

**HEALTH, SOCIAL, EDUCATIONAL & ENVIRONMENTAL COMMITTEE MEETING  
HELD IN THE  
PUTNAM COUNTY OFFICE BUILDING  
ROOM #318  
CARMEL, NEW YORK 10512**

**(Chairwoman Scuccimarra, Legislators Addonizio & Gouldman)**

**Wednesday**

**5:30P.M.**

**August 9, 2017**

The meeting was called to order at 5:31P.M. by Chairwoman Scuccimarra who requested Legislator Gouldman lead in the Pledge of Allegiance. Upon roll call Legislator Gouldman and Chairwoman Scuccimarra were present. Legislator Addonizio was absent. Chairwoman Scuccimarra stated Legislator Sullivan would sit on the Committee in Legislator Addonizio's absence.

**Item #3 - Approval of Minutes – June 21, 2017**

The minutes were approved as submitted.

**Item # 4 - Update/ProAct Prescription Discount Program/Marketing and Business Development  
Supervisor Caitlin Carey**

Chairwoman Scuccimarra stated she is sure there are people in attendance who are unaware of the programs ProAct offers. She stated the County has been involved with ProAct since 2012.

ProAct Marketing and Business Development Supervisor Caitlin Carey stated it began February 1, 2012. She stated ProAct is a pharmacy benefit manager so they deal with prescription benefit plans for employees but they also offer a prescription discount card. She stated the card is free to the County and the residents. She stated in 2012 ProAct, at their own cost, did a mass mailing to every household in Putnam County. She stated residents save between 20%-70% off, depending on the medication. She stated this helps uninsured people and underinsured people. She clarified that underinsured people have insurance but their specific medicine is not covered. She stated they also offer ancillary benefits such as discounts on Lasik eye surgery and hearing aids. She stated she will be sending a packet of more information on ancillary benefits in the next few months. She stated the ancillary benefits such as discounts on gym memberships help keep County residents healthy. She stated the website has been enhanced and they now have a mobile app. She stated since the program started in 2012, Putnam County residents have saved over \$1.2 million on their prescription drugs.

Chairwoman Scuccimarra questioned how many other counties in New York use the ProAct program.

Ms. Carey stated approximately 50 counties.

Chairwoman Scuccimarra stated that is the majority of the counties.

Lithgow Osborne, of Garrison, questioned who pays for the program.

Ms. Carey stated the majority of people paying cash, pay the most for their prescriptions. She stated pharmacies make the most profit off of cash purchases, which allows them to give a discount through the ProAct card. She stated the pharmacies view it as a service to the community.

Chairwoman Scuccimarra stated there is no cost to the county or the resident for the card.

Mr. Osborne clarified that ProAct is supported by the pharmacies, not the pharmaceutical companies.

Ms. Carey stated that is correct.

Chairwoman Scuccimarra stated it is a win-win for Putnam County, considering the savings. She stated she would like to see more people take advantage of the program.

Ms. Carey stated the hope is that when she sends the aforementioned packet, that it will help bring the program back to the forefront.

Chairwoman Scuccimarra stated that is the reason ProAct was invited to this meeting, to help educate people on the program.

Ms. Carey stated she would leave reports including savings since program implementation, as well as a list of the added ancillary benefits.

Chairwoman Scuccimarra stated in the past there were cards placed in Town Hall. She stated maybe this can be something to look into moving forward. She stated she believes there is information on the County website, and maybe the Towns can add information on their websites.

Ms. Carey stated a digital card could be looked into. She stated there is a 24/7 help desk.

Chairwoman Scuccimarra thanked Ms. Carey for her presentation.

**Item #5 - Update/Proposed Local Law to Ban Sale and Possession of Synthetic Drugs/Deputy County Executive Bruce Walker/Senior Deputy County Attorney Shannon Brady**

Chairwoman Scuccimarra stated this issue has been talked about a few times, and the issue is problematic. She stated, according to law enforcement, the recipes for synthetic drugs are changed frequently. She stated Westchester has passed a law banning the sale and possession of these synthetic drugs. She stated Senior Deputy County Attorney Shannon Brady has been working on a solution.

