

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
To Be Held via Audio Webinar Pursuant to Temporary Emergency Orders**

Members: Chairman Sullivan and Legislators Albano & Castellano

Thursday

6:00pm

August 20, 2020

The meeting was called to order via audio webinar at 6:01pm by Chairman Sullivan who lead in the Pledge of Allegiance. Upon roll call Committee Members Albano, Castellano, & Chairman Sullivan were present.

Item #3 - Approval of Minutes – July 16, 2020

The minutes were approved as submitted.

Item #4 - Approval/ Appointment/ Home Improvement Board/ Donovan

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

Item #5 - Approval/ County Clerk/ Records Retention and Disposition Schedule

Chairman Sullivan questioned if County Clerk Bartolotti was on the line.

Legislative Clerk Diane Schonfeld stated County Clerk Bartolotti is not on the line.

Chairman Sullivan stated he believes this schedule needs to be moved forward.

Legislator Albano stated this schedule will allow for the records to be stored properly and easily accessible.

Legislator Castellano agreed. He stated he has worked for the Westchester County Clerk's Office for over 25 years and this is definitely the way to go. He stated having files and documents digitized and readily available makes the work much more efficient. He applauded County Clerk Bartolotti for moving Putnam County forward in this direction.

Legislator Montgomery thanked County Clerk Bartolotti for sending the clarification between the current and proposed schedules.

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

Item #6 - Discussion/ County Executive Odell Request/ Requiring Gas Stations to have a Generator

Chairman Sullivan stated County Executive MaryEllen Odell has requested that the Legislature discuss the topic of requiring gas stations within Putnam County to install a generator. He stated having gasoline available to residents in an emergency is critical. He stated most residents lost power in the last storm we had a few weeks ago and had to resort to utilizing portable generators which run on gasoline. He stated the issue is that gas stations lose power as well, therefore the pumps will not work and there is a domino effect throughout the community. He stated it is important to review and discuss this. He stated some gas stations in Putnam already have generators installed. He stated he would like to draft a resolution that includes consideration for gas stations that may not be able to afford a generator or have other limitations in obtaining a generator.

Legislator Albano stated this is a great idea. He stated especially if a storm occurs in the winter, there is a chance of freezing pipes. He suggested implementing this requirement for new gas stations and he is in favor of encouraging existing gas stations to install a generator.

Legislator Castellano stated a new gas station recently opened near his house and they have a generator. He stated after Tropical Storm Isaias there was a line of cars waiting to get into the gas station, which caused a traffic backup on the road for motorists trying to get by. He stated he appreciates that as a new gas station they had they foresight to have a generator. He stated there is definitely a need for fuel during an emergency event. He stated his concern is for businesses that are already established. He stated he has no objections to requiring new gas stations to have a generator. He stated he believes this is more of a town issue and he hopes the towns would agree. He stated he believes installing a generator is a great business decision also, as it benefits the business as well as the community. He stated while he has no objection to this, he believes established businesses cannot be forced to install a generator.

Chairman Sullivan stated the traffic that was caused due to the long lines resulted in the Sheriff's Department or local police needing to control the traffic flow. He stated in some cases customers were aggressive and instigating fights with fellow customers.

Legislator Albano suggested allowing existing businesses a period of time to install a generator so they are able to plan financially for it. He stated it makes sense that eventually all gas stations should have a generator.

Legislator Nacerino stated she is in support of this proposal as well. She stated there are many gas stations already in Putnam County, therefore she does not believe implementing this requirement on only new gas stations would meet the objective. She stated looking at this from the prospective of an essential service and the fact that these storms have become more frequent in the last several years, it would be beneficial for the residents to be able to rely on the gas stations during an emergency. She agreed

with Legislator Albano's suggestions of allowing a time period for existing gas stations to install a generator. She questioned if this would be such a cost prohibitive measure. She stated she is unsure of the cost for a commercial generator, but a generator for a private residence is about \$1,000. She questioned if it would be a substantial burden if this were to be adopted.

Chairman Sullivan stated we would need a good answer on the cost to the gas stations. He stated there are several options of what type of generator to use. He stated the cost of the generator could be made up with the additional sales that would have been lost due to lack of power. He stated he will request more information before next month's meeting.

Legislator Nacerino stated she would assume that a commercial generator would be more expensive, but when looking at the entire scope it may not be such an expensive endeavor.

Legislator Montgomery questioned if other counties have a similar mandate.

