

REGULAR SESSION, THURSDAY, JUNE 4, 2020

REGULAR SESSION

June 4, 2020

The Legislature convened in Regular Session at 3:32 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 followed by a moment of silence and remembrance of all those affected by the Coronavirus and the families of those who have unfortunately passed away.

Chairman Brescia asked if there are no objections consent resolutions Nos. 15 through 18 will be included on the agenda and vote collectively on Nos. 2 and 3.

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.

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:

Sponsors: Benton, Anagnostakis, Bonelli, Sutherland, Kulisek, Paduch, Minuta

Co-Sponsors: Cheney, Faggione, Hines, O'Donnell, Ruszkiewicz, Sassi, Stegenga, Tuohy, Vero, Brescia

RESOLUTION NO. 124 OF 2020

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE URGING THE STATE OF NEW YORK TO TAKE STEPS TO IMPLEMENT SAFE RE-OPENING BASED ON PUBLIC SAFETY NEEDS RATHER THAN THE NATURE OF THE INDUSTRY.

WHEREAS, it is important to create economic opportunities whenever the same safely can be done; and

WHEREAS, enforcement of safe social distancing guidelines should not depend on the nature of the industry but rather on the capacity to sell and deliver goods or services in a safe manner; and

WHEREAS, as the COVID-19 Pandemic has evolved, it has become apparent that safety plans must be able to be developed in varying businesses; and

WHEREAS, the State of New York has released safety planning guidelines for some types of businesses; and

WHEREAS, the State's current plan in some instances favors businesses based on social goals but in doing so creates inconsistency in business standards; and

WHEREAS, an example of such inconsistency is that affordable housing construction may occur, but middleclass housing construction may not;

RESOLVED, that this Legislative body hereby urges that the Governor and Empire State Development modify the re-opening plan to lay out re-opening regardless of nature of industry but rather based solely on worker and societal safety; and be it further

RESOLVED that a copy of this resolution shall be transmitted to Empire State Development, the Governor of New York and Orange County's State Legislators.

Seconded by Mr. Vero.

Chairman Brescia stated that there seems to be a double standard in the State of New York with large businesses being allowed to open and not small businesses, although the small businesses have been social distancing and take the same precautions as large businesses. The County Executive spoke to the Governor and was not pleased with his leadership on opening up our region, specifically Mid-Hudson and Orange County and he agrees with the County Executive on that. Phase II is supposed to take place on Tuesday, but it is taking too long. He hopes that the Governor listens to this resolution.

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: Benton, Sutherland

RESOLUTION NO. 125 OF 2020

RESOLUTION AUTHORIZING THE PRIVATE SALE AND CONVEYANCE OF CERTAIN COUNTY OWNED LANDS ACQUIRED BY REASON OF A FAILURE TO REDEEM SAID LANDS FROM A TAX SALE TO ORANGE COUNTY, PURSUANT TO SECTION 1018(4) OF THE REAL PROPERTY TAX LAW AND ORANGE COUNTY AMENDED LOCAL LAW NO. 2 OF 2010.

WHEREAS, this Legislature has enacted Local Law No. 9 of 1979 (as last amended by Local Law No. 2 of 2010), authorizing the sale of certain lands owned by the County by reason of default in taxes and a subsequent failure to redeem from a resulting tax sale to Orange County; and

WHEREAS, the parcels not sold at said sale were to be offered at a private sale, subject to the confirmation of this Legislature; and

WHEREAS, offers for several said parcels have been accepted by the Commissioner of Finance; and

WHEREAS, the Commissioner of Finance has recommended that the sales be confirmed by this Legislature.

NOW, THEREFORE, it is hereby

RESOLVED AS FOLLOWS:

1. That the parcels hereinafter listed be sold to the offering parties, upon receipt by the Commissioner of Finance of Orange County of the amounts set forth in either cash or good certified check by 5:00 p.m., July 6, 2020, as indicated below.

2. That upon the receipt of said sums, the County Executive is hereby authorized to execute a Quitclaim Deed of Conveyance of the properties listed below and deliver the same to the offering party.

<u>PARCEL</u>	<u>BIDDER</u>	<u>AMOUNT OF BID NET TO COUNTY</u>
Warwick 72-2-30.1	Gamut Photos, Inc. 201 East 30 th Street, Suite 49 New York, NY 10016	\$3,000.00

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: Benton, Sutherland
Co-Sponsor: Stegenga

RESOLUTION NO. 126 OF 2020

RESOLUTION DENYING APPLICATION FOR CORRECTION OF CERTAIN TAX ROLLS BECAUSE OF CLERICAL ERRORS, ETC., PURSUANT TO SECTION 556 OF THE REAL PROPERTY TAX LAW.

WHEREAS, the County Director of the Real Property Tax Service Agency has transmitted his reports to the County Legislature on certain applications for correction of clerical errors appearing in the 2016 tax rolls for certain towns and districts together with his recommendations thereon, all as required by Section 556 of the Real Property Tax Law as summarized below.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That said reports of the Director of the Real Property Tax Service Agency are hereby approved.

2. That the taxes levied and extended upon said parcels be and the same hereby are confirmed in the manner and to the extent set forth in said reports of the Director, as shown below.

FOR THE YEAR 2016

<u>PROPERTY</u>	<u>OWNER</u>	<u>REASON</u>
Town of Wawayanda 13-1-85.21	Edwin & Alicia Remey	Denial – The request is untimely.

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.

PHYSICAL SERVICES COMMITTEE:

Sponsors: Tuohy, Kulisek
Co-Sponsors: Stegenga, Tautel

RESOLUTION NO. 127 OF 2020

RESOLUTION MAKING CERTAIN DETERMINATIONS RELATING TO AN APPLICATION REQUESTING THE CONSENT OF THE NEW YORK STATE COMPTROLLER TO EXPEND FUNDS FOR AN INCREASE AND IMPROVEMENT TO THE FACILITIES OF THE BEAVER DAM LAKE PROTECTION AND REHABILITATION DISTRICT, AND AUTHORIZING THE COUNTY EXECUTIVE TO APPROVE AND SIGN SUCH APPLICATION ON BEHALF OF THE LEGISLATURE OF ORANGE COUNTY, NEW YORK.

