NOTICE OF MEETING

Notice is hereby given that the Legislature of Rockland County will meet in its Chambers in the Allison-Parris Office Building, New City, New York on Tuesday, March 4, 2014 at 7:00 P.M., pursuant to the adjournment of the February 18, 2014 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 27th day of February 2014

The Legislature of Rockland County convened in regular session pursuant to adjournment of the February 18, 2014 meeting.

A Roll Call being taken, the following Legislators were present and answered to their names:

Christopher J. Carey
Harriet D. Cornell
Toney L. Earl
Michael M. Grant
Douglas J. Jobson
Barry S. Kantrowitz
Joseph L. Meyers
Patrick J. Moroney
John A. Murphy
Ilan S. Schoenberger
Philip Soskin
Frank P. Sparaco
Aron B. Wieder
Jay Hood, Jr., Vice Chairman
Alden H. Wolfe, Chairman

Absent: Legislator Aney Paul

Late: Legislator Nancy Low-Hogan (7:06 p.m.)

Honorable Ilan S. Schoenberger, Legislator, District 4, led in the Salute to the Flag and delivered the invocation.

RESOLUTION NO. 79 OF 2014
ADOPTION OF MINUTES OF LEGISLATIVE MEETINGS OF JANUARY 22, 2014 AND FEBRUARY 4, 2014

Ms. Grant offered the following resolution, which was seconded by Mr. Carey and unanimously adopted:

Resolved, that the transcribed minutes of the Legislative meetings of January 22, 2014 and February 4, 2014, as recorded by the Clerk and presented to the Legislature, be and they are hereby adopted.

Legislator Nancy Low-Hogan arrived at 7:06 p.m. during public participation.

The Chairman opened the public participation portion of the meeting at 7:03 p.m. and the following persons spoke:

- Regina Reilly, Opposed to 10th point of NY Women's Equality Act
- Michael Davitt, EEOP issues

Public Participation ended at 7:08 p.m.

Comments from the Chairman:

Honorable Alden H. Wolfe

Just before tonight's meeting we received a letter from the County Executive *"2014 Update to the Legislature"* (part 2). In the update he refers to a number of items that are on tonight's agenda, one of which is a resolution regarding an "LDC Transfer Reserve Fund." I just want to mention for the record that I did agree to pull this tonight after a conversation with the Commissioner of Finance. It will be back on the agenda at a later meeting.

In the letter the County Executive states, "The County Auditor strongly recommends the Legislature vote on the revised and improved resolution for the use of financial proceeds from the sale of the County's health facilities". I know there has been talk about a revised and improved resolution and I just want to make sure that the public knows once we actually receive a copy of a revised and approved resolution we will certainly consider it.

UNFINISHED BUSINESS
Referral No. 9495

RESOLUTION NO. 80 OF 2014
REVENUE ANTICIPATION NOTE RESOLUTION DATED MARCH 4, 2014

RESOLUTION DELEGATING TO THE COUNTY COMMISSIONER OF FINANCE THE POWERS TO AUTHORIZE THE ISSUANCE OF $45,000,000 REVENUE ANTICIPATION NOTES OF THE COUNTY OF ROCKLAND, NEW YORK, OR SO MUCH THEREOF AS MAY BE NECESSARY, IN ANTICIPATION OF THE RECEIPT OF CERTAIN REVENUES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2014 AND MATURING WITHIN 180 DAYS OF THE ISSUANCE DATE OF SUCH NOTES, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES.

Mr. Grant offered the following Revenue Anticipation Note Resolution, which was seconded by Mr. Carey and by roll call vote was adopted:

(Adopted March 4, 2014)

RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called "Notes") of the County of Rockland, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed $45,000,000, and any notes in renewal thereof, is hereby delegated to the County Commissioner of Finance, as chief fiscal officer of the County, provided that the County's bonds authorized by Resolution No. 37 of 2014 to finance the cost of liquidation of current deficits in the County's general fund as of December 31, 2010, December 31, 2011 and December 31, 2012 have not been issued on or prior to March 14, 2014. In the event that such bonds have been issued on or prior to March 14, 2014 the delegation of powers by this Resolution shall be deemed to be revoked.

Section 2. The following additional matters are hereby determined and declared:

(a) The Notes shall be issued in anticipation of the collection or receipt of revenues due and payable to the County in the 2014 fiscal year from (i) County sales and compensating use tax revenues, (ii) mortgage recording tax revenues, (iii) revenues to be received from the State, and (iv) revenues to be received from the United States of America; and the proceeds of such Notes shall be used only for the purposes of paying the current expenses of the County for said fiscal year payable from the revenues in anticipation of which they are issued.

(b) The Notes shall mature within the period of one hundred eighty (180) days from the date of their issuance.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County, and the faith and credit of the County shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the power to determine the respective amounts of Notes to be issued in anticipation of said respective revenues specified in Section 2 hereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Commissioner of Finance, as chief fiscal officer of the County.

Section 5. This resolution shall take effect immediately.

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The adoption of the foregoing resolution was seconded by Legislator Christopher J. Carey and duly put to a vote on roll call, which resulted as follows:

AYES:	15	(Legislators Carey, Cornell, Earl, Grant, Hood, Jr., Jobson, Kantrowitz, Low-Hogan, Meyers, Moroney, Murphy, Schoenberger, Soskin, Sparaco, Wolfe)
NOES:	01	(Legislator Wieder)
ABSENT:	01	(Legislator Paul)

The resolution was declared adopted.

Roll Call:

Legislator Jobson – Yes.

Legislator Kantrowitz – Yes.

Legislator Low-Hogan – Yes.

Legislator Meyers – Yes.

Legislator Moroney – Yes.

Legislator Murphy – Yes.

Legislator Schoenberger – Yes.

Legislator Soskin – Yes.

Legislator Sparaco – Yes.

Legislator Wieder – No.

Legislator Carey – Yes.

Legislator Cornell – Yes.

Legislator Earl – Yes.

Legislator Grant – Yes.

Vice Chair Hood, Jr. – Yes.

Chairman Wolfe – Yes.

Debate:

Mr. Wieder

This item was discussed in the Budget and Finance Committee that I participated in. What I must say is that thanks to the good work of the Budget and Finance Committee and this Legislature we have now reached a point of being able to receive a Deficit Reduction Bond, which is a long-term deficit reduction bond. In the past the deficit was financed with these TAN's and RAN's mostly, but the long-term deficit bond will enable us to permanently address the deficit. While a great deal of work remains to be done there is finally light at the end of the tunnel.

During the years that the County deficit continued to grow the County had received numerous warning and reports from State agencies, including the State Comptroller and various auditors that the County has hired, about the dangers of not taking appropriate action to prevent greater deficits and financial problems. Many of these warning, alarms and suggestions went unheeded and weren't really addressed. In the past two years great progress has been done. After all the progress that we made we are finally on a better footing.

In the Deficit Reduction Bond resolution law one of the precautions that was implemented was that so long the long-term Deficit Bond isn't paid off every time the County goes out to bond we need to notify the Comptroller. So a couple of weeks ago the County notified the Comptroller about these TAN's and RAN's and his office responded in writing with a letter. At the end of the letter the Comptroller's office makes a suggestion, a warning or an alarm that in the past these types of suggestions weren't really addressed. In fact, this is the first suggestion that we received after the long-term deficit bond had been approved.

The Comptroller states in the letter, "However, since the County has now been given the authority to issue long-term deficit financing this reliance on short-term borrowing needs to be reduced and ultimately eliminated. Accordingly, we recommend that the County officials develop and implement a plan that would achieve this objective." What the Comptroller is telling the County is to provide a financial plan, a road map that will outline the plan for us to reduce and hopefully eliminate our use of short-term borrowing and get rid of the deficit. I think we need to provide this plan. I have been in conversation with the County Executive's office and they are aware of this and willing to work toward that plan. I had conversations with Legislator Grant, Chairman of the Budget and Finance Committee, about having a discussion item go on the agenda that will address the Comptroller's suggestion.

We are working on the sale of Summit Park and other actions that will provide our County coffers with much needed funds, but I think a real comprehensive financial plan needs to be submitted. We should be able to refer to a plan. At this point while we have not created such a plan on paper I cannot approve this RAN after the letter we received from the Comptroller. So, tonight I will be voting no on the RAN.

Mr. Grant

This issue did come up in committee as far back as January 28th. At the time, the administration had submitted to us three requests. The RAN and the TAN have for the last number of years been standard operating procedure in terms of putting the County's cash flow in order at the beginning of the year. It was apparent to us that there might be some confusion with it this time around, because we worked so hard to obtain the authorization of the deficit bond that was part of a solution for some of our cash flow and borrowing needs and reducing the cost of issuance going forward. Typically for the last few years it had been $55,000,000 in TAN's and that is to make the towns, villages and school districts whole as we do each and every year and that was not a problem for us, because we knew we needed to do that. We thought it might be confusing at the time to approve both the Deficit Financing Bond for $96,000,000 and the RAN for $45,000,000. The administration had asked for the RAN as a kind of belt and suspenders approach to our cash flow needs. Not having experience selling a deficit bond and timing considerations in terms of obligations that were coming due this month from last year gave them a little concern. So at the time we said clearly, and I think there was a consensus in the Budget and Finance Committee that our highest priority and our best financial decision going forward would be to sell the deficit bond and in effect reduce our cost of issuance going forward, meet our cash flow needs and put us in a very good position for next spring where we would probably need to do the TAN, but might be able to avoid the RAN. Certainly perhaps later this year we won't be in a position where we need it either.

Because the administration had asked for the RAN as a belt and suspenders we ask for some belt and suspenders for the Legislature in return. We asked them to take the RAN resolution back, do an analysis of the most financially advantageous term of that bond would be, have bond counsel include language in the resolution that would clearly state for the record, for the public and for the credit markets that we only anticipated the RAN should there be some unforeseen reason the deficit bond was not sold. And again, there are some very important timing considerations here. The administration did do that.

