

**REGULAR MEETING
OF THE
PUTNAM COUNTY LEGISLATURE
HELD IN THE
HISTORIC COURTHOUSE
CARMEL, NEW YORK 10512**

Wednesday

November 13, 2012

(Immediately following Audit Mtg. starting at 6:00 P.M.)

The meeting was called to order at 7:05 P.M. by Chairwoman Conklin who led in the Pledge of Allegiance. Upon roll call, Legislators Tamagna, Oliverio, Othmer, Albano, Gross, Birmingham, LoBue, DiCarlo and Chairwoman Conklin were present. Also present was Legislative Counsel Van Ross.

Chairwoman Conklin stated that this meeting was originally scheduled for Wednesday, November 7, 2012, however it was postponed due to Superstorm Sandy.

Chairwoman Conklin requested that Legislator Othmer present the proclamation in recognition of the members of Carmel-Mahopac Revitalization-Restoration, Inc. to Mr. Frank DelCampo, former Deputy County Executive and Town of Carmel Supervisor.

Legislator Othmer recognized the many improvement projects which were spearheaded by this organization. He stated that the County has also utilized funds donated by this organization for our Highways & Facilities Department to create signs that would identify the 72 Historic Cemeteries located in the County. The Legislators held up some of the signs that Commissioner of Highways & Facilities Pena would have brought to the Historian's Office to be placed at the cemetery locations.

Legislator Othmer presented the proclamations to Mr. Frank DelCampo. He stated that a copy of the proclamation along with the list of 35 past and present members of the organization was placed in the Putnam County Time Capsule.

PROCLAMATIONS

Recognition of Members of Carmel-Mahopac Revitalization-Restoration Inc.

WHEREAS, The Carmel-Mahopac Revitalization-Restoration Inc. (CMRR) is a non-for-profit organization that has created a successful private-public partnership resulting in obtaining funding, planning and the completion of projects that has improved two core business areas in Putnam County; and

WHEREAS, In 1986 former Councilman and Supervisor Frank J. DelCampo, with the goal in mind of revitalizing and restoring the two commercial core areas of the hamlets of Mahopac and Carmel in the Town of Carmel founded the non-for-profit Carmel-Mahopac Revitalization-Restoration Inc. (CMRR) organization; and

WHEREAS, Since the creation of the CMRR in 1986 the organization has been responsible for several improvement projects within the Town of Carmel; and

WHEREAS, In 1987 the organization acquired funding through a grant from the National Arts Council and funding assistance for the Town and County to hire a planning and architectural firm who developed a Master Plan for the two downtown core business areas in the hamlet of Mahopac and Carmel. This twenty (20) year plan became the blueprint for many of the improvements for the two downtown business areas; and

WHEREAS, CMRR worked closely with the Town of Carmel and the Highway Department to obtain Suburban Trust funding of 2.2 million dollars from Putnam County for road and drainage improvement which included road and drainage improvement for Route 6N, a main access route to the downtown business area of Mahopac ; and

WHEREAS, The CMRR organization is proudly responsible for more grant funds and completed projects that have enriched the quality of life in these two Towns; and

WHEREAS, The total amount of funding that the CMRR organization either directly or indirectly brought to the Town of Carmel by their efforts to improve the quality of life throughout the two core business areas was approximately five and a half million dollars; and

WHEREAS, This is a remarkable and noteworthy achievement by an organization of volunteers, as well as a number of government officials from the Town of Carmel and Putnam County; now therefore be it

RESOLVED, That Putnam County Executive MaryEllen Odell and the Putnam County Legislature do hereby recognize Frank J. DeCampo and the members of the CMRR, past and present, for being an excellent example of what can be accomplished by the collaborated efforts of the private and public domain.

Chairwoman Conklin presented Ms. Demi Lottreciano with a proclamation for the Brewster/Carmel Garden Club.

BREWSTER/CARMEL GARDEN CLUB

WHEREAS, The Brewster/Carmel Garden Club, which is comprised of all volunteers representing many different generations, is an extremely community minded organization; and

WHEREAS, The efforts of The Brewster/Carmel Garden Club contribute to the beautiful landscape of many locations throughout Putnam County; and

WHEREAS, A display of their talents and efforts can be seen by the Sybil Lundington Statue located on the shoreline of Lake Gleneida, also in front of the County Clerk Office Building at 34 Gleneida Avenue, in front of the Putnam County Historic Courthouse, in front of the Brewster Library, they decorate the Walter Brewster House which is located on Oak Street for the holidays, they are responsible for the beautiful plantings in the island near the Village of Brewster Train Station, and they hang and maintain all of the hanging plants along Gleneida Avenue in the Hamlet of Carmel. This is a small sample of locations where the members share their tremendous talents, efforts and time; and

WHEREAS, The Brewster/Carmel Garden Club's community mindfulness goes beyond their beautiful plantings, they are concerned with our future generations, in that vein they provide a Scholarship for one deserving High School Senior Student in the Brewster & Carmel High Schools; now therefore be it

RESOLVED, that MaryEllen Odell, Putnam County Executive, and the Putnam County Legislature do hereby recognize the members of the Brewster/Carmel Garden Club for sharing their talents to add to the beautiful landscape we all enjoy in Putnam County. We are extremely thankful for their example of what can be accomplished by a strong community organization.

Legislator Birmingham made a motion to accept the proclamations into the minutes of the meeting; seconded by Legislators Gross and LoBue. All in favor.

Chairwoman Conklin stated that Legislator Tamagna requested the recognition of the newly elected officials.

Legislator Tamagna stated that he was proud to be Legislator for the last eighteen years and will miss it very much. However, he is very proud to recognize Barbara Scuccimarra, who is very capable to take over his seat on January 1, 2013.

Chairwoman Conklin congratulated Ginny Nacerino who was elected to take the seat of District #4 representing the Town of Patterson.

Legislator Birmingham recognized and congratulated our returning Legislator Roger Gross.

Legislator Birmingham also recognized his successor Joe Castellano representing District #7. He congratulated the newly elected and commended all eight candidates for focusing their campaigns on the people and issues instead of personalities.

Item #3 – Approval of Minutes – October 2, 2012

The minutes were approved as submitted.

Item #4 – Correspondence

a) County Auditor

There was no activity during the reporting period.

