

RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS COMMITTEE
MINUTES
WEDNESDAY, AUGUST 18, 2021
3:30 P.M.

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

ALSO

PRESENT: L. Stephen Brescia, Chairman
Paul Ruskiewicz, Legislator
Betsy N. Abraham, Legislative Counsel
Louise Vandemark, Commissioner, Board of Elections
Courtney Canfield Greene, Commissioner, Board of Elections
Alan Sorensen, ACIP, Commissioner of Planning
Kerry Gallagher, Deputy Commissioner of Finance
Gretchen Riordan, Budget Analyst

Mr. Faggione opened the meeting at 3:30 p.m. and requested everyone stand for the Pledge of Allegiance to the Flag. All members were present with the exception of Legislators Paduch and Amo who were excused.

Ms. Bonelli moved request to accept and appropriate the Early Voting Expansion (EVE) reimbursable grant funds from New York State, \$35,098.72, seconded by Mr. Vero.

Ms. Vandemark addressed the committee stating that the funds would be used to purchase toner for their on-demand printers, extension cords, warehouse supplies and storage at no cost to the county.

Motion carried. All in favor.

Mr. Kulisek moved request to accept and appropriate the Technology Innovation and Election Resource (TIER) reimbursable grant funds made available to counties for actual expenses related to upgrades of software, technology updates, and equipment, \$375,677.04, seconded by Mr. Hines.

Ms. Greene explained that they are looking to upgrade their various voting systems and equipment and cyber security software.

Mr. Cheney asked if these funds could be used toward the new election machines that were approved under a capital expense. Ms. Vandemark responded no.

Mr. Cheney asked if they had a breakdown on how the funds would be spent. Ms. Greene replied no, just general categories.

Mr. Faggione asked if the funds in these two requests would cover all the expenses related to the early voting mandates that the New York State Legislature issued a few years ago. Ms. Greene replied no, these funds are not allowed to cover personnel.

Mr. Faggione asked for clarification that the county would still be required to pick up the remainder of those mandates. Ms. Greene replied yes.

Mr. Kulisek asked for the county share of those mandates. Ms. Vandemark replied that they do not have that figure with them.

Ms. Vandemark added that a portion of these funds would be used for training and to purchase training equipment.

Mr. Kulisek commented that while they may have to cover some of the mandates, they are still receiving some relief on the items that were not mandated.

Chairman Brescia asked about the position they approved pre-COVID-19. Ms. Greene replied that it is in their 2022 budget, and they are in discussions with the Department of Human Resources on determining the title and grade.

Mr. Vero asked if they accepted a similar grant previously. Ms. Vandemark replied yes, last month.

Motion carried. All in favor.

Mr. Cheney moved request to authorize the County Executive, in conjunction with the Orange County Department of Planning, to submit an application to the New York State Department of Transportation (NYS DOT) for the Transportation Alternatives Program (TAP) for a total project cost not to exceed \$5 million. The source of funds is Federal Highway Administration (FHWA) assistance which is administered by NYS DOT. Request for commitment to spending 100% of the project costs before requesting reimbursement for 80% of eligible project costs. A local match of 20% is required which can be in the form of local funds and/or a combination of cash and donations of materials and labor. If awarded, the grant will be used to construct a 3.1 mile paved multi-modal, bicycle and pedestrian trail along the County-owned Middletown & New Jersey Railroad (MNJRR) rail bed from Unionville to Westtown, seconded by Ms. Bonelli.

Mr. Faggione explained that he was informed earlier today by Mr. Sorensen that the total project cost would be amended from \$5 million to \$6 million.

Mr. Sorensen explained that after working with the Department of Public Works to create a detailed cost estimate it was determined that the proposed project would be just shy of \$6 million with 80% covered by the Transportation Alternatives Program (TAP) funds. This rail trail was

acquired by Resolution No. 188 of 2009. The railbed runs from the Village of Unionville to the Hamlet of Slate Hill and consists of 7.8 miles and the 1.3 miles would be constructed because of financing as they can apply for up to \$5 million from Transportation Alternatives Program (TAP) funding with the county being a shareholder on the grant application. The idea was to pursue development of this rail trail similarly to the approach taken with the Heritage Trail. The Village of Unionville to the Hamlet of Westtown segment connects to centers and affords an opportunity to eventually connect from Main Street in the Village of Unionville to the Appalachian Trail. There is a right of way and easement for future trail development between Main Street and Jersey Avenue and provide a connection to the Appalachian Trail; however, that would be separate from this project, but it does provide that opportunity. If this application is successful, they would look to pursue additional opportunities for Transportation Alternatives Program (TAP) funding to extend the rail trail further to the Hamlet of Slate Hill and possibly the city of Middletown. The long-term goal would be to have the Middletown and New Jersey Rail Trail intersect with the Heritage Trail therefore providing them with an extensive rail trail system.

