

ORANGE COUNTY LEGISLATURE

Committees: Rules, Enactments and Intergovernmental Relations; Physical Services

Sponsors:

Co-Sponsors:

Agenda No. 1

RESOLUTION NO. OF 2015

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT WITH ALI PRES REALTY, LLC WITH RESPECT TO ACCESS TO THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF MIDDLETOWN, NEW YORK D/B/A SOUTH ORANGE FAMILY YMCA IN THE VILLAGE OF MONROE OVER A PORTION OF THE HERITAGE TRAIL.

WHEREAS, the County of Orange and Ali Pres Realty, LLC wish to enter into an agreement with respect to granting Ali Pres Realty, LLC access to its property (currently known as Village of Monroe Section 201, Block 3, Lots 1.11 & 9) from State Route 17M over County owned property known as the Heritage Trail.

NOW, THEREFORE, it is hereby

RESOLVED, the Orange County Executive is hereby authorized to enter into an agreement with Ali Pres Realty, LLC including certain terms and conditions as follows:

1. Conveyance by the County to Ali Pres Realty, LLC of one conditional easement across the Heritage Trail in the area of Gilbert Street and Gilbert Street Extension in the Village of Monroe, County of Orange; such crossing to be acceptable to and approved by the Orange County Commissioner of Public Works as to design and specifications; it being understood by the parties that such one crossing shall constitute a means solely for ingress and egress from the property and not to be used as a "through way" or "pass through" from Gilbert Street and/or State Route 17M to Gilbert Street Extension in the Village of Monroe; operation of this means of ingress and egress over such crossing as a "through way" or "pass through" as described above shall cause the easement to terminate. What shall constitute a "through way" or "pass through" shall rest solely within the discretion of the County of Orange; and Ali Pres Realty, LLC to post a bond in an amount sufficient to satisfy its obligations to the County under said agreements as same may be determined by the Orange County Attorney and Risk Manager;

2. Ali Pres Realty, LLC shall be responsible for the costs and expenses associated with the design, construction, maintenance and repair of all improvements and modifications to the site of any crossings of the County owned Heritage Trail, including but not limited to the installation and operation of safety devices, lights, signals, gates, signage, and others as may deemed necessary by the Orange County Commissioner of Public Works;

3. Ali Pres Realty, LLC shall maintain at its expense liability insurance covering personal injury and property damage in the broadest form available covering the County as an additional insured for any and all claims, lawsuits, actions and judgments arising out of any incidents or occurrences at or upon the Heritage Trail in connection with the subject crossings. Ali Pres Realty, LLC shall provide

the County with a certificate of insurance naming the County as additional insurance which shall be kept in full force and effect at all times. Ali Pres Realty, LLC shall also hold the County harmless and fully indemnify the County for all costs associated with any such claims or actions including but not limited to legal costs and attorneys' fees;

4. All contract agreements, understandings and other covenants between the County and Ali Pres Realty, LLC and all other involved parties shall be of such form and content as shall be acceptable to the Orange County Attorney, the Orange County Risk Manager, and the Orange County Commissioner of Public Works as to indemnification, insurance, design and specifications and other relevant matters;

5. Finally, that the conveyance of the easement is conditioned upon the continued occupancy and leasing of the property by the Young Men's Christian Association of Middletown, New York d/b/a South Orange Family YMCA or its successor in interest from Ali Pres Realty, LLC. If the Young Men's Christian Association of Middletown, New York d/b/a South Orange Family YMCA or its successor in interest purchases the property and continues to occupy and use it then such easement shall continue so long as all of the other terms and conditions of the easement are met. However, if the Young Men's Christian Association of Middletown, New York d/b/a South Orange Family YMCA or its successor in interest fails to occupy and lease or purchase and use the property then such easement shall terminate immediately. Furthermore, the Legislature finds that the public will benefit from the conveyance of this conditional easement to Ali Pres Realty, LLC if the occupancy requirements above are met and so as long as the Young Men's Christian Association of Middletown, New York d/b/a South Orange Family YMCA continues with its long standing policy of aiding all people in the community through programs and services without regard to ability to pay.

ORANGE COUNTY LEGISLATURE

Committee: Physical Services

Sponsors:

Co-Sponsors:

Agenda No. 2

RESOLUTION NO. OF 2015

RESOLUTION OF THE ORANGE COUNTY LEGISLATURE GIVING NOTICE OF INTENT TO ASSUME LEAD AGENCY STATUS UNDER STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) WITH RESPECT TO THE CONSTRUCTION OF A TEN MILE EXTENSION OF THE HERITAGE TRAIL, MAKING A PRELIMINARY DETERMINATION THAT THIS PROJECT BE CLASSIFIED AS A TYPE I ACTION, AND DETERMINING THAT THE ACTION WILL NOT HAVE ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS.

WHEREAS, Orange County intends to construct a ten mile extension to the Heritage Trail. This project consists of three segments due to the federal funding process: Goshen to Hartley Road (PIN 878018), Hartley Road to Middletown (PIN 875598) and Middletown to Howells (PIN 875705). A unified design process was authorized by Resolutions No. 10, 11, 12 and 13 of 2012; 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 impacts.

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the Orange County Legislature declares its intention to assume Lead Agency status concerning the ten mile extension of the Heritage Trail, and to coordinate the environmental review with other involved Agencies; and
2. Makes a preliminary determination, pursuant to 6 NYCRR Section 617.6 that the proposed action is a Type I 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 impacts.

ORANGE COUNTY LEGISLATURE

Committees: Physical Services; Ways and Means
Sponsors: Bonelli, Benton
Co-Sponsors:

Agenda No. 3

RESOLUTION NO. OF 2015

BOND RESOLUTION DATED SEPTEMBER 3, 2015

BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING ACQUISITION OF MACHINERY AND APPARATUS FOR CONSTRUCTION AND MAINTENANCE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,132,301; APPROPRIATING \$908,076 IN ADDITION TO THE \$1,224,225 PREVIOUSLY APPROPRIATED THEREFOR; AUTHORIZING THE ISSUANCE OF \$90,808 BONDS OF THE COUNTY TO FINANCE A PORTION OF SAID ADDITIONAL APPROPRIATION; IN ADDITION TO THE \$122,423 BONDS PREVIOUSLY AUTHORIZED AND AUTHORIZING THE EXPENDITURE OF \$1,101,802 EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA AND \$817,268 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST OF SUCH ACQUISITION.

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. 444 for the Department of Public Works, consisting of acquisition of machinery and apparatus for construction and maintenance, all as more particularly described in the County's 2015 Capital Plan, as amended. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,132,301, and \$908,076 is hereby appropriated therefor, in addition to the \$1,224,225 previously appropriated pursuant to Resolution No. 59 of 2015 (the "Previously Appropriated Funds"). The plan of financing includes the expenditure of the Previously Appropriated Funds, the issuance of \$90,808 bonds of the County herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds to finance a portion of said appropriation, in addition to the \$122,423 bonds previously authorized therefor, 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, and application of \$1,101,802 expected to be received from the United States of America and \$817,268 expected to be received from the State of New York to be expended towards the cost thereof or redemption of the bonds or notes issued therefor or to be budgeted as an offset to the taxes for the payment of principal and interest on said bonds or notes.

Section 2. Bonds of the County in the principal amount of \$90,808 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 United States of America (herein called "Law"), to finance said additional appropriation.

Section 3. The period of probable usefulness of the class objects or purposes for which said \$90,808 bonds herein authorized are to be issued, within the limitations of §11.00 a. 28 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 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 United States of America.

Section 8. This Resolution shall take effect immediately.

ORANGE COUNTY LEGISLATURE

Committees: Physical Services; Ways and Means

Sponsors:

Co-Sponsors:

Agenda No. 4

RESOLUTION NO. OF 2015

BOND RESOLUTION DATED SEPTEMBER 3, 2015

BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING PARTIAL RECONSTRUCTION OF ROOFS AT VARIOUS LOCATIONS FOR THE DEPARTMENT OF PUBLIC WORKS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$50,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$50,000 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 Public Works, consisting of partial reconstruction of roofs at various locations, all as more particularly described in the County's 2015 proposed Capital Plan, as amended. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$50,000, and said amount is hereby appropriated therefor. The plan of financing includes the

issuance of \$50,000 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 \$50,000 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 buildings are 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 class of objects or purposes for which the \$50,000 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 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.

ORANGE COUNTY LEGISLATURE

Committee: Ways and Means

Sponsors:

Co-Sponsors:

Agenda No. 5

RESOLUTION NO. OF 2015

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., October 5, 2015, 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 26-3-4	Nelson C. Johnsen & Anne B. Johnsen 31 Orchard Trail Monroe, NY 10950	\$ 1,500.00
Hamptonburgh 16-2-13	200 West 80 th Street Corp. c/o Rudd Realty Management Corp. 641 Lexington Avenue New York, NY 10022	\$20,000.00
Warwick 18-1-12.2	Valcon America Corp. 20 McNamara Lane Goshen, NY 10924	\$25,000.00

ORANGE COUNTY LEGISLATURE

Committees: Rules, Enactments and Intergovernmental Relations; Ways and Means

Sponsors:

Co-Sponsor:

Agenda No. 6

RESOLUTION NO. OF 2015

RESOLUTION OF COUNTY LEGISLATURE OF THE COUNTY OF ORANGE EXTENDING AN ADDITIONAL RATE OF TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.

WHEREAS, Resolution No. 193 of 1982, as amended, was enacted by the County Legislature of the County of Orange imposing sales and compensating use taxes; and

WHEREAS, pursuant to the authority of Section 1210 of the Tax Law, Resolution No. 66 of 2004, enacted by the County Legislature of the County of Orange, amended said Resolution No. 193 of 1982 by adding the following new provisions: Section 4-A and paragraph (d) of subdivision (1) of Section 11, and amending Section 14, thereby increasing the sales and compensation use tax rate by three-quarters of one percent until November 30, 2005; and

WHEREAS, said Resolution No. 193 of 1982, as amended, was further amended by Resolution No. 223 of 2005, extending the imposition of the three-quarters of one-percent increase in the sales and compensation use tax rate until November 30, 2007; and

WHEREAS, said Resolution No. 193 of 1982, as amended, was further amended by Resolution No. 187 of 2009, extending the imposition of the three-quarters of one-percent increase in the sales and compensation use tax rate until November 30, 2011; and

WHEREAS, said Resolution No. 193 of 1982, as amended, was further amended by Resolution No. 196 of 2011, extending the imposition of the three-quarters of one-percent increase in the sales and compensation use tax rate until November 30, 2013; and

WHEREAS, said Resolution No. 193 of 1982, was last amended by Resolution No. 192 of 2013, extending the imposition of the three-quarters of one-percent increase in the sales and compensation use tax rate until November 30, 2015; now therefore,

Be it enacted by the County Legislature of the County of Orange,

as follows:

SECTION 1. Section 4-A of Resolution No. 193 of 1982, enacted by the County Legislature of the County of Orange on September 10, 1982, imposing sales and compensating use taxes, as amended, is amended to read as follows:

“SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

“Pursuant to the authority of Section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by Sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional three-quarters of one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2004 and ending November 30, 2017. Such additional taxes shall be identical to the taxes imposed by such Sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such Sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.”

SECTION 2. Paragraph (d) of subdivision (1) of Section 11 of Resolution No. 193 of 1982, enacted by the County Legislature of the County of Orange on September 10, 1982, imposing sales and compensating use taxes, as amended, is amended to read as follows:

“(d) With respect to the additional tax of three-quarters of one percent imposed for the period beginning June 1, 2004 and ending November 30, 2017, in respect to the use of property used by the purchaser in this county prior to June 1, 2004.”

SECTION 3. This enactment shall take effect December 1, 2015

ORANGE COUNTY LEGISLATURE

Committee: Rules, Enactments and Intergovernmental Relations

Sponsors:
Co-Sponsors:

Agenda No. 7

LOCAL LAW INTRODUCTORY NO. 6 OF 2015

A LOCAL LAW ENTITLED "ORANGE COUNTY ETHICS AND DISCLOSURE LAW."

BE IT ENACTED, by the County Legislature of the County of Orange, as follows:

Section 1. Title, Purpose, and Statutory Authority.

- A. Title: This Law shall be known as and may be cited as the "County Ethics Law."
- B. The purposes of this Local Law are to:
- (1) Establish standards of ethical conduct for officers, employees and consultants of Orange County;
 - (2) Provide officers, employees and consultants of Orange County, whether elected or appointed, paid or volunteer, with clear guidance on such standards;
 - (3) Promote public confidence and integrity in the agencies and administrative offices of our local government;
 - (4) Facilitate the consideration of potential ethical problems before they arise, minimize unwarranted suspicion, and enhance the accountability of government to the people by requiring public disclosure of financial interests that may influence or be perceived to influence the actions of Orange County officers and employees; and
 - (5) Provide for the fair and effective administration of this Local Law.
- C. This Local Law is enacted pursuant to § 806 of the General Municipal Law of the State of New York and § 10 of the Municipal Home Rule Law and is not intended to, nor shall it authorize any conduct prohibited by Article 18 of the General Municipal Law.

Section 2. Definitions.

Unless otherwise stated or unless the context otherwise requires, the following terms shall, for the purpose of this Local Law, have the meaning herein indicated throughout this Local Law:

APPEAR and **APPEAR BEFORE**: Communicating in any form, including, without limitation, personally, through another person, by letter, or by telephone or electronic means.

BOARD OF ETHICS (or ETHICS BOARD): The Board of Ethics of the County of Orange, as continued, re-established and reconstituted pursuant to § 4 of this Local Law.

CHIEF FISCAL OFFICER: The Commissioner of Finance or other officer having similar powers and duties.

CONTRACT: Any claim, account or demand against or agreement with the County, express or implied, and shall include the designation of a depository of public funds and the designation of a newspaper, including but not limited to an official newspaper, for the publication of any notice, resolution, ordinance, local law or other proceeding where such publication is required or authorized by law.

CONTRACTUAL GOODS/SERVICES: Any work performed or goods delivered by a person or entity to the Customer or Client under mutual agreement of the two parties and provided the transaction has been finalized, without dispute, by the two parties.

COUNTY: County of Orange, and shall include any County improvement district, district corporation, or other district or a joint service established for the purpose of carrying on, performing or financing one or more improvements or services intended to benefit the health, welfare, safety or convenience of the inhabitants of the County or to benefit the real property within the County.