In the update to the Legislature the Chairman Wolfe mention earlier the County Executive communicated to us that the administration believes the RAN is critical to having adequate cash on hand for the day-to-day operations of County government should the unforeseen occur regarding the sale of the deficit bond. We know now that the Commissioner of Finance and the County Executive have worked very hard marketing the deficit bond. It appears we are going to get good rate. There may be some other advantages to doing it as well. Again, this is all about anticipating. I don't think we are going to need it, but for time considerations I am recommending that the Legislature vote to approve the RAN with the considerations that we have attached to it. Thank you.

Introduced by: Referral No. 5037

Hon. Jay Hood, Jr., Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Barry S. Kantrowitz, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Christopher J. Carey, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Nancy Low-Hogan, Sponsor
Hon. Joseph L. Meyers, Sponsor
Hon. Patrick J. Moroney, Sponsor
Hon. John A. Murphy, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Frank Sparaco, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Alden H. Wolfe, Sponsor

RESOLUTION NO. 81 OF 2014
CONFIRMING THE REAPPOINTMENT OF
JAMES LICATA OF SUFFERN, NEW YORK
AS ROCKLAND COUNTY PUBLIC DEFENDER

Mr. Hood, Jr. offered the following resolution, which was seconded by the Entire Legislature and unanimously adopted:

WHEREAS, Article XV Section 15.01 of the Rockland County Charter, the County Executive shall appoint a Public Defender, for the term of the County Executive, subject to confirmation by the County Legislature; and

WHEREAS, By Resolution No. 32 of 1994, the Legislature of Rockland County confirmed the appointment of James Licata as Public Defender; and

WHEREAS, By Resolution No. 377 of 1998, the Legislature of Rockland County confirmed the reappointment of James Licata as Public Defender; and

WHEREAS, By Resolution No. 458 of 2002, the Legislature of Rockland County confirmed the reappointment of James Licata as Public Defender; and

WHEREAS, By Resolution No. 453 of 2006, the Legislature of Rockland County confirmed the reappointment of James Licata as Public Defender; and

WHEREAS, By Resolution No. 321 of 2010, the Legislature of Rockland County confirmed the reappointment of James Licata as Public Defender; and

WHEREAS, The County Executive has reappointed James Licata, Suffern, New York, as Public Defender, subject to legislative confirmation; and

WHEREAS, The Public Safety Committee of the Legislature has met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby confirms the reappointment of James Licata, of Suffern, New York, as the Rockland County Public Defender, for the term of the County Executive, at a salary set forth in the 2014 County Budget; and be it further,

RESOLVED, That any future salary increases shall be by resolution or local law, as appropriate.

Introduced by: Referral No. 8878
Hon. Jay Hood, Jr., Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Barry S. Kantrowitz, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Alden H. Wolfe, Sponsor

RESOLUTION NO. 82 OF 2014
CONFIRMING REAPPOINTMENT OF
GORDON W. WREN, JR., OF SPRING VALLEY, NEW YORK
AS ROCKLAND COUNTY
DIRECTOR OF FIRE AND EMERGENCY SERVICES

Mr. Hood, Jr. offered the following resolution, which was seconded by the Entire Legislature and unanimously adopted:

WHEREAS, Section 3.02 of the County Charter provides that the County Executive appoint the head of every county department, subject to legislative confirmation; and

WHEREAS, By Resolution 370 of 1995, the Legislature of Rockland County confirmed the appointment of Gordon W. Wren, Jr., Spring Valley, New York as Rockland County Director of Fire and Emergency Services; and

WHEREAS, The County Executive has reappointed Gordon W. Wren, Jr., Spring Valley, New York, to the position of Rockland County Director of Fire and Emergency Services; and

WHEREAS, The Public Safety Committee of the Legislature has met considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby confirms the reappointment of Gordon W. Wren Jr., Spring Valley, New York, to the position of Rockland County Director of Fire and Emergency Services, to serve at the pleasure of the County Executive, at a salary set forth in the 2014 County Budget; and be it further

RESOLVED, That any future salary increases shall be by resolution or local law, as appropriate.

Introduced by: Referral No. 9495
Hon. Alden H. Wolfe, Sponsor
Hon. Michael M. Grant, Co-Sponsor
Hon. Ilan S. Schoenberger, Co-Sponsor
Hon. Harriet D. Cornell, Co-Sponsor
Hon. Jay Hood, Jr., Co-Sponsor
Hon. Philip Soskin, Co-Sponsor
Hon. Frank Sparaco, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor

RESOLUTION NO. 83 OF 2014
APPROPRIATING THE SUM OF $1,250 TO
FROMM-MAXWELL-DEBAUN AMERICAN LEGION POST 859,
SUFFERN, NEW YORK
FOR PATRIOTIC OBSERVANCES IN 2014

Mr. Grant offered the following resolution, which was seconded by Mr. Jobson, Mr. Soskin and Chairman Wolfe and unanimously adopted:

WHEREAS, the Rockland County Legislature has set aside in the 2014 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the Fromm-Maxwell-DeBaun American Legion Post No. 859, Suffern, New York, is contracting with the County of Rockland to conduct patriotic observances in 2014, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

WHEREAS, the Budget and Finance Committee of the Legislature, has met, considered and by a unanimous vote, approved this resolution; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of $1,250 to the Fromm-Maxwell-DeBaun American Legion Post No. 859, Suffern, New York, for providing patriotic observance events in Rockland County in calendar year 2014; and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized to increase and decrease the following accounts in the amounts indicated:

GENERAL FUND

Increase Approp. Acct.:		
A-CA- 7591-5010	Fromm-Maxwell-DeBaun American Legion Post No. 859 P.O. Box 7 Suffern, NY 10901	$1,250
Decrease Approp. Acct.:		
A-LEG-1010-5042	Patriotic Observances	$1,250

Introduced by: Referral No. 9495
Hon. Alden H. Wolfe, Sponsor
Hon. Michael M. Grant, Co-Sponsor
Hon. Ilan S. Schoenberger, Co-Sponsor
Hon. Harriet D. Cornell, Co-Sponsor
Hon. Jay Hood, Jr., Co-Sponsor
Hon. Philip Soskin, Co-Sponsor
Hon. Frank Sparaco, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor

RESOLUTION NO 84 OF 2014
APPROPRIATING THE SUM OF $1,250 TO AMERICAN LEGION FRED ELLER POST 1447, MONSEY, NEW YORK FOR PATRIOTIC OBSERVANCES IN 2014

Mr. Grant offered the following resolution, which was seconded by Mr. Earl, Mr. Jobson, Mr. Soskin and Chairman Wolfe and unanimously adopted:

WHEREAS, the Rockland County Legislature has set aside in the 2014 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the American Legion Fred Eller Post 1447, Monsey, New York, is contracting with the County of Rockland to conduct patriotic observances in 2014, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

WHEREAS, the Budget and Finance Committee has met, considered and by a unanimous vote approved this resolution; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of $1,250 for providing patriotic observance events in Rockland County, in calendar year 2014; and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized to increase and decrease the following accounts in the amounts indicated:

GENERAL FUND

Increase Approp. Acct.:		
A-CA- 7589-5010	American Legion Fred Eller Post 1447 Post Office Box 127 Monsey, New York 10952	$1,250
Decrease Approp. Acct.:		
A-LEG-1010-5042	Patriotic Observances	$1,250

Introduced by: Referral No. 9495
Hon. John A. Murphy, Sponsor
Hon. Michael M. Grant, Co-Sponsor
Hon. Alden H. Wolfe, Co-Sponsor
Hon. Ilan S. Schoenberger, Co-Sponsor
Hon. Harriet D. Cornell, Co-Sponsor
Hon. Jay Hood, Jr., Co-Sponsor
Hon. Philip Soskin, Co-Sponsor
Hon. Frank Sparaco, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor

RESOLUTION NO. 85 OF 2014
APPROPRIATING THE SUM OF $1,250 TO THE JOHN M. PERRY AMERICAN LEGION POST 1044 SPARKILL, NEW YORK FOR PATRIOTIC OBSERVANCES IN 2014

Mr. Grant offered the following resolution, which was seconded by Mr. Jobson, Mrs. Low-Hogan, Mr. Murphy and Mr. Soskin and unanimously adopted:

WHEREAS, the Rockland County Legislature has set aside in the 2014 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the John M. Perry American Legion Post 1044 Sparkill, New York, is contracting with the County of Rockland to conduct patriotic observances in 2014, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

WHEREAS, the Budget and Finance Committee has met, considered and by a unanimous vote, approved this resolution; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of $1,250 to the John M. Perry American Legion Post 1044, Sparkill, New York for providing patriotic observance events in Rockland County, in calendar year 2014 and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized to increase and decrease the following accounts in the amounts indicated:

GENERAL FUND

Increase Approp. Acct.:		
A-CA- 7630-5010	American Legion Post 1044 PO Box 333 Route 340 Sparkill, NY 10976	$1,250
Decrease Approp. Acct.:		
A-LEG-1010-5042	Patriotic Observances	$1,250

AMENDED
Referral No. 9097

Introduced by:
Hon. Ilan S. Schoenberger, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Philip Soskin, Sponsor
Hon. Frank A. Sparaco, Sponsor

RESOLUTION NO. 86 OF 2014
ABOLISHING POSITIONS IN THE ROCKLAND COUNTY PSYCHIATRIC INPATIENT UNIT AND CRISIS UNIT EFFECTIVE APRIL 19, 2014

Mr. Grant offered the following amended resolution, which was seconded by Mr. Sparaco and unanimously adopted:

WHEREAS, The Rockland County Department of Mental Health's Psychiatric Inpatient Unit and Crisis Unit are currently responsible for providing critical mental health crisis/inpatient services for individuals living in Rockland County that require said services; and

WHEREAS, The New York State Department of Health and the New York State Office of Mental Health have conditionally approved the closure of the County's Psychiatric Inpatient Unit and Crisis Unit and the opening of a Psychiatric Inpatient Unit at Nyack Hospital; and

WHEREAS, On or about April 1, 2014, Nyack Hospital intends to open a Psychiatric Inpatient Unit with 26 beds to provide state of the art mental health crisis/inpatient services including evaluation and treatment; and

