

2014 LOCAL LAWS OF ORANGE COUNTY

LOCAL LAW NO. 1 OF 2014

A LOCAL LAW TO PROHIBIT ILLICIT DISCHARGES, ACTIVITIES AND CONNECTIONS TO THE COUNTY OF ORANGE DESIGNATED MUNICIPAL SEPARATE STORM SEWER SYSTEM.

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

Section 1. Purpose/Intent.

The purpose of this law is to provide for the health, safety, and general welfare of the citizens of the County of Orange through the regulation of non-stormwater discharges to the municipal separate storm sewer system ("MS4") to the maximum extent practicable as required by Federal and State law. This law establishes methods for controlling the introduction of pollutants into the County's MS4 in order to comply with requirements of the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems. The objectives of this law are:

- 1.1. To meet the requirements of the County's SPDES General Permit for Stormwater Discharges from MS4s as amended or revised;
- 1.2. To regulate the contribution of pollutants to the County's MS4 since such systems are not designed to accept, process or discharge non-stormwater wastes;
- 1.3. To prohibit Illicit Connections, Activities and Discharges to the County's MS4;
- 1.4. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this local law; and
- 1.5. To promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the County's MS4.

Section 2. Definitions.

Whenever used in this local law, unless a different meaning is stated in a definition applicable to only a portion of this local law, the following terms will have meanings set forth below:

- 2.1. Best Management Practices ("BMPs"). Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.
- 2.2. Clean Water Act. The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

- 2.3. Connection Permit. A permit issued by the Stormwater Management Officer allowing a drain or conveyance to connect into and discharge stormwater into the County's MS4.
- 2.4. Construction Activity. Activities requiring authorization under the SPDES permit, as amended or revised, for stormwater discharges from construction activity. These activities include construction projects resulting in land disturbance of one or more acres. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.
- 2.5. County. The County of Orange
- 2.6. Department. The New York State Department of Environmental Conservation.
- 2.7. Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- 2.8. Illicit Connections. Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the County's MS4, including but not limited to:
 - 2.8.1 Any conveyances which allow any non-stormwater discharge including treated or untreated sewage, process wastewater, and wash water to enter the County's MS4 and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or
 - 2.8.2 Any drain or conveyance connected from a commercial or industrial land use to the County's MS4 which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.
- 2.9. Illicit Discharge. Any direct or indirect non-stormwater discharge to the County's MS4, except as exempted in Section 6 *Discharge Prohibitions* of this law.
- 2.10. Industrial Activity. Activities requiring the SPDES permit, as amended or revised, for discharges from industrial activities except construction.
- 2.11. MS4. Municipal Separate Storm Sewer System.
- 2.12. MS4 Community. Any town, village, city or political subdivision of the County that owns, operates or maintains a Municipal Separate Storm Sewer System that discharges into the County's MS4.
- 2.13. Municipal Separate Storm Sewer System. A conveyance or system of conveyances; including roads with drainage systems, municipal streets, catch basins, culverts, curbs, gutters, ditches, man-made channels, or storm drains:
 - 2.13.1 Owned or operated by the County, MS4 Community, or a Municipality;
 - 2.13.2 Designed or used for collecting or conveying stormwater;

2.13.3 Which is not a combined sewer; and

2.13.4 Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2

2.14. Municipality. Any town, village or city located within Orange County.

2.15. Non-Stormwater Discharge. Any discharge to the MS4 that is not composed entirely of stormwater.

2.16. Person. Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

2.17. Pollutant. Dredged spoil, filter backwash, solid waste, incinerator residue, treated or untreated sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the State in contravention of the standards.

2.18. Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

2.19. Special Conditions.

2.19.1 Discharge Compliance with Water Quality Standards. The condition in the MS4 SPDES permit that applies where the County has been notified that the discharge of stormwater authorized under its MS4 permit may have caused or has the reasonable potential to cause or contribute to the violation of an applicable water quality standard. Under this condition the County must take all necessary actions to ensure that future discharges do not cause or contribute to a violation of water quality standards.

2.19.2 303(d) Listed Waters. The condition in the County's MS4 permit that applies where the MS4 discharges to a 303(d) listed water. Under this condition the stormwater management program must ensure no increase of the listed pollutant of concern to the 303(d) listed water.

2.19.3 Total Maximum Daily Load (TMDL) Strategy. The condition in the County's MS4 permit where a TMDL including requirements for control of stormwater discharges has been approved by EPA for a waterbody or watershed into which the MS4 discharges. If the discharge from the MS4 did not meet the TMDL stormwater allocations prior to September 10, 2003, the MS4 was required to modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

2.19.4 The condition in the County's MS4 permit that applies if a TMDL is approved in the future by EPA for any waterbody or watershed into which an MS4 discharges. Under this condition the County must review the applicable TMDL to see if it includes requirements for control of stormwater discharges. If an MS4 is not meeting the TMDL stormwater allocations, the MS4 must, within six (6) months of the TMDL's approval, modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

2.20. SPDES. State Pollutant Discharge Elimination System.

- 2.21. State Pollutant Discharge Elimination System (SPDES) Stormwater Discharge Permit. A permit issued by the Department that authorizes the discharge of pollutants to waters of the State.
- 2.22. Stormwater. Rainwater, surface runoff, snowmelt and drainage.
- 2.23. Stormwater Management Officer (SMO). The Stormwater Management Officer (SMO) shall be the Commissioner of Planning of Orange County (or the person serving in the capacity of the Commissioner) or his/her authorized deputies, agents or representatives, including employees of other County Departments: Environmental Facilities and Services; Parks, Recreation and Conservation; Public Works; and Environmental Health, as appropriate to enforce this local law. The SMO will review stormwater pollution prevention plans, refer the plans to other County Departments, as appropriate, and may inspect stormwater management practices treating discharges to the County's MS4.
- 2.24. 303(d) List. A list of all surface waters in the State for which beneficial uses of the water, drinking, recreation, aquatic habitat, and industrial use, are impaired by pollutants; prepared periodically by the Department as required by Section 303(d) of the Clean Water Act. 303(d) listed waters are estuaries, lakes and streams that fall short of State surface water quality standards and are not expected to improve within the next two years.
- 2.25. TMDL. Total Maximum Daily Load.
- 2.26. Total Maximum Daily Load. The maximum amount of a pollutant to be allowed to be released into a waterbody so as not to impair uses of the water, allocated among the sources of that pollutant.
- 2.27. Violator. Any entity or individual located within a Municipality in violation of this local law.
- 2.28. Wastewater. Water that is not stormwater, is contaminated with pollutants and is or will be discarded.

Section 3. Applicability.

This law shall apply to all connections to the County's MS4, activities resulting in discharge, seepage or deposition into the County's MS4, whether direct or indirect, and all stormwater entering the County's MS4, generated or developed or undeveloped lands, and regardless of the proximity of the source to the County's MS4, unless explicitly exempted by an authorized enforcement or regulating agency or allowed by a Connection Permit obtained from the SMO or other document approved by the SMO.

Section 4. Responsibility for Administration.

The SMO shall administer, implement, and enforce the provisions of this law. Such powers granted or duties imposed upon the SMO may be delegated in writing to duly authorized deputies, agents or representatives, including, but not limited to, employees of other County Departments such as: Environmental Facilities and Services; Parks, Recreation and Conservation; Public Works; and Environmental Health.

Section 5. Severability.

The provisions of this local law are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this local law or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this local law.

Section 6. Discharge Prohibitions.

6.1. Prohibition of Illegal Discharges. No person shall discharge or cause to be discharged into the County's MS4 any materials other than stormwater except as provided in Section 6.1.1. A discharge can be through a pipe, or indirect via overland surface flow. The commencement, conduct or continuance of any illegal discharge to the County's MS4 is prohibited except as described as follows:

6.1.1. The following discharges are exempt from discharge prohibitions established by this local law, unless the SMO has determined them to be substantial contributors of pollutants:

- a. water line flushing or other potable water sources;
- b. landscape irrigation or lawn watering;
- c. existing diverted stream flows;
- d. rising ground water;
- e. uncontaminated ground water infiltration to storm drains;
- f. uncontaminated pumped ground water;
- g. foundation or footing drains;
- h. crawl space or basement sump pumps;
- i. air conditioning condensate;
- j. irrigation water;
- k. springs;
- l. water from individual residential car washing;
- m. natural riparian habitat or wetland flows;
- n. de-chlorinated swimming pool discharges;
- o. residential street wash water;
- p. water from firefighting activities; and
- q. any other water source not containing pollutants.

6.1.2. Dye testing in compliance with applicable State and local laws is an allowable discharge, but requires a verbal notification to the SMO prior to the time of the test.

- 6.1.3. The prohibition shall not apply to any discharge permitted under a SPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Department, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the County's MS4.
- 6.2. Prohibition of Illicit Connections. Connections to the County's MS4 without a Connection Permit are prohibited.
 - 6.2.1. Any connection made following the adoption of this local law to the County's MS4 is considered to be an illicit connection, unless it has been approved by a Connection Permit issued by the SMO or documented on a plan, or map that has been approved by the SMO.
 - 6.2.2. The construction, use, maintenance or continued existence of illicit connections to the County's MS4 is prohibited.
 - 6.2.3. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
 - 6.2.4. A person is considered to be in violation of this local law if the person connects a line conveying pollutants to County's MS4 without a Connection Permit, or allows such a connection to continue.
 - 6.2.5. The connection of interior floor drains is prohibited.
- 6.3. Remedy Illicit Connections. Where the SMO has identified an illicit connection, he/she may require that a proper Connection Permit be obtained or that the connection be removed at the property owner's expense.
 - 6.3.1. The SMO, in accordance with all applicable laws, rules and regulations, shall have the authority to adopt rules and regulations deemed necessary and appropriate for the implementation and enforcement of any provision of this local law, including, but not limited to, rules governing the conduct of adjudicatory proceedings and appeals.

Section 7. Prohibition against Failing Individual Sewage Treatment Systems.

No Person shall operate a failing individual sewage treatment system in areas tributary to the County's MS4. A failing individual sewage treatment system is one which has one or more of the following conditions:

- 7.1. The backup of sewage into a structure.
- 7.2. Discharges of treated or untreated sewage onto the ground surface.
- 7.3. A connection or connections to a separate stormwater sewer system.

- 7.4. Liquid level in the septic tank above the outlet invert.
- 7.5. Structural failure of any component of the individual sewage treatment system that could lead to any of the other failure conditions as noted in this section.
- 7.6. Contamination of off-site groundwater.

Section 8. Prohibition against Activities Contaminating Stormwater.

- 8.1. Prohibited Activities. Activities that are subject to the requirements of this section are those types of activities that:
 - 8.1.1. Cause or contribute to a violation of the County's MS4 SPDES permit.
 - 8.1.2. Cause or contribute to the County's MS4 being subject to the Special Conditions as defined in Section 2 *Definitions* of this local law.
- 8.2. Such activities include failing individual sewage treatment systems as defined in Section 7 *Prohibition against Failing Individual Sewage Treatment Systems* or any other activity that causes or contributes to violations of the County's MS4 SPDES permit authorization.
- 8.3. Cease Prohibited Activities. Upon notification to a Person, MS4 Community or Municipality that they are engaged in activities that cause or contribute to violations of the County's MS4 SPDES permit authorization or cause or contribute to pollutants being discharged into the County's MS4, that Person, MS4 Community or Municipality shall take all reasonable actions, within a thirty (30) day period, or earlier if directed by the SMO, to correct such activities such that the Person, MS4 Community or Municipality no longer causes or contributes to violations of the County's MS4 SPDES permit authorization.

Section 9. Suspension of Access to MS4.

- 9.1. Illicit Discharges in Emergency Situations. The SMO may, without prior notice, suspend MS4 area discharge access to any Person, MS4 Community or Municipality when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, to the health or welfare of persons, or to the MS4. The SMO shall notify the Person, MS4 Community or Municipality of such suspension within a reasonable time thereafter in writing of the reasons for the suspension. If the violating Person, MS4 Community or Municipality fails to comply with a suspension order issued in an emergency, the SMO may take such steps as deemed necessary to prevent or minimize damage to County's MS4 or to minimize danger to persons.
- 9.2. Suspension due to the detection of illicit discharge. Any Person, MS4 Community or Municipality discharging to the County's MS4 in violation of this law may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The SMO will notify the violating Person, MS4 Community or Municipality in writing of the proposed termination of its MS4 access and the reasons therefor. The violating Person, MS4 Community or Municipality may petition the SMO for a reconsideration and hearing. Access may be granted by the SMO if he/she finds that the illicit discharge has ceased and the Person, MS4 Community or Municipality has taken steps to prevent its recurrence. Access may be denied if the SMO determines in writing that the illicit discharge has not ceased or is likely to recur. A Person,

MS4 Community or Municipality commits an offense if they reinstate MS4 access to the premises terminated pursuant to this Section, without the prior approval of the SMO.

