

# ORANGE COUNTY LEGISLATURE

**Committee: Physical Services**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 1**

## RESOLUTION NO. OF 2017

**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 HERITAGE TRAIL PARKING LOT IN THE TOWN OF CHESTER/BLOOMING GROVE, MAKING A PRELIMINARY DETERMINATION THAT THIS PROJECT BE CLASSIFIED AS AN UNLISTED ACTION.**

**WHEREAS**, Orange County intends to construct an asphalt parking lot to accommodate approximately fifteen (15) regular parking spaces and one handicap space in the Town of Chester/Blooming Grove. The entrance to the parking lot will be off of Grey Court Road and connect to the existing Heritage Trail; and

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

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

1. That the Orange County Legislature declares its intention to assume Lead Agency status concerning the construction of an asphalt parking lot off of Grey Court Road in the Town of Chester/Blooming Grove; and
2. Makes a preliminary determination, pursuant to 6 NYCRR Section 617.6, that the proposed action is an Unlisted action.

# ORANGE COUNTY LEGISLATURE

**Committee: Physical Services**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 2**

**RESOLUTION NO.                      OF 2017**

**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 INSTALLATION OF SIDEWALKS AND CURBING, OFF-STREET PARKING AND DRAINAGE ALONG COUNTY ROAD NO. 13 IN THE HAMLET OF SUGAR LOAF, MAKING A PRELIMINARY DETERMINATION THAT THIS PROJECT BE CLASSIFIED AS AN UNLISTED ACTION.**

**WHEREAS**, Orange County intends to install sidewalks, curbing, off-street parking and drainage along County Road No. 13 within the Hamlet of Sugar Loaf. This project will include all necessary property acquisition, i.e. Right-of-way, and Permanent and Temporary Easements; and

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

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

1. That the Orange County Legislature declares its intention to assume Lead Agency status concerning the installation of sidewalks, curbing, off-street parking and drainage along County Road No. 13 within the Hamlet of Sugar Loaf; and
2. Makes a preliminary determination, pursuant to 6 NYCRR Section 617.6, that the proposed action is an Unlisted action.

**ORANGE COUNTY LEGISLATURE**

**Committee:    Physical Services**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 3**

**RESOLUTION NO.                      OF 2017**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC WORKS, TO SUBMIT AN APPLICATION TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, the Orange County Department of Public Works is requesting legislative approval to submit an application for the Invasive Species Rapid Response and Control Grant from

the New York State Department of Environmental Conservation in an amount not to exceed \$100,000.00; and

**WHEREAS**, this Legislature does wish to authorize the County Executive to apply for such grant.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Orange County Legislature hereby authorizes the County Executive, in conjunction with the Orange County Department of Public Works, to submit an application to the New York State Department of Environmental Conservation for the Invasive Species Rapid Response and Control Grant in an amount not to exceed \$100,000.00 as set forth above; and it is further

**RESOLVED**, that the County Executive is authorized to execute all documents relating thereto, subject to review of form and content by the County Attorney and to take such actions as necessary to complete such application.

## ORANGE COUNTY LEGISLATURE

**Committee:** Physical Services

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 4**

**RESOLUTION NO.                      OF 2017**

### **RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ACCEPT THE PROPOSED TRAFFIC SIGNAL EASEMENT IN THE TOWN OF WALLKILL.**

**WHEREAS**, Orange Regional Medical Center (ORMC) is the owner in fee of certain real property located in the Town of Wallkill, County of Orange, State of New York, and described on the Tax Maps of the Town of Wallkill as Section 78, Block 1, Lot 77.2, and is more particularly described on the attached **Schedule "A"**; and

**WHEREAS**, ORMC has constructed and installed a certain traffic signal, together with strain poles, wires, loop detectors and related equipment and appurtenance ("Traffic Signal") at the entrance to the Property, for the benefit and use of the Property, in accordance with its approved site plan and County Road No. 67 improvements; and

**WHEREAS**, the construction and installation of the Traffic Signal requires ORMC to grant to the County a permanent easement to perform all necessary and/or required tasks relating to the operation, inspection, maintenance, repair, replacement, alteration, removal and/or expansion of the Traffic Signal.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Legislature hereby authorizes the County Executive to accept the proposed Traffic Signal easement from Orange Regional Medical Center as indicated above, subject to the approval by the County Attorney as to form and substance, and it is further

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

## **ORANGE COUNTY LEGISLATURE**

**Committee: Physical Services**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 5**

**RESOLUTION NO.                      OF 2017**

**BOND RESOLUTION DATED MARCH 2, 2017**

**BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE ACQUISITION OF FURNITURE, FIXTURES AND EQUIPMENT AND INFORMATION TECHNOLOGY IMPROVEMENTS AT AND FOR THE ORANGE COUNTY GOVERNMENT CENTER, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$8,250,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$8,250,000 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 for the acquisition of furniture, fixtures and equipment and information technology improvements at and for the Orange County Government Center, all as more particularly described in the County's 2017 Capital Plan, as amended. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$8,250,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$8,250,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, 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 \$8,250,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness of the class of objects or purposes for which said \$8,250,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 89 of the Law, is five (5) 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 §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. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 7. 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 8. 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; 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 9. This Resolution shall take effect immediately.

## **ORANGE COUNTY LEGISLATURE**

**Committee: Ways and Means**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 6**

**RESOLUTION NO. OF 2017**

**BOND RESOLUTION DATED MARCH 2, 2017**

**BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE ACQUISITION OF FURNITURE, FIXTURES AND EQUIPMENT AND INFORMATION TECHNOLOGY IMPROVEMENTS AT AND FOR THE ORANGE COUNTY GOVERNMENT CENTER, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$7,000,000 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 for the acquisition of furniture, fixtures and equipment and information technology improvements at and for the Orange County Government Center, all as more particularly described in the County's 2017 Capital Plan, as amended. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$7,000,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$7,000,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, 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 \$7,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness of the class of objects or purposes for which said \$7,000,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 89 of the Law, is five (5) 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 §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. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 7. 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 8. 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; 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 9. This Resolution shall take effect immediately.

## ORANGE COUNTY LEGISLATURE

**Committee:** Ways and Means  
**Sponsors:** Benton, Anagnostakis  
**Co-Sponsors:**

**Agenda No. 7**

### RESOLUTION NO. OF 2017

#### **RESOLUTION APPROVING THE RELEASE OF THE COUNTY'S INTEREST IN AND TO A CERTAIN DEED SALE PARCEL TO THE PREVIOUS OWNER OF RECORD, PURSUANT TO SECTION FIVE, PARAGRAPH B.1. OF LOCAL LAW NO. 2 OF 2010.**

**WHEREAS**, this Legislature, by Local Law No. 2 of 2010, Section Five, Paragraph B.1., authorized the Orange County Commissioner of Finance (Enforcing Officer) to release the County's interest in and to a certain deed sale parcel, and to allow the previous owner of record to purchase his or her parcel.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Commissioner of Finance is hereby authorized to release the County's interest in and to a certain deed sale parcel to the previous owner of record, as listed on attached Schedule "A," which sale price shall include the total of outstanding taxes, interest, fees and penalties, as shown on the list submitted to the Legislature; and it is further

**RESOLVED**, that the County Attorney shall effect the release of the County's interest in said parcel by preparing and submitting to the appropriate Court, an Order discontinuing the in rem tax foreclosure action as to said property, canceling the Notice of Pendency of such action as to said property, and vacating and setting aside the judgment of foreclosure and the deed executed and recorded pursuant to said judgment of foreclosure as to said property. The entry of such Order shall restore all parties, including owner, mortgagees and any and all lienors, receivers and administrators and encumbrancers, to the status they held at the time the County acquired title to said property as if the judgment had never been rendered, and shall render said property liable for all taxes, beneficiaries, management fees and liens, penalties, interest, and other charges which shall accrue subsequent to those paid in order to obtain the release provided for or which were, for whatever reason, omitted from the payment made to obtain such release.

## SCHEDULE "A"

<u>TOWN</u>	<u>S-B-L</u>	<u>PRIOR OWNER</u>
Blooming Grove	20-1-38.1	Cucorullo, Patrice & Salvatore Est of
Chester	6-1-27	McCoy, Joseph & Ann
Chester	19-6-18	Servero, Anthony & Anna Maria
Cornwall	4-2-17	Ivy Rock Farms
Cornwall	4-2-87.2	Ivy Rock Farms
Cornwall	34-2-17.1	Horowitz, Robert
Crawford	2-1-71	Sass, Gregory
Crawford	23-2-2.3	Decker, Brian & Donna
Deerpark	28-1-102	Wright, Lester & Heidi
Deerpark	49-1-34.2	Geiger, Margo
Goshen	20-1-22	Placido, Frank & Donna
Greenville	13-1-4.22	Geidel, Mathilda
Monroe	347-1-1.2	Bakertown Realty Group
Monroe	349-1-1.-19	Kahan, Yudel
Montgomery	31-1-35.3	Tompkins, Debra A. & Charles A.
Newburgh	8-1-43.43	Pagan, Janet
Newburgh	41-6-2	Olecki, Myron & Sophia
Newburgh	123-1-1.-3	Meadow Winds One, LLC
New Windsor	56-1-35	Soralta Friedman Trust No. 1
Wallkill	75-2-17	DJ Superior Construction Inc.
Warwick	50-2-4	Robinson, George & Audrey
Warwick	213-6-10	Corliss A. Hammond
Wawayanda	7-5-14.1	Bialas, Gerald W.
Wawayanda	25-1-36	Irwin Mack Revocable Trust
Woodbury	217-3-6	Falk, Steven & Helen

## ORANGE COUNTY LEGISLATURE

**Committee:** Ways and Means

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 8**

**RESOLUTION NO.                      OF 2017**

**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., April 3, 2017, as indicated below.

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

<b><u>PARCEL</u></b>	<b><u>BIDDER</u></b>	<b><u>AMOUNT OF BID NET TO COUNTY</u></b>
Blooming Grove 32-1-22	MD Anisuzzaman 115-46 148 <sup>th</sup> Street Jamaica, NY 11436	\$ 300.00
Blooming Grove 32-5-54	MD Anisuzzaman 115-46 148 <sup>th</sup> Street Jamaica, NY 11436	\$ 700.00
Deerpark 20-1-71	EZ Equipment Leasing LLC 114 Stage Coach Drive Middletown, NY 10940	\$10,150.00
Deerpark 28-1-6	Meiqing Gong 204 Monhagen Avenue Middletown, NY 10940	\$ 7,500.00

Deerpark  
29-1-9

William N. Eveleth &  
Christine E. Eveleth  
#1 5<sup>th</sup> Street  
Godeffroy, NY 12729

\$10,500.00

Newburgh  
81-1-7

MD Anisuzzaman  
115-46 148<sup>th</sup> Street  
Jamaica, NY 11436

\$ 750.00

## ORANGE COUNTY LEGISLATURE

**Committee:** Ways and Means

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 9**

### RESOLUTION NO. OF 2017

**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 1136 OF THE REAL PROPERTY TAX LAW AND SECTION FIVE, PARAGRAPH A.1. OF THE 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; and

**WHEREAS**, the Ways and Means Committee has recommended that this Legislature approve the sales, subject to the condition that the properties sold to the various municipalities listed below be used for parks, recreation, open space or other such purpose, pursuant to Section Five, Paragraph A.1. of the Orange County Amended Local Law No. 2 of 2010.

**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., April 3, 2017, 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 to the municipalities listed below and deliver the same to the offering party, pursuant to Section Five Paragraph A.1. of the Orange County Amended Local Law No. 2 of 2010.

<b><u>PARCEL</u></b>	<b><u>BIDDER</u></b>	<b><u>AMOUNT OF BID NET TO COUNTY</u></b>
Blooming Grove 37-4-1.1	Open Space Institute 1350 Broadway, Suite 201 New York, NY 10018	\$14,000.00
Monroe 323-9-1.1 Vlg. of Kiryas Joel	Village of Kiryas Joel P.O. Box 566 Monroe, NY 10949	\$10,000.00
Monroe 1-1-66	Town of Monroe 1465 Orange Turnpike Monroe, NY 10950	\$ 3,000.00
Monroe 64-1-35	Town of Monroe 1465 Orange Turnpike Monroe, NY 10950	\$ 3,000.00
Monroe 64-1-36	Town of Monroe 1465 Orange Turnpike Monroe, NY 10950	\$ 3,000.00
Newburgh 2-2-6	Town of Newburgh 1496 Route 300 Newburgh, NY 12550	\$15,000.00
Wawayanda 33-9-1.222	Town of Wawayanda 80 Ridgebury Hill Road Slate Hill, NY 10973	\$ 1,000.00

## **ORANGE COUNTY LEGISLATURE**

**Committee: Ways and Means**

**Sponsor:**

**Co-Sponsors:**

**RESOLUTION NO.            OF 2017**

**RESOLUTION APPROVING THE APPLICATIONS FOR THE CORRECTION OF CERTAIN ERRORS APPEARING ON THE 2017 TAX ROLLS FOR CERTAIN TOWNS AND DISTRICTS AND ORDERING THE CORRECTION OF SAID ERRORS, PURSUANT SECTION 554 OF THE REAL PROPERTY TAX LAW.**

**WHEREAS**, the County Director of the Real Property Tax Service Agency has transmitted his reports to the County Legislature on certain applications for correction of clerical errors appearing in the 2017 tax rolls for certain towns and districts together with his recommendations thereon, all as required by Section 554 of the Real Property Tax Law as summarized below.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

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

**FOR THE YEAR 2017**

<b><u>PROPERTY</u></b>	<b><u>OWNER</u></b>	<b><u>REASON</u></b>
Town of Woodbury 215-1-5	Abraham Friedman	550-2(a) Clerical Error Incorrect assessed value was entered on the final roll. Assessment should be 145,200.

	<b><u>Now Reads</u></b>		<b><u>Should Be</u></b>		<b><u>Amount of DECREASE</u></b>
County	345,200	\$ 3,122.23	145,200	\$ 1,313.29	\$ 1,808.94
Town	345,200	\$ 2,125.29	145,200	\$ 893.95	\$ 1,231.34
Gen Police Svcs	345,200	\$ 2,040.96	145,200	\$ 858.48	\$ 1,182.48
Gen Highway Svcs	345,200	\$ 3.21	145,200	\$ 1.35	\$ 1.86
School Relevy		\$22,499.01		\$ 9,463.66	\$13,035.35
Village Relevy		\$ 812.91		\$ 812.91	\$ 0.00
Woodbury Refuse	1	\$ 244.09	1	\$ 244.09	\$ 0.00
		<u>\$30,847.70</u>		<u>\$13,587.73</u>	<u>\$17,259.97</u>

# ORANGE COUNTY LEGISLATURE

Committee: Ways and Means

Sponsor:

Co-Sponsors:

Agenda No. 11

## RESOLUTION NO. OF 2017

### RESOLUTION APPROVING THE APPLICATIONS FOR THE CORRECTION OF CERTAIN ERRORS APPEARING ON THE 2017 TAX ROLLS FOR CERTAIN TOWNS AND DISTRICTS AND ORDERING THE CORRECTION OF SAID ERRORS, PURSUANT SECTION 554 OF THE REAL PROPERTY TAX LAW.

