

**LOCAL LAW NO. 1 OF 2010****A LOCAL LAW AMENDING LOCAL LAW NO. 9 OF 2008 AND LOCAL LAW NO. 16 OF 2009 TO CHANGE THE NAME OF THE PROJECT APPLICANT FROM PRESIDENT CONTAINER HOLDINGS, INC. TO PRESIDENT CONTAINER HOLDINGS II, LLC.**

**WHEREAS**, Local Law No. 9 of 2008 included the President Container, Inc. manufacturing facility within the boundaries of the Newburgh-Stewart Empire Zone, designated such facility as a regionally significant project, and authorized the County Executive to request approval by the New York State Commissioner for such designation; and

**WHEREAS**, that Local Law No. 9 of 2008 was amended by Local Law No. 16 of 2009, which recognized the new corporate name as President Container Holdings, Inc.; and

**WHEREAS**, President Container Holdings, Inc. has informed the County of Orange that it has changed its name from President Container Holdings, Inc. to President Container Holdings II, LLC, but said name change will not include any substantive change to the project. A subsequent E-Z 4 will be submitted to Empire State Development to reflect the new name and for issuance of a new Certificate of Eligibility; and

**WHEREAS**, it is understood and acknowledged in the passage of this local law that the name of the project applicant currently identified as President Container Holdings, Inc. has changed such name to President Container Holdings II, LLC and that such name change shall not alter or diminish this approval nor require any further action by this body or agency. It is understood and acknowledged that the name change will not imply or include any substantive change to the project or any other part of the application made by President Container Holdings II, LLC to this body or agency.

**NOW, THEREFORE,**

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

**Section 1.** The project applicant currently identified as President Container Holdings, Inc. has changed to President Container Holdings II, LLC and the Legislature approves such name change to Local Law No. 9 of 2008 and Local Law No. 16 of 2009.

**Section 2.** Such name change shall not alter or diminish the prior approval of Local Law No. 9 of 2008 or Local Law No. 16 of 2009 nor require any further action by this body, and the name change does not imply or include any substantive change to the project or any other part of the application made by President Container Holdings, Inc. to this body.

**Section 3.** This Local Law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Local Law No. 1 of 2010 was passed on March 4, 2010 by the following roll call vote:

Ayes: 19

Noes: 0

Absent: 2

Approved by the County Executive: March 25, 2010

Effective: April 2, 2010

## **LOCAL LAW NO. 2 OF 2010**

### **A LOCAL LAW ESTABLISHING THE POLICY AND PROCEDURES FOR THE VALUATION AND SALE OF PARCELS NOT REDEEMED FOR DELINQUENT REAL PROPERTY TAXES IN ACCORDANCE WITH NEW YORK STATE REAL PROPERTY TAX LAW ARTICLE 11.**

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

#### **SECTION ONE. PURPOSE**

The purpose of this Local Law is to rescind and supersede Local Law No. 7 of 2001, except as indicated in Section Six, below, and to establish the policy and procedures in the County of Orange for the valuation, redemption and sale of parcels of real property with delinquent real property taxes, in accordance with New York State Real Property Tax Law Article 11.

#### **SECTION TWO. DEFINITIONS**

When used in this Local Law, the following definitions apply:

- a. **"County"** -- The term County shall mean the County of Orange, a political subdivision of the State of New York.
- b. **"Delinquent Tax"** -- The term delinquent tax shall mean an unpaid tax, special ad valorem levy, special assessment or other charge imposed upon real property by or on behalf of a municipal corporation or special district, plus all applicable charges, relating to any parcel which is included in the return of unpaid delinquent taxes prepared pursuant to Real Property Tax Law Section 936 or such other general, special or Local Law. In no event, however, shall "delinquent tax" include any unpaid tax or other charge against lands owned by New York State.
- c. **"Enforcing Officer"** -- The term Enforcing Officer shall mean the Orange County Commissioner of Finance.
- d. **"Legislature"** -- The term Legislature shall mean the Orange County Legislature.
- e. **"Person"** -- The term person shall mean any individual, group, association, partnership, corporation or other legal entity.
- f. **"Municipal Corporation"** -- **The term municipal corporation shall mean the County, and any City, Town, Village, Board of Cooperative Educational Services, Fire District or School District within the County.**

### **SECTION THREE. TAKING TITLE TO PARCELS**

a. When the appropriate Court makes a judgment pursuant to Real Property Tax Law Article 11, awarding title of one or more parcels of real property to the County, then the County shall take possession of any such parcel unless (1) such parcel has been withdrawn from the proceeding; or (2) the County as a matter of law is not permitted to take possession of such parcel; or (3) the Enforcing Officer, consistent with applicable law, determines that it would not be in the County's interest for the County to take title to the parcel.

b. Upon execution by the County of a deed to such parcel or parcels, the County shall be seized of an estate in fee simple absolute in such parcel and all persons, including the State, infants, incompetents, absentees and non-residents, except as specifically exempted by law, who may otherwise have had any right, title, interest, claim, lien, or equity of redemption in or upon such parcel shall be barred and forever foreclosed of any such right, title, interest, claim, lien or equity of redemption, and the County may hold such parcel for itself or sell or release such parcel as set forth herein.

### **SECTION FOUR. DETERMINING VALUATION OF SUBJECT PARCELS**

Before undertaking any sale of any parcel pursuant to this Local Law, the Enforcing Officer shall, with the assistance of the **Orange County Real Property Tax Service Agency Director, the personnel of such agency**, and such other persons as the Enforcing Officer may deem necessary, establish a reasonable current market value for each subject parcel. Such determination shall be made by taking into account the assessed values, any outstanding liens which are not by law extinguished by the foreclosure proceeding, title issues and the physical condition of the real property. However, the **minimum bid** of the parcel shall not be less than the outstanding real property taxes, assessments and other charges, except as specified herein.

