

**WAYS AND MEANS COMMITTEE
MINUTES**

**WEDNESDAY, JUNE 25, 2019
3:30 P.M.**

PRESENT: Leigh J. Benton, Chairman
Mike Anagnostakis, Katie Bonelli, Janet Sutherland,
Kevin W. Hines, James M. Kulisek, Michael D. Paduch, Joseph J. Minuta

ALSO

PRESENT: L. Stephen Brescia, Chairman
Barry J. Cheney, Legislator
Peter Tuohy, Legislator
Antoinette Reed, Legislative Counsel
Harry Porr, III, Acting County Executive
Matthew Nothnagle, Chief Asst. County Attorney
Alicia D'Amico, Deputy Commissioner of Procurement and Compliance,
Department of General Services
Samantha Sweikata, Director of Compliance, Department of General Services
Kerry Gallagher, Deputy Commissioner of Finance
Bonnie Degennaro, Accounting Technician II, Department of Finance
Travis B. Ewald, Deputy Commissioner, Engineering Division
Robert Gray, Deputy Commissioner, Environmental Facilities and Services
James S. Brooks, Commissioner of Parks, Recreation & Conservation
Nicole Andersen, Director, Community Development
Robert Dart, Contractor, Community Development
Christian Farrell, Director, Veterans Service Agency
John McCarey, Director, Real Property Tax Service
Edward Magryta, Director, Airport
Deborah Slesinski, Budget Director
Deanna Crawford, Budget Analyst
Gretchen Riordan, Budget Analyst

Chairman Benton opened the committee meeting at 3:30 p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present with the exception of Legislator Sutherland who arrived at 3:46 p.m.

Mr. Minuta moved the request amendment to the Orange County Department of General Services Procurement Policy, as adopted and reaffirmed on April 5, 2019, to be retroactive to the adopted date of March 1, 2019, seconded by Mr. Anagnostakis.

Ms. D'Amico stated that the last time she addressed the committee, they had put into place a Department of General Services Procurement training and since then they found a couple of typos in the policy. She referred to the Procurement Policy (refer to original minutes) to point out the changes and noted that the changes will be retroactive as of March 1st.

Motion carried. All in favor with the exception of Legislator Sutherland who had not yet arrived. Mrs. Bonelli moved to approve a Yearly Community Development Block Grant budgets are estimates. Request supplemental appropriation to adjust award and Program Income to reflect actual receipts. This reduces the General Ledger by (\$512,939.66). This reflects an Entitlement adjustment for the years 2011-2019 and a Program Income adjustment for the years 2012-2018, seconded by Mr. Kulisek.

Mr. Dart stated that this is a yearly program income estimate that has not been done for several years; therefore, the general ledger needs to be adjusted to reflect what was collected.

Motion carried. All in favor.

Mrs. Bonelli moved to approve a Yearly HOME Program budgets are estimates. Request supplemental appropriation to adjust awards to reflect actual receipts. This reduces the General Ledger by (\$138,357.14). This reflects an Entitlement adjustment for the years 2011-2019 and a Program Income adjustment increase for the years 2013-2018, seconded by Mr. Minuta.

Mr. Dart stated this is also a yearly income program that needs to be bought up to date.

Motion carried. All in favor.

Mr. Anagnostakis moved the request to accept and appropriate State and Municipal Facilities Program ("SAM") grant from the Dormitory Authority State of New York (DASNY). The source of the funds is state grant funds. The grant will be used for improvements at the Orange County Veterans Cemetery, \$350,000.00, seconded by Mr. Paduch.

Mr. Farrell explained that through former Senator John Bonacic, they received a grant for \$250,000.00 and since then an additional \$100,000.00 was made available bringing the total to \$350,000.00 for improvements to the Orange County Veterans Cemetery and expansion. He added that the cemetery has a masterplan and the goal is to improve its beauty for the future so another improvement he would like to have is a permanent memorial shelter for inclement weather.

Motion carried. All in favor.

Mr. Benton clarified that the next agenda item was tabled at the Human Services Committee meeting.

Mr. Farrell stated that is correct.

Mr. Benton asked Mrs. Reed if there is any reason that this committee should not table the request.

Mrs. Reed replied that it was a large sum of money and Mr. Sassi was looking to see the completion of the cemetery's masterplan that was being proposed.

Mr. Farrell explained that the plan is 95% complete and KC Engineering is supposed to present the final plan which he will receive when it nears completion.

Mr. Benton pointed out that this is a long-standing capital project for \$150,000.00 a year.

