

**WAYS AND MEANS COMMITTEE
MINUTES**

**TUESDAY, APRIL 26, 2022
3:30 P.M.**

PRESENT: Leigh J. Benton, Chairman
Mike Anagnostakis, L. Stephen Brescia, James D. O'Donnell,
Kevin W. Hines, Laurie R. Tautel, Michael D. Paduch, Barry J. Cheney

ALSO

PRESENT: Katie Bonelli, Chairwoman
Joseph Minuta, Legislator
Betsy N. Abraham, Legislative Counsel
Karin Hablow, Commissioner of Finance
Travis Ewald, Deputy Commissioner, Dept. of Public Works/Engineering Div.
Robert Gray, Deputy Commissioner, Dept. of Public Works/ Environmental Facilities
and Services
Dominick Greene, Emergency Management, Emergency Planning
Alan Sorensen, Commissioner, Planning Department
Eenika Cruz, Administrator, Orange County Water Authority
Edward Magryta, Director, Airport
Paul Wiley, Acting Director, Real Property Tax Service
Paul Martland, Vice President of Admin., Orange County Community College
Deborah Slesinski, Budget Director

Chairman Benton opened the committee meeting at 3:31 p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present with the exception of Legislator Anagnostakis who arrived at 3:56 p.m.

Mr. O'Donnell moved to discuss a letter from the Village Administrator for Kiryas Joel requesting correction of Tax Roll (RP-554) by UTA Mesivta of Kiryas Joel, stating that a relevy of the Village water bill was mistakenly transmitted to the County for levy on the 2020 Town/County tax bills and water charges are in dispute. Requesting the roll and tax bill be corrected, and owner be permitted to pay the balance of the tax bill without penalties or interest, and halt any foreclosure action as the matter is still in dispute, seconded by Mr. Cheney.

Mr. Wiley stated this is a matter that is still in dispute in the village and according to the Real Property Tax Law, the Department of Real Property cannot fix this error.

Mr. Benton asked if they must wait to act on this until it is no longer in dispute.

Mr. Wiley replied he is not sure because it is still in dispute, but as far as he is concerned, the taxes should be paid and then they can dispute the overages and penalties after.

Mr. Nothnagle added that the village administrator submitted the request but did not state any grounds under Article Five of the Real Property Tax Law that would allow this body to grant relief. The correct thing to do would be to deny the application.

Mr. Benton asked if the committee should deny this or take no action.

Mr. Nothnagle responded that the committee should deny the request.

Mr. O'Donnell ask whether the mistake took place when the bill was transmitted.

Mr. Wiley replied what they are trying to say is that the bill should not have been transmitted because this is still in dispute.

Mr. O'Donnell asked Mr. Wiley and Mr. Nothnagle is they have met with the village administrator.

Mr. Wiley and Mr. Nothnagle replied no.

Mr. Nothnagle stated there was a fair amount of back-and-forth discussion between Mr. Ruscher and Mr. Szegedin via emails. At one point Mr. Szegedin admitted the purpose of the application was to delay the tax enforcement proceedings.

Mr. Hines clarified that the town/village was made whole.

Mr. Nothnagle stated that is correct.

Mr. Brescia moved to deny the request, seconded by Ms. Tautel.

Motion carried. All in favor with the exception of Mr. Anagnostakis who had not yet arrived.

Mr. Paduch moved to discuss a matter regarding a taxpayer for Wallkill 14-2-33 who claimed he went to Pine Bush School District on 9/29/22 to pay his tax bill and get a receipt but was told to put in drop box as there were no in-person payments. School District claimed to not have his check therefore his school district tax bill was releived on the County and Town 2022 tax bill. Taxpayer paid this bill but is requesting his fines and penalties be removed. Proof provided, seconded by Ms. Tautel.

Mr. Wiley explained this is similar to last month's request as there was a check that was never cashed by the school district, and he is unsure of who is at fault and there is not anything he can do to make this whole.

Mr. Nothnagle suggested that this request be denied as well because it is county funds, not town/village.

Legislative Counsel Abraham pointed out that this request is different than last month's as it is not the same incident. She referred to the committee to the legislative request (see original minutes).

Mr. Cheney moved to deny the request, seconded by Ms. Tautel.

Motion carried. All in favor with the exception of Mr. Anagnostakis who had not yet arrived.

Mr. Cheney moved to approve the request to remove a certain property from the upcoming property auction for open space purposes if it is not redeemed by the owner by the redemption date of May 4, 2022, seconded by Ms. Tautel.

Mr. Wiley stated this is 84 acres of land located in the Town of Minisink along the New York/New Jersey boarder. The property was a farm with a few small properties on it and is a beautiful piece of land. Due to failure to pay taxes it must be bought to auction, and he and the County Executive think it would be a great addition for open space.

Motion carried. All in favor with the exception of Mr. Anagnostakis who had not yet arrived.

Mr. Paduch moved to discuss deed sale parcels, (municipalities) seconded by Ms. Tautel.