### **SECTION FIVE. SALE OF PROPERTY ACQUIRED BY THE COUNTY**

#### **A. PUBLIC AUCTION**

1. After the Court renders judgment in favor of the County, granting it title to one or more parcels, but in no event later than six months after the Court renders such judgment, the Enforcing Officer shall conduct a public auction. This provision applies to all properties to which the County took title, as discussed in Section 3 herein, regardless of whether a person served an answer with respect to any parcel referred to in the judgment. All parcels except those parcels sold through a release of the County's interest, pursuant to Section 5(B) herein, **or those withdrawn by the County Executive as set forth herein**, shall be subject to a Public Auction. Public notice of the public auction shall be given once per week for at least three successive weeks in such newspapers published in the County as the Enforcing Officer deems appropriate and as required by law. The description of the parcel offered for sale in such notice shall be that contained in the petition with such other description, if any, as the Court may direct. **The County Executive, with the assistance of the Enforcing Officer, Orange County Real Property Tax Service Agency Director, County Attorney, and such other persons as he or she may deem necessary, may withdraw any parcel that the County Executive deems beneficial for County use, open space use, or for such other reason as he or she deems sufficient, to the extent allowed by law. If the County Executive deems it beneficial to the County, he or she may withdraw any parcel for the purpose of conveying such parcel to a municipal corporation as defined herein, to the extent allowed by law. Any withdrawal by the County Executive as set forth herein must be approved by a majority vote of the County Legislature.**

2. The Enforcing Officer shall sell the subject parcels to the highest bidder therefor, but shall reject any bid below the value placed upon it pursuant to Section 4 hereof. At the time of acceptance by the Enforcing Officer of a bid on any parcels at the public auction, the successful bidder shall tender a non-refundable deposit of ten percent (10%) of the parcel's selling price **at a time and in a manner to be set forth by the Enforcing Officer in a public notice published in advance of the auction.** The successful bidder shall have **thirty (30) days** from the date of the public auction to remit the balance thereof. The successful bidder may request a thirty (30) day extension from the Enforcing Officer, who shall grant such extension if he/she believes it is in the best interest of the County to grant such extension.

3. The Enforcing Officer may, from time to time, in his or her discretion, hold more than one public auction during the course of the year. The minimum bid for any property offered for bid at any such additional auction may be less than the outstanding real property taxes, assessments and such other charges, as specified in Section 4, if the property had been offered at an earlier auction, at a price equal to or higher than the accrued taxes, penalties and interest, and there was no successful bid.

4. After all unredeemed parcels have been offered for sale at public auction, the Enforcing Officer shall attempt to sell any unsold unredeemed parcels at private sale.

## **B. RELEASE OF COUNTY'S INTEREST**

1. The Enforcing Officer may, prior to the public auction, permit the previous owner of record to purchase his or her parcel through a release of the County's interest. The purchase price of such parcel shall be the total of the outstanding real property taxes, assessments, charges, interest, fees and penalties due and owing prior to the expiration of the redemption period, plus any interest and charges which have accrued up to the time the release of the County's interest is approved. All releases of the County's interest must be approved by a majority vote of the County Legislature.

2. The County Attorney shall effect the release of the County's interest in property acquired as discussed in Section 3 herein 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 such judgment of foreclosure as to said property. The entry of such Order shall restore all parties, including owners, mortgagees and any and all lienors, receivers and administrators and encumbrances, 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, deficiencies, management fees and liens, penalties, interest, and other charges which shall accrue subsequent to those paid in order to obtain the release provided for in this section, or which were, for whatever reason, omitted from the payment made to obtain such release.

## **C. PRIVATE SALE**

1. At any time after the public auction, the Enforcing Officer may sell at private sale any parcel of real property which was included in, but not sold at, the public auction. The County Executive shall have the power to enter into an agreement with the successful bidder upon such terms and conditions as he/she believes to be in the best interest of the County in consultation with the Enforcing Officer. Any such private sale agreements must be approved by a majority vote of the Legislature.

2. At the time the Enforcing Officer receives a bid on any parcel pursuant to a private sale, the bidder shall tender a deposit of ten (10) percent of the bid price. Thereafter, upon acceptance of the bid by a majority vote of the Legislature, the bidder shall have **thirty (30) days** from the date of said approval to

remit the balance thereof. The approved bidder may request a thirty (30) day extension from the Enforcing Officer, who shall grant such extension if he or she believes it is in the best interest of the County to grant such extension.

3. The ten percent (10%) deposit described in this section shall be non-refundable, except in the event the Legislature fails to accept the bid by a majority vote.

4. In the event any parcels remain unsold after the public auction, the Enforcing Officer may engage the services of a properly licensed real estate broker to assist him or her with the sale of such parcels.

#### **D. CONVEYANCE OF SUBJECT PARCELS**

The County shall convey all parcels to be conveyed by the terms of this Local Law by Quitclaim Deed.

### **SECTION SIX. EFFECTIVE DATE**

This Local Law shall become effective immediately, as provided in the Municipal Home Rule Law, provided that this Local Law shall apply only to such properties mentioned in judgments pursuant to Real Property Tax Law Article 11 entered by the Clerk of the Court on a date after the effective date of this Local Law.

Local Law No. 2 of 2010 was passed on April 9, 2010 by the following roll call vote:

Ayes: 20

Noes: 0

Absent: 1

Approved by the County Executive: May 3, 2010

Effective: May 14, 2010

### **LOCAL LAW NO. 3 OF 2010**

**A LOCAL LAW TO INCLUDE THE TAKASAGO INTERNATIONAL CORP. (USA) FACILITY WITHIN THE BOUNDARIES OF THE NEWBURGH-STEWART EMPIRE ZONE, TO DESIGNATE SUCH FACILITY AS A REGIONALLY SIGNIFICANT PROJECT, AND TO REQUEST APPROVAL BY THE NEW YORK STATE COMMISSIONER OF ECONOMIC DEVELOPMENT FOR SUCH DESIGNATION.**

**WHEREAS**, by Local Law No. 6 of 1997, the County of Orange authorized the submission of an application for designation of the Empire Zone, pursuant to Section 961 of the Municipal Law, and the creation of such Zone was approved by the New York State Commissioner of Economic Development and such Zone was formally designated by the Empire Zones Designation Board in June of 1998; and

**WHEREAS**, the Newburgh-Stewart Empire Zone is principally made up of three distinct and separate contiguous parcels which fall within the City of Newburgh, the Town of Newburgh and the Town of New Windsor; and

**WHEREAS**, Takasago International Corp. (USA) is proposing the creation of a manufacturing facility at 114 Commerce Drive in the Village of Harriman, County of Orange; and

**WHEREAS**, this facility will add approximately 100 jobs within three years and will result in an investment of approximately \$14 million by Takasago International Corp. (USA) for the acquisition of the land and building, interior renovation, and purchase of production machinery and equipment that supports its on-site manufacturing facility; and

**WHEREAS**, the New York State Department of Economic Development has determined that the proposed expansion is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

**WHEREAS**, the Zone Administrative Board of the Newburgh-Stewart Empire Zone has determined that the proposed project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(I) of the General Municipal Law.