Chairman Sullivan stated he looked into Dutchess, Westchester, Orange, and Rockland counties and none had a similar requirement.

Legislator Montgomery stated without a draft resolution it is difficult to determine exactly what the intention is. She agreed with the suggestion to implement such a mandate to new gas stations and grandfathering existing businesses in. She stated the majority of the Legislature has made the comment that they do not want too much government, however this seems like an overreach of government. She stated gas stations are essential, but they are also small businesses that have suffered due to the COVID-19 pandemic. She questioned if the County has a gas pump at the transit facility.

Chairman Sullivan stated whether other counties have a similar requirement or not will not make a difference in Putnam. He stated the other counties do not compare to Putnam very well in size or complexity. He stated it would be fairly easy to add a new subsection to the Putnam County Code outlining this requirement. He stated the requirement should be made flexible to accommodate existing gas stations. He stated he will request that Director of Consumer Affairs Michael Budzinski attend the September Rules Committee Meeting to provide more detailed information in regard to this. He stated Director Budzinski provided a list of gas stations within Putnam County that already have a generator.

Legislator Montgomery questioned if there is a gas pump at the County's transit facility for County vehicles.

Legislator Albano stated yes, there is a gas pump and there is a generator for it.

Legislator Montgomery stated this proposal will add another layer of government to small business. She stated if this is going to be insisted, why not have government

provide the gasoline through their own resources rather than putting it on the small business owners.

Legislator Albano stated this is a good idea that needs to be explored. He stated at the very least, letters can be mailed to the gas stations encouraging them to install a generator.

Legislator Nacerino stated she does not want to implement any undue burden on the gas stations in Putnam. She stated looking at the big picture, this is an essential service to residents. She stated even comparing counties, Putnam County has a lot of outages as compared to Westchester and bigger municipalities. She stated the dynamics are different in Putnam County. She stated this is a preliminary discussion and not all the answers are known right now, but it is worth looking in to. She stated having residents line up at a County facility and handing out gasoline is not the answer.

Legislator Gouldman suggested reaching out to the gas station owners to gauge the feasibility and get their opinion before discussing this further. He also suggested reaching out to the Chambers of Commerce throughout the County for their opinion. He stated the County does not have generators in all facilities and it does not send a good message to require a business to have a generator when the County does not have one for all of their facilities. He stated portable generators are relatively cheap, however they are not as effective as the hardwired permanent generators, which could cost over \$10,000. He stated this could be a burden on a gas station. He stated if gas stations are going to be required to have a generator, other essential businesses should be required as well. He stated if the power goes out, a credit card cannot be used and people become reliant on cash. However, if someone does not have cash, they cannot go to the ATM if there is no power. He stated as a County, we should make sure all of our facilities have a generator. He suggested getting feedback from business owners before the next meeting.

Chairman Sullivan thanked Legislator Gouldman for his comments. He stated the critical County facilities such as Emergency Services and Sheriff's Department have their own generators. He stated it is important to find out how much they might cost the gas stations. He stated he believes Director Budzinski will be able to provide valuable feedback on this topic.

Legislator Montgomery clarified that she was not insinuating that the County should hand out gasoline to residents. She stated if we are going to mandate that gas stations have a generator, the County could at least explore making it available ourselves to let residents possibly purchase it from the County.

Legislator Nacerino stated that would require the County to construct a gas station on site. She stated she does not believe the County would be in the business of retail gasoline.

Legislator Montgomery stated in an emergency, the County may need to.

Legislator Jonke stated he is opposed to this proposal. He stated he does not believe the County should be getting involved in private businesses. He stated if the owners of the gas stations saw an advantage to having a generator in a time of crisis and if it was not cost prohibitive, they would purchase and install one. He stated he does not believe the County should be dictating to them how to spend their money to provide a service.

Legislator Sayegh agreed with Legislator Jonke. She stated she believes this mandate would be an undue burden to small businesses. She stated having the ability to sell gasoline during a power outage is a benefit, however it is a business decision. She stated many public service commissions do not require water districts to have a generator. She stated sometimes when they go out, an entire community is out of water. She stated she appreciates that the County published the service stations that had a generator, so residents know where to go during an emergency. She stated she believes this requirement would be an overreach of County government.

Legislator Albano stated he does not believe this mandate would be a burden to a new gas station. He stated at the very least, letters could be sent to existing gas stations encouraging them to install generators. He stated this would be a benefit in times of crisis.