WHEREAS, 10 NYCRR § 401.3(g) and Article 31 of the New York State Mental Hygiene Law authorize counties to discontinue such crisis and inpatient services when there is another regional provider; and

WHEREAS, Once the New York State Department of Health and the New York State Office of Mental Health formally approve and issue operating certificates to Nyack Hospital, the County of Rockland will formally close its Psychiatric Inpatient Unit and Crisis Unit, and Nyack Hospital will open its Psychiatric Inpatient Unit; and

WHEREAS, as of the date of adoption of this resolution, the certificates from the New York State Department of Health and New York State Department of Mental Health have only targeted the approval and issuance of the operating certificates to Nyack Hospital; and

WHEREAS, there is the possibility that the approval and issuance of the operating certificates to Nyack Hospital could be changed to a different date, and it is the intent of the Legislature to authorize the County Executive to reschedule the transition date without further resolution(s) from the Legislature to accommodate the possible delay and all related steps required to receive approval and issuance of the operating certificates; and

WHEREAS, The Budget and Finance Committee of the Legislature has met, considered and unanimously approved this resolution; now therefore be it

RESOLVED, The Rockland County Legislature hereby authorizes the Rockland County Executive to adjust or set new dates to accomplish the intent of this resolution, to wit: the approval and issuance of the operating certificates and closing of the Rockland County Psychiatric Inpatient Unit and Crisis Unit to Nyack Hospital; and be it further

RESOLVED, That the County Executive is hereby authorized to execute any and all documents necessary to carry out the intent of this resolution, subject to the approval of the County Attorney; and be it further

RESOLVED, That the positions listed on the attached Schedule "A" are hereby abolished, effective April 19, 2014.

SCHEDULE "A"

Count	Fund	Agency/Dept	Dept Description	Pos #	Title Description
1	EH	DMHM001	DMH-Emergency Treatment	20780000	Mental Health Aide
2	EH	DMHM001	DMH-Emergency Treatment	29020000	Pysch Soc Wrkr II PT
3	EH	DMHM001	DMH-Emergency Treatment	38050000	Mental Health Aide
4	EH	DMHM001	DMH-Emergency Treatment	62980000	Psych I
5	EH	DMHM001	DMH-Emergency Treatment	65690000	Sr Typist
6	EH	DMHM001	DMH-Emergency Treatment	76410000	Asst Head Nurse 1/2
7	EH	DMHM020	DMH-Inpatient	03700000	Dir Hosp DMH
8	EH	DMHM020	DMH-Inpatient	0615A000	Internist PT
9	EH	DMHM020	DMH-Inpatient	06220000	Mental Health Aide
10	EH	DMHM020	DMH-Inpatient	06270000	Mental Health Aide
11	EH	DMHM020	DMH-Inpatient	06350000	Mental Health Worker I
12	EH	DMHM020	DMH-Inpatient	06540000	Mental Health Aide
13	EH	DMHM020	DMH-Inpatient	06620000	Reg Nurse Inst
14	EH	DMHM020	DMH-Inpatient	0664B000	Reg Nurse Inst 1/2
15	EH	DMHM020	DMH-Inpatient	06760000	Mental Health Worker II
16	EH	DMHM020	DMH-Inpatient	06770000	Mental Health Worker II
17	EH	DMHM020	DMH-Inpatient	2036A000	Mental Health Worker I 1/2
18	EH	DMHM020	DMH-Inpatient	2036B000	Mental Health Worker I 1/2
19	EH	DMHM020	DMH-Inpatient	2050A000	Mental Health Aide 1/2
20	EH	DMHM020	DMH-Inpatient	2050B000	Mental Health Aide 1/2
21	EH	DMHM020	DMH-Inpatient	20520000	Mental Health Aide
22	EH	DMHM020	DMH-Inpatient	21390000	Internist PT
23	EH	DMHM020	DMH-Inpatient	24780000	Mental Health Aide
24	EH	DMHM020	DMH-Inpatient	25250000	Mental Health Worker II
25	EH	DMHM020	DMH-Inpatient	28840000	Psych Soc Wrkr I
26	EH	DMHM020	DMH-Inpatient	29190000	Pysch Soc Wrkr II
27	EH	DMHM020	DMH-Inpatient	29540000	Mental Health Worker I
28	EH	DMHM020	DMH-Inpatient	30930000	Psych Soc Wrkr I
29	EH	DMHM020	DMH-Inpatient	40360000	Mental Health Worker III

30	EH	DMHM020	DMH-Inpatient	50020000	Mental Health Worker I
31	EH	DMHM020	DMH-Inpatient	50030000	Mental Health Worker I
32	EH	DMHM020	DMH-Inpatient	50040000	Mental Health Worker I
33	EH	DMHM020	DMH-Inpatient	53700000	Head Nurse
34	EH	DMHM020	DMH-Inpatient	53790000	Mental Health Worker III
35	EH	DMHM020	DMH-Inpatient	53800000	Mental Health Worker II
36	EH	DMHM020	DMH-Inpatient	53880000	Mental Health Worker II
37	EH	DMHM020	DMH-Inpatient	54710000	Head Nurse
38	EH	DMHM020	DMH-Inpatient	5556B000	Psych II 1/2
39	EH	DMHM020	DMH-Inpatient	56300000	Chauffeur
40	EH	DMHM020	DMH-Inpatient	61310000	Mental Health Worker I
41	EH	DMHM020	DMH-Inpatient	61390000	Sub Ab Cnslr I
42	EH	DMHM020	DMH-Inpatient	6141B000	Psych Soc Wrkr I PT
43	EH	DMHM020	DMH-Inpatient	62450000	Ast Dir Nursing Psych
44	EH	DMHM020	DMH-Inpatient	62760000	Psych Soc Wrkr I
45	EH	DMHM020	DMH-Inpatient	63070000	Head Nurse
46	EH	DMHM020	DMH-Inpatient	6344A000	Psych II 1/2
47	EH	DMHM020	DMH-Inpatient	64080000	Psych II
48	EH	DMHM020	DMH-Inpatient	74610000	Sub Ab Cnslr II
49	EH	DMHM020	DMH-Inpatient	76340000	Mental Health Aide
50	EH	DMHM020	DMH-Inpatient	80300000	Asst Head Nurse
51	EH	DMHM020	DMH-Inpatient	82700000	Mental Health Worker III
52	EH	DMHM020	DMH-Inpatient	84040000	Mental Health Worker I
53	EH	DMHM020	DMH-Inpatient	85800000	Nursing Cord Psych
54	EH	DMHM020	DMH-Inpatient	85810000	Psch Soc Wrkr I HB Spkg 1/2
55	EH	DMHM020	DMH-Inpatient	85880000	Sr Clerk
56	EH	DMHM020	DMH-Inpatient	90760000	Head Nurse

RELIEF POSITIONS

1	EH	DMHM001	DMH-Emergency Treatment	2949Z000	Mental Health Aide Rlf
2	EH	DMHM001	DMH-Emergency Treatment	6295Z000	Chauffeur Relief
3	EH	DMHM001	DMH-Emergency Treatment	7188Z000	Psychiatrist I Rlf
4	EH	DMHM020	DMH-Inpatient	7188Z000	Psychiatrist I Rlf
5	EH	DMHM020	DMH-Inpatient	7189Z000	Psychiatrist II - Relief
6	EH	DMHM020	DMH-Inpatient	7265Z000	Mental Health Worker I - Relief
7	EH	DMHM020	DMH-Inpatient	7433Z000	Reg Nurse Inst - Relief

Introduced by: Referral No. 6394
Hon. Ilan S. Schoenberger, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Aney Paul, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Philip Soskin, Sponsor
Hon. Frank A. Sparaco, Sponsor

RESOLUTION NO. 87 OF 2014
APPROVING A PURCHASE IN EXCESS OF $100,000 WITH
H.O. PENN MACHINERY COMPANY, INC.
IN THE AMOUNT OF $236,808.66
FOR TWO (2) CATERPILLAR 420F BACKHOES
WITH TWO (2) SPARE TIRES AND RIMS
UNDER RFB-RC-2013-029 AND AUTHORIZING ALL PURCHASES
TO BE MADE BY FORMAL PURCHASE ORDER
CAPITAL PROJECT NO. 3402 – HIGHWAY DEPARTMENT THREE (3) YEAR
EQUIPMENT REPLACEMENT PROGRAM
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
($236,808.66)

Mr. Grant offered the following resolution, which was seconded by Mr. Jobson and unanimously adopted:

WHEREAS, At the request of the Department of Highways, the Division of Purchasing issued a Request for Bid for a Caterpillar 420F Backhoe under Bid RFB-RC-2013-029 ("the RFB") since Backhoes are no longer available on a New York State Contract; and

WHEREAS, The Caterpillar 420F backhoe is needed to replace aging Highway Department equipment that is used for road repair, and for the moving of salt, stone, and fill on a regular basis as well as responding to weather-related events; and

WHEREAS, Seventy-five (75) heavy equipment dealers were notified of this bid opportunity as well as advertising the bid in the New York State Contract Reporter; and

WHEREAS, Caterpillar has defined dealer territories which make it difficult to receive multiple bids; and

WHEREAS, The RFB included a Request for Change or Approved equal process to encourage the submission of bids for equivalent products; and

WHEREAS, A single bid was received from H.O. Penn Machinery Company, Inc., 122 Noxon Road, Poughkeepsie, New York 12603 which is the official Caterpillar dealer for Rockland County; and

WHEREAS, Since a single bid was received, a price analysis was conducted comparing the pricing from a National Cooperative Purchasing Contract – National Joint Powers Alliance, and a recent bid from the Town of Cortlandt, NY for the same model backhoe; and

WHEREAS, The H.O. Penn bid price of $99,400 for the base unit without options represents a 23.4% discount off of the Caterpillar list price; and

WHEREAS, The NJPA National Cooperative Contract provides for a 21% discount off the Caterpillar list price for the 420F Backhoe and accessories; and