**WHEREAS**, the County Director of the Real Property Tax Service Agency has transmitted his reports to the County Legislature on certain applications for correction of clerical errors appearing in the 2017 tax rolls for certain towns and districts together with his recommendations thereon, all as required by Section 554 of the Real Property Tax Law as summarized below.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

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

### FOR THE YEAR 2017

#### PROPERTY

#### OWNER

#### REASON

Town of Cornwall  
34-1-6.1

Storm King Art Center

550-7(a) Unlawful Entry  
Parcel should have been wholly exempt as per court order.

	<u>Now Reads</u>		<u>Should Be</u>		<u>Amount to be DECREASED</u>
County	379,850	\$ 1,996.07	0	\$0.00	\$ 1,996.07
Town	379,850	\$ 914.07	0	\$0.00	\$ 914.07
Highway	379,850	\$ 696.83	0	\$0.00	\$ 696.83
Pt Town	379,850	\$ 687.79	0	\$0.00	\$ 687.79
School Relevy		\$15,408.41		\$0.00	\$15,408.41

Cornwall Ambul Dist	379,850	\$	4.33	0	\$0.00	\$	4.33
Canterbury Fire	379,850	\$	590.63	0	\$0.00	\$	590.63
Cornwall Refuse	10	\$	378.26	0	\$0.00	\$	378.26
			\$20,676.39		\$0.00		\$20,676.39

## ORANGE COUNTY LEGISLATURE

**Committee: Ways and Means**

**Sponsor:**

**Co-Sponsors:**

**Agenda No. 12**

### RESOLUTION NO.                      OF 2017

**RESOLUTION APPROVING THE APPLICATIONS FOR THE CORRECTION OF CERTAIN ERRORS APPEARING ON THE 2017 TAX ROLLS FOR CERTAIN TOWNS AND DISTRICTS AND ORDERING THE CORRECTION OF SAID ERRORS, PURSUANT SECTION 556 OF THE REAL PROPERTY TAX LAW.**

**WHEREAS**, the County Director of the Real Property Tax Service Agency has transmitted his reports to the County Legislature on certain applications for correction of clerical errors appearing in the 2017 tax rolls for certain towns and districts together with his recommendations thereon, all as required by Section 556 of the Real Property Tax Law as summarized below.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

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

**FOR THE YEAR 2017**

**PROPERTY**

**OWNER**

**REASON**

Town of Wawayanda  
4-1-38.33

CPV Valley, LLC

550-2(a) Clerical Error  
Parcel is under a PILOT agreement. It should not have been charged County/Town taxes.

	<u>Now Reads</u>		<u>Should Be</u>		<u>Amount of REFUND</u>
County	379,300	\$2,127.30	0	\$ 0.00	\$2,127.30
Town	379,300	\$ 65.16	0	\$ 0.00	\$ 65.16
Highway	379,300	\$ 877.17	0	\$ 0.00	\$ 877.17
New Hampton Fire	379,300	\$1,198.40	379,300	\$1,198.40	\$ 0.00
Thrall Library	379,300	\$ 431.04	379,300	\$ 431.04	\$ 0.00
Unpaid Swr		\$1,969.56		\$1,969.56	\$ 0.00
Unpaid Wtr		<u>\$1,653.57</u>		<u>\$1,653.57</u>	<u>\$ 0.00</u>
		\$8,322.20		\$5,252.57	\$3,069.63

## ORANGE COUNTY LEGISLATURE

**Committee: Ways and Means**

**Sponsor:**

**Co-Sponsors:**

**Agenda No. 13**

### RESOLUTION NO.      OF 2017

**RESOLUTION APPROVING THE APPLICATIONS FOR THE CORRECTION OF CERTAIN ERRORS APPEARING ON THE 2017 TAX ROLLS FOR CERTAIN TOWNS AND DISTRICTS AND ORDERING THE CORRECTION OF SAID ERRORS, PURSUANT SECTION 556 OF THE REAL PROPERTY TAX LAW.**

**WHEREAS**, the County Director of the Real Property Tax Service Agency has transmitted his reports to the County Legislature on certain applications for correction of clerical errors appearing in the 2017 tax rolls for certain towns and districts together with his recommendations thereon, all as required by Section 556 of the Real Property Tax Law as summarized below.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

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

**FOR THE YEAR 2017**

<b><u>PROPERTY</u></b>	<b><u>OWNER</u></b>	<b><u>REASON</u></b>
Town of Wawayanda 4-1-40.221	CPV Valley, LLC	550-2(a) Clerical Error Parcel is under a PILOT agreement. It should not have been charged County/Town taxes.

	<b><u>Now Reads</u></b>		<b><u>Should Be</u></b>		<b><u>Amount of REFUND</u></b>
County	670,600	\$3,761.06	0	\$ 0.00	\$3,761.06
Town	670,600	\$ 115.21	0	\$ 0.00	\$ 115.21
Highway	670,600	\$1,550.83	0	\$ 0.00	\$1,550.83
New Hampton Fire	670,600	<u>\$2,118.76</u>	670,600	<u>\$2,118.76</u>	<u>\$ 0.00</u>
		\$7,545.86		\$2,118.76	\$5,427.10

**ORANGE COUNTY LEGISLATURE**

**Committees: Physical Services; Ways and Means**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 14**

**RESOLUTION NO. OF 2017**

**BOND RESOLUTION DATED MARCH 2, 2017**

**BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE REMOVAL OF CONTAMINATED SOIL AT VARIOUS COUNTY-OWNED LOCATIONS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$100,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$100,000 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 removal of contaminated soil at various County-owned locations, all as more particularly described in the County's 2017 Capital Plan, as amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$100,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$100,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. Bonds of the County in the principal amount of \$100,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness of the object or purpose for which said \$100,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) 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 §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. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 7. 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 8. 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; 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 9. This Resolution shall take effect immediately.

## **ORANGE COUNTY LEGISLATURE**

**Committees: Physical Services; Ways and Means**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 15**

**RESOLUTION NO.                      OF 2017**

**BOND RESOLUTION DATED MARCH 2, 2017**

**BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE IMPROVEMENT OF INTERSECTIONS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$100,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$100,000 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 improvement of intersections, all as more particularly described in the County's 2017 Capital Plan, as amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$100,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$100,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. Bonds of the County in the principal amount of \$100,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness of the object or purpose for which said \$100,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 19(c) 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 §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. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 7. 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 8. 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; 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 9. This Resolution shall take effect immediately.

## **ORANGE COUNTY LEGISLATURE**

**Committees: Physical Services; Ways and Means**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 16**

**RESOLUTION NO. OF 2017**

**BOND RESOLUTION DATED MARCH 2, 2017**

**BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$200,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$200,000 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 construction of drainage improvements, all as more particularly described in the County's 2017 Capital Plan, as amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$200,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$200,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. Bonds of the County in the principal amount of \$200,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness of the object or purpose for which said \$200,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 3 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 §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. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 7. 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 8. 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; 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 9. This Resolution shall take effect immediately.

## **ORANGE COUNTY LEGISLATURE**

**Committees: Physical Services; Ways and Means**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 17**

**RESOLUTION NO.                      OF 2017**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS/AIRPORT, TO ACCEPT GRANT FUNDS FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION, 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 Transportation (NYSDOT) has offered a grant for work at the Orange County Airport described as Construct Runway 4/22 (Northern Section of RW), Paving and Infrastructure, etc. - PIN 8903.50 and Remove Obstructions - Conduct an Obstruction Survey - PIN 8903.51; and

**WHEREAS**, the NYSDOT has offered matching grants to federal grants 3-36-0059-037-2016 and 3-36-0059-038-2016; and

**WHEREAS**, the County of Orange desires to advance the Project by committing funds for the local match, the funding shares of Federal (FAA): \$7,166,280.00; State \$398,126.00; Local \$398,127.75; and Total \$7,962,533.75 for PIN 8903.50; and Federal (FAA): \$65,007.00; State \$3,611.00; Local \$3,612.00; and Total \$72,230.00 for PIN 8903.51; and

**WHEREAS**, if the County of Orange and/or the FAA notifies the NYSDOT that the County has requested and received an increase in Federal funding for the Project based on increased eligible costs, the State share noted above shall be increased proportionately up to a maximum increase of 15%.

**NOW, THEREFORE,** the County does hereby approve the above subject Project(s); and it is hereby further

**RESOLVED,** that the County Executive is hereby authorized to execute all necessary Agreements on behalf of the County with NYSDOT in connection with the Project, and it is further

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

**RESOLVED,** that this Resolution shall take effect immediately.

## **ORANGE COUNTY LEGISLATURE**

**Committees: Public Safety and Emergency Services; Physical Services**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 18**

**RESOLUTION NO.                      OF 2017**

**RESOLUTION OF THE ORANGE COUNTY LEGISLATURE ASSUMING LEAD AGENCY STATUS UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) WITH RESPECT TO THE ORANGE COUNTY PUBLIC SAFETY COMMUNICATIONS PROJECT - CRONOMER TOWER IN THE TOWN OF NEWBURGH, CLASSIFYING THE ACTION AS UNLISTED AND DETERMINING THAT THE ACTION WILL NOT HAVE ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS.**

**WHEREAS,** the Towers project is being undertaken by the Orange County Department of Emergency Services to improve the overall coverage of the County's 911 Emergency Communication System. Each tower is being strategically placed to ensure overall communication between the towers and coverage for the entire Orange County area. The Cronomer Tower Location proposes to modify the existing tower members as necessary to support the new antenna loading as provided by the County, while adding one (1) foot of height for a new antenna. Other site improvements include removing the existing 12' x 32' shelter/generator building and installing a new 11.5' x 32' shelter on the existing foundation which is to remain. In addition, the existing larger propane tank will be removed and a new diesel powered generator on a new foundation will be installed. There will also be a new ice bridge installed to connect the new shelter to the existing tower. The existing 11' x 17' shelter/generator building and existing smaller propane tank will remain. All work shall be confined within the existing fenced compound; 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 itself Lead Agency concerning the Orange County Public Safety Communications Project - Cronomer Tower; and
2. Makes a determination, pursuant to 6 NYCRR Section 617.6 that the proposed action is an Unlisted Action; and
3. Determines in accordance with the Findings of Parts 1, 2 and 3 of the Environmental Assessment Form ("EAF") that the project will have no significant adverse environmental impacts; and
4. All documents will be filed and published in accordance with 6 NYCRR 617.12.

## **ORANGE COUNTY LEGISLATURE**

**Committees: Public Safety and Emergency Services; Ways and Means**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 19**

**RESOLUTION NO.            OF 2017**

**AMENDING BOND RESOLUTION DATED MARCH 2, 2017**

**FURTHER AMENDING THE BOND RESOLUTION ADOPTED AUGUST 1, 2013, AND AMENDED OCTOBER 2, 2014, AND FURTHER AMENDED DECEMBER 3, 2015, IN RELATION TO FINANCING THE COST OF THE ACQUISITION, INSTALLATION AND CONSTRUCTION OF A NEW EMERGENCY COMMUNICATION SYSTEM FOR THE DEPARTMENT OF EMERGENCY SERVICES AND COMMUNICATIONS AT THE ESTIMATED TOTAL COST OF \$28,591,345.**

### **Recitals**

**WHEREAS,** the County Legislature of the County of Orange, New York, has heretofore duly authorized the acquisition, installation and construction of a new emergency communication system for the Department of Emergency Services and Communications (the "Project"), at the estimated maximum cost of \$25,185,030, which amount was appropriated therefore pursuant to Bond Resolution No. 179 of 2013 duly adopted on August 1, 2013, as amended by Bond Resolution No. 209 of 2014 duly adopted on October 2, 2014, and as further amended by Bond Resolution No. 256 of 2015 duly adopted on December 3, 2015, in accordance with the plan of finance which includes

acceptance of a grant from the New York State Division of Homeland Security and Emergency Communications in the amount of \$5,998,000 pursuant to Resolution No. 76 of 2013; and

**WHEREAS**, that in order to complete the construction phase of the Project, it is now necessary to increase the appropriation for the Project for the Department of Emergency Services and Communications, by \$3,406,315;

Now, therefore, be it

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

**Section (A).** The bond resolution of said County duly adopted by the County Legislature on August 1, 2013 and amended October 2, 2014, and further amended December 3, 2015, entitled:

**"RESOLUTION NO. 256 of 2015  
BOND RESOLUTION DATED AUGUST 1, 2013 AND AMENDED OCTOBER 2, 2014 AND  
FURTHER AMENDED DECEMBER 3, 2015**

**BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING  
ACQUISITION, INSTALLATION AND CONSTRUCTION OF A NEW EMERGENCY  
COMMUNICATION SYSTEM FOR THE DEPARTMENT OF EMERGENCY SERVICES AND  
COMMUNICATIONS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS  
\$25,185,030; APPROPRIATING SAID AMOUNT THEREFOR; AUTHORIZING THE ISSUANCE  
OF \$19,187,030 BONDS OF THE COUNTY TO FINANCE A PORTION OF SAID  
APPROPRIATION; AND AUTHORIZING THE EXPENDITURE OF \$5,998,000 EXPECTED TO  
BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST THEREOF"**

is hereby amended to read as follows:

**BOND RESOLUTION DATED AUGUST 1, 2013 AND AMENDED OCTOBER 2, 2014 AND  
FURTHER AMENDED DECEMBER 3, 2015 AND MARCH 2, 2017 BOND RESOLUTION OF THE  
COUNTY OF ORANGE, NEW YORK, AUTHORIZING ACQUISITION, INSTALLATION AND  
CONSTRUCTION OF A NEW EMERGENCY COMMUNICATION SYSTEM FOR THE  
DEPARTMENT OF EMERGENCY SERVICES AND COMMUNICATIONS, STATING THE  
ESTIMATED MAXIMUM COST THEREOF IS \$28,591,345; APPROPRIATING SAID AMOUNT  
THEREFOR; AUTHORIZING THE ISSUANCE OF \$22,593,345 BONDS OF THE COUNTY TO  
FINANCE A PORTION OF SAID APPROPRIATION; AND AUTHORIZING THE EXPENDITURE  
OF \$5,998,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS  
THE COST THEREOF.**

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

Section 1. The County of Orange, New York (herein called "County"), is hereby authorized to continue existing capital project No. 376 for the Department of Emergency Services and Communications, consisting of acquisition, installation and construction of a new emergency

communication system. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$28,591,345, and said amount is hereby appropriated therefor, including the application of \$5,998,000 grant funds received or expected to be received from the State of New York. The plan of financing includes the application of said grant funds and the issuance of \$22,593,345 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance a portion of 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 \$22,593,345 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 a portion of said appropriation.

Section 3. The period of probable usefulness of the specific object or purpose for which said \$22,593,345 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 25 of the Law, is ten (10) years.

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

Section 5. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by 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 without limitation as to rate or amount. 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. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing

agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 7. 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 8. 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; 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 9. This Resolution shall take effect immediately.

