

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, October 20, 2015 at 7:00 P.M., pursuant to the adjournment of the October 7, 2015 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 15th day of October 2015

The Legislature of Rockland County convened in regular session pursuant to adjournment of the October 7, 2015 meeting.

A Roll Call being taken at 7:03 p.m., the following Legislators were present and answered to their names:

Christopher J. Carey
Harriet D. Cornell
Richard C. Diaz
Toney L. Earl
Michael M. Grant
Lon M. Hofstein
Nancy Low-Hogan
Patrick J. Moroney
John A. Murphy
Aney Paul
Ilan S. Schoenberger
Aron B. Wieder
Jay Hood, Jr., Vice Chairman
Alden H. Wolfe, Chairman

Late: Legislators Douglas J. Jobson (7:07 p.m.), Joseph L. Meyers (7:15 p.m.)
and Philip Soskin (7:05 p.m.)

Honorable Aron B. Wieder., Majority Leader, led in the Salute to the Flag.

Rabbi Chaim Zvi Ehrenreich, Chabad Jewish Enrichment Center, Chestnut Ridge, New York, delivered the invocation.

Comments from the ChairmanChairman Alden H. Wolfe

I have been very clear, and the Legislature has been very clear, about our position that we feel that any alternative is better than the closure of Summit Park Hospital/Nursing Home. We questioned whether the County Executive has the authority at all under the Charter to unilaterally close the facility. We questioned whether, under the regulations that govern the operations of the facility and the closure regulations, the County Executive even has the authority to begin the process of closing the facility. A lot has been said about that.

What I want to do is something positive right now. I had a unique opportunity this afternoon to spend some positive time with the County Executive at a local nursing home, which was recognizing citizens who were 90 years of age and above. There were twenty or so folks in the facility and it is wonderful to take a moment away from what seems to be the daily ranker between branches of government and recognize citizens of this County who have achieved an important milestone. More important than achieving a milestone of 90 years of age and up, we had the opportunity to share in their pride in being recognized for being good citizens of this County. I have to say I really did enjoy taking the time to jointly present plaques and certificates and take pictures with the residents. It was perhaps a diversion or perhaps the start of something new in our relationship. That was a moment today that I have been thinking about all afternoon and it really stuck with me.

Comments from LegislatorsLegislator Toney L. Earl

Recently Interim Health Care posted an ad in a weekly magazine. The ad stated that no Haitians need to apply. I think that ad was blatantly discriminative. There is no place in Rockland County or the Country for behavior like that. When I first read it I had to shake my head. It felt like the clock was rolled back to when I was a young boy growing up in the south. There is no place in Rockland County or the Country for behavior like that and to discriminate against the Haitian people like that.

Legislator Douglas J. Jobson

Today at 4:00 p.m. I was at a memorial that I go to each and every year. It was the Brinks Memorial. 34-years ago today we lost three heroes, two police officers and a guard. We lost good people who were just standing up and doing their job and looking out for us.

Legislator Aney Paul

I join Legislator Earl regarding the discrimination by the ad posted by Interim Health Care. I am proud of how multi-cultural Rockland County is. This discrimination is not tolerable.

Special Order of the Day:

There was no vote on Referral No. 9252 - Overriding The Disapproval Of The County Executive: Resolution No. 457 of 2015 - Approving An Amendment To A License Agreement In Excess Of \$100,000 With New York SMSA Limited Partnership d/b/a Verizon Wireless Pursuant To Which It Shall Pay The County The Additional Amount Of \$188,865.01 For The Installation Of Twelve (12) New Remote Radio Heads (RRH) On The Communications Tower Located At The "Mitch Miller Property" For A Total Contract Sum Of \$1,282,642.94 To Be Received By The County And Authorizing Its Execution By The County Executive [Office Of Fire And Emergency Services] (\$1,282,642.94).

The Chairman opened the public participation portion of the meeting at 7:14 p.m. and the following persons spoke:

- ❖ Shully Braunstein, wants to still purchases Hospital/Nursing Home
- ❖ Scott Sullam, Keep his position with Health Department in 2016 budget
- ❖ Joseph Juste, Keep Scott Sullam's position with Health Department in 2016 budget
- ❖ Ross Steinhardt, opposed to closing of Summit Park Hospital/Nursing Home
- ❖ Larry Sparber, CSEA, opposed to closing of Summit Park Hospital/Nursing Home
- ❖ Marge Hook, opposed to cuts to Sheriff's Patrol and budget
- ❖ Sam Thomas, opposed to closing of Summit Park Hospital/Nursing Home
- ❖ Mr. Braunstein, Shully Braunstein to purchase Summit Park Hospital/Nursing Home

Public Participation ended at 7:35 p.m.