WHEREAS, the Orange County Department of Public Works, at the direction of the Legislature of Orange County, New York, prepared an application pursuant to County Law §268 requesting that the New York State Comptroller consent to the expenditure of a maximum amount of \$5,659,000 (current estimate) for the increase and improvements of the facilities of the Beaver Dam Lake Protection and Rehabilitation District; and

WHEREAS, the improvements to the facilities of Beaver Dam Lake Protection and Rehabilitation District consists of the rehabilitation of Beaver Dam Lake Dam.

NOW THEREFORE, IT IS HEREBY

RESOLVED, that the application seeking the New York State Comptroller consent to expend \$5,659,000 for the increase and improvements of the facilities of Beaver Dam Lake Protection and Rehabilitation District was prepared at the direction of the Legislature of the County of Orange, New York; and be it further

RESOLVED, that the Legislature of Orange County, New York, believes the content of the application to be accurate; and be it further

RESOLVED, that the proposed improvements to the facilities of the Beaver Dam Lake Protection and Rehabilitation District are in the public interest; and be it further

RESOLVED, that the proposed improvements to the facilities of the Beaver Dam Lake Protection and Rehabilitation District will not constitute an undue burden on the property that will bear the cost of such improvements; and be it further

RESOLVED, that a portion of the cost of the proposed improvements is to be assessed against a benefitted area (the Beaver Dam Lake Protection and Rehabilitation District), and that all property to be so assessed will be benefitted by the proposed improvements, and that no property benefitted by the proposed improvements has been excluded from the assessment; and be it further

RESOLVED, that the estimated cost of the proposed improvements is \$5,659,000, inclusive of all applicable State aid and/or surplus funds to be utilized for the project; and be it further

RESOLVED, that the Legislature of Orange County, New York, hereby requests that the Comptroller of the State of New York find and determine that the public interest will be served by the proposed improvements to the facilities of Beaver Dam Lake Protection and Rehabilitation District, and that the amount to be expended for such improvements (\$5,659,000, inclusive of all State aid and District funds) will not be an undue burden upon the property that is to bear the cost thereof; and be it further

RESOLVED, that the Legislature of Orange County, New York, hereby requests that the New York State Comptroller consent to the expenditure of a maximum amount of \$5,659,000 for such improvements, inclusive of all applicable State aid and/or surplus funds to be utilized for the project; and be it further

RESOLVED, that the County Executive of Orange County is hereby authorized to approve and sign the application requesting the consent of the New York State Comptroller to expend \$5,659,000 for the improvements to the facilities of Beaver Dam Lake Protection and Rehabilitation District, and to execute any and all other papers as may be required in connection with said application, subject to review thereof by the County Attorney for purposes of form and content.

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.

JOINT-PHYSICAL SERVICES AND WAYS AND MEANS COMMITTEES:

Sponsors: Kulisek, Benton, Minuta

Co-Sponsors: Cheney, Sutherland, Stegenga

RESOLUTION NO. 128 OF 2020

BOND RESOLUTION DATED JUNE 4, 2020

BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING ADDITIONAL FINANCING FOR THE COST OF THE REPLACEMENT AND/OR RECONSTRUCTION OF THE PUBLIC WORKS GARAGE FLOOR, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,275,000; APPROPRIATING \$525,000 THEREFOR, IN ADDITION TO AMOUNTS PREVIOUSLY APPROPRIATED; AND AUTHORIZING THE ISSUANCE OF \$525,000 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION.

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ORANGE, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Legislature), **AS FOLLOWS:**

Section 1. The County of Orange, New York (herein called "County"), is hereby authorized to continue existing capital project No. 129 consisting of the reconstruction of the Public Works Garage in Goshen, including replacement and/or reconstruction of the garage floor. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,275,000, and \$525,000 is hereby appropriated therefor, in addition to the \$750,000 previously appropriated therefor pursuant to Resolution No. 109 of 2014, Resolution No. 139 of 2015 and Resolution 306 of 2016, (the "Previously Appropriated Funds"). The plan of financing includes the expenditure of the Previously Appropriated Funds and the issuance of \$525,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. Bonds of the County in the principal amount of \$525,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness of the specific object or purpose for which said \$525,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 12(a)(2) of the Law, is fifteen (15) years.

Section 4. The County intends to finance, and the Commissioner of Finance of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the specific object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Orange, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the

County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 7. The validity of the bonds authorized by this Resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution, or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. The Clerk of the Orange County Legislature is hereby directed to publish the foregoing bond resolution in summary, in The Orange County Post published in Vails Gate, New York; the Warwick Advertiser-Photo News, published in Chester, New York; the Warwick Valley Dispatch, published in Warwick, New York; News of the Highlands, Inc., published in Cornwall, New York; Times Community Newspapers, published in Newburgh, New York; and Hudson Valley Press, published in Newburgh, New York, the official newspapers of the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 9. This Resolution shall take effect immediately.

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: Paduch, Bonelli, Benton
Co-Sponsors: Cheney, Kulisek, Stegenga, Sutherland, Tautel

RESOLUTION NO. 129 OF 2020

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF PARKS AND RECREATION, TO ACCEPT FUNDS FROM THE ORANGE COUNTY FUNDING CORPORATION, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the Orange County Department of Parks and Recreation is requesting to accept funds from the Orange County Funding Corporation in the amount of \$1,000,000.00, to be used for the construction of Segment 2 of the Heritage Trail project. Supplemental appropriation is not required, as the Orange County Funding Corporation will make payments directly to the contractor following certification by the County; and

WHEREAS, this Legislature does wish to accept funds for the Department of Parks and Recreation as indicated above.

NOW, THEREFORE, it is hereby

RESOLVED, that the County Executive, in conjunction with the Commissioner of the Department of Parks and Recreation, is hereby authorized to accept funds in the amount of \$1,000,000.00 from the Orange County Funding Corporation, to be used for the construction of Segment 2 of the Heritage Trail project, and to execute any and all other papers and agreements required in connection with such acceptance, subject to review thereof by the County Attorney for purposes of form and content.

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.