Section 10. Industrial or Construction Activity Discharges.

Any Person, MS4 Community or Municipality subject to an industrial or construction activity SPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the SMO prior to the allowing of discharges to the County's MS4.

Section 11. Notification of Spills.

Notwithstanding other requirements of law, as soon as any Person, MS4 Community or Municipality responsible for a facility or operation, or responsible for emergency response for a facility or operation is known or suspected of releasing materials which are resulting or may result in illegal discharges or pollutants discharging into the County's MS4, said Person, MS4 Community or Municipality shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said Person, MS4 Community or Municipality shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said Person, MS4 Community or Municipality shall notify the SMO in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to SMO within three (3) business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three (3) years.

Section 12. Enforcement.

12.1. Notice of Violation. When the SMO finds that a Person, MS4 Community or Municipality has violated a prohibition or failed to meet a requirement of this law, he/she may order compliance by written notice of violation to the responsible Person, MS4 Community or Municipality. Such notice may require without limitation:

- 12.1.1. The elimination of illicit connections or discharges;
- 12.1.2. That violating discharges, practices, or operations shall cease and desist;
- 12.1.3. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property; and/or
- 12.1.4. The performance of monitoring, analyses, and reporting;

Section 13. Appeal of Notice of Violation.

Any Person, MS4 Community or Municipality receiving a Notice of Violation may appeal the determination of the SMO within fifteen (15) days of its issuance. Any appeal of the SMO's determination shall be heard by a hearing officer appointed by the Orange County Attorney. The hearing officer shall hear the appeal within sixty (60) days after the filing of the appeal, and within five (5) days of making its decision, the hearing officer shall issue a decision by certified mail to the

Person, MS4 Community or Municipality appealing the SMO's determination. The hearing officer may conduct the hearing and take evidence as he/she deems necessary.

Section 14. Injunctive Relief.

It shall be unlawful for any Person, MS4 Community or Municipality to violate any provision or fail to comply with any of the requirements of this law. If a Person, MS4 Community or Municipality has violated or continues to violate the provisions of this law, the SMO may petition for a preliminary or permanent injunction restraining the Person, MS4 Community or Municipality from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

Section 15. Violations Deemed A Public Nuisance.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this law is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

Section 16. Remedies not Exclusive.

The remedies listed in this law are not exclusive of any other remedies available under any applicable Federal, State or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

Section 17. 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.

Local Law No. 1 of 2014 was passed on, April 4, 2014 by the following roll call vote:

Ayes: 21
Noes: 0
Absent: 0

Approved by the County Executive: April 30, 2014

Filed with the Secretary of State: May 12, 2014

Effective: May 12, 2014

LOCAL LAW NO. 2 OF 2014

A LOCAL LAW AMENDING LOCAL LAW NO. 13 OF 2013 AS PREVIOUSLY AMENDED KNOWN AS THE "PAY-TO-PLAY LOCAL LAW."

Section 1. This Legislature does wish to amend Local Law No. 13 of 2013 to provide consistency with the County's Procurement Policy and federal and state law.

Section 2. Local Law No. 13 of 2013 is hereby amended and restated as follows:

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

WHEREAS, large political contributions from those seeking or currently performing business with the County ("Pay-to-Play"), may raise concerns on the part of taxpayers and residents as to their trust in government contracts; and

WHEREAS, it has become common for some individuals or entities to make substantial political contributions to those holding elective County office who are ultimately responsible for awarding contracts for County business; and

WHEREAS, it is important to foster public confidence in governmental operations by preventing any actual, or even any perception of, corruption; and

WHEREAS, the Orange County Legislature sets forth a policy to set maximum dollar amounts that professional business entities may contribute politically, beyond which they become ineligible to receive a public contract from the County of Orange.

NOW THEREFORE,

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

Section 1. Title.

This Local Law shall be known by and may be cited as the "Pay-to-Play Local Law".

Section 2. Definitions.

The terms listed below shall have the following meanings for purposes of this local law:

- (a) "County" means the County of Orange or any department, board, executive division, institution, office, branch, bureau, commission, agency, legislature or other division or part thereof.
- (b) "County elected official" means the County Executive, a County Legislator, the County Clerk, the District Attorney or the Sheriff.
- (c) "Contract" for purposes of this local law means any agreement or contract, including any amendment or modification thereto with the County of Orange as defined in this Section 2 (a) for:
 - (i) the rendition of any services or work;
 - (ii) the sale or lease of any land or building except for real property acquired by the County via a tax sale or tax foreclosure procedure pursuant to Article 10 or Article 11 of the New York State Real Property Tax Law;
 - (iii) a grant, loan or loan guarantee;

For purposes of this local law, the term "Contract" excludes Project Labor Agreements and

exempt contracts set forth in Section 8 herein.

(d) "Professional Business Entity" means an individual, person, firm, corporation, professional corporation, partnership, organization, union, or association in the rendering of any work contracted through the County. The definition of a professional business entity includes all principals who own 10% or more of the equity in the corporation or business trust, partners, officers in the aggregate, as well as any subsidiaries directly controlled by the Professional Business Entity. **The term Professional Business Entity does not include a political subdivision of the State of New York (i.e., municipalities), school districts, state and/or federal governments.**

(e) "In-kind contributions" shall include:

- Goods and services offered free of charge;
- Goods and services offered at less than the usual and normal charge;
- Payments by a third party for goods and services rendered to a candidate or political committee.

The value of a particular in-kind gift is determined as follows:

Goods: (such as equipment supplies, facilities and mailing lists) are valued at their normal purchase or rental price.

Services (such as advertising, printing or consulting) are valued at the prevailing commercial rate at the time the services are rendered (i.e., the amount that was paid or would have been paid for the services).

Discounts are valued at the amount discounted (i.e., the difference between the usual and normal charge and the amount paid)

Section 3. Campaign Contribution Limits.

- A. No professional business entity who contracts with the County of Orange or its boards shall make a monetary or in-kind contribution to:
- a) An individual holding the position of Orange County Legislator or is a candid for said position if that contract must be approved or voted on by such individual; or
 - b) A committee controlled by such individual,

in an amount not to exceed \$250.00 per calendar year, but in the event the professional business entity does not contribute annually to the individual or committee as described above, then the amount that a professional business entity may contribute shall not exceed \$1,000.00 during the four-year term of office.

B. No professional business entity who contracts with the County of Orange or its boards shall make a monetary or in-kind contribution in excess of \$1,000.00 per **calendar year** to:

- a) An individual holding the position of Orange County Executive, Orange County Clerk, Orange County District Attorney or Orange County Sheriff or is a candidate for said

position if that contract must be approved or voted on by such individual; or

b) A committee controlled by such individual.

Section 4. Campaign Contributions Made prior to the Effective Date.

No contribution or money or any other thing of value, including in-kind contributions, made by a professional business entity to those individuals or entities set forth in Section 3 shall be deemed a violation of this section, or be disqualified thereby, if that contribution was made by the professional business entity prior to the effective date of this local law. The disclosure requirements shall not apply to contracts awarded subsequent to the effective date if the solicitation and/or renewal process was initiated prior to the effective date of this local law.

Section 5. Contribution Statement by Professional Business Entity.

Prior to the awarding of a Contract, the Orange County Department of General Services shall receive a sworn statement from the professional business entity under penalty of perjury that the entity has not made a campaign contribution in violation of Section 3 of this local law during the four (4) years preceding such sworn statement.

The professional business entity under penalty of perjury will make the statement that it has not knowingly made a contribution in violation of the local law hereof, during the four (4) years preceding such sworn statement, and has not made or solicited contributions through intermediaries, third parties, or immediate relatives for the purpose of concealing the source of the contribution during that same four (4) year time period.

Section 6. Review of NYS Board of Elections Disclosure Statements.

Prior to the award of a contract, the Commissioner of General Services or his or her designee shall review the New York State Disclosure Statements filed by County Elected Officials and candidates for such offices for the past four (4) **calendar** years to determine whether the business entity has contributed to such individual's campaign in an amount in excess of the campaign contribution limits set forth in Section 3 of this local law. In the event it is found that such professional business entity has exceeded the threshold campaign contribution limits, the Commissioner of General Services shall notify the business professional entity that it has exceeded the campaign contribution limits as provided for in this local law. The professional business entity will have **thirty (30) calendar days** to cure the defect by requesting that the excess contributions be returned immediately. **Proof of receipt of the return of such excess contributions must be submitted to the Commissioner of General Services. Failure to provide such proof shall result in the Commissioner of General Services rejecting the professional business entity's proposal or applications.**

Section 7. Individual or Entity "Doing Business with the County of Orange" Database.

The County Executive's office shall, on a bi-annual basis, in January and July, compile a list of names, based on the County's records, listing those professional business entities doing business with the County of Orange, as of those months, with this list being made available for public viewing in the office of the Orange County Commissioner of General Services.

Section 8. Exemption.

The contribution limitations specified in this Local Law do not apply to:

- i. contracts that must be awarded to the lowest bidder pursuant to New York State Law;
- ii. **(a). contracts between the County and Early Intervention and/or pre-school special education providers that are not subject to the Request for Proposal Process under the Orange County Procurement Policy and that the County is required to enter into pursuant to state Law;**
(b). Contracts between the County and individuals, including parents, legal guardians and/or their designees for transporting children to Early Intervention and/or pre-school special education services.
- iii. **Procurement authorized by NYS General Municipal Law ("GML") § 103(3) (goods and services through another New York county's contract), GML § 104 (goods and services through NYS Office of General Services contracts, and GML § 103(16) (certain goods and services through another government's contracts, "piggybacking")**
- iv. **contracts awarded to Preferred Sources or as authorized in Section 162 of the State Finance Law, as amended from time to time;**
- v. **to sole or single source providers; and**
- vi. contracts awarded as emergency contracts when the public exigency requires the immediate emergency services as determined by **General Municipal Law, Executive Order or Resolution in accordance with Orange County Procurement Policy Part VIII.**

Section 9. Violations/Penalty.

- (a) A professional business entity that files a false sworn Contributions Statement will have its Contract with Orange County declared null and void and will be disqualified from being awarded any contract with the County for a period of four years from the date of the filing of the false sworn Contributions Statement and the matter shall be referred to the Orange County District Attorney for prosecution.
- (b) The professional business entity shall have a continuing duty to report any violations of this law that may occur during the negotiation, proposal process or duration of a contract. Any professional business entity who violates Section 3 of this local law shall be in material breach of the terms of the Contract, and the County Attorney shall seek damages against the professional business entity as provided for in said Contract.
- (c) Any professional business entity who violates Section 3 of this local law shall be disqualified from eligibility for the submission of proposals or applications for future Contracts for a period of four calendar years from the date of such

violation.

Section 10. Incorporation by Reference.

The regulatory and penalty provisions of this local law shall be incorporated by reference into the Orange County Procurement Policy and all Orange County Contracts as defined in Section 2 (c) of this local law.

Section 11. Severability

If any provision of this Local Law is held invalid, such invalidity shall not affect the remaining provisions of the Local Law which shall remain effective absent the invalid provision, and to this end, the provisions of the Local Law are declared to be severable.

Section 12. 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.

Local Law No. 2 of 2014 was passed on, April 4, 2014 by the following roll call vote:

Ayes: 19
Noes: 2
Absent: 0

Approved by the County Executive: April 30, 2014

Filed with the Secretary of State: May 12, 2014

Effective: May 12, 2014

LOCAL LAW NO. 3 OF 2014

A LOCAL LAW AMENDING LOCAL LAW NO. 13 OF 2013 (AS PREVIOUSLY AMENDED) KNOWN AS THE "PAY-TO-PLAY LOCAL LAW."

Section 1. This Legislature does wish to amend Local Law No. 13 of 2013 (as previously amended) to provide uniformity to campaign contribution limits for county elected officials.

