

The Legislature of Rockland County



ILAN S SCHOENBERGER
Legislator – District 4

Chair, Planning & Public Works Committee
Budget & Finance Committee

MINUTES
PLANNING & PUBLIC WORKS COMMITTEE
TUESDAY, FEBRUARY 23, 2016
7:00 P.M.

MEMBERS PRESENT

HON. I. SCHOENBERGER, CHAIR
HON. A. WOLFE, VC
HON. M. GRANT, 2ND VC
HON. C. CAREY
HON. A. PAUL

MEMBERS ABSENT

HON. N. LOW-HOGAN
HON. P. MORONEY

OTHERS PRESENT

HON. H. CORNELL
HON. T. EARL
HON. P. SOSKIN
HON. D. JOBSON
E. YEGER, ESQ.
R. GRUFFI
S. DEGROAT
J. CHEESEMAN
DR. HUSSAIN
D. PHILLIPS
HON. L. HOFSTEIN
HON. L. SANTULLI
HON. C. FALCIGLIA
HON. J. HOOD, JR.
L. INCARLCATARA
P. BRENNAN
D. BLOCK, ESQ
DR. C. WOOD
V. ALTIERI
J. WICKES

Chair Schoenberger called the meeting to order at 7:05 p.m.

MOTION TO ADOPT MINUTES OF 1/12/16 & 2/9/16

**MOTION TO ADOPT
WOLFE/GRANT**

UNAN

1PPW) REF.# 9302 CONFIRMING THE APPOINTMENT OF JOHN. WICKES,
AIRMONT, NY TO THE ROCKLAND COUNTY AGRICULTURAL AND
FARM PROTECTION BOARD (**EDWIN J. DAY, COUNTY
EXECUTIVE**) DL# 2016-00056

**MOTION TO APPROVE
WOLFE/SCHOENBERGER**

UNAN

ADDED SPONSORS: SCHOENBERGER, WOLFE, GRANT, PAUL, CORNELL, JOBSON

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2/23/16**

2PPW) REF. #6803/8973 APPROVING PURCHASES IN EXCESS OF \$100,000 FOR VARIOUS COUNTY DEPARTMENTS UNDER VARIOUS NEW YORK STATE OFFICE OF GENERAL SERVICES CONTRACTS FOR THE PERIOD JANUARY 1, 2016 THROUGH DECEMBER 31, 2016 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER [DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING].

**(PAUL J. BRENNAN, CPPO, DIRECTOR, DGS-PURCHASING)
DL#: 2016-00403**

**MOTION TO APPROVE
WOLFE/SCHOENBERGER**

**UNAN
TRANSFER TO B&F**

ADDED SPONSORS: SCHOENBERGER, WOLFE, GRANT, PAUL, JOBSON

3PPW) REF. #5337 - APPROVING RENOVATION AND CONSTRUCTION OF STUDENT UNION FOOD SERVICE AREA (ROCKLAND COMMUNITY COLLEGE) (\$110,000).

**(CLIFF L. WOOD, PRESIDENT, RCC)
DL#: 2016-00419**

Both Mr. Brennan and Mr. Gruffi stated they had no knowledge of the above project. Dr. Wood stated that most of the work would be handled by maintenance staff and that 2 additional contractors off the State list of approved contractor list.

DEFERRED

4PPW) REF. #6394 - APPROVING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF CLARKSTOWN FOR REIMBURSEMENT OF COSTS TO THE TOWN IN AN AMOUNT NOT TO EXCEED \$1,000,000 FOR DEMAREST KILL FLOOD MITIGATION PROJECT AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE CAPITAL PROJECT NO. 7114 [DRAINAGE AGENCY] (\$1,000,000).

**(CHARLES H. VEZZETTI, CHAIRMAN, DRAINAGE AGENCY)
DL#: 2016-00426**

**MOTION TO APPROVE AS AMENDED
CAREY/PAUL**

**UNAN
TRANSFER TO B&F**

ADDED SPONSORS: SCHOENBERGER, WOLFE, GRANT, PAUL, JOBSON

5PPW) REF. #1519 - APPROVING AN AMENDMENT TO AND EXTENSION OF AN AGREEMENT IN EXCESS OF \$100,000 WITH HARRIS BEACH, PLLC FOR LEGAL SERVICES IN CONNECTION WITH THE MATTER OF WEST GATE LANDSCAPING, INC. V. COUNTY OF ROCKLAND IN THE ADDITIONAL AMOUNT OF \$80,000 FOR A TOTAL SUM NOT TO EXCEED \$239,000 AND EXTENDING THE PERIOD FROM JANUARY 1, 2016 THROUGH DECEMBER 31, 2016 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF LAW] (\$239,000)
(THOMAS E. HUMBACH, COUNTY ATTORNEY, LAW DEPARTMENT)
DL#: 2016-00366

SEE ATTACHED STATEMENT FROM MR. JAMES CHEESEMAN, PRESIDENT WEST GATE LANDSCAPING , INC.

