

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

Tuesday

September 3, 2019

7:00 P.M.

The meeting was called to order at 7:00 P.M. by Chairman Castellano who requested that Legislator Sullivan lead in the Pledge of Allegiance and Legislator Nacerino in the Legislative Prayer. Upon roll call, Legislators Montgomery, Gouldman, Addonizio, Nacerino, Albano, Jonke, Sayegh, Sullivan and Chairman Castellano were present. Also present was Legislative Counsel Firriolo.

**PROCLAMATIONS**

Chairman Castellano recognized Legislator Jonke who presented the “Recognizing the Children’s Expo & Public Safety Day” proclamation to Marla Behler, Program Coordinator Child Advocacy Center.

**RECOGNIZING THE CHILDREN’S EXPO & PUBLIC SAFETY DAY**

**WHEREAS, the Children’s Expo & Public Safety Day will be held on Sunday, September 22, 2019 on the Donald B. Smith Campus, Old Route Six, Carmel, NY to raise awareness about many aspects of child and public safety; and**

**WHEREAS, this event is co-presented by the Putnam County Child Advocacy Center (CAC) and the Putnam County Bureau of Emergency Services; and**

**WHEREAS, it is sponsored by Eric Gross, in memory of his late wife, Barbara, and by Christopher York, Attorney At Law; and**

**WHEREAS, it is the mission of the Bureau of Emergency Services (BES) to protect life and property by providing coordination, communication, and training to all of Putnam’s Fire and EMS services. The BES also provides emergency management resources and initiatives, including training and equipping special teams for Fire Investigation, Fire Police, HAZMAT, and a Communications team. Additionally, the BES maintains a countywide communications system and continually seeks ways to improve response to both natural and manmade disasters; and**

**WHEREAS, the community is committed to keeping Putnam safe through the efforts of police, local government, social service agencies, private partnerships, and the efforts of extraordinary volunteer fire departments and service groups; and WHEREAS, the CAC opened in 1999 to reduce trauma to child victims and their families by providing an immediate coordinated response to abuse allegations. Child safety and prevention education remain a priority, with the CAC providing education for the community to reduce the incidence of serious childhood injuries and death through events such as the Children’s Expo & Public Safety Day, Child Fatality Review Team, and partnering with local agencies to implement innovative programs to ensure the physical, mental, and emotional wellbeing of the Children of Putnam County; now therefore be it**

**RESOLVED, that the Putnam County Legislature and the Putnam County Executive do hereby urge all Putnam residents to attend the Children’s Expo & Public Safety Day organizations for the 14<sup>th</sup> year, as the event offers a wide range of services designed to support children and families in Putnam County.**

Chairman Castellano recognized Legislator Addonizio who presented the “National Recovery Month” proclamation to Michael Piazza, Commissioner of Social Services; Joseph DeMarzo, Deputy Commissioner of Social Services and Eric Toth, Chief Executive Officer CoveCare Center.

#### NATIONAL RECOVERY MONTH – SEPTEMBER 2019

WHEREAS, Behavioral health is an essential part of one’s overall wellness; and  
WHEREAS, Prevention of mental and substance use disorders works, treatment is effective, and people recover in our area and around the nation; and

WHEREAS, Preventing and overcoming mental and substance use disorders is essential to achieving healthy lifestyles, both physically and emotionally; and

WHEREAS, We must encourage relatives and friends of people with mental and substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

WHEREAS, To help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP), the Putnam County Executive, and the Putnam County Legislature invite all residents of Putnam County to participate in National Recovery Month; now therefore be it

RESOLVED, that the Putnam County Executive and the Putnam County Legislature do hereby proclaim September 2019 as *National Recovery Month* and together with the Prevention Council of Putnam and the Putnam County Communities that Care Coalition encourage all Putnam County residents to observe this month with appropriate programs, activities, and ceremonies to support this year’s *Recovery Month*.

Chairman Castellano recognized Legislator Albano who presented the “9/11 Day of Service & Remembrance” proclamation to Art Hanley, Deputy Director of Veterans’ Services; Michael Piazza, Commissioner of Social Services and Eric Toth, Chief Executive Officer CoveCare Center.

#### 9/11 DAY OF SERVICE & REMEMBRANCE

WHEREAS, On September 11, 2001, the peace and security of our nation was shattered by terrorist attacks that killed many innocent people at the World Trade Center towers in New York City, at the United States Pentagon, and in the pristine fields of Shanksville, Pennsylvania. Although the terrorists’ goal was to strike a powerful blow to the hearts of all Americans and tear at the fabric our nation, arising from the very ashes of that tragedy came a remarkable spirit of unity, compassion, and determination that will never be forgotten, just as we will never forget those who were lost and injured on that day, and those who came to service during the rescue and recovery effort and in defense of our Nation both at home and abroad; and

WHEREAS, people of all ages and walks of life, across America, and around the world, collectively witnessed an event of immense tragedy on September 11, 2001; and

**WHEREAS, an unprecedented, historic bonding of Americans ascended from the collective shock, unifying the Country in an outpouring of national spirit, pride, selflessness, generosity, courage, and service; and**

**WHEREAS, many brave people heroically, tirelessly, and courageously participated in an extraordinarily difficult and dangerous rescue and recovery effort, in some cases voluntarily putting their own well-being at risk; and**

**WHEREAS, on September 11, 2009, the President of the United States issued the Patriot Day Proclamation officially and permanently designating September 11<sup>th</sup> as a National Day of Service & Remembrance, and calling upon all interested Americans to participate in this observance through moments of silence, the flying of the flag of the United States at half-staff, as well as community service and charitable activities in tribute and remembrance; now therefore be it**

**RESOLVED, that the Putnam County Executive and the Putnam County Legislature recognize the Putnam Communities that Care Coalition, the Mental Health Association in Putnam, the Joseph Dwyer Vet2Vet Program, and the Putnam County Veterans Service Agency for coordinating a community event that will invite and welcome residents to write "Thank You" letters to First Responders, Veterans both abroad and at home, Police Officers, and Firefighters and express their sincere observance and appreciation for the outpouring of dedicated service. September 11<sup>th</sup> will never, and should never be just another day in the hearts and minds of all Americans and people around the world.**

**Item #4 – Approval of Minutes – Regular Meeting – August 6, 2019**

The minutes were approved as submitted.

**Item #5 – Correspondence**

**a) County Auditor**

There was no activity during this reporting period.

**Item #6 – Pre-filed resolutions:**

**RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE  
(Chairman Sullivan, Legislators Addonizio & Albano)**

**Item #6a – Approval/ Local Law to Amend and Revise the Putnam County Code Entitled Ethics, Code of, and Financial Disclosure to Prohibit the Disclosure of Confidential Material was next. Chairman Castellano recognized Legislator Sullivan, Chairman of the Rules, Enactments & Intergovernmental Relations Committee. On behalf of the members of the Committee, Legislators Addonizio and Albano, Legislator Sullivan moved the following:**

**Legislator Sullivan explained that the Legislature listened to comments made by the public and the County Executive and therefore proposed an amendment to the law.**

**Legislator Montgomery explained that she did not vote in favor of the existing law and she believed that, even with the revision, it was still hard to understand. She stated that she did not understand the law herself until she spoke with clerks and several attorneys. She addressed paragraph 3 pertaining to subsection 1 of Section 55-2(A), stating that**

unless we are familiar with every State and Federal statute, every County employee will have to check with the County Attorney before releasing any documents so as not to commit an unethical violation. She stated that NYS Public Officers Law Section 87(2) states, documents if disclosed would constitute an unwarranted invasion of personal privacy; they are exempt from FOIL. She questioned what constitutes an unwarranted invasion of privacy. She explained her legal issue with the MTA and she stated that since the MTA is a public agency, all of her information would have been public by law. She stated that she needed to sue to make sure her information was sealed. She stated that this law states that it is unethical to disclose any information contained in a document that is exempt from disclosure under FOIL. She listed many types of information in these records. She stated that a lot of this information that appears in documents that are not subject to disclosure is under FOIL. She believed that the law also puts a gag order on certain Legislators. She stated that her goal was to make us more transparent in the public's eyes. She did not believe this law accomplished that and she believed this law puts us in a bad position.

Chairman Castellano explained that we have a Law Department and this is their responsibility. He stated that we are not changing anything with regards to FOIL. He believed that this revision addressed all the concerns heard during public comment.

Legislator Albano believed that the revision clarifies what our intention was. He stated that things that are FOILable will still remain FOILable. He stated that there are things the public is entitled to and that will never change; as well as documents that they are not entitled to.

Legislator Addonizio believed at the public hearing people were concerned that anyone could stamp something confidential. She stated that provision has been deleted.

Legislator Nacerino clarified that this was not an attempt to not be open and transparent. She stated that we are codifying what we should be doing from an ethical standpoint as an elected official or anyone in a position to disseminate confidential material. She stated that it is a code of honor. She explained that information being released from executive session was cited as an example. She believed that the time has come where we feel those sanctions of honor could be jeopardized and there should be some consequence to the action.

Legislator Jonke stated that he keeps referring to a time a few years ago when he was first on the Legislature. He explained that they were in executive session regarding the settlement of a litigation matter and were told to keep everything confidential so as not to compromise the settlement. He stated that the next day he received a telephone call from a reporter who spoke as if he was in the room with us. He explained that the local law makes County employees answerable if confidential information is disclosed. He stated that Legislator Montgomery brought up an example where there was sensitive information that she did not want disclosed. He stated that there is also sensitive information that the Legislature comes across and our employees come across that shouldn't be disclosed; this law protects that information.

Legislator Sullivan explained that we have listened to the public, the County Executive and our attorneys who have drafted this law. He stated that it is not taking away any rights from anyone other than making sure that individuals do not disclose confidential

information. He stated that we are not changing anything pertaining to what can be received through FOIL.

Legislator Sayegh explained that changes were made to the law based on concerns raised by the public during the public hearing. She stated that this law does not affect the FOIL law. She stated that it makes sure that what needs to be confidential is kept confidential. She stated that it codifies the procedures that were previously in place.

Legislator Montgomery stated that in paragraph 4 it states, “the Administration and the Legislature could work together in implementing administrative procedures for the appropriate education of County employees and officials on the terms of the state Freedom of Information Law”. She stated that unless every County official and employee is familiar with every State and Federal statute, they would have to check with the County Attorney before releasing any document for fear of committing an unethical violation. She questioned if there was a plan in place for educating our employees.