JOINT-RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS AND WAYS AND MEANS COMMITTEES:

Sponsors: Bonelli, Hines
Co-Sponsors: Kulisek, Faggione

RESOLUTION NO. 130 OF 2020

RESOLUTION AUTHORIZING A ONE YEAR EXTENSION OF THE O'CONNOR DAVIES, LLP CONTRACT FOR FINANCIAL CONSULTING SERVICES IN RELATION TO ORANGE COUNTY'S FINANCIAL AUDIT, THE BUDGETS OF ORANGE COUNTY AND ORANGE COUNTY COMMUNITY COLLEGE AND ASSISTANCE AND PREPARATION OF THE CAFR, PURSUANT

TO 2.02 (q) OF THE ORANGE COUNTY CHARTER AND PART XXII B. OF THE ORANGE COUNTY PROCUREMENT POLICY.

WHEREAS, in response to a formal Request for Proposals, issued by the Orange County Department of General Services, by Resolution No. 125 of 2015, this Legislature accepted a proposal, from the certified public accounting firm of O'Connor Davies, LLP, Harrison, New York to perform consulting services relating to (i) the financial audit of the dealings, transactions, books and records of Orange County, single audit, assistance with preparation of Comprehensive Annual Financial Report ("CAFR") and New York State Department of Transportation Audit for 2014 through 2017 and; (ii) review of the County Executive's recommended Budget and Multi-Year Financial Plan and review of the Orange County Budget for 2014 through 2017 each of the foregoing with two, one year annual renewals at the option of the Orange County Legislature; and

WHEREAS, the COVID-19 pandemic has dramatically impacted county government operations. County professional staff (working remotely) have been re-assigned to work on emergency public health and safety contracts. Preparation, review and advertising for this contract will not be finalized in time to allow a new contract to be in place on or before July 11, 2020 or to allow review of the SUNY OCCC 2020-2021 tentative budget, which must be approved and submitted to New York State in August, 2020.

NOW, THEREFORE, be it

RESOLVED:

This Legislature has conferred with the Commissioner of General Services, the County Attorney's office and Legislative Counsel and, based upon those discussions, make the following findings:

1. Exigency circumstances exist which warrant consideration of a one-year extension of the O'Connor Davies, LLP contract for financial consulting services and assistance with the preparation of the CAFR.
2. O'Connor Davies LLP has provided financial consulting services to the Orange County Legislature for many years. The firm is fully familiar with Orange County and SUNY Orange County Community College operating budgets, reserve funds and year-end audits. It has provided federal single audits in accordance with federal regulations on transit and other federal and state grant funds.
3. At the request of this Legislature, O'Connor Davies, LLP submitted an updated proposal demonstrating their experience, qualifications, certifications, designated staff, scope of services and pricing for a one-year extension of their present contract with County of Orange.
4. The proposal submitted by O'Connor Davies, LLP maintains the 2019 pricing schedule for the same services set forth in its present contract, which provides discounts and review of the SUNY OCCC budget at no charge. The proposal provides a slight increase in hourly rates for any additional professional services; and be it further

RESOLVED, the one-year extension of the O'Connor Davies, LLP assures the prudent and economic use of public money and is in the best interests of the Orange County taxpayers; and it is further

RESOLVED, that based upon the aforementioned, this Legislature finds that the one year extension of the O'Connor Davies, LLP contract is not based upon favoritism, improvidence, fraud and/or corruption and is in the best interest of the Orange County taxpayers; and be it further.

RESOLVED, O'Connor Davies, LLP has the qualifications, expertise and certifications to provide such financial services to the Orange County Legislature and the County's Finance Department as set forth in the proposal and fee schedule (Schedule "A") and are hereby accepted; and be it further

RESOLVED, that the Chairman of the County Legislature be and hereby is authorized to execute and deliver any necessary agreements on behalf of the Orange County Legislature to be made with O'Connor Davies, LLP providing for the furnishing of said services for the compensation set forth in Schedule A.

Schedule "A"

	<u>2020</u>
County Audit (includes risk assessment and A-133 single Audit compliance testing)	<u>\$130,000</u>
Assistance with Preparation of Comprehensive Annual Financial Report (1)	<u>\$22,000</u>
New York State Department of Transportation Audit (1)	<u>\$4,500</u>
Total Audit	<u>\$156,500</u>
	<u>2021</u>
Review of County Executive's Recommended Budget and Multi-Year Financial Plan	<u>\$75,000</u>
	<u>2020/21</u>
Review of Proposed Budget for Orange County Community College	<u>\$N/C</u>
Total Budget Reviews	<u>\$75,000</u>
Totals	<u>\$231,500</u>
Discount	<u>(\$10,000)</u>
Final Totals	<u>\$221,500</u>

(1) Services cannot be rendered without performing the County audit.

Hourly rates for Additional Professional Services

* Senior Partner	\$300	* Represents a discount from standard rate of \$395
** Partner	290	** Represents a 20% discount from standard rates
** Senior Manager	230	
** Manager	200	
** Supervisor	175	
** Senior Accountant	155	
** Staff Accountant	135	

Seconded by Mr. Vero.

Chairman Brescia thanked Ms. Reed and Chairman of Ways and Means, Leigh Benton, who were able to get the contract together for a one-year extension.

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 PUBLIC SAFETY AND EMERGENCY SERVICES COMMITTEES:

Sponsors: Kulisek, Paduch, Hines, Stegenga, Vero, Faggione, Sierra, Sassi, Luján

Co-Sponsors: Bonelli, Benton, Cheney, Minuta, O'Donnell, Ruszkiewicz, Sutherland, Tautel, Tuohy, Brescia

RESOLUTION NO. 131 OF 2020

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE IN SUPPORT OF NEW YORK STATE SENATE BILL NO. 5459 AND ASSEMBLY BILL NO. 6215, SEEKING TO AMEND NEW YORK STATE VEHICLE AND TRAFFIC LAW SECTION 1203 IN RELATION TO ACCESSIBLE PARKING SPACE REQUIREMENTS FOR PERSONS WITH DISABILITIES AND ENFORCEMENT OF ILLEGAL PARKING.

