



**Mary Ellen Rogulski, Chairman • Edward A. Diana, Vice Chairman • James DiSalvo, Second Vice Chairman  
Stephen Brescia, Secretary • Michael Gaydos, Assistant Secretary • Robert J. Schreiber, Sr. • John McCarey  
Laurie Villasuso, Chief Executive Officer • Vincent Cozzolino, Managing Director • Melanie Schouten, Chief Operating Officer  
Kevin Dowd, Attorney • Russell E. Gaenzle, Harris Beach • Edward Januszkiewicz, Chief Financial Officer**

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## Agenda

Due to the COVID-19 public health crisis, this meeting will be held via video conference.  
To watch the livestream, please visit our website: [www.ocnyida.com](http://www.ocnyida.com)

PLEASE TAKE NOTICE, The Orange County Funding Corporation will hold a regularly scheduled meeting on August 13, 2020 immediately following the Orange County Industrial Development Agency meeting to consider and/or act upon the following:

### Order of Business

- **Roll Call**
- **Approval of the minutes from July 9, 2020 meeting**
- **Financial Reports and/or Requests for Payments**
- **Other Board Business**
- **Adjournment**

Dated: August 6, 2020

Stephen Brescia, Secretary

By: Laurie Villasuso, Chief Executive Officer

ORANGE COUNTY FUNDING CORPORATION

MINUTES

July 9, 2020

A regular meeting of the Orange County Funding Corporation was convened in session on July 9, 2020 at 3:31 P.M. via Zoom video conference.

Chairman Rogulski calls to order the regular meeting of the Orange County Funding Corporation, July 9, 2020. The Board consists of six members. There is a quorum. Upon roll call, the following were:

PRESENT: Mary Ellen Rogulski, Edward Diana, James DiSalvo, Stephen Brescia, Michael Gaydos, John McCarey

ABSENT: Robert Schreibeis

ALSO PRESENT: Laurie Villasuso – Chief Executive Officer  
Vincent Cozzolino – Managing Director  
Melanie Schouten – Chief Operating Officer  
Edward Januszkiewicz – Chief Financial Officer  
Kevin Dowd – IDA Attorney  
Russell Gaenzle – Harris Beach  
Dean Brady – Tech Management

Minutes

Review of the June 11, 2020 meeting minutes. Motion made by Mr. Brescia, seconded by Mr. Diana, approving the minutes. Motion carries with all in favor.

Financial Reports and/or Requests for Payment

Mr. Januszkiewicz lost internet connection. Chairman Rogulski gives the Financial Report.

Chairman Rogulski states that the balance in the bank account is \$1,378,369.

Chairman Rogulski reviews the income and expense summary, noting that the income YTD balance is \$2,142 and YTD expenses are \$106,574, with expenses exceeding revenues by \$104,432. Some OCFC Small Business Resiliency Loan recipients have begun to pay back their loans. Repayment is not due until December 2020.

Chairman Rogulski asks for a motion to approve the vouchers and payments in the amount of \$392.30 for July. Motion made by Mr. Brescia, seconded by Mr. Diana, that the Board accept the financial reports authorizing OCFC payments and vouchers. Open for discussion. Affirmative votes of all members present results in motion carried.

Resolution

Concerned Citizens for the Hudson Valley (Goshen- Case Cemetery)

Mr. Diana informs the Board that the Governance Committee reviewed a \$1,200 Expenditure Request from the Concerned Citizens to remove some damaged trees from the historic Case Cemetery in the Town of Goshen. The Concerned Citizens have unsuccessfully been trying to have the Goshen Town Supervisor and Board fund this removal. The Town has been reluctant to get involved. The Committee supported the Expenditure Request.

Chairman Rogulski states that the applicant provided detailed information on the Case Cemetery and the headstones on the property. Some headstone date back to 1795. Many are from the 1800s. This is certainly an important site to preserve. The Concerned Citizens have contributed maintenance efforts at the cemetery, but just do not have the funds for the tree removal.

Motion made by Mr. Diana, seconded by Chairman Rogulski, authorizing a \$1,200 Project Expenditure to the Concerned Citizens for the Hudson Valley to directly support the removal of trees in the Case Cemetery in the Town of Goshen. Open for discussion. Affirmative votes of all members present results in motion carried.

### **Other Board Business**

No other Board business is presented at this time.

### **Adjournment**

With no further business, meeting called for adjournment by Chairman Rogulski, motion made by Mr. Gaydos, seconded by Mr. Brescia. Affirmative votes of all members present to adjourn at 3:39 p.m.

