

REGULAR SESSION, THURSDAY, JULY 6, 2023

REGULAR SESSION

July 6, 2023

The Legislature convened in Regular Session at 3:30 p.m. today.

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

On roll call, all members were present with the exception of Legislators Amo, Luján and Tautel, who were absent and Legislator Sierra, who was excused.

Chairwoman Bonelli and Mary Pat Smith presented a proclamation to Probation Director, Timothy Davidian, recognizing "The Week of July 16-22 as Pre Trial Probation and Parole Supervision Week."

Probation Director Davidian presented seven of his employees with their 25-year and 30-year employee pins.

Legislator Lujan arrived at 3:37 p.m.

Mr. Faggione recognized the following for the month of July:

July 4<sup>th</sup> Independence Day

National Recreation and Parks Month

National Ice Cream Month - July 16<sup>th</sup> National Ice Cream Day

By Mr. Faggione:

**RESOLVED**, that the minutes of March 2, and March 28, 2023 be approved. The motion was seconded by Mr. Ruskiewicz and adopted.

ADOPTED.

Chairwoman Bonelli recognized Legislator Cheney.

Mr. Cheney request that Item No. 6 on the agenda, "**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF PLANNING, TO APPLY FOR, ACCEPT, AND APPROPRIATE FUNDS FROM THE FEDERAL TRANSIT ADMINISTRATION TO BE USED TO PURCHASE A BUS WASH FACILITY, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER**" be withdrawn, seconded by Mr. Faggione.

Chairwoman Bonelli asked if there are no objections, agenda item no. 6 will be withdrawn.

Chairwoman Bonelli recognized Legislator Benton.

Mr. Benton request that Item No. 32 on the agenda, "**AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO CREATE 'AGING SERVICES SPECIALIST (SPANISH/ENGLISH SPEAKING)' AT THE ORANGE COUNTY OFFICE FOR THE AGING, PURSUANT TO SECTION 2.02(L) OF THE ORANGE COUNTY CHARTER**" be withdrawn, seconded by Mr. Brescia.

Chairwoman Bonelli asked if there are no objections, agenda item no. 32 will be withdrawn.

**MISCELLANEOUS:**

**Sponsor: Benton**

**RESOLUTION NO. 178 OF 2023**

**RESOLUTION OF THE ORANGE COUNTY LEGISLATURE ESTABLISHING AND REPORTING THE STANDARD WORK DAY FOR ELECTED OFFICIALS TO THE NEW YORK STATE AND LOCAL EMPLOYEES’ RETIREMENT SYSTEM.**

**BE IT RESOLVED**, that the County of Orange, hereby establishes and reports the following standard work days for elected officials to the New York State and Local Retirement System:

Title	Standard Work Day	Name	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates	Participates in Employer’s Time Keeping System	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Chairwoman	6	Katherine E. Bonelli				1/1/2022-12/31/2025	N	25.7	
Majority Leader	6	Thomas J. Faggione				1/1/2022-12/31/2025	N	23.5	
Legislator	6	L. Stephen Brescia				1/1/2022-12/31/2025	N	25.44	
Legislator	6	Barry Cheney				1/1/2022-12/31/2025	N	22	
Legislator	6	Joel Sierra				1/1/2022-12/31/2025	N	---	X

And be it further

**RESOLVED**, that the Clerk of the Orange County Legislature along with the Orange County Department of Finance will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body.

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

Ayes: Faggione, Paduch, Anagnostakis, Benton, Brescia, Cheney, Ehlers, Hines, Luján, Minuta, O’Donnell, Ramos, Ruszkiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Excused: Sierra

Absent: Amo, Tautel

Ayes 18; Noes 0; Excused 1; Absent 2; ADOPTED.

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

**Sponsors:** Amo, Paduch

**Co-Sponsors:** Faggione, Benton, Brescia, Cheney, Ehlers, Hines, Minuta, Ruszkiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

**RESOLUTION NO. 179 OF 2023****RESOLUTION OF THE ORANGE COUNTY LEGISLATURE OPPOSING THE PAROLED RELEASE OF CONVICTED MURDERER, JUAN PEINADO.**

**WHEREAS**, Juan Peinado, a convicted killer, will be heard before the New York State Parole Board in August 2023, seeking a paroled release from prison following a conviction of second-degree murder in 1997; and

**WHEREAS**, on June 15, 1996, Juan Peinado brutally murdered 12-year-old Danny Meyer of Maybrook, New York as Danny was on his way to a Little League game, cutting a young and promising life short, robbing the Meyer's family of a son and brother, and stunning the small community that Danny called home; and

**WHEREAS**, the heartless, horrific and wanton acts of terror committed by Peinado have left an indelible mark on Danny's grieving family and community, even twenty seven years later; and

**WHEREAS**, upon receiving his right to a trial by jury in Orange County, New York, murderer, Juan Peinado was convicted of his crime and received a sentence of twenty-five years to life imprisonment; and

**WHEREAS**, a New York State Parole Board hearing to determine whether Juan Peinado will be released from prison on parole is expected to take place in August 2023; and

**NOW THEREFORE**, be it

**RESOLVED**, that the Orange County Legislature vehemently opposes the paroled release of convicted murderer Juan Peinado; and be it further

**RESOLVED**, that We, the Orange County Legislature, remembers with solemnity the life and memory of Danny Meyer and acknowledges the impact of the loss of his young life on the lives of his family, friends, and community; and be it further

**RESOLVED**, that federal, state and local officials have an obligation and duty to protect and safeguard its citizens from individuals who seek to harm the innocent and take appropriate action to prevent those individuals from walking freely amongst us; and be it further

**RESOLVED**, that the Clerk of the Orange County Legislature is hereby directed to send certified copies of this resolution to the N.Y.S. Parole Board, N.Y.S. Governor Kathy Hochul and to each New York State Senator and Assemblyperson who represents the County of Orange.

Seconded by Mr. Ruszkiewicz.

Chairwoman Bonelli recognized Assemblyman Brian Maher who asked to say a few words.

Assemblyman Maher stated that he was joined by members of Danny Meyer's family, his Mother, Jill, Sal Rappo, Danny's Aunt Jane and Uncle Bob, and Danny's childhood friend who was with Danny, as an eleven year old back in 1996, the day before he passed away, Shannon Malone, now Shannon Napoli and her son Mikey. Two years ago, they were successful, thanks to the help of this Legislative Body, and thousands of others throughout the State of New York and throughout the country in writing letters to the New York State Parole Board requesting to keep Danny's murderer in prison. Anyone they talk to, they all say the same thing, no one is against rehabilitation but there are certain crimes that go above and beyond the normal thought process of how human beings are capable of doing certain things. Taking into account recidivism rates for a crime like this and the way that the individual was preyed on, they do not have any thoughts in their mind that they are doing something that is 100% the right thing to do. This individual is up for parole after serving 25 years of a life sentence, this opportunity for parole now happens every two years. They hope that at the state level they can make some changes to allow that to be a longer period of time, but until then this will continue to happen. With the support of the Legislature, hopefully Danny and his memory will have continued justice and his family will have continued peace for as long as humanly possible. They all appreciate what everyone is doing and if there is a way to push this out to their communities, it is something that impacts all of us. He encouraged everyone to sign the online petition and write letters individually to the Parole Board. He knows how much Danny's family and his mother appreciates it. They will continue the fight for as long as they have to.

Chairwoman Bonelli thanked Assemblyman Maher and thanked Danny's family and friends.

Mr. O'Donnell spoke to Danny's family prior to the meeting. His best friend growing up, Billy McDonough, born three days apart, twelve years of school together, ended up marrying his sister, was killed in the line of duty. They were both New York State Troopers. He was killed December 14, 1975 in Sugar Loaf. Fortunately, and he means fortunately, the responding Troopers killed the person who killed Billy McDonough. He does have experience in feeling their loss, he does not have the experience in the horror of what their family has to go through now, every two years. Another Trooper who was killed the year before Billy McDonough, Trooper Emerson Dillon, his killer went to the Parole Board 11 times and was released the 11<sup>th</sup> time. He now lives in Suffolk County. The family of Trooper Emerson Dillon has to live with that for the rest of their lives, that the killer of their loved one is out. He cannot imagine what their family would go through if this killer is released. He urged everyone to not only sign the online petition, but to write an individual letter and be persistent. They might have to do this 12, 13, 14 times. He plans to send an individual letter, explaining who he is, his career with the State Police and how important it is to keep killers off the street, not only for the safety of our citizens, but for the peace of mind for the family of Danny Meyer.

Mr. Benton commented that he had been working in the Town of Montgomery for the last twenty-five to thirty years and he recalled specifically the day that this happened. He stressed to Assemblyman Maher that Danny did not simply pass away, he was killed and taken from his family.

Mr. Brescia thanked Assemblyman Maher for bringing this forward and he thanked Danny Meyer's family for coming today. He remembers that day well, it was his birthday in 1996, he was still Mayor back then. What happened that day devastated and saddened the entire community. A few years ago, there was a rally in support of the Meyer family in keeping this individual behind bars where he belongs. It was an outpouring of support. It is important to get the message out and to continue to pray for the family.

The vote resulted as follows:

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ADOPTED.

**Sponsors:**        **Faggione, Cheney**

**Co-Sponsors:** **Benton, Brescia, Ehlers, Hines, Minuta, Ramos, Ruszkiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli**

### RESOLUTION NO. 180 OF 2023

**RESOLUTION AUTHORIZING THE CHAIRWOMAN OF THE ORANGE COUNTY LEGISLATURE TO ENTER INTO AN AGREEMENT WITH THE SANBORN MAP COMPANY, INC. (APPLIED GEOGRAPHICS) FOR CONSULTING SERVICES FOR DEVELOPMENT OF A LEGISLATIVE REDISTRICTING PLAN FOR THE COUNTY OF ORANGE.**

**WHEREAS**, Resolution No. 302 of 2022 authorized the Commissioner of General Services to issue a request for proposals seeking a qualified consulting firm to provide technical and professional assistance for development of a Legislative redistricting plan for the County of Orange; and

**WHEREAS**, Resolution No. 76 of 2023 authorized the issuance of a supplemental appropriation to the 2022 Orange County Legislative Board to secure the services of a consultant; and

**WHEREAS**, the proposals received were reviewed by the Department of General Services for completeness and submitted to the Chairwoman of the Orange County Legislature for review and interviews of consultants by members of the Legislature, the Commissioner of General Services, and the Commissioner of Planning. These parties now make their recommendation to this Legislature for the awarding of a contract for said consulting services.

