

REGULAR SESSION, THURSDAY, AUGUST 3, 2023

REGULAR SESSION

August 3, 2023

(The Legislative Session was preceded by a Public Hearing re: Orange County Community College Tentative Budget for the fiscal year beginning September 1, 2023 and ending August 31, 2024, minutes for which appear in the Public Hearing Section of the Proceedings).

The Legislature convened in Regular Session at 3:31 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 Legislator Sierra, who was excused and Legislators Ramos and Tautel, who were absent.

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

U.S. Coast Guard Day – August 4th

International Youth Day – August 12th

National Senior Citizens Day – August 20th

Mr. Faggione request consent to place on the agenda, **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**, seconded by Mr. Benton

Chairwoman Bonelli asked if there are no objections, hearing no objections, Chairwoman Bonelli granted the consent.

CONSENT

MISCELLANEOUS:

Sponsor: Faggione

RESOLUTION NO. 207 OF 2023

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.

WHEREAS, Resolution No. 193 of 1982, as amended, was enacted by the County Legislature of the County of Orange imposing sales and compensating use taxes; and

WHEREAS, pursuant to the authority of Section 1210 of the Tax Law, Resolution No. 66 of 2004, enacted by the County Legislature of the County of Orange, amended said Resolution No. 193 of 1982 by adding the following new provisions: Section 4-A and paragraph (d) of subdivision (1) of Section 11, and amending Section 14, thereby increasing the sales and compensation use tax rate by three-quarters of one-percent until November 30, 2005; and

WHEREAS, said Resolution No. 193 of 1982, as amended, was further amended by Resolution No. 223 of 2005, extending the imposition of the three-quarters of one-percent increase in the sales and compensation use tax rate until November 30, 2007; and

WHEREAS, said Resolution No. 193 of 1982, as amended, was further amended by Resolution No. 187 of 2009, extending the imposition of the three-quarters of one-percent increase in the sales and compensation use tax rate until November 30, 2011; and

WHEREAS, said Resolution No. 193 of 1982, as amended, was further amended by Resolution No. 196 of 2011, extending the imposition of the three-quarters of one-percent increase in the sales and compensation use tax rate until November 30, 2013; and

WHEREAS, said Resolution No. 193 of 1982, as amended, was further amended by Resolution No. 192 of 2013, extending the imposition of the three-quarters of one-percent increase in the sales and compensation use tax rate until November 30, 2015; and

WHEREAS, said Resolution No. 193 of 1982, was further amended by Resolution No. 173 of 2015, extending the imposition of the three-quarters of one-percent increase in the sales and compensation use tax rate until November 30, 2017; and

WHEREAS, said Resolution No. 193 of 1982, was further amended by Resolution No. 202 of 2017, extending the imposition of the three-quarters of one-percent increase in the sales and compensation use tax rate until November 30, 2020;

WHEREAS, said Resolution No. 193 of 1982, was last amended by Resolution No. 154 of 2020, extending the imposition of the three-quarters of one-percent increase in the sales and compensation use tax rate until November 30, 2023; now therefore,

Be it enacted by the County Legislature of the County of Orange,
as follows:

SECTION 1. Section 4-A of Resolution No. 193 of 1982, enacted by the County Legislature of the County of Orange on September 10, 1982, imposing sales and compensating use taxes, as amended, is further amended to read as follows:

"SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

"Pursuant to the authority of Section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by Sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional three-quarters of one-percent rate of such sales and compensating use taxes, for the period beginning June 1, 2004, and ending November 30, 2025. Such additional

taxes shall be identical to the taxes imposed by such Sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such Sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section."

SECTION 2. Paragraph (d) of subdivision (1) of Section 11 of Resolution No. 193 of 1982, enacted by the County Legislature of the County of Orange on September 10, 1982, imposing sales, and compensating use taxes, as amended, is further amended to read as follows:

"(d) With respect to the additional tax of three-quarters of one percent imposed for the period beginning June 1, 2004, and ending November 30, 2025, in respect to the use of property used by the purchaser in this county prior to June 1, 2004."

SECTION 3. This enactment shall take effect December 1, 2023.

