

# ORANGE COUNTY LEGISLATURE

**Committee:** Rules, Enactments and Intergovernmental Relations  
**Sponsors:** Amo, Brescia

**Agenda No. 1**

## RESOLUTION NO. OF 2012

### **RESOLUTION FIXING DATE, TIME AND PLACE OF MEETING TO ORGANIZE THE COUNTY LEGISLATURE IN 2013, PURSUANT TO SECTION 151 OF THE COUNTY LAW.**

**WHEREAS**, Section 151 of the County Law provides that the members of the Board of Supervisors shall organize the board and select a chairman on or before the eighth day of January in each year, and Section 2.05 of the Administrative Code for the County of Orange provides that the County Legislature, by resolution adopted at its regular meeting in December of each year, shall designate the date, time and place of its organizational meeting to be conducted not later than the eighth day of January next following.

**RESOLVED**, that a meeting to organize the County Legislature of the County of Orange for 2013 shall be held on the 3rd day of January, 2013, at 1:30 p.m., (snow date January 4, 2013 at 1:30 p.m.) at the Emergency Services Center Auditorium, 22 Wells Farm Road, in the Town of Goshen, New York.

**FURTHER RESOLVED**, that the Clerk of this Legislature shall serve upon each member of said County Legislature a notice stating the date, time and place of such meeting, and that a chairman will then be selected. Said notice shall be in writing, and shall be served by mail addressed to each member of the County Legislature at his/her last known post office address at least forty-eight hours before the date of said meeting.

# ORANGE COUNTY LEGISLATURE

**Committee:** Ways and Means  
**Sponsors:** Castricone, Paduch

**Agenda No. 9**

## RESOLUTION NO. OF 2012

### **RESOLUTION ALLOWING THE DEPARTMENT OF FINANCE TO ADJUST THE ESTIMATED REVENUES AND APPROPRIATIONS FOR EXCESS REVENUES RECEIVED IN ORDER TO CLOSE CERTAIN CAPITAL PROJECTS.**

**WHEREAS**, the Orange County Department of Finance has requested an adjustment to the revenues and appropriations for fourteen (14) Capital Projects so that the projects may be closed; and

**WHEREAS**, this Legislature does wish to adjust the revenues and appropriations to the Orange County Department of Finance so as to allow fourteen (14) Capital Projects to be closed.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Commissioner of Finance is authorized to make the following adjustments to revenues and appropriations:

Capital Project 103			
1100.199701.685100	Trans to Cap Reserve	\$23,380.00	
1100.199701.577010	Capital Budget		\$23,380.00
Capital Project 136			
1100.199701.685100	Trans to Cap Reserve	\$2,530.18	
1100.199701.577010	Capital Expense		\$2,530.18
Capital Project 156			
1100.199701.685100	Trans to General Fund	\$350,000.00	
1100.199701.577010	Capital Expense		\$350,000.00
Capital Project 166			
1100.199701.685100	Trans to Cap Reserve	\$100,000.00	
1100.199701.577010	Capital Budget		\$100,000.00
Capital Project 349			
1100.199701.685100	Trans to Cap Reserve	\$20,406.00	
1100.199701.577010	Capital Budget		\$20,406.00
Capital Project 435			
1700.511001.415961	Trans to 170 Cty Road	\$124,143.84	
1100.519701.577010	Capital Budget		\$124,143.84
Capital Project 490			
1100.519701.453011	Trans to Cap Reserve	\$4,000.00	
1100.519701.577010	Capital Budget		\$4,000.00
Capital Project 497			
1100.519701.685100	Trans to General Fund	\$80.00	
1100.519701.577010	Capital Expense		\$80.00
Capital Project 622			
1100.599701.685140	Trans to 140 Ariport	\$15.00	
1100.599701.577010	Capital Budget		\$15.00
Capital Project 744			
1100.719701.685100	Trans to General Fund	\$13,552.49	
1100.719701.430891	St Other General Gov't		\$4,930.51

1100.719701.577010	Capital Expense		\$8,621.98
Capital Project 758			
1100.719701.685100	Trans to Cap Reserve	\$2,075.00	
1100.719701.577010	Capital Budget		\$2,075.00
Capital Project 760			
1100.719701.685100	Trans to General Fund	\$1,624.72	
1100.719701.577010	Capital Expense		\$1,624.72
Capital Project 761			
1100.719701.685100	Trans to General Fund	\$2,742.01	
1100.719701.577010	Capital Expense		\$2,742.01
Capital Project 885			
1100.879701.685340	Trans for 190 Sewer	\$13,346.85	
1100.879701.577010	Capital Expense		\$13,346.85
	Back to General Fund		\$367,999.22
	Back to Capital Reserve		\$152,391.18
	Back to AIRPORT		\$15.00
	Back to SEWER		\$13,346.85
	Back to DPW		\$124,143.84
			\$657,896.09

## ORANGE COUNTY LEGISLATURE

**Committee:** Ways and Means  
**Sponsors:** Amo, Castricone

**Agenda No. 10**

**RESOLUTION NO.      OF 2012**

**RESOLUTION ALLOWING THE DEPARTMENT OF FINANCE TO ADJUST THE ESTIMATED REVENUES AND APPROPRIATIONS FOR EXCESS REVENUES RECEIVED IN ORDER TO CLOSE CERTAIN CAPITAL PROJECTS.**

**WHEREAS**, the Orange County Department of Finance has requested an adjustment to the revenues and appropriations for nineteen (19) Capital Projects so that the projects may be closed; and

**WHEREAS**, this Legislature does wish to adjust the revenues and appropriations to the Orange County Department of Finance so as to allow nineteen (19) Capital Projects to be closed.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Commissioner of Finance is authorized to make the following adjustments to revenues and appropriations:

	<u>OC Fund</u>	<u>OC Org</u>	<u>OC Account</u>	<u>Description</u>	<u>Amount</u>
<b>Revenue:</b>	1100	199701	685250	To 230-Debt Svc Fund	\$34,100.80
	1100	219701	685250	To 230-Debt Svc Fund	\$0.68
	1100	349701	685250	To 230-Debt Svc Fund	\$0.94
	1100	519701	685250	To 230-Debt Svc Fund	\$3.67
	1100	719701	685250	To 230-Debt Svc Fund	\$0.88
	1100	819701	685250	To 230-Debt Svc Fund	\$0.83
					<hr/> \$34,107.80
<b>Expenses:</b>	1100	199701	577010	Capital Expense	\$34,100.80
	1100	219701	577010	Capital Expense	\$0.68
	1100	349701	577010	Capital Expense	\$0.94
	1100	519701	577010	Capital Expense	\$3.67
	1100	719701	577010	Capital Expense	\$0.88
	1100	819701	577010	Capital Expense	\$0.83
					<hr/> \$34,107.80

**ORANGE COUNTY LEGISLATURE**

**Committee:** Ways and Means  
**Sponsors:** Paduch, Pahucki

**Agenda No. 11**

**RESOLUTION NO.                      OF 2012**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT IN ACCORDANCE WITH REAL PROPERTY TAX LAW SECTION 1537 TO PROVIDE ASSESSMENT SERVICES TO THE TOWN OF GOSHEN AND THE TOWN OF CHESTER.**

**WHEREAS**, the Real Property Tax Service Agency has recommended that the County of Orange provide assessment services to the Town of Goshen and to the Town of Chester with the possibility of creating a Coordinated Assessment Program ("CAP") between the Towns of Goshen and Chester, in accordance with Real Property Tax Law Section 1537, as of January 1, 2013 at no cost to the County.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the County Executive, on behalf of the County of Orange, is hereby authorized to enter into and execute an Agreement with the Town of Goshen and the Town of Chester to provide assessment services to said Towns at no cost to the County of Orange as of January 1, 2013 with the possibility of creating a CAP between the towns of Goshen and Chester; and it is further

**RESOLVED**, that the County Executive is authorized to execute any and all other papers and agreements required in connection with such application, subject to the review thereof by the County Attorney for purposes of form and content.

## **ORANGE COUNTY LEGISLATURE**

**Committee: Ways and Means**  
**Sponsors: Benton, Hines, Paduch, Pahucki**

**Agenda No. 12**

### **RESOLUTION NO. OF 2012**

#### **RESOLUTION AUTHORIZING THE PRIVATE SALE AND CONVEYANCE OF CERTAIN COUNTY OWNED LANDS ACQUIRED BY REASON OF A FAILURE TO REDEEM SAID LANDS FROM A TAX SALE TO ORANGE COUNTY, PURSUANT TO SECTION 1018(4) OF THE REAL PROPERTY TAX LAW AND ORANGE COUNTY AMENDED LOCAL LAW NO. 2 OF 2010.**

**WHEREAS**, this Legislature has enacted Local Law No. 9 of 1979 (as last amended by Local Law No. 2 of 2010), authorizing the sale of certain lands owned by the County by reason of default in taxes and a subsequent failure to redeem from a resulting tax sale to Orange County; and

**WHEREAS**, the parcels not sold at said sale were to be offered at a private sale, subject to the confirmation of this Legislature; and

**WHEREAS**, offers for several said parcels have been accepted by the Commissioner of Finance; and

**WHEREAS**, the Commissioner of Finance has recommended that the sales be confirmed by this Legislature.

**NOW, THEREFORE**, it is hereby

#### **RESOLVED AS FOLLOWS:**

1. That the parcels hereinafter listed be sold to the offering parties, upon receipt by the Commissioner of Finance of Orange County of the amounts set forth in either cash or good certified check by 5:00 p.m., January 7, 2013, as indicated below.

2. That upon the receipt of said sums, the County Executive is hereby authorized to execute a Quitclaim Deed of Conveyance of the properties listed below and deliver the same to the offering party.

