

REGULAR SESSION, THURSDAY, MAY 7, 2020

REGULAR SESSION

May 7, 2020

The Legislature convened in Regular Session at 3:31 p.m. today.

The Legislature was called to order by Chairman Brescia with a moment of silence and the Pledge of Allegiance to the Flag.

Chairman Brescia asked if there are no objections consent resolutions Nos. 13 through 23 will be included on the agenda and vote collectively on Nos. 9 through 12.

Chairman Brescia asked if there were no objections some resolutions will be voted by voice vote and not by roll call and only respond if you are a no vote or abstention.

Chairman Brescia announced special recognitions for the month of May which were National Police Week May 10th through 16th, National Nurses Week May 6th through 12th, National Teacher's Week May 4th through 8th and Emergency Services Week, May 17th through 23rd.

Public Participation will be postponed to a future Legislative Session but the public is invited to send their written comments via email to Jramppen@orangecountygov.com

WAYS AND MEANS COMMITTEE:

The Semi-Annual Report of the Mortgage Tax for the period of October 1, 2019 through March 31, 2020, was presented to the Legislature. On motion the same was received and ordered placed on file.

The Clerk read the following:

Apportionment of the Mortgage Tax for the period October 1, 2019 through March 31, 2020, as computed by the Clerk of the Legislature from the statement filed by the County Clerk.

APPORTIONMENT OF THE MORTGAGE TAX FOR THE PERIOD OCTOBER 1, 2019 - MARCH 31, 2020 AS COMPUTED BY THE CLERK OF THE LEGISLATURE FROM THE STATEMENT FILED BY THE COUNTY CLERK				
TOWN OR CITY	VILLAGE	VILLAGE SHARE	CITY OR TOWN SHARE	TOTAL
Middletown			347,436.04	347,436.04
Newburgh (City)			272,429.65	272,429.65
Port Jervis			55,846.59	55,846.59
Blooming Grove			269,663.89	
	WASHINGTONVILLE	44,403.57		
	SOUTH BLOOMING	27,683.84		341,751.30
Chester			212,414.72	
	CHESTER	39,692.48		252,107.20
Cornwall			171,414.66	
	CORNWALL	24,441.38		195,856.04
Crawford			138,266.89	138,266.89
Deerpark			57,479.18	57,479.18
Goshen			198,988.66	
	GOSHEN	45,461.35		
	FLORIDA	404.92		
	CHESTER	345.08		245,200.01
Greenville			74,934.21	74,934.21
Hamptonburgh			112,517.48	
	MAYBROOK	511.86		113,029.34
Highlands			46,878.61	
	HIGHLAND FALLS	19,017.25		65,895.86

Minisink			76,880.00	
	UNIONVILLE	3,089.70		79,969.70
Monroe			302,511.13	
	MONROE	84,024.85		
	HARRIMAN	12,560.60		399,096.58
Montgomery			366,197.29	
	MAYBROOK	18,810.83		
	MONTGOMERY	30,782.91		
	WALDEN	48,069.32		463,860.35
Mount Hope			71,716.79	
	OTISVILLE	5,528.63		77,245.42
Newburgh (Town)			464,668.99	464,668.99
New Windsor			488,602.81	488,602.81
Tuxedo			46,508.99	
	TUXEDO PARK	11,978.28		58,487.27
Wallkill			518,302.87	518,302.87
Warwick			413,922.99	
	FLORIDA	19,341.61		
	GREENWOOD LAKE	21,061.26		
	WARWICK	42,419.73		496,745.59
Wawayanda			111,778.85	111,778.85
Woodbury			232,251.07	
	HARRIMAN	8,188.82		
	WOODBURY	227,734.76		468,174.65
Palm Tree			748,416.24	
	KIRYAS JOEL	743,129.70		1,491,545.94
TOTAL		1,478,682.73	5,800,028.60	7,278,711.33

On motion the same was received and ordered placed on file.

Sponsor: Benton

RESOLUTION NO. 100 OF 2020

RESOLUTION ACCEPTING AND CONFIRMING THE REPORT OF THE APPORTIONMENT OF THE MORTGAGE TAX FOR THE PERIOD OCTOBER 1, 2019 THROUGH MARCH 31, 2020, AS COMPUTED FROM STATEMENT FILED BY THE COUNTY CLERK.

RESOLVED, that the report of the apportionment of the Mortgage Tax for the period October 1, 2019 through March 31, 2020, as computed from the statement filed by the County Clerk, pursuant to the provisions of Section 261 of the Tax Law, be accepted and confirmed and that a certified copy thereof be furnished to the Commissioner of Finance, which shall be his warrant to pay the same as specified.

Seconded by Mr. Vero.
The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruskiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21; Noes 0; Absent 0; ADOPTED.

Sponsors: Benton, Bonelli
Co-Sponsors: Paduch, Kulisek, Luján, Ruskiewicz, Sierra, Tautel, Tuohy

RESOLUTION NO. 101 OF 2020

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO TRANSFER FUNDS FROM CONTINGENCY TO THE ORANGE COUNTY BUDGET, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the Orange County Department of Budget requests to transfer funds in the amount of \$2,500,000.00 from Contingency for use in the COVID-19 response.

NOW, THEREFORE, it is hereby

RESOLVED, that the 2020 budget for the Orange County Department of Budget is hereby supplemented as indicated above and stated below to transfer funds in the amount of \$2,500,000.00 from Contingency, to be used in the COVID-19 response; and it is further

RESOLVED, that the Commissioner of Finance is hereby authorized to make such modifications forthwith.

Revenue:

1010	199001	Contingency	410011	County Taxation	(\$2,500,000.00)
1010	301001	Emergency Serv	410011	County Taxation	<u>\$2,500,000.00</u>
					0.00

Expenses:

1010	199001	Contingency	579880	Provision for Contingencies	(\$2,500,000.00)
1010	301001	Emergency Serv	573270	Medical Supplies	<u>\$2,500,000.00</u>
					0.00

Seconded by Mr. Vero.

Mr. Paduch mentioned that the County Executive was spending some of this money on mailers. He thought Dr. Gelman stated that any mailers that go out would be included in Spanish. He asked why the Legislature was not listed on the mailer, especially since we are the ones approving the money. It should be the Legislature and the County Executive listed on the mailers.

Mr. Benton stated that it did not come up during the Ways and Means Committee meeting but he can find out that information tomorrow and reach out to Mr. Paduch and notify the Clerk so she can relay the information to all Legislators.

Mr. Paduch stated that he asked the question during a meeting with the County Executive and Dr. Gelman and he was assured that the Legislature would be included.

Chairman Brescia suggested that the office reach out to the County Executive's office to get an answer, in the meantime they will hold off on the vote until they hear from someone.

Mr. Paduch asked if the \$2,500,000.00 was an addition to an amount that has already been spent. He stated that there was a discussion with the Budget Department that there was money spent and this was supplementing the money that has been used so far.

Mr. Benton stated that this is the money that was itemized and sent to them for the Ways and Means Committee meeting. It leaves \$192,000.00 in contingency and he was sure there will be more to spend. The money needs to come from somewhere because these are expenses that were incurred due to COVID-19. He thanked Ms. Slesinski and Mr. Burpoe for their procurement,

negotiations and tracking. They are hopeful to get reimbursed completely for these expenses by the federal government.

Mr. Paduch appreciated the information Mr. Benton provided and noted he and the Budget Department did a good job. He thought that there was money added so it was \$3.2 million to be spent because they already spent some money and this was supplementing that.

Mr. Benton mentioned that originally the amount was close to \$3 million but there were some shipments that were incorrect or wrong so they deducted that and did not spend it.

Mr. Luján asked what the \$60,000.00 for Focus Media was being used for. He stated that Minority Paduch had a good point because we are the other branch of government, it should not be only the County Executive's logo or picture of himself. It was discussed since the beginning about having these mailers in Spanish, even if it is only on one fourth of the document. He understood everyone was busy and the County Executive is doing an amazing job but this is one thing that should be done and it was long overdue.

Chairman Brescia stated that the County Executive mentioned during a conference call that he speaks with Mr. Lujan multiple times a day. He suggested that he address these issues with him directly. He added that he did agree that the Legislature should be listed on the mailers.

Ms. Tautel asked about the reimbursement of this money and asked if it can go back into the contingency fund.

Mr. Porr stated that what will happen is if they receive money back from FEMA for COVID-19 response, the Legislature would have to accept the funds and when they are accepted they can designate where they want to put the funds.

Mr. Porr addressed the question regarding the Legislature being put on the mailers. He stated that the flyer went out to provide public information regarding COVID-19. If there is another flyer that goes out regarding the epidemic, they will bring it to the County Executive's attention that the Legislature would like to be listed on the publication.

Mr. Paduch thanked Mr. Porr.

Chairman Brescia also thanked Mr. Porr and added that the Legislature has been very supportive of the superb job that the County Executive is doing and they are part of the team too.

