

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

**Members: Chairwoman LoBue and Legislators Albano, Castellano, & Scuccimarra**

**Monday** **6:00pm** **August 15, 2016**

---

The meeting was called to order at 6:04p.m. by Chairwoman LoBue who requested that Legislator Albano lead in the Pledge of Allegiance. Upon roll call Legislators Albano & Castellano and Chairwoman LoBue were present. Legislator Scuccimarra was absent.

Legislative Counsel Clement Van Ross stated that Legislator Castellano has been appointed to the Rules, Enactments, & Intergovernmental Relations Committee as a Committee member.

**Item #3 - Approval of Minutes – July 13, 2016**

The minutes were approved as submitted.

**Item #4 - Discussion/ Local Law to Amend Article 5-A.01 of the Putnam County Charter Entitled “Department of Planning, Development, and Public Transportation: Commissioner”**

Chairwoman LoBue stated this item was tabled from the August 2, 2016 Full Legislative Meeting to the Personnel Committee, however in her opinion this item belongs in the Rules Committee. She stated she spoke with Chairwoman Nacerino and it was agreed upon that the bulk of the discussion would be had at the Rules Meeting. She stated this amendment would remove the requirement for the Commissioner of Planning to have eight (8) years of practical experience in regional, county, or municipal planning. She stated included in the agenda are the job descriptions and qualifications for the Commissioner of Planning in surrounding Counties. She stated Dutchess County requires a Master’s Degree in planning and eight (8) years of technical planning work experience. She stated Westchester County requires a Bachelor’s Degree in government, public administration, urban studies, environmental studies and 10 years of primary function experience and five (5) years of specialized experience. She stated Rockland County requires a Master’s Degree in planning, environmental studies, engineering, geography, drafting, or related curriculum and municipal/government planning experience. She stated both Orange County and Sullivan County also require a Master’s Degree in planning. She stated letters have also been received from constituents regarding this amendment.

Chairwoman LoBue made a motion to waive the rules and accept the additional.

There was no second. Motion fails.

Legislator Nacerino, as Chairwoman of the Personnel Committee, stated holding a Doctorate degree does not dilute the confirming of a Master's degree. She stated the knowledge of Title 6, Americans with Disabilities Act, general municipal law, and federal highway administration are some of the salient points included in the descriptions of the Commissioner of Planning positions in the surrounding Counties. She stated in her opinion, the important attributes of this job are the analytical and organizational skills, the ability to manage time, and to meet the contractual obligations for Federal and State funding opportunities. She stated when looking at the consideration to change the scope of the job description, what really needs to be reassessed is where the concentration should be. She stated having an attorney in this position would be beneficial because it is important to be able to pursue the grants and be able to scope through the tedious verbiage in contracts and be familiar with general municipal law, the SEQRA process and the Federal Highway Administration. She stated this has been demonstrated by the person that is being considered, who has been doing the job for the past six (6) months. She referenced additional backup material included on the Personnel Committee Meeting agenda which included information regarding the background of people holding similar positions. She stated the Executive Director for the New York Metropolitan Transportation Council (NYMTC) is not a planner, but an engineer. She stated the Acting Staff Director for the Mid-Hudson South Transportation Coordinating Committee, of which Putnam County is a voting member, does not have a Master's Degree in Planning, but has a Master's Degree in Public Administration and a Bachelor's Degree in Psychology. She stated the City Administrator for the City of Beacon, who is also the former Putnam County Commissioner of Planning, does not have a Master's Degree in Planning, but a B.S. in Political Science and Master's Degree in Public Administration. She also stated the Commissioner of the New York State Department of Economic Development has a Master's Degree in Business Administration. She stated when degrees of this magnitude are held, the people really do have the core discipline and ability to transfer their expertise to a different position. She stated what is under consideration tonight is to look at the scope of the job description and have someone who is able to do the job fill the position. She stated the specific degree that the individual holds is not as important as their ability to perform the tasks of the job. She stated this discussion never ensued when the most recent Commissioner of Planning, Anthony Ruggiero, was appointed without a Master's Degree in Planning. She stated the Planner in the Town of Patterson does not hold a degree in planning and is one of the finest planners in Putnam County.

Chairwoman LoBue stated the former Commissioner of Planning, John Lynch, had a Master's Degree in Planning and had eight (8) years of related work experience. She stated during his time as Commissioner of Planning, Mr. Lynch was responsible for generating all of the documents mentioned earlier. She stated Mr. Ruggiero did not have a degree in Planning, but he did have eight (8) years of related experience as a City Manager. She stated the person that is currently being considered for the position has a large background in matrimonial and family law. She stated when this person worked in the Putnam County Law Department, they worked with public benefits and legal aid. She stated this candidate only has six (6) months experience as the Deputy Commissioner of Planning without having a Commissioner of Planning as a supervisor.

She also stated the surrounding counties have strong requirements for their Commissioner of Planning positions including degrees in planning and related experience in management.

