

**RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS COMMITTEE
MINUTES**

**WEDNESDAY, FEBRUARY 19, 2020
3:30 P.M.**

PRESENT: Thomas J. Faggione, Chairman
Michael Amo, Kevin W. Hines, James M. Kulisek, Michael D. Paduch, John S. Vero

ALSO

PRESENT: L. Stephen Brescia, Chairman
Antoinette Reed, Legislative Counsel
Jean M. Ramppen, Clerk, Orange County Legislature
Harold J. Porr, III, Deputy County Executive
Robert J. Conflitti, Executive Assistant District Attorney
David Church, ACIP, Commissioner of Planning
Julie Richmond, Deputy Commissioner of Planning
Louise Vandemark, Commissioner, Board of Elections
David C. Green, Commissioner, Board of Elections
Karin Hablow, Commissioner of Finance
Kerry Gallagher, Deputy Commissioner of Finance
Laurence LaDue, Commissioner, Valley View Center
Donna Strecker, Director of Finance, Valley View Center
Deanna Crawford, Budget Analyst

Mr. Faggione opened the meeting at 3:30 p.m. and requested everyone stand for the Pledge of Allegiance to the Flag. All members were present with the exception of Legislator Bonelli who was absent and Legislator Cheney who was excused.

Mr. Kulisek moved request confirmation of reappointments to the Orange County Board of Ethics (D. Clarino, R. Cooper), seconded by Mr. Hines.

Motion carried. All in favor.

Mr. Vero moved request supplemental appropriation of \$329,405.00 under proposed Capital Project No. 29 of 2020 for replacement of thirty-one (31) Dominion Imagecast voting machines. This represents year two of a five-year capital plan to replace the inventory of voting machines (bonding), seconded by Mr. Kulisek.

Mr. Green explained that these machines were used during early voting with no issues.

Ms. Vandemark added that election inspectors found them easy to use and voters appeared to like them.

Mr. Kulisek asked if these machines would need to be changed in a few years as technology improves. Ms. Vandemark replied no.

Motion carried. All in favor.

Mr. Hines moved request to accept salary schedule for Election Inspectors, Voting Machine Technicians, Voting Machine Operators, Poll Clerks for the Nursing Homes, Poll Clerks for Court Orders, Polling Place Information Clerks, Polling Place Interpreter, Post-Election Audit Clerks, Polling Place VRA Clerks, Inspector Training, Green Bag Pick-Up, Early Voting Inspectors and Per Diem Election Workers including, but not limited to those working in the warehouse, Delivery and Machine Pre-Lat, seconded by Mr. Kulisek.

Ms. Vandemark explained that with the implementation of early voting a few new positions were created and to garner qualified election inspectors they increased the salary from \$225.00 to \$250.00 per day.

Mr. Hines asked if an analysis was completed on the seven locations used for early voting and the possibility of reducing the number of locations. Mr. Green replied that both he and Ms. Vandemark agree that the seven locations would be needed in 2020.

Mr. Paduch asked for the difference between an election inspector and the election inspector chairman. Ms. Vandemark replied that the chairman oversees the election district table.

Mr. Paduch asked if every polling site has Spanish speaking inspectors and if not have, they had issues. Ms. Vandemark replied that they do in most polling sites with signs posted with their 1-800 number that goes directly to their bilingual Coordinators when needed.

Motion carried. All in favor

Mr. Paduch moved request approval of a Local Law and enter into an Agreement with the Energy Improvement Corporation (aka Energize NY) to establish a new PACE (Property Assessed Clean Energy) finance program, called Open C-PACE. This replaces and improves upon our existing PACE program in that the County does not take on any responsibility for administering the program or for bill/collecting/remitting payments. Financing is offered by third party capital providers, who take on all underwriting and lien enforcement responsibilities, seconded by Mr. Faggione.

Mr. Church explained that the state legislature passed new and improved legislation which takes all the administrative burden off the county once it is signed.

Motion carried. All in favor.

Mr. Paduch moved request to accept and appropriate grant funds from the New York State Department of Environmental Conservation and authorize the County Executive to enter into any and all agreements or contracts necessary to secure and implement this grant. This is a Climate Smart Communities Project which will provide funding to assist the County in development of a Greenhouse Gas Inventory and Climate Action Plan, \$100,000.00, seconded by Mr. Amo.

