

RULES, ENACTMENTS & INTERGOVERNMENTAL RELATIONS COMMITTEE
Held via Audio Webinar Pursuant to Temporary Emergency Orders

Members: Chairman Sullivan and Legislators Albano & Castellano

Thursday

6:00pm

April 15, 2021

The meeting was called to order via audio webinar at 6:02pm by Chairman Sullivan who requested Legislator Castellano lead in the Pledge of Allegiance. Upon roll call Committee Members Albano, Castellano, & Chairman Sullivan were present.

Item #3 – Approval of Minutes – March 18, 2021

The minutes were approved as submitted.

Item #4 – Approval/ Budgetary Amendment 21A023/ Veterans Affairs/ Allocated Awarded Funding for Veterans Peer to Peer Program

Chairman Sullivan stated New York State has allocated \$185,000 for the Putnam County Veterans Peer to Peer Program. He stated this is a crucial program and he is thankful that the State is providing this funding.

Legislator Castellano stated this is an outstanding program that Putnam County has had for a number of years now and is a fantastic resource for the Veterans. He stated he is happy to see the funding coming in for this program. He thanked Director of the Veteran's Service Agency Karl Rohde and everyone involved in the Peer to Peer Program.

Legislator Gouldman stated for the past several years the State has removed this funding from their budget and our State representatives have fought very hard to get the funding back into the budget. He stated he is happy that it is being included this year for this important program.

Legislator Nacerino echoed the sentiments made by her colleagues. She stated this funding is on the line each year and she is glad to see that it came through this year.

Legislator Jonke stated it is disgraceful that our State and County representatives have to beg for this money each year. He stated this is a valuable program that helps those who fought for our freedom. He stated he is grateful for this funding and for all who work with the Peer to Peer program providing this crucial service to our Veterans.

Legislator Addonizio stated the Putnam County Peer to Peer Program is indispensable as it offers many resources for Veterans who are seeking assistance. She is glad to see this funding come through.

Chairman Sullivan made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

Item #5 – Approval/ Appointment/ Plumbing & Mechanical Trades Board/ Fossati

Legislator Albano stated he knows the Fossati family through their plumbing work. He stated Mr. Fossati is very knowledgeable and will be a great addition to the Board.

Legislator Castellano stated he is thankful for those who volunteer to fill these important roles.

Chairman Sullivan made a motion to pre-file the necessary resolution; Seconded by Legislator Castellano. All in favor.

Item #6 – Approval/ Putnam Arts Council Grants

President & Executive Director of the Putnam Arts Council Joyce Picone stated the grant review panel distributed the available grant funds to programs throughout the County as equitably as they could. She stated art programs that received funding fall into the following categories: literary, music, theater, dance, visual arts, and multi-disciplinary. She stated the quality of the projects this year was outstanding. She stated these projects provide a source of entertainment for the public and she believes they will be well attended. She stated all of the projects are affordable, if not free of charge.

Chairman Sullivan requested that President & Executive Director Picone provide an overview of the projects that received a grant award.

President & Executive Director Picone listed the recipients of the Putnam Arts Council grant awards:

1. Julia L. Butterfield Memorial Library in Cold Spring: *Writers Reading at the Library/Playwrights Reading at the Library/Gather Round Storytelling/Butterfield Library presents: Music, Spoken Word* received \$800.
2. Arts on the Lake in Kent Lakes: *2021 Outdoor Summer Concert Series* received \$1,000.
3. Doansburg Chamber Ensemble Inc. in Mahopac: *Doansburg Chamber Ensemble Concert Series 2021* received \$1,300.

President & Executive Director Picone noted that this was the only chamber ensemble that applied for grant funding, making them a truly unique art program in Putnam County.

4. Patterson Library in Patterson: *Summer Concert* received \$800.
5. Town of Southeast Cultural Arts Coalition (TOSCAC) in Brewster: *Concerts Around the Corner* \$1,000.

President & Executive Director Picone stated these six (6) concerts will be held in various locations.

