

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

Members: Chairman Sullivan and Legislators Addonizio & Albano

Tuesday November 12, 2019
(Immediately following the Special Full Mtg. beginning at 6:15pm)

The meeting was called to order at 6:25pm by Chairman Sullivan who requested Legislator Addonizio lead in the Pledge of Allegiance. Upon roll call Legislator Addonizio, Legislator Albano, and Chairman Sullivan were present.

Item #3 - Approval of Minutes – September 9, 2019 & Budget Meeting – October 10, 2019

The minutes were approved as submitted.

Item #4 - Discussion/ DiPippo vs. County of Putnam/ County Attorney Bumgarner and Outside Counsel

At 6:26pm Chairman Sullivan made a motion to go into Executive Session to discuss the litigation matters in items #4, #5, #6, and #7; Seconded by Legislator Albano. All in favor.

At 7:09pm Chairman Sullivan made a motion to come out of Executive Session; Seconded by Legislator Addonizio. All in favor. No action was taken in Executive Session.

Item #5 - Approval/ Litigation Settlement/ Fusco v. County of Putnam, et al.

At 6:26pm Chairman Sullivan made a motion to go into Executive Session to discuss the litigation matters in items #4, #5, #6, and #7; Seconded by Legislator Albano. All in favor.

At 7:09pm Chairman Sullivan made a motion to come out of Executive Session; Seconded by Legislator Addonizio. All in favor. No action was taken in Executive Session.

Chairman Sullivan made a motion to approve the litigation settlement Fusco v. County of Putnam, et al.; Seconded by Legislator Albano. All in favor.

Item #6 - Approval/ Fund Transfer 19T340/ County Attorney/ Litigation Settlement/ Fusco v. County of Putnam, et al.

At 6:26pm Chairman Sullivan made a motion to go into Executive Session to discuss the litigation matters in items #4, #5, #6, and #7; Seconded by Legislator Albano. All in favor.

At 7:09pm Chairman Sullivan made a motion to come out of Executive Session; Seconded by Legislator Addonizio. All in favor. No action was taken in Executive Session.

Chairman Sullivan made a motion to approve Fund Transfer 19T340; Seconded by Legislator Albano. All in favor.

Item #7 - FYI/ Litigation Report

At 6:26pm Chairman Sullivan made a motion to go into Executive Session to discuss the litigation matters in items #4, #5, #6, and #7; Seconded by Legislator Albano. All in favor.

At 7:09pm Chairman Sullivan made a motion to come out of Executive Session; Seconded by Legislator Addonizio. All in favor. No action was taken in Executive Session.

Item #9 - Approval/ Local Law/ Amend the Code of the County of Putnam Chapter 145, Entitled "Electricians"

Item #9 was addressed before Item #8.

Senior Deputy County Attorney Conrad Pasquale stated the changes to the Electrical Law are various things that have been brought up at Electrical Board Meetings over time and some are to clarify the language. He stated some changes make putting the law into practice more effective and appropriate to what the intention of the law is. He stated there are seven (7) changes to be made to the Electrical Law. He stated the first is on the title page changing the name of Section 145-19 from "Shelving of master electrician and low voltage/limited data technician license" to "Shelving of license." He stated because there was previously no Journeyman certification, only Master licenses were included, however this now allows Journeymen to shelve their license as well. He stated shelving licenses allows the contractor to pay a nominal fee to reserve their license while they are not practicing. He stated the second change is to some of the definitions, section 145-4. He stated the definitions of *Helper Electrician* and *Journeyman Electrician* have been amended to require supervision by a Putnam County licensed master electrician, rather than a master electrician from anywhere. He stated the definition of Licensing was changed to *License* and it has been clarified that "license" refers to a Putnam County issued license. He stated the third change is to the makeup of Board of Electrical Examiners, section 145-6. He stated if this is passed this evening, it will be in effect in time for the new terms to start in January. He stated the board member requirements have been made more inclusive. He stated the law now allows all presently, shelved, or formerly licensed electrical contractors to serve on the Board. He stated there are fewer people in the trades, even less who would be able to serve on the Board with the more restrictive requirements. He stated the citizen requirement was also changed from an individual with no experience to a citizen who has never been licensed by Putnam County to perform electrical trade work. He stated the intent here is to have a representative who has no connection to the licensing scheme within Putnam County. He stated the fourth change pertains to the examination procedures in section 145-9. He stated currently, the law states that upon application

and approval, a contractor can take their exam as many times as they need within three (3) years. He stated the Board decided to change this to one (1) year instead of three (3) and after that year if the individual did not pass their exam, they would have to reapply. He stated the fifth change is in section 45-10(a). He stated subsections F and G have been removed. He stated these sections were inconsistent with the language of the rest of the Code. He stated after discussing this section, it was decided that the unlicensed individual should hold some of the responsibility of working without a license, rather than it falling onto the Master. He stated subsection C has been added which states that journeymen electricians and helper electricians must be supervised. He stated the sixth change is in section 145-19 and states that anyone can shelve their license; not only masters. He stated the seventh change is in section 145-20 and pertains to putting the onus on the company to notify the Board when a master electrician leaves the company so they can keep track of who is licensed and where they are working.