WHEREAS, Senate Bill No. 7922 and Assembly Bill No. 6215 have been introduced in the New York State Senate and Assembly seeking legislation to update accessible parking requirements to bring New York State law in line with the American with Disabilities Act (ADA) and International Building Code as adopted by New York State; and

WHEREAS, under current 1981 law, shopping facilities with more than five retail stores and at least twenty parking spaces must designate 5% or ten spaces (whichever is less) as accessible parking spaces, and law enforcement can ticket and tow violators if a local law is in place; and

WHEREAS, New York State's current law does not align with the International Building Code, and local law enforcement is often unable to ticket violators if no local law is in place, creating unnecessary hardships for persons with disabilities; and

WHEREAS, the term "handicapped" is no longer a phrase used when referring to persons with disabilities; and

WHEREAS, the proposed legislation amends Section 1203-c of the Vehicle and Traffic law to give law enforcement the authority to ticket and tow illegally parked vehicles in spaces and access aisles designated for persons with disabilities, and removes the provision that accessible parking requirements only apply to shopping centers or facilities with five separate retail stores; and

WHEREAS, the proposed legislation clarifies that the number of accessible parking spaces shall be in compliance with the International Building Code as adopted by New York State; and

WHEREAS, the proposed legislation amends section 1203 of the Vehicle and Traffic Law to replace the term "handicapped" with the term "persons with disabilities"

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that We, the Orange County Legislature does hereby support Senate Bill No. S5459 and Assembly Bill No. A6215, which amends the Vehicle and Traffic Law in relation to accessible parking space requirements for persons with disabilities and enforcement of illegal parking; and be in 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 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 and to Brendan R. Casey, Commissioner of Department of Emergency Services and Alan Sorenson, Commissioner of Planning.

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

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

Abstained: Anagnostakis

Ayes 20; Noes 0; Abstention 1; Absent 0; **ADOPTED.**

JOINT-HEALTH AND MENTAL HEALTH AND RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS COMMITTEES:

Sponsors: Luján, Tautel, Vero, Bonelli

Co-Sponsors: Paduch, Benton, Cheney, Faggione, Hines, Kulisek, Minuta, O'Donnell, Ruskiewicz, Sassi, Stegenga, Sutherland, Tuohy, Brescia

RESOLUTION NO. 132 OF 2020**RESOLUTION OF THE ORANGE COUNTY LEGISLATURE IN SUPPORT OF NEW YORK STATE SENATE BILL NO. 7922 AND ASSEMBLY BILL NO. 10157, AN ACT IN RELATION TO DIRECTING THE STUDY OF HEALTH AND ENVIRONMENTAL IMPACTS FROM IMPLEMENTATION OF 5G AND FUTURE GENERATION WIRELESS NETWORK SYSTEM TECHNOLOGY AND SMALL CELL DISTRIBUTION ANTENNA SYSTEMS IN NEW YORK STATE.**

WHEREAS, Senate Bill No. 7922 and Assembly Bill No. 10157 have been introduced in the New York State Senate seeking legislation for the New York State Department of Public Health and the Department of Environmental Conservation to conduct a joint study, in cooperation with the office of Information Technology Services, on the health and environmental impacts of fifth generation (5G) wireless systems technology and small cell distributed antenna systems in the state, with specific emphasis on health effects of electromagnetic fields and microwave radiation; and

WHEREAS, this Legislature believes that before any such new technology is advanced and implemented, a study with scientific public health and environmental impacts be conducted, and be paid for by the wireless communications companies and shared with the public before New York State regulatory agencies take action.

NOW THEREFORE, BE IT

RESOLVED, that We, the Orange County Legislature does support Senate Bill No. 7922 and Assembly Bill No. 10157 and urge the New York State Senate, Assembly and the Governor of the State of New York to enact such legislation with an amendment that funding for such studies be paid for by the wireless communications companies; 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 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, Brendan R. Casey, Commissioner of Department of Emergency Services, and Alan Sorenson, Commissioner of the Department of Planning.

Seconded by Mr. Ruszkiewicz.

Chairman Brescia stated that the resolution is asking the State of New York to do the environmental studies on fifth generation (5G) wireless systems technology and small cell distributed antenna systems. Mr. Cheney advised him the federal government allows it, but they should do more studies and put it back to the vendors like Verizon.

The vote resulted as follows:

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

Abstained: Anagnostakis

Ayes 20; Noes 0; Abstention 1; Absent 0; ADOPTED.

RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS COMMITTEE:

Sponsors: Paduch, Bonelli

Co-Sponsors: Benton, Cheney, Faggione, Hines, Minuta, O'Donnell, Ruszkiewicz, Sassi, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

RESOLUTION NO. 133 OF 2020

RESOLUTION TO APPLY FOR, ACCEPT, APPROPRIATE AND IMPLEMENT A CARES ACT, FEDERAL TRANSIT ADMINISTRATION GRANT FOR THE ORANGE COUNTY DEPARTMENT OF PLANNING, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, this Legislature does wish to apply for, accept, appropriate and implement a CARES Act, Federal Transit Administration (FTA) grant; and

WHEREAS, said grant will be used for Operating Assistance payments for public transit operations in the Newburgh and Middletown urbanized areas, Operating Assistance payments for the ADA Paratransit service, and Operating Assistance payments to Hudson Transit for public transit service provided in and through Orange County. It will also provide funding to support the costs of administering its grants and meeting associated Federal regulations and policies; and

WHEREAS, the total FTA grant is in the amount of \$35,132,627.00. This grant is 100% federally funded, and there is no local match required.

NOW, THEREFORE, it is hereby

RESOLVED, that the 2020 budget for the Orange County Department of Planning is hereby supplemented in the total amount of \$35,132,627.00 as indicated above and stated on the attached Schedule "A" to apply for, accept, appropriate and implement a CARES Act, Federal Transit Administration (FTA) grant; and it is further

RESOLVED, that the Commissioner of Finance is hereby authorized to make such modifications forthwith; and it is further

RESOLVED, that the County Executive be and hereby is authorized to accept said grants and to execute any and all other papers and agreements required in connection with such grants, subject to the review thereof by the County Attorney for purposes of form and content.

SCHEDULE "A"

ITEMS #	FUNDING	FUND	ORG.	ACCOUNT	DESCRIPTION	AMOUNT
1	Revenue	1010	802004	445891	Operating Grants – Federal	\$35,132,627.00
1	Expense	1010	802004	574001	Bus Transportation	\$35,132,627.00

ITEM 1) Planning task needs to be set up, funding of \$35,132,627.00 to come from Federal Transit Administration Grant.

