

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

Wednesday

December 4, 2013

5:30 P.M.

The meeting was called to order at 7:00 P.M. by Chairman Othmer who requested that Deputy Commissioner of Emergency Services, Robert Lipton lead in the Pledge of Allegiance. Upon roll call, Legislators Scuccimarra, Oliverio, Nacerino, Albano, Gross, Castellano, LoBue, DiCarlo and Chairman Othmer were present. Also present was Legislative Counsel Van Ross.

PRESENTATION

Senator Terry Gipson – Legislative Update

Senator Terry Gipson provided an update on what his office is doing in terms of helping with local government issues. He reported that the County should have received a 15% increase in CHIPS funds which equates to approximately \$1 million dollars. He stated that unfunded mandates are the topic that most people talk about. He believed that it was New York State's responsibility to pay for the ideas that they come up with, which is not what our State Representatives have been doing. He stated that early last year they rolled out an amendment to the Constitution that would mandate that NYS would not send down any additional mandates. They have had ten municipalities, including Dutchess County, that have passed resolutions supporting this amendment. He asked if Putnam County would consider passing a resolution supporting this amendment too. He stated that he would make sure that Putnam County received copies of everything that he mentions this evening.

Senator Gipson continued and stated that we should be receiving copies of two more pieces of legislation that have been added to the mandate relief package which he hoped we would support. He stated that a new bill has been presented to the State and it is a project called CPR (County Payment Relief). He stated that while we are trying to stop NYS from sending down additional unfunded mandates, he stated that we also need to do something about the mandates that already exist. He believed that NYS should provide the County with earmarked funds that can be used to fund the mandates. Based upon a formula, it would equate to approximately \$6 million dollars in financial aid per year for Putnam County. Putnam County would then get to choose which unfunded mandates they would use this aid for. He stated that another part of this mandate relief package would be an Early Intervention bill. He stated that Putnam County could possibly receive approximately \$3 or \$4 million dollars from this legislation. The funds from the CPR program go strictly to the Counties. He stated that the idea behind this is that if NYS can alleviate some of the Counties discretionary funding, then theoretically they would have more to help out local municipalities.

Legislator Oliverio suggested that NYS revamp the Common Core APPR. He believed that this was a super burden on every one of the School Districts. He stated that the cost of each test per child is an onerous amount.

Senator Gipson stated that he was in favor of putting this whole Common Core situation on hold. He continued and stated that he is trying to present new ideas to the State Legislature and asked the Putnam County Legislature to pass resolution supporting them. He also asked the Legislature to lobby all of their other State and Assembly representatives to join him and sign on with these ideas.

Legislator Scuccimarra stated that she did not believe we would have any problem doing that. She stated that 73% of Putnam County's budget goes to State mandates. She stated that we survive on the Property Tax and Sales Tax Revenue.

Senator Gipson stated that it is even more difficult with the Tax Cap. He believed that it was irresponsible on Albany's part not to deal with this burden on the Counties. He believed that he would need all the help he could get in explaining to his colleagues how important this mandate relief is to the Counties.

Legislator LoBue questioned how Senator Gipson was doing with term limits. She stated that the Putnam County Legislature enacted term limits. She believed term limits were needed on the higher level of government.

Senator Gipson agreed and stated that one of the very first bills he sponsored in the State Senate was a term limit bill ten months ago. It would allow a maximum of twelve years in each house and a maximum of sixteen years in Albany no matter if you are serving in the Senate or Assembly.

Legislator Gross stated that the State Education Department in downloading student information which he believes is a great concern.

Senator Gipson agreed and stated that they are the sponsor of the bill that would not allow that type of information to be shared publicly. Senator Gipson continued and stated that Putnam County was extremely active in the Veterans Fair in Fishkill. Putnam was well represented and he appreciated the support and participation. He also thanked the Legislature for their support of the Kent Imagination Station.

Chairman Othmer stated that his colleagues supported the Cold War Veterans Medal. He thanked Senator Gipson for helping to get this recognition implemented.

Senator Gipson stated that from last year's budget they secured \$1 million dollars for a study to be performed regarding the intersection at Pudding Street and the Taconic Parkway. He stated that it is at the top of the list of projects with NYSDOT. They are very committed to solving this problem. He stated that they are also monitoring the Metro North Train derailment situation closely and will make sure that they put forth safety mechanisms so that this type of situation does not happen again.

**Item #3 – Approval of Minutes – Adopt the Budget – October 30, 2013
Regular Meeting – November 6, 2013**

The minutes were approved as submitted.

Item #4 – County Auditor

There was no activity during this reporting period.

**PROTECTIVE SERVICES COMMITTEE
(Chairman Gross, Legislators LoBue & Oliverio)**

Item #5a – Approval/Re-Appointment/Putnam County Traffic Safety Board was next. Chairman Othmer recognized Legislator Gross, Chairman of the Protective Services Committee. On behalf of the members of the Committee, Legislators LoBue and Oliverio, Legislator Gross moved the following:

RESOLUTION #264

APPROVAL/RE-APPOINTMENT/PUTNAM COUNTY TRAFFIC SAFETY BOARD

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

Lieutenant James Oster, Town of Kent Police Department, for a three (3) year term, said term to expire December 31, 2016.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE
(Chairman Oliverio, Legislators DiCarlo & Scuccimarra)**

Item #5b – Approval/Re-Appointment/Putnam County Board of Health/Dr. Joseph Avanzato was next. Chairman Othmer recognized Legislator Oliverio, Chairman of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators DiCarlo and Scuccimarra, Legislator Oliverio moved the following:

RESOLUTION #265

APPROVAL/RE-APPOINTMENT/PUTNAM COUNTY BOARD OF HEALTH/DR. JOSEPH AVANZATO

RESOLVED, that Dr. Joseph Avanzato be re-appointed to the Putnam County Board of Health for a six (6) year term, said term to expire December 31, 2019.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5c – Approval/Memorialization NYSAC Resolution/Urging New York State to Restore the Historic 50/50 State/Local Cost Sharing For the State’s Mandated Safety Net Program or Provide More Program Control to Local Social Service

Districts Commensurate with Counties Increased Fiscal Responsibility for the Program Department of Social Services was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators DiCarlo and Scuccimarra, Legislator Oliverio moved the following:

RESOLUTION #266

APPROVAL/MEMORIALIZATION NYSAC RESOLUTION/ URGING NEW YORK STATE TO RESTORE THE HISTORIC 50/50 STATE/ LOCAL COST SHARING FOR THE STATE'S MANDATED SAFETY NET PROGRAM OR PROVIDE MORE PROGRAM CONTROL TO LOCAL SOCIAL SERVICE DISTRICTS COMMENSURATE WITH COUNTIES INCREASED FISCAL RESPONSIBILITY FOR THE PROGRAM DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the 2011-12 final State Budget dramatically lowered the State's fiscal responsibility in the Safety Net Program by shifting the cost to 71% County / 29% State, severing the historic 50 percent State / 50 percent County partnership; and

WHEREAS, the State Division of the Budget and Legislature stated that this funding shift, in conjunction with fully federalizing New York's TANF (Family Assistance) costs, would generate up to \$50 million annually in net cost reductions for counties and New York City; and

WHEREAS, actual spending through the end of calendar year 2012 indicated that these aggregate savings have not materialized for counties and New York City; and

WHEREAS, with the recent economic downturn and slow recovery, Safety Net Assistance enrollment has increased across the State in record numbers, which will shift even more costs from the State Budget to local taxpayers to support this state mandated program; and

WHEREAS, counties' initial concerns regarding the state funding shift in Safety Net that it would leave counties paying a larger share of a much faster growing public assistance program and being verified in the most recent caseload data, with Safety Net caseload growing at an average annual rate of nearly 4.5% in the last five years compared to the TANF caseload that is virtually unchanged from where it was in 2008; and

WHEREAS, the steady pullback in state funding support for a variety of human services programs including child welfare, adoption subsidies, food stamp administration, Family Assistance, Safety Net, Child Support Enforcement, juvenile justice and programs designed to help recently released state incarcerated offenders return to the community creates an environment in which the State is directly moving away from its constitutional requirement to care for the needy, forcing this state constitutional responsibility on county government and local property taxpayers; and

WHEREAS, this steady and inexorable shift of responsibility from the State to the County is seen in the imposition on the counties of the requirement to provide afterhours implementation of the Detention Risk Assessment Instrument (DRAI), without any consideration of the County's ability to perform this task was uniquely and arbitrarily assigned to the counties without discussion, therefore once again shifting a State responsibility onto the county and in the process imposing an unfunded mandate on the county; therefore be it

RESOLVED, that the Putnam County calls on the State to restore the historic 50/50 State/County cost sharing, or grant greater decision making

authority and administrative flexibility over program management to ensure even more costs are not shifted to local tax payers in support of this state mandated program; and be it further

RESOLVED, that the State of New York should prioritize the modernization of the Welfare Management System (WMS) to promote efficiencies in the administration of the Supplemental Nutrition Assistance, Safety Net and Family Assistance programs; and be it further

RESOLVED, that the State of New York must take on a greater fiscal and programmatic responsibility in ensuring incarcerated offenders returning to the community are provided appropriate state assistance including housing, work supports and training, health care, counseling, substance abuse and other critical services to prevent recidivism and reduce the impact on local social service district fiscal and staff capacity, which is already strained due to increased caseloads and years of reduced state financial support; and be it further

RESOLVED, that the State of New York cease the practice of shifting the historic state responsibility for Juvenile Justice to the Counties by regulation and not legislation thus forcing the counties to develop plans to implement arbitrary state regulations; and be it further

RESOLVED, that copies of this resolution be sent to Governor Andrew M. Cuomo, Senator Greg Ball, Senator Terry Gipson, Assemblywoman Sandra Galef, Assemblyman Steve Katz, New York State Department of Health Commissioner Nirav R. Shah, New York State Comptroller Thomas DiNapoli, Office of Children and Family Services Commissioner Gladys Carrión, Esq., and the New York State Association of Counties (NYSAC).

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5d – Approval/Memorialization NYSAC Resolution/Calling on the Governor and State Legislature to Continue to Partner with Counties to Successfully Reform Juvenile Justice Programs While Avoiding Cost Shifts to Counties Department of Social Services was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators DiCarlo and Scuccimarra, Legislator Oliverio moved the following:

Legislator Oliverio stated that this would raise the age of criminal responsibility from 16 years old to 18 years old for certain offenses.

Legislator LoBue stated that currently these 16 year olds have a record going forward for none violent offenses. However, if this change does become effective, it would put an additional burden on the Probation Department.

Legislator Oliverio stated that it was his understanding that it would actually save the County money. It is more costly to go through the Adult Court System than Family Court.

RESOLUTION #267

APPROVAL/MEMORIALIZATION NYSAC RESOLUTION/CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO CONTINUE TO PARTNER WITH COUNTIES TO SUCCESSFULLY REFORM JUVENILE JUSTICE PROGRAMS WHILE AVOIDING COST SHIFTS TO COUNTIES DEPARTMENT OF SOCIAL SERVICES

WHEREAS, the State of New York and counties have made important progress in addressing the needs of juvenile delinquents placed into the care and custody of New York State; and

WHEREAS, New York State and New York City continue to reform the juvenile justice system through the implementation of the Close to Home Initiative; and

WHEREAS, New York State has developed pilot sites for addressing the treatment of youth in our juvenile justice system, maintaining a commitment to raising the age of criminal responsibility from 16 to 18 years of age for certain offenses; and

WHEREAS, New York State in an effort to reduce their own costs and risk, has capped funding streams for non-secure and secure detention costs, shifting risk, cost and responsibility to county taxpayers; and

WHEREAS, New York State has continued to struggle with maintaining rate setting in a timely manner, placing counties at risk of significant retroactive financial liabilities by not publishing rates in a timely manner; and

WHEREAS, counties across the state serve as the front door and often first contact with New York's juvenile justice system through local probation departments, which continue to face limitations, reductions and elimination in resources brought on by years of cost shifts from the State to counties; and

WHEREAS, this steady and inexorable shift of responsibility from the State to the County is seen in the imposition on the counties of the requirement to provide afterhours implementation of the Detention Risk Assessment Instrument (DRAI), without any consideration of the County's ability to perform this task was uniquely and arbitrarily assigned to the counties without discussion, therefore once again shifting a State responsibility onto the county and in the process of imposing an unfunded mandate on the county; therefore be it