Section 2. Local Law No. 13 of 2013 is hereby amended and restated as follows:

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

WHEREAS, large political contributions from those seeking or currently performing business with the County ("Pay-to-Play"), may raise concerns on the part of taxpayers and residents as to their trust in government contracts; and

WHEREAS, it has become common for some individuals or entities to make substantial political contributions to those holding elective County office who are ultimately responsible for awarding contracts for County business; and

WHEREAS, it is important to foster public confidence in governmental operations by preventing any actual, or even any perception of, corruption; and

WHEREAS, the Orange County Legislature sets forth a policy to set maximum dollar amounts that professional business entities may contribute politically, beyond which they become ineligible to receive a public contract from the County of Orange.

NOW THEREFORE,

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

Section 1. Title.

This Local Law shall be known by and may be cited as the "Pay-to-Play Local Law".

Section 2. Definitions.

The terms listed below shall have the following meanings for purposes of this local law:

- (a) "County" means the County of Orange or any department, board, executive division, institution, office, branch, bureau, commission, agency, legislature or other division or part thereof.
- (b) "County elected official" means the County Executive, a County Legislator, the County Clerk, the District Attorney or the Sheriff.
- (c) "Contract" for purposes of this local law means any agreement or contract, including any amendment or modification thereto with the County of Orange as defined in this Section 2 (a) for:
 - (i) the rendition of any services or work;
 - (iii) the sale or lease of any land or building except for real property acquired by the County via a tax sale or tax foreclosure procedure pursuant to Article 10 or Article 11 of the New York State Real Property Tax Law;
 - (iii) a grant, loan or loan guarantee;

For purposes of this local law, the term "Contract" excludes Project Labor Agreements and exempt contracts set forth in Section 8 herein.

(d) "Professional Business Entity" means an individual, person, firm, corporation, professional corporation, partnership, organization, union, or association in the rendering of any work contracted through the County. The definition of a professional business entity includes all principals who own 10% or more of the equity in the corporation or business trust, partners, officers in the aggregate, as well as any subsidiaries directly controlled by the Professional Business Entity. The term Professional Business Entity does not include a political subdivision of the State of New York (i.e., municipalities), school districts, state and/or federal governments.

(e) "In-kind contributions" shall include:

Goods and services offered free of charge;

Goods and services offered at less than the usual and normal charge;
Payments by a third party for goods and services rendered to a
candidate or political committee.

The value of a particular in-kind gift is determined as follows:

Goods: (such as equipment supplies, facilities and mailing lists) are valued at their normal purchase or rental price.

Services (such as advertising, printing or consulting) are valued at the prevailing commercial rate at the time the services are rendered (i.e., the amount that was paid or would have been paid for the services).

Discounts are valued at the amount discounted (i.e., the difference between the usual and normal charge and the amount paid)

Section 3. Campaign Contribution Limits.

A. No professional business entity who contracts with the County of Orange or its boards shall make a monetary or in-kind contribution to:

- a) An individual holding the position of Orange County Legislator or is a candidate for said position if that contract must be approved or voted on by such individual; or
- c) A committee controlled by such individual, in an amount not to exceed \$250.00 per calendar year, but in the event the professional business entity does not contribute annually to the individual or committee as described above, then the amount that a professional business entity may contribute shall not exceed \$1,000.00 during the four-year term of office.

B. No professional business entity who contracts with the County of Orange or its boards shall make a monetary or in-kind contribution to:

- a) An individual holding the position of Orange County Executive, Orange County Clerk, Orange County District Attorney or Orange County Sheriff or is a candidate for said position if that contract must be approved or voted on by such individual; or
- c) A committee controlled by such individual, in an amount not to exceed \$1,000.00 per calendar year, but in the event the professional business entity does not contribute annually to the individual or committee as described above, then the amount that a professional business entity may contribute shall not exceed \$4,000.00 during the four-year term of office.

Section 4. Campaign Contributions Made prior to the Effective Date.

No contribution or money or any other thing of value, including in-kind contributions, made by a professional business entity to those individuals or entities set forth in Section 3 shall be deemed a violation of this section, or be disqualified thereby, if that contribution was made by the professional business entity prior to the effective date of this local law. The disclosure requirements shall not apply to contracts awarded subsequent to the effective date if the solicitation and/or renewal process was initiated prior to the effective date of this local law.

Section 5. Contribution Statement by Professional Business Entity.

Prior to the awarding of a Contract, the Orange County Department of General Services shall receive a sworn statement from the professional business entity under penalty of perjury that the entity has not made a campaign contribution in violation of Section 3 of this local law during the four (4) years preceding such sworn statement.

The professional business entity under penalty of perjury will make the statement that it has not knowingly made a contribution in violation of the local law hereof, during the four (4) years preceding such sworn statement, and has not made or solicited contributions through intermediaries, third parties, or immediate relatives for the purpose of concealing the source of the contribution during that same four (4) year time period.

Section 6. Review of NYS Board of Elections Disclosure Statements.

Prior to the award of a contract, the Commissioner of General Services or his or her designee shall review the New York State Disclosure Statements filed by County Elected Officials and candidates for such offices for the past four (4) calendar years to determine whether the business entity has contributed to such individual's campaign in an amount in excess of the campaign contribution limits set forth in Section 3 of this local law. In the event it is found that such professional business entity has exceeded the threshold campaign contribution limits, the Commissioner of General Services shall notify the business professional entity that it has exceeded the campaign contribution limits as provided for in this local law. The professional business entity will have thirty (30) calendar days to cure the defect by requesting that the excess contributions be returned immediately. Proof of receipt of the return of such excess contributions must be submitted to the Commissioner of General Services. Failure to provide such proof shall result in the Commissioner of General Services rejecting the professional business entity's proposal or applications.

Section 7. Individual or Entity "Doing Business with the County of Orange" Database.

The County Executive's office shall, on a bi-annual basis, in January and July, compile a list of names, based on the County's records, listing those professional business entities doing business with the County of Orange, as of those months, with this list being made available for public viewing in the office of the Orange County Commissioner of General Services.

Section 8. Exemption.

The contribution limitations specified in this Local Law do not apply to:

- vii. contracts that must be awarded to the lowest bidder pursuant to New York State Law;
- viii. (a). contracts between the County and Early Intervention and/or pre-school special education providers that are not subject to the Request for Proposal Process under the Orange County Procurement Policy and that the County is required to enter into pursuant to state Law;

(b). Contracts between the County and individuals, including parents, legal guardians and/or their designees for transporting children to Early Intervention and/or pre-school special education services.

- ix. Procurement authorized by NYS General Municipal Law ("GML") § 103(3) (goods and services through another New York county's contract), GML § 104 (goods and services through NYS Office of General Services contracts, and GML § 103(16) (certain goods and services through another government's contracts, "piggybacking")
- x. contracts awarded to Preferred Sources or as authorized in Section 162 of the State Finance Law, as amended from time to time;
- xi. to sole or single source providers; and
- xii. contracts awarded as emergency contracts when the public exigency requires the immediate emergency services as determined by General Municipal Law, Executive Order or Resolution in accordance with Orange County Procurement Policy Part VIII.

Section 9. Violations/Penalty.

- (a) A professional business entity that files a false sworn Contributions Statement will have its Contract with Orange County declared null and void and will be disqualified from being awarded any contract with the County for a period of four years from the date of the filing of the false sworn Contributions Statement and the matter shall be referred to the Orange County District Attorney for prosecution.
- (b) The professional business entity shall have a continuing duty to report any violations of this law that may occur during the negotiation, proposal process or duration of a contract. Any professional business entity who violates Section 3 of this local law shall be in material breach of the terms of the Contract, and the County Attorney shall seek damages against the professional business entity as provided for in said Contract.
- (c) Any professional business entity who violates Section 3 of this local law shall be disqualified from eligibility for the submission of proposals or applications for future Contracts for a period of four calendar years from the date of such violation.

Section 10. Incorporation by Reference.

The regulatory and penalty provisions of this local law shall be incorporated by reference into the Orange County Procurement Policy and all Orange County Contracts as defined in Section 2 (c) of this local law.

Section 11. Severability

If any provision of this Local Law is held invalid, such invalidity shall not affect the remaining provisions of the Local Law which shall remain effective absent the invalid provision, and to this end, the provisions of the Local Law are declared to be severable.

Section 12. 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.

Local Law No. 3 of 2014 was passed on, May 1, 2014 by the following roll call vote:

Ayes: 16
Noes: 5
Absent: 0

Action by the County Executive: Memo received on 5/22/14 stating that the County Executive will neither be signing nor vetoing Local Law No. 3 of 2014

Filed with the Secretary of State: June 3, 2014

Effective: June 3, 2014

LOCAL LAW NO. 4 OF 2014

A LOCAL LAW RE-ESTABLISHING THE BOUNDARIES AND REAPPORTIONING THE POPULATION OF THE TWENTY-ONE LEGISLATIVE DISTRICTS OF ORANGE COUNTY AS ORIGINALLY CREATED BY LOCAL LAW NO. 7 OF THE YEAR 1968, AND AMENDED FROM TIME TO TIME VIA A NEW PLAN OF REAPPORTIONMENT IN ACCORDANCE WITH THE 2010 DECENNIAL CENSUS, SECTION 2.19 OF THE ORANGE COUNTY ADMINISTRATIVE CODE AND UNITED STATES DISTRICT COURT ORDER DATED JUNE 14, 2013 (13 CIV. 3018).

Be it enacted by the County Legislature of the County of Orange as follows:

Section 1. Legislative Findings. This Local Law is adopted pursuant to the authority contained in Section 10 of subdivision 1(a)(13) of the Municipal Home Rule Law of the State of New York. Local Law No. 7 of 1968 adopted by the former Orange County Board of Supervisors created a County Legislature for the County of Orange consisting of twenty-one legislative districts. Said local law prescribed the territorial boundaries of said legislative districts and each of said districts were substantially equal in population. Section 2.19 of the Orange County Administrative Code (Local Law No. 10 of 1969) provides in pertinent part that "the Orange County Legislature shall prepare and approve a plan of reapportionment following each federal decennial census of the County of Orange."

Each local law, to wit: Local Law No. 7 of 1968, Local Law No. 1 of 1973, Local Law No. 7 of 1984, Local Law No. 3 of 1993 and Local Law No. 2 of 2005 redefined the boundaries of the twenty-one legislative districts in order to accommodate changes in population reflected by the applicable decennial census (1970, 1980, 1990 and 2000, respectively) and to adjust those boundaries so that the legislative districts would be substantially equal in population and would be in compliance with constitutional requirements.

The 2010 decennial census reveals, once again, that the twenty-one legislative districts of the County of Orange no longer contain substantially equal populations. It is intended by this local law that the apportionment and districting provided for herein, result in the creation of legislative districts which are substantially equal in population and are in compliance with constitutional requirements.

By Court Order dated June 14, 2013 (*Molina v. County of Orange* - 13 Civ. 3018), the Honorable Edgardo Ramos of the United States District Court for the Southern District of New York, established new legislative districts based upon the Findings and Recommendations Report dated June 3, 2013 and supplemented on June 13, 2013 of Court Appointed Special Master Carmen Beauchamp Ciparick, all in accordance with the 2010 decennial census.

Section 2. This Legislature adopts the new legislative districts established under said Court Order (*Molina V. County of Orange* – 13 Civ. 3018) by this local law.

Section 3. Local Law No. 2 of 2005 is hereby repealed.

Section 4. County legislative districts shall be composed of the areas within the geographical boundaries described herein and the numbered election districts of the several towns and city wards, or other territories, as the case may be and numbered and described as set forth in the attached Schedule "A" incorporated herein.

Section 5. All references to city wards and election districts shall relate to the city wards and election districts of either the City of Newburgh, the City of Middletown or the City of Port Jervis. All references to towns and town election districts shall relate to the towns and town election districts as they existed on February 15, 2013. All references to the United States Military Reservation shall relate to said military reservation as it existed on February 15, 2013.

Section 6. The County legislative districts of the County of Orange, as existing immediately before the time this local law takes effect, shall continue to be the County legislative districts of the County of Orange until the expiration of the terms of the Legislators then in office, except for the purpose of an election of Legislators for full terms beginning at such expiration.

