

**WAYS AND MEANS COMMITTEE  
MINUTES**

**TUESDAY, SEPTEMBER 24, 2019  
3:30 P.M.**

PRESENT: Leigh J. Benton, Chairman  
Mike Anagnostakis, Katie Bonelli, Janet Sutherland, Kevin W. Hines,  
James M. Kulisek, Michael D. Paduch, Joseph J. Minuta

ALSO

PRESENT: Barry J. Cheney, Legislator  
Antoinette Reed, Legislative Counsel  
Harry Porr, III, Deputy County Executive  
Langdon Chapman, County Attorney  
Matthew Nothnagle, Chief Asst. County Attorney  
Damian Brady, Senior Assistant County Attorney  
Steven M. Gross, Commissioner, Human Resources  
Alison Tyack, Director of Personnel Management, Human Resources  
Karin Hablow, Commissioner of Finance  
Kerry Gallagher, Deputy Commissioner of Finance  
Erik Denega, Commissioner, Dept. of Public Works  
Travis B. Ewald, Deputy Commissioner, Engineering Division, Dept. of Public Works  
James S. Brooks, Commissioner of Parks, Recreation & Conservation  
Mike Amodio, Deputy Commissioner, Dept. of Parks, Recreation & Conservation  
Eric W. Ruscher, Asst. Director, Real Property Tax Service Agency  
Laurence LaDue, Commissioner, Valley View Center  
Donna Strecker, Director of Finance, Valley View Center  
Deanna Crawford, Budget Analyst

Chairman Benton opened the committee meeting at 3:33 p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present.

Mrs. Bonelli moved the request to reallocate the Director of Real Property Tax Services position from a Management Grade 24 to a Management Grade 25, seconded by Mr. Hines.

Mr. Gross stated that this was discussed at the Personnel and Compensation Committee meeting last week and it passed unanimously. He is looking to increase the grade of the Director of Real Property from a Grade 24 to a Grade 25 as the position has developed over the years. He then referred to the listing of Management Grade 24 and 25 positions (see original minutes).

Mr. Anagnostakis agreed with what Mr. Gross stated but would like to know why this was not done when Mr. McCarey was there and will be done for a new employee.

Mr. Gross replied that Mr. McCarey had a \$13,000.00 stipend that the legislature put into effect in 2000. At this point, the new person would be taking \$13,000.00 less than Mr. McCarey and it is the same job.

Mr. Benton pointed out that Mr. McCarey recently retired and was bought back under a special agreement.

Motion carried. All in favor.

Mr. Minuta moved the request to approve and appropriate funds in the amount of \$2,000,000.00 for a proposed 2019 capital expenditure for Phase II and Phase III of the boiler replacement project (interfund revenue), seconded by Mrs. Bonelli.

Mr. LaDue explained that this is in the Capital Plan for 2019 for \$1.1 million; however, after further review of the project, they realized they had not included a factor for contingency which is the additional \$900,000.00. He stated this is a three-phase project with some funding already on the books; therefore, they are seeking the additional funding to complete all phases.

Mr. Kulisek asked if it is a requirement that the system is dual fuel.

Mr. LaDue replied that he cannot say whether it is a requirement, but they have the capacity for redundancy.

Mr. Benton clarified that the redundancy may be needed as a State requirement.

Mr. LaDue stated that he cannot say, but he will find out.

The committee briefly discussed the different types of efficiencies and asked that Mr. LaDue get further information because they have several concerns on the equipment being purchased.

Mr. Benton stated that this passed at the Health and Mental Health Committee meeting, so this committee can take no action because it will still go to the floor while waiting on further information from Mr. LaDue.

The committee agreed that no action be taken on the request.

Mr. Minuta moved the request to approve and appropriate funds in the amount of \$2,200,000.00 for a proposed 2019 capital expenditure to renovate the Couser building existing interior (interfund revenue), seconded by Mr. Benton.

Mr. LaDue stated this is monies they are seeking to renovate the interior of the Couser Building, specifically paint, flooring, light fixtures, light plumbing, doors, etc.