COUNTY OFFICER OR EMPLOYEE: Any officer or employee of the County, whether paid or unpaid, and includes, without limitation, all members of any office, board, body, advisory board, council, commission, agency, department, district, administration, division, bureau or committee of the County. "County officer or employee" shall not include:

- A. An individual when serving in his or her capacity as a judge, justice, officer or employee of the court system; or
- B. A member of an advisory board of the County if, but only if, the advisory board has no authority to implement its recommendations or to act on behalf of the County or to restrict the authority of the County to act.

CUSTOMER or CLIENT: Any person for whom a County officer or employee has directly supplied contractual goods/services during the previous 24 months.

GIFT and FINANCIAL BENEFIT: Includes any money, service, license, permit, contract, authorization, loan, travel, entertainment, hospitality, or any promise thereof or any other gratuity or promise thereof or anything of value. A financial transaction may be a financial benefit but shall not be a gift unless it is on terms not available to the general public. "Gift" and "financial benefit" do not include campaign contributions authorized by law or other items or services otherwise excluded as gifts as provided for in § 6(D) of this Local Law.

INTEREST: a direct or indirect pecuniary or material benefit accruing to a County officer or employee as the result of a contract with the County of Orange which such officer or employee serves. For purposes of this Local Law, a County officer or employee shall be deemed to have an interest in the contract of:

- a. his or her spouse, unemancipated children, dependents, and members of the household except a contract of employment with the County which such officer or employee serves;

- b. A firm, partnership, company, or association of which such officer or employee is a member or employee of;
- c. A corporation of which such officer or employee is an officer, director or employee; and,
- d. A corporation, any stock of which is owned and controlled directly or indirectly by such officer or employee where such officer or employee owns five percent or more of outstanding stock but shall not include any publicly traded corporation.

LOCAL ELECTED OFFICIAL: shall mean an elected official of the political subdivision (County Executive, District Attorney, County Clerk, Sheriff, and Legislators), except judges or justices of the unified court system.

MINISTERIAL ACT: An action performed in a prescribed manner without the exercise of judgment or discretion as to the propriety of the act.

OUTSIDE EMPLOYER OR BUSINESS:

- a. Any activity, other than service to the County, from which the County officer or employee receives compensation for services rendered or goods sold or produced;
- b. Any entity, other than the County, of which the County officer or employee is a member, officer, director, or employee and from which he/she receives compensation for services rendered or goods sold or produced; or
- c. Any entity in which the County officer or employee has an ownership interest, except a corporation of which the County officer or employee owns less than 5% of the outstanding stock.
- d. For purposes of this definition, "compensation" shall not include reimbursement for necessary expenses, including travel expenses or allowances.

PARTY: shall have the same meaning as contained in § 1-104 of the N.Y.S. Election Law.¹

PERSON: Both individuals and entities.

PROSPECTIVE EMPLOYER: Any person whom any officer or employee of Orange County required to annually file an ethics disclosure form under this Law, or the Relative/Immediate Family Member of, has within the past twelve months sought employment from, to the extent that such officer or employee has actual knowledge of such Relative/Immediate Family Member of such officer or employee actual seeking such employment or independent contract from such person or entity. The phrase "past twelve months" shall not refer to the twelve months preceding the adoption of this Local Law but the twelve months preceding the matter giving rise to the conduct which permits or disallows a contract or expenditure under this Local Law.

¹ Election Law Section 1-104 (3), the term "party" means any political organization which at the preceding election for governor polled at least fifty thousand votes for its candidates for governor.

RELATIVE/IMMEDIATE FAMILY MEMBER/MEMBER OF HOUSEHOLD: A spouse, unemancipated child or person claimed as a dependent on the County officer's or employee's latest individual or joint state income tax return or unrelated persons who are continually or at regular intervals living or in the preceding calendar year continually or at regular intervals lived in the same household.²

SUBORDINATE: The subordinate of a County officer or employee means another County officer or employee over whose activities he/she has direction, supervision, or control, either directly or indirectly (for example, the subordinate of a subordinate).

"Unemancipated child" shall mean any son, daughter, stepson or stepdaughter who is under age eighteen, unmarried and living in the household of the reporting individual.

Section 3. Prior Ethics Local Law Repealed.

Local Law No. 2 of 1994, as amended, of the County of Orange, and known as the County Local Ethics Law is repealed upon the effective date of this Local Law; provided, however, that nothing, including this section shall prohibit the enforcement of the said Local Law No. 2 of 1994, as amended, of the County of Orange, for actions or inactions done or not done as the case may be, by those subject to such Local Law No. 2 of 1994, as amended, of the County of Orange, prior to the effective date of this Local Law. All fines, penalties, criminal, and civil liability as the case may be shall remain in full force and effect and available for enforcement under such repealed Local Law No. 2 of 1994, as amended, of the County of Orange, for any applicable actions or inaction of those subject to such law as if such law remained in full force and effect for actions taken or inaction prior to the effective date of this Local Law.

Section 4. Continuation of the Board of Ethics and Authority Thereof.

The Orange County Board of Ethics provided for in Local Law No. 2 of 1994, as amended, of the County of Orange, is hereby continued, reconstituted and the terms of the Members of such Board of Ethics shall continue uninterrupted until their expiration as made under Local Law No. 2 of 1994, as amended, of the County of Orange. The Board shall solely be empowered to make any determination or decision previously permitted for action or inaction of any person covered by Local Law No. 2 of 1994, as amended, of the County of Orange for the actions of or inaction of any such person prior to the effective date of this Local Law. Vacancies in the existing Board of Ethics shall be filled in the manner in which such person who shall have vacated such position was filled for the balance of the term of such member as provided for herein.

Section 5. Board of Ethics.

A. Membership, Qualification of Board Members³, Removal.

1. Appointment and Confirmation. The Board of Ethics shall consist of seven members, appointed by the County Executive⁴, three of whom shall be nominated by the Chairman of

² Derived from Social Services Law Section 481-c Definitions Para. 2

³ The Grand Jury Report, at recommendation # 8, recommended changing the composition of the Ethics Board to have an equal number of appointees of the Executive and Legislative Branches. In Ulster County, the Executive appoints all such members subject to Legislative Confirmation. This footnote not intended to be included in actual law.

the Orange County Legislature, three of whom shall be nominated by the County Executive of Orange County, and one of whom shall be nominated by the Board of Ethics. Of the three nominated by the Chairman of the Orange County Legislature, no more than two shall be of the same enrolled party affiliation. Of the three nominated by the County Executive, no more than two shall be of the same enrolled party affiliation. All appointments shall be confirmed by the Legislature. Failure to gain approval or in the instance of the creation of a vacancy, such succeeding member shall be determined by the entity which the original member was selected.

2. Residency and eligibility requirements. All members of the Board of Ethics shall reside in the County of Orange and be eligible to register to vote in Orange County. Enrollment in a political party shall be deemed effective in conformance with Article 5 of Election Law of the State of New York. No member shall hold the office of Chair, First Vice Chair, Second Vice Chair, Secretary or Treasurer, or Sargent at Arms in a federal, state or Orange County political party.
3. Term of Office. The members of the Board of Ethics shall serve staggered three year terms. At the expiration of the term of office of any member of the Board of Ethics, said member shall continue to serve until reappointed or replaced by a new member.
4. Vacancies. Vacancies in the Board of Ethics shall be filled in the manner the vacated position was initially appointed and for the balance of the unexpired term.
5. Removal of Board Members. In addition to the penalties defined specifically for violation of the Orange County Ethics Law, and other pertinent sections of local, state and federal law, members of the Board of Ethics may be removed for cause by the County Executive. Prior to removal, the Board of Ethics member shall be given written notice of the grounds for removal and an opportunity to demand and receive an adjudicatory proceeding before a neutral and disinterested hearing officer to be provided by the County of Orange. Said proceeding shall be conducted according to "Regulations for Adjudicatory Proceedings" as adopted by the Orange County Legislature.⁵
6. Compensation. Members of the Board of Ethics shall receive no compensation for services rendered but shall be entitled to their reasonable and necessary expenses incurred in the performance of their duties, within appropriations made for such purposes.
7. Hiring of Staff and Consultants.
 - a. The Board of Ethics shall be responsible, for the hiring or retaining of any staff or consultants to the Board of Ethics consistent with civil service and other applicable laws and within appropriations made therefore. The secretary to the Board of Ethics shall not be a member of the Board of Ethics.

⁴ GML § 808 (1) "The members of such board of ethics shall be appointed by such governing body except in the case of a county operating under an optional or alternative form of county government, in which case the members shall be appointed by the county executive or county manager, as the case may be, subject to confirmation by such governing board....".

⁵ Derived from Local Law No. 2 of 1994 Section 6 paragraph 3.

- b. The County Attorney may provide legal and advisory services to the Board of Ethics as it may require in the performance of its duties⁶. Nothing herein shall require the Board of Ethics to utilize the County Attorney to provide such advice and the Board of Ethics may utilize outside Counsel under contract with the Board of Ethics. The County Attorney shall not provide such assistance if he or she deems the same may create a conflict.
 - c. The Board of Ethics shall utilize special counsel in reviewing and/or advising on and/or acting on any matter relating to an attorney actually engaged in the practice of law who is employed by Orange County. Neither such special counsel nor his or her firm shall have appeared in a case during the two years preceding the matter referred to the Board of Ethics, where such Orange County employed attorney or his or her office or department has appeared.
8. Organization and Meeting Requirements. The Board of Ethics shall elect a Chairperson and other officers from among its members. The Chairperson or a majority of the Board may call a meeting of the Board. The Board of Ethics shall meet a minimum of two times a year. Four members of the Board shall constitute a quorum and shall be required for the purpose of conducting a meeting. Unless otherwise provide by this local law, a concurring vote of four members shall be required for the Board to take action.

B. Powers and duties of Ethics Board

(1) **Render Advisory Opinions.** The Board of Ethics shall render advisory opinions to the officers and employees of the County of Orange with respect to Article 18 of General Municipal Law, the Code of Ethics of the County of Orange (as set forth herein and known as the "Orange County Ethics and Disclosure Law"), and the Administrative Code. Such advisory opinions shall be in response to written request from any such officer or employee under such rules and regulations as the Board may prescribe.

- a. Who Opinions May be Issued to. An advisory opinion shall be rendered on the request of a County officer or employee or supervisory official of a County officer or employee and shall apply only to such person. The request shall be in such form as the Board may require and shall be signed by the person making the request. The opinion of the Board shall be based on such facts as presented in the request or subsequently submitted in a written, signed document.
- b. Advisory opinions shall be issued only with respect to proposed future action by a public servant. A County officer or employee whose conduct or action is the subject of an advisory opinion shall not be subject to penalties or sanctions by virtue of acting or failing to act due to a reasonable reliance on the opinion, unless material facts were omitted or misstated in the request for an opinion. The Board may amend a previously issued advisory opinion after giving reasonable notice to the County officer or employee that it is reconsidering its opinion, provided that such amended advisory opinion shall apply only to future conduct or action of the person. The Board of

⁶ Noted in Grand Jury Report in Recommendation # 7: "Increase the Resources of the Board of Ethics." This footnote not intended to be in the actual local law.

Ethics shall endeavor in all circumstances to render an advisory opinion within ten business days⁷ from the date in which the Board of Ethics determines that it has received sufficient information to render such opinion but shall do so within thirty days from the date of receiving all such sufficient information, unless the person seeking the opinion consents to an extension and agrees to not engage in the action which triggered the request for an opinion during the pendency of the request for an opinion.

- c. Advisory Opinions to be summarized as part of the Annual Report. The Board of Ethics shall provide a summary of the advisory opinions issued in each year as part of the Board of Ethics Annual Report.⁸The advisory opinions of the Board shall be maintained on an annual and cumulative basis.

(2) Receive Information and Act on the Same. The Board may accept from the general public or any of its own members or any County officer or employee a complaint or allegation of conflict of interest of any officer or employee of Orange County. The Board may also accept from the general public or any of its own members or any County officer or employee a complaint or allegation of a violation of this Local Law by a County officer or employee.

- a. Complaints to be signed. All such complaints shall be signed.
- b. Complaints to remain Confidential unless Violation. All such complaints or allegations are to be kept in the confidential records of the Board by the Board unless made public by the Board after a determination of a violation has been made.
- c. Ethics Board Member to Bring Forward an Allegation or Complaint of a Conflict of Interest. To the extent that a Board member personally receives information of an allegation or complaint of a conflict of interest based upon information and belief, then such Member of the Board of Ethics shall bring the complaint forward for review and investigation by the Board of Ethics. Such member may continue to participate in the review of the allegation or complaint only so long as such Member is not a witness but only forwarded an allegation he or she received. The Members of the Ethics Board shall be entitled to the source of the information and belief of the allegation or complaint which information may be chosen to be kept confidential by the Ethics Board to the extent permitted by law.

(3) Dismissal of Complaint. Should the Board determine that there appears to be no merit to the complaint, it shall dismiss the complaint and notify the County officer or employee of its determination in writing.

(4) Meetings of Board and Hearings by Board.

- a. Meetings of the Board shall conform to Article 7 of the Public Officers (Open Meetings) Law.

⁷ The Grand Jury Report recommended "Require Prompt Reporting of Ethics Board Opinions." Grand Jury Report item # 6. This footnote not intended to be in the actual local law.

⁸ See, Opinion of NYS, Dept. of State, Committee on Open Government dated December 1, 2003, which opines that Advisory Opinions of a local Board of Ethics "may" not be disclosed under Freedom of Information Law Section 87(2) (b) as an unwarranted invasion of personal privacy and/or Section 87(2) (g), as it consists of a recommendation of the Board which is not final or binding.