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

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

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

## **ORANGE COUNTY LEGISLATURE**

**Committees: Public Safety and Emergency Services; Ways and Means**

**Sponsors:**

**Co-Sponsors:**

**RESOLUTION NO.                      OF 2017**

**RESOLUTION AUTHORIZING THE ORANGE COUNTY DEPARTMENT OF EMERGENCY SERVICES/POLICE SERVICES TO TRANSFER FUNDS FROM THE GENERAL FUND TO RESTORE ALIVE @ 25 REVENUE, PURSUANT TO SECTION 4.10 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, the Orange County Department of Emergency Services/Police Services requests to restore \$30,156.09 of Alive @ 25 unexpended revenues that were rolled into the General Fund at the end of 2016. The revenues are generated from a court mandated program for first offender teenagers who receive traffic violations. This program is administered by the National Safety Council who receives a portion of the fees collected. The revenues are to be used for prevention and educational Traffic Safety initiatives. The Department of Emergency Services/Police Services has started spending the funds on Project Graduation for the respective school districts and speakers for Alcohol and Substance Abuse training to be held at the Emergency Services Center.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the 2017 budget for the Orange County Department of Emergency Services/Police Services is hereby supplemented as indicated above and stated below to restore \$30,156.09 of Alive @ 25 unexpended revenues that were rolled into the General Fund at the end of 2016; and it is further

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

**Revenue:**

1010	199001	410011	County Taxation	(\$30,156.09)
1010	398904	410011	County Taxation	\$30,156.09

**Expenses:**

1010	199001	579880	Provisions for Contingencies	(\$30,156.09)
1010	398904	573820	Specialty Payments	\$30,156.09

**ORANGE COUNTY LEGISLATURE**

**Committee:**    **Public Safety and Emergency Services**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 21**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF EMERGENCY SERVICES, TO ACCEPT GRANT FUNDS FROM THE NEW YORK STATE DIVISION 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 Division of Homeland Security and Emergency Services has offered grant funds in the amount of \$156,854.00 for the 2017 Public Safety Answering Points Grant. Monies of \$146,854.00 will be utilized to offset Public Safety Dispatcher overtime costs, and \$10,000.00 will be utilized to purchase dispatcher chairs. No County match is required, and no appropriation is necessary as funds are included in the 2017 operating budget; and

**WHEREAS**, this Legislature does wish to authorize the County Executive to accept said grant funds on behalf of the Department of Emergency Services as indicated above.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the County Executive, on behalf of the Department of Emergency Services, is hereby authorized to accept grant funds from the New York State Division of Homeland Security and Emergency Services in the amount of \$156,854.00 for the 2017 Public Safety Answering Points Grant, and to execute any and all other papers and agreements required in connection with such acceptance, subject to review thereof by the County Attorney for purposes of form and content.

**ORANGE COUNTY LEGISLATURE**

**Committee: Public Safety and Emergency Services**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 22**

**RESOLUTION NO. OF 2017**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO DONATE FIVE MOBILE RADIOS TO THE CITY OF HARTFORD, CONNECTICUT, PURSUANT TO SECTION 215 OF THE COUNTY LAW.**

**WHEREAS**, the Orange County Department of Emergency Services/Fire Services is requesting approval to donate five (5) M7300 EDACS Mobile Radios (serial numbers: A4011E046029, A4011E045948, A4011E045946, A4011E046027 AND A4011E046026) to the City of Hartford, Connecticut. Said radios were purchased from a Tech Rescue grant in September of 2011 and are no longer of use to Orange County, as communication systems have since been updated. The New York State Division of Homeland Security and Emergency Services has approved the transfer of these radios to the City of Hartford, Connecticut; and

**WHEREAS**, this Legislature does wish to authorize said donation.

**NOW, THEREFORE,** it is hereby

**RESOLVED,** that the County Executive be and hereby is authorized to donate five (5) M7300 EDACS Mobile Radios to the City of Hartford, Connecticut.

## **ORANGE COUNTY LEGISLATURE**

**Committee: Public Safety and Emergency Services**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 23**

### **RESOLUTION NO.            OF 2017**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF PROBATION, TO ACCEPT AND APPROPRIATE 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 (DCJS) has offered funds, provided through the New York State Governor's Traffic Safety Committee (GTSC), for the Ignition Interlock Device Monitoring program in the amount of \$39,335.00 to support probation supervision monitoring services at a rate of approximately \$63.00 per monitoring order, and will be provided contingent upon the availability of funds. The funding will be for the period of October 1, 2016 through September 30, 2017; and

**WHEREAS,** this Legislature does wish to accept and appropriate said funds for the Department of Probation as indicated above.

**NOW, THEREFORE,** it is hereby

**RESOLVED,** as follows:

1. That the County Executive, in conjunction with the Commissioner of Probation, be and hereby is authorized to accept funds from the New York State Division of Criminal Justice Services, through the New York State Governor's Traffic Safety Committee, in the amount of \$39,335.00 for the Ignition Interlock Device Monitoring program as indicated above.
2. That the 2017 budget for the Department of Probation 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 314003 430891 State Aid \$39,335.00

**Expense:**

1010 314003 583800 Specialty Equipment \$39,335.00

**ORANGE COUNTY LEGISLATURE**

**Committees:** Health and Mental Health; Rules Enactments and Intergovernmental Relations

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 24**

**LOCAL LAW INTRODUCTORY NO. 1 OF 2017**

**A LOCAL LAW APPROVING AMENDMENTS TO THE ORANGE COUNTY SANITARY CODE, (PROVIDING UPDATES AND ADDING A NEW ARTICLE III "HOUSING HYGIENE AND PROPERTY MAINTENANCE"), PURSUANT TO SECTION 7.05 OF THE ORANGE COUNTY ADMINISTRATIVE CODE.**

**Section 1. Purpose.**

The Orange County Board of Health has presented to this Legislature proposed updates and an amendment to the Orange County Sanitary Code which includes the addition of a new Article III regulating "Housing Hygiene and Property Maintenance" to be incorporated in said Sanitary Code.

**Section 2. Amendments.**

The amendments are set forth in the annexed schedule "A"; and

**Section 3. Committee Recommendations.**

The Legislature's Committee on Health and Mental Health and Rules, Enactments and Intergovernmental Relations recommends the adoption of said updates and amendments to the Sanitary Code in accordance with Section 7.05 of the Orange County Administrative Code (Local Law No. 10 of 1969 as amended by Local Law No 3. of 1981).

**Section 4. Approval of amendments.**

The aforementioned proposed amendments to the Orange County Sanitary Code annexed hereto as a Schedule "A" is hereby approved.

## **Section 5. Effective Date.**

This Local Law shall take effect immediately as provided by the New York State Municipal Home Rule Law and upon the completion of the requisite filings and proceedings.

## **SCHEDULE "A"**

### **ORANGE COUNTY SANITARY CODE OF 2016**

#### **TABLE OF CONTENTS**

#### **ARTICLE I: GENERAL PROVISIONS**

- 1. Short Title**
- 2. General Definitions**
- 3. Applicability; legal effect**
- 4. Legal presumptions; evidence; reports as evidence**
- 5. Construction**
- 6. Separability of provisions**
- 7. Saving clause**
- 8. Certified copies of code; fee**
- 9. Time of taking effect**

#### **Article II: ADMINISTRATION AND ENFORCEMENT**

- 1. The advisory Board of Health; appointment and general powers**
- 2. The Commissioner; general powers**
- 3. The Commissioner; quasi-judicial powers**
- 4. Inspections; in general**
- 5. Inspection; interference**

- 6. Investigations; formal hearings**
- 6a. Notice to Municipal Officials**
- 7. Formal hearing; procedure**
- 8. Post hearing procedures**
- 9. Emergency procedure**
- 10. Variances**
- 11 Enforcement; violations; criminal penalties**
- 12. Enforcement; violations; civil penalties**
- 13. Enforcement; violations; other than by prosecution**
- 14. Enforcement; violations; remediation**

## **Article III: HOUSING HYGENE AND PROPERTY MAINTENANCE**

### **SECTION 1-GENERAL PROVISIONS**

- 1. Introduction**
- 2. Purposes**
- 3. Title**
- 4. Application and scope**
- 5. Dwelling unfit for human habitation**
- 6. Inspection and enforcement**
- 7. Definitions**

### **SECTION 2-RESPONSIBILITY OF OWNERS AND OCCUPANTS**

- 1. Occupancy and letting**
- 2. Owner to maintain in clean and sanitary condition**
- 3. Occupant to maintain in clean and sanitary condition**
- 4. Occupant to dispose of rubbish and garbage**
- 5. Refuse Containers to be provided for rubbish and garbage**

6. Screens, Double Doors, Storm Doors and Windows
7. Responsibility for extermination
8. Rodent control
9. Occupant's responsibility as to supplied fixtures and facilities
10. Owners to maintain property free of standing water
11. Nuisances

#### **SECTION 3-MINIMUM STANDARDS FOR BASIC EQUIPMENT AND FACILITIES**

1. Basic equipment and facilities required for dwelling or dwelling unit occupied or let for living, sleeping, cooking or eating

#### **SECTION 4- MINIMUM STANDARD FOR LIGHT AND VENTILATION**

1. Light and ventilation required for dwellings or dwelling units occupied or let for living purposes

#### **SECTION 5- MINIMUM THERMAL STANDARDS (HEATING AND COOLING)**

1. Thermal requirements for occupying or letting, for living purposes
2. Space and Water Heaters

#### **SECTION 6- GENERAL REQUIREMENTS RELATING TO SAFE AND SANITARY PROPERTY MAINTENANCE**

1. Maintenance and installation requirements for dwellings or dwelling units occupied or let for living purposes
2. Discontinuance of services, facilities, equipment or utilities

#### **SECTION 7-MAXIMUM DENSITY, MINIMUM SPACE, USE AND LOCATION REQUIREMENTS**

24. Specifications of requirements

### **ARTICLE I: GENERAL PROVISIONS**

#### **SECTION 1. SHORT TITLE.**

1. The rules and regulations herein contained shall constitute and comprise the sanitary code of the County of Orange and shall be known and may be cited as the Orange County Sanitary Code. In any proceeding under, or involving this code or any provision thereof, the code may be referred to by its plenary title, Sanitary Code of the County of Orange.

## SECTION 2. GENERAL DEFINITIONS.

1. Whenever used in this code, unless otherwise expressly stated or unless the context or subject matter requires a different meaning, the following terms shall have the respective meanings hereinafter set forth or indicated:

- a. **BOARD** The term "board" means Board of Health of the County of Orange.
- b. **CHARTER** The term "charter" means the Charter of the County of Orange.
- c. **CODE** The term "code" means the Orange County Health Code or the Sanitary Code of the County of Orange.
- d. **COMMUNICABLE DISEASE** The term "communicable disease" means infectious, contagious or communicable disease.
- e. **COUNTY** The term "County" means the County of Orange.
- f. **COMMISSIONER** The term "commissioner" means the Commissioner of Health of the County of Orange.
- g. **DEPARTMENT** The term "department" means the Department of Health of the County of Orange.
- h. **HEALTH DISTRICT** The term "health district" means the Orange County Health District comprising the entire area of the County of Orange established under Section 340 et seq., of the Public Health Law and the Orange County Charter.
- i. **PERMIT** The term "permit" means a written license and authorization to carry on a specified activity or activities as regulated by this code, the state sanitary code or the public health law, and includes a certificate of approval.
- j. **PERMITTEE** The term "permittee" means a person who holds a valid permit issued by the Commissioner or the State Department of Health.
- k. **PERSON** The term "person" means any individual, firm, corporation, association, partnership, institution, public body, joint stock association or any other group of individuals, and includes the plural as well as the singular.
- l. **PUBLIC HEALTH COUNCIL** The term "Public Health Council" means the Public Health Council of the State of New York, now known as the "Public Health and Health Planning Council."<sup>1</sup>
- m. **PUBLIC PLACE** The term "public place" means any place or premises wherein the general public is or may be an invitee, regardless of whether of not such place is owned, maintained or operated by any private or government organization or agency.

---

<sup>1</sup> In December 2010, Governor Cuomo established the Public Health and Health Planning Council (PHHPC), to enhance the former Public Health Council. The powers and duties of the PHHPC are set forth in Section 224-b and 225, as well as Articles 28, 36 and 40 of the Public Health Law. The PHHPC is empowered to adopt and amend sanitary regulations as well as regulations relating to health care facilities, hospice services, and home care agency public need, establishment, reimbursement, operating standards and structural standards. The PHHPC is also empowered to hear complaints by licensed professionals who have their hospital privileges terminated, suspended, or denied.

n. **MUNICIPALITY** The term "municipality" means a city, town or village located within the County of Orange.

o. **STATE** The term "state" means the State of New York.

p. **STATE SANITARY CODE** The term "State Sanitary Code" means the rules and regulations promulgated by the Public Health Council of the State of New York and designated as the State Sanitary Code.

### **SECTION 3. APPLICABILITY AND LEGAL EFFECT.**

1. The provisions of the code shall be in force throughout the County of Orange.

2. The code shall be supplemental to the Public Health Law, the State Sanitary Code and other State laws relating to the public health.

3. As provided by the Charter and the Public Health Law, the provisions of this code shall have the force and effect of law.

### **SECTION 4. LEGAL PRESUMPTIONS; EVIDENCE; REPORTS AS EVIDENCE.**

1. Health Law, Certified copies of the code shall be received in evidence in all courts and proceedings in the State.

2. The written reports of the state and local health officers, inspectors, investigators, nurses and other representatives of the state and local health officers on questions of fact pertaining to, concerning or arising under and in connection with complaints, alleged violations, investigations, proceedings, actions, authority and orders, related to the enforcement of this code, the Public Health Law, the State Sanitary Code or any local health regulation shall be presumptive evidence of the facts so stated therein, and shall be received as such in all courts and places.

### **SECTION 5. CONSTRUCTION.**

1. This Code is intended to be consistent with the applicable federal and state law and shall be construed, whenever necessary, to achieve such consistency.

2. This Code shall be liberally construed for the protection of health and safety in the county.

3. This Code is intended to supplement the State Sanitary Code and the Public Health Law, and wherever applicable, shall be deemed to be incorporated herein.

#### **SECTION 6. SEPARABILITY OF PROVISIONS.**

1. In the event that any provision of this Code is declared unconstitutional or invalid, or the application thereof to any person or circumstances is held invalid, the applicability of such provision to other persons and circumstances and the constitutionality or validity of every other provision of the Code shall not be affected thereby.

#### **SECTION 7. SAVING CLAUSE.**

1. Nothing contained in this Code shall affect or impair any act done or right accruing, accrued or acquired, or any penalty, forfeiture or punishment incurred prior to the time when this act shall take effect, under or by virtue of the provision or provisions of law or the State Sanitary Code.

2. Any subsequent addition or modification to the Code shall be deemed and construed as having been added to such Code and shall be given full effect according to its context as if the same had been added expressly and in terms of such Code and shall be deemed and construed to have been inserted in such Code at the appropriate respective position in regard to and as modifying the effect of the correcting provision or provisions of such Code as herein attached and promulgated.

