

**AUDIT & ADMINISTRATION COMMITTEE MEETING**  
**Held In Room 318 of the**  
**PUTNAM COUNTY OFFICE BUILDING**  
**CARMEL, NEW YORK 10512**

**Members: Chairwoman Conklin, Legislators Birmingham, & LoBue**

**Monday** **June 25, 2012**  
**(Immediately following Economic Dev. Mtg. starting @ 6:30 P.M.)**

The meeting was called to order at 7:15 P.M. by Chairwoman Conklin who requested Legislator Birmingham lead in the Pledge of Allegiance. Upon roll call, Legislators Birmingham, LoBue, and Chairwoman Conklin were present.

**3) Approval of Minutes – May 24, 2012**

Minutes were approved as submitted.

**4) Correspondence/County Auditor**

- a) Sales Tax Report** was duly noted.
- b) Board In Revenue Report** was duly noted.
- c) Transfer/Revenue Report** was duly noted.
- d) Contingency/Sub-Contingency Report** was duly noted.
- e) OTB Report**

Legislator Dan Birmingham had a question regarding the potential merger of Catskill OTB and New York City OTB. The Committee and attendees briefly discussed the rumors regarding the potential merger of Catskill OTB and New York City OTB.

**5) Issuance of Bonds/Discussion**

Chairwoman Mary Conklin stated that she and Legislator Birmingham asked Commissioner of Finance Bill Carlin for backup regarding the amount of money that the County is bonding this year. She felt it would benefit everyone to receive information regarding County bonds.

Commissioner Carlin stated that the reasons he set forth in the backup are justification for bonding this year. The bond debt service that the County has this year with a couple of issues coming up will be less next year even with these new borrowings. There is a table in the backup that shows what the future debt service will be and if you have a good bond rating, which Putnam County does, you want to take advantage of the borrowing rates that are available right now because they are lower than they have been since he has been here, twenty years, and probably as low as they will ever be. We should take advantage of the borrowing now. The last exhibit of the backup shows

legal notices from the Town of Carmel showing that they are also taking advantage of the bonding rates right now.

Legislator Birmingham stated that the first payment for 2013 he assumes is interest.

Commissioner Carlin stated that it was.

Legislator Birmingham stated that in the past, at times, the County did not do the “skip year” option for bonds.

Commissioner Carlin stated that we have mostly done skip years.

Legislator Birmingham asked how the number would change if we were to not skip a year.

Commissioner Carlin stated it would move more of the debt service forward. He stated he could generate a revised report to reflect that.

Legislator Birmingham asked if the \$7,390,376 was principal with interest.

Commissioner Carlin stated it is and it will go up slightly based on proposed items tonight.

Legislator Birmingham stated Commissioner Carlin’s analysis is completely accurate if we do not authorize anything beyond the current list in the backup as far as the debt service we need to pay this year. He also pointed out that as a cautionary note, we are seemingly okay right now with the debt service amount but there are four months until budget and we will need to exercise caution with bonding for the rest of 2012.

Legislator Sam Oliverio stated he understands that money is cheap right now and that Commissioner Carlin’s explanation for additional bonding holds water. Legislator Oliverio stated his concern is that you do not borrow money just to get the rewards points. He stated that money is cheap but it is still money you need to pay back. He is concerned at the amount he sees here. Along with Legislator Birmingham, Legislator Oliverio also rings the “bell of caution.”

Legislator Vincent Tamagna stated he would like to caution that when Moody’s takes a look at our ratings, we are at a very low place when it comes to what we bond. He agrees that we should not bond just to get the toaster oven; we need to be smart and be smart about what cash we have on hand because that affects our ratings.

Legislator LoBue stated she is concerned about the smaller amounts that we are bonding for lengthy periods of time.

Commissioner Carlin stated that bonds were broken into what they are being used for within the County. So, those small sums are part of a larger bond amount. The period

of time for the bond is set by the Local Finance Law. For example, the snow and ice agreement to plow state roads is paid on a depreciating basis over a number of years. If we have a \$200,000 truck that we use for the agreement the State is not going to pay us a \$200,000 lump sum, it is paid over a number of years. Therefore, it is in our benefit to use the debt service to pay for said truck so the snow and ice revenue even out the truck purchase expense over the years.