Introduced by:

Referral No. 8293

Hon. Ilan S. Schoenberger, Sponsor
Hon. Aney Paul, Sponsor
Hon. Patrick J. Moroney, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Philip Soskin, Sponsor
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 501 OF 2015
APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT
BETWEEN THE COUNTY OF ROCKLAND AND THE VILLAGE OF SPRING VALLEY
TO ALLOW THE VILLAGE OF SPRING VALLEY TO USE
CERTAIN COUNTY BUSES FOR THE "SPRING VALLEY JITNEY" BUS SERVICE
FOR THE PERIOD FROM OCTOBER 1, 2015 THROUGH DECEMBER 31, 2017
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF PUBLIC TRANSPORTATION]**

Mr. Grant offered the following resolution, which was seconded by Mr. Earl, Mrs. Paul and Mr. Wieder and unanimously adopted

WHEREAS, The Village of Spring Valley (the "Village") operates the "Spring Valley Jitney" bus service for the benefit of the public; and

WHEREAS, The County of Rockland (the "County") owns certain buses which are not currently in use for its public transportation service; and

WHEREAS, The Village has requested to use these certain buses for its "Spring Valley Jitney" bus service to maintain the present level of bus service to the public; and

WHEREAS, The County desires for the Village to continue its present level of bus service because it benefits the public transportation system in Rockland County; and

WHEREAS, The cooperation to maintain such public bus transportation service between the County and the Village is consistent with the rules and policies of the New York State Department of Transportation and of the United States Federal Transit Administration; and

WHEREAS, Section 119-o of Article 5-G of the General Municipal Law of the State of New York authorizes municipal corporations to contract to perform together that which each is authorized to perform individually, provided that any such agreement to do so "be approved by each participating municipal corporation" "by a majority vote of the voting strength of its governing body;" and

WHEREAS, The Acting Commissioner of the Department of Public Transportation requests that the County Executive and the Legislature of Rockland County approve an intermunicipal agreement with the Village of Spring Valley, 200 North Main Street, Spring Valley, New York 10977 for the use of certain vehicles from October 1, 2015 through December 31, 2017 for the sole purpose to continue to operate its "Spring Valley Jitney" bus service for the benefit of the public, as set forth in the Vehicle Use Agreement, but for no other purpose whatsoever and for no other benefit whatsoever to any other persons, (the Village being expressly forbidden to use the vehicles for purposes such as, but not limited to, charter, school, or other non-commuter uses); and

WHEREAS, That this agreement requires the expenditure of no County tax dollars, because the County owns the VEHICLES, which were purchased with Federal Transit Administration funds (80%); New York State Department of Transportation funds (10%) and MTA Special Allocation funds (10%); and

WHEREAS, The Planning and 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 an intermunicipal agreement between the County of Rockland and the Village of Spring Valley, 200 North Main Street, Spring Valley, New York 10977 for the use of certain buses from October 1, 2015 through December 31, 2017 for the sole purpose to continue to operate its "Spring Valley Jitney" bus service for the benefit of the public, as set forth in the Vehicle Use Agreement, but for no other purpose whatsoever and for no other benefit whatsoever to any other persons, (the Village being expressly forbidden to use the vehicles for purposes such as, but not limited to, charter, school, or other non-commuter uses) and authorizes execution of the agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That this agreement requires the expenditure of no County tax dollars, because the County owns the VEHICLES, which were purchased with Federal Transit Administration funds (80%); New York State Department of Transportation funds (10%) and MTA Special Allocation funds (10%).

Mr. Schoenberger

My remarks are not directly on point to this issue, and I hope you don't rule me out of order. I believe that this body must respond to some of the issues raised by the speakers here tonight. We cannot simply gloss over it like they never spoke to us. We have to answer them.

Chairman Wolfe

If I may, we are in the middle of an item. What I can do is vote on this and then recognize you to address the issue. I do not want to get into a debate about Summit Park. I would like to get through the main agenda. I think the place to discuss this is under the new business item.

