

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

Members: Chairman Sullivan and Legislators Addonizio & Albano

Thursday April 18, 2019
(Immediately following the Physical Services Mtg. beginning at 6:00pm)

The meeting was called to order at 7:36pm by Chairman Sullivan who requested that Legislator Albano lead in the Pledge of Allegiance. Upon roll call Legislators Addonizio & Albano and Chairman Sullivan were present.

Item #3 - Approval of Minutes – March 19, 2019

The minutes were approved as submitted.

Item #4 - Approval/ Fund Transfer 19T066/ County Clerk/ Purchase Shelving Units for the Archive Room

Chairman Sullivan stated he recently visited the archive room, which is essentially a warehouse filled with shelving, and County Clerk Michael Bartolotti pointed out to him the older shelves that are in need of replacement. He stated the old shelving units are not as secure as the newer shelves, which can be dangerous with the amount of weight placed on them. He stated there is a definite need for these shelving units.

Legislator Addonizio encouraged everyone to visit the archive room; it is amazing.

Chairman Sullivan agreed and stated there is so much great information stored there.

Bill Nulk, Chairman of the Putnam County Industrial Development Agency (IDA) stated the IDA collated older information they had and sent about 50 boxes to the Records Center. He stated the employees were very helpful with this process and provided an easy list of each box stored in the archive room.

Legislator Nacerino stated in previous meetings County Clerk Bartolotti has spoken to the importance of the archive room and the level of protection these documents require.

Chairman Sullivan made a motion to approve Fund Transfer 19T066; Seconded by Legislator Albano. All in favor.

Item #5 - Approval/ Proposed Draft Letter to Board Members who Failed to File Financial Disclosure Statement

Chairman Sullivan stated the proposed letter can be written one of two ways: that without filing the financial disclosure statement, the board members will not be reappointed upon their expiration or that the board member will be terminated from their position if their financial disclosure statement is not filed by the end of the year. He stated he would prefer the latter; that the board member be given notice to file their financial disclosure statement by the end of the year and if they do not, they will be terminated. He stated this gives the board members some time to rectify the problem before any action is taken. He stated he recently filed his financial disclosure statement and it took about five (5) minutes. He stated in his opinion, there is no reason not to file this form.

Legislator Nacerino stated this topic has been discussed many times and she applauded Chairman Sullivan for the proposed letter on the agenda. She stated the financial disclosure statements are broad based and not so specific that it is an invasion of an individual's business. She stated this form is a requirement and it should be adhered to like any other requirement.

Legislator Sayegh agreed that all board members should be filing their financial disclosure statements. She stated she filed her statement today. She suggested sending letters to each board so the board members can be reminded at their meetings. She stated perhaps those who did not file did not realize they needed to.

Legislator Albano suggested carbon copying the respective board chairperson on the letter sent to the board member.

Legislator Addonizio read a portion of the proposed draft letter: *"Policy Board Members who fail to file their required Annual Financial Disclosure Statement (will not be reappointed to their position upon their expiration.) OR (will be removed from their position effective December 31, 2019.)"* She questioned the difference between the two options.

Administrative Assistant Beth Green stated the first parenthesis states the board member will not be reappointed to their position upon their expiration, whenever it may be. She stated the second parenthesis states the board member will be removed from their position if their financial disclosure form is not filed by the end of the year.

Legislator Montgomery agreed with Legislator Sayegh that letters should be sent to the chairperson of each board to be distributed at their board meetings.

Clerk of the Legislature Diane Schonfeld stated the letters are sent to all board members by the Ethics Board.

Chairman Sullivan stated this has been an ongoing issue for years. He stated something must be done to make sure everyone is in compliance.

Legislator Montgomery stated she believes it is inexcusable for the policy board members to not file their financial disclosure form. She stated it might be easier for the board members to file their statement if it is distributed at a board meeting.

Legislator Nacerino stated the form is filed online; therefore it is not something to be handed out at a meeting.

Chairman Sullivan stated how the letter will be written must be decided; if the board members will not be reappointed upon their expiration or if they will be terminated at the end of the year.

Legislator Nacerino stated she believes not reappointing the board member is more diplomatic than removing them from their position.

Legislator Castellano agreed.

Legislator Nacerino stated upon beginning a term on a board, everyone is notified that this is a requirement.

Legislator Sayegh questioned what can be done about employees and elected officials that have not filed their financial disclosure statement.

Chairman Sullivan stated a letter can be sent to make them aware that they have not filed.