Legislator Albano stated Dutchess County has a population of about 300,000 while Putnam County has about 100,000 residents. He stated planning on the Town level is much different as the town planners are responsible for things such as subdivision lay out, road designs, drainage, and how this all affects the community. He stated on the County level, almost everything done in the Planning Department is legal in nature, such as SEQRA reviews and grant applications. He stated an attorney would fit quite well in this position. He stated the person that is being considered for this position has done an outstanding job thus far. He stated he is in support of making these changes and having this person in the position.

Chairwoman LoBue stated the population is much larger in counties such as Dutchess and Westchester, however the Planning Departments in those counties are also larger and have more staff. She stated because Putnam is a smaller County the Planning Department is also smaller, therefore the Commissioner is tasked with more of the paperwork that is required. She stated it is important to have a Commissioner who is educated in the field of planning. She stated the SEQRA documents that she has seen have had multiple errors in them and this is caused by not having enough people, or the appropriate people, within the department to do the required paperwork. She stated a planner who had left was brought back to assist with the completion of the Maybrook Bikepath project. She stated in her opinion it is critical to have a Commissioner who is educated in planning and also has the necessary requirements.

Legislator Wright stated almost universally in Westchester County, all of the SEQRA certifications come from their Planning Department, not their Legal Department. He stated the timing aspect of a grant application is not a matter that requires an attorney; rather it is an administrative secretarial matter. He stated he cannot support the present proposal because he does not generally favor changing the Charter and he is concerned with possible ridicule for a Charter revision for credentials being tailored to an individual. He stated six (6) months of experience cannot be compared to eight (8) years of experience. He stated a doctorate degree does not equal a master's degree. He stated he has heard no extensive documented delineation of unsuccessful attempts to fill this position in its present form. He stated if for the last year there had been updates from the Personnel Director identifying the extensive efforts of recruitment made that were unsuccessful, that may weigh into the decision to amend the job requirements, but still not sufficient for him to be comfortable with replacing eight (8) years of experience with six (6) months.

Legislator Castellano stated the former Commissioner of Planning resigned about three (3) years ago and the person being considered is a qualified applicant who has worked well with the Legislative Office in the past. He stated this position is well-suited for an attorney. He stated because Putnam County is small, filling such a position is difficult because the person must be a Putnam County resident.

Chairwoman LoBue stated she was unaware that there was a difficult time filling the position.

Deputy County Executive Bruce Walker stated in the time period that the position was open, he had the benefit of stepping in and doing some of the work that the Commissioner would otherwise do. He stated during that 18-month window he was able to see exactly what the job entailed. He stated in this County, the biggest two (2) components this job entails is dealing through the NYMTC (New York Metropolitan Transportation Council) grants and working with the Transportation Department. He stated the person being considered for this position was the individual who negotiated the transportation contract, which is one (1) of the biggest contracts in the County. He stated this person is more intimately involved with and more knowledgeable about that contract. He stated the NYMTC process is where the money has come from over the past 15-20 years for the County to get involved with things like the bikeway projects. He addressed Legislator Albano's comments regarding the Maybrook Bikepath Project. He stated that grant was \$3.2 million and \$350,000 worth of work was completed on the project, however the application to the State was not followed through. He stated in 2011, he and Commissioner of Highways & Facilities Fred Pena met with the State to close out a number of projects that had originally gone through Planning. He stated the issues with the grant applications are significantly complicated, not a reminder to file on time. He stated the grants that come out are announced and have a timeline of a month. He stated the recurring grants that the County applies for are the CFA (Consolidated Funding Application) grants and were done by Planning because they were driven by infrastructure. He stated the details of what is contractually obligated when these grants are applied for are very complicated. He stated there have been a number of projects that have existed for 18 years, two (2) of which are still in progress, one (1) on Fair Street and one (1) on Stoneleigh Avenue. He stated the projects were never executed because nobody understood what they were, nobody understood the engineering, and nobody was reading the fine print. He stated the County has been working with the Federal Government, through Planning, to re-scope both of those jobs to get the money back. He stated in the past, the County has spent money on projects that were not completed, and in some cases the County had to repay the money. He stated part of the reason is the way Planning was done in the past is different than how Planning is done now. He stated the sidewalk project in Kent started out small and a \$1 million grant was obtained, however the project was worth \$6 million. He stated the County then had to pay the Government back the money spent on the engineering on that job, which is not good planning. He stated it is easy to plan, especially in Putnam, where we are trying to drive economic growth. He stated the sewer and water projects that open up commercial corridors are already done. He stated now is time for the execution component, which is figuring out where to get the money, how to bring in private partnerships and other municipalities and work through the process with regulatory agencies such as DEC, DEP, and DOT in order to effectuate the infrastructure necessary to build commercial corridors needed to drive sales tax to continue to fund the government we have and provide the services we do. He stated over the last 18 months, while working through the aspects of NYMTC, the CFA process, and the

application of over \$100 million of grants, they have found that it is necessary to understand the details of what the County is binding themselves to and what is legally possible. He stated the one (1) municipal function review the County has is the 239-LMN designations, because of home rule within the County. He stated this is the only interaction the County has in regard to a planning function. He stated the referral comes in from a municipality and is applied through General Municipal Law Section 239-LMN to check if the zoning matches with the County. He stated this is a legal function. He stated the SEQRA is a legal issue with some planning in it. He stated when looking at what needs to be done in the Planning Department, it is fundamentally legal in nature with engineering and planning involved. He stated this position requires a person with a much broader understanding and ability to reach into departments to get the necessary information. He also stated there are planners within the Department who have the ability to reach into the municipalities and work with them. He restated that the focus must be on the functions of the job rather than what has been required in the past.

