

**RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS COMMITTEE**  
**MINUTES**  
**WEDNESDAY, MARCH 22, 2023**  
**3:30 P.M.**

PRESENT: Paul Ruszkiewicz, Chairman  
Michael Amo, Barry J. Cheney, Thomas J. Faggione, Kevin W. Hines

ALSO

PRESENT: Katie Bonelli, Chairwoman  
Betsy N. Abraham, Esq., Legislative Counsel  
Harold J. Porr, III, Deputy County Executive  
Richard B. Golden, Esq., County Attorney  
Carol C. Pierce, Esq., Deputy County Attorney  
Langdon Chapman, Commissioner of Human Resources  
Alison Tyack, Deputy Commissioner, Human Resources  
Louise Vandemark, Commissioner, Board of Elections  
Courtney Canfield Greene, Commissioner, Board of Elections  
Alan Sorensen, AICP, Commissioner of Planning  
Kerry Gallagher, Commissioner of Finance  
Steven M. Gross, Director, Office of Economic Development  
Dina Sena, Budget Analyst

Mr. Ruszkiewicz opened the meeting at 3:30 p.m. and requested everyone stand for the Pledge of allegiance. All members were present with the exception of Legislator Sierra, who was excused and Legislators Paduch and Stegenga, who were absent.

Mr. Cheney moved to request confirmation of appointment to the Orange County Board of Ethics for the term expiring December 31, 2025 (M. Bonacic), seconded by Mr. Hines.

Motion carried. All in favor.

Mr. Faggione moved request to accept and appropriate the Strategic Planning and Feasibility Studies Program award from New York State Empire Development in the amount of \$55,000.00. The source of the funds is State grant funds, and The term is for one (1) year. The grant will be used to hire a consultant to study the viability of a conference center in Orange County. The grant requires 50% of the total project costs in matching funds, which includes at least 10% of total project costs in the form of cash equity contributed by the applicant organization. Match will be met with County bed tax funds and in-kind County staff time, seconded by Mr. Cheney.

Mr. Gross explained that they were awarded \$55,000.00 and the process has begun with feasibility study experts Johnson Consulting.

Motion carried. All in favor.

Mr. Cheney moved to request confirmation of reappointments to the Orange County Planning Board (C. Best, E. McClung, M. Sweeton), seconded by Mr. Faggione.

Motion carried. All in favor.

Mr. Faggione moved request to authorize and approve the acceptance by the County of Orange of any and all funds received by Opioid Settlements to be used for the treatment, recovery, and prevention of opioid use disorders and any co-occurring substance use disorders or mental health conditions, seconded by Mr. Cheney.

Ms. Pierce addressed the committee and explained that Orange County is currently a plaintiff in five class action litigations regarding opioid settlements. These lawsuits are aimed at manufacturers, distributors, pharmaceutical companies and pharmacy chains. The funds will be used for accepted uses under the settlement agreement such as treatment, prevention, recovery, criminal justice system, first responders training, research, and community support.

Mr. Cheney asked if this was a blanket resolution and how much are they expected to receive. Ms. Pierce replied yes, and each settlement has certain funds attached with some being one-time payments and some payments over numerous years. She will forward a spreadsheet to the committee with the total amount; however, because they are over numerous years, she cannot provide the exact amount. They currently have three more for CVS, Walgreen and Walmart and they anticipate receiving \$775,000.00 from Walmart, \$1.3 million from Walgreens, \$1.2 million from CVS, \$2.9 million from Teva Pharmaceuticals and a one-time payment of approximately \$1 million from Allegiant Health with the remaining consisting of staggered payments of between six and eighteen years.

Mr. Cheney suggested that an accounting of the funds dispersed be reported to the Health and Mental Health committee on a regular basis.

Ms. Pierce responded that the Health and Mental Health committee has been updated through the Opioid Settlement Committee. The funds must be used for certain purposes, and they are required to report to New York State every August on how the funds are being used and spent.

Mr. Golden asked if the legislature would accept the same reports that they would be sending to the state. Mr. Cheney replied yes, however, it would behoove them to have some discussion during the process to better understand why certain avenues were selected.

Mr. Golden pointed out that Darcie Miller, Commissioner of Social Services and Mental Health has come before the various oversight committees regarding this topic, and as a member of the Opioid Settlement Committee they are free to ask her any questions. They are often notified that they must sign off on a settlement within eight days and there would not be enough time to appear before the committee and full legislature for authorization. By creating an open resolution, they would have the authority to accept on behalf of the county any opioid litigation settlements.

Mr. Amo questioned the authority to spend because there could be items that the Health and Mental Health committee should have some say in before the funds are spent.

Mr. Golden reiterated that the terms of the settlement agreements often dictate what they can and cannot be spent on. The Opioid Settlement Committee was formed to address that issue and he would recommend that Commissioner Miller provide the legislature with any input.

Chairwoman Bonelli clarified that as of 2023 Legislator Janet Sutherland, Chairperson of the Human Services Committee and member of the Health and Mental Health committee has been appointed to the Opioid Settlement Committee which keeps the legislature connected and informed.

Mr. Hines asked if the settlement agreements allow for subsidizing the cost of mental health beds and possible additional beds in the county. Ms. Pierce replied that the list is substantial with broad-based categories, but she would check the settlement agreements.