Senior Deputy County Attorney Shannon Brady stated the Westchester law was added to their Consumer Protection Code which has built in enforcement and administration. She stated this helps because there is already an administration in place to deal with any violation of the code. She stated they added particular names of drugs and also general names of drugs. She stated there is federal and state focus on this issue. She stated there are some synthetic drugs that have been made a controlled substance, which means they can be pursued under criminal law. She stated there are a number of areas that need to be heard from in order to get the County's potential law focused. She stated in New York State there are regulations that prohibit the sale, use and possession of certain synthetic drugs. She stated

she thinks it is important to hear from the County Health Department as to whether or not there is involvement on the County level as far as those regulations. She stated the Health Department can help decide which drugs should be included in the ban. She stated local law enforcement can have input about what they have found or pursued so far, the District Attorney's office can speak to what drugs are on the controlled substance list, and Consumer Affairs would be the sealer in this case. She stated there needs to be discussion on administration and enforcement in the County.

Chairwoman Scuccimarra stated who would be enforcing the law is a problem that has been brought up in the past. She stated the Health Department explained that they did not have the adequate staff to enforce it. She stated the Sheriff's Department stated synthetic drugs have not been a problem in Putnam County. She stated she believes it would be better to be proactive. She stated any way the County can add to education and enforcement should be done. She questioned if Commissioner of Social Services Michael Piazza had any thoughts on the subject.

Commissioner Piazza stated he would just request that his department be included in discussions regarding the potential law as people who need treatment would be under Social Services' supervision. He stated in terms of enforcement, it can be tough because some of the drugs are sold over the counter.

Chairwoman Scuccimarra stated it will be hard until it is all straightened out. She noted that Deputy County Attorney Brady suggested having the multiple departments work together, which is a good idea. She stated Governor Cuomo talked about banning synthetic drugs under the public health law but it is not clear who would be in charge of enforcement.

Deputy County Attorney Brady stated the Attorney General has pursued certain court cases against places that are selling synthetic drugs. She stated she is not sure what the enforcement is on the Health Department level.

Lynn Miller, Cold Spring Village Trustee, questioned how specific the list of synthetic drugs is because, while she does not sell them in her shop, she deals with a company that sells an "organic smoking mix" which is not marijuana or tobacco. She questioned if someone who is found with it could be prosecuted even though it is just a mix of natural herbs. She questioned if the list of synthetic drugs is specific and if law enforcement can determine if something is synthetic drugs or not.

Deputy County Attorney Brady stated most synthetic drugs contain additives. She stated there are also New York State and Federal regulations. She stated in the Westchester law, there are specific ingredients that are not allowed, along with general descriptions of things that are prohibited.

Trustee Miller questioned how law enforcement in Westchester is aware of the difference between certain substances.

Deputy County Attorney Brady stated it is required that notice of what is prohibited be given to places that sell these types of things. She stated she does not know how law enforcement is handled in Westchester. She stated it is handled by the Consumer Protection department in Westchester.

Trustee Miller stated it seems like going through the channels of Consumer Protection would be the first step in setting up the law in Putnam County.

Deputy County Attorney Brady stated the issue with that is Putnam does not have the same laws set up as Westchester, which provide for particular enforcement and powers.

Chairwoman Scuccimarra stated when all parties discuss this issue, the aspect of enforcement is something that can be figured out. She stated she wants to see something enacted to protect the people of Putnam from synthetic drugs. She stated she has a list of all the counties and their issues with drugs such as “K2” and “Spice”. She stated the drugs are quite scary and noted that people become violent after smoking “K2”.

Trustee Miller stated she knows a group of teenagers from Cold Spring who go to Highland Falls to buy the synthetic drugs, and use them in Garrison.

Chairwoman Scuccimarra stated the drugs can even be purchased online. She thanked Deputy County Attorney Brady for her work on the potential law.

Chairwoman Scuccimarra made a motion to waive the rules and accept the additional; Seconded by Legislator Sullivan. All in favor.

#### **Item #6 - Discussion/Herbicide Usage on Fishkill Road/Town of Philipstown/Commissioner of Highways and Facilities Fred Pena**

Chairwoman Scuccimarra stated Commissioner of Highways and Facilities Fred Pena was away and unable to attend but Deputy Commissioner of Highways and Facilities John Tully was in attendance. She stated this has been a very difficult situation for Philipstown and Cold Spring. She stated it has been very troubling for the people who drink water from that source. She stated she understands that the herbicides were sprayed with the approval of the DEC (Department of Environmental Conservation) and the EPA (Environmental Protection Agency). She stated a licensed sprayer was used and everything was done by the book. She stated it took a while for the information about the spraying to come out and she believes that if it came out sooner, it would have alleviated some of the concerns. She stated glyphosate was used to spray. She stated Fishkill Road is approximately five (5) miles and the water is right next to the road. She stated she understands why the guardrails are sprayed.