**NOW THEREFORE**, be it

**RESOLVED**, that the Chairwoman of the Orange County Legislature is hereby authorized to enter into an agreement with The Sanborn Map Company, Inc. (Applied Geographics) in the amount of \$80,015.00 to provide consulting services for development of a Legislative redistricting plan for the County of Orange.

Seconded by Mr. Ruszkiewicz.

Ms. Ramos thanked Chairwoman Bonelli and noted that they had several conversations about this year since they voted to move forward with the RFP process. She had time to review the proposals for the different consulting agencies and she was very pleased that AppGeo was selected for redistricting. Jeffrey Wice, who is the Legal Counsel, is a nationally respected expert in

redistricting. She has full faith and trust that they are moving in the right direction and looked forward to a fair, equitable and data driven process, and she planned to support the resolution.

The vote resulted as follows:

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18; Noes 0; Excused 1; Absent 2; ADOPTED.

Sponsors: Faggione, Hines  
Co-Sponsor: Ramos

**RESOLUTION NO. 181 OF 2023**

**RESOLUTION AUTHORIZING THE ORANGE COUNTY EXECUTIVE, ON BEHALF OF THE ORANGE COUNTY CLERK’S OFFICE, TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE THRUWAY AUTHORITY TO SELL E-ZPASS TAGS.**

**WHEREAS**, the Orange County Clerk’s Office is requesting authorization to enter into an Agreement with the New York State Thruway Authority to sell E-ZPass Tags through the E-ZPass On-the-Go Program. The Orange County Clerk’s Office will purchase E-ZPass Tags for the cost of \$21.00 per Tag from the New York State Thruway Authority and sell the Tags at a cost of \$25.00 per Tag, allowing the Orange County Clerk to keep \$4.00 per sale.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Orange County Executive is hereby authorized to enter into an Agreement with the New York State Thruway Authority on behalf of the Orange County Clerk’s Office to sell E-ZPass Tags through the E-ZPass On-the-Go Program, and to execute any and all other papers required in connection with said Agreement, subject to review thereof by the County Attorney for purposes of form and content.

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

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18; Noes 0; Excused 1; Absent 2; ADOPTED.

Sponsors: Cheney, Faggione

Co-Sponsor: Luján

**RESOLUTION NO. 182 OF 2023**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF PLANNING, TO APPLY FOR, ACCEPT, AND APPROPRIATE FUNDS FROM THE FEDERAL TRANSIT ADMINISTRATION TO BE USED TO PURCHASE TRANSIT VEHICLES, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, this Orange County Department of Planning hereby requests to apply for, accept, and appropriate a Federal Transit Administration (FTA) grant, the matching NYS grant, and the local match. Said funds are apportioned to Orange County via the Federal 5339 funding program. The total FTA grant amount is \$2,648,242.00, the NYS match is \$331,030.25, and the local share is \$331,030.25. The local share will be provided by the transit operator who provides the local service. The County is not responsible for a local match; and

**WHEREAS**, these funds will be used to purchase transit vehicles for a fixed route transit service operated in Orange County; and

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

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

1. That the County Executive, in conjunction with the Commissioner of Planning, be and hereby is authorized to apply for, accept, and appropriate the FTA grant, the matching NYS grant, and the local match, to be used to purchase transit vehicles, as indicated above.

2. That the 2023 budget for the Department of Planning is hereby amended and supplemented as indicated above and shown on the attached Schedule "A", 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.

**SCHEDULE "A"**

ITEMS #	FUNDING	FUND	ORG.	ACCOUNT	DESCRIPTION	AMOUNT
1	Revenue	1100	519701	445971	Capital Transportation – Federal	\$2,648,242.00
1	Revenue	1100	519701	435971	Capital Transportation – State	\$ 331,030.25
1	Revenue	1100	519701	419891	Capital Transportation – Local	\$ 331,030.25
1	Expense	1100	519701	577010	Capital Budget	\$3,310,302.50

ITEM 1) A new Capital Project needs to be set up. It should read "Bus Purchases".



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

Ayes: Faggione, Paduch, Anagnostakis, Benton, Brescia, Cheney, Ehlers, Hines, **Luján, Minuta,** O'Donnell, Ramos, Ruskiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ADOPTED.

**Sponsors:        Paduch, Cheney**  
**Co-Sponsors:    Luján, Ramos**

### RESOLUTION NO. 183 OF 2023

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF PLANNING, TO APPLY FOR AND ACCEPT A FEDERAL TRANSIT ADMINISTRATION GRANT THAT IS APPORTIONED TO ORANGE COUNTY VIA THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT, 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 Planning is requesting authorization to apply for and accept a Federal Transit Administration (FTA) grant that is apportioned to Orange County via Federal 5307 funding program, the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA). This grant will be used for operating assistance payments for public transit operations, and operating assistance for ADA paratransit services in the Newburgh and Middletown urbanized areas of Orange County; and

**WHEREAS**, this grant will also provide funding to support the costs of administering its grants and meeting associated federal regulations and policies. The federal share of the Section 5307 operating assistance requested is \$269,565.00. This grant is 100% federally funded, and there is no local match required.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the County Executive, in conjunction with the Department of Planning, is hereby authorized to apply for and accept the FTA grant that is apportioned to Orange County via CRRSAA in the amount of \$269,565.00, to be used for operating assistance payments for public transit operations, and operating assistance for ADA paratransit services in the Newburgh and Middletown urbanized areas of Orange County as stated above; and it is further

**RESOLVED**, 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.

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

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18; Noes 0; Excused 1; Absent 2; ADOPTED.

Sponsors: Paduch, Amo  
Co-Sponsors: Luján, Ramos

### RESOLUTION NO. 184 OF 2023

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF PLANNING, TO APPLY FOR AND ACCEPT A FEDERAL TRANSIT ADMINISTRATION GRANT THAT IS APPORTIONED TO ORANGE COUNTY VIA THE AMERICAN RESCUE PLAN ACT, 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 Planning is requesting authorization to apply for and accept a Federal Transit Administration (FTA) grant that is apportioned to Orange County via Federal 5307 funding program, the American Rescue Plan Act (ARPA). This grant will be used for operating assistance payments for public transit operations, and operating assistance for ADA paratransit services in the Newburgh and Middletown urbanized areas of Orange County; and

**WHEREAS**, this grant will also provide funding to support the costs of administering its grants and meeting associated federal regulations and policies. The federal share of the Section 5307 operating assistance requested is \$4,426,318.00. This grant is 100% federally funded, and there is no local match required.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the County Executive, in conjunction with the Department of Planning, is hereby authorized to apply for and accept the FTA grant that is apportioned to Orange County via ARPA in the amount of \$4,426,318.00, to be used for operating assistance payments for public transit operations, and operating assistance for ADA paratransit services in the Newburgh and Middletown urbanized areas of Orange County as stated above; and it is further

**RESOLVED**, 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.

Seconded by Mr. Ruszkiewicz.

The vote resulted as follows:

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;

Noes 0;

Excused 1;

Absent 2;

ADOPTED.

**PUBLIC SAFETY AND EMERGENCY SERVICES COMMITTEE:**

**Sponsors:** Sassi, Sutherland

**Co-Sponsors:** Faggione, Benton, Brescia, Cheney, Ehlers, Hines, Luján, Minuta, Ruskiewicz, Stegenga, Tuohy, Bonelli

**RESOLUTION NO. 185 OF 2023**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY SHERIFF'S OFFICE, TO ACCEPT AND APPROPRIATE FUNDS FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, the Orange County Sheriff's Office is seeking approval to accept and appropriate funds in the amount of \$323,591.00 for the State Law Enforcement Terrorism Prevention Program. Funding for this grant is provided by the United States Department of Homeland Security, Federal Emergency Management Agency and administered by the New York State Division of Homeland Security and Emergency Services; and

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

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

1. That the County Executive, in conjunction with the Orange County Sheriff, be and hereby is authorized to accept funds from New York State Division of Homeland Security and Emergency Services in the amount of \$323,591.00 for the State Law Enforcement Terrorism Prevention Program as indicated above.

2. That the 2023 budget for the Orange County Sheriff's Office is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.

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

**Revenue:**

1010	311033	440891	General Government Aid	\$323,591.00
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**Expenses:**

1010	311033	560220	Overtime	\$108,000.00
1010	311033	585012	Inventoried Specialty Equipment	\$190,000.00
1010	311033	576770	Spec. Travel Training	<u>\$ 25,591.00</u>
				\$323,591.00

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

Ayes: Faggione, Paduch, Anagnostakis, Benton, Brescia, Cheney, Ehlers, Hines, Luján, Minuta, O'Donnell, Ramos, Ruskiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ADOPTED.

**Sponsors:**        Hines, Ehlers, Sutherland, Sassi, Ramos

**Co-Sponsors:** Faggione, Benton, Brescia, Cheney, Minuta, Ruskiewicz, Stegenga, Tuohy, Bonelli

**RESOLUTION NO. 186 OF 2023**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF EMERGENCY SERVICES/FIRE SERVICES, TO ACCEPT AND APPROPRIATE FUNDS FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES UNDER THE FY2022-2023 HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT PROGRAM, 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 Emergency Services/Fire Services is seeking to accept and appropriate funds in the amount of \$16,000.00 under the FY2022-2023 Hazardous Materials Emergency Preparedness (HMEP) Grant Program. Funding for this grant is provided by the United States Department of Transportation, Pipeline and Hazardous Material Safety Administration, and is administered by the New York State Division of Homeland Security and Emergency Services (DHSES); and

**WHEREAS**, said funds will be used to finance ten Hazardous Material Team members from Orange, Ulster, Sullivan, and Rockland counties to travel to the International Hazardous Materials conference in Baltimore, Maryland in June/July 2024. This is a regional grant and Orange County will be accepting the full \$16,000.00 to reimburse the above counties for their expenses to attend the conference; and

**WHEREAS**, this Legislature does wish to accept and appropriate said grant for the Department of Emergency Services/Fire 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 the FY2022-2023 HMEP grant from DHSES in the amount of \$16,000.00 as indicated above.