Section 7. For the purpose of filling vacancies occurring other than by expiration of term in the offices of County Legislators elected at the general election in two thousand and thirteen (2013), the County legislative districts of the County of Orange, as existing immediately before the time this local law takes effect, shall continue to be the County legislative districts of the County of Orange.

Section 8. This local law shall take effect immediately and shall be subject to a permissive referendum in accordance with the provisions of paragraph "j" of subdivision 2. of Section 24 of the Municipal Home Rule Law.

Schedule "A"

Proposed Legislative Districts—Descriptions

Proposed District 1

All that area lying within the Village of Kiryas Joel, the Town of Monroe, the Town of Woodbury and the Village of Woodbury contained within the following described boundaries:

Beginning at the intersection of NYS Route 17/Interstate 86 and New York State Route 32 in the Town and Village of Woodbury and continuing northerly along NYS Route 32 to its intersection with Roselawn Road; thence westerly and northwesterly along Roselawn Road to its intersection with County Route 105; thence southwesterly along County Route 105 to its intersection with the Town of Monroe/Town and Village of Woodbury boundary; thence northerly and northwesterly along the Town boundary to its intersection with Schunnemunk Road in the Town and Village of Woodbury and Forest Road in the Village of Kiryas Joel; thence southerly along Forest Road to its intersection with Mountain Road; thence northwesterly along Mountain Road to its intersection with County Route 44; thence northeasterly along County Route 44 to its intersection with the Town of Monroe/Town and Village of Woodbury boundary; thence northwesterly along the Town boundary to its nearest point of intersection with the Village of Kiryas Joel boundary; thence southwesterly, southeasterly, and southwesterly along the Village of Kiryas Joel/Town of Monroe boundary to its intersection

with Mezabish Road; thence in a straight line in a southwesterly direction for 918 feet to the Village of Kiryas Joel/Town of Monroe boundary; thence continuing in a southwesterly and then a southeasterly direction along the Village of Kiryas Joel/Town of Monroe boundary to the point approximately 88 feet northwest of County Route 105 where the Village/Town boundary turns to the northeast; thence southwesterly in a continuation of that Village/Town boundary line for 120 feet to its intersection with NYS Route 17/Interstate 86; thence southeasterly along Interstate 86/NYS Route 17 to the point of beginning.

Election Districts Town of Monroe 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35 and Town of Woodbury 3.

District 2

All that area lying within the Town of Greenville, City of Middletown, Town of Mount Hope, Village of Otisville, Town of Wallkill and Town of Wawayanda contained within the following described boundaries:

Beginning at the intersection of the Town of Greenville/Town of Minisink boundary with the New York/New Jersey state line and continuing northeasterly along the Town of Greenville/Town of Minisink boundary and then southeasterly along the Town of Minisink/Town of Wawayanda boundary to its intersection with Ridgebury Road; thence northeasterly along Ridgebury Road to its intersection with Guinea Hill Road; thence southeasterly and northeasterly along Guinea Hill Road to its intersection with County Route 12; thence northeasterly along County Route 12 to its intersection with Post Road; thence westerly along Post Road to its intersection with Ridgebury Road; thence southwesterly along Ridgebury Road to its intersection with Ridgebury Hill Road; thence northwesterly along Ridgebury Hill Road to its intersection with US Route 6; thence northerly along US Route 6 to its intersection with Hoops Road; thence northerly along Hoops Road to its intersection with Interstate 84; thence westerly along Route 84 to the point where it is crossed by County Route 49; thence northeasterly along County Route 49 to its intersection with the City of Middletown/Town of Wawayanda boundary; thence easterly, southerly, easterly and northerly along the City of Middletown/Town of Wawayanda boundary to its intersection with State Route 17M; thence northerly along State Route 17M to its intersection with County Route 78; thence westerly along County Route 78 for approximately 565 feet; thence northeasterly for approximately 860 feet along the boundary of Tax Parcel 54-1-5 to the intersection of Webb Road and Overlook Drive; thence southeasterly along Webb Road to its intersection with State Route 17M; thence northerly along State Route 17M for approximately 1200 feet; thence northwesterly for 730 feet along the property line of Tax Parcel 48-1-8 to the Town of Wallkill/City of Middletown line; thence northeasterly, westerly, northwesterly and westerly along the Town of Wallkill/City of Middletown boundary to its point of intersection with County Route 78 and Pilgrim Corners Road; thence westerly along Pilgrim Corners Road to its intersection with the Town of Wallkill/Town of Mount Hope boundary; thence northeasterly along the Town of Wallkill/Town of Mount Hope boundary to an abandoned railroad bed approximately 0.1 miles north of the intersection of State Route 211 and the Town of Mount Hope/Town of Wallkill boundary; thence westerly along the abandoned railroad bed for 0.4 miles to its intersection with Carboy Road; thence westerly along Carboy Road to its intersection with Shoddy Hollow Road; thence westerly along Shoddy Hollow Road to its intersection with State Route 211 and the Village of Otisville/Town of Mount Hope boundary; thence continuing northerly, westerly, and southerly along the Village of Otisville/Town of Mount Hope boundary to its intersection with State Route 211; thence continuing westerly along State Route 211 to its intersection with the Town of Deerpark/Town of Mount Hope boundary; thence southerly along the Town of Deerpark/Town of Mount Hope and Town of Deerpark/Town of Greenville boundaries to the intersection of the Town of Deerpark/Town of Greenville boundary with the New York/New Jersey state line; thence easterly along the New York/New Jersey state line to the point of beginning.

Election Districts Town of Greenville 1, 2, 3, 4; City of Middletown 4-5, 4-6, 4-7; Town of Mount Hope 1, 3, 4; Town of Walkkill 4-4; and Town of Wawayanda 3, 5, 6.

District 3

All that area lying within the Village of Florida, Town of Minisink, Town of Warwick and Town of Wawayanda contained within the following described boundaries:

Beginning at the New York/New Jersey state line at its intersection with Brady Road and running northerly along Brady Road to its intersection with the Village of Warwick/Town of Warwick boundary; thence northerly and westerly along the western boundary of the Village of Warwick to its intersection with County Route 1B; thence westerly along County Route 1B to its intersection with County Route 41; thence northerly along County Route 41 to its intersection with Sargent Road; thence easterly along Sargent Road to its intersection with Jessup Road; thence northerly along Jessup Road to its intersection with Taylor Road; thence easterly along Taylor Road to its intersection with State Route 17A and the southern boundary between the Village of Florida and Town of Warwick; thence northerly along State Route 17A to its intersection with the northern boundary of Village of Florida Tax Parcel 113-4-16; thence easterly along the northern boundary of Tax Parcel 113-4-16 to its intersection with the southeast corner of Village of Florida Tax Parcel 113-4-3; thence northerly along the eastern boundary of Tax Parcel 113-4-3 to its intersection with the southern boundary of Village of Florida Tax Parcel 111-2-16; thence easterly along the southern boundary of Tax Parcel 111-2-16 to its intersection with the Village of Florida/Town of Warwick boundary; thence northerly and easterly along the eastern boundary of the Village of Florida/Town of Warwick to its intersection with the Town of Goshen/Town of Warwick boundary; thence westerly along the Town of Goshen/Town of Warwick boundary to its intersection with the Town of Wawayanda boundary; thence northerly along the Town of Goshen/Town of Wawayanda boundary to its intersection with County Route 37; thence westerly on County Route 37 to its intersection with County Route 12; thence southerly on Route 12 to its intersection with Guinea Hill Road; thence westerly on Guinea Hill Road to its intersection with Ridgebury Road; thence southeasterly on Ridgebury Road to its intersection with the Town of Wawayanda/Town of Minisink boundary; thence westerly along the Town of Wawayanda/Town of Minisink boundary to its intersection with the Town of Greenville boundary; thence southwesterly along the Town of Greenville/Town of Minisink boundary to its intersection with the New York/New Jersey state line; thence southeasterly along the New York/New Jersey state line to the point of beginning.

Election Districts Town of Minisink 1, 2, 3, 4; Town of Warwick 1, 2, 3, 4, 15, 17, 20, 23, 24, 28, 30; Town of Wawayanda 1

District 4

All that area lying within the City of Newburgh and Town of Newburgh within the following described boundary:

Beginning at the county boundary of Orange County and Dutchess County where it meets the municipal boundary between the City of Newburgh and the Town of New Windsor and running northward along the county boundary to a point in the Town of Newburgh east of the intersection of Commonwealth Avenue and the New York Central Lines Railroad (CSX) right-of-way; thence west to said intersection; thence west and north along Commonwealth Avenue to its intersection with Balmville Road; thence north along Balmville Road to its intersection with Fostertown Road; thence west along Fostertown Road to its intersection with US Highway 9W; thence west and northwest along County Route 86 to its intersection with Brewer Road; thence west along Brewer Road to the northwest corner of Town of Newburgh parcel Section 43, Block 3, Lot 3;

thence south along the western boundary of said tax parcel to its intersection with Town of Newburgh Section 78; thence south along the western boundary of said Section to its intersection with the northwest corner of Town of Newburgh parcel Section 77, Block 9, Lot 9; thence southwest and south along the northwestern and western boundaries of said tax parcel until its intersection with Chestnut Lane; thence south along the eastern boundaries of Town of Newburgh parcels Section 77, Block 10, Lots 2, 25, 24, 23, 22, 21, 20, 19, 18, and 17 to the intersection with Town of Newburgh Section 76; thence south along the eastern boundary of Town of Newburgh Section 76 to its intersection with State Route 32; thence southeast along State Route 32 to its intersection with US Route 9W; thence south along US Route 9W to its intersection with North Plank Road; thence east along North Plank Road and continuing east along North Street to its intersection with Powell Avenue; thence south along Powell Avenue and continuing south along Dubois Street until its intersection with Third Street; thence west along Third Street until its intersection with City Terrace; thence south along City Terrace until its intersection with Broadway; thence east along Broadway and continuing east along State Route 17K until its intersection with NYS Route 32; thence southwest on NYS Route 32 to its intersection with South William Street; thence east on South William Street to its intersection with Mill Street; thence south on Mill Street to its intersection with the City of Newburgh/Town of New Windsor boundary; thence east along the City/Town boundary to the point of beginning.

Election Districts City of Newburgh 1-1, 1-2, 1-3, 1-4, 2-1, 2-2, 4-1 and Town of Newburgh 1, 2.

Proposed District 5

All that area lying within the Town of Blooming Grove, the Village of Kiryas Joel, the Town of Monroe, the Village of South Blooming Grove and the Town and Village of Woodbury contained within the following described boundary:

Beginning at the point of intersection of the Town of Blooming Grove, Town of Chester, and Town of Monroe boundaries and running northeasterly along the Town of Blooming Grove/Town of Monroe boundary to its intersection with Orange and Rockland Road; thence southeasterly along Orange and Rockland Road to its intersection with NYS Route 208; thence southerly along NYS Route 208 to its intersection with the Town of Monroe/Village of Monroe boundary; thence easterly, southeasterly and southerly along the Town/Village boundary the point where it turns to the west, approximately 45 feet north of County Route 105; thence continuing the line of the Village boundary southerly for 45 feet to its intersection with County Route 105; thence northeasterly along County Route 105 to its intersection with NYS Route 17/Interstate 86; thence northwesterly for approximately 88 feet to the continuation of the Village of Kiryas Joel boundary that is roughly parallel to County Route 105; thence northeasterly along that line to the Village of Kiryas Joel/Town of Monroe boundary; thence northwesterly and north-northeasterly along the Kiryas Joel/Town of Monroe boundary to the point where it turns northwesterly approximately 1,238 feet south of County Route 44; thence continuing north-northeasterly in a straight line for approximately 918 feet through the Village of Kiryas Joel to the boundary between the Village and the Town of Monroe; thence northeasterly, northwesterly, northeasterly, southeasterly, southwesterly and southeasterly along the Village of Kiryas Joel/Town of Monroe boundary to its intersection with Forest Road; thence northerly along Forest Road to its intersection with the Town of Monroe/Town and Village of Woodbury boundary; thence southeasterly and southerly along the Town of Monroe/Town and Village of Woodbury boundary to its intersection with County Route 105; thence northeasterly along County Route 105 to its intersection with Roselawn Road; thence easterly along Roselawn Road to its intersection with NYS Route 32; thence southeasterly along NYS Route 32 to its intersection with Smith Clove Road; thence northeasterly along Smith Clove Road for approximately 1,107 feet; thence continuing northerly and northeasterly along the centerline of the original right-of-way for