Seconded by Mr. Ruszkiewicz.

Mr. O'Donnell clarified that since this is being done by consent, there is a certain time period for it to get done.

Chairwoman Bonelli stated that is correct. The Governor had until yesterday to sign it, so that is why it was prepared by consent. It needs to be done and approved by September 2nd and the next session is September 7th.

Mr. O'Donnell asked how much the amusement tax is.

Chairwoman Bonelli replied it is three-quarters of one percent.

Mr. O'Donnell assumes that is specifically for Legoland.

Legislative Counsel Abraham stated that she cannot speak to that, though the resolution itself is for three-quarters of one percent and that is taxes on sales and uses of tangible personal property and of certain services on occupancy hotel rooms and on use and charges.

Mr. O'Donnell clarified that it is only for three-quarters and one percent for both.

Legislative Counsel Abraham replied yes.

The vote resulted as follows:

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

Excused: Sierra

Absent: Ramos, Tautel

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

JOINT-EDUCATION AND ECONOMIC DEVELOPMENT AND WAYS AND MEANS COMMITTEES:

Sponsors: Ramos, Luján, Hines, Cheney

RESOLUTION NO. 208 OF 2023

RESOLUTION ADOPTING A BUDGET FOR THE ORANGE COUNTY COMMUNITY COLLEGE FOR FISCAL YEAR 2023-2024 AND PROVIDING FOR THE RAISING OF TAXES REQUIRED BY SUCH BUDGET, PURSUANT TO SECTION 6304 OF THE EDUCATION LAW AND ARTICLE IV OF THE ORANGE COUNTY CHARTER.

WHEREAS, the County Executive has received from the Trustees of the Orange County Community College a budget request for fiscal year 2023-2024, dated June 12, 2023; and

WHEREAS, this Legislature did set a time and place for a public hearing upon the proposed Orange County Community College Budget for the fiscal year 2023-2024, to be held on August 3, 2023, at 3:15 p.m.; and

WHEREAS, due notice of such public hearing was given and said public hearing was held on August 3, 2023, at 3:15 p.m., in the Legislative Chamber, 255 Main Street, 3rd Floor, Orange County Government Center, Goshen, New York; and

WHEREAS, this Legislature does now wish to act upon the proposed budget in the manner provided for by law.

RESOLVED AS FOLLOWS:

1. That the proofs of due publication of the notice of the aforementioned public hearing in the Hudson Valley Press, Warwick Valley Dispatch, Goshen Independent, Times Community Newspapers (Walkkill Valley Times/Mid-Hudson Times), and the News of the Highlands-The Cornwall Local shall be filed with the Clerk of this Legislature.

2. That the proposed budget submitted to the County Executive by the Board of Trustees of the Orange County Community College on June 12, 2023, be and hereby is approved and adopted, as changed and modified, and summarized as follows:

REVENUES

Tuition Income	\$19,750,066
State Aid	12,726,658
County Aid	20,801,937
Chargebacks	2,845,418

Fees	2,943,908
Self-Sustaining Courses	257,090
CRRSAA Funding	0
Other Revenue	<u>886,872</u>
	\$60,211,949
Appropriated Surplus	<u>2,929,372</u>
	\$63,141,321

EXPENSES

Personal Services	\$33,445,767
Employee Benefits	19,476,124
Contractual Services	9,879,430
Capital Equipment	<u>340,000</u>
	\$63,141.321

3. That the sum of \$20,801,937 being the amount of county contribution to the aforesaid budget as approved, shall be raised by tax on the taxable real property in the County of Orange, in the same manner and at the same time prescribed by law for the next annual levy of taxes by the County of Orange.

