

**WAYS AND MEANS COMMITTEE
MINUTES**

**WEDNESDAY, FEBRUARY 21, 2018
3:30 P.M.**

PRESENT: Leigh J. Benton, Chairman
Mike Anagnostakis, Katie Bonelli, Janet Sutherland, Kevin W. Hines,
James M. Kulisek, Michael D. Paduch, James D. O'Donnell

ALSO

PRESENT: L. Stephen Brescia, Chairman
Thomas J. Faggione, Legislator
Paul Ruskiewicz, Legislator
Rob Sassi, Legislator
Joel Sierra, Legislator
Laurie R. Tautel, Legislator
John S. Vero, Legislator
Antoinette Reed, Legislative Counsel
Harry Porr, Director of Operations and Cost Control
Matthew Nothnagle, Chief Asst. County Attorney
Karin Hallow, Commissioner of Finance
Travis B. Ewald, Deputy Commissioner, DPW/Engineering Division
James S. Brooks, Deputy Commissioner, DPW/Infrastructure Services
Craig W. Cherry, Deputy Commissioner, Police Liason Services
Julie Richmond, Deputy Commissioner of Planning
John McCarey, Director, Real Property Tax Service Agency
Donna Strecker, Director of Finance, Valley View
Deborah Slesinski, Deputy Budget Director
Mike Ventre, Budget Analyst

Chairman Benton opened the committee meeting at 3:47 p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present with the exception of Legislator Minuta who was absent.

Mr. Paduch moved to adopt a resolution authorizing the acceptance of a Tax Litigation Settlement with the United States Postal Service, whereby the County will receive the principal due and owing for a parcel in the Town of Montgomery, Section 309, Block 9, Lot 1, in the amount of \$456.15 with the interest and penalties forgiven, seconded by Mr. Anagnostakis.

Mr. Nothnagle stated the Village of Walden performed some snow and ice removal work by the Walden Post Office by which there was an unpaid sewer charge. They village billed the postal service who did not pay so the village billed the county which then was added onto the tax bill in the amount of \$456.15. He added that the issue has been resolved and the post office will pay the full amount; therefore, the legislature needs to approve it.

Motion carried. All in favor.

Mr. Anagnostakis moved to adopt a resolution authorizing the County to release the County's interest in the following property: Town of Mount Hope, SBL 104-2-13. This is pursuant to Section Five, Paragraph B (1) of Local Law No. 2 of 2010. The property owner(s) paid the delinquent property taxes prior to public auction and the County did not take title to the property, seconded by Mrs. Bonelli.

Mr. Nothnagle stated this has been done several times. If a delinquent taxpayer comes up with the money to pay the taxes, interest and penalties owed after judgement and before the auction, then with the legislature's approval, the court can be petitioned to vacate the judgement. He added the taxpayer would then get their property back.

Motion carried. All in favor.

Mr. Hines moved the request for supplemental appropriation to restore \$60,000.00 of the \$250,000.00 Emergency Services Intel Center funding which was appropriated in the 2017 Police Services Administration budget. \$50,000.00 will be utilized for the procurement of equipment for the ES Intel Center and \$10,000.00 for training/travel for the Crime Analyst, seconded by Mr. Kulisek.

Mr. Cherry explained they received \$250,000.00 as part of a settlement from litigation that the county had and at that time the county decided to put the monies in the budget to support the regional Intel Center that is being built on the lower level of the Emergency Services Center.

Mr. Hines stated this request passed in the Public Safety and Emergency Services Committee meeting and the reason for the delay of the center was because they had to wait for Information Technology to move out.

Motion carried. All in favor.

Mr. Paduch moved the request for supplemental appropriation of \$2,200,000.00 to make improvements to the City of Middletown owned railbed subject to an easement being executed in favor of the County of Orange by the City of Middletown for public access over such property. This segment begins at East Main Street in the City of Middletown and heads northwest to Ingrassia Road, in the Town of Wallkill, Orange County (bonding), seconded by Mrs. Bonelli.

Mr. Brooks stated this request is for a section that is located outside of Goshen and goes to Ingrassia Road in case the TIP money is not received. The genesis of this comes from the Port Jervis project that is currently underfunded; therefore, the county is doing their part by adding money that is already appropriated.

Mr. Paduch clarified that next year the monies will be put back in the account by the Transportation Council.

Mr. Brooks stated every year funding has been there and it is anticipated that it will go back into the account.

Motion carried. All in favor.

Mr. Hines moved to adopt a resolution making a supplemental appropriation to the capital projects budget for drainage improvements. This project has been approved under the 2018 Capital Plan as Project No. 32. Upon approval, a new capital project will be created, \$150,000.00 (bonding), seconded by Mrs. Bonelli.

Mr. Ewald explained that this request is to replace various culverts on the county roads and several were completed last year but most of them were not the average size. There are a few candidates for 2018 that they are hoping to complete.

Motion carried. All in favor.

Mr. Paduch moved the request to approve and appropriate funds for a proposed 2018 capital expenditures for engineering and installation of carbon filtration system in the water treatment plant, \$38,000.00 (bonding), seconded by Mr. Anagnostakis.

Ms. Strecker stated the Commissioner is seeking \$38,000.00 in bonding for capital expenditure for a filtration system. The facility is subject to random water analysis by the Department of Health (DOH) who recommended that a carbon filter be put on. There have been two analyses that have come back stating there are elevated level of THM.

Mr. Benton commented they want to make sure the water quality is at its best. He stated that there needs to be a discussion in regard to whether or not these items need to be bonded or paid in cash. The Health and Mental Health Committee passed the resolutions for bonding but he would like to amend the resolution to be paid in cash until there is a policy developed.