6. Brewster Theater Company (performances in Carmel) received \$1,400.
7. Hudson Valley Shakespeare Festival in Cold Spring: *BAKE-OFF Community Playwriting Series* received \$1,500.
8. Tompkins Corners Cultural Center in Putnam Valley: *Saturn's Return* received \$1,000.
9. Town of Southeast Cultural Arts Coalition (TOSCAC) in Brewster: *Theater Around the Corner* received \$1,000.
10. Town of Southeast Cultural Arts Coalition (TOSCAC) in Brewster as sponsor for Putnam County Dance: *Putnam County Dance Project 2021* received \$1,000.
11. Collaborative Concepts in Putnam Valley: *Collaborative Concepts at Tilly Foster Farm* received \$1,000.
12. Manitoga in Garrison: *Design & Music – site specific art* received \$1,200.

President & Executive Director Picone stated all of these projects are open to the public and many of them will be open for a few months. She stated there is a real variety of arts that will enrich the lives of the County residents. She stated for every \$1 spent on the arts \$8 are returned to the economy.

Chairman Sullivan thanked President & Executive Director Picone for the overview of the grant awards. He stated he is glad that the Putnam Arts Council is able to assist so many programs and organizations with this grant funding.

President & Executive Director Picone stated the County funds also help to leverage State funding. She stated this year they received \$28,000 in New York State funding, which helps many other projects throughout the County as well.

Legislator Albano thanked President & Executive Director Picone and stated this is a great program.

Legislator Castellano thanked President & Executive Director Picone and stated he is looking forward to seeing these projects through the next few months.

Legislator Addonizio thanked President & Executive Director Picone. She stated art is an important part of a community, it brings people together and instills values. She stated the arts also have the ability to reduce anxiety and depression, which is of specific concern right now as we are dealing with the COVID-19 pandemic. She stated there are many benefits for people of all ages.

Legislator Montgomery thanked President & Executive Director Picone for her modest presentation. She stated the arts are one of the most important things that Putnam County has to offer. She stated at a NACo Conference she attended a seminar on local government and the arts where she learned that \$6 billion in local government revenue is generated annually by arts and culture. She stated it is important to recognize the

positive fiscal impact the arts have on Putnam County. She stated the arts also create jobs and support other industries such as lodging, food and beverage, transportation, and retail. She stated the arts inject \$6 million into the Putnam County economy. She stated President & Executive Director Picone is very gracious in her appreciation to Putnam County for the \$13,000 provided by the County. She stated she would always like to see this support be increased. She stated in order to make money, you need to spend money, and she believes the arts is a good place to spend it. She stated she met with United States Senator Charles Schumer to discuss the relief programs in place for the arts. She stated she hopes the relief programs can assist organizations within Putnam County.

Legislator Nacerino expressed her appreciation for the work done by the Putnam Arts Council. She stated having arts and culture in Putnam County is so valuable. She stated many people are looking forward to attending these programs and projects throughout the summer, especially now that we are experiencing some relief in terms of COVID.

Chairman Sullivan made a motion to pre-file the necessary resolution; Seconded by Legislator Albano. All in favor.

Item #7 – Discussion/ Rules & Procedures for Conducting Legislative Meeting Pursuant to the Legislative Manual

Chairman Sullivan stated this discussion was brought forward by Legislator Nacerino and he agrees that this is a good topic to discuss.

Legislator Nacerino stated conducting the meetings in this virtual format has presented unique challenges. She stated nothing substitutes meeting in person where everyone can see one another and communicate directly with each other. She stated that being said, this does not preclude the Legislators from conducting ourselves without proper decorum and professionalism. She stated she made the request to have this topic on the Rules agenda in an effort to refresh everyone on the rules and procedures for conducting Legislative meetings. She stated there have been too many meetings where Legislators talk over each other, shout, make disparaging remarks, and disrespect the authority of the Chair. She stated as leaders, we cannot promote and foster respect and dignity if we cannot apply it to ourselves. She stated we cannot lead the charge to respect others' differences if we cannot respect each other's perspectives and opinions in a professional manner. She requested that Legislative Counsel Robert Firriolo provide an overview of the provisions for maintaining order pursuant to the Legislative Manual which incorporates Robert's Rules of Order.

Chairman Sullivan questioned if any of his fellow Committee Members had a comment they would like to make.

Legislator Albano stated it will be beneficial to go over the rules so meetings can be conducted in the proper manner. He stated there are times when the meetings start to

get out on control with people speaking over one another. He stated following proper procedure will be beneficial to the Legislators and the public.

Chairman Sullivan agreed. He stated keeping the decorum and respect of everyone would be more beneficial to the public. He stated the meetings would be more worthy of the public's time if they stayed on topic.