Legislator LoBue stated she would have rather had the discussion regarding the trucks/equipment first rather than a discussion about minor renovations.

Chairwoman Conklin stated that the only concern she would have is if we deplete our contingency budget. That would be a frightening situation. Just like remodeling a house, you do not spend all of the money you have, you borrow a little bit and you pay a little bit.

Commissioner Carlin stated for the record that we have never borrowed for Sheriff's cars. When you are looking at the massive equipment of Highway, some of it is over twenty years old and we are not getting out of the snow removal business, we are in it for the long haul.

Legislator LoBue stated for clarification that she is aware that we are not bonding for these items individually but reminded the Committee and meeting attendees that we are still borrowing the money.

Legislator Albano stated that all of the things that we are bonding for are necessary. This is our opportunity to take advantage of the crazy world right now. Make it all happen and do it right.

Legislator Othmer stated that we are purchasing dump trucks and loaders, not condos in the Caribbean. We need these items and the Highway Commissioner said we need them, so let's get them now at a low cost. As far as the building is concerned, this building was built in 1911 and renovated/added on to in approximately 1935. He stated he has renovated before in his home and believes that the numbers being requested to renovate this building are accurate for the work that needs to be done.

Legislator Oliverio stated what we are bonding is not the question. He supports the trucks and loaders and everything else and he understands the need for these things. He believes we need to move very judiciously in this bonding and future bonding. He agrees with Legislator Birmingham that we will be over that 5% of the total amount we can borrow and though it is not a lot, he personally wants to check each item out before we bond any one of them. The least amount of debt you have, the better off you are.

Legislator Othmer stated he understands but now is the time to strike, strike fast.

Legislator Oliverio stated that nobody is arguing against these items on the agenda this evening, he is referring to as we go forward to keep these things in mind.

Legislator Othmer stated that we have professional people looking at this big picture. He believed we should take advantage of this opportunity because we may never have this time again to borrow money this inexpensively.

Legislator Oliverio reiterated his previous point to not borrow money just because it is cheap. Nobody is arguing about what is being bonded, it is a discussion about bonding in the future.

Legislator Birmingham questioned why we are now bonding for replacement items when previously we never did.

Commissioner Carlin stated in the past we have bonded for trucks but not replacement sheriff's cars.

Chairwoman Conklin asked Commissioner Carlin to explain the grant match.

Commissioner Carlin stated the New Freedom Grant is a project that the Legislature approved the grant application, he believes in November, for a sidewalk project and that is our portion. Same for the Maybrook Bikepath.

Legislator Birmingham pointed out that we only passed Intent to Bond resolutions for some of these items on this report, in case we decided to bond for these items when the time came and reimburse ourselves. Maybe we should think twice about authorizing bonds for some of those and rather pay them out of cash on hand. It is roughly under \$300,000.

Legislator Albano stated that to go to the other extreme, we have things that we need to do outside, when we talk about the handicap accessible, we should identify all of those things and bring them forward at one time while we are considering this intent to bond issue. There are things that we have to do coming up, let us address them now to see where we should go with this bonding. Make it count now, do this in one shot, let's not nickel and dime here.

Legislator Birmingham explained the remainder of the backup, the Statement of Debt Contracting Margin.

The Committee and attendees further discussed the item.

County Executive MaryEllen Odell stated that on this list here we have \$400,000 for repairs to the parking deck. There was a philosophy in place that some of the Legislators wanted to do it because the public would benefit from those repairs. However, in the County Office Building there is plywood by the air conditioners which looks terrible and is completely energy inefficient. The ladies room on the first floor, which is utilized by the public is horribly outdated and smells awful. We need to come to common ground on what is important. Are \$400,000 in repairs to the parking deck

any more important than making the County Office Building energy efficient? She stated that an employee in Real Property cut open their hand while trying to open an old window. County Executive Odell agreed that the dialogue is very good, very strong, very intelligent and that we do need to discuss this because it is public funds that we are using. However, she believed that when we discuss this we should look at the larger picture.