Mr. Schoenberger

Thank you Mr. Chairman.

Introduced by:

Referral No. 7300

Hon. Ilan S. Schoenberger, Sponsor
Hon. Aney Paul, Sponsor
Hon. Patrick J. Moroney, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Philip Soskin, Sponsor
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 502 OF 2015
ACCEPTING THE BID OF THE LOWEST RESPONSIBLE BIDDER
AND APPROVING A CONTRACT IN EXCESS OF \$100,000
WITH HVB CONSTRUCTION, INC. FOR COUNTY INFRASTRUCTURE IMPROVEMENTS -
COURTHOUSE MASONRY REPAIRS UNDER CAPITAL PROJECT NO. 1452
IN AN AMOUNT NOT TO EXCEED \$187,200
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF GENERAL SERVICES-FACILITIES MANAGEMENT]
(\$187,200)**

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

WHEREAS, A public bid was advertised and two (2) bids were received and publicly opened by the Clerk to the Legislature on September 10, 2015; and

WHEREAS, HVB Construction, Inc., P.O. Box 662, 144 Route 17M, Suite B, Harriman, New York 10926, was the lowest responsible bidder, who submitted the lowest bid for County Infrastructure Improvements - Courthouse Masonry Repairs under Capital Project No. 1452 in the amount of \$187,200; and

WHEREAS, The Director of Facilities Management recommends that the County Executive accept the bid and the County Legislature approve a contract with HVB Construction, Inc., P.O. Box 662, 144 Route 17M, Suite B, Harriman, New York 10926, in an amount not to exceed \$187,200; and

WHEREAS, The County Executive accepts the bid of HVB Construction, Inc., P.O. Box 662, 144 Route 17M, Suite B, Harriman, New York 10926, in the amount of \$187,200, subject to the approval of the County Legislature; 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 this contract exists in Capital Project No. 1452; and

WHEREAS, The Planning and 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 approves a contract in excess of \$100,000 with HVB Construction, Inc., P.O. Box 662, 144 Route 17M, Suite B, Harriman, New York 10926 for County Infrastructure Improvements - Courthouse Masonry Repairs under Capital Project No. 1452 pursuant to the plans and specifications reviewed by the Capital Project Staff, in an amount not to exceed \$187,200, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this contract exists in Capital Project No. 1452.

Introduced by:

Referral No. 5906

- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Patrick J. Moroney, Sponsor
- Hon. Aron B. Wieder, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 503 OF 2015
 ADJUSTMENT TO THE 2015 BUDGET
 TO RECORD REFINANCED BONDS HELD BY THE NEW YORK STATE ENVIRONMENTAL
 FACILITIES CORPORATION ORIGINALLY ISSUED IN 2005 AND 2006 ON
 CAPITAL PROJECT 6150 WESTERN RAMAPO SEWER EXTENSION AND
 CAPITAL PROJECT 6200 TOWN & VILLAGE SEWERS**

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

WHEREAS, The Commissioner of Finance/Budget Director has been informed by the New York State Environmental Facilities Corporation ("NYS EFC") that they have refinanced existing bonds originally issued in 2005 and 2006, and

WHEREAS, NYS EFC has passed those savings on to the Rockland County Sewer District #1 and has issued new debt payment schedules on the existing debt, and

WHEREAS, Although the event did not require any exchange of funds between the NYS EFC and the Rockland County Sewer District #1, generally accepted accounting standards require that this transaction be properly recorded, and

WHEREAS, A budget amendment is needed to properly record the event; and

WHEREAS, The Planning and 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 Commissioner of Finance is hereby authorized to increase the following accounts in the amounts indicated:

DEBT SERVICE FUND -2015

Increase Appropriation Account

V-DSV-9991-E4091 Issuance Cost Refunding Bonds	\$ 767,581
V-DSV-9991-E4092 Payment Escrow Agent - Refunding Bonds	<u>\$49,000,170</u>
	\$49,767,751

Increase Estimated Revenue Account

V-DSV-9991-R2770 Unclassified Revenue	\$ 5,127,751
V-DSV-9991-R5791 Advanced Refunding Bonds	<u>\$44,640,000</u>
	\$49,767,751

Introduced by:

Referral No. 5906

- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Patrick J. Moroney, Sponsor
- Hon. Aron B. Wieder, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Jay Hood, Jr, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 504 OF 2015
 AUTHORIZING APPROPRIATION OF FUNDS
 FOR PAYMENT OF ATTORNEYS FEES AND EXPENSES
 IN THE SPLIT ROCK PARTNERSHIP CONDEMNATION CASE
 AGAINST THE ROCKLAND COUNTY SEWER DISTRICT NO. 1
 IN THE AMOUNT OF \$3,375,000
 AND APPROVING EXECUTION OF THE
 SETTLEMENT AGREEMENT BY THE COUNTY EXECUTIVE
 [ROCKLAND COUNTY SEWER DISTRICT NO. 1]
 (\$3,375,000)**

Mr. Grant offered the following resolution, which was seconded by Mrs. Cornell and unanimously adopted

WHEREAS, By Resolution No. 98 of 2015, the Legislature of Rockland County authorized the payment of a judgment in the Split Rock Partnership condemnation case and the judgment has been paid in full with interest; and

WHEREAS, The Rockland County Sewer District No. 1 (the "District") was left with the remaining issue of its responsibility for payment of additional allowances allowed by law in condemnation proceedings pursuant to Eminent Domain Procedure Law (EDPL) Section 701; and

WHEREAS, Plaintiff's counsel filed an EDPL Section 701 motion seeking additional allowances of \$4,059,345.25 in attorneys fees and other expenses which were negotiated down by the District's attorneys and settled in the amount of \$3,375,000 subject to the necessary municipal approval; and

WHEREAS, The Board of Sewer Commissioners by its Resolution No. 45 of 2015, requested that the Legislature approve the settlement and authorize the appropriation of funds from the District's Undesignated Fund Balance (currently estimated to be in excess of \$13 million) to the District's Operating Budget in the amount of \$3,375,000 for payment in full satisfaction of the settlement; and

WHEREAS, The Planning and 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 the settlement of the EDPL Section 701 attorneys fees and expenses issue in the matter of the Split Rock Partnership condemnation case against the Sewer District and authorizes the appropriation of funds in the amount of \$3,375,000 to the District's Operating Budget from the District's Undesignated Fund Balance, to pay the settlement amount; and be it further

RESOLVED, That the County Executive is hereby authorized to execute the Settlement Agreement and related documents on behalf of the County of Rockland with Split Rock Partnership, in the amount of \$3,375,000 and to end the litigation brought against the Rockland County Sewer District No. 1 in the Split Rock Partnership condemnation case; and be it further

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

Sewer Fund

Increase Approp. Acct.:

G-SWR-8110-E4090	Fees For Services - Non Employees	\$3,375,000
------------------	-----------------------------------	-------------

Increase Approp. Fund Balance:

G-SWR-9952-R5990	Undesignated Fund Balance	\$3,375,000
------------------	---------------------------	-------------



Introduced by:

Referral No. 2784

Hon. Philip Soskin, Sponsor
 Hon. Toney L. Earl, Sponsor
 Hon. Lon M. Hofstein, Sponsor
 Hon. Patrick J. Moroney, Sponsor
 Hon. Aney Paul, Sponsor
 Hon. Aron B. Wieder, Sponsor
 Hon. Douglas J. Jobson, Sponsor
 Hon. Michael M. Grant, Sponsor
 Hon. Ilan S. Schoenberger, Sponsor
 Hon. Jay Hood, Jr., Sponsor
 Hon. Nancy Low-Hogan, Sponsor
 Hon. Richard C. Diaz, Sponsor
 Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 505 OF 2015
 APPROVING THE ACCEPTANCE OF A
 CONTINUATION GRANT IN THE AMOUNT OF \$10,593,600 [NCTD],
 WITH A POTENTIAL COST-OF-LIVING ADJUSTMENT (COLA)
 AWARD OF NO MORE THAN \$768,575 [NCTD]
 AND REIMBURSEMENT FOR EMPLOYEE HEALTH INSURANCE
 IN THE ESTIMATED AMOUNT OF \$50,000,
 RESULTING IN A TOTAL GRANT AWARD IN THE AMOUNT OF \$11,412,175
 FROM THE NEW YORK STATE DEPARTMENT OF HEALTH
 TO THE ROCKLAND COUNTY DEPARTMENT OF HEALTH
 TO CONTINUE THE WOMEN, INFANTS AND CHILDREN (WIC)
 PROGRAM IN ROCKLAND COUNTY
 FOR THE PERIOD FROM OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2020
 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE
 ALL NECESSARY DOCUMENTS INCLUDING THE ACCOMPANYING AGREEMENT WITH THE NEW
 YORK STATE DEPARTMENT OF HEALTH
 [DEPARTMENT OF HEALTH]
 (\$11,412,175)**