Legislator Castellano echoed the sentiments of his colleagues and stated he is looking forward to having the meetings back in person.

Legislative Counsel Robert Firriolo stated the procedure in the Legislative Manual and Robert's Rules of Order could be discussed at great length. He stated he would provide a brief overview and address any questions. He stated the Legislative Manual itself is all policies and procedures of the Legislature and is democratically adopted by the Legislature each year by vote. He stated following the rules is part of the democratic procedure that the Legislature follows and it is done by agreement of the parties to follow the rules. He stated the rules are inherently for orderly conduct of business. He stated there are a few rules within the Legislative Manual itself that pertain to decorum in Section IV Rules of Order & Procedure. He read from Rule 6 – Chair to Preside *“The Chair shall preserve order and decorum, confine discussing to the matter at issue, and decide questions of order...”* He stated this applies to the Chair of the Legislature as well as Chairs of Committees during a committee meeting. He stated the Chair of the meeting is responsible for preserving order and decorum and keeping the discussion on track. He stated there is a procedure for appealing the decision of the Chair under Rule 7. He stated Rule 11 states that members wishing to speak are to gain the attention of the Chair by raising their hand, however on the webinar members have been verbally requesting to speak through the Chair. He stated there is also a general rule that no member is allowed to speak more than once on a subject until all other members of the Legislature who would like to be heard have had a chance to speak. He stated debate can also be limited on an issue by a motion and two-thirds vote to end it. He stated that is an overview of what is specifically in the Legislative Manual, however the Legislative Manual incorporates Robert's Rules of Order. He stated Legislative Manual Section IV Rules of Order & Procedure states *“Robert's Rules of Order, Newly Revised, shall be the specific rules of order and procedure for the conduct of the meetings of the Putnam County Legislature and of its committees...”* He stated when there is a question as to an interpretation of a rule, or if no rules exist, it shall be referred to the Rules Committee. He stated Robert's Rules of Order is extremely large and detailed, the version he has is over 700 pages. He stated in short, it incorporates a lot of what he just mentioned; that the Chair determines who speaks and when the Chair gives the floor to someone that person does not have an unlimited right to speak, they are speaking at the pleasure of the Chair and may be interrupted or told to stop speaking. He stated there are certain times when the Chair can interrupt and there are times when other members can interrupt. He provided an example of an interruption as a question of privilege, such as if a member is unable to see an exhibit being shown, they may interrupt to request it be made more visible. He stated a member can also call for the orders of the day. He stated the rules are enforced, for the most part, by the Chair but a

member can raise a point of order, at which point the person who has the floor must stop speaking, and the point of order is presented and the member can say the speaker was not sticking to the topic at hand. He stated a member can also interrupt with a question whether on the topic being discussed or procedure. He stated this is a general overview and he would be happy to answer questions on specific items.

Chairman Sullivan thanked Legislative Counsel Firriolo.

Legislator Albano stated an important note from that overview is that the Chair is the person running the meeting and should be respected. He stated members of the Legislature must follow the direction of the Chair, which is where things may have gone wrong in the past.

Legislator Castellano agreed with Legislator Albano.

Legislator Nacerino agreed with Legislator Albano as well. She stated it is really about respecting the Chair. She stated what is posing some difficulty is when there is screaming and yelling over the Chair. She stated it needs to be understood what professional decorum means. She stated when multiple people are speaking over one another no one can hear and it is difficult to gain control back. She stated she hopes everyone is in agreement that it would be best to adhere to the policies and provisions discussed tonight.

Legislator Addonizio agreed with the statements made by her colleagues. She stated holding the meetings remotely has made this process even more difficult.

Legislator Montgomery stated it is interesting that with some of the previous agenda items, Chairman Sullivan asked for public comment. She stated this has not happened before on the remote meetings and it was for only some items. She questioned if anyone in attendance is now permitted to speak to agenda items.

Chairman Sullivan stated he is trying to keep the meetings open to as many people and he feels if people want to make a comment they should be able to do so. He stated holding meetings remotely is difficult and has not been perfected. He stated he is trying to be open and flexible and understanding of the complexity of the meetings. He stated he is the Chair of the Committee and he wanted to ask anyone on the call if they had a comment.