<b><u>PARCEL</u></b>	<b><u>BIDDER</u></b>	<b><u>AMOUNT OF BID NET TO COUNTY</u></b>
Town of New Windsor 35-1-56	Apex, Inc. c/o Stan L. Goldberg 1065 Ave. of the Americas, Ste. 1800 New York, New York 10018	\$150,000.00
Town of Newburgh 45-1-1	2330 N.Y.S. Route 32, LLC c/o 52 North Plank Rd Newburgh, New York 12550	\$100,000.00

## **ORANGE COUNTY LEGISLATURE**

**Committee:** Physical Services  
**Sponsor:** Simmons

**Agenda No. 13**

### **RESOLUTION NO.      OF 2012**

#### **RESOLUTION ACCEPTING THE BEAVER DAM LAKE REHABILITATION FINAL ENVIRONMENTAL IMPACT STATEMENT, ISSUING A NOTICE OF COMPLETION AND ISSUING A FINDINGS STATEMENT FOR SAID PROJECT.**

**WHEREAS**, the Orange County Department of Public Works requests that this Legislature accept the Beaver Dam Lake Rehabilitation Final Impact Statement; and

**WHEREAS**, it is also requested that this Legislature issue a Notice of Completion; and

**WHEREAS**, it is also requested that this Legislature declare that after at least a 10-day period, a findings statement be issued. All documents will be filed, distributed and published in accordance with 6 NYCRR 617.12.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Orange County Legislature hereby accepts Beaver Dam Lake Rehabilitation Final Environmental Impact Statement; and it is further

**RESOLVED**, that the Legislature will issue a Notice of Completion; and

**RESOLVED**, it further declares that after at least a 10-day period a findings statement will be issued. All documents will be filed, distributed and published in accordance with 6 NYCRR 617.12.

# ORANGE COUNTY LEGISLATURE

Committee: Physical Services  
Sponsor: Kemnitz

Agenda No 14

## RESOLUTION NO. OF 2012

### RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ACCEPT A PROPOSED RIGHT-OF-WAY DEDICATION PARCEL IN THE TOWN OF MONROE

**WHEREAS**, a right-of-way dedication parcel; namely Section 7, Block 1 Lots 61, 62 and 63, located on County Road No. 5, Lakes Road and County Road No. 91, Cedar Cliff Road, in the Town of Monroe, is owned by PBV, LLC, and more particularly described on the attached **Schedule "A"**; and

**WHEREAS**, it is desirable that the County acquire ownership of the aforesaid right-of-way dedication parcel and owner PBV, LLC, is desirous of conveying said parcels to the County of Orange as stated in the Irrevocable Offer of Dedication; and

**WHEREAS**, the private landowner has agreed to bear all costs and expenses relating to the surveying and title costs as may be reasonably required by the County and agrees to obtain good and valid releases from all owners, mortgagees, lienors and others that may be required to consent to such dedication and subject to the approval of same by the County Attorney.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Legislature hereby authorizes the County Executive to accept from PBV, LLC, the right-of-way dedication parcel located in the Town of Monroe and more particularly described on the attached **Schedule "A"**; and it is further

**RESOLVED**, that the Orange County Department of Public Works shall prepare and submit the necessary documents to the County Attorney so as to complete the conveyance set forth above.

### **SCHEDULE "A"**

#### **PBV. LLC HIGHWAY DEDICATION DESCRIPTION**

Description of Road Dedication for PBV, LLC

All that certain tract, piece or parcel of land situate, lying and being in the Town of Monroe, County of Orange and State of New York and being more accurately bounded and described as follows:

Beginning at a point in the northwesterly bounds of Cedar Cliff Road (County Road #91), said point also being located at the most southerly corner of lands of Doles as described in L. 11663 P. 1734, and runs from thence along the said northwesterly bounds of Cedar Cliff Road

(County Road #91} S 40-00-30 W 69.85 feet to a point; thence turning and running along lands now or formerly of Deluca N 81-03 W 13.19 feet to a point; thence turning and running through lands now or formerly of PBV, LLC N 41-07-03 E 80.85 feet to a point; thence turning and running along lands now or formerly of Doles S 26-42-53 E 10.59 feet to the point or place of beginning.

Containing 791 square feet of land more or less.

## ORANGE COUNTY LEGISLATURE

**Committee: Physical Services**

**Sponsor: Bonelli**

**Agenda No.  
15**

### RESOLUTION NO. OF 2012

#### **RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ACCEPT A PROPOSED RIGHT-OF-WAY DEDICATION PARCEL IN THE VILLAGE OF WOODBURY.**

**WHEREAS**, a right-of-way dedication parcel; namely Section 213, Block 1, Lot 7.14, located on County Road No. 44, Seven Springs Road in the Village of Woodbury, is owned by 21<sup>st</sup> Street Operating LLC, and more particularly described on the attached **Schedule "A"**; and

**WHEREAS**, it is desirable that the County acquire ownership of the aforesaid right-of-way dedication parcel and owner 21<sup>st</sup> Street Operating LLC is desirous of conveying said parcel to the County of Orange as stated in the Irrevocable Offer of Dedication; and

**WHEREAS**, the private landowner has agreed to bear all costs and expenses relating to the surveying and title costs as may be reasonably required by the County and agrees to obtain good and valid releases from all owners, mortgagees, lienors and others that may be required to consent to such dedication and subject to the approval of same by the County Attorney.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Legislature hereby authorizes the County Executive to accept from 21<sup>st</sup> Street Operating LLC, the right-of-way dedication parcel located in the Village of Woodbury, and more particularly described on the attached **Schedule "A"**; and it is further

**RESOLVED**, that the Orange County Department of Public Works shall prepare and submit the necessary documents to the County Attorney so as to complete the conveyance set forth above.

### **SCHEDULE "A"**

Description for 21<sup>ST</sup> Street Operating, LLC, Jacobowitz Seven Springs Road (A/K/A County Road 44)

Dedication



P/o Section 213 Block 1 Lot 7.14

All that certain piece or parcel of land being in the Village of Woodbury, Orange County, State of New York and being described as follows.

BEGINNING at a point on the northerly side of Seven Springs Road said point being south 33 degrees 00 minutes 00 seconds west 3.42 feet from an iron pipe found on the line of lands N/F Jacobowitz (213-1-7.14) running thence through said Seven Springs Road south 33 degrees 00 minutes 00 seconds west 19.04 feet to a point in said Seven Springs Road thence through said road the following seven courses and distances 1) North 65 degrees 11 minutes 15 seconds west 99.91 feet; 2) North 63 degrees 23 minutes 40 seconds west 116.20 feet; 3) North 68 degrees 28 minutes 50 seconds west 161.59 feet; 4) North 65 degrees 26 minutes 10 seconds west 71.76 feet; 5) North 62 degrees 15 minutes 50 seconds west 89.46 feet; 6) North 57 degrees 27 minutes 40 seconds west 50.16 feet; 7) North 49 degrees 52 minutes 50 seconds west 104.40 feet to a point thence continuing through said road north 48 degrees 56 minutes 20 seconds east 20.37 feet to a point on the newly established north line of said Seven Springs Road thence along said newly established bounds the following six courses and distances: 1) South 52 degrees 30 minutes 39 seconds east 132.22 feet; 2) South 61 degrees 15 minutes 36 seconds east 103.71 feet; 3) South 65 degrees 06 minutes 34 seconds east 67.33 feet; 4) South 66 degrees 20 minutes 42 seconds east 214.76 feet; 5) South 64 degrees 45 minutes 03 seconds east 131.86 feet; 6) South 65 degrees 32 minutes 09 seconds east 36.89 feet to the place and point of beginning.

Containing 0.31 acres of land more or less as surveyed by Steven J. Green PLS March 2009.

## ORANGE COUNTY LEGISLATURE

**Committee:** Physical Services  
**Sponsor:** Brescia

**Agenda No. 16**

**RESOLUTION NO.      OF 2012**

### **RESOLUTION OF THE ORANGE COUNTY LEGISLATURE GIVING NOTICE OF INTENT TO ASSUME LEAD AGENCY STATUS UNDER STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) WITH RESPECT TO THE RECONSTRUCTION OF THE FORGE HILL BRIDGE AND RECOMMENDING THIS PROJECT TO BE AN UNLISTED ACTION.**

**WHEREAS**, Orange County intends to reconstruct the Forge Hill Bridge in the Town of New Windsor; and

**WHEREAS**, in compliance with the State Environmental Quality Review Act (SEQRA), the Legislature of Orange County intends to assume Lead Agency status based on a review of Part I of the Environmental Assessment Form ("EAF"), and has made a preliminary determination that the above proposed action is an Unlisted Action.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

1. That the Orange County Legislature declares its intention to assume Lead Agency status concerning the reconstruction of the Forge Hill Bridge; and
2. Makes a preliminary determination, pursuant to 6 NYCRR Section 617.6 that the proposed action is an Unlisted Action.

## **ORANGE COUNTY LEGISLATURE**

**Committee: Physical Services**  
**Sponsor: Pahucki**

**Agenda No. 17**

### **RESOLUTION NO. OF 2012**

**RESOLUTION OF THE ORANGE COUNTY LEGISLATURE ASSUMING LEAD AGENCY STATUS UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) WITH RESPECT TO THE REPLACEMENT OF THE HORAN BRIDGE, CLASSIFYING THE ACTION AS UNLISTED AND DETERMINING THAT THE ACTION WILL NOT HAVE ANY SIGNIFICANT, ADVERSE ENVIRONMENTAL IMPACTS.**

**WHEREAS**, Orange County intends to replace the Horan Bridge in the Towns of Minisink and Wawayanda; and

**WHEREAS**, in compliance with the State Environmental Quality Review Act (SEQRA), and the regulations promulgated thereto, an Environmental Assessment Form ("EAF"), has been completed and in accordance with the findings of Part 1, 2 and 3 of the Environmental Assessment Form, ("EAF") it is determined that the project will not result in any significant adverse environmental impact.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

1. That the Orange County Legislature declares itself Lead Agency concerning the replacement of the Horan Bridge; and
2. Makes a determination, pursuant to 6 NYCRR Section 617.6 that the proposed action is an Unlisted Action; and
3. Determines in accordance with the Findings of Parts 1, 2 and 3 of the Environmental Assessment Form ("EAF") that the replacement of the bridge will have no significant, adverse environmental impacts.