Mr. Porr stated that he would also bring to the County Executive's attention the request for the publication to be partially in Spanish.

Mr. Minuta stated that English is the language of our country, but they also have a large Korean, Asian and Polish population so he would like to see the flyer translated for all if it was going to happen so they have equal value of each ethnicity.

Mr. Luján pointed out that Spanish is the second largest language spoken in Orange County and it would be good to have it in other languages.

Mr. Amo mentioned that there are probably about 27,000 people who speak Yiddish and read Hebrew in Orange County.

Chairman Brescia noted all the valid points that were being made. He suggested they move forward and have further discussion later.

The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21;

Noes 0;

Absent 0;

ADOPTED.

JOINT-RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS AND PHYSICAL SERVICES COMMITTEES:

Sponsors: Vero, Faggione, Bonelli, Benton

Co-Sponsors: Tuohy, Ruszkiewicz

RESOLUTION NO. 102 OF 2020

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE ASSUMING LEAD AGENCY STATUS UNDER STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) WITH RESPECT TO LOCAL LAW INTRODUCTORY NO. 10 OF 2020, "A LOCAL LAW ESTABLISHING A LIMITED RESERVATION OF TREATMENT CAPACITY AT THE HARRIMAN TREATMENT PLANT," CLASSIFYING THE ACTION AS A TYPE II ACTION PURSUANT TO 6 NYCRR 617.5 (33) AND DETERMINING THAT THE ACTION OF ADOPTING SAID LOCAL LAW WILL NOT HAVE A SIGNIFICANT ADVERSE AFFECT ON THE ENVIRONMENT.

WHEREAS, the Orange County Legislature is considering the adoption of a local law entitled "A Local Law Establishing a Limited Reservation of Treatment Capacity at the Harriman Treatment Plant"; and

WHEREAS, the Deputy Commissioner of the Department of Public Works has prepared a short form Environmental Assessment Form as annexed hereto; and

WHEREAS, the Legislature hereby determines that the only action relating to the adoption of the said proposed local law would be an act by the Legislature to adopt the same; and

WHEREAS, the SEQRA regulations state that actions listed in 6 NYCRR 617.5 "have been determined not to have a significant impact on the environment and are otherwise precluded from environmental review"; and

WHEREAS, the Legislature hereby determines that the adoption of such local law, as it does not approve any real estate or other form of development (since such development is otherwise subject to SEQRA review under local planning processes) will not have any negative impact on the environment.

NOW, THEREFORE, be it

RESOLVED, that the Legislature hereby classifies the Action as a Type II Action pursuant to 6 NYCRR 617.5(33) and in any event further determines that the proposed action will not have a significant adverse affect or impact on the environment for the aforesaid reasons.

Seconded by Mr. Ruszkiewicz.

Mr. Tuohy stated that over this past year, the Orange County Sewer District No. 1 Advisory Committee has met and presented to the Legislature as a whole, a review of options for longevity improvements and expanded capacity at the Harriman WWTP. In order to move forward, they appreciate the Legislative Body's consideration on legislative request for lead agency status with regard to both longevity improvements and 3MGD capacity expansion. In addition to that, he also asks the Legislature's consideration with regard to Local Law Introductory No. 10 of 2020. This law serves to encourage developers to construct and or replace existing infrastructure. The local law also allows Orange County to give developers that construct and or replace certain existing infrastructure priority over any other developers connecting upstream that would need to utilize the newly constructed and or replaced infrastructure for conveyance to the Harriman WWTP. Under this agreement there will be no financial impact to the rate payers of Orange County Sewer District No. 1, the Moodna Communities and the taxpayers of Orange County. In addition, the advisory board has received from the supervisors and mayors support for Local Law Introductory No. 10 of 2020 as well as overwhelming support from the Rules, Enactments and Intergovernmental Relations and Physical Services Statutory Committees. With the need upon us to act now, he planned to vote in favor of agenda item Nos. 3, 4 and 5 and respectfully ask all his fellow Legislators to do the same and vote yes on these most important and timely resolutions.

The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, **Luján**, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21;

Noes 0;

Absent 0;

ADOPTED.

Certificate of the Clerk relative to placing on desks of Legislators copy of Local Law Introductory No. 10 of 2020 was presented to the Legislature. On motion the same was received and ordered placed on file.

Sponsors: Cheney, Faggione, Vero, Tuohy, Benton, Bonelli

Co-Sponsor: Ruszkiewicz

A LOCAL LAW, BEING INTRODUCTORY NO. 10 OF 2020, ENTITLED "A LOCAL LAW ESTABLISHING A LIMITED RESERVATION OF TREATMENT CAPACITY AT THE HARRIMAN WASTEWATER TREATMENT PLANT."

Seconded by Mr. Ruszkiewicz.

The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, **Luján**, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tuohy, Vero, Brescia

Noes: Tautel

Ayes 20;

Noes 1;

Absent 0;

ENACTED.

(SEE LOCAL LAWS OF ORANGE COUNTY)

PHYSICAL SERVICES COMMITTEE:**Sponsors: Tuohy, Minuta****Co-Sponsors: Ruszkiewicz, Tautel****RESOLUTION NO. 103 OF 2020**

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE GIVING NOTICE OF INTENT TO ASSUME LEAD AGENCY STATUS UNDER STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) WITH RESPECT TO THE ORANGE COUNTY SEWER DISTRICT NO. 1 HARRIMAN WASTEWATER TREATMENT PLANT LONGEVITY IMPROVEMENT CAPACITY EXPANSION AND MAKING A PRELIMINARY DETERMINATION THAT THIS PROJECT BE CLASSIFIED AS A TYPE 1 ACTION.

WHEREAS, the Orange County Sewer District No. 1 has proposed longevity improvements and a three (3) million gallon per day capacity expansion of the Harriman Wastewater Treatment Plant, which serves the Orange County Sewer District No. 1 and several out of district communities located in the Town of Woodbury; and

WHEREAS, in compliance with the State Environmental Quality Review Act (SEQRA), the Legislature of Orange County intends to Assume Lead Agency status based on the review of Part I of the Environmental Assessment Form ("EAF"), and has made a preliminary determination that the above proposed action is a Type 1 action;

WHEREAS, the action is technically an Unlisted Action, but is proposed to be categorized as Type 1 to give the project maximum eligibility to be considered for low interest funding or receipt of grants.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the Orange County Legislature declares its intention to assume Lead Agency status concerning the Orange County Sewer District No. 1 Harriman Wastewater Treatment Plant Longevity Improvement Capacity Expansion; and

2. Makes a preliminary determination, pursuant to 6 NYCRR Section 617.6, that the proposed action is Type 1 action.

Seconded by Mr. Vero.

The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, **Luján**, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21;

Noes 0;

Absent 0;

ADOPTED.

RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS COMMITTEE:

Sponsors: Cheney, Hines

Co-Sponsors: Bonelli, Paduch, Benton, Faggione, Kulisek, Luján, Minuta, O'Donnell, Ruskiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

RESOLUTION NO. 104 OF 2020

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE ENCOURAGING ORANGE COUNTY RESIDENTS AND THEIR FAMILIES TO PURCHASE FOOD AND OTHER PRODUCTS FROM LOCAL FARMS.

WHEREAS, our nation enjoys a food supply that is abundant, affordable and among the world's safest, thanks in part to the efficiency and productivity of Orange County farmers;

WHEREAS, Orange County farms contribute to food security for the County; and

WHEREAS, Orange County farms make up over half the open space in the county; and

WHEREAS, family farming supports other community businesses and the local economy; and

WHEREAS, Orange County farmers generated \$100.6 million in gross sales in 2012, farmers spend an extra \$55 million on local goods and services and therefore Orange County agriculture contributes \$155.9 million to the local economy; and

WHEREAS, family farms in Orange County provide a safe way of practicing physical distancing while providing healthful, nutritious food; and

WHEREAS, Orange County farmers strive to produce food in a manner that supports and enhances the environmental diversity of the county; and

WHEREAS, farming enhances and compliments tourism to the county; and

WHEREAS, farms keep property taxes lower because taxes paid on farmland exceed the cost of providing services; and

WHEREAS, farming supports other community businesses and the local economy; and

WHEREAS, we support our agricultural industry and our farmers and encourage a safe and abundant food supply.

NOW THEREFORE, BE IT

RESOLVED that we, the Orange County Legislature support and recognize the role, and appreciate the hard work of farmers and farm workers as essential businesses providing us with safe and healthful food in this time; and be it further

RESOLVED that we, the Orange County Legislature encourage Orange County residents and their families to purchase food and other products from local farms. Information about these farms can be found at orangetourism.org/farms or on the Facebook Page: Orange County Farms (facebook.com/OrangeCountyNYFarms).

Seconded by Mr. Vero.

Mr. Ruszkiewicz encouraged everyone to support the resolution. This came out from the Agricultural and Farmland Protection Board encouraging people to shop locally at local farmers markets. Many of them are starting to open up and it will be a little different with facemask requirements and social distancing. Shopping at a farmers market in the open air is in his opinion, safer than shopping in the supermarket for produce.