- b. Confidentiality of Hearings/Meetings relating to possible violation of Law. No meeting or proceeding or hearing of the Board of Ethics concerning a possible violation of this Local Law by a County officer or employee shall be open to the public, except upon the written request of the officer or employee or as required by the provisions of Article 7 of the Public Officers Law or by some other state or federal law or regulation.
- d. Should the Board determine, by a super majority vote of its members, that there appears to be merit or probable cause in the complaint or allegation, it shall send a written invitation to the officer or employee in question to appear at a private meeting of the Board and explain the apparent conflict of interest. The written invitation shall be in the form of a notice and shall contain a statement of the facts upon which the Board has relied for its determination of probable cause and a statement of the provisions of law allegedly violated. The Board shall also inform the County officer or employee of the Board's procedural rules. Such County officer or employee shall have a reasonable time to respond either orally or in writing and shall have the right to be represented by counsel or any other person.
- d. If, after consideration of the response of the officer or employee, the Board determines by a super majority vote of its members that there remains probable cause to believe that a violation has occurred, the Board shall hold or direct a hearing to be held on the record to determine whether such violation has occurred and/or refer the matter to the appropriate department or appointing authority if the County officer or employee is subject to the jurisdiction of any state law or collective bargaining agreement which provides for conduct of disciplinary proceedings. When such matter is referred to such department or appointing authority, the department or appointing authority shall consult with the Board before issuing a final decision.
- e. If the Board determines, by clear and convincing evidence and by a super majority vote of its members, after a hearing or the opportunity for a hearing, that a County officer or employee has violated this Local Law, it shall, after consultation with the head of the department or appointing authority for the officer or employee, issue an order either imposing such penalties as provided for by this Local Law as it deems appropriate or recommending such penalties to the head of the department or appointing authority. The Order shall include findings of fact and conclusions of law. When a penalty is recommended, the head of the department or the appointing authority shall report to the Board what action was taken.
- f. The Board's findings and conclusions and Order shall be made public if it is determined that the person who was the subject of the hearing violated this Local Law.
- g. The Board shall maintain an index of all persons found to be in violation of this Local Law by name, office and date of order. The index and the determination of probable cause and orders in such cases shall be made available for public inspection and copying.
- h. Remedy Not Exclusive. Nothing contained in this section shall prohibit the appointing officer of a County officer or employee from terminating or otherwise disciplining such

public servant, where such appointing officer is otherwise authorized to do so; provided, however, that such action by the appointing officer shall not preclude the Board from exercising its powers and duties under this Local Law with respect to actions of any public servant.

- i. Regulations of Procedure. The Orange County Legislature hereby adopts regulations governing the conduct of adjudicatory proceedings and appeals relating to the proceedings authorized herein, including the assessment of the civil penalties herein authorized, which are appended to this Local Law as APPENDIX C. Such regulations shall provide for the due process procedural mechanisms substantially similar to those set forth in Article Three of the State Administrative Procedure Act, but such mechanisms need not be identical in terms of scope.
- j. In January of each calendar year, the Board of Ethics shall select a panel of five (5) individuals, licensed to practice law in the State of New York to serve as hearing officers during the calendar year.
- k. Right to Counsel. Any person compelled to appear in person or who voluntarily appears before the Board of Ethics shall be accorded the right to be accompanied, represented by, and/or advised by counsel or such other person as may be provided by a collective bargaining agreement with Orange County applicable to such person.

(5) **Other Powers of Board.** In addition to other powers and duties provided for herein, the Board:

- a. May make recommendations with respect to this Local Law or amendments thereto upon its own motion or upon the request to the Orange County Executive, the Orange County Legislature, or both;
- b. Shall promulgate rules and regulations governing its own organization and procedures, except as prescribed herein.
- c. Shall maintain records of its opinions and proceedings. Copies of all rules and regulations promulgated by the Board and any and all amendments thereto which may be adopted from time to time shall be filed with the Clerk of the Orange County Legislature and County Attorney within 10 days of their adoption;
- d. Shall administer the provisions of this Local Law;
- e. Shall review, index and maintain all annual disclosure statements filed with the Board of Ethics.
- f. Shall prepare and submit an annual report to the Orange County Executive and Legislature summarizing the activities of the Board of Ethics, listing any recommended changes to the text or administration of this Local Law.
- g. Shall provide for public inspection of certain records. The records of the Board of Ethics which shall be available for public inspection are those whose disclosure is

required by Article 6 of the Public Officers Law of the State of New York or by other state or federal law or regulation.

(6) **Referral by Local Boards.** Referral by Local Board to Board of Ethics. The Board shall not act with respect to officers and employees of any municipality located within the County or agency thereof where such municipality has established its own Board of Ethics, except that the local board may, at its option, refer matters to the County Board.

Section 6. Standard of Conduct of All County Officers and Employees.

A. **General prohibition.**

A County officer or employee, whether or not required to file an ethics disclosure form as otherwise provided for herein, shall not use his/her official position or office or take or fail to take any action in a matter which he/she knows or has reason to know may provide a personal financial benefit or secure unwarranted privileges or exemptions for any person, employer, business, or prospective employer of any person.

B. **Recusal by Officers and Employees.**

(1) A County officer or employee shall promptly recuse himself/herself from acting on a matter before the County when knowingly acting on the matter, or knowingly failing to act on the matter, may cause a direct and specific benefit to (i) such person; (ii) the Outside Employer, business, or prospective employer of such County officer or employee; (iii) the Outside Employer, business, or prospective employer of a relative or immediate family member of the County officer or employee; a relative or immediate family member; a customer or client of any such person.

(2) A County officer or employee shall promptly recuse himself/herself from acting on a matter before the County when such action would give the reasonable appearance of a conflict of interest or impropriety.

(3) Whenever a County officer or employee is required to recuse himself/herself, he/she must refrain from further participation in the matter.

C. **Representation.** A County officer or employee shall not represent any private interest before any County agency or department or in any litigation in which the County of Orange is a party or complainant.

D. **Appearances.** A County officer or employee shall not appear before any agency or department of the County except on his/her own behalf or on behalf of the County or on behalf of his or her constituent(s) in the case of an elected official or attorney therefore.

E. **Hiring practices ("*Anti-Nepotism*") and disclosure regarding contract relationship and county employment of relatives/immediate family members and/or members of the household**

(1) No County officer or employee with actual authority to cause the hiring of any person

shall participate in any decision to hire any relative/ immediate family member and/or member of the household.

- (2) Such actual authority shall be presumed even if the person extending the offer of employment is not the relative/ immediate family member of the person being hired if the person or persons extending the offer of employment is appointed by or serves at the pleasure of the relative/immediate family member or member of the household of the person being hired.
- (3) Every County officer and employee related equal to or closer in degree, by blood or marriage, than first cousin, and members of the household, to any person(s) seeking a contractual relationship with the County or seeking employment within any department, section or function of the County shall promptly disclose such relationship upon learning of such relationship or the seeking of such relationship.
- (4) The disclosure requirements of this section shall be made in writing, directed to the Chairman of the Board of Ethics, and shall be made at the earliest opportunity next following the date upon which such officer, employee, or board member, commission member, council member, or agency member first learns of or has knowledge of the making of the application by the person seeking employment and/or appointment.

F. Prohibition on Acceptance of Gifts⁹.

(1) A County officer or employee shall not accept or solicit any gift or gifts having an aggregate value of \$75 or more in any twelve month consecutive period, nor shall he/she accept or solicit any gift or financial benefit under circumstances in which it could reasonably be inferred that the gift was intended to influence such County officer or employee in the performance of his/her official duties or was intended to be a reward for any official action on his/her part;¹⁰

(2) The term "gift"¹¹ shall mean anything of more than nominal value given to a public official in any form including, but not limited to money, service, loan, travel, lodging, meals, refreshments, entertainment, discount, forbearance, or promise, having a monetary value. The following are excluded from the definition of a gift:

- (i) complimentary attendance, including food and beverage, at bona fide charitable or political events;
- (ii) complimentary attendance, food and beverage offered by the sponsor of a widely attended event. The term "widely attended event" shall mean an event which at least twenty-five individuals other than members, officers, or employees from the governmental entity in which the public official serves

⁹ The Grand Jury Report suggests changes in the Gift Law. Recommendation 3 of Grand Jury Report suggests prohibiting gifts of an aggregate amount of \$75 or more in any twelve month consecutive period. This footnote not intended to be in the law.

6. Legislative Law Section 1-c was amended, effective April 25, 2007 to delete a monetary amount of \$75 and provides that the gift cannot have "more than a nominal value" (L 2007, ch 14, § 23)

¹¹ This definition of items excluded from "gift" is largely taken from Section 1-c of the Legislative Law of the State of New York. The *italicized portions* are intended to be additions to Section 1-c.

attend or were, in good faith, invited to attend, and which is related to the attendee's duties or responsibilities or which allows the public official to perform a ceremonial function appropriate to his or her position. For the purposes of this exclusion, a public official's duties or responsibilities shall include but not be limited to either

- a. attending an event or a meeting at which a speaker or attendee addresses an issue of public interest or concern as a significant activity at such event or meeting; or
 - b. for elected public officials, or their staff attending with or on behalf of such elected officials, attending an event or a meeting at which more than one-half of the attendees, or persons invited in good faith to attend, are residents of the county, district or jurisdiction from which the elected public official was elected;
- (iii) awards, plaques, and other ceremonial items which are publicly presented, or intended to be publicly presented, in recognition of public service, provided that the item or items are of the type customarily bestowed at such or similar ceremonies and are otherwise reasonable under the circumstances, and further provided that the functionality of such items shall not determine whether such items are permitted under this paragraph;
 - (iv) an honorary degree bestowed upon a public official by a public or private college or university or school;
 - (v) promotional items having no substantial resale value such as pens, mugs, calendars, hats, and t-shirts which bear an organization's name, logo, or message in a manner which promotes the organization's cause;
 - (vi) goods and services, or discounts for goods and services, offered to the general public or a segment of the general public defined on a basis other than status as a public official and offered on the same terms and conditions as the goods or services are offered to the general public or segment thereof;
 - (vii) gifts from a family member, member of the same household, or person with a personal relationship with the public official, including invitations to attend personal or family social events, when the circumstances establish that it is the family, household, or personal relationship that is the primary motivating factor; in determining motivation, the following factors shall be among those considered:
 - (a) the history and nature of the relationship between the donor and the recipient, including whether or not items have previously been exchanged;
 - (b) whether the item was purchased by the donor; and,
 - (c) whether or not the donor at the same time gave similar items to other

public officials; the transfer shall not be considered to be motivated by a family, household, or personal relationship if the donor seeks to charge or deduct the value of such item as a business expense or seeks reimbursement from a client;

- (viii) contributions reportable under Article 14 of the Election Law, including contributions made in violation of that article of the Election Law;
- (ix) travel reimbursement or payment for transportation, meals and accommodations for an attendee, panelist or speaker at an informational event or informational meeting when such reimbursement or payment is made by a governmental entity or by an in-state accredited public or private institution of higher education that hosts the event on its campus provided, however, that the public official may only accept lodging from an institution of higher education: (A) at a location on or within close proximity to the host campus; and (B) for the night preceding and the nights of the days on which the attendee, panelist or speaker actually attends the event or meeting;
- (x) provision of local transportation to inspect or tour facilities, operations or property located in New York state *or in an adjoining state*, provided, however, that such inspection or tour is related to the individual's official duties or responsibilities and that payment or reimbursement for expenses for lodging or travel expenses to and from the locality where such facilities, operations or property are located shall be considered to be gifts unless otherwise permitted under this subdivision;
- (xi) meals or refreshments when participating in a professional or educational program and the meals or refreshments are provided to all participants;
- (xii) food or beverage valued at fifteen dollars or less; and
- (xiii) payment by any for-profit, non-profit association or organization which the County Officer or Employee receives professional training or assistance from and is directly related to their position or duties; by way of example and not limitation, if the New York State Association of Counties provides a partial or whole payment for a County Officer or Employee to attend a seminar, meeting, or training session, the same is not a gift.

Nothing herein shall permit the acceptance of any travel costs, services, or reimbursement thereof without permission from the County Executive or such other County Officer or Employee based on personnel or other policies of the County.

- (xiv) gifts or benefits having a value of \$100 or less that are received by a County officer or employee listed in § 11 of the Domestic Relations Law of the State of New York for the solemnization of a marriage by that officer or employee at a

place other than his or her normal public of business at a time other than his or her normal hours of business.¹²

- (xv) professional advice with respect to issues that come before the County of Orange which has a monetary value.

G. Political solicitation. No County officer or employee shall directly or indirectly, use his or her authority or official influence to compel or induce any subordinate of the officer or employee to participate in an election campaign or contribute to a political committee.¹³

H. Maintenance of Confidential information. The New York State Freedom of Information Law (Public Officers Law § 87, Subdivision 2) describes information that is not required to be released under the Freedom of Information Law. This description should guide County employees and officers as to the information that may be considered confidential. Confidential information under this Local Law does not exceed the bounds for confidential information set by Public Officers Law § 87, Subdivision 2. Before a County employee or officer discloses information that may be considered confidential, he/she is encouraged to seek a written determination from the Department's Records Access Officer. The Department's Records Access Officer may seek an opinion from the County Attorney prior to making a determination. The restrictions on disclosure and use of confidential information described herein apply without regard to the circumstances in which the information was acquired and include information gained through means other than the possessor's association with the County.

I. Avoidance of Conflicts. County officers and employees shall not knowingly acquire, solicit, negotiate for, or accept any interest, employment, or anything of value which would put them in violation of this Local Law, including but not limited to solicitation of employment for themselves, their spouse, child member of the household of any County contractor if such officer or employee has discretion to award a contract to such contractor or has appropriate money for such specific contract (but not a contract awarded under an appropriation in the annually adopted County budget).

J. Prohibition of Inducement of others. A County officer or employee shall not induce or aid another officer or employee of the County to violate any of the provisions in this Local Law.

K. Investments by County Officers/Employees. A County officer or employee shall not knowingly invest or knowingly hold any investment directly or indirectly in any business, financial, commercial or other private transaction doing business with the County of Orange which would create a conflict with his/her official duties.

¹² See, N.Y.S. General Municipal Law Section 805-b Solemnization of marriages:

“Notwithstanding any statute, law or rule to the contrary, no public officer listed in section eleven of the domestic relations law shall be prohibited from accepting any gift or benefit having a value of one hundred dollars or less, whether in the form of money, property, services or entertainment, for the solemnization of a marriage by such public officer at a time and place other than the public officer's normal public place of business, during normal hours of business. For the purpose of this section, a town or village judge's normal hours of business shall mean those hours only which are officially scheduled by the court for the performing of the judicial function.

¹³ Derived from N.Y.S. Civil Service Law Section 107 (3):

“No officer or employee of the state or any civil division thereof, shall, directly or indirectly, use his authority or official influence to compel or induce any other officer or employee of the state or any civil division thereof, to pay or promise to pay any political assessment, subscription or contribution.”