Ms. Sutherland asked when the last update took place.

Mr. LaDue replied the last update was in 1987.

Motion carried. All in favor.

Mr. Kulisek moved to approve the request to amend and increase total bonded amount of Resolution No. 251 of 2015 for drinking water system upgrades at Thomas Bull Memorial Park from \$465,000.00 to \$565,000.00. This request was not included in the 2019 Capital Plan. Supplemental appropriation is required, \$100,000.00 (bonding), seconded by Mrs. Bonelli.

Mr. Brooks stated that the initial report and design was done in May of 2015. Since it was done before he took over, he reviewed it and spoke with the Department of Public Works. Prior to 2015, they wanted to duplicate the system that was already in place which was a storage tank treated daily. The old system would be utilized for irrigation for the pond and the golf course by hole number one. He then referred to the map (see original minutes) that outlines the design and reviewed it with the committee.

Mr. Benton pointed out that at the Physical Services Committee meeting yesterday, it was stated that they are hoping to go out to bid during the winter months so they can get this started by late spring, early summer of 2020.

Mr. Minuta expressed his concerns for the high cost of the project.

Motion carried. All in favor with the exception of Legislator Minuta who voted against.

Mr. Anagnostakis moved to approve the request to amend existing Capital Project No. 742 known as Park Historic Structures Initiative by \$132,000.00 increasing the total project to \$282,000.00. The said increase will allow for physical improvements to the sites and structures. The proposed work at the Algonquin Park Dams includes reconstructing the collapsed portions of the masonry walls surrounding the ponds and repointing of the masonry face of the upper dam wall to prevent seepage and potential future damage. The Algonquin Park Dams are listed in the National Register for the Orange Mill Historic District Supplemental appropriation required, \$132,000.00 (bonding), seconded by Mr. Minuta.

Mr. Benton noted that this resolution was amended yesterday at the Physical Services Committee meeting to reflect the change from \$132,000.00 to \$152,000.00 to make it a total of \$302,000.00 not \$282,000.00. He stated they can have a discussion and then make the same amendment.

Mr. Brooks explained that the Department of Public Works received funding to repair the dam from Superstorm Sandy that happened several years ago. Concurrent to that, he asked to repair the damaged retaining wall around the ponds which was included in the bid specifications. He then referred to the photos attached to the legislative request (see original minutes) and stated that the cost will be \$152,000.00 instead of \$132,000.00 which is a \$20,000.00 increase.

Mr. Minuta moved to amend the original request by adding \$20,000.00 to make the cost of the project \$152,000.00, seconded by Mrs. Bonelli.

Motion carried. All in favor.

Mr. Hines moved to adopt a resolution making a supplemental appropriation to the Capital Projects budget for the Board Bridge (BIN#3344170) in the Town of Blooming Grove. This project has been approved under the 2019 Capital Plan as Project No. 52. Upon approval, the funds will increase existing Capital Project No. 460, \$750,000.00 (bonding), seconded by Mrs. Bonelli.

Mr. Denega stated the bridge is located on Round Hill Road in Blooming Grove, was built in 1955 and will be built in-house.

Motion carried. All in favor.

Ms. Sutherland moved to adopt a resolution making a supplemental appropriation to the Capital Projects budget for preliminary engineering and design of the Bank Street Bridge Replacement (BIN#3345180) in the Village of Warwick. This project will replace the Jessup Switch Project which has been approved under the 2019 Capital Plan as Project No. 56. Upon approval, a new capital project will be created, \$50,000.00 (bonding), seconded by Mr. Benton.

Mr. Denega explained that this is a one-way bridge in Warwick, was built in 1910 over the Wawayanda Creek and is not in good shape. They would like to get it repaired as soon as possible.

Motion carried. All in favor.

Mr. Hines moved to discuss deed sale parcels, seconded by Mr. Minuta.