Legislator Addonizio stated it is important for gas stations to have an alternative power source, however this is only for discussion at this time. She stated in 2012 after Super Storm Sandy hit, New York State provided \$12 million in grant funding to over 200 gas stations in strategic locations to help offset the cost of installing generators. She stated considering the major storms that have hit this area recently, it would be great if the State were able to offer a similar grant again.

Chairman Sullivan stated he looks forward to continuing this discussion next month.

Item #7 - Other Business – None

Item #8 - Adjournment

There being no further business at 6:34pm, Chairman Sullivan made a motion to adjourn; Seconded by Legislator Albano. All in favor.

Respectfully submitted by Administrative Assistant, Beth Green.

THE PUTNAM COUNTY LEGISLATURE

40 Gleneida Avenue
Carmel, New York 10512
(845) 808-1020 Fax (845) 808-1933

Toni E. Addonizio *Chairwoman*
Neal L. Sullivan *Deputy Chair*
Diane Schonfeld *Clerk*
Robert Firriolo *Counsel*



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| Nancy Montgomery | Dist. 1 |
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| Paul E. Jonke | Dist. 6 |
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| Neal L. Sullivan | Dist. 9 |

AGENDA

RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
To Be Held via Audio Webinar Pursuant to Temporary Emergency Orders

Members: Chairman Sullivan and Legislators Albano & Castellano

Thursday

6:00pm

August 20, 2020

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Approval of Minutes – July 16, 2020**
- 4. Approval/ Appointment/ Home Improvement Board/ Donovan**
- 5. Approval/ County Clerk/ Records Retention and Disposition Schedule**
- 6. Discussion/ County Executive Odell Request/ Requiring Gas Stations to have a Generator**
- 7. Other Business**
- 8. Adjournment**

#4

THE PUTNAM COUNTY LEGISLATURE

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| Neal L. Sullivan | Dist. 9 |

MEMORANDUM

DATE: August 21, 2020

TO: MaryEllen Odell
Putnam County Executive

CC: Michael Budzinski
Director, Department of Consumer Affairs

FROM: Neal L. Sullivan 
Chairman, Rules, Enactments, & Intergovernmental Relations Committee

RE: Generators at Gas Stations

At the August 20, 2020 Rules, Enactments, & Intergovernmental Relations Committee Meeting the topic of requiring gas stations in Putnam County to have a backup generator was discussed. This discussion will continue in Committee next month and I believe having Director of Consumer Affairs Michael Budzinski in attendance would be a great benefit.

Therefore, I respectfully request Director Budzinski attend the September Rules Committee Meeting to provide his professional insight into this matter. Also, if Director Budzinski has relevant information, specifically pertaining to the potential cost of the type of generator a gas station would need to purchase, I request he send that information beforehand. Once the September Rules Committee Meeting has been scheduled, I will send updated information. Thank you for your attention to this request.

PUTNAM COUNTY EXECUTIVE

MaryEllen Odell
County Executive

40 Gleneida Avenue
Carmel, New York 10512
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www.putnamcountyny.gov

Thomas Feighery
Deputy County Executive

Patricia Simone
Chief of Staff

Theresa Oliver
Confidential Secretary



MEMORANDUM

To: Neal L. Sullivan, Chair
Rules, Enactments & Intergovernmental Relations Committee

Cc: Toni Addonizio, Chair
Putnam County Legislature

FROM: MaryEllen Odell, County Executive *MaryEllen Odell*

RE: Generators for Gas Stations

DATE: August 14, 2020

I respectfully request that you place on the Rules, Enactments & Intergovernmental Relations Committee agenda for discussion the attached Mahopac Newspaper article from Thursday, August 13th, Titled Odell wants law requiring generators for gas stations.

Thank you for your consideration.

Enc.

2020 AUG 14 PM 1:51
LEGISLATURE
PUTNAM COUNTY
CARMEL, NY

Odell wants law requiring generators for gas stations

Officials warn against improper generator use

BY BOB DUMAS
EDITOR

In the wake of Tropical Storm Isaias, which saw long lines at the few gas stations that were open during the subsequent blackout, County Executive MaryEllen Odell said she will ask county legislators to draft a law that would require all Putnam gas stations to have backup generators.