Mr. Church explained that this is the third climate smart communities grant they have received. The funds will be used for the full cost of a consultant to conduct a Greenhouse Gas Inventory for Orange County as an updated Greenhouse Gas Inventory is required.

Mr. Amo asked how the inventory data was used by the county. Mr. Church replied that they identify the sources and focus their attention on those areas.

Mr. Kulisek asked if this would go out to RFP. Mr. Church replied yes.

Motion carried. All in favor.

Mr. Kulisek moved request legislative authorization to remove the grant stipulation for Planner position #17533. This position was created in 2015 with grant funds received for the Orange County Health Department through the New York State Department of Health Grant for the Healthy Orange Schools and communities Program for the period 10/1/15 through 9/30/20. This position will continue to work on the Complete Streets project for the MPO. Costs associated with this position as it relates to transportation related work, will be offset by federal transportation funding through Unified Planning Work Program (UPWP) at a rate of 94.12%, seconded by Mr. Faggione.

Ms. Richmond explained that the position is currently funded 100% by the Healthy Orange Schools and Communities five-year grant. This was a joint initiative between the Orange County Planning Department and the Orange County Health Department and focused on reducing obesity factors, diabetes and chronic diseases in eighty-five high need school districts with the focus in Orange County on cities of Newburgh, Middletown and Port Jervis. The Health Department position focused on the healthy food access strategy and health procurement strategy and the planning position worked on the active transportation component which was adopting and implementing complete street policies and increasing access to bicycling, walking and rolling. The focus of this position would be to continue working on the implementation of complete street strategies; however, it would now enable them to expand beyond the three cities and make it countywide.

Mr. Paduch asked if the additional funding for this position would continue after this current grant expires. Mr. Church replied that it is a multiyear grant.

Motion carried. All in favor.

Mr. Paduch moved request to accept and appropriate NYSDOT Federal 5311 funds. The 5311 program provides formula funding to states for the purpose of supporting public transportation in areas with an urban population of less than 50,000. The current application is for Federal Fiscal Years 2019 and 2020. Funds would be used for the purchase of replacement dial-a-bus vehicles and for operating assistance payments to municipal transit operations. The total application amount is \$981,765.00 (\$647,000 for operating assistance payments: \$323,500 FFY 2019, \$323,500 FFY 2020; \$334,765; 80% Federal, 10% State and 10% Local (provided by the municipal operators) for the purchase of five replacement dial-a-bus vehicles), seconded by Mr. Amo.

Ms. Richmond explained that they must apply for the funds with New York State releasing the RFA every two years. This funding is used for the annual operating costs and capital costs in cities that are considered rural with the operating costs going to dial-a-bus routes and the capital costs going to the replacement of buses. The buses being replaced have reached their useful life per the Transit Asset Management Plan as required by the federal government. They will receive five buses: two for the Town of Montgomery, one for the Town of Goshen and two for the city of Port Jervis and because the Town of Warwick's routes go through urban areas they will be using another source for their replacement buses as opposed to this funding. In addition, the local match would be paid by the municipality.

Mr. Kulisek asked if the municipal operator was the municipality. Mr. Church replied yes.

Motion carried. All in favor.

On the agenda was a discussion on the Shared Services Plan for 2020.

Mr. Church explained that on behalf of Orange County, a County-Wide Shared Service Property Tax Savings Plan was submitted in late 2018 for 2019. They are in the process of analyzing, reviewing and updating the seventeen projects that were originally submitted for 2019 and preparing to file with the state for reimbursement. His staff is working on creating an updated plan with the County Executive and while approval by the legislature is not required the plan will be distributed to the full legislature. However, the fleet wash for the Department of Public Works will not be resubmitted.

Mr. Faggione asked when it needs to be submitted. Mr. Church replied that they can submit at any time.

On the agenda was the Annual Review: on the inclusion of lands into Agricultural District Nos. 1 & 2.

Mr. Kulisek moved to directing the Clerk of the Legislature to publish a Notice of Review of Orange County Agricultural Districts Nos. 1 and 2 (NO RESOLUTION REQUIRED), seconded by Mr. Amo.

Legislative Counsel Reed explained that this was the annual review of the agricultural districts under Agricultural and Markets Law. This allows landowners to submit applications to the Orange County Department of Planning for inclusion of their property in either Agricultural District Nos. 1 or 2. The notice will be published in the newspapers by the Clerk of the Legislature with no action required by the committee at this time. The 30-day review period runs from March 1, 2020 to March 31, 2020. Applications will be submitted to the Orange County Planning Department and reviewed with the Orange County Agricultural and Farmland Protection Board who conduct site visits and make a final recommendation to the Legislature. The Legislature would then hold a public hearing and vote on the properties in August.

