

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

Members: Chairwoman Addonizio, Legislators Gouldman & Scuccimarra

**Wednesday August 5, 2015
(Immediately Following the Economic Development Meeting beginning at 6:00pm)**

The meeting was called to order at 6:54 P.M. by Chairwoman Addonizio who led in the Pledge of Allegiance. Upon roll call, Legislators Gouldman & Scuccimarra and Chairwoman Addonizio were present.

Chairwoman Addonizio made a motion to waive the rules and accept the other business; Seconded by Legislator Scuccimarra. All in favor.

Chairwoman Addonizio stated she would like to address item #12a. first to accommodate a request made by County Attorney Jennifer Bumgarner.

Item #12 - Other Business

a) Approval/ Litigation Settlement (Tabled from Full Mtg. 08/04/2015)

At 6:57pm Chairwoman Addonizio made a motion to go into Executive Session to discuss a proposed settlement of litigation with the County Attorney; Seconded by Legislator Scuccimarra. All in favor.

At 7:10pm Chairwoman Addonizio made a motion to come out of Executive Session; Seconded by Legislator Scuccimarra. All in favor.

Chairwoman Addonizio made a motion to pre-file the necessary resolution to the next meeting of the Legislature; Seconded by Legislator Scuccimarra. All in favor.

Chairwoman Addonizio then stated she would like to address item #7 next.

Item #7 - Discussion/ County License Fees for Plumbers & Contractors 65 Years and Older

Mrs. Patty Villanova, resident of Putnam Valley thanked the Committee for addressing her request. She stated she would like the Legislature to pass a local law waiving the licensing fee for contractors over the age of 65. She stated in today's economy, people are working longer as they cannot afford to retire. She stated the County fee to renew a license is \$500 per year. She stated the work being done by contractors is hard, especially as one ages. She stated if the County were to waive this fee, the loss the County would face would be insignificant compared to the positive impact it would have

on the contractor. She stated she is unaware of how many contractors are over the age of 65.

Chairwoman Addonizio stated she spoke with Director of Consumer Affairs, Jean Noel and was told that there is no way to determine the number of contractors aged 65 and older because age is not requested when a contractor goes in to renew their license. She stated the \$500 yearly license renewal fee is for plumbers and electricians. She stated the fee for home improvement contractors is \$250 every two (2) years.

Mrs. Villanova stated this is tough, physical work being done by hardworking taxpayers. She stated the contractors pay a lot to live and be in business in Putnam County.

Legislator Albano stated the fees to be in business are high. He stated he has heard the same issue from new business owners as well. He stated it is difficult to decide where to start. He stated people of all ages are facing financial issues.

Chairwoman Addonizio stated the Veterans should also receive a break on their fees, as decided by the Legislature, as well. She stated information needs to be gathered on the financial impact that this may have on the County.

Legislator Nacerino suggested tabling this item to next month's meeting and inviting Director Noel to provide input. She stated this should be looked at from a broader prospective, rather than polarizing one (1) group. She stated when exceptions are made for some it is difficult to say no to others. She stated this needs to be researched to find the feasibility of waiving this fee. She stated she understands Mrs. Villanova's concern as everyone is working longer and later in life.

Mrs. Villanova stated waiving the fee is a specific proposal which is easily accomplished. She stated there are not a lot of contractors over the age of 65.

Legislator Scuccimarra stated that information is unknown.

Chairwoman Addonizio stated she understands Mrs. Villanova's point.

Legislator Gouldman stated he would rather have the fee waived on a "need base point of view." He stated there are contractors over 65 who may be doing very well, and they should pay their \$500 fee.

Mrs. Villanova stated she would like to fee to be waived based on age rather than financial standing. She stated any person doing this physical work at that age deserve a break.

Legislator Gouldman stated he agrees that the fee should be waived for someone who is unable to pay it. He stated if someone over the age of 65 is doing well, it does not make sense for that person not to pay.

Legislator Nacerino stated she respectfully suggests tabling this item so Director Noel can be present at next month's meeting to provide input into the discussion. She stated when doing something that will benefit some, the impact it will have on all must be determined. She stated the Legislature needs to make an informed decision.

Mrs. Villanova questioned who would be able to provide information to the Legislature.

Legislator Nacerino stated the Director of Consumer Affairs, the Chairman of the Plumbing Board and Electrical Board, and the County Attorney would all be able to provide information.

Mrs. Villanova stated she would like this matter to go before the Legislature for a vote.