L. Bidding by Officers and Employees on county owned real property acquired by tax sale.

- (i) No Orange County officers, employees or elected or appointed officials whose titles are listed in the attached schedule (APPENDIX D) may bid for or acquire or purchase any parcel or parcels of real property which is offered for sale by the County of Orange in any manner as a result of the tax delinquency of such parcel or parcels. This prohibition shall include a prohibition against such County officers, employees or officials bidding upon or acquiring or purchasing such properties directly or through an agent, representative, attorney or other third party, including but not limited to a spouse, child or member of the household. It shall be presumptive proof of a violation of this Law if such County officer, employee or official shall have acquired any interest whatsoever, including but not limited to the holding of a mortgage, lien or other financial interest, in any such property, howsoever acquired, either directly or through any third parties, within two (2) years of the date upon which such property was sold or conveyed by the County of Orange.
- (ii) If, however, an Orange County officer, employee, or elected or appointed official, whose title is listed in the attached Appendix "D", owns land that adjoins a parcel or parcels which have been offered for sale, then such County officer, employee or official may by written request to the Board of Ethics seek to purchase said parcel upon the receipt of written approval to do so by the Board of Ethics. The Board of Ethics shall deny such approval on the basis of the existence of, or the appearance of, a prohibited conflict of interest, as defined under this Local Law, and/or other prevailing State or other laws, rules and regulations.

M. Duty to Report Violations¹⁴. Legislators, Countywide Elected Officials, and Department Heads and those holding the title of Deputy Commissioner or other person secondarily in charge of an entire Department shall be required to report violations of this local law to the Board of Ethics.

N. Waiver. A County officer or employee may apply for a waiver request form from any of the standards set forth herein upon a showing of compelling need. A waiver request form will be available from the Secretary of the Ethics Board and may be modified from time to time by the Board of Ethics as deemed necessary.

O. Related Prohibitions. No officer or employee shall take action or participate in any manner whatsoever in his or her official capacity in the discussion, negotiation or the awarding of any contract or in any business or professional dealings with the County of Orange or any agency thereof in which the official or employee, their spouse, child or sibling or a member of the household has or will have an interest, direct or indirect, in such contract or professional dealings.

Section 7: Prohibition of Interest in Contracts with County.

¹⁴ Recommended by the Grand Jury Report. Item # 12. This footnote not intended to be in actual local law.

A. Prohibited interests.

1. No County officer or employee shall have an interest in a contract with the County, or an interest in a bank or trust company, that is prohibited by New York State General Municipal Law § 801.¹⁵

2. Unless the contract is required by law to have been so awarded, a contract entered into between the County and the Prospective Employer or Outside Employer of any person who appropriated funds for such contract, other than as part of the adopted annual County budget, or any employee who recommended such contract or approved such contract shall be null, void, and wholly unenforceable.

3. Unless the contract is required by law to have been so awarded, a contract willfully entered into by or with the County and the Prospective Employer or actual employer of any relative/immediate family member of a person who appropriated funds for such contract, other than as part of the adopted annual County budget, or any employee who played a role in recommending such contract for approval or approved such contract shall be null, void, and wholly unenforceable¹⁶.

4. Any contract willfully entered into by or with the County in which there is an interest prohibited shall be null, void, and wholly unenforceable, to the extent provided by General Municipal Law § 804.

5. Any contract willfully entered into by or with the County where an officer or employee violated the provisions of this law due to the relationship (or in the case of a prospective employer, the prospective relationship) between such officer or employee or relative/immediate family member or a member of the household of such officer or employee shall be null, void, and wholly unenforceable.

B. Disclosure of interest.

In accordance with General Municipal Law § 803, any County officer or employee who has, will have, or later acquires an interest in or whose spouse or a member of the household has, will have or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the County shall publicly disclose the nature and extent of such interest in writing to and file with his or her immediate supervisor if they have a supervisor, and the Clerk of the County Legislature as soon as he or she has knowledge of such actual or prospective interest and in an annual ethics disclosure form if such form is required to be filed as described herein. Such written disclosure shall be made a part of and set forth in the official records of the proceedings of the Legislature. The Clerk of the Legislature shall immediately file a copy of such disclosure with the County Executive and the Board of Ethics.

Section 8: Annual Disclosure.

¹⁵ See, Local Law Section 14, "Supersession of State Law."

¹⁶ It is not the intent of this paragraph to void contracts between the employers of Orange County Employees or the employers of the relative/immediate family member of an Orange County employee. Rather, it is the intent to void those of the employer of the relative/immediate family member's employer when such Orange County employee played a role in appropriating funds relating to the contract or recommending such contract or approving such contract.

Annual disclosure will take place in accordance with General Municipal Law § 812, except the following provisions shall be controlling:

A. County officers, employees, and contractors required to file disclosure statement. Annual disclosure statements shall be filed by all elected County officials, department heads and their deputies and those individuals who are employees of contractors and have the authority for policy-making decisions, including but not limited to the list of titles and contractors appended to this Local Law as **APPENDIX A**, which may be amended from time to time by resolution of the County Legislature. The list of contractors includes the actual person, not the employer of such person who performs substantive managerial or administrative functions as a contracting party on behalf of Orange County¹⁷.

B. County political party officials. The annual financial disclosure statement shall also be required of the Chair, First Vice Chair, Second Vice Chair, Treasurer and Secretary, Sargent at Arms, of a county political party, if such person or his successor in office received compensation or reimbursement of expenses from a constituted committee or political committee funds during the reporting period aggregating a combined total of \$30,000 or more.¹⁸

C. Any person who shall become a candidate for the office of any elected official of Orange County. The disclosure forms shall be filed by the candidate within 7 days after the filing of the nominating petitions of said candidate.¹⁹

D. Time and place for filing. Annual disclosure statements shall be filed with the Secretary of the Board of Ethics:

- (1) Within 60 days of taking office; and,
- (2) No later than May 1 of each year thereafter.

E. Changes in disclosed information. If it becomes apparent to any person required to file an annual disclosure form that there was an error in the same, the same shall be promptly corrected by filing an amended form with the Board of Ethics.

F. Contents of annual disclosure statements and waiver request forms. The County Legislature shall have the power and authority to promulgate and amend the form from time to time by local law and as provided for in and in conformity with § 811 or other applicable provisions of General Municipal Law.

G. The annual disclosure form shall be acknowledged and notarized and in substantially the form which is annexed hereto and made a part hereof as Appendix B. The Legislature, may, by local law, amend such form and such updated form shall be transmitted by the Clerk of the Legislature to the Chairman of the Ethics Board for use in the following calendar year or for use in such year as the amendment to the form is made if made before April 1. Such revised form shall also be utilized by new employees or Officers who have not yet filed a disclosure form, provided, however, that such

¹⁷ This provision is discussed in the Grand Jury at recommendation number 13. Note: This footnote not intended to be included in the actual law. .

¹⁸ Derived from N.Y.S. Public Officer's Law Section 73 1. (K)

¹⁹ Derived from N.Y.S. Gen. Munic. Law Section 812 and Orange County Local Law No. 2 of 1994, Section 5 Para 4.(c).

new employee or Officer shall have sixty days from commencing employment until when the revised form must be filed.

H. Maintenance of annual disclosure statements. The secretary of the Board of Ethics shall transmit to the Board of Ethics all annual disclosure statements required by this Local Law within five business days of receiving such statements.

I. Good faith efforts. Failure to disclose the information required by Subsection A of this section with respect to a County officer's or employee's spouse or member of the household or other relative as required by this local law shall not constitute a violation of the subsection if the officer or employee has made a good faith effort to obtain the information and if he/she sets forth those efforts in his/her annual disclosure statement.

J. Distribution of disclosure form. On or before the first day of March of each year, beginning with the year 2016 and thereafter, the Chairman of the Board of Ethics shall cause the annual statement of financial disclosure to be distributed to those persons required to file the same. The Chairman of the Board of Ethics may request the assistance of the Commissioner of Human Resources, provided the County Executive concurs with the same, in causing such dissemination to occur.

K. Hardship provision. Any person who is subject to the reporting requirements of this section and who timely filed with the Internal Revenue Service an application for automatic extension of time in which to file his or her individual income tax return for the immediately preceding calendar or fiscal year shall be required to submit such financial disclosure statement on or before May 1 but may, without being subjected to any civil penalty on account of a deficient statement, indicate with respect to any item of the disclosure statement that information with respect thereto is lacking but will be supplied in a supplemental statement of financial disclosure which shall be filed on or before the seventh day after the expiration of the period of such extension of time actually granted within which to file such individual income tax return, provided that failure to file or to timely file such supplementary statement of financial disclosure or the filing of an incomplete or deficient supplementary statement of financial disclosure shall be subject to the notice and penalty provisions of this Local Law respecting annual statements of financial disclosure as if such supplementary statements were an annual statement.

L. Disclosure forms subject to Public Officers Law Article 6 ("Freedom of Information Law").²⁰ Ethics disclosure forms of county elected officials (County Executive, District Attorney, Sheriff, County Clerk and Legislators) shall be posted on the Orange County website. All other ethics disclosure forms shall be available for inspection and photocopying in accordance with New York State "Freedom of Information Law." Prior to public disclosure of any ethics disclosure form, the following personal information will be redacted: the address, phone number, email address of any person, the names of the employee or officer's minor children, any other relevant information determined by the Ethics Board necessary or appropriate to be redacted for reasons relating to the public safety or one or more persons or otherwise permitted to be redacted under the Public Officers Law, on the Ethics Board's own initiative, or upon the request of the officer or employee with the consent of the Ethics Board, but only if such information is not required to be made public pursuant to the Public Officers Law. The Sheriff and County Attorney of Orange County may be consulted by the Ethics Board in making a determination relating to portions of forms (or entire forms) not to be published.

²⁰ Pursuant to recommendation of Grand Jury Report, recommendation # 4. This footnote not intended to be printed in local law.

Section 9. Penalties for Offenses.

A. Void contracts. Any contract or agreement entered into by or with the County in which there is an interest prohibited by this Local Law shall be null, void, and wholly unenforceable, to the extent provided by § 804 of General Municipal Law or the provisions of this Local Law.

B. Civil penalties. Any County officer or employee who violates any provision of this Local Law, including any reporting individual who knowingly and willfully fails to file an annual statement of financial disclosure or who knowingly and willfully with intent to deceive makes a false statement or gives information which such individual knows to be false on such statement of financial disclosure filed pursuant to this Local Law, shall be assessed a civil penalty in an amount not to exceed \$10,000 or the value of any financial benefit obtained by the violator or the spouse, child, or member of the household of the violator of this Local Law, whichever is greater. Assessment of a civil penalty hereunder shall be made by the Orange County Board of Ethics. Assessment of a civil penalty shall be final unless modified, suspended or vacated within 30 days of imposition and, upon becoming final, shall be subject to review at the instance of the affected reporting individual in a proceeding commenced against the Orange County Board of Ethics pursuant to Article 78 of the Civil Practice Law and Rules.

C. Criminal penalties. For a violation of this Local Law, the Orange County Board of Ethics may, in lieu of a civil penalty, refer a violation to the appropriate prosecutor, and upon such conviction, but only after such referral, such violation shall be punishable as a Class A misdemeanor. A civil penalty for false filing may not be imposed hereunder in the event a category of "value" or "amount" reported hereunder is incorrect unless such reported information is falsely understated.

D. Disciplinary action. Any County officer or employee who violates any provision of this Local Law may be warned, reprimanded, suspended, or removed from office or employment, and/or be subject to any other sanction authorized by law or collective bargaining agreement by the appointing authority or body authorized by law to impose such sanctions. A warning, reprimand, suspension, removal or other authorized sanction may be imposed in addition to any other penalty contained in this section or in any other provision of law.

Section 10. Prohibitions Relating to Private Employment²¹.

I. Employment Solicitation²². No officer or employee shall engage in, solicit, negotiate for or promise to accept private employment or render services for his or her personal benefit when such employment or service creates a conflict or impairs the proper discharge of his or her official duties.

A. Prohibition relating to Appropriators or Authorizers. No county officer or employee responsible for appropriating funds for the effectuation of, or negotiating or authorizing a contract or signing a contract may ask for, pursue or accept a private post-government employment opportunity with any person or entity who actually received such contract for a period of two years after ceasing

²¹ The Grand Jury Report recommended that standards be instituted for employees leaving county employment. Recommendation #10 of Grand Jury Report. This footnote not intended to be included in actual local law.

²² The Grand Jury report recommended: "Prohibit soliciting employment from County contractors." Recommendation # 12 of Grand Jury Report. This footnote not intended to be included in actual local law.

to be an officer or such an employee of Orange County. Appropriating funds for the effectuating of a contract shall relate to a specific matter, not voting generally on the annual County budget.²³

B. Intent. It is the intent of this section to prohibit elected officials or higher level County employees who have negotiated or signed a contract the County is a party to, from benefitting by later being hired by such contracting party.

C. Departmental Prohibitions. No county officer or employee, for the two-year period after serving as a county officer or employee, may represent or render services to a private person or organization in connection with any matter involving the exercise of discretion before the municipal office, board, department or comparable organizational unit for which he or she serves. The exercise of discretion does not relate to ministerial matters.

D. Particular Transactions. No county officer or employee, at any time after serving as a county officer or employee, may represent or render services to a private person or organization for financial gain for themselves or a relative/immediate family member or member of household in connection with any particular transaction in which he or she personally and substantially participated while serving as a municipal officer or employee.

E. Waiver. The above provisions of this section may be waived by the Board of Ethics upon a finding that an appropriator, negotiating or contracting person on behalf of the County had no direct involvement with the selection of the contractor or that the involvement was limited to issuing an approval of or appropriation for a recommended contractor that the approver or appropriator was not otherwise involved with the selection of. The person seeking the waiver shall demonstrate their entitlement to it by clear and convincing evidence to the Board of Ethics.

F. Two Year Prohibition of appearances before county boards/agencies for financial gain. Unless requested in writing by the County Executive or Chairperson of the Legislature, a County officer or employee shall not, after the termination of service or employment with the County, appear for financial gain before any board or agency of the County in relation to any case for a period of two years and shall not appear for financial gain at any time in any proceeding or application in which he/she personally participated, except in a ministerial way, during the period of his/her service or employment or which was under his/her active consideration.

G. Action by Board of Ethics Against Former Employee. The Board of Ethics provided by this Local Law has the authority to act against any former County officer or employee and levy fines or make referrals as if such County officer or employee were still a County officer or employee during the two year period provided for herein, provided the said Board of Ethics shall have commenced (on notice to such former employee or officer) their review or investigation of the transaction giving rise to the investigation or transaction within two years of such officer or employee's ceasing to be an Orange County Officer or Employee.

Section 11. Judicial Review.