Legislator Birmingham stated he does not necessarily disagree. He stated he will probably be a “no” vote on some of these items. We are getting to a point where he believes we are coming to a saturation point with how much we should spend, with the borrowing as an ancillary piece of that. We are only in June, half way through the year, and we have already got \$5 million worth of expenses that we will most likely bond. If we stay on this trajectory we’ll have \$10 million, and other than the new courthouse, we have never had to borrow that much in one single year.

Legislator Albano stated we are getting double the bang right now. Interest rates have been at 6% on bonds, if we borrow \$6 million, we are paying interest on \$2.5 million of that. We are not going to see 2% again.

Commissioner Carlin stated the County has a moderate and manageable debt burden, those being Moody’s words.

Legislator Oliverio stated that infrastructure is important but debt is laying waste to a number of worldwide municipalities. It may be cheap to borrow but you have to pay it back and we could get in over our heads.

Legislator LoBue stated that we just saw the unemployment and foreclosure rate. People do not have disposable income. We have been fortunate because gas rates have been up and we benefit from the sales tax. Also, the government incentivized the purchase of automobiles which also benefited the County in sales tax. She is cautious and leery; it is an awful lot of debt.

Legislator DiCarlo stated that he hopes that as part of the budget process we see this plan for capital projects and expenditures. Health and safety of the people we serve is how we should prioritize capital project requests, three and four years out. It will give us a better understanding in the budget process to gather the information and will make a difference in the planning and financing of projects moving forward.

Legislator Othmer stated that if you do not fix things now, it will cost you ten times as much to fix them later on. He stated that Commissioner Carlin is an expert and he trusts Commissioner Carlin’s judgment and advice.

Legislator Tamagna stated we need to be fiscally smart. If you put off repairs to this County Office building, the parapets, the brick, the parking deck, the more aggravation, the more expense it is going to cost you to repair. That is why sometimes to spend a little bit extra now will save us a great deal in the future.

Legislator Birmingham stated the building is important, the roof, etc., none of the bond issues we have authorized this year were for any of that. They all had to do with interior renovation. It is important to do the interior renovation but the trucks and the building envelope those are the issues that should be addressed first.

The Committee and its attendees further discussed the item.

**6) Correspondence/Commissioner of Finance**

**a) Vacancy Control Report (see Item #5c – Budgetary Amendment (12A046) was duly noted.**

**b) Approval/Budgetary Amendment (12A046)/Finance/Vacancy Control Factor April – May 2012**

Legislator Birmingham made a motion to pre-file the necessary resolution; seconded by Legislator LoBue. All in favor.

**c) Approval/Budgetary Amendment (12A048)/Highway/Bond Proceeds/ Purchase 5 Snow Trucks & 2 Loaders (also reviewed by Physical Services Committee along with Bond)**

Legislator Birmingham made a motion to accept the additional for this item; seconded by Legislator LoBue. All in favor.

The money was increased at the Physical Services meeting for the addition of two loaders.

Legislator Birmingham asked why we were replacing seven years worth of vehicles at one time. Why can't we keep the youngest vehicle and phase them in and out.

Legislator Albano stated his suggestion from the June Physical Services meeting was to eliminate one truck and keep two of the older ones for parts.

Legislator LoBue stated that it was also discussed in the June Physical Services Meeting the housing of the trucks, rust abatement, and cleaning of the trucks. She also stated that the County Executive mentioned an inter-municipal agreement during the June Physical Services Meeting as well. Are we going to be asked for additional monies for cleaning these trucks, for housing these trucks?

Legislator Albano stated that either way we still need the new trucks.

Legislator LoBue stated that you wouldn't buy an antique car without having a garage on your house first. Why are we getting trucks without planning for their space?

Legislator Oliverio stated that Putnam Valley has a wash shed for their trucks and plows. The County built the Putnam Valley salt shed and they share it and it is available for County trucks. Health and safety comes first, as Legislator DiCarlo said and on a winter morning those roads need to be clear. Legislator Oliverio worries about debt, however, these are necessary and worthy items that help protect lives and make roads and streets safe.

