

ORANGE COUNTY LEGISLATURE

Committee: Ways and Means

Sponsor:

Co-Sponsor:

Agenda No. 1

RESOLUTION NO. OF 2014

RESOLUTION ACCEPTING AND CONFIRMING THE REPORT OF THE APPORTIONMENT OF THE MORTGAGE TAX FOR THE PERIOD APRIL 1, 2014 THROUGH SEPTEMBER 30, 2014, AS COMPUTED FROM STATEMENT FILED BY THE COUNTY CLERK.

RESOLVED, that the report of the apportionment of the Mortgage Tax for the period April 1, 2014 through September 30, 2014, as computed from the statement filed by the County Clerk, pursuant to the provisions of Section 261 of the Tax Law, be accepted and confirmed and that a certified copy thereof be furnished to the Commissioner of Finance, which shall be his warrant to pay the same as specified.

ORANGE COUNTY LEGISLATURE

Committee: Ways and Means

Sponsors:

Co-Sponsor:

Agenda No. 2

RESOLUTION NO. OF 2014

RESOLUTION DATED NOVEMBER 6, 2014

RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AMENDING VARIOUS BOND RESOLUTIONS TO REDUCE AUTHORIZATIONS FOR UNISSUED BOND AMOUNTS.

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ORANGE, NEW YORK, AS FOLLOWS:

WHEREAS, this Legislature has heretofore duly authorized the issuance of bonds to finance the cost of capital projects pursuant to the various bond resolutions and in the respective original amounts authorized as set forth in the attached Schedule A; and

WHEREAS, the County has heretofore issued bonds pursuant to each such bond resolution in respective amounts which are less than such original authorized amounts; and

WHEREAS, it has been determined that a portion of the amount of bonds authorized in each of such bond resolutions will not be required and therefore it is appropriate to amend such bond

resolutions to reduce the respective authorized amounts to the amounts of bonds which have been heretofore issued by the County for each such capital project;

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ORANGE, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Legislature), **AS FOLLOWS:**

Section (A). The bond resolutions as set forth in column B of the attached Schedule A are each hereby amended by changing the respective original amounts of bonds authorized in section 2 thereof as set forth in column D of the attached Schedule A (and all references thereto in each such resolution) to the respective reduced amounts of bonds authorized, as set forth in column E of the attached Schedule A.

Section (B). The amendment of the bond resolutions set forth in Section A of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolutions, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolutions, as so amended.

Section (C). This Resolution shall take effect immediately.

Schedule A

A	B	C	D	E
Capital Project Nos.	Bond Resolution Nos.	Date Authorized	Original Amount of Bonds Authorized	Reduced Amount of Bonds Authorized
CP 116	260 of 2012	11/1/2012	\$ 100,000	\$ 77,466
CP 412	33 of 2012	3/1/2012	500,000	450,000
CP 493	86 of 2011	5/5/2011	650,000	559,408
CP 512	122 of 2011	6/2/2011	100,000	96,916
CP 521	96 of 2010	5/6/2010	1,450,000	1,402,436
CP 835	19 of 2006	2/2/2006	748,550	673,337

ORANGE COUNTY LEGISLATURE

Committee: Ways and Means

Sponsors:

Co-Sponsors:

Agenda No. 3

RESOLUTION NO. OF 2014

RESOLUTION ALLOWING THE DEPARTMENT OF FINANCE TO CLOSE AND TRANSFER UNSPENT REVENUES FROM BOND PROCEEDS FOR VARIOUS CAPITAL PROJECTS.

WHEREAS, the Orange County Department of Finance has requested to close various completed Capital Projects and transfer unspent revenues from bond proceeds to the Debt Service Fund to pay the respective debt service on these projects, as outlined in the attached **Schedule "A"**; and

WHEREAS, this Legislature does wish to close various completed Capital Projects and transfer unspent revenues from bond proceeds to the Debt Service Fund.

NOW, THEREFORE, it is hereby

RESOLVED, that the Commissioner of Finance is authorized to close various completed Capital Projects and transfer unspent revenues from bond proceeds to the Debt Service Fund, as outlined in the attached **Schedule "A"**.

Schedule "A"

Request to transfer the proceeds of unspent revenue from serial bond funding to debt service from completed projects.

				<u>DEBIT</u> (increase)	<u>CREDIT</u> (decrease)
CP 116C	PW-2012 1841 FIRE ALARM				
	1100 199701 685250	To 230-Debt Svc Fund		\$ 0.35	
	1100 199701 577010	Capital Expense			\$ 0.35
CP 412C	PW-2012 FLEET REPLACEMENT				
	1100 519701 685250	To 230-Debt Svc Fund		\$16.98	
	1100 519701 577010	Capital Expense			\$16.98
CP 493C	PW-2006 SEARSVILLE BRDG				
	1100 519701 685250	To 230-Debt Svc Fund		\$ 0.76	
	1100 519701 577010	Capital Expense			\$ 0.76
CP 521C2	PW-2004 LAROE ROAD				
	1100 519701 685250	To 230-Debt Svc Fund		\$ 0.53	
	1100 519701 577010	Capital Expense			\$ 0.53
				\$18.62	\$18.62

ORANGE COUNTY LEGISLATURE

Committee: Ways and Means

Sponsors:

Co-Sponsors:

RESOLUTION NO. OF 2014

RESOLUTION ALLOWING THE DEPARTMENT OF FINANCE TO CLOSE AND TRANSFER UNUSED REVENUES FOR VARIOUS CAPITAL PROJECTS.

WHEREAS, the Orange County Department of Finance has requested to close various completed Capital Projects and transfer unspent revenues to their original source, as outlined in the attached **Schedule "A"**; and

WHEREAS, this Legislature does wish to close various completed Capital Projects and transfer unspent revenues to their original source.

NOW, THEREFORE, it is hereby

RESOLVED, that the Commissioner of Finance is authorized to close various completed Capital Projects and transfer unspent revenues to their original source, as outlined in the attached **Schedule "A"**.

Schedule "A"

Request to transfer unspent County funding from completed capital projects back to the original source.

			DEBIT (increase)	CREDIT (decrease)
CP 212 PW-2010	GOSHEN SEWER			
62/2010	1100.199701.685100	Trans to Cap Reserve	\$7,025.12	
62/2010	1100.199701.577010	Capital Budget		\$7,025.12
CP 512 PW-2004	INTERSECT IMP			
90/2005	1100.519701.685100	Trans to Cap Reserve	\$1,046.80	
90/2005	1100.519701.577010	Capital Expense		\$1,046.80
CP 835 SW-2006	IMPROV DIST 1			
212/2012	1100.819701.685340	Trans to Sewer	\$ 0.76	
212/2012	1100.819701.577010	Capital Expense		\$ 0.76
CP 850 PW-2012	CROMLINE PUMP			
347/2012	1100.859701.685120	Trans to Cromline Creek	\$ 47.60	
347/2012	1100.859701.577010	Capital Budget		\$ 47.60
			<hr/> \$8,120.28	<hr/> \$8,120.28

ORANGE COUNTY LEGISLATURE

Committee: Ways and Means

Sponsors:

Co-Sponsors:

RESOLUTION NO. OF 2014

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., December 8, 2014, 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.

<u>PARCEL</u>	<u>BIDDER</u>	<u>AMOUNT OF BID NET TO COUNTY</u>
Blooming Grove 28-6-2.1 & 28-6-2.2	Jong Moon 222D Washington Ave. Fort Lee, NJ 07024	\$ 1,500.00
Blooming Grove 54-1-3.3	Duck L'Ranch LLC 547 Bull Mill Rd. Chester, NY 10918	\$ 762.00
Chester 5-1-1.7	Duck L'Ranch LLC 547 Bull Mill Rd.	\$ 984.00

	Chester, NY 10918	
Chester 5-1-104	Duck L'Ranch LLC 547 Bull Mill Rd. Chester, NY 10918	\$10,505.00
Goshen 10-1-13.3	Gabriel S. Patzuk 117 Cheechunk Road Goshen, NY 10924	\$ 350.00
Monroe 38-10-17	Jule Tereshchenko 1675 York Avenue, Apt. 28K New York, NY 10128	\$ 5,000.00
Montgomery 27-7-5.22	Kathryn A. Ordway 8 Didio Lane Montgomery, NY 12549	\$ 350.00
Wallkill 13-1-9	Scott Hamel and Susan Hamel 111 M&M Road Middletown, NY 10940	\$ 6,000.00
Warwick 62-1-16.2	Lisa Oser 63 Beaver Brook Road New Windsor, NY 12553	\$20,000.00
Warwick 67-4-27 & 67-4-28	Steven Clark and Kimberly Cihlar 144 East 7 th Street, #C8 New York, NY 10009	\$ 1,692.00
Warwick 72-9-21.2	Steven S. Clark and Kimberly Cihlar 144 East 7 th Street, #C8 New York, NY 10009	\$20,000.00
Warwick 73-4-26.1	Steven S. Clark and Kimberly Cihlar 144 East 7 th Street, #C8 New York, NY 10009	\$ 3,312.00
Woodbury 107-2-4	John McGee and Larisa McGee 2 Pumphouse Road Harriman, NY 10926	\$ 400.00
Woodbury 245-2-11	Fikremariam Wolde 311 E. 111 th Street, Apt. #5RE New York, NY 10029	\$ 750.00

Committee: Ways and Means

Sponsors:

Co-Sponsors:

Agenda No. 6

RESOLUTION NO. OF 2014

RESOLUTION APPROVING THE APPLICATIONS FOR CORRECTION OF CERTAIN TAX ROLLS BECAUSE OF CLERICAL ERRORS, ETC., PURSUANT TO TITLE 3 OF ARTICLE 5, SECTION 554 OF THE REAL PROPERTY TAX LAW.