RESOLVED, that Putnam County calls on the Governor and State Legislature to continue to work with counties in addressing juvenile justice reform in a way that avoids shifting costs and risk, while adding responsibility, to county taxpayers; and be it further

RESOLVED, that Putnam County is calling on the Governor and State Legislature to support reform of the system, in consultation with counties, for youth at risk of entering the juvenile justice system that achieves services provided as close to home as possible, that includes innovative and effective practices, and emphasizes prevention through flexible funding; and be it further

RESOLVED, that Putnam County calls on the Governor and State Legislature to engage counties while considering proposals to change the age of criminal responsibility including the need to align and provide sufficient state funding under the proposal to support needed services for 16 and 17 year olds at risk, while not shifting new costs to county taxpayers; and be it further

RESOLVED, that Putnam County calls on the Governor and State Legislature to provide sufficient funding and resources to support the Close to Home Initiative, comprehensive after care and regional planning/advisory groups that promote coordination without a duplication of efforts; and be it further

RESOLVED, that Putnam County calls on the Governor and State Legislature to hold counties outside New York City harmless for increased costs as it proceeds through the Close to Home Initiative, as a reduction in the number of youth in New York State Office for Children and Family Services placements will significantly increase the per diem cost to Upstate counties, as the State

moves quickly to eliminate the excess capacity and commensurate per diem rate increases; and be it further

RESOLVED, that Putnam County calls on the Governor and State Legislature to prioritize rate setting for State Training Schools, removing the potential financial liability of retroactive rate adjustments, which place significant strain on local budgets and accounting procedures; and be it further

RESOLVED, that Putnam County calls on the Governor and State Legislature to reconsider the detention block grant and Supervision and Treatment Services for Juveniles Program funding caps, which hinder juvenile justice reform and place financial limitations and restrictions on counties in their efforts to address the needs of juvenile delinquents and Persons in Need of Supervision (PINS); and be it further

RESOLVED, that Putnam County calls on the Governor and State Legislature to strengthen diversion and adjustment services across the State by developing a new dedicated funding stream with enhanced state funding for juvenile probation that honors the importance of their role in meeting the needs of at-risk youth in a safe, effective manner without diverting funding from other sources; and be it further

RESOLVED that the State of New York cease the practice of shifting the historic state responsibility for Juvenile Justice to the Counties by regulation and not legislation thus forcing the counties to develop plans to implement arbitrary state regulations; and be it further

RESOLVED, that copies of this resolution be sent to Governor Andrew M. Cuomo, Senator Greg Ball, Senator Terry Gipson, Assemblywoman Sandra Galef, Assemblyman Steve Katz, New York State Department of Health Commissioner Nirav R. Shah, New York State Comptroller Thomas DiNapoli and the New York State Association of Counties (NYSAC).

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5e – Approval/Memorialization/Common Core Learning Standards was next. On behalf of the members of the Health, Social, Educational & Environmental Committee, Legislators DiCarlo and Scuccimarra, Legislator Oliverio moved the following:

Legislator Oliverio stated that this pertains to the brand new curriculum in our schools. It is a high level learning curriculum, however he believed that by trying to implement this new system in one year's time was ridiculous. He is asking that it be spaced out to reduce the burden of this implementation on the Districts.

Legislator DiCarlo stated that what would be nice is if all our local School Districts could memorialize this too. He believed that we are going through the same thing with the Federal Government with respect to the Health Care. We needed to take a "time out" to review the details. Some of the things are good. He asked that we send this resolution to our local School Boards asking them to memorialize it too.

Chairman Othmer requested that the resolution be sent to our local School Boards.

RESOLUTION #268

APPROVAL/MEMORIALIZATION/COMMON CORE LEARNING STANDARDS

WHEREAS, the New York State Department has recently adopted and implemented the Common Core Learning Curriculum; and

WHEREAS, this adoption and implementation has occurred without proper planning resulting in many problems and grossly out of norm test scores by the students in New York State; and

WHEREAS, it is essential that effective “Safety Net” measures be systematically phased in to successfully implement the Common Core Learning standards; and

WHEREAS, better planning and implementation would de-escalate rising tension and anxiety over testing by putting it in perspective as one piece of the reform puzzle; and

WHEREAS, the Health, Social, Educational & Environmental Committee of the Putnam County has reviewed and approves of the suggestions for change of the Common Core assessments; now therefore be it

RESOLVED, that the Putnam County Legislature endorses the following suggestions concerning the Common Core standards:

- **Further reduce the time to administer the tests, especially at the lower elementary grade levels.**
- **Create more transparency by releasing test questions to help parents, teachers and administrator better understand the tasks required.**
- **Allow for comprehensive field review of the tests by public school teachers and administrators prior to administration to eliminate ambiguous questions.**
- **Eliminate embedded field test questions that frustrate students and extend the time needed for testing.**
- **Reexamine the inflated “College Readiness” benchmark of (1630 – R560/W540/M530) to create fairer and more attainable cut scores; and be it further**

RESOLVED, that the Putnam County Legislature requests the State Education Department abandon the hurried rush to compliance and take the time needed to set it right emphasizing the needs of students; and be it further

RESOLVED, that copies of this resolution be sent to Governor Andrew M. Cuomo, Senator Greg Ball, Senator Terry Gipson, Assemblywoman Sandra Galef, Assemblyman Steve Katz, the New York State Education Department Commissioner of Education Dr. John B. King and the New York State Association of Counties (NYSAC).