The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21;

Noes 0;

Absent 0;

ADOPTED.

PUBLIC SAFETY AND EMERGENCY SERVICES COMMITTEE:

Sponsors: Faggione, Stegenga

Co-Sponsors: Sierra, Tautel

RESOLUTION NO. 105 OF 2020

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY SHERIFF'S OFFICE, TO ACCEPT AND APPROPRIATE FUNDS FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the Orange County Sheriff's Office is requesting to accept and appropriate funding from the New York State Division of Criminal Justice Services in the amount of \$21,000.00. Said funds will be used to assist in purchasing Fingerprint Equipment and software; and

WHEREAS, this Legislature does wish to accept and appropriate said funds for the Orange County Sheriff's Office as indicated above.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Orange County Sheriff, be and hereby is authorized to accept funds in the amount of \$21,000.00 from the New York State Division of Criminal Justice Services to be used to purchase Fingerprint Equipment and software as indicated above.

2. That the 2020 budget for the Orange County Sheriff's Office is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.

3. That the County Executive be and hereby is authorized to execute all necessary documents and assurances necessary to carry out the purposes of this Resolution subject to the review thereof by the County Attorney for purposes of form and content.

Revenue:

1010	311033	433891	Other Public Safety	\$21,000.00
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Expense:

1010	311033	585012	Equipment	\$21,000.00
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Seconded by Mr. Vero.
The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21; Noes 0; Absent 0; ADOPTED.

Sponsors: Faggione, Stegenga

RESOLUTION NO. 106 OF 2020

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY SHERIFF'S OFFICE, TO ACCEPT AND APPROPRIATE FUNDS FROM THE NRA FOUNDATION, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the Orange County Sheriff's Office is requesting to accept and appropriate funding in the amount of \$1,679.00 from the NRA Foundation on a grant that had been applied for. Said funds will be used to purchase ammunition which would be utilized for training purposes only; and

WHEREAS, this Legislature does wish to accept and appropriate said funds for the Orange County Sheriff's Office as indicated above.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Orange County Sheriff, be and hereby is authorized to accept funds in the amount of \$1,679.00 from the NRA Foundation to be used to purchase ammunition for training purposes as indicated above.

2. That the 2020 budget for the Orange County Sheriff's Office is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.

3. That the County Executive be and hereby is authorized to execute all necessary documents and assurances necessary to carry out the purposes of this Resolution subject to the review thereof by the County Attorney for purposes of form and content.

Revenue:

1010 311033 415891 Other Public Safety \$1,679.00

Expense:

1010 311033 573280 Ammunition \$1,679.00

Seconded by Mr. Vero.
The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Stegenga, Sutherland, Tuohy, Vero, Brescia

Noes: Luján, Sierra, Tautel

Ayes 18; Noes 3; Absent 0; ADOPTED.

HEALTH AND MENTAL HEALTH COMMITTEE:

Sponsors: Amo, Anagnostakis, Luján, Sutherland, Touhy, O'Donnell

Co-Sponsors: Paduch, Kulisek, Sierra, Tautel

RESOLUTION NO. 107 OF 2020

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF HEALTH, TO APPROPRIATE SECOND YEAR BUDGET PERIOD FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, by Resolution No. 137 of 2019, this Legislature approved the acceptance and appropriation of a grant from the New York State Department of Health for the Tuberculosis Prevention and Control Program in the amount of \$195,830.00 (\$39,166.00 per year) for a five year contract period which runs from April 1, 2019 through March 31, 2024. Said Resolution also appropriated first year funds in the amount of \$39,166.00 for the period of April 1, 2019 through March 31, 2020; and

WHEREAS, this Legislature wishes to appropriate second year budget period funds in the amount of \$39,166.00 from the New York State Department of Health for the Tuberculosis Prevention and Control Program for the period of April 1, 2020 through March 31, 2021.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Commissioner of Health, be and hereby is authorized to appropriate second year budget period funds from the New York State Department of Health in the amount of \$39,166.00 for the Tuberculosis Prevention and Control Program as indicated above.

2. That the 2020 budget for the Department of Health is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.

3. That the County Executive be and hereby is authorized to execute all necessary documents and assurances necessary to carry out the purposes of this resolution subject to the review thereof by the County Attorney for purposes of form and content.

Revenue:

1010	401018	434721	Special Health Programs	\$39,166.00
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Expenses:

1010	401018	571500	Employee Chargeback	\$38,614.00
1010	401018	576760	Employee Mileage Reimbursement	<u>\$ 552.00</u>
			Total Tuberculosis Control Program	\$39,166.00

Seconded by Mr. Vero.
The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, **Luján**, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21; Noes 0; Absent 0; ADOPTED.

Sponsors: Amo, Anagnostakis, Luján, Sutherland, Tuohy, O'Donnell
Co-Sponsor: Tautel

RESOLUTION NO. 108 OF 2020

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF HEALTH, TO ACCEPT AND APPROPRIATE FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the New York State Department of Health AIDS Institute/Health Research, Inc. has offered a grant in the amount of \$105,000.00 for the Expanded Partner Services Program (ExPS). The purpose of this grant is to facilitate the re-engagement in medical care of persons thought to be

out-of-care living with HIV/AIDS, notify, test and treat partners, and distribute protection to sexually active HIV positive persons and their partners. The term of the grant runs from April 1, 2020 through March 31, 2021; and

WHEREAS, this Legislature does wish to accept and appropriate said funds for the Department of Health as indicated above.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Commissioner of Health, be and hereby is authorized to accept and appropriate funds from the New York State Department of Health AIDS Institute/Health Research, Inc. in the amount of \$105,000.00 for the Expanded Partner Services Program as indicated above.

2. That the 2020 Budget for the Department of Health is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.

3. That the County Executive be and hereby is authorized to execute all necessary documents and assurances necessary to carry out the purposes of this resolution subject to the review thereof by the County Attorney for purposes of form and content.

Revenue:

1010	401018	434721	Special Health Programs - Expanded Partner Services	\$105,000.00
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Expenses:

1010	401018	560110	Permanent Base Salary	\$ 59,548.00
			Fringe Benefits	\$ 35,184.00
1010	401018	586100	ERS	\$ 5,380.00
1010	401018	586300	Social Security	\$ 4,357.00
1010	401018	586400	Workers' Comp.	\$ 2,212.00
1010	401018	586500	Unemployment Insurance	\$ 116.00
1010	401018	586600	Health Insurance	\$22,698.00
1010	401018	586650	Dental Insurance	\$ 354.00
1010	401018	586660	Vision Insurance	\$ 33.00
1010	401018	586700	Employer Disability	\$ 22.00
1010	401018	586800	EAP Charges	\$ 12.00
1010	401018	573100	Office Supplies	\$ 500.00
1010	401018	575632	Radio Pager	\$ 208.00
1010	401018	575610	Building rent	\$ 5,000.00
1010	401018	576760	Employee Mileage Reimbursement	\$ 3,000.00
1010	401018	576770	Employee Special Travel	\$ 100.00
1010	401018	577090	Maintenance Contracts	<u>\$ 1,460.00</u>
			Total Expanded Partner Services	\$105,000.00

Seconded by Mr. Vero.
The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21; Noes 0; Absent 0; ADOPTED.

Sponsors: Amo, Anagnostakis, Luján, Sutherland, Tuohy, O'Donnell
Co-Sponsor: Tautel

RESOLUTION NO. 109 OF 2020

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF HEALTH, TO ACCEPT AND APPROPRIATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the New York State Department of Health has offered a grant in the amount of \$97,198.00 for the Adolescent Tobacco Use Prevention Act (ATUPA). The goal of the program is to implement and enforce New York State's Adolescent Tobacco Use Prevention Act in Orange County. The term of the grant runs from April 1, 2020 through March 31, 2021; and

WHEREAS, this Legislature does wish to accept and appropriate said grant for the Department of Health as indicated above.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Commissioner of Health, be and hereby is authorized to accept and appropriate a grant from the New York State Department of Health in the amount of \$97,198.00 for the Adolescent Tobacco Use Prevention Act as indicated above.

2. That in furtherance of this resolution, the acceptance of said funds is contingent upon the County's right to review the status and the results to date of the program at all reasonable times.

3. That the retention of services to be provided by Orange County and funded by this subject grant shall terminate absolutely upon the exhaustion of the availability of said grant monies, and that no additional obligation to provide for employment or for the continuance of said services at the expense of the County shall be implicitly or explicitly required.

4. That acceptance of said state aid is contingent upon the County's right to withdraw from the program should the County be dissatisfied with its results.

5. That the 2020 Budget for the Department of Health is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.

6. That the County Executive be and hereby is authorized to execute all necessary documents and assurances necessary to carry out the purposes of this resolution subject to the review thereof by the County Attorney for purposes of form and content.