Legislator Nacerino stated this should be addressed during the budget process as it will have a financial impact on the budget.

Mrs. Villanova questioned what it would take for this to go before the full Legislature to be voted on.

Legislator Nacerino stated it will be brought back to the Rules Committee next month when Director of Consumer Affairs, the Chairman of the Plumbing Board and Electrical Board, and the County Attorney will be present. She stated the financial impact would need to be known as it would impact the budget.

Mrs. Villanova stated perhaps Legislative Counsel could provide insight to the legality of waiving this fee.

Legislator Albano stated there are people of all ages who are struggling. He stated being in business is difficult. He stated he would be glad to consider waiving the fee, but it is hard to determine who should be helped.

Legislator Gross stated the fee seems very high. He stated he would like to look into the current fee schedule.

Legislator Albano stated having to be licensed in different towns and areas is a hardship on businesses as well.

Chairwoman Addonizio stated the Committee is not saying "no." She stated this needs to be looked into more extensively.

Mrs. Villanova stated the voters and taxpayers need to be shown where the Legislators stand on this matter. She stated she does not want this to get lost in Committee.

Legislator Gross stated this will not get lost in Committee. He stated information will be collected about the impact this may have and about the plausibility of extending the waiver to Veterans and those with disabilities.

Mrs. Villanova agreed that Veterans should have their fee waived as well. She stated she would like this to come to a vote by the Legislature.

Legislator LoBue stated there is a process to be followed. She stated the matter must first go through Committee in order for it to go before the Full Legislature.

Chairwoman Addonizio stated this will be on the Rules agenda next month with the aforementioned people present.

Legislator Nacerino reiterated that this is something that would need to go through the budget process as well. She stated Legislator Gross suggested the possibility of reducing the fees, which would also impact the budget. She stated the Committee must have all the information before making a decision.

Mrs. Villanova stated for the year 2016 the fee will need to be paid by December 31, 2015. She stated the renewal papers are sent out in September.

Legislator Nacerino stated the decision may be made before then.

Mrs. Villanova questioned if it were to pass out of Committee in September when it would be voted on.

Legislator Nacerino stated it would go to the Full Legislative Meeting in October. She stated it would need to go through the budget process and become effective in January 2016.

Mrs. Villanova stated realistically, it would become effective in 2017.

Legislator LoBue stated it would become effective in January 2016; however for the business owner it would take effect in 2017.

Legislator Albano stated that can be looked at.

Mrs. Villanova stated she understands that there is a process that needs to be gone through. She stated she would like there to be an open process and have the Legislator's votes on record.

Legislator Nacerino stated the process is open and transparent.

Legislator Gouldman stated the age of the individual renewing their license should be requested as well.

Chairwoman Addonizio stated this could create a problem of a son possibly renewing the license under their father's name, if he is working in his father's business. He stated it is not black and white.

Mrs. Villanova stated perhaps the date of birth could be requested on the renewal application.

Legislator Gross stated proof of being over 65 years old could be requested.

Legislator Nacerino stated proof could be requested and the corporation should be in that person's name.

Mrs. Villanova stated a lot of information is requested on the renewal form. She stated it would be easy to put date of birth on the renewal form.

Legislator Nacerino stated date of birth cannot be requested because of discrimination laws. She stated in order to receive the waiver the person would be required to show proof of age.

Mrs. Villanova stated there are not a lot of contractors over the age of 65.

Legislator Nacerino stated there may not be a lot, however it must be done correctly through process, procedure, and policy.

Mrs. Villanova stated so much information is requested and she does not feel it will be offensive to ask for one's date of birth. She stated it does not take a lot to place it on the application.

Legislator Nacerino stated date of birth is not on applications because of discrimination laws.

Mrs. Villanova stated the form comes out in September. She questioned if Legislative Counsel Van Ross had input into this matter.

Legislative Counsel Clem Van Ross stated this waiver would require a Local Law change, which takes four (4) months. He stated Chairwoman Addonizio sent a letter to Mrs. Villanova spelling out the procedure process.

Chairwoman Addonizio stated this will be placed onto the September Rules Agenda.

Item #3 - Approval of Minutes – July 8, 2015

The minutes were approved as submitted

Item #4 - Approval/ Proposed Charter Change/ Section 12.20 Bureau of Emergency Services/ Commissioner/ Remove $\frac{2}{3}$ Legislative Vote Requirement for Removal of Commissioner

Legislative Counsel Van Ross stated this was discussed a few months ago. He stated originally, it was the opinion of the Committee to not change the Charter, however when discussed last month the opinion changed.