# ORANGE COUNTY LEGISLATURE

**Committees:** Physical Services; Ways and Means  
**Sponsors:** Benton, Amo, Pahucki

**Agenda No. 21**

## RESOLUTION NO. OF 2012

### RESOLUTION MAKING AN APPROPRIATION TO THE 2012 ORANGE COUNTY BUDGET FOR THE ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

**WHEREAS**, this Legislature does wish to provide funds to the Orange County Department of Public Works in the amount of \$1,000,000.00 to retain a consultant to develop an engineering facility plan to increase the treatment capacity of the Harriman Waste Water Treatment Facility. This Project has been approved under the 2012 Capital Plan. Funding will come from the Orange County Sewer District No. 1 surplus.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the 2012 Budget for the Orange County Department of Public Works is hereby supplemented as indicated below for the development of an engineering facility plan to increase the treatment capacity of the Harriman Waste Water Treatment Facility. This Project was approved under the 2012 Capital Plan. Funds will come from the Orange County Sewer District No. 1 surplus; and it is further

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

#### Increase the following lines:

<b>Revenue:</b>	1100	819701	450311	Capital Expense Plan to increase treatment capacity at Harriman Waste Water Treatment Facility	\$1,000,000.00
<b>Expense:</b>	1100	819701	577010	Capital Expense Plan to increase treatment capacity at Harriman Waste Water Treatment Facility	\$1,000,000.00

#### Source of Funds:

<b>Revenue:</b>	190000	811001	415961	Sewer Surplus - Surplus	\$1,000,000.00
<b>Expense:</b>	190000	811001	685350	Sewer Surplus to Capital Fund	\$1,000,000.00

# ORANGE COUNTY LEGISLATURE

**Committees:** Physical Services; Ways and Means  
**Sponsors:** Bonelli, Benton, Amo

**Agenda No. 22**

## RESOLUTION NO.      OF 2012

### **RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION TO THE 2012 ORANGE COUNTY BUDGET FOR THE ORANGE COUNTY DEPARTMENT OF ENVIRONMENTAL FACILITIES AND SERVICES, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, this Legislature does wish to provide funds to the Orange County Department of Environmental Facilities in the amount of \$865,000.00 for equipment replacement for the Orange County Sewer District #1. This Project has been approved under the 2012 Capital Plan as Capital Project No. 125. The funding will come from sewer surplus.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the 2012 Budget for the Orange County Department of Environmental Facilities is hereby supplemented as indicated below for equipment replacement for the Orange County Sewer District #1. This is Capital Project No. 125 in the 2012 Capital Plan and funds will come from sewer surplus; and it is further

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

#### **Increase the Following Lines:**

<b>Revenue:</b>	1100	819701	450311	Capital Expense Equip. Replacement Sewer	\$865,000.00
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<b>Expense:</b>	1100	819701	577010	Capital Expense Equip. Replacement Sewer	\$865,000.00
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#### **Source of Funds:**

<b>Revenue:</b>	190000	811001	415961	Sewer Surplus – Surplus	\$865,000.00
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<b>Expense:</b>	190000	811001	685350	Sewer Surplus to Capital fund	\$865,000.00
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This is Project No. 125 in the 2012 Capital Plan. Supplemental Appropriation required. Funds to come from Sewer surplus. See above. The authorization to existing Capital Project No. CP842 will increase \$865,000,000.00 to \$1,265,000.00.

# ORANGE COUNTY LEGISLATURE

**Committee:** Public Safety and Emergency Services  
**Sponsors:** Bonacic, Castricone

**Agenda No. 23**

## RESOLUTION NO. OF 2012

### **RESOLUTION APPROVING THE ADOPTION OF A REVISED ORANGE COUNTY MUTUAL AID PLAN, PURSUANT TO NEW YORK STATE COUNTY LAW SECTION 225-a.**

**WHEREAS**, the County Executive, in conjunction with the Commissioner of Emergency Services have submitted to this Legislature for approval a revised Orange County Mutual Aid Plan as outlined in the attached Schedule "A"; and

**WHEREAS**, this revision of the Orange County Mutual Aid Plan is for the safety, health and welfare of the citizens of Orange County.

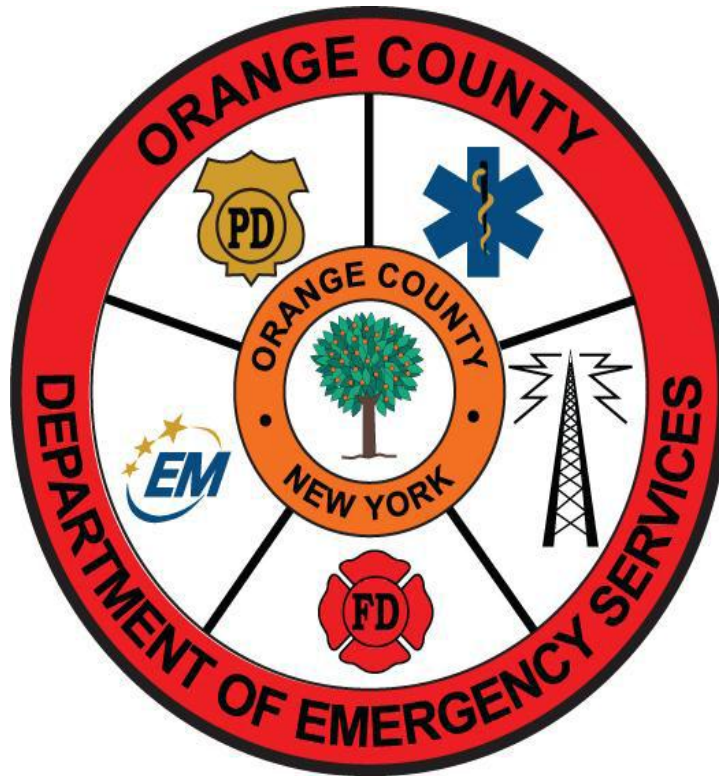
**NOW, THEREFORE**, it is hereby

**RESOLVED**, that a revision of the Orange County Mutual Aid Plan, as presented to this Legislature, is hereby approved and supersedes all such previous plans.

# **ORANGE COUNTY FIRE MUTUAL AID PLAN**

**Edward A. Diana**

**County Executive**



**Walter C. Koury**  
**Commissioner**  
**Department of Emergency Services**

**Vini Tankasali**  
**Deputy Commissioner**  
**Division of Fire Services**

Orange County Fire Mutual Aid Plan

Review Committee: Vini Tankasali (Chairperson)

Fire Coordinator

C. Lee Gerow

Fire Advisory Board

Thomas Sullivan

Fire Advisory Board

Sean Gerow

Fire Advisory Board

Wayne Russo

Fire Advisory Board

John Conner

Fire Advisory Board

Les Greenwood

New York State OFPC

Original Adoption Date	1954
Revised	1957
Revised	1985
Revised	1995
Revised	2000
Revised	2005
Revised	2012

This revision supersedes all previous Orange County Mutual Aid Plans.

Recommended for adoption by the Orange County Fire Advisory Board  
C. Lee Gerow, Chairperson  
Date: September 19, 2012

Reviewed and Approved by New York State Office of Fire Prevention and Control  
Les Greenwood, Fire Protection Specialist  
Date: September 24, 2012

Submitted by the Orange County Fire Coordinator, Vini Tankasali  
Date: \_\_\_\_\_, 2012

Adopted by the Orange County Legislature  
Date: \_\_\_\_\_, 2012

Approved by the Orange County Executive, Edward A. Diana  
Date: \_\_\_\_\_, 2012

Submitted to the New York State Office of Fire Prevention and Control  
Date: \_\_\_\_\_, 2012

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## **ORANGE COUNTY FIRE MUTUAL AID PLAN**

### **Purpose**

The purpose of this Orange County Fire Mutual Aid Plan ("Plan") is to provide assistance and protection for all Orange County ("County") communities in the case of fire and other emergencies in which the services of appropriately trained firefighters and equipment in accordance with accepted standards would be used and to cooperate and act in accordance with New York State ("State") and local laws.

### **Statement**

A community's responsibility in fire protection is to prevent and/or limit the loss of life and property due to a fire or fire-related emergency. In fulfilling this responsibility the fire department must maintain appropriately trained personnel and resources necessary for safe and effective firefighting operations and uniformity within the County Fire Mutual Aid System

### **Administration**

The administration and execution of this Plan shall be the duty of the County Fire Coordinator as defined by County Law Section 225-a (3).

### **Mutual Aid**

Mutual aid is now a regular part of the State Fire Program and it is agreed that all present and future fire departments organized pursuant to law that are located within the County or its adjacent areas may become part of this Plan.

Agencies operating under this Plan will operate under the National Incident Management System as mandated by Homeland Security Presidential Directive HSPD-5.

With the possibility of the need for mutual assistance in time of fire or other emergency, where the services of appropriately trained firefighters and/or equipment would be used, the cities, villages, districts, and fire departments of the County and its adjacent areas have pledged their fire fighting equipment, rescue equipment, appropriately trained personnel and recognize they have a contractual obligation to comply with this Plan, as now in force and as amended in the public interest from time to time.

## **Objective**

### Definition of Mutual Aid.

Mutual aid is organized, supervised, coordinated, cooperative, reciprocal assistance in which appropriately trained personnel, equipment and the physical facilities of all participating fire departments, regardless of type or size, are utilized for fire and other emergencies in which the services of firefighters would be used throughout the County and its adjacent areas.

### Annual Review.

This Plan shall be reviewed annually by the County Fire Coordinator and the State Office of Fire Prevention and Control ("OFPC"). The findings, if any, from that review shall be reported by the County Fire Coordinator in his annual report to the Fire Advisory Board.

### Amendments.

Amendments to this Plan shall be made whenever deemed necessary by the County Fire Advisory Board, but in no case shall such amendments occur less than every five (5) years. Amendments shall follow this procedure:

1. Fire service companies may submit to the County Fire Coordinator written comments to this Plan annually on or before October 31st.
2. Amendments shall be prepared by the County Fire Coordinator.
3. Reviewed and recommended by New York State Office of Fire Prevention and Control.
4. Reviewed and recommended by the Commissioner Department of Emergency Services.
5. Reviewed and recommended for adoption by the County Fire Advisory Board.
6. Submitted to the County Legislature for adoption by the County Fire Coordinator.
7. Adopted by the County Legislature.
8. Approved by the County Executive.
9. Submitted to OFPC for inclusion in the State Fire Mobilization and Mutual Aid Plan ("State Plan").

### Definition – Fire Companies and Fire Departments.

As used in this Plan, the terms "fire company" and "fire department" shall include all companies,

fire ambulances, rescue squads, fire police, or other units of fire departments, fire companies or fire districts, whether incorporated or not, and shall include any firefighting units as may be defined or described in Section 209 of the General Municipal Law.

Fire Coordinator – The County’s Board of Supervisors under Act No. 7 of 1951 created the Office of the County Fire Coordinator in order to develop and maintain programs for fire training and mutual aid in cases of fire and other public emergencies in which the services of firemen would be used, and to cooperate with the State Division of Fire Safety (now the OFPC). This office acts as a liaison between the County Legislature, the Fire Advisory Board, the fire fighting forces throughout the County and the officers and governing boards or bodies thereof.