4. This resolution shall take effect on September 1, 2023.

The Summary of Revenues for Orange County Community College for the fiscal year September 1, 2023 through August 31, 2024, follows:

Orange County Community College					
Requested and Adopted Budget Revenue FY 2021-2022 to 2023-2024					
	Requested	Approved	Requested	Approved	Approved
	2021-2022	2021-2022	2022-2023	2022-2023	2023-2024
Tuition	19,056,405	19,056,405	17,975,253	17,975,253	19,750,066
State Aid	12,688,410	12,688,410	12,726,600	12,726,600	12,726,658
County Aid	19,052,882	19,052,882	19,929,316	19,624,469	20,801,937
Other Revenue	12,160,401	12,160,401	12,850,142	12,850,142	6,933,288
Total	62,958,098	62,958,098	63,481,311	63,176,464	60,211,949

(The budget is on file at the Orange County Community College and the Office of the Clerk, Orange County Legislature);

Seconded by Mr. Ruszkiewicz.

Minority Leader Paduch stated that he will not be supporting this today. There were several questions asked at the meeting with Leadership and the College and the answers and information requested was not received until recently. He has concerns about it, so he will not be supporting the increase being requested.

Mr. Luján echoed some of the comments he made at the Education and Economic Development Committee meeting and applauded the College for everything they have done. Every single motive that the committee has asked them to do such as cut their budget or work on different challenges, they have always come to the Legislature and worked to find a compromise. For the first time there are a lot of positives, and more students are enrolling. He is in full support of their budget.

Mr. Amo stated that he will be voting for this.

The vote resulted as follows:

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

Noes: Paduch, Benton

Excused: Sierra

Absent: Ramos, Tautel

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

WAYS AND MEANS COMMITTEE:

Sponsors: Benton, Hines

Co-Sponsor: Faggione, Brescia, Cheney, Ehlers, Luján, Minuta, Ramos, Ruszkiewicz, Sassi, Stegenga, Sutherland, Tautel, Tuohy, Bonelli

RESOLUTION NO. 209 OF 2023

RESOLUTION REQUESTING FEDERAL AND STATE GOVERNMENTS TO PROVIDE ASSISTANCE TO ALL INDIVIDUALS, BUSINESSES AND FARMERS IMPACTED BY THE RECENT FLOODING AND RELATED DESTRUCTION IN SEVERAL AREAS OF ORANGE COUNTY WHO ARE OTHERWISE WITHOUT SUFFICIENT INSURANCE COVERAGE OR OTHER GOVERNMENTAL ASSISTANCE TO MITIGATE THEIR FINANCIAL LOSSES RELATED TO THE FLOODING.

WHEREAS, in early July 2023, the southeastern, Black Dirt farming, and other areas of Orange County were hit by a severe storm with torrential rains, causing extreme flooding and resulting in significant damage to public and private properties; and

WHEREAS, over 1,300 County residents and 40 businesses, to date, have submitted individual and/or business damage assessment forms, only a portion of which have been deemed income eligible under the Governor's Flood Assistance Program, or otherwise able to receive very limited private or Federal funding assistance; and

WHEREAS, although certain private properties have or will receive Federal and State funding, or private assistance, to assist in the restoration of those properties, there are a significant number of private individuals, businesses and farmers who are without recourse to any type of insurance, private funding, or Federal or State aid for the flooding and other damage caused by the storm.

NOW, THEREFORE, it is hereby

RESOLVED, that the County of Orange hereby requests that Federal and State officials at every level use their best efforts, and access the greatest resources, to financially assist those affected by the above noted flooding and destruction who are not otherwise presently eligible to receive insurance and/or governmental program assistance to mitigate the losses they have suffered by the catastrophic effects of such flooding and destruction, so that all affected are placed on equal footing to recover from these devastating losses; and it is further

RESOLVED, that the Clerk of the Orange County Legislature is hereby directed to send certified copies of this resolution to all Federal and State elected officials whose districts include any or all of Orange County.

Seconded by Mr. Ruszkiewicz.