²³ The County Executive enters into hundreds and perhaps thousands of contracts annually on behalf of the County. It is not the intent herein to prohibit a Legislator from accepting employment from those "run of the mill" contracts. Rather, from time to time, the Legislature appropriates money for specific purposes and a contract is thereafter entered into. It is those contractors which are intended to be the subject of this provision as it relates to a Member of the Legislature.

Any person aggrieved by a recommendation of the Board of Ethics, as implemented by the County, may seek judicial review and relief pursuant to Article 78 of the Civil Practice Law and Rules of the State of New York.

Section 12. Training.

The Department of Human Resources with the assistance of the Ethics Board shall provide training to all officers or employees of Orange County. Such training may consist of written and/or audio or video presentations or the dissemination of written materials. The training shall provide illustrative, but non-exclusive examples in relation to acceptable and unacceptable gifts and when a county employee shall be required to notify someone of a conflict or potential conflict.

Section 13. County Contractors.

County Contractors shall certify in their contract with the County, unless prohibited by making such certification by any State or Federal directive or law, as follows: "The undersigned Contractor does not knowingly employ nor has in the year preceding the approval of the contract, offered employment to or payment for services to any member of the County Legislature, County Department head, County Executive, or County Officer responsible for any determination with respect to recommending or approving the contract at issue unless such employment was turned down by such person. The person to whom such employment or payment for services was offered was: _____." The form of such certification, if different from the preceding sentence, shall be provided by the County Attorney and filed with the Clerk of the Legislature prior to its usage in standard County contracts.

Section 14. Supersession of State Law.

Whenever the requirements of this Local Law are inconsistent with the provisions of Article 18 of the General Municipal Law, the more restrictive provisions or those imposing higher standards shall govern.

Section 15. Construal of Provisions.

- A. No existing right or remedy shall be lost, impaired, or affected by reason of this Local Law.
- B. Nothing in this Local Law shall be deemed to bar or prevent a present or former County officer or employee from timely filing any claim, account, demand, or suit against the County on behalf of himself/herself or any member of his/her family arising out of personal injury or property damage or any lawful benefit authorized or permitted by law.
- C. If any provision of this Local Law is held by a court of competent jurisdiction to be invalid, that decision shall not affect the validity and effectiveness of the remaining provisions of this Local Law.

Section 16. Distribution and Posting.

A. Within 90 days after the adoption of this Local Law and thereafter as appropriate, the Board of Ethics shall transmit to the Orange County Legislature and Clerk of the Legislature, in a form suitable for posting, copies of those provisions of this Local Law which the Board of Ethics deems necessary for posting in the County of Orange. Within 30 days after receipt of those copies, the Clerk of the Legislature shall cause the copies to be posted conspicuously where public notices are generally posted.

B. Within 90 days after the effective date of this Local Law and thereafter as appropriate, the Board of Ethics shall transmit to the Clerk of the Legislature, in a form suitable for distribution, copies of those provisions of this Local Law which the Board of Ethics deems necessary for distribution to the officers and employees of the County. Within 30 days after receipt of those copies, the Clerk of the Legislature, with the assistance of the Commissioner of the Department of Human Resources shall cause the copies to be distributed to every officer and employee of the County and made readily available to the public. Every County officer or employee elected or appointed thereafter shall be furnished a copy of those provisions upon entering upon the duties of his/her position.

C. Failure of the County to comply with the provisions of this section or failure of any County officer or employee to receive a copy of those provisions of this Local Law shall have no effect on the duty of compliance with this Local Law or on the enforcement of its provisions.

Section 17. Severability.

The provisions of this Local Law shall be severable, and if any clause, sentence, paragraph, subdivision or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 18. Effective Date. This act shall take effect January 1, 2016 except sections 16 and 17 shall take effect upon filing with the Secretary of State.

APPENDIX A: LIST OF COUNTY OFFICERS AND EMPLOYEES SUBJECT TO DISCLOSURE

APPENDIX B: ANNUAL DISCLOSURE FORM

APPENDIX C: REGULATIONS FOR ADJUDICATORY PROCEEDINGS

APPENDIX D: LIST OF COUNTY OFFICERS AND EMPLOYEES PROHIBITED FROM PURCHASING
COUNTY DEED SALE PARCELS

APPENDIX A

ORANGE COUNTY GOVERNMENT POSITIONS BY DEPARTMENT SUBJECT TO ETHICS LAW FINANCIAL DISCLOSURE

LEGISLATIVE BOARD

Chairman of the Legislature
Majority Leader
Minority Leader
Legislator
Legislative Counsel

CLERK OF THE LEGISLATIVE BOARD

Clerk of the Legislature
Deputy Clerk of the Legislature

OFFICE OF THE DISTRICT ATTORNEY

District Attorney
Chief Assistant District Attorney
Chief Trial Assistant District Attorney
Executive Assistant District Attorney
Project Manager (Group Violence Intervention)
Senior Assistant District Attorney
Assistant District Attorney IV
Assistant District Attorney III
Assistant District Attorney II
Assistant District Attorney I

OFFICE OF THE COUNTY EXECUTIVE

County Executive
Deputy County Executive
Director of Operations and Cost Control
Economic Development Zone Director

Division of Central Services

Assistant to the County Executive
Staff Assistant

Division of Risk Management

Risk Management Officer
Benefits Administrator

Employment and Training Administration

Employment and Training Director
Assistant Director, Employment and Training
Supervisor of Employment Services

Youth Bureau

Youth Bureau Director

DEPARTMENT OF FINANCE

Commissioner of Finance
Deputy Commissioner of Finance

Division of Real Property Tax Service Agency

Director of Real Property Tax Service Agency
Assistant Director of Real Property Tax Services
Assessor

OFFICE OF THE BUDGET

Budget Director
Deputy Budget Director

DEPARTMENT OF GENERAL SERVICES

Commissioner of General Services
Director of Compliance
Director of Grants
Purchasing Agent
Grants Coordinator
Contract Coordinator

OFFICE OF THE COUNTY CLERK

County Clerk
Deputy County Clerk

DEPARTMENT OF LAW

County Attorney
Deputy County Attorney
Chief Assistant County Attorney (Appeals)
Chief Assistant County Attorney (Family Law & Juvenile Justice)
Chief Assistant County Attorney (Litigation)
Senior Assistant County Attorney
Assistant County Attorney

DEPARTMENT OF HUMAN RESOURCES

Commissioner of Human Resources
Deputy Commissioner of Employee Relations
Deputy Commissioner of Human Resources
Director of Personnel Management
Director of Civil Service

BOARD OF ELECTIONS

Commissioner of Elections
Deputy Commissioner of Elections
Bilingual Election Program Coordinator

DEPARTMENT OF PUBLIC WORKS

Commissioner of Public Works
Deputy Commissioner of Public Works-Division of Engineering
Deputy Commissioner of Public Works-Division of Environmental Facilities
Deputy Commissioner for Infrastructure Services
Director of Professional Services
Director of Aviation
Director of Facilities
Principal Engineer
Senior Engineer
Assistant Engineer
Junior Engineer

DEPARTMENT OF INFORMATION TECHNOLOGY

Commissioner of Information Technology
Director of Client Services
Director of Systems Integration
Assistant Director of Client Services
Assistant Director of Systems Integration
Geographic Information Systems Manager

EMERGENCY SERVICES

Commissioner of Emergency Services
Deputy Commissioner of Emergency Services-Division of Emergency Communications
Deputy Commissioner of Emergency Services-Division of Emergency Management
Deputy Commissioner of Emergency Services-Division of Emergency Medical Service
(Part-time)
Deputy Commissioner of Emergency Services-Division of Fire Services
Deputy Commissioner of Emergency Services-Division of Police Liaison Services
Systems Integration Manager
Director of Operations (911)
Fire Training Center Manager
Communications Systems Specialist

OFFICE OF THE SHERIFF : CIVIL DIVISION

Sheriff
Undersheriff
Assistant Undersheriff
Deputy Sheriff and Chief
Program Integrity Officer

OFFICE OF THE SHERIFF : CORRECTIONS DIVISION

Corrections Administrator
Assistant Corrections Administrator
Staffing and Training Coordinator

DEPARTMENT OF PROBATION

Probation Director III
Deputy Probation Director III
Principal Probation Officer

DEPARTMENT OF HEALTH

Commissioner of Health
Medical Examiner
Deputy Commissioner of Health
Deputy Medical Examiner
Director of Patient Services
Director of Early Intervention Services
Director of Public Health Emergency Response
Director of Operations (ME)
Principal Public Health Engineer
Senior Public Health Engineer
Public Health Engineer

DEPARTMENT OF MENTAL HEALTH

Commissioner of Mental Health
Deputy Commissioner of Mental Health
Director of Chemical Dependency Services
Director of Mental Health Program Services
Project Director
Director of Developmental Disabilities Program Services
Director of Clinical Services (Mental Health)
Administrative Officer - Mental Health
Director of Children's Services

DEPARTMENT OF SOCIAL SERVICES

Commissioner of Social Services
Deputy Commissioner of Social Services
Administrative Officer - DSS
Director of Human Services
Director of Economic Independence
Fiscal Director
Assistant to the Commissioner of Social Services
Director of Program Integrity
Senior Case Supervisor
Chief Social Welfare Examiner
Staff Development Coordinator
Senior Network Support Specialist
Fiscal Manager
Contract Monitor
Supervisor of Administrative Support Services
Medical Transportation Supervisor

DEPARTMENT OF RESIDENTIAL HEALTH CARE SERVICES

Commissioner of Residential Health Care Services
Deputy Commissioner, Residential Health Care Services
Director of Nursing
Associate Director of Nursing
Assistant Director of Nursing
Director of Admissions and Human Services
Director of Clinical Services
Senior Pharmacist
Plant Operations Manager
Rehabilitation Therapies Coordinator
Director of Dietary Services
Reimbursement Analyst
Director of Staff Resources
Director of Social Services
Executive Housekeeper
Accounting Supervisor
Director of Activities and Volunteers
Resource Manager

VETERANS' SERVICE AGENCY

Director, Office of Veterans' Services
Senior Deputy Director of Veterans' Services
Cemetery Superintendent

DEPARTMENT OF CONSUMER AFFAIRS

Commissioner of Consumer Affairs
Director of Weights & Measures

OFFICE FOR THE AGING

Director, Office for the Aging
Assistant Director, Office for the Aging
Nutrition Program Director

DEPARTMENT OF PARKS, RECREATION AND CONSERVATION

Commissioner of Parks, Recreation and Conservation
Deputy Commissioner of Parks, Recreation and Conservation
Director of Park Construction and Maintenance
Park Maintenance Supervisor

COUNTY HISTORIAN

County Historian

DEPARTMENT OF PLANNING

Commissioner of Planning
Deputy Commissioner of Planning
Senior Planner
Tourism Coordinator

OFFICE OF COMMUNITY DEVELOPMENT

Director of Community Development
Assistant Director of Community Development
Rehabilitation Planner

HUMAN RIGHTS COMMISSION

Executive Director, Orange County Human Rights Commission

MEMBERS OF THE FOLLOWING AGENCIES, COUNCILS, COMMISSIONS, BOARDS OR BUREAUS OF ORANGE COUNTY ARE SUBJECT TO FILING OF DISCLOSURE FORMS:

Affiliated with the Office of the County Executive

Board of Directors for the Orange County Water Authority
Orange County Human Rights Commission
Board of Directors of Orange County Soil and Water Conservation District
Foreign Trade Zone Management Board
Electrical Licensing Board

Affiliated with the Office of the County Executive/Employment & Training:

Orange County Workforce Investment Board

Affiliated with the Department of Parks, Recreation & Conservation:

Orange County Parks, Recreation & Conservation Board

Affiliated with Orange County Community College:

Orange County Community College Board of Trustees

Affiliated with Orange County Legislature:

Orange County Board of Ethics
• Counsel to the Board of Ethics
Industrial Development Agency
Orange County Board of Health

Affiliated with the Office of Community Development:

Community Development Advisory Committee
Home Advisory Committee



ORANGE COUNTY

APPENDIX B

ANNUAL STATEMENT OF FINANCIAL DISCLOSURE

(For calendar year _____)

- Filing Deadlines:
1. No later than May 1 of each year;
 2. Within 60 days of taking office;
 3. Within 7 days after the filing of nominating petitions for
A candidate seeking the office of any elected official for the
County of Orange (*County Executive, District Attorney,
Sheriff, County Clerk or County Legislator*).

(In responding to questions, please refer to the Orange County Department of General Services website for a list of entities doing business with the County of Orange.)

To be constructed

PLEASE BE ADVISED, YOU HAVE A CONTINUING DUTY TO MAKE ADDITIONAL DISCLOSURE WHENEVER NEW OR DIFFERENT INFORMATION SUBJECT TO DISCLOSURE IS DISCOVERED.

1. Name and Address:

Name

Title

Department or Agency

County Address

County Telephone

(If none then provide another telephone number where you can be reached during the day).

2. Spouse, Unemancipated Children and Members of Your Household

a. Marital status_____. If married, please give spouse’s full name including maiden name where applicable. (See below for definitions).

Spouse

b. List the names of all unemancipated children.

c. List the names of all other members of your household.

“Spouse” means your husband or wife unless you are living separate and apart with the intention of terminating the marriage or providing for permanent separation or unless separated pursuant to: (a) a judicial order, decree or judgment, or (b) a legally binding separation agreement.

“Family member/member of household” means your spouse, unemancipated child or a person claimed as a dependent on your latest individual or joint state income tax return or unrelated persons who continually or at regular intervals lives in or, in the preceding calendar year, continually or at regular intervals lived in your household.

“Unemancipated child” shall mean any son, daughter, stepson or stepdaughter who is under age eighteen, unmarried and living in the household of the reporting individual.

Answer each of the following questions completely, with respect to calendar year 20, unless another period or date is otherwise specified. If additional space is needed, attach additional pages.

“Calendar year” shall mean the year ending the December 31st preceding the date of filing of the annual statement.

Whenever a “value” or “amount” is required to be reported herein, such value or amount shall be reported as being within one of the following Categories:

- Category A - under \$5,000;
- Category B - \$5,000 to under \$20,000;
- Category C - \$20,000 to under \$60,000;
- Category D - \$60,000 to under \$100,000;
- Category E - \$100,000 to under \$250,000; and
- Category F - \$250,000 or over.

Please indicate the Category by letter only.