Chairwoman LoBue stated she disagrees with Deputy County Executive Walker's previous statements in regards to the Fair Street project and the Administration at that time. She stated this project involved eminent domain and had many issues. She stated she believes Deputy County Executive Walker's interpretation of the project is flawed and serves the purpose that he is trying to present, but it not the whole story. She questioned why the position of Commissioner of Planning has not been advertised during the 18 months that it has been open.

Deputy County Executive Walker stated it has not been advertised because they were able to get the work done and they wanted to have a clear understanding of exactly what skill set to look for in the candidates. He stated County Executive Odell chairs the Mid-Hudson Region NYMTC and co-chairs the entire NYMTC process. He stated the Administration, Commissioner of Highway, and the Law Department have been intimately involved in walking through all of the issues pertaining to the Commissioner of Planning position. He stated as a team, it was decided that the requirements of the individual in that position on a day-to-day basis needed to be broadened so the County wasn't pigeon-holing itself into a person just because they held a Master's Degree in Planning.

Chairwoman LoBue stated the Charter Review Commission, comprised of members of the Administration and Legislature, the former Planning Commissioner, and members of the public, met in 2010 and the requirements currently in the Charter were put in place through that Committee. She stated she does not support this Charter change.

Legislator Albano addressed the comment made referencing mistakes in the SEQRAs. He stated he has not seen any major issues. He stated when the County declares itself as lead agency, it goes out to all interested parties and nothing has ever been returned from municipalities with corrections to be made.

Legislator Wright stated he cannot agree more with Deputy County Executive Walker's comment that the County should not be applying for grants for projects that the County will be unable to complete. He stated any department applying for a grant should seek Legislative approval before doing so, rather than coming to the Legislature at the time of acceptance. He stated at the time of application, the grant should be presented to the Legislature along with a full scale fiscal impact statement, an accounting of personnel manpower hours, and possible long term demographic effects on the County. He stated a grant can affect many aspects of a department and the County as a whole and it is vital to explore all of the possibilities associated with each grant application. He stated he does not support changing the Putnam County Charter lightly.

Chairwoman LoBue stated the previous Legislature established the requirement that all grant applications come to the Legislature for approval before they are submitted. She stated sometimes, the grant money is obtained and the project is started, however the project grows to a larger scope than was originally planned for.

Legislator Nacerino agreed that pursuing every grant is not necessarily advantageous. She stated in looking at the job requirements and description for the Commissioner of Planning for Westchester County, the person being considered for the Putnam County position meets all criteria with the exception of the Master's Degree in Planning. She stated within the past several months, this individual has demonstrated their worth. She stated this person was transferred from the Law Department to Planning because they have the most knowledge in that area, specifically transportation. She stated in the short time this person has been in the Planning Department, they have done extraordinarily well in obtaining grants, specifically the TIGER grant and NYMTC grants, which is no small feat. She stated if in the future this person does not work out in the position, there is always an option to make a change. She stated she is confident in this individual.

Chairwoman LoBue stated if this individual was a land use attorney, she would agree with Legislator Nacerino wholeheartedly. She stated in her opinion, this person lacks the credentials necessary for this position. She stated she agrees with Legislator Wright's comments in regards to making amendments to the Charter. She stated she does not take making such changes lightly. She stated her concern with possibly setting a precedent with the dilution of this job description.

Legislator Albano stated the way the grant applications are currently being handled is working well. He stated if there is a time sensitive grant to be applied for, the department may apply for it without first seeking approval of the Legislature as long as there is no County match. He stated every grant must be approved by the Legislature if it is awarded. He stated it would be a shame to lose any money available to the County because a deadline was missed. He restated that the Legislature has final say in regards to the acceptance of all grants.

Ms. Ann Fanizzi, constituent, questioned what the real purpose of changing the Charter is. She stated Putnam is a small county and because of that, the County is in

competition with larger counties. She stated Putnam must take their employees, especially grant writers and the Commissioner of Planning seriously. She stated she holds a Master's Degree, a professional diploma, and almost a PhD and she could not obtain any of the degrees she has without taking courses in grant writing. She stated there are degrees specifically for grant writing, which supports that this particular position has been elevated and professionalized. She stated she is surprised that Legislator Nacerino does not believe that Putnam County needs a credentialed individual to fill this position. She stated the individual being considered for the position lacks the proper education and experience. She stated the fact that Putnam is a small county is all the more reason why the County should have the best and the brightest individuals. She stated in regards to former Commissioner of Planning Ruggerio, he has a degree in public administration, which provided him experience and education in terms of intergovernmental work. She stated there have been errors made in documents in regards to Planning that have not been detected by the Legislature. She stated the person in this position must be clear on all documents published from the Planning Department. She stated the individual being considered worked in matrimonial law. She stated the Commissioner of Planning must have experience in case law.