Legislator Montgomery stated she appreciates that as it is the first time in over a year public comment has been allowed. She stated public comment is important and she hopes this is continued moving forward. She stated she is glad this conversation regarding decorum is being discussed. She stated she received an email from Legislator Albano regarding a previous meeting. She stated at that referenced meeting she was interrupted 45 seconds into her comment. She stated this happens to her often in meetings. She stated to be clear, this discussion is not about decorum, it is about the majority's discomfort with dissent. She stated her colleagues do not like the

questions she asks and that she pulls back the curtain on expenses, mismanagement, and favoritism. She stated you can go through each meeting and see which Legislator is being interrupted by the Chair and which Legislators are allowed to go on and on about things irrelevant to the topic. She stated she, the minority leader, is being cut off 20-40 seconds into her comments. She stated whether her questions are calm and professional, she is cut off because they are matters the Chair just does not want asked. She stated if there was a genuine concern about decorum, the regularly occurring abusive language used toward her by Legislator Sullivan and Legislator Jonke would be addressed. She stated she has been told to shut up and that her input is stupid. She continued to list examples of how she has been disrespected in meetings.

Chairman Sullivan stated Legislator Montgomery is going off topic. He stated as Chair, he would like to get back on topic.

Legislator Montgomery stated her constituents see what is happening here. She stated they appreciate what her inquiries reveal. She stated again, she believes she is not being allowed to speak.

Legislator Jonke stated this is the kind of personal attack that is inappropriate and offensive. He stated he assumes this is why this discussion was put on tonight's agenda.

Legislator Montgomery requested an opportunity to respond.

Chairman Sullivan stated he recognized Legislator Montgomery's comments earlier tonight and will now move on to the next topic.

Item #8 – Discussion/ County Attorney/ Litigation Report Overview

County Attorney Jennifer Bumgarner stated the main portion of the report includes updates to existing cases that are pending. She stated at the end there are a few cases that have just been commenced. She stated there are several proceedings involving the Putnam County Clerk's Office, which are common because they are often named as a necessary party in cases commenced by property owners to satisfy a mortgage. She stated there are not any new cases of note. She stated if there are specific questions pertaining to pending cases, she can speak generally, otherwise the discussion would have to be held in executive session.

Legislator Albano questioned if there is anything the Legislature should be aware of that would warrant an executive session.

County Attorney Bumgarner stated there is one (1) particular case scheduled to go to trial next month. She stated next month she expects to come before the Legislature, at which point she would discuss the case in executive session. She stated the County did just get favorable decision on a pending case in which the court dismissed all the

federal claims against the individual defendant and the County is proceeding with only the State claims.

Legislator Albano stated this discussion can be continued next month in executive session with any updates.

Chairman Sullivan agreed that it will be better to wait to have the executive session. He thanked County Attorney Bumgarner.

Item #9 – Discussion/ Sheriff Langley/ Taranto Arrest Incident

Chairman Sullivan he was hoping to have Sheriff Langley at the meeting tonight to discuss an arrest incident and the \$50 million lawsuit the County has been presented with. He apologized that Sheriff Langley was unable to attend the meeting. He stated footage from body-worn cameras are often seen on the news. He stated such footage provides clear insight to incidents involving law enforcement officers. He stated a request was made to the Sheriff's Department for the video footage from this specific event, as well as other events in the past, and those requests have never been granted. He questioned how this is possible in this day and age when video footage from other events are shown on the news within days of the incident. He stated the Legislature has a responsibility to write the laws and protect the public and as a Legislative Body we are being precluded from this information. He stated this can no longer be tolerated. He stated many months were spent discussing, modernizing, and reviewing police policies and procedures under Executive Order 203 and yet nothing has changed here in Putnam County. He stated the requested information is not being provided. He stated he is glad a subcommittee is being formed and he looks forward to working with them to see that policies and procedures are being put in place for transparency and accountability. He stated the people of Putnam County demand that things change and we, as a Legislative Body, continue to pursue change, disclosure, transparency, and accountability.

Legislator Albano stated this topic could be discussed next month in executive session as well.

Item #10 – Other Business – None

Item #11 – Adjournment

There being no further business at 7:05pm, Chairman Sullivan made a motion to adjourn; Seconded by Legislator Castellano. All in favor.

Respectfully submitted by Administrative Assistant, Beth Robinson.