Chairman Castellano said that we do. He explained how FOIL requests go through the County Attorney’s office.

Chairman Castellano called for a Roll Call Vote.

#### **RESOLUTION #192**

#### **APPROVAL / LOCAL LAW TO AMEND AND REVISE THE PUTNAM COUNTY CODE ENTITLED ETHICS, CODE OF, AND FINANCIAL DISCLOSURE TO PROHIBIT THE DISCLOSURE OF CONFIDENTIAL MATERIAL**

**WHEREAS, by Resolution # 154 of 2019, Putnam County enacted Local Law 8 of 2019 amending Chapter 55 (Ethics, Code of, and Financial Disclosure) of the Putnam County Code by adding the definitions of “Confidential Material” and “Records” to Section 55-2; by adding a new subsection 55-3(J) prohibiting unauthorized disclosure of Confidential Material; and by adding a new subsection 55-4(G) providing exceptions to the rule against unauthorized disclosure; and**

**WHEREAS, the Putnam County Legislature and the Putnam County Executive received public comments expressing the perception of some that, as drafted, Local Law 8-2019 could allow the County to withhold from public disclosure more information than previously allowed by law, despite the intention of the Legislature and express terms of the law to the contrary; and**

**WHEREAS, in her signing statement of July 30, 2019, the County Executive stated her belief that a reconsideration of the language in subsection 1 of Section 55-2 (A) by the Legislature would be advisable to address the perceived issue of statutory construction present in the language of that subsection, since the balance of Section 55-2 (A) seems to cover all of the materials which require safeguarding, and noting that this language alone could perhaps be sufficient to accomplish the intent of the law in conjunction with administrative measures; and**

**WHEREAS, the County Executive’s signing statement further indicated her belief that, should the Local Law be so amended, the Administration and the Legislature could work together in implementing administrative procedures for the appropriate education of County employees and officials on the terms of the state Freedom of Information Law and the attorney-client privilege; and**

WHEREAS, having duly considered the comments of the public and the County Executive as set forth above, the Putnam County Legislature believes that with the implementation of such administrative procedures, Local Law 8-2019 could accomplish the same goals as presently enacted by revising Section 55-2, and also by adding explicit exemptions for County employee “whistleblowers” and persons seeking to obtain confidential data on themselves; now therefore

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

Chapter 55 (Ethics, Code of, and Financial Disclosure) of the Putnam County Code is hereby amended, as follows:

**Section 1.**

Section 55-2 of the Putnam County Code is hereby amended by deleting the definition “CONFIDENTIAL MATERIAL” in its entirety and adding the following new definition:

**CONFIDENTIAL MATERIAL**

A. Confidential Material shall include:

- (1) Any record exempt from disclosure under New York State Public Officers Law § 87(2); and
- (2) Any information contained in the records described in paragraph (1).

B. Any record created by, or any communication to or from, the Putnam County Law Department, Legislative Counsel, or outside counsel or consultant retained by Putnam County, shall be presumed to be Confidential Material even if not explicitly designated “Confidential.” Such presumption of confidentiality shall have no determinative effect on the availability of the record to the public under the Public Officers Law.

**Section 2.**

Section 55-4(G) to the Putnam County Code is hereby amended to read as follows:

G. Disclosure of Confidential Material under the following circumstances:

- (1) Pursuant to FOIL requests approved by the County Attorney, the Putnam County FOIL appeals officer, or by court order after exhaustion or waiver of any court appeals;
- (2) For Legislative records protected by the attorney-client privilege, the deliberative process privilege, and/or constituting attorney work product, when such privilege is explicitly waived by a unanimous vote of the entire Legislature;
- (3) Sharing of records within and between Putnam County officials and government agencies, including the Legislature, provided that such

records must be conspicuously marked “CONFIDENTIAL” prior to sharing;

- (4) Sharing of records with local, state or federal government agencies, or with private consultants, vendors or contractors, for official purposes related to the business of Putnam County, provided that such sharing is approved by the County Attorney and further provided that such records are conspicuously marked “CONFIDENTIAL” prior to sharing;
- (5) In conformance with New York State Public Officers Law Article 6-A (“Personal Privacy Protection Law”), in response to a written request from a data subject for a record reasonably described pertaining to that data subject; and
- (6) Pursuant to any circumstance under which protections would be afforded to Putnam County employees by New York State Labor Law Article 20-C (“Retaliatory Action By Employers”).

**Section 3.**

These amendments to the Putnam County Code shall take effect immediately upon their filing with the NYS Secretary of State.

**BY ROLL CALL VOTE: EIGHT AYES. ONE NAY – LEGISLATOR MONTGOMERY. MOTION CARRIES.**

Item #6b – Approval/ Amendment of the Legislative Manual to Add a Rule Prohibiting the Unauthorized Disclosure of Confidential Material was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Addonizio and Albano, Legislator Sullivan moved the following:

Legislator Montgomery stated that this refers to the law that was just passed. She stated that she does not agree that the language in the law is helpful to her as a Legislator or to the public receiving information they are entitled to. She stated that until we revise this law more and make it a good law then she is not in favor of this.

Chairman Castellano called for a Roll Call Vote:

**RESOLUTION #193**

**APPROVAL/ AMENDMENT OF THE LEGISLATIVE MANUAL TO ADD A RULE PROHIBITING THE UNAUTHORIZED DISCLOSURE OF CONFIDENTIAL MATERIAL**

**WHEREAS, the Putnam County Legislature routinely handles documents containing information which is properly kept confidential and is typically exempt from disclosure under the New York State Freedom of Information Law; and**

**WHEREAS, the Putnam County Legislature and its Committees necessarily conduct discussions of confidential matters in executive session in compliance with the New York State Open Meetings Law; and**

**WHEREAS, the Putnam County Legislature receives legal advice and other information from the Putnam County Law Department, Legislative Counsel, and outside counsel for the County, which advice and information are typically protected from disclosure by statutory and common law privileges including the attorney-client privilege, the deliberative process privilege, the settlement privilege, and the attorney work product doctrine; and**

**WHEREAS, there have been numerous instances of confidential information discussed in executive session, and contained in documents, including attorney-client communications with the Legislature, having been improperly disclosed to the public and/or the news media; and**

**WHEREAS, improper disclosure of confidential material can be damaging to individuals, preclude government from carrying out its duties, and harm the interests of County taxpayers in both pending and future litigation matters; and**

**WHEREAS, improper disclosure of confidential communications with, and materials prepared by, counsel can have an adverse effect upon the ability of the Legislature to seek the benefit of legal counsel, and also upon the ability of counsel to provide full and candid advice, which in turn may adversely affect the execution of officials' and employees' duties to the County; and**

**WHEREAS, through enactment of Local Law 8 of 2019, amending Chapter 55 of the Putnam County Code (Ethics, Code of, and Financial Disclosure), it is the express policy of the County of Putnam to protect "Confidential Material" from unauthorized or otherwise improper disclosure; and**

**WHEREAS, pursuant to the Legislative Manual, the Legislature's Standing Committee on Rules, Enactments and Intergovernmental Relations is empowered to recommend the conduct of the Legislature through rules, regulations, and procedures; and**

**WHEREAS, Legislature's Standing Committee on Rules, Enactments and Intergovernmental Relations has considered the problem of improper disclosure of Confidential Material by Legislators, and believes that an explicit prohibition on such disclosure should be added to the Legislative Manual; now, therefore be it**

**RESOLVED, that Section IV, "Rules of Order and Procedure," of the Legislative Manual shall be amended to add a new rule, as follows:**

**Rule 30: - Protection of Confidential Material**

**No member of the Legislature shall disclose Confidential Material except as provided for in Chapter 55 (Ethics, Code of, and Financial Disclosure) of the Putnam County Code. The term "Confidential Material" as used in this Rule shall have the same meaning as in Chapter 55, but shall also include any information obtained or discussed in any executive session meeting of the Legislature or of any of its Committees, but shall not include information required to be made public pursuant to New York State Public Officers Law Article 7 (Open Meetings Law). Violation of this Rule shall be grounds for Censure of a Legislator pursuant to Section II. G. of this Legislative Manual.**

**BY ROLL CALL VOTE: EIGHT AYES. ONE NAY – LEGISLATOR MONTGOMERY. MOTION CARRIES.**



**Item #6c – Approval/ Local Law to Amend Article 5 of the Putnam County Charter Entitled “Executive Department” by Adding a New Section 5.04 Entitled “Department of Tourism” was next. On behalf of the members of the Rules, Enactments & Intergovernmental Relations Committee, Legislators Addonizio and Albano, Legislator Sullivan moved the following:**

**Legislator Montgomery stated that Section 2(g) identifies several Putnam County tourist attractions. She questioned why only four (4) tourist attractions in the County were listed. She stated that we received correspondence from the Cold Spring Chamber of Commerce and the Hudson Valley Shakespeare Festival. Legislator Montgomery read the letter received from the Cold Spring Chamber of Commerce which listed many tourist agencies in Putnam County. She believed it pointed out the dissatisfaction of not having these organizations listed in the document as well. She also read part of the email from Katie Liberman, Managing Director of the Hudson Valley Shakespeare Festival. Legislator Montgomery questioned why we were naming four (4) tourist attractions and not all of them.**

**Legislator Albano stated that Section 2(g) also states: “as well as various food and beverage festivals, tourism lecture series and any and all other events and festivals of interest to the general public”. He explained that the County has created the Department of Tourism and will promote it to the best of their ability. He believed the intention was very clear.**

**Legislator Sullivan welcomed the representatives from the Cold Spring Chamber of Commerce. Legislator Sullivan stated that, as a small business owner himself, he understands the importance of promoting small businesses in the County. He explained that as Legislators we have a fiduciary responsibility when we are speaking about some of these County-owned properties. He explained that the County purchased these properties years ago with taxpayer monies and we want to make sure they are successful for the taxpayers and residents of the County. He stated that we were never tried to exclude anyone, however, as Legislator Albano mentioned it would have been an exhaustive list.**

**Legislator Nacerino echoed the comments made by Legislators Albano and Sullivan. He stated that Section 2(g) certainly was not to be all inclusive as stated “without limitation” and “such as”. She stated that “such as” only listed examples. She stated that she represents the Town of Patterson and mentioned destination areas in her district. She stated that in each municipality there are a host of events that we want to promote under the guide of our new Tourism Director; and we will. She believed that we were losing sight of our intention.**

**Legislator Sayegh concurred that this is a “such as” list. She stated that there is not one thing listed on this list that is in her district. She stated that she has plenty of recreational opportunities in Mahopac, Mahopac Falls and the lake. She stated that she has spoken with the potential Interim Tourism Director and she will be reaching out to every Legislator, Chambers of Commerce in Putnam County and the Putnam Valley Business Network. She stated that she is ready to hit the ground running and address everyone’s concerns. She stated that this will not be the only list she will be promoting.**

Chairman Castellano explained that in looking at the bigger picture, this is giving the opportunity for us to rebuild tourism in Putnam County. He believed that the new Tourism Director is going to work hard to get information on the website. He believed it was our responsibility as Legislators to reach out to her and make sure she knows what is going on in our districts as well as Countywide.