Interstate 87 as recorded by the Orange County Division of Real Property to its intersection with the Town of Cornwall/Town and Village of Woodbury boundary; thence northwesterly along the Town of Cornwall/Town and Village of Woodbury boundary to its intersection with the Town of Cornwall/Town of Blooming Grove boundary; thence southwesterly along the Town of Blooming Grove/Town and Village of Woodbury boundary to its point of intersection with the east corner of the parcel identified as Town of Blooming Grove Tax Parcel 41-1-1.13; thence north-northwesterly along the property boundary to the point where the property access Orchard Lake Drive; thence northerly along Orchard Lake Drive to its intersection with County Route 27; thence westerly along County Route 27 to its intersection with Round Hill Road; thence northwesterly along Round Hill Road to its intersection with NYS Route 208; thence northerly along NYS Route 208 to its intersection with the Village of Washingtonville/Town of Blooming Grove boundary; thence northerly, westerly, northerly, easterly and northerly along the Village of Washingtonville/Town of Blooming Grove boundary to its intersection with the Town of Blooming Grove/Town of New Windsor boundary; thence westerly along the Town of Blooming Grove/Town of New Windsor boundary to its intersection with the Town of Hamptonburgh boundary; thence southerly and southwesterly along the Town of Blooming Grove/Town of Hamptonburgh boundary to its intersection with Hulsetown Road; thence southerly along Hulsetown Road to its intersection with Cherry Hill Road; thence easterly along Cherry Hill Road to its intersection with a Con Edison power line; thence southerly along the Con Edison power line to its intersection with an abandoned railroad bed; thence westerly along the abandoned railroad bed to its intersection with the western boundary of Town of Blooming Grove Tax Parcel 14-1-20.2; thence southeasterly and easterly along the western and southern boundaries of Tax Parcel 14-1-20.2 to its intersection with Old Dominion Road; thence southeasterly along Old Dominion Road to its intersection with NYS Route 94; thence westerly along NYS Route 94 to its intersection with the abandoned railroad bed; thence southwesterly along the abandoned railroad bed to its intersection with the Town of Chester/Town of Blooming Grove boundary; thence southeasterly along the Town of Chester/Town of Blooming Grove boundary to the point of beginning.

Election Districts Town of Blooming Grove 1, 4, 6, 7, 9, 15, 16; Town of Monroe 18, 20, 21, 31; Town of Woodbury 4, 5, 6, 7, 10.

District 6

All that area lying within the Town of Newburgh and the City of Newburgh contained within the following described boundaries:

Beginning on the southern municipal boundary of the City of Newburgh at its intersection with Mill Street and continuing west and north to follow the southern and western municipal boundary of the Town of Newburgh to its intersection with Interstate 84; thence east and northeast along Interstate 84 to its intersection with State Route 17K; thence northwest along State Route 17K to its intersection with Lakeside Road; thence northeast and north along Lakeside Road to its intersection with Patton Road; thence east along Patton Road to its intersection with the southern boundary of Town of Newburgh tax parcel Section 102, Block 10, Lot 1; thence east along the southern boundary of said tax parcel until its intersection with Meadow Hill Road; thence east along Meadow Hill Road until its intersection with Fletcher Drive North; thence south along Fletcher Drive North to its intersection with Interstate 84; thence east along Interstate 84 to its intersection with NYS Route 52; thence north and northwest along NYS Route 52 to its intersection with Powder Mill Road; thence northeast along Powder Mill Road to its intersection with Gardnertown Road; thence east and north along Gardnertown Road to its intersection with NYS Route 32; thence northwest along NYS Route 32 to its intersection with Hy Vue Drive; thence north along Hy Vue Drive to its intersection with Gail Place; thence north along Gail Place to its intersection with Vermont Drive; thence east along Vermont Drive to its

intersection with Maine Drive; thence north along Maine Drive to its intersection with Kentucky Drive; thence northeast along Kentucky Drive until its intersection with Brewer Road; thence east along Brewer to the northwest corner of Town of Newburgh parcel Section 43, Block 3, Lot 3; thence south along the western boundary of said tax parcel to its intersection with Town of Newburgh Section 78; thence south along the western boundary of said Section to its intersection with the northwest corner of Town of Newburgh parcel Section 77, Block 9, Lot 9; thence southwest and south along the northwestern and western boundaries of said tax parcel until its intersection with Chestnut Lane; thence south along the eastern boundaries of Town of Newburgh parcels Section 77, Block 10, Lots 2, 25, 24, 23, 22, 21, 20, 19, 18, and 17 to the intersection with Town of Newburgh Section 76; thence south along the eastern boundary of Town of Newburgh Section 76 to its intersection with State Route 32; thence southeast along State Route 32 to its intersection with US Route 9W; thence south along US Route 9W to its intersection with North Plank Road; thence east along North Plank Road and continuing east along North Street to its intersection with Powell Avenue; thence south along Powell Avenue and continuing south along Dubois Street until its intersection with Third Street; thence west along Third Street until its intersection with City Terrace; thence south along City Terrace until its intersection with Broadway; thence west along Broadway and continuing west along State Route 17K until its intersection with NYS Route 32; thence southwest on NYS Route 32 to its intersection with South William Street; thence east on South William Street to its intersection with Mill Street; thence south to the point of beginning.

Election Districts Town of Newburgh 3, 4, 5 and 6; City of Newburgh 3-1, 3-2, 3-3, 3-4, 4-2, 4-3, 4-4, and 4-5.

Proposed District 7

All that area lying within the Town of Monroe contained within the following boundary:

Beginning at the intersection of the Town of Monroe/Town of Warwick boundary with the Town of Tuxedo boundary and running easterly along the Town of Monroe/Town of Tuxedo boundary to its intersection with the Town and Village of Woodbury; thence northerly along the Town and Village of Woodbury/Town of Monroe boundary to its intersection with the Village of Harriman boundary; thence southwesterly, southeasterly, northeasterly, southeasterly and northeasterly along the Village of Harriman/Town of Monroe boundary to its intersection with the Town of Monroe/Town and Village of Woodbury boundary; thence northerly along the Town of Monroe/Town and Village of Woodbury boundary to its intersection with NYS Route 17/Interstate 86; thence northwesterly along NYS Route 17/Interstate 86 to its intersection with County Route 105; thence southwesterly along County Route 105 to a point located 150 feet west of the point where County Route 40 merges with County Route 105 and 44 feet south of the Town of Monroe/Village of Monroe boundary; thence northerly between this point and the Town of Monroe/Village of Monroe boundary and continuing northerly and northwesterly along the Town of Monroe/Village of Monroe boundary to its intersection with Orange and Rockland Road; thence northwesterly along Orange and Rockland Road to its intersection with the Town of Monroe/Town of Blooming Grove boundary; thence southwesterly along the Town of Monroe/Town of Blooming Grove boundary to its intersection with the Town of Chester boundary; thence southerly and southwesterly along the Town of Monroe/Town of Chester boundary to its intersection with the Town of Warwick boundary; thence southerly along the Town of Monroe/Town of Warwick boundary to the point of beginning.

Election Districts Town of Monroe 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17 and 19.

District 8

All that area within the Village of Greenwood Lake, the Town of Tuxedo, the Village of Tuxedo Park, the Town of Warwick and the Village of Warwick contained within the following described boundaries:

Beginning at the point of intersection of the New York/New Jersey state boundary and the Orange/Rockland County boundary and continuing northeasterly along the Orange/Rockland County boundary to its intersection with the Town of Tuxedo/Town and Village of Woodbury boundary; thence northwesterly and westerly along the Town of Tuxedo/Town and Village of Woodbury boundary to its intersection with the boundary of the Town of Monroe; thence westerly along the Town of Monroe/Town of Tuxedo boundary to its intersection with the Town of Warwick boundary; thence northerly along the Town of Monroe/Town of Warwick boundary to its intersection with the southernmost point of the Town of Chester; thence northwesterly along the Town of Chester/Town of Warwick boundary for 2,500 feet; thence southwestwardly in a straight line for 12,850 feet to the center point of the switchback curve on State Route 17A; thence southerly and westerly along State Route 17A to its intersection with Kain Road; thence northerly and northwesterly along Kain Road to its intersection with Bellvale Lakes Road; thence westerly along Bellvale Lakes Road to its intersection with Iron Forge Road; thence southerly along Iron Forge Road to its intersection with State Route 17A; thence westerly along State Route 17A to its intersection with the Town of Warwick/Village of Warwick boundary at Ketchum Road; thence following the Town of Warwick/Village of Warwick boundary to the west, north, southwest and southeast to its intersection with Brady Road on the southern boundary of the Village; thence southerly along Brady Road to its intersection with the New York/New Jersey state line; thence southeasterly along the New York/ New Jersey state line to the point of beginning.

Election Districts Town of Tuxedo 1, 2, 3, 4; Town of Warwick 5, 7, 8, 10, 11, 13, 14, 16, 18, 19, 21, 22, 25, and 31.

Proposed District 9

All that area lying within the Town of Montgomery, the Village of Montgomery, the Village of Maybrook, and the Town of Wallkill contained within the following described boundaries:

Beginning at the intersection of the Town of Wallkill/Town of Goshen boundary at the point where it meets the Town of Hamptonburgh boundary and proceeding northerly and easterly along the Town of Wallkill/Town of Hamptonburgh line and then proceeding easterly and southerly along the Town of Hamptonburgh/Town of Montgomery line to the easternmost boundary of the Village of Maybrook; thence continuing northerly and westerly along the eastern and northern Village of Maybrook/Town of Montgomery boundary to its intersection with State Route 208; thence northerly along State Route 208 to its intersection with the Village of Walden/Town of Montgomery boundary; thence westerly and northerly along the Village of Walden/Town of Montgomery boundary to its intersection with the Wallkill River; thence northerly along the Wallkill River for 1,800 feet to its intersection with Tin Brook; thence northeasterly from the intersection for 560 feet to the centerpoint of the curve of State Route 208; thence continuing north on State Route 208 to the Orange/Ulster County boundary; thence westerly along the Orange/Ulster County boundary to the Town of Crawford/Town of Montgomery boundary; thence southerly along the Town of Crawford/Town of Montgomery boundary to its intersection with the Town of Wallkill boundary; thence westerly along the Town of Wallkill/Town of Crawford boundary to its intersection with County Route 47; thence southerly along County Route 47 to its intersection with County Route 101; thence across County Route 101 and continuing southerly along County Route 63 to its intersection with State Route 211; thence across State Route 211 and continuing southerly along Ballard Road to its intersection with Crystal Run Road; thence southwestwardly along Crystal Run Road to

its point of crossing with State Route 17/Interstate 86; thence continuing northwesterly along State Route 17/Interstate 86 to the point of crossing by the Orange and Rockland Utility line; thence westerly and southwesterly along the Orange and Rockland utility line to the southwestern corner of the Town of Wallkill Tax Parcel 77-7-28; thence proceeding southeasterly along the southern boundary of Tax Parcel 77-7-28 to its intersection with Schutt Road; thence continuing southwesterly along Schutt Road to its intersection with the Town of Wallkill/Town of Wawayanda municipal boundary; thence continuing easterly along the Town of Wallkill/Town of Wawayanda boundary to the point of beginning.

Election Districts Town of Montgomery 1, 2, 3, 11, 12, 13, 15, 16, 18 and Town of Wallkill 1-4, 1-5, 1-6, 2-2, 2-3, 2-7, 3-6.