Mrs. Reed asked if \$150,000.00 has been allocated for this year.

Mr. Farrell replied no.

Ms. Slesinski stated that they have not allocated any funds, but in the 2019 plan there was \$750,000.00 for additional land.

Chairman Brescia clarified that this will not hold up any work.

Mr. Farrell stated that it is correct, the work will continue with funds that have been allocated over previous years.

Mr. Anagnostakis moved to table the request to approve and appropriate funds for the 2019 Capital Expense Project Fund No. CP-240 for the continuing Orange County Veterans Memorial Cemetery Maintenance and Expansion, \$750,000.00 (bonding) for one month, seconded by Mrs. Bonelli.

Motion carried. All in favor.

Mr. Minuta moved the request for supplemental appropriation of \$3,595.00 for Assigned Counsel for the year ending 2018, seconded by Mr. Kulisek.

Ms. Slesinski stated that they have one final year-end entry clean-up that needs approval. This is the result of a very rare cancellation transaction that did not get fully completed into Oracle, it created a negative encumbrance that came to light at the end.

Motion carried. All in favor.

Mr. Minuta moved the request to reduce previously authorized bond resolutions for various completed capital projects. This resolution would facilitate the closing of the completed project and reduce the authorized but unissued debt that exceeded the actual borrowing (bonding), seconded by Mr. Kulisek.

Mrs. Gallagher stated that is for approval to clean-up the books and close out projects that are still open. The dollar amount that is shown on the request (see original minutes) will be done to reduce the bonds.

Motion carried. All in favor.

Mr. Hines moved the request to transfer any unspent revenues from completed capital projects to debt service in preparation to close the project, seconded by Mr. Paduch.

Mrs. Gallagher explained that this is the same where they need approval to move the remaining money back into the debt service account.

Motion carried. All in favor.

Mr. Minuta moved the request to return any unspent funding back to its originating source for the completed projects in preparation to close the projects. seconded by Ms. Sutherland.

Mrs. Gallagher stated the only difference with this request is that the balance on these will go back to their original source which is stated on the legislative request (see original minutes).

Motion carried. All in favor.

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

Mrs. Gallagher explained that after the legislature adopted the policy a few months ago, there was a merger with one of the banks listed on the policy; therefore, it needs to be corrected for the record. The previous bank was Greater Hudson Bank and the new one is called Connect One Bank.

Motion carried. All in favor.

Mr. Minuta moved to adopt a resolution making an appropriation to the capital projects budget for the Airport Infrastructure Improvements. This project has been approved under the 2019 Capital Plan as Project No. 6. Upon approval, a new capital project will be created, \$50,000.00 (bonding), seconded by Mr. Benton.

Mr. Ewald stated this an airport infrastructure improvement that is intended to go out to bid for the replacement of four airport hangar roofs that are 20 to 30 years old. Three of the roofs have a foam coating on them which makes it difficult to locate where the leaks are and identify where the repairs need to be made.

Mr. Benton clarified that this is for hangar E as well as three others.

Mr. Ewald stated that he believes it is up to four roofs and he will verify that it is for hangar E.

Mr. Cheney commented that Mr. Magryta had stated that sections will be replaced to deal with where the leaks are.

Motion carried. All in favor.

Mr. Paduch moved to request a resolution that will transfer funding from the Orange County Industrial Development Agency ("OCIDA") to the County of Orange for expenses associated with the Heritage Trail Project – Segment #2. Resolution No. 11 of 2016 stipulated that certain expenses were to be made by the Orange County Industrial Development Agency in an amount not to exceed \$1,000,000.00. It is now the understanding that the said Agency will not fund this project (bonding), seconded by Ms. Sutherland.

Mr. Brooks stated that the IDA funds are no longer available, and these funds are required to fund the project for Segment #2 which is from Hartley Road to the City of Middletown. The good news is the bid came in right where they estimated them to be and they are on a time schedule, 45 days to get the contract out where no changes can be made, otherwise the DOT will have them start from the beginning. He added that the next bidder was \$2 million more than this bidder.

Mr. Benton commented that the Deputy County Executive addressed the legislators letting them know that there has been a reconsideration because of the ABO opinion.

Mr. Hines commented that this is disheartening because some of them would have never voted for the expansion if not for the million dollars. He asked if the money was not given due to a legal opinion.

Mr. Porr reiterated the steps that were taken to get to this point and stated that they are exploring different options and one way or the other, they will get the money back. The approval of the legislature is needed in order to move forward and not have to start over again.

Chairman Brescia expressed his concerns and stated that this is upsetting.