Legislator Nacerino stated this individual practiced matrimonial law prior to her employment with the County and practiced case law while working in the Putnam County Law Department.

Ms. Fanizzi stated she lives on Fair Street and was part of the community organization that opposed the Fair Street project. She stated she is familiar with the money spent and the effort put forward to straighten out Fair Street. She suggested having the person being considered for the Commissioner of Planning position as well as other applicants evaluated by an independent body. She stated as per the Charter, this change is subject to a permissive referendum.

Lynne Eckardt, Town of Southeast Councilwoman stated she is speaking as an individual, not as a Councilwoman. She stated she disagrees with the comment made by Deputy Executive Walker that it is easy to plan. She stated rather, it is easy to plan poorly and that has been a problem throughout the County. She stated planning is a very different discipline than legal work. She questioned if the County will have to pay for further education once this person has been appointed, even though the Charter will have been rewritten. She stated the Charter was written for a reason and should not be amended for an individual. She stated it is important to have the best person in this position and she encouraged to the Committee to not make this amendment to the Charter. She suggested advertising the position with the current qualifications and if there are not qualified individuals to fill the position, that is then the time to look into making any amendments.

Chairwoman LoBue stated no action will be taken at this time. She also stated this item is also on the Personnel Committee Meeting agenda.

## **Item #5 - Discussion/ Naming of Items on Legislative Agendas**

Chairwoman LoBue stated at the Full Legislative Meeting on August 2, 2016, a request was made to have this item on the Rules agenda for discussion. She cited item #6L from the August Full Meeting: "Approval/ Amend Resolution #107 of 2016/ Revised Lease Agreement & Charitable Donation Agreement/ Senior Center (Butterfield)." She stated that more specificity is needed when writing the titles of agenda items. She stated that Mr. Ailes' name should have been part of the item title. She stated that the public may have thought the County was getting the donation and handling the money. She stated she believes having his name in the title of the agenda item may have helped alleviate some of the frustrations of the public.

Legislator Nacerino noted that Legislator Wright brought this issue forward at the Full Meeting. She stated that the Legislature should do everything within its capacity to make things more clear. She noted that the agendas and backup are posted on the website. She urged constituents to attend committee meetings to participate in the discussions and voice their concerns.

Chairwoman LoBue stated if a constituent were to look at an agenda and decide whether or not they wanted to attend a committee meeting, the title may not convey exactly what was going to be discussed. She noted that the details of confidential documents would not be discussed in public, however having a more specific title would provide the public with better information in regards to what would be reviewed. She stated the item on the Full Meeting agenda, item #6L., included "Donation Agreement" however "Ailes" should have also been included. She added that having his name would have made the agenda more open and transparent.

Legislator Nacerino agreed with Legislator LoBue. She stated that the responsibility falls on the Legislature to be open and transparent in the most efficient way possible. She again encouraged the citizens of Putnam County who have expressed interest and concern to attend the Committee Meetings.

Chairwoman LoBue stated that anybody should be able to go on the County website and find out exactly what will be discussed at the meetings. She stated there has been discussion over what is considered confidential and what is not considered confidential. She noted that once a resolution is passed at a Full Legislative Meeting it becomes public information. She cited an incident a few months ago where at a Full Legislative Meeting she read the title of the resolution that was being voted on, a judgment, and included the dollar amount. She stated that she contacted the State on this matter and it was found that the title and dollar amount were public information and could be disclosed. She stated that the title of any litigation should be on the agenda, however confidential details would not be disclosed.

Legislator Addonizio agreed. She stated that while the agenda may be on the website, the public may not understand the verbiage. She stated that perhaps more residents

would attend the meetings if it was made easier for the public to understand what will be addressed at the meetings.

Chairwoman LoBue stated that there are times when she is confused by the titles of items on the agendas.

Legislator Wright stated he brought this topic forward when he saw the title of the item on the August 2, 2016 Full Legislative Meeting agenda regarding the proposed cell tower on Hill Street. (#6m. Approval/ Putnam County Legislature's Intent to Act as Lead Agency under SEQRA Re: Lease Approval & Monroe Balancing Test for a Wireless Communications Facility (Golf Course Location)) He stated this should not put a burden on the Legislative Staff when putting the agendas together. He stated it is incumbent upon the Committees from where the resolutions are passed to follow up when it goes to the Full Legislative Meeting agenda. He stated most of the time the name of the resolution listed on the agenda is almost verbatim to how it appears on the resolution itself. He suggested having a one (1) paragraph summary on the agenda following the name of the resolution to explain what exactly is being reviewed. He stated each Committee could decide which items would require such explanation or item title for the Full Meeting agenda.

Legislator Castellano agreed with the comments made thus far and stated that the agendas could be clearer. He stated that it is also the resident's responsibility to do their due diligence if they are interested in a certain topic. He stated this topic is subjective in nature.