DRAFT

**Orange County Funding Corporation**  
 Banks Accounts/Certificates of Deposit/Money Markets Accounts  
 As of July 31, 2020

Bank	Account Type	Amount	% of total	rate
Chase Bank	Checking Account - operating	\$ 31,232	2%	-
Orange Bank & Trust Co	Certificates of Deposit (12/4/19 - 12/4/20)	\$ 1,025,500	77%	1.50%
Orange Bank & Trust Co	Money Market	\$ 279,270	21%	0.50%
	Total	<u>\$ 1,336,002</u>	<u>100%</u>	

**Orange County Funding Corporation  
Income and Expense Summary  
July 2020**

	Jul 2020	Y-T-D Jan - Jul '20	Budget	Over/(Under) over Budget
<b>Income</b>				
Closing Fees	\$ -	\$ -	\$ 100,000	\$ (100,000)
Interest Earnings	\$ 140	\$ 2,282	\$ 1,000	\$ 1,282
<b>Total Income</b>	<b>\$ 140</b>	<b>\$ 2,282</b>	<b>\$ 101,000</b>	<b>\$ (98,718)</b>
<b>Expenses</b>				
Admin and Professional Fees	\$ 88	\$ 3,027	\$ 5,000	\$ (1,973)
Auditor	\$ -	\$ -	\$ 6,000	\$ (6,000)
Bank Service Charges	\$ -	\$ 25	\$ -	\$ 25
Insurance Expense	\$ -	\$ 15,540	\$ 11,000	\$ 4,540
Legal	\$ 305	\$ 7,066	\$ 12,000	\$ (4,934)
Loan Program	\$ -	\$ -	\$ 85,000	\$ (85,000)
Loan Program Administration	\$ -	\$ 3,258	\$ 15,000	\$ (11,742)
<b>Total Loan Program</b>	<b>\$ -</b>	<b>\$ 3,258</b>	<b>\$ 100,000</b>	<b>\$ (96,742)</b>
Projects	\$ -	\$ 78,050	\$ 1,200,000	\$ (1,121,950)
<b>Total Expenses</b>	<b>\$ 392</b>	<b>\$ 106,966</b>	<b>\$ 1,334,000</b>	<b>\$ (1,227,034)</b>
<b>Income Over/(Under) Expenses</b>	<b>\$ (252)</b>	<b>\$ (104,684)</b>	<b>\$ (1,233,000)</b>	<b>\$ 1,128,316</b>

# Orange County Funding Corp.

August 2020

## Receipts

██████████	Loan Repayment	\$ 5,000.00
██████████	Loan Repayment	\$ 1,500.00
██████	Loan Repayment	\$ 1,000.00
<b>Grand Total</b>		<b>\$ 7,500.00</b>

## Vouchers & Payments

* <b>ABP International, Inc.</b>	PPE Project	\$ 49,614.73
<b>Arbor Valley Tree Inc</b>	Case Cemetery Project Expenditure (7/9/20)	\$ 1,200.00
<b>Kevin Dowd, Esq.</b>	July Legal Services	\$ 735.00
<b>UHY Advisors</b>	July Accounting Retainer	\$ 87.80
<b>Grand Total</b>		<b>\$ 51,637.53</b>

\* = Approved Prior

To: OCFC Board of Directors, Chief Executive Officer, Chief Operating Officer

From: Kevin Dowd, Local Counsel

RE: Care and Maintenance of Abandoned Cemeteries

At its July Meeting, the OCFC received and considered an application from the Concerned Citizens of the Hudson Valley (hereinafter "CCHV") for a \$1,200.00 grant to pay for the removal of dead trees at the Case Cemetery in the Town of Goshen. The Case Cemetery was a family burial plot that extends back into the late 18<sup>th</sup> century and over many years, has fallen into disrepair. The CCHV has, through volunteer efforts, cleaned up the cemetery and has inventoried the grave markers that still exist. The CCHV has approached the Goshen Town Board for a number of years requesting the Town to assume responsibilities for the care and maintenance of this cemetery but to no avail. The OCFC openly questioned whether the Town of Goshen has the legal responsibility to assume responsibility for the cemetery and asked me to research the issue and report back to it.

In performing my research, I reviewed the New York State Town Law and the Opinions of the Attorney General and State Comptroller. The only pertinent source I found was Town Law, Section 291 entitled "Burial Grounds." This section classifies cemeteries or burial grounds into three different types:

- 1) Every lot or piece of land used by the inhabitants of the town as a cemetery or burial ground for the space of 14 years, title shall vest in the town and be governed by the town board. In this type, the town board may adopt regulations for the proper care of the cemetery as well as regulating the burial of the dead therein. The Town Law imposes upon the town the obligation to remove grass and weeds at least 3 times a year and to erect and maintain a suitable fence or fences around such cemetery or burial ground.
- 2) Every cemetery or burial ground, by whomsoever owned, where control is not vested in the town or in trustees or other corporate body. In this type, the Town Law imposes upon the town board the obligation to provide for the removal of grass and weeds at least twice a year and to provide for the preservation, care and fencing of any such cemetery.
- 3) All cemeteries, other than private burial grounds, which are abandoned or not controlled by any existing board or body and in which there is no special fund or endowment to care for them. In this type, the Town Law imposes the obligation upon the town board to remove grass and weeds therefrom but does not state the frequency of such removal.

Regardless of the class of the cemetery or burial ground, it is clear that the care and maintenance

and removal of grass and weeds are a town charge. Interestingly, nothing is said about the removal of dead trees. One could reasonably infer that where the dead trees are in danger of damaging the fence or the grave markers that the town board would be obligated to remove them as well.