

RULES, ENACTMENTS AND INTERGOVERNMENTAL RELATIONS COMMITTEE
MINUTES
(REMOTELY)
WEDNESDAY, AUGUST 19, 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
Kevindaryán Luján, Legislator
Joseph J. Minuta, Legislator
Paul Ruskiewicz, Legislator
Kathy Stegenga, Legislator
Janet Sutherland, Legislator
Laurie R. Tautel, Legislator
Langdon Chapman, County Attorney
Alan J. Sorensen, AICP, Commissioner of Planning
Kelly D. Morris, AICP, Senior Planner/Project Manager
Courtney Canfield Greene, 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 resolution of the Orange
County Legislature proclaiming September 17
through September 23, 2020 as Constitution
Week, seconded by Mr. Kulisek.

Mr. Faggione encouraged everyone to recognize September 17 through September 23, 2020 as Constitution Week. September 17, 2020 marks the two hundred and thirty-third anniversary of the drafting of the Constitution of the United States of America. In the words of George Washington: "The Constitution is the guide which I never will abandon."

Motion carried. All in favor.

Mr. Kulisek moved request to create one (1)
Indigent Legal Services Community-Program
Coordinator, Grade 12, seconded by Mr. Vero.

Mr. Chapman explained that this is a grant funded position and a continuation of their expanded Hurrell – Haring Criminal Defendant Program. In addition, it passed unanimously at the Personnel and Compensation committee meeting.

Motion carried. All in favor.

Mr. Kulisek move request to accept and appropriate additional state revenue of \$133,707.07 and apply it towards debt service and project can be closed. The Board of Elections received revenues of \$729,362.50 under the 2006 Capital Project No. 147 to purchase voting machines, voting booths and election day supply carts. Total expenses for the project were \$595,655.43, seconded by Mr. Paduch.

Mr. Paduch asked about the appointment of a Republican Deputy Commissioner and would they be hiring part-time election workers to assist with mail in ballots as other counties have done.

Mr. Faggione explained that both commissioners of elections would be on the September agenda to address the numerous changes and directives that have come forth from Albany.

Ms. Canfield-Greene replied that the new Republican Deputy Commissioner would be starting in the next few weeks and they have per-diem election workers coming in to help facilitate the election.

Mr. Paduch expressed the need to fill the position.

Chairman Brescia agreed.

Mr. Kulisek asked if the funds would go toward countywide general debt service or capital projects incurred by the Board of Elections. Ms. Canfield-Greene replied that her understanding was that it would be applied to the voting machines that they previously incurred the expense for.

Mr. Kulisek stated that even after the voting machines were purchased a balance remained and he would like to know what these funds would be applied to. Ms. Canfield-Greene replied that she was unsure but would investigate and get back to the committee.

Ms. Bonelli questioned why it took so long to be reimbursed and to close out the project as the project is fourteen years old. Ms. Canfield-Greene replied that she was not familiar with the project, but she would research it and get back to the committee.

Motion carried. All in favor.

Mr. Paduch moved request to apply, accept and appropriate NYSDOT Public Transportation Modernization and Enhancement funds. The funds would be used for the construction and capital purchases related to the Middletown Multimodal Transportation Center, \$2,592,943.00

(these funds are 100% State money, no County match is required). Upon approval a new capital project will be created, seconded by Mr. Faggione.

Mr. Sorensen explained that the Middletown Transportation Project has been around for several years and was to be spearheaded by Shortline Coach USA; however, they have withdrawn their interest in completing the project. They were approached by the city of Middletown to see what they could possibly do to assist them in completing this project. This is a necessary project and part of the Transit Orange Transportation System. They were able to identify Public Transportation Modernization and Enhancement Program funding through the New York State Department of Transportation (NYSDOT) and they are working with the city of Middletown and the Orange County Department of Public Works and Parks and Recreation. The project is located in a downtown area that traverses the Heritage Trail and part of their involvement is to ensure that the design of this transportation center is in harmony with the Heritage Trail and does not impeded the Heritage Trail so they are working with the city of Middletown to ensure it meets those objectives while also providing an important transportation center to serve the city of Middletown community.

Motion carried. All in favor.