On the agenda was the 8-Year Review: on the inclusion and exclusion of lands in Agricultural District Nos. 1 & 2.

Legislative Counsel Reed explained that counties with agricultural districts are required every 8-years to review and determine whether or not they want to continue, modify or discontinue the agricultural districts. In Orange County they have two districts with Agricultural District No. 1 north of Route 17 and Agricultural District No. 2 south of Route 17. They are seeking to address two items this year: one is to comply with the law and the second is to seek their approval to combine the two districts into one district resulting in less forms and confusion for landowners. She explained that the Clerk of the Legislature will publish a notice of review in the county's official newspapers notifying landowners and municipalities that the 8-year review is being conducted with notice provided to the municipalities and eventually landowners whose property may be modified out and/or into the district. At a recent meeting they discussed having the Planning Department place the agricultural district maps on their website so that property owners can see which properties are in and/or out of the district, Cornell Cooperative Extension will be working on community outreach with everything funneled through the Department of Planning, Mr. Ruscher, Director of Real Property will be working with the assessors as the theory is to keep properties in as opposed to coming out. They anticipate having the report from the Orange County Agricultural and Farmland Protection Board on or before May 22, 2020 and then issue the notice of public hearing with the public hearing held in July/August of 2020, vote to adopt at the November Legislative session and then send that information to the New York State Commissioner of Agriculture and Markets for certification.

Mr. Faggione asked if any parcels were removed in 2012. Legislative Counsel Reed replied that none were removed but several were added.

Mr. Amo moved resolution of the Orange County Legislature directing The Clerk of the Legislature to publish a Notice of Review of Orange County Agricultural Districts Nos. 1 (Towns Of Blooming Grove, Chester, Cornwall, Crawford, Goshen, Hamptonburgh, Monroe, Montgomery, Newburgh, New Windsor, Palm Tree, Wallkill And Woodbury and the villages Of Chester, Maybrook, Montgomery and Washingtonville) and 2 (Towns Of Blooming Grove, Chester, Deerpark, Goshen, Greenville, Minisink, Monroe, Mount Hope, Wallkill, Warwick and Wawayanda) of Orange County, New York and directing the Orange County Planning Board and Agricultural and Farmland Protection Board to file reports as to any proposed modifications to said districts, seconded by Mr. Kulisek.

Mr. Hines pointed out that the resolution redacted at least 10% of the land; however, the notice did not.

Legislative Counsel Reed responded that the notice would be corrected.

Motion carried. All in favor.

Mr. Faggione stated that the following request on a fund balance policy for Valley View would be for review only with no action to accept until it has been vetted through the Health and Mental Health and Ways and Means committees.

Mr. Amo moved request to only review the Fund Balance Policy for Valley View Center for Nursing Care and Rehabilitation, seconded by Mr. Faggione.

Ms. Hablow presented the committee with a brief description of the policy. They began drafting this policy over a year ago and with Orange County being the first New York State to do this. It is not typical for an enterprise fund to develop a fund balance policy as an enterprise fund is supposed to net zero and bring in revenue that supports expenses and not necessarily operate under the anticipation of large profits or losses. She along with the County Executive, Valley View and the Budget Department met on several occasions to develop this draft policy and in her opinion, this policy is a win/win for Valley View and Orange County. This policy would establish a baseline of cash reserve to be maintained at Valley View. It would provide them time to react in the event of any interruptions and/or changes to significant revenues or expenses if in the future they would have to find other means of resources for funding the operation. It is meant to be their policy and document to help them make decisions when an opportunity presents by means of a capital improvement and/or equipment purchase and whether it would be appropriate to use Valley View's cash surplus or be bonded. Lastly, this document is open for any amendments and/or considerations the legislature may have.

Mr. Faggione encouraged further review and research by his fellow legislators.