2. That the 2023 budget for the Department of Emergency Services/Fire 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	364010	440891	General Govt. Aid	\$16,000.00
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**Expenses:**

1010	364010	576740	Spec. Travel Non-County	\$ 4,000.00
1010	364010	576820	Specialty Payments	<u>\$12,000.00</u>
				\$16,000.00

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

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ADOPTED.

**WAYS AND MEANS COMMITTEE:**

**Sponsors:**        Faggione, Cheney  
**Co-Sponsor:**     Benton

**RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION TO THE 2023 ORANGE COUNTY BUDGET FOR THE ORANGE COUNTY DEPARTMENT OF FINANCE TO APPOINT SPECIAL DISTRICT ATTORNEYS, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, this Legislature does wish to provide funds to the Orange County Department of Finance in the amount of \$500,000.00 to be used to appoint Special District Attorneys on the case People v. Edward V. Holley as per an Order of the Honorable James McCarty. Funding is to come from contingency.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the 2023 Budget for the Orange County Department of Finance is hereby supplemented as stated above and as indicated below, to be used to appoint Special District Attorneys; and it is further

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

**Section A – Transfer From:**

**Revenue:**

1010	199001	410011	Real Property Taxes	(\$500,000.00)
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**Expense:**

1010	199001	579880	Prov for Gen Contingencies	(\$500,000.00)
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**Section B – Transfer To:**

**Revenue:**

1010	131006	410011	Real Property Taxes	\$500,000.00
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**Expense:**

1010	131006	571820	Consult Ser (Non-Medical)	\$500,000.00
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Seconded by Mr. Ruszkiewicz.

The vote resulted as follows:

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18; Noes 0; Excused 1; Absent 2; ADOPTED.

Sponsors: Brescia, Cheney  
Co-Sponsor: Benton

**RESOLUTION NO. 188 OF 2023**

**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., August 7, 2023, 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>
Montgomery 29-1-9.2	EMJAY MANAGEMENT CORP 156 Orange Avenue, P.O. Box 366 Walden, NY 12586	\$5,500.00

Warwick	Natalie Rosenblatt	\$ 100.00
74-4-20	1100 Admirals Cove Blvd. Unit 1309	
	Haverstraw, NY 10927	

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

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ADOPTED.

**Sponsors:      Faggione, Cheney**  
**Co-Sponsor:    Benton**

#### **RESOLUTION NO. 189 OF 2023**

#### **RESOLUTION APPROVING THE RELEASE OF THE COUNTY'S INTEREST IN AND TO A CERTAIN DEED SALE PARCEL TO THE PREVIOUS OWNER OF RECORD, PURSUANT TO SECTION FIVE, PARAGRAPH B.1. OF LOCAL LAW NO. 2 OF 2010.**

**WHEREAS**, this Legislature, by Local Law No. 2 of 2010, Section Five, Paragraph B.1., authorized the Orange County Commissioner of Finance (Enforcing Officer) to release the County's interest in and to the following deed sale parcel: Town of Wallkill, Section 107, Block 1, Lot 35, and to allow the previous owner of record to purchase his or her parcel.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Commissioner of Finance is hereby authorized to release the County's interest in and to a certain deed sale parcel to the previous owner of record, said parcel being in the Town of Wallkill, Section 107, Block 1, Lot 35, which sale price shall include the total of outstanding taxes, interest, fees and penalties, as shown on the list submitted to the Legislature; and it is further

**RESOLVED**, that the County Attorney shall effect the release of the County's interest in said parcel by preparing and submitting to the appropriate Court, an Order discontinuing the in rem tax foreclosure action as to said property, canceling the Notice of Pendency of such action as to said property, and vacating and setting aside the judgment of foreclosure and the deed executed and recorded pursuant to said judgment of foreclosure as to said property. The entry of such Order shall restore all parties, including owner, mortgagees and any and all lienors, receivers and administrators and encumbrancers, to the status they held at the time the County acquired title to said property as if the judgment had never been rendered, and shall render said property liable for all taxes, beneficiaries, management fees and liens, penalties, interest, and other charges which shall accrue subsequent to those paid in order to obtain the release provided for or which were, for whatever reason, omitted from the payment made to obtain such release.



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

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ADOPTED.

Sponsors:        Faggione, Cheney  
Co-Sponsor:      Benton

**RESOLUTION NO. 190 OF 2023**

**RESOLUTION AUTHORIZING THE DEPARTMENT OF FINANCE TO REDUCE THE BUDGET OF ANY UNSPENT FEDERAL, STATE, LOCAL, OR INTERFUND AUTHORIZATIONS ON COMPLETED CAPITAL PROJECTS.**

**WHEREAS**, the Orange County Department of Finance has requested to reduce the budget of any unspent Federal, State, Local, or interfund authorizations on completed capital projects. Any County funds will be returned to its original source. These transactions will balance the projects budget, revenue, and expenses in preparation to close the projects, as outlined in the attached **Schedule "A"**.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Commissioner of Finance is authorized to reduce the budget of any unspent Federal, State, Local, or interfund authorizations on completed capital projects, as outlined in the attached **Schedule "A"**.

**Schedule "A"**

**UNSPENT STATE OR FEDERAL**

<b><u>Fund</u></b>	<b><u>Org</u></b>	<b><u>Account</u></b>	<b><u>Account Name</u></b>	<b><u>Debit</u></b>	<b><u>Credit</u></b>
1100	719701	430891	ST Other General Govt.	22,210.00	
1100	519701	435011	ST Consolidated Highway Aid	492,414.08	
1100	819701	439101	ST Consvrtn Programs	121,036.00	
1100	519701	439601	ST Emerg Disaster Asst	914.83	
1100	199701	440891	FED Gen Govnt Aid	53,760.00	
1100	519701	445911	FED Hgwy Cap Proj	232,277.59	
1100	599701	445921	FED Airt Capital	45,000.00	
1100	199701	577010	Capital Expense		53,760.00

1100	519701	577010	Capital Expense	725,606.50
1100	599701	577010	Capital Expense	45,000.00
1100	719701	577010	Capital Expense	22,210.00
1100	819701	577010	Capital Expense	<u>121,036.00</u>
				967,312.50    967,312.50

**UNSPENT BOND PREMIUM**

<u>Fund</u>	<u>Org</u>	<u>Account</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
1100	199701	427101	Premium on Obligations	511,473.00	
1100	219701	427101	Premium on Obligations	70,239.00	
1100	319701	427101	Premium on Obligations	20,864.00	
1100	349701	427101	Premium on Obligations	14.00	
1100	399701	427101	Premium on Obligations	370,991.00	
1100	519701	427101	Premium on Obligations	171,909.00	
1100	599701	427101	Premium on Obligations	25,768.00	
1100	719701	427101	Premium on Obligations	16,274.00	
1100	819701	427101	Premium on Obligations	5,229.00	
1100	879701	427101	Premium on Obligations	37,946.00	
1460	453149	427101	Premium on Obligations	24,708.00	
1100	199701	577010	Capital Expense		511,473.00
1100	219701	577010	Capital Expense		70,239.00
1100	319701	577010	Capital Expense		20,864.00
1100	349701	577010	Capital Expense		14.00
1100	399701	577010	Capital Expense		370,991.00
1100	519701	577010	Capital Expense		171,909.00
1100	599701	577010	Capital Expense		25,768.00
1100	719701	577010	Capital Expense		16,274.00
1100	819701	577010	Capital Expense		5,229.00
1100	879701	577010	Capital Expense		37,946.00
1460	453149	577010	Capital Expense		<u>24,708.00</u>
				1,255,415.00	1,255,415.00

RETURN TO SOURCE

1900	811001	415961	To Sewer	1,925,335.07	
1100	819701	577010	Capital Expense		<u>1,925,335.07</u>
				1,925,335.07	1,925,335.07

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

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

Excused: Sierra

Absent: Amo, Tautel

Sponsors: Cheney, Hines  
 Co-Sponsor: Benton

**RESOLUTION NO. 191 OF 2023**

**RESOLUTION AUTHORIZING THE COMMISSIONER OF FINANCE AND BUDGET DIRECTOR TO ADJUST CAPITAL PROJECT BUDGETS AND UNISSUED BONDS.**

**WHEREAS**, as per Local Finance Law Section 41.00(b), bond authorizations have an expiration date of ten (10) years after authorization; and

**WHEREAS**, any resolution heretofore or hereafter adopted authorizing the issuance of obligations, or any certificate of a chief fiscal officer authorizing the issuance of obligations, dated on or after the effective date of this chapter, unless repealed or revoked at a prior date in the manner provided in Local Finance Law Section 41.00(a), shall be deemed to be repealed ten (10) years after the date it becomes effective, except to the extent that any indebtedness shall already have been contracted or encumbrances made thereunder for the object or purpose for which such resolution or certificate authorizes the issuance of obligations; and

**WHEREAS**, no prior Resolutions pursuant to Local Finance Law Section 41.00(a) have been made to repeal or revoke the authorizations listed in the attached **Schedule "A"**; and

**WHEREAS**, the listing of authorizations in the attached **Schedule "A"** have unused amounts that are in excess of their ten (10) year effective date, and as such are now deemed repealed; and

**WHEREAS**, the Department of Finance is requesting that the corresponding Capital Project Budgets be adjusted by the noted amounts. The County’s authorized and unissued bond will also be decreased by these amounts.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Commissioner of Finance and Budget Director are authorized to adjust Capital Project Budgets and unissued bonds, as outlined in the attached **Schedule "A"**.