Deputy Commissioner of Highways and Facilities John Tully stated the spraying is common practice in any public works department and municipality to maintain the vegetation along the sides of the roads so that line of sight and other types of public safety concerns are addressed.

Chairwoman Scuccimarra stated there have been calls about vegetation and how it affects sight lines.

Deputy Commissioner Tully stated this year, with all the rain there are approximately four (4) mowers going at any given time on County roads. He stated the Highway Department also gets phone calls about needing mowing for sight lines.

Chairwoman Scuccimarra stated she has been driving around observing guardrails and the vegetation around them. She stated Carmel is in the New York City watershed, but Philipstown is not and there are very strict regulations for the watershed. She stated she had thought herbicides would not be sprayed in

the watershed but it is. She stated the outcry from her constituents has been such that herbicides cannot be sprayed on Fishkill Road anymore. She stated Peekskill Hollow Road, which is in the Peekskill watershed is worth discussing. She noted that Michael Leonard, of the Philipstown Town Board and Lynne Miller, Village of Cold Spring Trustee, were in attendance and in agreement that herbicides cannot be sprayed on Fishkill Road in the future.

Deputy Commissioner Tully stated that would definitely be taken into consideration.

Chairwoman Scuccimarra stated she would be happy to meet with Commissioner Pena to further the discussion.

Deputy Commissioner Tully stated Commissioner Pena took a lot of time when the concerns about the spraying were brought to his attention. He stated they made sure it was a New York State Licensed applicator and done within the limits of the law. He noted the response Commissioner Pena sent to Chairwoman Scuccimarra.

Chairwoman Scuccimarra stated it was a very thorough response.

Deputy Commissioner Tully stated Commissioner Pena has not stopped researching alternative methods. He stated they are continuing to look at best practices and will have conversations on how to best handle the vegetation.

Chairwoman Scuccimarra stated more discussions should be had, because it is a safety issue.

Deputy Commissioner Tully stated it is a sensitive issue and he understands that, he noted that he believes Commissioner Pena understands that people feel very strongly about it.

Chairwoman Scuccimarra stated she feels strongly about it as well. She stated if she thought it was possible, Roundup would be banned in the County. She stated it is an evil substance that is in the air and the food. She stated the amount used on Fishkill Road is minimal and noted that when the applicator got closer to the water source, he switched to another substance. She stated anything that kills vegetation within hours cannot be healthy. She stated should would like to come up with an alternative.

Deputy Commissioner Tully stated he would take this information to his department and he looks forward to meeting with Chairwoman Scuccimarra and representatives from the municipalities.

Chairwoman Scuccimarra stated she believes that is the best route to take.

Lynne Eckardt, Town of Southeast, requested a list of the roads that the herbicides are sprayed on.

Chairwoman Scuccimarra stated she has a list and would provide Ms. Eckardt with it.

Ms. Eckardt stated a constituent called the County about sight line issues on two (2) different intersections and the County was very responsive in taking care of the issues.

Deputy Commissioner Tully stated the Highway Department takes line of sight issues very seriously, as do all the Highway Superintendents and noted that the Highway Department has an excellent working relationship with all of them. He stated if the County cannot get to an issue right away, they use their inter-municipal agreement and request that the Town Highway Superintendents help out.

Ms. Eckardt reiterated her request for a list of County roads that herbicides are sprayed on.

Chairwoman Scuccimarra stated she has that list and a list of how much herbicide is sprayed.

Deputy Commissioner Tully stated part of the process is that the licensed applicator has reporting obligations to report details of their spraying such as the amount sprayed, where exactly it is sprayed, etc.

Chairwoman Scuccimarra noted if some of the vegetation on the roadside is not trimmed back, it would make it more difficult for drivers to see if there are any animals coming out onto the road.

Deputy Commissioner Tully stated more and more highway departments are creating more width on the roads, especially with new roads. He stated the more time a driver has to react, the better.

Mr. Osborne questioned if Commissioner Pena's letter regarding the herbicides would be available to the public.

Chairwoman Scuccimarra stated yes it is.

Mr. Osborne stated this is a health issue.

Michael Leonard, Town of Philipstown Councilman, questioned if anyone in the Town was notified of the spraying and how it occurred. He stated he does not know of anyone who was notified. He stated Chapter 93 of the Town's code requires that the Town be notified.

Chairwoman Scuccimarra stated she knows that Greg Philips, Water & Sewer Superintendent for the Village of Cold Spring, was notified.

