

RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS COMMITTEE
MINUTES
(REMOTELY)
WEDNESDAY, JULY 22, 2020
3:30 P.M.

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

ALSO

PRESENT: L. Stephen Brescia, Chairman
Leigh J. Benton, Legislator
Janet Sutherland, Legislator
Peter V. Tuohy, Legislator
Harold J. Porr, III, Deputy County Executive
Dan Bloomer, Director, Operations and Cost Control
Langdon Chapman, County Attorney
Karin Hablow, Commissioner of Finance
Kerry Gallagher, Deputy Commissioner of Finance
Courtney Canfield Greene, Deputy Commissioner, Board of Elections
Deanna Crawford, Budget Analyst

Mr. Faggione opened the meeting at 3:32 p.m. and requested everyone stand for the Pledge of Allegiance to the Flag. All members were present.

Ms. Bonelli moved request to appropriate second year funding of a five-year grant totaling \$23,848,325.55 for N.Y.S. Office of Indigent Legal Services. Second year fund from April 1, 2019 through March 31, 2020, \$3,179,776.74, seconded by Mr. Kulisek.

Mr. Chapman explained that this is second year funding of the five-year Hurrell-Harring grant. Hurrell-Harring was a statewide court case with the net result being that the state allocates a specific amount of money for criminal defense. For Orange County that is approximately \$23.85 million over five years to cover various costs associated with providing enhanced criminal defense to those accused of a crime in Orange County who are indigent.

Motion carried. All in favor.

Mr. Kulisek moved resolution of County Legislature of the County of Orange extending an additional rate of taxes on sales and uses of tangible personal property and of certain services, on occupancy of hotel rooms and on amusement charges, pursuant to Article 29 of the Tax Law of the State of New York (December 1, 2020 to November 30, 2023) seconded by Mr. Vero.

Ms. Hablow explained that she is seeking a resolution to extend the additional three-quarter percent of sales tax for an additional three years. This is the final step as the New York State Legislature granted them an extension for the three years beginning on December 1, 2020 and ending on November 30, 2023.

Motion carried. All in favor.

Mr. Faggione moved appointment of Courtney Canfield Greene to fill the vacancy to the office of Commissioner of Elections (July 1, 2020 to December 31, 2020), seconded by Mr. Amo.

Mr. Faggione explained that at the Rules, Enactments and Intergovernmental Relations committee meeting in May the resolution to appoint Ms. Greene as Commissioner of Elections for a term commencing on January 1, 2021 passed 7-1 and at the June Legislative Session 18-3. Due to the retirement of the Commissioner of Elections there is a vacancy from (July 1, 2020 to December 31, 2020) for that position.

Mr. Hines asked if there was any confirmation that Ms. Greene resigned as Chairwoman of the Orange County Republican Committee. He reiterated his objections from the May Rules, Enactments and Intergovernmental Relations committee meeting and the June Legislative Session that the two positions are incompatible as the Commissioner of Elections makes rulings. During the previous meeting when asked Ms. Greene stated that her primary objective as Chairwoman of the Orange County Republican Committee is to get her candidates elected and therein lies the issue for him. If she has resigned as Chairwoman of the Orange County Republican Committee, he does not have an issue; however, if that is not the case, he would be voting no like he did in May and June. In addition, Majority Leader Bonelli indicated that she thought this could be rectified in January when Ms. Greene started the position; however, with the current vacancy the need to rectify it needs to be done sooner as Ms. Greene is already serving in that capacity.

Mr. Paduch agreed with the concerns expressed by Mr. Hines; however, he would be supporting the appointment as the Orange County Republican Committee members chose Ms. Greene for the position and to fill the vacancy. Nevertheless, when issues arise, they can be assured that members of the Democratic Party will be questioning how she can hold both positions.

Ms. Bonelli addressed Mr. Paduch's question on the salary and by law both Commissioners of Elections receive the same salary. However, with respect to the Deputy Commissioner of Elections that would be based on length of service.

Ms. Bonelli addressed Mr. Hines' comments on Ms. Greene holding both positions. She explained that the Executive Committee of the Orange County Republican Committee met on filling the vacancy and at that time the vote was to fill the vacancy with Ms. Greene. The issue of her holding both positions was also brought to the committees attention and that it should be addressed in the near future and to render a decision as to whether or not there is a conflict; however, no action has been taken at this time with three other Republican legislators on that call.

Mr. Paduch commented that it is a very busy time for the Board of Elections and asked about the status of the Deputy Commissioner position with the appointment of Ms. Greene and who

makes the decision on that appointment. Mr. Faggione replied that the appointment for a new Deputy Commissioner was not on the agenda.

Ms. Greene clarified information for the committee. The Commissioner's salary is set by local law and is the same for both Commissioners per New York State Election Law. The position of the Deputy Commissioner is decided by the Commissioner of Elections and the salary for the Deputy Commissioner is based on length of service. In addition, the Orange County Republican Committee discussed the issue of the vacancy appointment with them deciding to appoint her in the position.

Mr. Paduch asked about the salary for the Deputy Commissioner and would the individual start at a base rate. Ms. Greene replied that the salary has not been discussed with the Department of Human Resources as she did not want to be presumptive on the appointment. She is hopeful that a Deputy Commissioner would start soon and once the best candidate is found the salary would then be discussed with the Department of Human Resources and within budget.

Mr. Paduch stated that he would hope the appointment would be made soon in order to assist them during the election cycle.

Ms. Greene reiterated that she has not begun the interview process because she did not want to be presumptive.

Chairman Brescia commented that he heard leadership was not looking to fill the position until January, he is adamantly opposed to that and he would request it be filled posthaste once this appointment has been confirmed in August. It is extremely important that the position be filled especially in a presidential election year.

Motion carried 7-1 with Legislators
Amo, Bonelli, Cheney, Faggione,
Kulisek, Paduch and Vero voting in
favor and Legislator Hines voting
against.

The meeting adjourned at 3:49 p.m.