Legislator Scuccimarra stated this provision proved to be problematic.

Legislator Nacerino stated she supports removing this provision. She stated the Commissioner of the Bureau of Emergency Services serves at the pleasure of the County Executive. She stated the County Executive appoints to this position and therefore should have the ability to remove.

Legislator LoBue stated she would like to leave the Charter as is. She stated when former Commissioner of Emergency Services Bob McMahon requested this provision be put in in order to secure his position, which the Legislature at the time approved.

Legislative Counsel Van Ross stated Bob McMahon was the Fire Coordinator and was appointed by the Legislature. He stated the position of Emergency management was then created. He stated in order to protect himself, Bob McMahon requested that $\frac{2}{3}$ vote of the Legislature be required to remove him.

Legislator Nacerino stated this creates an inequity. She stated laws should not be based on one (1) person. She stated she is in favor of striking this from the Charter.

Legislator Scuccimarra stated she agrees with Legislator Nacerino.

Legislator Nacerino stated the County Executive has sole authority over the other Commissioner positions. She stated the Commissioner of Bureau of Emergency Services is the only one that has this provision.

Legislator Scuccimarra stated the Charter should not be customized.

Chairwoman Addonizio made a motion to pre-file the necessary resolution; Seconded by Legislator Scuccimarra. All in favor.

Item #5 - Approval/ Letter of Support/ A7376A & S3018A/ An Act to Amend the Municipal Home Rule Law in Relation to Authorizing the Electronic Transmission of Proposed Local Laws to Members of a Local Legislative Body

Chairwoman Addonizio stated these bills allow the electronic transmission of proposed Local Laws to members of a Local Legislative Body. She stated the electronic transmission will save time and money.

Legislative Counsel Van Ross stated this passed both the Senate and Assembly.

Chairwoman Addonizio stated it will be delivered to the Governor.

Legislative Counsel Van Ross stated Assemblywoman Sandy Galef requested Putnam County's support of this bill be sent to the Governor.

Legislator Scuccimarra stated this legislation would allow email as a means of delivery.

Chairwoman Addonizio stated there would still be a choice to mail the Local Laws in the old fashion way.

Legislative Counsel Van Ross stated Assemblywoman Galef is requesting that a letter be sent from either the Chair on the Rules Committee or the Chair of the Legislature showing support for this legislation.

It was decided that Chairwoman Addonizio would send the letter.

Chairwoman Addonizio made a motion to approve and send a letter of support for Assembly and Senate Bills A7376A and S3018A; Seconded by Legislator Scuccimarra. All in favor.

Item #6 - Approval/ Proposed Amendment/ Chapter 55 of the Putnam County Code Entitled "Ethics, Code of, and Financial Disclosure"

- a) Subsection 55-2C Entitled "Definitions"**
- b) Subsection 55-7 Entitled "Annual Disclosure Statements"/ Add New Subsection 55-7F**
- c) Correspondence/ Board of Ethics/ Monetary Civil Penalties Under the Code of Ethics/ FYI**

Chairwoman Addonizio stated Chairman of the Ethics Board Bob Bickford was unable to attend tonight's meeting and therefore she would like to table this item.

Chairwoman Addonizio made a motion to table Approval/ Proposed Amendment/ Chapter 55 of the Putnam County Code Entitled "Ethics, Code of, and Financial Disclosure"; Seconded by Legislator Scuccimarra. All in favor.

Item #7 - Discussion/ County License Fees for Plumbers & Contractors 65 Years and Older

This item is addressed at the beginning of the minutes.

Item #8 - Discussion/ Late Agenda Items Surpassing Proper Committee and Going Straight to the Audit Committee

Chairwoman Addonizio stated she received a request from Legislator Castellano to table this item as he is unable to attend tonight's meeting.

Chairwoman Addonizio made a motion to table Discussion/ Late Agenda Items Surpassing Proper Committee and Going Straight to the Audit Committee; Seconded by Legislator Scuccimarra. All in favor.

Item #9 - Discussion/ Amend Procedure on Wording Used on Legislative Resolutions

Chairwoman Addonizio stated this was brought to her attention while reviewing a resolution that she had worked on for over five (5) months. She stated the top of the resolution stated "Introduced by Legislator Scuccimarra on behalf of the Health, Social, Educational, & Environmental Committee." She stated the way it is worded does not reflect the Legislator who originally brought it forward.