WHEREAS, The Town of Cortlandt bid price for the Caterpillar 420F Backhoe with the following options (bid pricing was not broken down) Deluxe Cab, A/C, Radio, Beacon, Ride Control, Engine Block Heater, and 3 year/5000 hour warranty was $111,110; and

WHEREAS, The bid price from H.O. Penn Machinery Company, Inc. to this RFB for the Caterpillar 420F Backhoe with Deluxe Cab, A/C, Radio, Beacon, Ride Control, Engine Block Heater, and 3 year/5000 hour warranty is $110,500.00; and

WHEREAS, After comparing the bid price from H.O. Penn Machinery Company, Inc. to the NJPA Cooperative Contract Price and the Town of Cortlandt bid price, the Purchasing Division determined the bid pricing submitted by H.O. Penn is competitive market pricing, and

WHEREAS, Two of the optional items, The Deluxe Cab with Air Conditioning (19% discount) and the Ride Control (14% discount) were offered at less of a discount than the base Unit, and

WHEREAS, The Purchasing Division requested H.O. Penn Machinery Company, Inc. to review their pricing and reduce the price for these items based on the discount offered on the base unit, and

WHEREAS, H.O. Penn Machinery Company, Inc. agreed to reduce its bid price for the Deluxe Cab from $8,500 to $7,943.42 and in addition to reduce its bid price for the Ride Control from $1,200 to $1,060.91. for a total savings to the County of $695.67; and

WHEREAS, The Superintendent of Highways has now advised that a second backhoe needs to be replaced; and

WHEREAS, Based on the price analysis and negotiated price, the Superintendent of Highways recommends the award of all line items, including the optional specialized paint color to H.O. Penn Machinery Company, Inc. for the purchase of two (2) Caterpillar 420F Backhoes each at a price of $116,604.33 each with two (2) spare tires and rims at the additional cost of $1,800 for a total cost of $118,404.33 for each backhoe: and

WHEREAS, The Director of Purchasing and the Superintendent of Highways recommends that the County Executive and the Legislature of Rockland County approve a purchase in excess of $100,00 to H.O. Penn Machinery Company, Inc. 122 Noxon Road, Poughkeepsie, New York 12603 under Bid RFB-RC-2013-029 for the purchase of two (2) Caterpillar 420F Backhoes each with two (2) spare tires and rims for a total purchase not to exceed the amount of $236,808.66, with all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve “execution of all contracts in excess of $100,000 entered into by the County,” and

WHEREAS, Sufficient funding for these purchases exists in the 2014 Adopted Capital Budget, Capital Project No. 3402 – Highway Department Three (3) Year Equipment Replacement Program; and

WHEREAS, The Planning & Public Works and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves a purchase in excess of $100,000 with H.O. Penn Machinery Company, Inc., 122 Noxon Road, Poughkeepsie, New York 12603 under RFB-RC-2013-029 for the purchase of two (2) Caterpillar 420F backhoes each with two (2) spare tires and rims for a total purchase not to exceed the amount of $236,808.66, with all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases exists in the 2014 Adopted Capital Budget, Capital Project No. 3402 – Highway Department Three (3) Year Equipment Replacement Program.

Introduced by: Referral No. 6760
Hon. Jay Hood, Jr., Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Barry S. Kantrowitz, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Frank A. Sparaco, Sponsor

RESOLUTION NO. 88 OF 2014
APPROVING ACCEPTANCE OF GRANT IN THE AMOUNT OF $416,760 [NCTD]
FROM THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES
TO IMPROVE THE QUALITY OF LEGAL SERVICES PROVIDED
TO INDIGENT CLIENTS UNDER ARTICLE 18-B OF THE COUNTY LAW
OF WHICH SAID GRANT WILL GO TOWARD THE CREATION OF
TWO (2) ASSISTANT PUBLIC DEFENDER (LTFT) POSITIONS
AND A NOMINAL AMOUNT OF SUPPLIES AND SERVICES
IN ORDER TO MAKE DEMONSTRABLE AND MEASURABLE IMPROVEMENTS
IN THE DELIVERY OF INDIGENT DEFENSE SERVICES TO ELIGIBLE
PERSONS AT A DEFENDANT'S FIRST APPEARANCE BEFORE A JUDGE
FOR A THREE (3) YEAR PERIOD
AND AUTHORIZING THE EXECUTION OF ALL NECESSARY
GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
[PUBLIC DEFENDER]
($416,760)

Mr. Grant offered the following resolution, which was seconded by Mr. Earl and Mr. Kantrowitz and unanimously adopted:

WHEREAS, The Public Defender has advised the County Executive and the Legislature of Rockland County that the New York State Office of Indigent Legal Services has awarded his department a grant in the amount of $416,760 for a three (3) year period; and

WHEREAS, The goal of this grant is to make demonstrable and measurable improvements in the delivery of indigent defense services to eligible persons at a defendant's first appearance before a judge; and

WHEREAS, In order to accomplish said grant goal, grant funds will go towards the creation of two (2) Assistant Public Defender (LTFT) positions as well as a nominal amount of supplies and services; and

WHEREAS, The Public Defender has requested the establishment of two less than full-time positions in order to provide required legal services in connection with this grant; and

WHEREAS, The Department of Personnel has reviewed job descriptions for two less than full-time positions and has made appropriate civil service classifications; and

WHEREAS, The Public Defender is requesting no additional funds to establish these positions as full funding is provided by the New York State Office of Indigent Legal Services; and

WHEREAS, Although grant was originally awarded for the period June 1, 2013 through May 31, 2016, said NYS office has stated that grant period will be changed to start on the first day of said positions being filled and end three (3) years after said positions are filled; and

WHEREAS, It is necessary to appropriate these funds to the proper accounts; and

WHEREAS, The Public Safety and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a grant award in the amount of $416,760 from the New York State Office of Indigent Legal Services for a three (3) year period, and authorizes the execution of all necessary grant documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That the goal of this grant is to make demonstrable and measurable improvements in the delivery of indigent defense services to eligible persons at a defendant's first appearance before a judge; and be it further

RESOLVED, That in order to accomplish said grant goal, grant funds will go towards the creation of two (2) Assistant Public Defender (LTFT) positions as well as a nominal amount of supplies and services; and be it further

RESOLVED, That the following two less than full-time positions be hereby established in the Indigent Legal Services Program - 1169:

Title	Salary	Position #
Assistant Public Defender (LTFT)	MB 4 - $64,060 - $82,859	9172
Assistant Public Defender (LTFT)	MB 4 - $64,060 - $82,859	9173

and be it further

RESOLVED, That although grant was originally awarded for the period June 1, 2013 through May 31, 2016, said NYS office has stated that grant period will be changed to start on the first day of said positions being filled and end three (3) years after said positions are filled; and be it further

RESOLVED, That No County tax dollars (NCTD) are required to accept this grant; and be it further

RESOLVED, That the Commissioner of Finance is hereby authorized to increase the following accounts in the amounts indicated:

GENERAL FUND - 2014

Increase Approp. Acct. (Credit):			
A -PDF -1169	-E1100	Salaries, Employees	279,000
	-E1910	Health	62,000
	-E1911	Dental	9,000
	-E1912	Vision	1,800
	-E1920	Retirement	30,000
	-E1930	Social Security	21,350
	-E1940	Unemployment Insurance	600
	-E1950	Workers' Compensation	300
	-E1980	MTA Mobility Tax	950
	-E3290	Operational Supplies	6,000
	-E4600	Telephone	5,760
	-E6600	Appropriation Reserve	60,000
Increase Est. Rev. Acct. (Debit):			
A -PDF -1169	-R1211	Allocation-Employee Health Insurance Reimb.	60,000
	-R3380	Public Safety Grants(s)	416,760

UNEMPLOYMENT FUND - 2014

Increase Approp. Acct. (Credit):		
Q-PER-9050-E8010	Employee Benefits	600
Increase Est. Rev. Acct. (Debit):		
Q-PER-9050-R2809	Interfund Revenues	600

and be it further

RESOLVED, That should outside funding be reduced and/or eliminated, positions created under this grant shall automatically terminate without further action of this Legislature.

Introduced by: Referral No. 5886
Hon. Jay Hood, Jr., Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Barry S. Kantrowitz, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Frank A. Sparaco, Sponsor

RESOLUTION NO. 89 OF 2014
APPROVING ACCEPTANCE OF CONTINUATION GRANT IN THE AMOUNT OF $5,500 (NCTD) FOR THE SHERIFF'S CHILD PASSENGER SAFETY PROGRAM FROM THE NYS GOVERNOR'S TRAFFIC SAFETY COMMITTEE TO PURCHASE CHILD SAFETY SEATS AND RELATED SUPPLIES FOR THE SHERIFF'S FITTING STATION/SPECIAL CHILD SAFETY EVENTS AS WELL AS TO PURCHASE VARIOUS SUPPLIES FOR THE INSTALLATION OF THESE SEATS AND TO PURCHASE PROMOTIONAL MATERIAL FOR CHILD SAFETY SEAT AWARENESS FOR THE PERIOD OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014 AND AUTHORIZING THE EXECUTION OF ALL NECESSARY GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
[SHERIFF'S DEPARTMENT]
($5,500)

Mr. Grant offered the following resolution, which was seconded by Mr. Earl, Mr. Jobson, Mrs. Low-Hogan and Mr. Soskin and unanimously adopted:

WHEREAS, The Rockland County Sheriff has advised the County Executive and the County Legislature that his department has been awarded a $5,500 Child Passenger Safety Program continuation grant from the New York State Governor's Traffic Safety Committee for the period October 1, 2013 through September 30, 2014; and

WHEREAS, Said grant funds will be used to purchase child safety seats and related supplies for the Sheriff's fitting station/special child safety events as well as to purchase various supplies for the installation of these seats and to purchase promotional material for child safety seat awareness; and