Mr. Amo commented that he has read the proposed policy and likes it and it is a good place to start. He referred to the fifth paragraph under POLICY ... "If the fund balance at fiscal year end falls below the goal, Valley View shall develop a restoration plan to achieve and maintain the minimum fund balance"... but what would that procedure be. Ms. Hablow replied that this section was not in the original draft but after further discussions the primary goal of this policy was to determine when, how and for what reason could they dip into this cash surplus, so this was included. While they looked at similar policies, it depends on how they choose to develop a restoration plan but, in her opinion, it was more of a goal to get them back to the 60%. The intent was not to draw a hardline that they must maintain as it would be similar to a fund balance policy. By stating that Valley View ... "shall develop a restoration plan to get back to that minimum level"... they would be responsible to develop and submit a plan to the legislative body who would then deem if that would be sufficient.

Mr. Faggione applauded their efforts.

Mr. Hines asked that Ms. Hablow explain the third paragraph under POLICY which states ...“In addition to capital project costs, balances above the minimum may be used for indirect costs owed to the County of Orange”.... Ms. Hablow explained that in 2018, using the maximus report as a basis they began charging back to Valley View for indirect cost as they do with all other departments.

Mr. Hines asked if they could limit these funds for capital expenditures over \$5million with future expenditures having to be bonded. Ms. Hablow replied yes.

Mr. Hines asked about the ...“not less than 60% of budgeted annual expenditures”... and are they using the end of year budget or beginning of the year budget. Because if they stop using the enterprise fund and start bonding their budget will change. Ms. Hablow replied that when they bond, they only pay the debt service and that would be how their budget would change.

Ms. Hablow explained that they would not continually check on what their adjusted budget is, in her opinion, it would be the adopted budget with the policy being reviewed and updated annually, or as deemed necessary by the County Legislature.

Ms. Hablow added that the intent of the policy is to protect Valley View and maintain a buffer, so they have time to react to any unanticipated changes.

Mr. Hines asked if it would be used for operating expenses. Ms. Hablow replied that it was targeted toward capital and equipment but that is not to say they cannot use it for that.

Legislative Counsel Reed asked Ms. Hablow if they have New York State statutory authority to adopt such a policy as she does not see within the document that it is pursuant to any section of state law. Ms. Hablow replied that she did reach out to other counties with nursing homes, however, none were in the same position as Orange County. They also reached out to the New York State Comptroller’s Office who commended them on this policy, but they could not commit to anything in writing.

Legislative Counsel Reed asked if the enterprise fund balance and policy would be included in the CAFR year-end audit which is prepared in conjunction with the auditors. Ms. Hablow replied that they would never have a fund balance on the financial statements for Valley View as they are an enterprise fund.

Legislative Counsel Reed asked if it would be included in Valley View’s financials and audit statements that are completed by O’Connor Davies LLP. She needs to ensure that they are complying with state law and that they are recording and auditing it on an annual basis. They can set the policy, but they need an independent audit and report on what was spent.

Ms. Strecker explained that in the past it was listed under “due from general fund” and at the end of the year the financial statement will show what the balance is in that cash account.

Ms. Hablow explained that except for \$200.00 all cash for Valley View is transferred to the “general fund” and shown as “due from other fund” which is the “general fund” at year-end. The amount transferred of \$53,737,453.00 is the amount of cash that was transferred to the “general fund” at year-end but the next day it is transferred back to Valley View’s financial accounts. With this policy they must be able to tie it to what they show in their financials and if they look at their net

positions, they are typically in a negative net position which appears as having no money to spend. They are not calling this policy “due from other fund balance” because there could be other comingled funds for Valley View.

Legislative Counsel Reed asked how they would take this policy and reconcile it with their financials for the enterprise fund. Ms. Hablow replied that it was somewhat reconciled by O’Connor Davies LLP.

Legislative Counsel Reed asked for clarification on which group of O’Connor Davies LLP handles the reconciliation: The group for the Valley View financials or the group hired by the Legislature to do the year-end audit. Ms. Hablow replied that she was not positive, but she thinks it was the one for the Legislature.

Legislative Counsel Reed commented that while everyone agrees that a policy is a good idea and should be moved forward, she would not want to see them get a hit from the state. She would prefer guidance and possible opinion from the New York State Comptroller’s office.

Ms. Hablow replied that even though they commended them for doing it, they will not issue an opinion as it is an internal policy. The Finance Department and the county have many policies in place that are not included in their financials nor are they required to be.

Legislative Counsel Reed replied yes, but they are asking for the Legislature to adopt this policy as opposed to those policies.

Ms. Hablow pointed out that the Legislature adopts the investment and debt policies.

Legislative Counsel Reed replied yes, as required by state law. However, they need to ensure that they are protected in the event of audits *from the New York State Comptroller’s office.