WHEREAS, the County Director of the Real Property Tax Service Agency has transmitted his reports to the County Legislature on certain applications for correction of clerical errors appearing in the 2014 tax rolls for certain towns and districts together with his recommendations thereon, all as required by Section 554 of the Real Property Tax Law as summarized below.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That said reports of the Director of the Real Property Tax Service Agency are hereby approved.
2. That the taxes levied and extended upon said parcels be and the same hereby are decreased in the manner and to the extent set forth in said reports of the Director, as shown below.

FOR THE YEAR 2014

<u>PROPERTY</u>	<u>OWNER</u>	<u>REASON</u>
Town of Highlands 102-4-3.11	NYS DOT, Region 8	550-(7a) Unlawful Entry Parcel is State owned and wholly exempt.

	<u>Now Reads</u>		<u>Should Read</u>		<u>Amount To Be Decreased</u>	
County	\$225,060.00	\$	873.26	\$0.00	\$0.00	\$ 873.26
Town	\$225,060.00	\$	972.10	\$0.00	\$0.00	\$ 972.10
School Relevy			\$3,655.17	\$0.00	\$0.00	\$3,655.17
School Relevy			\$2,582.77	\$0.00	\$0.00	\$2,582.77
Highland Ambulance	\$225,060.00	\$	74.83	\$0.00	\$0.00	\$ 74.83
			\$8,158.13		\$0.00	\$8,158.13

ORANGE COUNTY LEGISLATURE

Committee: Ways and Means

Sponsor:
Co-Sponsor:

Agenda No. 7

RESOLUTION NO. OF 2014

AMENDING BOND RESOLUTION DATED NOVEMBER 6, 2014

BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AMENDING THE BOND RESOLUTION ADOPTED MARCH 6, 2014 IN RELATION TO FINANCING THE COST OF PARTIAL RENOVATION OF OFFICE SPACE IN THE EMERGENCY SERVICE CENTER LOCATED IN THE TOWN OF GOSHEN FOR THE DEPARTMENT OF PUBLIC WORKS, AT THE TOTAL ESTIMATED COST OF \$500,000. (Adopted , 2014).

Recitals

WHEREAS, the County Legislature of the County of Orange, New York, has heretofore duly authorized the partial renovation of office space in the Emergency Service Center located in the Town of Goshen to accommodate the offices of Information Technology, at the estimated maximum cost of \$500,000, which amount was appropriated therefore pursuant to Bond Resolution No. 53 of 2014 duly adopted on March 6, 2014, and it has now been determined that the project description should be amended to separately reference the respective estimated maximum costs of the partial renovation of office space (\$430,000) and the acquisition and installation of related fixtures, furnishings, equipment and information technology improvements therein (\$70,000), at the total estimated maximum cost of \$500,000; and

Now, therefore, be it

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ORANGE, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Legislature) **AS FOLLOWS:**

Section (A). The bond resolution of said County duly adopted by the County Legislature on March 6, 2014, entitled:

"RESOLUTION NO. 53 of 2014

BOND RESOLUTION DATED MARCH 6, 2014

BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING PARTIAL RENOVATION OF OFFICE SPACE OF THE EMERGENCY SERVICE CENTER LOCATED IN THE TOWN OF GOSHEN FOR THE DEPARTMENT OF PUBLIC WORKS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$500,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION."

is hereby amended to read as follows:

BOND RESOLUTION DATED MARCH 6, 2014 AND AMENDED NOVEMBER 6, 2014

BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING PARTIAL RENOVATION OF OFFICE SPACE OF THE EMERGENCY SERVICE CENTER LOCATED IN THE TOWN OF GOSHEN FOR THE DEPARTMENT OF PUBLIC WORKS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$500,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION.

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ORANGE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), **AS FOLLOWS:**

Section 1. The County of Orange, New York (herein called "County"), is hereby authorized to establish a new capital project for the Department of Information Technology, consisting of (a) the partial renovation of office space in the Emergency Service Center located in the Town of Goshen to accommodate the offices of Information Technology, at the estimated maximum cost of \$430,000, and (b) acquisition and installation of related fixtures, furnishings, equipment and information technology improvements, at the estimated maximum cost of \$70,000, all as more particularly described in the County's 2014 Capital Plan, as amended. The total estimated maximum cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$500,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$500,000 bonds of the County herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. Bonds of the County in the principal amount of \$500,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The existing building is of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness for the specific objects or purposes for which the \$500,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 12. (a) (2) of the Law, is fifteen (15) years.

Section 4. The County intends to finance, and the Commissioner of Finance of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the specific objects or purposes described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the total amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Orange, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and

provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. The validity of the bonds authorized by this Resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution, or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 7. The Clerk of the Orange County Legislature is hereby directed to publish the foregoing bond resolution in summary, in The Sentinel, Vails Gate, New York; Warwick Advertiser-Photo News, Chester, New York; News of the Highlands, Inc., Cornwall, New York; The Gazette, Middletown, New York; Times Community Newspapers, Newburgh, New York; and the Hudson Valley Press, Newburgh, New York; the official newspapers of the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 8. This Resolution shall take effect immediately.

Section (B). The amendment of the bond resolution set forth in Section A of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section (C). The Clerk of the Orange County Legislature is hereby directed to publish the foregoing bond resolution in summary, in The Sentinel, Vails Gate, New York; Warwick Advertiser-Photo News, Chester, New York; News of the Highlands, Inc., Cornwall, New York; The Gazette, Middletown, New York; Times Community Newspapers, Newburgh, New York; and the Hudson Valley Press, Newburgh, New York; the official newspapers of the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section (D). This resolution shall take effect immediately.

ORANGE COUNTY LEGISLATURE

Committee: Physical Services

Sponsors:

Co-Sponsors:

RESOLUTION NO. OF 2014

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE REQUESTING THE ORANGE COUNTY EXECUTIVE TO CEASE SPENDING ANY FURTHER TAXPAYER DOLLARS ON THE ORANGE COUNTY GOVERNMENT CENTER PROJECT UNTIL SUCH TIME AS CONTRACT ISSUES WITH CONSULTANTS, CLARK PATTERSON LEE HAVE BEEN REVIEWED AND RESOLVED.

WHEREAS, it has come to the attention of the Orange County Legislature that the consulting team which was interviewed and ultimately hired to design the Orange County Government Center Project ("Project") has been modified by Clark Patterson Lee to exclude JMZ Architects and Planners and DesignLAB Architects; and

RESOLVED, this Legislature finds it to be in the best interest of the County of Orange and its taxpayers, and therefore requests of the County Executive that no further monies be expended on the Project until such time; (i) as when the County Attorney reviews the contract with Clark Patterson Lee; (ii) provides the County Executive and the Legislature with an opinion as to whether the change in the consulting team members by Clark Patterson Lee is in violation of the terms and conditions of the contract; and (iii) resolves any and all issues concerning the modification of team members for the benefit of the County of Orange.

ORANGE COUNTY LEGISLATURE

Committee: Physical Services

Sponsors:

Co-Sponsors:

Agenda No. 9

RESOLUTION NO. OF 2014

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE AMENDING RESOLUTION NO. 211 OF 2014, SETTING A DATE FOR A PUBLIC HEARING WITH RESPECT TO THE REHABILITATION OF BEAVER DAM LAKE, DAM.

WHEREAS, the Commissioner of the Orange County Department of Public Works wishes to hold a Public Hearing to receive public comment on the Rehabilitation of Beaver Dam Lake Dam in and for Beaver Dam Lake Protection and Rehabilitation District. The project includes the development of a design for construction of elements of the Beaver Dam Lake Dam that do not meet the New York State Department of Environmental Conservation (NYSDEC) plan safety guidelines, and to ensure compliance with these guidelines; and

WHEREAS, The Physical Services Committee of the Legislature has met, considered and approved this resolution.

