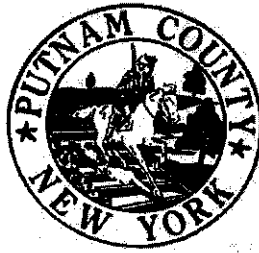


**ANDREW W. NEGRO**  
*First Deputy County Attorney*

**ANNA M. DIAZ**  
*Senior Deputy County Attorney*



**DINA M. DIBLASI**  
*Senior Deputy County Attorney*

**CONRAD J. PASQUALE**  
*Senior Deputy County Attorney*

**JENNIFER S. BUMGARNER**  
*County Attorney*

**DEPARTMENT OF LAW**

August 14, 2019

**Via E-Mail: editor@highlandscurrent.org**

Chip Rowe  
Highlands Current  
161 Main Street  
Cold Spring, New York 10516

**Re: Freedom of Information Law Request dated August 12, 2019**

Dear Mr. Rowe:

This office is responding to your August 12, 2019 Freedom of Information Law ("FOIL") request made to the Putnam County Legislature. Your August 12, 2019 FOIL Request specifically asked for the following record: "Memo addressed to Legislator Nancy Montgomery from the county Highway Department responding a [sic] a request for information from Philipstown residents on the placement of signs on county roads. This request was marked 'Confidential' and dated prior to July 31, 2019." As explained below, your August 12, 2019 FOIL Request has been denied.

A diligent search of records was performed by the Highway Department given that your FOIL request specifically asked for a memorandum "from the county Highway Department" to Legislator Montgomery. The plain meaning of your FOIL Request asks for access to a written memorandum between a member of the Highway Department and Legislator Montgomery. No responsive records were located. For this reason, your August 12, 2019 FOIL request has been denied on the grounds that the Putnam County Department of Highway and Facilities does not possess any records responsive to your request.

A diligent search of records maintained by the Legislature was also made upon receipt of your FOIL request to this department. To the extent that your August 12, 2019 FOIL request may be construed more broadly, that is as asking for access to any memorandum addressed to Legislator Nancy Montgomery addressing the placement of signage on county roads in Philipstown, the search yielded one record consisting of a memorandum from First Deputy County Attorney Andrew W. Negro, Esq. to Legislator Montgomery, dated July 16, 2019 on such subject matter.

**48 GLENEIDA AVENUE, CARMEL, NEW YORK 10512**

Tel. (845) 808-1150 / Fax (845) 808-1903\*

*\*This office will not accept service via facsimile*

However, this record is not accessible under the Freedom of Information Law because it is not subject to disclosure as protected by the attorney-client privilege – a state law established by the NYS Civil Practice Law and Rules (Section 4503) that exempts attorney-client communications from disclosure. Accordingly access to this record is denied under N.Y.S. Public Officers Law § 87(2) (a) which provides for such denial when records are specifically exempted from disclosure by state law.

You are entitled to appeal the denial of your FOIL request within thirty (30) days hereof to the following address:

Honorable MaryEllen Odell, County Executive  
40 Gleneida Avenue  
Carmel, New York 10512



Dina M. DiBlasi  
Senior Deputy County Attorney

cc: Hon. Michael C. Bartolotti, County Clerk (via email)  
Diane Schonfeld, Legislative Clerk (via email)