**Schedule "A"**

<u>FUND</u>	<u>ORG</u>	<u>ACCOUNT</u>		<u>DEBIT</u>	<u>CREDIT</u>	
1100	199701	457101	Serial Bonds	2,505,619.00		Serial Bonds
1100	199701	577010	Capital Expense		2,505,619.00	Capital Expense
1100	719701	457101	Serial Bonds	278,561.00		Serial Bonds
1100	719701	577010	Capital Expense		278,561.00	Capital Expense
1100	879701	457101	Serial Bonds	110,100.00		Serial Bonds
1100	879701	577010	Capital Expense		110,100.00	Capital Expense
				2,894,280.00	2,894,280.00	

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

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ADOPTED.

Sponsors:     **Cheney, Faggione**  
Co-Sponsor:   **Benton**

**RESOLUTION NO. 192 OF 2023**

**RESOLUTION AUTHORIZING THE DEPARTMENT OF FINANCE TO TRANSFER ANY UNSPENT PROCEEDS FROM COMPLETED CAPITAL PROJECTS.**

**WHEREAS**, the Orange County Department of Finance has requested to transfer any unspent proceeds from completed Capital Projects to debt service in preparation to close the project, as outlined in the attached **Schedule "A"**; and

**WHEREAS**, this Legislature does wish to transfer any unspent proceeds from completed Capital Projects to debt service.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Commissioner of Finance is authorized to transfer any unspent proceeds from completed Capital Projects to debt service in preparation to close the project, as outlined in the attached **Schedule "A"**.

**Schedule "A"**

<u>Fund</u>	<u>Org</u>	<u>Account</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
1100	199701	685250	To 230 – Debt Svc Fund	19,149.03	
1100	199701	577010	Capital Expense		19,149.03
1100	319701	685250	To 230 – Debt Svc Fund	2.13	
1100	319701	577010	Capital Expense		2.13
1100	719701	685250	To 230 – Debt Svc Fund	3.84	
1100	719701	577010	Capital Expense		3.84

1100	879701	685250	To 230 – Debt Svc Fund	1.21	
1100	879701	577010	Capital Expense		1.21
1460	453149	685250	To 230 – Debt Svc Fund	0.04	
1460	453149	577010	Capital Expense		<u>0.04</u>
				19,156.25	19,156.25

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

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ADOPTED.

Sponsors:     **Hines, Cheney**  
Co-Sponsor:   **Benton**

**RESOLUTION NO. 193 OF 2023**

**RESOLUTION DATED JULY 6, 2023**

**RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, PURSUANT TO SECTION 41.00 OF THE LOCAL FINANCE LAW, REPEALING, IN PART, VARIOUS PARTIALLY UNISSUED BOND AUTHORIZATIONS OF CERTAIN BOND RESOLUTIONS OF SAID COUNTY, WHICH AUTHORIZED THE ISSUANCE OF BONDS TO FINANCE VARIOUS IMPROVEMENTS IN AND FOR THE COUNTY.**

**WHEREAS**, the County Legislature of the County of Orange, New York (the “County”), has heretofore adopted certain bond resolutions on their respective dates, authorizing the issuance of bonds to finance various projects in and for the County; and

**WHEREAS**, the County Legislature has determined that no additional bonds shall be hereafter issued pursuant to certain bond resolutions and it is therefore in the best interests of the County to repeal portions of said certain bond resolutions;

**NOW, THEREFORE,**

**THE COUNTY LEGISLATURE OF THE COUNTY OF ORANGE, NEW YORK, HEREBY RESOLVES AS FOLLOWS:**

Section 1. The bond resolutions of the County of Orange, New York, which authorized the issuance of bonds of the County for purposes set forth in column A of the attached Exhibit I, denominated as Resolution numbers set forth in column B of the attached Exhibit I, adopted on the

dates set forth in column C of the attached Exhibit I, are hereby repealed, in part, in the amounts as set forth in column D of the attached Exhibit I.

Section 2. The Commissioner of Finance is hereby authorized and directed to take any and all actions necessary to amend the County's capital budgets, as and where necessary, to reflect the repealing of portions of said certain resolutions as set forth herein.

Section 3. This resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolutions, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolutions referred to herein.

Section 4. This resolution shall take effect immediately.

<b>EXHIBIT I</b>			
<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>
Improvements to Various Buildings	160/2014	06-05-2003	2,557.00
Aging Senior Dining Center	150/2013	07-02-2013	189,274.00
Building Equip	16/2019	02-07-2019	58.00
Boiler Replacement	294/2019	11-07-2019	201,033.00
Med Exam X-Ray Machine	129/2021	06-03-2021	15,540.00
Jail Security System	157/2015	07-03-2012	36,516.00
Digital Video Equipment	139/2014	04-05-2013	19,534.00
Load Test Generators	144/2015	07-01-2015	95,000.00
Parks Dept. Paving/Sb	79/2016	03-05-2015	2,710.00
Stony Ford Equipment	55/2021	02-07-2020	107.00
Hickory Hill Cart Path	163/2019	06-06-2019	16,122.00
Hickory Hill Cart Path	777/2020	03-05-2020	7,930.00
1/2 Ton Roller	79/2021	04-09-2021	50.00
Station #3 Reno	317/2019	12-05-2019	112.00
Valley View Residential Units	104/2016	05-05-2016	277.00

**Schedule A**

<u>Fund</u>	<u>Org</u>	<u>Account</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
1100	199701	457101	Serial Bonds	408,462.00	
1100	199701	577010	Capital Expense		408,462.00
1100	319701	457101	Serial Bonds	151,050.00	
1100	319701	577010	Capital Expense		151,050.00
1100	719701	457101	Serial Bonds	26,919.00	
1100	719701	577010	Capital Expense		26,919.00
1100	879701	457101	Serial Bonds	112.00	
1100	879701	577010	Capital Expense		112.00
1460	453149	457101	Serial Bonds	277.00	
1460	453149	577010	Capital Expense		277.00
				586,820.00	586,820.00

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

Ayes: Faggione, Paduch, Anagnostakis, Benton, Brescia, Cheney, Ehlers, Hines, Luján, Minuta, O'Donnell, Ramos, Ruskiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ADOPTED.

**PHYSICAL SERVICES COMMITTEE:**

**Sponsors:            Tautel, Minuta**

**RESOLUTION NO. 194 OF 2023**

**RESOLUTION AUTHORIZING THE ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS TO CREATE A NEW ORGANIZATION WITHIN THE SMALL WATERSHED PROTECTION FUND AS PER THE INTERMUNICIPAL AGREEMENT FOR THE GLENMERE LAKE DAM.**

**WHEREAS**, the Orange County Department of Public Works is requesting authorization to create a new organization (874504) within the Small Watershed Protection Fund (3150) as per the

Intermunicipal Agreement for the Glenmere Lake Dam, as authorized by Resolution No. 224 of 2021. The anticipated 2023 budget will be \$23,100.00 and will be appropriated from the Village of Florida (50%), the Town of Chester (25%), and the County of Orange (25%) as per the Intermunicipal Agreement; and

**WHEREAS**, the Department of Public Works is also requesting to accept revenue from the Village of Florida and the Town of Chester in the amount of \$37,485.00, which represents the prorated actual costs for 2019-2022 and the required 2023 amount. Of the \$37,485.00 received, \$17,200.00 will be committed to fund the organization upon creation.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Orange County Executive is hereby authorized to create a new organization (874504) within the Small Watershed Protection Fund (3150) as per the Intermunicipal Agreement for the Glenmere Lake Dam, and to accept revenue from the Village of Florida and the Town of Chester in the amount of \$37,485.00, which represents the prorated actual costs for 2019-2022 and the required 2023 amount; and it is further

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

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

Ayes: Faggione, Paduch, Anagnostakis, Benton, Brescia, Cheney, Ehlers, Hines, Luján, Minuta, O'Donnell, Ramos, Ruskiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ADOPTED.

**JOINT-PHYSICAL SERVICES AND WAYS AND MEANS COMMITTEES:**

**Sponsors:            Paduch, Tautel, Brescia, Cheney**

**Co-Sponsors:      Faggione, Benton, Ehlers, Hines, Ruskiewicz, Sassi, Stegenga,  
                                 Sutherland, Tuohy, Bonelli**

**RESOLUTION NO. 195 OF 2023**

**RESOLUTION AUTHORIZING THE COUNTY TO SELL COUNTY OWNED PROPERTY IN THE TOWN OF MONTGOMERY.**

**WHEREAS**, the Town of Montgomery has proposed to the County of Orange to purchase a County owned 139.7-acre parcel of vacant land in the Town of Montgomery ("Town") (Section 30, Block 1, Lot 76) ("Property") for \$2,035,000.00 to be used only for tourism-based economic development; and



**WHEREAS**, the property is part of a tract of land that has been held by the County since 1991 and has not been utilized, excepting limited, incidental harvesting operations; and

**WHEREAS**, such purchase by the Town of Montgomery would provide substantial economic benefit to the County.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the County Executive is hereby authorized to execute any and all agreements and other documents selling and conveying the aforementioned County property to the Town of Montgomery on such terms consistent with the above and below, subject to review thereof by the County Attorney for purposes of form and content consistent therewith. The contract for such sale shall contain the following:

1. The purchase price of the Property shall be the fair market value of \$2,035,000 or the price therefor paid by a developer to the Town, whichever is greater.
2. The use of the property is limited to only tourism-based economic development ("TBED") projects.
3. Town Planning Board approval for the initial TBED project must occur within 3 years of the date of the execution of the purchase contract.
4. Closing shall occur within 60 days of the date of final Town Planning Board approval (conditional or unconditional) for the TBED project, at which time the purchase price shall be paid in full.
5. The initial TBED project must commence within 3 months of satisfying all Town Planning Board conditions legally needed to commence the TBED project, and such TBED project must be substantially completed within 36 months of its commencement.
6. Conditions that:
  - (a) if the time constraints noted above are not met, or
  - (b) if the Property is ever used by the Town or subsequent purchaser for other than TBED, or
  - (c) if the Property shall not be actively used by the Town or subsequent purchaser as a TBED use for more than 3 years,

then title to the Property shall automatically revert back to Orange County, without any demand therefor or notice thereof. Each of the time constraints noted in conditions 6(a) and 6(c) may be extended by the County, acting by and through the County Executive, by no more than 3 months, if in writing and for good cause demonstrated. Any additional extensions may only be granted by the Orange County Legislature.