**NOW, THEREFORE,**

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

Section 1. The Legislature approves the allocation of zone lands for the proposed creation of the Takasago International Corp. (USA) manufacturing facility as a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development, said zone lands to constitute the property described as Section 109,

Block 2, Lots 8 and 9 in the Village of Harriman, and more specifically described in Schedule A attached hereto.

Section 2. The Legislature requests that the New York State Commissioner of Economic Development approve this addition to the Newburgh-Stewart Empire Zone as described in Section 1.

Section 3. The Local Law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

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**SCHEDULE A**

ALL That certain lot or parcel of land situate, lying and being in the Village of Harriman, County of Orange and State of New York being known as Lot B-10 and B-11 on a map entitled "Interchange Commerce Center" as filed in the Orange County Clerk's Office on February 8, 1990 as Map #9811, said lot being further described as follows:

BEGINNING at a point in the southerly line of Commerce Drive South at the common corner of Lot B-11 and B-12;

THENCE from said point of beginning and along said line of Commerce Drive South south 34 degrees 09 minutes 08 seconds East 1032.36 feet;

THENCE along Lot B-9 south 35 degrees 50 minutes 54 seconds west 67.00 feet and south 35 degrees 48 minutes 53 seconds West 420.40 feet;

THENCE along or near the center of Arden House Road north 65 degrees 24 minutes 47 seconds West 1081.21 feet;

THENCE along or near the center of the Ramapo River north 14 degrees 45 minutes 50 seconds west 291.59 feet;

THENCE along said Lot B-12 and the center of a 20 foot wide drainage easement north 55 degrees 50 minutes 52 seconds East 922.20 feet to the point of BEGINNING.

BEING AND INTENDED TO BE the same lands and premises as described in a deed to Kingston Realty Group LLC, dated April 24, 1997 and recorded in the Orange County Clerk's Office on the 24<sup>th</sup> day of April, 1997 in Liber 4559 of Deeds at page 199.

Local Law No. 3 of 2010 was passed on April 9, 2010 by the following roll call vote:

Ayes: 20

Noes: 0

Absent: 1

Approved by the County Executive: May 3, 2010

Effective: May 14, 2010

### **LOCAL LAW NO. 4 OF 2010**

#### **A LOCAL LAW TO INCLUDE THE SATIN FINE FOODS, INC. FACILITY WITHIN THE BOUNDARIES OF THE NEWBURGH-STEWART EMPIRE ZONE, TO DESIGNATE SUCH FACILITY AS A REGIONALLY SIGNIFICANT PROJECT, AND TO REQUEST APPROVAL BY THE NEW YORK STATE COMMISSIONER OF ECONOMIC DEVELOPMENT FOR SUCH DESIGNATION.**

**WHEREAS**, by Local Law No. 6 of 1997, the County of Orange authorized the submission of an application for designation of the Empire Zone, pursuant to Section 961 of the General Municipal Law, and the creation of such Zone was approved by the New York State Commissioner of Economic Development and such Zone was formally designated by the Empire Zones Designation Board in June of 1998; and

**WHEREAS**, the Newburgh-Stewart Empire Zone is principally made up of three distinct and separate contiguous parcels which fall within the City of Newburgh, the Town of Newburgh and the Town of New Windsor; and

**WHEREAS**, Satin Fine Foods, Inc. is proposing the creation of a manufacturing facility at 32 Leone Lane in the Village of Chester, County of Orange; and

**WHEREAS**, this facility will add approximately 53 jobs within three years and will result in an investment of approximately \$4 million by Satin Fine Foods, Inc. for the acquisition of the land and building, interior renovation, and purchase of production machinery and equipment that supports its on-site manufacturing facility; and

**WHEREAS**, the New York State Department of Economic Development has determined that the proposed expansion is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

**WHEREAS**, the Zone Administrative Board of the Newburgh-Stewart Empire Zone has determined that the proposed project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(I) of the General Municipal Law.

**NOW, THEREFORE,**

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

Section 1. The Legislature approves the allocation of zone lands for the proposed creation of the Satin Fine Foods, Inc. manufacturing facility as a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development, said zone lands to constitute the property described as Section 113, Block 1, Lot 2.2 in the Village of Chester, and more specifically described in Schedule A attached hereto.

Section 2. The Legislature requests that the New York State Commissioner of Economic Development approve this addition to the Newburgh-Stewart Empire Zone as described in Section 1.

Section 3. The Local Law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

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**SCHEDULE A**

**ALL** that tract, piece or parcel of land situate in the Village of Chester, Town of Chester, County of Orange, State of New York being further described as follows:

**BEGINNING** at an axle found in the northeasterly line of Leone Lane (50.00 feet wide), where the same is intersected by the division line of lands now or formerly of Pennsylvania Lines, LLC (a.k.a. Lehigh and Hudson River Railway) to the southeast and the herein described parcel to the northwest, and

RUNNING THENCE North 53 degrees 43 minutes 40 seconds West, 1068.70 feet along the aforementioned northeasterly line of Leone Lane to a point in the southeasterly line of lands now or formerly The Village of Chester;

THENCE North 36 degrees 16 minutes 20 seconds East, 67.55 feet along the same to a point in the northeasterly line of lands of the Village of Chester;

THENCE North 61 degrees 08 minutes 00 seconds West, 50.42 feet along the same to a point in the southeasterly line of lands now or formerly Chester Industrial Park Associates, LLC;

THENCE North 36 degrees 16 minutes 20 seconds East, 430.48 feet along the same to a point on a curve in the southwesterly line of New York State Route 17 (a.k.a. Palisades Interstate Park – Goshen, Part 2 [Oxford – Chester] State Highway);

THENCE Southeasterly on a curve to the left having a radius of 3,648.40 feet, an arc length of 1,179.89 feet and a chord of South 61 degrees 45 minutes 37 seconds East, 1,174.75 feet along the same to a point in the southwesterly line of lands now or formerly of Suburban Propane LP;

THENCE South 14 degrees 40 minutes 30 seconds East, 141.68 feet along the same to a point in the northwesterly line of lands now or formerly of Pennsylvania Lines, LLC (a.k.a. Lehigh and Hudson River Railway);

THENCE South 51 degrees 32 minutes 00 seconds West, 587.12 feet along the same to a point in the aforementioned northeasterly line of Leone Lane and to the point or place of BEGINNING.