WHEREAS, No County tax dollars (NCTD) are required to accept said grant; and

WHEREAS, It is necessary to appropriate these funds to the proper account; and

WHEREAS, The Public Safety and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of the County of Rockland hereby approves the acceptance of a $5,500 Child Passenger Safety Program continuation grant from the New York State Governor's Traffic Safety Committee for the Sheriff's Department to purchase child safety seats and related supplies for the Sheriff's fitting station/special child safety events as well as to purchase various supplies for the installation of these seats and to purchase promotional material for child safety seat awareness for the period October 1, 2013 through September 30, 2014, and authorizes execution by the County Executive of all necessary grant documents, subject to the approval of the County Attorney; and be it further

RESOLVED, That no County tax dollars (NCTD) are required to accept said grant; and be it further

RESOLVED, That the Commissioner of Finance is hereby authorized to increase the following accounts in the amounts indicated:

GENERAL FUND - 2014

Increase Approp. Acct. (Credit):		
A-SHF-3108-GS42-E5060	Program Costs	5,500
Increase Est. Rev. Acct. (Debit):		
A-SHF-3108-GS42-R3380	Public Safety Grant(s)	5,500

Introduced by: Referral No. 4249
Hon. Jay Hood, Jr., Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Barry S. Kantrowitz, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Frank A. Sparaco, Sponsor
Hon. Nancy Low-Hogan, Sponsor

RESOLUTION NO. 90 OF 2014
APPROVING ACCEPTANCE OF GRANT IN THE AMOUNT OF $141,550 FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES (DCJS #VW13543347) FOR THE STOP VIOLENCE AGAINST WOMEN PROGRAM (DEPT. 1164) FOR THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 WITH A LOCAL SHARE OF $75,360 AND AUTHORIZING EXECUTION OF ALL NECESSARY DOCUMENTS BY THE COUNTY EXECUTIVE [OFFICE OF THE DISTRICT ATTORNEY] ($216,910)

Mr. Grant offered the following resolution, which was seconded by Mrs. Cornell, Mr. Earl, Mr. Jobson, Mr. Kantrowitz, Mrs. Low-Hogan and Mr. Soskin and unanimously adopted:

WHEREAS, The District Attorney has advised the County Executive and the County Legislature that his office has been awarded a grant from the New York State Division of Criminal Justice Services (DCJS #VW13543347) in the amount of $141,550 for the Stop Violence Against Women Program (Dept. 1164) for the period January 1, 2014 through December 31, 2014; and

WHEREAS, This grant is federally funded but administered by New York State; and

WHEREAS, These funds will be used to reduce the severity and number of incidents of domestic violence against women in Rockland County by promoting effective coordination between medical, law enforcement, prosecutors and victim services agencies; enhancing the availability of services to sexual assault victims, including the improvement of the collection of forensic evidence; and encouraging victim's participation in the judicial process; and

WHEREAS, $141,550 awarded grant as well as a $75,360 required local share (for a total of $216,910) that is needed to cover program costs for said period is already appropriated in the 2014 Budget of Dept. 1164 and, therefore, this resolution requires no funding clause; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve "execution of all contracts in excess of $100,000 entered into by the County," and

WHEREAS, The Public Safety and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a continuation grant from the New York State Division of Criminal Justice Services (DCJS #VW13543347) in the amount of $141,550 for the Stop Violence Against Women Program (Dept. 1164) for the period January 1, 2014 through December 31, 2014, and authorizes execution of all necessary documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That this grant is federally funded but administered by New York State; and be it further

RESOLVED, That $141,550 awarded grant as well as a $75,360 required local share (for a total of $216,910) that is needed to cover program costs for said period is already appropriated in the 2014 Budget of Dept. 1164 and, therefore, this resolution requires no funding clause; and be it further

RESOLVED, That should outside funding be reduced and/or eliminated, any position(s) previously created under this grant shall automatically terminate without further action of this Legislature.

Introduced by: Referral No. 4249
Hon. Jay Hood, Jr., Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Barry S. Kantrowitz, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Frank A. Sparaco, Sponsor

RESOLUTION NO. 91 OF 2014
APPROVING ACCEPTANCE OF GRANT IN THE AMOUNT OF $6,650 (NCTD)
FROM THE NYS GOVERNOR'S TRAFFIC SAFETY COMMITTEE
FOR THE POLICE TRAFFIC SAFETY (PTS) PROGRAM
FOR THE PERIOD OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014
AND AUTHORIZING THE EXECUTION OF ALL NECESSARY
GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
[SHERIFF'S DEPARTMENT]
($6,650)

Mr. Grant offered the following resolution, which was seconded by Mr. Earl, Mr. Kantrowitz, Mr. Moroney and Mr. Soskin and unanimously adopted:

WHEREAS, The Office of the Sheriff has advised the County Executive and the County Legislature that they have been awarded a $6,650 Police Traffic Safety (PTS) Program grant from the New York State Governor's Traffic Safety Committee for the period October 1, 2013 through September 30, 2014; and

WHEREAS, Said grant funds will be used to help cover overtime costs related to enforcing traffic laws in an effort to reduce serious injury or death from traffic violations; and

WHEREAS, No County tax dollars (NCTD) are required to accept said grant; and

WHEREAS, It is necessary to appropriate these funds to the proper account; and

WHEREAS, The Public Safety and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of the County of Rockland hereby approves the acceptance of a $6,650 grant for the 2014 Police Traffic Safety (PTS) Program from the New York State Governor's Traffic Safety Committee for the Sheriff's Department to help cover overtime costs related to enforcing traffic laws in an effort to reduce serious injury or death from traffic violations for the period October 1, 2013 through September 30, 2014, and authorizes execution by the County Executive of all necessary grant documents, subject to the approval of the County Attorney; and be it further

RESOLVED, That no County tax dollars (NCTD) are required to accept said grant; and be it further

RESOLVED, That the Commissioner of Finance is hereby authorized to increase the following accounts in the amounts indicated:

GENERAL FUND - 2014

Increase Approp. Acct. (Credit):		
A-SHF-3112-E1110	Overtime	6,650
Increase Est. Rev. Acct. (Debit):		
A-SHF-3112-R3380	Public Safety Grant(s)	6,650

Introduced by: Referral No. 9361
Hon. Jay Hood, Jr., Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Barry S. Kantrowitz, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Frank A. Sparaco, Sponsor

RESOLUTION NO. 92 OF 2014
ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF $20,000 (NCTD)
FROM THE NEW YORK STATE DIVISION OF
HOMELAND SECURITY AND EMERGENCY SERVICES
(GRANT #WM13839839)
FOR THE SHERIFF'S CANINE EXPLOSIVE DETECTION UNIT
FOR THE PERIOD NOVEMBER 12, 2013 THROUGH AUGUST 31, 2015
AND AUTHORIZING EXECUTION OF ALL NECESSARY
GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
[OFFICE OF THE SHERIFF]
($20,000)

Mr. Grant offered the following resolution, which was seconded by Mr. Carey and unanimously adopted:

WHEREAS, The Office of the Sheriff has informed the County Executive and the Legislature of Rockland County that they have been awarded a grant (#WM13839839) in the amount of $20,000 from the New York State Division of Homeland Security and Emergency Services for the period November 12, 2013 through August 31, 2015; and

WHEREAS, These grant funds will be used to purchase items and services for the Sheriff's Canine Explosive Detection Unit; and

WHEREAS, This grant is federally funded but administered by New York State; and

WHEREAS, No County tax dollars (NCTD) are required to accept said grant; and

WHEREAS, It is necessary to appropriate these funds to the proper accounts; and

WHEREAS, The Public Safety and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a grant (#WM13839839) in the amount of $20,000 from the New York State Division of Homeland Security and Emergency Services for the period November 12, 2013 through August 31, 2015, and authorizes execution of all necessary grant documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That these grant funds will be used to purchase items and services for the Sheriff's Canine Explosive Detection Unit; and be it further

RESOLVED, That this grant is federally funded but administered by New York State; and be it further

RESOLVED, That no County tax dollars (NCTD) are required to accept said grant; and be it further

RESOLVED, That the Commissioner of Finance is hereby authorized to increase the following accounts in the amounts indicated:

GENERAL FUND - 2014

Increase Approp. Acct. (Credit):

A -SHF -3107 -GS43	-E4090	Fees for Services, Non-Employee	3,000
	-E5060	Program Costs	17,000

Increase Est. Rev. Acct. (Debit):

A -SHF -3107 -GS43 -R4380	Public Safety Grant(s)	20,000

The next item on the agenda, Referral No. 9485 – Directing That Any Assets That May Be Received By The County Upon The Dissolution Of The Rockland County Health Facilities Corporation Be Placed In The "LDC Transfer Reserve Fund" And To Be Disbursed Pursuant To The Provisions Of This Resolution, was pulled.