Mr. Ruscher stated that the first parcel is in the Town of Deerpark (16-5-2) and has a minimum bid of \$1,250.00 and an amount bid of \$1,250.00. He recommends that it be approved. Parcels numbers two, three, and four are in the Town of Deerpark (7-1-16, 33-1,10.1, 33-1-10.1). Mr. Ruscher recommends that parcels two and three be approved and the third one be denied. Deed sale parcel number five is in the Town of Greenville (9-5-2) and has a minimum bid of \$7,000.00 and an amount bid of \$2,500.00; therefore, he recommends it be denied. The sixth parcel is in the Town of Mt. Hope (15-2-6) and has a minimum bid of \$15,000.00 and an amount bid of \$15,000.00. He recommends that it be approved. The seventh parcel is in the Town of New Windsor (67-5-15). The minimum bid is \$4,500.00 and the amount bid is \$4,500.00; therefore, he recommends it be approved.

Motion carried. All in favor of accepting Mr. Ruscher's recommendation to approve deed sale parcels Nos. 1, 2, 3, 6, and 7 and deny parcels Nos. 4 and 5 with the exception of Legislators Paduch and Kulisek who voted against deed sale parcel No. 3.

Mr. Ruscher stated that the eighth deed sale parcel is in the Town of New Windsor (67-5-16) and has a minimum bid of \$1,000.00 and an amount bid of \$1,000.00. He recommends that it be approved. Parcels numbers nine, ten, and eleven are in the Town of Wallkill (2-1-38, 69-1-13.1, 69-1-13.2). Mr. Ruscher recommended that parcels ten and eleven be approved and number nine be denied because it does not meet the minimum bid.

Mr. Benton pointed out that deed sale parcel number eight will be voted on separately.

Motion carried. All in favor of accepting Mr. Ruscher's recommendation to approve deed sale parcel No. 8. with the exception of Legislators Hines and Minuta who voted against.

Motion carried. All in favor of accepting Mr. Ruscher's recommendation to approve deed sale parcels Nos. 10, and 11 and deny parcel No. 9.

Mrs. Bonelli moved to discuss: Request to amend Local Law 10 of 2018 by amending Section Two by adding the words..."or such other amount as many be approved by at least two of the following three persons: the Director of Real Property Tax Services, Chairperson of the County Legislature, and Chairperson of the County Legislature's Ways and Means Committee" after the words "Schedule "A," seconded by Mr. Benton.

Mr. Chapman stated that as the committee knows, a lot of residential property is being sold which the county has been holding for several years. Some offers have been received, but not as much as they would like, so he thinks it would make sense to put more flexibility within the selling price.

Mr. Cheney clarified that if this is done, the legislature would be removed from the decision process.

Mr. Chapman stated this resolution would involve the legislature when it comes to the decision-making process.

Mrs. Bonelli commented that this will give the committee more involvement and not take anything away.

Mr. Benton agreed.

Motion carried. All in favor with the exception of Legislator Kulisek who voted against.

Mr. Paduch moved to set the date for a public hearing  
Re: 2020 Orange County Budget (10/24/19 – 5:00 p.m.),  
seconded by Ms. Sutherland.

Mrs. Reed addressed the last agenda item which was a brief discussion regarding Municipal Unpaid Demolition/Maintenance Fees. She explained that at the end of the year, the office does tax resolutions which are resolutions received from the local municipalities requesting that the legislature place within their budget and as part of their tax bills, that it be levied on the tax bill. They have authority to do this pursuant to the New York State Town Law under their general powers and duties for weeds and lawn maintenance. If it is for demolition for unsafe buildings, this can be done via adopting a local ordinance providing process to the landowner which gives him/her an opportunity to take care of the unsafe conditions. If it is not taken care of, the town can then remove the unsafe condition and then assess the charge and put it on the tax bill. The question becomes what if they do not pay this as part of the tax bill. Does the county have a statutory obligation to make the local towns whole for these charges? Recently, the county has been seeing an absurd increase in these inspection fees, planning board fees, etc. She further explained different towns and counties that challenged the charges and suggested that Orange County not change position and continue do what we do until there is a final disposition of the law on this.

The meeting adjourned at 5:24 p.m.