AUDIT & ADMINISTRATION COMMITTEE
(Chairwoman Conklin, Legislators Birmingham & LoBue)

Item #5a – Approval/Budgetary Amendment (12A084)/IT/Fiber Optic Lines was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

RESOLUTION #246

APPROVAL/BUDGETARY AMENDMENT/ IT DEPARTMENT/FIBER OPTIC LINES

WHEREAS, the IT Director has requested a budgetary amendment (12A084) to fund the installation of fiber optic lines to the County's Hill & Dale facility; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

GENERAL FUND:

Decrease Estimated Appropriations:

13311000 54634	Telephone	\$18,000
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Increase Estimated Appropriations:

10990100 59020	Transfer to Capital	\$18,000
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CAPITAL FUND:

Increase Estimated Appropriations:

51989000 53000 51214	Renovations Hill & Dale	\$18,000
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Increase Estimated Revenues

51989000 427701 51214	Interfund Revenue	\$18,000
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2012 Fiscal Impact \$18,000

2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5b – Approval/Budgetary Amendment (12A089)/Finance/Vacancy Control Factor/June – October 2012 was next. On behalf of the members of the Audit & Administration Committee, Legislator Birmingham & LoBue, Chairwoman Conklin moved the following:

RESOLUTION #247

APPROVAL/BUDGETARY AMENDMENT/FINANCE/VACANCY CONTROL FACTOR JUNE - OCTOBER 2012

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (12A089) to provide for the vacancy control factor for June through October 2012; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Decrease Estimated Appropriations:

See Attached Sheet	Personal Services	423,907
See Attached Sheet	FICA	32,429
See Attached Sheet	Dental	4,831
See Attached Sheet	Life Insurance	1,596
See Attached Sheet	Health Insurance	44,469
See Attached Sheet	Vision	364
See Attached Sheet	Flex Plan	<u>7,595</u>
		515,191

Decrease Estimated Revenues:

10101000 436101	State Aid – DSS	25,115
10101000 446101	Federal Aid – DSS	27,384
10131000 427705	Vacancy Control Factor	<u>462,692</u>
		515,191

2012 Fiscal Impact – 0 –

2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5c – Approval/Budgetary Amendment (12A090)/Highways & Facilities/Road Machinery was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

Increase Revenues:			
10364501 443891 10100	LETPP Homeland Security 2012		51,250

Increase Appropriations:			
10364501 54646 10100	FY12 Homeland Security Contracts		25,620
10364501 52180 10100	FY12 Homeland Sec Spec Technical <\$5,000		23,770
10364501 54300 10100	FY12 Homeland Security Miscellaneous		<u>1,860</u>
			51,250

2012 Fiscal Impact – 0 –
2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5e – Approval/Budgetary Amendment (12A093)/Sheriff’s Department/Selective Traffic Enforcement Program/Reduction in State Funding was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

RESOLUTION #250

APPROVAL/BUDGETARY AMENDMENT/SHERIFF’S DEPARTMENT/SELECTIVE TRAFFIC ENFORCEMENT PROGRAM/REDUCTION IN STATE FUNDING

WHEREAS, the Sheriff’s Department has requested a budgetary amendment (12A093) due to a reduction in State funding for the Selective Traffic Enforcement Program; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Decrease Revenue:			
17311002 443893 10021	Selective Traffic Enforcement Program		\$17,050

Decrease Appropriations:			
17311002 51093 10021	Selective Traffic Enforcement Program-Overtime		\$17,050

2012 Fiscal Impact – 0 –
2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5f – Approval/Budgetary Amendment (12A094)/Sheriff’s Department/Buckle Up New York Grant/Reduction in State Funding was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

Legislator Tamagna requested that a letter be sent to the Governor stating that both of these programs are very important. Putnam County certainly doesn’t appreciate reduction in things that we could do less or we have to tax our residents more. He

believed that everyone would agree that we are here to protect public health and safety of our residents. These items are extremely important when it comes to public health and safety and he would like to follow up with a letter to the Governor.

RESOLUTION #251

APPROVAL/BUDGETARY AMENDMENT/SHERIFF'S DEPARTMENT/BUCKLE UP NEW YORK GRANT/REDUCTION IN STATE FUNDING

WHEREAS, the Sheriff's Department has requested a budgetary amendment (12A094) due to a reduction in State funding for the Buckle Up New York Grant; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said budgetary amendment; now therefore be it

RESOLVED, that the following budgetary amendment be made:

Decrease Revenue:

17311002 443899 10024	Buckle Up New York Grant	\$6,270
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Decrease Appropriations:

17311002 51093 10024	Buckle Up Grant – Overtime	\$6,270
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2012 Fiscal Impact – 0 –

2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5g – Approval/Fund Transfer (12T155)/Sheriff's Department/Purchase Computers, Scanners & Printers was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

Legislator Birmingham stated that this item was tabled from the Audit & Administration Committee Meeting which was held prior to this meeting. It was not pre-filed to this Full Legislative Meeting.

APPROVAL/FUND TRANSFER/SHERIFF'S DEPARTMENT/PURCHASE COMPUTERS, SCANNERS & PRINTERS

WHEREAS, over the years the Sheriff's Department has received State Criminal Alien Assistance Program (SCAAP) grants which if not used are rolled over and encumbered for future years, and

WHEREAS, the need has arisen to use some of these funds for the purchase of computers, scanners, printers, etc., and

WHEREAS, the Sheriff's Department has requested a fund transfer (12T155) to purchase these computers, scanners and printers; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:

10315001 54300 10032	Miscellaneous	6,080.40
10315001 54310 10032	Office Supplies	919.64

10315001 54311 10032	Printing	2,000.00
10315001 54313 10032	Books & Supplements	1,284.00
10315001 54314 10032	Postage	1,000.00
10315001 54646 10032	Contracts	15,000.00
10315001 54675 10032	Travel	<u>1,000.00</u>
		27,284.04

Increase:		
10315001 52130 10032	Computer	27,284.04

2012 Fiscal Impact – 0 –
2013 Fiscal Impact – 0 –

Item #5h – Approval/Fund Transfer (12T309)/Highways & Facilities/Purchase Plows was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

Legislator Birmingham stated that before the meeting Commissioner Pena informed some of the Legislators that these funds are for plows themselves and not the blades. He stated that apparently they are rusted through.