Local Law No. 8 of the year 2003 amended the County Charter, duly adopted by Local Law No. 8 of the year 1968, and the County Administrative Code, duly adopted by Local Law No. 10 of the year 1969, creating the Department of Emergency Services for the purpose of consolidating oversight and supervision for emergency communications, emergency management, fire services, emergency medical services, and police liaison services. Local Law No. 8 of the year 2003 enacted Section 26.02(1) of the Charter, which reads, in pertinent part: “The Commissioner of Emergency Services shall: ... have charge, oversight and supervision for the Divisions of Emergency Communications, Emergency Management, Fire Services, Emergency Medical Services and Police Liaison Services.”

Further, Local Law No. 8 of 2003 enacted Section 26.05 of the Charter that provides: “There shall be a Division of Fire Services headed by a Deputy Commissioner (AKA Fire Coordinator) who shall be appointed in accordance with Section 26.02(3) on the basis of his experience and qualifications for the office. He shall have oversight and be responsible to the Commissioner [of Emergency Services] for fire operations, fire investigations, hazardous material responses, Technical Rescue and training affiliated with fire and hazardous material responses. He shall have and exercise all powers and duties as conferred or imposed upon him the Commissioner.”

## **Participation**

### Extent and Limit of Participating by Fire Departments.

The fire departments in the County presently are:

Bullville	Monroe
Campbell Hall	Newburgh
Chester	New Hampton
Circleville	New Windsor
Coldenham	Orange Lake
Cornwall	Otisville
Cornwall-on-Hudson	Pine Bush
Cronomer Valley	Pine Island
Cuddebackville	Pocatello
Florida	Port Jervis
Fort Montgomery	Salisbury Mills
Good-Will	Silver Lake
Goshen	Slate Hill
Greenville	South Blooming Grove
Greenwood Lake	Sparrowbush
Highland Falls	Tuxedo
Howells	Unionville

Huguenot	Vails Gate
Johnson	Walden
Kiryas Joel	Warwick
Maybrook	Washington Heights
Mechanicstown	Washingtonville
Middletown	Winona Lake
Montgomery	Woodbury
Middle Hope	

The Federal Departments in the County Presently are:

Stewart Air National Guard      USMA West Point

The State Departments in the County Presently are:

None at present time.

State and Federal institutions may participate in this Plan to the extent State and Federal Laws allow such participation by agreement and such agreements make provision for financial responsibility for their personnel.

Extend and Limit of Participation with Adjacent Counties in State of New Jersey and Commonwealth of Pennsylvania.

At the present time there is no formal agreement making provision for mutual aid with the State of New Jersey or the Commonwealth of Pennsylvania. Local reciprocal assistance, if any, is in accordance with Section 14-G of the General Municipal Law. All requests for assistance will be routed through the County Emergency Communications Center.

Those departments who are willing to provide services to fire departments across state lines may do so after ensuring proper insurance coverage for personnel and equipment and indicating their availability to respond in accordance with the provisions of General Municipal Law Article 14-G.

Extent and Limit of Participation with Adjacent Counties in the State.

Mutual aid is provided to and received from Sullivan, Ulster, Dutchess, Putnam, and Rockland counties. Requests for such mutual aid shall be made through their respective fire control centers under the direction of their county fire coordinator or legally appointed deputies in accordance with this Plan and the State Plan. Mutual aid from other counties not adjacent to the County and within the State shall come under the provisions of the State Plan.

Entering and Participating in this Plan.

Any duly established fire company or fire department eligible for participation in this Plan may participate in this Plan by filing in the Office of the County Fire Coordinator a certified copy of a resolution substantially in the form set forth in Appendixes I or II hereof, as appropriate, duly adopted by the appropriate governing board of that fire company or fire department<sup>1</sup>. Such resolution shall state that such fire company or fire department: (i) elects to participate in this Plan; (ii) acknowledges and accepts their financial responsibility for such participation pursuant to General Municipal Law Section 209(2) – (4); (iii) agrees to comply with all the provisions of

this Plan; (iv) to the best of its knowledge, knows of no resolution against "outside service" by such fire company or fire department that would affect the power of such company or

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1 Villages	Resolution to be adopted by the Board of Fire Commissioners, if any, if not, by the Village Board.
Cities	Resolution to be adopted by the City Council
Fire Districts:	Resolution to be adopted by the Board of Fire Commissioners
Towns:	Resolution to be adopted by the Town Board when fire department has their headquarters outside villages and or Fire Districts are located in Fire Protection or Fire Alarm Districts.

department to participate in this Plan or, alternatively, identities with specificity such restrictions; (v) will respond to all calls for assistance from another fire company or fire department through the County Division of Emergency Communications; and (vi) will deliver an executed copy of the Plan to the Fire Coordinator.

If a fire company or department reorganizes to such an extent that either it or its governing body changes form, written notification of such reorganization shall be given to the County Fire Coordinator and a new resolution shall be adopted and filed in the Office of the Fire Coordinator within thirty (30) calendar days of such reorganization.

#### Request for Mutual Aid.

Each participating fire department or fire company may request assistance from another fire company or fire department pursuant to the provisions of this Plan. Requests shall take the following forms:

- The request of a fire chief or officer in charge of any fire or other emergency.
- The pre-planned and/or automatic pre-planned response to any building, area, or district agreed upon by all agencies involved and filed in writing at the County's Emergency Communications Center.
- The requesting fire chief or office in charge will take due care in requesting any special equipment that is assigned to the mutual aid department or district.

#### Whenever a Fire Department Responds to an Incident and Determines It to Be Out of Their Jurisdiction, they Shall take the Following Actions.

1. Notify the County's Emergency Communications Center to respond the proper fire department.
2. Take appropriate action to control the incident.

**Note:** All requests for mutual aid shall be requested through the County Emergency Communications Center. In all cases, the fire department or fire company receiving the mutual aid would be the requestor of record.

#### Obligation to Respond.

Each participating fire department or fire company shall respond to any call for assistance from another fire company or fire department with appropriately trained personnel and equipment made pursuant to the provisions of this Plan. Should any fire company or fire department refuse to respond to a call for assistance from a participating fire company or fire department, the chief of that fire department or fire company and one or more members of the governing body (fire commissioners, village board, town board or member of the Board of Directors) shall, upon notification from the County Fire Coordinator, appear before the Fire Advisory Board. Notice of time and place of the hearing shall be given by the County Fire Coordinator or by registered mail, not less than ten (10) calendar days nor more than fifteen (15) calendar days prior to the day of the hearing.

Such notice must specify the details of the alleged failure to respond. The Fire Advisory Board must forward to the County Fire Coordinator its written findings and recommendations. The County Fire Coordinator, upon receipt of such findings and recommendations, must take appropriate action, including, but not limited to suspension or ejection from this Plan provided that no area of the County shall be left unprotected. The Fire Coordinator does not possess the power to take disciplinary action against a fire company officer. Notification of the action taken will be sent to the fire department/fire company insurance carriers and ISO commercial risk services.

Once a fire department responds with mutual aid, that department's equipment and manpower are committed to the requesting department until released by the officer in charge of the requesting department.

#### Withdrawal from this Plan.

Any fire company, fire department, or governing body may elect to withdraw from this Plan by adopting a resolution to such effect, which withdrawal shall become effective thirty (30) calendar days after filing with the County Fire Coordinator.

Withdrawal from this Plan will result in the suspension of mutual aid. Such withdrawal shall remain in effect until such fire company or fire department reenters this Plan by resolution.

Any fire company or fire department withdrawing from this Plan, upon the effective date, shall surrender and return to the County Fire Coordinator's Office all County owned equipment.

Effective as of the date of withdrawal, all permissions to use County licensed radio frequencies are revoked, all radio permits are revoked and all radio identifiers and call signs issued to a withdrawing fire company or fire department shall be cancelled effective on the date of withdrawal except those departments or companies possessing FCC issued licenses.

#### Use and Abuse of Mutual Aid.

Mutual aid is organized, supervised, coordinated, cooperative, reciprocal assistance in which appropriately trained personnel, equipment and physical facilities of fire departments, regardless of type or size, are utilized for a fire or other emergency in which the services of firemen would be used throughout the County and other adjacent areas.

It is not conceivable that every fire department would be expected to have personnel and equipment available to handle every emergency situation that it could possibly be faced with.

Therefore, mutual aid is used to bring specialized equipment and personnel to those situations that are above and beyond the ordinary or where equipment and manpower of a fire department may be taxed. The important aspect of mutual aid is that it is a reciprocal agreement between fire departments. It is expected to be given as well as received.

Under generally accepted standards (ISO Municipal Grading Schedule), a fire department is expected to have appropriately trained manpower and equipment to handle two emergencies of moderate proportion. In essence a fire department would be expected to be able to at least fill a first alarm assignment and still have available resources to provide a minimal level of protection to its jurisdiction. It would also be expected that a fire department would have the resources to respond with at least one piece of equipment to a neighboring community on mutual aid and still provide adequate coverage to its district.

Under this Plan, a fire department is obligated to respond to any call for assistance from another fire department. There are certain situations in which a fire department would not be expected to respond on a mutual aid call and those would be when equipment is temporarily out of service due to maintenance, when a department is operating at its own emergency etc. A fire department's main obligation is to protect its own jurisdiction. Additionally, a fire department may restrict its outside activities, provided notice is given to the Fire Coordinator outlining those restrictions. (i.e. special equipment that cannot leave the jurisdiction, equipment that ordinary structural fire equipment could not fill in for, equipment not adaptable for highway or distance limitations etc.)

Automatic responses are used as a part of this Plan to bring extra equipment to target hazards, fill in temporarily for equipment being out of service or to cover areas when roads or bridges are closed. An automatic response is considered above and beyond the intent of mutual aid. When an automatic response is initiated, it must be agreed to by all parties involved in the automatic response. In addition, if the automatic response is to extend beyond thirty (30) calendar days, the request must be filed in writing with the Fire Coordinator and signed by the chiefs of all departments involved. Mutual aid and/or automatic responses are not intended to be used to cover a jurisdiction's discretionary reduction in personnel or equipment. In all cases where mutual aid or an automatic response is requested, the jurisdiction requesting assistance is financially responsible for the loss or damage of all equipment responding to, operating at, or returning from a mutual aid call, including stand-bys. In addition, this responsibility also extends to the replacement of any expendable items such as foam, firefighting chemicals etc.