The first deed sale parcel in the Town of Chester (104-6-3) has a minimum bid of \$68,704.50 and an amount bid of \$68,959.00. Mr. Wiley recommends it be approved. Deed sale parcel number two is in the Town of New Windsor (64-4-10), has a minimum bid of \$13,925.81 and amount bid of \$20,000.00, therefore, he recommends it be approved. The third parcel is in the Town of Tuxedo (201-1-34.2) and has a minimum bid of \$106,250.08 an amount bid of \$106,500.00. Mr. Wiley recommended that the committee approve it.

Motion carried. All in favor of approving Mr. Wiley's recommendation to approve deed sale parcels Nos. 1, 2, and 3.

Mr. Wiley explained the separate parcel located in the Town of Minisink (12-1-26) was presented to the committee last month and will be removed as the committee just voted on the property for open space.

Mr. Paduch moved to the request to approve the acceptance of credit card payments for the departments listed on Schedule "A", seconded by Mr. Hines.

As requested, Ms. Hablow stated this is an old resolution from 2008 that needs to be amended because it was discovered as part of a process that Deputy Commissioner Gallagher has been working on for about two and half years. This will help expand the ability of accepting credit

card payments throughout the county. One of the steps that was discovered was the schedule attached to the original resolution needs to be amended (see original minutes) to move forward.

Mr. Benton asked that Ms. Hablow point out the amendments on Schedule "A."

Ms. Hablow reviewed the amendments with the committee (see original minutes).

Mr. Anagnostakis arrived at 3:56 p.m.

Motion carried. All in favor.

Ms. Hablow addressed the committee with the next agenda item regarding an update Sales Tax which included the County of Orange Sales Tax Received Year-To-Date (County Portion Only) and a 4-Year Gross Sales Tax Comparison (see original minutes).

Mr. Cheney moved to approve the request to use \$200,000.00 in capital chargeback money for the purchase of capital equipment in accordance with Education Law 603.7, seconded by Ms. Tautel.

Mr. Martland explained this is a straightforward request that does not require any funds and will be matched with state funding. The equipment will be purchased for classroom use throughout the college.

Mr. O'Donnell asked what will be done with the old equipment that could be used for other programs.

Mr. Martland replied he does not know, but in the past the old equipment was offered to other non-for-profit institutions and schools or auctioned under the state regulations.

Motion carried. All in favor.

Mr. O'Donnell moved to approve the request from the Orange County Water Authority for supplemental appropriation from the County of Orange to partially fund project related expenses in 2022 for the City of Newburgh Water supply Land Acquisition and Restoration Program, also known internally as the Newburgh Water Quality Improvement Project. This preexisting project is funded in part by a grant through the New York State Department of Environmental Conservation. Approximately 80% of \$1,723,870.00 of the total project cost of \$2,154, 837.00 will be reimbursed by the grantor, but the Authority needs funding available in its 2022 budget to pay for these project costs upfront prior to being reimbursed (County funding) (\$600,000.00), seconded by Mr. Cheney.

Mr. Sorensen stated that in 2018, the OCWA (Orange County Water Authority) received a Water Quality Improvement Program Grant through the New York State DEC. The grant provides up to \$1,723,870.00 as a reimbursable expense for a project that has an estimated cost of \$2,154,887.00. This initiative is to protect the water quality in the Newburgh Watershed, specifically

by acquiring properties around Brown's Pond. The City of Newburgh's water supply was impacted by the PFOA's (Perfluorooctanoic acid) coming out of Stewart Airport, so the city had to discontinue the use of Washington Lake which make Brown's Pond the only service water body to supply the municipality. Furthermore, OCWA pursued the grant, and he is asking the committee to approve this for advanced funding so he can move forward with the acquisition of the first property which will take two to three years to complete.

Mr. Benton pointed out that there are four willing landowners surrounding the lake and asked that the appraisals be forwarded to the committee when received.

Mr. Sorensen responded that he must speak with the Executive Director of the Orange County Water Authority first.

Mr. Paduch asked if there were any offers to donate the land.

Mr. Sorensen replied no.

Motion carried. All in favor.

Mr. O'Donnell moved to approve the request for supplemental appropriation to the capital projects budget for Stony Ford golf equipment to cover the increase in the cost of equipment. Upon approval, these funds will be added to CP 746-22 (\$10,000.00) (bonding), seconded by Mr. Brescia.

Ms. Crawford stated this request is for additional funding since the price has increased from last year.

Motion carried. All in favor.

Mr. O'Donnell moved to approve the request for supplemental appropriation to the capital projects budget for Hickory Hill golf equipment to cover the increase in the cost of equipment. Upon approval, these funds will be added to CP 745-22 (\$6,000.00) (bonding), seconded by Mr. Benton.

Ms. Crawford stated this is the same situation, but for Hickory Hill Golf Course.

Motion carried. All in favor.

Mr. O'Donnell moved to approve the request for supplemental appropriation to the capital projects budget for remediation and repair of the Hickory Hill Maintenance Garage in Warwick. This project has not been approved under the 2022 Capital Plan. Upon approval, a new capital plan will be created (\$206,000.00) (bonding), seconded by Ms. Tautel.