Mr. Anagnostakis stated that at his committee they passed three resolutions with bonding before the discussion arose. He clarified they will receive the same reimbursement whether the monies are paid in cash or bonded.

Ms. Strecker stated that is correct.

Mr. Anagnostakis then clarified that there is over \$47 million at Valley View and there is a County Executive and department heads who come before the Legislature with proposals which use cash and bonding.

Ms. Strecker stated that is correct.

Mr. Benton agreed with Mr. Anagnostakis but stated that he feels they should pay cash until the policy is established with the County Executive.

Ms. Strecker pointed out that they need to decide whether or not they would like to bond or not bond and she does not have any formal decision.

Ms. Hablow stated that she discussed this with the outside auditors and there are two questions on the table. One question is a policy decision for when they should and should not use cash and how much should be used which is something that needs to be discussed internally with the County Executive. In speaking with the auditors, this year is the only year this would have to be done and next year the monies for Valley View could be budget surplused so that capital projects could be put into the operating budget. She reiterated that this is an interim solution that by which a policy needs to be created for this year.

Chairman Brescia commented that this should be done sooner rather than later so that the cash can be used instead of bonding.

Mr. Benton stated he is hoping the policy is put in place by next month.

Mr. Hines stated they should not bond anything because it is unfair to the taxpayers when there is cash. He is unsure if there is a legal opinion but he feels this is arbitrary to sit on \$48 million and borrow more money. Furthermore, it is bothersome that the executive branch keeps doing this especially when they were told last month to use the money.

Mr. Anagnostakis explained that until the County Executive changes his mind, he wants to keep bonding and as legislators they tend to go with the executive until there is a signature.

Mr. Paduch stated that he agrees with Mr. Hines but asks that the proposals from now on state if it is bonding or cash.

Chairman Brescia agreed with Mr. Hines and Mr. Paduch.

Mr. Anagnostakis stated that he agrees there is a lot of cash but they need to be careful because it shouldn't be depleted on all capital projects and cash should be preserved. Valley View is running on surplus which will eventually increase.

Mr. Benton pointed out that Valley View is dependent on IGT monies.

Mr. O'Donnell commented that no one knows what the future will hold.

Mr. Benton moved to amend the resolution by removing bonding and use cash, seconded by Mr. Hines.

Motion carried. All in favor.

Motion carried. All in favor of the resolution as amended.

Ms. Sutherland moved the request to approve and appropriate funds for a proposed 2018 capital expenditure to continue upgrading the nursing call bell system. The existing system was installed in 1997, has reached economic life and replacement parts are no longer supported

by the manufacturer. The call bell system supports critical communications/alerts between resident rooms and nursing stations, \$300,000.00 (bonding), seconded by Mr. Paduch.

Ms. Strecker stated this is a multi-year project and they are in the third year of doing unit by unit.

Mr. Benton moved to amend the resolution by removing bonding and use cash, seconded by Mr. Hines.

Motion carried. All in favor with the exception of Legislator Anagnostakis who voted against.

Motion carried. All in favor of the resolution as amended.

Mr. Anagnostakis moved the request to approve and appropriate funds for a proposed 2018 capital expenditure to establish an emergency fund to finance unforeseen equipment failures and/or repairs. Situation such as lightning strikes, water main breaks, heating, air conditioning and storm related damages, \$125,000.00 (bonding), seconded by Mr. Paduch.
(TABLED 1 MONTH AT 2/13/18 H&MH COMMITTEE MEETING)

Mr. Anagnostakis pointed out that in the Health and Mental Committee meeting, this request was tabled because they came upon a discussion of the legality or appropriateness of bonding to set up an emergency fund.

Ms. Strecker stated she and Mr. LaDue found out that they cannot bond this request because none of this happened yet; therefore, Mr. LaDue is asking that this agenda item be withdrawn.

Mr. Anagnostakis and Mr. Paduch withdrew their motions.

Agenda item withdrawn as per Mr. LaDue.

Mr. Paduch moved the request to approve and appropriate funds for a proposed 2018 capital expenditure to begin roof replacement including support beams for the salt barn. Roofing structures have reached economic life and gradual replacement is necessary, \$28,000.00 (bonding), seconded by Ms. Sutherland.

Ms. Strecker stated the salt barn is located outside of the water treatment plant and is used to house the salt used throughout the area for beams. This is also a multi-year project and they will also be looking at the roof on a regular basis.

Mr. Benton moved to amend the resolution by removing bonding and use cash, seconded by Mr. Paduch.

Motion carried. All in favor.

Motion carried. All in favor of the resolution as amended.

Mr. Kulisek moved to discuss deed sale parcels, seconded by Mr. Paduch.

The first deed sale parcel is located in the Town of Cornwall (1-1-50.2) and has a minimum bid of \$12,000.00 and an amount bid of \$3,000.00. Mr. McCarey recommended this be denied for more money. The second parcel is located in the Town of Deerpark (29-5-7). The minimum bid is \$7,500.00 and the amount bid is \$5,500.00. Mr. McCarey recommended it be approved because it is in bad shape as well as in the flood plain. Deed sale parcel number three is located in the Town of Wallkill (36-1-57) and has a minimum bid of \$2,500.00 and an amount bid of \$2,500.00; therefore, he recommends it be approved. The fourth, fifth, sixth, and seventh deed sale parcels are the same piece of property located in the Town of Warwick (111-4-9). Mr. McCarey stated that the minimum bid is \$50,000.00 and the highest amount bid is parcel number four with \$115,100.00.

Motion carried. All in favor of accepting Mr. McCarey's recommendation to approve deed sale parcels Nos. 2, 3, and 4 and deny Nos. 1, 5, 6, and 7.

The meeting adjourned at 4:43 p.m.