

**WAYS AND MEANS COMMITTEE  
MINUTES**

**TUESDAY, APRIL 24, 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, Joseph J. Minuta,  
James D. O'Donnell

ALSO

PRESENT: L. Stephen Brescia, Chairman  
Kathy A. Stegenga, Legislator  
Peter V. Tuohy, Legislator  
Antoinette Reed, Legislative Counsel  
Matthew Nothnagle, Chief Asst. County Attorney  
Karin M. Hablow, Commissioner of Finance  
Erik Denega, Commissioner, Dept. of Public Works  
Travis B. Ewald, Deputy Commissioner, Dept. of Public Works/Engineering Division  
Michael Amodio, Deputy Commissioner, Dept. of Parks, Recreation & Conservation  
Brendan Casey, Commissioner of Emergency Services  
Allen Wierzbicki, Deputy Commissioner of Emergency Services/  
Emergency Communications  
Carl E. DuBois, Sheriff  
Kenneth T. Jones, Undersheriff  
Paul Arteta, Deputy Sheriff/Captain  
Capt. Anthony Mele, Acting Corrections Administrator  
Lawrence Catletti, Jail Administrator  
John McCarey, Director, Real Property Tax Service Agency  
Deborah Slesinski, Deputy Budget Director  
Mike Ventre, Budget Analyst  
Laurence LaDue, Commissioner, Valley View Center  
Donna Strecker, Director of Finance, Valley View Center  
Anthony Sole, Director of Plant Operation, Valley View Center  
John Jordan, Department of Public Works/Jail

Chairman Cheney opened the committee meeting at 3:31p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present.

Mr. Minuta moved to adopt a resolution authorizing the County to release the County's interest in the following property: Town of Walkkill, SBL 89-3-90. 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 but after the County took title to the property, seconded by Mr. Kulisek.

Mr. Nothnagle stated there is a local law that allows people to tender payment of the taxes before auction by which the judge grants approval of the judgement of foreclosure. He is asking that the legislature allow him to approach the court and request a release of the property from its order.

Motion carried. All in favor.

Mr. Minuta moved the request for supplemental appropriation of \$215,000.00 (\$172,000.00 federal share; \$43,000.00 County share) to be added to existing Capital Project No. 725 (Heritage Trail – Hartley Road to City of Middletown). Funds to come from Federal aid and bonding, \$43,000.00 (bonding), seconded by Mrs. Bonelli.

Mr. Amodio noted this is a housekeeping issue. The legislative request came before the Physical Services Committee as well as the Ways and Means Committee in June of 2017 then in July of 2017 it went before the full legislative body and was approved. When the documents were going from department to department, the Schedule "A" was not attached and the capital project was never increased.

Motion carried. All in favor.

Ms. Sutherland moved the request for supplemental appropriation to the Capital Projects budget for buildings equipment replacement at the Orange County Jail, \$150,000.00 (bonding), seconded by Mr. Kulisek.

Sheriff DuBois stated this request is to replace equipment for the hot water heaters, rolling refrigerators, and heating cabinets in the kitchen area. The two water heaters are currently failing and this is an ongoing capital project.

Mr. Catletti added the equipment is original to the building, antiquated and does not work properly. There is not much more they can do to repair these items.

Motion carried. All in favor.

Mr. Hines moved the request for supplemental appropriation to the Capital Projects budget for buildings capital improvements at the Orange County Jail, \$250,000.00 (bonding), seconded by Mr. Minuta.

Sheriff DuBois explained this is to replace equipment that is failing because it is original to the building which includes replacing doors in the lobby at the Sheriff's Office and putting tile in the carpeted areas.

Mr. Catletti stated the exterior entry doors are the main doors that enter the lobby area and they are having issues closing them. The doors need to be secured especially during the overnight shift. He was told that there were vendors trying to correct the issues and the Department of Public Works has been fabricated parts just to keep them operational on a daily basis.

Mr. Paduch clarified that there is no balance on the account.

Ms. Slesinski stated no, there is no money left.

Mr. Kulisek asked how much carpet is being replaced.

Mr. Catletti replied they approximated 5,707 square feet to be replaced. He stated for the most part, the whole jail was carpeted and these areas are medical areas that need to be sanitized and sterilized daily.