Ms. Hablow reiterated that the New York State Comptroller’s office will not provide them with anything in writing stating that it is something that needs to be done.

Mr. Amo suggested legislators submit any recommendations and/or changes to Ms. Hablow to be vetted. Ms. Hablow agreed and added that this does not need to happen in the next month or two as everyone needs to be comfortable with it and know that it works for the county and she welcomes any input.

Motion to review the policy passed by the following vote:

Motion carried. All in favor.

Mr. Hines moved resolution of the Orange County Legislature supporting New York State Senate Bill S7280, the Emergency Responders Privacy Protection Act, seconded by Mr. Paduch.

Mr. Conflitti explained that the current law requires that the District Attorney provide the name and adequate contact information for anyone with information about the case.

Mr. Faggione added that Legislatures across the state are bringing this resolution forward and that what ever new reforms are made in Albany that they protect the first responders.

Mr. Hines stated that the only time he had to provide information was in regard to a fatal car accident; however, they will now be requesting a roster of who was present and possibly their home address.

Mr. Conflitti replied that he was not under the assumption that a home address would be requested, certainly not on their end as the statute specifically exempts home address unless the court orders it.

Mr. Hines asked for the definition of adequate contact information. Mr. Conflitti replied that it was undefined; however, in his opinion, the name of a first responder and his ambulance or fire company would suffice.

Mr. Hines asked if civilian witness information would need to be divulged. Mr. Conflitti replied not necessarily, as it could be an email address solely created for this purpose but somewhere that a defense attorney can reach a witness at.

Mr. Hines asked if the Senate and Assembly bills provide protection to volunteers. Mr. Conflitti replied that it would completely exempt first responders from turning over any information.

Motion carried. All in favor.

Mr. Paduch moved resolution of the Orange County Legislature establishing guidelines for the 2020 Legislature's Grant Program for local municipalities, seconded by Mr. Amo.

Chairman Brescia explained that this reflects the municipal grants that were adopted in the 2020 budget. Legislative Counsel Reed worked on the proposed guidelines with input from the Department of General Services on the criteria with all grants going through the municipality. However, not-for-profit organizations would not be considered unless they are being sponsored by the municipality. After further discussion with leadership and the respective caucuses these guidelines are being presented for their approval. The intent is to allow each legislator full discretion within the guidelines to allocate funds with the Chairperson of the Legislature having discretion in an emergency that goes beyond the application deadline. Leadership, Legislative Counsel Reed and the Department of General Services will then review the applications to ensure they fall within the guidelines.

Mr. Hines asked who will ultimately decide if the application goes through; the Grant Department, County Attorney, Legislative Counsel and/or Chairman of the Legislature. Chairman Brescia replied that it could be all, but it will not be presented to the Legislature for a vote.

Legislative Counsel Reed interjected that this was something that still needed to be discussed but Chairman Brescia was not inclined to do that.

Mr. Hines asked if the County Executive has veto power. Legislative Counsel Reed replied that she was unsure as the Finance Department would issue the check.

Mr. Hines asked if the legislator submits the application or the municipality. Legislative Counsel Reed replied the municipality.

Mr. Hines expressed concern that the application does not require the signature of the legislator representing that town. He was also under the assumption that the legislator would state what they wanted to do with their \$10,000.00 portion.

Legislative Counsel Reed responded that a signature line could be added to the application.

Chairman Brescia clarified that they can only allocate \$4,999.00 at one time.

Legislative Counsel Reed stated that the days of member items are gone. She explained that they need to work through the procurement policy and competitive process for disbursement. With legislative guidance they would ask the municipality where they could use \$4,999.00 to assist their community with the application being completed by the municipality and the check issued to the municipality. She along with Legislators Bonelli and Paduch met with James Burpoe, Commissioner of Department of General Services to create a protocol that would work throughout the county. The county historian will also be conducting a grant program that was developed through the Department of General Services which has a simple format that would include a description of the project, resolution from the municipality requesting these funds, which they have mirrored based on the form provided by the Department of General Services. The goal is to work with what is available in county government, so that when the check is issued there is not a problem because they did not conform.

Mr. Hines stated that he disliked the form because the name of the representing legislator is not on the form. How would the county know that the project and application being proposed by the municipality was a project a legislator supports funding. He was under the assumption that the legislator would decide where the funds would go and that it would be voted on. This form enables a town with possibly five legislators to put something forward without knowing which legislator if any endorses it. Lastly, when this was first presented, he voted against it and does not support it.