Mr. Hines commented that he brought this to the Ways and Means Committee even though it has nothing to do with it but because it came up at the last minute from a conversation he had with the County Executive and Commissioner Casey. He expressed his frustration as to the lack of resources available to help the people that suffered in the storm. It was a figure of seven and a half and ten inches of rain that hit Highland Falls, Fort Montgomery, Cornwall, and West Point. The Governor came to Highland Falls and said she was creating a Flood Program and \$3 million to help the people and then when he saw how this was set up, virtually, no one could recover any funds from the \$3 million. It was set aside to be managed by RUPCO (RUPCO.org), one would see that in order to qualify they would have to have a household income of less than \$66,000.00, if you are a family of two, it is less than \$70,000.00 and it increases from there, but when you look at the claims coming in, no one qualifies because of the parameters that are set. The other parameters where one must live in a house and own it, those affected are tenants, therefore, they get nothing along with the landlords, businesses, and farmers. Mr. Hines stated that when checking with Deputy Commissioner Mack yesterday, the County had 1,350 people call the Orange County 3-1-1 line to report that they have significant damage to their property. When they look at who can qualify, it is a very small percentage. This resolution is calling on our State and Federal partners. Our state partners need to say to the Governor, "please change the parameters and make it so people can cover some of the \$3 million." He would personally prefer that she send a check to Emergency Management and let them go through and help the people. This would move the money a lot faster. Our Emergency Management people are doing a great job walking through the neighborhoods with FEMA and things of that nature which he thanked them for.

Legislator Ramos arrived at 3:42 p.m.

Furthermore, the second part of this is the FEMA piece. FEMA stepped in and said, "yes, all the municipalities qualify for aid and all of the roads, bridges, and infrastructures will be covered because of the significant damage that we suffer," but the second half is individual assistance part of FEMA

where we are currently being told that we do not qualify. They are hoping to get there, but are not, so because of this, FEMA does nothing for individuals. He stated that it has him extremely frustrated because two of our U.S. Senators flew in over top of us with helicopters saying they were going to help, and they aren't. The Governor came and said she would help and is not helping anybody. He is urging all our State and Federal parties to please step up and help the people that suffered damage. The damage is significant and most of the people do not have flood insurance since the area has never flooded before. He saw firsthand in his community as a car went into a creek next to his favorite restaurant, the Canterbury Inn and the people had to jump out of the car as it went down a mile down the creek and two people in their 20's were clinging to a tree. This is more significant than some of the hurricanes. Again, they all came for photo ops and the frustration is deliver the money. If they want to set aside \$3 million, thank you, send it to the people, if they want to set aside FEMA, come to the town and tell them about it and deliver on the promises. The photo ops are too much, and these people are suffering today, so when you go through this whole process of how much money one should get paid, how much damage, etc. it should not be this much of a process because whatever they have is destroyed. Again, this is to encourage them to move the money and help as this was a significant storm. Orange County Emergency Management has been out there with FEMA handing things out along with other organizations, they are doing a great job because they are helping people. He urges everyone to support this and call the Governor, the State and Federal officials and ask them to get involved.

Chairwoman Bonelli thanked Legislator Hines for bringing this to everyone's attention. This is unfair and the information they have been given is misleading. She sees the County Executive is here and he worked very well with Mr. Hines in implementing this to get it on the agenda today.

Mr. O'Donnell agreed with everything that Legislator Hines has said. We have been through a few massive casualties, and it affected our residents. Three million dollars from the State is ridiculous and the fact they need to fight to get the money sent down here is even more shameful. We have \$230 million in our surplus, so maybe we can set aside \$3 million and get the ball rolling because we cannot wait for the State to act. He suggested that at the next Finance Committee meeting, they can start looking at giving out money. This is an issue that needs to be seriously considered.

County Executive Neuhaus addressed the Legislature by thanking Legislator Hines and the rest of the Legislature for allowing this to be put on the agenda today. Our guys took command, and we led the way. The people that needed help called the 3-1-1 line and we have not only 3-1-1 operators, but we had the Medical Reserve Corps., all those people that we trained whether it was with the pandemic or with Indian Point, all that training came into fruition. We had staff volunteering and we also took over the shelter there. He told former County Legislator Chris Eachus, we would blow through the \$3 million. The problem with this one is that one must be very impoverished to qualify and many of the people that are impoverished there are renters, so they do not qualify to get the house fixed. The frustrating part is we had hundreds and hundreds of houses that had volunteers come in and clean them out. He is hopeful that FEMA IA (Individual Assistance) may happen because we are fighting for it. As Legislator Hines stated before, we must put pressure on the federal officials. He will not beat up the Governor or U.S. Senators because he was happy, they were here, but he wants to see the second phase come in which is the relief to the homeowners who need it. This is a no brainer and again, he is appreciative that this is being addressed today.