County Executive Odell stated that the inter-municipal agreement referenced earlier in the discussion of this item, is a way to achieve and capture some efficiencies by sharing equipment and services. It also allows transparency in certain collaborations in a certain town or village and the County may enter into. She also stated that Commissioner Pena made clear in the June Physical Services meeting that he recognizes these trucks and loaders are a large fiscal commitment and we need to be mindful of what goes along with it.

Chairwoman Conklin asked the County Executive if we had a place to house trucks.

County Executive Odell stated we do on Fair Street. This is where we house the current trucks and if we needed temporary shelter for them, there are options available.

Legislator Albano stated that we know right now the lifetime of one of these trucks is twenty years. If we are able to figure out a way to clean them better and prolong their lifetimes it would be a bonus.

Personnel Director Paul Eldridge pointed out that each truck on the list that Highway would like to replace are between twenty and thirty years old.

Legislator Othmer stated he bought his new dump truck five years ago and before that truck he had one that lasted twenty-three years and never put it in the garage. These dump trucks without the loaders are useless you need to load the sand into the trucks via the loaders.

Legislator DiCarlo stated that for clarification he would like Commissioner Pena to give the Legislature a plan for these trucks and loaders, where they will be housed, etc.

Legislator Birmingham pointed out that in the Bruen Administration they purchased a new truck each year. He would like to change the resolution to \$880,000 for four new trucks. We are not that far off from budget and a number of these cannot be delivered until January anyway. We wouldn't borrow for this until November either. Change it to \$880,000 to let Commissioner Pena use those funds as he sees fit and let the rest go through the capital budget committee process.

Legislator Albano stated it takes a long time to make these trucks.

Legislator Oliverio stated that it should be on capital projects but Commissioner Pena did not work for the County then. Commissioner Pena did an assessment of his equipment and this is what he is faced with. We did not discuss this in capital projects; Legislator Oliverio was present at those meetings. Trucks never were mentioned.

Legislator Birmingham made a motion to pre-file the necessary resolution as amended; seconded by Legislator LoBue.

By Roll Call Vote: Two Ayes. One Nay – Chairwoman Conklin. Motion Carries.

Steve Rosario, resident of the Town of Philipstown stated that what should be kept in mind is the cost of maintaining the older vehicles versus the cost to purchase new ones.

**d) Approval/Budgetary Amendment (12A049)/Highway/Upgrade Automotive Shop Equipment (also reviewed by Physical Services Committee)**

Legislator LoBue made a motion to pre-file the necessary resolution; seconded by Chairwoman Conklin.

By Roll Call Vote: Two Ayes. One Nay – Legislator Birmingham. Motion Carries.

**e) Approval/Budgetary Amendment (12A051)/County Executive/Treatment Court Coordinator Position/Probation Department (also reviewed by Protective & Personnel Committees – Approved @ Personnel Committee)**

Legislator Birmingham stated he will be voting no on this item. He knows it is a great program but it is one of those programs that we kicked the can down the road last year. It used to be a State matched 50/50 but now the State has pulled their money and we are being asked to fund the full budget for the program.

Legislator LoBue made a motion to pre-file the necessary resolution; seconded by Chairwoman Conklin.

By Roll Call Vote: Two Ayes. One Nay – Legislator Birmingham. Motion Carries.

**f) Approval/Budgetary Transfer (12T113)/Highway/Junior Engineer Position (also reviewed by Personnel Committee)**

Personnel Director Paul Eldridge stated that the money is in the sub-contingency account and it is not an impact of \$78,000 next year over and above what it is already for this year. He stated that was supposed to have been changed and should be modified.

Commissioner Carlin agreed with Director Eldridge.

Director Eldridge stated that not only the position but also the benefits were already funded in the 2012 budget.

Legislator Birmingham asked that in the future where it says Fiscal Impact, the amount, including fringes, could we please change that to plus fringes so it'll give us a better idea of the base salary itself. He asked what the salary would be.