Sheriff DuBois added the carpet replacement has been ongoing for about 10 years.

Motion carried. All in favor.

Mr. Anagnostakis moved to approve the request for funding for the completion of the construction of Capital Project No. 376 (Public Safety Communications) \$3,839,500.00 (bonding), seconded by Mr. Minuta.

Mr. Casey stated this supplemental request is the last piece of the project and the funds need to be bonded so he can go out to bid. He added that they will only spend what is needed.

Motion carried. All in favor.

Mr. Benton asked that Mr. Casey give the committee a brief update regarding the camera program in schools.

Mr. Casey explained he received a few quotes from Mutual Link that were sent to the some of the schools and as of Monday three schools contacted the company. A work request was submitted to increase the highspeed internet access to a camera point on the 911 floor so it is up to the schools at this point on whether or not they are interested in the system. The highest price he saw was \$10,000.00 for the district to get what they need to tie into the system at Emergency Services. He added that they will see where this goes.

Mr. Paduch moved to adopt a resolution authorizing the acceptance of State funds for Multi Modal #4 Project IF 8MS519.30A Intersection of Route 94 and CR 69. The project was completed using Capital Project No. 410 Non-Highway Paving. Funding will increase the State share and decrease the County share, \$56,787.00 (bonding), seconded by Mr. Minuta.

Mr. Ewald stated this request is to accept revenue from a State grant for improvements that were made on County Route 69 at the intersection of New York State Route 94.

Motion carried. All in favor.

Mr. Minuta moved to adopt a resolution directing the Commissioner of Orange County Department of Public Works to prepare an application to the State Comptroller

seeking consent for the expenditure of a maximum of \$5,000,000.00 for increase and improvements of the facilities of the Beaver Dam Lake Protection and Rehabilitation District (Rehabilitation of Beaver Dam Lake Dam), seconded by Mr. Kulisek.

Mr. Denega explained that a public hearing was scheduled a month ago based on bid results for the project funds so the excess funds from the Beaver Dam Lake could go toward the capital project. They anticipate that another public hearing will need to be held in order to transfer the funds and have been advised by the Comptroller's Office that the application needs to be resubmitted which requires funds that were not included in the first application that are now needed. The public hearing needs to be re-advertised and held again. Furthermore, he does not want the project to be delayed. The proposed date for the hearing would be May 22, 2018 at 5:15 p.m. After the hearing, the application can be submitted to the Comptroller's Office and the delay could be up to eight weeks.

Mr. Hines asked Mr. Denega if this will be on the right track after this is done or will it be further delayed because of the County Attorney's.

Mr. Denega replied this is the last step.

Mr. Hines then asked if the lake will still be drained in May or June.

Mr. Denega replied it will be drained in June or July and he is hoping the lake will be filled back up at the end of the year.

Mr. Hines clarified that Mr. Mahoney has direct communications with the Comptroller's Office.

Mr. Denega stated that is correct.

Mr. Benton asked how the lake will be refilled other than rain and snow melt.

Mr. Ewald replied there is a stream that goes into the lake.

Mrs. Bonelli commented that Larry Ronsini was present at the Physical Services Committee meeting and has been communicating with his residents at Beaver Dam Lake. She is hoping they are aware of this change.

Mr. Minuta asked if the lake has been tested for PFOA.

Mr. Ewald replied yes.

Mr. Ronsini stated that in late 2016-2017, the New York State Department of Environmental Conservation did several tests on the feeder streams as well as the lake itself. They also did a comprehensive study on the fish in the lake to see the concentration of the fish. He added the information is posted on the DEC's website and all levels in the lake are acceptable.

Mr. Minuta asked if filtering the water when the lake is drained has been factored into the design.

Mr. Denega replied he believes it is in the permit to drain the lake slowly for the sake of the fish but he does not think there is any filter mechanism built into the design or requirement.

Mr. Ewald stated it is not required for the PFO's.

Mr. Minuta clarified that the design and initiation of the project came prior to the identification of the PFOA in Washington Lake.

Mr. Denega stated that is correct.

Mr. Benton commented this has been back and forth for so long and if there were any concerns, they would have come from the state officials.