3. This Code shall not affect pending actions or proceedings, civil or criminal, but the same may be prosecuted or defended in the same manner and with the same effect as though this Code had not been passed.

#### **SECTION 8. FEES: COPYING RECORDS AND CERTIFIED COPIES OF CODE.**

1. Fees for copying records and supplying transcripts shall be at the rate covering such cost.
2. The commissioner or his deputy shall furnish certified copies of the code and its amendments for a fee of one dollar per document requested.

## **SECTION 9. THE TIME OF TAKING EFFECT.**

1. This code shall take effect the 31<sup>st</sup> day of October, 2017, subject to the approval of the Orange County Board of Health.

## **ARTICLE II: ADMINISTRATION AND ENFORCEMENT**

### **SECTION 1. THE BOARD OF HEALTH; APPOINTMENT; POWERS AND DUTIES.**

1. The Board of Health shall be appointed as provided for in the Orange County Administrative Code for the terms provided in the Public Health Law.
2. The Board of Health, subject to the provisions of the Public Health Law and the State Sanitary Code, shall:  
(a) formulate, adopt, promulgate, amend or repeal such rules and regulations as may affect public health within the County and (2), adopt, promulgate, amend or repeal the County Sanitary Code,<sup>2</sup> consider matters relating to the preservation and improvement of public health within the County and advise the Commissioner thereon either at his request or upon its own initiative, and from time to time make recommendations to the Commissioner thereupon.
3. No provision of the County Sanitary Code promulgated hereunder shall be effective until the same is enacted by local law.

### **SECTION 2. THE COMMISSIONER; GENERAL POWERS.**

1. Except as may otherwise be provided in the County Charter and the Administrative Code of the County, the Commissioner shall have all the powers and perform all of the duties now or hereafter conferred or imposed by law upon him, a county commissioner of health or a county board of health, including but not limited to:
  - a. supervise the County Public Health nurses and the County T.B. Clinic;
  - b. make an annual sanitary survey and maintain sanitary supervision over the territory within the health district;
  - c. make a sanitary inspection periodically of all places of public assemblage, and report thereon to those responsible for the maintenance of such places of public assemblage;
  - d. promote the spread of information as to the cause, nature and prevention of prevalent diseases, and the preservation and improvement of health;

---

<sup>2</sup> See Orange County Administrative Code Section 7-5, as amended by Local Law No. 3 of 1981.

“No provision of the County Sanitary Code promulgated hereunder shall be effective until the same is approved by the County Legislature.”

- e. take such steps as may be necessary to secure prompt and full reports by physicians of reportable diseases;
- f. take such steps as may be necessary to secure prompt and complete registration of births and deaths;
- g. attend conferences called by the State Commissioner of Health or his authorized representative;
- h. enforce within the health district the provisions of the Public Health Law, State Sanitary Code, and this code.

2. Whenever the commissioner is empowered to or charged with the responsibility to do or perform any act, he shall deputize any officer or employee in the department to do or perform the act in his place and stead.

### **SECTION 3. THE COMMISSIONER; QUASI-JUDICIAL POWERS.**

1. As provided by the Public Health Law, the commissioner may:

- a. issue subpoenas which shall be regulated by the Civil Practice Law and Rules;
- b. compel the attendance of witnesses;
- c. administer oaths to witnesses and compel them to testify;
- d. designate a representative to sign and issue such subpoenas;
- e. issue warrants to any peace officer of the municipality to apprehend and remove such person or persons as cannot otherwise be subjected to his orders or regulations, and to the sheriff of the county to bring to his aid the power of the county whenever it shall be necessary to do so;
- f. prescribe and impose penalties for the violation of, or failure to comply with any of these orders or regulations, or any of the provisions of the State Sanitary Code or this code;
- g. make without publication thereof, such orders and regulations for the suppression of nuisances and concerning all other matters in his judgment detrimental to the public health in special or individual cases, not of general application, and serve copies thereof upon the owner or occupant of any premises whereon such nuisances or other matters may exist, or upon which may exist the cause of other nuisances to other premises, or cause the same to be conspicuously posted thereon;
- h. maintain actions in any court of competent jurisdiction to restrain by injunction violators of his orders and orders, rules and regulations of the board, or otherwise to enforce such orders and regulations;
- i. prescribe and impose penalties for the violation of or failure to comply with any of its orders or regulations, or any of the regulations of the State Sanitary Code, not exceeding two thousand dollars for a single violation or failure to be sued for and recovered by it and the municipality.

### **SECTION 4. INSPECTIONS; IN GENERAL.**

1. The representatives of the department may inspect any premises, matter or thing within its jurisdiction in accordance with the provisions of the Public Health Law.

#### **SECTION 5. INSPECTIONS; INTERFERENCE.**

1. No person shall interfere with, obstruct or refuse to allow any employee or authorized representative of the department to enter upon and inspect any premises or place within the jurisdiction of the department, in the discharge of his official duties or department business.

2. No person shall interfere with, obstruct or refuse to allow the examination of any occupant of any premises or place by the authorized employee or representative of the department, in the discharge of his official duties.

3. No person shall molest or resist any representative of the department in the discharge of his official duties.

#### **SECTION 6. INVESTIGATIONS; FORMAL HEARINGS.**

1. Except in cases of emergency as set forth in Section 9, subdivision 1, the Commissioner shall cause a formal hearing to be held on any application, complaint, circumstances, or alleged violation of the health laws and regulations under his jurisdiction prior to issuing any determination or order based upon any violation of this Code, the Public Health Law of the State of New York, or the New York State Sanitary Code.

2. Such formal hearing shall be on 15 days notice to the person or persons concerned, as the circumstances may require, and shall be set down for a day certain.

3. The notice of the hearing shall set forth:

a. the time and place of the hearing;

b. the purpose of the hearing;

c. charges and violations complained of, if any, with specific reference to the provisions and sections of the Public Health Law, State Sanitary Code and this code involved;

d. the right to present evidence;

e. the right to examine and cross-examine witnesses;

f. the right to be represented by council.

4. Service of Notice of hearing and statement of charges, if any, shall be served at least 15 days prior to the date of the hearing and shall be by certified mail.
5. On the return day of the hearing, the commissioner or his authorized representative shall note the appearance of the persons attending the hearing.
  - a. witnesses shall be sworn and testimony shall be recorded.
  - b. the testimony shall be transcribed within a reasonable time after the conclusion of the hearing.
  - c. The commissioner, or his authorized representative shall thereafter prepare findings of facts and conclusions, upon which the commissioner shall make a determination and decision, which shall be set forth in a formal order, setting forth the determination conditions, if any, to be complied with, and penalties, if any.
  - d. The order provided for in subdivision 4 of this section shall be filed in the department and a copy thereof shall be served on all persons concerned.
6. Nothing herein contained shall preclude the department from taking any action other than the formal hearing herein provided for, as may be prescribed by law; nor shall the department be precluded from taking such other action by virtue of the order made pursuant to this section.

#### **SECTION 6a. NOTICE TO MUNICIPAL OFFICIALS.**

1. Except in the case of an emergency as determined by the County Executive or the Commissioner of Health, the Commissioner shall, prior to scheduling a hearing with respect to property alleged to be in violation of this code, give notice of the substance of the alleged violation(s) to the appropriate City, Town or Village official who is charged with enforcing the building code in the municipality where the property is located.
2. Thereafter, at the request of the local official, the Commissioner may stay the enforcement action pending good faith efforts by such local official to ensure compliance with any applicable law, code, rule, or regulation capable of being enforced by such official.
3. The unintentional failure to provide notice to the appropriate person shall not be a bar to otherwise enforcing the provisions of this code. Further, no such notice shall be required under any circumstance with respect to allegations of any violation of this code whose provisions existed in substantively similar areas prior to July 1st, 2017.

#### **SECTION 7. FORMAL HEARING; PROCEDURE.**

1. The commissioner or person authorized by him to take testimony shall not be bound by the rules of evidence in the conduct of a hearing, but the determination shall be founded upon sufficient legal evidence to sustain it.

2. Upon the conclusion of a hearing, the commissioner shall take such action upon such findings and determinations as he deems proper, and shall execute a written order carrying such findings and determinations into effect.

3. The action of the commissioner may include the assessment of penalties as provided by law or this code.

4. An order of suspension or revocation of any permit or license may contain such provisions as to the renewal or reinstatement as the commissioner shall direct.

5. The commissioner may direct a rehearing or require the taking of additional evidence, and may rescind or affirm a prior determination after such hearing.

6. The minutes of a formal hearing shall be made available to all parties for examination at the office of the department. Copies of the minutes may be purchased at the rate per page covering the cost thereof.

#### **SECTION 8. POST HEARING PROCEDURES.**

1. The commissioner shall cause to be served upon the person or persons concerned a copy of findings of fact, conclusions and order made as a result of a formal hearing.

#### **SECTION 9. EMERGENCY PROCEDURE.**

1. Notwithstanding any other provision of this code, if the commissioner finds that any person is causing or contributing to a condition which creates an emergency which requires immediate action to protect the public health or safety, he shall order such person to discontinue immediately the condition or hazard and such order shall be complied with immediately.

2. Upon issuance of any such order, the commissioner, if requested in writing by the person so ordered, shall fix a time and place for a hearing in accordance with the procedures set forth in this article. Not more than twenty-four hours after the conclusion of such a hearing, and without adjournment thereof, the order shall be affirmed, modified or set aside.

## **SECTION 10. VARIANCES.**

1. The commissioner may grant a variance from a specific provision of this code in a particular case on written application subject to appropriate conditions to be prescribed by him where such variance is in harmony with the general purpose and intent of this code.

## **SECTION 11. ENFORCEMENT; VIOLATIONS; CRIMINAL PENALTIES.**

1. As provided by the Public Health Law, the provisions of the State Sanitary Code shall have the force and effect of law and the non-compliance or non-conformance of any provision thereof shall constitute a violation in accordance with the provisions of the penal law of the State of New York punishable on conviction of a first offense by a fine not exceeding two hundred fifty dollars or by imprisonment for not exceeding fifteen days or both; and for a second or subsequent offense by a fine not exceeding five hundred dollars or by imprisonment for not exceeding fifteen days or both.

2. As provided by the Public Health Law, non-compliance or non-conformance with any provisions of this Code or any rule, regulation, order or special direction duly made thereunder shall constitute a violation punishable by a fine of not more than two hundred fifty dollars or by imprisonment for not more than fifteen days or by both such fine and imprisonment; and for a second or subsequent offense by a fine not exceeding five hundred dollars or by imprisonment for not exceeding fifteen days or both.

## **SECTION 12. ENFORCEMENT; VIOLATIONS; CIVIL PENALTIES.**

1. As provided by the Public Health Law, any person who violates, disobeys or disregards the terms of any lawful notice, order or regulation, prescribed by the State Commissioner of Health or the State Sanitary Code, for which a civil penalty is not otherwise prescribed by law, shall be liable to the people of the State for a civil penalty of not to exceed two thousand dollars for every such violation.

2. Any person who violates, disobeys, or disregards the terms of any lawful notice, order or regulation of the State Sanitary Code or this code, or the State Commissioner of Health or the Commissioner shall be subject to the imposition of a civil penalty by the Commissioner, not exceeding two thousand dollars for a single violation or failure or omission to act.

3. The penalty provided for by subdivision 1 of this section may be recovered by an action brought by the State Commissioner of Health in any court of competent jurisdiction.

4. The penalty provided for by subdivision 2 of this section may be sued for and recovered by the Commissioner.

5. Penalties recovered by the Commissioner under subdivision two of this section may be added to the annual County property tax assessment for the property where the violation occurred.

6. Nothing in this section contained shall be construed to alter or repeal any existing provision of the law declaring such violations or any of them to be misdemeanors or felonies or prescribing the penalty therefor.

7. Each day on which such violations or failure continues shall constitute a separate offense.

**SECTION 13. ENFORCEMENT; VIOLATIONS; OTHER THAN BY PROSECUTION.**

1. In lieu of enforcement of this Code by way of prosecution, recovery of civil penalties, revocation of permits, seizure, embargo and condemnation, and other compulsory means, the department, by its duly authorized representative, may seek to obtain the voluntary compliance with this Code by way of notice, warning or other educational means.

2. This section shall not be construed to require that such non-compulsory methods must be employed or attempted before proceeding by way of compulsory or other legally prescribed procedures.

**SECTION 14. ENFORCEMENT; VIOLATIONS; REMEDIATION.**

1. Upon a finding after a hearing held under Section 7 of this article, that the owner, occupant and/or operator of a building, structure and or premises is in violation of this Code, the Commissioner may, in addition to any other remedy allowed by this code, issue an order directing that remedial action be taken to bring the building, structure or premises into compliance, and may assess the cost of such remedial action against the land upon which such building , structure or premises is located, as a municipal lien, or cause such costs to be added to the tax rolls as an assessment or to be levied as a special tax against the land upon which such building, structure or premises is located or the Commissioner may also apply for a judgment in a court of competent jurisdiction against the owner, occupant and/or operator for such costs.

**ARTICLE III: HOUSING HYGIENE AND PROPERTY MAINTENANCE**

## SECTION 1. GENERAL PROVISIONS

1. **Introduction.** There exist and may in the future exist, within the County of Orange, structures, equipment, exterior property, premises, dwellings, dwelling units or parts thereof, which by reason of their structure, equipment, sanitation, maintenance, use, or occupancy affect or are likely to affect adversely the public health (including the physical, mental and social well-being of persons and families), safety, and general welfare. To correct and prevent the existence of such adverse conditions, and to achieve and maintain such levels of residential environmental quality as will protect and promote public health, safety, and general welfare, the establishment and enforcement of minimum housing, hygiene and property maintenance standards are required.

2. **Purposes.** It is hereby declared that the purpose of this Article is to protect, preserve, and promote the physical and mental health and social well-being of the people, to minimize the incidence of communicable diseases, to regulate privately and publicly owned structures, equipment, exterior property, premises, dwellings, dwelling units or parts thereof for the purpose of maintaining adequate sanitation and public health, and to protect the safety of the people and to promote the general welfare by regulations which shall be applicable to all structures, equipment, exterior property, premises, dwellings, dwelling units or parts thereof now in existence or hereafter constructed. It is hereby further declared that the purpose of this Article is to insure that the quality of housing and other properties is adequate for protection of public health, safety and standards for basic equipment and facilities for healthful living, such as adequate water, waste disposal, bathroom facilities, light, ventilation, heating and cooling, for safety from fire and accidents, and for an adequate level of maintenance, setting forth the responsibilities of owners, operators and occupants of dwellings; and establishing the necessary provisions for administration and enforcement.

3. **Title.** This article shall be known and may be cited as the Orange County Sanitary Code Article III.

4. **Application and scope.** The requirements of this Article shall:

(a) Be effective after being adopted via local law, apply within Orange County.