Introduced by: Referral No. 4817
Hon. Alden H. Wolfe, Sponsor
Hon. Philip Soskin, Co-Sponsor
Hon. Aney Paul, Co-Sponsor
Hon. Aron B. Wieder, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Barry S. Kantrowitz, Co-Sponsor

RESOLUTION NO. 93 OF 2014
REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL A.6059A AND THE NEW YORK STATE SENATE PASS BILL S.5932 – AN ACT TO AMEND THE EDUCATION LAW IN RELATION TO THE RELEASE OF PERSONALLY IDENTIFIABLE STUDENT INFORMATION

Mr. Soskin offered the following resolution, which was seconded by Chairman Wolfe and unanimously adopted:

WHEREAS, New York and several other states have recently agreed to share confidential student information with corporate entities related to the Gates Foundation and the News Corporation; and

WHEREAS, the shared data will include children's personal information, including name, address, test scores, disciplinary and attendance records, race, ethnicity, disabilities, and other highly sensitive information. The data will be used for various purposes and will be made available to commercial vendors to help them develop and market their learning products; and

WHEREAS, neither parents nor students control the sharing of this sensitive data; and

WHEREAS, it is critical that there be safeguards on the release of sensitive and personal information about students, and that parental or student consent be part of any process of releasing personally identifiable student information to third parties; and

WHEREAS, bill A.6059A AND S.5932 would protect student privacy by prohibiting the release of personally identifiable information about individual students to certain third parties unless there is parental consent, or a student who is 18 or older consents, or certain exemptions apply; and

WHEREAS, the Multi Services Committee has met, considered and by a unanimous vote, approved this resolution; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby requests that the York State Assembly pass bill A.6059A and the New York State Senate pass bill S.5932 – an Act to amend the Education Law in relation to the release of personally identifiable student information, and that the Governor of New York sign such legislation; and be it further

RESOLVED, That the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, and Hon. James G. Skoufis, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Introduced by: Referral No. 9173
Hon. Barry S. Kantrowitz, Sponsor
Hon. Philip Soskin, Co-Sponsor
Hon. Aney Paul, Co-Sponsor
Hon. Aron B. Wieder, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Alden H. Wolfe, Co-sponsor

RESOLUTION NO. 94 OF 2014
REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL A.5042A AND THE NEW YORK STATE SENATE PASS BILL S.2617A – AN ACT TO AMEND THE SOCIAL SERVICES LAW TO CREATE INCENTIVES FOR COUNTIES TO INVESTIGATE AND PROSECUTE MEDICAID FRAUD

Mr. Soskin offered the following resolution, which was seconded by Mr. Carey, Mr. Earl, Mr. Jobson, Mr. Kantrowitz, Mr. Moroney, Mr. Hood, Jr. and Chairman Wolfe and unanimously adopted:

WHEREAS, it is essential to minimize any waste, fraud or abuse in the Medicaid system by encouraging and rewarding successful efforts by the counties and the City of New York to prosecute Medicaid fraud; and

WHEREAS, current law limits the amounts that local governments can receive based on successful Medicaid fraud prosecution with a cap, rather than basing it on the actual costs of recoupment. The existing Medicaid payment cap inadvertently reduced the financial incentive for local governments to combat fraud, waste and abuse; and

WHEREAS, bill A.5042A and S.2617A would ensure that local governments would be reimbursed in full for the original overpayments by receiving 100% of the local share of any savings resulting from successful Medicaid fraud prosecutions, or 10% of the total savings whichever is greater, while the State receives the balance; and

WHEREAS, by encouraging more Medicaid fraud prosecutions, the total costs of the system will be reduced, to the benefit of both State and Local governments; and

WHEREAS, the Multi Services Committee has met, considered and by a unanimous vote, approved this resolution; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby requests that the New York State Assembly pass New York State Assembly Bill A.5042A and the New York State Senate pass Bill S.5042A – an Act to amend the Social Services Law to create incentives for counties to investigate and prosecute Medicaid fraud, and that the Governor of New York sign such legislation; and be it further

RESOLVED, That the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, and Hon. James G. Skoufis, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Introduced by: Referral No. 3544
Hon. Philip Soskin, Sponsor
Hon. Aney Paul, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Barry S. Kantrowitz, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Nancy Low-Hogan, Sponsor
Hon. John A. Murphy, Sponsor
Hon. Alden H. Wolfe, Sponsor

RESOLUTION NO. 95 OF 2014
CONFIRMING THE APPOINTMENT OF
SCOTT SALMON, OF TAPPAN, NEW YORK
TO THE ROCKLAND COUNTY DISABILITY
ADVISORY COUNCIL

Mr. Soskin offered the following resolution, which was seconded by Mrs. Cornell, Mr. Jobson, Mrs. Low-Hogan, Mr. Murphy and Mr. Wieder and unanimously adopted:

WHEREAS, By Resolution No. 492 of 1975, the Legislature of Rockland County created the Disability Advisory Council to serve as an advisory body to the Legislature to further the policy and philosophy of equal and non-discriminatory treatment of the physically handicapped and to advise the Legislature of the problems and difficulties encountered by the physically and handicapped in their day to day lives and procedure, methods and ways of eliminating the same; and

WHEREAS, By Resolution No. 471 of 1976 the Legislature increased the number of members on the Rockland County Disability Advisory Council to twenty four (24); and

WHEREAS, By Resolution No. 536 of 2010 the Legislature recently decreased the number of members on the Disability Advisory Council from twenty four (24) to eleven (11) by; and

WHEREAS, Section C3.02 of the Charter Law of Rockland County provides that the County Executive shall appoint members of all county boards and commissions, subject to legislative confirmation; and

WHEREAS, There are currently two (2) vacancies positions on the Rockland County Disability Advisory Council; and

WHEREAS, The County Executive has appointed Scott Salmon, Tappan, New York, to the Rockland County Disability Advisory Council to serve at his pleasure, subject to legislative confirmation, and

WHEREAS, Scott Salmon, Tappan, New York is an Advocacy Coach working with individuals with disabilities for a local not-for-profit agency, he is a member of a disability group and he is filling a vacancy which exists on the Council, and

WHEREAS, With the approval of this resolution and the confirmation of Gerold M. Bierker, the Council will be fully constituted; and

WHEREAS, The Multi-Services Committee of the Legislature has met, considered and unanimously approved this resolution; now therefore be it

RESOLVED, That Legislature of Rockland County hereby confirms the appointment of Scott Salmon, Tappan, New York, to the Rockland County Disability Advisory Council to serve at the pleasure of the County Executive; and be it further

RESOLVED, That the Clerk to the Legislature is hereby directed to send a copy of this resolution to the Rockland County Disability Advisory Council and to the appointee, Scott Salmon.

Introduced by: Referral No. 3544

Hon. Philip Soskin, Sponsor
Hon. Aney Paul, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Barry S. Kantrowitz, Sponsor
Hon. Christopher J. Carey, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Nancy Low-Hogan, Sponsor
Hon. Joseph L. Meyers, Sponsor
Hon. Patrick J. Moroney, Sponsor
Hon. John A. Murphy, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Frank Sparaco, Sponsor
Hon. Alden H. Wolfe, Sponsor

RESOLUTION NO. 96 OF 2014
CONFIRMING THE APPOINTMENT OF
GEROLD M. BIERKER, OF BARDONIA, NEW YORK
TO THE ROCKLAND COUNTY DISABILITY
ADVISORY COUNCIL

Mr. Soskin offered the following resolution, which was seconded by the Entire Legislature and unanimously adopted:

WHEREAS, By Resolution No. 492 of 1975, the Legislature of Rockland County created the Disability Advisory Council to serve as an advisory body to the Legislature to further the policy and philosophy of equal and non-discriminatory treatment of the physically handicapped and to advise the Legislature of the problems and difficulties encountered by the physically and handicapped in their day to day lives and procedure, methods and ways of eliminating the same; and

WHEREAS, By Resolution No. 471 of 1976 the Legislature increased the number of members on the Rockland County Disability Advisory Council to twenty four (24); and

WHEREAS, By Resolution No. 536 of 2010 the Legislature recently decreased the number of members on the Disability Advisory Council from twenty four (24) to eleven (11 by; and

WHEREAS, Section C3.02 of the Charter Law of Rockland County provides that the County Executive shall appoint members of all county boards and commissions, subject to legislative confirmation; and

WHEREAS, There are currently two (2) vacancies on the Rockland County Disability Advisory Council; and

WHEREAS, The County Executive has appointed Gerold M. Bierker, Bardonia, New York, to the Rockland County Disability Advisory Council to serve at his pleasure, subject to legislative confirmation, and

WHEREAS, Gerold M. Bierker, Bardonia, New York has over a 50 year career and commitment to public service and is a member of a disability group and is filling a vacancy which exists on the Council, and

WHEREAS, With the approval of this resolution and the confirmation of Scott Salmon, the Council will be fully constituted; and

WHEREAS, The Multi-Services Committee of the Legislature has met, considered and unanimously approved this resolution; now therefore be it

RESOLVED, That Legislature of Rockland County hereby confirms the appointment of Gerold M. Bierker of Bardonia, New York, to the Rockland County Disability Advisory Council to serve at the pleasure of the County Executive; and be it further

RESOLVED, That the Clerk to the Legislature is hereby directed to send a copy of this resolution to the Rockland County Disability Advisory Council and to the appointee, Gerold M. Bierker.

Introduced by: Referral No. 2867
Hon. Alden H. Wolfe, Sponsor
Hon. Nancy Low-Hogan, Co-Sponsor
Hon. Harriet D. Cornell, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Barry S. Kantrowitz, Co-Sponsor
Hon. Philip Soskin, Co-Sponsor

RESOLUTION NO. 97 OF 2014
REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL A.8121 AND THE NEW YORK STATE SENATE PASS BILL S.5925 – THE CLEAN WATER/CLEAN AIR/GREEN JOBS BOND ACT OF 2014

Mrs. Cornell offered the following resolution, which was seconded by Mrs. Low-Hogan, Mr. Moroney and Chairman Wolfe and unanimously adopted:

WHEREAS, the Clean Water, Clean Air Bond Act of 1996 permanently changed New York's environment for the better, but those funds are now exhausted and significant capital needs remain; and

WHEREAS, for example, a 2008 assessment of the costs to repair, replace and update New York's wastewater infrastructure estimated the total funding need to be $36.2 billion over a 20 year period, while a similar assessment for drinking water infrastructure found a need of $38.7 billion over a 20 year period. These estimates were made prior to devastation of extreme weather events in the last few years; and

WHEREAS, air pollution also remains a major public health issue across New York as asthma rates continue to rise, while global warming is accelerating as greenhouse gas emissions continue to pollute the atmosphere. Air pollution control programs must expand to meet this challenge; and

WHEREAS, bill A.8121 and S.5925 would provide funds for the preservation, enhancement, restoration, and improvement of the state's environment; and

WHEREAS, these capital investments will also spark economic growth as manufacturing and construction jobs are created and new opportunities arise; and

WHEREAS, the Economic Development and Environmental Committees have met, considered and by a unanimous vote, approved this resolution; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby requests that the New York State Assembly pass New York State Assembly Bill A.8121 and the New York State Senate pass Bill S.5925 – The Clean Water/Clean Air/Green Jobs Bond Act of 2014, and that the Governor of New York sign such legislation; and be it further