RESOLUTION #252

APPROVAL/FUND TRANSFER/HIGHWAYS & FACILITIES/PURCHASE PLOWS

WHEREAS, the Highways & Facilities Department has requested a fund transfer (12T309) to purchase plows for various winter trucks; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:		
10514200 54410	Supplies & Materials	28,579.38

Increase:		
10514200 52180	Other Equipment	11,128.38
10514200 52680	Other Equipment	<u>17,451.00</u>
		28,579.38

2012 Fiscal Impact – 0 –
2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5i – Approval/Fund Transfer (12T320)/Sheriff's Department/Overtime was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

RESOLUTION #253

APPROVAL/FUND TRANSFER /SHERIFF'S DEPARTMENT/OVERTIME

WHEREAS, the Sheriff's Department has requested a fund transfer (12T320) to cover overtime until year end 2012; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:

14311000 51004	Open Personnel Line	69,950
14311000 58002	FICA	5,352
17311000 51021	Open Personnel Line	<u>43,474</u>
		118,776

Increase:

17311000 51093	Overtime	69,950
17311000 58002	FICA	5,352
17311000 51093	Overtime	<u>43,474</u>
		118,776

2012 Fiscal Impact – 0 –

2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5j - Approval/Fund Transfer (12T323)/Commissioner of Finance/Humane Society/ October through December 2012 Payment was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

RESOLUTION #254

APPROVAL/FUND TRANSFER/COMMISSIONER OF FINANCE/HUMANE SOCIETY/
OCTOBER THROUGH DECEMBER 2012 PAYMENT

WHEREAS, the Commissioner of Finance has requested a fund transfer (12T323) to provide funding for the October through December 2012 payment; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:

10199000 54981	Sub-contingency	\$35,230
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Increase:

25851200 54950	Humane Society	\$35,230
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2012 Fiscal Impact – 0 –

2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5k – Approval/Budgetary Transfer (12T328)/Purchasing/Gasoline was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

RESOLUTION #255

APPROVAL/BUDGETARY TRANSFER/PURCHASING/GASOLINE

WHEREAS, the Purchasing Director has requested a budgetary transfer (12T328) to fund the gasoline line through the remainder of 2012; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said budgetary transfer; now therefore be it

RESOLVED, that the following budgetary transfer be made:

Increase Estimated Appropriations:

10161000 54371	Gasoline	28,000
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Decrease Estimated Appropriations:

10199000 54980	Contingency	28,000
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2012 Fiscal Impact \$28,000

2013 Fiscal Impact – 0 –

BY POLL VOTE: EIGHT AYES. ONE NAY – LEGISLATOR LOBUE.

Item #5L – Approval/Fund Transfer (12T338)/Finance/Planning Department/Fund Retired Employee/Temporary Basis was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

RESOLUTION #256

APPROVAL/FUND TRANSFER/FINANCE/PLANNING DEPARTMENT/ FUND RETIRED EMPLOYEE/TEMPORARY BASIS

WHEREAS, the Commissioner of Finance has requested a fund transfer (12T338) to provide funding for a retired employee to work on a temporary basis in 2012; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:

10802000 51000 (802010101)	Personnel	\$20,000
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Increase:

10802000 51094	Temporary	\$20,000
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2012 Fiscal Impact – 0 –

2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5m – Approval/Fund Transfer (12T350)/Department of Social Services/Temporary was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

RESOLUTION #257

APPROVAL/FUND TRANSFER/DEPARTMENT OF SOCIAL SERVICES/TEMPORARY

WHEREAS, the Department of Social Services has requested a fund transfer (12T350) to cover increased caseload in the Medicaid Unit of Part Time Registered Professional nurse through year end; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:		
10104000 51000	Personal Services	17,390
10104000 58002	Social Security	<u>1,516</u>
		18,906

Increase:		
10105000 51094	Temporary	17,390
10105000 58002	Social Security	<u>1,516</u>
		18,906

2012 Fiscal Impact – 0 –
2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5n – Approval/Fund Transfer (12T351)/Department of Social Services/Overtime was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

RESOLUTION #258

APPROVAL/FUND TRANSFER/DEPARTMENT OF SOCIAL SERVICES/OVERTIME

WHEREAS, the Department of Social Services has requested a fund transfer (12T351) to fund overtime to cover backlog of cases in the Medicaid Unit; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:		
10104000 51000	Personal Services	12,289
Increase:		
10104000 51093	Overtime	12,289

2012 Fiscal Impact – 0 –
2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5o – Approval/Fund Transfer (12T353)/Sheriff’s Department/Purchase Vehicle was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

Chairwoman Conklin stated that this item was tabled at the Audit Meeting which was held prior to this Full Legislative Meeting.

APPROVAL/FUND TRANSFER/SHERIFF’S DEPARTMENT/PURCHASE VEHICLE

WHEREAS, the Sheriff’s Department has requested a fund transfer (12T353) to cover the cost to purchase a vehicle; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:

13311000 52110	Furniture	36.02
13311000 52120	Office Equipment	300.00
13311000 54311	Printing	500.00
13311000 54385	Uniforms	4,500.00
13311000 54510	Machine Maintenance	2,929.00
13311000 54640	Education & Training	1,544.00
13311000 54675	Travel	1,000.00
13311000 54782	Software & Acc.	8,535.41
13311000 54634	Telephone	<u>6,655.57</u>
		26,000.00

Increase:

13311000 52650	Motor Vehicle	26,000.00
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2012 Fiscal Impact – 0 –
2013 Fiscal Impact – 0 –

Item #5p – Approval/Fund Transfer (12T354)/Department of Social Services/Temporary was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

RESOLUTION #259

APPROVAL/FUND TRANSFER/DEPARTMENT OF SOCIAL SERVICES/TEMPORARY

WHEREAS, the Department of Social Services has requested a fund transfer (12T354) to cover temporary typist from 11/01/12 through 12/31/12 for a position vacant due to employee’s illness; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:		
10101000 51000	Personal Services	5,530

Increase:		
10101000 51094	Temporary	5,530

2012 Fiscal Impact – 0 –
2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5q – Approval/Fund Transfer (12T360)/Finance/Taxes & Assessments on County Owned Property was next. On behalf of the members of the Audit & Administration Committee, Legislator Birmingham & LoBue, Chairwoman Conklin moved the following:

RESOLUTION #260

APPROVAL/FUND TRANSFER/FINANCE/TAXES & ASSESSMENTS ON COUNTY OWNED PROPERTY

WHEREAS, the Commissioner of Finance has requested a fund transfer (12T360) to cover mandated payments to schools as a result of an increase in County owned properties taken by tax lien; and

WHEREAS, the Audit & Administration Committee has reviewed and approves said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:		
10199000 54980	Contingency	\$71,000

Increase:		
10136400 54911	Taxes & Assessments on County Owned Property	\$71,000

2012 Fiscal Impact – 0 –
2013 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5r – Approval/Semi-Annual Mortgage Tax Report/April 1, 2012 Through September 30, 2012 was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

RESOLUTION #261

**APPROVAL/SEMI-ANNUAL MORTGAGE TAX REPORT/APRIL 1, 2012 THROUGH
SEPTEMBER 30, 2012**

WHEREAS, upon receipt of approval of the Semi-Annual Report showing the amounts to be credited to each district of the County of the money collected during the period April 1, 2012 through September 30, 2012 from the New York State Department of Taxation and Finance, the Putnam County Audit and Administration Committee reviewed and hereby forwards same to the Putnam County Legislature; now therefore be it

RESOLVED, that pursuant to Section 261 of the Tax Law, the Putnam County Legislature issues tax warrants for the payment to the respective districts of the amounts so credited and authorizes and directs the Commissioner of Finance to make a payment of said amounts to the respective district in accordance with the report as follows:

Town of Carmel	\$ 416,131.66
Town of Kent	127,461.10
Town of Patterson	140,427.41
Town of Philipstown	
Village of Cold Spring	11,054.85
Village of Nelsonville	3,204.17
Town Outside	137,295.67
Town of Putnam Valley	146,202.29
Town of Southeast	
Village of Brewster	6,813.62
Town Outside	<u>203,224.04</u>
Total	\$1,191,814.81

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #5s – Approval/Local Law/Amend Chapter 173/Code of Putnam County Entitled “Item Pricing” was next. On behalf of the members of the Audit & Administration Committee, Legislators Birmingham & LoBue, Chairwoman Conklin moved the following:

Legislator Birmingham made a motion to amend the law to be consistent to the change which came out of the Audit Committee with respect to paragraph C; seconded by Legislator Oliverio. Eight Ayes. One Nay – Legislator LoBue.

Chairwoman Conklin moved the following as amended:

RESOLUTION #262

APPROVAL/LOCAL LAW/AMEND CHAPTER 173/CODE OF PUTNAM COUNTY ENTITLED "ITEM PRICING."

A Local Law to Amend Chapter 173 of the Code of Putnam County entitled "Item Pricing."

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF PUTNAM, as follows:

Section 1.

Chapter 173 of the Code of Putnam County entitled "Item Pricing" is hereby amended to include a new section 173-8 entitled "Waiver of Item Pricing Requirements Based Upon Pricing Accuracy; Consumer Protections," to read as follows:

Section 173-8. Waiver of Item Pricing Requirements Based Upon Pricing Accuracy; Consumer Protections.

- A. Every retail store subject to this chapter may make application in writing for a waiver of the item pricing requirements as contained herein. The application shall be submitted to the Director of Consumer Affairs for the County of Putnam. A separate application shall be required for each retail store.**
- B. All written requests for an item pricing waiver shall include an annual, non-refundable waiver application fee based upon the square footage of each retail store as set forth in the following schedule:**

SQUARE FOOTAGE OF RETAIL STORE	WAIVER FEE
Under 3,000 sq. ft.	\$750.00
Between 3,001 and 10,000 sq. ft.	\$1,500.00
Between 10,001 and 30,000 sq. ft.	\$4,500.00
Between 30,001 and 60,000 sq. ft.	\$6,500.00
Over 60,001 sq. ft.	\$15,000.00

- C. Waivers shall be valid for a period of one year from the date of issuance, at which time the waiver shall expire. Retail stores must reapply annually for renewal. The waiver fee and inspection shall be required for each annual renewal application, as required for an original application. Late application(s) shall be subject to a late fee as determined by the Department of Consumer Affairs, in accordance with guidelines approved by the Putnam County Legislature by resolution.**
- D. Upon receipt of an application and fee as provided in subsections A and B of this section, the Director of Consumer Affairs shall cause to be conducted two scanner accuracy inspections of the store for which the application has been submitted. These inspections shall be conducted on two separate days and shall consist of comparing the shelf, sale or advertised price of any stock keeping unit with the computer-assisted checkout system price. (In the event that any violations are detected, penalties shall be assessed as provided in Section 173-6, subsection F.) If, considering both inspections together, the number of stock keeping units found to be in violation does not exceed two percent of all stock keeping units inspected, the Director of Consumer Affairs shall grant the applicant a revocable waiver from item pricing requirements**

provided that the applicant has paid all outstanding penalties imposed in connection with this Local Law. Any store with a current waiver shall not be subject to the item pricing provisions set forth in Section 173-4.

E. In the event that the inspections provided for in subsection D herein discover total violations in excess of two percent of all stock keeping units inspected, the Director of Consumer Affairs shall not grant a waiver to the applicant. Such a store may reapply for a waiver by submitting another application with the required fee within five (5) business days after being notified of the failure. Stores which do not reapply must be in compliance with all the requirements of §173-4 within sixty (60) days from the date of failure, and may be subject to additional penalties.

F. Any retail store that obtains an annual waiver from item pricing shall be required to:

- (1) Display easy-to-read and properly located shelf tags or signs on every stock keeping unit or group of stock keeping units of the same brand, size, and price. Shelf tags shall contain all pricing information required by section 214-h of the New York State Agriculture and Markets law, as such law is amended from time to time.
- (2) Post a notice for the consumer, in a conspicuous location, that the item pricing waiver has been granted. The notice shall indicate consumer rights with respect to the accurate pricing of items and price discrepancies.
- (3) Designate and make available the number of price check scanners set forth in the following table to enable consumers to confirm the price of a stock keeping item:

RETAIL SQUARE FOOTAGE	NUMBER OF SCANNERS
Under 1,500 sq. ft.	No price check scanners required. However, an item(s) shall be scanned for the price, upon consumer request.
Between 1,501 and 3,000 sq. ft.	1
Between 3,001 and 10,000 sq. ft.	2
Between 10,001 and 30,000 sq. ft.	3
Between 30,001 and 60,000 sq. ft.	4
Over 60,001 sq. ft.	5

One such price check scanner shall be capable of printing an adhesive label containing the price of the stock keeping item. Price check scanners shall be placed in a location convenient to consumers with a sign with sufficient sized lettering identifying this unit to consumers. Price check scanners may be used by retail stores to meet unanticipated customer check-out needs.