(b) Apply to all structures, equipment, exterior property, premises, dwellings, dwelling units or parts thereof within the jurisdiction of Orange County, except those regulated under Parts 7 and 15 of the New York State Sanitary Code.

(c) Orange County Commissioner of Health may direct enforcement. Notwithstanding the limits of application and administration set forth in the preceding subdivision, the Orange County Commissioner of Health may enforce the requirements of this Article in any area where a danger or hazard to the public health shall or is likely to exist because of housing, hygiene and/or property maintenance conditions.

(d) Construction. It is intended that the application of the provisions of this Article be consistent with the provisions of applicable State and local laws, codes, rules and regulations; provided, however, that where the provisions of this Article are more restrictive, they shall govern, and where the provisions of such applicable State or local laws, codes, rules and regulations are more restrictive, they shall govern, but the same shall not preclude the enforcement by the Orange County Commissioner of Health and as otherwise provided herein, of this local law.

(e) Variance. The Orange County Commissioner of Health may, on written application and after review, grant a variance from a specific provision of this Article in a specific case subject to appropriate conditions where such variance is in harmony with the general purpose and intent of this Article, and where there are practical difficulties or unnecessary hardship in carrying out the strict letter of its provision. Such variance, however, shall only be effective as against this local law and not against any contrary local law, rule, regulation or order otherwise authorized.

(f) Separability. If any provisions of this Article are held invalid, such invalidity shall not affect other provisions which shall be given effect without the invalid provisions. Such variance, however, shall only be effective as against this local law and not against any contrary local law, rule, regulation or order otherwise authorized.

**5. Dwelling unfit for human habitation.** Whenever the Orange County Commissioner of Health finds that any structure, equipment, exterior property, premises, dwellings or dwelling units constitutes a serious hazard to the health and/or safety of the occupant or to the public because it is dilapidated, unsanitary, vermin-infested or lacking in the facilities required by this Article, he/she may designate such dwelling unfit for human habitation, order the dwelling vacated, and may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "Use of this building for human habitation is prohibited and unlawful." If the owner fails to comply with an order issued by the Orange County Commissioner of Health, the Commissioner of Health may order such dwelling to be removed or demolished as provided for by applicable County law and laws and regulations of the town, village or city having jurisdiction. The provisions of this section are applicable also to unoccupied dwellings and the owners thereof shall be chargeable with compliance. The cost of any removal, demolition or remedial action taken by the County of Orange shall be chargeable to the owner, occupant and/or operator of said property under Article II, Section 14(1).

## **6. Inspection and enforcement.**

### **(a) Inspection.**

(1) The Orange County Commissioner of Health and any person authorized by him/her to do so, may without fee or hindrance, make inspections to determine the condition of structures, equipment, exterior property, premises, dwellings, dwelling units or parts thereof and the premises on which they are located, in order to fulfill the purposes of this Article.

(2) For the purpose of making such inspections, the inspector is hereby authorized to enter, examine and survey all structures, equipment, exterior property, premises, dwellings, dwelling units or parts thereof. Except for emergencies, or where authorized by other law, or for the convenience of the occupant or owner, such inspections shall be made between the hours of 7 am and 9 pm.

(3) The owner, the operator and the occupant shall give the inspector free access to the structures, equipment, exterior property, premises, dwellings, dwelling units or parts thereof for the purpose of such an inspection.

### **(b) Enforcement.**

(1) Evidence of a violation of this Article discovered during such inspection shall not be used against the violator in either a criminal or civil proceeding except under the following conditions:

(i) Written notice of said violation shall be left with or mailed to the person responsible for correction of such violation or in the alternative such notice shall be posted in a conspicuous place upon the structures, equipment, exterior property, premises, dwellings, dwelling units, or parts thereof where the violation is discovered.

(ii) Said written notice states a specific and reasonable time within which such violation shall be eliminated; and

(iii) At the end of such time the violation has not been eliminated.

(2) Noncompliance or nonconformance; Criminal and Civil Penalties.

(i) Criminal penalties for noncompliance or nonconformance with any provision of this Article shall be those provided for in Article 2(11) of the Orange County Sanitary Code.

(ii) Civil Penalties for noncompliance or nonconformance with any provision of this Article shall be those provided for in Article 2(12) of the Orange County Sanitary Code.

(c) **Warrant Requirements for Non-Emergency Inspections.**

The Fourth Amendment bars warrantless, non-emergency administrative inspection of a private residential premises without the occupant's consent. Issuance of a warrant for such inspections, however, need not be based upon reasonable cause to believe a violation exists in the premises sought to be entered, but can be based merely on the reasonableness of the need to conduct periodic, area wide inspections.

## 7. Definitions.

(a) **ACCESSORY STRUCTURE** shall mean a structure not more than three stories high with separate means of egress, a building, the use of which is incidental to that of the main building and which is located on the same lot.

(b) **ADEQUATE** shall mean sufficient to accomplish the purpose for which something is intended, and to such a degree that no unreasonable risk to health or safety is presented. An item installed, maintained, designed and assembled, an activity conducted, or an act performed, in accordance with generally accepted standards, principles or practices applicable to a particular trade, business, occupation or profession is adequate within the meaning of this subpart.

(c) **APPROVED** shall mean approved by the Orange County Commissioner of Health.

(d) **CENTRAL HEATING SYSTEM** shall mean a single system supplying heat to one or more dwelling unit(s).

(e) **DWELLING** shall mean any building or structure that contain one or more dwelling unit(s) or units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.

(f) **DWELLING UNIT** shall mean a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

(g) **EGRESS** shall mean a place or means of going safely to the outside of a dwelling or building.

(h) **EXTERIOR PROPERTY** shall mean the open space on the premises and on adjoining property under the control of owners or operators of such premises.

(i) **EXTERMINATION** shall mean the control and elimination of insects, rodents, or other pests by eliminating their harborage places, by removing or making inaccessible materials that may serve as their food, by application of

pesticide(s), trapping or by another recognized and legal pest elimination methods approved by the local or State authority having such administrative authority.

(j) **FAMILY** shall mean one adult person plus one or more persons who are legally related to said person and residing in the same dwelling unit with said person.

(k) **ORANGE COUNTY COMMISSIONER OF HEALTH** shall mean the Health Commissioner of Orange County or his/her duly authorized representative.

(l) **GARBAGE** shall mean the animal and vegetable waste resulting from the handling, preparation, cooking, serving and consumption of food.

(m) **GUEST** shall mean any person who shares a dwelling unit in a nonpermanent status for not more than 30 days.

(n) **HABITABLE SPACE** shall mean a space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

(o) **HEATED WATER** shall mean water supplied to a fixture at a temperature of not less than 120°F.

(p) **HOUSEHOLD** shall mean a family and/or one or more unrelated persons, who share the same dwelling and use some or all of its cooking and eating facilities. It shall include servants and not more than two boarders.

(q) **INDIVIDUAL SEWERAGE SYSTEM** shall mean a system or piping, tanks or other facilities disposing of sewage or other liquid wastes into the soil.

(r) **INFESTATION** shall mean the presence within or contiguous to a structure or premises of insects, rats, vermin or other pests.

(s) **KITCHEN** shall mean any room used primarily for cooking or preparation of food and containing any or all of the following equipment; sink and/or other device for dishwashing, stove or other device for cooking, refrigerator or other device for cool storage of food. Where a room is used for cooking and preparation of food, but not primarily so used, kitchen shall mean that portion of such room which contains the above equipment and an area within three feet of such equipment.

(t) **LET FOR OCCUPANCY OR LET** shall mean to permit, provide or offer possession or occupancy of a dwelling, dwelling unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

(u) **MEANING OF CERTAIN WORDS.** Whenever the words "Dwelling", "dwelling unit", "premises" and "structure" are used in this Article, they shall be construed as though they were followed by the words "or any part thereof." Words used in the singular include the plural, and the plural the singular, the masculine gender includes the feminine and the feminine the masculine.

(v) **MULTIPLE DWELLING** shall mean any dwelling containing more than two dwelling units or more than four roomers.

(w) **NOXIOUS WEED(S)** shall mean any living stage, such as seeds and reproductive parts, of any parasitic or other plant of a kind, which is of foreign origin, is new to or not widely prevalent in the United States, and can directly or indirectly

injure crops, other useful plants, livestock, or poultry or other interests of agriculture, including irrigation, or navigation, or the fish or wildlife resources of the United States or the public health.

(x) **NUISANCE (a.k.a. PUBLIC NUISANCE, PUBLIC HEALTH NUISANCE)** shall mean whatever is dangerous to human life or detrimental to health.

(y) **OCCUPANCY** shall mean the purpose for which a building or portion thereof is utilized or occupied.

(z) **OCCUPANT** shall mean any individual living or sleeping in a building, or having possession of a space within a building; except that in dwelling units a guest will not be considered an occupant. To the extent that a responsibility is imposed upon an Occupant pursuant to this Local Law, such Occupant must be age 18 or older.

(aa) **OPERATOR** shall mean any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

(bb) **OWNER** shall mean any person, firm or corporation, who, alone or jointly or severally with others:

(1) shall have legal title to or an equitable interest in any dwelling or dwelling unit, with or without accompanying actual possession thereof, or

(2) shall have charge, care, or control of any dwelling or dwelling unit, as owner, lessee, mortgagee or vendee in possession, assignee of rents, or as a receiver; or an executor, administrator, trustee, or guardian of the estate of the owner. Any agent for any of the above shall be bound to comply with the provisions of this Article to the same extent as if he were the owner.

(cc) **PERSON** shall mean an individual, heirs, executors, administrators or assigns, and also includes firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

(dd) **PLUMBING** shall mean and include all of the following supplied facilities and equipment; gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, toilet rooms, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer, or gas lines.

(ii) **PRIVACY** shall mean the ability of a person or persons to carry out an activity without interruption or interference, either by sight or sound, by persons outside of the household.

(jj) **PREMISES** shall mean a lot, plot or parcel of land, an easement or public way, including any structure thereon.

(ee) **PUBLIC WAY** shall mean a street, alley or other parcel of land open to the outside air leading to a street, that has been deeded, dedicated or otherwise permanently appropriated to the public for public use and which has a clear width and height of not less than 10 feet.

(ff) **RODENT HARBORAGE** shall mean any place where rodents can live, nest, hide or seek shelter.

(gg) **RAT PROOFING** shall mean a form of construction which will prevent the ingress or egress of rats to or from a given space or building, or gaining access to food, water or harborage. It consists of the closing and keeping closed of every opening in foundations, basements, cellars, exterior and interior walls, ground or first floors, roofs, sidewalk gratings, sidewalk openings and other places that may be reached and entered by rat climbing, burrowing or other methods, by

the use of materials impervious to rat gnawing or by other methods approved by the Orange County Commissioner of Health.

(hh) **REFUSE** shall mean all putrescible and non-putrescible solids (except body wastes) including garbage, rubbish, ashes and dead animals.

(ii) **REFUSE CONTAINER** shall mean a watertight container that is constructed of metal, or other durable material impervious to rodents, that is capable of being serviced without creating unsanitary conditions, or such other containers approved by the Orange County Commissioner of Health. Openings into the container such as covers and doors shall be tight fitting.

(jj) **RUBBISH** shall mean combustible and non-combustible waste materials, except garbage; the term shall include the residue from burning wood, coal, coke and other combustible materials, paper rags, cartons, boxes, wood, excelsior, rubber, mineral matter, glass, crockery, and dust and other similar materials; this term shall also include discarded, abandoned or stored refrigerators.

(kk) **SAFETY** shall mean the condition of being reasonably free from danger and hazards which may cause accidents or disease.

(ll) **SEWERAGE SYSTEM** shall mean pipe lines or conduits, pumping stations and force mains, and all other constructions, devices and appliances appurtenant thereto, used for conducting sewage, industrial waste or other wastes to a point of ultimate disposal.

(mm) **STRUCTURE** shall mean that which is built or constructed or a portion thereof.

(nn) **SUPPLIED** shall mean paid for, furnished, provided by, or under the control of the owner or operator.

(oo) **TENANT** shall mean a person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

(pp) **TOILET ROOM** shall mean a room containing a water closet or urinal but not a bathtub or shower.

(qq) **WASTE** shall mean the discharge from any fixture, appliance, area or appurtenance that does not contain fecal matter.

## **SECTION 2- RESPONSIBILITIES OF OWNERS AND OCCUPANTS**

1. **Occupancy and letting.** No owner or other person shall occupy or let to another person for occupancy, any vacant structure, dwelling or dwelling unit unless it and the premises are clean, sanitary, fit for human occupancy, and comply with the requirements of this Article and all applicable laws.

2. **Owner to maintain in a clean and sanitary condition.** Every owner of a dwelling containing two or more dwelling units shall maintain in a clean and sanitary condition in the shared or public areas of the dwelling and premises thereof. Owner shall secure vacant buildings and/or structures by boarding, blocking, locking or otherwise protecting to prevent entry by unauthorized individuals.

**3. Occupant to maintain in a clean and sanitary condition.** Every occupant of a premises, structure, dwelling or dwelling unit shall maintain in a clean and sanitary condition those parts of the dwelling, dwelling unit and premises thereof that he occupies and controls.

**4. Occupant to dispose of rubbish and garbage.**

(a) Rubbish: Every occupant of a structure, building, dwelling or dwelling unit shall store and dispose of all his rubbish in a clean, sanitary and safe manner.

(b) Garbage: Every occupant of a structure, building, dwelling or dwelling unit shall dispose of and store all his garbage or any other organic waste which might provide food for insects, rodents or any other pest, in a clean, sanitary and safe manner. Garbage shall not be allowed to accumulate. Rodent-proof, insect-proof, watertight refuse containers shall be used for storage pending collection. The lid of the refuse container shall be on the container at all times, including when at curb pending collection.

**5. Refuse Containers to be provided for rubbish and garbage.** Every owner of a premises, structure, building, or dwelling shall supply adequate facilities or refuse containers for the sanitary and safe storage and/or disposal of rubbish and garbage, unless otherwise agreed to in writing by the lessee. Such containers shall be in proper working condition, undamaged and rodent-proof. The maintenance and upkeep of the container shall be the owners and/or occupants responsibility.

**6. Screens, Double Doors, Storm Doors and Windows.** The owner of a dwelling unit shall be responsible for providing and hanging all screens and double or storm doors and windows whenever the same are required under the provisions of this Article, except where a written agreement between the owner and occupant provides otherwise. In the absence of a written agreement between the owner and occupant providing otherwise, maintenance or replacement of screens, storm doors and windows, once installed in any one season, become the responsibility of the occupant.

**7. Responsibility for extermination.** Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises. Notwithstanding the foregoing provisions of this section, whenever infestation is caused by failure of the owner to maintain a dwelling in a rat-proof or reasonable insect-proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two or more dwelling units, extermination thereof shall be the responsibility of the owner.

**8. Rodent control**

(a) Every owner and/or occupant of a premises, structure, building, dwelling or dwelling unit shall store and dispose of accumulated rubbish, boxes, lumber, scrap metal, or any other materials in such a manner as to prevent rodent

harborage in or about any premises, structure, building, dwelling or dwelling unit. Materials shall be stacked neatly in piles elevated to a level high enough to permit effective cleaning.