RESOLVED, That the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, and Hon. James G. Skoufis, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Introduced by: Referral No. 9450
Hon. Harriet D. Cornell, Sponsor
Hon. Nancy Low-Hogan, Co-Sponsor
Hon. Alden H. Wolfe, Co-Sponsor
Hon. Barry S. Kantrowitz, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Philip Soskin, Co-Sponsor

RESOLUTION NO. 98 OF 2014
REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL A.6328 AND THE NEW YORK STATE SENATE PASS BILL S.4614 – THE CHILD SAFE PRODUCTS ACT

Mrs. Cornell offered the following resolution, which was seconded by Mrs. Low-Hogan and Chairman Wolfe and unanimously adopted:

WHEREAS, New York law currently identifies or prohibits the use of dangerous chemicals on a chemical by chemical basis; and

WHEREAS, existing regulations are especially problematic for children's products, since children are often more vulnerable to much smaller amounts of chemicals and a chemical that might be tolerable for adults could present a serious threat to children; and

WHEREAS, several other states including Washington, California and Maine have adopted more comprehensive chemical policies that takes such things into account, and this legislation is modeled after existing legislation in those states; and

WHEREAS, chemicals covered in this legislation include those that can cause cancer, learning and developmental disabilities, asthma, obesity, and infertility. Recent data collected by Washington State revealed over 5,000 types of children's products contain toxic chemicals, including heavy metals like cadmium, mercury, arsenic, and cobalt. Shocking findings include revelations of arsenic in children's underwear and cobalt in pacifiers; and

WHEREAS, bill A.6328 and S.4614 - The Child Safe Products Act -establishes a list of chemicals of concern (starting with approximately 1,700 chemicals on existing authoritative government lists); prioritizes heavy metals like lead, cadmium, mercury, cobalt, and arsenic, along with chlorinated tris and benzene, and enables the Departments of Environment Conservation and Health to add or remove chemicals from either list. A year after a chemical is named a priority, manufacturers must disclose its use in products for children aged 12 and under, and a year after disclosure, starting in 2018, must phase them out. The bill authorizes the DEC to work through the Interstate Chemicals Clearinghouse for data collection, to streamline the process for manufacturers and reduce costs for each participating state; and

WHEREAS, the Environmental Committee has met, considered and by a unanimous vote, approved this resolution; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby requests that the New York State Assembly pass New York State Assembly Bill A.6328 and the New York State Senate pass Bill S.4614 – the Child Safe Products Act - an Act to amend the Environmental Conservation Law to regulate toxic chemicals in children's products; and be it further

RESOLVED, That the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, and Hon. James G. Skoufis, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Debate:

Mrs. Cornell

Last year Congresswoman Lowey brought into the County, for a public meeting, the head of the Federal Agency – The National Institute of Environmental Health. Although I consider myself to be somewhat knowledgeable on environmental things I was really quite upset to learn about the many ways in which the endocrine system, particularly of young children, can be affected by a variety of environmental factors; things such as early onset of puberty and other kinds of things.

Knowing that children can suffer impairments or illness from very small traces of toxic substances contained in products designed for children's use I wanted to bring this to the attention of the Legislature and the public. We really need to safeguard the health of children through public disclosure and the eventual elimination of these toxins from children's products. Unsuspecting parents and grandparents would never knowingly introduce toxins into their child's clothing, toys, teething rings and other products.

This bill is a step toward safeguarding children's health. It would require manufactures to identify the chemicals that are contained in products intended for use by children. It would establish a list of approximately 1,700 known chemicals of high concern as well as a priority list of heavy metals, such as lead, mercury and arsenic. A year after a chemical is named to the list the manufacture must disclose its use in children's products and the following year begins to faze them out.

I call upon my colleagues to endorse the passage of these laws.

Introduced by: Referral No. 4124
Hon. Alden H. Wolfe, Sponsor
Hon. Harriet D. Cornell, Co-Sponsor
Hon. Nancy Low-Hogan, Co-Sponsor
Hon. Barry S. Kantrowitz, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Philip Soskin, Co-Sponsor

RESOLUTION NO. 99 OF 2014
SUPPORTING THE CONTINUATION OF THE MORATORIUM ON HIGH-VOLUME HYDRAULIC FRACTURING IN NEW YORK STATE

Chairman Wolfe offered the following resolution, which was seconded by Mrs. Cornell and Mrs. Low-Hogan and adopted:

WHEREAS, scientific evidence shows that the heavy industrial process of unconventional gas extraction by hydraulic fracturing poses serious risk of water contamination, air pollution, and health impacts; and

WHEREAS, the New York State Medical Society, representing 30,000 medical experts, the American Academy of Pediatrics of New York, the American Lung Association of New York and many independent medical experts and scientists have called on Governor Andrew Cuomo and the New York State legislature to continue New York's moratorium on hydraulic fracturing and to conduct further health studies including a comprehensive health impact assessment; and

WHEREAS, data from Pennsylvania and the gas industry on well casing integrity show an immediate 5% or higher failure rate and as much as 50% or more over 30 years, which raises serious concerns of water contamination; and

WHEREAS, high-volume hydraulic fracturing threatens to negatively impact property values, disrupt municipal tax-bases and could effectively create an additional unfunded state mandate – as has been raised by the New York State Association of Counties - by imposing costs and strains on municipalities such as road damage and increased demands on municipal services, etc; and

WHEREAS, research on the economic and social impacts of hydraulic fracturing raises concerns regarding increased crime rates and hazards for first responders, as well as an influx of workers who send their paychecks out-of-state while raising local rental housing prices and disrupting existing businesses and economies; and

WHEREAS, in addition to emissions of carbon dioxide and other heat-trapping gases associated with gas development activities, hydraulic fracturing gas development is known to release methane in the atmosphere, which is at least 72 times more potent in the atmosphere than carbon dioxide on a 20-year timescale and 25 times on a 100-year timescale, thereby making the process potentially disastrous for our air quality; and

WHEREAS, significant action is necessary in order to address these environmental issues, including energy conservation and advancing a clean energy infrastructure and making a significant economic transition to renewable sources; and

WHEREAS, the Environmental Committee has met, considered and by a unanimous vote, approved this resolution; now therefore be it

RESOLVED, that the County of Rockland urges Governor Cuomo and the New York State agencies which he leads to continue the moratorium on hydraulic fracturing within New York State while continuing to study the public health and environmental impact of hydraulic fracturing; and be further

RESOLVED, That the Clerk to the Legislature be and is hereby authorized and directed to send a copy of this resolution to Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, and Hon. James G. Skoufis, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

The vote resulted as follows:

Ayes:	15	(Legislator Carey, Cornell, Earl, Grant, Hood, Jr., Jobson, Kantrowitz, Low-Hogan, Meyers, Moroney, Murphy, Schoenberger, Soskin, Wieder, Wolfe)
Nay:	01	(Legislator Sparaco)
Absent:	01	(Legislator Paul)

Debate:

Chairman Wolfe

A number of years ago this Legislature passed a resolution that supported what was then a proposed moratorium on hydraulic fracturing. At that time we didn't take a position on fracking. What we said as a Legislature was that we wanted to make sure that New York State government got it right, and by that we mean making sure that when the decision is made it is based upon a review of the science and not one that is based on politics or knee-jerk reactions.

We would like the moratorium to be extended. This resolution does not take a position on whether fracking is good or bad. I recognize the fact that the natural gas industry has a place in the economy in New York State, particularly upstate. All I want, as an individual, is that New York State asks the right questions, does the right research and makes a decision based on the science and what is best for all New Yorker's.

What I tried to do in drafting this resolution was to take politics out of it and make it about giving New York State an opportunity to make a smart decision. I would appreciate all of colleagues support.

Legislator Carey

As I stated in the committee, I think that if we are going to be seriously looking at hydrofracking sitting in Rockland County we need to bring in experts not just to look at the environmental side, which is very important, but look at the whole picture, the economics and the fact that it is not going to be happening here Rockland County. Take a holistic approach and bring in subject matter experts, because we are lay folks here, somebody from the DEC, somebody who could talk about what it means in terms of business and taxes for New York State and how that might help us here in Rockland County with some of the unfunded mandates.

So I would like to take a serious look at this. Since it is not taking a position on hydrofracking either way I am going to support it tonight, but I would hope the next time this comes back we have a discussion item in one of the sub-committees and a real thorough investigation, including experts from the County that get paid to look at things like this, because I don't feel that, myself and I am an engineer, I am qualified to sit here and say whether this makes sense or not. I need facts. Thank you.

Chairman Wolfe

I might suggest, and Legislator Cornell, that we put in a referral for a discussion item for the Environmental Committee. Mr. Carey if you would like to be a co-sponsor on that, we could have a discussion and have a presentation by subject matter experts who can tell us a little bit about the process, the economics and answer questions.