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.

Certification from Orange County Republican Presiding Officer of Convention and First Vice Chair Benjamin Ostrer recommending appointment of Courtney Canfield Greene to the office of the Commissioner of Elections for a four-year term beginning January 1, 2021 - December 31, 2025. On motion the same was received and ordered placed on file.

Sponsors: Vero, Amo
Co-Sponsors: Stegenga, Faggione, Tuohy, Brescia

RESOLUTION NO. 134 OF 2020

RESOLUTION APPOINTING COURTNEY CANFIELD GREENE A COMMISSIONER OF ELECTIONS, PURSUANT TO SECTIONS 3-200 AND 3-204 OF THE ELECTION LAW AND ACT NO. 3 OF 1936 OF THE FORMER ORANGE COUNTY BOARD OF SUPERVISORS.

RESOLVED, that Courtney Canfield Greene, residing in Newburgh, New York, having been duly recommended by the Republican County Committee of Orange County in the manner provided by Section 3-204 of the Election Law, as amended, be and he hereby is designated to hold the Office of one of the Commissioners of Elections of Orange County.

FURTHER RESOLVED, that pursuant to the provisions of Act No. 3 of 1936, passed by the former Orange County Board of Supervisors, the term of the above-mentioned Commissioner of Elections shall be for a period of four years, beginning January 1, 2021 and ending December 31, 2024.

Seconded by Mr. Ruszkiewicz.

Mr. Faggione wholeheartedly asked his colleagues to support Courtney Canfield Greene as the next Commissioner of Board of Elections. She has been a strong advocate for him and many of his colleagues and she is always accessible.

Mr. Hines was against the resolution. He stated that this individual happens to be the Chair of the Orange County Republican Committee and when he asked what her primary goal was, the answer he was given was, to get her candidates elected. He felt that meant the two positions were incompatible as Commissioner of Board of Elections. She can make rulings on petitions that should not be to get her candidates elected but to be fair and proper. Some may argue that this is legal, and the individual can wear both hats, but just because it is legal does not make it proper. He felt it was improper and suggested she step down as Chairwoman of the Republican Party of Orange County, then he would support it. He could not support it and felt it was an obvious conflict.

Mr. Amo stated that as a third-party candidate, he supported Ms. Canfield Greene and would like to see everyone support her appointment as Commissioner of Board of Elections.

Mr. Paduch agreed with Mr. Hines. He meant nothing against Ms. Canfield Greene but he saw it as a conflict. He planned to support her because the Republicans chose her, but he would not be

surprised if there is a conflict in the future. He wished her good luck.

Ms. Bonelli stated that Ms. Canfield Greene was chosen as the next Commissioner of Board of Elections and the votes were unanimous. She was the only candidate and does not take the position officially until January 1, 2021. On January 1, 2021, she will be up for re-election as the Chairperson of the Orange County Republican Committee. She agreed with most of what Mr. Hines mentioned, but she saw it differently because it is the responsibility of the Republican Committee members to make that decision whether it is a conflict for her to serve as chairperson of the party. She urged her Republican colleagues to seriously consider this when they need to look at what is happening in 2021.

Chairman Brescia stated that you see dual capacities throughout the State of New York. He planned to support Louise Vandemark as the Commissioner of Board of Elections for the Democrat side although she is the Treasurer for the Orange County Democratic Party. If there were any conflicts, he was sure Ms. Canfield Greene would step aside as Chairperson, but he did not see the issue and did not see any conflicts, but he did understand the argument. All the Commissioners and Deputy Commissioners at the Board of Elections all do a wonderful job.

Mr. Sierra agreed with Mr. Hines. There is a reason why there are two separate seats and two separate offices. He does not know Ms. Canfield Greene well, he met her once before, it was nothing personal against her as he was sure she does well at her job. He felt there is a conflict that she will have to make decisions sitting as the Commissioner of Board of Elections when it comes to petitions and petitions being challenged and because of that he planned to vote no.

Mr. Lujan shared the same concerns that Mr. Hines had. He weighed the pros and cons and he understood what everyone was saying. He respects that she was voted in by her peers and everything he heard about her was wonderful. If it were a Democrat, he would feel the same way and still vote against.

The vote resulted as follows:

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

Noes: Hines, Luján, Sierra

Ayes 18;

Noes 3;

Absent 0;

ADOPTED.

Certification from Orange County Democratic Chairman Brette Broge recommending appointment of Louise B. Vandemark to the office of the Commissioner of Elections for a four-year term beginning January 1, 2021 - December 31, 2025. On motion the same was received and ordered placed on file.

Sponsors: Vero, Amo

Co-Sponsors: Paduch, Kulisek, Sierra, Tautel, Faggione, Hines, Tuohy, Brescia

RESOLUTION NO. 135 OF 2020

RESOLUTION APPOINTING LOUISE B. VANDEMARK A COMMISSIONER OF ELECTIONS, PURSUANT TO SECTIONS 3-200 AND 3-204 OF THE ELECTION LAW AND ACT NO. 3 OF 1936 OF THE FORMER ORANGE COUNTY BOARD OF SUPERVISORS.

RESOLVED, that Louise B. Vandemark, residing in Huguenot, New York, having been duly recommended by the Democratic County Committee of Orange County in the manner provided by Section 3-204 of the Election Law, as amended, be and she hereby is designated to hold the Office of one of the Commissioners of Elections of Orange County.

FURTHER RESOLVED, that pursuant to the provisions of Act No. 3 of 1936, passed by the former Orange County Board of Supervisors, the term of the above-mentioned Commissioner of Elections shall be for a period of four years, beginning January 1, 2021 and ending December 31, 2025.

Seconded by Mr. Ruszkiewicz.

Mr. Paduch stated that they have been working very hard at the Board of Elections and they are overwhelmed with everything going on with the pandemic. It will be a crazy year and he hopes that everything works out good for them. He supports Ms. Vandemark and planned to vote in favor of her appointment.