(b) All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

(c) Every owner or occupant of a dwelling or dwelling unit shall not store, place, or allow to accumulate, any materials that may serve as food or harborage for rodents in a site accessible to rodents.

(d) No person shall feed in the open any domestic or wild fowl, birds or animals other than in a suitable container and in such a manner so as to prevent scattering of food upon the ground or ground level which can or will provide food for rodents, insects, vermin or other pests. If an area is deemed infested with rodents, insects, vermin or other pests by the Orange County Commissioner of Health, all bird feeding shall be ceased until the area is no longer deemed infested with rodents, insects, vermin or other pests.

(e) If an area is deemed infested with rodents, insects, vermin or other pests by the Orange County Commissioner of Health, all such premises and immediate exterior property shall be maintained free from weeds or plant growth in excess of 10 inches, so as to prevent rodent harborage. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however this term shall not include cultivated flowers or gardens.

(f) Property Demolition. If a structure is scheduled for demolition, proper extermination should be performed prior to the demolition of the structure. The structure must be inspected post extermination and be deemed rodent free by the Orange County Commissioner of Health or his/her designee prior to the demolition.

#### **9. Occupant's responsibility as to supplied fixtures and facilities.**

(a) Every occupant of a dwelling unit shall keep all supplied fixtures and facilities therein in a clean, sanitary and operable condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

**10. Occupant's responsibility as to domestic animals and pets:** Every occupant shall keep his domestic animals and pets in a clean and sanitary manner and under control.

**11. Owner to maintain property free of standing water,** Every owner of any premises, structure, building or dwelling shall keep the premises graded and maintained to prevent the accumulation of standing water, or within any structure, such as swimming pools, ornamental ponds or similar located thereon.

(a) Any structure designed to hold water, such as a swimming pool, ornamental pond or similar must be designed, constructed, operated and maintained to prevent the breeding of insects.

**12. Nuisances.** All complaints regarding what is dangerous to human life or detrimental to health shall be received and investigated. The Orange County Commissioner of Health or his/her designee may enter upon or within any place or premises where nuisances or conditions dangerous to life and health or which are the cause of nuisances existing elsewhere are known or believed to exist.

### **SECTION 3- MINIMUM STANDARDS FOR BASIC EQUIPMENT AND FACILITIES**

**1. Basic equipment and facilities required for dwelling or dwelling unit occupied or let for living, sleeping, cooking or eating.** No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purposes of living, sleeping, cooking or eating therein, which does not comply with the following requirements:

(a) **Kitchen requirements.** Every dwelling unit shall have a room or portion of a room in which food may be prepared and/or cooked and which room shall have adequate floor area available for occupant use and be equipped with the following.

(i) A kitchen sink in good working condition and properly connected to a water supply system which provides at all times an adequate amount of heated and unheated running water under pressure, and which is connected to a functioning public sewerage system or individual sewerage system.

(ii) Cabinets and/or shelves for the storage of eating, drinking, and cooking equipment and utensils shall be of sound construction furnished with surfaces that are easily cleanable and that will not impart any toxic or deleterious effect to food.

(b) **Water closet requirements.** Within every dwelling unit there shall be a non-habitable room which affords privacy to a person within said room and which is equipped with a flush water closet in good working condition. Said flush water closet shall be connected to a water system that at all times provides an adequate amount of running water under pressure to cause the water closet to be operated properly and shall be connected to a functioning public sewerage system or individual sewerage system.

(c) **Lavatory sink requirements.** Within every dwelling unit there shall be a room which affords privacy to a person within said room which is equipped with a lavatory sink. Said lavatory sink may be in the same room as the flush water closet or in another room; provided that, if located in a room other than the one containing the flush water closet, the water closet shall be located in close proximity to the door leading directly into the room in which said lavatory sink is located. The lavatory sink shall be in good working condition and properly connected to a water supply system which provides at all times an adequate amount of heated and unheated, running water under pressure, and which is connected to a functioning public sewerage system or individual sewerage system.

(d) **Bathtub or shower requirements.** Within every dwelling unit there shall be a room which affords privacy to a person within said room and which is equipped with a bathtub or shower in good working condition. Said bathtub or shower may be in the same room as the flush water closet or in another room and shall be properly connected to a water supply system which provides at all times an adequate amount of heated and unheated running water under pressure, and which is connected to a functioning sewerage system or individual sewerage system.

(e) **Smoke Alarms.** Single- and multiple-station smoke alarms shall be installed in any locations otherwise required by the Building Code of New York State, Chapter 9, and the Fire Code of New York State, Chapter 9.

#### **SECTION 4- MINIMUM STANDARDS FOR LIGHT AND VENTILATION**

1. **Light and ventilation required for dwellings or dwelling units occupied or let for living purposes.** No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

(a) **Light and Ventilation.**

(i) **Light.**

(1) Every habitable space shall have at least one window facing directly to the outdoors or to a court.

(2) Every public hall and stairway in a multiple dwelling shall be adequately lighted by natural or electric light at all times. Every public hall and stairway in structures containing not more than two dwelling units shall be supplied with conveniently located light switches controlling an adequate lighting system which may be turned on when needed, instead of full-time lighting.

(iii) All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

(ii) **Ventilation**

(1) Every habitable space shall have at least one openable window.

(2) Screening. During that portion of the year when there is a need for protection against mosquitoes, flies and other flying insects, every window opening directly from a dwelling unit to outside space shall have supplied properly fitting screens.

(iv) **Bathroom and Water Closet**

Every bathroom and water closet compartment shall comply with the light and ventilation requirement for habitable rooms contained in section 4(1)a(i) and 4(1)a(ii) above, except that no window or skylight shall be required in adequately ventilated bathrooms and water closet compartments equipped with a ventilation system which is approved by the Commissioner.

(b) **Electric facilities.** Every occupied building shall be provided with an electrical system. All equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

(i) **Receptacles.** Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every lavatory or bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

(ii) Every water closet compartment, toilet room, bathroom, laundry room, furnace room, boiler room and public hall shall contain at least one ceiling or wall type electric lighting fixture.

## **SECTION 5-MINIMUM THERMAL STANDARDS (HEATING AND COOLING)**

**1. Thermal requirements for occupying or letting, for living purposes.** No person shall occupy as owner, occupant or let to another for occupancy any dwellings or dwelling units, for the purpose of living therein, which does not comply with the following requirements:

(a) **Heating Facilities.** Every dwelling unit or dwelling shall have heating facilities which are properly installed, and are maintained in a safe and good working condition, and are capable of safely and adequately heating all habitable spaces, bathrooms, toilet rooms and water closet compartments in every dwelling unit to maintain 68 degrees Fahrenheit as noted in (b) below. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

Exception: Owner-occupied one-family dwellings subject to the approval of the code enforcement official.

(b) **Minimum temperature.** The owner is responsible for furnishing the heat unless the rental agreement provides otherwise. Between September 15th and May 31st, where the owner furnishes the heat, the temperature shall be maintained at not less than 68 degrees Fahrenheit in all habitable spaces, bathrooms, toilet rooms and water closet compartments. The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required, provided that the heating system is operating at its full design capacity. The winter design dry-bulb temperature for the locality shall be as indicated in the *Energy Conservation Construction Code of New York State*.

## **2. Space and water heaters.**

(a) Unvented flame space heaters and space heaters without back-draft diverters and automatic controls are prohibited; portable electric heaters, approved under the appropriate local or State electrical and/or fire prevention code are acceptable (where they meet the provisions of subdivision 1(a) of this section). Where there is no such local or State code, portable electric heaters meeting the standards of the National Electrical Code, as approved by the Underwriter Laboratories, Inc. and the Orange County Commissioner of Health are acceptable. Gas-fueled space or water heaters and accessories or controls shall be properly installed and be of an approved type.

Exception: Unvented flame space heaters shall be permitted if they are installed and maintained properly, used as a secondary source of heat, a carbon monoxide detector is installed in the same room as the unvented flame space heater, and additional carbon monoxide detector(s) is/are installed in close proximity to all sleeping rooms. Maintenance of power source shall be the property owner's responsibility. Required carbon monoxide alarms shall not be removed or disabled, except for replacement, service or repair purposes.

(b) No fuel burning device shall be located in any water closet compartment, toilet room, bathroom or sleeping room.

## **SECTION 6- GENERAL REQUIREMENTS RELATING TO SAFE AND SANITARY PROPERTY MAINTENANCE**

**1. Maintenance and installation requirements for dwellings and dwelling units occupied or let for living purposes.** No person shall occupy as owner, occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the following requirements:

(a) **General.** That a certificate of occupancy has been issued for the dwelling or dwelling unit by the Code Enforcement Agency in the municipality where the dwelling or dwelling unit is located. Every foundation, roof and exterior wall, door, skylight and window shall be reasonably weather-tight, watertight, and damp-free and shall be kept in sound condition and good repair. Floors, interior walls, doors and ceilings shall be sound and in good repair. All exterior wood surfaces other than decay resistant woods shall be protected from the elements and decay by paint or other protective covering or treatment. Lead based and other toxic paints and materials shall not be used on any surface. Walls shall be capable of affording privacy for the occupants. Every premise shall be maintained in a clean, sanitary and safe condition. The presence of noxious weeds shall be prohibited.

(b) **Windows, doors and hatchways.** Every window, exterior door and basement hatchway or similar devices, shall be kept rodent-proof and reasonably watertight and weather-tight, and shall be kept in sound working condition and good repair. All exterior doors shall have properly functioning locking devices that shall be operable from the interior side of the door. All deadbolt type locking mechanisms shall be of the thumb latch style or equivalent on the inside of the exterior door(s), a key operated style on both sides is not acceptable.

(c) **Prevent entrance of rodents.** Every window located at or near ground level used or intended to be used for ventilation, and every other opening located at or near ground level which might provide an entry for rodents, shall be supplied with adequate gauge screen or such other devices as will effectively prevent their entrance.

(d) **Safety.**

(i) Stairways, decks, porches and balconies. Every stairway, deck, porch and balcony, and all appurtenances attached there to, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads

(ii) Handrails required. Handrails shall be provided on at least one side of each stairway with three or more risers at an approved height.

(iii) Guards required. Porches, balconies or raised floor surfaces located more than 30 inches above the floor or grade below shall have guards. Guards shall be constructed at a height in compliance with all state and local building codes. Open sides of stairs with a total rise of more than 30 inches above the floor or grade below or more than four risers shall have guards.

(e) **Plumbing fixtures and water and waste pipes.** Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition.

(f) **Floors for toilet rooms, water closet compartments, bathrooms and kitchens.** Every toilet room, water closet compartment, bathroom and kitchen floor surface and baseboard shall be constructed and maintained so as to be reasonably impervious to water so as to permit such floor to be easily kept in a clean and sanitary condition.

(g) **Construction, installation and maintenance.** Every plumbing fixture, pipe, chimney, flue and smoke pipe and every other facility, piece of equipment, or utility which is present in a dwelling or dwelling unit, or which is required under this Article, shall be constructed and installed in conformance with the applicable local, State or national codes and shall be maintained in satisfactory working condition.

(h) **Egress.** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way.

2. **Discontinuance of services, facilities, equipment or utilities.** No owner, operator or occupant shall cause or be responsible for causing any service, facility, equipment or utility which is required under this Part to be removed from or shut off from or discontinued for any occupied dwelling or dwelling unit let or occupied by him; except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies when discontinuance of service is either not reasonably avoidable or is approved by the Orange County Commissioner of Health.

## **SECTION 7- MAXIMUM DENSITY, MINIMUM SPACE, USE AND LOCATION REQUIREMENTS**

24. **Specification of requirements.** No person shall occupy or let to be occupied any dwelling or dwelling unit, for the purpose of living therein, unless there is compliance with the applicable State and Local Codes:

(a) **Habitable space below grade.** No space located partially or totally below grade shall be used as a habitable room unless:

(i) The floor and those portions of the walls below grade are of water-proof and damp-proof construction.

(ii) The minimum window area and operable window area are in compliance with all state and local code requirements.

(iii) Window wells, where required, are constructed and maintained in such a manner as to be in compliance with all state and local codes.

(b) **Access to bathrooms, toilet rooms, water closet compartments and sleeping rooms.** No dwelling or dwelling unit containing two or more sleeping rooms shall have such room arrangements that access to a bathroom, toilet room or water closet compartment intended for use by occupants of more than one sleeping room can be had only by going through another sleeping room; nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room or a bathroom or water closet compartment.

# **ORANGE COUNTY LEGISLATURE**

**Committee: Health and Mental Health**

**Sponsors:**

**Co-Sponsors:**

**RESOLUTION NO. OF 2017**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF MENTAL HEALTH, TO ACCEPT AND APPROPRIATE FUNDS FROM THE CENTER FOR REGIONAL HEALTHCARE INNOVATION, LLC, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, the Center for Regional Healthcare Innovation, LLC - Westchester Medical Center Performing Provider System has offered funds in the amount of \$99,000.00 to provide Crisis Intervention Training (CIT) to various police departments in Orange County; and

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

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

1. That the County Executive, in conjunction with the Commissioner of Mental Health, be and hereby is authorized to accept and appropriate funds from the Center for Regional Healthcare Innovation, LLC - Westchester Medical Center Performing Provider System in the amount of \$99,000.00 to provide Crisis Intervention Training (CIT) to various police departments in Orange County as indicated above.

2. That the 2017 budget for the Department of Mental Health is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such 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 432001 412891 Other General GOVT Depart \$99,000.00

**Expense:**

1010 432004 573990 Police Chiefs Association \$99,000.00

**ORANGE COUNTY LEGISLATURE**

**Committee: Health and Mental Health**

**Sponsors:**

**RESOLUTION NO.                      OF 2017**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF MENTAL HEALTH, TO ACCEPT ELEVEN (11) TRANSMITTER KITS, AS WELL AS ACCEPT AND APPROPRIATE FUNDS, FROM THE NEW YORK STATE DEPARTMENT OF CRIMINAL JUSTICE SERVICES, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, the Orange County Department of Mental Health requests to accept eleven (11) transmitter kits (including bracelets and batteries) for distribution free of charge to qualifying at-risk children with autism from the New York State Department of Criminal Justice Services (DCJS) to participate in and administer Project Lifesaver, an international service for missing children and vulnerable adults who, because of autism, down syndrome or other cognitive impairments or disabilities, are at risk of going missing or wandering. DCJS has provided the County with radio frequency tracking equipment for use with the transmitters, and the tracking equipment remains the property of DCJS; and

**WHEREAS**, the Department of Mental Health is also requesting to accept and appropriate funds from the Department of Criminal Justice Services in the amount of \$15,000.00 for additional transmitter kits available to the public for qualifying children and adults for a fee; and

**WHEREAS**, this Legislature does wish to accept eleven (11) transmitter kits, as well as accept and appropriate said funds for the Department of Mental Health as indicated above.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

1. That the County Executive, in conjunction with the Commissioner of Mental Health, be and hereby is authorized to accept eleven (11) transmitter kits, as well as accept and appropriate funds from the New York State Department of Criminal Justice Services in the amount of \$15,000.00 as indicated above.