NOW THEREFORE, BE IT

RESOLVED, That the Legislature of Orange County hereby sets the date of the 24th day of November, 2014, at 5:00 p.m., for a public hearing to be held at the Orange County Emergency

Services Building Auditorium, 22 Wells Farm Road, Goshen, New York, Orange County, New York 10924 to consider such Rehabilitation of Beaver Dam Lake and not less than ten days nor more than twenty days before.

BE IT FURTHER RESOVED, that the Clerk of the Legislature is hereby directed to cause a notice of said hearing, in substantially the following form to be published in the six official newspapers of the County, at least five days before the date specified for said hearing.

ORANGE COUNTY LEGISLATURE

Committee: Physical Services

Sponsors:

Co-Sponsors:

Agenda No. 10

RESOLUTION NO. OF 2014

RESOLUTION AUTHORIZING THE ORANGE COUNTY COMMISSIONER OF PUBLIC WORKS TO CONTRACT WITH CERTAIN TOWNS AND VILLAGES FOR SNOW AND ICE CONTROL ON CERTAIN COUNTY ROADS, PURSUANT TO SECTION 135-a OF THE HIGHWAY LAW.

RESOLVED, that the Orange County Commissioner of Public Works is hereby authorized to contract with the following named Towns and Villages for the control of snow and ice on the County roads set opposite the name of said Town or Village, to wit:

SNOW REMOVAL PERFORMED BY VARIOUS MUNICIPALITIES: (74.47 MILES) 2014-2015 SNOW SEASON

TOWN OF BLOOMING GROVE (2.01 MILES): \$9,447.00

- A. County Road No. 51, Hulsetown Road leading from County Road No. 66, Craigville Road, northerly to Hulsetown Road in the Town of Blooming Grove, a total distance of 2.01 miles.

TOWN OF CHESTER (11.88 MILES): \$55,836.00

- A. County Road No. 82, Sugar Loaf-Bull Pond, southeasterly and easterly from County Road No. 13 to County Road No. 45, a distance of 3.43 miles.
- B. County Road No. 45, Chester-Walton Lake, southeasterly from County Road No. 13 to County Road No. 5, a distance of 4.36 miles.
- C. County Road No. 13, Warwick-Chester, northerly from County Road No. 82 to New York State Route 17M, S.H. 8076, a distance of 3.09 miles.

- D. County Road No. 13A, Sugar Loaf Bypass, southwesterly from County Road No. 13 to County Road No. 82, a distance of 1.0 miles.

TOWN OF CORNWALL (12.51 MILES): \$58,797.00

- A. A portion of the Central Valley-Cornwall, County Road No. 9, Part 2, beginning at its intersection with County Road No. 65 and extending to its northerly end, a distance of 2.65 miles; thence continuing northerly along County Road No. 9, Part 3, to its intersection with State Route 218 at the New York Military Academy, a distance of 1.01 miles, making a total mileage of 3.66 miles.
- B. County Road No. 65 leading from County Road No. 9 to State Route No. 32, a distance of 0.91 of a mile.
- C. All of the Orrs Mills-Firthcliffe, County Road No. 32, having a length of 2.02 miles.
- D. County Road No. 79, Pleasant Hill Road, from County Road No. 20, southerly to State Road No. 32, a length of 2.00 miles.
- E. County Road No. 20, Orrs Mills-Salisbury Mills, from N.Y. State Route No. 94, a distance of 3.42 miles in the Town of Cornwall and 0.50 miles in the Town of Blooming Grove, for a distance of 3.92 miles.

TOWN OF DEERPARK (5.14 MILES): \$24,158.00

- A. County Road No. 15, Clove Road, southwesterly from Port Jervis to New Jersey State Line, a distance of 0.32 mile.
- B. County Road No. 16, Maple Avenue, southwesterly from Port Jervis to New Jersey State Line, a distance of 0.30 mile.
- C. County Road No. 80, Neversink Drive, northeasterly from Port Jervis City Line to State Route No. 209, near Huguenot, for a distance of 4.52 miles.

TOWN OF HAMPTONBURGH (6.58 MILES): \$30,926.00

- A. County Road No. 77, Egbertson Road, leading from Route 207 southeasterly to County Road No. 8, a distance of 1.78 miles.
- B. County Road No. 51-2, leading from County Road No. 8, southerly to Hulsetown Road, a total distance of 2.14 miles.
- C. County Road No. 4, Campbell Hall-Maybrook, leading from N.Y.S. Route 207 northeasterly to New York State Route 208, a distance of 2.66 miles.

TOWN OF MONROE (5.77 MILES): \$27,119.00

- A. Harriman Heights Road, County Road No. 71, leading from County Road No. 19, northeasterly to New York State Route 17M, a distance of 2.01 miles.
- B. West Mombasha Road, County Road No. 91, leading from County Road No. 5, Monroe-Greenwood Lake Road, at Cedar Cliff Road, southerly for 3.76 miles to the Town of Tuxedo Line.

TOWN OF MONTGOMERY (3.64 MILES): \$17,108.00

- A. Montgomery-Walden, County Road No. 29, beginning at State Route No. 17K, northeasterly to State Route 52 in the Village of Walden, a distance of 3.64 miles.

TOWN OF MOUNT HOPE (9.18 MILES): \$43,146.00

- A. County Road No. 60, extending from State Route No. 211 southwesterly to County Road No. 11 near the Hamlet of Mount Hope, a distance of 2.76 miles.
- B. All of the Finchville-Otisville, County Road No. 73, being 3.10 miles in the Town of Mount Hope and 0.56 mile in the Village of Otisville, having a total length of 3.66 miles.
- C. County Road No. 90, Otisville-Sullivan County Line, northerly from State Route No. 211 to County Line, being 0.21 mile in the Village of Otisville, and 2.55 miles in the Town of Mount Hope, having a total length of 2.76 miles.

TOWN OF NEW WINDSOR (2.97 MILES): \$13,959.00

- A. County Road No. 69 from State Route 300, easterly to State Route 32, a distance of 1.51 miles.
- B. County Road No. 69, Part II, Union Avenue, from State Route 32, easterly to State Route 9W, for a distance of 1.46 miles.

TOWN OF TUXEDO (9.49 MILES): \$44,603.00

- A. County Road No. 84, Long Meadow Road, starting at Route 17A southerly through the Town of Warwick and ending back in the Town of Tuxedo at County Road No. 72, a distance of 7.83 miles.
- B. County Road No. 72, Sterling Mine Road, starting at the New Jersey state line easterly through the Town of Tuxedo to the Rockland County line, a distance of 1.66 miles.

TOWN OF WALLKILL (3.72 MILES): \$17,484.00

- A. County Road No. 76 from the intersection of formerly State Route 17M, northerly to the Sullivan County Line, a distance of 3.72 miles.

TOWN OF WOODBURY (1.23 MILES): \$5,781.00

- A. County Road No. 95, Dunderberg Road Extension, beginning at County Road No. 64, Dunderberg Road (Nininger Avenue) northeasterly 1.23 miles to Route No. 32, S.H. No. 157.

VILLAGE OF UNIONVILLE (0.35 MILES); \$4,700.00

- A. County Road No. 36, leading from Unionville to New Jersey State Line, a distance of 0.35 mile.

All Municipalities participating receive **\$4,700.00 Per Mile (2014-2015 Snow Season)** except for the Village of Unionville, they receive \$4,700.00 total.

74.47 Miles

Total amount \$353,064.00

ORANGE COUNTY LEGISLATURE

Committee: Physical Services

Sponsors:

Co-Sponsors:

Agenda No. 11

RESOLUTION NO. OF 2014

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE ASSUMING LEAD AGENCY STATUS UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) WITH RESPECT TO THE RUTGERS GLEN BRIDGE REPLACEMENT, 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 Rutgers Glen Bridge located on Waterloo Road over the Rutgers Creek in the Town of Minisink. The project includes the complete removal of the existing bridge and the construction of a new bridge on a slightly new alignment. The new alignment of the bridge and roadway is to move away from an existing dwelling; 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 Rutgers Glen Bridge in the Town of Minisink; 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 project will have no significant adverse environmental impact.

ORANGE COUNTY LEGISLATURE

Committee: Physical Services

Sponsors:

Co-Sponsors:

RESOLUTION NO. OF 2014

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE ASSUMING LEAD AGENCY STATUS UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) WITH RESPECT TO THE FORD BRIDGE REPLACEMENT, 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 Ford Bridge located on Ford Lea Road over the Rutgers Creek in the Town of Minisink. The project includes the complete removal of the existing bridge and the construction of a new bridge in approximately the same location; 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 Ford Bridge in the Town of Minisink; 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 project will have no significant adverse environmental impact.