Chairwoman LoBue stated that the two (2) items from the August 2, 2016 Full Legislative Meeting that were brought up really illustrate the problem. She stated that the Chairpersons of each Committee check the draft agendas before they are published to ensure that critical items are titled properly.

Legislator Nacerino stated that the dialogue that ensued tonight will help everyone be more cognizant of the item titles on agendas moving forward and help the average citizen have a better understanding of what will be addressed at Legislative meetings.

Legislator Albano stated he is in favor of more clarity. He stated many serious items are also vetted multiple times through the Committee process, citing the senior center at Butterfield as an example.

**Item #6 - Discussion/ Putnam County Taxi & Limousine Commission** (Requested by Legislator Castellano)

Chairwoman LoBue stated in 2012 a letter was received from then-Senator Gregory Ball requesting that Putnam County pass legislation in regards to the safe operation of taxi and limousine companies within the County. She stated former Legislator Dan Birmingham responded to this letter, outlining how in 2001 the Legislature sent a Home Rule Request to the State, which passed both the Assembly & Senate, but was ultimately vetoed by then-Governor Pataki. She stated in order for Putnam County to

create a taxi & limousine commission, permission from the State is needed. She stated when this discussion began again last year, letters were sent to each Town and Village by the previous Chair of the Rules Committee requesting their input on the possibility of Putnam County creating a taxi & limousine commission. She believed that a majority of the Towns & Villages were not in favor of a countywide commission.

Legislator Castellano stated he requested that this be placed on the agenda because a final answer was not reached. He stated that he did not believe that the majority of municipalities were against having a countywide commission. He stated he is aware that the Village of Brewster is against a countywide commission. He stated the Town of Southeast voted on this and it resulted in a 2-2 vote due to an absence, therefore it failed. He stated when this was vetoed in 2001, then-Governor Pataki believed that such regulation should be kept at the town or village level. He stated it is now 15 years later and only one (1) Village has their own regulations. He stated the Village of Brewster is doing a great job and he is comfortable letting them keep that control. He stated Westchester County has a taxi & limousine commission and some of their towns, cities, or villages have their own taxi & limousine regulations. He stated there should be better regulations on this industry. He stated many taxi or limousine companies have sporadic rates or negotiate a price during the trip. He also stated the vehicle should be in good working condition and is regulated correctly. He stated the driver of the vehicle should be licensed to drive it. He stated the Town of Southeast train station is a mecca for people who have overslept on the train and need a taxi to get to their destination.

Chairwoman LoBue stated there are not enough taxi or limousine companies within Putnam County to warrant a countywide commission. She stated she has had conversations with the Town of Carmel and have found that they are uninterested in this topic. She stated the towns have not provided feedback expressing their interest in a countywide commission.

Ruth Ayala-Quezada, owner of Carmel Taxi, stated that it was her understanding that the Village of Brewster does not want to relinquish their regulations of taxis and limousines; however they did want more clarification on the letter that was sent to them from the Legislature. She stated perhaps Putnam County could have a similar set up to Westchester County, where the County has a taxi & limousine commission but allows towns or villages to operate under their own.

Legislator Albano stated there should be regulations without creating a new layer of government. He stated if the Towns are interested in their own commission, that is great however if not, the County should have the option to regulate. He stated several years ago, his daughter got into an accident with a local taxi and the driver of the taxi did not have a license.

Legislative Counsel Clement Van Ross stated New York State passed a law allowing Westchester County to have a taxi & limousine commission. He stated Putnam County will need to send a request to the State to allow the County to have a commission.

Chairwoman LoBue stated any request from Putnam County would need to pass through the Assembly and the Senate.

Legislative Counsel Van Ross stated without permission from the Towns, the request will most likely be vetoed by the Governor. He stated in order for the County to take over authority, the Towns must be willing to state that they are in favor of specifically what will be changed. He stated without this information, the County is at a standstill in regards to this matter.

Legislator Albano stated when the request is made to the State, it should clearly state that the County first gives authority to the towns. He stated if the towns are not interested in establishing their own regulations, the County should then have the authority to enforce their regulations.

Legislator Gouldman questioned which towns responded to the letter that was sent out last year.

Legislator Nacerino stated the Town of Patterson responded by saying they would like to participate in any discussion in regards to this matter moving forward. She stated the Village of Cold Spring responded and was in favor of a countywide taxi & limousine commission. She stated the Town of Southeast voted on this matter, which resulted in a 2-2 vote, with one (1) committee member absent, therefore it failed. She stated this is a safety issue as some of these taxis have unscrupulous drivers. She stated there are young members of our County taking the train and needing a taxi to get to and from the train station. She stated oversight and control is needed, whether it is through the local municipalities or the County. She stated if the goal is to seek State approval, she suggested creating a plan to present to the Towns.

Chairwoman LoBue stated information should be collected as far as how many taxi and limousine companies there are within the County and where they are located. She questioned if Ms. Ayala-Quezada has approached the Town of Carmel with this topic.