Seconded by Mr. Ruszkiewicz.

Mr. Paduch stated that Graham Skea had a twenty-year plan, and he does not think that anyone ever reviewed it. The parcel was appraised for over \$3 million at one time. He did not plan to support this, and he felt they should be doing a better job. He was aware Mr. Cheney spoke to some people in that regard but as of now he could not support it.

The vote resulted as follows:

Ayes: Faggione, Anagnostakis, Benton, Brescia, Cheney, Ehlers, Hines, Luján, O'Donnell, Ramos, Ruszkiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Noes: Paduch

Excused: Sierra

Abstained: Minuta

Absent: Amo, Tautel

Ayes 16; Noes 1; Excused 1; Abstention 1; Absent 2; ADOPTED.

**Sponsors: Paduch, Tautel, Brescia, Faggione**

**Co-Sponsors: Ramos, Luján**

### RESOLUTION NO. 196 OF 2023

#### BOND RESOLUTION DATED JULY 6, 2023

**BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE CONSTRUCTION OF ADA IMPROVEMENTS AT VARIOUS COUNTY LOCATIONS, STATING THE ESTIMATED TOTAL COST THEREOF IS \$50,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$50,000 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 establish a new capital project for the Department of Public Works for the construction of ADA improvements at various County locations, all as more particularly described in the County's 2023 Capital Plan, as amended. The estimated total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$50,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$50,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, 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 \$50,000 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 class of objects or purposes for which said \$50,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 91 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 objects or purposes 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 total 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 §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. 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 official newspapers of the County as set forth in Resolution 4 of 2023, 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.

SCHEDULE A LEGISLATIVE REQUEST #

REQUESTED BY  
PUBLIC WORKS

ADA Improvements

FUNDING	FUND	ORG.	ACCOUNT	DESCRIPTION	AMOUNT
REVENUE	1100	199701	457101	SERIAL BONDS	\$50,000
EXPENSE	1100	199701	577010	CAPITAL BUDGET	\$50,000

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

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18; Noes 0; Excused 1; Absent 2; ADOPTED.

Sponsors: Tautel, Paduch, Faggione, Cheney

RESOLUTION NO. 197 OF 2023

BOND RESOLUTION DATED JULY 6, 2023

**BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE REMOVAL OF ASBESTOS AND LEAD AT VARIOUS COUNTY LOCATIONS, STATING THE ESTIMATED TOTAL COST THEREOF IS \$50,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$50,000 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 establish a new capital project for the Department of Public Works for the removal of asbestos and lead at various County locations, all as more particularly described in the County's 2023 Capital Plan, as amended. The estimated total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$50,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$50,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, 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 \$50,000 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 class of objects or purposes for which said \$50,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) 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 objects or purposes 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 total 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 §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. 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 official newspapers of the County as set forth in Resolution 4 of 2023, 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.

SCHEDULE A  
LEGISLATIVE REQUEST #

REQUESTED BY  
PUBLIC WORKS

Asbestos and Lead  
Removal

FUNDING	FUND	ORG.	ACCOUNT	DESCRIPTION	AMOUNT
REVENUE	1100	199701	457101	SERIAL BONDS	\$50,000
EXPENSE	1100	199701	577010	CAPITAL BUDGET	\$50,000

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

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18; Noes 0; Excused 1; Absent 2; ADOPTED.

Sponsors: Minuta, Tautel, Faggione, Cheney  
Co-Sponsor: Luján

**RESOLUTION NO. 198 OF 2023**

**BOND RESOLUTION DATED JULY 6, 2023**

**BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE REPLACEMENT AND INSTALLATION OF BUILDING EQUIPMENT AT VARIOUS COUNTY LOCATIONS, STATING THE ESTIMATED TOTAL COST THEREOF IS \$150,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$150,000 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 establish a new capital project for the Department of Public Works for the replacement and installation of building equipment at various County locations, all as more particularly described in the County's 2023 Capital Plan, as amended. The estimated total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$150,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$150,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, 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 \$150,000 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 class of objects or purposes for which said \$150,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 32 of the Law, is five (5) 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 objects or purposes 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 total 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 §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. 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 official newspapers of the County as set forth in Resolution 4 of 2023, 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.



SCHEDULE A  
LEGISLATIVE REQUEST #

REQUESTED BY PUBLIC  
WORKS

Building Equipment Replacement

FUNDING	FUND	ORG.	ACCOUNT	DESCRIPTION	AMOUNT
REVENUE	1100	199701	457101	SERIAL BONDS	\$150,000
EXPENSE	1100	199701	577010	CAPITAL BUDGET	\$150,000

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

Ayes: Faggione, Paduch, Anagnostakis, Benton, Brescia, Cheney, Ehlers, Hines, Luján, Minuta, O'Donnell, Ramos, Ruskiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ADOPTED.

**Sponsors:      Minuta, Tautel, Brescia, Hines**

**Co-Sponsor:    Luján**

**RESOLUTION NO. 199 OF 2023**

**BOND RESOLUTION DATED JULY 6, 2023**

**BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE CONSTRUCTION OF BUILDING CAPITAL IMPROVEMENTS AT VARIOUS COUNTY LOCATIONS, STATING THE ESTIMATED TOTAL COST THEREOF IS \$350,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$350,000 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 establish a new capital project for the Department of Public Works for the construction of building capital improvements at various County locations, all as more particularly described in the County's

2023 Capital Plan, as amended. The estimated total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$350,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$350,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, 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 \$350,000 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 class of objects or purposes for which said \$350,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 91 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 objects or purposes 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 total 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 §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. 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 official newspapers of the County as set forth in Resolution 4 of 2023, 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.

SCHEDULE A LEGISLATIVE REQUEST #

REQUESTED BY  
PUBLIC WORKS

Building Capital  
Improvements

FUNDING	FUND	ORG.	ACCOUNT	DESCRIPTION	AMOUNT
REVENUE	1100	199701	457101	SERIAL BONDS	\$350,000
EXPENSE	1100	199701	577010	CAPITAL BUDGET	\$350,000

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

Ayes: Faggione, Paduch, Anagnostakis, Benton, Brescia, Cheney, Ehlers, Hines, Luján, Minuta, O'Donnell, Ramos, Ruskiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Excused: Sierra

Absent: Amo, Tautel

Ayes 18; Noes 0; Excused 1; Absent 2; ADOPTED.

Sponsors: Cheney, Ruskiewicz, O'Donnell

RESOLUTION NO. 200 OF 2023

AMENDING BOND RESOLUTION DATED JULY 6, 2023

**AMENDING THE BOND RESOLUTION ADOPTED FEBRUARY 2, 2023, IN RELATION TO THE CONSTRUCTION OF A POLE BARN AT THE STONY FORD GOLF CLUB, AT THE ESTIMATED COST OF \$232,337.00.**

Recitals

**WHEREAS**, the County Legislature of the County of Orange, New York, has heretofore duly authorized capital project No. 717, consisting of the construction of a pole barn at Stony Ford Golf Club (the "Project"), and has authorized the such Project at the estimated maximum cost of \$135,000, which amount was appropriated therefore pursuant to Resolution No. 30 of 2023, duly adopted on February 2, 2023; and

**WHEREAS**, it has been determined that the cost of the Project be increased by \$97,337, and it is necessary to increase the appropriation for such project for estimated costs of the Project;

**Now, therefore, be it**

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

Section (A). The bond resolution of said County duly adopted by the County Legislature on February 2, 2023, entitled:

"BOND RESOLUTION DATED FEBRUARY 2, 2023

BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE CONSTRUCTION OF A POLE BARN AT STONY FORD GOLF CLUB, STATING THE ESTIMATED TOTAL COST THEREOF IS \$135,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$135,000 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION"

is hereby amended to read as follows:

BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE CONSTRUCTION OF A POLE BARN AT STONY FORD GOLF CLUB, STATING THE ESTIMATED TOTAL COST THEREOF IS \$232,337; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$232,337 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 continue capital project No. 717 for the Parks Department consisting of the construction of a pole barn at Stony Ford Golf Club, all as more particularly described in the County's 2023 Capital Plan, as amended. The estimated total cost of said object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$232,337, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$232,337 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, 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 \$232,337 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 object or purpose for which said \$232,337 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 11(c) 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 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 total 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 §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. 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 official newspapers of the County as set forth in Resolution 4 of 2023, 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.

Section (B). The amendment of the bond resolution set forth in Section A of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section (C). The Clerk of the Orange County Legislature is hereby directed to publish the foregoing bond resolution in summary, in the official newspapers of the County as set forth in Resolution 4 of 2023, 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 (D). This resolution shall take effect immediately.

PARKS SCH A

Leg Req	2023				
Requested by Parks: Construction of pole barn for Stony Ford Course Maintenance					
	<u>FUND</u>	<u>ORG</u>	<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Revenue	1100	719701	457101	Serial Bonds	97,337
Expense	1100	719701	577010	Capitat Budget	97,337

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

Ayes: Faggione, Paduch, Anagnostakis, Benton, Brescia, Cheney, Ehlers, Hines, Minuta, O'Donnell, Ramos, Ruszkiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Noes: **Luján**

Excused: Sierra

Absent: Amo, Tautel

Ayes 17;                      Noes 1;                      Excused 1;                      Absent 2;                      ADOPTED.