Mr. Kulisek moved request to accept and appropriate grant funds from the New York State Urban Development Corporation d/b/a/ Empire State Development and authorize the County Executive to enter into any and all agreements or contracts necessary to secure and implement this grant. This is a Census 2020 Complete Count Project which will provide funding to support activities to gain a complete population count in Orange County including advertising and outreach (This request will replace Resolution No. 383 of 2019), seconded by Mr. Cheney.

Mr. Sorensen explained that the funding is through the Empire State Development Corporation and was promised to the county last year but due to the COVID-19 crisis the funds were put on hold. They received notice from New York State last week that they had only a few days to submit an application with the funding provided being half of what was originally proposed. The new grant amount is for \$216,991.00 and will be used for Census 2020 outreach with some funds being distributed to their not for profit partners. Attaining a complete count on the census is very important as it effects their future funding streams for a variety of federal grants. The application has been submitted and a draft agreement has been provided from New York State.

Mr. Amo asked how the funds would be distributed. Mr. Sorensen replied that New York State preidentified the not for profit partners and when they received the application, they were required to work within the parameters defined by the state. The funding will be distributed to these not for profit partners who will utilize a variety of tools to increase outreach and better participation the 2020 census. Some of the proposed purchases are for PPE, hand sanitizers and various census materials. They were given a limited amount of time to get the grant application processed and they have until September 30th to expend the funds.

Mr. Amo asked if the next presentation would list those participants. Mr. Sorensen replied yes.

Mr. Kulisek asked about the information coming in on the census counts including percentages and areas.

Mr. Faggione reiterated that the next agenda item is a Census Update.

Mr. Cheney expressed his disappointment that this was coming so late and with a restricted time frame. The state could have done a better job by giving them and other counties the opportunity to go after this on a reasonable timetable but unfortunately that was not the case. He appreciates the efforts of the Planning Department and Census team to do as much as they possibly can to get a fair census count of Orange County.

Chairman Brescia asked if Mr. Sorensen had any insight on getting better compliance.

Mr. Faggione reiterated that the next agenda item is a Census Update.

Mr. Luján commented that he would like to see which organizations would be receiving the funds.

Legislative Counsel Reed explained that from a historical perspective this originated with intention of the legislature to setup an account for \$34,000.00 to assist with the Census. However, former Planning Commissioner David Church identified federal funding that the legislature accepted in Resolution No. 383 of 2019; however, this is a reduction of the original amount that they were scheduled to receive.

Mr. Paduch asked why they would purchase face masks and hand sanitizer. Mr. Sorensen explained that the some of the funds would also be used for strategically placed kiosks in high pedestrian areas. Some of the items will be used as enticements to strike up a conversation, digital marketing and Zoom meetings as a way to outreach to the community. Due to the pandemic door to door and/or face to face outreach is not possible and the groups that will be receiving these funds have come up with some creative approaches in promoting the necessity of the census and encourage people to participate.

Motion carried. All in favor.

On the agenda was a Census Update.

Mr. Sorensen complimented Megan Tennermann, AICP and Planner at the Orange County Planning Department who spearheaded the census update and a champion on getting the word out and encouraging participation. Currently Orange County has a self-response rate of 62.7% which is very good with the New York State's self-response rate at 59.8%. There are different response rates within the county and some communities doing better than others with Chester at 70%, Town of Newburgh at 69% and the city of Newburgh at 41.7% but he would get other response rates to legislators. They can also go to <https://2020census.gov/> which is an interactive website to look at a particular municipality.

Mr. Sorensen addressed some of the questions asked during the previous agenda item on the grant project. He explained that there are four recipients of the grant funding plus the County of Orange and they are Jewish Family Services, Maternal Infant Services, Ramapo Catskill Library System and the Regional Economic Community Action Program (RECAP). The county will be using

their portion to administer the grant, process funding to the not for profit corporations, purchase and distribute PPE with the census logo through various county departments and community organizations. In addition, they are looking to sponsor radio advertisements over the next four weeks to encourage people to complete their census surveys which is an effective way to use the limited funding they have especially this late in the game.

Mr. Faggione asked how the current numbers compare to the 2010 Census count. Mr. Sorensen replied that they are close to where they were in 2010 and he would attribute that to the outstanding efforts of Megan Tennermann and their not for profit partners.