Ms. Ayala-Quezada stated she has approached the Town of Carmel and they were not interested in getting involved. She stated there are currently eight (8) taxi companies in the Town of Carmel. She stated the Village of Cold Spring has three (3) or four (4). She stated she knows of three (3) individuals who are taxiing in Patterson but are not registered.

Legislator Nacerino questioned if these individuals are registered.

Ms. Ayala-Quezada stated they are not registered.

Legislator Wright addressed the comments made earlier about the County possibly having the right to enforce regulations if the Town chooses not to. He questioned if the Town has regulations in place, but the County does not believe they are adequate for the safety of our citizens, if the County would then supersede the Town. He stated with

a countywide taxi & limousine commission, another layer of County government is being set up and it is a self-inflicted unfunded mandate. He stated it is far from simply putting this under the Department of Consumer Affairs. He stated the Sheriff's Department would need to enforce these regulations. He also stated if the Town of Carmel is so adamantly against having such a commission, there may be an issue with enforcement compliance. He stated there is also no documented or testimonial evidence that suggests there is a public safety issue in regards to the taxi or limousine industry in Putnam.

Legislator Addonizio requested clarification on Ms. Ayala-Quezada's comment regarding the individuals who are operating a taxi service illegally.

Ms. Ayala-Quezada stated she knows for a fact that members of her husband's family are doing so.

Legislator Addonizio questioned if Ms. Ayala-Quezada has ever reported these individuals to the police. She questioned if the drivers have a license.

Ms. Ayala-Quezada stated she has reported them. She stated they have regular passenger driver's licenses from North Carolina.

Legislator Castellano stated unless there is a traffic incident, the police cannot just pull taxis over to check their credentials. He stated if a taxi & limousine commission were in place, credentials would be checked regularly.

Chairwoman LoBue stated a written complaint can be made to the Sheriff's Department.

Ms. Ayala-Quezada stated she has filed many complaints to the Sheriff's Department, both written and phone calls. She stated at the Southeast train station, these unscrupulous taxis will be lined up waiting for people getting off the trains. She stated when she contacts the Sheriff's Department, they come and ask the unregistered taxis to leave. She stated these taxis then leave, however once the police leave the area, the taxis go back to where they were.

Chairwoman LoBue stated she is in agreement with Legislator Wright's comments regarding the lack of documentation proving that this is a public safety issue. She stated it is not by coincidence that the Village of Brewster has regulations because they have the bulk of the taxi and limousine services. She stated she is not in favor of the County getting involved.

Legislator Albano stated the last thing he wants to do is create another layer of government, however he believes this can be done simply. He stated basic rules can be laid down and if the Towns are uninterested in regulating themselves, the County's regulations are there as a backup. He stated documentation should be required.

Legislator Wright stated he could get solidly behind a countywide commission if the bureaucratic structure was permanently put in place, supported by two things; a licensee total funding and careful regulatory control of fares. He stated the licensee's payments would then go to the funding of the structure.

Legislator Gouldman stated taxi services in the western part of the County, Putnam Valley specifically, are limited. He stated most people who utilize taxis are those who take the train to the Peekskill station and then need a ride to their home, which would cross County lines from Westchester into Putnam. He stated some of the cars are not the best and the fares are always different.

President of the Carmel-Kent Chambers of Commerce Bill Nulk stated Ms. Ayala-Quezada has a basic list of things that would allow for simple, inexpensive licensing that could possibly be done through the County Clerk or Consumer Affairs Department. He stated a sticker could be given to display on the vehicle, allowing consumers to identify taxis that have gone through the registration process. He stated the basic systems would be to ensure that they have proper insurance, up to date inspections, and published fares.

Chairwoman LoBue stated no matter what, approval from the State is needed.

Mr. Nulk stated the first step would be to provide the Towns with the basic list of what would be regulated. He also stated the issue of reciprocity with the Westchester County Taxi & Limousine Commission would also need to be addressed. He stated he has spoken with companies about the reciprocity issue.

Ms. Ayala-Quezada stated one (1) company has multiple taxis. She stated Carmel Taxi is one (1) company that has 20 vehicles. She stated she knows of another company that has 12 vehicles. She stated those two (2) companies make up 32 taxicabs operating within the Town of Carmel. She stated the number of vehicles that are on the road is what needs to be looked at as opposed to the number of companies.

Chairwoman LoBue questioned how many vehicles are dispatched in one (1) day.

Ms. Ayala-Quezada stated today, Carmel Taxi had 16 vehicles on the road during the day shift, from 8:00am – 6:00pm.

Legislator Castellano questioned if there is a situation where someone is on the train who was supposed to get off in Mount Kisco, but accidentally missed their stop and ended up in Southeast, and they get into an unregulated taxi, if that taxi needs a license to go into Mount Kisco.

Ms. Ayala-Quezada stated they technically need a license because Westchester County has a Taxi & Limousine Commission.

Legislator Nacerino stated this includes taxis as well as private car services and limousines. She stated in order for these vehicles to drive on roadways in Westchester County, they must pay Westchester a fee. She stated this is a very complex issue to pursue, but it is important to think of how many vehicles may be coming into Putnam County and do not have to pay any fees to Putnam. She stated Putnam County is losing revenue.