Legislator LoBue stated the resolutions have always been written as the Committee bringing the resolution forward. She stated the Chairperson can acknowledge the Legislator who brought the matter forward.

Legislator Albano stated he has no problem listing the person who brought the resolution forward.

Chairwoman Addonizio stated it could be a disadvantage if the Chairperson is not in favor of the resolution, but is brought forward by their Committee.

Legislator Nacerino stated the Chairperson's vote will be listed on the resolution.

Legislator Scuccimarra stated at the Full Meetings when the resolution is about to be voted on, often times the Chairperson of that Committee will recognize the Legislator who was responsible for bringing the resolution forward so it is reflected on the record.

Chairwoman Addonizio stated she would like the resolution to reflect who brought it forward.

Legislator Nacerino stated she would like the resolutions to stay the way they are. She stated the resolutions are formal and introduced by the Committee.

Legislative Counsel Van Ross stated this is something that should be discussed over time and decided what exactly is wanted.

Legislator LoBue stated she brought forward the matter of banning plastic bags to the Health Committee. She stated in the paper, it was stated that Legislator Scuccimarra had brought the matter forward. She stated things like that happen.

Chairwoman Addonizio stated that is not the resolution.

Legislator LoBue stated sometimes it happens that someone else gets credit. She stated this is not an issue. She stated the Legislator should advocate for themselves.

She stated as Chairwoman of Rules, Legislator Addonizio is getting attention for things that come out of the Rules Committee.

Chairwoman Addonizio stated she does not want to take attention from other Legislators.

Legislator Nacerino stated it is not about ego, it is about policy. She stated it is not about the Legislators, it is about the people they serve.

Chairwoman Addonizio stated she is not bringing this up for just her. She stated looking back at older resolutions; it is not clear who brought them forward.

Legislator Nacerino stated the minutes show who brought the legislation forward. She stated this will get too cumbersome.

Legislator Gouldman stated in Congress, if someone in the minority has an idea, the majority will take it and make minor changes and not give credit to the minority.

Legislator Scuccimarra stated when bills are sponsored, the person's name who gets put on it may not have written it at all.

Item #10 - Correspondence from Law Dept./ Chapter 112 of the Putnam County Code Entitled "Vehicle Policy"/ FYI

Legislator LoBue stated she had a handout pertaining to this topic.

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

Legislator LoBue stated a request was made by the Sheriff to change the Vehicle Policy. She stated she researched an accident that the Sheriff was involved in. (Handed out a copy of the article.) She stated the article came from the Putnam County News and Recorder and is from 2004. Legislator LoBue then read the third and fourth paragraph. She stated in his accident, the Sheriff followed the policy exactly. She stated the Sheriff requested the policy be changed, however made sure protocol was followed in his accident. She stated she believes the policy should be kept as is.

Legislator Nacerino stated she cannot support this change as the County should not investigate themselves. She stated there is a reason the law is on the books. She stated with these laws, Putnam County is doing the best practice by having an outside agency investigating Sheriff Department accidents. She stated allowing the Sheriff's Department to investigate themselves is a set up for disaster. She stated the County needs checks and balances in everything that is done. She stated this came as a result of an accident involving the Undersheriff.

Legislator Gouldman agreed that the policy should not be changed.

Legislator Gross also agreed that the policy should not be changed. He stated the article that Legislator LoBue presented shows the Sheriff handled the situation by the policy.

Legislator LoBue stated she spoke with the Police Chief in Carmel who was unaware of comments from the Sheriff's Department regarding the Carmel Police not responding to a Sheriff's Department accident.

Item #11 - Litigation Report/ FYI – Duly Noted

Item #12 - Other Business

a) Approval/ Litigation Settlement (Tabled from Full Mtg. 08/04/2015)

This item is addressed at the beginning of the minutes.

**b) Approval/ Inter-Municipal Agreement with the Town of Kent/
Sharing Email Server**

Director of IT/GIS Thomas Lannon

Legislator Scuccimarra

Director Lannon

Legislator Nacerino

Director Lannon

Legislator LoBue

Director Lannon

Legislator LoBue

Director Lannon

Legislator LoBue

Legislator Scuccimarra

Director Lannon

Legislator Gouldman

Chairwoman Addonizio made a motion to pre-file the necessary resolution; Seconded by Legislator Scuccimarra. All in favor.

Item #13 - Adjournment

There being no further business at 8:06 P.M. Chairwoman Addonizio made a motion to adjourn; Seconded by Legislator Scuccimarra. All in favor.

Respectfully submitted by Administrative Assistant Beth Green.