Proposed District 10

All that area within the Town of Chester, the Village of Chester, the Town of Warwick and the Village of Florida contained within the following described boundaries:

Beginning at the intersection of the municipal boundaries of the Town of Chester, the Town of Monroe, and the Town of Warwick, and continuing northwest along the municipal boundary between the Town of Chester and the Town of Warwick for 2,500 feet; thence southwest in a straight line for 12,850 feet to the center point of the switchback curve on State Route 17A; thence south and west along State Route 17A to its intersection with Kain Road; thence north and northwest along Kain Road to its intersection with Bellvale Lakes Road; thence west along Bellvale Lakes Road to its intersection with Iron Forge Road; thence south along Iron Forge Road to its intersection with State Route 17A; thence west along State Route 17A to its intersection with the municipal boundary between the Town of Warwick and the Village of Warwick at Ketchum Road; thence following the said municipal boundary to the west, north, southwest and southeast until its intersection with County Route 1B; thence northwest along County Route 1B until its intersection with County Route 41; thence northeast along County Route 41 until its intersection with Sargent Road; thence east along Sargent Road until its intersection with Jessup Road; thence north and northeast along Jessup Road until its intersection with Taylor Road; thence east along Taylor Road until its intersection with Old Ridge Road; thence northeast along Old Ridge Road until its intersection with the municipal boundary between the Town of Warwick and the Village of Florida at State Route 17A; thence north along the said municipal boundary and State Route 17A until its intersection with the northwest corner of Village of Florida parcel Section 113, Block 4, Lot 16; thence east along the northern boundary of the said tax parcel until its intersection with the municipal boundary between the Village of Florida and the Town of Warwick; thence north along the said municipal boundary until its intersection with the southern corner of Village of Warwick parcel Section 123, Block 1, Lot 1; thence north and east along the western boundary of said tax parcel until its intersection with the municipal boundary between the Village of Florida and the Town of Warwick; thence north and east along the said municipal boundary until its intersection with the municipal boundary of the Town of Goshen; thence southeast along the municipal boundary between the Town of Goshen and the Town of Warwick until its intersection with the municipal boundary of the Town of Chester; thence northeast and east along the municipal boundary between the Town of Chester and the Town of Goshen until its intersection with the municipal boundary of the Town of Blooming Grove; thence south along the municipal boundary between the Town of Blooming Grove and the Town of Chester until its intersection with the municipal boundary of the Town of Monroe; thence south along the municipal boundary between the Town of Chester and the Town of Monroe back to the point of beginning.

Election Districts: Town of Chester 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12; Town of Warwick 6, 9, 12, 26, 27, 29.

District 11

All that area lying within the Town of Hamptonburgh, Town of New Windsor, Town of Blooming Grove, Village of Maybrook, and the Village of Washingtonville contained within the following described boundaries:

Beginning at the intersection of State Route 416 and the northern municipal boundary of the Town of Hamptonburgh and continuing southeast along the Town of Hamptonburgh municipal boundary, including the parts of the Village of Maybrook geographically inside the Town of Hamptonburgh, continuing southeast until the Town of New Windsor municipal boundary; thence northeast and east along the Town of New Windsor municipal boundary until a point 1,300 feet before the intersection with Perimeter Road; thence continuing south along Perimeter Road and its extended centerline until the intersection with Brooks Street; thence south along the western boundary of Town of New Windsor parcel Section 91, Block 1, Lot 9 until the intersection with International Boulevard; thence south along the Jackson Avenue right-of-way until it's intersection with the eastern boundary of the Catskill Aqueduct upon Town of New Windsor parcel Section 2, Block 1, Lot 32; thence continuing south through said parcel to the northeast corner of Town of New Windsor parcel Section 32, Block 2, Lot 4; thence continuing southeast through said parcel towards and until the intersection of State Route 207 and Jackson Avenue; thence east along State Route 207 until its intersection with Mt. Airy Road; thence south along Mt. Airy Road until its intersection with Bethlehem Road; thence south along Bethlehem Road until its intersection with Jackson Avenue; thence south along Jackson Avenue until its intersection with the municipal boundary of the Town of New Windsor and the Town of Cornwall; thence west along said boundary until its intersection with the Town of Blooming Grove municipal boundary; thence south along said boundary until its intersection with County Route 27; thence northwest along County Route 27 until its intersection with Woodcock Mountain Road; thence west and southwest along Woodcock Mountain Road until its intersection with State Route 208; thence north along State Route 208 until its intersection with the Village of Washingtonville municipal boundary; thence west and north along said boundary until its co-alignment with State Route 208 and continuing west and north to follow the municipal boundary until its intersection with the Town of New Windsor municipal boundary; thence west along said boundary until its intersection with the Town of Hamptonburgh municipal boundary; thence continuing along said boundary until the point of beginning.

Election Districts: Town of Hamptonburgh 1, 2, 3, 4, 5; Town of New Windsor 5, 16, 20, 21; Town of Blooming Grove 3, 5, 10, 11, 12, 14.

District 12

All that area lying within the Town of Blooming Grove, the Town of Cornwall, and the Town of New Windsor contained within the following described boundaries:

Beginning at the intersection of the municipal boundaries of the Town of Blooming Grove, the Town of Cornwall, and the Town of New Windsor, and continuing east along the Town of Cornwall municipal boundary to its intersection with Jackson Avenue; thence north along Jackson Avenue until its intersection with Bethlehem Road; thence north along Bethlehem Road until its intersection with Mt. Airy Road; thence east along Mt. Airy Road until its intersection with the Central Hudson Gas & Electric utility right-of-way; thence east along said right-of-way until its intersection with Riley Road; thence south and southwest along Riley Road until its intersection with Dean Hill Road; thence west and northwest along Dean Hill Road until its

intersection with Mt. Airy Road; thence south along Mt. Airy Road until its intersection with the Town of Cornwall municipal boundary; thence east along said boundary until its intersection with the county boundary of Orange County and Dutchess County; thence south along said boundary until its intersection with the municipal boundary of the Town of Highlands; thence southwest along said boundary until its intersection with the municipal boundary of the Town of Woodbury; thence northwest along said boundary to its intersection with the municipal boundary of the Town of Blooming Grove; thence southwest along said boundary until the extended centerline of the unnamed tributary of the Moodna Creek; thence northwest along said stream centerline until its intersection with Orchard Lake Drive; thence north along Orchard Lake Drive until its intersection with County Route 27; thence west along County Route 27 until its intersection with Round Hill Road; thence northwest along Round Hill Road until its intersection with State Route 208; thence north along State Route 208 until its intersection with Woodcock Mountain Road; thence east and northeast along Woodcock Mountain Road until its intersection with County Route 27; thence south along County Route 27 until its intersection with the municipal boundary of the Town of Cornwall; thence north along said boundary to the point of beginning.

Election Districts: Town of Blooming Grove 8, 13; Town of Cornwall 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14; and Town of New Windsor 19.

District 13

All that area lying within the City of Port Jervis, Town of Deerpark and the Town of Mount Hope contained within the following described boundaries:

Beginning at the intersection of the boundary of the Town of Deerpark /Town of Greenville along the New York/New Jersey state line north-northeasterly along the Town of Deerpark/Town of Greenville boundary and continuing north-northeasterly along the Town of Deerpark/Town of Mount Hope boundary to the intersection of the Town of Deerpark boundary and State Route 211; thence continuing easterly along Route 211 to its intersection with the Village of Otisville/Town of Mount Hope boundary; thence continuing northerly, easterly, and southerly along the Village of Otisville/Town of Mount Hope boundary to its intersection with State Route 211 and Shoddy Hollow Road; thence continuing easterly along Shoddy Hollow Road to its intersection with Carboy Road; thence following Carboy Road easterly to its point of intersection with Little Shawangunk Kill; thence continuing east-northeasterly along an abandoned railroad bed for 0.4 miles to a point approximately 0.1 miles north of the intersection of State Route 211 and the Town of Mount Hope/Town of Wallkill boundary; thence north-northeasterly and westerly along the Town of Mount Hope/Town of Wallkill boundary; thence westerly along the Orange/Sullivan County boundary to its intersection with the New York/Pennsylvania state line; thence southerly and southeasterly along the New York/Pennsylvania state line to its intersection with the New York/New Jersey state line; thence southeasterly along the New York/New Jersey state line to the point of beginning.

Election Districts: Town of Deerpark 1, 2, 3, 4, 5, 6, 7, Town of Mount Hope 2 and City of Port Jervis 1-1, 1-2, 2-1, 2-2, 3-1, 3-2, 4-1, and 4-2.

Proposed District 14

All that area lying within the Village of Harriman, Village of Highland Falls, Town of Highlands, and Town of Woodbury contained within the following described boundaries:

Beginning at a point where the municipal boundary between the Town of Cornwall and the Town of Highlands intersects with the county boundary between Orange County and Putnam County, and continuing south along the Orange County boundary until its intersection with the municipal boundary of the Town of Tuxedo; thence northwest, southwest and west along the municipal boundary between the Town of Tuxedo and the Town of Woodbury until its intersection with the municipal boundary of the Town of Monroe; thence north along the municipal boundary between the Town of Monroe and the Town of Woodbury and following the said municipal boundary through its first intersection with the municipal boundary of the Village of Harriman until its second intersection with the municipal boundary of the Village of Harriman; thence southwest along the said municipal boundary and continuing southwest along its extended centerline to the intersection with Silver Maples Drive; thence southeast along Silver Maples Drive and continuing southeast until its intersection with the eastern corner of Village of Harriman parcel Section 106, Block 3, Lot 13; thence southwest along the eastern boundary of the said tax parcel until its intersection with the municipal boundary between the Village of Harriman and the Town of Monroe; thence west, southwest, northeast, northwest, and east along the municipal boundary of the Village of Harriman until its intersection with the municipal boundary between the Town of Monroe and the Town of Woodbury; thence northwest along the said municipal boundary until its intersection with State Route 17; thence east along State Route 17 until its intersection with State Route 32; thence north along State Route 32 until its intersection with the municipal boundary between the Town of Cornwall and the Town of Woodbury; thence southeast along the said municipal boundary until its intersection with the municipal boundary of the Town of Highlands; thence northeast along the municipal boundary between the Town of Cornwall and the Town of Highlands until the point of beginning.

Election Districts: Town of Highlands 1, 2, 3, 4, 5, 6; Town of Monroe 8, 9; and Town of Woodbury 1, 2, 8, 9.

District 15

All that area lying within the Town of New Windsor contained within the following described boundaries:

Beginning at a point where the municipal boundary between the Town of New Windsor and the Town of Cornwall intersects with the Hudson River, continuing northward to the municipal boundary of the City of Newburgh, thence continuing westward along the said municipal boundary until a point 1,300 feet after the intersection with Perimeter Road; thence continuing south along Perimeter Road and its extended centerline until the intersection with Brooks Street; thence south along the western boundary of Town of New Windsor parcel Section 91, Block 1, Lot 9 until the intersection with International Boulevard; thence south along the Jackson Avenue right-of-way until its intersection with the eastern boundary of the Catskill Aqueduct upon Town of New Windsor parcel Section 2, Block 1, Lot 32; thence continuing south through said parcel to the northeast corner of Town of New Windsor parcel Section 32, Block 2, Lot 4; thence continuing southeast through said parcel towards and until the intersection of State Route 207 and Jackson Avenue; thence east along State Route 207 until its intersection with Mt. Airy Road; thence south along Mt. Airy Road until its intersection with Bethlehem Road; thence east and southeast along Mt. Airy Road until its intersection with the Central Hudson Gas & Electric utility right-of-way; thence east along said right-of-way until its intersection with Riley Road; thence south and southwest along Riley Road until its intersection with Dean Hill Road; thence west and northwest along Dean Hill Road until its intersection with Mt. Airy Road; thence south along Mt. Airy Road until its intersection with the Town of Cornwall municipal boundary; thence east along said boundary until the point of beginning.