Mr. Faggione asked about the reporting deadline changes and could he explain the ways in which people can take part in the 2020 census. Mr. Sorensen replied that door to door outreach was scheduled for April; however, with the COVID-19 pandemic that was placed on the backburner. They are now at the point of having to use a variety of digital, radio and limited public outreach by being in locations with a kiosk which has been a challenge; however, people can also respond by going to <https://2020census.gov/>. The census response for Orange County is critical as many of the federal grants received are based on population and without a complete count they will lose out.

Mr. Faggione asked for the deadline of the census. Mr. Sorensen replied that he would get the information to the committee.

Ms. Bonelli asked if towns, villages, and cities received funding for the 2020 census efforts. Mr. Sorensen replied not to his knowledge.

Ms. Bonelli noted that these funds should have been dispersed in 2019 and before the need of PPEs.

Mr. Paduch agreed that Megan Tennermann has been great as she conducted a presentation in the Town of Wallkill before the pandemic hit. He knows that this is of great importance and he is contently encouraging people to respond. He then asked if there was list of municipality responses that could be forwarded to legislators. Mr. Sorensen replied that he would speak to Ms. Tennermann about compiling a list but the 2020 census interactive website at <https://2020census.gov/> would allow them to select any municipality to see the response rate of that municipality.

Mr. Paduch stated that based on some research the census is due to end in mid-August.

Mr. Cheney recommended the "giveaway" items be distributed to local food pantries throughout the county so that individuals using that service will receive the information as they could be an underrated population.

Mr. Sorensen thanked Mr. Cheney for the suggestion.

Mr. Luján expressed concern with the 41.7% in the city of Newburgh as it was approximately 57% in 2010 and amongst the lowest in the Hudson Valley. The city of Newburgh has a population of about 30,000 and is a city in which many of these services exist and what kind of

critical plan do they have to tackle the city of Newburgh's numbers. At this time in 2010, they were around 50% and he would have hoped that they would have been at 50% now. The city of Newburgh has a very large Asian population and Spanish speaking population and what will they be doing to engage those populations. While he was happy to see the other organizations receive funding he would like to know why the not for profit organization Hudson Valley Civic Engagement was not a recipient of the grant funds as they have led most of the census activity in the city of Newburgh with little support. The monies that go to help the programs that serve their populations are in the cities of Newburgh and Middletown. Mr. Sorensen replied that Mr. Luján's concerns are well taken, they had three days to respond to the state's request for this funding and the funding should have been forthcoming months ago and before the COVID-19 pandemic hit. He will be coordinating with Ms. Tennermann with respect to a plan for the city of Newburgh and they have an opportunity with the radio advertisements in multiple languages in order to reach out to the community but they would welcome any suggestions on outreach to the cities of Newburgh and Middletown. Unfortunately, Ms. Tennermann could not attend today's meeting as she is the person spearheading this effort.

Mr. Luján commented that he would like to sit and talk with them as soon as possible as time is of the essence. Hudson Valley Civic Engagement has been doing the work and had been on the ground with volunteers who have worked selflessly.

Mr. Faggione commented that the first agenda item today was to recognize the Constitution of the United States of America which states that it is the federal government's responsibility to conduct the census. They are county government and he has expressed his concerns at length to Mr. Sorensen and their state leaders about using county taxpayer funds for a federally obligated responsibility. He would suggest that if they find their numbers are lower than anticipated that they work better with their congressmen, two United States Senators and the President of the United States because it is the federal government's responsibility to conduct the census, not the county. He knows that Mr. Sorensen and his team have been working tirelessly but if the federal government is shirking their responsibilities then they need to be held accountable. Mr. Luján has made it very clear that the volunteers in his community have worked very hard but they need their federal partners to step up as it seems that the county is always bearing the brunt of the expenses.

Mr. Luján agreed with Mr. Faggione that in these challenging times it has been a challenge to depend on federal and state government especially with their lack of funds. The COVID-19 pandemic has created many changes. However, over the last two or three decades the focus on policy and action have fallen more on local governments and while the state and federal governments may fail to address our needs it is their responsibility on the local and county levels to create policy that will push state and federal government. They know where their heart is and that they want to invest in their communities. Money will be left on the table if they do not address the census numbers in areas such as affordable housing.

Mr. Faggione stated that he was not ready to make a constitutional amendment to say that it is the county's responsibility to take part in the federal census.

Mr. Faggione encouraged his fellow legislators to reach out to Mr. Sorensen and Ms. Tennermann to ensure they make this as successful as possible.

The meeting adjourned at 4:25 p.m.