"[The storm] impacted people with home generators who were looking to replenish their gasoline supply, causing long lines at gas stations," she said. "I am proposing to the legislature that we pass a local law requiring gas stations to have generators onsite, so it's not just a few gas stations that are available for gasoline. They should all be required

to have generator power, so we don't have this issue anymore."

Odell said some gas stations had to hire guards to direct traffic in and out and that a fight nearly broke out at one station when one customer tried to cut in line.

"I like to look at these situations and events as an opportunity to do better and to re-educate the public," Odell said.

County officials also said residents who do have generators need to use them correctly to avoid dangerous situations such as fires and carbon monoxide poisoning.

One homeowner was injured last Wednesday (Aug. 5) when he ran his generator from inside his garage and started a fire. The fire destroyed the garage and the homeowner sustained minor

burns as a result. "Never put a generator inside an enclosed building or a near a residence—within 5 feet of a house or a structure," said Ken Clair, Putnam County deputy commissioner of emergency services. "I know people are without power and they're desperate to get it and they're hooking them up incorrectly, like running them in their garages."

Clair said the county received a total of 51 carbon monoxide calls by Friday.

"All 51 of them actually had high carbon monoxide readings. At least they had alarms to alert

them that there's a problem in the residence," he said. "When the fire departments go out, they're finding situations that could easily have been corrected. People are running them in their garages, in

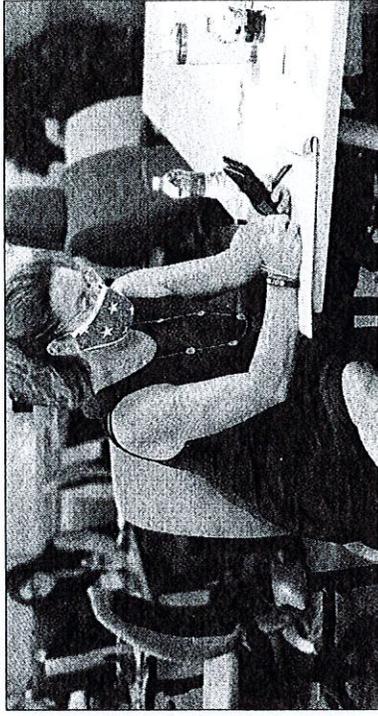


PHOTO COURTESY OF COUNTY EXECUTIVE'S OFFICE
County Executive MaryEllen Odell at work at the emergency operation center in Carmel on Wednesday (Aug. 5).

their basements, next to the house with the windows open.

"If they are hooked up incorrectly, there can be surge to a lineman on a pole," he continued. "They should be installed professionally. We were driving around yesterday and saw generators running all night long, in backs of pickup trucks. It's just careless the stuff that's going on."

Odell said the county has a lot of new homeowners who are learning what it takes to own a home.

Clair said that from Tuesday to Thursday, at the outset of the

storm, first responders answered 313 calls for fire and emergency medical services.

"The biggest thing we were facing out there were blocked roads, blocked driveways," Clair said. "If someone needs an ambulance, how do we get there?"

In the first two days of Isaias-related emergencies, the county received more than a thousand 911 calls, Odell said, matching the numbers from 2018's spring storm.

"Clearly the backbone of our community is the first responders," she said.

For today, retirement

and every morning

PUTNAM COUNTY EXECUTIVE

MaryEllen Odell
County Executive

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2020 AUG 19 AM 10:56
LEGISLATURE
PUTNAM COUNTY
CARMEL, NY

MEMORANDUM

To: Neal L. Sullivan, Chair
Rules, Enactments & Intergovernmental Relations Committee

Cc: Toni Addonizio, Chair
Putnam County Legislature

FROM: MaryEllen Odell, County Executive *MaryEllen Odell*

RE: Generators for Gas Stations

DATE: August 19, 2020

Attached please find a list of Gas Stations with Generator's as additional backup for the Rules, Enactments & Intergovernmental Relations Committee meeting scheduled for Thursday, August 20th.

Thank you for your consideration.