Whenever, the term **“INTEREST”** is used it means: a direct or pecuniary or material benefit accruing to a County officer or employee **AS A RESULT OF A CONTRACT WITH THE COUNTY** which such officer or employee serves. A County officer or employee shall be deemed to have an interest in the contract of:

- A. His or her spouse, unemancipated children, dependents, and members of the household except a contract of employment with the County which such officer or employee serves;
- B. A firm, partnership, company, or association of which such officer or employee is a member or employee of;
- C. A corporation of which such officer or employee is an officer, director or employee; and,
- D. A corporation, any stock of which is owned and controlled directly or indirectly by such officer or employee where such officer or employee owns five percent or more of outstanding stock but shall not include any publically traded corporation.

3. Outside Employment

- a. If you were engaged in any outside occupation, employment, trade, business or profession which had a contract with the County of Orange, list the name, address and description of such occupation, employment, trade, business or profession and the name of the County department/agency which had said contract .

<u>Position</u>	<u>Name & Address of Organization</u>	<u>Description</u>	<u>County Department/Agency</u>
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- b. If your spouse, unemancipated child or a member of your household was engaged in any

occupation, employment, trade, business or profession **which had a contract with the County of Orange**, list the name, address and description of such occupation, employment, trade, business or profession and the name of the County department/agency which had said contract. *(If not applicable, write "None" or "N/A")*.

<u>Position</u>	<u>Name & Address of Organization</u>	<u>Description</u>	<u>County Department/Agency</u>
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4. Positions

- a. List any office, trusteeship, directorship, partnership, or position of any nature, including honorary positions, and excluding membership positions, whether compensated or not, held by you, with any firm, corporation, association, partnership, or other organization other than the State of New York or the County of Orange, **which had a contract with the County of Orange**. List the name and address of any such entity and the county department/agency which had said contract. *(If not applicable, write "None" or "N/A")*.

<u>Position</u>	<u>Name & Address of Organization</u>	<u>County Department/ Agency</u>
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- b. List any office, trusteeship, directorship, partnership, or position of any nature, including honorary positions, and excluding membership positions, whether compensated or not, held by your spouse, unemancipated child, or a member of your household, with any firm, corporation, association, partnership, or other organization other than the State of New York or the County of Orange, **which had a contract with the County of Orange**. List the name and address of any such entity and the county department/agency which had said contract. *(If not applicable, write "None" or "N/A")*.

Position

Name & Address Organization

County Department/Agency

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5. Financial Benefits from Current/Prior Employers

List employment benefits made on your behalf from your current or a prior employer or other source but only if that entity **had a contract with the County of Orange** as follows:

___ Any monies **in excess of \$1,000** made on your behalf including deferred income, contributions to a pension or retirement fund, profit sharing plan, severance pay, or payments under a buy-out agreement.

___ Agreements for the continuation of payments or benefits to you **in excess of \$1,000**. This includes an interest in or contributions to a pension fund or retirement fund, profit-sharing plan, life or health insurance, buy-out agreements, severance agreements, etc.)

<u>Name and Address of source</u>	<u>Description of Income</u>	<u>Category Value</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(If not applicable, write "None" or "N/A").

6. Investments

Itemize and describe all investments **in excess of five percent (5%)** of the value in any business, corporation, partnership, or other assets including stocks, bonds, I.R.A.'s, loans, pledge collateral, and other investments, that you, your spouse, unemancipated children or members of your household owned in **any entity that had a contract with the County of Orange**. *(If not applicable, write "None" or "N/A").*

<u>Family Member Name</u>	<u>Name & Address of Business</u>	<u>Description of Investment</u>	<u>Category Value</u>
_____	_____	_____	_____

9. Interests in Contracts

Describe any interest you, your spouse, unemancipated child or a member of your household had in any contract with the County of Orange. (If not applicable, write "None" or "N/A").

<u>Individual's Name</u>	<u>Name & Address of Entity</u>	<u>Description of Interest</u>	<u>Category Value</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

10. Liabilities

List all liabilities that you, your spouse, unemancipated child or a member of your household owed in excess of \$5,000 to any entity that had a contract with the County of Orange. **DO NOT LIST:** (i) debts incurred or made in the ordinary course of trade, business or professional practice, (ii) revolving charge account information that is less than \$5,000 at the time of filing; (iii) obligations to pay maintenance in connection with a matrimonial action, alimony or child support payments; (iv) loans issued in the ordinary course of business by a financial institution to finance educational costs, the cost of home purchase or improvements for a primary or secondary residence, or the purchase of a personally owned vehicle, household furniture or appliances. (If not applicable, write "None" or "N/A").

<u>Individuals' Name</u>	<u>Name of Creditor</u>	<u>Type of Liability</u>	<u>Category Value</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

11. State and County Licenses

a. If you practice law, or are licensed by the department of state as a real estate broker or agent or practice a profession licensed by the department of education, give a general description of the principal subject areas of matters that you handle. In addition, if you practice with a firm or corporation or are a partner or shareholder or member of the firm or corporation, give a general description of the principal subject areas of matters undertaken by such firm or corporation.

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b. Describe any participation you may have had in negotiating a contract on behalf of a client or customer with the County of Orange. List any legal representation you provided in the reporting year which involved the County of Orange, its departments, agencies or its employees. **Do not list** the name of the individual clients, customers or patients. **Do not list** matters brought before the Orange County Family Court or matrimonial, custody, maintenance or support issues that were brought before State Supreme Court or criminal/traffic infractions before a county court or local justice court. *(If not applicable, write "None" or "N/A").*

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12. Gifts and Honorariums

List the source of all gifts **valued over of \$75**, excluding campaign contributions and gifts from relatives, received during the reporting period by you, your spouse, unemancipated child or a member of your household. The term "gifts" includes money, services, travel, lodging, meals, refreshments, entertainment, discount, loans, forbearance or promise, having a monetary value. Indicate the value and nature of each such gift. See attached for a list of gift exceptions. *(If not applicable, write "None" or "N/A").*

<u>Individual</u>	<u>Donor</u>	<u>Address</u>	<u>Category</u>	<u>Value</u>
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County Gift Prohibition: A county officer or employee shall not accept or solicit any gift **valued over \$75**, nor shall he/she accept or solicit any gift or financial benefit under circumstances in which it could reasonably be inferred that the gift was intended to influence such county officer or employee in the performance of his/her official duties.

13. Third Party Reimbursements

Identify and briefly describe the source of any reimbursements for expenditures, excluding campaign expenditures and expenditures in connection with official duties reimbursed by the County of Orange for which this statement has been filed, in excess of \$1,000 from each such source. The term "reimbursement" includes any travel-related expenses provided by anyone other than the County for activities relating to your official duties such as speaking engagements, conferences, or fact finding events. Attach any written authorizations you received by the County Executive, Chairman of the Legislature or supervisor for the acceptance of this reimbursement. *(If not applicable, write "None" or "N/A")*.

Source

Description

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14. Employment/Contracts Relationships with the County

Identify the name and address of any immediate family member or member of your household who has sought or is seeking a contractual relationship with the County of Orange or, who is employed, or is seeking employment within any department or agency of the County. For purposes of responding to this question "immediate family member" shall mean a person related equal to or closer in degree, by blood or marriage, than first cousin. *(If not applicable, write "None" or "N/A")*.

Family Member/
Member of Household

Address

Nature of Employment/Contractual Relationship

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

15. Future Employment

Describe the terms of, and the parties to, any contract, promise, or other agreement between you and any person, firm, or corporation with respect to the employment of such individual after leaving office or position (other than a leave of absence). *(If not applicable, write "None" or "N/A").*

16. Real Property Interests

List the location, size, general nature, acquisition date, market value and percentage of ownership of any real property located in or adjacent to Orange County in which you, your spouse, unemancipated child or a member of your household owned or had an interest in which has a value **in excess of \$1,000** which was **the subject of a contract with the County of Orange**. Do not list any real property which is the primary or secondary residence for you, your spouse or a member of your household's or any real property held in trust for the benefit of a family member, unless such real property is the subject of a contract with the County of Orange. *(If not applicable, write "None" or "N/A").*

Individual Location Size General Nature Acquisition Date Category of FMV Percentage of Ownership

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17. Political Parties

List any position you held as an officer of any political party or political organization, as a member of any political party committee, or as a political party district leader. The term "Party" shall have the same meaning as "party" in N.Y.S. Election law. The term "political organization" includes any independent body or any organization that is affiliated with or a subsidiary of a political party or independent party. *(If not applicable, write "None" or "N/A").*

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18. Voluntary Disclosure

Please disclose any other information you believe may be helpful to the Board of Ethics in determining whether a conflict of interest may exist for you, which has not been identified in responding to paragraphs 1-17 of this disclosure statement.

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.....
.....

The requirements of law relating to the reporting of financial interests are in the public interest and no adverse inference of unethical or illegal conduct or behavior will be drawn merely from compliance with these requirements.

Signature of Reporting Individual

Date (month/day/year)

State of New York
County of _____

Sworn to before me this ____ day
of _____, 20____

Notary Signature and Stamp

A reporting individual who knowingly and willfully fails to file an annual statement of financial disclosure or who knowingly and willfully with intent to deceive makes a false statement or gives information which such individual knows to be false on such statement of financial disclosure filed pursuant to Orange County's Ethic's Law shall be subject to a civil penalty in an amount not to exceed ten thousand dollars or referral of a violation to the appropriate prosecutor and upon such conviction, such violation shall be punishable as a class A misdemeanor.

APPENDIX C

REGULATIONS FOR ADJUDICATORY PROCEEDINGS

Sec.

1. **Intent and Purpose**
2. **Definitions**
3. **Notice of Hearing or Proceeding**
4. **Time and Place of Hearing or Proceedings**
5. **Evidence and Proof**
6. **Representation**
7. **Oaths**
8. **Adjournments**
9. **Time Limits**
10. **Decision after Hearing or Proceeding**
11. **Conduct of Hearings**
12. **Hearing Officer**
13. **Powers and Duties of Hearing Officer**
14. **Fines, Penalties**
15. **Record of Hearing or Proceeding**
16. **Privacy/Confidentiality**

1. **Intent and Purpose.**

The Board of Ethics of Orange County has statutory authority to follow rules and regulations governing the conduct of adjudicatory proceedings and appeals relating to compliance with this local law and the conduct of hearings held thereunder.

These rules and regulations shall apply to all proceedings undertaken by the Board. Persons subject to the requirements of the law shall be entitled to receive an adjudicatory proceeding as to every action or decision as to them taken by the Board, including but not limited to extensions of time, waivers and/or exemptions from the disclosure requirement.

2. **Definitions**

(a) "Board" shall mean the Board of Ethics established pursuant to Local Law **No. of 2015.**

(b) "Annual Statement" shall mean the annual statements of financial disclosure which are required to be filed with the Board pursuant to Local Law No. 1 of 1991.

(c) "Hearing Officer" shall mean the presiding officer in adjudicatory hearings or proceedings conducted pursuant to these regulations, who shall be independent of the Board and of the County of Orange, and shall be provided by the County.

(d) "Hearing" shall mean an adjudicatory proceeding held by the Board to determine whether a violation of Local Law No. ____ of 2015, has occurred.

3. Notice of Hearing or Proceeding (form).

(a) Where the Board elects to go forward with a proceeding to determine compliance with the requirements of State and local law, or to take such other action as may be authorized by law, the Board shall serve a written notice, by certified mail or other appropriate method of service authorized under the Civil Practice Law and Rules, to the parties and their representatives of record at least twenty (20) calendar days prior to the date of any hearing or proceeding under these rules. The Notice of Hearing or Proceeding shall contain the following:

- (i) a statement of the time and place of the hearing or proceedings;
- (ii) a statement of the nature of the hearing or proceeding;
- (iii) a reference to the particular statutes and rules relevant to the hearing or proceeding;
- (iv) a short, plain language statement of violations asserted, if any; and
- (v) a statement for hearing impaired parties and participants concerning the provision of deaf interpretation services without charge.

(b) A copy of these regulations shall accompany each Notice of Hearing or Proceeding which is sent pursuant to these regulations.

(c) The Notice of Hearing or Proceeding shall contain information concerning circumstances under which an adjournment may be granted and the result of failure to appear for a scheduled hearing or proceeding.

(d) The Notice of Hearing or Proceeding shall inform the parties and their representatives of the right of each party to be represented, to testify, to produce witnesses, to present documentary evidence, and to examine opposing witnesses and evidence.

4. Time and Place of Hearing or Proceeding.

(a) The time and place of the hearing or proceeding shall be contained in the Notice of Hearing or Proceeding.

(b) The time and place of the hearing or proceeding shall not be changed unless a party formally requests a change pursuant to the adjournment request procedure contained in Section 8.

(c) The time and place of the hearing or proceeding shall, as far as practicable, take into account the convenience of the parties and the availability of witnesses.

5. Evidence and Proof.

(a) The formal rules of evidence do not apply to adjudicatory hearings or proceedings conducted pursuant to these rules. However, the rules of privilege recognized by law shall be given effect. Objections to evidentiary offers may be made and shall be a part of the record. Subject to these rules, any party may, for the purpose of expediting the hearing or proceeding and when the interests of the parties will not be substantially prejudiced thereby, submit all or part of the evidence in written form.

(b) The hearing officer may exclude irrelevant or unduly repetitive evidence or cross-examination from any hearing or proceeding.

(c) The burden of proof shall be upon the Board of Ethics to establish by clear and convincing evidence the facts and findings which support its decisions, including but not limited to a finding that non-compliance with the requirements of law has had or will have a material bearing on the discharge of the official duties of the person subject thereto.

(d) No decision or determination by the hearing officer or the Board shall be made except on consideration of the record as a whole, or such portions thereof as may be cited by any party to the hearing or proceeding and as supported by and in accordance with substantial evidence.

(e) Each party shall have the right of cross-examination.

(f) Official notice may be taken of all facts of which judicial notice may be taken and of other facts within the specialized knowledge of the Board. When official notice is taken, every party shall be given notice thereof and shall, on timely request, be afforded an opportunity prior to decision to dispute the fact or its materiality.

(g) All findings of fact shall be based exclusively on the evidence in record and on matters officially noticed.

(h) In making its findings and decisions and carrying out its duties with regard to ensuring compliance with State and local ethics laws, the Board shall in every case evaluate whether any non-compliance by any person subject thereto affects in any manner the ability of such person to fully and faithfully carry out the responsibilities and duties of their position. Only if the Board finds by clear and convincing evidence that information required to be reported has a material bearing on the discharge of the reporting person's official duties, and that such information was willfully omitted or inaccurately reported, can the enforcement and punitive powers of the Board be exercised.