Motion carried. All in favor.

Mr. O'Donnell moved to adopt a resolution setting a public hearing for the Rehabilitation of Beaver Dam Lake on May 22, 2018 at 5:15 p.m., seconded by Mr. Kulisek.

Motion carried. All in favor.

Mr. Anagnostakis moved the request for supplemental appropriation of \$351,041.00 in program revenues to initiate and provide ongoing support of the Certified Home Health Agency program as a division of Valley View in 2018. This program will be self-sustained with revenues generated from services. The program will have an operating budget in the Legislative Adopted Budget in future years, seconded by Ms. Sutherland.

Mr. LaDue stated this request is for funding to operate the Certified Home Health Agency (CHHA) as a subdivision of Valley View and the funding will be coming from surplus.

Motion carried. All in favor.

Mr. O'Donnell moved the request for supplemental appropriation of Interfund Revenues in the amount of \$1,405,000.00 for a proposed 2018 capital expenditure for a combined heating and power project, seconded by Ms. Sutherland.

Mr. LaDue introduced Anthony Sole, Director of Plant Operations at the Valley View Center who distributed handouts (see original minutes) regarding the heating and power project. He reviewed the handouts and stated there is a grant involved that is time sensitive. The monies being requested will cover the cost of the project as well as the combining of the boiler rooms. There are two boiler rooms (refer to map in packet) and what he would like to do is combine the rooms to lower maintenance costs.

Mr. LaDue stated when they first presented this project to the committees last year, the next step was a feasibility study which has been completed. He added there were four different options; therefore, the next step is approving this option. Furthermore, any money that is spent on capital projects like this are reimbursable. They receive 75% of it to go toward the Medicaid rate.

Mr. Anagnostakis commented that this passed unanimously in the Health and Mental Health Committee meeting.

Mr. Sole pointed out that this information was distributed last year to this committee.

Mr. Kulisek asked if this project goes out for an RFP.

Mr. Sole replied this is a NYSERDA grant and in order to take advantage of the grant, one of the vendors from their list must be chosen. They will have to put out an RFP or RFB and solicitate the vendors on the list.

Mr. Kulisek clarified that the boilers will go in one room.

Mr. Sole stated that is correct and the pipes will be ran on the roof. He stated that oldest boilers are 60 years and the new boilers will add redundancy to the building.

Mr. Minuta clarified that by combining the two boilers in one room the BTU's will increase.

Mr. Sole stated that is correct.

Mr. Minuta asked how many generators are in the building.

Mr. Sole replied there are two.

Motion carried. All in favor.

Mr. O'Donnell moved the request for supplemental appropriation of \$550,000.00 in Interfund Revenues for a proposed 2018 capital expenditure to begin Phase I of the Cousar building HVAC replacement project, seconded by Ms. Sutherland.

Mr. Sole stated this project was approved in 2005 and over time it was sent out to bid where nothing happened; therefore, they are back to square one. The Cousar Building was built in 1967 so the pipes are in rough shape. The first phase of the project includes asbestos abatement and replacing all the units in the non-resident areas; therefore, it will not affect the residents. Phase two and three of the project will be submitted next year.

Mr. Minuta clarified that the asbestos is being completely removed.

Mr. Sole stated that is correct, most of it has been abated but there is a little more to go.

Mr. Minuta asked if the rest of the building was looked at to make sure the piping is not corroded from the interior.

Mr. Sole replied this project is to replace all the piping in all the units throughout the building.

Mr. Paduch asked what kind of pipe it is.

Mr. Sole replied it is cast iron that is used for the hot water, heat, and air conditioning.

Motion carried. All in favor.

Ms. Sutherland moved the request for supplemental appropriation of \$50,000.00 in Interfund Revenues for a proposed 2018 capital expenditure to continue upgrading nursing mechanical lifters, seconded by Mr. Hines.

Mr. LaDue explained they have been replacing lifters every year for the past five years and with this funding the lifts will be replaced and be electronic, not the manual lifts.

Mr. Benton asked how many lifts can be bought with \$50,000.00.

Mr. LaDue replied the lifts average about \$7,000.00 each; therefore, he is looking to purchase six or seven lifts.