DEFERRED

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6PPW) REF. #7621 - SETTING A DATER FOR A PUBLIC HEARING WITH RESPECT TO THE ADOPTION OF A LOCAL LAW AUTHORIZING THE USE OF A BEST VALUE AWARD METHODOLOGY FOR PURCHASE CONTRACTS (INCLUDING CONTRACTS FOR SERVICE WORK, BUT EXCLUDING ANY PURCHASE CONTRACTS NECESSARY FOR THE COMPLETION OF A PUBIC WORKS CONTRACT PURSUANT TO ARTICLE EIGHT OF THE LABOR LAW) AS AUTHORIZED BY § 103 OF THE GENERAL MUNICIPAL LAW AND AS DEFINED IN § 163 OF THE STATE FINANCE LAW (DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING)
(PAUL J. BRENNAN, CPPO, DIRECTOR, DGS-PURCHASING)
DL#: 2015-03802

DEFERRED

ACTION:

1. COMMITTEE REQUESTED A WRITTEN OPINION FROM COUNTY ATTORNEY ON WHETHER OR NOT A PUBLIC HEARING IN A PREVIOUS LEGISLATIVE SESSION SURVIVES CHANGE IN MEMBERSHIP. MEANING IS A NEW PUBLIC HEARING REQUIRED?
2. COMMITTEE REQUESTED A WRITTEN OPINION FROM COUNTY ATTORNEY ON WHETHER A PROVISION REQUIRING LEGISLATIVE APPROVAL OF ALL BEST VALUE AWARDS EVEN UNDER \$100,000 VIOLATES CHARTER.

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7PPW) REF. #8390 - APPROVING PURCHASES IN EXCESS OF \$100,000 FROM DAN NOLAN INC., FOR BURIAL SERVICES AT GARY ONDERDONK VETERANS MEMORIAL CEMETERY ON THE GROUNDS OF ROCKLAND COMMUNITY COLLEGE, THE COUNTY SECTION OF HIGHVIEW CEMETERY IN NANUET, AND THE FREDERICK LOESCHER VETERANS MEMORIAL CEMETERY IN NEW HEMPSTEAD UNDER RFB-RC-2014-101 FOR A TOTAL AMOUNT NOT TO EXCEED \$230,000 FOR THE PERIOD JANUARY 16, 2015 THROUGH JUNE 30, 2016 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER [DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING] (\$230,000).
(PAUL J. BRENNAN, CPPO, DIRECTOR, DGS-PURCHASING)
DL#: 2015-05776

**MOTION TO APPROVE
WOLFE/CAREY**

**UNAN
TRANSFER TO B&F**

ADDED SPONSORS SCHOENBERGER, WOLFE, PAUL, JOBSON

8PPW) REF. # 5906 DISCUSSION: Sewer District (HON. C. FACILIGLIA,
LEGISLATOR)

- a. Condemnation by the Rockland County Sewer District resulting an an award by the Supreme Court, State of New York to the property owner in excess of \$8 million...(Last on our agenda on 6/30/15 at which time it was deferred)
- b. Request of Legislator Charles Falciglia for a Discussion concerning proposed amendments to the Sewer District (letter attached containing 10 items)
- c. Organization/reorganization

DISCUSSED

STAFF TO SET UP A MEETING BETWEEN BI-PARTISAN LEGISLATIVE LEADERSHIP AND COUNTY ATTORNEY

COUNSEL TO DRAFT RESOLUTION TO AUTHORIZE LITIGATION AGAINST NIXON PEABODY FOR MALPRACTICE

STAFF TO SEND A COPY OF LEG. FALCIGLIA'S RECOMMENDATIONS TO ALL LEGISLATORS AND COUNTY EXECUTIVE REQUESTING COMMENTS AND SUGGESTIONS TO SEWER DISTRICT LAW AND OVERSIGHT

ALL RECOMMENDATIONS AND SUGGESTIONS TO BE SENT TO LEG. FALCIGLIA AND CHAIR OF LEGISLATURE , WOLFE

SEE ATTACHED STATEMENT FROM LEG. FALCIGLIA

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ADDENDUM

1. REFERRAL NO. 5906 APPOINTING GEORGE HOEHMANN TO THE ROCKLAND COUNTY BOARD OF SEWER COMMISSIONERS AND REAPPOINTING HON. CHRISTOPHER ST. LAWRENCE AND HON. ANDREW STEWART-BY VIRTUE OF THEIR ELECTED OFFICES -TO ROCKLAND COUNTY BOARD OF SEWER COMMISSIONERS (**HONS. LON M. HOFSTEIN, ILAN S. SCHOENBERGER, LEGISLATURE**)

MOTION TO APPROVE
PAUL/CAREY

UNAN

ADDED CO-SPONSORS WOLFE, GRANT, PAUL, JOBSON

MOTION TO ADJOURN 8:35 P.M.
CAREY/WOLFE

UNAN

PPW22316AGNMZ