ORANGE COUNTY LEGISLATURE

Committees: Physical Services; Ways and Means
Sponsors:
Co-Sponsor:

RESOLUTION NO. OF 2014

AMENDING BOND RESOLUTION DATED NOVEMBER 6, 2014

BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AMENDING THE BOND RESOLUTION ADOPTED OCTOBER 4, 2012 IN RELATION TO FINANCING THE COST OF REPLACEMENT OF THE RUTGERS GLEN BRIDGE LOCATED IN THE TOWN OF MINISINK, AT THE TOTAL ESTIMATED COST OF \$740,000. (Adopted , 2014).

Recitals

WHEREAS, the County Legislature of the County of Orange, New York, has heretofore duly authorized planning for replacement of the Rutgers Glen Bridge located in the Town of Minisink, at the estimated maximum cost of \$40,000, which amount was appropriated therefore pursuant to Bond Resolution No. 249 of 2012 duly adopted on October 4, 2012, and it has now been determined that the period of probable usefulness for such planning may be increased so that it shall be equal to the period of probable usefulness for reconstruction of and construction of additions to the independent County office buildings; and

WHEREAS, it is now appropriate to authorize replacement of the Rutgers Glen Bridge located in the Town of Minisink, and it is necessary to increase the appropriation for such capital project by \$700,000 for estimated construction costs;

Now, therefore, be it

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ORANGE, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Legislature) **AS FOLLOWS:** Section (A). The bond resolution of said County duly adopted by the County Legislature on October 4, 2012, entitled:

"RESOLUTION NO. 249 of 2012

BOND RESOLUTION DATED OCTOBER 4, 2012
BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING PREPARATION OF SURVEYS, PRELIMINARY PLANS AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING REPLACEMENT OF THE RUTGERS GLEN BRIDGE LOCATED IN THE TOWN OF MINISINK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$40,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$40,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF"
is hereby amended to read as follows:

BOND RESOLUTION DATED OCTOBER 4, 2012 AND AMENDED NOVEMBER 6, 2014
BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE REPLACEMENT OF THE RUTGERS GLEN BRIDGE LOCATED IN THE TOWN OF MINISINK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$740,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$740,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ORANGE, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Legislature), **AS FOLLOWS:**

Section 1. The County of Orange, New York (herein called "County"), is hereby authorized to continue existing capital project No. 424 for the Department of Public Works consisting of the replacement of the Rutgers Glen Bridge located in the Town of Minisink; all as more particularly described in the County's 2014 proposed Capital Plan, as amended. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$740,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$740,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation and the levy and

collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. Bonds of the County in the principal amount of \$740,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the specific object or purpose for which said \$740,000 bonds authorized are to be issued within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years.

Section 4. The County intends to finance, and the Commissioner of Finance of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the specific object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Orange, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. The validity of the bonds authorized by this Resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution, or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 7. The Clerk of the Orange County Legislature is hereby directed to publish the foregoing bond resolution in summary, in The Sentinel, Vails Gate, New York; Warwick Advertiser-Photo News, Chester, New York; News of the Highlands, Inc., Cornwall, New York; The Gazette, Middletown, New York; Times Community Newspapers, Newburgh, New York; and the Hudson Valley Press, Newburgh, New York; the official newspapers of the County for such publication, together with

a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 8. This Resolution shall take effect immediately.

Section (B). The amendment of the bond resolution set forth in Section A of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section (C). The Clerk of the Orange County Legislature is hereby directed to publish the foregoing bond resolution in summary, in The Sentinel, Vails Gate, New York; Warwick Advertiser-Photo News, Chester, New York; News of the Highlands, Inc., Cornwall, New York; The Gazette, Middletown, New York; Times Community Newspapers, Newburgh, New York; and the Hudson Valley Press, Newburgh, New York; the official newspapers of the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section (D). This resolution shall take effect immediately.

ORANGE COUNTY LEGISLATURE

Committees: Physical Services; Ways and Means
Sponsors:
Co-Sponsor:

Agenda No. 14

RESOLUTION NO. OF 2014

BOND RESOLUTION DATED NOVEMBER 6, 2014

BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE REPLACEMENT OF THE FORD BRIDGE LOCATED IN THE TOWN OF MINISINK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$360,000, APPROPRIATING \$300,000 THEREFOR, IN ADDITION TO THE \$60,000 PREVIOUSLY APPROPRIATED; AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OF THE COUNTY TO FINANCE SAID ADDITIONAL APPROPRIATION.

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ORANGE, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Legislature), **AS FOLLOWS:**

Section 1. The County of Orange, New York (herein called "County"), is hereby authorized to continue existing capital project No. 494 for the Department of Public Works consisting of the replacement of the Ford Bridge located in the Town of Minisink; all as more particularly described in the County's 2014 proposed Capital Plan, as amended. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$360,000, and \$300,000 is hereby appropriated therefor, in addition to the \$60,000 previously

appropriated pursuant to Resolution No. 231 of 2012 and Resolution No. 280 of 2012 (the "Previously Appropriated Funds"). The plan of financing includes the expenditure of the Previously Appropriated Funds and the issuance of \$300,000 bonds of the County herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. Bonds of the County in the principal amount of \$300,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the specific object or purpose for which said \$300,000 bonds authorized are to be issued within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years.

Section 4. The County intends to finance, and the Commissioner of Finance of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the specific object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Orange, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Section 3 of Bond Resolution No. 231 of 2012 is hereby amended in its entirety to read as follows:

"Section 3. The period of probable usefulness applicable to the specific object or purpose for which said \$20,000 bonds authorized are to be issued within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years."

Section 7. Section 3 of Bond Resolution No. 280 of 2012 is hereby amended in its entirety to read as follows:

"Section 3. The period of probable usefulness applicable to the specific object or purpose for which said \$40,000 bonds authorized are to be issued within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years."

Section 8. The amendments of the bond resolutions set forth in Sections 6 and 7 of this resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolutions, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolutions, as so amended.

Section 9. The validity of the bonds authorized by this Resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution, or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 10. The Clerk of the Orange County Legislature is hereby directed to publish the foregoing bond resolution in summary, in The Sentinel, Vails Gate, New York; Warwick Advertiser-Photo News, Chester, New York; News of the Highlands, Inc., Cornwall, New York; The Gazette, Middletown, New York; Times Community Newspapers, Newburgh, New York; and the Hudson Valley Press, Newburgh, New York; the official newspapers of the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 11. This Resolution shall take effect immediately.

ORANGE COUNTY LEGISLATURE

Committees: Rules, Enactments and Intergovernmental Relations; Public Safety and Emergency Services

Sponsors:

Co-Sponsors:

Agenda No. 15

RESOLUTION NO. OF 2014

RESOLUTION SUSPENDING PAYMENTS UNDER THE ORANGE COUNTY SCHOOL ADVISORY SAFETY ASSESSMENT GRANT EVALUATION PROGRAM, ESTABLISHED PURSUANT TO RESOLUTION NO. 35 OF 2013.

WHEREAS, Resolution No. 35 of 2013 established the Orange County School Advisory Safety Assessment Grant Program to provide county grant funds to Orange County public school districts located in Orange County for the purpose of evaluating and implementing a safer environment in which to educate our children; and

WHEREAS, this Legislature allocated \$1,500,000 to be expended over a three year period, subject to annual appropriations, with funding for each year of \$500,000, the first year of which was awarded in calendar year 2013 for the purpose of providing funds to Orange County public school districts located in Orange County to facilitate development, review, and updates to enhance school safety; and

WHEREAS, the Orange County Legislature appropriated another \$500,000 for this purpose in the 2014 Adopted Orange County Budget for the Department of Emergency Services, Police Services Divisions under the category of specialty payments; and

WHEREAS, to date, Orange County has yet to request the submission of applications for the 2014 program year and no monies have been distributed to public school districts in Orange County; and

WHEREAS, due to the financial issues faced by the County of Orange, this Legislature, finds it to be in the best interests of the County of Orange taxpayers to suspend the S.A.G.E. program for 2014 and 2015 until such time when the County's economic condition improves.

NOW THEREFORE, BE IT IS hereby

RESOLVED, that the Orange County School Safety Assessment Grant Evaluation ("S.A.G.E.") program is hereby suspended for the years 2014 and 2015; and be it further

RESOLVED, that O.C., Budget Director is hereby directed to encumber "Specialty payment" monies in the amount of \$500,000 appropriated in the Department of Emergency Services, Police Services budget and that such funds be returned to fund balance at year end.

ORANGE COUNTY LEGISLATURE

Committee: Rules, Enactments and Intergovernmental Relations

Sponsors:

Co-Sponsors:

Agenda No. 16

RESOLUTION NO. OF 2014

RESOLUTION AUTHORIZING THE IMPLEMENTATION IN THE FIRST INSTANCE OF 100% OF THE FEDERAL-AID AND STATE-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the Newburgh Area Bus Service in Orange County, PIN 8759.24 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, the New York State Department of Transportation has made available 80% federal funds through the Federal Highway Administration's Congestion Mitigation and Air Quality (CMAQ) Improvement Program and 20% State matching funds through the State Dedicated Fund to

reimburse Orange County for the approved eligible expenses of the Project not to exceed \$1.006 Million for the first year of a contract; and

WHEREAS, Orange County desires to advance the Project by making a commitment to pay in the first instance 100% of the federal and non-federal share of the cost of the Project to support expansion of the Newburgh Area Transit service.