Legislator Gouldman questioned if the Electrical Board approved these changes.

Senior Deputy County Attorney Pasquale stated yes, the Board approved them.

Legislator Albano stated the law states that journeymen must work under a Putnam County licensed master electrician, which could become an issue. He stated having a State-wide license would be ideal.

Senior Deputy County Attorney Pasquale stated he would agree that having a State-wide licensing scheme would be logical. He stated the Board's concern is that municipalities, both towns and counties, have different regulations if any regulations.

Legislator Castellano requested clarification on the change made to the examination process.

Senior Deputy County Attorney Pasquale stated the Board was more comfortable with allowing an individual one (1) year to take the exam as many times as necessary to pass after approval of an application rather than three (3). He stated if they do not pass after one (1) year, they would then need to reapply and begin the process over. He stated changing this to one (1) year avoids an open invitation to take the test over a three (3) year period.

Legislator Sayegh requested clarification of the citizen position on the Board.

Senior Deputy County Attorney Pasquale stated citizen refers to a resident of Putnam County.

Legislator Sayegh stated the Board makeup lists who it may include, rather than who it must include. She stated this could potentially lead to a Board made up of members with no electrical experience whatsoever.

Senior Deputy County Attorney Pasquale stated that is theoretically possible, however it is not likely. He stated prospective board members will be vetted by the Board and then recommended to the Legislature for approval. He stated the makeup of the Board was broadened because it was difficult to fill the specific spots.

Legislator Sayegh suggested adding a requirement to have at least one (1) tradesperson on the Board.

Senior Deputy County Attorney Pasquale stated he would bring that suggestion to the Board if the Committee would like. He stated it may not be necessary because it is unlikely that the Board would become solely filled with citizens.

Legislator Nacerino agreed with Legislator Sayegh. She stated although the chance of it happening is remote, it is possible. She stated she appreciates the flexibility that was added to the law because filling the boards has been difficult in the past; however she would like to see a requirement of at least one (1) tradesperson on the board.

Senior Deputy County Attorney Pasquale stated if that change were to be made he does not anticipate the Board having an issue with it. He stated the change would make it so that this would not in effect by the new year, however the current Board members would remain as holdovers until being reappointed.

Legislator Nacerino questioned if the amendment could be done and provided to the Legislature before the December Full Legislative Meeting.

Legislator Albano stated he would like to address the requirement to have journeymen work 10,000 hours under a Putnam County licensed master electrician. He stated a worker from Westchester County or New York City should be able to take and pass the Putnam County test and document that they have done the hours. He stated he believes the way it is written is very restrictive.

Senior Deputy County Attorney Pasquale agreed with Legislator Albano and stated there may be other municipalities that have more stringent regulations than Putnam County. He stated the main concern is with the municipalities that have no regulations. He stated there was an instance where a worker came from South Carolina and had close to 30 years of W2's, but everything about it was questionable and not able to be confirmed.

Legislator Albano stated if the worker is able to pass a test designed by Putnam County, it is a good indication that they are legitimate. He stated Putnam County is very small and it could become a problem that workers are unable to meet their 10,000 hour requirement in Putnam. He stated there are many highly qualified people in surrounding areas.

Legislator Montgomery thanked Senior Deputy County Attorney Pasquale for the extensive work he has done on the trades laws. She questioned if the Electrical Board Meetings are open to the public.

Senior Deputy County Attorney Pasquale stated the meetings are open to the public.

Legislator Montgomery stated she has received feedback from some tradesmen that they have some concerns. She stated perhaps they need another opportunity to speak with the Board or Legislature. She stated she would be in favor of tabling these amendments until the tradesmen have that opportunity.

Senior Deputy County Attorney Pasquale stated if there are constituents with concerns, they should have an opportunity to be heard. He questioned if it is possible to pass this in pieces, perhaps moving forward with the change discussed about requiring one (1) tradesman be on the Board.

Legislator Montgomery questioned when the Board meets next.

Senior Deputy County Attorney Pasquale stated the Electrical Board will meet next Tuesday, November 19, 2019.

Chairman Sullivan made a motion to table the approval of a local law to amend the Code of the County of Putnam Chapter 145, Entitled "Electricians"; Seconded by Legislator Albano. All in favor.

Item #8 - Approval/ Local Law/ Amend the Code of the County of Putnam Chapter 190, Entitled "Plumbing and Mechanical Trades"

Senior Deputy County Attorney Pasquale stated the only change to this law pertains to expanding the pool of eligible Board members. He stated he will bring the same suggested change of requiring one (1) experienced tradesman to serve on the Board to the Plumbing & Mechanical Trades Board. He stated once the Board agrees, he will send a revised local law to the Legislature.