6. Representation.

Any person compelled to appear in person, or who voluntarily appears in any hearing or proceeding conducted according to these rules, shall be accorded the right to be accompanied, represented, and advised by counsel. Nothing herein shall be construed either to grant or to deny to any person who is not a lawyer the right to appear for or represent others in any hearing or proceeding therein.

7. Oaths.

(a) All oaths required by these rules may be taken before any person authorized to administer oaths within the State of New York.

(b) Oaths shall be administered to all witnesses who testify or appear in any hearing or proceeding conducted pursuant to these rules.

8. Adjournments.

(a) Adjournments of any hearing or proceeding conducted pursuant to these rules shall be granted only for good cause.

(b) Written request for adjournment shall be submitted to the hearing officer in the hearing or proceeding for which the adjournment is sought. The request must be accompanied by an affidavit which contains sufficient detail to allow the hearing officer to rule on the request.

9. Time Limits.

(a) Under these rules, adjudicatory proceedings shall be conducted in an expeditious manner with all due regard for the rights of the parties concerned. Every effort should be made by the parties to effectuate a speedy disposition of the case.

(b) Parties to any hearing or proceeding are required to file all papers, statements, proofs, and other evidence with the hearing officer at a time to be designated by the officer. An extension of time for filing those items will be granted by the hearing officer only upon formal request.

10. Decision after Hearing or Proceeding.

(a) All final recommendations of the hearing officer and all decisions and determinations of the Board shall be in writing or stated in the record and shall include findings of fact, conclusions of law, and reasons for the decision or determination and, when appropriate, shall direct that specific action be taken by the parties. The final decisions or determinations of the Board shall be binding upon the Board.

(b) A copy of all final decisions and determinations of the Board and recommendations of the hearing officer shall be made available to the parties to the hearing or proceeding, and shall be delivered or mailed forthwith to each party and to its representative of record.

(c) Except as required for the disposition of ex parte matters authorized by law, members of employees of the Board assigned to make a determination or decision, or to make findings of fact

and conclusions of law in any hearing or proceeding, shall not communicate directly or indirectly, in connection with any issue of fact, with any person or party, nor in connection with any issue of law, with any party or its representative, except upon notice and opportunity for all parties to participate. Any member or employee of the

Board may communicate with other members or employees and may have the aid and advice of agency staff, other than staff which has been or is engaged in the investigative or prosecuting functions in connection with the case under consideration or a factually related case.

(d) The Board shall maintain the final decision or determination in any hearing or proceeding in a file with an index by name of party and subject matter. The index and the notice of civil assessment, if any, shall be made available for public inspection and copying except as provided in Section 16 of these rules. Each decision or determination shall be so filed and indexed within sixty (60) days after having been rendered.

11. Conduct of Hearings.

The hearing officer, exercising discretion, may elect by a super majority vote of its members to conduct any hearing or proceeding under these rules ex parte after a showing that the party who is the subject of the hearing and its representative of record have been notified by certified mail of the pending hearing or proceeding or otherwise served with notice of the hearing. The party who is the subject of the hearing shall at no time be deprived of the opportunity to appear. However, if a party has been served with two (2) written notices of a hearing and fails to appear after each notice, the hearing officer, upon proof of service, shall have the authority to proceed with the scheduled hearing. Proof of service shall consist of a signed certified mail receipt or affidavit.

12. Hearing Officers.

a. Conducting Hearings or Proceedings.

All hearings or proceedings under these rules shall be conducted by a hearing officer, retained and provided by the County of Orange, who shall have the power and authority of presiding officers or hearing officers as defined by the State Administrative Procedure Act (SAPA), any other pertinent statute or local law, ordinance, or resolution, and these regulations. The hearing officer shall be an individual who has in no way been involved with the action or proceeding in question.

b. Selection of Hearing Officers.

Each year, the Board of Ethics shall select a panel of five (5) individuals, licensed to practice law in the State of New York to serve as Hearing Officers during the year. A hearing officer shall be an individual who has in no way been involved with the action or proceeding in question.

13. Powers and Duties of Hearing Officer.

A hearing officer is authorized to do the following in any hearing or proceeding to which he or she is assigned:

- (a) administer oaths and affirmations;
- (b) at the request of any party, sign and issue subpoenas in the name of the Board requiring the attendance and giving of testimony by witnesses and the production of books, papers, documents and other evidence. Subpoenas shall be regulated by the Civil Practice Law and Rules. Nothing herein contained shall affect the authority of an attorney for a party to issue subpoenas under the Civil Practice Law and Rules;
- (c) provide for the taking of testimony by deposition;
- (d) regulate the course of the hearings, set the time and place for continued hearings and the time for filing of briefs and other documents;
- (e) direct the parties to appear and confer to consider the simplification or settlement of the issues by consent of the parties; and
- (f) prepare findings of fact and recommendations.

14. Fines, Penalties.

(a) At the close of the hearing or proceeding, the hearing officer shall make findings of fact and a recommendation as to the appropriate penalty or fine to be assessed or any other action to be taken. The proposed findings of fact and recommendation shall be transmitted to the Board for approval and simultaneously mailed or delivered to the parties to the proceeding. The parties shall have an opportunity to respond in writing, in the form of a brief, to the findings of fact and recommendation of the hearing officer, and such written response shall be directed to the Board for its consideration within fifteen (15) days after the service of the hearing officer's findings and recommendations upon the parties. In their brief submitted in response to the findings of fact and recommendation of the hearing officer, the parties may not submit or discuss evidence which is not a part of the official record of the hearing or proceeding. The Board shall act on the findings of fact and recommendation as expeditiously as possible. The Board may affirm or reverse the findings of fact and recommendation of the hearing officer in whole or in part, or it may remand and/or dismiss the proceeding based upon the record produced at the hearing.

(b) The assessment of civil penalties under the applicable law and procedures shall not preclude the referral of an appropriate violation to a prosecutor for prosecution of criminal charges, except where the violation is imposed under General Municipal Law Section 812(6) for failure to file or a false filing of an annual statement.

(c) If the alleged violation has been established, and the Board determines in light of all the circumstances that the violation is not serious enough to warrant assessment of a civil penalty, or if the imposition of civil penalties is not otherwise authorized by law, the Board in its discretion may take such other action as appropriate, including but not limited to a written admonition or a

recommendation that disciplinary action be taken or a referral to a prosecutor for prosecution of criminal charges. The Board may forward a copy of such admonition or a recommendation for disciplinary action to the individual's appointing authority, as appropriate.

15. Record of Hearing or Proceeding.

(a) The record in hearing or proceeding under these rules shall include:

- (i) all notices, pleadings, motions, and intermediate rulings;
- (ii) evidence presented;
- (iii) a statement of matters officially noticed, except matters so obvious that a statement of them would serve no useful purpose;
- (iv) questions and offers of proof, objections thereto, and rulings thereon;
- (v) proposed findings and exceptions, if any;
- (vi) any findings of fact, conclusions of law, or other recommendations made by the hearing officer; and
- (vii) any decision, determination, opinion, order, or report rendered.

(b) The Board shall make a complete record of all hearings and proceedings conducted before it. For this purpose, unless otherwise required by statute, the Board may use whatever means it deems appropriate, including but not limited to the use of stenographic transcriptions or electronic recording devices. Within a reasonable time after the Board gives notice of its decision, determination, opinion, or order, but before commencement of judicial review, any party to the hearing or proceeding may request the Board to prepare the record or any part thereof, together with any transcript of the hearing or proceeding or any part thereof. The Board shall then prepare the requested portions of the record and transcript within a reasonable time and furnish a copy to the requesting party at no charge.

16. Privacy/Confidentiality.

All records of the Board shall be subject to disclosure in accordance with the provisions of article six of the public officers law,

(b) In accordance with Local Law No. ____ of 2015, all meetings or proceedings of the Board of Ethics shall be subject to the provisions of article seven of the public officers law,

(c) Any information which would reveal confidential material protected by Federal or State statute shall be deleted from any final decision, order, determination, or declaration issued by the Board.

17. Savings Clause.

All matters commenced by written notice may be under the prior Orange County Code of Ethics (Local Law No.2 of 1994___ as amended) will be governed by the laws and adjudicatory rules in effect prior to the effective date of this Part and will remain in full force and effect for the pendency of those matters. All investigations commenced after the adoption of Local Law No. ___ of 2015 will be governed by provisions of this Part.

APPENDIX D

LIST OF POSITIONS/TITLES EXCLUDED FROM DEED SALE PARTICIPATION

County Executive's Office

- County Executive
- Deputy County Executive
- Director of Operations & Cost Control
- EDZ Director
- Assistant to the County Executive
- Staff Assistant
 - Confidential Secretary to the County Executive
 - Executive Secretary & Administrative Assistant
 - Secretary & Administrative Assistant I
 - Clerk I

Law Department

- County Attorney
- Deputy County Attorney
- Chief Assistant Attorney (Appeals)
- Chief Assistant Attorney (Family Law & Juvenile Justice)
- Chief Assistant Attorney (Litigation)
- Senior Assistant County Attorney
- Assistant County Attorney
- Paralegal
- Confidential Secretary to the County Attorney
- Senior Legal Secretary
- Legal Secretary
- Principal Account Clerk

Finance

- Commissioner of Finance
- Deputy Commissioner of Finance
- Real Property Tax Supervisor
- Auditor
- Associate Account Clerk I – Assigned to the Real Property Tax Department
- Principal Account Clerk – Assigned to the Real Property Tax Department

Real Property Tax Service Agency

- Director of Real Property Tax Service Agency
- Assistant Director, Real Property
- Assessor
- Real Property Information Specialist
- Tax Map Coordinator
- Property Management Coordinator
- Real Property Information Technician

Tax Map Technician
Real Property Tax Assistant
Assistant Assessor
Senior Account Clerk
Senior Clerk

Legislature

Chairman of the Legislature
Majority Leader
Minority Leader
Legislators
Legislative Counsel
Clerk of the Legislature
Deputy Clerk of the Legislature
Legislative Aide
Legislative Secretary

Orange County Planning Board

Chairperson
Co-Chairperson
Board Members

ORANGE COUNTY LEGISLATURE

Committee: Rules, Enactments and Intergovernmental Relations

Sponsors:

Co-Sponsors:

Agenda No. 8

RESOLUTION NO. OF 2015

RESOLUTION RECOGNIZING SEPTEMBER 15, 2015 THROUGH OCTOBER 15, 2015 AS NATIONAL HISPANIC HERITAGE MONTH.

WHEREAS, America's cultural diversity has always been a great strength of our nation. Throughout our history, Hispanic Americans have enriched the American way of life and we recognize the millions of Hispanic Americans whose love of family, hard work and community have helped unite us as a people and to sustain us as a nation; and

WHEREAS, in 1968, Congress authorized President Lyndon B. Johnson to proclaim National Hispanic Heritage week. This observance was expanded in 1988 to a month long celebration to honor this nation's hispanic heritage. During this month, Americans celebrate the traditions, ancestry and unique experiences of those who trace their roots to Spain, Mexico and the countries of Central and South America and the Caribbean. This year's theme, "Honoring our Heritage. Building our Future," recognizes Hispanic and Latino American heritage and culture in the United States.

NOW THEREFORE, BE IT HEREBY

RESOLVED, that the Orange County Legislature recognizes September 15, 2015 through October 15, 2015 as National Hispanic Heritage Month for Orange County; and We commend these sentiments to every citizen of Orange County that all might reflect upon the great accomplishments of Hispanic Americans in our society.

ORANGE COUNTY LEGISLATURE

Committee: Personnel and Compensation

Sponsors:

Co-Sponsors:

Agenda No. 9

ACT NO. OF 2015

AN ACT AMENDING THE MANAGEMENT COMPENSATION PLAN AND SALARY SCHEDULE FOR THE ORANGE COUNTY MANAGEMENT PLAN, PURSUANT TO SECTION 2.02(g) and (h) OF THE ORANGE COUNTY CHARTER.

WHEREAS, this Legislature by virtue of an Act in July, 2004, established a plan of compensation and terms and conditions of employment for certain commissioners, department heads, deputies, division chiefs and other employees ("Management Plan Employees") within Orange County employment, commonly known as the ("Management Plan"); and

WHEREAS, this "Management Plan," has not been amended in over a decade thereby creating a situation where some non-managers are compensated more in terms of both salary and benefits than the managers who supervise such individuals; and

WHEREAS, this Legislature determines in some instances, individuals can be dissuaded from accepting management positions and in other instances it is harder to recruit or retain individuals to engage in high levels of public service, particularly those requiring professional licenses; and

WHEREAS, the County, in consultation with professional advisors, had developed a rationally based employment classification system in 2004 which reflected, among other things the responsibility of the position, as well as the education, licensing requirements, and capacity for private sector earnings for the various management plan employee titles;

WHEREAS, that plan is hereby continued as has previously been amended in terms of assigning various titles to various job classifications; and

WHEREAS, while salary grades for unionized employees and all elected officials have increased over the past more than ten years, employees subject to the Management Plan whose salaries are capped have not been eligible for such increases and in some instances are taking home less pay now than in prior years as a result of charges for health insurance; and

WHEREAS, as a result of its 2004 work, Condrey and Associates prepared and presented job classifications and compensation schedules for the Management Plan in 29 levels or "grades" of

compensation for non-elective management positions with corresponding minimum and maximum levels of compensation; the assignment of non-elected management positions to one of 29 grades; and

WHEREAS, the Management Plan as it currently exists includes other terms and conditions of employment that are not affected by nor are they the subject of the aforesaid Condrey Plan; and

WHEREAS, it is the intent of the Legislature that such other terms and conditions of employment as set forth in the existing Management Plan shall remain in full force and effect; and

WHEREAS, this Legislature does wish to amend the 2004 Management Plan as it relates to the maximum salary for Management Plan Employees (other than elected officials whose salaries are set otherwise pursuant to law);

NOW, THEREFORE, BE IT ENACTED AS FOLLOWS:

1. That the Management Plan previously adopted in July, 2004 is hereby amended to the extent that the salary schedules for the 29 grades is amended as annexed hereto as applied to appointed County employees;
2. The County Executive must approve all salaries for Management Plan Employees subject to the Management Plan, but may not authorize a salary either lower than or higher than the caps established herein for each position's respective grade;
3. This Act shall take effect immediately.