Local Law No. 4 of 2010 was passed on May 6, 2010 by the following roll call vote:

Ayes: 21

Noes: 0

Approved by the County Executive: May 26, 2010

Effective: June 10, 2010

### **LOCAL LAW NO. 5 OF 2010**

**A LOCAL LAW TO INCLUDE THE CONTINENTAL ORGANICS, LLC MANUFACTURING FACILITY WITHIN THE BOUNDARIES OF THE NEWBURGH-STEWART EMPIRE ZONE, TO DESIGNATE SUCH FACILITY AS A REGIONALLY SIGNIFICANT PROJECT, AND TO REQUEST APPROVAL BY THE NEW YORK STATE COMMISSIONER OF ECONOMIC DEVELOPMENT FOR SUCH DESIGNATION.**

**WHEREAS**, by Local Law No. 6 of 1997, the County of Orange authorized the submission of an application for designation of the Empire Zone, pursuant to Section 961 of the Municipal Law, and the creation of such Zone was approved by the New York State Commissioner of Economic Development and such Zone was formally designated by the Empire Zones Designation Board in June of 1998; and

**WHEREAS**, the Newburgh-Stewart Empire Zone is principally made up of three distinct and separate contiguous parcels which fall within the City of Newburgh, the Town of Newburgh and the Town of New Windsor; and

**WHEREAS**, Continental Organics, LLC is proposing the creation of a manufacturing facility at (no number assigned) Mt. Airy Road, and known as Section 32, Block 2, Lot 70 and Section 32, Block 2, Lot 69; and

**WHEREAS**, this facility will add approximately 70 jobs within three years and will result in an investment of over \$39 million by Continental Organics, LLC for land acquisition, building renovation, new construction, production and machinery equipment, and site work that supports its on-site manufacturing facility; and

**WHEREAS**, the New York State Department of Economic Development has determined that the proposed expansion is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

**WHEREAS**, the Zone Administrative Board of the Newburgh-Stewart Empire Zone has determined that the proposed project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(I) of the General Municipal Law.

**NOW, THEREFORE,**

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

Section 1. The Legislature approves the allocation of zone lands for the proposed creation of the Continental Organics, LLC manufacturing facility as a regionally significant project as determined by the Zone Administrative Board and the New York State Department of Economic Development, said zone lands to constitute the property described as Section 32, Block 2, Lot 70 and Section 32, Block 2, Lot 69 in the Town of New Windsor and more specifically described in Schedule A attached hereto.

Section 2. The Legislature requests that the New York State Commissioner of Economic Development approve this addition to the Newburgh-Stewart Empire Zone as described in Section 1.

Section 3. The Local Law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Local Law No. 5 of 2010 was passed on July 1, 2010 by the following roll call vote:

Ayes: 21

Noes: 0

Approved by the County Executive: July 30, 2010

Effective: August 6, 2010

### **LOCAL LAW NO. 6 OF 2010**

**A LOCAL LAW AMENDING LOCAL LAW NO. 8 OF 1968, KNOWN AS THE ORANGE COUNTY CHARTER, AND LOCAL LAW NO. 10 OF 1969, KNOWN AS THE ORANGE COUNTY ADMINISTRATIVE CODE, AS PREVIOUSLY AMENDED, RENAMING THE DEPARTMENT OF PERSONNEL AS THE DEPARTMENT OF HUMAN RESOURCES FOR THE PURPOSE OF MODERNIZING THE DEPARTMENT NAME CONSISTENT WITH INDUSTRY STANDARDS.**

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

#### **SECTION 1. PURPOSE**

This Legislature recognizes the need to modernize and update the name of the Department of Personnel so as to be consistent with industry standards and to reflect the Department's mission to serve all of the County's human resource needs.

In order to accomplish this goal, the Orange County Charter and Orange County Administrative Code shall be amended to rename the former Department of Personnel to the Department of Human Resources. Consistent with this name change, the Commissioner of Personnel shall be known as the Commissioner of Human Resources.

#### **SECTION 2. AMENDMENTS**

**A.** Local Law No. 8 of the Year 1968, known as the Orange County Charter, be and hereby is amended as follows:

- (i) by amending and restating Article X entitled "DEPARTMENT OF PERSONNEL" to read as follows:

**ARTICLE X  
DEPARTMENT OF HUMAN RESOURCES**

Section

- 10.01 Department of Human Resources; Commissioner.  
10.02 Commissioner of Human Resources; Powers and Duties.

**Section 10.01. Department of Human Resources; Commissioner.**

There shall be a Department of Human Resources headed by a Commissioner, who shall be appointed by the County Executive subject to confirmation by the County Legislature. He shall be directly responsible to, and unless otherwise required by law, serve at the pleasure of, the County Executive.

**Section 10.02. Commissioner of Human Resources; Powers and Duties.**

The Commissioner of Human Resources shall have, with reference to the civil service of the County, the powers and duties of a county civil service commissioner as provided by law, and shall be subject to supervision and control by the State Civil Service Commission as are county civil service commissions. The Commissioner shall also perform such additional and related duties as the County Executive may prescribe.

**B.** Local Law No. 10 of 1969, known as the Orange County Administrative Code, be and hereby is amended as follows:

- (i) by amending and restating Article X entitled "DEPARTMENT OF PERSONNEL" to read as follows:

**ARTICLE X  
DEPARTMENT OF HUMAN RESOURCES**

Section

- 10.01 Department of Human Resources; Commissioner; Appointment; Qualifications; Term.  
10.02 Commissioner of Human Resources; Powers and Duties.  
10.03 Certification of Payrolls.  
10.04 Cooperation of Unit Heads  
10.05 Deputy Commissioners of Human Resources and Staff; Appointment; Revocation.  
10.06 Acting Commissioner of Human Resources.

**Section 10.01. Department of Human Resources; Commissioner; Appointment; Qualifications; Term.**

There shall be a Department of Human Resources under the direction of a Commissioner of Human Resources, who shall be appointed in the manner provided in Section 10.01 of the Charter. At the time of

his appointment, he shall possess at least ten years' education or experience, or combination thereof, in the fields of personnel or public administration, and he shall be appointed on the basis of these and such other qualifications as he may possess for the responsibilities of his office. The Commissioner shall be directly responsible to, and unless otherwise required by law, serve at the pleasure of, the County Executive.