In instances where the use of mutual aid or automatic responses becomes excessive or abusive, there may be ways to overcome the burden. For example, fire protection districts may be created within a jurisdiction to reduce the response area of a fire department, pay-per-call automatic responses may be negotiated, paid on-call personnel may be utilized to supplement shortages in manpower, or additional volunteers may be recruited.

It must be understood that the intent of mutual aid is to provide needed qualified manpower and equipment during those instances where a fire department has allocated all local resources and yet additional assistance is needed to cope with the situation. Mutual aid should not become routine unless it is by mutual agreement between the parties involved and the assistance is reciprocal.

## Organization

The organizational chart for the Fire Services in the County appears in Appendix III.

### Office of the Fire Coordinator

#### Extent and limit of authority of the County Fire Coordinator/ Deputy Fire Coordinators.

The County Fire Coordinator, as Chief Administrative Fire Officer at the County level, will have the following duties and responsibilities:

Prepare and/or update and administer this Plan.

- Respond to the scene of fires and other emergencies requiring the services of firefighters and serve as an aide to the Fire Chief/Incident Commander in obtaining needed equipment, technical assistance, coordination at the scene, liaison to other agencies or other functions as may be requested by the fire chief or officer in charge.
- Coordinate the State Fire Training Program with the OFPC.
- Oversee the Fire Training Center Manager in administering and supervising the County Fire Training Center and all training programs developed by staff for the benefit of the County fire services.
- Serve as liaison officer between the fire service in the County and OFPC, the County Executive, the County Legislative, and the Fire Advisory Board.
- Plan and estimate the need for additional or unique equipment for the County specialty teams (technical rescue, hazardous materials, and fire investigation) and recommend the purchase of such equipment or the organization of such teams.
- Ensure all County fire companies and departments participate in the State Fire Reporting System.
- Develop and administer a plan for Arson Control for the County adopted by the County Legislature and approved by the County Executive and oversee the operation of the County Fire Investigation Unit.
- Develop and administer a plan for Hazardous Material Control for the County adopted by the County Legislature and approved by the County Executive and oversee the operation of the County Hazardous Materials Response Team.
- Develop and administer plans for any other emergencies in which the services of firefighters would be used.
- Act as liaison between the fire service companies and department and all other emergency service agencies.
- Ensure the adequate distribution of fire equipment within the County during times of extreme emergency situations and may, at his discretion, re-deploy equipment to ensure adequate resources and coverage throughout the County.



**Note:** When equipment is relocated as a precautionary measure by the Fire Coordinator or his representative, responsibility for damage or loss of such equipment remains the obligation of the individual department. Upon assignment to an incident, then loss or damage becomes the responsibility of the department requesting mutual aid resources.

#### Deputy County Fire Coordinators.

Deputy County Fire Coordinators represent the Fire Coordinator at the scene of fires and emergencies where the services of firefighters would be used. A Fire Coordinator or Deputy Fire Coordinator may not assume command at any incident.

### **Line of Authority**

#### Absence of the County Fire Coordinator.

The County Fire Coordinator shall designate in writing on file in the Office of the County Clerk and the Clerk of the County Legislature, the order in which Deputy Fire Coordinators are to possess powers and perform the duties of the County Fire Coordinator during his absence or inability to act, pursuant to Section 401(2) of the County Law.

#### Vacancy in the Position of County Fire Coordinator.

The County Executive, pursuant to County Administrative Code Section 3.07, shall designate the Deputy Fire Coordinator who shall possess the powers and perform the duties of County Fire Coordinator until a qualified successor is appointed by the County Legislature, pursuant to County Law Section 401(3).

### **Status of Local Fire Department**

#### Maintenance of Individuality.

Each fire department in this Plan shall retain its internal command and individuality.

#### Authority of "requesting" fire chief or officer in charge.

A "requesting" fire chief or officer in charge is the one who requests mutual aid for his department in accordance with this Plan.

The "line of command" at a fire or other emergency, in which services of firefighters would be used for firefighters and officers entering the area under mutual aid, remains with the fire department requesting mutual aid.

The fire chief or officer in command will work with chiefs, senior officers, and company officers of the departments providing mutual aid. The firefighters in the assisting departments will be supervised by their own officers who in turn, are commanded by officers of the department requesting mutual aid. Under no circumstances shall a mutual aid department leave their assigned task until properly relieved and released by the incident commander.

A department requesting a standby company shall leave two firefighters at their station to act as guides for the mutual aid company when possible.

It is the obligation of the requesting chief or officer in charge to promptly release mutual aid departments as soon as possible.

Mutual aid responders when having responded to an incident shall not make statements, provide photos or other images to the news media, or engages in social networking regarding the incident, but should refer them to the officer in charge of the emergency.

#### State Institutions.

If any State institutions not participating in mutual aid request the fire department in whose jurisdiction the institution lies, the command of the operation shall lie with the local fire department's officer in charge, who will in turn cooperate with the institution's chain of command. Any additional mutual aid shall be the responsibility of the local fire department's officer in charge. The firefighting costs and incurred losses are reimbursable under Section 54-e of the State Finance Law.

Federal agencies are allowed under Federal Regulations to have reciprocal agreements. Mutual aid assistance losses or damages are recoverable under the Federal Fire Prevention and Control Act of 1974.

### **Operation of the County Department of Emergency Communications**

#### Coordination and Dispatching Service.

Operation of the Fire Radio System is under the jurisdiction of the Division of Emergency Communications. A description of the communications system and a radio guide is included in

Appendix IV.

#### Radio and Telephone Communications Regulations.

Radio and telephone communications procedures shall conform to that prescribed by the County Radio Procedure Plan, the Federal Communications Commission Rules and Regulations, and the procedures and protocols as promulgated by the County Division of Emergency Communications and Appendix V.

No fire radio may operate on frequencies licensed under the Fire Mutual Aid Radio System unless specifically authorized by the County Fire Coordinator and the Division of Emergency Communications.

#### Method of Determining Status of Equipment, Apparatus, and Manpower.

Each fire chief, upon taking office, and annually thereafter, shall update his inventory list to ensure that the status of equipment and manpower is maintained at the County Division of Emergency Communications. From these records, the Fire Coordinator and/or his Deputies will notify OFPC of updated inventories on an annual basis. These inventory records shall be consistent with the National Incident Management System of typing and kinding.

## **Standard Thread**

All apparatus and its associated equipment participating in this Plan shall be equipped with standard threads as defined by the National Bureau of Standards, or provide sufficient adapters to permit interconnection with National Standard threads according to General Municipal Law Section 209(e)(5).

## **Participation in the State Plan**

The County Fire Coordinator or his Deputy, in line of authority designated pursuant to Section 401 of the County Law, after utilizing all available assistance within the County, may contact OFPC and request activation of the State Plan. The County Fire Coordinator or his Deputy shall, upon request, commit resources to counties throughout the state under the State Plan. Those departments sending resources under activation of the State Plan are responsible for their own equipment and personnel while enroute. Upon assignment, the requesting department becomes liable for any loss or damage to apparatus or equipment or supplies used or operating and maintenance expense in accordance with Section 209-e of the General Municipal Law.

### Authority and Responsibility of the Regional Fire Administrator.

The authority and responsibility of the Regional Fire Administrator under the activated State Plan is established by OFPC.

### Retirement Provisions Relating to the Position of Regional Fire Administrator.

Should the County Fire Coordinator be separated from his office for any reason, he is simultaneously retired as Regional Fire Administrator if he also holds that position. The State Fire Administrator is authorized by law to appoint this regional position.

### County Number.

The County number issued to Orange County under the State Plan is 36 and that County number shall be utilized on all reports etc.

## **Coordination with Other Emergency Services**

### Inter-service Coordination.

The Fire Coordinator shall develop and establish agreements, formal or informal, with appropriate emergency and public service organizations. Resource information on police, EMS, gas, and electric power, telephone companies, hospitals, Coast Guard, local industries, State, and Federal agencies shall be maintained at the County Division of Emergency Communications. Requests for these services shall come through the Division of Emergency Communications.

## **County-Wide Fire Reporting**

### Collecting and Analyzing Reports on Fires.

Each chief or designated officer of a fire department participating in this Plan is directed to

participate in the State Fire Reporting System as required under General Municipal Law Section 204-d.

### **Training**

The courses developed by the OFPC are adopted as standard through the County.

The County Fire Coordinator shall:

1. select locations and dates for courses;
2. supervise instruction by County Fire Instructors and audit classes instructed by State Fire Instructors;
3. determine need for existing courses and new courses; and
4. maintain records indicating manpower in the County including the type and extent of training in each department.

### **Arson Control Program**

County Resolution 306 of the year 2000 duly adopted on December 7, 2000 established the County Fire Investigation Unit. The County's Arson Control Program includes a cooperative regional effort on the part of fire and police agencies, prosecuting personnel, and the Division of Fire Services according to General Municipal Law Section 204-c. Such program will encompass public awareness, training of County firefighters in cause and origin determination, and training for firefighters and police personnel involved in arson investigation. The County's Arson Control Program operates pursuant its plan for arson investigation, which is reviewed annually and updated at least every five years. The Deputy Fire Coordinator for Arson Investigation shall have the responsibility of reviewing and updating this plan.

### **Emergency Hazardous Materials Control Program**

County Resolution 307 of 2000 duly adopted on December 7, 2000 established the County Hazardous Materials Emergency Response Team. The Emergency Hazardous Materials Control Program provides an organized, coordinated, cooperative structure to deal with incidents involving substances which, by their nature, are likely to cause death or injury to responding public safety forces and the general public. The public safety interest of the program is to provide training, technical assistance, mitigation and decontamination in accordance with General Municipal Law Section 204-f. The County Hazardous Materials Emergency Response Team operates under the County's plan for emergency hazardous materials plan, which plan is reviewed annually and updated at least every five years. The Deputy Fire Coordinator Hazardous Materials shall have the responsibility of reviewing and updating this plan.

### **Technical Urban Search and Rescue Program**

County Resolution 267 of 2009 duly adopted on November 5, 2009 authorized the County Executive, together with the Commissioner of Emergency Services, to create in the Division of Fire Services a specialized county-wide rescue team pursuant to General Municipal Law Section 204-bb. The Technical Urban Search and Rescue Program provides an organized, coordinated,

cooperative structure to deal with building collapses, trench rescues, rope rescues, or any other operation that is deemed a special operation. The public interest in the special operations area is to provide training, technical assistance, mitigation of any effort undertaken by the fire service, law enforcement, or emergency medical agencies in the County.