Chairman Brescia noted that they were all under a lot of pressure at the Board of Elections. He pointed out that he had no issue with Ms. Vandemark being Treasurer of the Orange County Democratic Committee.

Mr. Faggione was glad that Chairman Brescia mentioned Ms. Vandemark was also the Treasurer of the Orange County Democratic Committee. Western Orange County is being well represented as Ms. Vandemark is a citizen in the Town of Deerpark. He wholeheartedly supported her appointment.

Mr. Hines stated that he planned to support Ms. Vandemark's appointment. He added that the reason why he is supporting her is because she did a great job with the early voting, purchasing the hardware and software in order to get the elections done. She is a breath of fresh air and has done a great job. The fact that Ms. Vandemark is the Treasurer of the Orange County Democratic Committee means nothing because the Treasurer does not make rulings, so he saw no conflicts.

Mr. Amo stated that as a third-party candidate, he supports Ms. Vandemark and both commissioners are very supportive of all their efforts.

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: Hines, Stegenga, Vero, Faggione, Sierra, Sassi, Luján

Co-Sponsors: Bonelli, Paduch, Benton, Cheney, Kulisek, Minuta, O'Donnell, Ruszkiewicz, Sutherland, Tautel, Tuohy, Brescia

RESOLUTION NO. 136 OF 2020

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF EMERGENCY SERVICES/POLICE SERVICES, TO ACCEPT AND APPROPRIATE A GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the United States Department of Justice has offered funds in the amount of \$58,008.00 for the 2020 Bureau of Justice Assistance Grant Coronavirus Emergency Supplemental Funding – Local Solicitation. Said funds will be used for the purchase and distribution of Personal Protective Equipment (PPE) to first responders and correctional agencies in Orange County to prevent, prepare for, and respond to the Coronavirus crisis. Equipment will be purchased, inventoried, and distributed based on local need; and

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

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Commissioner of Emergency Services, be and hereby is authorized to accept and appropriate funds in the amount of \$58,008.00 for the 2020 Bureau of Justice Assistance Grant Coronavirus Emergency Supplemental Funding – Local Solicitation from the United States Department of Justice in the amount of \$58,008.00, to be used for the purchase and distribution of Personal Protective Equipment (PPE) to first responders and correctional agencies in Orange County, as indicated above.

2. That the 2020 budget for the Department of Emergency Services/Police Services 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 398903 443891	Other Public Safety	\$58,008.00
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Expenses:

1010	398903	583800	Personal Protective Equipment (PPE)	\$52,970.00
1010	398903	585012	Inventoried Specialty Equipment (\$500-\$4999)	<u>\$ 5,038.00</u> \$58,008.00

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, Tautel, Tuohy, Vero, Brescia

Ayes 21; Noes 0; Absent 0; ADOPTED.

HEALTH AND MENTAL HEALTH COMMITTEE:

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

RESOLUTION NO. 137 OF 2020**RESOLUTION OF THE ORANGE COUNTY LEGISLATURE DESIGNATING JUNE 21 THROUGH JUNE 27, 2020 AS HELEN KELLER DEAF-BLIND AWARENESS WEEK.**

WHEREAS, Helen Keller was an American lecturer, author and activist. Deaf and blind since early childhood and living in an era where most individuals similarly afflicted were confined to an asylum, Helen Keller overcame her disabilities with the aide of mentor Anne Sullivan and rose to international renown. Keller used her fame to educate others about the blind and to raise funds for related charities; and

WHEREAS, deaf-blindness is a very severe disability; and

WHEREAS, it is in the best interest of Orange County to encourage the full participation of Americans with multi-sensory disabilities in our economy by fostering the employment of, and promoting housing and recreational options for, people who are deaf-blind – thus maximizing their opportunities for a productive life in the community of their choice; and

WHEREAS, today, people with dual-sensory loss should have options to choose their preferred lifestyles; and

WHEREAS, it is highly appropriate and necessary to publicize the abilities and potential of our fellow citizens who are deaf-blind or severely vision and hearing impaired and to recognize Helen Keller as a guiding example of courage, hope, determination and achievement for other individuals who are deaf-blind.

THEREFORE, BE IT HEREBY

RESOLVED, that the Orange County Legislature designates June 21 through June 27, 2020 as "Helen Keller Deaf-Blind Awareness Week" for Orange County and conveys these sentiments to every citizen of Orange County, that all might raise awareness of deaf-blindness in our community.

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: Luján

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

RESOLUTION NO. 138 OF 2020

RESOLUTION MEMORIALIZING THE ACHIEVEMENTS OF THE GRADUATING CLASSES OF 2020 FOR HIGH SCHOOL, TRADE SCHOOLS AND POST GRADUATE EDUCATION AND DECLARING THE MONTH OF JUNE AS "GRADUATING CLASS OF 2020 RECOGNITION AND TEACHER APPRECIATION MONTH."

WHEREAS, Orange County, NY prides itself on providing a stellar education to its students and instilling in them the core values to help empower them for their future; and

WHEREAS, the unprecedented worldwide COVID-19 pandemic has caused schools to close across New York State since March 13, 2020, and, now extended for the remainder of the 2019-2020 school year; and

WHEREAS, the Orange County Legislature recognizes and applauds all the efforts of our students, teachers and school personnel in adapting to distance learning and adjusting to the loss of daily social and educational classroom experiences and extra-curricular activities; and

WHEREAS, students have dedicated years of hard work to their education but at this time the Governor of the State of New York has declared that the Graduating Class of 2020, along with their friends, families, teachers and school personnel will be unable to experience the traditional graduation ceremony to celebrate this momentous occasion in their lives; and

WHEREAS, in light of the epidemiological progress the County of Orange has made against the novel coronavirus, this Legislature implores the State of New York to allow the Graduating Class of 2020 to participate in a traditional in-person graduation ceremony in accordance with appropriate social distancing.

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that WE, the Orange County Legislature recognizes the significant impact that the COVID-19 pandemic has had on our entire community and we commend the hard work and dedication of our teachers and school personnel in nurturing and guiding all of our students through these unprecedented times so that every student has the opportunity to achieve significant milestones in their education, including 2020 GRADUATION; and be it further

RESOLVED, that We, the Orange County Legislature, do hereby proclaim June as Graduating Class of 2020 Recognition and Teacher Appreciation Month and convey these sentiments to every citizen of Orange County so that we can each, in our own way, recognize their achievements and wish them well in their future endeavors.