### **Section 10.02. Commissioner of Human Resources; Powers and Duties.**

Except as may otherwise be provided in the Charter or this Code, the Commissioner of Human Resources shall have all the powers and perform all the duties of a municipal civil service commission, as prescribed in the Civil Service Law. Among his powers and duties, and in addition to those prescribed in Section 10.02 of the Charter, he shall:

- (a) establish and maintain a roster of all officers and employees of the County and of other local jurisdictions within the County, including dates of appointment or election, titles of positions, rates of pay and rate changes, promotions, demotions, transfers, times and causes of separation from employment and such other information as he may deem appropriate;
- (b) maintain a salary schedule for County employees, periodically resurvey prevailing salaries and recommend to the County Executive such amendments for the elimination of inequities, recruiting difficulties and employee turnovers as he may deem appropriate;
- (c) promulgate standard employment rules and regulations governing County employees and, upon approval of the County Executive, act as the latter's agent in effecting compliance therewith;
- (d) establish programs of employee recruitment and maintain a central file of job opportunities for public dissemination in cooperation with other units of County government and other local jurisdictions within the County;
- (e) advise new employees of County and civil service employment practices and provide necessary orientation and pre-work assignment training;
- (f) submit periodic recommendations to the County Executive for the improvement of employee morale and performance, working conditions, benefit programs and activities;
- (g) administer agreements on behalf of the County with recognized employee representatives concerning conditions of employment, wages, employee sick leaves, vacations, health insurance, retirement plans and such other matters as may come before him, and make such recommendations to the County Executive thereupon as he may deem appropriate;
- (h) report monthly to the County Executive all violations of Civil Service Law and regulations by units, officers or employees of County government and other local jurisdictions within the County, together with his remedial action thereon;
- (i) provide staff service to the Executive Labor Committee and its negotiating teams as requested, including the furnishing of national, regional and local information and material on public and private personnel policies, contract negotiations, points of negotiation and other related matters;

- (j) upon request of a governmental jurisdiction within the County, perform such civil service functions therefore as may be authorized by the County Legislature; and
- (k) except as may otherwise be provided in the Charter or this Code, have all the powers and perform all the duties now or hereafter conferred or imposed upon him by law.

### **Section 10.03. Certification of Payrolls.**

No payroll, estimate or account providing for the payment of wages or salaries for employees of the County or other local jurisdictions within the County shall be approved unless it bears the certificate of the Commissioner of Human Resources that, during the period specified, the persons named therein were employed in their respective positions in accordance with law and rules made pursuant thereto.

### **Section 10.04. Cooperation of Unit Heads.**

The Commissioner of Human Resources may seek, and the head of each unit of County government or other local jurisdiction within the County shall provide, such information and assistance as may be necessary in the performance of the Commissioner's duties.

### **Section 10.05 Deputy Commissioners of Human Resources and Staff; Appointment; Revocation.**

The Commissioner of Human Resources may appoint such Deputy Commissioners, assistants and employees of his Department as shall be authorized by the County Legislature. Any such Deputy Commissioner appointed shall have all the powers and duties of the Commissioner. Each such appointee shall be directly responsible to, and unless otherwise required by law, serve at the pleasure of, the Commissioner. Appointments, and revocations thereof, shall be in writing.

### **Section 10.06. Acting Commissioner of Human Resources.**

The Commissioner of Human Resources, subject to the approval of the County Executive, shall designate in writing a line of succession to the office of Acting Commissioner of Human Resources in the event of his absence from the County or inability to perform and exercise the powers and duties of his office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Commissioner's filing a new written designation. The Acting Commissioner shall have all the powers and perform all the duties of the Commissioner during the period of his succession or until a new Commissioner shall be appointed pursuant to law and shall qualify to assume that office.

**SECTION 3.** All the powers, duties and functions of the Department of Personnel shall be unchanged and remain with the Department of Human Resources and all the powers and duties of the Commissioner of Personnel shall be unchanged and remain with the Commissioner of Human Resources who shall continue to exercise all the powers and duties of a county civil service Commissioner as provided by law. Nothing contained herein shall be deemed to either curtail or extend the term of office of the individual holding the office of the Commissioner of Personnel/Commissioner of Human Resources, on the effective date of this law. All references in the Laws of Orange County to the Department of Personnel shall be deemed to refer to the Department of Human Resources and all references in the Laws of Orange County to the Commissioner of Personnel shall be deemed to refer to the Commissioner of Human Resources.

**SECTION 4.** Nothing in this Local Law shall affect the appointment of the Commissioner, Deputies, employees and staff of the Department of Personnel, now to be known as the Department of Human Resources, holding such positions as of the effective date of this Local Law other than the name changes as provided herein.

## **SECTION 5. EFFECTIVE DATE**

This Local Law amending the Orange County Charter and Administrative Code shall take effect in the manner provided in the Municipal Home Rules Law and upon the completion of the requisite filings and procedures.

Local Law No. 6 of 2010 was passed on October 7, 2010 by the following roll call vote:

Ayes: 21

Noes: 0

Approved by the County Executive: November 1, 2010

Effective: November 15, 2010

## **LOCAL LAW NO. 7 OF 2010**

**A LOCAL LAW AMENDING LOCAL LAW NO. 8 OF 1968, KNOWN AS THE ORANGE COUNTY CHARTER AND LOCAL LAW NO. 10 OF 1969, KNOWN AS THE ORANGE COUNTY ADMINISTRATIVE CODE, AS PREVIOUSLY AMENDED, RENAMING THE DEPARTMENT OF INFORMATION SERVICES TO THE DEPARTMENT OF INFORMATION TECHNOLOGY FOR THE PURPOSE OF MODERNIZING THE DEPARTMENT NAME CONSISTENT WITH INDUSTRY STANDARDS.**

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

### **SECTION 1. PURPOSE**

This Legislature recognizes the need to modernize and update the name of the Department of Information Services so as to be consistent with industry standards and to more accurately reflect the nature and scope of services provided by the Department.

In order to accomplish this goal, the Orange County Charter and Orange County Administrative Code shall be amended to rename the Department of Information Services to the Department of Information Technology. The Commissioner of the Department shall be known as the Commissioner of Information Technology.

### **SECTION 2. AMENDMENTS**

**A.** Local Law No. 8 of the Year 1968, known as the Orange County Charter, be and hereby is amended as follows:

- (i) by amending and restating Article XIV entitled "DEPARTMENT OF INFORMATION SERVICES" to read as follows:

## **ARTICLE XIV**

## **DEPARTMENT OF INFORMATION TECHNOLOGY**

Section

- 14.01 Department of Information Technology
- 14.02 Commissioner of Information Technology

### **Section 14.01. Department of Information Technology.**

Commissioner:

There shall be a Department of Information Technology headed by a Commissioner, who shall be appointed by the County Executive subject to the confirmation by the County Legislature, on the basis of his professional training and experience in the field of data and information management and processing. He shall serve at the pleasure of the County Executive.