Revenue:

1010	401018	434721	Special Health Programs - ATUPA	\$97,198.00
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Expenses:

1010	401018	560110	Permanent Base Salary Total	\$52,369.00
1010	401018	568030	Youth Compliance Workers	\$ 3,549.00
			Fringe Benefits	\$32,143.00
1010	401018	586100	Employee Retirement System	\$ 6,916.00
1010	401018	586300	Social Security/FICA	\$ 4,246.00
1010	401018	586400	Worker's Compensation	\$ 1,815.00
1010	401018	586500	Unemployment Insurance	\$ 114.00
1010	401018	586600	Hospital Insurance	\$18,340.00
1010	401018	586650	Dental Insurance	\$ 554.00
1010	401018	586660	Vision Insurance	\$ 52.00
1010	401018	586700	Disability Insurance	\$ 93.00
1010	401018	586800	EAP	\$ 13.00
1010	401018	575180	Equipment Lease	\$ 200.00
1010	401018	575400	Radio/Pager/Mobile Communications	\$ 187.00
1010	401018	575750	County Motor Pool	\$ 6,000.00
1010	401018	576340	Telephone	\$ 2,000.00
1010	401018	576760	Routine Mileage	\$ 500.00
1010	401018	576820	Special Payments (Evidence)	\$ 250.00
			Total Adolescent Tobacco Use Prevention Act	\$97,198.00

Seconded by Mr. Vero.

The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21;

Noes 0;

Absent 0;

ADOPTED.

Sponsors: Amo, Anagnostakis, Luján, Sutherland, Tuohy, O'Donnell

Co-Sponsor: Tautel

RESOLUTION NO. 110 OF 2020

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF HEALTH, TO ACCEPT AND APPROPRIATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the New York State Department of Health has offered grant funds in the amount of \$194,958.00 for the extension of the contract for the Childhood Lead Primary Prevention Program grant. The term of the grant extension runs from April 1, 2020 through September 30, 2020; and

WHEREAS, this Legislature does wish to accept and appropriate said grant funds for the Department of Health as indicated above.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Commissioner of Health, be and hereby is authorized to accept and appropriate grant funds in the amount of \$194,958.00 for the extension of the contract for the Childhood Lead Primary Prevention Program grant as indicated above.

2. That the 2020 budget for the Department of Health is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.

3. That the County Executive be and hereby is authorized to execute all necessary documents and assurances necessary to carry out the purposes of this resolution subject to the review thereof by the County Attorney for purposes of form and content.

Revenue:

1010	401018	434721	Special Health Programs	\$194,958.00
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Expenses:

1010	401018	560110	Permanent Base Salary Total	\$103,051.00
			Fringe Benefits Total	\$ 64,870.00
1010	401018	586100	Employee Retirement System	\$14,098.00
1010	401018	586300	Social Security/FICA	\$ 7,658.00
1010	401018	586400	Worker's Compensation	\$ 3,299.00
1010	401018	586500	Unemployment Insurance	\$ 206.00
1010	401018	586600	Hospital Insurance	\$38,335.00
1010	401018	586650	Dental Insurance	\$ 992.00
1010	401018	586660	Vision Insurance	\$ 93.00
1010	401018	586700	Disability Insurance	\$ 166.00
1010	401018	586800	EAP	\$ 23.00
1010	401018	571500	Employee Chargeback	\$ 8,937.00
1010	401018	571820	Contracted Services	\$ 5,500.00
1010	401018	573100	Office Supplies	\$ 500.00
1010	401018	573140	Postage	\$ 2,250.00
1010	401018	575180	Equipment Lease	\$ 400.00
1010	401018	575610	Rent	\$ 6,000.00
1010	401018	576340	Telephone	\$ 1,200.00

1010	401018	576760	Mileage	\$ 1,250.00
1010	401018	576770	Special Travel	\$ 1,000.00
			Total Childhood Lead Primary Prevention Program	\$194,958.00

Seconded by Mr. Vero.
The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21; Noes 0; Absent 0; ADOPTED.

CONSENT RESOLUTIONS

MISCELLANEOUS:

Sponsor: O'Donnell
Co-Sponsors: Sierra, Tautel

RESOLUTION NO. 111 OF 2020

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF HEALTH, TO ACCEPT AND APPROPRIATE GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the New York State Department of Health has offered grant funds in the amount of \$273,600.00 for a one year extension to the current Healthy Neighborhoods Program grant. The term of the grant extension runs from April 1, 2020 through March 31, 2021; and

WHEREAS, this Legislature does wish to accept and appropriate said grant funds for the Department of Health as indicated above.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Commissioner of Health, be and hereby is authorized to accept and appropriate grant funds in the amount of \$273,600.00 for a one year extension to the current Healthy Neighborhoods Program grant as indicated above.

2. That the 2020 budget for the Department of Health is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.

3. That the County Executive be and hereby is authorized to execute all necessary documents and assurances necessary to carry out the purposes of this resolution subject to the review thereof by the County Attorney for purposes of form and content.

Revenue:

1010	401018	434721	Special Health Programs - HNP	\$273,600.00
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Expenses:

1010	401018	560110	Permanent Base Salary Total	\$126,469.00
			Fringe Benefits Total	\$ 92,430.00
1010	401018	586100	Employee Retirement System	\$13,343.00
1010	401018	586300	Social Security/FICA	\$ 9,249.00
1010	401018	586400	Worker's Compensation	\$ 4,047.00
1010	401018	586500	Unemployment Insurance	\$ 253.00
1010	401018	586600	Hospital Insurance	\$64,256.00
1010	401018	586650	Dental Insurance	\$ 861.00
1010	401018	586660	Vision Insurance	\$ 139.00
1010	401018	586700	Disability Insurance	\$ 248.00
1010	401018	586800	EAP	\$ 34.00
1010	401018	571500	Employee Consultant Chargeback	\$ 13,036.00
1010	401018	573100	Office Supplies	\$ 500.00
1010	401018	573130	Educational Materials	\$ 1,000.00
1010	401018	573140	Postage	\$ 240.00
1010	401018	573820	Specialty Materials	\$ 26,576.00
1010	401018	575180	Office Equipment Lease	\$ 600.00
1010	401018	575400	Radio/Pager/Mobile Communications	\$ 499.00
1010	401018	575610	Rent	\$ 3,000.00
1010	401018	576340	Telephone	\$ 3,750.00
1010	401018	576760	Mileage	\$ 3,000.00
1010	401018	576770	Special Travel	\$ 500.00
1010	401018	577080	Printing	\$ 2,000.00
			Total Healthy Neighborhoods Program	\$273,600.00

Seconded by Mr. Vero.

The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21;

Noes 0;

Absent 0;

ADOPTED.

Sponsor: Ruskiewicz

Co-Sponsors: Bonelli, Paduch, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

RESOLUTION NO. 112 OF 2020

RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION TO THE ORANGE COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET AND HOME PROGRAM BUDGET FOR THE OFFICE OF COMMUNITY DEVELOPMENT, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the 2019 Community Development Block Grant Program Income and the 2019 HOME Program Income were estimated in the 2019 Orange County Budget. The General Ledger needs to be adjusted to reflect actual receipts; and

WHEREAS, the 2019 CDBG Program Income was estimated at \$125,000.00; actual receipts were \$111,776.89. The 2019 HOME Program Income was estimated at \$100,000.00; actual receipts were \$86,999.41. The Office of Community Development requests that the General Ledger be reduced by \$13,223.11 for CDBG Program Income, and also be reduced \$14,000.59 for HOME Program Income. The attached Schedule "A" reflects both reductions.

NOW, THEREFORE, it is hereby

RESOLVED, that the Orange County Community Development General Ledger is hereby supplemented as stated above and as indicated on the attached Schedule "A", to adjust CDBG Program Income and HOME Program Income to reflect actual receipts; and it is further

RESOLVED, that the Commissioner of Finance is hereby authorized to make such modifications forthwith.

SCHEDULE "A" 2019 CDBG & HOME PROGRAM INCOME

Revenue:

Fund	Org	Account Code		Increase/(Decrease)
3310	868601	421701	Community Development Income	(\$ 2,644.62)
3310	866801	421701	Community Development Income	(\$10,578.49)
3340	868601	421701	Community Development Income	(\$ 1,400.06)
3340	866801	421701	Community Development Income	(\$12,600.53)
				(\$27,223.70)

Expenses:

Fund	Org	Account Code		Increase/(Decrease)
3310	868601	576770	Spec Travel County Emp	(\$ 2,109.74)
3310	868601	576640	Advertising	(\$ 534.88)

3310	866801	560110	Permanent Base Salary	(\$10,578.49)
3340	868601	576770	Spec Travel County Emp	(\$ 1,368.37)
3340	868601	578351	Property Insurance	(\$ 31.69)
3340	866801	560110	Permanent Base Salary	(\$12,600.53)
				(\$27,223.70)

Seconded by Mr. Vero.
The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21; Noes 0; Absent 0; ADOPTED.