### **Coordination of Disaster Plans for First Responders**

First responders to major events involving fire or other emergencies are defined as fire, police, EMS personnel and other required services. The County Comprehensive Emergency Plan for first responders interfaces with plans of town, county, State, and Federal government officials.

### **Fire Prevention Program**

It is recommended that a Fire Prevention Program be developed and implemented by fire departments that include a cooperative, coordinated effort to provide public awareness programs and personal fire safety programs for the benefit of County residents.

### **Appendix I**

Form of Resolution Authorizing Participation in the Orange County Fire Mutual Aid Plan

Resolution by Municipality or Fire District Having Jurisdiction

M \_\_\_\_\_ offered the

following resolution and moved for its adoption:

Resolved, that \_\_\_\_\_ approves the participation by the \_\_\_\_\_ in the Orange County Fire Mutual Aid Plan as now in effect and as amended from time to time ("Plan"); and, be it further

Resolved, that \_\_\_\_\_ acknowledges and accepts its financial responsibility) for such participation pursuant to General Municipal Law Section 209(2) – (4); and, be it further

Resolved, that \_\_\_\_\_ agrees to comply with all the provisions of this Plan and will respond to all calls for assistance from another fire company or fire department through the County Division of Emergency Communications; and, be it further

Resolved, that \_\_\_\_\_, to the best of its knowledge, knows of no resolution or agreement against "outside service" by \_\_\_\_\_ fire company or fire department that would affect the power of such company or department to participate in the Plan except: \_\_\_\_\_; and, be it further

Resolved, that \_\_\_\_\_ of \_\_\_\_\_ is hereby authorized to sign the Plan; and, be it further

Resolved, that \_\_\_\_\_ will deliver to the County of Orange Fire Coordinator, an executed copy of the Plan and a certified copy of this Resolution upon adoption.

M\_\_\_\_\_seconded this resolution.

Voted: In Favor \_\_\_\_\_ Opposed \_\_\_\_\_ Abstained \_\_\_\_\_

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Certification)

\_\_\_\_\_  
(Title)

**Note:**

Villages Resolution to be adopted by the Board of Fire Commissioners, if any, if not, by the Village Board.

Cities Resolution to be adopted by the City Council

Fire Districts: Resolution to be adopted by the Board of Fire Commissioners

Towns: Resolution to be adopted by the Town Board when fire department has their headquarters outside villages and or Fire Districts are located in Fire Protection or Fire Alarm Districts.

**Appendix II**

Form of Resolution by State or Federal Agency

The \_\_\_\_\_ agrees to participate in the Orange County Fire Mutual Aid Plan currently in effect or as may be revised or amended from time to time and as allowed by Section \_\_\_\_\_ of the \_\_\_\_\_ Law.

Financial responsibility for personnel shall be governed by \_\_\_\_\_.

This facility will cooperate with the development and operation of plans for Mutual Aid in cases of fire or other emergencies and furnish aid to territories surrounding the facility as may be practical

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_  
(Title)

---

(Chiefs Signature)

DRAFT

ORANGE COUNTY EXECUTIVE

COMMISSIONER OF  
EMERGENCY SERVICES

ORANGE COUNTY  
FIRE ADVISORY  
BOARD

Deputy Commissioner  
Fire Services

SR. DEPUTY  
FIRE  
COORDINATOR

SR. DEPUTY  
FIRE  
COORDINATOR

SR. DEPUTY  
FIRE  
COORDINATOR

DEPUTY  
COORDINATORS  
BATT. 6, 7 & 8

DEPUTY  
COORDINATORS  
BATT. 1, 2 & 3

DEPUTY  
COORDINATORS  
BATT. 4, 5 & 9

DEPUTY FIRE  
COORDINATOR  
FIRE INVESTIGATION

FIRE  
INVESTIGATION  
UNIT

DEPUTY FIRE  
COORDINATOR  
TRAINING

FIRE TRAINING  
CENTER

DEPUTY FIRE  
COORDINATOR  
HAZ MAT

HAZ-MAT  
TEAM

DEPUTY FIRE  
COORDINATOR  
MEDICAL

DEPUTY FIRE  
COORDINATOR  
SPECIAL OPS

TECHNICAL  
RESCUE TEAM

DEPUTY FIRE  
COORDINATOR  
COMMUNICATIONS



## **Appendix IV**

### Orange County Fire Mutual Aid Radio System

The Orange County Fire Mutual Aid Radio System was established to provide a common county-wide radio communications system for all fire department operations. It has been designed to provide alerting as well as two-way radio communications throughout Orange County ("County"). In order to accomplish this multifaceted service, the system has been subdivided into three (3) primary subsystems.

The first subsystem is the county-wide alerting system. This system operates on the high-band radio frequency of 154.205 MHz. There are eight (8) transmitters located throughout the County. One on Mt. Beacon in Dutchess County, one on Graham Mountain near Otisville, one in Harriman State Park near Arden House, one on Mt. Peter near Warwick, one at the Orange County Emergency Services Center in Goshen, one at Emergency Communications Center in Chester, one in Putnam Valley in Putnam County, and one on Heater Hill in Pike County, Pennsylvania. The County Emergency Communications Center has the capability of alerting the individual pagers as well as activating the individual sirens located in the fifty-one (51) fire departments throughout the County. This is done with a two-tone sequential system with the additional capability of a single two-tone code, which can activate all fire sirens throughout the County simultaneously. The system is designed to provide adequate coverage of the County with sufficient overlap to maintain operations should any one of the towers be out of service due to radio failure.

The low-band two-way radio system for the County is also comprised of eight (8) transmitter locations as noted above. The system is operated with one primary mobile-to-base frequency (46.22 MHz.) that ensures that the dispatcher has a relatively clear frequency to monitor. All fire ground and truck-to-truck communications are done on additional fire ground channels which relieve congestion on the main County truck-to-base channel. The County also has the capability of communicating with neighboring County Fire Control Centers via the intercounty radio channel (45.88 MHz.) on which the County operates a base station located at Emergency Communication Center in Goshen and at the back-up location in Chester.

The next subsystem is the provision of a UHF vehicular repeater system. This system is designed by using twenty (20) UHF low-power (2-watt) frequencies that are licensed to the County. The County Fire Coordinator as well as the Deputy Fire Coordinators have UHF vehicular repeaters in their vehicles. This facilitates county-wide coordination at the scene of fires and emergencies by providing the coordinators with the capability of activating their low-band mobile radios by using a UHF portable at the scene. By doing this, the coordinators are able to contact Fire Control from their portables virtually anywhere in the County. This improves portable to County dispatch center range throughout the County and very importantly improves building penetration in the various larger facilities located throughout the County.

The last subsystem is an 800 MHz trunking system that may be used by the Fire Coordinator, Deputy Fire Coordinators, and other responders from the Department of Emergency Services to facilitate communications using various channels especially during incidents involving large scale events.

In summary, the Orange County Fire Mutual Aid Radio System is incorporating radio

communications on three (3) primary radio bands. The use of low-band for base-to-truck, truck-to-truck and truck-to-base communications has been in operation for many years. The addition of new channels as well as the incorporation of continuous tone coded squelch to quiet the County base station will improve the operation of this system. The high-band alerting system provides good coverage of the County for activating all County siren-alerting receivers located at each individual fire department. The last component of the system is the UHF component which will improve portable radio communications both on the scene as well as back to Fire Control via the use of UHF vehicular repeaters.

The following is the frequency allocation and licensing on the Orange County Fire Mutual Aid Radio System:

154.205 MHz.	Alerting
45.88 MHz.	Intercounty (Restricted)
46.22 MHz.	Mobile to Orange 911
46.16 MHz.	Base-to-Truck
	Truck-to-Truck
46.12 MHz.	Fireground (FirePolice)
46.30 MHz.	Fireground
46.40 MHz.	Fireground/Medivac
45.08 MHz.	Fireground
45.24 MHz.	Fireground
46.52 MHz.	Fireground

The following are licensed by the FCC for use in the County sixteen (16) Channel UHF Fire Ground Plan:

<u>Channel</u>	<u>UHF Rec.</u>	<u>CG Dec.</u>	<u>Trans.</u>	<u>CG Enc.</u>	<u>Power</u>	<u>Designation</u>
1	458.9875	110.9	458.9875	110.9	25	Fire Grnd A
2	460.5875	162.2	460.5875	162.2	25	Emg. Fire Grnd
3	453.9625	123.0	453.9625	123.0	25	Command A
4		Department Channel				
5		U H F County Low Band				
6	453.1375	110.9	453.1375	110.9	25	Fire Police
7	465.5375	dpl516	465.5375	dpl516	25	Water Supply
8	465.6375	dpl516	465.6375	dpl516	25	Sp Operations
9	453.6875	127.3	453.6875	127.3	25	City Command
10	458.9125	77.0	458.9125	77.0	25	City Fire Grnd
11	453.2125	156.7	458.2125	156.7	5	UCALL Rpt.

12	453.4625	156.7	453.4625	156.7	5	UTAC Point to Point
13	453.7125	156.7	453.7125	156.7	5	UTAC Point to Point
14	453.8625	156.7	453.8625	156.7	5	UTAC Point to Point
15	465.5875	dpl516	465.5875	dpl516	25	Command B
16	458.2625	110.9	458.2625	110.9	25	Fire Grnd B

## UHF Common Channel Plan – Radio Procedures/Definitions

### Channel 1 – Fire Ground A.

Normal fire ground operations shall be carried out on this channel county-wide (except for the three (3) cities within the County). Fire ground operations shall be defined as firefighters and officers directly involved with operations at an incident. Examples of this would be interior and exterior fire operations, officer communications and apparatus operators directly involved with on scene operations.

Communications on this channel are to be done by portable radios only (4 watt maximum). This will prevent interference with other departments also operating at incidents in the County. Mobile radios (25 watt maximum) shall only be used on this channel by an incident commander to give urgent or mayday transmissions to ensure all firefighters operating at the incident hear his/her message.

### Channel 2 – Emergency Fire Ground.

At an incident where a mayday is called and a firefighter is lost, missing, trapped, unconscious, or seriously injured, all members not directly involved with the rescue operations of the firefighter(s) in trouble shall switch to this channel and continue their assigned operations. This will clear the fire ground channel for communications between the firefighter(s) in trouble, command overseeing the mayday operations, and the team. The firefighter(s) in trouble shall never be asked to switch channels.