NOW, THEREFORE, it is hereby

RESOLVED, that the Orange County Legislature hereby approves the above subject Project; and it is hereby further

RESOLVED, that the Orange County Legislature hereby authorizes Orange County to pay in the first instance 100% of the federal and non-federal shares of the cost of the Project or portions thereof; and it is further

RESOLVED, that the sum of \$1,006,000.00 is hereby appropriated as indicated on attached Schedule "A," and made available to cover the cost of participation in the above Project which expenditures will be reimbursed 100% through the federal and state funding described above; and it is further

RESOLVED, that the County Executive of Orange County be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and State Aid on behalf of Orange County with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County's first instance funding of project costs, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Department of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

SCHEDULE "A"

Revenue:

1010	802004	445891	Operating Grants - Federal	\$ 804,800.00
1010	802004	435891	Operating Grants - State	\$ <u>201,200.00</u>
				\$1,006,000.00

Expense:

1010	802004	574001	Bus Transportation	\$1,006,000.00
------	--------	--------	--------------------	----------------

ITEM 1) Planning task needs to be set up, funding of \$804,800.00 to come from Federal CMAQ grant, and a \$201,200.00 NYSDOT grant. There is no County match.

Committee: Public Safety and Emergency Services
Sponsors:
Co-Sponsors:

Agenda No. 17

LOCAL LAW INTRODUCTORY NO. 12 OF 2014

A LOCAL LAW OF THE COUNTY OF ORANGE, NEW YORK KNOWN AS THE "ORANGE COUNTY ASSET FORFEITURE LAW."

Section 1: Title and Legislative Findings

1. This Local Law shall be known as the Orange County Asset Forfeiture Law.
2. The Orange County Legislature finds that misdemeanor drug activity that occurs in Orange County places an extraordinary burden on the government of Orange County, and thereby its citizens, to hire personnel to enforce the laws and to prosecute offenders; and to fund facilities for incarceration of criminals, both convicted and awaiting disposition of their cases, and to hire staff to manage such facilities.
3. The Orange County Legislature further finds that criminal activity associated with misdemeanor drug activity poses a serious threat to the health, safety, and welfare of county residents.
4. The Orange County Legislature further finds that, although fines and jail sentences may deter some offenders, a stronger deterrent is necessary to protect the public, and that civil forfeiture of assets of misdemeanor drug offenders will send a stern message that such criminal activity will not be tolerated in Orange County.
5. The Orange County Legislature further finds that state-level asset forfeiture statutes are inadequate to completely address the above concerns in Orange County, and that a local law providing for the forfeiture of assets of misdemeanor drug offenders is necessary to do so.

Section 2: Definitions

As used in this Local Law:

1. "Property" means and includes: personal property, money, negotiable instruments, securities, or anything of value or any interest in a thing of value.
2. "Proceeds of a crime" means any property obtained through the commission of a crime, or through the commission of any criminal transaction of which a crime is a part, and includes any appreciation in value of such property.

3. "Substituted proceeds of a crime" means any property obtained by the sale or exchange of proceeds of a crime, and any gain realized by such sale or exchange.
4. "Instrumentality of a crime" means any property, other than real property and any buildings, fixtures, appurtenances, and improvements thereon, whose use contributes directly and materially to the commission of a crime, or to the commission of any criminal transaction of which a crime is a part.
5. "Crime" means any misdemeanor defined in Article 220 **or Article 221** of the Penal Law of the State of New York.
6. "Court" means a superior court, as defined in subdivision two of section 10.10 of the Criminal Procedure Law of the State of New York.
7. "Defendant" means a person against whom a forfeiture action is commenced and includes a "criminal defendant" and a "non-criminal defendant."
8. "Criminal defendant" means a person who has criminal liability for a crime as defined in subdivision five hereof. For purposes of this Local Law, a person has criminal liability when the person has been convicted of a crime.
9. "Non-criminal defendant" means a person, other than a criminal defendant, who possesses an interest in the proceeds of a crime, the substituted proceeds of a crime, or an instrumentality of a crime.
10. "Claiming agent" means and shall include any New York State, Orange County, or local police agency having jurisdiction in Orange County.
11. "Fair consideration" means fair consideration is given for property, or obligation, (a) when in exchange for such property, or obligation, as a fair equivalent therefor, and in good faith, property is conveyed or an antecedent debt is satisfied, or (b) when such property, or obligation is received in good faith to secure a present advance or antecedent debt in amount not disproportionately small as compared with the value of the property, or obligation obtained.
12. "District Attorney" means the District Attorney of the County of Orange and any of his or her assistant district attorneys, or any County or Municipal Attorney that the District Attorney of the County of Orange designates to bring actions under this Local Law.

Section 3. Forfeiture actions

1. (a) A civil action may be commenced in a court by the District Attorney against a criminal defendant to recover the property which constitutes the proceeds of a crime, the substituted proceeds of a crime, or an instrumentality of a crime, or to recover a money judgment in an amount equivalent in value to the property which constitutes the proceeds of a crime, the substituted proceeds of a crime, or an instrumentality of a crime. A civil action may be commenced in a court against a non-criminal defendant to recover the property which constitutes the proceeds of a crime, the substituted proceeds of a crime, or an instrumentality of a crime, provided, however, that a

judgment of forfeiture predicated upon clause (A) of subparagraph (iii) of paragraph (b) of subdivision three hereof shall be limited to the amount of any property obtained as a result of the criminal transaction of which the crime is a part, and includes any appreciation in value of such property. Any action under this Local Law must be commenced within five years of the commission of the crime and shall be civil, remedial, and in personam in nature and shall not be deemed to be a penalty or criminal forfeiture for any purpose. Except as otherwise specifically provided by statute, proceedings under this Local Law shall be governed by the Civil Practice Law and Rules of the State of New York. An action under this Local Law is not a criminal proceeding and may not be deemed to be a previous prosecution under article forty of the Criminal Procedure Law of the State of New York.

(b) An action pursuant to this Local Law must be grounded upon a conviction of a crime, or upon criminal activity arising from a common scheme or plan of which such a conviction is a part, or upon a count of an indictment or information alleging a crime that was dismissed at the time of a plea of guilty in satisfaction of such count. A court may not grant forfeiture until such conviction has occurred. However, an action may be commenced, and a court may grant a provisional remedy provided under this Local Law, prior to such conviction having occurred. An action under this paragraph must be dismissed at any time after sixty days of the commencement of the action unless the conviction upon which the action is grounded has occurred, or an indictment or information upon which the asserted conviction is to be based is pending in a court. An action shall be stayed during the pendency of a criminal action which is related to it; provided, however, that such stay shall not prevent the granting or continuance of any provisional remedy provided under this Local Law or any other provisions of law.

2. All defendants in a forfeiture action brought pursuant to this Local Law shall have the right to trial by jury on any issue of fact.

3. In a forfeiture action pursuant to this Local Law the following burdens of proof shall apply:

(a) In a forfeiture action commenced by a District Attorney against a criminal defendant, the burden shall be upon the District Attorney to prove by a preponderance of the evidence the facts necessary to establish a claim for forfeiture.

(b) In a forfeiture action commenced by a District Attorney against a non-criminal defendant:

(i) if the action relates to the proceeds of a crime, the burden shall be upon the District Attorney to prove by a preponderance of the evidence the facts necessary to establish a claim for forfeiture and that the non-criminal defendant either (A) knew or should have known that the proceeds were obtained through the commission of a crime, or (B) knowingly obtained his or her interest in the proceeds to avoid forfeiture.

(ii) if the action relates to the substituted proceeds of a crime, the burden shall be upon the District Attorney to prove by a preponderance of the evidence the facts necessary to establish a claim for forfeiture and that the non-criminal defendant either (A) knew that the property sold or exchanged to obtain an interest in the substituted proceeds was obtained through the commission of a crime, or (B) knowingly obtained his or her interest in the substituted proceeds to avoid forfeiture.

(iii) if the action relates to an instrumentality of a crime, the burden shall be upon the District Attorney to prove by a preponderance of the evidence the facts necessary to establish a claim for forfeiture and that the non-criminal defendant either (A) knew that the instrumentality was or would be used in the commission of a crime or (B) knowingly obtained his or her interest in the instrumentality to avoid forfeiture.