Enc.

| CARMEL (5 STATIONS) | | |
|----------------------------|------------------|-------------------------------|
| BP Station | 2 Fair St. | PERMANENT GENERATOR INSTALLED |
| Shell Station | 1923 Route 6 | TRANSFER SWITCH INSTALLED |
| BP Station | 89 Gleneida Ave. | NONE |
| Mobil Station | 1863 Route 6 | NONE |
| Sunoco Station | 2 Dykeman Rd. | NONE |

| KENT (5 STATIONS) | | |
|--------------------------|---------------|--|
| 76 Station | 2 Towners Rd. | TRANSFER SWITCH INSTALLED & HAS PORTABLE GENERATOR |
| Citgo Station | 253 Route 52 | TRANSFER SWITCH INSTALLED & HAS PORTABLE GENERATOR |
| Sunoco Station | 1320 Route 52 | PERMANENT GENERATOR INSTALLED |
| Mobil Station | 245 Route 52 | NONE |
| Speedway Station | 1338 Route 52 | NONE |

| MAHOPAC (8 STATIONS) | | |
|-----------------------------|--------------|-------------------------------|
| Route 6 Fuel | 254 Route 6 | PERMANENT GENERATOR INSTALLED |
| Citgo Station | 105 Route 6 | NONE |
| Gulf Station | 634 Route 6 | NONE |
| Mobil Station | 837 Route 6 | NONE |
| Mobil Station | 102 Route 6 | NONE |
| Shell Station | 575 Route 6N | NONE |
| Shell Station | 966 Route 6 | NONE |
| Sunoco Station | 621 Route 6 | NONE |

| <u>PATTERSON (4 STATIONS)</u> | | |
|--------------------------------------|-------------------|---------------------------|
| Shell Station | 2597 Route 22 | TRANSFER SWITCH INSTALLED |
| Citgo Station (Putnam Lake) | 182 Fairfield Dr. | NONE |
| Mobil Station | 3081 Route 22 | NONE |
| Sunoco Station | 3230 Route 22 | NONE |

| <u>PUTNAM VALLEY (2 STATIONS)</u> | | |
|--|-----------------------|--|
| Getty Station | 335 Oscawana Lake Rd. | TRANSFER SWITCH INSTALLED & HAS PORTABLE GENERATOR |
| Mobil Station | 157 Bryant Pond Rd. | NONE |

| <u>PHILIPSTOWN (5 STATIONS)</u> | | |
|---|-----------------|--|
| Shell Station (Garrison) | 1467 Route 9 | TRANSFER SWITCH INSTALLED & HAS PORTABLE GENERATOR |
| Sunoco Station (Village of Cold Spring) | 182 Main St. | PERMANENT GENERATOR INSTALLED |
| BP Station | 3196 Route 9 | NONE |
| Gulf Station (Garrison) | 1122 Route 9D | NONE |
| Gulf Station (Village of Cold Spring) | 33 Chestnut St. | NONE |

| <u>SOUTHEAST (9 STATIONS)</u> | | |
|--------------------------------------|------------------|------|
| Citgo Station | 1481 Route 22 | NONE |
| Gulf Station | 1565 Route 22 | NONE |
| Mobil Station | 1569 Route 22 | NONE |
| Mobil Station | 2495 Route 6 | NONE |
| Mystik Station | 1675 Route 22 | NONE |
| Shell Station | 1450 Route 22 | NONE |
| Shell Station | 3411 Danbury Rd. | NONE |
| Valero Station | 563 Route 312 | NONE |
| Valero Station | 1011 Route 22 | NONE |

| VILLAGE OF BREWSTER (4 STATIONS) | | |
|---|--------------------|--|
| 76 Station | 494 North Main St. | TRANSFER SWITCH INSTALLED & HAS PORTABLE GENERATOR |
| BP Station | 876 Route 22 | PERMANENT GENERATOR INSTALLED |
| Gulf Station | 174 Main St. | NONE |
| Xtra Mart | 486 North Main St. | NONE |

#5

PUTNAM COUNTY EXECUTIVE

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County Executive

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MEMORANDUM

To: Neal L. Sullivan, Chair
Rules, Enactments & Intergovernmental Relations Committee

Cc: Toni Addonizio, Chair
Putnam County Legislature

FROM: MaryEllen Odell, County Executive

RE: Skimming Devices at Gasoline Stations

DATE: August 14, 2020

2020 AUG 19 AM 8:31
LEGISLATURE
PUTNAM COUNTY
CARMEL, NY

I respectfully request that you place on the Rules, Enactments & Intergovernmental Relations Committee agenda for discussion the attached memos from Michael Budzinski, PE, Director of Consumer Affairs, in reference to the credit card skimming device found at a Brewster gas station and the memo sent to all gas station Owners and operators.

Thank you for your consideration.

Enc.