Legislator Albano made a motion to approve the local law to amend the Code of Putnam County Chapter 190 entitled "Plumbing & Mechanical Trades" with the aforementioned amendment; Seconded by Chairman Sullivan. All in favor.

Item #10 - Approval/ Appointment/ Board of Ethics/ Geoghan

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

Item #11 - Approval/ Re-Appointments/ Home Improvement Board/ Cusanelli, Hull, Korin, & Lyons

Chairman Sullivan stated one of the Home Improvement Board Members has not yet filed their financial disclosure statement and therefore will not be reappointed at this time. He stated a letter was sent to all individuals required to file a financial disclosure statement who had not done so in May of this year.

Legislator Nacerino stated as disappointing as this is, the Legislature has been working on this issue for several years. She stated the filing of the financial disclosure statement is a requirement and there is a consequence for those who do not file.

Chairman Sullivan agreed and stated complying with this requirement is important.

Chairman Sullivan made a motion to reappoint Cusanelli, Hull, Korin, & Lyons to the Home Improvement Board; Seconded by Legislator Addonizio. All in favor.

Item #12 - Approval/ Budgetary Amendment 19A076/ Veterans Affairs/ Funding from NYS Office of Mental Health for Veterans Peer to Peer Support Program

Legislator Addonizio stated she is happy to see this funding come through as it is paramount to helping the Veterans who utilize and benefit from the Peer to Peer program.

Chairman Sullivan made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

Item #13 - Update/ Putnam County Veterans Medal Advisory Panel

Legislator Castellano stated on October 26, 1919 a ceremony was held in front of the Putnam County Courthouse to bestow medals to Putnam County servicemen and on Saturday, November 9, 2019, this ceremony was re-enacted. He stated 97 Veterans were presented with Putnam County Service Medals to honor their service to our Country. He stated utilizing photographs from the 1919 ceremony the Historic Courthouse was decorated as it was at the original ceremony. He stated there were many attendees and it was a great day. He stated currently there are no major events scheduled, but the Panel will be attending smaller gatherings to provide medals to Veterans. He stated Veterans who are current residents of Putnam County for at least one (1) year and have served in the Military and have been honorably discharged are eligible to receive a medal.

Legislator Nacerino stated the ceremony was a proud moment for Putnam County and the Panel will continue to honor Veterans within Putnam County. She stated she is honored to be a member of the Putnam County Veterans Medal Advisory Panel.

Legislator Addonizio stated she would like to echo Legislator Nacerino's comments. She stated the Highway Department decorated the Historic Courthouse to match how it looked 100 years ago and it looks great.

Legislator Castellano stated no taxpayer dollars have been spent for this endeavor, the Panel fundraised about \$10,000 which went to the first 400 medals. He stated about 200 medals have been given out so far. He stated he will be requesting that the Panel be extended so they can continue their work.

Chairman Sullivan thanked Legislator Castellano and the Putnam County Veterans Medal Advisory Panel for the work they do to honor our Veterans.

Item #14 - Other Business

a. Approval/ Proclamation Request/ Legislator Gouldman/ 4 Year Old Boy who Saved Mother

Chairman Sullivan made a motion to waive the rules and accept the Other Business; Seconded by Legislator Albano. All in favor.

Legislator Gouldman thanked Chairman Sullivan for accepting this request. He stated there was recently a situation in Putnam Valley where a pregnant mother accidentally fell down the stairs in their house while home with her four (4) year old son, Aidan. He stated Aidan helped his mother by calling his father to come home and staying by his mother's side until help arrived. He stated he would like to recognize Aidan for his brave actions and helping to save both his mother and unborn sister by presenting him with a proclamation at the December 3, 2019 Full Legislative Meeting.

Chairman Sullivan stated that is a terrific story.

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

b. Request for Other Business/ Legislator Montgomery/ Address Two Written Requests to Chairman Sullivan/ Legislative Manual Procedures

Legislator Montgomery stated she sent two (2) memorandums to Chairman Sullivan requesting that items be added to the Rules Committee agenda. She stated one (1) was sent last month and the other was sent at the beginning of the month and both were unacknowledged. She requested that the Committee accept her requests as Other Business at this time.

Chairman Sullivan stated he is working on gathering more information on the requests. He stated when the time is appropriate and he has all the information to discuss it properly, he will gladly put it on the agenda. He stated since there is no motion to accept these items at this time, they cannot be discussed further.

Legislator Montgomery questioned why the memorandums were not acknowledged.

Chairman Sullivan stated he is working on getting information, which takes time.

Legislator Montgomery questioned what information Chairman Sullivan is looking for.

Chairman Sullivan stated he will not have this discussion at this time.

Legislator Montgomery stated she believes the public is being disenfranchised.

Chairman Sullivan stated the requests will be addressed in the future.

Item #15 - Adjournment

There being no further business at 7:53pm, Chairman Sullivan made a motion to adjourn; Seconded by Legislator Albano. All in favor.

Respectfully submitted by Administrative Assistant, Beth Green.