(c) In a forfeiture action commenced by a District Attorney against a non-criminal defendant the following rebuttable presumptions shall apply:

(i) a non-criminal defendant who did not pay fair consideration for the proceeds of a crime, the substituted proceeds of a crime, or the instrumentality of a crime shall be presumed to know that such property was the proceeds of a crime, the substituted proceeds of a crime, or an instrumentality of a crime.

(ii) a non-criminal defendant who obtains an interest in the proceeds of a crime, substituted proceeds of a crime, or an instrumentality of a crime with knowledge of an order of provisional remedy relating to said property issued pursuant to this Local Law, shall be presumed to know that such property was the proceeds of a crime, substituted proceeds of a crime, or an instrumentality of a crime.

(iii) a non-criminal defendant who the District Attorney proves by clear and convincing evidence has criminal liability under section 20.00 of the Penal Law of the State of New York for the crime of conviction or for criminal activity arising from a common scheme or plan of which such crime is a part and who possesses an interest in the proceeds, the substituted proceeds, or an instrumentality of such criminal activity is presumed to know that such property was the proceeds of a crime, the substituted proceeds of a crime, or an instrumentality of a crime.

(iv) a non-criminal defendant who participated in or was aware of a scheme to conceal or disguise the manner in which said non-criminal defendant obtained his or her interest in the proceeds of a crime, substituted proceeds of a crime, or an instrumentality of a crime is presumed to know that such property was the proceeds of a crime, the substituted proceeds of a crime, or an instrumentality of a crime.

(d) In all forfeiture actions, the following rebuttable presumption shall apply: all currency or negotiable instruments payable to the bearer shall be presumed to be the proceeds of a crime when such currency or negotiable instruments are found in close proximity to any quantity of a controlled substance or marijuana unlawfully possessed in a room, other than a public place, under circumstances evincing an intent to unlawfully mix, compound, distribute, package or otherwise prepare for sale such controlled substance or marijuana.

(e) The presumption set forth pursuant to paragraph (d) of this subdivision shall be rebutted by credible and reliable evidence which tends to show that such currency or negotiable instrument payable to the bearer is not the proceeds of a crime. In an action tried before a jury, the jury shall be so instructed. Any sworn testimony of a defendant offered to rebut the presumption and any other evidence which is obtained as a result of such testimony, shall be inadmissible in any subsequent proceeding relating to the forfeiture action, or in any other civil or criminal action, except in a

prosecution for a violation of article two hundred ten of the Penal Law of the State of New York. In an action tried before a jury, at the commencement of the trial, or at such other time as the court reasonably directs, the District Attorney shall provide notice to the court and to the defendant of its intent to request that the court charge such presumption.

4. The court in which a forfeiture action is pending may dismiss said action in the interests of justice upon its own motion or upon an application as provided for herein.

(a) At any time during the pendency of a forfeiture action, the District Attorney who instituted the action, or a defendant may (i) apply for an order dismissing the complaint and terminating the forfeiture action in the interest of justice, or (ii) may apply for an order limiting the forfeiture to an amount equivalent in value to the value of property constituting the proceeds or substituted proceeds of a crime in the interest of justice.

(b) Such application for the relief provided in paragraph (a) hereof must be made in writing and upon notice to all parties. The court may, in its discretion, direct that notice be given to any other person having an interest in the property.

(c) An application for the relief provided for in paragraph (a) hereof must be brought exclusively in the superior court in which the forfeiture action is pending.

(d) The court may grant the relief provided in paragraph (a) hereof if it finds that such relief is warranted by the existence of some compelling factor, consideration or circumstance demonstrating that forfeiture of the property or any part thereof, would not serve the ends of justice. Among the factors, considerations and circumstances the court may consider, among others, are:

(i) the seriousness and circumstances of the crime to which the property is connected relative to the impact of forfeiture of property upon the person who committed the crime; or

(ii) the adverse impact of a forfeiture of property upon innocent persons; or

(iii) in the case of an action relating to an instrumentality, whether the value of the instrumentality substantially exceeds the value of the property constituting the proceeds or substituted proceeds of a crime.

(e) The court must issue a written decision stating the basis for an order issued pursuant to this subdivision.

5. An action for forfeiture shall be commenced by service pursuant to the Civil Practice Law and Rules of the State of New York of a summons with notice or summons and verified complaint. No person shall forfeit any right, title, or interest in any property who is not a defendant in the action.

6. On the motion of any party to the forfeiture action, and for good cause shown, a court may seal any papers, including those pertaining to any provisional remedy, which relate to the forfeiture action until such time as the property which is the subject of the forfeiture action has been levied upon. A motion to seal such papers may be made ex parte and in camera.

7. Remission. In addition to any other relief provided under this Local Law, at any time within one year after the entry of a judgment of forfeiture, any person claiming an interest in the property subject to forfeiture who did not receive actual notice of the forfeiture action may petition the judge before whom the forfeiture action was held for a remission or mitigation of the forfeiture and restoration of the property or the proceeds of any sale resulting from the forfeiture, or such part thereof, as may be claimed by him. The court may restore said property upon such terms and conditions as it deems reasonable and just if (i) the petitioner establishes that he or she was without actual knowledge of the forfeiture action or any related proceeding for a provisional remedy and did not know or should not have known that the forfeited property was connected to a crime or conveyed to avoid forfeiture and (ii) the court determines that restoration of the property would serve the ends of justice.

8. The total amount that may be recovered by the District Attorney against all criminal defendants in a forfeiture action or actions involving the same crime shall not exceed the value of the proceeds of the crime or substituted proceeds of the crime, whichever amount is greater, and, in addition, the value of any forfeited instrumentality used in the crime. Any such recovery against criminal defendants for the value of the proceeds of the crime or substituted proceeds of the crime shall be reduced by an amount which equals the value of the same proceeds of the same crime or the same substituted proceeds of the same crime recovered against all non-criminal defendants. Any such recovery for the value of an instrumentality of a crime shall be reduced by an amount which equals the value of the same instrumentality recovered against any non-criminal defendant.

The total amount that may be recovered against all non-criminal defendants in a forfeiture action or actions involving the same crime shall not exceed the value of the proceeds of the crime or the substituted proceeds of the crime, whichever amount is greater, and, in addition, the value of any forfeited instrumentality used in the crime. Any such recovery against non-criminal defendants for the value of the proceeds of the crime or substituted proceeds of the crime shall be reduced by an amount which equals the value of the proceeds of the crime or substituted proceeds of the crime recovered against all criminal defendants. A judgment against a non-criminal defendant pursuant to clause (A) of subparagraph (iii) of paragraph (b) of subdivision three of this section shall be limited to the amount of any property obtained as a result of the criminal transaction of which the crime is a part, and including any appreciation in value of such property. Any recovery for the value of an instrumentality of the crime shall be reduced by an amount equal to the value of the same instrumentality recovered against any criminal defendant.

9. Any defendant in a forfeiture action who knowingly and intentionally conceals, destroys, dissipates, alters, removes from the jurisdiction, or otherwise disposes of, property specified in a provisional remedy ordered by the court or in a judgment of forfeiture in knowing contempt of said order or judgment shall be subject to criminal liability and sanctions under sections 80.05 and 215.80 of the penal law.

10. Any stipulation or settlement agreement between the parties to a forfeiture action shall be filed with the clerk of the court in which the forfeiture action is pending.

11. Property acquired in good faith by an attorney as payment for the reasonable and bona fide fees for legal services or reimbursement of reasonable and bona fide expenses related to the representation of a defendant in connection with a civil or criminal forfeiture proceeding or a related criminal matter, shall be exempt from a judgment of forfeiture. For purposes of this subdivision and subdivision four of section one thousand three hundred twelve of the Civil Practice Law and Rules of the State of New York, "bona fide" means that the attorney who acquired such property had no reasonable basis to believe that the fee transaction was a fraudulent or sham transaction designed to shield property from forfeiture, hide its existence from governmental investigative agencies, or was conducted for any purpose other than for legitimate legal representation.

Section 4. Subpoena duces tecum

1. At any time before an action pursuant to this Local Law is commenced, the District Attorney may apply without notice for the issuance of a subpoena duces tecum.
2. The issuance of a subpoena under this section will be governed by the procedure set forth in Section 1311-a of the Civil Practice Law and Rules of the State of New York.

Section 5: Provisional remedies.

1. The provisional remedies of attachment, injunction, receivership, and notice of pendency shall be available in all actions to recover property or for a money judgment under this Local Law.
2. The granting of provisional remedies under this Local Law will be governed by the procedures set forth in Sections 1312 through 1348 of the Civil Practice Law and Rules of the State of New York.