Election Districts: Town of New Windsor 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, and 18

District 16

All that area lying within the Town of Newburgh and the Town of Montgomery contained within the following described boundaries:

Beginning at a point in the Town of Newburgh where Commonwealth Avenue intersects with the New York Central Lines Railroad (CSX) right-of-way, and continuing eastward into the Hudson River until the county boundary between Orange County and Dutchess County; thence continuing northward and northeastward along the Orange County Boundary to its intersection with the Ulster County Boundary; thence continuing westward, northwestward, and northward along and following the said boundary until its intersection with State Route 208; thence continuing southward and eastward along State Route 208 until its intersection with Lake Osiris Road; thence continuing eastward and southeastward along Lake Osiris Road until its intersection with County Route 85; thence crossing County Route 85 and continuing southeastward and southward along St. Andrews Road until its intersection with State Route 52; thence continuing southeastward along State Route 52 until its intersection with the municipal boundary between the Town of Montgomery and the Town of Newburgh; thence continuing northward along the said municipal boundary until a point approximately 800 feet prior to the apex of the municipal boundary and continuing eastward and northeastward to County Route 23; thence continuing northward along County Route 23 to the northwestern corner of the parcel of real property identified on the Town of Newburgh tax map as section 28, block 1, lot 6; thence continuing eastward along the northern boundary of the said tax parcel until its terminus at the western shoreline of Orange Lake; thence continuing southward along and following said shoreline until its intersection by Pine Point Road; thence continuing northward and southward to encompass the entire parcel of real property identified on the Town of Newburgh tax map as section 47, block 1, lot 24; thence continuing southward to the southeastern corner of the said tax parcel and continuing southward at the intersection with the easternmost corner of the parcel of real property identified on the Town of Newburgh tax map as section 47, block 1, lot 23.2; thence continuing southward until its intersection with NYS Route 52; thence continuing eastward along NYS Route 52 until the intersection with Old South Plank Road; thence continuing northward and eastward along Old South Plank Road until its intersection with NYS Route 52; thence continuing along and following NYS Route 52 until its intersection with NYS Route 300; thence continuing northward along NYS Route 300 until its intersection with Plattekill Turnpike; thence continuing southeastward along Plattekill Turnpike until its intersection with Gardnertown Road; thence continuing southeastward along Gardnertown Road until its terminus at and intersection and with Gidneytown Road; thence continuing northward along Gidneytown Road until its intersection with NYS Route 52; thence continuing eastward and southward along NYS Route 300; thence continuing northward along NYS Route 300 until its intersection with Hy Vue Drive; thence continuing northward and eastward along Hy Vue Drive until its intersection with Gail Place; thence continuing northward along Gail Place until its terminus at and intersection with Vermont Drive; thence continuing eastward along Vermont Drive until its intersection with Maine Court; thence continuing northward along Maine Court until its intersection with Kentucky Drive; thence continuing northeastward along Kentucky Drive until its terminus at and intersection with Brewer Road; thence continuing eastward along Brewer Road until its terminus at and intersection with County Route 86; thence continuing southeastward along County Route 86 until its terminus at and intersection with US Route 9W; thence continuing across US Route 9W and eastward and southeastward along Fostertown Road until its intersection with Balmville Road; thence continuing southward along Balmville Road until its intersection with

Commonwealth Avenue; thence continuing southeastward along Commonwealth Avenue back to the point of beginning.

Election Districts: Town of Montgomery 10, and Town of Newburgh 8, 12, 13, 14, 15, 16, 17, 18, 19, 21, 24, 25.

Proposed District 17

All that area lying within the Town of Montgomery, the Town of Newburgh, and the Village of Walden contained within the following described boundaries:

Beginning at a point where the municipal boundaries of the Town of New Windsor, the Town of Montgomery and the Town of Hamptonburgh intersect, continuing northwestward along the Town of Hamptonburgh municipal boundary, thence continuing northward and westward along and following the Village of Maybook municipal boundary until its intersection with NYS Route 208, thence continuing northward along NYS Route 208 until its intersection with the Village of Walden municipal boundary, thence continuing westward, northward, and northeastward along and following the Village of Walden municipal boundary until its second intersection with the Wallkill River; thence continuing northward along the Wallkill River until its parallel intersection with NYS Route 208, thence continuing eastward along NYS Route 208 until its intersection with Lake Osiris Road, thence continuing eastward along Lake Osiris Road until its intersection with County Route 85, thence continuing eastward and southeastward along St. Andrews Road until its intersection with NYS Route 52, thence continuing southeastward along NYS Route 52 until its intersection with the municipal boundary between the Town of Montgomery and the Town of Newburgh, thence continuing north along the said municipal boundary until a point approximately 800 feet prior to the apex of the municipal boundary and continuing eastward and northeastward to County Route 23, thence continuing northward along County Route 23 to the northwestern corner of the parcel of real property identified on the Town of Newburgh tax map as section 28, block 1, lot 6, thence continuing eastward along the northern boundary of the said tax parcel until its terminus at the western shoreline of Orange Lake, thence continuing southward along and following said shoreline until its intersection by Pine Point Road, thence continuing northward and southward to encompass the entire parcel of real property identified on the Town of Newburgh tax map as section 47, block 1, lot 24, thence continuing southward to the southeastern corner of the said tax parcel and continuing southward at the intersection with the easternmost corner of the parcel of real property identified on the Town of Newburgh tax map as section 47, block 1, lot 23.2, thence continuing southward until its intersection with NYS Route 52, thence continuing eastward along NYS Route 52 until the intersection with Old South Plank Road, thence continuing northward and eastward along Old South Plank Road until its intersection with NYS Route 52, thence continuing along and following NYS Route 52 until its intersection with NYS Route 300, thence continuing northward along NYS Route 300 until its intersection with Plattekill Turnpike, thence continuing southeastward along Plattekill Turnpike until its intersection with Gardnertown Road, thence continuing southeastward along Gardnertown Road until its intersection with Powder Mill Road, thence continuing southwestward along Powder Mill Road until its intersection with NYS Route 52, thence continuing southeastward along NYS Route 52 to its intersection with the centerline of Interstate 84, thence continuing westward along the centerline of Interstate 84 until its intersection with Fletcher Drive North, thence continuing northward along Fletcher Drive North until its intersection with Meadow Hill Road, thence continuing westward along Meadow Hill Road until its intersection with the southern boundary of the parcel of real property identified on the Town of Newburgh tax map as Section 102, Block 10, Lot 1; thence westward along the southern boundary of said tax parcel until its intersection with Patton Road; thence westward along

Patton Road until its intersection with Lakeside Road; thence continuing southward and southwestward along Lakeside Road until its intersection with NYS Route 17K, thence continuing southeastward along NYS Route 17K until its intersection with Interstate 84, thence continuing westward along Interstate 84 until its intersection with the municipal boundary between the Town of Montgomery and the Town of Newburgh, thence continuing southward along the said municipal boundary until its intersection with the Town of New Windsor municipal boundary, thence continuing westward, southwestward and southward along the said municipal boundary back to the point of beginning.

Election Districts: Town of Montgomery 4, 5, 6, 7, 8, 9, 14, 17; Town of Newburgh 7, 9, 10, 11, 20, 22, 23, 26.

Proposed District 18

All that area lying within the Town of Crawford and the Town of Wallkill contained within the following described boundaries:

Beginning at the Town of Wallkill/City of Middletown boundary at its point of intersection with County Route 78 and Pilgrim Corners Road and continuing along the northern boundary of the City of Middletown to its point of intersection with an abandoned railroad bed at Industrial Place Extension; thence continuing north-northwesterly along the abandoned railroad bed to its intersection with Bisch Road; thence continuing northeasterly along Bisch Road to its intersection with O'Brian Road; thence easterly along O'Brian Road to its terminus at Interstate 86/State Route 17; thence across Interstate 86/State Route 17 to Connors Road and northeasterly along Connors Road to its intersection with County Route 101; thence northerly along County Route 101 to its intersection with Cross Road; thence easterly along Cross Road to its intersection with County Route 47; thence northeasterly along County Route 47 to its intersection with the Town of Crawford/Town of Wallkill boundary; thence southeasterly along the Town of Crawford/Town of Wallkill boundary to its intersection with the Town of Crawford/Town of Montgomery boundary; thence northerly along the Town of Crawford/Town of Montgomery boundary to its intersection with the Orange/Ulster County boundary; thence westerly, northerly, westerly and southerly along the Orange/Ulster County boundary to its intersection with the Orange/Sullivan County boundary; thence southerly along the Orange/Sullivan County boundary to its intersection with the Town of Wallkill/Town of Mount Hope boundary; thence easterly and southerly along the Town of Mount Hope/Town of Wallkill boundary to its intersection with Pilgrim Corners Road; thence westerly along Pilgrim Corners Road to the point of beginning.

Election Districts Town of Crawford 1, 2, 3, 4, 5, 6, 7, 8 and Town of Wallkill 1-1, 1-2, 1-3, 1-7, 4-1, 4-2, 4-3, and 4-5.

Proposed District 19

All that area lying within the City of Middletown and the Town of Wallkill contained within the following described boundaries:

Beginning at the intersection of Schutt Road with the Town of Wallkill/Town of Wawayanda municipal boundary and continuing northeasterly along Schutt Road to its intersection with the southeast corner of the Town of Wallkill Tax Parcel 77-7-28; thence proceeding northwesterly along the southern boundary of Tax Parcel 77-7-28 to its intersection with the Orange and Rockland utility line; thence continuing northeasterly and easterly along the utility line to the point where it crosses Interstate 86/State Route 17; thence continuing southeasterly along State Route 17/Interstate 86 to its crossing by Crystal Run Road; thence

northeasterly along Crystal Run Road to its intersection with Ballard Road; thence northerly along Ballard Road to its intersection with State Route 211; thence across State Route 211 and continuing north along County Route 63 to its intersection with County Route 101 and County Route 47; thence northerly from the intersection of County Route 101 and County Route 47 along County Route 47 to its intersection with Cross Road; thence westerly along Cross Road to its intersection with County Route 101; thence southerly along County Route 101 to its intersection with Connors Road; thence continuing southerly along Connors Road across the right of way for Interstate 86/State Route 17 to O'Brian Road; thence westerly along O'Brian Road to its intersection with Bisch Road; thence southwesterly along Bisch Road to its intersection with an abandoned railroad bed; thence southerly along the abandoned railroad bed to its intersection with the Town of Wallkill/City of Middletown boundary at Industrial Place Extension; thence following the City of Middletown/Town of Wallkill boundary to the west, north, west, south and west to its intersection with State Route 17M; thence southwesterly along State Route 17M to its intersection with East Main Street; thence easterly along East Main Street to its intersection with the Town of Wallkill/City of Middletown boundary; thence southerly along the Town of Wallkill/City of Middletown boundary to its intersection with the Town of Wallkill/Town of Wawayanda boundary; thence easterly along the Town of Wallkill/Town of Wawayanda boundary to the point of beginning.

Election Districts City of Middletown 1-1, 1-2, 1-3, 1-4, 1-5, 1-6, and Town of Wallkill 2-1, 2-4, 2-5, 2-6, 3-1, 3-2, 3-3, 3-4, 3-5, and 3-7.

Proposed District 20

All that area lying within the City of Middletown contained within the following described boundaries:

Beginning at the southernmost intersection of State Route 17M and the Town of Wawayanda/City of Middletown boundary and proceeding easterly and northeasterly along the Town of Wawayanda/City of Middletown boundary to its intersection with the Town of Wallkill/City of Middletown boundary; thence continuing northeasterly, easterly and northerly along the Town of Wallkill/City of Middletown boundary to its intersection with East Main Street; thence continuing westerly along East Main Street until its intersection with North Street, also known as State Route 17M; thence continuing northeasterly along State Route 17M to its intersection with the Town of Wallkill/City of Middletown boundary; thence continuing westerly, southerly, easterly and southwesterly along the boundary of the City of Middletown/Town of Wallkill to its intersection with the westernmost corner of Tax Parcel 48-1-8; thence continuing southeasterly for 730 feet along the property line of Tax Parcel 48-1-8 to its intersection with State Route 17M; thence southerly along State Route 17M to its intersection with Webb Road; thence northwesterly along Webb Road to its intersection with Overlook Place; thence southeasterly for approximately 860 feet along the western boundary of Tax Parcel 54-1-5 to its intersection with County Route 78; thence easterly along County Route 78 to its intersection with State Route 17M; thence southerly along State Route 17M to the point of beginning.

Election Districts City of Middletown 2-1, 2-2, 2-3, 2-4, 2-5 2-6, 2-7, 3-1, 3-2, 3-3, 3-4, 3-5, 4-1, 4-2, 4-3 and 4-4.