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #5f – Approval/Conveyance of Tax Map #83.65-2-4/Town of Putnam Valley was next. Chairman Othmer recognized Legislator Albano, Chairman of the

Physical Services Committee. On behalf of the members of the Committee, Legislators Othmer and Scuccimarra, Legislator Albano moved the following:

RESOLUTION #269

APPROVAL/CONVEYANCE OF TAX MAP NO. 83.65-2-4/TOWN OF PUTNAM VALLEY

WHEREAS, an unimproved parcel of real property identified as Town of Putnam Valley Tax Map No.: 83.65-2-4 was acquired by the County by Tax Deed, which was recorded in the Office of the Putnam County Clerk Office on October 18, 2011, in Liber 1884 at Page 430; and

WHEREAS, said property cannot be improved under existing zoning regulations; and

WHEREAS, Gregory, Matthew, Michael, John, Malcolm, and Christopher Arnold (hereinafter the "Arnolds") own the adjacent parcel of property identified as Town of Putnam Valley Tax Map No.: 83.65-2-5, which is improved by a single family dwelling; and

WHEREAS, the Arnolds have offered to purchase Town of Putnam Valley Tax Map No.: 83.65-2-4 for the sum of \$1,500.00, which represents the County's net investment on the parcel; and

WHEREAS, the Arnolds have also agreed to merge Town of Putnam Valley Tax Map No.: 83.65-2-4 with their property; and

WHEREAS, the Putnam County Administration has reviewed said offer and recommends the acceptance of same; now therefore be it

RESOLVED, that pursuant to Section 31-8(B) of the Putnam County Code, the Putnam County Legislature approves the transfer of Town of Putnam Valley Tax Map No.: 83.65-2-4 the Arnolds for the sum of \$1,500.00, together with payment of the appropriate Transfer Tax, Recording Fees, and County, Town, and School Taxes; and be it further

RESOLVED, that upon receipt of said monies, Town of Putnam Valley Tax Map No.: 83.65-2-4 shall be conveyed in an "as is" condition by quitclaim deed, which shall provide that it be automatically merged with Town of Putnam Valley Tax Map No.: 83.65-2-5; and be it further

RESOLVED, that the Putnam County Attorney is authorized to prepare said quitclaim deed, and the Putnam County Executive shall be authorized to execute said quitclaim deed on behalf of the County.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5g – Approval/Renewal Lease Agreement/Putnam County Visitors Bureau, Inc. was next. On behalf of the members of the Physical Services Committee, Legislators Othmer and Scuccimarra, Legislator Albano moved the following:

Legislator LoBue stated that she wanted to be consistent and would be voting "no". She stated that the Visitors Bureau is an outside agency that should be autonomous and located in their own building.

RESOLUTION #270

APPROVAL/RENEWAL LEASE AGREEMENT/PUTNAM COUNTY VISITORS BUREAU, INC.

WHEREAS, the County of Putnam is the owner of certain real property located at 40 Gleneida Avenue, Carmel, New York 10512, including the building located thereon (hereinafter referred to as the "Premises"); and

WHEREAS, a portion of the Premises, consisting of approximately 522 square feet of space on the third (3rd) floor is not needed for use as office space by the County (hereinafter referred to as the "Surplus Office Space"); and

WHEREAS, the County previously entered into a lease agreement with the Putnam County Visitors Bureau, Inc. for said Surplus Office Space; and

WHEREAS, the aforementioned lease agreement expired on December 31, 2012; and

WHEREAS, the Putnam County Visitors Bureau, Inc. wishes to renew its lease with the County for said Surplus Office Space; and

WHEREAS, the County Executive, pursuant to the authority granted to her under Section 31-22 of the Code, has entered into negotiations with the Putnam County Visitors Bureau, Inc. for the renewal of its lease of said Surplus Office Space, and has agreed to an annual rate of \$1.00 plus additional in-kind services, as identified by the County Executive, which are consistent with the mission of the Putnam County Visitors Bureau, Inc. and the annual funding agreement between it and the County of Putnam; and

WHEREAS, pursuant to Section 31-22 of the Code, the County Executive has requested that the Putnam County Legislature approve such lease agreement; now therefore be it

RESOLVED, that the Surplus Office Space located at the Premises is not needed for County use; and be it further

RESOLVED, that the Putnam County Legislature approves the renewal Lease Agreement between the County of Putnam and the Putnam County Visitors Bureau, Inc. for the Surplus Office Space, in the form which attached hereto and made a part hereof as Schedule "A", and the Putnam County Executive is authorized to execute said Lease Agreement; and be it further

RESOLVED, that the County Attorney is authorized to take whatever legal action is necessary to effectuate the Lease Agreement between the County of Putnam and the Putnam County Visitors Bureau, Inc. in the manner approved herein and as written.

BY ROLL CALL VOTE: FIVE AYES. FOUR NAYS – LEGISLATORS DICARLO, GROSS, LOBUE AND OLIVERIO. MOTION CARRIES.

Item #5h – Approval/Amend Resolution #100 of 2013/Support of Putnam County's Use of WQIP Funds to Purchase Equipment/Vac-All Truck/Town of Patterson was next. On behalf of the members of the Physical Services Committee, Legislators Othmer and Scuccimarra, Legislator Albano moved the following:

Legislator Oliverio believed this was a first step, but we needed to get the equipment for the other towns that need it too.

Legislator LoBue questioned how many catch basins there were in the Town of Southeast.

Legislator Gross stated that there are 3100 catch basins and three major reservoirs that surround the town.

Legislator Scuccimarra questioned if the trucks could be shared with the other municipalities.

Legislator Nacerino stated that it creates a dilemma when the municipalities need the equipment at the same time.

Legislator DiCarlo believed that the renewal of the Memorandum Of Agreement will be coming up next year. He suggested that the Legislature address these types of questions during that time.

Legislator Albano stated that with respect to the Compliance Bubble, the EOH Watershed Corporation is a separate entity. He believed that there will come a time in the future where sharing of equipment with the municipalities will be reviewed. He believed that we should look into creating an IMA (Inter-municipal Agreement) with the other municipalities since we may not be able to provide them with every piece of equipment that is required.