**HUMAN SERVICES COMMITTEE:**

Sponsors: Tautel, Tuohy

Co-Sponsors: Ramos, Luján

**RESOLUTION NO. 201 OF 2023****RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION TO THE 2023 ORANGE COUNTY BUDGET FOR THE ORANGE COUNTY DEPARTMENT OF SOCIAL SERVICES FOR AMERICAN RESCUE PLAN FUNDS, 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 Social Services is requesting authorization for an additional appropriation to the 2023 budget in the amount of \$179,342.00. The total grant funds (\$223,011.00) were originally appropriated in 2022, and the current amount reflects the total remaining following the 2022 expenditures. Said federal funds have been made available through the American Rescue Plan and are administered by the Administration for Community Living. Funds provided will continue to be used to enhance, improve, and expand Adult Protective Services' ability to investigate allegations of abuse, neglect, and exploitation. There are no local funds involved.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the 2023 budget for the Orange County Department of Social Services is hereby supplemented as indicated above and stated below to receive an additional appropriation of funds in the amount of \$179,342.00 through the American Rescue Plan and administered by the Administration for Community Living; and it is further

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

**Revenue:**

3100	702601	Adult Services	446101	DSS Administration	\$179,342.00
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**Expense:**

3100	702601	Adult Services	576820	Specialty Payments	\$179,342.00
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Seconded by Mr. Ruszkiewicz.

The vote resulted as follows:

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;

Noes 0;

Excused 1;

Absent 2;

ADOPTED.

**Sponsors:** Tautel, Tuohy

**Co-Sponsors:** Faggione, Benton, Brescia, Cheney, Ehlers, Hines, Luján, Minuta, Ruskiewicz, Sassi, Stegenga, Sutherland Bonelli

**RESOLUTION NO. 202 OF 2023**

**RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION TO THE 2023 ORANGE COUNTY BUDGET FOR THE ORANGE COUNTY DEPARTMENT OF SOCIAL SERVICES TO RECEIVE AND EXPEND A DONATION FROM THE NEWBURGH ELKS LODGE, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, the Orange County Department of Social Services is requesting authorization for an additional appropriation to the 2023 budget to receive and expend a \$500.00 donation from the Newburgh Elks Lodge. Said funds are specifically earmarked for the Child Advocacy Center at Social Services and will be used to support and facilitate activities for children.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the 2023 budget for the Orange County Department of Social Services is hereby supplemented as indicated above and stated below to receive and expend a \$500.00 donation from the Newburgh Elks Lodge; and it is further

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

**Revenue:**

3100	702201	CPS/Preventive	427051	Gifts & Donations	\$500.00
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**Expense:**

3100	702201	CPS/Preventive	576820	Specialty Payments	\$500.00
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Seconded by Mr. Ruskiewicz.

The vote resulted as follows:

Ayes: Faggione, Paduch, Anagnostakis, Benton, Brescia, Cheney, Ehlers, Hines, Luján, Minuta, O'Donnell, Ramos, Ruskiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;

Noes 0;

Excused 1;

Absent 2;

ADOPTED.



**HEALTH AND MENTAL HEALTH COMMITTEE:****Sponsors: Sutherland, Tautel****Co-Sponsors: Faggione, Benton, Brescia, Cheney, Ehlers, Hines, Luján, Minuta, Ruskiewicz, Sassi, Stegenga, Tuohy, Bonelli****RESOLUTION NO. 203 OF 2023**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF MENTAL HEALTH, TO ACCEPT AND APPROPRIATE WELCOME ORANGE GERIATRIC INITIATIVE FUNDS FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, the Orange County Department of Mental Health is seeking to accept and appropriate the New York State Office of Mental Health Welcome Orange Geriatric Initiative (WOGI) Grant COLA increase for Year 2 in the amount of \$16,200.00, as well as appropriate unused Year 1 2022 funding in the amount of \$20,000.00. The total amount of appropriation is \$36,200.00; and

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

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

1. That the County Executive, in conjunction with the Commissioner of Mental Health, be and hereby is authorized to accept and appropriate the New York State Office of Mental Health WOGI Grant COLA increase for Year 2 in the amount of \$16,200.00, as well as appropriate unused Year 1 2022 funding in the amount of \$20,000.00, for a total of \$36,200.00, as indicated above.

2. That the 2023 budget for the Department of Mental Health is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.

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

**Revenue:**

1010	432004	434901	State Aid – Port Jervis Clinic	\$36,200.00
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**Expense:**

1010	432004	573990	Contract Agencies	\$36,200.00
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Seconded by Mr. Ruskiewicz.  
The vote resulted as follows:

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18; Noes 0; Excused 1; Absent 2; ADOPTED.

**Sponsors: Tautel, Sutherland**

**Co-Sponsors: Ramos, Luján**

### RESOLUTION NO. 204 OF 2023

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF HEALTH, TO APPROPRIATE FIFTH YEAR BUDGET PERIOD FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE TUBERCULOSIS PREVENTION AND CONTROL PROGRAM, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, by Resolution No. 137 of 2019, this Legislature approved the acceptance and appropriation of a grant from the New York State Department of Health for the Tuberculosis Prevention and Control Program in the amount of \$195,830.00 (\$39,166.00 per year) for a five year contract period which runs from April 1, 2019 through March 31, 2024. Said Resolution also appropriated first year funds in the amount of \$39,166.00 for the period of April 1, 2019 through March 31, 2020. Resolution No. 107 of 2020 appropriated second year funds in the amount of \$39,166.00 for the period of April 1, 2020 through March 31, 2021. Resolution No. 135 of 2021 appropriated third year funds in the amount of \$39,166.00 for the period of April 1, 2021 through March 31, 2022. Resolution No. 161 of 2022 appropriated fourth year funds in the amount of \$39,166.00 for the period of April 1, 2022 through March 31, 2023; and

**WHEREAS**, this Legislature wishes to appropriate fifth year budget period funds in the amount of \$39,166.00 from the New York State Department of Health for the Tuberculosis Prevention and Control Program for the period of April 1, 2023 through March 31, 2024.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

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

2. That the 2023 budget for the Department of Health is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.

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

**Revenue:**

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

1010	401018	571500	Employee Chargeback	\$37,164.26
1010	401018	576760	Employee Mileage Reimbursement	\$ 2,001.74
1010	401018	573100	Office Supplies	\$ 0.00
1010	401018	576820	Patient Incentives	\$ 0.00
			Total Tuberculosis Control Program	\$39,166.00

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

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ADOPTED.

**JOINT-EDUCATION AND ECONOMIC DEVELOPMENT AND RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS COMMITTEES:**

**Sponsors: Faggione, Luján, Cheney**

**Co-Sponsors: Benton, Brescia, Ehlers, Hines, Ruszkiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli**

**RESOLUTION NO. 205 OF 2023**

**RESOLUTION OF THE ORANGE COUNTY LEGISLATURE AUTHORIZING THE INCLUSION OF CERTAIN REAL PROPERTY IN THE ORANGE COUNTY AGRICULTURAL DISTRICT NO. 1, PURSUANT TO NEW YORK STATE AGRICULTURE AND MARKETS LAW SECTION 303-a AND 303-b.**

**WHEREAS**, by Chapter 687 of the Laws of 2002 of the State of New York, the New York State Legislature amended Agriculture and Markets Law ("AML") Section 303, relating to the creation of agricultural districts so as to allow landowners to submit proposals for the inclusion of viable agricultural land within an existing certified agricultural district prior to the County established review period.

**WHEREAS**, from March 1, 2023 through March 30, 2023 landowners submitted applications to the Orange County Planning Department requesting lands be included in Orange County Agricultural District 1; and

**WHEREAS**, agricultural district review environmental assessment forms have been prepared and this Legislature finds that no significant adverse environmental impacts shall result from this action; and

**WHEREAS**, the Orange County Agricultural and Farmland Protection Board reviewed the proposal and recommends to this Legislature that the lands described in the attached Schedule "A" be included in Orange County Agricultural District 1; and

**WHEREAS**, the Clerk of the Legislature caused a notice to be published seeking public comment on the inclusion of such lands into Agricultural District No. 1 in the May 24th, 2023 issues of the Hudson Valley Press, Warwick Valley Dispatch and the Goshen Independent Newspapers; the May 25th, 2023 issues of the Times Community Newspapers (the Walkkill Valley and Mid-Hudson Times), and the May 26th, 2023 issues of the News of the Highlands-Cornwall Local; and

**WHEREAS**, a public hearing was held on June 1, 2023 at 3:15 p.m. (EDST) in the Legislative Chambers at the Orange County Government Center, 255 Main Street, Goshen, New York 10924.

**NOW THEREFORE, BE IT**

**RESOLVED**, that this Legislature finds that the lands set forth in Schedule "A" are viable agricultural lands and shall be included in the respective certified Agricultural Districts of Orange County; and be it further

**RESOLVED**, that the Clerk of the Legislature shall send a certified copy of this Resolution to the landowners of such lands and to the New York State Commissioner of Agriculture and Markets. The Commissioner shall also receive a transcript of the public hearing and other ancillary reports and documents as required by law.

**SCHEDULE "A"**

Christine Hopmayer  
Town of Crawford  
SBL 1-1-49.2  
1.7 acres

LJG/ELG Family Trust  
Lawrence Gordon  
Town of Goshen  
SBL 15-1-44.1  
11.4 acres

Old Sycamore Realty III, LLC  
Lawrence Gordon  
Town of Goshen  
SBL 13-1-50.32  
3.2 acres

Rosina's Vineyard, LLC  
Michele Callisto  
Town of Greenville  
SBL 1-1-62  
55.8 acres

Michael & Alva Antonelli  
Michael Antonelli  
Town of Montgomery  
SBL 14-1-101.2  
15.1 acres

Red Mills Road Properties, LLC  
William A. Thornton  
Town of Newburgh  
SBL 1-1-1  
12.3 acres

Seth H. Pulver  
Village of Woodbury  
SBL 202-1-12, 202-1-59.1,  
202-1-60.5, 202-1-70,  
202-1-72, 202-1-79  
53.21 acres

Andrew Justin  
Emily Emeneker  
Town of Walkkill  
SBL 5-1-71  
56.1 acres

A. Nina Wabnig-Wishe  
Revocable Trust DTD/  
Anthanina Stearns & Victoria K.  
Wabnig, Trustees  
Town of Wawayanda  
SBL 22-1-21.2  
3.9 acres

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

Ayes: Faggione, Paduch, Anagnostakis, Benton, Brescia, Cheney, Ehlers, Hines, Luján, O'Donnell, Ramos, Ruszkiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Excused: Sierra

Abstained: Minuta

Absent: Amo, Tautel

Ayes 17; Noes 0; Excused 1; Abstention 1; Absent 2; ADOPTED.