Lynne Eckardt, Town of Southeast Board Member, stated she is speaking as a resident of the Town of Southeast. She stated all board members in the Town of Southeast are required to submit a financial disclosure form as well. She stated all new members are notified that this is a requirement in the interview process. She stated if individuals are choosing not to submit this form, it could be because they have a conflict of interest. She stated without all these forms being filed, the residents of Putnam County are not being properly served. She stated it is an honor to serve on a board and if an individual does not want to fill this form out they should not serve. She stated the forms are submitted on paper in the Town. She stated this needs to be addressed.

Legislative Counsel Robert Firriolo stated the dates on the proposed draft letter may need to be amended.

Legislative Clerk Schonfeld stated term lengths vary from board to board and could be three (3), four (4), or six (6) years. She stated if the Committee decides not to reappoint a board member who failed to file their financial disclosure form upon their expiration, there are some instances where an individual could remain on a board for many years.

Chairman Sullivan stated based on the varying term lengths and Ms. Eckardt's concerns, he would be in favor of removing a board member at the end of the year if they still have not filed their financial disclosure statement. He stated this has been discussed for so long; it is time to take action.

Legislator Castellano agreed and questioned what the process of terminating a board member is.

Legislative Counsel Firriolo stated he believes the Ethics Board would remove the board member pursuant to their own rules. He stated he will look into this.

Legislator Castellano stated he believes the Legislature would need to vote on the removal of a board member.

Legislator Montgomery stated based on tonight's discussion, she was under the impression the board members would not be reappointed upon their expiration.

Chairman Sullivan stated based on the varying term lengths, it is his opinion that action should be taken sooner. He stated this proposed draft letter is for discussion tonight and will be finalized and be on the agenda in May for approval.

Legislator Addonizio stated her concern of multiple members from the same board end up being removed, the board could be empty.

Chairman Sullivan stated like Ms. Eckardt stated, it is an honor to serve on a board. He stated he believes there are people in the community that would like to volunteer for a board if spaces become available.

Legislator Nacerino stated if a board member has pride, dedication, and commitment to their position this is a very small task to perform. She stated if a board member receives this notification and they still choose not to file their financial disclosure form, then they may not have been a good fit.

Mr. Nulk stated as Chairman and Member of the IDA, he filed his form and he makes sure all members of the IDA are aware of this requirement. He stated he also checks with the Ethics Board to make sure all board members have submitted their form. He stated he does not believe the forms are onerous. He stated members of the IDA Board operate at the favor of the Legislature, which means if they are not performing their duties properly they can be removed.

Legislator Albano stated it would be great if there was a simplified form that covered any conflicts of interest that may be present.

Ms. Eckardt stated the Town of Southeast uses the County form and the ranges are broad. She stated it is not onerous.

Item #6 - Discussion/ Confidentiality of Attorney-Client Communications

Chairman Sullivan made a motion to table the Discussion/ Confidentiality of Attorney-Client Communications; Seconded by Legislator Albano. All in favor.

Item #7 - Update/ Veterans' Service Medal Advisory Panel

Legislator Castellano stated the Veterans' Service Medal Advisory Panel has a meeting scheduled tonight after this meeting. He stated they have received 400 medals and they are in the process of going through the applications. He hopes to hand out the medals soon. He stated the Panel is unaware if they will hold ceremonies to present the medals as some Veterans are not interested in having a big ceremony. He stated the 100th anniversary of the first medals being handed out is on November 11th of this year. He stated perhaps they can go town to town and hand out the medals.

Legislator Addonizio stated the first medals were handed out on the steps of the Historic Courthouse, and she believes it would be great to present these medals in the same way.

Mr. Nulk stated he is a Veteran and it is something he has kept quiet about. He stated these medals highlight the importance of Veterans, which is something he is seeing more and more within our community. He stated he submitted an application for a medal. He stated it is important to recognize not only Veterans but the Military itself and to recognize how our Country has been held together.

Chairman Sullivan thanked Mr. Nulk for his service.

Legislator Castellano thanked Mr. Nulk for his service. He stated it is Veterans like Mr. Nulk, who are modest about their service, that the Panel would like to celebrate and honor through the presentation of these medals.

Item #8 - FYI/ Litigation Report – Duly Noted

Item #9 - Other Business – None

Item #10 - Adjournment

There being no further business at 8:03pm, Chairman Sullivan made a motion to adjourn; Seconded by Legislator Albano. All in favor.

Respectfully submitted by Administrative Assistant, Beth Green.