Legislator Montgomery believed that the list should be eliminated altogether so as not to bring focus to some organizations in the County above others. She stated to Legislator Sullivan's point, we have these wonderful tourist attractions that are owned by Putnam County and funded with tax dollars. She explained how the private not-for-profits were at a disadvantage when they are helping to fund the public organizations with sales tax revenue. She stated that 35,000 people a year attend the Shakespeare Festival alone, not to mention the other organizations. She believed it was rude to have them fund Tilly Foster Farm and the Putnam Golf Course, only to leave them off the list. She believed it should be equitable across the board and that all the names should be taken out.

Legislator Sayegh stated that she did not believe this was ranking any Putnam County property or any tourist attraction in any preference of order. She believed that they were all important and she believed tourism in Putnam County was important.

Chairman Castellano called for a Roll Call Vote.

#### **RESOLUTION #194**

#### **A LOCAL LAW TO AMEND ARTICLE 5 OF THE PUTNAM COUNTY CHARTER ENTITLED "EXECUTIVE DEPARTMENT" BY ADDING A NEW SECTION 5.04 ENTITLED "DEPARTMENT OF TOURISM"**

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

Article 5 (Executive Department) of the Putnam County Charter is hereby amended as follows:

#### **Section 1.**

Section 5.03 is hereby added to the Putnam County Charter to read as follows:

Department of Tourism; Director.

There shall be a Department of Tourism under the direction of a Director of Tourism who shall be appointed by the County Executive subject to confirmation by the County Legislature. The Director shall serve at the pleasure of the County Executive. He or she shall have the power, within budgetary appropriations, and in accordance with County policy, or as may be otherwise required by law, to appoint and remove such staff as he or she deems necessary. The Director shall serve on a full time basis and shall not engage in any private practice nor be employed in their field of expertise with the County by any private or other governmental entity.

#### **Section 2.**

Section 5.04 is hereby added to the Putnam County Charter to read as follows:

## **Director of Tourism: powers and duties**

**Except as otherwise provided in this Charter, the Director of Tourism shall have the power to:**

- (a) Promote tourism in Putnam County;**
- (b) Serve as the County's representative as the official Tourism Promotion Agency ("TPA") under the regulations of the I Love New York Matching Funds program, which is administered by Empire State Development, Market New York and Matching Funds Program;**
- (c) Promote already existing attractions, help develop new tourism related events and attractions, and help provide an environment conducive to attracting tourists to Putnam County;**
- (d) Create, update, compile and publish brochures and guides that encompass all tourism sites, accommodations, restaurants, a county map, transportation information, brief town histories, county historical information and any and all other information relevant to tourism events and destinations within and throughout the County;**
- (e) Promote events throughout the year by advertising in regional and State-wide newspapers, magazines, trade publications and on radio and/or television stations;**
- (f) Maintain a presence on the internet and social media outlets with continual updates and posts relative to upcoming events, attractions, business openings, as well as permanent tourist attractions, restaurants and other tourism-related events;**
- (g) Promote tourism and tourist-related events, including, without limitation, annual and/or seasonal special events at tourist sites such as: Tilly Foster Farm and Tilly's Table, Boscobel, Putnam County Veteran's Memorial Park, Putnam County Golf Course, as well as various food and beverage festivals, tourism lecture series and any and all other events and festivals of interest to the general public;**
- (h) Work closely with the Putnam County Economic Development Corporation to assist in the marketing of local businesses and economic ventures related to tourism;**
- (i) Report to the Legislature on a quarterly basis, or as often as is directed, relative to the operations of the department;**
- (j) Perform such other and related duties as may be required by the County Executive.**

### **Section 3.**

**This Local Law shall take effect forty-five (45) days after its passage and is subject to permissive referendum.**

**BY ROLL CALL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**PROTECTIVE SERVICES COMMITTEE  
(Chairman Jonke, Legislators Nacerino & Sullivan)**

Item #6d – Approval/ Budgetary Amendment (19A054)/ Sheriff’s Department/ Civil Sheriff’s Fees was next. Chairman Castellano recognized Legislator Jonke, Chairman of the Protective Services Committee. On behalf of the members of the Committee, Legislators Nacerino and Sullivan, Legislator Jonke moved the following:

**RESOLUTION #195**

**APPROVAL/ BUDGETARY AMENDMENT / SHERIFF’S DEPARTMENT/ CIVIL SHERIFF’S FEES**

WHEREAS, the Putnam County Sheriff has requested a budgetary amendment (19A054) to align the 2019 revenue budget with the appropriated organization within the Sheriff’s Department; and

WHEREAS, the Protective Services Committee and the Audit & Administration Committee have reviewed and approve said budgetary amendment; now therefore be it **RESOLVED**, that the following budgetary amendment be made:

Decrease Revenue:		
10311000 415100	Sheriff Admin – Sheriff’s Fees	65,000
Increase Revenue:		
15311000 415100	Sheriff Civil – Sheriff’s Fees	65,000
	2019 Fiscal Impact – 0 –	
	2020 Fiscal Impact – 0 –	

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

Item #6e – Approval/ Budgetary Amendment (19A056)/ Commissioner of Finance/ Indigent Legal Services was next. On behalf of the members of the Protective Services Committee, Legislators Nacerino and Sullivan, Legislator Jonke moved the following:

**RESOLUTION #196**

**APPROVAL/ BUDGETARY AMENDMENT / COMMISSIONER OF FINANCE/ INDIGENT LEGAL SERVICES**

WHEREAS, the Commissioner of Finance has requested a budgetary amendment (19A056) to account for NYS Indigent Legal Services Statewide Expansion of Hurrell – Harring Funding; and

WHEREAS, Putnam County acts as a pass through for these funds; and

WHEREAS, the Protective Services Committee and the Audit & Administration Committee have reviewed and approve said budgetary amendment; now therefore be it **RESOLVED**, that the following budgetary amendment be made:

Increase Estimated Appropriations:		
25117000 54950	Legal Aid Society	142,287
Increase Estimated Revenues:		
25117000 430251	State Aid – Indigent Legal Services	142,287

2019 Fiscal Impact – 0 –  
2020 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6f – Approval/ Fund Transfer (19T167)/ Sheriff’s Department/ Overtime was next. On behalf of the members of the Protective Services Committee, Legislators Nacerino and Sullivan, Legislator Jonke moved the following:

RESOLUTION #197

APPROVAL/ FUND TRANSFER/ SHERIFF’S DEPARTMENT/ OVERTIME

WHEREAS, the Putnam County Sheriff has requested a fund transfer (19T167) to cover Overtime expenses due to four (4) Correction Officer vacancies and two (2) Officers on 207C; and

WHEREAS, the Protective Services Committee, the Personnel Committee and the Audit & Administration Committee have reviewed and approved said fund transfer; now therefore be it

RESOLVED, that the following fund transfer be made:

Decrease:

10315000 51000 (10113)	Jail Personnel	19,550
10315000 51000 (10140)	Jail Personnel	20,070
10315000 51000 (10147)	Jail Personnel	<u>960</u>
		40,580

Increase:

10315000 51093	Jail Overtime	40,580
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2019 Fiscal Impact – 0 –  
2020 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6g – Approval/ Fund Transfer (19T191)/ Sheriff’s Department/ Other Equipment/ Purchase Two (2) New Cameras was next. On behalf of the members of the Protective Services Committee, Legislators Nacerino and Sullivan, Legislator Jonke moved the following:

RESOLUTION #198

APPROVAL/ FUND TRANSFER / SHERIFF’S DEPARTMENT/ OTHER EQUIPMENT/  
PURCHASE TWO (2) NEW CAMERAS

WHEREAS, the Putnam County Sheriff has requested a fund transfer (19T191) to Purchase Two (2) New Cameras for under parking structure at the Sheriff’s Department; and

WHEREAS, the Protective Services Committee and the Audit & Administration Committee have reviewed and approved said fund transfer; now therefore be it RESOLVED, that the following fund transfer be made:

<b>Decrease:</b>		
10315000 54580	Prisoner Board Out	38,470

<b>Increase:</b>		
10011000 52680	Other Equipment	38,470

2019 Fiscal Impact – 0 –  
2020 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

Item #6h – Approval/ Fund Transfer (19T192)/ Sheriff’s Department/ Other Equipment/ Purchase One (1) New Camera was next. On behalf of the members of the Protective Services Committee, Legislators Nacerino and Sullivan, Legislator Jonke moved the following:

RESOLUTION #199

APPROVAL/ FUND TRANSFER/ SHERIFF’S DEPARTMENT/ OTHER EQUIPMENT/  
PURCHASE ONE (1) NEW CAMERA

WHEREAS, the Putnam County Sheriff has requested a fund transfer (19T192) to Purchase One (1) New Camera for exterior of building; and

WHEREAS, the Protective Services Committee and the Audit & Administration Committee have reviewed and approved said fund transfer; now therefore be it RESOLVED, that the following fund transfer be made:

<b>Decrease:</b>		
10315000 54580	Prisoner Board Out	7,543

<b>Increase:</b>		
10011000 52680	Other Equipment	7,543

2019 Fiscal Impact – 0 –  
2020 Fiscal Impact – 0 –

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**PERSONNEL COMMITTEE**  
(Chairwoman Nacerino, Legislators Jonke & Montgomery)

Item #6i – Approval/ Fund Transfer (19T183)/ Personnel Department/ Temporary was next. Chairman Castellano recognized Legislator Nacerino, Chairwoman of the Personnel Committee. On behalf of the members of the Committee, Legislators Jonke and Montgomery, Legislator Nacerino moved the following:

**RESOLUTION #200**

**APPROVAL/ FUND TRANSFER / PERSONNEL DEPARTMENT/ TEMPORARY**

**WHEREAS, the Director of Personnel requested a fund transfer (19T183) to cover the shortage in the Temporary line; and**

**WHEREAS, the Personnel Committee and the Audit & Administration have reviewed and approve said fund transfer; now therefore be it**

**RESOLVED, that the following fund transfer be made:**

**Decrease:**

<b>10143000 51000 (10108)</b>	<b>Sr. Pers. Specialist</b>	<b>10,000</b>
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**Increase:**

<b>10143000 51094</b>	<b>Temporary</b>	<b>10,000</b>
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**2019 Fiscal Impact – 0 –**

**2020 Fiscal Impact – 0 –**

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**Item #6j – Approval/ Fund Transfer (19T187)/ Veterans Service Agency/ Temporary was next. On behalf of the members of the Personnel Committee, Legislators Jonke and Montgomery, Legislator Nacerino moved the following:**

**RESOLUTION #201**

**APPROVAL/ FUND TRANSFER / VETERANS SERVICE AGENCY/ TEMPORARY**

**WHEREAS, the Director of the Veterans Service Agency has requested a fund transfer (19T187) to cover the salary of a Temporary Employee; and**

**WHEREAS, the Personnel Committee and the Audit & Administration Committee have reviewed and approve said fund transfer; now therefore be it**

**RESOLVED, that the following fund transfer be made:**

**Decrease:**

<b>10651000 51000 (10107)</b>	<b>Veteran Assistant</b>	<b>1,100</b>
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**Increase:**

<b>10651000 51094</b>	<b>Temporary</b>	<b>1,100</b>
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**2019 Fiscal Impact – 0 –**

**2020 Fiscal Impact – 0 –**

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

Item #6k – Approval/ Fund Transfer (19T193)/ Health Department/ Re-Organization was next. On behalf of the members of the Personnel Committee, Legislators Jonke and Montgomery, Legislator Nacerino moved the following:

Chairwoman Nacerino stated that Commissioner of Health, Dr. Nesheiwat and Personnel Director Eldridge unveiled the potential Health Department Reorganization Plan for the year 2020 at the Personnel Committee meeting. She stated that the plan included some changes that would take effect on October 1, 2019 which included reinstating some of the WIC (Women, Infants & Children) employees and title changes for present employees to make the department more efficient. She stated that there is no fiscal impact.

Legislator Montgomery requested clarification that what we were voting on was not an endorsement of the overall reorganization of the Health Department even though the entire reorganization was attached to the resolution.

Legislator Nacerino stated that was correct.

Legislator Montgomery stated that she does not endorse the current Reorganization Plan for the Health Department as it stands now having a person who is second in command with no health related experience. She stated that she would endorse this resolution for these employees and she looked forward to more discussion about the reorganization of the Health Department.

Legislator Nacerino stated that the Reorganization Plan which was unveiled at the Personnel Committee meeting will be addressed during the 2020 Budget meetings.

Legislator Jonke stated that he wholeheartedly endorsed this. He stated that he also wholeheartedly endorsed Commissioner of Health Dr. Nesheiwat, Personnel Director Eldridge, Commissioner of Finance Carlin and Fiscal Manager Bill Orr for all their hard work on this reorganization and in making sure that no one lost their jobs with no fiscal impact to the taxpayers this year.

## RESOLUTION #202

### APPROVAL/ FUND TRANSFER / HEALTH DEPARTMENT/ REORGANIZATION

WHEREAS, due to the retirement of the Director of Engineering, a Supervising Public Health Educator and a Nurse in the Health Department, and with the discontinuation of the WIC Program, the Commissioner of Health has requested a fund transfer (19T193) to allow for the Reorganization of the Health Department; and

WHEREAS, the Personnel Committee and the Audit & Administration Committee have reviewed and approved said reorganization and fund transfer; now therefore be it RESOLVED, that the following fund transfer be made:

#### Decrease:

21401000 51000 (26101)	Supvr Pub Health Educ – Vacant	27,051
11401000 51000 (11110)	Reg Professional Nurse – Vacant	16,684
12401000 51000 (12101)	EHS Dir. Of Engineering – Vacant	<u>28,529</u>
		72,264

#### Increase:



21401000 51000 (26108)	Health Educ Public Health Prg Ass't	15,328
10401000 51000 (10109)	Adm Receptionist SS	11,723
11401000 51000 (11114)	Public Health Nurse 18/2	16,684
12401000 51000 (12124)	EHS Ass't PH Engineer	17,203
12401000 51000 (12125)	EHS Typist SS	<u>11,326</u>
		72,264

2019 Fiscal Impact – 0 –  
2020 Fiscal Impact – 0 –

BY ROLL CALL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE**  
**(Chairwoman Addonizio, Legislators Gouldman & Sayegh)**

Item #6L – Approval/ Renewal of Crime Assistance Program Grant/ Child Advocacy Center was next. Chairman Castellano recognized Legislator Addonizio, Chairwoman of the Health, Social, Educational & Environmental Committee. On behalf of the members of the Committee, Legislators Gouldman and Sayegh, Legislator Addonizio moved the following:

**RESOLUTION #203**

**APPROVAL/RENEWAL OF CRIME ASSISTANCE PROGRAM GRANT/ CHILD ADVOCACY CENTER**

WHEREAS, Section 5-1(D)(1) of the Putnam County Code requires Legislative approval of all grant applications and subsequent thereof; and

WHEREAS, previously, the New York state Office of Victim Services, by and through the Crime Victims Board, awarded the County of Putnam a grant to be administered by the Child Advocacy Center of Putnam County for the Victim Assistance Program; and

WHEREAS, by Resolution #301 of 2014 the Putnam County Legislature approved and authorized the application for renewal of the grant in the amount of \$336,468.25 for the period of October 1, 2014 through September 30, 2017 (3 years); and

WHEREAS, by Resolution #125 of 2017 the Putnam County Legislature approved and authorized the application and renewal of the grant in the amount of \$345,234.30 for the period of October 1, 2017 through September 30, 2019 (2 years); and

WHEREAS, the Office of Victim Services has now awarded Putnam County a three-year renewal option for the current grant; and

WHEREAS, this renewal will cover the period October 1, 2019 through September 30, 2022; and

WHEREAS, the annual award amounts are as follows: 2019-2020 \$312,375.32 and 2020-2021 \$303,400.35 and 2021-2022 \$312,799.66; and

WHEREAS, the County of Putnam desires to renew the grant in the amount of \$928,575.33 for the above referenced period; now therefore be it

RESOLVED, that the Putnam County Legislature hereby authorizes and approves the renewal of the Victim Assistance Program grant in the amount of \$928,575.33 for the period of October 1, 2019 through September 30, 2022; and be it further

**RESOLVED**, that the County Executive, with the advice and assistance of the County Attorney, is authorized to finalize and execute any such agreements as may be necessary to implement the intent and purpose of this resolution; and be it further **RESOLVED**, that this resolution shall take effect immediately.

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**PHYSICAL SERVICES COMMITTEE**  
(Chairman Albano, Legislators Gouldman & Nacerino)

Item #6m – Approval/ Putnam County Agricultural District/ 8-Year Review was next. Chairman Castellano recognized Legislator Albano, Chairman of the Physical Services Committee. On behalf of the members of the Committee, Legislators Gouldman and Nacerino, Legislator Albano moved the following:

**RESOLUTION #204**

**APPROVAL/ PUTNAM COUNTY AGRICULTURAL DISTRICT/ 8-YEAR REVIEW**

**WHEREAS**, by Resolution #81 of 2003 the Putnam County Agricultural District No. 1 was formed on November 18, 2003; and

**WHEREAS**, November 19, 2019 will mark the second 8-Year Anniversary of the formation of this district requiring the Putnam County Legislature to review this district and either continue, terminate or modify the district created; and

**WHEREAS**, in May 2019 the 30 day Public Comment period was commenced by publication and posting as required; and

**WHEREAS**, the Putnam County Agriculture and Farmland Protection Board was requested to review and prepare written recommendations on the potential effects of the district and propose any modifications pursuant to Section 303-a(2) of the Agriculture and Markets Law; and

**WHEREAS**, the Putnam County Agriculture and Farmland Protection Board submitted a report to the Putnam County Legislature dated July 23, 2019 recommending no modifications to the Agricultural District so as to include the current 157 parcels with an acreage of 5,113.9 acres; and

**WHEREAS**, on September 3, 2019 the Putnam County Legislature held a public hearing to accept public comments on this report and the 8 year review of the Putnam County Agricultural District; and

**WHEREAS**, the Legislature has duly considered the report of the Putnam County Agriculture and Farmland Protection Board including the attachments thereto, and has duly considered the comments received at the public hearing; now therefore be it

**RESOLVED**, that the Putnam County Legislature accepts the findings and recommendations of the Putnam County Agriculture and Farmland Protection Board dated July 23, 2019; and be it further

**RESOLVED**, that the Putnam County Legislature continues the Putnam County Agricultural District No. 1, which is coterminous with the borders of Putnam County; and be it further

**RESOLVED**, that the Putnam County Legislature hereby determines that the Putnam County Agricultural District No. 1 remains the same in accordance with the recommendations of the Putnam County Agriculture and Farmland Protection Board to consist of 157 parcels with a total acreage of 5,113.9 acres; and be it further

**RESOLVED**, that the tax map numbers of the parcels continuing to be included are attached hereto.

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**Item #6n – Approval/ Highways & Facilities/ Use of Capital Facility Reserve** (Additional Funding for 19CP02 - Jail Lighting Sheriff's Department) **was next. On behalf of the members of the Physical Services Committee, Legislators Gouldman and Nacerino, Legislator Albano moved the following:**

**RESOLUTION #205**

**Approval/ HIGHWAYS & FACILITIES/ USE OF CAPITAL FACILITY RESERVE** (Additional Funding for 19CP02 - Jail Lighting Sheriff's Department)

**WHEREAS**, by Resolution #59 of 2019 Putnam County designated \$1.5 million in a Capital Facility Reserve fund to be utilized for County Facility Renovations; and

**WHEREAS**, by Resolutions #60, #68, #82, #96, #97, #98, #120, #122 and #123 of 2019, the Putnam County Legislature approved the use of this Capital Project fund for projects; 19CP01 through 19CP03 and 19CP05 through 19CP09, for a total expenditure not to exceed \$915,000; and