Ms. Ayala-Quezada stated she pays about \$7,000 per year to Westchester County to have the ability to operate there. She stated there are taxi companies coming into Putnam County from elsewhere that do not have to pay Putnam to utilize the roadways. She stated if Putnam County had a taxi & limousine commission, the taxi companies based in Putnam could get their taxi license plates here, which would still allow for the use of Westchester roadways.

Councilwoman Eckardt stated she is not in favor of creating another layer of government. She stated a concern in Southeast is enforcement. She stated the Village of Brewster is well monitored, therefore it works well there. She also stated her concern of possibly needing to hire a new employee.

Legislator Albano stated it is worth asking the State for permission. He stated there is a need for it and he believes it can be done simply.

Mr. Nulk stated the ability for companies such as Uber and Lyft to serve this area is not yet possible, however it may be in the near future, which would create an "open season." He stated those companies are currently regulated through the New York City Taxi & Limousine Commission.

Legislator Wright stated an open season may not be such a bad thing. He stated he understands the concern of those companies coming into the County and creating more competition, however free enterprise allows for that.

Councilwoman Eckardt stated she believes the concern among the Towns comes down to Home Rule.

Legislator Castellano stated he appreciates that this topic was put on the agenda and he would like to see it continued on the agenda. He stated he believes that this regulation can be done without creating more government, that it can be done through the County Clerk, Sheriff's Department, and Department of Consumer Affairs. He stated he would like the Sheriff's Department to come to a meeting to discuss the issues they have faced in regards to unregistered taxis. He stated at a Town of Southeast Board Meeting the Judge from the Village of Brewster discussed how this is an issue in the Village and that there are unlicensed drivers operating taxicabs within Brewster. He stated if individual villages and towns want to have their own taxi & limousine commission that is great, however it is now 15 years after the commission was vetoed and there is only one (1) Village with regulations. He requested that the Sheriff's Department, the County Clerk, and Consumer Affairs be invited to next month's

Committee Meeting to discuss this issue. He stated he does not want to step on any Towns' toes, if they want their own commission, they should be able to have it. He stated his children are 16 years old and they are more interested in taking Uber or Lyft than getting a driver's license themselves. He stated he would like to make sure when these drivers are in Putnam County, they are licensed and regulated. He stated it is about the health and safety of Putnam County. He stated the time and effort needs to be put in to do this right.

Chairwoman LoBue stated the time and effort was put in and it was vetoed by the governor.

Legislator Castellano stated that was 15 years ago, and the reasoning for the veto was to allow the towns to create their own regulations; however there is only one (1) municipality within Putnam County that has their own regulations. He stated if the other towns and villages created their own, there would be no issue today.

Chairwoman LoBue stated she does not agree with Legislator Castellano's comments. She stated the reason the Village of Brewster has regulations is because it is warranted by the business present in that area. She stated making such countywide regulations the responsibility of the County Clerk, Sheriff's Department, or Consumer Affairs will lead to budgetary increases. She stated it is the responsibility of the Towns to implement such a commission.

Legislator Wright stated before inviting County Departments to a future meeting, the first order of business should be a calling on the carpet of the Sheriff's Department for a detailed explanation of why the multiple requests of Ms. Ayala-Quezada to have the laws of the State of New York duly enforced are being ignored. He stated he would like to see the incident reports and the blotter entries from when the calls came in. He stated an ignored report of a violation or crime is a safety issue.

Chairwoman LoBue stated a letter will be sent to the Sheriff's Department inquiring about these complaints made.

Legislator Albano stated since there are no regulations on the books, the Sheriff's Department has nothing to enforce.

Ms. Ayala-Quezada stated the police do not have a guideline of what is allowed. She stated these drivers have out-of-State licenses because they are unable to obtain a New York State License.

Legislator Wright clarified that it is not a violation to have a New York vehicle for hire, without a New York driver's license.

Ms. Ayala-Quezada stated it is a violation. She stated the police come and ask the taxicabs to leave.

Legislator Wright questioned what the Sheriff's position was on this matter.

Legislator Castellano stated he would like the Clerk of the Legislature to follow up with each municipality to get a detailed analysis of where they stand on this topic.

Chairwoman LoBue stated she does not want to do that because letters and inquiries have already been made. She stated she would like to get the information from the Sheriff's Department. She also stated if a letter is going to be sent to the municipalities, it must include specifics.

Legislator Addonizio stated the Town of Patterson responded to the letter sent out last year stating that they would like more specifics. She stated letters should not be sent out until a plan is in place.

**Item #7 - Discussion/ Local Law Amending Chapter 95 of the Putnam County Code by Creating the Putnam County Animal Cruelty Registry Law**  
(Tabled at July 6, 2016 Full Meeting)

Legislator Gouldman stated that this is an important law and he supports it.

Legislator Addonizio agreed with Legislator Gouldman.

Chairwoman LoBue stated this item was tabled at the July 6, 2016 Full Legislative Meeting because there were members of the Legislature that had concerns with the law.