Chairman Brescia replied that a sponsoring legislator line could be added to the form.

Mr. Hines asked for clarification on the restriction of \$4,999.00. Chairman Brescia replied that if the amount higher it would have to come to the full legislature for a vote.

Mr. Hines asked if one municipality could receive \$10,000.00. Chairman Brescia replied yes, but it would need to go to the full legislature for a vote.

Mr. Paduch asked if it could be two projects as long as it were under \$5,000.00. Legislative Counsel Reed replied yes.

Mr. Hines pointed out that they have a legislator that solely represents one town, so would they have the ability of spending the whole \$10,000.00.

Chairman Brescia replied that they could do two grants at \$4,999.00 each.

Legislative Counsel Reed clarified yes, but for two different projects.

Mr. Hines asked if this would actually be ready by May. Chairman Brescia replied that for 2020 they are looking at a deadline of June 31st and subsequent years at May 31st.

Legislative Counsel Reed stated that this is only a draft and before them for recommendations and input.

Mr. Hines asked about the process and could he select a municipality of his choosing or would the municipalities approach him with their requests. Legislative Counsel Reed replied that in the past with parks projects and energy efficiency projects all documentation was sent out by the Chairman of the Legislature to the municipalities asking for them to submit applications.

Chairman Brescia added that legislators could provide the municipalities with the application.

Mr. Hines emphasized that this could actually annoy some municipalities if they promise funds to one municipality over another. He would suggest the form be handed out by the legislator to who they want to receive it. He does not want it to go to every municipality as they do not have the funds to support that. In addition, it needs to be a project that the individual legislator would like to be involved with.

Mr. Faggione suggested they amend the third bullet in the application to read as follows: It is coordinated and administered by the Office of the Orange County Legislature, sponsored by _____ (name of legislator).

Mr. Hines added that he would like the option of having \$10,000.00 solely for one project in a municipality and he does not have a problem with it going before the whole legislature for a vote. If they are going to do anything of value with these funds, they should be allowed to give \$10,000.00 for this year considering the time restraints.

Mr. Paduch asked for clarification that to accomplish that they would have to be on the county's vendor list. Legislative Counsel Reed replied that all municipalities are on the county's vendor list.

Mr. Paduch expressed concern with No. 6 under GRANTEE REQUIREMENTS AND ACKNOWLEDGMENTS which states: All grant recipients are required to submit receipts showing payment for goods or services funded in whole or in part by this grant award within 30 days from the date the award is made. Does this mean the grant would be awarded to the municipality after the work has been completed.

Legislative Counsel Reed replied that the municipality would have to pay upfront and be reimbursed.

Mr. Paduch asked about the 30 day stipulation as the project may not be done in 30 days. Chairman Brescia replied that it should actually read "within 60 days from the date of completion."

Mr. Paduch asked if it would have to be done within that year. Legislative Counsel Reed replied yes, as they would need to close the books.

Mr. Paduch asked about No. 9 under GRANTEE REQUIREMENTS AND ACKNOWLEDGMENTS which states: "All planned changes to the project that differ from the original grant proposal (nature of project, venue, dates, ect.) MUST be submitted in writing on a Grant Change Form to Orange County Chairman of the Legislature for approval. Failure to do so will result in rescinding the grant. In his opinion, the legislator from that municipality should also be involved as that legislator may be more aware of the project in his/her municipality.

Chairman Brescia agreed that it should include the legislator from that municipality.

Legislative Counsel Reed reiterated that they are trying to stay away from making these "member items."

Mr. Hines commented that when this was originally presented it was presented as "member items" and the reason he voted against it.

Legislative Counsel Reed explained that individual legislators do not have the authority to issue checks and/or the authority to give \$5,000.00 to a certain individual and/or entity.

Chairman Brescia stated that he would bring the legislator from that municipality in and discuss the changes.

Legislative Counsel Reed addressed her original recommendation that after all requests from legislators have been received, they be put into a resolution and brought to the floor for a vote.

Mr. Hines agreed and if presented that way a legislator could then go up to the \$10,000.00.

Legislative Counsel Reed replied yes.

Mr. Paduch explained that because he represents two towns it would not be an issue; however, for those that have more municipalities smaller grants could be issued.

Mr. Vero commented that his understanding was that if there was an issue on the validity of a grant it would go to leadership for a final determination.