Seconded by Mr. Vero.

Mr. Lujan stated that these are very challenging times. During all of this, there are graduates across the globe that are not able to graduate the way they traditionally do. We are proud all of our graduates, so this is a great way to pay tribute to their hard work. These people will not be able to graduate the way that they would like to, the parents will not be able to be a part of that journey. He thanked everyone on the Legislature and the staff for the help with the resolution. It is a bipartisan effort by all. He thanked Legislator Sutherland for adding in the additional WHEREAS.

Ms. Sutherland stated that as a mother of a student graduating this year, a very proud mother, she has been overwhelmed with phone calls and emails looking for the support that is needed to have live graduation. At a time when there is so much negativity in the world, the opportunity to celebrate the accomplishments of our young men and women who are not only graduating from high school, but a trade school and colleges, it was important for her to bring the final WHEREAS to implore the governor to allow the graduating class of 2020 to participate in a traditional in-person graduation ceremony. If we can peacefully protest and stand on line at big box stores, we can certainly honor the hard work and dedication of our seniors going forward.

Mr. Minuta thanked Legislator Lujan and others who helped move this forward. A graduation is something we all expect after a long journey of education. He also has a daughter graduating this year and they have been putting out signs, but it is not quite the same. He fully supported the resolution.

Chairman Brescia stated that it was bittersweet, and he was hopeful that the Governor will listen to the last WHEREAS that Ms. Sutherland brought forward. He congratulated all the graduating seniors.

Mr. Vero stated that his son was graduating from college this week and it will be done virtually. After four years of hard work and no recognition. At least this is someway he can say to his son that they recognize all their efforts too, and his classmates. He thanked Legislator Lujan and Ms. Sutherland for bringing this forward. Something is better than nothing.

Mr. Hines announced that his daughter just graduated with a Master's Degree in accounting from SUNY Albany.

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: Bonelli

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

RESOLUTION NO. 139 OF 2020

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE RECOGNIZING THE OUTSTANDING SERVICE PROVIDED BY ESSENTIAL WORKERS AND VOLUNTEERS DURING THE COVID-19 PANDEMIC.

WHEREAS, the outbreak of the Novel Coronavirus (COVID – 19) has led to unprecedented economic disruption and impacted every aspect of our lives in the United States, in the State of New York and in Orange County, N.Y; and

WHEREAS, the fight against COVID-19 has adversely impacted Orange County, N.Y., and our healthcare workers, emergency service workers, food service workers, childcare workers, transportation workers, U.S postal workers and package delivery workers, volunteers and more who are on the frontlines in fighting this issue and providing services to the people of Orange County; and

WHEREAS, doctors, nurses, home care and domestic workers, and other medical professionals have put themselves in harm's way to care for their patients, COVID-19 or otherwise; and

WHEREAS, first responders, including firefighters, emergency medical technicians, law enforcement, and other emergency management personnel, are facing unprecedented challenges to stay healthy whiling serving their communities; and

WHEREAS, grocery and food service workers across the county are working hard, 24-7, to meet the essential demands of keeping shelves stocked and preparing food for Orange County, N.Y. amid COVID–19, while facing a greater infection risk from higher levels of public interaction; and

WHEREAS, childcare workers have continued to care for the children of essential personnel, allowing these personnel to meet their obligations and continue their critical work during COVID-19; and

WHEREAS, postal and delivery workers continue to keep their delivery operations working as part of the county's critical infrastructure by delivering medicines, Social Security checks, and other essential goods; and

WHEREAS, as cases of COVID–19 spread, Orange County, N.Y. farmworkers continue working hard in the fields to harvest the produce that feeds families across America every day; and

WHEREAS, our County, Cities, Towns and Village public works employees, including sanitization personnel, continue to keep our streets and public spaces clean; and

WHEREAS, communication workers have maintained networks that are stressed beyond their limits so that we are able to access the best information and stay as connected as possible through phone, cable, and internet, amidst physical isolation; and

WHEREAS, construction workers, electrical workers, steelworkers, carpenters, millwrights, utility workers, machinists, ironworkers, and other laborers have continued to work on infrastructure that must be constantly maintained; and

WHEREAS, Orange County, N.Y. employees have risen to the challenge of upholding key government functions and services, which have become more important and more overwhelmed during COVID-19; and

WHEREAS, the Orange County Legislature recognizes that the essential frontline workers and volunteers have made a significant impact in answering the call and carrying out their critical missions to protect the health and safety of our communities and to minimize the disruption that COVID-19 has caused to our daily lives.

NOW, THEREFORE, be it

RESOLVED, that the Orange County N.Y. Legislature —

Wishes to honor the invaluable contributions of all frontline workers and essential critical infrastructure personnel; and

Is mindful of the immense debt of gratitude that we owe frontline workers for their heroic and selfless service during the COVID-19 pandemic, and

Sadly, acknowledges that some frontline workers have been lost to COVID-19 as a result of their service, and offers their loved ones our sincerest condolences, and

Extend our gratitude in recognizing that these acts of heroism that have allowed essential services to continue operating, minimized the inevitable disruption to our county residents daily lives, and played a critical role in protecting the health and safety of our communities.

Seconded by Mr. Vero.

Chairman Brescia commented that they thanked their essential workers and volunteers time and time again, but we cannot thank them enough throughout this crisis, especially those we see firsthand here in Orange County.

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, Amo, Anagnostakis, Benton, Cheney, Faggione, Hines, Kulisek, Luján, Minuta, Ruszkiewicz, Sassi, Sierra, Stegenga, Sutherland, Tautel, Tuohy, Vero, Brescia

RESOLUTION NO. 140 OF 2020

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE IMPLORING THE GOVERNOR OF THE STATE OF NEW YORK AND THE NEW YORK STATE SENATE AND ASSEMBLY TO HOLD PUBLIC HEARINGS IN RELATION TO NEW YORK STATES' COVID 19 RESPONSE, WITH SPECIFIC EMPHASIS ON NURSING HOMES AND FOR AN INDEPENDENT PROFESSIONAL MEDICAL REVIEW OF THE NURSING HOME INDUSTRY AS A WHOLE AND THE NEW YORK STATE HEALTH DEPARTMENT IN PARTICULAR AS TO THEIR POLICIES AND MANAGEMENT OF THIS PANDEMIC.