### **Section 14.02 Commissioner of Information Technology**

The Commissioner shall:

- (1) have charge of the management and processing of information and data for all units of Orange County Government including the Orange County Community College and all other local governments or other entities that may contract with Orange County for such services;
- (2) be responsible for the ongoing development of efficient information systems including data and word processing, microfiche and microfilm and other information management techniques;
- (3) be responsible for the continuing development of programs designed to provide accurate, sufficient and timely information for decision making by all units of Orange County Government, including Orange County Community College and any entity contracting with Orange County for such services;
- (4) coordinate and consult with all units of Orange County Government including Orange County Community College and any entity contracting with Orange County for such services, relating to the planning, development, organization and use of information management techniques; and
- (5) perform such other and related duties as shall be required or delegated to him by the County Executive.

**B.** Local Law No. 10 of 1969, known as the Orange County Administrative Code, be and hereby is amended as follows:

- (i) by amending and restating Article XIV entitled "DEPARTMENT OF INFORMATION SERVICES" to read as follows:

## **ARTICLE XIV DEPARTMENT OF INFORMATION TECHNOLOGY**

Section

- 14.01 Department of Information Services; Commissioner; Appointment; Qualifications.
- 14.02 Commissioner of Information Technology; Powers and Duties.

14.03 Deputy Commissioners of Information Technology and Staff; Appointment; Revocation.

14.04 Acting Commissioner of Information Technology.

**Section 14.01. Department of Information Technology; Commissioner; Appointment; Qualifications.**

There shall be a Department of Information Technology headed by a Commissioner who shall be appointed by the County Executive, subject to confirmation by the County Legislature, on the basis of his professional training and experience in the field of data and information management and processing. He shall serve at the pleasure of the County Executive.

**Section 14.02. Commissioner of Information Technology; Powers and Duties.**

Among his powers and duties and in addition to those prescribed in Section 14.02 of the Orange County Charter, the Commissioner of Information Technology shall:

- (1) direct a program of technical assistance for Department Heads on data processing matters;
- (2) determine the scope and depth of feasibility studies relating to Cooperative Data Processing Systems and evaluate results;
- (3) consult with contracting entities in regard to planning, development, organization, maintenance and use of equipment capable of providing information relating to all functions of government;
- (4) advise the County Executive as to the design and installation of developing data processing systems and programs;
- (5) conduct surveys for the purpose of reviewing and evaluating operating procedures; and
- (6) evaluate equipment and company proposals regarding the acquisition of data processing equipment.

**Section 14.03 Deputy Commissioners of Information Technology and Staff; Appointment; Revocation**

The Commissioner of Information Technology may appoint such Deputy Commissioners, assistants and employees of his Department as shall be authorized by the County Legislature. Any such Deputy Commissioner appointed shall have all the powers and duties of the Commissioner. Any Deputy Commissioner so appointed shall be in the exempt class of the Civil Service. Each such appointee shall be directly responsible to and unless otherwise required by law, serve at the pleasure of the Commissioner. Appointments and revocations thereof shall be in writing.

**Section 14.04 Acting Commissioner of Information Technology**

The Commissioner of Information Technology, subject to the approval of the County Executive, shall designate in writing a line of succession to the office of Acting Commissioner of Information Technology in the event of his absence from the County or inability to perform and exercise the powers and duties of his office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and

may be revoked at any time by the Commissioner's filing a new written designation. The Acting Commissioner shall have all the powers and perform all the duties of the Commissioner during the period of his succession or until a new Commissioner shall be appointed pursuant to law and shall qualify to assume that office.

**SECTION 3.** All the powers, duties and functions of the Department of Information Services shall be unchanged and remain with the Department of Information Technology and all the powers and duties of the Commissioner of Information Services shall be unchanged and remain with the Commissioner of Information Technology.

**SECTION 4.** Nothing in this Local Law shall affect the appointment of the Commissioner, Deputies, employees and staff of the Department of Information Services holding such positions as of the effective date of this Local Law other than the name changes as provided herein.

### **SECTION 5. EFFECTIVE DATE**

This Local Law amending the Orange County Charter and Administrative Code shall take effect in the manner provided in the Municipal Home Rules Law and upon the completion of the requisite filings and procedures.

Local Law No. 7 of 2010 was passed on October 7, 2010 by the following roll call vote:

Ayes: 21

Noes: 0

Approved by the County Executive: November 1, 2010

Effective: November 15, 2010

## **LOCAL LAW NO. 8 OF 2010**

### **A LOCAL LAW REPEALING LOCAL LAW NO. 2 OF 1985 AND ESTABLISHING A PROCEDURE FOR THE SETTLEMENT OF LIABILITY AND CASUALTY CLAIMS IN THE COUNTY OF ORANGE, PURSUANT TO SECTION 6-N OF THE GENERAL MUNICIPAL LAW.**

Be it enacted by the County Legislature of the County of Orange, State of New York as follows:

#### **Section 1. Purpose.**

This Legislature has reviewed Local Law No. 2 of 1985 and finds that it is in the best interest of the County of Orange to repeal said local law and establish a new procedure for the settlement of liability and casualty claims pursuant to General Municipal Law Section 6-N.

#### **Section 2. Establishment of Reserve Fund.**

The County hereby establishes a reserve fund known as the "Liability and Casualty Reserve Fund" which will consist of such monies as are budgeted or otherwise appropriated by the County Legislature. The cash balance of such fund at the end of any fiscal year shall not exceed \$100,000.00, or such other amounts permitted by law.

#### **Section 3. Settlement of Judgments, Actions and Claims.**

Subject to the provisions of General Municipal Law Section 6-N of the State of New York, the Orange County Risk Management Officer shall make settlement of judgments, actions and claims as defined therein based upon the following authority:

- a. Payment of a sum not to exceed \$10,000.00 in settlement of such judgment, action or claim, by the Risk Management Officer;
- b. Payment of a sum not to exceed \$25,000.00 in settlement of such judgment, action or claim, by the Risk Management Officer and the County Executive, with the advice of the County Attorney;
- c. Payment of a sum in excess of \$25,000.00 in settlement of such judgment, action or claim, by a special committee consisting of the County Executive, Risk Management Officer, the Chairman of the Orange County Legislature and the Chairman of the Ways and Means Committee of the Orange County Legislature with the advice of the County Attorney.