### Channel 3 – Command A.

Command functions shall be carried out on this channel. This shall include incoming units requesting orders, support units not directly involved with fire ground operations (i.e. fire police, rehab, cascade units, etc.) when they need to contact command, and for section leaders to contact command (i.e. water supply chief, staging chief, logistics chief, planning chief, etc.).

This channel may also be used at large incidents to allow the incident commander to communicate with different sector chiefs without tying up the fire ground channel.

Portable to portable radio communications should be used whenever possible, but when longer distance is needed, mobile radios (25 watt maximum) may be used.

#### Channel 4 – Local Home Channel.

To be determined by local department

#### Channel 5 – UHF link to Orange County 911.

#### Channel 6 – Fire Police.

Fire police operations are to be conducted on this channel. Fire police to command transmissions shall be done by portable radios (4 watt maximum) to limit interference with other fire police units operating in the County. Mobile radios (25 watt maximum) shall only be used when the distance between units makes portable radio to portable radio communications impossible.

#### Channel 7 – Water Supply.

Water supply operations for incidents shall be conducted on this channel. This shall include apparatus-to-apparatus water relays, tanker shuttle operations, fill site operations, and communications from the above units to the water supply officer. Water supply officer to command communications shall be done on the appropriate command channel. Portable to portable communications should be used whenever possible but when longer distance is needed, mobile radios (25 watt maximum) may be used.

#### Channel 8 – Special Operations.

Special operations communications shall be conducted on this channel. This shall include medivac to landing zone communications as well as communications with helicopters operating at non-medical related calls within the County. This shall include large brush/wild-land fires, searches, folding conditions, water rescues and any other incident where fire department to helicopter communications are needed.

An incident commander may also move part or all of operations at out of the ordinary incident to this channel (i.e. building collapse, trench rescues and other technical rescues).

#### Channel 9 – City Command.

Command functions at incidents within Orange County's three (3) cities shall be carried out on this channel. This shall include incoming units requesting orders, support units not directly involved with fire ground operations (i.e. fire police, rehab. cascade units, etc.), when they need to contact command, and for sector leaders to contact command (i.e. water supply chief, staging chief, logistics chief, etc.).

This channel may also be used at large incidents to allow the incident commander to communicate with different sector chiefs without tying up the fire ground channel.

Portable to portable radio communications should be used whenever possible, but when longer distance is needed, mobile radios (25 watt maximum) may be used.

#### Channel 10 – City Fire Ground.

Normal fire ground operations shall be carried out on this channel at incidents with the County's three (3) cities. Fire ground operations shall be defined as firefighters and officers directly involved with operations at an incident. Examples of this would be interior to exterior fire operations, officer communications, and apparatus operators directly involved with on-scene operations.

Communications on this channel are to be done by portable radios only (4 watt maximum). This will prevent interference with other departments also operating at incidents in the County. Mobile radios (25 watt maximum) shall only be used on this channel by an incident commander to give urgent or mayday transmissions to ensure all firefighters operating at the incident hear his/her message.

#### Channel 11 – U-CALL Repeater.

The calling channel shall be used to contact other emergency service organizations in the County or the purpose of requesting incident related information and assistance and for setting up tactical communications at major incidents. Examples of major incidents would include large scale plane or transportation incidents, large scale Haz mat incidents, school evacuations or incidents and weather emergencies (i.e. hurricane, tornado, blizzard) that do major damage.

On scene communications shall be conducted on the designated U-TAC channel.

#### Channels 12 – 14 UTAC Channels.

On scene communications at a major incident shall be conducted on a designated U-Tac channel. The incident commander will designate the appropriate use of the U-Tac channel (12, 13 or 14) depending on the size and complexity of the incident. Use of these channels will allow the normal fire ground and command channels to be used for other incidents in the County without interference to the major incident.

Since U-Tac channels are national interoperability channels, these channels may be used across the state and country to talk to other departments when called under mutual aid to assist. Examples of this would be the ice storms upstate during the 1990's or a major forest fire (Minnewaska State Park).

#### Channel 15 – Command B.

Command functions shall be carried out on this channel when another incident in the immediate area may cause interference on Command A. This shall include incoming units requesting orders, support units not directly involved with fire ground operations (i.e. fire police, rehab, cascade units, etc.) when they need to contact command, and for sector leaders to contact command (i.e. water supply chief, staging chief, logistics chief etc.)

This channel may also be used at large incidents to allow the incident commander to communicate with different sector chiefs without tying up the fire ground channel.

Portable-to-portable radio communications should be used whenever possible; however when longer distance is needed mobile radios (25 watt maximum) may be used.

## Channel 16 – Fire Ground B.

Normal fire ground operations shall be carried out on this channel county-wide (except for the three (3) cities within the County) when another incident in the immediate area may cause interference on Fire Ground A. Fire ground operations shall be defined as firefighters and officers directly involved with operations at an incident. Examples of this would be interior and exterior fire operations, officer communications, and apparatus operators directly involved with on scene operations.

Communications on this channel are to be done by portable radios only (4 watt maximum). This will prevent interference with other departments also operating at incidents in the County. Mobile radios (25 watt maximum) shall only be used on this channel by an incident commander to give urgent or mayday transmissions to ensure all firefighters operating at the incident hear his/her message.

### **Appendix V**

#### Field Guide for Radio Communications as established by the Procedures & Protocols Committee

The following is a generic guide for all users of the Orange County Emergency Communications Fire Radio network, to standardize procedures for the use of the radio system.

First and foremost, communications must be **PROFESSIONAL** and **COURTEOUS**. The use of **VULGARITY** is totally unacceptable, and will not be tolerated for any reason.

When calling Fire Control, on F-1 (Channel 1), **say:**

- Orange 911 - this is (use your appropriate identifier) - (Unit being called, then your unit number)
- Wait for acknowledgement, and then give your message.
- Only one (1) officer and one (1) apparatus should call out to the County when responding.
- Use currently approved Orange County numbering schema and classification system.
- Use your complete identifier E-Engine, TA – Tanker, Rescue, B – Boat, M – Marine, PT – Pumper/Tanker, SQ – Squad, CR – Crash (airport use), L – ladder, TL – Tower ladder, BR – Brush, FP – Fire Police, etc. when calling Orange 911 For a complete list go to [www.orangecountygov.com](http://www.orangecountygov.com) then click on Public Safety then click on click on emergency services, then click on fire services.

Use **PLAIN LANGUAGE**; we do not use codes or signals. Speak clearly and be concise when talking to Orange 911 and units in the field. The only terms currently used are “roger” (meaning, message received and understood), “acknowledged” or “received” (meaning you did get the radio message).

For those who have private radio frequencies make sure that at least one (1) unit that is responding to, or on the scene, monitors Orange 911 on F-1 or F-2 (46.16 MHz). This is imperative.

If at all possible, keep fire-ground communications on one of the alternate County licensed frequencies listed in Appendix IV of the Orange County Mutual Aid Plan (or contact your

Deputy Fire Coordinator) or a private frequency, **WHILE MONITORING FIRE CONTROL**. This is very important during mutual aid responses, **WHEN REMAINING ON** Channel 2 for Fire-ground Operations creates communications difficulties.

At the determination of the Fire Dispatcher, a **ROLL CALL** response may be ordered. All responding apparatus will be called individually by dispatch and upon contact shall acknowledge their response. In this situation, do not contact Fire Control until contacted by Dispatch.

Helicopter Procedure – Your Landing Zone (LZ) identifier will be the department name of the Fire Department requesting the helicopter.

Standard 911 Center Protocol dispatches an ambulance to all medical calls and motor vehicle accidents. Therefore, there is no reason to contact Fire Control to verify an ambulance is responding. Fire Control can advise the identity of the responding ambulance.

When calling back in service, use the same procedure as calling out of service, **THERE IS NO NEED TO WASTE AIR TIME ASKING FOR TIMES IN AND OUT**, Orange 911 will automatically give them to you when calling back in service.

## ORANGE COUNTY LEGISLATURE

**Committee: Public Safety and Emergency Services**  
**Sponsors: Brescia, Donnery, Hines**

**Agenda No. 24**

### RESOLUTION NO. OF 2012

#### **RESOLUTION CONFIRMING THE APPOINTMENT, BY THE COUNTY EXECUTIVE, TO THE ORANGE COUNTY FIRE ADVISORY BOARD.**

**WHEREAS**, Honorable Edward A. Diana, County Executive, has notified the County Legislature that he has made the following appointment to the Orange County Fire Advisory Board. Said terms are to expire December 31, 2013.

#### **APPOINTMENTS:**

James A. Galu, Highland Falls, NY

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that said appointment be and the same is hereby confirmed.

## ORANGE COUNTY LEGISLATURE

**Committee: Public Safety and Emergency Services**

**Sponsors: Hines, Berkman, Bonacic, Brescia, Castricone, Donnery, Eachus, Simmons**

**Agenda No. 25**

**RESOLUTION NO. OF 2012**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY SHERIFF'S OFFICE, TO ACCEPT FUNDS FROM THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, the State Criminal Alien Assistance Program (SCAAP) has offered funds in the amount of \$164,205.00. Said funds are a reimbursement from the Federal Government for the housing of illegal aliens at the Orange County Correctional Facility; and

**WHEREAS**, this Legislature does wish to accept said funds for the Office of the Sheriff as indicated above.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

1. That the County Executive, in conjunction with the Orange County Sheriff, be and hereby is authorized to accept funds from the State Criminal Alien Assistance Program (SCAAP), in the amount of \$164,205.00 as indicated above.
2. That the 2012 budget for the Orange County Sheriff's Office 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	311033	443891	Other Public Safety	\$164,205.00
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**Expenses:**

1010	311033	571500	Employee Consultant Chbk.	\$ 30,000.00
1010	311033	585012	Inven. Specialty Equipment	\$134,205.00

**ORANGE COUNTY LEGISLATURE**

**Committee: Health and Mental Health**  
**Sponsor: Donnery**

**Agenda No. 26**



## RESOLUTION NO. OF 2012

### **RESOLUTION OF THE ORANGE COUNTY LEGISLATURE REQUIRING THE RETENTION OF THE VALLEY VIEW CENTER FOR NURSING CARE AND REHABILITATION CENTER AS A COUNTY OWNED AND OPERATED FACILITY, FOR AT LEAST TWO YEARS, INCLUDING THE HIRING OF A NEW PROFESSIONAL NURSING HOME ADMINISTRATOR TO PROVIDE EFFICIENT MANAGEMENT AND COST EFFECTIVENESS, WHICH SHALL BE CONTINUALLY MONITORED FOR SUCH COST EFFECTIVENESS.**