Sponsor: **Ruszkiewicz**

Co-Sponsors: **Bonelli, Paduch, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia**

RESOLUTION NO. 113 OF 2020

RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION TO VARIOUS ORANGE COUNTY COMMUNITY DEVELOPMENT GRANT BUDGETS FOR THE OFFICE OF COMMUNITY DEVELOPMENT, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the 2020 Community Development Block Grant, the 2020 HOME Program, and the 2020 Emergency Solutions Grant, which were included in the January 2020 Orange County Budget, were estimates. The 2020 Community Development Block Grant will receive \$1,820,431.00, which is \$60,296.00 more than was estimated. The 2020 HOME Program will receive \$1,173,990.00, which is \$67,939.00 more than was estimated. The 2020 Emergency Solutions Program will receive \$154,659.00, which is \$8,205.00 more than was estimated. It is requested that the General Ledger be increased by \$136,440.00 to reflect the final grant numbers; and

WHEREAS, in addition, Orange County will receive \$1,070,899.00 in CDBG CARES COVID-19 Response Funding and \$533,307.00 in ESG CARES COVID-19 Response Funding. It is requested that the General Ledger be increased by \$1,604,206.00 to reflect the additional funding. The attached Schedule "A" reflects a combined funding increase of \$1,740,646.00.

NOW, THEREFORE, it is hereby

RESOLVED, that the Orange County Community Development General Ledger is hereby supplemented as stated above and as indicated on the attached Schedule "A", to reflect the final grant numbers of the 2020 Community Development Block Grant, the 2020 HOME Program, and the 2020 Emergency Solutions Grant, and also to reflect the additional funding of the CDBG CARES COVID-19 Response Funding and the ESG CARES COVID-19 Response Funding; and it is further

RESOLVED, that the Commissioner of Finance is hereby authorized to make such modifications forthwith.

SCHEDULE "A"
2020 FINAL CDBG, HOME, ESG
CDBG CARES and ESG CARES COVID-19 Funding

Revenue:

Fund	Org	Account Code	Increase/(Decrease)
3310	868601	449101 Community Development Act	\$1,740,646.00

Expenses:

Fund	Org	Account Code	Increase/(Decrease)
3310	868601	560110 Permanent Base Salary	(\$ 138,440.99)
3310	868601	560240 Insurance Payout	(\$ 4,000.00)
3310	868601	560360 Vacation Accrual	(\$ 3.00)
3310	868601	571820 Consult Serv (Non-Medical)	\$ 429,585.33
3310	868601	573100 Office Supplies	\$ 188.99
3310	868601	574560 Medical Services	\$1,336,695.50
3310	868601	574730 CHDO Afford Homeownership	\$ 176,098.50
3310	868601	574740 Homeowner Rehabilitation	\$ 108,513.89
3310	868601	574750 Rental Rehabilitation	(\$ 103,756.40)
3310	868601	575100 Municipalities	\$ 15,000.00
3310	868601	575180 Photocopy Mach Rental	(\$ 200.00)
3310	868601	575632 DGS-IT Chargebacks	\$ 37.75
3310	868601	575750 MV Cty Pool	(\$ 1,000.00)
3310	868601	576340 Telephone	(\$ 100.00)
3310	868601	576470 Sub Contracts (Non-Medical)	\$ 7,589.58
3310	868601	576640 Advertising	(\$ 150.00)
3310	868601	576760 Mileage Reimb – County E	(\$ 200.00)
3310	868601	576810 Repro (Copying) Service	(\$ 240.00)
3310	868601	577080 Printing	(\$ 50.00)
3310	868601	579130 Farmwkr House Rehab	(\$ 25,000.00)
3310	868601	579160 Homebuyr Close Costs	\$ 20,000.00
3310	868601	579410 Dues	\$ 2,186.00
3310	868601	579910 Indirect Cost Allocation	(\$ 2,303.00)
3310	868601	586100 ERS	(\$ 13,892.48)
3310	868601	586300 Social Security	(\$ 11,603.57)
3310	868601	586500 Unemployment Insurance	(\$ 290.16)
3310	868601	586600 Hospital Insurance	(\$ 52,367.74)
3310	868601	586650 Dental Insurance	(\$ 1,325.70)
3310	868601	586660 Vision Insurance	(\$ 100.74)
3310	868601	586700 Employer Disability Co	(\$ 168.69)
3310	868601	586720 Employer Mgmt Disability	(\$ 17.20)
3310	868601	586800 EAP Charges	(\$ 39.87)
			\$1,740,646.00

Seconded by Mr. Vero.
The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21;

Noes 0;

Absent 0;

ADOPTED.

Sponsor: Ruszkiewicz

Co-Sponsors: Bonelli, Paduch, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

RESOLUTION NO. 114 OF 2020

RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION TO THE ORANGE COUNTY COMMUNITY DEVELOPMENT EMERGENCY SOLUTIONS GRANT BUDGET FOR THE OFFICE OF COMMUNITY DEVELOPMENT, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, annual Emergency Solutions Grant Budgets are estimates. The Orange County Office of Community Development is requesting supplemental appropriation to adjust award and reflect actual receipts. The 2019 Emergency Solutions Grant received \$146,454.00, which was \$8,296.00 more than was budgeted in the January 2019 Orange County Budget. It is requested that the General Ledger be increased to reflect the additional funding; and

WHEREAS, it is also requested that the 2018 Emergency Solutions Grant for \$138,158.00 be added to the General Ledger. The attached Schedule "A" reflects a total funding increase of \$146,454.00.

NOW, THEREFORE, it is hereby

RESOLVED, that the Orange County Community Development General Ledger is hereby supplemented as stated above and as indicated on the attached Schedule "A", to adjust the 2019 Emergency Solutions Grant Budget to reflect actual receipts, and also to add the 2018 Emergency Solutions Grant to the General Ledger; and it is further

RESOLVED, that the Commissioner of Finance is hereby authorized to make such modifications forthwith.

SCHEDULE "A" 2018 ESG and 2019 ESG Final

Revenue:

Fund	Org	Account Code		Increase/(Decrease)
3350	868601	449101	Community Development Act	\$ 11,674.90
3350	866801	449101	Community Development Act	\$134,779.10
				\$146,454.00

Expenses:

Fund	Org	Account Code		Increase/(Decrease)
3350	868601	571820	Consult Serv (Non-Medical)	\$ 11,674.90
3350	866801	571820	Consult Serv (Non-Medical)	\$ 6,982.95
3350	866801	576470	Sub Contracts (Non-Medical)	\$127,796.15
				\$146,454.00

Seconded by Mr. Vero.
The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, **Luján**, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21; Noes 0; Absent 0; ADOPTED.

Sponsor: **O'Donnell**
Co-Sponsors: **Bonelli, Paduch, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, Ruszkiewicz, Sassi, Stegenga, Sutherland, Tuohy, Vero, Brescia**

RESOLUTION NO. 115 OF 2020

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE IMPLORING THE GOVERNOR OF THE STATE OF NEW YORK AND THE NEW YORK STATE COMMISSIONER OF PUBLIC HEALTH TO AMEND ITS REGULATIONS RELATING TO THE ADMISSION OF COVID-19 PATIENTS TO NURSING CARE FACILITIES.

WHEREAS, our nursing home nurses, aides and staff are on the front lines protecting and caring for our most vulnerable citizens, the residents of our nursing homes; and

WHEREAS, these individuals are on the edge of physical and mental exhaustion due to the inordinate amount of stress they are under in providing acute medical services to these residents they have always cared for and who succumb to the COVID-19 pandemic; and

WHEREAS, our nurses, aides and staff are going above and beyond; working overtime, both compelled and voluntary, with all leave and vacations cancelled; and

WHEREAS, Orange County, owns and operates the Valley View Center for Nursing Care and Rehabilitation. Valley View is a 360-bed skilled nursing facility located in Goshen, New York. It provides 24-hour nursing care for those in need due to chronic illness, injury or advancing age. There are 300 beds available for Long-term care, 120 of which are within a secure floor for the Dementia/Alzheimer's population; and

WHEREAS, on March 12, 2020, the Orange County Valley View Center for Nursing Care and Rehabilitation, owned and operated by the County of Orange went on lockdown. No visitors and no family members were allowed in the facility, except to pay their last respects; and

WHEREAS, on March 25, 2020, the NY State Department of Health ordered nursing homes to accept new applicants who were currently infected with the COVID-19 virus; and

WHEREAS, the overwhelming majority of New Yorkers are doing their best to combat the COVID-19 virus while we await a cure, this policy is nothing short of insane.

WHEREAS, since Department of Health's policy went into effect, at least 20 (twenty) Valley View residents have passed away and at least 12 (twelve) of whom were admitted have also passed away with the COVID-19 virus; and

WHEREAS, Our Valley View residents are not allowed visits by family members, but they are allowed to be exposed and put in a life-threatening position by this policy instituted by the NY State Department of Health under the direction of Dr. Howard Zucker.