Mr. Hines asked how they will fix this for the future because he no longer has confidence in the IDA. They swayed the legislature and he would also like to know the vote of the IDA.

Mr. Benton responded that everyone will be given the vote.

Mr. Hines stated that he would like the minutes before the legislature as well as an opinion from the County Attorney's Office about what the ramifications are because he cannot imagine that an outside agency can commit funds to sway a vote and then say no.

Mr. Porr explained that he is preparing a legal response to the IDA's action.

Mr. Benton agreed with Mr. Hines.

Mr. Kulisek asked if the funds the legislature provide will carry through until the decision is made in October.

Mr. Porr replied that the monies approved today will allow them to go forward with the project immediately and they are hopeful that they will get either a reconsideration by the IDA or help through the Orange County Transportation Program under the Transportation Council.

Mr. Benton pointed out that these funds will allow them to continue the project uninterrupted.

Motion carried. All in favor.

Mr. Minuta moved to discuss deed sale parcels, seconded by Mr. Hines.

Mr. McCarey stated that the first four deed sale parcels on page 1 are in the Town of Blooming Grove (21-1-3.21, 23-4-14, 28-11-4, 28-13-1) and only parcels Nos. 1 and 2 should be approved. The fifth parcel is in the Town of Chester (3-1-37.2) and has a minimum bid of \$25,000.00 and an amount bid of \$20,500.00. He recommends that it be approved. Parcels Nos. 6 and 7 are in the Town of Deerpark (32-1-53, 46-1-51) and both meet the minimum bid; therefore, he recommends they be approved.

Motion carried. All in favor of accepting Mr. McCarey's recommendations to approve deed sale parcels Nos. 1, 2, 5, 6, and 7 and deny parcels Nos. 3 and 4.

Mr. McCarey stated that the eighth parcel on page 2 is in the Town of Goshen (14-31-2) with a minimum bid of \$8,500.00 and an amount bid of \$5,500.00. He recommends it be approved. Parcel No. 9 is in the Town of Mt. Hope (4-5-1.2) and has a minimum bid of \$4,300.00 and an amount bid of \$3,300.00. He recommends that it be approved as it has been vacant for a few years. Deed sale parcels Nos. 10, 11, 12, 13, and 14 are in the Town of Warwick (309-7-8.1, 313-5-3.1, 72-2-30.1, 73-4-8, 77-8-3) and he recommends they all be denied because the bidder bid on about ten properties this month. He stated that he sold the bidder five or six properties but wants to make sure he gets paid for them first before selling him more. Furthermore, he believes he could get more money for a few of them.

Motion carried. All in favor of accepting Mr. McCarey's recommendations to approve deed sale parcels Nos. 8 and 9 and deny parcels Nos. 10, 11, 12, 13, and 14.

Legislator Minuta left the meeting at 4:30 p.m.

The last deed sale parcel on page 3 was in the Town of Woodbury (241-1-5) and had a minimum bid of \$25,000.00 and an amount bid of \$15,000.00. Mr. McCarey recommended it be approved because the bidder increased the price since last month and he does not think he will get any more money for it.

Motion carried. All in favor of accepting Mr. McCarey's recommendation to approve deed sale parcel No. 15 with the exception of Legislator Minuta who left.

Before adjourning Mr. Cheney mentioned that he found the minutes from the IDA meeting that took place on May 9th. It read, "Chairman Rogulski asks that the board rescind the approval for the Heritage Trail funds. As per the ABO, it is understood that legally the IDA does not have the ability to fund this expenditure. If that statute changes or there is another way the IDA can assist with this project, they will find a way to contribute. Motion to rescind the authorization resolution and the agreement for the Heritage Trail funding is made by Mr. Steinberg, seconded by Mr. Schreibeis. Mr. Brescia and DiSalvo vote no. Motion carries with five board members in favor."

Mr. Benton thanked Mr. Cheney for finding the minutes and sharing them with the committee.

Mr. Magryta addressed the committee with brief clarification regarding funds for the hangar. He stated that he understands there was a question about the funding for the hangar for the roof which is related to Hangar Echo which is accurate. This is part of three other bonding requests that were approved. The goal here is that there are three to four total hangars on the field that need to be addressed, so they are going to try and do an RFP for the whole lot to be able to get economy scale and pricing. Furthermore, this funding will apply to Hangar E, but they may be able to get better numbers since they will bid out for all the hangars and use the \$200,000.00 allocated to be able to accomplish the job.

Mr. Benton commented that it sounds like a good possibility to save some money.

The meeting adjourned at 4:37 p.m.