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

WHEREAS, The Commissioner of Health has advised the County Executive and the Legislature of Rockland County that the New York State Department of Health has awarded the Rockland County Department of Health a continuation grant in the amount of \$10,593,600, with a potential Cost-of-Living Adjustment (COLA) award of no more than \$768,575 and reimbursement for employee health insurance in the estimated amount of \$50,000, resulting in a total grant award in the amount of \$11,412,175, to continue the Women, Infants and Children (WIC) Program in Rockland County for the period from October 1, 2015 through September 30, 2020; and

WHEREAS, The continuation grant also includes an unallocated portion in the amount of \$963,055; and

WHEREAS, The Commissioner of Health requests that the County Executive and the Legislature of Rockland County approve the accompanying agreement with the New York State Department of Health; and

WHEREAS, The grant will allow the Department of Health to support the many activities and funding of the WIC Program which supports low income and underprivileged mothers and newborns; and

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

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

WHEREAS, No County tax dollars [NCTD] are required to accept these grant funds; and

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

WHEREAS, The Multi-Services and Budget and Finance Committees of the Legislature has 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 in the amount of \$10,593,600, with a potential Cost-of-Living Adjustment (COLA) award of no more than \$768,575 and reimbursement for employee health insurance in the estimated amount of \$50,000, resulting in a total grant award in the amount of \$11,412,175, from the New York State Department of Health to the Rockland County Department of Health to continue the Women, Infants and Children (WIC) Program in Rockland County for the period from October 1, 2015 through September 30, 2020, and hereby authorizes the County Executive to execute all necessary documents including the accompanying agreement with the New York State Department of Health, subject to the approval of the County Attorney; and be it further

RESOLVED, That no County tax dollars [NCTD] are required to accept these grant funds; and be it further

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

GENERAL FUND - 2015

Increase Approp. Acct. (Credit):

A-DOH -4082	-E1100	Salaries, Employees	993,082
	-E1800	Relief Positions	101,615
	-E1910	Health	390,000
	-E1911	Dental	30,000
	-E1912	Vision	6,000
	-E1920	Retirement	170,000
	-E1930	Social Security	83,745
	-E1940	Unemployment Insurance	2,000
	-E1950	Workers' Compensation	1,780
	-E1980	MTA Mobility Tax	3,725
	-E3030	Medical Supplies	14,123
	-E3130	Office Supplies	1,065
	-E4010	Rental of Leased Premises	133,395
	-E4040	Travel	750
	-E4090	Fees for Services, Non-Employee	88,853
	-E4098	Services from Other County Depts.	59,309
	-E4140	Conferences and Seminars	500
	-E4600	Telephone	8,308
	-E4610	Utilities	9,524
	-E5060	Program Costs	8,351,346
	-E6600	Appropriation Reserve	<u>963,055</u>
			11,412,175

Increase Est. Rev. Acct. (Debit):

A -DOH -4082	-R1211	Allocation-Employee Health Ins. Reimb.	50,000
	-R3489	State Aid - Health	2,597,035
	-R4489	Federal Aid - Health	<u>8,765,140</u>
			11,412,175

UNEMPLOYMENT FUND – 2015

Increase Approp. Acct. (Credit):

Q -PER -9050	-E8010	Employee Benefits	2,000
--------------	--------	-------------------	-------

Increase Est. Rev. Acct. (Debit):

Q -PER -9050	-R2809	Interfund Revenues	2,000
--------------	--------	--------------------	-------