Motion carried. All in favor.

Mr. Paduch moved to adopt a Local Law to continue the imposition of tax under Local Law 13 of 2009, known as the "Orange County Hotel and Motel Room Occupancy Tax Local Law" for an additional three years, seconded by Mr. Kulisek.

Ms. Hablow stated this is to continue the Hotel and Motel Room Occupancy Tax which was established in 2009. The current budget for 2018 for the total tax is \$3,762,923.00 and the law is set to expire at midnight on August 24, 2018. If this does not pass, the revenue will be short \$1.3 million this year.

Motion carried. All in favor.

Ms. Sutherland moved the request to accept occupancy tax monies collected by Airbnb, Inc. at the applicable tax rate and received by Orange County through its commissioner of Finance pursuant to a voluntary collection agreement between Orange County and Airbnb, Inc., seconded by Mr. Paduch.

Mr. Chapman stated some of the legislators heard his presentation the other day at the Rules Committee meeting and if anyone would like him to repeat it, he will ask that the committee enter into an executive session. The substance of this request is that a resolution be passed asking that the County Executive to enter into an agreement to accept the occupancy tax money from Airbnb, Inc.

Mr. Benton commented this came about four or five years ago and he is not sure this has to go into executive session but that is the privilege of the committee.

Mr. Anagnostakis clarified that the tax rate will be the same as the hotel tax rate.

Ms. Hablow stated that is correct.

Mr. Anagnostakis asked what the estimated revenue would be.

Ms. Hablow replied the figures were provided by Airbnb, Inc. and they relate to the time frame between September 1, 2015 and September 1, 2016. During that time period the total revenue reportedly earned in Orange County was \$1,238,000.00 for rentals and when taking 5% of that, it comes out to \$61,900.00. They also provided her with an estimated annual growth rate which was 224% at the time.

Mr. Benton clarified the numbers are provided by Airbnb, Inc.

Ms. Hablow stated that is correct.

Mr. Minuta asked if there is a historical date on this or is it just one year.

Ms. Hablow replied it is one year.

Mr. Minuta then asked if she can request a historical date so they have it year after year.

Ms. Hablow replied yes, that is a good point.

Motion carried. All in favor.

Mr. Hines moved the request to accept, amend and affirm the Orange County Investment Policy, seconded by Mr. Benton.

Ms. Hablow explained this is done every year and this year there are significant changes. She worked in collaboration with a municipal financial advisor as well as a new vendor who recently signed a contract with the county to help with the cash management. This vendor is brought on to look at the county's underperforming or under-utilized cash position which the county is doing a good job with so the interest rates are becoming more favorable. These significant changes to the policy were made so the county can realign with the State Comptroller's model investment policy which was updated at the end of 2014 and also to allow the county to take advantages of opportunities in the market for interest rates. Ms. Hablow then reviewed the highlighted changes of the Orange County Investment Policy (see original minutes).

Motion carried. All in favor.

Mr. Kulisek moved the request to accept, amend and affirm the Orange County Debt Management Policy, seconded by Mr. O'Donnell.

Ms. Hablow stated there have not been any changes to the language in this policy.

Motion carried. All in favor.

Ms. Sutherland moved to discuss deed sale parcels, seconded by Mrs. Bonelli.

Mr. McCarey stated the first property is in the Town of Hamptonburgh (3-1-1.1) with a minimum bid of \$300,000.00 and amount bid of \$300,000.00. He recommended that the parcel be approved. The second, third, and fourth deed sale parcels are in the Town of Newburgh (16-2-8, 18-1-4.2, 97-1-8). Mr. McCarey recommended that they all be approved. Parcel number five is in the Town of Walkkill (31-1-14). The minimum bid is \$5,000.00 and the amount bid is \$500.00; therefore, he recommends it be denied because it is worth more money. The last parcel is in the Town of Woodbury (209-2-9) and has a minimum bid of \$4,000.00 and an amount bid of \$3,000.00. Mr. McCarey recommends that it be approved.

Motion carried. All in favor of accepting Mr. McCarey's recommendations to approve deed sale parcels Nos. 1, 2, 3, 4, and 6 and deny parcel No. 5.

The meeting adjourned at 5:07 p.m.