Mr. Brooks explained this was brought to the committee last month with the intent to get reimbursed through FEMA, but the funds may not be available anytime soon. This is a health

and safety issue for the staff; therefore, he would like to move forward and get the remediation done immediately as the staff have been placed in another building.

Mr. Benton mentioned that there were questions at the Physical Services Committee meeting yesterday as well as some pictures which showed the condition of the building. He asked if there is an advantage of going through FEMA rather than tearing down the building.

Mr. Brooks replied yes. The mold must be remediated, so the building cannot be knocked down.

Mr. Benton disagreed, and stated mold can be cleared by knocking down the building.

Mr. Brooks indicated that he received a few estimates for knocking it down and it was more costly than remediation.

Mr. Minuta expressed his concerns about the removal of the mold and asked Mr. Brooks for clarification on parts of the report (see original minutes).

The committee and Mr. Brooks further discussed the remediation of the building, the current design and how the health of the staff is his number one priority.

Mr. Benton emphasized the fact that it would be a lot easier to start new.

Mr. Cheney asked where the maintenance operations are taking place at this time.

Mr. Brooks replied that the staff has been relocated to a rental building on the property. It is a very small area that they are working out of.

Mr. Benton asked Mr. Brooks if he and the staff can get by with the current building.

Mr. Brooks replied his concerns are the employees and the mold, so from his perspective he is looking to expedite this process. He stated the pictures do not do justice.

Mr. Minuta commented the report does not give much information regarding health and safety hazards. He would like to see a certified industrial hygienist tell him that there is a health hazard. At the end of the day, there is no cost benefit because there could be a potential flood again.

Ms. Tautel clarified that FEMA funds can be applied to a non-flood zone area.

Mr. Brooks stated that is correct.

Mr. Greene further explained the FEMA funding and how reimbursement is determined.

Mr. Benton commented they do not need to rush this because the employees have been out of the building for a while.

Chairwoman Bonelli pointed out this request is to establish the capital project which is needed for the FEMA application. No one is spending the money; this is for FEMA purposes.

Mr. Brooks agreed.

Motion carried. All in favor.

Ms. Tautel moved to approve the request for supplemental appropriation to the capital projects budget for Orange County Sewer District No. 1 to purchase equipment. Funding to come from the Orange County Sewer District No. 1 surplus. This project has been approved under the 2022 Capital Plan as Project No. 60. Upon approval, a new capital project will be created, \$134,416.00 (SEWER SURPLUS), seconded by Mr. Paduch.

Mr. Gray reviewed the list of items with the committee (see original minutes).

Motion carried. All in favor.

Ms. Tautel moved to approve the request for supplemental appropriation to the capital projects budget in the amount of \$800,000.00 for Heavy Equipment /Fleet Replacement. Funding is from the State Consolidated Local Street and Highway Improvement Program (CHIPS) in the amount of \$700,000.00 and \$100,000.00 is from County borrowing. This project has been approved under the 2022 Capital Plan as Project No. 41 (State funding: \$700,000.00; County funding: (\$100,000.00) (bonding), seconded by Mr. O'Donnell.

Mr. Ewald stated this is for Heavy Equipment/Fleet Replacement, \$700,000.00 will be state funded and \$100,000.00 will be county funded. The equipment replacement includes two backhoes, a sweeper truck, and a bucket truck.

Motion carried. All in favor.

Ms. Slesinski addressed the committee with a budget update by reviewing the General Fund Status Report as of March 2022 and a few highlights regarding the approval of the New York State Budget which included eliminating the diversion of sales tax for AIM payments and the distressed hospital fund. (\$2.8M), an 11% increase in preschool tuition rates (We fund 40.5% of these costs), continue the Hurrell Harring Settlement, continuing the Medicaid Spending Cap – but altering the calculation, to be better for counties, increase to the County Health base grant (\$750K compared to \$650 K) and allowing some of the fringe benefits to be included for reimbursement (Article 6), statewide increasing the GIVE Grants (Gun Involved Violence Elimination) by \$3.5M - law enforcement agencies for personnel, equip OT etc. and the continuance of Raise the Age.

Mr. O'Donnell moved to approve the request to accept a grant from the Federal Aviation Administration (FAA) in the amount of \$17,454.00 for the Snow Removal Equipment Building (Plumbing Construction) at the Orange County Airport. The revised cost is now \$46,454.00. Upon approval, the funds will increase existing Capital Project No. 566. Federal Share: (90%) \$15,709.00; State Share: (5%) \$872.00 and County Share: (5%) (\$873.00) (bonding), seconded by Mr. Benton.

Mr. Magryta stated there was a bid and after the price escalation that took place, the first bidder declined moving forward, so he went with the second bidder. The FAA leave a 15% cost structure so without having to amend the grant, they can go up to 15% for the overall cost of the project.

Motion carried. All in favor.

The meeting adjourned at 5:03 p.m.