2. That the 2017 budget for the Department of Mental Health is hereby amended and supplemented as shown below, and the Commissioner of Finance, together with the Director of Budget, be and hereby is authorized to make such 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 432001 412891 Other General GOVT Depart \$15,000.00

**Expense:**

1010 432001 573820 Specialty Materials \$15,000.00

**ORANGE COUNTY LEGISLATURE**

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

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 27**

**RESOLUTION NO. OF 2017**

**BOND RESOLUTION DATED MARCH 2, 2017**

**BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING THE PRESERVATION OF HISTORIC RECORDS IN THE COUNTY CLERK'S OFFICE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$125,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$125,000 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 preservation of historic records in the County Clerk's office, all as more particularly described in the County's 2017 Capital Plan, as amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$125,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$125,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, 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 \$125,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness of the object or purpose for which said \$125,000 bonds herein authorized are to be issued, within the limitations of Sections 11.00 a. 72 (1<sup>st</sup>) and 35 of the Law, is five (5) 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 §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. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 7. 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 8. 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; 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 9. This Resolution shall take effect immediately.

## **ORANGE COUNTY LEGISLATURE**

**Committees:** Rules, Enactments and Intergovernmental Relations; Physical Services

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 28**

### **LOCAL LAW INTRODUCTORY NO. 2 OF 2017**

#### **A LOCAL LAW TO ESTABLISH ENERGY BENCHMARKING REQUIREMENTS FOR CERTAIN MUNICIPAL BUILDINGS IN THE COUNTY OF ORANGE.**

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

Section 1. This local law shall be known as "MUNICIPAL BUILDING ENERGY BENCHMARKING," and shall read as follows:

##### **Section 1. PURPOSE**

Buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings - for the exact same building use. As such, this Local Law will use Building Energy Benchmarking to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the County of Orange.

Collecting, reporting, and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide. Equipped with this information, the County of Orange is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement.

##### **Section 2. DEFINITIONS**

(1) "Benchmarking Information" shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(2) "Building Energy Benchmarking" shall mean the process of measuring a building's Energy use, tracking that use over time, and comparing performance to similar buildings.

(3) "Commissioner" shall mean the head of the Department.

(4) "Covered Municipal Building" shall mean a building or facility that is owned or occupied by the County of Orange that is 1,000 square feet or larger in size.

(5) "Department" shall mean Orange County Department of Planning.

(6) "Energy" shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) "Energy Performance Score" shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) "Energy Use Intensity (EUI)" shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) "Gross Floor Area" shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(10) "Portfolio Manager" shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(11) "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(12) "Weather Normalized Site EUI" shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

### **Section 3. APPLICABILITY**

(1) This Local Law is applicable to all Covered Municipal Buildings as defined in Section 2 of this Local Law.

(2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

#### **Section 4. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS**

(1) No later than December 31, 2017, and no later than May 1 every year thereafter, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

#### **Section 5. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION**

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than December 31, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Local Law; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Local Law) across calendar years for all years since annual reporting under this Local Law has been required for said building.

#### **Section 6. MAINTENANCE OF RECORDS**

The Department shall maintain records as necessary for carrying out the purposes of this Local Law, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

#### **Section 7. ENFORCEMENT AND ADMINISTRATION**

(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Local Law.

(2) The Chief Enforcement Officer of this Local Law may promulgate regulations necessary for the administration of the requirements of this Local Law.

(3) Within thirty days after each anniversary date of the effective date of this Local Law, the Chief Enforcement Officer shall submit a report to the Orange County Legislature including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Local Law.

### **Section 8. EFFECTIVE DATE**

This Local Law shall take effect as provided by the New York State Municipal Home Rule Law and upon completion of the requisite filings and procedures.

### **Section 9. SEVERABILITY**

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

## **ORANGE COUNTY LEGISLATURE**

**Committee: Rules, Enactments and Intergovernmental Relations**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 29**

**RESOLUTION NO.            OF 2017**

### **RESOLUTION OF THE ORANGE COUNTY LEGISLATURE TO NAME THE NEW YORK STATE THRUWAY BRIDGE THAT REPLACES THE TAPPAN ZEE BRIDGE TO THE BROWN PAIGE O'GRADY BRIDGE.**

**WHEREAS**, on October 20, 1981, members of the "Weather Underground" and the "Black Liberation Movement" robbed an armored Brinks truck containing \$1.6 million at the Nanuet Mall in Rockland County, New York to further their radical activities to construct the "Republic of New Afrika;" and

**WHEREAS**, armed with automatic firing rifles, the terrorists shot down and murdered Nyack Police Officer Waverly "Chipper" Brown, Nyack Police Sergeant Edward O'Grady and Brinks security guard Peter Paige. These three fathers who put their lives on the line, will always be remembered by this Legislature, our local police officers and our Mid-Hudson communities; and

**WHEREAS**, many Rockland County police officers also put their lives on the line in a heated gun battle to intercept the getaway cars and apprehend the terrorists, including Judith Clark; and

**WHEREAS**, after these murders and robbing \$1.6 million while terrorizing the people of Rockland County and New York's State; these terrorist were captured, tried and convicted in trials according to their constitutional rights, and then sentenced to just and fair terms in prison;

**WHEREAS**, Kathy Boudin, a member of the far-left radical group the Weather Underground who was convicted of felony murder for her role in the Brink's robbery of 1981 that resulted in the killing of two Nyack police officers, killing one security guard and seriously wounding one security guard, was granted parole on August 20, 2013, in her third parole hearing, and released from Bedford Hills Correctional Facility on September 17, 2003. She is now an adjunct professor at Columbia University;

**WHEREAS**, Governor Andrew Cuomo on Friday, December 30, 2016 commuted Weather Underground member Judith Clark's life sentence for murder, allowing the 67-year-old once self-proclaimed revolutionary to seek early release before a parole board in 2017 for her role in the murders of two Nyack police officers and a Brinks guard on October 20, 1981;

**WHEREAS**, the families and friends of the victims of these terrorists, have spent the past 35 years grieving the loss of their loved ones and the focus should be on memorializing the sacrifice of the three heroes who lost their lives defending the citizens of New York State;

**NOW THEREFORE**, be it

**RESOLVED**, that the Orange County Legislature wishes to commemorate the bravery and eternal sacrifice of these men and hereby petition the Governor and State Legislature to name the New York State Thruway bridge that replaces the current Tappan Zee Bridge over the Hudson River, presently being constructed near where these heroes lost their lives, as the **Brown Paige O'Grady Bridge** so that the memory of these fallen heroes will last long into the future for generations of the New Yorkers to remember.

**RESOLVED**, that the Clerk of the Orange County Legislature is hereby directed to send certified copies of this resolution to N.Y.S. Governor Andrew M. Cuomo and to each New York State Senator and Assemblyperson who represents the County of Orange.

## **ORANGE COUNTY LEGISLATURE**

**Committee:** Rules, Enactments and Intergovernmental Relations  
**Sponsors:**  
**Co-Sponsor:**

**Agenda No. 30**

**RESOLUTION NO. 2017**

**RESOLUTION OF THE ORANGE COUNTY LEGISLATURE AMENDING RESOLUTION NO. 2 OF 2017 WHICH ESTABLISHED THE LEGISLATIVE CALENDAR FOR 2017, PURSUANT TO ARTICLE II, C, 1 (f) OF THE LEGISLATIVE MANUAL.**

**WHEREAS**, this Legislature does wish to amend the Legislative Calendar for 2017 by changing the time for the September 7, 2017 Legislative Session from 3:30 p.m. to 7:00 p.m. and the October 5, 2017 (Annual) Legislative Session from 7:00 p.m. to 3:30 p.m.

**RESOLVED**, that the statutory meetings of the County Legislature, for the calendar year 2017, shall be held at the dates and times hereinafter stated:

January 5, 2017	4:00 P.M.
February 2, 2017	3:30 P.M.
March 2, 2017	3:30 P.M.
April 7, 2017 (Youth in Government)	10:00 A.M.
May 4, 2017	7:00 P.M.
June 1, 2017 (Senior Citizens)	3:30 P.M.
July 6, 2017	7:00 P.M.
August 3, 2017	3:30 P.M.
September 7, 2017	7:00 P.M.
October 5, 2017 (Annual)	3:30 P.M.
November 2, 2017	3:30 P.M.
December 7, 2017	3:30 P.M.

**FURTHER RESOLVED**, that the Clerk of the County Legislature is directed to publish the foregoing amended Legislative Calendar for the year 2017.

**ORANGE COUNTY LEGISLATURE**

**Committee:** Rules, Enactments and Intergovernmental Relations  
**Sponsors:**  
**Co-Sponsor:**

**Agenda No. 31**

**RESOLUTION NO.                      OF 2017**

**RESOLUTION CONFIRMING THE REAPPOINTMENT BY THE COUNTY EXECUTIVE TO THE ORANGE COUNTY BOARD OF ETHICS, PURSUANT TO LOCAL LAW 5 OF 2015.**

**WHEREAS**, Honorable Steven M. Neuhaus, County Executive, has notified the County Legislature that he has made the following reappointment to the Orange County Board of Ethics:

**REAPPOINTMENT:**

Raymond G. Cooper, ED. D.  
Central Valley, New York

**TERM EXPIRES:**

December 31, 2019

**NOW, THEREFORE,** it is hereby

**RESOLVED,** that said reappointment be and the same hereby are confirmed.

**ORANGE COUNTY LEGISLATURE**

**Committee: Rules, Enactments and Intergovernmental Relations**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 32**

**RESOLUTION NO. OF 2017**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY DEPARTMENT OF PLANNING, TO ACCEPT AND APPROPRIATE FUNDS FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, 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 Environmental Conservation has offered funds in the amount of \$51,034.00 for the Climate Smart Communities (CSC) program grant. This grant will provide funding for the Orange County Climate Smart Communities Certification Actions project; and

**WHEREAS,** this Legislature does wish to accept and appropriate said funds for the Department of Planning as indicated above.

**NOW, THEREFORE,** it is hereby

**RESOLVED,** as follows:

1. That the County Executive, in conjunction with the Commissioner of Planning, be and hereby is authorized to accept and appropriate funds from the New York State Department of Environmental Conservation in the amount of \$51,034.00 for the Climate Smart Communities (CSC) program grant as indicated above.

2. That the 2017 budget for the Department of Planning 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 802004 430891 Other General Govt. \$51,034.00

**Expense:**

1010 802004 571820 Consultant Serv (Non-Medical/Health) \$99,000.00

**ORANGE COUNTY LEGISLATURE**

**Committee: Rules, Enactments and Intergovernmental Relations**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 33**

**RESOLUTION NO. OF 2017**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY ATTORNEY, TO ACCEPT GRANT FUNDS FOR THE 18-B ASSIGNED COUNSEL PROGRAM FROM THE NEW YORK STATE OFFICE OF INDIGENT LEGAL 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 Office of Indigent Legal Services has offered grant funds for the Distribution No. 5 Grant in the amount of \$1,324,752.00. Said grant is a reimbursement based three-year grant. Funds will pay for the salaries of two attorneys and one part-time secretary. Additional funding is for furniture, equipment and legal publications. The Orange County Attorney's Office will be accepting said funds for the County's 18-B Assigned Counsel Program and no appropriation is needed at this time; and

**WHEREAS**, this Legislature does wish to accept said grant funds on behalf of the County Attorney, for the 18-B Assigned Counsel Program, as indicated above.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the County Executive, on behalf of the Orange County Attorney, for the 18-B Assigned Counsel Program, is hereby authorized to accept grant funds from the New York State Office of Indigent Legal Services in the amount of \$1,324,752.00 for the Distribution No. 5 Grant, and to execute any and all other papers and agreements required in connection with such acceptance, subject to review thereof by the County Attorney for purposes of form and content.

## ORANGE COUNTY LEGISLATURE

**Committee:** Rules, Enactments and Intergovernmental Relations

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 34**

### RESOLUTION NO. OF 2017

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY ATTORNEY, TO ACCEPT GRANT FUNDS FOR THE 18-B ASSIGNED COUNSEL PROGRAM FROM THE NEW YORK STATE OFFICE OF INDIGENT LEGAL 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 Office of Indigent Legal Services has offered grant funds for the Distribution No. 6 Grant in the amount of \$662,376.00. Said grant is a reimbursement based three-year grant. Funds will pay for the salaries of two attorneys and one part-time secretary. Additional funding is for office supplies, equipment and legal publications. The Orange County Attorney's Office will be accepting said funds for the County's 18-B Assigned Counsel Program and no appropriation is needed at this time; and

**WHEREAS**, this Legislature does wish to accept said grant funds on behalf of the County Attorney, for the 18-B Assigned Counsel Program, as indicated above.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the County Executive, on behalf of the Orange County Attorney, for the 18-B Assigned Counsel Program, is hereby authorized to accept grant funds from the New York State Office of Indigent Legal Services in the amount of \$662,376.00 for the Distribution No. 6 Grant, and to execute any and all other papers and agreements required in connection with such acceptance, subject to review thereof by the County Attorney for purposes of form and content.

## ORANGE COUNTY LEGISLATURE

**Committee:** Human Services

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 35**

### RESOLUTION NO. OF 2017

**RESOLUTION CONFIRMING THE REAPPOINTMENTS BY THE COUNTY EXECUTIVE TO THE ORANGE COUNTY VETERANS' ADVISORY BOARD COMMITTEE.**

**WHEREAS**, Honorable Steven M. Neuhaus, County Executive, has notified the County Legislature that he has made the following reappointments to the Orange County Veterans' Advisory Board Committee.

**TERMS TO EXPIRE DECEMBER 31, 2018:**

**REAPPOINTMENTS:**

Richard Randazzo	Cornwall, New York
Douglas Bloomfield	Goshen, New York
Kelly B. Decker	Port Jervis, New York
Andrew Eberhardt	Middletown, New York

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that said reappointments be and the same hereby are confirmed.

**ORANGE COUNTY LEGISLATURE**

**Committee: Human Services**

**Sponsors:**

**Co-Sponsor:**

**Agenda No. 36**

**RESOLUTION NO.                      OF 2017**

**RESOLUTION AUTHORIZING THE ORANGE COUNTY EXECUTIVE, ON BEHALF OF THE ORANGE COUNTY OFFICE FOR THE AGING, TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT BETWEEN THE COUNTY OF ORANGE AND TOWN OF BLOOMING GROVE, PURSUANT TO GENERAL MUNICIPAL LAW SECTION 119-o.**

**WHEREAS**, the Orange County Office for the Aging is requesting authorization for the County of Orange to enter into an Inter-municipal Agreement with the Town of Blooming Grove for the 2017 Senior Dining Program. The effective date for the agreement is January 1, 2017. No appropriation will be required as the funds currently exist in the budget.