Director Eldridge stated it is in the \$51,000.00 range.

Legislator Birmingham made a motion to pre-file the necessary resolution; seconded by Legislator LoBue. All in favor.

**g) Approval/Budgetary Transfer (12T130)/District Attorney/Restructure of Positions**

District Attorney Adam Levy stated that there would be some changes taking place in his office in October and he was looking to take this opportunity to restructure the way his office was operating based on several new programs and increases in certain types of cases, including narcotics. He is looking to restructure and move Assistant District Attorneys around in budget lines, replace, and decrease a salary by \$5,000 and increase a position \$5,000 based upon the work the Assistant District Attorneys are doing, with zero fiscal impact. The new individuals will contribute more to their health insurance cost than the retirees which will in effect prove to be a savings.

Legislator Birmingham made a motion to pre-file the necessary resolution; seconded by Legislator LoBue. All in favor.

**7) Approval/Bond Resolution/Intent to Borrow/Reconstruction & Improvement of County Office Building/First Floor Renovations**

Legislator Birmingham requested that the Committee discuss items 7 & 8 together.

The Committee agreed.

Legislator LoBue made a motion to pre-file the necessary resolution for item 7; seconded by Chairwoman Conklin.

By Roll Call Vote: Two Ayes. One Nay – Legislator Birmingham. Motion Carries.

**8) Approval/Budgetary Amendment (12A050)/Highway/First Floor Renovations of County Office Building (also reviewed by Physical Services Committee)**

Legislator LoBue addressed both items 7 & 8, asking for clarification on the numbers set forth in the budgetary amendment.

Commissioner Carlin explained that the \$154,500 on the budgetary amendment is the total less the \$14,500 already approved by the Legislature for said renovations.

Legislator LoBue made a motion to pre-file the necessary resolution for item 8; seconded by Chairwoman Conklin.

By Roll Call Vote: Two Ayes. One Nay – Legislator Birmingham. Motion Carries.

**9) Budgetary Amendments for Planning Positions Passed Out of May Personnel Committee Meeting**

Legislator Oliverio stated that there is only one position he will be supporting at the July Full Legislative Meeting and that is the Transportation Program Manager. He stated he sent a memorandum a week or so ago requesting that the other four positions be consolidated into a Deputy Commissioner of Planning position. He stated that John Lynch ran the department for years and years and in this climate he cannot fathom adding those other four new positions. He sees the need for parts of each position and believes it could be carried out in the duties of a Deputy Commissioner of Planning. He does not think this is the year to add five new positions.

Legislator LoBue asked Director Eldridge about the alternatives for education/experience qualifications.

Director Eldridge stated that it is common to substitute education for experience and experience for education.

Legislator Birmingham stated that he did some research in the surrounding areas and counties regarding Planner positions and found that under the educational requirements these locations required the Bachelor's Degree to be in a field related to planning if not planning itself. He questioned Director Eldridge as to what the thought process was for Putnam County's requirement, for these positions, to allow for a lesser specific degree major.

Director Eldridge stated that by having something broader allows for a better opportunity for a wide variety of candidates. Interviews would narrow the field thereafter.

Deputy County Executive Bruce Walker agreed with Director Eldridge and said there is not technically a degree in planning. It does not exist. It is a concentration not a major.

Legislator Birmingham asked if we were better off starting narrow and going broader.

Director Eldridge said those people with a specific planning skillset can still apply. This broader requirement allows for additional individuals to apply and is not so restricting and gives a greater flexibility. The trend today is to broaden it.

Legislator Birmingham asked if Director Eldridge knew of any county that advertised for positions this broadly.

Director Eldridge said he is sure he can find some.

Legislator Oliverio stated he agreed with the broader requirement. A person could have a degree in a different major and have six to eight years of the experience we are looking for.

Legislator LoBue stated she believes it should be specific, that everyone working in Planning needs to have a background in planning.

Chairwoman Conklin asked if \$100,000 was available for the Fiscal Manager position.