Section 6: Disposal of property

1. The District Attorney, after a judicial determination or a stipulated agreement of forfeiture, shall have the discretion, where the property is a vehicle, to either retain the property for the use of the District Attorney's Office or a claiming agent, or, by a public notice of at least five days, sell such forfeited vehicle at public sale, provided, however, where such vehicle is subject to a perfected lien, such vehicle may not be retained for official use unless all such liens on the vehicle to be retained have been or will be satisfied.
2. After deduction of any expenses incurred during the investigation or prosecution of the criminal transaction upon which a forfeiture action under this Local Law is predicated, and after payment of any remaining unpaid amounts ordered to be paid by a defendant in any other action or proceeding as restitution, reparations, or damages to a victim of the crime, which crime constitutes the basis upon which forfeiture was effected under this Local Law, the net proceeds of any forfeiture under this Local Law shall be collected by the District Attorney and shall be deposited in a trust account to be maintained by the District Attorney, who shall distribute forthwith directly from that account as follows:

(a) Twenty-nine and one-half percent (29 ½ %) of all funds realized through forfeiture to the District Attorney's Office in satisfaction of actual costs incurred for protecting, maintaining, and forfeiting the property, including that portion of the salaries of attorney, investigative, and clerical

personnel devoted thereto, and for law enforcement use in the investigation and prosecution of criminal offenses;

(b) Forty-one percent (41%) of all funds realized through forfeiture to the claiming agent in satisfaction of actual costs incurred for protecting, maintaining, and storing the property, including that portion of the salaries of investigative and clerical personnel devoted thereto, and for law enforcement use in the investigation of criminal offenses, said funds to be deposited into the claiming agent's general forfeiture account in accordance with said agency's normal accounting procedures;

(c) Twenty-nine and one-half percent (29 ½ %) of all funds realized through forfeiture to the general fund of the County of Orange.

3. All moneys distributed to a claiming agent and to the District Attorney's Office pursuant to subsection two of this section shall be used to enhance law enforcement efforts and not in supplantation of ordinary budgetary costs including salaries of personnel, and expenses of the District Attorney's Office or a claiming agent.

4. At least twice per year, the District Attorney will provide the Legislature with a report, detailing the District Attorney's forfeiture activities under this Local Law. Such report will include:

(a) A breakdown of charges that forfeiture is based on, including any felony charges that are also involved in cases where forfeiture is had for a crime under this Local Law;

(b) A breakdown of deductions from forfeiture proceeds taken pursuant to subdivision two of this section;

(c) A breakdown of the allocation of forfeiture proceeds between agencies as described in subdivision two of this section;

(d) A list of any cases for which forfeiture was had under this Local Law, which cases were later reversed by an appellate court.

Section 7. Rules of procedure

The Civil Practice Law and Rules of the State of New York shall govern the procedure in proceedings and actions commenced under this Local Law, except where the procedure is regulated by any inconsistent provisions herein.

Section 8. Application

1. If any provision of this Local Law or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined (i) in its operation of the

provision, or (ii) in its application to the person or circumstance directly involved in the controversy in which such judgment shall have been rendered.

3. The provisions of this Local Law shall be interpreted, as much as applicable, consistently with the corresponding provisions of article 13-A of the Civil Practice Law and Rules of the State of New York

ORANGE COUNTY LEGISLATURE

Committee: Public Safety and Emergency Services

Sponsors:

Co-Sponsors:

Agenda No. 18

RESOLUTION NO. OF 2014

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE, TO ACCEPT GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF CRIMINAL JUSTICE SERVICES, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the New York State Department of Criminal Justice Services has offered grant funds in the amount of \$100,000.00 for the Crimes Against Revenue Program (CARP). The funds of the Crimes Against Revenue Program will be used to fund the salary of an Assistant District Attorney in this program. The term of the grant runs from October 1, 2014 through September 30, 2015; and

WHEREAS, this Legislature does wish to accept said grant funds for the Orange County District Attorney's Office as indicated above.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Orange County District Attorney, be and hereby is authorized to accept grant funds from the New York State Department of Criminal Justice Services in the amount of \$100,000.00 for the Crimes Against Revenue Program as stated above.

2. That the 2014 budget for the District Attorney'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 116501 433891 State Aid \$100,000.00

Expense:

1010 116501 560110 Salary \$100,000.00

ORANGE COUNTY LEGISLATURE

Committee: Public Safety and Emergency Services

Sponsors:

Co-Sponsors:

Agenda No. 19

RESOLUTION NO. OF 2014

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE, TO ACCEPT GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF CRIMINAL JUSTICE SERVICES, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the New York State Department of Criminal Justice Services has offered grant funds in the amount of \$25,000.00 for the Byrne Justice Assistance Grant (JAG). The source of the funds is Federal funds. The funds of the Byrne Justice Assistance Grant will be used to purchase equipment to assist in law enforcement operations of the countywide narcotic task force. The term of the grant runs from October 1, 2014 through September 30, 2015; and

WHEREAS, this Legislature does wish to accept said grant funds for the Orange County District Attorney's Office as indicated above.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Orange County District Attorney, be and hereby is authorized to accept grant funds from the New York State Department of Criminal Justice Services in the amount of \$25,000.00 for the Byrne Justice Assistance Grant as stated above.
2. That the 2014 budget for the District Attorney'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 116501 443891 Federal Aid \$25,000.00

Expense:

1010 116501 585012 Specialty Equipment \$25,000.00

ORANGE COUNTY LEGISLATURE

Committee: Public Safety and Emergency Services

Sponsors:

Co-Sponsors:

Agenda No. 20

RESOLUTION NO. OF 2014

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF EMERGENCY SERVICES, TO ACCEPT GRANT FUNDS FROM THE STATE OF NEW YORK GOVERNOR'S TRAFFIC SAFETY COMMITTEE, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, the State of New York Governor's Traffic Safety Committee has offered a grant in the amount of \$4,500.00 for the 2015 Child Passenger Safety Program for the continuing education in the proper use and installation of child safety seats in Orange County; and

WHEREAS, this Legislature does wish to accept said grant funds for the Department of Emergency Services as indicated above.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Commissioner of Emergency Services, be and hereby is authorized to accept grant funds from the State of New York Governor's Traffic Safety Committee in the amount of \$4,500.00 for the 2015 Child Passenger Safety Program as indicated above.

2. That the 2014 Budget for the Department of Emergency Services 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 398903 443891 Other Public Safety \$4,500.00

Expense:

1010 398903 576820 Specialty Payments \$4,500.00

ORANGE COUNTY LEGISLATURE

Committee: Public Safety and Emergency Services

Sponsors:

Co-Sponsors:

Agenda No. 21

RESOLUTION NO. OF 2014

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ACCEPT ONE (1) ALCO-SENSOR FST DEVICE ON BEHALF OF THE ORANGE COUNTY DEPARTMENT OF PROBATION, PURSUANT TO SECTION 215 OF THE COUNTY LAW.

WHEREAS, the Orange County Department of Probation has been offered one (1) Alco-Sensor FST device from the New York State Division of Criminal Justice Services to be used for DWI prevention. There is no cost to the County for the device and the Division of Criminal Justice Services will provide technical and repair services on an as-needed basis; and

WHEREAS, this Legislature does wish to accept said device for the Orange County Department of Probation which will assist them with DWI prevention.

NOW, THEREFORE, it is hereby

RESOLVED, that the County Executive be and hereby is authorized to accept one (1) Alco-Sensor FST device from the New York State Division of Criminal Justice Services, as indicated above.

ORANGE COUNTY LEGISLATURE

Committee: Health and Mental Health

Sponsors:

Co-Sponsors:

Agenda No. 22

RESOLUTION NO. OF 2014

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF HEALTH, TO APPROPRIATE SECOND YEAR BUDGET PERIOD FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HEALTH, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, by Resolution No. 289 of 2013, this Legislature approved the acceptance and appropriation of a grant from the New York State Department of Health for the Maternal and Infant Community Health Collaborative program in the amount of \$339,063.00 annually for a five year contract period which runs from October 1, 2013 through September 30, 2018. Said Resolution also appropriated first year funds in the amount of \$339,063.00 for the period of October 1, 2013 through September 30, 2014; and

WHEREAS, the purpose of this grant is to improve maternal and infant health outcomes for high-need women; and

WHEREAS, this Legislature wishes to appropriate second year budget period funds in the amount of \$339,063.00 from the New York State Department of Health for the Maternal and Infant Community Health Collaborative program for the period of October 1, 2014 through September 30, 2015.

NOW, THEREFORE, it is hereby
RESOLVED, as follows:

1. That the County Executive, in conjunction with the Commissioner of Health, be and hereby is authorized to appropriate second year budget period funds from the New York State Department of Health in the amount of \$339,063.00 for the Maternal and Infant Community Health Collaborative program as indicated above.
2. That the 2014 budget for the Department of Health is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.
3. That the County Executive be and hereby is authorized to execute all necessary documents and assurances necessary to carry out the purposes of this resolution subject to the review thereof by the County Attorney for purposes of form and content.