**WHEREAS**, by Resolution #68 of 2019 the Putnam County Legislature approved Capital Project #19CP02 Jail Lighting – Sheriff's Department in the amount not to exceed \$25,000; and

**WHEREAS**, it was determined that additional work was needed to provide 14 multi-volt ballasts to integrate existing light fixtures with generator voltage; and

**WHEREAS**, the Commissioner of Highways & Facilities has requested an additional amount of \$896.00 to cover this work; and

**WHEREAS**, the Physical Services Committee has reviewed and approved this request; and

**WHEREAS**, the Legislature through the Physical Services Committee has received a cost estimate for this additional work; now therefore be it

**RESOLVED**, that the Putnam County Legislature approves and authorizes the expenditure of an additional \$896.00 to complete 19CP02 (Jail Lighting – Sheriff's Department) from the County Facility Renovation Capital Project budget line 55197000 53000 51509 as follows:

**\$25,000 – Approved by Resolution #68 of 2019**

**\$ 896 – Additional funds requested – 14 multi-volt ballasts**

**\$25,896 – Project Cost not to be exceeded**

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**Item #6o – Approval/ Offer to Donate/ Town of Southeast/ Tax map Numbers 45.-1-6.1; 45.-1-6.2; 45.-1-7.1; 45.-1-7.2 & 45.-1-59 (John Simpson Road Land Donation) was next. On behalf of the members of the Physical Services Committee, Legislators Gouldman and Nacerino, Legislator Albano moved the following:**

**RESOLUTION #206**

**APPROVAL/ OFFER TO DONATE /TOWN OF SOUTHEAST/ TAX MAP NUMBERS 45.-1-6.1; 45.-1-6.2; 45.-1-7.1; 45.-1-7.2 & 45.-1-59 (John Simpson Road Land Donation)**

**WHEREAS, the record owners of five (5) unimproved parcels in the Town of Southeast identified as Tax Map Number 45.-1-6.1; 45.-1-6.2; 45.-1-7.1; 45.-1-7.2 & 45.-1-59 (hereinafter the "Property") have indicated that they are willing to donate the Property to the County for any and all lawful purposes and that the donation will not otherwise be contingent upon any particular use of the Property; and**

**WHEREAS, pursuant to Resolution # 99 of 2019, the Putnam County Legislature indicated that it is desirous of advancing the donation of the Property to the County for any and all lawful purposes without any contingencies as to future use(s); and**

**WHEREAS, the appropriate review and other customary due diligence on the Property has been performed including, without limitation, a Phase I Environmental Site Assessment Report; and**

**WHEREAS, a coordinated review under the State Environmental Quality Review Act has been completed, and the Putnam County Legislature, acting as Lead Agency, has issued a Negative Declaration pursuant to Resolution # 189 of 2019; and**

**WHEREAS, neither the Director of Real Property Tax Services nor the Department of Health have any negative conditions to report with respect to said parcels; and**

**WHEREAS, the Physical Services Committee has reviewed the facts and circumstances surrounding said offer to donate; and**

**WHEREAS, these parcels are currently in Roll Section 1, Taxable; now therefore be it**

**RESOLVED, that the Putnam County Legislature hereby waives the requirements set forth in Resolution # 101 of 1996 with respect to this donation; and be it further**

**RESOLVED, that the County Attorney is directed to forward a "Letter of Acceptance" to the owners of the Property; and be it further**

**RESOLVED, that the County Attorney is authorized to take whatever legal action is necessary to effectuate the transfer of the Property in the manner approved herein, including, but not limited to, (i) obtaining a current title report for the Property; (ii) receiving from the owners of the Property all applicable documentation appropriate and/or necessary to memorialize and/or effectuate the transfer of the Property, including company resolutions authorizing the donation of the Property to the County; and (iii) preparation of the deed(s) to the Property for execution and delivery by the owners of the Property; and be it further**

**RESOLVED, that the County Executive with the advice and assistance of the County Attorney is authorized to execute any/all required documentation necessary to transfer the Property; and be it further**

**RESOLVED, that upon the execution and recording of said deed(s), these parcels shall be removed from Roll Section 1, Taxable, and placed in Roll Section 8, Wholly Exempt Status; and be it further**

**RESOLVED, that the Commissioner of Finance is directed to write off the outstanding taxes owed on said parcels at such time; and be it further**

**RESOLVED, that this resolution shall be forwarded to the Putnam County Director of Real Property Tax Services and the Assessor of the Town of Southeast for the conversion of said parcels into Roll Section 8.**

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**Item #6p – Approval/ Putnam County Veterans’ Residence / Lease Agreement Renewals was next. On behalf of the members of the Physical Services Committee, Legislators Gouldman and Nacerino, Legislator Albano moved the following:**

**Legislator Nacerino stated that there are eight (8) Veterans at the Veterans’ residence.**

**Chairman Castellano stated that he was proud to have this property in Putnam County.**

**RESOLUTION #207**

**APPROVAL/PUTNAM COUNTY VETERANS’ RESIDENCE/LEASE AGREEMENT RENEWALS**

**WHEREAS, the County of Putnam is the owner of certain real property, including the building situated thereon, located at 9 Drew Lane, Carmel, New York 10512, which is known as the Putnam County Veterans’ Residence; and**

**WHEREAS, the Putnam County Veterans’ Residence is operated as a communal residence for veterans who meet the established eligibility criteria; and**

**WHEREAS, the County of Putnam previously entered into separate lease agreements with the veterans listed in the attached Schedule “A”, for single-residence rooms in the Putnam County Veterans’ Residence; and**

**WHEREAS, said lease agreements expired on July 31, 2019 and the County of Putnam is desirous of renewing same for a period of one (1) year; now therefore be it**

**RESOLVED, that the County of Putnam approves the renewal of the leases between the County and the veterans listed in the attached Schedule “A”; and be it further**

**RESOLVED, that the County Executive is authorized to execute renewal lease agreements with the veterans listed in the attached Schedule “A”, for said single-residence rooms in the Putnam County Veterans’ Residence at the rental amounts listed in the attached Schedule “A”, which renewal leases shall be in substantial conformance with the form attached hereto as Schedule “B”; and be it further**

**RESOLVED that the County Attorney is authorized to take whatever legal action is necessary to effectuate said renewal lease agreements in the manner approved herein and as written.**

**RESOLVED, this Resolution shall take effect immediately.**

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**Item #6q – Approval/ Ratification of Applications Submitted for Grant Funding Available Through the 2019 Consolidated Funding Application Program Aimed to Increase Local Economic Development and Encourage Growth in Putnam County was next. On behalf of the members of the Physical Services Committee, Legislators Gouldman and Nacerino, Legislator Albano moved the following:**

**RESOLUTION #208**

**APPROVAL/ RATIFICATION OF APPLICATIONS SUBMITTED FOR GRANT FUNDING AVAILABLE THROUGH THE 2019 CONSOLIDATED FUNDING APPLICATION PROGRAM**

**AIMED TO INCREASE LOCAL ECONOMIC DEVELOPMENT AND ENCOURAGE GROWTH IN PUTNAM COUNTY**

WHEREAS, the County Executive and the Putnam County Legislature (the “Legislature”) agree that through economic development efforts that generate, retain and/or create jobs; prevent, reduce and/or eliminate unemployment and underemployment; and increase business and economic activity in Putnam County (the “County”), employment opportunities will develop and jobs will be created, property values will improve and increased sales tax revenues realized, all of the foregoing positively impacting the County’s economic competitiveness, which is in the best interests of County taxpayers; and

WHEREAS, competitive funding opportunities are offered through New York State, more particularly, the New York Regional Economic Development Council (NYREDC), as set forth in the recently published NYREDC’s 2019 Available CFA Resources Manual (the “Manual”), for which the submission deadline of applications to NYREDC was July 26, 2019; and

WHEREAS, funding opportunities described in the Manual exist in connection with, among others, projects that focus on public infrastructure, including expanding and/or repairing or renovating existing infrastructure, enhancing recreational trails which, in turn, provide health, welfare and safety benefits to users of the County’s bike trails, all of which are expected to spur tourism and promote social viability and vitality, thereby positively impacting the County’s economic competitiveness, which is wholly in the best interests of County taxpayers; and

WHEREAS, Section 5-1(D)(1) of the Putnam County Code requires the Legislature to approve all grant applications prior to their submission and that in the event time is of the essence requiring submission before Legislature approval is obtained for such application submission, consideration of the application shall occur at the next Full Legislature Meeting; and

WHEREAS, the County, by and through the Putnam County Department of Planning, Development and Public Transportation (the “Department”), is desirous to competitively seek grant funds through NYREDC’s 2019 CFA program and, in furtherance therefor, submitted grant applications by the July 26, 2019 deadline set forth by NYREDC; and

WHEREAS, the Legislature, by and through the Physical Services Committee, supports the Department’s submission of applications, post-submission, for grant funding through NYREDC, *to wit*:

<u>Proposed Project/Location</u>	<u>Estimated Costs</u>	<u>CFA Funding Requested</u>
Maintenance of the Empire State Trailway (EST)/21.23 EST miles in Putnam County	\$270,428	\$216,342 (CFA) \$ 54,086 (Local)

<u>Proposed Project/Location</u>	<u>Estimated Costs</u>	<u>CFA Funding Requested</u>
Tilly Foster Trail Restoration and Purchase of Equipment/	\$374,228	\$250,000 <sup>1</sup> (CFA) \$124,228 <sup>2</sup> (Local)

<sup>1</sup> Maximum amount permitted through this funding source

<sup>2</sup> Does not include applicable FTA § 5307 grant funding

**Tilly Foster Farm, Town of Southeast**

<b>ADA Access Ramp to Empire State Trailway (EST) at Route 311/Town of Patterson</b>	<b>\$568,150</b>	<b>\$250,000<sup>3</sup> (CFA) \$318,150<sup>4</sup> (Local)</b>
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**Now therefore be it**

**RESOLVED, that the County Executive, together with the Legislature, supports and ratifies the County’s applications for NYREDC grant funding as aforesaid, such applications for grant funding formally submitted by the Department on July 26, 2019 to the NYREDC for its consideration; and it is hereby further**

**RESOLVED, that this Resolution shall take effect immediately**

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**Item #6r – Approval 2019 U.S. Department of Transportation Federal Transit Administration (FTA) Grants for Buses and Bus Facilities Program (CFDA #20.526) Proposal for Project Funding was next. On behalf of the members of the Physical Services Committee, Legislators Gouldman and Nacerino, Legislator Albano moved the following:**

