

Item #6 - Discussion/ Board of Ethics/ Penalties/ Failure to File Financial Disclosure Form

Chairman Sullivan stated at the March 12, 2018 Rules, Enactments, & Intergovernmental Relations Committee Meeting discussion was had regarding individuals who fail to file their financial disclosure form. He stated as a result of that discussion, he wanted to look into how surrounding counties handle this issue. He stated he looked into Westchester County and Dutchess County and found that they both implement fines. He stated he believed Section 9(a) of the Dutchess County Code of Ethics entitled "Penalties" was more workable. He read the section into the record:

"Any officer or employee who is required to complete and file an annual financial disclosure statement, and has failed to file within fifteen (15) additional days after having been given at least one reminder, in writing, may be assessed a civil penalty not to exceed \$100 for the first such failure and not to exceed \$150 for a second such failure and not to exceed \$250 for any failure to file thereafter. In assessing any penalty, the Board of Ethics shall consider any mitigating circumstances offered by the offending party. In addition to these penalties, a persistent violator shall be subject to a fine not to exceed \$500. A persistent violator is one who fails to file the annual statement of financial disclosure for three years."

Chairman Sullivan stated he believes this gives the Board of Ethics some ability to enforce this requirement. He stated there is quite a list of individuals who failed to file within Putnam County and there were some repeat offenders.

Legislator Addonizio stated this has been discussed many times in the past. She stated her concern is the difficulty to get volunteers onto the boards. She stated she believes some of the volunteers view the Financial Disclosure Statement as invasive and therefore they are unwilling to file it. She stated most of the names on the list of those who had not filed were volunteers.

Chairman Sullivan stated the annual filing of the Financial Disclosure Statement is a requirement. He stated the possibility of a penalty for not filing is being discussed tonight.

Legislator Jonke stated he likes the wording in Section 9(a) of the Dutchess County Code of Ethics entitled "Penalties" because it uses the word "may" which allows discretion. He agreed with Legislator Addonizio's comments regarding the volunteers; however there are some paid employees who have failed to file. He stated there needs to be a penalty.

Legislator Sayegh questioned if the reason the Financial Disclosure Statement is required for volunteers is to ensure there is not a conflict of interest.

Legislator Addonizio stated that is correct.

Legislator Sayegh stated the volunteers should be filing the statement and if they are not, it should be questioned why. She stated a penalty would be warranted if an individual fails to file, although it does not need to be extreme.

Chairman Sullivan agreed with Legislator Jonke's comments regarding the wording within Section 9(a) of the Dutchess County Code of Ethics entitled "Penalties". He stated it leaves room for discretion.

Legislator Scuccimarra stated the individual should be made aware of this requirement upon application to a board. She stated if they are uncomfortable with it, they can decide not to serve on that board.

Chairman of the Putnam County Industrial Development Agency (IDA) Bill Nulk stated they make all applicants to the IDA Board aware of this requirement.

Legislator Scuccimarra stated if the volunteers are made aware of this requirement in the beginning there is no reason for them not to file.

Chairman Nulk stated volunteers may see a distinction between boards with fiduciary responsibility versus an advisory board. He stated he finds the Financial Disclosure Statement generic, open, and non-invasive.

Legislator Scuccimarra stated as written in the Dutchess Code of Ethics, she likes that a penalty is discretionary. She stated the board that the individual serves on may make a difference when considering their failure to file.

Legislative Counsel Robert Firriolo went over some of the differences between the Westchester County and Dutchess County statutes. He stated the Westchester County statute applies to a broader category of people, including anyone who is required to file the Financial Disclosure Statement. He stated Westchester also allows for the removal of an individual as well as a fine if they fail to file. He stated the Dutchess County statute applied to any "officer or employee." He stated the definition section would be needed to see how "officer" is defined. He stated there is no removal provision included in the Dutchess County Code. He stated in Dutchess, a fine may be applied to individuals who cannot be removed from their position, such as a civil service employee. He stated the Westchester Code allows for the option of removal without fining, if it were a board member. He stated when crafting a rule for Putnam County, it is important to keep in mind the categories of people involved and the removal option in addition to the fine option.

Legislator Addonizio questioned if volunteers are mentioned in the Dutchess County Code section.

Legislative Counsel Firriolo stated the code mentions only "officers and employees" and the definition section would need to be reviewed to find what is included.

Legislator Jonke questioned what Legislative Counsel Firriolo's recommendation is.

Legislative Counsel Firriolo stated the choice is up to the Legislature, but certainly the removal option is probably the simplest remedy. He stated volunteers may be put off by a fine.

Armanda Famiglietti, resident, stated she is interested to know who has not filed their Financial Disclosure Statement.

Chairman Sullivan stated the list of individuals who failed to file in 2017 was included in the backup material on the March 12, 2018 Rules, Enactments, & Intergovernmental Relations Committee Meeting agenda.

Legislator Jonke stated most individuals on the list were volunteers. He stated there were two (2) elected officials on the list.

Phyllis Hoenig, resident, stated the elected officials should certainly be addressed.

Chairman Sullivan stated he would like to work with Legislative Counsel to pursue the creation of a penalty within Putnam County.

Item #5 - Discussion/ Naming of County's Portion of the Lahey Pavilion – Continued

Legislator Scuccimarra apologized for arriving late to the meeting and requested that item #5 be revisited.