Proposed District 21

All that area lying within the Town of Blooming Grove, the Town of Goshen, the Village of Goshen, and the Town of Wawayanda contained within the following described boundaries:

Beginning at the intersection of the municipal boundaries of the Town of Chester, the Town of Warwick and the Town of Goshen and proceeding northeasterly along the Town of Chester/Town of Goshen boundary; thence southeasterly along the Town of Chester/Town of Blooming Grove boundary to its intersection with an

abandoned railroad bed approximately 2,060 feet south of the intersection of the Town of Chester/Town of Blooming Grove boundary with State Route 94; thence northeasterly along the abandoned railroad bed to its intersection with State Route 94; thence easterly along State Route 94 to its intersection with Old Dominion Road; thence northwesterly along Old Dominion Road to the southern boundary of Town of Blooming Grove Tax Parcel 14-1-20.2, thence westerly and northwesterly along the southern and western boundary of Tax Parcel 14-1-20.2 until the boundary intersects an abandoned railroad bed; thence easterly along the abandoned railroad bed until its crossing by a Con Edison power line; thence north-northeasterly along the Con Edison power line until its crossing with Cherry Hill Road; thence northwesterly along Cherry Hill Road to its intersection with Hulsetown Road; thence northerly along Hulsetown Road to its intersection with the Town of Blooming Grove/Town of Hamptonburgh boundary; thence southwesterly along the Town of Blooming Grove/Town of Hamptonburgh boundary and southwesterly, northwesterly and westerly along the Town of Hamptonburgh/Town of Goshen boundary to its intersection with the Town of Goshen/Town of Wallkill boundary; thence westerly along the Town of Goshen/Town of Wallkill boundary and the Town of Wallkill/Town of Wawayanda boundary until it meets the City of Middletown boundary; thence southerly and westerly along the Town of Wawayanda/City of Middletown boundary to its intersection with County Route 49; thence southwesterly along County Route 49 to the point where it crosses Interstate 84; thence easterly along Interstate 84 to the terminus point of Hoops Road; thence southerly along Hoops Road to its intersection with US Route 6; thence southwesterly along US Route 6 to its intersection with Ridgebury Hill Road; thence southeasterly along Ridgebury Hill Road to its intersection with Ridgebury Road; thence northeasterly along Ridgebury Road to its intersection with Post Road; thence easterly along Post Road to its intersection with County Route 12; thence northeasterly along County Route 12 to its intersection with County Route 37; thence southeasterly along County Route 37 to its intersection with the Town of Goshen/Town of Wawayanda boundary; thence southwesterly and southeasterly along the Town of Wawayanda/Town of Goshen boundary to its intersection with the Town of Warwick boundary; thence easterly along the Town of Goshen/Town of Warwick boundary to the point of beginning.

Election Districts Town of Blooming Grove 2, Town of Goshen 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and Town of Wawayanda 2, 4.

Local Law No. 4 of 2014 was passed on, July 2, 2014 by the following roll call vote:

Ayes: 21
Noes: 0
Absent: 0

Approved by the County Executive: July 30, 2014

Filed with the Secretary of State: September 26, 2014

Effective: September 26, 2014

LOCAL LAW NO. 5 OF 2014

**A LOCAL LAW AMENDING LOCAL LAW NO. 13 OF 2013 (AS PREVIOUSLY AMENDED)
KNOWN AS THE "PAY-TO-PLAY LOCAL LAW."**

Section 1. This Legislature does wish to amend Local Law No. 13 of 2013 (as

previously amended) to provide uniformity to campaign contribution limits for county elected officials.

Section 2. Local Law No. 13 of 2013 is hereby amended and restated as follows:

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

WHEREAS, large political contributions from those seeking or currently performing business with the County ("Pay-to-Play"), may raise concerns on the part of taxpayers and residents as to their trust in government contracts; and

WHEREAS, it has become common for some individuals or entities to make substantial political contributions to those holding elective County office who are ultimately responsible for awarding contracts for County business; and

WHEREAS, it is important to foster public confidence in governmental operations by preventing any actual, or even any perception of, corruption; and

WHEREAS, the Orange County Legislature sets forth a policy to set maximum dollar amounts that professional business entities may contribute politically, beyond which they become ineligible to receive a public contract from the County of Orange.

NOW THEREFORE,

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

Section 1. Title.

This Local Law shall be known by and may be cited as the "Pay-to-Play Local Law".

Section 2. Definitions.

The terms listed below shall have the following meanings for purposes of this local law:

- (a) "County" means the County of Orange or any department, board, executive division, institution, office, branch, bureau, commission, agency, legislature or other division or part thereof.
- (b) "County elected official" means the County Executive, a County Legislator, the County Clerk, the District Attorney or the Sheriff.
- (c) "Contract" for purposes of this local law means any agreement or contract, including any amendment or modification thereto with the County of Orange as defined in this Section 2 (a) for:
 - (i) the rendition of any services or work;
 - (iv) the sale or lease of any land or building except for real property acquired by the County via a tax sale or tax foreclosure procedure pursuant to Article 10 or Article 11 of the New York State Real Property Tax Law;
 - (iii) a grant, loan or loan guarantee;

For purposes of this local law, the term "Contract" excludes Project Labor

Agreements and exempt contracts set forth in Section 8 herein.

(d) "Professional Business Entity" means an individual, person, firm, corporation, professional corporation, partnership, organization, union, or association in the rendering of any work contracted through the County. The definition of a professional business entity includes all principals who own 10% or more of the equity in the corporation or business trust, partners, officers in the aggregate, as well as any subsidiaries directly controlled by the Professional Business Entity. The term Professional Business Entity does not include a political subdivision of the State of New York (i.e., municipalities), school districts, state and/or federal governments.

(e) "In-kind contributions" shall include:

Goods and services offered free of charge;
Goods and services offered at less than the usual and normal charge;
Payments by a third party for goods and services rendered to a candidate or political committee.

The value of a particular in-kind gift is determined as follows:

Goods: (such as equipment supplies, facilities and mailing lists) are valued at their normal purchase or rental price.

Services (such as advertising, printing or consulting) are valued at the prevailing commercial rate at the time the services are rendered (i.e., the amount that was paid or would have been paid for the services).

Discounts are valued at the amount discounted (i.e., the difference between the usual and normal charge and the amount paid)

Section 3. Campaign Contribution Limits.

A. No professional business entity who contracts with the County of Orange or its boards shall make a monetary or in-kind contribution to:

- a) An individual holding the position of Orange County Legislator or is a candidate for said position if that contract must be approved or voted on by such individual; or
- d) A committee controlled by such individual, in an amount not to exceed \$250.00 per calendar year, but in the event the professional business entity does not contribute annually to the individual or committee as described above, then the amount that a professional business entity may contribute shall not exceed \$1,000.00 during the four-year term of office.

B. No professional business entity who contracts with the County of Orange or its boards shall make a monetary or in-kind contribution to:

- a) An individual holding the position of Orange County Executive, Orange County Clerk, Orange County District Attorney or Orange County Sheriff or is a candidate for said position if that contract must be approved or voted on by such individual; or

- d) A committee controlled by such individual, in an amount not to exceed \$1,000.00 per calendar year, but in the event the professional business entity does not contribute annually to the individual or committee as described above, then the amount that a professional business entity may contribute shall not exceed \$4,000.00 during the four-year term of office.

Section 4. Campaign Contributions Made prior to the Effective Date.

No contribution or money or any other thing of value, including in-kind contributions, made by a professional business entity to those individuals or entities set forth in Section 3 shall be deemed a violation of this section, or be disqualified thereby, if that contribution was made by the professional business entity prior to the effective date of this local law. The disclosure requirements shall not apply to contracts awarded subsequent to the effective date if the solicitation and/or renewal process was initiated prior to the effective date of this local law.

Section 5. Contribution Statement by Professional Business Entity.

Prior to the awarding of a Contract, the Orange County Department of General Services shall receive a sworn statement from the professional business entity under penalty of perjury that the entity has not made a campaign contribution in violation of Section 3 of this local law during the four (4) years preceding such sworn statement.

The professional business entity under penalty of perjury will make the statement that it has not knowingly made a contribution in violation of the local law hereof, during the four (4) years preceding such sworn statement, and has not made or solicited contributions through intermediaries, third parties, or immediate relatives for the purpose of concealing the source of the contribution during that same four (4) year time period.

Section 6. Review of NYS Board of Elections Disclosure Statements.

Prior to the award of a contract, the Commissioner of General Services or his or her designee shall review the New York State Disclosure Statements filed by County Elected Officials and candidates for such offices for the past four (4) calendar years to determine whether the business entity has contributed to such individual's campaign in an amount in excess of the campaign contribution limits set forth in Section 3 of this local law. In the event it is found that such professional business entity has exceeded the threshold campaign contribution limits, the Commissioner of General Services shall notify the business professional entity that it has exceeded the campaign contribution limits as provided for in this local law. The professional business entity will have thirty (30) calendar days to cure the defect by requesting that the excess contributions be returned immediately. Proof of receipt of the return of such excess contributions must be submitted to the Commissioner of General Services. Failure to provide such proof shall result in the Commissioner of General Services rejecting the professional business entity's proposal or applications.

Section 7. Individual or Entity "Doing Business with the County of Orange" Database.

The County Executive's office shall, on a bi-annual basis, in January and July, compile a list of names, based on the County's records, listing those professional business entities doing business with the County of Orange, as of those months, with this list being made available for public viewing in the office of the Orange County Commissioner of General Services.

Section 8. Exemption.

The contribution limitations specified in this Local Law do not apply **professional business entities when:**

- xiii. such contract is awarded to the lowest bidder pursuant to New York State Law;
- xiv. (a). **such contract is** between the County and Early Intervention and/or pre-school special education providers that are not subject to the Request for Proposal Process under the Orange County Procurement Policy and that the County is required to enter into pursuant to state Law;

(b). **such Contract is** between the County and individuals, including parents, legal guardians and/or their designees for transporting children to Early Intervention and/or pre-school special education services.
- xv. procurement **is** authorized by NYS General Municipal Law ("GML") § 103(3) (goods and services through another New York county's contract), GML § 104 (goods and services through NYS Office of General Services contracts, and GML § 103(16) (certain goods and services through another government's contracts, "piggybacking")
- xvi. **such contract is** awarded to Preferred Sources or as authorized in Section 162 of the State Finance Law, as amended from time to time;
- xvii. **the Contract is with a** sole or single source provider;
- xviii. **the contract is awarded to a contractor of another unit of government such as the United States of America, New York State, another County, a Town, City, or Village, or group of such other units of government, which is passing through funds of such other unit(s) of government or acting on behalf of such other unit of government;** and
- xix. contracts awarded as emergency contracts when the public exigency requires the immediate emergency services as determined by General Municipal Law, Executive Order or Resolution in accordance with Orange County Procurement Policy Part VIII.

Section 9. Violations/Penalty.

- (a) A professional business entity that files a false sworn Contributions Statement will have its Contract with Orange County declared null and void and will be disqualified from being awarded any contract with the County for a period of four years from the date of the filing of the false sworn Contributions Statement and the matter shall be referred to the Orange County District Attorney for prosecution.
- (b) The professional business entity shall have a continuing duty to report any violations of this law that may occur during the negotiation, proposal process or duration of a contract. Any professional business entity who violates Section 3 of this local law shall be in material breach of the terms of the Contract, and the County Attorney shall seek damages against the professional business entity as provided for in said Contract.

- (c) Any professional business entity who violates Section 3 of this local law shall be disqualified from eligibility for the submission of proposals or applications for future Contracts for a period of four calendar years from the date of such violation.

Section 10. Incorporation by Reference.

The regulatory and penalty provisions of this local law shall be incorporated by reference into the Orange County Procurement Policy and all Orange County Contracts as defined in Section 2 (c) of this local law.

Section 11. Severability

If any provision of this Local Law is held invalid, such invalidity shall not affect the remaining provisions of the Local Law which shall remain effective absent the invalid provision, and to this end, the provisions of the Local Law are declared to be severable.

Section 12. 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.

Local Law No. 5 of 2014 was passed on, September 4, 2014 by the following roll call vote:

Ayes: 20
Noes: 1
Absent: 0

Approved by the County Executive: September 24, 2014

Filed with the Secretary of State: November 18, 2014

Effective: November 18, 2014

LOCAL LAW NO. 6 OF 2014

A LOCAL LAW AMENDING LOCAL LAW NO. 10 OF 2009 AND FIXING THE COMPENSATION FOR THE SHERIFF OF ORANGE COUNTY, PURSUANT TO SECTION 201 OF THE N.Y.S. COUNTY LAW.

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

Section 1. The annual compensation for the Sheriff of Orange County, without reference to other provisions of law, is hereby established for the years indicated as follows:

2015	\$ 119,988
2016	\$ 119,988

2017 \$ 119,988

2018 \$ 123,588

Section 2. The rate of annual compensation for the Sheriff of Orange County, as increased pursuant to Section 1 hereof, shall commence as of January 1 of each year, respectively.

Section 3. 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.

Local Law No. 6 of 2014 was passed on, September 4, 2014 by the following roll call vote:

Ayes: 11

Noes: 10

Absent: 0

Approved by the County Executive: September 24, 2014

Filed with the Secretary of State: November 18, 2014

Effective: November 18, 2014