Mr. Luján agreed that it is not fast enough, and the areas need support. This particular crisis also speaks to another crisis that we are facing in Orange County and that is the fact that we do not have housing. A lot of those individuals will not have a place to go, so he is unsure of where they are staying. Right now, we already have a lot of people who are homeless, and we are five years behind on housing. He is in support of the \$3 million, but he would love \$3 million for housing because we are five to ten years behind. He asked the County Executive to speak to it.

County Executive Neuhaus stated that is a great point. We currently have 20 families in emergency housing (hotels or apartments to rent at an emergency level). The second thing, housing, which is a crisis all over the state and country. He is seeing big companies coming in and wanting to build their own housing aspect, so that may be a solution. Furthermore, housing is one of the topics that is regularly discussed and needs to be addressed.

Mr. Luján commented that he is glad that the County Executive said that because it is a crisis of our time and every single time we have a crisis like the flooding, it makes matters more challenging. The reality is whether we are talking about accessory dwellings or the number of people coming from New York City, this is a real crisis. These companies are not making housing affordable for the individuals working in factories, so it comes down to this County making things better.

The vote resulted as follows:

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

Excused: Sierra

Absent: Tautel

Ayes 19; Noes 0; Excused 1; Absent 1; ADOPTED.

Sponsors: Benton, Paduch, O'Donnell

Co-Sponsor: Luján

RESOLUTION NO. 210 OF 2023

RESOLUTION AUTHORIZING THE DEPARTMENT OF FINANCE TO CREATE A NEW FUND TO ACCOUNT FOR COUNTY GRANT FUNDING.

WHEREAS, the Orange County Department of Finance is requesting authorization to create a new Fund (Fund 1090) to account for County Grant funding. Said fund will be rolled into the General Fund for financial statement purposes.

NOW, THEREFORE, it is hereby

RESOLVED, that the Commissioner of Finance is hereby authorized to create a new Fund (Fund 1090) to account for County Grant funding, which will be rolled into the General Fund for financial statement purposes.

Seconded by Mr. Ruszkiewicz.

Minority Leader Paduch complimented the Finance Department. He stated that when looking at the budget, it is difficult to understand what is there and what isn't, so now that this was created, it will help everyone.

The vote resulted as follows:

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

Excused: Sierra

Absent: Tautel

Ayes 19; Noes 0; Excused 1; Absent 1; ADOPTED.

Sponsors: Benton, Anagnostakis, Faggione
 Co-Sponsor: Luján

RESOLUTION NO. 211 OF 2023

RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION TO THE 2022 ORANGE COUNTY BUDGET FOR VARIOUS DEPARTMENTS, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, this Legislature does wish to provide funds for various County Departments to complete all 2022 year end budget shortages, and in order to accomplish said purpose does wish to supplement the 2022 budget.

NOW, THEREFORE, it is hereby

RESOLVED, that the 2022 budget for Orange County is hereby supplemented by the appropriations listed on Schedule "A", and it is further

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

SCHEDULE "A"

2022 Budget Adjustments

Fund Org	Title	Account	Description	Increase/(Decrease) Appropriation	Increase/(Decrease) Appropriation
1010 199001	Contingency	410011	County Taxation	(\$44,666)	
1010 199001	Contingency	579880	County Contingency		(\$44,666)
1010 198001	Payment of MTA Tax	410011	County Taxation	\$8,841	
1010 198001	Payment of MTA Tax	578990	Assessment		\$8,841