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. 2973

- Hon. Philip Soskin, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Lon M. Hofstein, Sponsor
- Hon. Patrick J. Moroney, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Aron B. Wieder, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Nancy Low-Hogan, Sponsor
- Hon. Richard C. Diaz, Sponsor
- Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 506 OF 2015
 AMENDING THE 2015 BUDGET BY APPROVING THE ACCEPTANCE OF
 ADDITIONAL FUNDS FROM THE NEW YORK STATE OFFICE OF
 ALCOHOL AND SUBSTANCE ABUSE SERVICES (OASAS)
 IN THE AMOUNT OF \$9,191 [NCTD] TO BE DISTRIBUTED TO
 COMMUNITY AWARENESS NETWORK FOR A
 DRUGFREE LIFE AND ENVIRONMENT, INC. (C.A.N.D.L.E.)
 FOR NEW COMPUTERS, CHAIRS AND PRINTING FOR THE CALENDAR YEAR 2015
 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL NECESSARY
 DOCUMENTS INCLUDING THE APPLICABLE CONTRACT AMENDMENT
 [DEPARTMENT OF MENTAL HEALTH]
 (\$9,191)**

Mr. Grant offered the following resolution, which was seconded by Mr. Diaz, Mr. Hofstein, Mrs. Low-Hogan and Mrs. Paul and unanimously adopted

WHEREAS, The Commissioner of the Department of Mental Health (RC DMH) has advised the County Executive and the Legislature of Rockland County that the New York State Office of Alcohol and Substance Abuse Services (OASAS) has awarded RC DMH additional funding in the amount of \$9,191 to be distributed to Community Awareness Network for a Drugfree Life and Environment, Inc. (C.A.N.D.L.E.) for new computers, chairs and printing for the calendar year 2015; and

WHEREAS, The acceptance of these funds will require an amendment to the County’s 2015 contract with C.A.N.D.L.E.;

WHEREAS, No County tax dollars [NCTD] are required to accept these additional funds; and

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

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

WHEREAS, The Multi-Services and Budget and Finance Committees of this 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 additional funding from the New York State Office of Alcohol and Substance Abuse Services (OASAS) to the Department of Mental Health in the amount of \$9,191 which will be distributed to Community Awareness Network for a Drugfree Life and Environment, Inc. (C.A.N.D.L.E.) for new computers, chairs and printing for the calendar year 2015, and hereby authorizes the County Executive to execute all necessary documents related to the acceptance of these funds, including the contract amendment with C.A.N.D.L.E., subject to the approval of the County Attorney; and be it further

RESOLVED, That no County tax dollars [NCTD] are required to accept these funds; and be it further

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

GENERAL FUND - 2015

<u>Increase Approp. Acct. (Credit):</u>		
A-DMH-4220-E5060	Narcotics Addiction Control	9,191
<u>Increase Est. Rev. Acct. (Debit):</u>		
A-DMH-4220-R3476	State Aid - OASAS	9,191

Introduced by:

Referral No. 9067

Hon. Michael M. Grant, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 507 OF 2015
APPROVING PURCHASES IN EXCESS OF \$100,000 FROM BERMUDEZ STALL SERVICE
FOR HORSE FEED AND CARE IN THE ADDITIONAL AMOUNT OF \$44,800
FOR THE PERIOD FROM MAY 1, 2015 THROUGH DECEMBER 31, 2015
WITH ONE ADDITIONAL ONE (1) YEAR OPTION
FOR A TOTAL AMOUNT NOT TO EXCEED \$112,000 FROM THE
COMMENCEMENT DATE MAY 1, 2014 THROUGH DECEMBER 31, 2015
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER UNDER RFB-RC-14-029
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$112,000)**

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

WHEREAS, The Director of Purchasing requested bids for horse feed and care for the Sheriff's Department under RFB-RC-14-029 for the period of one (1) year from the date of the award with two (2) additional one (1) year options; and

WHEREAS, Fifty-six (56) vendors were notified of RFB-RC-14-029, and Bermudez Stall Service, Box 193, Suffern, New York 10901, was the only vendor that responded; and

WHEREAS, The Director of Purchasing determined that Bermudez Stall Service, Box 193, Suffern, New York 10901, was the lowest responsive and responsible bidder that met all of the requirements of RFB-RC-14-029 for the purchase of horse feed and care for the Sheriff's Department; and

WHEREAS, The Director of Purchasing entered into an agreement with Bermudez Stall Service for horse feed and care under RFB-RC-14-029 for the period May 1, 2014 through April 30, 2015 with two (2) additional one (1) year options; and

WHEREAS, Expenses for this service fluctuate based on the number and size of the horses in the Sheriff's Department's Mounted Unit; and