Deputy County Executive Walker stated he presented a Planning Department plan previously at the May Personnel Committee meeting. They looked at all of the duties that are supposed to be completed by the Planning Department according to the Charter and crossed them with all of the actual duties being completed by the Department and did a gap analysis and built a work and manpower plan to compensate for that gap analysis result. The result was the Department should have eighteen (18) full time employees which is a gap of twelve (12) full time employees in the Department today. Taking into consideration the current economic times, they put forth five (5) new full time employees to assist in filling that gap. He spoke with the current Commissioner, John Lynch, regarding the Department and the analysis findings. Almost all of the issues we are discussing are related to Planning. If it is something that we do not address it will just be a bigger problem later.

Legislator Oliverio asked if they are all necessary at this time, right now.

Deputy County Executive Walker stated they are not all necessary at this time right now, all at one time.

Legislator Oliverio asked that the Committee vote on the Transportation Program Manager and a Deputy position right now and leave the remainder of the positions to the budget process.

Deputy County Executive Walker stated that he fundamentally disagreed that a Deputy could cover all of the four other functional areas that we are contemplating doing. We posted for the Commissioner job and it ends next week. He feels we should see if the new Commissioner feels they need a Deputy. When he went through the analysis with Planning Commissioner John Lynch, the Commissioner did not feel a need for a Deputy. What the different positions duties are, are pretty disparate and he is not sure we will find a Deputy to complete all of these tasks. We can continue to prioritize down and not do things but he cautions that we are at the point where we are not doing things that are very significant.

Legislator Birmingham stated that he would like to move items 9c, Transportation Program Manager and 9d, Fiscal Manager at this point despite the very good presentation that Deputy County Executive Walker gave in May.

Planning Commissioner John Lynch stated he has run the department for thirty-two years and he knows what things have to be done and when, in order to get by. And we have gotten by, could we have done a better job? Yes, definitely. We took hits year after year after year and we sacrificed a lot of the planning that should have been done. A number of these things talked about tonight required plans and there are no planners to complete these tasks and he is retiring. Could you phase these requested positions? Yes, you could. But to talk about all of the items you have, grants, renovations, etc., you have no one to do this. They focused their attention on the transportation programs because they knew if they didn't that it would cost the County greatly. The biggest issue is fiscal management in the department. The incumbent is only part-time and he is not sure how much longer she will stay before she retires completely. She should be training somebody to do this work; otherwise you will not receive reimbursement for operating assistance or anything else. You need fiscal management. You need a transportation program manager because that is what he has been doing. Over the years, they have cut back and he believes the County has been affected. He urges the Committee to think about it all and seriously consider these positions. You do have potential sources of funding laid out, it's not guaranteed but it is out there. You need staff to obtain these resources.

Chairwoman Conklin asked if the requested positions were management or union?

Director Eldridge stated that the Fiscal Manager, Transportation Program Manager, and the Regional Grant Coordinator are management. Planner I and Planner II are union, CSEA.

Chairwoman Conklin asked for confirmation that these positions would start in October.

Deputy County Executive Walker stated yes, October would be the starting point. We posted for the Commissioner and the process for that closes this Friday, end of July is the goal to have a Commissioner who would start August 1<sup>st</sup>. After the transition the budget of time would be October to have the new positions filled as we could.

Legislator Albano stated that he supports all of these new positions because he believes it is something that we have missed in the last few years. There are a number of things we will be spending money on regardless in the near future. To have someone looking ahead for monies we could be granted, there is no question that position would pay for itself a dozen times over. We are going to spend \$2 and get back \$100.

Chairwoman Conklin asked why the grant position has the term “regional” in it.

Deputy County Executive Walker stated that it was a recognition that many of the grants available today are being allocated on a regional basis.

Legislator Birmingham asked what the incentive payment was.

Deputy County Executive Walker passed out a presentation print-out which outlined the incentive program.

Chairwoman Conklin made a motion to accept this additional information for this item; seconded by Legislator LoBue. All in favor.

Chairwoman Conklin questioned if the base salary on the resolution was correct.