**RESOLUTION #209**

**APPROVAL 2019 U.S. DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION (FTA) GRANTS FOR BUSES AND BUS FACILITIES PROGRAM (CFDA #20.526) PROPOSAL FOR PROJECT FUNDING**

**WHEREAS, Title 49 U.S.C. Sec. 5339(b), as amended by the Fixing America’s Surface Transportation (FAST) Act, authorizes the FTA to award funds up to \$423,350,240 for Projects selected as part of a competitive solicitation for the Grants for Buses and Bus Facilities Program (the “Program”); and**

**WHEREAS, the Putnam County Transit Facility (the “Facility”) was constructed in/about 1989 and capital improvements thereon are currently necessary, i.e., rehabilitation of certain fixed components at the Facility have exhausted their respective useful life; and**

**WHEREAS, Project Proposals are sought by the FTA for capital projects for grant funding offered through the Program, and Putnam County (the “County”) is desirous to submit a proposed Project Proposal to the FTA for its review and consideration therefor; and**

**WHEREAS, if grant funding is awarded to the County for its Project Proposal in connection with the aforesaid Program funding by the FTA, the maximum Federal contribution therefor will be eighty (80%) percent match, to wit:**

<b><u>Proposed Project</u></b>	<b><u>Location/Description</u></b>	<b><u>Federal Amount</u></b>	<b><u>County Match*</u></b>
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<sup>3</sup> Maximum amount permitted through this funding source

<sup>4</sup> Does not include applicable FTA § 5307 grant funding

<b>Transit Facility Rehabilitation Project</b>	<b>841 Fair Street Carmel, NY</b>	<b>\$1,786,000</b>	<b>\$446,500</b>
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\* Exclusive of NYSDOT ten (10%) percent match/other grant funds previously approved therefor

and

WHEREAS, the deadline for submission of applications to the FTA for grant funding under the Program for capital projects to replace, rehabilitate, purchase or lease buses and related equipment and to rehabilitate, purchase, construct or lease bus-related facilities was June 21, 2019; and

WHEREAS, the County Executive and the Putnam County Legislature agree that the County's submission of its Project Proposal, together with supporting documentation, data and information as part of the overall application process, in order seek grant funding to rehabilitate the Facility and replace those components at the Facility that have exceeded their respective useful life, is in the best interests of the County taxpayers; now therefore be it

RESOLVED, that the County Executive, together with the County Legislature, support and ratify the County's application and submission for FTA Program funding and approves the County's application for FTA Program funding post-submission; and it is hereby further

RESOLVED, that the County Executive, with the advice and assistance of the County Attorney, is authorized to finalize and execute federal/state/local agreement(s), as the case may be, upon approval by the respective agency(s) of the County's Project Proposal and application as aforesaid; and it is hereby further

RESOLVED, that this Resolution shall take effect immediately.

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

Item #6s – Approval/ Putnam County's Proposed Disadvantaged Business Enterprise (DBE) Goal Methodology for Period 2020-2021-2022 in Conformance with and as Required by the U.S. Department of Transportation 49 CFR Part 26 was next. On behalf of the members of the Physical Services Committee, Legislators Gouldman and Nacerino, Legislator Albano moved the following:

**RESOLUTION #210**

**APPROVAL/PUTNAM COUNTY'S PROPOSED DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL METHODOLOGY FOR PERIOD 2020-2021-2022 IN CONFORMANCE WITH AND AS REQUIRED BY THE U.S. DEPARTMENT OF TRANSPORTATION 49 CFR PART 26**

WHEREAS, the U.S. Department of Transportation (DOT), by and through the Federal Transit Administration (FTA), distributes substantial funds each year to finance construction/other projects initiated by state and local governments, public transit and airport agencies; and

WHEREAS, the County of Putnam (County) is a direct recipient of Federal funding and/or financial assistance, as defined in FTA C 4702.1B (the Circular), and is, therefore,



required to comply with the FTA's DBE program, under the authority of Title VI of the Civil Rights Act of 1964 and other nondiscrimination statutes that apply to FTA financial assistance programs; and

WHEREAS, to meet the stated objectives of the DBE Program Regulation, recipients of FTA funds must develop and implement a DBE program that conforms to FTA standards set forth in 49 CFR Part 26; and

WHEREAS, the County, by and through the Department of Planning, Development and Public Transportation, in furtherance of the objectives of DBE program requirements by the DOT and FTA, must reassess the annual goals every three years, and, as such, submit a three-year Goal Methodology to establish annual DBE goals for the County; and

WHEREAS, the County has developed a proposed revised DBE goal and methodology in accordance with the aforesaid federal standards, rules and regulations and it is expected that 0.20% of the DBE goal will be achieved via race/gender neutral attainment and 9.46% is expected to be achieved via race/gender conscious attainment, for an overall DBE goal of 9.66%; and

WHEREAS, the foregoing DBE goal is published and the public is noticed thereof, such Public Notice attached hereto as Exhibit "A;" now therefore be it

RESOLVED, that the County Executive, together with the Putnam County Legislature, support the County's continued participation in approved FTA programs, activities and services, as well as continue to be a direct recipient of FTA funding and/or financial assistance; and be it further

RESOLVED, that the County Executive, together with the Putnam County Legislature, support and approve for submission to the FTA for its review and approval the County's proposed DBE Goal Methodology 2020-2021-2022, which will conform to the mandate set forth in the 49 CFR Part 26 as required by the DOT and FTA; and be it further

RESOLVED, that this resolution shall take effect immediately.

BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.

**AUDIT & ADMINISTRATION COMMITTEE**  
(Chairman Gouldman, Legislators Castellano & Sayegh)

Item #6t – Approval/ Fund Transfer (19T200)/ Sheriff's Department/ Corrections Overtime was next. Chairman Castellano recognized Legislator Gouldman, Chairman of the Audit & Administration Committee. On behalf of the members of the Committee, Legislators Castellano and Sayegh, Legislator Gouldman moved the following:

**RESOLUTION #211**

**APPROVAL/ FUND TRANSFER/ SHERIFF'S DEPARTMENT/ CORRECTIONS OVERTIME**

WHEREAS, the Putnam County Sheriff has requested fund transfer (19T200) to cover Overtime expenses due to three (3) Correction Officer vacancies and three (3) Officers on 207C; and

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

RESOLVED, that the following fund transfer be made:

Decrease:

10315000 51000 (10113)

Jail Personnel

960

10315000 51000 (10140)	Jail Personnel	4,414
10315000 51000 (10156)	Jail Personnel	<u>3,540</u>
		8,914

<b>Increase:</b>		
10315000 51093	Jail Overtime	8,914

2019 Fiscal Impact – 0 –  
2020 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**Item #6u – Approval/ Fund Transfer (19T207)/ Commissioner of Finance/ Computers was next. On behalf of the members of the Audit & Administration Committee, Legislators Castellano and Sayegh, Legislator Gouldman moved the following:**

**RESOLUTION#212**

**APPROVAL/ FUND TRANSFER / COMMISSIONER OF FINANCE/ COMPUTERS**

**WHEREAS, the Commissioner of Finance has requested a fund transfer (19T207) to cover the cost to replace outdated computers that do not run efficiently on Windows 10; and**

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

**RESOLVED, that the following fund transfer be made:**

<b>Decrease:</b>		
10131000 51000 (10117)	Senior Account Clerk	2,250

<b>Increase:</b>		
10131000 52130	Computers	2,250

2019 Fiscal Impact – 0 –  
2020 Fiscal Impact – 0 –

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**Item #6v - Authorization/ Legislators to Attend September New York State Association of Counties Fall 2019 Conference was next. On behalf of the members of the Audit & Administration Committee, Legislators Castellano and Sayegh, Legislator Gouldman moved the following:**

**RESOLUTION #213**

**APPROVAL/AUTHORIZATION/LEGISLATORS TO ATTEND SEPTEMBER NEW YORK STATE ASSOCIATION OF COUNTIES FALL CONFERENCE**

**WHEREAS, six (6) Legislators have requested permission to attend the New York State Association of Counties Fall Conference to be held in Monticello, New York in September 2019 for registration and lodging total expenditure of approximately \$796 per person; and**

**WHEREAS, the Putnam County Legislature has reviewed and approves their requests; now therefore be it**

**RESOLVED, that six (6) Legislators are authorized to attend the New York State Association of Counties Fall Conference to be held in Monticello, New York in September 2019.**

**BY POLL VOTE: ALL AYES. CARRIED UNANIMOUSLY.**

**Item #6w – Approval/ Refunding Bond Resolution/ Refunding Of Certain Outstanding Serial Bonds / Not To Exceed \$3,500,000 was next. On behalf of the members of the Audit & Administration Committee, Legislators Castellano and Sayegh, Legislator Gouldman moved the following:**

**Legislator Albano believed this was great fiscal planning.**

**Legislator Sullivan thanked the Finance Department. He stated that this is similar to refinancing your home at a lower interest rate. This would allow for lower interest rates on our bonds.**

**Chairman Castellano explained that the Auditors report states the great financial state the County is in. He stated that we can seek better interest rates going forward which is the right thing to do for the taxpayers of Putnam County.**

**RESOLUTION #214**

#### **EXTRACT OF MINUTES**

**Meeting of the County Legislature of**

**the County of Putnam, New York**

**September 3, 2019**

**\* \* \***

**A regular meeting of the County Legislature of the County of Putnam, New York, was held at the Historic County Courthouse, Gleneida Avenue, Carmel, New York, on September 3, 2019, at 7 o'clock P.M. (Prevailing Time).**

**The following Legislators were present: Addonizio, Albano, Gouldman, Jonke, Montgomery, Nacerino, Sayegh, Sullivan and Chairman Castellano**

There were absent: None

Also present: Diane Schonfeld, Clerk of the County Legislature  
Robert Firriolo, Legislative Counsel

\* \* \*

Legislator Gouldman offered the following resolution and moved its adoption:

**REFUNDING BOND RESOLUTION OF THE COUNTY OF PUTNAM, NEW YORK, ADOPTED SEPTEMBER 3, 2019, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID COUNTY, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$3,500,000 FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,500,000 REFUNDING BONDS TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS RELATIVE THERETO**

Recitals

WHEREAS, on November 20, 2008, the County of Putnam, New York (herein called the "County"), issued its \$4,180,000 Public Improvement (Serial) Bonds, 2008, currently outstanding in the principal amount of \$1,275,000 (the "Outstanding 2008 Bonds"); and were originally issued pursuant to various bond resolutions duly adopted to finance the purposes set forth in Exhibit B; and

