

**EDUCATION AND ECONOMIC DEVELOPMENT COMMITTEE
MINUTES**

**FRIDAY, FEBRUARY 17, 2023
4:00 P.M.**

PRESENT: Thomas J. Faggione, Acting Chairman
Kevindaryán Luján, James O'Donnell, Paul Ruskiewicz,
Robert C. Sassi, Kathy Stegenga

ALSO

PRESENT: Katherine E. Bonelli, Chairwoman
Barry Cheney, Legislator
Michael D. Paduch, Minority Leader
Betsy N. Abraham, Esq., Legislative Counsel
Susan Whalen, Chief Assistant County Attorney
Steven M. Gross, Director, Economic Development
Dr. Kristine Young, President, Orange County Community College
Paul Martland, Vice President of Admin., Orange County Community College
Deborah Slesinski, Budget Director
Dina Sena, Budget Analyst

Acting Chairman Faggione opened the committee meeting at 4:00 p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present with the exception of Legislators Minuta and Ramos who were absent.

Mr. Faggione announced that agenda item no. II will be moved to agenda item no. I, and item no. I will be moved to agenda item no. II.

Mr. **Luján** moved the request for supplemental appropriation for fiscal year 2022/2023 budget to fund the salary and benefits of a Vice President and General Counsel and to fund occasional outside counsel to provide legal services previously provided by the County Attorney's office, \$275,000.00, seconded by Ms. Stegenga.

Mr. Faggione pointed out that this item was tabled at the Education and Economic Development Committee meeting last month.

Chairwoman Bonelli explained to the committee members that last month, this item went before two different committees. At that time she announced that she would meet with the college, along with leadership, to discuss the proposal that is before them today. During that meeting the college realized that some of the discussion before, during and after they met, it became clear to them that the position aspect of this request was not something that was going to work, especially since they were dealing with the last six months of their budget. They focused on getting outside counsel. She was under the impression that the supplemental appropriation would not influence the other Legislators, she stood corrected and noted that she was wrong. That caused them to be more cautious and conservative in the dollar figures. They asked that the resolution be

amended and only deal with outside counsel. They agreed that if the college were to run into difficulties, they would reach out to the Legislature before they meet again in August for their budget, which they all agreed to. The new amount they decided on was \$50,000. She stated that they would need to amend the resolution to be specific to outside counsel, which was previously provided by the County Attorney's Office, in the amount of \$50,000.

Dr. Young stated that the situation is new to the county and the college. If they need to make a supplemental appropriation to the budget, they can come back and say this is how it was spent and if it was too much or too little. It is not information they have right now so it is hard to predict. This way is more responsible and they appreciated the opportunity to come back.

Mr. Luján pointed out his concern with entering into new contracts soon. He asked how did they get to the \$50,000 amount.

Mr. Martland explained that the original ask of \$275,000 was an annual figure, \$50,000 is a six month figure. The \$275,000 included the college benefit package which are expensive. The \$50,000 is in the lower middle range of what they have seen other colleges that use third party firms. He added that when Chairwoman Bonelli gave them the assurance that if something comes up and they need to come back again before the end of the year, it was something that was amenable to them.

Chairwoman Bonelli pointed out that there is a breakout of the salary and benefits listed in the handout that was provided (On file in Clerk, Legislative Office).

Mr. O'Donnell asked if this would raise the floor this year.

Chairwoman Bonelli explained that it would, that is why it was left at a conservative amount.

Mr. Martland added that the money will be put in a restricted fund which will help offer some protection.

Mr. O'Donnell did not understand the reason for a separate account.

Mr. Martland explained that by doing that, they can carry over the funds into future years. It is cleaner in a restricted fund and cannot be used for anything else. He felt it was a reasonable precaution. The county does not have the ability to restrict them.

Mr. O'Donnell cautioned Mr. Martland and Dr. Young about creating a separate account.

Mr. Paduch stated that it was mentioned that the college was going to keep specific records so that the county can justify the \$50,000.

Mr. Martland stated that they have an operating fund balance of \$7 million with restricted funds that total under \$3 million which is also available as fund balance. That is a little less than \$10 million. They have their first budget year with no federal funds coming up and it is anticipated that they will need to utilize some of the reserve.

Mr. Faggione request to amend the request by Orange County Community College/SUNY Orange, to appropriate \$50,000 to be used to retain legal services of an outside counsel, seconded by Mr. Luján.

Mr. Faggione commented on the statement made by Mr. Martland, referring to a separate fund. When they met, there was discussion and there might be some years where they might anticipate more use of legal services in contractual years and other years you might not need to. He asked about the current contracts and the status of them.