NOW, THEREFORE, be it hereby

RESOLVED, that We, the Orange County Legislature, implore the Honorable Andrew M. Cuomo and New York State Commissioner of the Department of Public Health to reconsider its policy of requiring nursing homes to accept COVID-19 applicants; and be it further

RESOLVED, that the Clerk of the Orange County Legislature is hereby directed to send certified copies of this resolution to, Honorable Andrew M. Cuomo, Governor of the State of New York, to New York State Commissioner of Public Health, Dr. Howard Zucker, to all Senate and Assembly members whose districts include any or all of Orange County, New York and to Dr. Irina Gelman, Commissioner of Orange County Department of Health, Laurence LaDue, Commissioner of Valley View Center for Nursing Care and Rehabilitation.

Seconded by Mr. Vero.

Mr. Amo stated that he appreciates the intent of the resolution, however, he planned to abstain and explained why. Healthcare is a continuum of services delivered to our county through various organizations to those people who are diagnosed and need those services. When hospitals complete their protocol for treatment of patients and their conditions no longer require in-patient acute care, the patient needs to be moved to a more appropriate level of care within or outside the hospital. That bed is now needed for serious patients waiting admission. This has never been more evident than it has with the COVID-19 pandemic. The next level of care needs to be evaluated carefully. If treatment and care is needed, it must come from a licensed skilled nursing home facility. The New York State Public Health Law screening is run by qualified clinicians. The Public Health Law is referenced in the April 29th "Dear Administrator Letter," it clearly states that a nursing home must only accept those that the facility can provide adequate care for. The license of the nursing home and the administrator of record are conditioned upon this decision. In short, if any resident is referred to a nursing home and their condition cannot be adequately cared for, the facility is legally bound and liable to reject that admission. This is true for any condition, including COVID-19. This resolution is misguided because of its "ask." The power to respond to these requests is within the level of the nursing home. The real issue is the resources available to operate the skilled nursing home. The resources that primarily come from Medicaid are totally inadequate. We have known the level of staffing in nursing homes needs to be much better to serve residents. We know that the staff and what kind of staff needs to be increased.

Ms. Reed interjected by stating that Mr. Amo started his discussion by saying he planned to abstain, under the Code of Ethics, if you are abstaining you cannot speak or address the matter.

Mr. Amo understood and advised Ms. Reed he would vote no and he continued with his remarks.

Mr. Amo continued by stating that they know the level of staffing is not adequate and some of the programs are not adequate because of the resources. For example: 63% of nursing homes in the United States fail to meet infection control guidelines on their last few surveys. In New York State alone over 52% of those nursing homes followed the same citation by being cited for having ineffective infection control. This is applicable pre-COVID-19. It is a staffing and resource issue, not a bad management issue. The facility has the right to determine admission. The resolution before them should focus on resources, Medicaid and reimbursement needed to operate nursing homes and on the rules for Medicaid eligibility for long term care, that is a fight worth fighting for. He understands that the resolution is important, he would like to abstain, but due to the rules he will vote no.

Mr. O'Donnell thanked Mr. Amo and mentioned that he had plenty of time to put forth his own resolution with the points he brought up. To say that this resolution is misguided is in fact, misguided. It is a resolution to protect our Valley View residents, all the nurses, aides and staff that work there. It is hard to believe that they had to make this request and it is harder to believe that our very own Orange County Health Commissioner is still defending the state's position that active COVID-19 patients be admitted into Valley View. During a conversation he had with Commissioner Gelman, she stated, "We do not want to antagonize the state." She still refuses to tell us if she agrees or disagrees with the state's original policy or the revised one. Both, in his opinion, has definitely made all nursing homes less safe and may have in fact, caused some to contract the virus and some to die as a result of this insane policy. Nursing homes throughout the country are the hot bed of the COVID-19 virus. To date, just in New York, there are 5,003 nursing home COVID-19 deaths. We obviously can do better, we must do better. It is sad to put it as mildly as he possibly can, that our own Health Commissioner will not fight the state on this issue because she does not want to antagonize them. He respectfully asks all his fellow Legislators to support this resolution. Let us send a unanimous and loud voice to Albany, our precious residents, our devoted nurses our devoted aides, our devoted staff, deserve much better, in fact, they deserve the best.

Mr. Hines stated that he believed Mr. Amo's reason for abstaining is because he wants to abstain, not because he has a conflict, he believed he has the right to speak on the matter. He is not a lawyer and did not want to argue with Counsel, it was just a thought for Mr. Amo. He stated that Mr. Amo is our resident expert on nursing homes but he did disagree. He was told that Valley View had no right to reject any patient with COVID-19 once they had their first patient. We did not take any COVID-19 patients until they had one of their own. One of our residents became infected, their home became infected, they then had to take other COVID-19 patients from hospitals. He was told they had to take 12 and he believes that all 12 are no longer with us because they were not in good health when they were transferred to Valley View. They had significant fatalities at Valley View because they had to take COVID-19 patients from another facility. It put our employees in jeopardy, it put the residents in jeopardy, and this is their home. Commissioner LaDue made a rule, no visitors allowed at Valley View because they do not want to bring COVID-19 into the nursing home, but the governor and the New York State Health Department said you will bring in people, you will bring in the COVID-19 and he did not think they had the right to reject it. He was not a nursing home expert. He believed that this would be used as the biggest lesson learned by the State of New York in this pandemic because afterwards they will do an after action plan and someone will look at this and say can you believe we killed all these people. Nursing homes are the most affected patients, why would

you infect a population of infirmed and elderly people with a disease that you know has a better chance to kill them. He wholeheartedly supported the resolution. He added that it was discussed at the Public Safety and Emergency Services Committee and everyone supported it. The County Executive was in agreement and also supported the resolution. The County Executive also said that this would be a lesson learned, you do not infect a nursing home with additional COVID patients. They quarantine patients in their home, this is their home, but do not import other sick people. There were plenty of hospital beds. He would like to know if they had the right to reject those patients because he was told they did not have the right.

Mr. Amo stated that he believed they did have the right, even if they have their first COVID-19 patient in the nursing home, if the Administrator does not believe they have the ability to care for that patient, whether it is quarantining them or treating them in some way, then they are bound by health law to retransfer them to some place that would. He added that this can be a slippery slope to get into. Maybe next year they will not let stroke patients in because they hurt people's backs when they have to pick them up.

Mr. O'Donnell stated that Dr. Zucker put the order out on March 25th and Governor Cuomo went along with it. When he found out exactly what it meant, he amended it. There is no way that anyone should be admitted into our resident's home that is already infected.

Mr. Ruszkiewicz mentioned that he supported the resolution. He asked if other counties had similar resolutions and if any other health commissioners challenged the State Health Department on this.

Mr. O'Donnell was not sure but our commissioner did not challenge the state.

Mr. Faggione stated that the governor made points through executive action. He said that all lives are precious and he would do everything he could to protect the most vulnerable people during this pandemic. The most vulnerable people are the seniors citizens, especially in nursing homes. It is unconscionable that he would force nursing homes to receive patients recovering from COVID-19 into those nursing homes. He declared by his own actions, his executive orders, all businesses need to be closed because they are dangerous, and those walking the streets with no masks, that is dangerous. There is a hospital ship sitting in New York harbor and the Jacob Javits Center sitting full of empty beds, the governor said to send those patients to institutions like Valley View and put our most vulnerable people in a dangerous situation. In March Governor Cuomo said if you have to blame someone, blame me. Governor Cuomo, we are blaming you for this reckless and very dangerous action you have taken. He thanked Mr. O'Donnell for bringing the resolution forward.

Mr. Minuta agreed with the resolution and he also agreed with Mr. Amo, hospital administrators have the ultimate decision as to who they accept or not accept. He personally knows of a gentleman in a nursing home in his district who passed away from COVID-19, he was in great health and then there were other people who came into the facility. It is astonishing that the governor would push this down the throats of these nursing homes and our most vulnerable.

Chairman Brescia stated that he usually defers to Mr. Amo when it comes to nursing home issues and he did not doubt that he is wrong on some points that he brought up today, but he supported the resolution that Mr. O'Donnell brought forward. This is wrong on many levels. It is just another example of the state dumping on Orange County. There are other places besides Valley View that could have been used. He hoped that there would be movement on this.

The vote resulted as follows:

Ayes: Bonelli, Paduch, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O’Donnell, Ruskiewicz, Sassi, Stegenga, Sutherland, Tuohy, Vero, Brescia

Noes: Sierra

Abstained: Amo, Anagnostakis, Tautel

Ayes 17; Noes 1; Abstention 3; Absent 0; ADOPTED.

Sponsor: O’Donnell

Co-Sponsors: Bonelli, Paduch, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, Ruskiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

RESOLUTION NO. 116 OF 2020

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE RECOGNIZING “NATIONAL SKILLED NURSING CARE WEEK”, MAY 10, 2020 THROUGH MAY 16, 2020.

