

**RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS COMMITTEE
MINUTES**

**WEDNESDAY, MAY 23, 2018
3:30 P.M.**

PRESENT: Thomas J. Faggione, Chairman
Michael Amo, Katie Bonelli, Barry J. Cheney, Kevin W. Hines, James M. Kulisek,
John S. Vero

ALSO

PRESENT: L. Stephen Brescia, Chairman
Antoinette Reed, Legislative Counsel
Sharon Worthy-Spiegl, Deputy County Attorney
David Church, ACIP, Commissioner of Planning
Brendan Casey, Commissioner of Emergency Services
Craig Cherry, Deputy Commissioner, Emergency Services/Police Liaison Services
Timothy Tucker, Budget Analyst
Michael Ventre, Budget Analyst

Mr. Faggione opened the meeting at 3:30 p.m. and requested everyone stand for the Pledge of Allegiance to the Flag. All members were present with the exception of Legislator Paduch who was absent.

Ms. Bonelli moved a Local Law amending
Section 3 of Local Law No. 2 of 2008
establishing the Orange County Traffic
Safety Board, seconded by Mr. Amo.

Mr. Casey explained that while in the process of updating their boards it came to their attention that New York State law requires that the members of each county's Traffic Safety Board be residents of that county. Because it is done by position, that is not always the case as an individual may not reside in the county and the reason why they are seeking a change to the local law.

Mr. Cherry added that when the board was enacted in 2008, they looked at various traffic safety boards in the state with many having different methods on how their board members were appointed with most appointed by position. After consulting with the County Attorney, it was recommended that the language be amended.

Mr. Hines noted that in Local Law No. 2 of 2008, under Section Two; it talks about the duties as prescribed by New York State Vehicle and Traffic Law but what do they pertain to.

Mr. Cherry replied that it applies to a county having the authority to create a Traffic Safety Board with its mission to direct and recommend the traffic safety needs of the county.

Mr. Hines asked why the Commissioner of Health and District Attorney would be on the board. Mr. Cherry replied that the board was designed to have oversight over the traffic safety program, several initiatives in the county and funding with many Traffic Safety Boards across the state establishing their boards in this manner.

Mr. Hines asked if commissioners that are non-county residents remain on the board. Mr. Cherry replied yes.

Mr. Hines asked if a commissioner could appoint someone other than themselves to the board. Mr. Casey replied yes.

Ms. Bonelli asked if the terms were staggered and where the board stands on appointments. Mr. Cherry replied that appointments were recently made and they are not staggered.

Ms. Bonelli asked if this amendment would provide them with some flexibility in order to comply with state law. Mr. Casey replied yes.

Ms. Bonelli asked if a current issue brought this to their attention. Mr. Casey replied yes, one of the Troop F Majors.

Mr. Amo noted that in the revision the first sentence states: ..."fifteen (15) members or their designee"...but the recommendation would need to be done beforehand.

Mr. Casey commented that on occasion representatives do come to meetings; however, to be compliant with state law they felt it was necessary to clean up the language in the local law.

Mr. Amo emphasized that the verbiage is not clear and should be looked at further.

Chairman Brescia asked for clarification that a designee could vote. Legislative Counsel Reed replied yes.

Mr. Amo noted that if a designee cannot make a meeting and sends someone on their behalf, they would be unable to vote as they are not appointed.

Mr. Cherry explained that the board it is more about networking with official voting only done occasionally.

Mr. Casey pointed out that this would cover them in the future as some of the individuals appointed to these positions may not live in the county.

Motion carried. All in favor.

Mr. Church requested that Agenda Item No. II b. be discussed first. Mr. Faggione granted Mr. Church's request.

Mr. Kulisek moved request to accept donation of approximately 11.39 +- acres of lands, in fee title, from Plank Properties, Inc, to the County of Orange. These lands consist of two parcels in the Town of Newburgh, contiguous to Cronomer Hill Park, seconded by Ms. Bonelli.

Mr. Church addressed the committee and explained that Plank Properties are owned by the Lease family who approached the county several months ago to donate land without conditions

to the County of Orange. The property is a wooded lot with the exception of a small creek running through the frontage. The Planning Department looked at the data supplied by various federal agencies and Mr. McCarey of the Department of Real Property screened the property for any constraints or issues with the property coming back clean.

Mr. Kulisek asked if the property goes from Route 32 to Gardnertown Road. Mr. Church replied no, as an existing parcel remains from the subdivision and a lot line change was completed and approved on another parcel by the Town of Newburgh Planning Board with the parcel retaining some road frontage.

Legislative Counsel Reed asked if an Environmental Assessment Form was done on the property. Mr. Church replied no, but all the necessary work was done through the environmental mapper showing no environmental concerns.

Legislative Counsel Reed requested a form be prepared for the Legislature to ensure there are no hazardous conditions.

Mr. Kulisek asked about upkeep of the property. Mr. Church replied that it was to be determined.

Mr. Cheney asked if there were wetlands on the property. Ms. Church replied very little and nothing that triggered mapping.

Mr. Cheney asked if the county would be taking the property as parkland. Mr. Church referred the question to Legislative Counsel Reed.

Legislative Counsel Reed explained that they would be accepting the land for the county, not parklands.