WHEREAS, the Outstanding 2008 Bonds mature on November 15 in the years and in the principal amounts and bear interest payable semiannually on May 15 and November 15 in each year to maturity, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2019	\$ 405,000	4.50%	2021	\$ 445,000	4.50%
2020	425,000	4.50			

WHEREAS, the Outstanding 2008 Bonds are subject to redemption prior to maturity, at the option of the County, on November 15, 2018, and any date thereafter, as a whole or in part, at par, plus accrued interest to the date of redemption; and

WHEREAS, on November 19, 2009, the County issued its \$2,595,401 Public Improvement (Serial) Bonds, 2009, currently outstanding in the principal amount of

\$1,355,000 (the “Outstanding 2009 Bonds”); and were originally issued pursuant to various bond resolutions duly adopted to finance the purposes set forth in Exhibit B; and

WHEREAS, the Outstanding 2009 Bonds mature on November 15 in the years and in the principal amounts and bear interest payable semiannually on May 15 and November 15 in each year to maturity, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2019	\$ 175,000	3-1/8%	2023	\$ 200,000	4.00%
2020	180,000	3-3/8	2024	205,000	4.00
2021	185,000	3.50	2025	220,000	4.00
2022	190,000	4.00			

WHEREAS, the Outstanding 2009 Bonds maturing on and after November 15, 2020, are subject to redemption prior to maturity, at the option of the County, on November 15, 2019, and any date thereafter, as a whole or in part, at par, plus accrued interest to the date of redemption; and

WHEREAS, on November 18, 2011, the County issued its \$3,680,181 Public Improvement (Serial) Bonds, 2011, currently outstanding in the principal amount of \$1,785,000 (the “Outstanding 2011 Bonds”, along with the Outstanding 2008 Bonds and the Outstanding 2009 Bonds, the “Outstanding Bonds”); and were originally issued pursuant to various bond resolutions duly adopted to finance the purposes set forth in Exhibit B; and

WHEREAS, the Outstanding 2011 Bonds mature on November 15 in the years and in the principal amounts and bear interest payable semiannually on May 15 and November 15 in each year to maturity, as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2019	\$ 340,000	2.25%	2022	\$ 365,000	2-5/8%
2020	345,000	2-3/8	2023	375,000	2.75
2021	360,000	2.50			

WHEREAS, the Outstanding 2011 Bonds maturing on and after November 15, 2020, are subject to redemption prior to maturity, at the option of the County, on November 15, 2019, and any date thereafter, as a whole or in part, at par, plus accrued interest to the date of redemption; and

WHEREAS, Sections 90.00 and 90.10 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), permit the County to refund all or a portion of the outstanding unredeemed maturities of the Outstanding Bonds by the issuance of new bonds, the issuance of which will result in present value debt service savings for the County, and the County Legislature has determined that it may be advantageous to refund all or a portion of the Outstanding Bonds;

NOW, THEREFORE, be it

**RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF PUTNAM, NEW YORK, (by the favorable vote of not less than two-thirds of all the members of said County Legislature) AS FOLLOWS:**

**Section 1. In this resolution, the following definitions apply, unless a different meaning clearly appears from the context:**

- (a) “Bond To Be Refunded” or “Bonds To Be Refunded” means all or a portion of the Outstanding Bonds, as shall be determined in accordance with Section 8 hereof.**
- (b) “Escrow Contract” means the contract to be entered into by and between the County and the Escrow Holder pursuant to Section 10 hereof.**
- (c) “Escrow Holder” means the bank or trust company designated as such pursuant to Section 10 hereof.**
- (d) “Outstanding Bonds” shall mean the Outstanding Bonds referred to in the Recitals hereof.**
- (e) “Present Value Savings” means the dollar savings which result from the issuance of the Refunding Bonds computed by discounting the principal and interest payments on both the Refunding Bonds and the Bonds To Be Refunded from the respective maturities thereof to the date of issue of the Refunding Bonds at a rate equal to the effective interest cost of the Refunding Bonds. The effective interest cost of the Refunding Bonds shall be that rate which is arrived at by doubling the semi-annual interest rate (compounded semi-annually) necessary to discount the debt service payments on the Refunding Bonds from the maturity dates thereof to the date of issue of the Refunding Bonds and to the agreed upon price including estimated accrued interest.**
- (f) “Redemption Date” or “Redemption Dates” means November 15, 2018, and any date thereafter with respect to the Outstanding 2008 Bonds, November 15, 2019, and any date thereafter with respect to the Outstanding 2009 Bonds maturing on and after November 15, 2020 and November 15, 2019, and any date thereafter with respect to the Outstanding 2011 Bonds maturing on and after November 15, 2020.**
- (g) “Refunding Bond” or “Refunding Bonds” means all or a portion of the \$3,500,000 Refunding Serial Bonds of the County of Putnam, New York, authorized pursuant to Section 2 hereof.**
- (h) “Refunding Bond Amount Limitation” means an amount of Refunding Bonds which does not exceed the principal amount of Bonds To Be Refunded plus the aggregate amount of unmatured interest payable on such Bonds To Be Refunded, to and including the applicable Redemption Date, plus redemption premiums payable on such Bonds To Be Refunded as of such Redemption Date, as hereinabove referred to in the Recitals hereof, plus costs and expenses incidental to the issuance of the Refunding Bonds including the development of the**

refunding financial plan, and of executing and performing the terms and conditions of the Escrow Contract and all fees and charges of the Escrow Holder as referred to in Section 10 hereof.

**Section 2.** The County Legislature of the County hereby authorizes the refunding of the Bonds To Be Refunded, and appropriates an amount not to exceed \$3,500,000 to accomplish such refunding. The plan of financing said appropriation includes the issuance of not to exceed \$3,500,000 Refunding Bonds and the levy and collection of a tax upon all the taxable real property within the County to pay the principal of and interest on said Refunding Bonds as the same shall become due and payable. Bonds of the County in the maximum principal amount of \$3,500,000 are hereby authorized to be issued pursuant to the provisions of the Law. The proposed financial plan for the refunding in the form attached hereto as Exhibit A (the "Refunding Financial Plan") prepared for the County by Roosevelt & Cross, Inc., New York, New York, and hereby accepted and approved, includes the deposit of all the proceeds of said Refunding Bonds with an Escrow Holder pursuant to an Escrow Contract as authorized in Section 10 hereof, the payment of all costs incurred by the County in connection with said refunding from such proceeds and the investment of a portion of such proceeds by the Escrow Holder in certain obligations. The principal of and interest on such investments, together with the balance of such proceeds to be held uninvested, if any, shall be sufficient to pay (i) the principal of and interest on the Bonds To Be Refunded, if any, becoming due and payable on and prior to each applicable Redemption Date and (ii) the principal of and premium on the Bonds To Be Refunded which are to be called for redemption prior to maturity on any such Redemption Date.

**Section 3.** The Bonds To Be Refunded referred to in Section 1 hereof are all or a portion of the unmatured aggregate outstanding balances of the Outstanding Bonds issued pursuant to various bond resolutions of the County duly adopted by the County Legislature of the County on their respective dates, authorizing the issuance of bonds of the County for various purposes in and for the County. In accordance with the refunding financial plan, the Refunding Bonds authorized in the aggregate principal amount of not to exceed \$3,500,000 shall mature in amounts and at dates to be determined. The Commissioner of Finance, the chief fiscal officer of the County, is hereby authorized to approve all details of the refunding financial plan not contained herein.

**Section 4.** The issuance of the Refunding Bonds will not exceed the Refunding Bond Amount Limitation. The Refunding Bonds shall mature not later than the maximum period of probable usefulness ("PPU") permitted by law at the time of original issuance of the Bonds to be Refunded, as set forth in Exhibit B annexed hereto and hereby made a part hereof, for the objects or purposes financed with the proceeds of the Bonds to be Refunded, commencing at the date of issuance of the first bond or bond anticipation note issued in anticipation of the sale of such bonds.

**Section 5.** The aggregate amount of estimated Present Value Savings is set forth in the proposed refunding financial plan attached hereto as Exhibit A, computed in accordance with subdivision two of paragraph b of Section 90.10 of the Law. Said refunding financial plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount, and will mature, be of such terms and bear such interest as set forth therein. The County Legislature recognizes that the principal amount of the Refunding Bonds, the maturities, terms and interest rates, the provisions, if any, for the redemption thereof prior to maturity, and whether or not any or all of the Refunding Bonds will be insured, and the resulting

present value savings, may vary from such assumptions and that the refunding financial plan may vary from that attached hereto as Exhibit A.

**Section 6. (a) The Refunding Bonds may be sold at public or private sale.**

(i) If the Refunding Bonds are sold at private sale, the Commissioner of Finance is hereby authorized to execute a purchase contract on behalf of the County for the sale of said Refunding Bonds, provided that the terms and conditions of such sale shall be approved, to the extent as may be required, by the State Comptroller.

(ii) If the Refunding Bonds are sold at public sale pursuant to Section 57.00 of the Law, the Commissioner of Finance is hereby authorized and directed to prepare or have prepared a Notice of Sale, which shall be published at least once in "*The Bond Buyer*," published in the City of New York, not less than five (5) nor more than thirty (30) days prior to the date of said sale. A copy of such notice shall be sent not less than eight (8) nor more than thirty (30) days prior to the date of said sale (a) to the State Comptroller, Albany, New York 12236; (b) to at least two (2) banks or trust companies having a place of business in the County in which the County is located, or, if only one (1) bank is located in such County, then to such bank and to at least two (2) banks or trust companies having a place of business in an adjoining County; and (c) to "The Bond Buyer", 1 State Street Plaza, New York, New York 10004; and (d) at least ten (10) bond dealers.

(b) Prior to the issuance of the Refunding Bonds the Commissioner of Finance shall file with the County Legislature all requisite certifications, including a certificate approved by the State Comptroller setting forth the Present Value Savings to the County resulting from the issuance of the Refunding Bonds. In connection with the sale of Refunding Bonds, the County authorizes the preparation of an Official Statement and approves its use in connection with such sale, and further consents to the distribution of a Preliminary Official Statement prior to the date said Official Statement is distributed. The Commissioner of Finance and his designees are hereby further authorized and directed to take any and all actions necessary to accomplish said refunding, and to execute any contracts and agreements for the purchase of and payment for services rendered or to be rendered to the County in connection with said refunding, including the preparation of the Refunding Financial Plan..