Mr. Cheney asked for the distance between the Appalachian Trail and the point in the Village of Unionville. Mr. Sorensen replied less than a half a mile. He found a map done in 2010 that states a 10-foot-wide easement was reserved and dedicated to the County of Orange for future rail trail extension; however, he was having difficulty finding if it was recorded. The county owns the property on Jersey Avenue and there are some small properties between it and where the easement is currently recorded. The property owned by the county on Jersey Ave is literally a few hundred feet from the Appalachian Trail and that could serve in the future as a trail head for people wanting to spend a day on the Appalachian Trail.

Mr. Cheney asked for snow removal and other maintenance costs that the county would be responsible for. Mr. Sorensen replied that he has spoken to Parks and Recreation Commissioner James Brooks, and he stated that they could be looking at approximately \$1,000.00 a month for basic upkeep of the trail; however, they are still working on the estimate for snow removal.

Mr. Cheney asked if that was \$1,000.00 a month per mile or for the segment being proposed. Mr. Sorensen replied that his understanding was that it was for this segment.

Mr. Cheney asked if the 20% was included in the plan. Mr. Sorensen replied that the 20% share in the application is anticipated as a cash match but some portion of that could in-kind.

Mr. Kulisek asked if there were any businesses located along the proposed trail. Mr. Sorensen replied that it is primarily rural countryside along the first half from the Village of Unionville and from there it the Town of Minisink Town Hall and then to the Hamlet of Westtown where there are a few restaurants and small neighborhood that intersects with County Route 1. They are cautiously optimistic that development of this rail trail could spur interest.

Mr. Kulisek asked if an estimate was done on the possible financial impact to the village and hamlet. Mr. Sorensen replied that he has not done an economic analysis on it, and he can only speak to what they have seen with the Heritage Trail and the significant activity it generates.

Mr. Kulisek commented that they are looking at a county contribution of \$1.2 million which would probably come from taxpayers. This is a remote area that would enhance the village and hamlet and while he is an advocate for trails would these funds be better suited to extend the

rail trail out of the city of Middletown as opposed to those locations. Mr. Sorensen replied that one of the key things the New York State Department of Transportation (NYSDOT) wants is to avoid property acquisition and this was a section of the trail they currently own. He envisions that in five to seven years there would be an opportunity to get to the city of Middletown and they would definitely pursue that funding.

Mr. Kulisek asked that a copy of the map showing the segment be sent to the committee. Mr. Sorensen replied that he would.

Mr. Ruskiewicz commented that the project makes a great deal of sense and would be a tremendous opportunity for the Town of Minisink, their museum and historical society.

Mr. Cheney asked if they require the railbeds as parkland. Mr. Sorensen replied that the county has the options and with respect to this property the county owns the right of way; however, it has not been formally designated as parkland, but it would be an option, but it is not required that it be dedicated as parkland. This property has been sitting idle for 12 years and this is an opportunity to use it for public use.

Mr. Cheney asked if there were road crossings. Mr. Sorensen replied yes, they are rural roads with a few bridges.

Motion carried. All in favor.

Mr. Kulisek moved resolution recognizing September 15, 2021 through October 15, 2021, as National Hispanic Heritage Month, seconded by Ms. Bonelli.

Motion carried. All in favor.

Ms. Bonelli moved resolution of the Orange County Legislature proclaiming September 17, 2021 through September 23, 2021 as Constitution Week, seconded by Mr. Vero.

Mr. Faggione quoted President George Washington: "...the constitution is the guide, which I will never abandon..."

Motion carried. All in favor.

Mr. Faggione advised the committee that the first meeting of the Rules Special Investigative Committee Meeting would be held on Wednesday, August 25, 2021 and the special meeting notice would be forthcoming.

The meeting adjourned at 4:00 p.m.