**EDUCATION AND ECONOMIC DEVELOPMENT COMMITTEE:**

**Sponsors: Ramos, Ruszkiewicz**

**RESOLUTION NO. 206 OF 2023**

**RESOLUTION PROVIDING FOR A PUBLIC HEARING UPON THE TENTATIVE BUDGET FOR ORANGE COUNTY COMMUNITY COLLEGE FOR THE FISCAL YEAR BEGINNING SEPTEMBER 1, 2023, PURSUANT TO SECTION 6304 OF THE EDUCATION LAW.**

**WHEREAS**, a tentative budget for Orange County Community College for the fiscal year beginning September 1, 2023 and ending August 31, 2024 was filed with the Clerk of the County Legislature on June 12, 2023; and

**WHEREAS**, copies of said tentative budget will be prepared, as required by law and furnished to the members of this Legislature.

**RESOLVED, AS FOLLOWS:**

1. The Clerk of the County Legislature is directed to cause to be printed, or otherwise reproduced, at least thirty copies of such tentative budget for the use of all interested persons.
2. A public hearing on said tentative budget is hereby fixed, to be held at the Chambers of the County Legislature in the Orange County Government Center, 255 Main Street, Goshen, New York, on the 3rd day of August 2023 at 3:15 p.m.

3. The Clerk of the County Legislature will cause a notice of said hearing, in substantially the following form, to be published at least once, in the five official newspapers of the County, at least five days before the date specified for said hearing, to wit:

**ORANGE COUNTY LEGISLATURE**  
**NOTICE OF PUBLIC HEARING ON TENTATIVE BUDGET**  
**FOR ORANGE COUNTY COMMUNITY COLLEGE**

**NOTICE IS HEREBY GIVEN**, that the Orange County Legislature will meet at the Chambers of the Orange County Legislature, in the Orange County Government Center, 255 Main Street, Goshen, New York, at 3:15 p.m. (EDST) on the 3rd day of August 2023, for the purpose of holding a public hearing on the tentative budget for Orange County Community College for the fiscal year beginning September 1, 2023 and ending August 31, 2024.

**FURTHER NOTICE IS HEREBY GIVEN**, that copies of said tentative budget are available at the Office of the Clerk of said County Legislature, 255 Main Street, 2<sup>nd</sup> Floor, in the Orange County Government Center, Goshen, New York, where they may be inspected or procured by any interested person during usual business hours, and on the Orange County website: [www.orangecountygov.com](http://www.orangecountygov.com).

**BY ORDER OF THE ORANGE COUNTY LEGISLATURE**

**Jean M. Ramppen, Clerk**

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

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ADOPTED.

**PERSONNEL AND COMPENSATION COMMITTEE:**

**Sponsors:**            Faggione, Benton

**Co-Sponsors:**    Brescia, Cheney, Hines, Minuta, Ruszkiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

**"AN ACT, BEING ACT NO. 23 OF 2023, AN ACT AUTHORIZING AND DIRECTING THE IMPLEMENTATION OF THE RECOMMENDATIONS OF SUITE ADVICE, LLC IN ITS COMPREHENSIVE SALARY STUDY REPORT DATED JUNE 7, 2023."**

Seconded by Mr. Ruszkiewicz.

Chairwoman Bonelli called upon Human Resources Commissioner, Langdon Chapman, to provide a brief overview of the Act.

Mr. Chapman explained that the management plan was last updated in 2004 which was known as the Condrey Report. That was three CSEA contracts ago. Various efforts over the years have been taken to try and address the Condrey Report. There were many questions that came up each time as to why they should do it. Therefore, they appropriated by request, funding in the Human Resources Department Budget to do a comprehensive salary study. Pursuant to the Procurement Policy, they hired a consultant firm to undertake that study. The Act before them implements the recommendations that the consultant had and is capable of being implemented without needing negotiation. He provided a brief summary by stating that the recommendations rebase the existing management raise to current market standards. He pointed out that Management had grades assigned between 17 and 29. This also rebases the attorney titles in both the District Attorney and County Attorney Offices, and it modifies a handful of grades which has always been controversial because there are questions as to why should some people get a grade change and others do not. It modifies the following grades: Deputy Commissioners of the Department of Social Services and Mental Health, the Deputy Commissioners of the DPW, the Director of Grants in the Planning Department and the Director of Operations in the Medical Examiner's Office. This also makes equal grades for all Confidential Secretaries. He received questions from some Legislators, and he was going to try and address them the best he can. He read from a frequently asked questions (FAQ) sheet that he prepared with the assistance of the County Attorney: Does this mean that every single attorney gets a new base salary plus \$1,000.00 per year that worked for the county? The answer is no. Every attorney will be moved to the entry number title salary grade if they are not already there, then with the available appropriations, the District Attorney and the County Attorney would have the ability to allocate up to \$1,000.00 per year of county service or Bar admission, on top of the minimum salary grades or the attorney's current salary, if the Legislature authorizes the money, which has not been done yet. Does the District Attorney and County Attorney have the money for such raises now? The answer is no. In the adopted 2023 budget, some money was put in but not enough to do a full rebasing of this and would only be able to rebase if you ever authorize the money. In the budget that was already adopted, \$254,973.00 was placed in the County Attorney's budget for raises and \$415,788.00 was placed in the District Attorney's budget for raises. He received a lot of questions about what the state did about legal and indigent legal services under 18b. Each year, they allocate funds for the criminal defense for those unable to pay for a defense. That is done in two ways; by allocating a contract with Legal Aid, and there is also the separate fund through the 18b Office of Assigned Counsel to pay for indigent defense in a case of conflict or other purposes. This year, the state more than doubled the hourly billable rate to \$158.00 an hour for those 18b attorneys. He gave an example of an attorney who previously billed for 7.2 hours a week on 18b cases, he would have made about \$28,000. Next year, that same attorney, same hours would bill \$63,000 a year. One day's worth of work for an attorney bills out to \$63,000 a year. An attorney who bills \$105,000 would bill over \$239,000 for just under 30 hours a week. The state has made it much more financially rewarding to go into the business of criminal defense than Orange County has made to go into the business of prosecuting criminals. As Americans, what we value the most, is an equal opportunity for a prosecution of defense and the state has set the bar for the defense and he respectfully suggesting, we have the opportunity to set the bar for the prosecution. The next FAQ is; Are the management salaries done at the same time as the union contracts, the

answer is no. The union contracts are negotiated and settled several times since the last management plan was updated and it is part of the Human Resources budget as he indicated earlier. The county also gathered data for union negotiations, they settled three contracts already and is negotiating with the largest union now, using some of the information provided in this study. If the management study was linked to union contracts, a management study would have been independently undertaken three separate times since it was adopted in 2004 because they have gone through three union contracts for our largest union since then.

Mr. O'Donnell stated that Mr. Chapman mentioned a few positions that are not part of the resolution. He mentioned a Deputy Commissioner and a few others that are not specifically mentioned in this resolution. How do they address that.

Ms. Abraham pointed out that in the second to last RESOLVED, it notes that the Commissioner of Human Resources, by and through such other County Officers or Employees as are necessary, is authorized and directed to implement those provisions and salary recommendations of the Suite Advice, LLC report dated June 7, 2023. That addresses the portion of what Mr. Chapman stated.

Mr. O'Donnell stated that it was a blanket agreement that the Commissioner of Human Resources can do, even if there were some positions that were left out.

Ms. Abraham responded that it was not a blanket, the resolution adopts the recommendations and by the adoption it requires an implementation and with that being a recommendation of the report, the implementation process is noted within the RESOLVED paragraph.

Mr. O'Donnell commented that he would like to speak with Suite Advice, LLC. The first WHEREAS is a true statement, the second and third are both true statements, the fourth WHEREAS he had a different opinion on the wording, significantly affecting the comparison of union and non-union employees. That is his personal option. In the sixth WHEREAS, stating that the Commissioner of Human Resources is to make public sector jobs more markedly less beneficial. Most everyone would believe that, not just according to the Commissioner of Human Resources. Tier 6 has done tremendous damage to New York State. According to the Commissioner of Human Resources, he believed it was harmful for managers with licensing or substantial professional experience. He felt that it was problematic for the lower end workers who struggle to buy food everyday for their families, they are the ones who got hurt the most, not those with licenses that can leave public service as they normally do and make more money. Those who do not have these licenses are basically stuck in these positions and now have to wait until age 63. He read the next WHEREAS stating the net effect of these changes, is to create similarities between public and private sector for those licensed professionals and persons holding significant educational qualifications which did not exist at the time of the adoption of the Condrey report. He was not sure what qualifications they are talking about but one of the arguments in the next two paragraphs is that the opposite is happening because of what is going on today, they need these changes to bring everyone up to speed. There were similarities in the 2004 Condrey Report between public and private. One of the reasons why this is before them today, as it was outlined by Commissioner Chapman is 18b where the State made them put up double the amount of money we normally put up, and he addressed this last year when they were forced to adopt it, it went from \$4.5 million to now \$9 million. Back in 2004, that did not exist. The example used in the resolution is indigent criminal defense attorneys but he felt it had nothing to do with criminal law defense and he did not understand why they were grouped together,



maybe it was just to try and make their point, or just to take care of all the lawyers they have. He read the next WHEREAS noting the section; recommendations as set forth in the Suite Advice, LLC report will enhance attraction and retention of diverse employees. He pointed out that he did not read anything that stated that was one of their top goals. He would like for it to be pointed out to him, what Suite Advice, LLC has done for them or helps them with diversity. He is a member of the Personnel and Compensation Committee and Suite Advice, LLC did not appear before the committee, or before the entire Legislature, but they did appear before four Legislators. He questioned why do they have a Personnel and Compensation Committee. They have not done a study since 2004 and this is something very critical for management. He would like to hear from Suite Advice, LLC, face to face, directly from the author, not the storyteller. He pointed out that there was a reference to iii section but it was not listed as to what it was. He was not sure how he was going to absorb the information. There is not a section where the new minimum or new maximum grade is and noted that it would have been helpful. He pointed out that there is reference to vii and there was no vii listed. He pointed out other discrepancies such as the example provided stating that a Tier VI person retiring at age 55 with thirty years of service will receive a pension equaling 26.4% of their final average salary. He stressed that statement was incorrect. He was pretty sure that it was 47.5%, not 26.4%. There are seventy 18b attorneys and two of the attorneys would have made over \$250,000 last year by prorating and doubling the new rates. The two are calculated with no pension, no sick leave, and no retirement.

