

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

Members: Chairman Sullivan and Legislators Addonizio & Albano

Monday December 17, 2018
(Immediately following Physical Services Committee Mtg. beginning at 6:00pm)

The meeting was called to order at 6:19pm by Chairman Sullivan who requested that Legislator Albano lead in the Pledge of Allegiance. Upon roll call Legislators Addonizio & Albano and Chairman Sullivan were present.

Item #3 - Approval of Minutes – November 13, 2018

The minutes were approved as submitted.

**Item #4 - Approval/ Re-Appointments/ Putnam County Home Improvement Board/
Diaz, Domin, Porcelli, & Morrison**

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

**Item #5 - Approval/ Re-Appointments/ Putnam County Board of Electrical
Examiners/ Counihan, Pidala, & Rossiter**

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

**Item #6 - Approval/ Inter-Municipal Agreement with the County of Orange/
Reciprocity of Master Electrician Licensing (Tabled from November 13,
2018 Rules Mtg.)**

**a. Correspondence/ Electrical Board/ Inter-Municipal Agreement with the
County of Orange**

Chairman Sullivan stated this Inter-Municipal Agreement (IMA) was discussed at the November 13, 2018 Rules, Enactments, & Intergovernmental Relations Committee Meeting and it was tabled to collect more information from the Putnam County Board of Electrical Examiners (Board). He stated the Board re-considered this item and passed it again by a 4-3 to move it forward. He stated since then, he has spoken with Art Bolduc, Chairman of the Board, who is not in favor of the IMA. He stated at the November meeting, Board member John Morrison was present and voiced his concern with the IMA as well. He stated the concerns surrounding the IMA are that Putnam County did not seek out this IMA; Orange County initiated the request. He stated another concern is that with the IMA, Orange County contractors would have access to

work in all of Putnam County, however Putnam County contractors could not work in the three (3) cities in Orange County; Port Jervis, Middletown, and Newburgh. He stated the IMA seems to be of little benefit to Putnam County and more benefit to contractors in Orange County. He stated Putnam County also needs to be cognizant of protecting our residents. He stated he is inclined to go along with Chairman Bolduc's opinion that this IMA not move forward.

Legislator Addonizio agreed with Chairman Sullivan. She stated the IMA does not seem to be advantageous for Putnam County.

Legislator Albano agreed as well.

Conrad Pasquale, Deputy County Attorney stated he drafted the IMA that was before the Committee and there were a few things he wanted to make sure the Legislators were aware of. He stated in regards to the concern about Putnam County contractors not having the ability to work within the three (3) cities in Orange County, it is a legal impossibility. He stated the way the municipal home rule law is written, the County cannot overrule the codes that exist within those three (3) cities, which already had their own Electrical Code. He stated he believes there is reciprocity between Orange County and those three (3) cities, but that is separate and apart from any other agreements that Putnam County would have. He stated essentially, if Putnam County were to pursue this IMA, separate reciprocity agreements would need to be drafted for each individual city. He stated the Board reviewed and previously approved this IMA and the issue with the three (3) cities was brought up after their initial review. He stated the Board again discussed this IMA at length and the vote was close at 4-3. He stated he believes at this point the Legislature has the pertinent facts regarding this IMA.

Chairman Sullivan thanked Deputy County Attorney Pasquale for his work on this IMA.

Legislator Nacerino stated she would not support this IMA at this point. She stated it is important to demonstrate the need for any item seeking approval and she does not see the advantage for Putnam County to move forward with this at this time.

Legislator Albano agreed.

Legislator Sayegh stated the population of Orange County is much larger than Putnam County, which could open a bigger market for Putnam County contractors. She stated this is worth looking into.

Legislator Addonizio stated Putnam County contractors would not have access to all of Orange County.

Legislator Sayegh stated she believes the population is still higher without the three (3) cities.

Chairman Sullivan stated it sounds like the contractors in Putnam County are not interested in going into Orange County to do business. He stated at the last meeting Mr. Morrison spoke strongly against this IMA and Chairman Bolduc echoed Mr. Morrison's concerns.

Legislator Nacerino stated she would assume that the three (3) cities in Orange County are the real economic drivers.

Legislator Jonke stated at face value, it looks like a bad deal for Putnam County. He stated he does not see the advantage for Putnam County to move this forward.

Chairman Sullivan stated if the Board agreed and thought it would present them with more work, it would be a great thing to do.