RESOLUTION #271

APPROVAL/AMEND RESOLUTION # 100 of 2013/SUPPORT OF PUTNAM COUNTY'S USE OF WQIP FUNDS TO PURCHASE EQUIPMENT/VAC-ALL TRUCK TOWN OF PATTERSON

WHEREAS, the County of Putnam ("County") and the City of New York ("City"), as well as other various parties, executed the 1997 Watershed Memorandum of Agreement ("MOA") to, among other things, protect the water supply of the City for use by the City's residents and non-residents; and

WHEREAS, pursuant to the MOA, the City provided thirty million dollars (\$30,000,000) of East of Hudson Water Quality Investment Program Funds ("WQIP Funds") to the County to support a program of water quality investments in Putnam County; and

WHEREAS, the County and various municipalities located within Putnam County, including the Town of Patterson and the Town of Southeast, are subject to the terms and requirements of the Municipal Separate Storm Sewer Systems ("MS4") SPDES General Permit No. GP-0-10-002 (the "MS4 Permit") issued by the New York State Department of Environmental Conservation, which, among other things, requires MS4s to develop, implement, and enforce a stormwater management program ("SWMP") designed to reduce, to the maximum extent practicable, the discharge of pollutants from small MS4s to protect water quality and to satisfy the appropriate water quality requirements of the Environmental Conservation Law and the Clean Water Act; and

WHEREAS, pursuant to Resolution # 100 of 2013, the Putnam County Legislature previously approved the use of One Million Three Hundred Thousand Dollars (\$1,300,000.00) in earnings on the WQIP Funds to purchase new equipment, specifically a Gradall Truck, a Vac-All Truck with Jetter and a Trailer Mounted Jetter for its Department of Highways and Facilities, a Vac-All Truck for the Town of Patterson and a Vac-All Truck for the Town of Southeast (collectively the "Equipment"), in order to the meet the requirements of the MS4 Permit and to further the purpose of the aforementioned program of water quality investments; and

WHEREAS, the requisite "Right of Objection" letter required under the terms of the MOA was subsequently transmitted to the required parties; and

WHEREAS, following discussions between the County Executive and the N.Y.C. Department of Environmental Protection (the "DEP") during the objection process, the DEP agreed to the use of only \$260,000.00 in earnings on the WQIP Funds for the purchase of a Vac-All Truck for the Town of Patterson; now therefore be it

RESOLVED, that Resolution # 100 of 2013 is hereby amended and revised to provide that the County's expenditure of earnings on the WQIP Funds shall not exceed \$260,000.00 for the purchase of a Vac-All Truck for the Town of Patterson, and that the County's request for the use of the balance of the aforementioned \$1,300,000.00 for the other Equipment is hereby withdrawn; and be it further

RESOLVED, that said Vac-All Truck for the Town of Patterson shall only be used within the portions of the County located in the New York City Watershed area.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5i – Approval/Grant Application/Sub Grants of Hurricane Sandy Funding/Hazard Mitigation Grant Program was next. On behalf of the members of the Physical Services Committee, Legislators Othmer and Scuccimarra, Legislator Albano moved the following:

RESOLUTION #272

APPROVAL/GRANT APPLICATION/SUB GRANTS OF HURRICANE SANDY FUNDING/ HAZARD MITIGATION GRANT PROGRAM

WHEREAS, Section 5-1(D)(1) of the Putnam County Code requires the Putnam County Legislature to approve all grant applications prior to submission, however in the case where time is of the essence with Legislature approval not possible before submission, the grant application shall be forwarded to the Legislature for approval at its next meeting; and

WHEREAS, grant applications for Hurricane Sandy Funding needed to be submitted to the New York State Office of Emergency Management in a time is of the essence manor; and

WHEREAS, the Physical Services Committee has considered this application process and has granted approval in concept for these grant applications; and

WHEREAS, pursuant to the annexed spread sheet, the total amount of the grant applications are \$28,716,700.20 with a 25% County share totaling \$7,179,175; now therefore be it

RESOLVED, that the Putnam County Legislature approves and authorizes the grant applications to the New York State Office of Emergency Management in a total amount of \$28,716,700.20 as per the attached spread sheet; and be it further

RESOLVED that upon the awarding of any grants contained in the attached spreadsheet, the Administration obtain acceptance for said grant by the Putnam County Legislature.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE

(Chairwoman Nacerino, Legislators Castellano & DiCarlo)

Item #5j – Approval/Memorialization/Requesting the State of New York Establish a Residency Requirement in Order to Receive Welfare Benefits was next. Chairman Othmer recognized Legislator Nacerino, Chairwoman of the Rules, Enactments & Intergovernmental Relations Committee. On behalf of the members of the Committee, Legislators Castellano and DiCarlo, Legislator Nacerino moved the following:

RESOLUTION #273

APPROVAL/MEMORIALIZATION/REQUESTING THE STATE OF NEW YORK ESTABLISH A RESIDENCY REQUIREMENT IN ORDER TO RECEIVE WELFARE BENEFITS

WHEREAS, there is no residency requirement in the State of New York for anyone in order to receive welfare benefits; and

WHEREAS, other states throughout the country have been known to send people to New York State to receive said benefits as a result of the State's total benefit package, including Medicaid; and

WHEREAS, Putnam County has experienced an influx of out of state residents to receive said benefits resulting in an increase of hundreds of thousands of dollars to County taxpayers; now therefore be it

RESOLVED, that Putnam County go on record as requesting the State of New York to establish a residency requirement for the receiving of welfare benefits; and be it further

RESOLVED, that a copy of this resolution be forwarded to Governor Andrew M. Cuomo, Tempore President Dean Skelos, Assembly Speaker Sheldon Silver, Senator Greg Ball, Senator Terry Gipson, Assemblywoman Sandra Galef, Assemblyman Steve Katz.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

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

Item #5k – Approval/Budgetary Amendment (13A080)/Finance/Indigent Legal Services was next. Chairman Othmer recognized Legislator Castellano, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Albano and Nacerino, Legislator Castellano moved the following:

RESOLUTION #274

APPROVAL/BUDGETARY AMENDMENT/FINANCE/INDIGENT LEGAL SERVICES

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (13A080) to account for New York State Indigent Legal Services Distribution #3 for the period 6/01/13 through 12/31/13; and

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

RESOLVED, that the following budgetary amendment be made:

Increase Estimated Appropriations:		
25117000 564950	Legal Aid	27,581

Increase Estimated Revenues:		
25117000 430251	State Aid – Indigent Legal Services	27,581

2013 Fiscal Impact – 0 –

2014 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5L – Approval/Budgetary Amendment (13A082)/Health Department/Early Intervention was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Nacerino, Legislator Castellano moved the following:

Legislator DiCarlo stated that he attended a conference at Southern Westchester BOCES. He stated that there is a program which was created by Dr. Dustin Heustin called the Waterford Early Learning Program. He stated that many scientific studies have been done regarding the benefits of early learning programs for children. He stated that the State of Utah has instituted, as a part of their State Legislation, early learning programs for 4 year olds. He stated that based on scientific studies, the more vocabulary that a child is exposed to at a young age helps to prepare them better for when they start school. He stated that technology is the future and to be able to utilize it in the home helps the children to meet those preschool needs.