- (4) Assist county inspectors with store inspections. The retail store may make store personnel or hand-held price scanners available to a county inspector to assist with price accuracy inspections. Inspections of

retail stores may be unannounced, provided however, that the inspector shall notify the store upon arrival.

- (5) Item price certain stock keeping units that are too large or too heavy to be price scanned by the consumer in a reasonably simple manner. These stock keeping units shall include all items over six pounds of net weight.
- (6) A retail store failing to comply with any of the requirements of this subsection F, after the County Sealer of Weights and Measures and/or the Consumer Affairs Director and their departmental designees who shall act as administration and enforcement officers for this chapter and any regulations promulgated hereunder has made such determination, shall be subject to a penalty in the amount of five-hundred (\$500) dollars per violation.

G. An annual waiver shall be immediately revoked if a store falls below 98% accuracy on two consecutive pricing accuracy inspections. Failure to meet the scanning accuracy requirement or failure to pay the annual application fee shall subject the retail store to the item pricing requirements of this Local Law within ten days of the last inspection, and may be subject to additional penalties.

H. In the event that the Director of Consumer Affairs is unable to conduct inspections pursuant to subsection D of this section within thirty (30) days of receipt of a completed written waiver application, the Director of Consumer Affairs shall grant a temporary waiver pending completion of the inspections. If, upon completion, the item pricing inspections detect a violation rate in excess of two percent, the temporary waiver shall be immediately revoked and the item pricing provisions of this Local Law shall apply.

Section 2.

This local law shall take effect immediately.

BY POLL VOTE: SEVEN AYES. TWO NAYS – LEGISLATORS GROSS & LOBUE.

Legislator Tamagna believed it was important to note for the record that an item such as #5q – Approval/Fund Transfer/Finance/Taxes & Assessments on County Owned Property, was to cover mandated payments to schools as a result of an increase in County owned properties taken by tax lien.

Item #6 - Other Business

Item #6a – Approval/Local Law/Putnam County Commissioner of Planning, Development and Public Transportation Residency Requirements was next. Legislator Birmingham moved the following:

Legislator Birmingham stated that this was a local law to amend the Putnam County Code to allow the Putnam County Commissioner of Planning, Development and Public

Transportation to waive the residency requirements within a certain geographic area. Essentially it will allow the position of Planning Commissioner to reside in an adjoining county within the State of New York. Legislator Birmingham stated that this item has been before a few Committees in the past and has not come out of Committee. Therefore, he was exercising the sixty day rule and bringing it before the Legislature tonight. He asked for a second on this item.

Seconded by Legislator DiCarlo.

Legislator Oliverio stands by what he has said so many times. He believed that our highest level positions in this County need to be filled by people who are vested in this County. They reside in the County, pay taxes here and vote here. To have someone man these important positions in Putnam County and not have a vested interest here, he philosophically could not support.

Legislator Albano stated that his first choice would be to have someone from the County fill the position of Commissioner of Planning. However, he wanted to see the most qualified person work for this County. He supported this local law change.

Legislator Birmingham stated that Putnam County is a very small geographic County. When we are looking for professionals to staff our County departments, we always prefer someone in the County and we have also promoted from within. We want to fill the Commissioner of Planning position with someone who has a certain skill set, level of education and professional certifications. For us to limit ourselves to within the 240 square miles of Putnam County, he believed would not only be a disservice to the residents of Putnam County, but also the future residents of Putnam County when we are talking about the Planning position. This is not something that is unique. There are some Counties throughout New York State that have waived all residency requirements for every position. To state that a person would not be fully vested in this County merely because they do not live here he believed was false. He did not believe the person would exert any lesser efforts merely because they do not live here.

Legislator Oliverio stated that he could sleep much easier if we could tie an amendment on this that, once the person is selected, they would be required to move into the County. He felt strongly that residing in the County you serve makes that individual part of the decisions that he or she is making. He stated that it really upsets him when Superintendents of Putnam County Schools go home to other counties when they hit our taxpayers time after time with unbelievable tax increases because they are not paying them. They are going home to another county where their taxes are half that size. He relates that to this situation. Planning is so important. It is the infrastructure of this County. Have someone in the position that will be effected by these decisions.

Legislator LoBue concurred. She believed that the person at the very least should reside in the County. All of these top management positions that we are referring to are all over \$100,000 salaries, and to suggest that possibly people in Putnam County do not have the skill set she believed was short selling our workforce. She felt that we were "cherry picking". We are not changing the Charter but we are changing the Code because there has already been someone picked for the position that the Administration wants. She did not believe the Pennysaver was the best vehicle to advertise in for positions. She stated that she agreed with Legislator Oliverio and if the person accepts the position we

should modify the law to require them to relocate to Putnam County within a certain time period.

Legislator DiCarlo stated that if you were going to give someone a chance to relocate, you needed to give them at least six months to one year to be fair. He felt that if all things were equal, by all means it should be someone internal. However, we are relying on the people doing the hiring. He had to believe in his heart of hearts that if all things were equal, the County would choose someone internally. However, if the discrepancy is that large, then maybe we look to a certain time frame for the person to relocate.

Legislator Othmer stated that he spoke to Director of Personnel, Paul Eldridge. He stated that 90% of our employees live in Putnam County. The attorney in the Law Department and the Assistant District Attorneys are not required to live in the County, yet they all do. He felt that we have left this position vacant for way too long. He stated that this County is so small that maybe we would want someone a bit removed so that they could look at things objectively.

Legislator Gross stated that he spoke to a Planner who lives in New York but works in Connecticut. Her position was that it gives some flexibility. The person comes in clean with no influences from others. Philosophically he agreed with Legislators LoBue and Oliverio. However, this change gives some flexibility. The housing market is terrible and he believed that we would need to give someone at least two years to move. He believed that might be something down the line to consider. Right now it's not happening. He stated that he supported this local law change. He believed we needed to fill the position as soon as possible.