**Section 7. Each of the Refunding Bonds authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Law and said Refunding Bonds shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Refunding Bonds and provision shall be made annually in the budget of the County for (a) the amortization and redemption of the Refunding Bonds to mature in such year and (b) the payment of interest to be due and payable in such year.**

**Section 8. Subject to the provisions of this resolution and of the Law and Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service and Sections 50.00, 56.00 to 60.00, 90.10 and 168.00 of the Law, the powers and duties of the County Legislature relative to determining the amount of Bonds To Be Refunded, prescribing the terms, form and contents and as to the sale and issuance of the Refunding Bonds, and executing any arbitrage certification relative thereto, and as to executing the Escrow Contract described herein, the Official Statement referred to in herein and any contracts for credit enhancements in connection with the issuance of the Refunding Bonds and any other certificates and agreements, and as to making elections to call in and redeem all or a**



portion of the Bonds to be Refunded, are hereby delegated to the Commissioner of Finance, the chief fiscal officer of the County.

Section 9. The validity of the Refunding Bonds authorized by this resolution may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 10. Prior to the issuance of the Refunding Bonds, the County shall contract with a bank or trust company located and authorized to do business in New York State, for the purpose of having such bank or trust company act as the Escrow Holder of the proceeds, inclusive of any premium from the sale of the Refunding Bonds, together with all income derived from the investment of such proceeds. Such Escrow Contract shall contain such terms and conditions as shall be necessary in order to accomplish the refunding financial plan, including provisions authorizing the Escrow Holder, without further authorization or direction from the County, except as otherwise provided therein, (a) to make all required payments of principal, interest and redemption premiums to the appropriate paying agent with respect to the Bonds To Be Refunded, (b) to pay costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the refunding financial plan, and costs and expenses relating to the execution and performance of the terms and conditions of the Escrow Contract and all of its fees and charges as the Escrow Holder, (c) at the appropriate time or times to cause to be given on behalf of the County the notice of redemption authorized to be given pursuant to Section 13 hereof, and (d) to invest the monies held by it consistent with the provisions of the refunding financial plan. The Escrow Contract shall be irrevocable and shall constitute a covenant with the holders of the Refunding Bonds.

Section 11. The proceeds, inclusive of any premium, from the sale of the Refunding Bonds, immediately upon receipt shall be placed in escrow by the County with the Escrow Holder in accordance with the Escrow Contract. All moneys held by the Escrow Holder, if invested, shall be invested only in direct obligations of the United States of America or in obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates when such moneys will be required to make payments in accordance with the refunding financial plan. Any such moneys remaining in the custody of the Escrow Holder after the full execution of the Escrow Contract shall be returned to the County and shall be applied by the County only to the payment of the principal of or interest on the Refunding Bonds then outstanding.

Section 12. That portion of such proceeds from the sale of the Refunding Bonds, together with interest earned thereon, which shall be required for the payment of the principal of and interest on the Bonds To Be Refunded, including any redemption

premiums, in accordance with the refunding financial plan, shall be irrevocably committed and pledged to such purpose and the holders of the Bonds To Be Refunded shall have a lien upon such moneys and the investments thereof held by the Escrow Holder. All interest earned from the investment of such moneys which is not required for such payment of principal of and interest on the Bonds To Be Refunded shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunding Bonds, or such portion or series thereof as shall be required by the refunding financial plan, and the holders of such Refunding Bonds shall have a lien upon such moneys held by the Escrow Holder. The pledges and liens provided for herein shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder shall immediately be subject thereto without any further act. Such pledges and liens shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledges and liens, need be filed or recorded.

Section 13. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Law, the County Legislature hereby elects to call in and redeem all or a portion of the Bonds To Be Refunded which are subject to prior redemption according to their terms on the Redemption Dates, as shall be determined by the Commissioner of Finance in accordance with Section 8 hereof. The sum to be paid therefor on the applicable Redemption Date shall be the par value thereof, the accrued interest to such Redemption Dates and the redemption premiums, if any. The Escrow Holder is hereby authorized and directed to cause a notice of such call for redemption to be given in the name of the County by mailing such notice at least thirty days prior to such Redemption Dates, and in accordance with the terms appearing in the Bonds to be Refunded, to the registered holders of the Bonds To Be Refunded which are to be called in and redeemed. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Bonds To Be Refunded which are to be called in and redeemed in accordance herewith and the direction to the Escrow Holder to cause notice thereof to be given as provided in this Section shall become irrevocable and the provisions of this Section shall constitute a covenant with the holders, from time to time, of the Refunding Bonds, provided that this Section may be amended from time to time as may be necessary to comply with the publication requirements of paragraph a of Section 53.00 of the Law, as the same may be amended from time to time.

Section 14. This bond resolution shall take effect immediately upon approval by the County Executive, and the Clerk of the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the official newspapers of the County.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

**AYES:** NINE – Legislators Addonizio, Albano, Gouldman, Jonke, Montgomery, Nacerino, Sayegh, Sullivan and Chairman Castellano

**NOES:** NONE

The resolution was declared adopted.

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**EXHIBIT A  
PROPOSED REFUNDING FINANCIAL PLAN**

**EXHIBIT B**

<b>Outstanding 2008 Bonds</b>	
<b><u>Purpose</u></b>	<b><u>PPU</u></b>
Roof Replacement	10
HVAC Replacement	10
COB Study	5
Minor Renovations	10
Highway Equipment	15
Passenger Vans	15
Buses	5
Carmel Revitalization	5
Bikeway 3	15
Bikeway 3	15
West Lake Blvd.	15

<b>Outstanding 2009 Bonds</b>	
<b><u>Purpose</u></b>	<b><u>PPU</u></b>
Kent Senior Center	30
Buses – OFA	5
Fuel Tank Storage	10
Infrastructure	15
Burn Facility	15
Minor Renovations	25
Landfill Remediation	5

<b>Outstanding 2011 Bonds</b>	
<b><u>Purpose</u></b>	<b><u>PPU</u></b>
Landfill Remediation	20
Senior Center	5
Preschool Buses	5
Kent Revitalization	5
Highway Equipment	15
Fuel Storage	15
Highway Infrastructure	15
Fin. Software Upgrade	5
ADA Transit	10

**CLERK'S CERTIFICATE**

I, Diane Schonfeld, Clerk of the Putnam County Legislature, in the State of New York, HEREBY CERTIFY that Bond Resolution No. 214 - 2019 contained in the foregoing annexed extract from the minutes of a meeting of the County Legislature of the County of Putnam duly called and held on September 3, 2019, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof and of the whole of said original Bond Resolution, which was duly adopted by the County Legislature on September 3, 2019, and approved by the County Executive on September \_\_\_\_, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Legislature on this \_\_\_\_ day of September, 2019.

(SEAL)

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Diane Schonfeld  
Clerk of the Legislature

## LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on September 3, 2019, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Putnam, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

**REFUNDING BOND RESOLUTION OF THE COUNTY OF PUTNAM, NEW YORK, ADOPTED SEPTEMBER 3, 2019, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID COUNTY, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$3,500,000 FOR SUCH PURPOSE, AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,500,000 REFUNDING BONDS TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN OTHER DETERMINATIONS RELATIVE THERETO.**

**Object or purpose:** refunding of all or a portion of currently outstanding Bonds of the County issued in 2008, 2009 and 2011.

**Period of probable usefulness:** various between five (5) and thirty (30) years, commencing on the date of original issuance of the first note or bond issued for the purposes for which the outstanding bonds were issued.

**Amount of obligations to be issued:** not to exceed \$3,500,000

A complete copy of the refunding bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Clerk of the Putnam County Legislature, 40 Gleneida Avenue, Carmel, New York

**Dated:** September 3, 2019  
Carmel, New York

**Item #7 – Other Business**

There was no other business submitted to the meeting.

#### **Item #8 – Recognition of Public on Agenda Items**

Nat Prentice of the Cold Spring Chamber of Commerce and his colleague Linda Kagan, who is also a member of the Board, thanked the Legislature for naming the Director of Tourism. He stated that they wanted to do what they could to help articulate a comprehensive and county wide tourism plan. He stated that he looked forward to knowing Tracey.

#### **Item #9 – Recognition of Legislators**

Legislator Montgomery stated that being it is National Recovery Month she highlighted some of the work being done in the Town of Philipstown and the work of the Philipstown Coalition That Cares. She stated that she received information from Assemblywoman Galef on the State laws recently passed. She believed it could be discussed at a Rules Committee meeting to make these laws available online; one in particular, their Safe Storage Law to secure firearms in the home.

Legislator Addonizio stated that “Hope Not Handcuffs” is coming to Putnam County. She said it is an innovative approach to bring hope to those struggling with addictions; drugs or alcohol. She stated it is a program aimed at bringing law enforcement and the community together. She stated that the first “angel” training program was recently held at the Putnam County Emergency Services building with over 80 people in attendance. She stated that an angel will meet with someone who is reaching out for help from addiction and find the appropriate help for them.

Legislator Nacerino stated that she was not in attendance at the August Full Legislative meeting, however she was working in her official capacity when attending Putnam Lake’s Park Neighborhood Watch hosted its 4<sup>th</sup> Annual Night Out event in conjunction with thousands of communities across the Country. She stated that this is the only Annual Night Out event in Putnam County. She stated that it focuses on community and raises awareness by promoting police, community partnerships and neighborhood comradery on behalf of keeping our neighborhood safe. She encouraged more communities in Putnam County to do host this event.

Legislator Goldman stated that schools were opened and he ask people to please drive safely. He wished all the students a good school year.

Legislator Sullivan stated that as Hurricane Dorian comes up the coast to please keep the people in Florida, Georgia and the Carolinas in their thoughts and prayers and also the people in the Bahamas who experienced great devastation from the storm.

Legislator Sayegh stated that on September 8<sup>th</sup> the Mahopac Falls Fire Department will hold its annual open house from 11:00 pm to 3:00 pm. There will be many hands on activities and demonstrations available.

Chairman Castellano stated that on September 8<sup>th</sup> the Fall Festival Event will take place in the Village of Brewster. He encouraged people to attend this wonderful event.

**There being no further business, at 8:09 P.M., Chairman Castellano made a motion to adjourn; seconded by Legislator Jonke. All in favor.**

**Respectfully submitted by Diane Schonfeld, Clerk.**