Michael Budzinski, PE
Director



MaryEllen Odell
County Executive

PUTNAM COUNTY OFFICE OF CONSUMER AFFAIRS
Weights and Measures/Trades Licensing and Registration
110 Old Route 6- Building #3, Carmel, NY 10512
(845) 808-1617

Memo to: MaryEllen Odell, County Executive

From: Michael Budzinski, PE, Director

RE: Skimming Devices at Gasoline Stations

Date: August 18, 2020

As a result of the credit card skimming device found at a Brewster gas station, this Office has prepared the attached memo for distribution to all gas station owners in Putnam County. The memo provides recommendations to help prevent and/or minimize credit card theft.

This Office has also been informed that all gas stations will be responsible to have chip reading credit card payment devices installed by April 2021 since the credit card companies will not be accepting responsibility for credit card theft for the older credit card readers.

Michael Budzinski, PE
Director



PUTNAM COUNTY CONSUMER AFFAIRS

Weights and Measures/Trades Licensing and Registration
110 Old Route 6- Building #3, Carmel, NY 10512
(845) 808-1617

MEMORANDUM

DATE: August 18, 2020
TO: Gas Station Owners and Operators
FROM: Michael Budzinski, PE
Director, Consumer Affairs
RE: Credit Card Skimming Device Alert

As you may be aware, on the morning of July 7, 2020, our Office found a credit card skimming device during a routine inspection at a gas station in Brewster. The device had been connected to wiring on the interior of the dispenser. A joint investigation was launched between the Putnam County Sheriff's Department and the FBI. The investigation led to the discovery of over 80 credit card numbers captured by this device, which law enforcement believes was installed on the morning of July 4th. To help combat this criminal activity, we are providing you with some *recommendations* to improve the security of your dispensers and protect your customers:

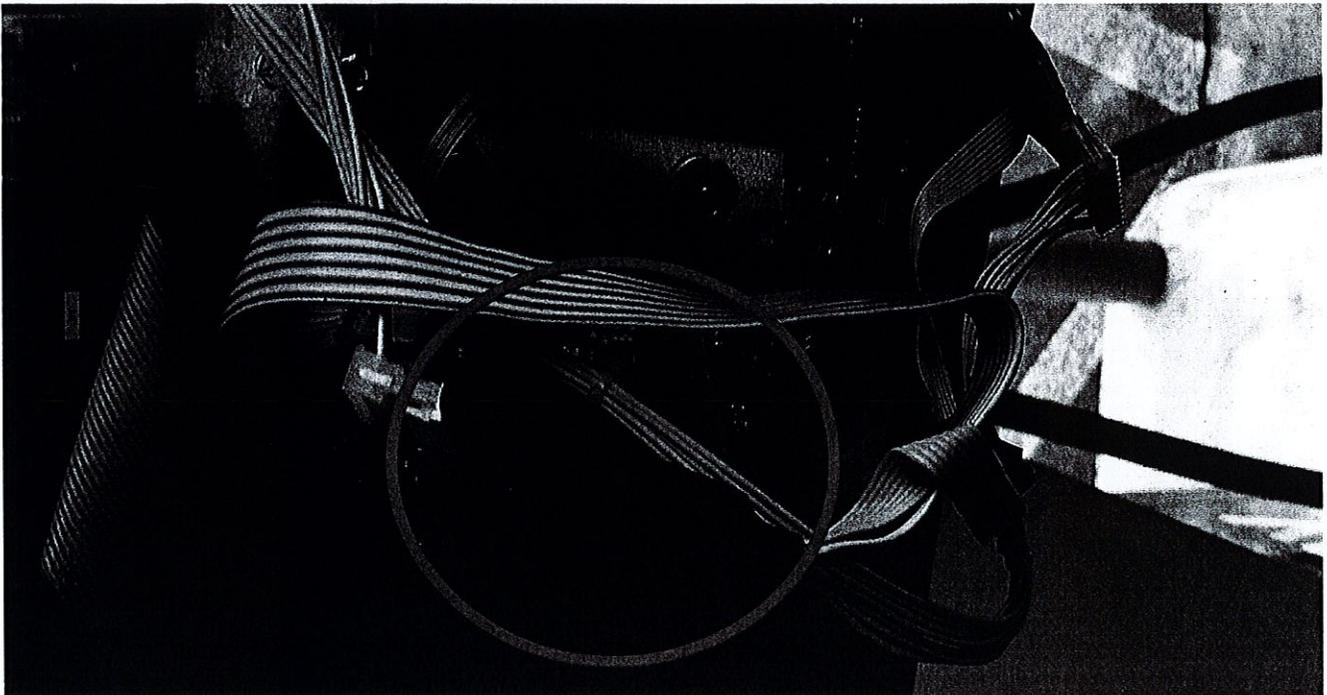
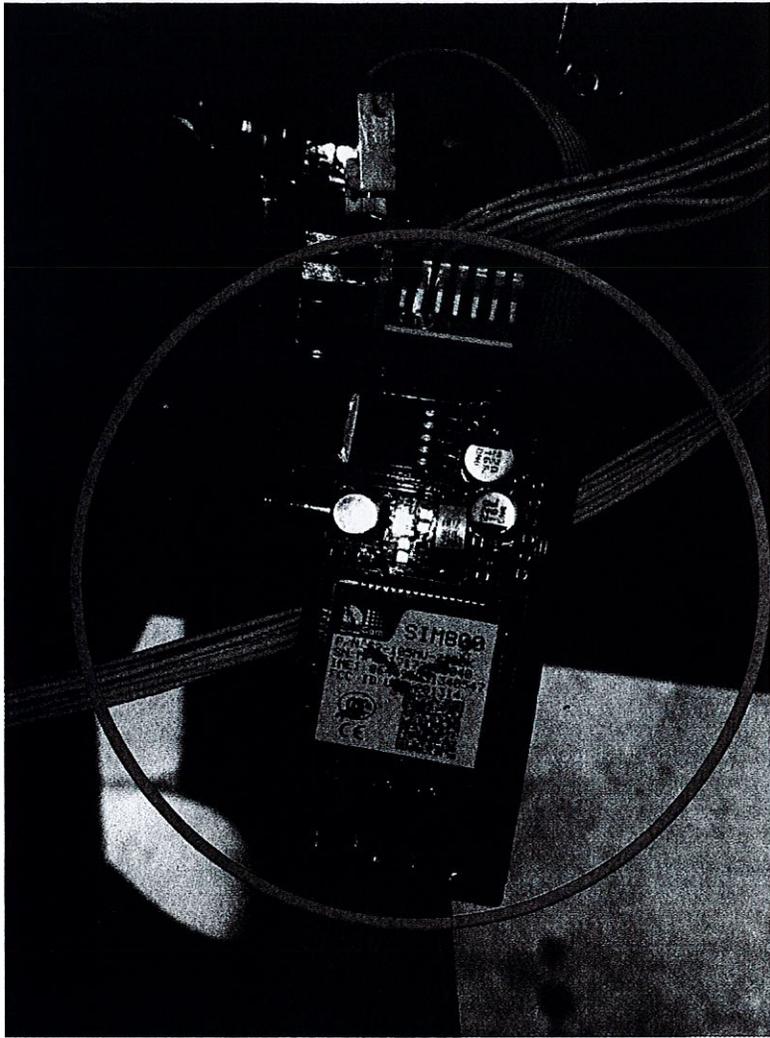
- Install or increase the number of security cameras directed towards the dispensers. Be sure to make some cameras focus on dispensers that are furthest away from your building.
- Add additional security on your dispensers, such as padlocks or voidable security seals.
- Perform periodic visual inspections of the inside of all dispensers to check for skimming devices. Attached are pictures of suspected skimming devices found throughout New York State.

Working together, we can help protect your customers and your business from these criminals. If you have any questions or concerns, please contact our Office at (845) 808-1617.

Sincerely,

A handwritten signature in black ink, which appears to read "Michael Budzinski".

Michael Budzinski, PE
Director



#6

THE PUTNAM COUNTY LEGISLATURE
40 Gleneida Avenue
Carmel, New York 10512
(845) 808-1020 Fax (845) 808-1933

Toni E. Addonizio *Chairwoman*
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| Neal L. Sullivan | Dist. 9 |

MEMORANDUM

TO: Neal L. Sullivan
Chairman, Rules, Enactments & Intergovernmental Relations Committee

FROM: Toni Addonizio
Chairwoman *Toni Addonizio*

DATE: September 3, 2020

RE: Charter Review Commission

As a follow-up to our telephone conversation, I respectfully request the topic of the Charter Review Commission be placed on the September Rules, Enactments & Intergovernmental Relations Committee agenda for discussion.

Thank you for your prompt attention to this request.