Mr. Cheney asked if the Parks and Recreation Department looked at this property. Mr. Church replied yes.

Motion carried. All in favor.

Mr. Faggione stated that the request to approve SEQRA and the review and approval of inclusion of lands into the Orange County Agricultural District Nos. 1 & 2 was tabled until next month at the Education and Economic Development committee meeting on Monday. For that reason, he would also table the request for one month but asked that Mr. Church provide the committee with a brief synopsis of that discuss.

Mr. Church replied that the Agricultural and Farmland Protection Board has reviewed, voted and recommended listing each property. The minutes from that meeting would be available shortly but the maps and Environmental Assessment Forms have been prepared. There were some issues with two of the parcels; one was confusion on the ownership of the Town of Newburgh proposal due to a recent transaction that had not caught up to the Department of Real Property; however, that has been rectified. The second issue was with the Town of Walkkill proposal as concerns were expressed by neighbors that the property owners may be filling in the flood plain of the Walkkill River due to their clearing of additional lands for their expanding horse farm. Therefore, further research needs to be conducted. Legislative Counsel Reed recommended it be reflected in

the Environmental Assessment Form which has been updated. In addition, they had a computerized mapping database issue in the Planning Department because the computer data for soils was corrupt and had to be updated. Because of these outstanding issues the Education and Economic Development committee recommended it be deferred until next month.

Legislative Counsel Reed added that they would also wait to vote until after the Public Hearing.

Mr. Kulisek asked if the 90 acres in the Town of Newburgh would be used for hay production. Mr. Church replied that land was added to the agricultural district two years ago and when approved it did involve partial clearing of woods but they are not proposing to clear it all.

Mr. Church added that the Town of Wallkill parcel also has significant forest clearing.

Mr. Kulisek asked if there were any other issues with the Town of Newburgh property. Mr. Church replied no, and with respect to the Town of Wallkill property he has spoken directly to the Town of Wallkill Commissioner of Public Works, Lou Ingrassia and the property has all necessary permits and no current violations with the town having jurisdiction over the flood plains.

Mr. Kulisek asked for clarification that the whole packet would be presented again next month. Mr. Faggione replied yes.

On the agenda was an update on the Orange County Comprehensive Plan.

Mr. Church explained that in his position as commissioner one of his responsibilities is to review and update every five years in consultation with the county planning board the Orange County Comprehensive Plan. In 2003, the comprehensive plan was completely rewritten and adopted by the Legislature in 2004 with an additional rewrite of the overall document in 2010 and with their support they have supplemented it with additional chapters as follows: The Open Space Plan was adopted in 2004, the Water Master Plan in 2010, adoption of the Greenway Compact element in 2013, the addition of Orange County Agriculture and Farmland Protection Plan in 2015 and the addition of the Economic Development Strategy chapter. They are on target for the five year obligations and two supplemental or supporting documents; county design manual and technical report on agricultural economic development strategy. They are currently working on a transportation element to the plan in conjunction with the Orange County Transportation Council. One of the issues they are addressing is the disconnect between the transportation function in the planning function within the county and the lack of legislative representation as it is only County Executive, municipal, New York State Department of Transportation, Metropolitan Transportation Authority (MTA) and Thruway Authority having representation. For early public outreach they subscribed to coUrbanize which allows the public to participate through social media and then tracked and reported back to the county. They anticipate bringing the amendments to the Comprehensive Plan to the committee in the early fall. Through the coUrbanized site they have received just under 2000 hits and just under 450 direct unique comments. The major themes from the comments are being taken into consideration with traffic issues in and around the Harriman/Monroe and Newburgh areas prominent. They commented on the ferry service in Newburgh, train service, better connections to Stewart International Airport, more convenient bus service countywide, desire for better trail connections to Heritage Trail including north/south connections, open space protection, preserving the character of the county, interest in parks, economic development, revitalization action in the cities of Newburgh and Port Jervis and arts and culture. He is required by the Orange County

Administrative Code and New York State statute to have the Orange County Planning Board review and comment on it along with the public prior to bringing it to the legislature. They are required to comply with SEQRA and the Legislature will have to hold at least one public hearing and it must be voted on by a majority of the Legislature to be adopted.

Mr. Faggione requested that Mr. Church provide the committee with a timeline of the process including the updates.

Mr. Faggione asked if coUrbanize was still available to the public. Mr. Church replied yes.

Ms. Bonelli noted that when the Water Master Plan was done, three public hearings were held and would he foresee it being the same for the Comprehensive Plan.

Mr. Church replied that it would make sense and they work with them to set up multiple venues. The Water Master Plan was controversial so it was wise to hold multiple public hearings in multiple venues.

Legislative Counsel Reed asked Mr. Church if they had an idea of where the public hearings should be held based on what would be focused on. Mr. Church replied that there are different issues with greater Port Jervis being the lack of service and southeastern Orange County and the overwhelming issue of traffic.

Mr. Cheney asked about the attendance of the Planning Board. Mr. Church replied that they have not met in many months due to the resignation of the Chairwoman. The terms of the entire board expire with the coterminous of the County Executives term so they are in the process of repopulating the Planning Board which is difficult without a chair. However, the County Executive's office is working on the appointments.

The meeting adjourned at 4:15 p.m.