Introduced by: Referral No. 8593
Hon. Alden H. Wolfe, Sponsor
Hon. Harriet D. Cornell, Co-Sponsor
Hon. Nancy Low-Hogan, Co-Sponsor
Hon. Barry S. Kantrowitz, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor

RESOLUTION NO. 100 OF 2014
SUPPORTING THE ADVANCEMENT OF A
RENEWABLE ENERGY ECONOMY IN NEW YORK STATE

Chairman Wolfe offered the following resolution, which was seconded by Mrs. Cornell and Mrs. Low-Hogan and unanimously adopted:

WHEREAS, New York State has historically led the nation in matters of advancing social progress, including the abolition of slavery, women's suffrage, civil rights and environmental stewardship; and

WHEREAS, we need to expand local employment opportunities in our communities and for our young people in sustainable, safe long-term jobs and careers, and invest in industries that will create jobs for decades to come - in contrast to reliance on the "boom to bust" economic cycle associated with extraction of non-renewable resources; and

WHEREAS, the expansion of renewable energy and energy efficiency programs presents the opportunity to create a significant number of jobs for New Yorkers and for New York State to lead the nation on a visionary energy policy that will protect our water, air, land and public health while developing climate solutions; and

WHEREAS, New York State has already demonstrated significant leadership on innovative clean energy programs including the investment of $1.5 billion in New York Sun, opening 360 electric vehicle charging stations that will be available for both public and county fleet vehicles, establishing the successful Regional Economic Development Councils, and creating the innovative Start-Up NY; and

WHEREAS, the County of Rockland will work with Governor Cuomo and New York State Agencies as is most effective to implement existing renewable energy and efficiency programs as well as to partner on economic development initiatives including the New York State Regional Economic Development Councils and the Start-Up NY as vehicles to catalyze investment and jobs programs;

WHEREAS, the Environmental Committee has met, considered and by a unanimous vote, approved this resolution; now therefore be it

RESOLVED, that the County of Rockland urges Governor Cuomo and the New York State agencies which he leads to take swift action in developing and adopting an economic development plan that will significantly reduce the state's greenhouse gas emissions as well as rapidly create and deploy renewable energy and energy efficiency programs throughout municipalities in New York State; and be further

RESOLVED, that the County of Rockland stands ready to work with the Governor to achieve these goals that will in the process create safe, sustainable jobs for New Yorkers and provide real, clean solutions for generations to come, and be it further

RESOLVED, That the Clerk to the Legislature be and is hereby authorized and directed to send a copy of this resolution to Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, and Hon. James G. Skoufis, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Debate:

Chairman Wolfe

This particular item is a non- political resolution designed to show our support for statewide initiatives that are geared toward developing the economy in an environmentally responsible way. I think there are tremendous opportunities to create jobs around the so-called "green economy". There is work from everything from home contractors to engineers to improvements in the generation and distribution of energy. I think it is important for us to go on record showing that we support economic development and also doing so in an environmentally responsible way. I appreciate my colleagues' support on this.

Introduced by: Referral No. 9271
Hon. Harriet D. Cornell, Sponsor
Hon. Alden H. Wolfe, Co-Sponsor
Hon. Barry S. Kantrowitz, Co-Sponsor
Hon. Christopher J. Carey, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Philip Soskin, Co-Sponsor

RESOLUTION NO. 101 OF 2014
URGING THE UNITED STATES HOUSE OF REPRESENTATIVES TO PASS H.R.2510 – HELPING VETERANS EXPOSED TO TOXIC CHEMICALS ACT

Mrs. Cornell offered the following resolution, which was seconded by Mr. Jobson, Mrs. Low-Hogan, Mr. Murphy and Mr. Soskin and unanimously adopted:

WHEREAS, since 2007, legislation and concerns about toxic effects have curbed the military's use of “burn pits,” which were open-air fires that the military used to incinerate waste such as tires, munitions, medical waste and other hazardous materials; and

WHEREAS, effects on service members and other who breathed in the fumes and dust have lingered, affecting thousands. Further study is needed to determine how many U.S. military veterans of the Afghanistan and Iraq wars are suffering from respiratory and other ailments from exposure to toxic, open-air "burn pits”; and

WHEREAS, the Helping Veterans Exposed to Toxic Chemicals Act:

A. directs the Secretary of Defense to establish within the Department of Defense (DOD) three centers of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to open pits and other environmental exposures;

B. requires the Secretary to select for such centers entities that:

1. are equipped with the special equipment needed to study, diagnose, and treat health conditions relating to such exposure;
2. have a publication track record of post-deployment health exposures among veterans from Iraq and Afghanistan
3. have collaborated with a geosciences department that has a medical geology division;
4. have developed animal models and in vitro models of dust immunology and lung injury from Iraq and Afghanistan; and
5. have expertise in allergy and immunology, pulmonary diseases, and industrial and management engineering;

C. directs the Secretary to ensure that the centers collaborate with the Secretary of Veterans Affairs, institutions of higher education, and other appropriate public and private entities to carry out specified responsibilities, including to:

1. implement the comprehensive plan and strategy for DOD for the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to such exposure; and
2. provide for dissemination within DOD of best practices for the treatment of such conditions and the training of health professionals;

and

D. requires the center to have access to and make use of the data accumulated by the burn pits registry established under the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012;

and

WHEREAS, the Environmental Committee has met, considered and by a unanimous vote, approved this resolution; now therefore be it

RESOLVED, The Rockland County Legislature hereby urges the United States House of Representatives to pass bill H.R. 2510, the United States Senate to introduce and pass similar legislation, and the President of the United States to sign such legislation; and be it further

RESOLVED, that the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Hon. Barack H. Obama, President of the United States; Hon. Charles Schumer and Hon. Kirsten Gillibrand, United States Senators; Hon. Nita M. Lowey, Member of the United States Congress; the President Pro Tem of the United States Senate; the Speaker of the United States House of Representatives; the Majority and Minority Leaders of the United States Senate and House of Representatives; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Debate:

Mrs. Cornell

The legislation that is before us actually grew out of exposure by members of the military who have been in Afghanistan and Iraq. When Americans serve their country at home or abroad they have often been subjected to long-lasting health problems from open-air waste incineration, which leaves them desperately ill. This is what happened to military people in these two countries. In 2007 the Federal government recognized what was happening and they curbed the military's use of “burn pits,” which were open-air fires that the military used to incinerate waste such as tires, munitions, medical waste and other hazardous materials and this was causing problems leaving people desperately ill with long-lasting health problems.

So this bill, while the use of burn pits have been curbed, if passed will focus on the prevention, diagnosis, mitigation, treatment, and rehabilitation of those men and women who were exposed to these environmental hazards while fulfilling their patriotic duties.

Introduced by: Referral No. 4065
Hon. Alden H. Wolfe, Sponsor
Hon. Jay Hood, Jr., Co-Sponsor
Hon. Frank Sparaco, Co-Sponsor
Hon. Aron B. Wieder, Co-Sponsor

RESOLUTION NO. 102 OF 2014
AMENDING RULE 149-9 OF THE RULES OF THE LEGISLATURE TO REORGANIZE THE ORDER OF BUSINESS FOR LEGISLATIVE SESSIONS

Mr. Hood, Jr. offered the following resolution, which was seconded by Mr. Carey, Mr. Earl, Mr. Wieder and Chairman Wolfe and unanimously adopted:

WHEREAS, §149-9 of the rules of the Legislature sets forth what the order of business shall be for each session; and

WHEREAS, §149-9 currently reads as follow:

§149-9. Order of Business

A. The order of business shall be:

(1) Roll call.
(2) Salute to the Flag.
(3) Invocation.
(4) Adoption of minutes.
(5) Presentation of communications.
(6) Special order of the day.
(7) Public Participation.
(8) Unfinished business.
(9) Reports of standing committees.
(10) Reports of special committees.
(11) New business.
(12) Reports of County officers.
(13) Announcement from the Chairperson.
(14) Comments from Legislators (limited to three minutes per Legislator).
(15) Adjournment.

WHEREAS; the Legislature deems that the functions of government would be better served if items 5-14 of the Order of Business were reorganized; and

WHEREAS, the Special Committee on Rules has met, considered and by a unanimous vote, approved this resolution; now therefore be it

RESOLVED, that Section 149-9 of the Rules of the Legislature shall read as follows:
§149-9. Order of Business

B. The order of business shall be:

(1) Roll call.
(2) Salute to the Flag.
(3) Invocation.
(4) Adoption of minutes.
(5) Special order of the day.
(6) Public Participation.
(7) Presentation of communications.
(8) **Comments** [Announcement] from the Chairperson.
(9) Comments from Legislators (limited to three minutes per Legislator).
(10) Unfinished business.
(11) Reports of standing committees.
(12) Reports of special committees.
(13) New business.
(14) Reports of County officers.
(15) Adjournment.

Material to be deleted [bracketed]
Material to be added **bold and underlined**

Debate:

Chairman Wolfe

When I became Chairman we were just looking at the order of business and I was comparing it to our rules. It looks like we had a slightly different order than the rules provided for. This is just merely a resolution that cleans up the rules. The only real substantive change is moving "Comment from Legislators" up earlier in the meeting directly after "Comments from the Chairperson". I felt that it made sense and I think fairer to all of us.

Mr. Schoenberger

I will support this since this is the wish of the Rules Committee and I respect the leadership on the Rules Committee, but I am also concerned that if you move the "Comments from the Legislators" from the end of the meeting to before "Unfinished Business" and before the reports of the standing and special committees our legislative meetings length will grow geometrically. Thank you.

Chairman Wolfe

Well, that is up to all of us, isn't it?

Comments from Legislators:

Legislator Frank P. Sparaco

I would like to respectfully request that we adjourn tonight's meeting honor of Nils "Doc" Davies, Jr. He was a former President and Fire Chief of the Congers Fire Department. He was active member of the Congers community and his family owned Davies Farm on Route 304. He passed away today and I would like to adjourn this meeting in memory of him.

ADJOURNMENT IN MEMORY OF JESSICA CAMPONOVA

Mr. Kantrowitz offered the following memorial, which was seconded by Chairman Wolfe and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Jessica Camponova.

ADJOURNMENT IN MEMORY OF EILEEN K. CASSIDY

Mr. Murphy offered the following memorial, which was seconded by Mr. Moroney and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Eileen K. Cassidy.

ADJOURNMENT IN MEMORY OF ANNA DeLEONARDIS

Mrs. Cornell offered the following memorial, which was seconded by Mr. Schoenberger and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Anna DeLeonardis.

ADJOURNMENT IN MEMORY OF RUTH P. ROSENBERG

Mr. Schoenberger offered the following memorial, which was seconded by Chairman Wolfe and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Ruth P. Rosenberg.

ADJOURNMENT IN MEMORY OF NILS DAVIES, JR.

Mr. Sparaco offered the following memorial, which was seconded by the Entire Legislature and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Nils Davies, Jr.

ADJOURNMENT IN MEMORY OF MARK BECKER

Mrs. Cornell offered the following memorial, which was seconded by the Entire Legislature and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Mark Becker.

RESOLUTION NO. 103 OF 2014
ADJOURNMENT

Mr. Sparaco offered the following resolution, which was seconded by Mr. Murphy and unanimously adopted (7:50 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Tuesday, March 18, 2014 at 7:00 p.m.

Respectfully Submitted,

Darcy Shapin-Greenberg
Proceedings Clerk