**NOW, THEREFORE**, the Orange County Legislature, duly convened does hereby

**RESOLVE**, that the Orange County Executive, on behalf of the Orange County Office for the Aging, is hereby authorized to enter into an Inter-municipal Agreement with the Town of Blooming Grove for the 2017 Senior Dining Program, and to execute any and all other papers required in connection with said Agreement, subject to review thereof by the County Attorney for purposes of form and content.

# ORANGE COUNTY LEGISLATURE

**Committee:** Human Services

**Sponsors:**

**Co-Sponsor:**

**Agenda No. 37**

## RESOLUTION NO.                      OF 2017

**RESOLUTION AUTHORIZING THE ORANGE COUNTY EXECUTIVE, ON BEHALF OF THE ORANGE COUNTY OFFICE FOR THE AGING, TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT BETWEEN THE COUNTY OF ORANGE AND TOWN OF WARWICK, PURSUANT TO GENERAL MUNICIPAL LAW SECTION 119-o.**

**WHEREAS**, the Orange County Office for the Aging is requesting authorization for the County of Orange to enter into an Inter-municipal Agreement with the Town of Warwick for the 2017 Senior Dining Program. The effective date for the agreement is January 1, 2017. No appropriation will be required as the funds currently exist in the budget.

**NOW, THEREFORE**, the Orange County Legislature, duly convened does hereby

**RESOLVE**, that the Orange County Executive, on behalf of the Orange County Office for the Aging, is hereby authorized to enter into an Inter-municipal Agreement with the Town of Warwick for the 2017 Senior Dining Program, and to execute any and all other papers required in connection with said Agreement, subject to review thereof by the County Attorney for purposes of form and content.

# ORANGE COUNTY LEGISLATURE

**Committee:** Human Services

**Sponsors:**

**Co-Sponsor:**

**Agenda No. 38**

## RESOLUTION NO.                      OF 2017

**RESOLUTION AUTHORIZING THE ORANGE COUNTY EXECUTIVE, ON BEHALF OF THE ORANGE COUNTY OFFICE FOR THE AGING, TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT BETWEEN THE COUNTY OF ORANGE AND VILLAGE OF MONTGOMERY, PURSUANT TO GENERAL MUNICIPAL LAW SECTION 119-o.**

**WHEREAS**, the Orange County Office for the Aging is requesting authorization for the County of Orange to enter into an Inter-municipal Agreement with the Village of Montgomery for the 2017 Senior Dining Program. The effective date for the agreement is January 1, 2017. No appropriation will be required as the funds currently exist in the budget.

**NOW, THEREFORE,** the Orange County Legislature, duly convened does hereby

**RESOLVE,** that the Orange County Executive, on behalf of the Orange County Office for the Aging, is hereby authorized to enter into an Inter-municipal Agreement with the Village of Montgomery for the 2017 Senior Dining Program, and to execute any and all other papers required in connection with said Agreement, subject to review thereof by the County Attorney for purposes of form and content.

## **ORANGE COUNTY LEGISLATURE**

**Committee: Human Services**

**Sponsors:**

**Co-Sponsor:**

**Agenda No. 39**

**RESOLUTION NO.                      OF 2017**

**RESOLUTION AUTHORIZING THE ORANGE COUNTY EXECUTIVE, ON BEHALF OF THE ORANGE COUNTY OFFICE FOR THE AGING, TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT BETWEEN THE COUNTY OF ORANGE AND CITY OF PORT JERVIS, PURSUANT TO GENERAL MUNICIPAL LAW SECTION 119-o.**

**WHEREAS,** the Orange County Office for the Aging is requesting authorization for the County of Orange to enter into an Inter-municipal Agreement with the City of Port Jervis for the 2017 Senior Dining Program. The effective date for the agreement is January 1, 2017. No appropriation will be required as the funds currently exist in the budget.

**NOW, THEREFORE,** the Orange County Legislature, duly convened does hereby

**RESOLVE,** that the Orange County Executive, on behalf of the Orange County Office for the Aging, is hereby authorized to enter into an Inter-municipal Agreement with the City of Port Jervis for the 2017 Senior Dining Program, and to execute any and all other papers required in connection with said Agreement, subject to review thereof by the County Attorney for purposes of form and content.

## **ORANGE COUNTY LEGISLATURE**

**Committee: Education and Economic Development**

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 40**

**RESOLUTION NO.                      OF 2017**

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE, IN CONJUNCTION WITH THE ORANGE COUNTY HISTORIAN, TO ACCEPT AND APPROPRIATE GRANT FUNDS FROM THE POMEROY FOUNDATION, PURSUANT TO SECTION 99-h OF THE GENERAL MUNICIPAL LAW AND SECTION 4.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, the Pomeroy Foundation has offered grant funds in the amount of \$1,060.00 for the creation of a Legends and Lore Historic Marker at the 1841 Courthouse in Goshen. This marker acknowledges the folklore concerning "marauder" Claudius Smith. The grant funds will be used to place the order for the marker and its installation later this year; and

**WHEREAS**, this Legislature does wish to accept and appropriate said grant funds for the Orange County Historian as indicated above.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, as follows:

1. That the County Executive, in conjunction with the Orange County Historian, be and hereby is authorized to accept and appropriate grant funds from the Pomeroy Foundation in the amount of \$1,060.00 for the Legends and Lore Historic Marker as stated above.

2. That the 2017 budget for the Historian 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	751001	420891	Other Cult. and Rec. Income	\$1,060.00
------	--------	--------	-----------------------------	------------

**Expense:**

1010	751001	576820	Specialty Payments	\$1,060.00
------	--------	--------	--------------------	------------

**ORANGE COUNTY LEGISLATURE**

**Committee:** Education and Economic Development

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 41**

**RESOLUTION NO.                      OF 2017**

**RESOLUTION OF THE ORANGE COUNTY LEGISLATURE APPOINTING MICHAEL BONURA TO FILL A VACANCY IN THE ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY, PURSUANT TO SECTIONS 856 AND 912 OF THE GENERAL MUNICIPAL LAW.**

**WHEREAS**, there is a vacancy on the Board of the Orange County Industrial Development Agency as a result of the resignation of Henry VanLeeuwen.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that Michael Bonura of New Windsor, New York 12553 be and hereby is appointed a member of the Orange County Industrial Development Agency to serve out the term of Henry VanLeeuwen, such term expiring on December 31, 2019; and it is

**FURTHER RESOLVED**, that, in accordance with Section 856, subdivision 2, of the General Municipal Law, the Clerk of the County Legislature is directed to transmit a certificate of the appointment of the said Michael Bonura to the Secretary of State together with a certified copy of this Resolution.

**ORANGE COUNTY LEGISLATURE**

**Committee: Education and Economic Development**

**Sponsors:**

**Co-Sponsor:**

**Agenda No. 42**

**RESOLUTION NO.                      OF 2017**

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

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

**WHEREAS**, there is a vacancy on the Board of the Orange County Funding Corporation as a result of the resignation of Henry VanLeeuwen.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that Michael Bonura of New Windsor, New York 12553 be and hereby is appointed a member of the Orange County Funding Corporation to serve out the term of Henry VanLeeuwen, such term expiring on December 31, 2019.

# ORANGE COUNTY LEGISLATURE

**Committee:** Personnel and Compensation

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 43**

## RESOLUTION NO. OF 2017

**RESOLUTION EXTENDING THE PERIOD OF TIME FOR THE APPOINTMENT OF CHRISTOPHER VIEBROCK TO SERVE AS ACTING COMMISSIONER OF THE ORANGE COUNTY DEPARTMENT OF PARKS, RECREATION AND CONSERVATION BY THE COUNTY EXECUTIVE, PURSUANT TO SECTION 3.09 OF THE ORANGE COUNTY CHARTER.**

**WHEREAS**, Honorable Steven M. Neuhaus, County Executive, has notified the County Legislature that he has extended the period of time for the appointment of:

Christopher Viebrock as Acting Commissioner of the Department of Parks, Recreation and Conservation for the County of Orange, pursuant to Article III, Section 3.09 of the Orange County Charter, through July 31, 2017 with a stipend of \$1,000.00 per month, effective upon Legislative approval.

**NOW, THEREFORE**, it is hereby

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

# ORANGE COUNTY LEGISLATURE

**Committee:** Personnel and Compensation

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 44**

## ACT NO. OF 2017

**AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO CREATE "TOURISM DIRECTOR" AT THE ORANGE COUNTY DIVISION OF TOURISM, 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. 27 of 2016, is hereby further amended as follows:

**Add to Orange County Title and Grade Listing at Grade:**

Grade 25, Tourism Director

**Add to Alphabetical Title, Grade and Jurisdictional Listing:**

Tourism Director, Grade 25

**Add to Allocation Listing for Division of Tourism:**

Tourism Director, Grade 25

**Section 2:** This Act shall take effect March 4, 2017.

**ORANGE COUNTY LEGISLATURE**

**Committees:** Personnel and Compensation; Rules, Enactments and Intergovernmental Relations

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 45**

**ACT NO.            OF 2017**

**AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO REALLOCATE "CHIEF REGISTRAR (BOARD OF ELECTIONS)" AT THE ORANGE COUNTY BOARD OF ELECTIONS, 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:**

Grade 08, Chief Registrar (Board of Elections)

**Delete from said Listing:**

Grade 06, Chief Registrar (Board of Elections)

**Add to Alphabetical Title, Grade and Jurisdictional Listing:**

Chief Registrar (Board of Elections), Grade 08

**Delete from said Listing:**

Chief Registrar (Board of Elections), Grade 06

**Add to Allocation Listing for Board of Elections:**

Chief Registrar(s) (Board of Elections), Grade 08 (#00075, 00083)

**Delete from said Listing:**

Chief Registrar(s) (Board of Elections), Grade 06 (#00075, 00083)

**Section 2:** This Act shall take effect March 4, 2017.

**ORANGE COUNTY LEGISLATURE**

**Committees:** Personnel and Compensation; Rules, Enactments and Intergovernmental Relations

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 46**

**ACT NO.                      OF 2017**

**AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO RECLASSIFY "ASSOCIATE CLERK(S)" TO "SENIOR REGISTRATION SPECIALIST(S)" AT THE ORANGE COUNTY BOARD OF ELECTIONS, 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:**

Grade 10, Senior Registration Specialist

**Add to Alphabetical Title, Grade and Jurisdictional Listing:**

Senior Registration Specialist, Grade 10

**Add to Allocation Listing for Board of Elections:**

Senior Registration Specialist(s), Grade 10 (#00067, 00034)

**Delete from said Listing:**

Associate Clerk(s), Grade 08 (#00067, 00034)

**Section 2:** This Act shall take effect March 4, 2017.

**ORANGE COUNTY LEGISLATURE**

**Committees:** Personnel and Compensation; Rules, Enactments and Intergovernmental Relations

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 47**

**ACT NO. OF 2017**

**AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO RECLASSIFY "CLERK(S) II" TO "REGISTRAR(S) (BOARD OF ELECTIONS)" AT THE ORANGE COUNTY BOARD OF ELECTIONS, 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:**

Grade 06, Registrar (Board of Elections)

**Add to Alphabetical Title, Grade and Jurisdictional Listing:**

Registrar (Board of Elections), Grade 06

**Add to Allocation Listing for Board of Elections:**

Registrar (s) (Board of Elections), Grade 06 (#00091, 00109)

**Delete from said Listing:**

Clerk(s) II, Grade 04 (#00091, 00109)

**Section 2:** This Act shall take effect March 4, 2017.

# ORANGE COUNTY LEGISLATURE

**Committees:** Personnel and Compensation; Public Safety and Emergency Services

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 48**

**ACT NO.                      OF 2017**

**AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO REALLOCATE "DEPUTY COMMISSIONER OF EMERGENCY SERVICES - DIVISION OF POLICE LIAISON SERVICES" AT THE ORANGE COUNTY DEPARTMENT OF EMERGENCY 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. 27 of 2016, is hereby further amended as follows:

**Add to Orange County Title and Grade Listing at Grade:**

Grade 25, Deputy Commissioner of Emergency Services - Division of Police Liaison Services

**Delete from said Listing:**

Grade 24, Deputy Commissioner of Emergency Services - Division of Police Liaison Services

**Add to Alphabetical Title, Grade and Jurisdictional Listing:**

Deputy Commissioner of Emergency Services - Division of Police Liaison Services, Grade 25

**Delete from said Listing:**

Deputy Commissioner of Emergency Services - Division of Police Liaison Services, Grade 24

**Add to Allocation Listing for Department of Emergency Services:**

Deputy Commissioner of Emergency Services - Division of Police Liaison Services, Grade 25 (#15115)

**Delete from said Listing:**

Deputy Commissioner of Emergency Services - Division of Police Liaison Services, Grade 24 (#15115)

**Section 2:** This Act shall take effect March 4, 2017.

# ORANGE COUNTY LEGISLATURE

**Committees:** Personnel and Compensation; Public Safety and Emergency Services

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 49**

**ACT NO. OF 2017**

**AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO REALLOCATE, RECLASSIFY, ABOLISH AND CREATE VARIOUS POSITIONS AT THE ORANGE COUNTY SHERIFF'S OFFICE, 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. 10 of 2015, is hereby further amended as follows:

**Add to Orange County Title and Grade Listing at Grade:**

Grade 12, Confidential Secretary to the Sheriff

**Delete from said Listing:**

Grade 10, Confidential Secretary to the Sheriff  
Grade 09, Confidential Secretary to the Undersheriff  
Grade 08, Confidential Secretary to the Chief Criminal Investigator

**Add to Alphabetical Title, Grade and Jurisdictional Listing:**

Confidential Secretary to the Sheriff, Grade 12

**Delete from said Listing:**

Confidential Secretary to the Sheriff, Grade 10  
Confidential Secretary to the Undersheriff, Grade 09  
Confidential Secretary to the Chief Criminal Investigator, Grade 08

**Add to Allocation Listing for Sheriff's Office:**

Three (3) Confidential Secretary(s) to the Sheriff, Grade 12 (#22210, 23655)

**Delete from said Listing:**

Confidential Secretary to the Sheriff, Grade 10 (#22210)  
Confidential Secretary to the Undersheriff, Grade 09 (#23655)

Confidential Secretary to the Chief Criminal Investigator, Grade 08 (#21543)

**Section 2:** This Act shall take effect March 4, 2017.

## **ORANGE COUNTY LEGISLATURE**

**Committees:** Personnel and Compensation; Ways and Means

**Sponsors:**

**Co-Sponsors:**

**Agenda No. 50**

**ACT NO. OF 2017**

**AN ACT AMENDING THE APPROPRIATE ORANGE COUNTY EMPLOYMENT SCHEDULES TO RECLASSIFY "EXECUTIVE SECRETARY AND ADMINISTRATIVE ASSISTANT" TO "EXECUTIVE ASSISTANT" AT THE ORANGE COUNTY 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, is hereby further amended as follows:

**Add to Allocation Listing for Department of General Services:**

Executive Assistant, Grade 14 (#01255)

**Delete from said Listing:**

Executive Secretary and Administrative Assistant, Grade 11 (#01255)

**Section 2:** This Act shall take effect March 4, 2017.