#### **Section 4. Payment of Judgments.**

Nothing herein contained shall prohibit the payment of any judgments against the County by the general funds of the County without resort to the liability and casualty reserve fund.

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

This Local Law shall take effect upon filing in the Office of the Secretary of State provided by Section 27 of the Municipal Home Rule Law.

Local Law No. 8 of 2010 was passed on October 7, 2010 by the following roll call vote:

Ayes: 21

Noes: 0

Approved by the County Executive: November 1, 2010

Effective: November 15, 2010

### **LOCAL LAW NO. 9 OF 2010**

**A LOCAL LAW AMENDING LOCAL LAW NO. 8 OF 1968, KNOWN AS THE ORANGE COUNTY CHARTER, AND LOCAL LAW NO. 10 OF 1969, KNOWN AS THE ORANGE COUNTY ADMINISTRATIVE CODE, AS PREVIOUSLY AMENDED, PROVIDING FOR THE CREATION OF THE DEPARTMENT OF GENERAL SERVICES FOR THE PURPOSE OF CONSOLIDATING OVERSIGHT AND SUPERVISION FOR COUNTY GRANT AND PROCUREMENT ACTIVITIES.**

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

#### **SECTION 1. PURPOSE**

This Legislature recognizes the need to consolidate grant and procurement functions into one department so as to improve business practices and more effectively plan, coordinate and implement oversight of grant and procurement activities to achieve economic efficiencies and ensure compliance.

In order to accomplish this goal, the Orange County Charter and Orange County Administrative Code shall be amended to create the Department of General Services by transferring the powers and duties of the Department of Finance Division of Purchases to a new Department of General Services.

**SECTION 2. AMENDMENTS**

A. Local Law No. 8 of the Year 1968, known as the Orange County Charter, be and hereby is amended as follows:

(i) by adding thereto a new Article XXVII entitled "Department of General Services" to read as follows:

**ARTICLE XXVII**

**DEPARTMENT OF GENERAL SERVICES**

**Section**

- 27.01 Department of General Services; Commissioner; Appointment and Qualifications
- 27.02 Commissioner of General Services; Powers and Duties
- 27.03 Deputy Commissioners of General Services and Staff; Appointment; Revocation
- 27.04 Acting Commissioner of General Services

**Section 27.01 Department of General Services; Commissioner; Appointment and Qualifications**

There shall be a Department of General Services headed by a Commissioner who shall be appointed by the County Executive subject to confirmation by the County Legislature. The appointment shall be on the basis of professional experience and qualifications for the duties of the office. The Commissioner shall be directly responsible to and serve at the pleasure of the County Executive. The appointment shall be reported to the Commissioner of Personnel and filed with the County Clerk.

**Section 27.02 Commissioner of General Services; Powers and Duties**

The Commissioner of General Services shall:

- (1) have charge, oversight and supervision of the Department;
- (2) promulgate a uniform system for the procurement of commodities, equipment, goods and services by the County and all its units, and upon its approval by the County Executive, be responsible for its implementation. In addition, and except as may otherwise be provided in the Charter or the Code, he or she shall perform such other and related duties required by the County Executive. He or she may also promulgate standard specifications;

- (3) solicit and contract for all purchases of commodities, equipment, goods and services for all units of County government in accordance with New York State competitive bidding requirements and County policy and procedure, as applicable; however, solicitation and contracting for purchases of certain commodities, equipment, goods and services or categories thereof may be delegated to another unit of County government at the Commissioner's discretion, subject to approval of the County Executive;
- (4) provide drafting assistance with and approve suitable specifications or standards for all commodities, equipment, goods and services to be purchased for the County, oversee and insure that all delivery locations have proper procedures to determine delivery compliance with such specifications and standards and acceptance or rejection of deliveries in accordance with such inspection;
- (5) have authority to inventory, store, transfer and dispose of all commodities, equipment, goods and services between departments, offices and agencies subject to the approval of the County Executive;
- (6) under the direction of the County Executive, administer all central administrative services for the County government, including but not limited to mail and messenger service, printing and reproduction, telephone and other related operational services;
- (7) make purchases for other civil divisions within the County after approval by the governing board thereof, and pursuant to agreement as otherwise provided in this Charter or by law and subject to approval of the County Executive.
- (8) oversee and be responsible for identification of commodities, equipment, goods or services to be procured in the aggregate among multiple or all units of County government and administration of solicitation and contracts therefor
- (9) monitor and enforce procurement and contract compliance practices throughout County government and coordinate training to ensure such compliance;
- (10) review and modernize business practices and policies for economic efficiencies and develop policy and procedures for general government operations;
- (11) identify and evaluate grant initiatives of benefit to the County; provide assistance and training to units of County government with application drafting, contract monitoring, reporting and compliance requirements; ensure that procurement practices and contracts are in compliance with the terms and conditions of all applicable federal or state grants, including all applicable laws, regulations and policies related thereto.

**Section 27.03 Deputy Commissioners of General Services and Staff;  
Appointment; Revocation**

The Commissioner of General Services may appoint such Deputy Commissioners of General Services, assistants and employees of the department as shall be authorized by the County

Legislature. Any such Deputy Commissioner appointed shall have all the powers and duties of the Commissioner. Each such appointee shall be directly responsible to, and, unless otherwise required by law, serve at the pleasure of, the Commissioner. All appointments and revocations thereof shall be in writing and reported to the Commissioner of Personnel and filed with the County Clerk.

#### **Section 27.04 Acting Commissioner of General Services**

The Commissioner of General Services, subject to the approval of the County Executive, shall designate in writing a line of succession to the office of Acting Commissioner of General Services in the event of his or her absence from the County or inability to perform and exercise the powers and duties of this office. Such designation shall be filed with the County Clerk and the Clerk of the County Legislature and may be revoked at any time by the Commissioner filing a new written designation. The Acting Commissioner shall have all the powers and perform all the duties of the Commissioner during the period in his or her succession or until a new Commissioner shall be appointed pursuant to law and shall qualify to assume that office.

(ii) by deleting Article V Section 5.03 in its entirety.

B. Local Law No. 10 of 1969 known as the Orange County Administrative Code is hereby amended as follows:

(i) by adding thereto a new Article XXVII entitled "Department of General Services" to read as follows:

### **ARTICLE XXVII**

#### **DEPARTMENT OF GENERAL SERVICES**

##### **Section**

- 27.01 Department of General Services; Commissioner; Appointment and Qualifications
- 27.02 Commissioner of General Services; Powers and Duties
- 27.03 Procurement Where Advertisement for Bids Waived.
- 27.04 Advertisement for Bids; Competitive Bidding.
- 27.05 Standardization of Purchases.
- 27.06 Procurement from State; Blind-Made Products.
- 27.07 Surplus and Second Hand Supplies, Materials and Equipment.
- 27.08 Procurement Requisitions; Filing; Encumbrancing; Certification.