Chairwoman LoBue made a motion to table the Discussion/ Local Law Amending Chapter 95 of the Putnam County Code by Creating the Putnam County Animal Cruelty Registry Law; Seconded by Legislator Castellano. All in favor.

**Item #8 - Discussion/ NYSAC/ Resolution Calling on all State and County Officials, Residents, and Business Owners to Adopt the "Think Differently" Initiative to Assist Individuals with Special Needs and their Families**

Chairwoman LoBue stated that this is not a simple memorialization; the resolution is regarding programs to be set up within the County. She stated that she would like to send a letter to the Administration and each Department in the County requesting feedback on what could be done in regards to this resolution.

Legislator Nacerino stated the resolution encourages people to have a different mindset when working with individuals with special needs.

Chairwoman LoBue read a section of the letter from NYSAC stating that the initiative is for counties to provide a supportive and inclusive environment and support community events for individuals with special needs and their families.

Legislator Nacerino stated the resolution is about supporting the idea of acceptance.

Legislator Albano stated this is an issue to be concerned about and he believed it would be beneficial to pass it.

Chairwoman LoBue stated she would like to have a complete understanding of the resolution before passing it. She requested Counsel Van Ross' opinion.

Counsel Van Ross suggested sending a letter to the Administration requesting how this initiative could be implemented within the Departments throughout the County.

Chairwoman LoBue stated Dutchess County is implementing different events and programs for this initiative. She stated she would like to send a letter to the Administration requesting feedback.

Legislator Albano agreed with sending a letter to the Administration.

Legislator Nacerino stated the goal is to see past our differences and treat everyone the way we would like to be treated ourselves. She added that this is a campaign to embrace the special needs population.

Legislator Wright requested that the letter to the Administration seek input on programs that may be suggested with the voluntary support of participating County employees, not on County time.

Chairwoman LoBue stated that a letter will be sent to the Administration.

**Item #9 - Discussion/ Proposal to Name Planning Dept. in Honor of Melanie Skillman** (Also Reviewed in Physical Services)

Chairwoman LoBue stated that she would like a letter to be sent to the Administration requesting feedback from the Departments in the County regarding naming buildings after individuals.

Legislator Wright stated that in general, he is opposed to naming anything after anyone. He stated Government belongs to the people.

Legislative Counsel Van Ross stated that this was tabled from the Physical Services Committee to the Rules Committee to establish guidelines.

Legislator Albano stated general guidelines should be created for all possible naming situations that may arise in the future, rather than doing it on a case-by-case basis. He stated a small recognition of an outstanding employee may be sufficient. He stated to name County Departments after individuals could get out of hand.

Chairwoman LoBue stated a resolution was passed stating that in order for a County facility to be named after an individual, the person had to be deceased for five (5) years.

She stated this resolution was recently amended, however she opposed the amendment.

Legislator Nacerino stated that this is a sensitive issue. She stated the families of former employees may feel slighted if someone else is recognized. She stated the resolution regarding the naming of County Facilities was put into place for political reasons.

Chairwoman LoBue stated she agrees with the original resolution that required a five (5) year period between the time a person passes away and the time when a County Facility may be named after them. She stated as long as the Committee is in agreement, she would like to send a letter to the Administration asking for their feedback as well as feedback from Department Heads within the County.

**Item #10 - FYI/ Temporary Operator for Northeast Water Services, Forest Park Water Company, Inc., Hilltop Meadows Water-Works Corp., and Misty Hills Corporation**

Chairwoman LoBue stated that the Forest Park Water Company is in the process of being sold and the deal should close on September 28<sup>th</sup>.

Legislator Albano stated that Henry Boyd stepped in to help, without any guarantee of payment. He stated this was a nice gesture to the residents.

Chairwoman LoBue also stated her appreciation for Henry Boyd coming to the aid of the County.

**Item #11 - FYI/ Litigation Report – Duly Noted**

**Item #12 - Approval/ Litigation Settlement**

At 8:28pm Chairwoman LoBue made a motion to go into Executive Session to discuss a litigation settlement; Seconded by Legislator Albano. All in favor.

At 9:10pm Legislator Castellano made a motion to come out of Executive Session; Seconded by Chairwoman LoBue. All in favor.

No action was taken.

**Item #13 - Other Business**

**a) Fair Street Concern – Ann Fanizzi**

Ms. Fanizzi stated mention was made earlier about the project on Fair Street. She questioned if the residents of Fair Street were notified.

Chairwoman LoBue stated this was discussed in Physical Services a few months ago. She stated Ms. Fanizzi could go onto the Legislative webpage to find the minutes of that meeting.

Legislator Albano stated the scope of the project got so large that it was no longer financially feasible. He stated the project is currently being looked at to be scaled down from what it was.

Ms. Fanizzi stated she will look at the minutes of the Physical Services Meeting and comment further.

#### **Item #14 – Adjournment**

There being no further business at 9:10p.m. Chairwoman LoBue made a motion to adjourn; Seconded by Legislator Albano. All in favor.

Respectfully submitted by Administrative Assistants Beth Green and Ed Gordon.