Deputy County Executive Walker explained the resolution numbers and incentive program as outlined in the print-out. He stated that in addition to the Regional Grant Coordinator position’s base salary, a monetary incentive could be earned if this position attained a certain amount of grant monies for the County.

Legislator Othmer stated he likes the concept and it is similar to a baseball contract and he believes it will benefit the taxpayer. He also stated that as Commissioner Lynch said the department has been understaffed for many years. Legislator Othmer believes that the Legislature has an opportunity here to put together a top-notch Planning Department to move forward and promote the County with a vision.

Legislator Birmingham, in reference to the incentive issue, asked how we would tell a Deputy County Clerk, as a position that applies and is successfully awarded many

grants, that he would not be able to be a part of this incentive program. How do we tell another County employee whose position entails going out and getting grants that they are not entitled to that incentive or are we opening the barn door to future budgets? Anyone who gets a grant, you get a piece of that.

Director Eldridge stated he thinks the program is a great idea. We have often talked about having incentive programs for performance in government. As a management position it makes a lot of sense in this particular area and we would need to assess it on a case-by-case basis.

Legislator Birmingham asked if the unions would have any problem with us limiting this program strictly to management positions.

Director Eldridge stated if the unions want to have performance based incentives he would be happy to have that discussion.

Legislator Birmingham stated that we are essentially paying a bounty. He asked if we are able to pay essentially a portion of what is the government's money to a position. He has never seen this in government before and asked if there are other municipalities and government that do this.

Director Eldridge stated there are other paper performance possibilities and can be done. He believes this position is perfect for a pilot approach to this type of program.

Legislator Birmingham stated if this moves forward we need to be prepared for other County departments to question and request this type of incentive program. It could be opening a door that perhaps we do not want to open.

Legislator Albano stated maybe it is a door we do want to open. This is done in the private sector and it might be worth exploring.

Legislator Oliverio stated his problem moving forward with this is that the 2% tax cap is real. We are in debt. Where do we say we have to do what we have to do with what we have? Everything would be better if we could buy it but that is not reality. Two positions out of five are more than generous. The public probably will not agree with even that. They will probably say Commissioner Lynch did it with less, why can't we get another Commissioner Lynch. The public is stressed and strained and will not accept this. He reminded the Legislature that they are in charge of the money, that is their main responsibility and we really need to watch it.

Luz Shulgin, a member of the public, stated that she works in the private sector and it is very unusual for a non-executive position to have a paper performance structure which almost doubles the base salary, which seems a bit high. Ms. Shulgin also stated that though this incentive program is done in the private sector it is in fact being phased out heavily. There is a shift in the private sector in that instead of doing a paper performance structure you actually increase the base salary and include those

expectations as part of your job requirements. That is your job. It has been analyzed to be more cost effective that way and it has to be applied, as mentioned, overall to the entire structure, not just to any one position. So it really has to be very thought out and applied broadly otherwise you will have a lot of resentment and you could have some future litigation.

Legislator Roger Gross stated that during his short tenure with the County Legislature he visited Commissioner Lynch on a few occasions and all of the issues the Legislature and County government are addressing right now are planning issues. He believes we need to bite the bullet and get that department back on track; it will be a money maker with grants and what not. He will vote to fund all of these positions. It is an opportunity. With the school district that Legislator Gross is familiar with, they have a grant writer with an incentive program and it has proven to work, a number of grants are brought in.

Legislator Othmer stated that we need to get creative and try something new.

Chairwoman Conklin stated that her concern is that if these five positions are passed, going into next year's budget it is \$500,000.

Legislator Birmingham stated we cannot rely on chasing grants or non-County funds to fund or reimburse these positions.

Legislator Birmingham made motion to pass C and D and a motion to table A, B, and E, seconded by Legislator LoBue. All in favor.

Legislator Anthony DiCarlo stated that for the record A, B, and E can be re-discussed in the budget process.

Legislator Birmingham agreed and stated there is a sixty day rule for tabling so the tabled items are allowed to be brought up again in committee before the budget process.