WHEREAS, our community’s citizens now residing in nursing homes have contributed immeasurably to Orange County’s heritage over the years; and

WHEREAS, our community’s nursing home residents are themselves living history; and

WHEREAS, the staff of the Valley View Center for Nursing Care and Rehabilitation are sponsoring many activities in observance of National Skilled Nursing Care Week guided by this year’s National Theme “Sharing Your Wisdom Through Motion Pictures” which begins on Mother’s Day, May 10, 2020;

NOW, THEREFORE, BE IT RESOLVED that We, the Orange County Legislature, do hereby proclaim the week of May 10 through 16, 2020 as:

“ORANGE COUNTY NATIONAL SKILLED NURSING CARE WEEK”

and urge all Orange County citizens to join in this year’s National Skilled Nursing Care Week observance by visiting our County’s nursing home residents and by recognizing the high quality of care that our County’s long-term care facility is providing.

Seconded by Mr. Vero.

The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O’Donnell, Ruskiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21; Noes 0; Absent 0; ADOPTED.

Sponsor: Hines
Co-Sponsors: **Bonelli, Paduch, Benton, Cheney, Faggione, Kulisek, Luján, Minuta, O'Donnell, Ruskiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia**

RESOLUTION NO. 117 OF 2020

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE DECLARING THE WEEK OF MAY 3 THROUGH 9, 2020 TO BE CORRECTIONAL OFFICERS AND CORRECTIONAL EMPLOYEES WEEK IN ORANGE COUNTY.

WHEREAS, on May 5, 1984, President Ronald Reagan did proclaim that the first full week of May would be observed as National Correctional Officers Week, in recognition of the important role these officers play in our criminal justice system; and

WHEREAS, in the year 2020, Correctional Officers and other correctional employees continue to play that important role, but in an ever more stressful environment due to the current pandemic sweeping our nation and the world; and

WHEREAS, even as President Reagan observed in his 1984 Proclamation, the position of Correctional Officer, once considered merely that of a "guard" has become increasingly more complex and demanding, involving simultaneously custodial, supervisory and counselling roles, and that complexity continues to grow; and

WHEREAS, the Orange County Legislature wishes to acknowledge the difficult job we ask these officers and employees to perform, locked inside a facility for a large part of their day, where they must securely, safely and humanely keep those committed to the jail, respecting the rights and dignity of all the inmates, including those who have been found guilty and those only awaiting adjudication; and

WHEREAS, the important role these Correctional Officers and correctional employees fulfill is not always recognized or appreciated by the general public; and

WHEREAS, the Orange County Legislature is desirous of recognizing the good work being done by the Correctional Officers and correctional employees at the Orange County Jail.

NOW THEREFORE, be it

RESOLVED, that the Orange County Legislature does hereby declare the week of May 3 - 9, 2020 to be Correctional Officers and Correctional Employees Week in Orange County and does offer those good public servants' gratitude for their conscientious service for the People of Orange County.

Seconded by Mr. Vero.

Mr. Hines wanted to highlight the Orange County Jail and stated that Sheriff DuBois was the first Sheriff in the entire state of New York to limit visitors to our facility. As of today, there are no COVID-19 cases in the Orange County Jail. They have taken all precautions to keep staff and prisoners safe. Any new prison is quarantined for two weeks. The facility is ran great by great

people. Many other facilities in the state have had issues with COVID-19 so it goes to show how professional, careful and respectful that our correction officers are.

Ms. Stegenga agreed with the remarks made by Mr. Hines. She added that as a retired corrections officer, the way that Sheriff DuBois and the employees in our facility should be commended for the way they handled this virus. They deserve a pat on the back for being so proactive as there are presently no cases in the Orange County Jail.

The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21; Noes 0; Absent 0; ADOPTED.

Sponsor: Faggione
Co-Sponsor: Tautel

RESOLUTION NO. 118 OF 2020

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY BOARD OF ELECTIONS, TO ACCEPT AND APPROPRIATE GRANT FUNDS FROM THE STATE OF NEW YORK, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the State of New York has offered grant funds in the amount of \$460,172.92 for the Help America Vote Act (HAVA) Cares COVID-19 grant. Said funds will be made available to states to prevent, prepare for, and respond to the coronavirus for the 2020 Federal election; and

WHEREAS, this Legislature does wish to accept and appropriate said grant funds for the Board of Elections as indicated above.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Orange County Board of Elections, be and hereby is authorized to accept and appropriate grant funds from the State of New York for the Help America Vote Act (HAVA) Cares COVID-19 grant in the amount of \$460,172.92 as stated above.

2. That the 2020 budget for the Board of Elections is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.

3. That the County Executive be and hereby is authorized to execute all necessary documents and assurances necessary to carry out the purposes of this resolution subject to the review thereof by the County Attorney for purposes of form and content.

Revenue:

1010	145002	432971	State Grant	\$460,172.92
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Expenses:

1010	145002	560220	Overtime	\$ 15,000.00
1010	145002	573100	Office Supplies	\$ 35,000.00
1010	145002	573140	Postage	\$180,172.92
1010	145002	576820	Specialty Payments	\$ 70,000.00
1010	145002	577080	Printing	\$100,000.00
1010	145002	580130	Small Office Equip	\$ 25,000.00
1010	145002	585015	Inventoried Computer Equip	<u>\$ 35,000.00</u>
				\$460,172.92

Seconded by Mr. Vero.

The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, **Luján**, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21;

Noes 0;

Absent 0;

ADOPTED.

Sponsor: Cheney

Co-Sponsor: Tautel

RESOLUTION NO. 119 OF 2020

RESOLUTION DIRECTING THE ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS TO PREPARE AN APPLICATION REQUESTING THE CONSENT OF THE NEW YORK STATE COMPTROLLER TO EXPEND FUNDS FOR AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE BEAVER DAM LAKE PROTECTION AND REHABILITATION DISTRICT.

WHEREAS, the Orange County Department of Public Works has submitted to the Orange County Legislature a map and plan of the proposed increase and improvements to the facilities of the Beaver Dam Lake Protection and Rehabilitation District; and

WHEREAS, the referenced project is the rehabilitation of Beaver Dam Lake Dam; and

WHEREAS, the Orange County Department of Public Works has submitted to the Orange County Legislature an estimate for the entire rehabilitation project of \$5,659,000, which was prepared by an engineer licensed by the State of New York; and

WHEREAS, the consent of the New York State Comptroller is required to expend funds relating to the proposed increase and improvements of the Beaver Dam Lake Protection and Rehabilitation District; and

WHEREAS, the Physical Services Committees of the Orange County Legislature have met, considered and approved this resolution.

NOW THEREFORE, BE IT

RESOLVED, that the Orange County Legislature hereby directs the Orange County Department of Public Works to prepare an application requesting that the New York State Comptroller consent to the expenditure of a maximum of \$5,659,000 (current estimate) for the increase and improvements of the facilities of the Beaver Dam Lake Protection and Rehabilitation District.

Seconded by Mr. Vero.

Mr. Hines urged his fellow Legislators to support this. There will be additional funds required based on what they found during repairs and they do not want to slow the job down. It is a request to allow additional funding because the State Comptroller's office has input on this. Beaver Dam has funds to cover this. They received a letter from the Chairwoman of the Beaver Dam Lake Protection and Rehabilitation District, and she was in favor of this.

Mr. Cheney thanked office staff for working so hard to get the resolution together. They would like to get the work completed before hurricane season hits and with a dam involved it can have a dangerous outcome.

Mr. Minuta stated that there were some errors with calculations that he became aware of which is being sorted out between the consultant and contractor. He wanted to mention it so everyone was aware.

The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21;

Noes 0;

Absent 0;

ADOPTED.

Sponsor: Cheney

Co-Sponsor: Tautel

RESOLUTION NO. 120 OF 2020

RESOLUTION SETTING A DATE FOR A PUBLIC HEARING WITH RESPECT TO AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF BEAVER DAM LAKE PROTECTION AND REHABILITATION DISTRICT.

WHEREAS, the Orange County Department of Public Works has submitted to the Orange County Legislature a map and plan of the proposed increase and improvements to the facilities of the Beaver Dam Lake Protection and Rehabilitation District; and

WHEREAS, the referenced project is the rehabilitation of Beaver Dam Lake Dam; and

WHEREAS, the Orange County Department of Public Works has submitted to the Orange County Legislature an estimated cost for the entire rehabilitation project of \$5,659,000, which was prepared by an engineer licensed by the State of New York; and

WHEREAS, \$659,000 of fund balance (unexpended operating funds) of the District shall be used to pay a portion of the rehabilitation project; and

WHEREAS, the Commissioner of the Orange County Department of Public Works seeks to hold a Public Hearing to receive public comment on the proposed increase and improvement of the facilities of Beaver Dam Lake Protection and Rehabilitation District; and

WHEREAS, the Physical Services Committee of the Orange County Legislature has met, considered and approved this resolution.