#### **Section 27.01 Department of General Services; Commissioner; Appointment and Qualifications**

There shall be a Department of General Services headed by a Commissioner who shall be appointed in the manner and subject to the conditions prescribed in Section 27.01 of the Charter. The Commissioner shall be directly responsible to, and unless otherwise required by law, serve at the pleasure of the County Executive. The appointment shall be reported to the Commissioner of Personnel and filed with the County Clerk.

## **Section 27.02 Commissioner of General Services; Powers and Duties**

In addition to those powers and duties prescribed in Section 27.02 of the Charter, the Commissioner of General Services shall have all the powers and responsibilities and perform all the duties now or hereafter conferred or imposed by law together with such other related and necessary duties as may be required by the County Executive.

## **Section 27.03 Procurement Where Advertisement for Bids Waived.**

### **(1) When Purchases Do Not Exceed Fixed Sum.**

The limit below which any purchase or purchase contract may be made without advertisement for bids shall be the amount fixed by applicable law.

**(2) Perishables, Drugs and Medical Supplies.** Public, advertisement shall not be required with respect to the procurement of foodstuffs, drugs and medical supplies unless required by resolution of the County Legislature.

**(3) Emergencies.** Supplies, materials, equipment and services to be rendered by contract may be procured without advertisement upon the declaration by the County Executive or other authorized officer of a public emergency arising out of an accident or other unforeseen condition affecting the life, health or safety of persons within the County and requiring his immediate action.

**(4) Damage to Public Facilities.** Public advertisement may be waived when, through accident or other circumstance, the heating, air conditioning, ventilating, light, plumbing or other equipment or apparatus of any public building of the County shall become disabled, or when any such building or part thereof shall be rendered untenable. The head of any unit of County government responsible for the maintenance of such building shall report such emergency in writing to the Commissioner of General Services and certify the necessity of immediate repair. Public advertisement shall not be waived, however, unless such certificate of necessity shall be approved in writing by the County Executive.

**(5) Replacement Parts.** Public advertisement may be waived when machinery, equipment or other apparatus shall become disabled or worn and shall require immediate repair or replacement. The head of any unit of County government so affected shall notify the Commissioner of General Services in writing of such condition and certify to the necessity of immediate repair. Public advertisement shall not be waived, however, unless such certificate of necessity shall be approved in writing by the County Executive.

**(6) Procurement from State.** Public advertisement may be waived for purchases made pursuant to the provisions of Section 27.06 of this Code.

## **Section 27.04 Advertisement for Bids; Competitive Bidding.**

**(1) Advertisement for Bids; When Required.** Except where otherwise provided by this Code or other applicable law, all purchases of, and contracts for, supplies, materials, equipment and services for the County shall be made by publishing an advertisement in an official daily newspaper published within the County of Orange inviting sealed bids therefore.

**(2) Contents of Advertisement; Time Requirement.** Each such advertisement shall contain a statement of the time when, and the place where, all bids received shall be publicly opened and read. At least five days shall lapse between publication of the first advertisement and the date specified therein for the opening and reading of bids.

**(3) Opening of Bids; Award; Rejection.** The Commissioner of General Services, or his or her designee, shall open such bids at the time and place specified and shall make a record of such bids in such form as he may prescribe. An award shall be made to the lowest responsible bidder furnishing the required security after advertisement for sealed bids in the manner provided herein. In the event of identical bids from responsible bidders furnishing security as aforesaid, an award may be made to any such bidder. The Commissioner of General Services, or his or her designee, may reject any and all said bids and readvertise for new bids in the manner hereinabove provided.

**(4) Bidders in Arrears or in Default.** No bid for supplies, materials, equipment and services shall be accepted from any person currently in arrears to the County upon debt or contract or who has defaulted as surety or otherwise upon an obligation to the County.

**Section 27.05 Standardization of Purchases.**

The County Legislature, by the affirmative vote of at least two-thirds of its members, may resolve that there exists a need for reasons of efficiency and economy to standardize purchase and contract specifications for particular types of supplies, materials, equipment and services, whereupon contracts in excess of the amount fixed pursuant to the provisions of Section 27.03 of this code may be awarded in the manner hereinabove provided. Such resolution shall contain a full explanation of the reasons for its adoption.

**Section 27.06 Procurement from State; Blind-Made Products.**

All required purchases which may be made at the same price as by bid to the State of New York, may, upon authorization, be purchased without competitive bidding. All required supplies which may be furnished by the State Department of Correction or by appropriate charitable agencies for the blind incorporated under the laws of the State of New York shall, upon authorization, be purchased therefrom without competitive bidding at prices established pursuant to law.

**Section 27.07 Surplus and Second Hand Supplies, Materials and Equipment.**

Surplus and secondhand supplies, materials and equipment may be purchased without competitive bidding from the United States Government, the State of New York or any other political subdivision.

**Section 27.08 Procurement Requisitions; Filing; Encumbrancing; Certification.**

All purchases and contracts made pursuant to this Article shall be initiated by written requisition, subscribed by an authorized person and filed with the Commissioner of General Services. No purchases of, or contracts for, supplies, materials, equipment or services shall be made, subscribed, delivered or furnished until the Commissioner of General Services shall have certified that they are official County purchases or contracts and that there are unencumbered balances remaining therefore.

- (iv) deleting Article V Section 5.03 in its entirety.
- (v) deleting Article V Section 5.03A in its entirety.
- (vi) deleting Article V Section 5.03B in its entirety.
- (vii) deleting Article V Section 5.03C in its entirety.

- (viii) deleting Article V Section 5.03D in its entirety.
- (ix) deleting Article V Section 5.03E in its entirety.
- (x) deleting Article V Section 5.03F in its entirety.
- (xi) deleting Article V Section 5.03G in its entirety.

### **SECTION 3. EFFECTIVE DATE**

This Local Law amending the Orange County Charter and Administrative Code shall take effect in the manner provided in the Municipal Home Rule Law and upon the completion of the requisite filings and procedures.

Local Law No. 9 of 2010 was passed on September 2, 2010 by the following roll call vote:

Ayes: 20  
Noes: 0  
Absent: 1

Approved by the County Executive: September 24, 2010

Effective: 11/23/10