Chairman Brescia replied no, but it could be amended to go to the chairman and leadership for changes.

Legislative Counsel Reed explained that the charter does not state that three legislators have that authority; however, the chairman can as he has the authority to sign contracts for the legislature as authorized by the Legislature.

Mr. Kulisek questioned if it would just be a policy to ensure that the process has been done correctly.

Chairman Brescia pointed out that he as chairman would only decide if changes were made after the application had been approved.

Legislative Counsel Reed asked for clarification on if they would be creating one resolution for all grant applications. Chairman Brescia replied no, only for those over \$4,999.00.

Mr. Amo added that the application should include any legislators that represent that municipality and their endorsement if they are approving the application and project.

Chairman Brescia agreed to add the line "endorsing legislator's signature."

Mr. Hines emphasized that if the application does not have that endorsement it should not move forward.

Mr. Amo asked if two legislators can give \$4,999.00 to one municipality. Legislative Counsel Reed replied that each legislator will receive \$10,000.00.

Mr. Amo asked if a municipality can appeal a denied application. Chairman Brescia replied no, it is at the discretion of the legislature.

Legislative Counsel Reed explained that they are trying to keep it as simple as possible. While they can issue and pay purchase orders for up to \$4,999.00, if they go above that amount additional approvals and contracts must be completed.

Mr. Amo asked if an application comes forward with two legislators signing off and one legislator who does not, would the application still be approved. Chairman Brescia replied that it should actually be separate grants.

Mr. Vero asked if the funds budgeted for 2020 would be in the 2021 budget. Chairman Brescia replied that his intent was for it to remain in the 2021 budget.

Mr. Paduch agreed with the endorsement aspect as it gives that legislator control.

Mr. Hines stated that because this is based on reimbursement, he cannot promise a municipality anything as they are asking them to promise a municipality money with no guarantee it would be paid. In his opinion, the cleanest and clearest way to ensure that is for it to be done by resolution.

Chairman Brescia reiterated that it was not his intent.

Mr. Porr commented that the County Executive's office issues funds right away and does not wait for reimbursement.

Mr. Amo asked if they could issue a check to the municipality after they have signed an agreement stating that the work would be completed as opposed to waiting for reimbursement. If the work is not completed, they can either pay the funds back directly or it could be taken from their sales tax.

Mr. Hines agreed with Mr. Amo.

Legislative Counsel Reed stated that the deadline of May 31, 2020 would be best as it would get the funds to the municipality as soon as possible.

Mr. Faggione asked if the committee was comfortable voting on this resolution as presented.

Mr. Hines replied that he would like Legislative Counsel Reed to research or tell them if they can provide the municipality with the funds first, if it can be for the full \$10,000.00 or would it have to be for \$4,999.00. He is not comfortable committing a certain amount of money to a municipality without knowing it is guaranteed.

Mr. Hines reiterated that they need all applications be into the legislative office by a certain date, application signed by the appropriate legislator, go through the legislative process and have it passed by resolution. However, the only obstacle would be if the County Executive veto's it.

Legislative Counsel Reed clarified that he cannot veto a resolution.

Chairman Brescia stated that it should stay at \$4,999.00 and if need be, they can do two projects.

Mr. Hines disagreed and there should be two process; one for \$10,000.00 and another for \$4,999.00 or less as there seems to be two different rules.

Mr. Faggione asked Chairman Brescia if he was prepared to move this resolution forward today or withdraw it for further review. Chairman Brescia replied that with so many outstanding questions he was not prepared to move it forward and would bring it back next month after the questions have been answered.

Mr. Faggione moved resolution of the Orange County Legislature opposing New York State Assembly Bill A00190 related to the possible merger of the New York State Bridge Authority into the Thruway Authority, seconded by Mr. Kulisek.

Chairman Brescia suggested the resolution be amended to highlight the positives of the New York State Bridge Authority and what they do and how much more efficient they are as compared to other state agencies. The New York State Bridge Authority is more efficient than the Thruway Authority as they have some of the lowest rates in the country. He suggested the committee vote on the concept today with the final resolution prepared by him and Legislative Counsel Reed. He presented Legislative Counsel Reed with the fact sheet for his proposed amendments.

Mr. Kulisek agreed as this is just a "money grab" by the State of New York.

Mr. Faggione stated that they would vote on the resolution as presented with a revised resolution to be presented at the Legislative Session.

Motion carried. All in favor.

The meeting adjourned at 5:35 p.m.