

**SPECIAL SESSION
ORANGE COUNTY LEGISLATURE
TUESDAY, MARCH 28, 2023
5:15 P.M.**

A- NOTICE OF SPECIAL MEETING

PUBLIC PARTICIPATION

RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS COMMITTEE:

- 1- Resolution of the Orange County Legislature opposing Part AAA of Senate Bill S. 4005-B, seeking to appoint "monitors" to oversee the Orange County Industrial Development Agency

JOINT-RULES, ENACTMENT AND INTERGOVERNMENTAL RELATIONS AND WAYS AND MEANS COMMITTEES:

- 2- Resolution of the County Legislature of the County of Orange, pursuant to the New York State Constitution Article IX and Municipal Home Rule Law Section 40, sending a Home Rule request to the New York State Legislature seeking enactment of a Senate Bill and an Assembly Bill for a Special Law, pursuant to New York State Tax Law Section 1210, extending the three-quarters of one percent increase to the sales tax

ORANGE COUNTY LEGISLATURE

Committee: Rules, Enactments and Intergovernmental Relations
Sponsors: Cheney, Amo
Co-Sponsors:

Agenda No. 1

RESOLUTION NO. OF 2023

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE OPPOSING PART AAA OF SENATE BILL S. 4005-B, SEEKING TO APPOINT "MONITORS" TO OVERSEE THE ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY.

WHEREAS, General Municipal Law §912 establishes the Orange County Industrial Development Agency (hereinafter, "OCIDA") for the benefit of the County of Orange and the inhabitants thereof; and

WHEREAS, pursuant to General Municipal Law §912, members of the OCIDA shall be appointed by the governing body of the County of Orange; and

WHEREAS, pursuant to General Municipal Law §856(2) members of an Industrial Development Agency receive no compensation for their services.

WHEREAS, the work of the OCIDA is an integral part of economic development within Orange County and, without the efforts of its Board, the County would not reap the long term economic benefits of drawing business entities to our region, stimulating our economy, and encouraging job creation; and

WHEREAS, the Orange County Legislature has spent significant time and effort in vetting the current members of the OCIDA Board of Directors and believe that we have appointed individuals whose values and ethics align with the principles that the Legislature intends for the OCIDA to promote, including transparency, integrity, and honesty; and

WHEREAS, the Orange County Legislature is satisfied with the work of the current OCIDA Board and its members in promoting economic development within Orange County, doing so with legal guidance from its Counsel as to policies, practices, and decisions related to contracts and agreements, and providing appropriate reporting to State entities that provide oversight as required by law, including to the Authorities Budget Office (hereinafter, "ABO") and the Office of the New York State Comptroller.

WHEREAS, the Orange County Legislature deems it appropriate to oppose Part AAA of Senate Bill S. 4005-b, which seeks to appoint "monitors" to oversee the Orange County Industrial Development Agency inasmuch as the proposal seeks solely to undermine the work of the OCIDA and its Board members, seeking to render undue veto power over the decisions made by its Board and redundant oversight where oversight authority is already provided by the ABO and the Office of the New York State Comptroller; and

NOW BE IT HEREBY,

RESOLVED, that the Clerk of the Legislature is directed to forward certified copies of this resolution to the Governor of the State of New York, Majority Leader of the New York State Senate, Speaker of the New York State Assembly, to each member of the New York State Senate, to each member of the Assembly whose districts include all or part of Orange County, and all others deemed necessary and proper.

DATED: MARCH 28, 2023

**STATE OF NEW YORK
COUNTY OF ORANGE**

THIS IS TO CERTIFY THAT I, JEAN M. RAMPEN, Clerk of the County Legislature of said County of Orange, have compared the foregoing copy of resolution with the original resolution now on file in my office and which was passed by the County Legislature of said County of Orange on the 28th day of March , 2023 and that the same is a correct and true transcript of such original resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of said County Legislature this 29th day of March, 2023.

Clerk of the County Legislature of the County of Orange

ORANGE COUNTY LEGISLATURE

Committees: Rules, Enactments and Intergovernmental Relations; Ways and Means
Sponsors: Cheney, Amo,
Co-Sponsor:

Agenda No. 2

RESOLUTION NO. OF 2023

RESOLUTION OF THE COUNTY LEGISLATURE OF THE COUNTY OF ORANGE, PURSUANT TO THE NEW YORK STATE CONSTITUTION ARTICLE IX AND MUNICIPAL HOME RULE LAW SECTION 40, SENDING A HOME RULE REQUEST TO THE NEW YORK STATE LEGISLATURE SEEKING ENACTMENT OF A SENATE BILL AND AN ASSEMBLY BILL FOR A SPECIAL LAW, PURSUANT TO NEW YORK STATE TAX LAW SECTION 1210, EXTENDING THE THREE-QUARTERS OF ONE PERCENT INCREASE TO THE SALES TAX RATE.

WHEREAS, Article IX of the New York State Constitution and Section 40 of the Municipal Home Rule Law provide for the enactment of special laws by the New York State Legislature initiated by a Home Rule Request from a local municipality; and

WHEREAS, the Legislature of Orange County and the County Executive wish to send a Home Rule Request as to enactment of special legislation affecting N.Y.S. Tax Law Section 1210, et seq.; and

WHEREAS, the Legislature, by Resolution No. 154 of 2020 did previously impose an additional three-quarters of one percent (3/4%) use and compensating use tax for the period beginning December 1, 2020 and ending November 30, 2023, pursuant to authority granted by the State of New York; and

WHEREAS, the authority to impose the aforesaid sales and compensating use tax increase expires on November 30, 2023; and

WHEREAS, the Orange County Legislature and the County Executive find that it is absolutely necessary to extend the three-quarters of one percent (3/4%) increase to the sales tax rate for the period beginning December 1, 2023 and ending November 30, 2025 so as to provide revenue to meet the ever-increasing costs associated with the following required and/or mandated and severely under-funded programs; and

WHEREAS, it is hereby determined that a necessity exists for such legislation in that the County of Orange does not have the power to enact such legislation by Local Law;

NOW, THEREFORE, it is hereby

RESOLVED, that we, the Orange County Legislature do hereby authorize the Clerk of the Orange County Legislature, on its behalf, to send this Resolution Request pursuant to Article IX of the New York State Constitution and Section 40 of the Municipal Home Rule Law by the New York State Legislature so as to enact a Senate Bill and Assembly Bill for a Special Law authorizing and empowering the Orange County Legislature to adopt and amend Local Laws and Resolutions to extend the imposition of taxes pursuant to New York State Tax Law Section 1210 at a rate which is three-quarters of one percent (3/4%) additional to the three percent (3%) rate otherwise authorized in said statutes as made and provided, for the period beginning December 1, 2023 and ending November 30, 2025.

APPROVED: MARCH 28, 2023

**STEFAN "STEVEN" M. NEUHAUS, COUNTY EXECUTIVE
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COUNTY OF ORANGE**

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Clerk of the County Legislature of the County of Orange