1010	563501	RR Rapid Transportation	410011	County Taxation	\$35,825	
1010	563501	RR Rapid Transportation	579500	County Contribution		\$35,825
1010	881001	Veterans Cemetery	410011	County Taxation	(\$6,501)	
1010	881001	Veterans Cemetery	585118	Capital Construction		(\$6,501)
1010	651001	Veterans Admin	410011	County Taxation	\$6,501	
1010	651001	Veterans Admin	560110	Permanent Base Salary		\$6,501
1020	905001	Unemployment	428011	Interfund Revenue	\$152,656	
1020	905001	Unemployment	586510	Unemployment Reserve		\$152,656
1080	134001	ARPA Budget	440891	General Aid Fed	(\$36,336)	
1080	131001	ARPA Finance	440891	General Aid Fed	\$36,336	
1080	134501	ARPA General Services	573870	Safety Protective Items		(\$1,497)
1080	131001	ARPA Finance	685100	To General Fund		\$1,497
1080	134001	ARPA Budget	576820	Specialty Payments		(\$36,336)
1080	131001	ARPA Finance	685350	To Capital Fund		\$36,336
				Total	\$152,656	\$152,656

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

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

Excused: Sierra

Absent: Tautel

Ayes 19; Noes 0; Excused 1; Absent 1; ADOPTED.

JOINT-HUMAN SERVICES AND WAYS AND MEANS COMMITTEES:

Sponsors: Tautel, Tuohy, Benton, Brescia, Cheney

Co-Sponsors: Faggione, Ehlers, Hines, Luján, Minuta, Ramos, Ruskiewicz, Sassi, Stegenga, Sutherland, Bonelli

RESOLUTION NO. 212 OF 2023

BOND RESOLUTION DATED AUGUST 3, 2023

BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE CONSTRUCTION OF VETERANS CEMETERY COLUMBARIUM PROJECT, STATING THE ESTIMATED MAXIMUM 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 construction of the Veterans Cemetery columbarium project at the Orange County Veterans Memorial Cemetery, all as more particularly described in the County's 2023 Capital Plan, as amended. The estimated maximum cost of said object or purpose, 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. (a) 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. 89 of the Law, is five (5) years.

(b) It has been determined that the project described herein is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R., Regulations Part 617.5 (C)(9) and therefore no further environmental review is required.

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

Veterans Memorial Cemetery Columbarium Project

Revenue:

1100-199701-457101 Serial Bonds \$150,000.00

Expenses:

1100-199701-577010 Capital Expense \$150,000.00

Seconded by Mr. Ruszkiewicz.

Mr. O'Donnell stated that he spoke about this at committee and will say it again for the record and in front of the entire Legislature, he thinks it is a disgrace to charge veterans \$400.00 to be buried above ground. To be buried in ground is free for veterans and should also be free above ground.

The vote resulted as follows:

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

Excused: Sierra

Absent: Tautel

Ayes 19; Noes 0; Excused 1; Absent 1; ADOPTED.

RULES, ENACTMENTS, AND INTERGOVERNMENTAL RELATIONS COMMITTEE:

Sponsors: Faggione, Stegenga

Co-Sponsors: Luján, Ramos

RESOLUTION NO. 213 OF 2023

RESOLUTION APPROVING UPDATES FOR THE DISADVANTAGED BUSINESS ENTERPRISE PROGRAM FOR THE DEPARTMENT OF PLANNING.

WHEREAS, the Orange County Department of Planning is requesting Legislative approval for the Disadvantaged Business Enterprise (DBE) Program, which is required to be maintained due to Federal Transit Administration (FTA) Regulations; and

WHEREAS, this program is subject to amendment as necessary to ensure compliance with Federal Law and FTA regulations governing the subject matter of such programs. Resolution No. 54 of 2016 previously approved any necessary changes, whereas this request is to officially approve 2023 program updates.

NOW, THEREFORE, it is hereby

RESOLVED, that the 2023 program updates for the DBE Program are hereby approved, subject to amendment as necessary to ensure compliance with Federal Law and FTA regulations governing the subject matter of such programs.

Seconded by Mr. Ruskiewicz.

The vote resulted as follows:

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

Excused: Sierra

Absent: Tautel

Ayes 19; Noes 0; Excused 1; Absent 1; ADOPTED.