Deputy Commissioner Tully requested a copy of the Town's Chapter 93.

Councilman Leonard requested that the Wetlands Inspector in Philipstown be notified. He stated the Town is trying to improve water quality. He stated the water quality affects not just the Town but also neighboring municipalities.

Deputy Commissioner Tully stated the Highway Department is very sensitive to these issues. He noted that spraying the herbicide is considered a best practice. He stated as long as a licensed applicator is applying it, people can be sure that it is done within standards set by New York State Department of Environmental Conservation.

Councilman Leonard stated if it was feasible to go around with machines to take out the vegetation it would be the preferred practice.

Deputy Commissioner Tully stated if there was enough manpower and time, absolutely.

Councilman Leonard stated using herbicide is not the best practice. He stated especially around waterways.

Chairwoman Scuccimarra stated Fishkill Road is very unique in the fact that the water is right next to the road.

Deputy Commissioner Tully stated he would forward Councilman Leonard information.

Trustee Miller stated she would like Deputy Commissioner Tully to know that this is the second time this matter has been brought to the attention of Commissioner Pena. She stated the Village was assured months ago that the spraying would not happen again. She stated she would like to emphasize that the Village does not want herbicide used. She stated there are alternatives. She stated she knows an executive with Suez Water, which manages municipal water systems, and they do not advocate for using glyphosate or other herbicides near water sources. She stated she drives on Fishkill Road almost every single day and if she drives the speed limit, weeds are not an impediment to her sight lines. She stated she hopes that the Legislature can enact some sort of countywide ban on herbicides.

Deputy Commissioner Tully stated everyone will work together on a solution that works for everyone.

**Item #7 - Discussion/Grant Award/Child Advocacy Center Victim Assistance Program/Commissioner of Social Services Michael Piazza**

Commissioner Piazza stated the Child Advocacy Center received a grant award of \$80,000 over a two (2) year period for a forensic investigator and to upgrade the recording system in place for interviews.

**Item #8 - Approval/Reappointments/Putnam County Mental Health Community Services Board**

Chairwoman Scuccimarra made a motion to approve the Reappointments to the Putnam County Mental Health Community Services Board; Seconded by Legislator Sullivan. All in favor.

**Item #9 - Approval/Fund Transfer 17T157/Health Department/Preschool Evaluations**

Chairwoman Scuccimarra stated early intervention is expensive but very well worth it.

Chairwoman Scuccimarra made a motion to move Fund Transfer 17T157 to the Audit & Administration Committee Meeting; Seconded by Legislator Gouldman. All in favor.

**Item #10 - Approval/Budgetary Amendment 17A042/Health Department/Drinking Water Supply Protection**

Chairwoman Scuccimarra stated local health departments are reimbursed for the oversight, implementation, and enforcement of the New York State Department of Health Sanitary Code.

Chairwoman Scuccimarra made a motion to move Budgetary Amendment 17A042 to the Audit & Administration Committee Meeting; Seconded by Legislator Gouldman. All in favor.

**Item #11 - Other Business**

**a. Approval/Support of Bills Passed by State Legislature to Safeguard the Hudson River and Surrounding Communities**

Chairwoman Scuccimarra made a motion to waive the rules and accept the other business; Seconded by Legislator Sullivan. All in favor.

Chairwoman Scuccimarra stated she attended a press conference that Senator Sue Serino held. She stated there is a bill that has been approved by the State Senate and Assembly by an overwhelming result. She stated this is very important legislation that is now in front of the Governor for his approval.

Legislative Counsel Robert Firriolo clarified that it is not yet in front of the Governor.

Chairwoman Scuccimarra stated this resolution will urge the Governor to sign the bill once it is in front of him.

Legislator Gouldman stated this is a great idea.

Chairwoman Scuccimarra noted that the Legislature has passed multiple resolutions in regards to the Hudson River Anchorages. She stated she believes that the Towns should also adopt similar resolutions.

Councilman Leonard stated Philipstown has passed a similar resolution.

Chairwoman Scuccimarra made a motion to approve the Support of Bills Passed by the State Legislature to Safeguard the Hudson River and Surrounding Communities; Seconded by Legislator Sullivan. All in favor.

**Item #12 - Adjournment**

There being no further business at 6:21 P.M. Chairwoman Scuccimarra made a motion to adjourn; Seconded by Legislator Sullivan. All in favor.

Respectfully submitted by Administrative Assistant Ed Gordon.