RESOLUTION #275

APPROVAL/BUDGETARY AMENDMENT /HEALTH DEPARTMENT/EARLY INTERVENTION

WHEREAS, effective April 1, 2013 New York State Department of Health instituted changes in the way all County Early Intervention Departments are billed and the way revenues are received; and

WHEREAS, the Health Department has requested a budgetary amendment (13A082) in order to comply with these changes; and

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

RESOLVED, that the following budgetary amendment be made:

Decrease Expense:		
10405900 54414	Early Intervention Care at Private Inst.	30,000
10405900 54417	Early Intervention Evaluations	15,000
10405900 54441	Early Intervention Itinerant	<u>75,000</u>
		120,000

Decrease Revenue:		
10405900 444511	Early Intervention Medicaid	120,000

2013 Fiscal Impact – 0 –
2014 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5m – Approval/Budgetary Amendment (13A084)/Sheriff/2013 Explosive Detection Canine Grant was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Nacerino, Legislator Castellano moved the following:

RESOLUTION #276

APPROVAL/BUDGETARY AMENDMENT /SHERIFF/2013 EXPLOSIVE DETECTION CANINE GRANT

WHEREAS, Resolution #174 of 2013 authorized the Putnam County Sheriff to apply to the New York State Division of Homeland Security and Emergency Services – Office of Counter Terrorism for a \$50,000 grant under its FY2013 Explosive Detection Canine Team Grant Program; and

WHEREAS, the Putnam County Sheriff has requested a budgetary amendment (13A084) for the 2013 Explosive Detection Canine Grant awarded in the amount of \$55,977; and

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

RESOLVED, that the following budgetary amendment be made:

Increase Revenues:

17311000 52180 10107	FY13 Explosive Detection Canine Grant	55,977
----------------------	---------------------------------------	--------

Increase Appropriations:

17311000 52180 10107	FY13 Expl. Det. Can. Grant – Other Equip	3,000
17311000 54640 10107	FY13 Expl. Det. Can. Grant – Education	2,000
17311000 52650 10107	FY12 Expl. Det. Can. Grant – Motor Vehicles	43,177
17311000 54150 10107	FY12 Expl. Det. Can. Grant – Canine	<u>7,800</u>
		55,977

2013 Fiscal Impact – 0 –
2014 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5n – Approval/Budgetary Amendment (13A085)/Highways & Facilities/Outside Consulting Firm was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Nacerino, Legislator Castellano moved the following:

Chairman Othmer stated that before he leaves the Legislature, he wanted his colleagues to be aware that he was working with Legislator Scuccimarra to address the flooding issues associated with Manitou Road in the Town of

Philipstown. He asked his colleagues to support Legislator Scuccimarra. He stated that moving forward a request for funds will be made for a consultant. The MTA produced a letter stated that stated they will partner in this initiative because they access this area to service the trains.

RESOLUTION #277

APPROVAL/BUDGETARY AMENDMENT /HIGHWAYS & FACILITIES/OUTSIDE CONSULTING FIRM

WHEREAS, the Commissioner of Highways & Facilities has requested a budgetary amendment (13A085) to utilize vacant position funds to cover program services on Capital Projects being done by an Outside Consulting Firm through December 31, 2013; and

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

RESOLVED, that the following budgetary amendment be made:

GENERAL FUND:

Increase Estimated Appropriations:

10990100 59020	Interfund Transfer – Capital Fund	15,000
10149000 54682	Special Services	<u>10,000</u>
		25,000

Decrease Estimated Appropriations:

10149000 51000		
(802010108)	Personnel Services	23,223
10149000 58002	Fica	<u>1,777</u>
		25,000

CAPITAL FUND:

Increase Estimated Appropriations:

55197000 53000 50241	Sodom Rd Bridge – PIN 8756.04	5,000
55197000 53000 50245	Stoneleigh Avenue – PIN 8757.48	5,000
55197000 53000 50246	Peekskill Hollow Rd – PIN 8757.49	<u>5,000</u>
		15,000

Increase Estimated Revenues:

59901000 428601 50241	Interfund – Sodom Rd Br PIN 8756.04	5,000
59901000 428601 50245	Interfund – Stoneleigh Ave PIN 8757.48	5,000
59901000 428601 50246	Interfund – Peekskill Hollow PIN 8757.49	<u>5,000</u>
		15,000

2013 Fiscal Impact – 0 –

2014 Fiscal Impact – 0 –

BY POLL VOTE: EIGHT AYES. ONE NAY – LEGISLATOR LOBUE. MOTION CARRIES.

Item #5o – Approval/Budgetary Amendment (13A086)/Law Department/Highways & Facilities/Repair Guardrail Damage on County Roads was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Nacerino, Legislator Castellano moved the following:

RESOLUTION #278

APPROVAL/BUDGETARY AMENDMENT /LAW DEPARTMENT/HIGHWAYS & FACILITIES/REPAIR GUARDRAIL DAMAGE ON COUNTY ROADS

WHEREAS, the Law Department has requested a budgetary amendment (13A086) to cover the cost of repairing guardrail damage on County roads; and
 WHEREAS, the Audit & Administration Committee has reviewed and approves said budgetary amendment; now therefore be it
RESOLVED, that the following budgetary amendment be made:

Increase Revenue:

10511000 426801	Hwy-Road Machinery – Insurance Recoveries	9,791.23
-----------------	---	----------

Increase Appropriations:

10511000 54410	Hwy-Road Machinery – Supplies & Materials	9,791.23
----------------	---	----------

2013 Fiscal Impact – 0 –
 2014 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5p – Approval/Fund Transfer (13T290)/Highways & Facilities/Defund Septic Repair Program was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Nacerino, Legislator Castellano moved the following:

RESOLUTION #279

APPROVAL/FUND TRANSFER/HIGHWAYS & FACILITIES/DEFUND SEPTIC REPAIR PROGRAM

WHEREAS, the Commissioner of Highways & Facilities has requested a fund transfer (13T290) to defund the Septic Repair Program pursuant to Resolution #99 of 2013; and
 WHEREAS, the Audit & Administration Committee has reviewed and approves said fund transfer; now therefore be it
RESOLVED, that the following fund transfer be made:

Decrease:

10149000 51000	Personnel	18,387
10149000 58002	Fica	<u>1,407</u>
		19,794

Increase:

10199000 54980	Contingency	19,794
----------------	-------------	--------

2013 Fiscal Impact (19,794)
2014 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5q – Approval/Fund Transfer (13T301)/Sheriff’s Department/Cover Overtime/ Correctional Facility was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Nacerino, Legislator Castellano moved the following:

RESOLUTION #280

APPROVAL/FUND TRANSFER /SHERIFF’S DEPARTMENT/COVER OVERTIME/ CORRECTIONAL FACILITY

WHEREAS, the Sheriff’s Department has requested a fund transfer (13T301) to cover overtime costs in the Correctional Facility; and

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

RESOLVED, that the following fund transfer be made:

Decrease:

10199000 54991	Sub-Contingency Sheriff – Overtime	68,535
----------------	------------------------------------	--------

Increase:

10315000 51093	Jail – Overtime	63,635
10315000 58002	Jail – FICA	<u>4,900</u>
		68,535

2013 Fiscal Impact – 0 –

2014 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5r – Approval/Fund Transfer (13T317)/Sheriff’s Department/Motor Vehicle was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Nacerino, Legislator Castellano moved the following:

RESOLUTION #281

APPROVAL/FUND TRANSFER /SHERIFF’S DEPARTMENT/MOTOR VEHICLE

WHEREAS, the Sheriff’s Department has requested a fund transfer (13T317) to cover additional funds needed for the purchase of a vehicle; and

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

RESOLVED, that the following fund transfer be made:

Decrease:

10311000 52650	Motor Vehicle	1919.10
----------------	---------------	---------

Decrease:
03 10513000 54371 Gasoline 25,000

Increase:
03 10513000 54370 Automotive 25,000

2013 Fiscal Impact – 0 –
2014 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5u – Approval/Re-Appointments/Putnam County Industrial Development Agency was next. On behalf of the members of the Audit & Administration Committee, Legislators Albano and Nacerino, Legislator Castellano moved the following:

Legislator LoBue stated that she wanted to second this motion to show her support.

RESOLUTION #284

APPROVAL/RE-APPOINTMENTS/PUTNAM COUNTY INDUSTRIAL DEVELOPMENT AGENCY

RESOLVED, that the following be re-appointed to the Putnam County Industrial Development Agency:

Maureen McLaughlin, Town of Putnam Valley, for a three (3) year term, said term to expire December 31, 2016.

Richard R. Ruchala, Town of Southeast, for a three (3) year term, said term to expire December 31, 2016.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Legislator DiCarlo made a motion to waive the rules and accept the Other Business items; seconded by Legislator Oliverio. All in favor.

Item #6 – Other Business

Item #6a – Approval/Grant Application/Urban Forestry Grant Program was next. Chairman Othmer made a motion to move the following item; seconded by Legislator DiCarlo.

Chairman Othmer explained that there is a beetle that is killing the Ash Trees. This grant would help fund the assessment of the trees in Putnam County.

RESOLUTION #285

APPROVAL/GRANT APPLICATION/URBAN FORESTRY GRANT PROGRAM

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

WHEREAS, the New York State Department of Environmental Conservation is accepting grant applications under its Urban Forestry Grant Program with a deadline of December 5, 2013 for submission; and

WHEREAS, under this grant program the Department of Planning desires to submit up to two applications for \$25,000 each for a tree inventory of Ash Trees on County roads and the Bike Path right-of-ways; and

WHEREAS, there would be no County match for these grants if approved by the New York State Department of Environmental Conservation; therefore be it

RESOLVED, that the Putnam County Legislature authorizes and approves of the Department of Planning submitting up to two applications under the NYS DEC Urban Forestry Grant Program for \$25,000 each for a tree inventory of Ash Trees on County roads and the Bike Path right-of-way; and be it further

RESOLVED, that upon the awarding of any said grant, the Administration obtain acceptance for said grant by the Putnam County Legislature.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6b – Approval/Appointment/Election Commissioner/Democratic Party was next. Legislator Oliverio made a motion to move the following; seconded Chairman Othmer.

Legislator Oliverio stated that, by a large majority vote, the Democratic Party nominated Cathy Croft to fill the vacancy of Board of Election Commissioner. Legislator Oliverio stated that he would like to move forward with her appointment to that position for the remainder of the term which expires at the end of 2014.

Chairman Othmer believed that there was no reason why we should not approve this recommendation.

Legislator Oliverio stated that he has been a Legislator for almost eighteen years and has been through four Election Commissioner appointments. He stated that he has always supported the recommendation put forth by both the Democratic and Republican Parties.

Legislator DiCarlo stated that this has nothing to do with the individual recommended to fill the vacancy. However, there is a Legislative process where the recommendation would go to the Personnel Committee, the person would be appointed at the Year End meeting and would start in the position January 1, 2014.

Legislator Oliverio stated that under NYS Election Law each County Board of Elections should have equal representation. He stated that right now the Democratic Party has no representation. He stated that we did not have time to vet this recommendation through the Committee process. There have been many times when an issue is brought forward for the first time and settled during a Full Legislative meeting. He stated that he would agree and would prefer that items go through a Committee process, however, this was an important position and he believed that it should be moved as quickly as possible. We needed

representation in the Board of Elections now and he believed that it should not wait until the Year End Meeting or the 1st of the year. This process has never been delayed in the past.

Chairman Othmer stated that he concurred with Legislator Oliverio.

Legislator Gross stated that Cathy Croft is an excellent candidate. However, there is a Deputy Commissioner in the Board of Elections who represents the Democratic Party. He stated that the second issue is that Bob Bennett who is retiring is still being paid out of that line through the end of the year. He stated that it would mean that we would be paying two individuals for the same position. He stated that he supported the recommendation and supported the start time for that position effective January 1, 2014.