**Management Salary Scale
Per Act 21 of 2004
Effective 07/01/2004**

	2004 Condrey	2004 Condrey		10% over Condrey
Grade	Entry/Minimum	Cap/Max		Cap/Max
1	15,867.04	23,800.57		26,180.63
2	16,670.31	25,005.47		27,506.02
3	17,514.24	26,271.37		28,898.51
4	18,400.91	27,601.36		30,361.50
5	19,332.45	28,998.68		31,898.55
6	20,311.16	30,466.74		33,513.41
7	21,339.41	32,009.12		35,210.03
8	22,419.72	33,629.58		36,992.54
9	23,554.72	35,332.08		38,865.29
10	24,747.17	37,120.76		40,832.84
11	26,000.00	39,000.00		42,900.00
12	27,316.25	40,974.38		45,071.82
13	28,699.14	43,048.70		47,353.57
14	30,152.03	45,228.04		49,750.84
15	31,678.48	47,517.71		52,269.48

16	33,282.20	49,923.30		54,915.63
17	34,967.11	52,450.66		57,695.73
18	36,737.32	55,105.98		60,616.58
19	38,597.15	57,895.72		63,685.29
20	40,551.13	60,826.69		66,909.36
21	44,760.86	67,141.28		73,855.41
22	49,407.61	74,111.42		81,522.56
23	54,536.76	81,805.14		89,985.65
24	60,198.38	90,297.56		99,327.32
25	66,447.74	99,671.61		109,638.77
26	73,345.87	110,018.81		121,020.69
27	80,960.12	121,440.18		133,584.19
28	89,364.83	134,047.24		147,451.96
29	98,642.05	147,963.07		162,759.37

ORANGE COUNTY LEGISLATURE

Committees: Personnel and Compensation; Public Safety and Emergency Services

Sponsors:

Co-Sponsors:

Agenda No. 10

RESOLUTION NO. OF 2015

RESOLUTION AMENDING THE SALARY FOR THE POSITION OF "DEPUTY SHERIFF AND CHIEF" AT THE OFFICE OF THE ORANGE COUNTY SHERIFF.

WHEREAS, this Resolution shall apply to the Deputy Sheriff and Chief position, which is not included within the negotiating unit represented by the Superior Officers Unit of the Orange County Chapter of the CSEA, Inc., and whose title is listed according to the designation of Group I – Managerial & Confidential; and

WHEREAS, the terms and conditions of employment for the employee to whom this Resolution applies shall be those terms and conditions of employment as set forth in the Collective Bargaining Agreement referred to in and authorized by Resolution No. 152 of 2015 (CSEA contract for the Superior Officers Unit) except:

- A. Article Eighteen, Tenure
- B. Article Twenty-Four, Salary Plan, regarding the base salary for the years 2014-2017 which shall be three (3%) percent above the annual base salary of the highest ranking subordinate
- C. Article Twenty-Seven, Paragraph 16, regarding the training stipend which shall be \$100.00 above the highest ranking subordinate

- D. Article Twenty-Eight, Drug and Alcohol Testing, as per the Superior Officers Unit Agreement
- E. Article Twenty-Nine, Disciplinary Procedure
- F. Eligibility for the physical fitness stipend based on the formula outlined in the Superior Officers Unit Agreement; and
- G. All benefits as provided to the Superior Officers Unit regarding Medical Health Insurance, Dental, and Vision Plans.

NOW, THEREFORE, it is hereby

RESOLVED, that the Commissioner of Human Resources is hereby directed to forthwith finalize and promulgate salary lists for the employee to whom this Resolution applies based upon the formulae set forth in Act No. 12 of 2015 (an Act substituting a new salary schedule applicable to all employees of Orange County included in the Superior Officers Unit), and the provisions of Section 2, paragraphs B, C and F of this Resolution which lists when prepared, be hereby deemed a part hereof; and it is further

RESOLVED, that this Resolution shall be effective immediately and shall be retroactive in its application in the same fashion as the aforementioned Bargaining Agreement authorized by Resolution No. 152 of 2015.

ORANGE COUNTY LEGISLATURE

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

Agenda No. 11

RESOLUTION NO. OF 2015

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY SHERIFF'S OFFICE, TO ACCEPT FUNDS FROM THE NEW YORK STATE DIVISION 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 Division of Criminal Justice Services has offered funds in the amount of \$72,500.00 for the Gun Involved Violence Elimination (GIVE) grant. Said funds will be used to assist the Sheriff's Office with the continuation of Gun Involved Violence Elimination efforts in the City of Newburgh; and

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

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Orange County Sheriff, be and hereby is authorized to accept funds from New York State Division of Criminal Justice Services for the Gun Involved Violence Elimination (GIVE) grant in the amount of \$72,500.00 as indicated above.

2. That the 2015 budget for the Orange County Sheriff's Office is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.

3. That the County Executive be and hereby is authorized to execute all necessary documents and assurances necessary to carry out the purposes of this Resolution subject to the review thereof by the County Attorney for purposes of form and content.

Revenue:

1010	311033	440891	General Government Aid	\$72,500.00
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Expense:

1010	311033	571500	Employee Consultant Chargeback	\$72,500.00
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ORANGE COUNTY LEGISLATURE

Committee: Public Safety and Emergency Services

Sponsors:

Co-Sponsors:

Agenda No. 12

RESOLUTION NO. OF 2015

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY SHERIFF'S OFFICE, TO ACCEPT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY 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 Homeland Security and Emergency Services has offered funds in the amount of \$225,150.00 for the FY 2015 State Law Enforcement Terrorism Prevention Program (SLETPP). Said funds will continue to support our regional effort to prevent, protect against, respond to and recover from a terrorist related incident in Orange County. The term of the grant will run thirty-six (36) months from the date of execution; and

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

NOW, THEREFORE, it is hereby

RESOLVED, as follows:

1. That the County Executive, in conjunction with the Orange County Sheriff, be and hereby is authorized to accept funds from New York State Department of Homeland Security and Emergency Services in the amount of \$225,150.00 as indicated above.

2. That the 2015 budget for the Orange County Sheriff's Office is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such amendment and supplementation forthwith.

3. That the County Executive be and hereby is authorized to execute all necessary documents and assurances necessary to carry out the purposes of this Resolution subject to the review thereof by the County Attorney for purposes of form and content.

Revenue:

1010	311033	440891	General Government Aid	\$225,150.00
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Expenses:

1010	311033	585012	Inv. Specialty Equipment	\$174,150.00
1010	311033	571820	Consultant Services	\$ 30,000.00
1010	311033	571500	Employee Consultant Chargeback	<u>\$ 21,000.00</u>
				\$225,150.00

ORANGE COUNTY LEGISLATURE

Committees: Education and Economic Development; Personnel and Compensation; Ways and Means

Sponsors:

Co-Sponsors:

Agenda No. 13

ACT NO. OF 2015

AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO TRANSFER AND ABOLISH VARIOUS POSITIONS AT THE DEPARTMENT OF GENERAL SERVICES, PURSUANT TO SECTION 2.02(I) OF THE ORANGE COUNTY CHARTER.

Section 1: Act No. 22 of 1971, an Act approving Orange County title and grade listing, alphabetical title, grade and jurisdictional listing; and allocation listing, as last amended by Act No. 9 of 2015 and Act No. 21 of 2004, is hereby further amended as follows:

Delete from Orange County Title and Grade Listing at Grade:

Grade 27, Commissioner of Information Technology

Delete from Alphabetical Title, Grade and Jurisdictional Listing:

Commissioner of Information Technology, Grade 27

Add to Allocation Listing for Department of General Services:

Director of Client Services, Grade 25 (#03046)
Director of System Integration, Grade 25 (#04101)
Assistant Director of Client Services, Grade 23 (#02949)
Assistant Director of System Integration, Grade 23 (#04150)
GIS Manager, Grade 23 (#10876)
3 Principal System Analyst(s), Grade 16 (#03210, 02956, 03772)
2 Senior Network Support Specialist(s), Grade 16 (#06189, 05686)
Senior System Programmer, Grade 16 (#03392)
Database Administrator, Grade 15 (#04226)
Senior Systems Analyst, Grade 15 (#03236)
Help Desk Supervisor, Grade 14 (#01149)
2 Network Support Specialist(s), Grade 14 (#06072, 06064)
Senior Desktop Coordinator, Grade 14 (#03434)
Senior Desktop Technician, Grade 14 (#03384)
5 Systems Analyst(s), Grade 14 (#01115, 03251, 00240, 03293, 031088)
Desktop Coordinator, Grade 12 (#01230)
5 Desktop Technician(s), Grade 12 (#04119, 01156, 04135, 48165, 03061)
GIS Technician, Grade 12 (#10884)
Help Desk Coordinator, Grade 12 (#03442)
Records Management Officer, Grade 12 (#03368)
Executive Secretary and Administrative Assistant, Grade 11 (#01255)
2 Senior Programmer(s), Grade 11 (#31096, 08326)
Programmer, Grade 10 (#31104)
3 Desktop Technician Assistant(s), Grade 9 (#10868, 02972, 04143)
2 Records Center Assistant(s), Grade 9 (#06080, 10959)
Computer Operator, Grade 8 (#01172)
Senior Clerk, Grade 6, (#03053)
Courier, Grade 5, (#01719)
5 Intern(s), ungraded (#03475, 05942, 05934, 03467, 05769)

Delete from said Listing for Department of Information Technology:

Director of Client Services, Grade 25 (#03046)
Director of System Integration, Grade 25 (#04101)
Assistant Director of Client Services, Grade 23 (#02949)
Assistant Director of System Integration, Grade 23 (#04150)
GIS Manager, Grade 23 (#10876)
3 Principal System Analyst(s), Grade 16 (#03210, 02956, 03772)
2 Senior Network Support Specialist(s), Grade 16 (#06189, 05686)
Senior System Programmer, Grade 16 (#03392)
Database Administrator, Grade 15 (#04226)
Senior Systems Analyst, Grade 15 (#03236)
Help Desk Supervisor, Grade 14 (#01149)
2 Network Support Specialist(s), Grade 14 (#06072, 06064)
Senior Desktop Coordinator, Grade 14 (#03434)
Senior Desktop Technician, Grade 14 (#03384)
5 Systems Analyst(s), Grade 14 (#01115, 03251, 00240, 03293, 031088)

Desktop Coordinator, Grade 12 (#01230)
5 Desktop Technician(s), Grade 12 (#04119, 01156, 04135, 48165, 03061)
GIS Technician, Grade 12 (#10884)
Help Desk Coordinator, Grade 12 (#03442)
Records Management Officer, Grade 12 (#03368)
Executive Secretary and Administrative Assistant, Grade 11 (#01255)
2 Senior Programmer(s), Grade 11 (#31096, 08326)
Programmer, Grade 10 (#31104)
3 Desktop Technician Assistant(s), Grade 9 (#10868, 02972, 04143)
2 Records Center Assistant(s), Grade 9 (#06080, 10959)
Computer Operator, Grade 8 (#01172)
Senior Clerk, Grade 6, (#03053)
Courier, Grade 5, (#01719)
5 Intern(s), ungraded (#03475, 05942, 05934, 03467, 05769)

Section 2: This Act shall take effect September 12, 2015.

ORANGE COUNTY LEGISLATURE

Committees: Education and Economic Development; Personnel and Compensation;
Ways and Means

Sponsors:

Co-Sponsors:

Agenda No. 14

ACT NO. OF 2015

AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO REALLOCATE "COMMISSIONER OF GENERAL SERVICES" FROM GRADE 25 TO GRADE 28 AT THE DEPARTMENT OF GENERAL SERVICES, PURSUANT TO SECTION 2.02(I) OF THE ORANGE COUNTY CHARTER.

Section 1: Act No. 22 of 1971, an Act approving Orange County title and grade listing, alphabetical title, grade and jurisdictional listing; and allocation listing, as last amended by Act No. 21 of 2004, is hereby further amended as follows:

Add to Orange County Title and Grade Listing at Grade:

Grade 28, Commissioner of General Services

Delete from said Listing:

Grade 25, Commissioner of General Services

Add to Alphabetical Title, Grade and Jurisdictional Listing:

Commissioner of General Services, Grade 28

Delete from said Listing:

Commissioner of General Services, Grade 25

Add to Allocation Listing for Department of General Services:

Commissioner of General Services, Grade 28

Delete from said Listing:

Commissioner of General Services, Grade 25

Section 2: This Act shall take effect September 12, 2015.

ORANGE COUNTY LEGISLATURE

Committees: Personnel and Compensation; Ways and Means

Sponsors:

Co-Sponsors:

Agenda No. 15

ACT NO. OF 2015

AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO CREATE "DEPUTY COMMISSIONER OF GENERAL SERVICES" AT THE DEPARTMENT OF GENERAL SERVICES, PURSUANT TO SECTION 2.02(I) OF THE ORANGE COUNTY CHARTER.

Section 1: Act No. 22 of 1971, an Act approving Orange County title and grade listing, alphabetical title, grade and jurisdictional listing; and allocation listing, as last amended by Act No. 21 of 2004, is hereby further amended as follows:

Add to Orange County Title and Grade Listing at Grade:

Grade 25, Deputy Commissioner of General Services

Add to Alphabetical Title, Grade and Jurisdictional Listing:

Deputy Commissioner of General Services, Grade 25

Add to Allocation Listing for Department of General Services:

Deputy Commissioner of General Services, Grade 25

Section 2: This Act shall take effect September 12, 2015.

ORANGE COUNTY LEGISLATURE

Committees: Personnel and Compensation; Health and Mental Health

Sponsors:

Co-Sponsors:

Agenda No. 16

ACT NO. OF 2015

AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO CREATE THE TITLE "DIETICIAN, PER DIEM" AT THE DEPARTMENT OF RESIDENTIAL HEALTH CARE SERVICES, PURSUANT TO SECTION 2.02(I) OF THE ORANGE COUNTY CHARTER.

Section 1: Act No. 22 of 1971, an Act approving Orange County title and grade listing, alphabetical title, grade and jurisdictional listing; and allocation listing, as last amended by Act No. 9 of 2015, is hereby further amended as follows:

Add to Orange County Title and Grade Listing at Grade:

Ungraded, Dietician, Per Diem

Add to Alphabetical Title, Grade and Jurisdictional Listing:

Dietician, Per Diem, Ungraded

Add to Allocation Listing for Department of Residential Health Care Services:

Dietician, Per Diem, Ungraded

Section 2: Individuals employed on a per diem basis in the title of Dietician shall be paid a rate in the salary range of \$30.00 to \$45.00 per hour.

Section 3: This Act shall take effect September 12, 2015.