**WHEREAS**, this Legislature of the County of Orange finds that the Valley View Center for Nursing Care and Rehabilitation Center, provides quality care and safety net protection for county residents who require long term health care; and

**WHEREAS**, by Resolution No. 160 of 2012, this Legislature established a Special Legislative Committee to investigate and report on the future of Valley View; and

**WHEREAS**, from June 19, 2012 through September 5, 2012 the Special Legislative Committee on Valley View conducted its hearings and took sworn/affirmed testimony and produced a "Report To The Legislature" with the facts as derived from that sworn testimony, in order to assist this Legislature in determining the future of Valley View; and

**WHEREAS**, the findings of the "Report To The Legislature" were as follows:

1. Dedicated staff who appear to have adjusted to "doing more with less."
2. OAS employees and County Commissioners did not testify, but financial reporting was based upon Valley View Accountants reports and testimony.
3. Taxpayer subsidy less than reported deficit.
  - a. No risk bankruptcy from operations at Valley View.
4. Management deficiencies, along with the lack of county corrective measures taken at executive level, at root of problems.
5. If sold and privatized, on-going health care legacy costs of at least \$5 million per year will continue to be paid by the County. In addition unemployment insurance, workers compensation, accrued benefits and bonded indebtedness will have to be paid.
6. If Valley View is kept by the County conditions can be changed to reduce taxpayer subsidy to less than \$6 million per year rather than the \$20-\$30 million publicly stated.
7. There are a number of areas in which internal changes could be made, if county elected officials are willing to become more aggressive in endorsing and actively supporting a willingness to make changes that would help make Valley View more cost effective, while maintaining high quality standards and;

**WHEREAS**, this Legislature finds that future ownership and funding of the facility with county tax dollars can only continue if there are established accountability protocols to assure that the facility will be managed efficiently and cost effectively; and

**WHEREAS**, this Legislature believes it will require a commitment from the Legislature, the County Executive and county employees to provide a financial turn around of the facility while still maintaining quality of care to the Valley View residents; and

**WHEREAS**, the findings of the Special Investigative Committee on Valley View, coupled with the proposed Union givebacks, including a separate bargaining unit for Valley View, suggests that the facility can be run near break-even levels assuming a new management company is put in place.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that this Legislature is committed to the owning and operating of Valley View Center for Nursing Care and Rehabilitation Center, for at least two years, with the hiring of a new professional Nursing Home Administrator to provide for efficient management and cost effectiveness which shall be continually evaluated for such cost effectiveness.

## **ORANGE COUNTY LEGISLATURE**

**Committee:** Health and Mental Health  
**Sponsors:** Bonacic, Amo, Berardinelli, Eachus

**Agenda No. 27**

### **RESOLUTION NO.      OF 2012**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF MENTAL HEALTH TO ACCEPT FUNDS FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH AND TO MAKE A SUPPLEMENTAL APPROPRIATION TO THE 2012 ORANGE COUNTY BUDGET FOR THE ORANGE COUNTY DEPARTMENT OF MENTAL HEALTH BUDGET, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, this Legislature does wish to provide funds to the 2012 budget of the Orange County Department of Mental Health in the amount of \$32,208.00 for 10 new supported housing beds effective October 1, 2012 – December 2012; and

**WHEREAS**, this Legislature does wish to accept said funds for the Department of Mental Health as indicated above.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the 2012 budget for the Orange County Department of Mental Health is hereby supplemented as indicated below for supplemental funding for 10 new support housing beds by adding ten (10) supported housing units for housing and support services, which funds are from the New York State Office of Mental Health in the amount of \$32,208.00, which funds are designated for individuals with serious mental illness and who meet high need eligibility; and it is further

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

1. That the County Executive, in conjunction with the Orange County Department of Mental Health, be and hereby is authorized to accept said funds from the New York State Department of Mental Health in the amount of \$32,208.00 as indicated above.
2. That the 2012 budget for the Office of the Department of Mental 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 supplemental appropriation 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.

<b>Appropriation:</b>	1010	432201	573990	Orange County Dept. of Mental Health	\$32,208.00
<b>Revenue:</b>	1010	432201	434901	State Aid	\$32,208.00

## ORANGE COUNTY LEGISLATURE

**Committee:** Education and Economic Development  
**Sponsors:** Berkman, Eachus

**Agenda No. 28**

### RESOLUTION NO.                      OF 2012

#### **RESOLUTION APPROVING THE RELEASE OF FUNDS FROM THE INTEREST EARNED AND PRINCIPAL OF THE HARRIMAN ESTATE ACCOUNT FOR NECESSARY PROJECTS AT THE ORANGE COUNTY COMMUNITY COLLEGE, AS PROVIDED FOR UNDER THE TERMS OF THE TRUST FUNDING FOR SAID ACCOUNT.**

**WHEREAS**, certain clauses and covenants contained in the terms of the Harriman Trust provide for the funding of and conditions qualifying for the expenditure of funds from the Harriman Estate Account, administered by the Orange County Department of Finance; and

**WHEREAS**, said funds are currently invested, whereupon they may be expended for proper purposes for the Orange County Community College; and

**WHEREAS**, the balance in said account exceeds the proposed expenditure.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that this Legislature does hereby approve the release of \$9,071.00 to come from the interest earned and principal investments of the Harriman Estate Trust Fund Account to Orange County Community College. The Board of Trustees of the College approved the

provision of this project September 10, 2012. The funds will be used in accordance with the Board of Trustees' approval specifically for the following project:

Lab School items for Middletown and Newburgh which include:	
Hardware – 4 signature pads, 4 8" LCD touchpads	\$5,009
Software – Family Data Accounting/Agency Software	2,817
Data host startup annual fee	<u>1,245</u>
Total	\$9,071

and it is further

**RESOLVED**, that the Commissioner of Finance is to continue to administer said account and advise this Legislature from time to time as to its status as long as it shall contain a balance, and shall make such appropriations and entries forthwith.

## ORANGE COUNTY LEGISLATURE

**Committee: Education and Economic Development**  
**Sponsors: Benton, Simmons**

**Agenda No. 29**

### RESOLUTION NO. OF 2012

#### **RESOLUTION OF THE ORANGE COUNTY LEGISLATURE APPOINTING RUSSELL O. VERNON TO FILL A VACANCY IN THE ORANGE COUNTY FUNDING CORPORATION, A LOCAL DEVELOPMENT CORPORATION AUTHORIZED PURSUANT TO SECTION 1411 OF THE NEW YORK STATE NOT FOR PROFIT CORPORATION LAW.**

**WHEREAS**, Resolution No. 125 of 2010 authorized the creation of the Orange County Funding Corporation, a local development corporation authorized by New York State Not for Profit Corporation Law Section 1411; and

**WHEREAS**, there is a vacancy on the Board of the Orange County Funding Corporation as a result of the resignation of James R. Petro, Jr.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that Russell O. Vernon of Tuxedo Park, New York 10987 be and he hereby is appointed a member of the Orange County Funding Corporation to serve out the term of James R. Petro, Jr., such term expiring on December 31, 2016.

## ORANGE COUNTY LEGISLATURE

**Committee: Personnel and Compensation**  
**Sponsors: Castricone, Hines**

**Agenda No. 30**

**ACT NO. OF 2012**

**AN ACT AMENDING ACT NO. 21 OF 2004 WHICH ADOPTED A NEW MANAGEMENT COMPENSATION PLAN AND SALARY SCHEDULE FOR ORANGE COUNTY MANAGEMENT, PURSUANT TO SECTION 2.02(g) and (h) OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, By Act No. 21 of 2004, this Legislature adopted new management compensation plan and salary schedule for the Orange County management incorporating the findings and recommendations of a study prepared by consulting firm, Condrey and Associates, Inc. ("Condrey Study"). The purpose of the study was to review and revise the then current classification system and pay plan for management employees; and

**WHEREAS**, the Condrey Study and Act No. 21 of 2004 did not include the position of Commissioner of Residential Health Care Services (Commissioner for Valley View Nursing Home and Rehabilitation Center); and

**WHEREAS**, the Commissioner of Human Resources has provided the Legislature with job specifications and a county management salary schedule for said position; and

**WHEREAS**, this Legislature finds that the position of Commissioner of Residential Health Care Services be classified as a Grade 29 within the county management compensation plan with a corresponding salary range of \$98,642.05 to \$147,963.07 and that the position be subject to such other terms and conditions of employment as set forth in Act 21 of 2004.

**NOW, THEREFORE, BE IT ENACTED AS FOLLOWS:**

1. Act No. 21 of 2004 is hereby amended to provide the job classification and compensation for the position of Commissioner of Residential Health Care Service as Grade 29 with a salary range of \$98,642.05 to \$147,963.07 and that the position be subject to such other terms and conditions of employment as set forth in Act 21 of 2004.
2. That notwithstanding the provisions of this Act, all other provisions of the Management Plan shall remain in full force and effect;
3. This Act shall take effect immediately.

**ORANGE COUNTY LEGISLATURE**

**Committees:** Personnel and Compensation and Rules, Enactments and Intergovernmental Relations  
**Sponsors:** Castricone, Hines

**Agenda No. 31**

**ACT NO. OF 2012**

**AN ACT ESTABLISHING HEALTH INSURANCE PREMIUM CONTRIBUTIONS BY THE COMMISSIONERS OF THE ORANGE COUNTY BOARD OF ELECTIONS.**

**BE IT ENACTED** by the Legislature of Orange County, State of New York, as follows:

**Section 1. Purpose and Findings.**

The purpose of this Act is to require the Commissioners of the Orange County Board of Elections who participate in the Orange County Health Insurance Plan to contribute to the cost of their health insurance premiums which are currently paid by the County.

**Section 2. Health Insurance Premium Contributions Required.**

Beginning January 1, 2013, the Commissioners of the Orange County Board of Elections who participate in the county health insurance plan shall contribute twelve (12%) percent of the cost of the premium paid by the County for the New York State Health Insurance Plan.

**Section 3. Effective Date.**

This Act shall take effect immediately.

DRAFT