Legislator Tamagna believed there was an urgency to fill this position. He stated that the previous Commissioner of Planning, John Lynch came to this County from North Carolina. He was with the County for thirty-four years and did a great job. He stated that he worked so hard and tried to do everything that we didn't get the department that we really needed to have vetted out and manned the way it should have been. He felt that it was important to get someone that is exceptional, with the resume, the background and network ability. He stated that the Administration has to work with top managers and felt that what the County Executive is looking for is what she needs to have. He stated that when you look at Putnam County, he felt that he could easily say that we have the best and brightest whether they live here or not, and that goes for every single appointment County Executive Odell has made so far. He stated that we needed desperately to fill this position now. The Planning Department has been on autopilot for too long.

RESOLUTION #263

APPROVAL/LOCAL LAW/PUTNAM COUNTY COMMISSIONER OF PLANNING, DEVELOPMENT AND PUBLIC TRANSPORTATION RESIDENCY REQUIREMENTS

A Local Law to Amend the Code of Putnam County by adding a new Chapter 81 entitled "Planning, Development and Public Transportation Residency Requirements"

Be it enacted by the Legislature of the County of Putnam as follows:

Section 1. A new Chapter 81 entitled “Planning, Development and Public Transportation Residency Requirements” is hereby added to the Code of Putnam County and shall read as follows:

Commissioner of Planning, Development and Public Transportation Residency Requirements

§ 81-1 Purpose.

The purpose of this Chapter is to set forth the residency requirements for the appointed position of Putnam County Commissioner of Planning, Development and Public Transportation.

§ 81-2 Residency Requirements.

Notwithstanding the provisions of any law, rule or regulation which requires that a public officer be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised, a person shall not be prevented from holding the position of the Putnam County Commissioner of Planning, Development and Public Transportation, so long as such person resides in Putnam County or an adjoining county within the State of New York, at the time of appointment and continuously throughout his or her appointment.

Section 2. This local law shall take effect immediately.

BY ROLL CALL VOTE: SIX AYES. THREE NAYS – LEGISLATORS LOBUE, OLIVERIO AND CONKLIN.

Item #6b – Approval/Agricultural District/Application Period was next. Chairwoman Conklin moved the following; seconded by Legislator Birmingham.

RESOLUTION #264

APPROVAL/AGRICULTURAL DISTRICT/APPLICATION PERIOD

WHEREAS, by Resolution #244 of 2003 the Putnam County Legislature established the period of November 1st to November 30th of each year as the annual thirty-day period within which a landowner may submit a request for inclusion of land in the Putnam County Agricultural District, and

WHEREAS, due to this year’s Tropical Storm Sandy, severe damage was caused to the County’s transportation and electrical systems, necessitating an extension of this period, now therefore be it

RESOLVED, that the thirty-day request period for inclusion of land in the Putnam County Agricultural district for the year 2012 be designated as the period of November 20, 2012 to December 19, 2012, and be it further

RESOLVED, that inclusion period for future years shall remain at November 1st to November 30th.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Legislator Birmingham made a motion to move the additional material for discussion onto the agenda; Item #6c(1), Item #6c(2) and Item #6c(3); seconded by Legislator Oliverio. All in favor.

Item #6c(1) – Veto of Resolution #226 of 2012 was next. Legislative DiCarlo made a motion to move this item for discussion; seconded by Legislator LoBue.

Chairwoman Conklin requested that Legislative Counsel Van Ross explain what it would mean for a “yes” vote or a “no” vote.

Legislative Counsel Van Ross stated that a “yes” vote would mean it would go back to the Legislature’s change to the budget. A “no” vote would go back what the County Executive originally proposed in the budget.

Legislator DiCarlo stated that over the last two to three years there has been a drastic change in jail overtime because of State cuts. He questioned if this pertained solely to jail overtime or more than jail overtime.

Legislator Oliverio stated that it was jail overtime. He stated that the Sheriff wrote a letter which explains why he was requesting the amount be increased.

Legislator DiCarlo questioned if over the last three years have we seen a rise in jail overtime because of these State mandates.

Legislator Oliverio stated that in the Sheriff’s letter, he explains that there are three elements that have impacted the jails the most. One is the requirements for recourse for individuals with mental illness. They must be taken care of by State law. The second thing is the increase in the female population. The third item are the transports of prisoners general. He stated that the Sheriff’s statement is whether the overtime is kept in subcontingency or not, he fears that he is going to need it anyway. If the money is in subcontingency, the Legislature can control it. We do not have to release it.

Legislator Tamagna stated that he had an issue with this. The cases that we have in the jail do not drive up the overtime. Since 2002 we have gone from approximately \$707,000 to approximately \$2 million dollars. It is the same demographics and the same population by way of the census that was just done. We were the safest County then and are the safest County now. He believed we were a small enough County and all overtime needed to be managed. As long as there are people losing their homes and we keep on analyzing and scrutinizing the budget, there is no way we should let this thing pass the way it is. He stated that he was very comfortable with going back to what the County Executive recommended.

Legislator Othmer stated that this was for total overtime. It was not specific to Jail Overtime. The budget was cut by 10% across every department.

Undersheriff Convery stated it was his understanding that it was Jail Overtime.

Commissioner of Finance Carlin stated that was not his understanding. When the budget was crafted the money put in subcontingency was for the Sheriff and the Jail.

Legislator Birmingham stated that his understanding was that it was for Jail Overtime.

Commissioner Carlin stated that regardless of what the Legislature decided in their budget process, the budget that was given to the Legislature from the County Executive's office had that subcontingency for both Jail and Sheriff Overtime. If the Legislature makes the decision that it will just be for Jail Overtime is one thing, but what he is saying is that from the Administration's standpoint it was for both.

Legislator Albano stated that there was no question that there was a need for the overtime. The question is what is the best way to accomplish the initial goal? Is it with overtime or perhaps the amount of people working; to possibly consider more part time people? When we go into overtime it's not the most cost effective way to accomplish this. It affects the pensions of the future and is something that goes on forever. There has to be another way. The Sheriff's Department is doing a great job. The need is there and we see things changing in prisons everyday and it is getting more expensive. However, he felt that there had to be a better way to handle this. Overtime can't be the answer.