NOW THEREFORE, BE IT

RESOLVED, That the Orange County Legislature hereby sets the date of the 4th day of June 2020, at 3:15 p.m., for a public hearing to be held at the Orange County Government Center, Legislative Chambers, 255-275 Mains Street, Goshen, New York, 10924 to consider such proposal for the increase and improvement of the facilities of the Beaver Dam Lake Protection and Rehabilitation District, and directs that notice of the hearing be published in the six official newspapers of the County, at least five days before the date specified for said hearing. Due to the COVID-19 pandemic, the public may send their written comments to the Clerk of the Legislature at JRamppen@orangecountygov.com.

NOTICE OF PUBLIC HEARING

COUNTY OF ORANGE

PUBLIC NOTICE IS HEREBY GIVEN that the Orange County Legislature will meet at the Legislative Chambers in the Orange County Government Center, 255-275 Main Street, Goshen, New York 10924 on the 4th day of June 2020 at 3:15 p.m. on that day to hold a Public Hearing to receive public comment on the proposal for the increase and improvement of the facilities of Beaver Dam Lake Protection and Rehabilitation District. The project consists of the rehabilitation of Beaver Dam Lake Dam, including all engineering and construction services/work.

The maximum estimated cost of the increase and improvement of the facilities of the Beaver Dam Lake Protection and Rehabilitation District is \$5,659,000, which will be funded, in part, by \$659,000 of surplus funds (unexpended operating funds). The remaining cost shall be funded by an anticipated grant of \$999,850, District funds of \$900,000 and a bond of \$3,100,150 assessed against taxable real property within the area consisting of the Beaver Dam Lake Rehabilitation and Protection District.

The annual estimated capital, operational and maintenance cost to the typical district property is as follows: Within the Town of Blooming Grove, Benefit Area I is \$709.73, Benefit Area II is \$353.71, and Benefit Area III is \$270.11; Within the Town of Cornwall, Benefit Area I is \$487.71, Benefit Area II is \$353.71, and Benefit Area III is \$270.11; Within the Town of New Windsor, Benefit Area I is \$533.91, Benefit Area II is \$353.71 and Benefit Area III is \$270.11. See Section 268 of the County Law.

NOTICE IS FURTHER GIVEN that the Orange County Legislature has caused to be prepared and filed for public inspection with the Clerk of the Orange County Legislature a detailed explanation of how such costs were computed, as incorporated in said report and estimate of cost prepared by the Orange County Department of Public Works.

NOTICE IS FURTHER GIVEN that the Orange County Legislature has caused to be prepared and filed for public inspection with the Clerk of the Orange County Legislature the proposed allocation of the cost of the proposed increase and improvements as between the zones of assessment of the Beaver Dam Lake Rehabilitation and Protection District.

NOTICE IS FURTHER GIVEN that due to the COVID-19 pandemic, the public may send their written comments to the Clerk of the Legislature at JRamppen@orangecountygov.com

BY ORDER OF THE ORANGE COUNTY LEGISLATURE

Jean M. Ramppen, Clerk

DATED:
Goshen, New York

Seconded by Mr. Vero.
The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, **Luján**, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21; Noes 0; Absent 0; ADOPTED.

Sponsor: **Brescia**
Co-Sponsors: **Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero**

RESOLUTION NO. 121 OF 2020

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE, NEW YORK IN SUPPORT OF COUNTY EXECUTIVE STEVEN M. NEUHAUS'S REQUEST TO THE UNITED STATES CONGRESSIONAL LEADERSHIP AND THE PRESIDENT OF THE UNITED STATES TO PROVIDE EMERGENCY FUNDS TO LOCAL GOVERNMENTS DUE TO THE COVID-19 PANDEMIC.

WHEREAS, the County of Orange is located in the Hudson Valley of New York State, encompasses 816 square miles, and per the U.S. Census Bureau, had a population of 384,940 as of July 1, 2019. The County is located 60 miles northwest of the City of New York. The County is bordered by the Hudson River to the east, the States of Pennsylvania to the west and New Jersey to the southwest, the Counties of Sullivan and Ulster to the north and the County of Rockland to the south; and

WHEREAS, demographically, the County is suburban residential in nature; however, the County has large tracts of land devoted to farming, as well as three small cities, which account for 18% of the total population. The commercial and industrial base of the County has been centered primarily in the Newburgh and Middletown areas, both of which are located at the intersection of major highway systems. Recent commercial and industrial development has been completed through a network of business parks located throughout the County; and

WHEREAS, the County's employment base is quite diverse and prior to the COVID-19 pandemic had an unemployment rate of 3.9% in December, 2019. A majority of the County's workforce is employed in service and trade related jobs. The County is home to the U.S. Military Academy at West Point, adding to the number of governmental sector employees within the County; and

WHEREAS, over the last six years, the Orange County Legislature and County Executive Steven M. Neuhaus have worked hand in hand with local Chambers of Commerce, Industrial Development Agencies, not-for-profit organizations and local municipalities to restore and build the the economy of the County after the devastating effects of Hurricane Sandy/Tropical Storm Irene, destroying critical infrastructure and the local southern New York economy;

WHEREAS, as result of these efforts, the County of Orange and its partners built a strong economy, brought new business ventures to the region (LEGOLAND, AMY'S KITCHEN, ANGRY ORCHARD) and became an international tourism destination spot, due to its local marketing of Stewart International Airport, the region's history, outdoor recreational activities, Woodbury Commons, its local eateries and downtown shops. Sales tax and other revenue increased, the County's fund balance increased, and local municipalities benefitted from intermunicipal sales tax revenue sharing agreements with the County, authorized and approved by this Legislature;

WHEREAS, the COVID-19 pandemic has changed the world and Orange County forever. County leadership has switched gears from economic development to providing essential health, public safety and food assistance to its residents; and

WHEREAS, under the leadership of County Executive Neuhaus, who is also a Lieutenant Commander in the U.S. Navy Reserves, our Health Commissioner Dr. Irina Gelhman, and the Emergency Services Commissioner, Brendan R. Casey, the County of Orange purchased (with some of its own funds) and sourced out PPE to local hospitals, first responders, local municipalities, local organizations, businesses and residents;

WHEREAS, the food supply from our local supermarkets is closely monitored each day and reported out to the public. The County remains vigilant in assuring that no person in Orange County goes to bed hungry. The County, along with its Commissioner of Social Services and Directors of Office for the Aging and Veterans Services prepare and through its hundreds of volunteers, including members of this legislature, distribute hot meals and food packages throughout the County. This Legislature is working with its local farmers to support and facilitate "farm to residential table" distributions, so that local produce, dairy and meat reach Orange County's local market; and

WHEREAS, any and all federal and state funds that have come to Orange County, whether before or during this pandemic have been put to their intended purposes, supplemented with County funds, and accounted for by this Legislature and the County's financial personnel. Rest assured, Orange County is a safe and wise investment of federal funds; and

WHEREAS, while the funding provided through the Coronavirus Relief Fund in the CARES Act was an important first step in getting much needed relief to our localities, the additional stipulation that only localities of over 500,000 residents would receive direct funding makes it difficult for counties to know how much of their state's allocation will be available for their needs.

WHEREAS, state, local county and other municipal operating budgets and reserve funds have been decimated and depleted from the COVID-19 pandemic. Local mom and pop businesses and restaurant owners, having been closed for more than 2 months, share with their legislative representatives the fact that they may no longer be able to reopen their doors.

NOW THEREFORE, BE IT

RESOLVED, NOW is the time for our federal representatives to pass legislation to provide much needed funds to its local counties and municipalities, to replenish monies it has laid out of pocket for COVID-19 expenses, to assist in closing the budgetary gaps for 2020 and 2021 and to provide economic stimulus packages to restore local economies; and be it further

RESOLVED, that any new Federal financial assistance for local governments be based upon economic injury, number of COVID cases and population size and be paid out directly to local counties, towns and villages; and be it further

RESOLVED, that the Clerk of the Orange County Legislature is hereby directed to send certified copies of this resolution to Honorable Donald J. Trump, President of the United States of America, Honorable Mitchell McConnell, Jr. United States Senate Majority Leader, Honorable Nancy Pelosi, Speaker of the United State House of Representatives, Honorable Chuck Schumer and Kirsten Gillibrand, United States Senators for the State of New York, Honorable Sean Patrick Maloney, United States Congressman for the 18th District of New York; the National Association of Counties (NACO) and the New York State Association of Counties (NYSAC), and to County Executive Steven M. Neuhaus.

Seconded by Mr. Vero.

The vote resulted as follows:

Ayes: Bonelli, Paduch, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, O'Donnell, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

Ayes 21;

Noes 0;

Absent 0;

ADOPTED.

PUBLIC PARTICIPATION (Written comments via email on file in Clerk, Legislative Office).

On motion of Mr. Paduch, seconded by Mr. Cheney, the Legislature adjourned at 4:48 p.m.

ADJOURNED.

Jean M. Ramppen, Clerk