Mr. Hines asked for a breakdown of the categories. Ms. Pierce replied that the approved uses is approximately thirteen pages with one hundred and six different items plus subsets which she would provide to the committee.

Mr. Hines asked if future funds would appear in their budget. Ms. Gallagher replied that the funds are in the restricted fund balance and any funds received will go into the same pot. They currently have \$3.1 million in the restricted fund balance account and can only be used for this purpose.

Mr. Hines asked if there was a time frame to spend the funds. Ms. Pierce replied no, the only restriction is that they must report to New York State every August on how the funds were spent.

Mr. Golden added that at a recent department head meeting Commissioner Miller indicated that the amount would be \$7 million.

Motion carried. All in favor.

Mr. Cheney moved request to reclassify one (1) Planner position (#054908), Grade 14, to Senior Planner, Grade 15, seconded by Mr. Faggione.

Motion carried. All in favor.

Mr. Faggione moved request to create two (2) Election Warehouse Coordinators, Grade 14 positions, seconded by Mr. Cheney.

Mr. Cheney asked who was currently performing these functions. Ms. Vandemark replied that it was being done by numerous individuals including two vendors.

Mr. Amo asked if these were seasonal positions. Ms. Vandemark replied no, with the new election laws, various elections and the always changing election process their election process runs all year long, not just in November.

Motion carried. All in favor.

Mr. Faggione moved request to create a new title, Election Specialist, Grade 8, and request to reclassify various positions: Chief Registrar, Grade 8, to Election Specialist, Grade 8 Registrar, Grade 6, to Election Specialist, Grade 8 Clerk II, Grade 4, to Election Specialist, Grade 8, seconded by Mr. Cheney.

Ms. Greene explained that they are seeking to bring their grade 6 and grade 4 staff to the equal level of their other voter registration clerks as they perform the same functions.

Mr. Cheney asked if someone with no experience would come in as a grade 8. Ms. Greene replied that anyone coming to the Board of Elections must be trained in their specific programs and have some knowledge and understanding of the political process.

Mr. Cheney asked for the rate of pay for a Grade 8, Election Specialist. Ms. Tyack replied \$23.1147 per hour.

Motion carried. All in favor.

Mr. Faggione moved resolution recognizing April 17, 2023, as Holocaust Memorial Day "Yom Hashoah," seconded by Mr. Cheney.

Motion carried. All in favor.

Mr. Cheney moved 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, seconded by Mr. Amo.

Mr. Faggione stated that this subject was discussed at the Education and Economic Development Committee meeting during the presentation by Bill Fioravanti, CEO, Orange County Industrial Development Agency (IDA) and with the help of Legislative Counsel Abraham this resolution was created. Senate Bill S.44005-B seeks to appoint "MONITORS" to oversee the Orange County Industrial Development Agency. The current volunteer board of the IDA has been doing a great job and what was done in the past is in the past. This type of overreach by state government is not necessary for economic development especially since they already report to the Authorities Budget Office (ABO) and the Office of the New York State Comptroller. As the law is written, this monitor would have the right to overrule and veto even before discussion on any projects being considered by the IDA.

Mr. Cheney asked if this would only apply to the Orange County Industrial Development Agency. Mr. Ruskiewicz replied yes.

Mr. Hines emphasized that this is not necessary with this new board.

Mr. Hines asked for the sponsor of the proposed senate bill. Mr. Ruskiewicz responded Senator James Skoufis who has continually attacked the IDA and has publicly referred to the board as "borderline corrupt and criminal" are completely inappropriate.

Mr. Faggione agreed, these volunteers were not only vetted through the legislature but have also completed ethics forms.

Mr. Amo asked if there was an assembly bill. Legislative Counsel Abraham replied that there is not an assembly bill.

Mr. Cheney pointed out that it is part of the senate budget proposal and part of the one hundred and eighty other items they are trying to get through as law by enacting them with the budget.

Chairwoman Bonelli commented that the Education and Economic Development committee members were outraged after hearing about this during the monthly update by Bill Fioravanti, CEO, Orange County Industrial Development Agency. He brought the concerns of the IDA board to the committee meeting and this proposed resolution is the sentiments of the Education and Economic Development committee and their support for the IDA.

Motion carried. All in favor.

Mr. Cheney moved to request resolution to have the **¾% increase to the sales tax** extended for the period beginning December 1, 2023 and ending November 30, 2025, seconded by Mr. Amo.

Mr. Cheney commented on the missing one-quarter percent that could be added to the sales tax. During his first term as a legislator this was a possibility but there was a governor in Albany that wasn't going to grant that tax and if they desired, they could request the legislature add it to the sales tax.

Chairwoman Bonelli responded that they are keeping it the same and to do so they must go through this process. This was brought to their attention during a meeting with NYSAC and they were urged to get this request in as soon as possible. NYSAC is working diligently with the state legislature to garner where they are going and what they will support as things are changing rapidly in Albany with the anticipated April 1<sup>st</sup> adoption of the budget.

Mr. Faggione added that they would be having a special legislative session on Tuesday, March 28, 2023 at 5:00 p.m. to address the previous two resolutions.

Motion carried. All in favor.

The meeting adjourned at 4:13 p.m.