HEALTH AND MENTAL HEALTH COMMITTEE:

Sponsors: Sutherland, Tautel
Co-Sponsors: Luján, Ramos

RESOLUTION NO. 214 OF 2023

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF HEALTH, TO APPROPRIATE SECOND YEAR BUDGET PERIOD FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH FOR THE PERINATAL AND INFANT COMMUNITY HEALTH COLLABORATIVES PROGRAM, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, by Resolution No. 148 of 2022, this Legislature approved the acceptance and appropriation of a grant from the New York State Department of Health for the Perinatal and Infant Community Health Collaboratives Program in the amount of \$2,200,000.00 for a five year contract period which runs from July 1, 2022 through June 30, 2027. Said Resolution also appropriated first year funds in the amount of \$440,000.00 for the period of July 1, 2022 through June 30, 2023; and

WHEREAS, this Legislature wishes to appropriate second year budget period funds in the amount of \$440,000.00 from the New York State Department of Health for the Perinatal and Infant Community Health Collaboratives Program for the period of July 1, 2023 through June 30, 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 second year budget period funds from the New York State Department of Health in the amount of \$440,000.00 for the Perinatal and Infant Community Health Collaboratives 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 – PICHC	\$440,000.00
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Expenses:

1010	401018	560110	Permanent Base Salary	\$197,924.00
			Fringe Benefits	\$111,810.00

1010	401018	586100	Employee Retirement System	\$21,814.00	
1010	401018	586300	Social Security/FICA	\$14,899.00	
1010	401018	586400	Workers' Compensation	\$ 5,443.00	
1010	401018	586500	Unemployment Insurance	\$ 396.00	
1010	401018	586600	Hospital Insurance	\$67,508.00	
1010	401018	586650	Dental Insurance	\$ 1,181.00	
1010	401018	586660	Vision Insurance	\$ 111.00	
1010	401018	586700	Disability Insurance	\$ 403.00	
1010	401018	586800	EAP	\$ 55.00	
1010	401018	571500	Employee Chargeback		\$ 27,864.00
1010	401018	571820	Contracted Services (MOU with Emergency Svcs)		\$ 15,000.00
1010	401018	571820	Contracted Services (Mental Health Services)		\$ 13,709.00
1010	401018	573100	Office Supplies		\$ 900.00
1010	401018	573130	Educational Materials		\$ 2,000.00
1010	401018	573820	Specialty Materials		\$ 21,600.00
1010	401018	575180	Equipment Lease		\$ 1,875.00
1010	401018	575400	Radio Pager Mobile Communications		\$ 1,040.00
1010	401018	575610	Rent		\$ 19,093.00
1010	401018	576340	Telephone		\$ 5,260.00
1010	401018	576760	Mileage Reimbursement County Employee		\$ 7,000.00
1010	401018	576770	Special Travel		\$ 8,825.00
1010	401018	576820	Specialty Payments (APN Dues)		\$ 100.00
1010	401018	577080	Printing		\$ 1,000.00
1010	401018	585015	Computer Equipment (Laptops)		\$ 5,000.00
			Total PICHC		\$440,000.00

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

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

Excused: Sierra

Absent: Tautel

Ayes 19; Noes 0; Excused 1; Absent 1; ADOPTED.

JOINT-PERSONNEL AND COMPENSATION AND PUBLIC SAFETY AND EMERGENCY SERVICES COMMITTEES:

Sponsors: Luján, Benton, Ramos, Sutherland

AN ACT, BEING ACT NO. 27 OF 2023, "AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO CREATE TWO (2) CRIMINAL INVESTIGATOR POSITIONS AND ONE (1) ASSISTANT DISTRICT ATTORNEY POSITION AT THE ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE, PURSUANT TO SECTION 2.02(I) OF THE ORANGE COUNTY CHARTER."

Seconded by Mr. Ruszkiewicz.

The vote resulted as follows:

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

Excused: Sierra

Absent: Tautel

Ayes 19; Noes 0; Excused 1; Absent 1; ENACTED.
(SEE LOCAL ACTS OF ORANGE COUNTY)

On the motion of Mr. Minuta, seconded by Mr. Luján, the meeting adjourned at 3:58 p.m.

ADJOURNED.

Jean M. Ramppen, Clerk