Mr. Ehlers commented that he did not think they should be handing out \$2.5 million of taxpayer money to our top 1% of earners in the county. These are the people who earned \$100,000 to \$250,000 salary. He felt they owe it to the union employees who negotiate and settle all union contracts before they consider raises for the top 1%.

Mr. Luján stated that this is about retention and making sure that individuals who get what they deserve and are able to provide for their families. These are people who come in with student debt and they would be making much more in the private sector. These people are being courted to work in other counties but they choose to work here in Orange County because it is their home, he wants them to be here, he wants them to work here. He wants to have professional individuals work here and he does not want to lose that. He applauded Commissioner Chapman for taking the time to produce the report and the work we entrusted him in to work with this agency. He was very supportive of this. \$250,000 is nothing when you have \$200,000 in student debt. This is the right thing to do.

Ms. Ramos stated that in Dutchess County they start at \$22,000 more. We need to be competitive and equitable. Where we are in the region, the reality is, we are the lowest paying county which needs to be addressed. These roles are critical and there is a shift happening with the workforce and that we need to come to terms with. Salary is not the only driver or the main driver, but it is a driver in recruiting, and retaining. She planned to support this.

Mr. Minuta mentioned that they put together a committee and hired a firm. He did not have any issues with that but he did have issues with Legislator O'Donnell's comments regarding item iii and item iv.

Chairwoman Bonelli referred to Mr. Chapman for a response.

Mr. Chapman explained that he apologized and stated that it must have been a draft and when you delete footnotes you need to delete the number on top. He read item vii; Under no circumstance may an attorney earn more than the maximum amount such attorney would earn for their grade were there no separate attorney salary schedule. He did not recall what he wrote when he wrote the original draft but the reality is, there is a separate attorney salary schedule and what that means is, for example, if you are an attorney practicing 40 years, you will not be able to get a \$40,000 stipend or payment on top of your Senior Assistant County Attorney salary because that would be above the salary cap. He was not sure why he wrote the footnote and deleted that part but that was the effect of deleting the footnote. He continued to read item iii; the attorney titles provided for in the District Attorney's Office and County Law Department shall be adjusted within appropriations available to such Office and Department (as determined by the Director of Budget) for incumbent attorneys. He mentioned that there is no need for an explanation and he thinks that maybe he put in extra language that was not necessary.

Mr. O'Donnell stressed that there is a reason why they have committees. This is very unusual to have someone come in and try to explain this to us at our full Legislative meeting, that is why there are mistakes. He has seen numerous Assistant District Attorneys come and go. They sign on for three years, and this is not just in Orange County, this happens in just about every county in the state. They get to know the judges, the courts, the defense attorneys, the law firms and they get trial experience. Then, poof, they are gone. The overwhelming majority do not come here for money, they come here for experience. Retention is the problem. The issue in the retirement system is when they leave, they get all of their retirement and contributions back. Retention is where the money should go. What do they need to do to keep their attorneys here. Out of 34 of the ADAs that they currently have employed, 25 of the 34 have six years or less. This proposal will create a brain drain in the next three years for our senior members that are not in tier 5 or tier 6, they are in tier 4 or less and at the age of 55 they can retire. Now we are going to give them the same 28% increase. What was missed is a list of all the problems with tier 6. There should be a five-year final average salary for tier 6. If someone just finished law school at the age of 25 or 26, who in their right mind would want to sign up to work the next 37 years to collect a full pension. He requested Human Resources to deliver to the Legislative Office everything that was part of the study. On the coversheet of those documents was a threat of a violation of the Code of Ethics if we discuss any of the findings. If you took the time to study it, or if you were one of the four and had the opportunity to speak to or question Suite Advice. He was the only one who came to the office early and reviewed what was provided to the office. The reason for the threat was because of CSEA negotiations. The Personnel and Compensation Committee needs to bring in Suite Advice. He found numerous mistakes in the packet of information he received. He requested the entire package and our attorney says that Mr. Chapman sent over the entire package, and if that is the case, Suite Advice must have left with most of the package. He found many mistakes in the report. He felt it was unethical to vote on the resolution without all the facts or ability to hear and questions Suite Advice and it is a disservice to the constituents they serve. A few years ago the full Legislature had the opportunity to be briefed and allowed to question the IDA's order. What would have happened if they did not have that opportunity.

Mr. O'Donnell made a motion to table **AN ACT AUTHORIZING AND DIRECTING THE IMPLEMENTATION OF THE RECOMMENDATIONS OF SUITE ADVICE, LLC IN ITS COMPREHENSIVE SALARY STUDY REPORT DATED JUNE 7, 2023**, for sixty days, until all of the mistakes are corrected and the full Legislature has the opportunity to question Suite Advice, LLC and review their entire findings, seconded by Mr. Paduch.

Mr. O'Donnell added that transparency should be a goal that is easily achieved.

On roll call, Mr. O'Donnell's motion to table the act for sixty days, until all of the mistakes are corrected, and the full Legislature has the opportunity to question Suite Advice, LLC and review their entire findings was defeated by the following vote:

Ayes: Paduch, Anagnostakis, Ehlers, O'Donnell

Noes: Faggione, Benton, Brescia, Cheney, Hines, Luján, Minuta, Ramos, Ruskiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Excused: Sierra

Absent: Amo, Tautel

Ayes 4;                      Noes 14;                      Excused 1;                      Absent 2;                      DEFEATED.

Mr. Paduch agreed with Mr. Ehlers, that they are addressing immediate raises for the top 1% in the county. The Condrey Study had a lot more in it and they have not talked about any of it, yet we are addressing something right off the bat. They are in negotiations with CSEA and we are just going to hand out 29% raises. He does not know how they can support this without having all of the information. He felt there was more that needs to be addressed.

Mr. Faggione pointed out that this item passed at the Personnel and Compensation Committee with a vote of 6 ayes, 1 noe. Two of those who voted yes were Mr. Paduch and Mr. Luján.

The act as originally presented follows:

**AN ACT, BEING ACT NO. 23 OF 2023, "AN ACT AUTHORIZING AND DIRECTING THE IMPLEMENTATION OF THE RECOMMENDATIONS OF SUITE ADVICE, LLC IN ITS COMPREHENSIVE SALARY STUDY REPORT DATED JUNE 7, 2023."**

The vote resulted as follows:

Ayes: Faggione, Benton, Brescia, Cheney, Hines, Luján, Minuta, Ramos, Ruskiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Noes: Paduch, Anagnostakis, Ehlers, O'Donnell

Excused: Sierra

Absent: Amo, Tautel

Ayes 14;                      Noes 4;                      Excused 1;                      Absent 2;                      ENACTED.  
(SEE LOCAL ACTS OF ORANGE COUNTY)

**JOINT-PERSONNEL AND COMPENSATION AND HUMAN SERVICES COMMITTEES:**

**Sponsors: Minuta, Faggione, Tautel, Tuohy**

**AN ACT, BEING ACT NO. 24 OF 2023, "AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO CREATE 'CHIEF SOCIAL WELFARE EXAMINER' AT THE ORANGE COUNTY DEPARTMENT OF SOCIAL SERVICES, PURSUANT TO SECTION 2.02(I) OF THE ORANGE COUNTY CHARTER."**

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

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ENACTED.  
(SEE LOCAL ACTS OF ORANGE COUNTY)

**Sponsors: Minuta, Paduch, Tautel, Tuohy**

**AN ACT, BEING ACT NO. 25 OF 2023, "AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO CREATE 'ASSOCIATE ACCOUNT CLERK I' AND ABOLISH ONE (1) 'TYPIST I' AT THE ORANGE COUNTY DEPARTMENT OF SOCIAL SERVICES, PURSUANT TO SECTION 2.02(I) OF THE ORANGE COUNTY CHARTER."**

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

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

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ENACTED.  
(SEE LOCAL ACTS OF ORANGE COUNTY)

**JOINT-PERSONNEL AND COMPENSATION AND RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS COMMITTEES:**

**Sponsors: Minuta, Brescia, Faggione, Amo**

**AN ACT, BEING ACT NO. 26 OF 2023, "AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO CREATE 'EXECUTIVE ASSISTANT' AT THE ORANGE COUNTY DEPARTMENT OF PLANNING, PURSUANT TO SECTION 2.02(I) OF THE ORANGE COUNTY CHARTER."**

Seconded by Mr. Ruskiewicz.

The vote resulted as follows:

Ayes: Faggione, Paduch, Anagnostakis, Benton, Brescia, Cheney, Ehlers, Hines, Luján, Minuta, O'Donnell, Ramos, Ruskiewicz, Sassi, Stegenga, Sutherland, Tuohy, Bonelli

Excused: Sierra

Absent: Amo, Tautel

Ayes 18;                      Noes 0;                      Excused 1;                      Absent 2;                      ENACTED.  
(SEE LOCAL ACTS OF ORANGE COUNTY)

On motion of Mr. Hines, seconded by Mr. Benton, the Legislature adjourned at 4:54 p.m.

ADJOURNED.

Jean M. Ramppen, Clerk