Legislator Castellano stated to Legislator Sayegh's point, four (4) Board members voted in favor of this IMA. He stated the residents of Putnam County may benefit from having more contractors to choose from.

Chairman Sullivan stated the Board has 10 members, three (3) of whom were not present for the vote. He stated there are some members who are not electricians. He stated out of the four (4) votes in favor, one (1) person was a citizen representative and one (1) person was a building inspector. He stated the three (3) votes against the IMA were all cast by electricians.

Legislator Addonizio questioned if the Board members were aware that the three (3) cities in Orange County would not be accessible at the time they voted.

Chairman Sullivan stated he does not know if the Board was aware the first time they voted it through to the Legislature, but the second time they knew.

Legislator Castellano stated there were three (3) members of the Board that were not present and did not have a chance to vote. He stated it is a split vote and he would like to investigate this further. He questioned what the population of Orange County is without the three (3) cities.

Deputy County Attorney Pasquale stated as a whole Orange County has a population of about 400,000 and Putnam County has a little under 100,000. He stated Port Jervis is the furthest city from Putnam and is a considerably smaller city as compared to Newburgh and Middletown. He stated he believes there is a higher population within Newburgh and Middletown, but does not know the specific numbers offhand.

Legislator Castellano stated the residents of Putnam County could benefit from having more contractors to choose from. He stated even with eliminating the three (3) cities, there must be a bigger population in Orange County than in Putnam County. He stated he does not want to dismiss the 4-3 vote too quickly. He suggested requesting a vote of the full Board.

Chairman Sullivan stated this topic has been discussed for two (2) months now and he does not agree that it is being dismissed quickly.

Lynne Eckardt, Town of Southeast Councilwoman, agreed with Legislator Castellano. She stated she looked up the population of Newburgh and it is about 28,000. She stated having this IMA might open the market up and she questioned who authorized the IMA.

Legislator Castellano stated Orange County came to Putnam County with the IMA.

Ms. Eckardt questioned if Orange County paid for the IMA. She stated it should be investigated more because it could benefit the residents to have more choices. She stated it is important to protect the contractors as well, however it is more important to work for our constituency. She stated it is worth looking into further as more competition leads to a strong, open market.

Chairman Sullivan stated to the contrary, there was a concern about the protection of residents in regards to unscrupulous contractors. He stated it may be difficult to follow up with a contractor from another municipality.

Ms. Eckardt questioned if all electrical contractors were licensed with New York State.

Legislator Castellano stated contractors are licensed through their local municipality, such as the county.

Deputy County Attorney Pasquale stated the licensing is not statewide.

Ms. Eckardt stated if Orange County does not have many problems with their contractors, it may be a good thing to open the market.

Legislator Nacerino stated nothing is set in stone; this topic could be revisited in the future. She stated at this point, this could backfire in terms of out of county contractors taking business away from Putnam County contractors.

Chairman Sullivan stated the protection of the Putnam County residents is paramount.

Legislator Addonizio stated she does not believe there is an overabundance of work in Putnam County that would require opening the market to other contractors outside of the County.

Legislator Albano stated the only time he has seen this be an issue is when a contractor is located close to the border of two (2) counties and they would be required to obtain licenses through each municipality. He stated Orange County is farther away than counties like Dutchess or Westchester.

Legislator Castellano questioned if Putnam County currently has an IMA with other counties.

Deputy County Attorney Pasquale stated to his knowledge he believes Westchester County is the only other county Putnam has an IMA with. He stated Dutchess County does not have county-wide licensing, the individual towns license.

Chairman Sullivan made a motion to table the Inter-Municipal Agreement with the County of Orange/ Reciprocity of Master Electrician Licensing; Seconded by Legislator Addonizio. All in favor.

Item #7 - Update/ Veteran's Service Medal Advisory Panel

Legislator Castellano stated the artist is finishing the final proof which will be voted on by the Panel and then will go out to production. He stated he hopes to have the medals within the next two (2) months. He stated there are about 200 applicants currently and 5,000 potential recipients within Putnam County. He stated the first order will be for 400 medals.

Item #8 - FYI/ Litigation Report – Duly Noted

Item #9 - Other Business – None

Item #10 - Adjournment

There being no further business at 6:42pm, Chairman Sullivan made a motion to adjourn; Seconded by Legislator Addonizio. All in favor.

Respectfully submitted by Administrative Assistant, Beth Green.