Chairman Sullivan made a motion to remove the discussion of naming the County's portion of the Lahey Pavilion from the table; Seconded by Legislator Jonke. All in favor.

Legislator Scuccimarra stated a letter was sent to the Supervisor of Philipstown and the Mayor of Cold Spring and no reply has been received. She stated because the company is anxious to have the sign made, her suggestion is to follow the other senior centers within the County and call this the *Philipstown Senior Center*. She recognized that there are plenty of individuals who would be deserving of having this center named after them. She stated this name is straightforward and will not cause any ill feelings.

Chairman Sullivan questioned if Legislator Scuccimarra saw the suggestions made in the comments attached to the article included on the agenda.

Legislator Scuccimarra stated yes, the individuals mentioned within the comments are all wonderful people. She stated the last comment posted suggests *Philipstown Senior Center*. She stated some comments suggested *Cold Spring Senior Center*, however the center will actually be in the Town of Philipstown.

Chairman Sullivan suggested the name *Senior Center in Philipstown*.

Legislator Scuccimarra agreed with Chairman Sullivan's suggestion.

Legislator Nacerino stated she did not know the individuals who were suggested in the comments, but naming after one (1) individual could cause hard feelings toward those who were not selected. She stated she believes the name suggestions made tonight are appropriate.

Legislator Scuccimarra stated she knew each of the individuals suggested and they all contributed greatly to the community. She stated she would hate to pick just one (1) individual to name the center after. She stated either the *Senior Center in Philipstown* or the *Philipstown Senior Center* would be appropriate.

Legislative Counsel Firriolo stated the preference to have the name be the *Senior Center in Philipstown* would remove any implication that it is a Town facility. He stated the name *Philipstown Senior Center* may cause people to think it is a Town facility unless it was called the *Putnam County Philipstown Senior Center*.

Legislator Scuccimarra requested input from Director of the Office for Senior Resources Michael Cunningham.

Director Cunningham stated in terms of practice of how the senior centers throughout the County are referred to, it goes by location such as the "senior center in Carmel."

Chairman Sullivan questioned what the formal name of the senior center in Carmel is.

Director Cunningham stated it is the Carmel Friendship Center.

Legislator Addonizio suggested *Philipstown Friendship Center*.

Legislator Scuccimarra also suggested having "friendship center" in the name.

Chairman Sullivan stated he agrees with the point made by Legislative Counsel Firriolo by putting the Town name first, it implies that it is a Town facility.

Director Cunningham stated the name could be *Friendship Center in Philipstown*.

Chairman Sullivan and Legislator Scuccimarra agreed with Director Cunningham's suggestion.

Legislator Jonke made a motion to approve the name *Friendship Center in Philipstown*; Seconded by Legislator Addonizio. All in favor.

Legislator Nacerino stated she believed the proper grammar may be *Friendship Center at Philipstown* rather than *Friendship Center in Philipstown*. She requested that this be verified prior to the May Full Legislative Meeting.

Item #7 - Update/ Veteran's Service Medal Advisory Panel

Legislator Castellano stated a meeting was held at the end of March where the possibility of future fundraisers was discussed. He stated they are considering a journal fundraiser for the Veterans Parade that will be held in July. He stated they have decided on the company to create the medal and are in the finalization stage. He stated they hope to unveil the medal soon. He stated it is their goal to present the first medals in the month of May.

Legislator Jonke suggested putting information in the local newspapers about the application for the medals.

Legislator Castellano stated information has been published in the newspapers and he would be happy to provide any further information for an updated article. He stated the medals can be applied for through the County Clerk's Office. He stated there are potentially 5,000 Veterans who could be eligible for the medals. He stated they are starting slow and it is their hope to provide 400 medals this year, beginning with World War II Veterans & Korean War Veterans. He stated they have received some applications already.

Legislator Addonizio stated the applications for the medals can be sent to Director of the Veterans Service Agency Karl Rohde or County Clerk Michael Bartolotti.

Legislator Nacerino stated the Veterans Parade in Carmel will be held on July 21, 2018. She stated they are looking into the possibility of coordinating a ceremony with the parade. She stated this is an ongoing process that will be done in stages.

Item #8 - FYI/ Litigation Report

Chairman Sullivan stated there is nothing on the report that appears to be urgent. He stated County Attorney Jennifer Bumgarner was unable to attend tonight's meeting.

Item #9 - Approval/ County Attorney/ Resolution In Connection with Opioid Litigation/ Executive Session

Chairman Sullivan stated this item would be tabled due to County Attorney Bumgarner's inability to attend tonight's meeting.

Chairman Sullivan made a motion to table Approval/ County Attorney/ Resolution in Connection with Opioid Litigation/ Executive Session; Seconded by Legislator Addonizio. All in favor.

Item #10 - Other Business

a. Approval/ Proclamation Request/ Phil Porcelli/ County Office Building Security Guard

Legislator Nacerino stated Phil Porcelli is one of the security guards in the County Office Building and is a Patterson resident. She stated he is retiring this week and she would like to honor his years of service by presenting a proclamation to him at the May Full Legislative Meeting.

Chairman Sullivan made a motion to approve the proclamation; Seconded by Legislator Addonizio. All in favor.

Item #11 - Adjournment

There being no further business at 7:03pm Chairman Sullivan made a motion to adjourn; Seconded by Legislator Jonke. All in favor.

Respectfully submitted by Administrative Assistant Beth Green.