Legislator Tamagna stated that when we talk about the reason for the overtime he felt that if the money is allocated, then we are not going to change the way we do business. The money there will be spent. He stated that there was technology that needed to be utilized; such as video arraignment. The people of Putnam County are suffering right now. We need to do everything we can to force the issue to require utilizing video confessions and video arraignments. If we continue to do business the same way, then the people of Putnam County are not just paying for the overtime in this year's budget. It will be a legacy cost that will go into the future. He stated that when you look at the overtime amounts, there are a number of double digit officers making more money than the Sheriff. He stated that we need to get a handle on this. The pensions on these individuals will be on the backs of the taxpayers of Putnam County for the next thirty years. The overtime needs to be looked at in all County Departments and not just the Sheriff's Department. He stated that he was in favor of Legislator Birmingham's idea of publishing these overtime amounts in order for the residents to see how the County Executive, the Legislature and the other executives are managing the departments. He believed the overtime needed to be managed better. If this amount is not taken out, it will continue to escalate the cost in the future.

Legislator Oliverio stated that with respect to saving the taxpayer money, the budget we presented as a Legislative team came in at 1.76% of the 2% property tax cap. If we honor all the County Executive's vetos, we will be kicking the property tax increase up to 2%. He did not believe that was saving the taxpayers money. He believed the Legislature budget was a fine budget. We worked very hard to reduce the County Executive's proposed budget, while preserving programs that had been cut.

Legislator Tamagna stated that if all three County Executive vetoed resolutions were not overridden, the property tax increase would be 1.85%.

Legislator Oliverio stated that the 1.76% increase allowed for overtime where we didn't have to worry about having a deficit to fill that overtime. He stated that regardless of what Legislator Tamagna said, the electronic arraignments would be arranged by the District Attorney's office. The Sheriff simply guards and transports the prisoners. He believed if there was another plan out there which tells the Sheriff not to transport the prisoner but to utilize an electronic system, he would do that. He stated that there are

laws that give the prisoner the option to utilize the electronic arraignment. They do not have to use it. Legislator Oliverio believed that the Legislature adopted a sound budget at a 1.76% property tax increase. We preserved \$650,000 dollars for the transportation system and provided a backup for overtime in the Sheriff's Department which he felt would be used. He asked the Legislature to override all three vetoes to get the budget back to what was adopted.

Legislator Albano stated that he has been in a small business for over thirty-five years. He looks at overtime to cover things that are unanticipated. If he knows something is going to happen and he is planning in the future for something, he will not cover it with overtime. He would cover it with regular hours. He would make accommodations that would make sense. What is the most cost effective way to meet this need? It can't be overtime.

Legislator DiCarlo stated that it goes back to the issue that a cost benefit analysis needs to be done. If it is anticipated that something is going to come up, and you don't have the current manpower, then what manpower is required? He believed these issues needed to be addressed by all Departments in January and not during the budget process. If additional staffing is needed it should be proved to the Legislature that it will be cost effective, who is needed and why. The question is; what is going to change going into next year? He believed that was the reason the Legislature put the money in a subcontingency fund. The money would not automatically be available. The Sheriff's Department would need the Legislature's approval to utilize it.

Legislator LoBue believed part of the problem with the jail overtime were the spikes in the economy. It goes up and down. It is not a set cost factor. She has requested a report for next month for a plan for the Sheriff's Department going forward.

Chairwoman Conklin called the question. She stated that a "yes" vote to override would bring it back to the budget adopted by the Legislature. A "no" vote changes it back to the budget originally proposed by the County Executive.

By Roll Call Vote: Three Ayes – Legislators DiCarlo, LoBue and Oliverio. Six Nays – Legislators Albano, Birmingham, Gross, Othmer, Tamagna and Chairwoman Conklin. Motion Fails.

RESOLVED, that the County Executive's veto of Resolution #226 (Subcontingency Sheriff/Jail Overtime) after Legislative reconsideration is hereby overridden.

Item #6c(2) – Veto of Resolution #231 of 2012 was next. Legislator Birmingham moved the following; seconded by Legislator Tamagna.

Legislator Birmingham stated that originally the way we were selling properties in the County was tried and true for many years. However, he is now in agreement with the County Executive. He stated that we are talking dollars and cents. Every dollar that we budget here in anticipation of receiving money on property bought through tax sales will be one less dollar put on our real property taxpayers. It is a new program which the County Executive stated would be on select properties which will be sold through the Multiple Listing process. There will be many properties that will still go through the

traditional auction process. He stated that the County has not had a property tax sale in a few years, therefore he felt there was a significant backlog of properties. He would advocate and ask his colleagues to override the County Executive's veto. He believed the County would realize the projected amount which he felt would be a great testament to the County Executive's program.

Legislator Oliverio stated that his feeling was that \$1 million dollars would have been a realistic projected revenue amount for the Gain from Sales of Tax Acquired Property. He believed that \$600,000 was certainly reasonable. There are two prime properties in Putnam Valley which are commercially zoned and located on busy corners. He believed they could both sell for between \$200,000 to \$300,000 dollars each.

Legislator Tamagna stated that this is a new program and felt that we should be conservative with it. He stated that the property by Oregon Corners he did some homework on. He stated that in the middle of Putnam Valley there is a bank, a school and a couple of other nice stores. There is not much else there. If we were to get \$300,000 or \$400,000 dollars for the property, the taxpayers paid on George's Superstation \$585,000 dollars to repair a retaining wall and to pay the towns and the schools the taxes that they were due. It's not a windfall that all of a sudden the County is going to get \$300,000 dollars. He felt that when you do the math, the County will only get approximately \$15,000; \$20,000 or \$50,000 for the sale of that property. This was on the back of the taxpayers and he felt that the monies received from the sale of that property should go back into the General Fund because he felt that it was a loan from the taxpayers. He was really concerned that in the future this will become a "one shot". He stated this is a new program and felt that we needed to be conservative with the projected revenue.

Legislator Birmingham stated that the whole program isn't new. There will still be a bulk of the properties which will be sold through the traditional auction process. There is a certain amount of "sunken money" we put into these properties. Even advertising them is a cost. However, you can't put the "toothpaste back in the tube" on them. Had there been an offsetting appropriation in the 2013 budget, then I think we would be comparing apples to apples. Here it's just simply a revenue line and whatever we get will go back into the General Fund. It will not be appropriated to the cost.