Revenue:

1010	401018	434721	Special Health Programs - MICHC	\$339,063.00
------	--------	--------	---------------------------------	--------------

Expenses:

1010	401018	560110	Permanent Base Salary	\$191,984.00
			Fringe Benefits	
			\$108,549.00	
1010	401018	586100	Employee Retirement System	\$37,833.00
1010	401018	586300	Social Security/FICA	\$14,506.00
1010	401018	586400	Worker's Compensation	\$10,688.00
1010	401018	586500	Unemployment Insurance	\$ 391.00
1010	401018	586600	Hospital Insurance	\$42,163.00
1010	401018	586650	Dental Insurance	\$ 2,342.00
1010	401018	586660	Vision Insurance	\$ 174.00
1010	401018	586700	Disability Insurance	\$ 385.00
1010	401018	586800	EAP	\$ 67.00

1010	401018	571820	Contracted Services	\$ 14,600.00
1010	401018	573100	Office Supplies	\$ 1,060.00
1010	401018	573140	Postage	\$ 200.00
1010	401018	573130	Educational Materials	\$ 4,221.00
1010	401018	577080	Printing	\$ 2,204.00
1010	401018	576760	Mileage Reimbursement County Employee	\$ 7,000.00
1010	401018	576770	Special Travel	\$ 3,000.00
1010	401018	575180	Equipment Lease	\$ 305.00
1010	401018	576340	Telephone	\$ 5,640.00
1010	401018	576820	Specialty Payments (Perinatal Assoc. Annual Fee)	\$ 300.00
Total Maternal Infant Community Health Collaborative				\$339,063.00

ORANGE COUNTY LEGISLATURE

Committee: Education and Economic Development

Sponsors:

Co-Sponsors:

Agenda No. 23

RESOLUTION NO. OF 2014

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SUBMIT THE HOUSING AND COMMUNITY DEVELOPMENT FIVE YEAR PLAN ("HCD") FOR FISCAL YEARS 2015 THROUGH 2019 AND THE ACTION PLAN FOR FY-2015 TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") FOR THE PURPOSES OF APPLYING FOR AND ACCEPTING CERTAIN FEDERAL FUNDS FOR THE URBAN COUNTY ENTITLEMENT PROGRAM COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ("CDBG"), PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW.

WHEREAS, upon recommendation of this Legislature's Committee on Education and Economic Development, this Legislature does wish to continue Orange County's participation in the CDBG Program for Fiscal Year 2015; and

WHEREAS, the Office of Community Development has, in anticipation of such continued participation, anticipated receipt of \$1,451,182.00 in Federal CDBG funds designed to fund the continued participation of Orange County in this Program.

NOW, THEREFORE, it is hereby

RESOLVED, that the County Executive be and hereby is authorized to apply for and accept the aforesaid Federal funds from the United States Department of Housing and Urban Development (HUD), or its successor agency, for the purpose of continuing Orange County's participation in the Federal CDBG Program in furtherance thereof, and is hereby authorized to execute the FY-2015 Action Plan which constitutes a one (1) year plan for the use of CDBG funds and is the application for said funds for Fiscal Year 2015; and it is further

RESOLVED, that the County Executive be and hereby is authorized to execute any such other applications or documentation that is necessary to implement the purposes of this resolution so as to

continue Orange County's participation in the Federal CDBG Program for Fiscal Year 2015, subject to review thereof by the County Attorney for purposes of form and content.

ORANGE COUNTY LEGISLATURE

Committee: Education and Economic Development

Sponsors:

Co-Sponsors:

Agenda No. 24

RESOLUTION NO. OF 2014

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SUBMIT THE HOUSING AND COMMUNITY DEVELOPMENT FIVE YEAR PLAN ("HCD") FOR FISCAL YEARS 2015 THROUGH 2019 AND THE ACTION PLAN FOR FY-2015 TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") FOR THE PURPOSES OF APPLYING FOR AND ACCEPTING CERTAIN FEDERAL FUNDS FOR THE HOME INVESTMENT PARTNERSHIPS PROGRAM ("HOME"), PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW.

WHEREAS, upon recommendation of this Legislature's Committee on Education and Economic Development, this Legislature does wish to continue Orange County's participation in the HOME Program for Fiscal Year 2015; and

WHEREAS, the Office of Community Development has, in anticipation of such continued participation, anticipated receipt of \$914,271.00 in Federal HOME funds designed to fund the continued participation of Orange County in this Program.

NOW, THEREFORE, it is hereby

RESOLVED, that the County Executive be and hereby is authorized to apply for and accept the aforesaid Federal funds from the United States Department of Housing and Urban Development (HUD), or its successor agency, for the purpose of continuing Orange County's participation in the Federal HOME Program in furtherance thereof, and is hereby authorized to execute the FY-2015 Action Plan which constitutes a one (1) year plan for the use of HOME funds and is the application for said funds for Fiscal Year 2015; and it is further

RESOLVED, that the County Executive be and hereby is authorized to execute any such other applications or documentation that is necessary to implement the purposes of this resolution so as to continue Orange County's participation in the Federal HOME Program for Fiscal Year 2015, subject to review thereof by the County Attorney for purposes of form and content.

ORANGE COUNTY LEGISLATURE

Committee: Education and Economic Development

Sponsors:

Co-Sponsors:

RESOLUTION NO. OF 2014

RESOLUTION MAKING A SUPPLEMENTAL APPROPRIATION TO THE 2014 ORANGE COUNTY BUDGET FOR THE ORANGE COUNTY OFFICE OF COMMUNITY DEVELOPMENT, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, this Legislature does wish to provide funds to the Orange County Office of Community Development in the amount of \$13,000.00, reflecting funds received from farmers for the HOME Farmworker Housing program, and in order to accomplish said purpose, does wish to supplement the 2014 budget for the Orange County Office of Community Development as indicated below; and

NOW, THEREFORE, it is hereby

RESOLVED, that the 2014 budget for the Orange County Office of Community Development is hereby supplemented as indicated below, reflecting funds received from farmers for the HOME Farmworker Housing Program; and it is further

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

Revenue:

3340 866801 421891 Other Home & Comm. Serv. Inc. \$13,000.00

Expense:

3340 866801 574340 Owners Contributions \$13,000.00

ORANGE COUNTY LEGISLATURE

Committee: Education and Economic Development

Sponsors:

Co-Sponsors:

RESOLUTION NO. OF 2014

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY COMMUNITY COLLEGE, TO AMEND RESOLUTION NO. 284 OF 2013 TO REFLECT THE CLOSURE OF THE CAPITAL PROJECT AND TO ACCEPT A GRANT AND GIFT FOR THE CREATION OF A ONE-STOP CENTER AT THE ORANGE COUNTY COMMUNITY COLLEGE, PURSUANT TO SECTION 4.09 OF THE ORANGE COUNTY CHARTER.

WHEREAS, by Resolution No. 284 of 2013, this Legislature did approve the creation of a Capital Project and the acceptance of State and Federal funds and foundation monies in the amount

of \$268,000.00 for the construction of a One-Stop Center at the Middletown campus of the Orange County Community College; and

WHEREAS, the Orange County Community College is now requesting to amend Resolution No. 284 of 2013 to close the Capital Project and accept a grant and gift for the creation of the One-Stop Center in the Shepard Center, 3rd floor, the same concept as the One-Stop Center at the Newburgh Campus. The project will be designed and bid by the College. The total cost of this phase is not to exceed \$268,000.00. The source of funding is a gift from the Educational Foundation of Orange County Community College in the amount of \$20,000.00 and a grant from the Federal Title II Grant in the amount of \$114,000.00. No County funding is required and a Capital Project does not need to be established; and

WHEREAS, this Legislature does wish to amend Resolution No. 284 of 2013 to close the Capital Project and accept a grant and gift for the creation of the One-Stop Center for the Orange County Community College as indicated above.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That Resolution No. 284 of 2013 is hereby amended to reflect the closure of the Capital Project and to accept a grant and gift for the creation of the One-Stop Center at the Middletown campus of the Orange County Community College as indicated above.
2. That the County Executive, in conjunction with the Orange County Community College, be and hereby is authorized to accept a gift from the Educational Foundation of Orange County Community College in the amount of \$20,000.00 and a grant from the Federal Title II Grant in the amount of \$114,000.00 for the construction of said One-Stop Center.
3. That the 2014 Budget for the Orange County Community College 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.
4. That the County Executive be and hereby is authorized to execute all necessary documents and assurances necessary to carry out the purpose of this Resolution subject to the review thereof by the County Attorney for purposes of form and content.

Revenue:

1100	219701	427051	Gift & Donation	(\$ 20,000.00)
1100	219701	430891	Other General Gov't	(\$114,000.00)
1100	219701	432891	State Aid Other	<u>(\$134,000.00)</u>
				(\$268,000.00)

Expense:

1100	219701	577010	Capital Expense	(\$268,000.00)
------	--------	--------	-----------------	----------------