind up having one (1) Legislator not serving on a Committee.

Linda Harris, Town of Kent resident, believed that all the Legislators needed to work together. Ms. Harris believed that since Legislator Montgomery was not given a Committee, perhaps she should have an oversight, watchdog Committee with all her constituents in the County.

John Allen, Town of Putnam Valley resident, questioned Item #7b – Confirmation/ Designation of Jail Chief Medical Officer. He thought it was determined in the County Charter that the Chief Medical Officer is not supposed to hold more than one (1) job. He stated that at one point he held four (4) different positions, including his private practice.

Chairman Jonke stated that if you leave your email address, we would try to get a response for you.

Karen Ertel, Garrison Hamlet of Philipstown resident, explained that she has learned from experience that by having repeated individuals serve on Committees does not serve in the best interest. A diverse Committee with people that share different ideas get much better results. She stated that if there are Legislators serving on four (4) or five (5) Committees, she asked if it could be reconsidered because she believed that a diverse Committee would produce a much better product for Putnam County residents.

County Executive Kevin Byrne, Town of Carmel resident, thanked the Legislature for approving Item #6c – Ratification of PuMA Collective Bargaining Agreement. He stated that there is a lot of work that goes into this, and many individuals involved in the negotiation process. However, a deal is not done until it is ratified by the Legislature.

Jean Hopper, Town of Carmel resident, questioned why the Committee meetings were not televised and shared with the public.

Chairman Jonke stated that approximately in June of 2023 he met with the head of the IT Department and approved the purchase of cameras and recording equipment. He stated that the installation in Room #318 should take place shortly and meetings will be televised approximately in April of this year.

Nick Kuvach, Town of Putnam Valley resident, spoke to the first agenda Item #1 – Pledge of Allegiance. He referenced the words, “justice for all” in the Pledge of Allegiance and stated that there is disproportionate representation of republicans versus democrats on the County Legislature.

Kathy Valletta, Town of Carmel resident, explained that the Legislature commended the Varsity Swin Team from Putnam Valley, Carmel, and Mahopac. She pointed out what was accomplished when these different and fierce competitors joined together. She asked the Legislators to listen to another view and let Legislator Montgomery speak in the closed-door meetings. She stated that we really want to work with the Legislature.

James Wiesler, Town of Philipstown resident, addressed the recording of the Committee meetings. He stated that he would leave his email address. He explained that he has experience in technology and would be happy to volunteer to help the Director of IT to expedite the process and set up the cameras.

#### Item #9 – Recognition of Legislators

Legislator Montgomery stated that February is Black History month, and the Putnam History Museum has done a fantastic job of providing information and cultural resources about Black history in the Hudson Highlands and Putnam County. She explained that there was another racial incident in Putnam County which she believed should be discussed. She stated that if anyone knows a victim of racism in Putnam County, please contact [nohateforputnam@gmail.com](mailto:nohateforputnam@gmail.com) or call 845-288-3252. She thanked the individuals who came to the meeting this evening to honor our firefighters and to defend democracy. She believed that there were a set of rules for eight Legislators and a different set for her, however, she stated that she will continue to have a voice for the people she represents. She explained that many of her initiatives, which the Legislators fought her on or refused to put on an agenda or acknowledged, are now being implemented as she mentioned earlier. She stated that she just returned from an amazing Department of Environmental Conservation (DEC) weekend and studied her new hero, Aldo Leopold, the father of wildlife management. He stated that ethical behavior is doing the right thing when no one else is watching.

Legislator Ellner recognized a new family business in Carmel; Olde Tyme New York Hot Dogs. He stated that the owner is retired from the NYPD and is a veteran. He encouraged people to support this new business, as well as all of our local businesses.

Legislator Sayegh explained that the public can listen to our Legislative Committee meetings on SoundCloud. She encouraged people to visit the Legislature’s website where the meetings are listed. She pointed out that in the past there was a Republican Legislator who did not receive any Committee assignments. She stated that there was also a long-standing Legislator who was a Democrat and served for 18 years. She stated

that he was very well liked and respected and served on many Committees. She stated that this was not partisan, and the rules apply to all. She stated that democracy happens at the ballot box. Each of the Legislators has a district and are voted for by the people of that district. She encouraged everyone to get out and vote.

Chairman Jonke stated that we all work very hard for our constituents, and he takes this job very seriously, as well as designating the Committee assignments. He stated that he did not select Legislator Montgomery to a Standing Committee, and he responded to her with a memorandum after receiving her memorandum asking him to reconsider this decision. Chairman Jonke proceeded to read the memorandum dated, January 25, 2024, which would clear up any misinformation and explain the reason for his decision not to appoint her to a Standing Committee. The memorandum explained how he extended an olive branch at the 2023 Organizational meeting to Legislator Montgomery who responded to him with condescending remarks after said meeting. The memorandum also listed eight (8) examples of how he believed Legislator Montgomery has disregarded the Legislature's rules of order and procedure, and how on numerous occasions made public comments that impugned the integrity of her fellow Legislators, and wrongly accusing them of improper conduct. Chairman Jonke's memorandum concluded by stating that although she is not a member of a Standing Committee, our procedure is to allow all Legislators to comment on agenda items during Committee meetings. He stated that her voice will continue to be heard at those meetings and he was sure that she would continue to represent the members of her district to the best of her ability.

There being no further business, at 8:13 P.M., Chairman Jonke made a motion to adjourn; seconded by Legislator Sayegh. Six Ayes, One Nay – Legislator Montgomery, Legislators Addonizio & Nacerino were absent. Motion carries.

Respectfully submitted by Diane Schonfeld, Clerk.