WHEREAS, New York's nursing homes are responsible for the medical care, well-being and safety of all those who reside and work in our nursing homes; and

WHEREAS, many if not all of the residents of nursing homes have been identified as being the most vulnerable to the COVID-19 Virus; and

WHEREAS, this has proven to be true in New York State with over 5,000 COVID-19 Virus deaths occurring in our nursing homes; and

WHEREAS, on March 25, 2020 New York State Health Commissioner Howard A. Zucker, M.D., J.D., issued a directive to all Nursing Home Administrators, Directors of Nursing, Directors of Social Work and Hospital Discharge Planners directing that all nursing homes accept on an expedited basis, residents returning from hospitals and new admissions of patients with COVID-19 requiring acute care. This directive was issued in accordance with Executive Order No. 202.5 signed by Governor Andrew M. Cuomo on March 18, 2020 allowing patients affected by the disaster emergency (COVID-19) to be transferred to receiving Article 28 facilities (hospitals, nursing homes, etc.) as authorized by the Commissioner of Health; and

WHEREAS, this Executive Order and Directive of the Health Commissioner caused a public uproar and contributed to many of the over 5,000 deaths of New Yorkers in nursing homes; and

WHEREAS, our own Orange County Health Commissioner refused to say whether she agreed or disagreed with the New York State Executive Order and Directive mandating nursing homes to admit positive COVID-19 virus cases because the Commissioner did not want to "antagonize the state"; and

WHEREAS, the Governor is now blaming the nursing homes themselves, the Federal Government, the CDC (Center for Disease Control and Prevention) for the deaths in our nursing homes; and

WHEREAS, the Governor has asked the New York Attorney General to investigate what went wrong in our nursing homes; and

WHEREAS, this Attorney General's investigation is welcomed but more needs to be done in an independent bipartisan way; and

WHEREAS, now is not the time to play the blame game, lives are at stake and most importantly lives can be saved; and

WHEREAS, there are many medical professionals expecting a second wave of the COVID-19 Virus this fall; and

WHEREAS, it is imperative that directives to nursing homes and the nursing homes' abilities to care for such patients not contribute to the Pandemic; and

WHEREAS, it is imperative that the New York State Health Department not make the same mistakes committed during this Pandemic.

NOW THEREFORE, BE IT HEREBY

RESOLVED that we the Orange County Legislature implore the Honorable Andrew M. Cuomo, the Honorable Andria Stewart- Cousins President-Majority Leader of the New York State Senate, Honorable John J. Flanagan, Minority Leader of the New York Senate, Honorable Carl E. Heastie, Speaker New York Assembly, Honorable William A. Barclay, Minority Leader to immediately begin public hearings into the nursing homes handling of the COVID-19 Pandemic Virus. In addition, an independent professional medical team needs to be hired to conduct a thorough investigation and review of the nursing home industry as a whole and the New York State Health Department in particular, as to their policies and management of this Pandemic.

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, the Honorable Andria Stewart- Cousins President-Majority Leader of the New York State Senate, Honorable John J. Flanagan, Minority Leader of the New York Senate, Honorable Carl E. Heastie, Speaker New York Assembly, Honorable William A. Barclay, Minority Leader and to all Senate and Assembly members whose districts include any or all of Orange County, New York, to Dr. Irina Gelman, Commissioner of Orange County Department of Health and to Laurence LaDue, Orange County Commissioner for the Valley View Center for Nursing Care and Rehabilitation.

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

RESOLUTION NO. 141 OF 2020

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS/AIRPORT, TO ACCEPT AND

APPROPRIATE A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the Orange County Department of Public Works/Airport is requesting to accept a grant from the Federal Aviation Administration (FAA) for the Orange County Airport in the amount of \$69,000.00 for the CARES Act Grant Offer at the Orange County Airport. Said funds will be used for operation expenses, specifically security and infrastructure improvements. Upon approval, a new Capital Project will be created; and

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

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Commissioner of the Department of Public Works, be and hereby is authorized to accept and appropriate funds in the amount of \$69,000.00 from the Federal Aviation Administration for the CARES Act Grant Offer at the Orange County Airport, as indicated above.

2. That the 2020 budget for the Department of Public Works/Airport 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:

1400	561001	445921	Federal Funding	\$69,000.00
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Expense:

1400	561001	576820	Specialty Payments	\$69,000.00
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Seconded by Mr. Vero.

Mr. Cheney thanked the Legislative staff taking care of this since it came in late. It is necessary because the funding application must be submitted by July 1st and the Legislature will not meet before that date.

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.

Ms. Bonelli stated that over the past few days in speaking with some of her caucus members, there was some concerns regarding the numerous protest events that are happening or are proposed to be happening throughout Orange County. She spoke to the Sheriff this morning and asked if he could provide a brief update as to what is happening. On behalf of the Sheriff, Undersheriff Kenneth Jones sent her the following statement:

“The Sheriff’s office, in consultation with the State Police and its municipal police agencies, have been devising operational plans to address numerous protest events throughout Orange County. To date, there have been no violence associated with any of these events. Contingencies have been made in advance of each event based on the intelligence that is available and the projected crowd size so that an appropriate law enforcement presence is available to safeguard the rights of the protestors, and the residents of the localities where the events are to take place. For obvious reasons they are not in a position to share intelligence data or the exact preparations being made for any individual event. We hope that you’re confident that the strong partnership that exists between the State Police, the Sheriff’s office and municipal agencies will result in successful outcomes as people express themselves publicly while exercising their first amendment rights under the U.S. Constitution.”

Ms. Bonelli mentioned again that there was a lot of concern amongst her colleagues and she wanted to follow up and the Sheriff ask that she bring that message forward today at the meeting.

Chairman Brescia thanked Ms. Bonelli for keeping them all informed.

On motion of Ms. Bonelli, seconded by Mr. Paduch, the Legislature adjourned at 4:16 p.m.

ADJOURNED.

Jean M. Ramppen, Clerk