- a) Approval/Budgetary Amendment (12A032)/County Executive/Planner II Position/Planning Department**
- b) Approval/Budgetary Amendment (12A033)/County Executive/Planner I Position/Planning Department**
- c) Approval/Budgetary Amendment (12A034)/County Executive/Transportation Program Manager/Planning Department**
- d) Approval/Budgetary Amendment (12A035)/County Executive/Fiscal Manager/Planning Department**
- e) Approval/Budgetary Amendment (12A036)/County Executive/Regional Grant Coordinator/Planning Department**

**10) Approval/Fund Transfer (12T105)/EMS/Cover Dispatcher Overtime (also reviewed by Personnel Committee)**

Legislator Birmingham made a motion to pre-file the necessary resolutions for items 10 & 11, seconded by Legislator LoBue. All in favor.

**11) Approval/Fund Transfer (12T114)/EMS/Cover Dispatcher Overtime (also reviewed by Protective & Personnel Committees)**

Legislator Birmingham made a motion to pre-file the necessary resolutions for items 10 & 11, seconded by Legislator LoBue. All in favor.

**12) Approval/Fund Transfer (12T117)/Highway/Cover Upgrade for Chief Mechanic (also reviewed by Personnel Committee)**

Director Eldridge stated that because the position is blue collar, the individual gets the higher pay every day. This resolution is just to acknowledge this and change the title.

Legislator LoBue made a motion to pre-file the necessary resolution, seconded by Legislator Birmingham. All in favor.

**13) Approval/Fund Transfer (12T124)/DSS/Temporary/Provide Caseworker Coverage for Child Protective Services due to Maternity Leave (also reviewed by Personnel Committee)**

Legislator Birmingham made a motion to pre-file the necessary resolution, seconded by Legislator LoBue. All in favor.

**14) Approval/Fund Transfer (12T131)/Real Property/Overtime/Temporary**

Legislator Birmingham made a motion to pre-file the necessary resolution, seconded by Legislator LoBue. All in favor.

**15) Approval/Renewal Lease Agreement/American Legion Post #275**

Legislator Birmingham asked if we are paving their parking lot.

County Executive MaryEllen Odell stated we are not. She visited the location earlier in the day and the area they are requesting to be paved is a 10 x 10 pad of concrete for their back patio in which seniors use quite frequently. The cost would be nominal and the work would be performed by our employees.

Legislator Birmingham stated he did not have a problem with that but would like to see the language changed in the lease before it is signed for legal purposes.

Inspector General Terry Intrary stated it would be approximately one ton of blacktop, which is less than \$100.

County Executive Odell stated that if you visit the Friendship Center you understand that we have been trying to address the needs of the seniors and in comparison with the

facilities for seniors on the eastern side of the County the western side is small, aged, and cramped. They are asking for a little something, a patio. It is for the seniors as well as the veterans because it is the American Legion. It would be a nice thing to do.

Legislator Birmingham completely agrees but would like to see the language changed in the lease to state it is a patio not a parking lot that the County is required to pave if and when the lease is signed. Maybe even a little bit bigger patio at 20 x 20, two tons of concrete.

County Executive Odell stated she agreed.

Chairwoman Conklin agreed with Legislator Birmingham to enlarge the patio because it would be more comfortable for wheelchairs and just to have a little bit more patio space to utilize.

County Executive Odell agreed and stated that she is sure they would appreciate it.

Legislator Birmingham asked to amend the lease language to state patio in lieu of the term parking lot and to input the 20 x 20 patio size as well.

Legislator Birmingham made a motion to pre-file the necessary resolution as amended, seconded by Legislator LoBue. All in favor.

Steve Rosario, a resident of the Town of Philipstown, where the above reference American Legion is located, stated as a taxpayer he is glad to see some money come back to Philipstown and he thanks the Legislature for that.

**16) Schedule of Revenues/Fines Levied by Boards/FYI** was duly noted.

**17) Other Business**

There being no further business, at 9:18 P.M., Legislator LoBue made a motion to adjourn; seconded by Legislator Birmingham. All in favor.

Respectfully submitted by Krista M. Butler, Administrative Assistant.