Mr. Martland responded that the Staff Chair negotiations have started recently and that contract expires at the end of August this year. Next year the Faculty Association Contract will be up and there are typically issues with that one. He was sure they would need advice throughout the process and require legal advice. The third Union is CSEA and the County does the negotiations on that. They plan to keep track of it.

Mr. O'Donnell mentioned that they have contracts coming up again. He asked if they had \$200,000 in the separate account, could they tap into that account for those certain years when they have contracts and not impact the bottom line.

Mr. Martland explained that was why they want to do it this way. If they build up a surplus, they can go in and use surplus, but leave enough funds in there. No matter what they call this separate fund, they will know how much has been spent.

Mr. Luján stated that the way he understood this was that he was proposing this as an option so that it cannot be used for something else. He thought it made sense.

Motion carried. All in favor.

Chairwoman Bonelli stated that they are dealing with the state budget deadline and if there was a consensus to discuss this now, she was sure the college would be grateful.

Mr. Sassi moved the request to urge action by the Orange County Legislators to advocate on behalf of SUNY Orange and its sister SUNY community colleges to increase funding in the State budget, seconded by Mr. Luján.

Dr. Young thanked Chairwoman Bonelli for allowing the conversation to take place today. She provided a draft resolution (On file in Clerk, Legislative Office). Dr. Young explained that they have been hard at work advocating for the college and strongly want predictability. They struggled with enrollment and the state funding. She continued to state that there is language on page 899 that there is a hold back of 20% possible for all community colleges. The voice of the Legislature is important. That would be about \$2.6 million.

Mr. O'Donnell asked if the draft resolution is a template for every SUNY college.

Dr. Young explained that he was correct.

Mr. O'Donnell commented on the last resolved and asked why it was crossed out.

Chairwoman Bonelli explained that the option was if they could not get it in a timely fashion that the Legislators would authorize the Chairwoman to send a letter on behalf of the Legislature. She asked if the committee would like to leave the last resolved in the resolution, she was fine with that.

Mr. O'Donnell made an amendment to draft resolution to reinstate the last resolved in the resolution, seconded by Mr. Ruskiewicz.

Motion carried. All in favor. (on the amendment)

Motion carried. All in favor. (on the resolution as amended)

Mr. Gross provided a monthly update on Economic Development. He mentioned that the feasibility study for the conference center is their big focus right now. Recently he was before the committee and requested a Consolidated Funding Application (CFA) to send to the state asking for funds to conduct the study. They have been notified that the State is giving them \$55,000.00 which is great news. Recently the Tourism Office made a request for additional funds from the bed tax dollars to aid their advertising campaign. They were able to use some of those funds because they did not want to wait because they felt it was so important to start the conference center feasibility study. They selected a vendor out of Chicago, Charles Johnson and Associates. Their website is CHJC.com. They will be coming to Orange County at the end of the month. They are hopeful to have a report completed by May. He added that they had a successful Economic Summit in 2022 with 300 people in attendance. He announced the next Summit will be September 15th, at SUNY Orange, Middletown. There is a Foreign Trade Zone meeting next week and noted that there is a lot of activity. He would like to update the board members for the Foreign Trade Zone because some of the memberships have expired. The Chamber of Commerce has had a lot going on and their Government Affairs Committee has been meeting. He was asked to serve on that committee.

Ms. Stegenga stated that she loves being involved in the Chamber of Commerce and it is great to hear about the uptick in the economy. However, they still have the issue of housing for the people who work here. They have to pull people from other counties to work here.

Mr. Gross mentioned West Hills Development and after time, some people downsize to smaller homes or condominiums leaving the bigger homes to the next generation. He mentioned it would be great if they had an apartment complex next to the Galleria Mall and people could walk right to their job at the mall. It is a major issue and it will be discussed at the Summit.

Mr. Luján concurred with Legislator Stegenga stating that there is a need for housing.

Mr. Gross explained that it is not just in Orange County, it is statewide. There are initiatives being put through in Albany and it is on the radar. It is something they need to work on.

Ms. Abraham explained that March is when landowners in Orange County can request inclusion in the New York State Agricultural District. During this process certain parcels of land can be added and no land can be removed. The removal of land is only done during the eight-year review which was done two years ago. The period is from March 1 through March 30 and during that time landowners can submit annual enrollment form applications which can be found on the website or directly from the Planning Department. The applications are sent to the Agricultural and Farmland Protection Board who have thirty days to review the request and make recommendations to the Legislature. The County Legislature will hold a public hearing and acts on the requests. The process starts once the Clerk of the Legislature publishes the notice.

On the motion of Ms. Stegenga, seconded by Mr. Luján, the meeting adjourned at 4:53 p.m.