Legislator Albano stated that he always supported this resolution. However, because it is new he would rather be conservative with the projected revenue amount.

Legislator Othmer stated that he argued against approving this in Committee. You are formulating your budget on an abstract number and a hopeful sale. He stated that we don't know if an extension on our sales tax will be carried in Albany. He believed we should err on the side of caution.

Legislator Oliverio listed many areas in the budget that formulate a projected amount such as sales tax, Medicaid, prisoner board-ins and board-outs, etc. With this new program there is a record of real estate values and appraisals which takes this out of the realm of putting something up for bid to see what we get. He believed this was a solid system.

Legislator Birmingham stated that the Commissioner of Finance stated that the original projected revenue amount of \$424,000 was pegged at 10% of the assessed net value.

Commissioner Carlin stated that the most important thing to remember is the gain of the sale of property. It's not the gross amount. He stated that 9 out of 10 sales will result in a loss.

Chairwoman Conklin called the question.

RESOLUTION #265

RESOLVED, that the County Executive's veto of Resolution #231 (Gain from Sales of Tax Acquired Property) after Legislative reconsideration is hereby overridden.

BY ROLL CALL VOTE: SIX AYES – LEGISLATORS BIRMINGHAM, DICARLO, GROSS, LOBUE, OLIVERIO & CONKLIN. THREE NAYS – LEGISLATOR ALBANO, OTHMER & TAMAGNA. MOTION CARRIES.

Item #6c(3) – Veto of Resolution #238 of 2012 was next. Legislator Birmingham moved the following for discussion; seconded by Legislator Tamagna.

Legislator Birmingham stated that he planned on supporting the County Executive's veto.

Legislator Gross stated that he didn't view putting this money in subcontingency as a problem. He supports the initiative and the creativity of the Department of Motor Vehicles. He was also led to believe that the State is trying to capture revenues from all Motor Vehicle Departments within the State and he believed they would like to take over the County's Department of Motor Vehicles at some point. He believed that the more things we could do to protect that from happening and to capture revenues for ourselves would be for the better. However, he wanted to be prepared and if this were to happen, he questioned if this money would be taken away from the individuals that were granted it if the program was no longer in existence. He questioned if the Legislature were to approve these management adjustments would they be in place forever or could they be taken away if something changed.

Legislator Birmingham stated that to answer that question, the Legislature would have to lower the salary because these management adjustments were increases to the salaries. They were not stipends. There is nothing that says the Legislature can't decrease a salary. If the program was to change or deemed unsuccessful, the Legislature would have to make that argument and would need five Legislators in agreement in order to lower that person's salary.

Legislator Tamagna stated that he apologized to the County Clerk and the individuals involved in the program. There is no reason to think this program is not going to be a success. There is no need to put the money into subcontingency. He believed if we had the problem that Legislator Gross mentioned, it would be because of the State trying to take over our facilities. He believed that as long as we have the County Clerk running our County Motor Vehicles Department and this program, it will be a great success.

Legislator Othmer stated that he renewed his driver's license which cost him \$80.50 for eight years. He believed approximately \$11.00 went to Putnam County. He believed that the more people aware of this, the more money that will be kept in the County.

Legislator Albano stated that he totally supports this initiative. It's great to see people thinking of creative ways to generate more revenue sources for the County. He stated that we are talking about approximately \$7,000 dollars in additional salary. Even as we go into the future, the program will generate that much more money every year. He believed it was a no brainer.

Legislator DiCarlo stated that we just had a large debate, basically on the same thing. He stated that when it was time to vote, we discussed how the plan was great just the way we are saying this new initiative is great and to put the money in. He believed this was the same analogy. He believed that we needed to be consistent.

Legislator LoBue stated that the resolution in front of us is to allocate almost \$8,000 dollars in salary increases for a program that hasn't even begun. We are compensating people for work that hasn't taken place yet. She believed everyone was in favor of the program. The question is whether or not the \$8,000 dollars should be up front or be put in subcontingency. She stated that when the County Executive presented the budget, she stated that there were no increases in salaries and no layoffs. Although there are quite a few salary increases. She believed this was a problem and that we were cherry picking people to get increases, while a lot of individuals are being left behind.

Legislator Albano believed this program would be well worth it and bring additional revenue into the County.

Legislator Othmer stated that there has been a lot of work done on this already. There have been multiple car dealerships that have been contacted. The County is trying to recruit these dealerships from Dutchess County, Westchester County and Connecticut. There has been ground work done in trying to get the information out to the public with respect to the monitors in the Motor Vehicle Department which can be viewed by individuals while waiting on line.

Legislator Tamagna stated that he did not believe anyone was being cherry picked. We have an exceptional Department Head that came to us with an idea. He believed that the epidemic that is in government today is that it is one size fits all and that we will not do anything different than what we are currently doing regardless. He believes that government needs to change. He stated that Legislative Albano has said he would do this all day long if we could be guaranteed revenues from every single department. Why not give a small stipend to those individuals that come up with the ideas. It is not something where we should say, this is government so we can't do that. He believed we needed to figure out ways where we can bring more revenues into the County and reduce property taxes.

Legislator DiCarlo stated to remember, if we do this, which he didn't believe there was an objection by anyone about doing it, he believed it was a matter of how it gets done. We are then setting precedence for all other departments. He stated that he supports the program, but questioned why the salary increases couldn't wait until it happens. He believed that we needed to be consistent. He stated that you can't have one argument one way and another argument the other way. What was the big deal if they get the money in their paycheck in January or they get it in June once the program is in effect? Once we give them the money, like we said before, they get it moving forward towards their retirement.

Chairwoman Conklin called the question.

**By Roll Call Vote: Three Ayes – Legislators DiCarlo, LoBue and Chairwoman Conklin.
Six Nays – Legislators Albano, Birmingham, Gross, Oliverio, Othmer and Tamagna.
Motion Fails.**

RESOLVED, that the County Executive’s veto of Resolution #238 (Management Adjustments – County Clerk Confidential Secretary; Motor Vehicle Dept. – Two Deputy County Clerks) after Legislative reconsideration is hereby overridden.

There being no further business, at 8:30 P.M., Legislator Birmingham made a motion to adjourn; seconded by Legislator Tamagna. All in favor.

Respectfully submitted by Diane Schonfeld, Clerk.