Legislator Oliverio stated that we are looking at approximately receiving \$2 million dollars excess in sales tax revenue. He stated that we have the money. He stated that Bob Bennett earned the vacation time he is receiving. It does not preclude the fact that you do not bring someone else in to replace this individual. He did not understand the delay. He did not believe anything would be done in Committee.

Legislator Castellano stated that he believed there was a process to go through and that this recommendation should go through that process. He stated that he would be supportive of Cathy Croft and did not believe he would be changing his vote a month from now. He did not see the urgency.

Legislator Oliverio stated that his party does not have representation. He believed that there was no good reason for the delay.

Legislator Nacerino believed that Cathy Croft would serve as a fine Board of Election Commissioner. However, she placed value on the process. She believed that whether, Democrat or Republican, we each respect that we are not circumventing the process. She stated that we were not talking about a long period of time. She stated that we are only talking about 2 or 3 weeks where a Deputy Commissioner can suffice and would not have an adverse effect on the Board of Elections or the Democratic constituents. She believed that we would alleviate many problems if we uphold and respect the rules and policies set forth.

Legislator Oliverio believed that this was becoming political.

Chairman Othmer stated that if we approve and appoint Cathy Croft now effective January 1, 2014 then she would feel comfortable going into the Board of Elections office to prepare for her duties in that role. He believed it would be a courtesy to approve this.

Legislator Albano stated that he did not have a problem with this being effective January 1, 2014. Cathy Croft is a great candidate. There is representation with the Deputy in the Board of Elections right now and he did not see the urgency.

Legislator Scuccimarra stated that she came in this evening believing that she was going to follow the rules, however, sometimes you just have to look at the big picture. Legislator Oliverio has a very passionate plea. She stated that Legislator

Oliverio being the lone Democrat on the Legislature she believed that, as Chairman Othmer said, "it is a courtesy".

Legislator LoBue stated that there were certain mishaps throughout the year where we circumvented the process such as: the Safe Act and the Indian Point Resolution. She stated that it is not about the Legislature knowing two weeks ago that this was going to transpire. It is about the public knowing that this was going to take place. She believed the recommendation was a top candidate. The concern was that if it was passed through tonight, we may hear that certain people in the public were unhappy that they did not get the opportunity to voice their opinion.

Chairman Othmer made a motion to approve the recommendation of Cathy Croft effective January 1, 2014; seconded by Legislator Albano.

RESOLUTION #286

APPROVAL/APPOINTMENT/ELECTION COMMISSIONER/DEMOCRATIC PARTY

WHEREAS, there exists a vacancy in the Office of Putnam County Commissioner of Election for the Democratic Party; and

WHEREAS, the Putnam County Democratic Party has filed with the Clerk of the Legislature a Certificate recommending the appointment of Catherine P. Croft to fill said vacancy; now therefore be it

RESOLVED, that Catherine P. Croft, of the Town of Southeast, is hereby appointed to fill the unexpired term of Commissioner of Election for the Democratic Party effective January 1, 2014.

**BY ROLL CALL VOTE: EIGHT AYES. ONE NAY – LEGISLATOR DICARLO.
MOTION CARRIES.**

Item #7 – Recognition of Public

Ms. Lynn Eckardt, Town of Southeast, informed the Legislature that there are approximately 18,000 registered Democratic voters in Putnam County. She stated that it helps that Cathy will be able to go into the Board of Elections, however, she felt a little discriminated against. She believed that it was important to have full representation when it is available. She stated that the Democratic Party worked very hard to recommend a Commissioner who would be ready, willing and able to serve tonight.

Item #8 – Recognition of Legislators

Legislator Nacerino stated that this is the last public meeting with Chairman Othmer and Legislator DiCarlo. She stated that it has been an honor and privilege to serve with both of them. She stated that Legislator DiCarlo has served his constituents with the utmost integrity. He is intelligent, articulate and his thinking is always clear and concise. His votes have always been in the best interest of the people. She stated that she has the utmost respect for him and his leaving will be a tremendous loss to the Legislature.

Legislator Nacerino stated that Chairman Othmer knows how much he is loved. She appreciated his compassion and his ability to always bring a keen touch to our Legislative forum. She stated that he is very knowledgeable even though at times he underestimates himself. She stated that he has served the Legislature well as Chairman and it is her honor to know him.

Legislator Gross echoed Legislator Nacerino and stated the he would certainly miss Legislator DiCarlo and his candor and integrity. He really appreciated his counsel, perspective on issues and his belief on keeping with the process. Legislator Gross stated that he appreciated Chairman Othmer's candor, strong leadership, positive thinking and the ability in always having something good to say about everyone.

Legislator DiCarlo stated that he will be unable to attend the Year End Legislative meeting. He stated that it was amazing how fast ten years has gone by. He served on the Town of Carmel Board for seven years and three years on the Legislature. He stated that it has been an incredible journey and he really enjoyed the Legislative process. He stated that we have agreed to disagree and that is what government is all about. He stated that it has been an honor to serve the people and he will miss it. He stated that it has been great working with Chairman Othmer. He stated to County Executive Odell that it has been a great journey working with her. He wished everyone a wonderful holiday.

Legislator Oliverio stated that Anthony could serve three more terms and people do come back. He stated the Chairman Othmer was the most honest person he has ever dealt with. Although they may have disagreed many times, he stated that he was an outstanding, honorable Chairman.

Chairman Othmer stated that although we disagree on many issues he believed there was nothing rotten in County government. He believed that the Executive Branch and his fellow Legislators were good honest people.

Legislator Scuccimarra stated that everyone was aware of the horrific train accident that occurred last Sunday which took the lives of four individuals. She stated that one of them was a resident of Philipstown; Jimmy Lovell. He was a gentle, quiet man who will be sorely missed. She asked if we could have a moment of silence for him and his family.

Legislator Scuccimarra thanked County Executive Odell and Transportation Manager Vincent Tamagna for coming to the aid of the commuters in Garrison and Cold Spring by providing them with a shuttle service to the Southeast Train Station.

There being no further business, at 8:20 P.M., Legislator Oliveiro made a motion to adjourn; seconded by Chairman Othmer. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.