WHEREAS, Annual purchases for the first term of the agreement were \$67,200, and the estimated purchases for the second term of the agreement are \$48,000, for a total amount not to exceed \$112,000 from the commencement date from May 1, 2014 through December 31, 2015; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve purchases in excess of \$100,000 from Bermudez Stall Service for horse feed and care for the Sheriff's Department under RFB-RC-14-029, in the additional amount of \$44,800 for the period from May 1, 2015 through December 31, 2015, with one (1) additional one (1) year option, for a total amount not to exceed \$112,000 from the commencement date May 1, 2014 through December 31, 2015; and

WHEREAS, All purchases will be initiated by formal purchase order, subject to the approval of the Director of Purchasing; and

WHEREAS, Sufficient funding for these purchases is provided for in the 2015 Adopted Budget of the Sheriff's Department; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves purchases in excess of \$100,000 from Bermudez Stall Service, Box 193, Suffern, New York 10901, for horse feed and care for the Sheriff’s Department under RFB-RC-14-029, in the additional amount of \$44,800 for the period from May 1, 2015 through December 31, 2015, with one (1) additional one (1) year option, for a total amount not to exceed \$112,000 from the commencement date May 1, 2014 through December 31, 2015; and be it further

RESOLVED, All purchases will be initiated by formal purchase order, subject to the approval of the Director of Purchasing; and, ~~it~~ be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2015 Adopted Budget of the Sheriff’s Department.

Introduced by:

Referral No. 6501

Hon. Michael M. Grant, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 508 OF 2015
AUTHORIZING THE RELEVY OF 2015 VILLAGE TAXES
[DEPARTMENT OF FINANCE]**

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

WHEREAS, The Commissioner of Finance of the County of Rockland has requested a resolution authorizing and directing the supervisors of the towns of the County of Rockland to add to their respective 2016 tax rolls the amount of the 2015 uncollected village taxes which were returned as unpaid, and

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

RESOLVED, That the supervisors of the towns of Rockland County be and they are hereby authorized and directed to add to their respective 2016 tax rolls the amount of the 2015 uncollected village taxes returned by the collectors of the various villages to the Commissioner of Finance and remaining unpaid, and that said taxes be reassessed and relevied upon the lots and parcels so returned with the appropriate penalty, and be it further

RESOLVED, That the supervisors of the various towns be and they are hereby authorized and empowered to make such alterations in the descriptions of the land as may be necessary to render such description conformable to provisions of law, and be it further

RESOLVED, That the Commissioner of Finance be and is hereby authorized to collect unpaid village taxes only until, and including November 30, 2015.

Introduced by:

Referral No. 6502

Hon. Michael M. Grant, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 509 OF 2015
AUTHORIZING THE RELEVY OF 2015 SCHOOL TAXES
[DEPARTMENT OF FINANCE]**

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

WHEREAS, The Commissioner of Finance of the County of Rockland has requested a resolution authorizing and directing the supervisors of the towns of the County of Rockland to add to their respective 2016 tax rolls the amount of the 2015 uncollected school taxes which were returned as unpaid, and

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

RESOLVED, That the supervisors of the towns of Rockland County be and they are hereby authorized and directed to add to their respective 2016 tax rolls the amount of the 2015 uncollected school taxes returned by the collectors of the various districts to the Commissioner of Finance and remaining unpaid, and that said taxes be reassessed and relieved upon the lots and parcels so returned with the appropriate penalty, and be it further

RESOLVED, That the supervisors of the various towns be and they are hereby authorized and empowered to make such alterations in the descriptions of the land as may be necessary to render such description conformable to provisions of law, and be it further

RESOLVED, That the Commissioner of Finance be and is hereby authorized to collect unpaid school taxes only until, and including November 30, 2015.

Introduced by:

Referral No. 9505

Hon. Michael M. Grant, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Jay Hood, Jr. , Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO 510 OF 2015
SETTING A DATE FOR A PUBLIC HEARING
WITH RESPECT TO ADOPTION OF A LOCAL LAW
OVERRIDING THE TAX LEVY LIMIT FOR FISCAL YEAR 2016
IN THE COUNTY OF ROCKLAND**

Mr. Grant offered the following resolution, which was seconded by Mr. Diaz and Mrs. Paul and unanimously adopted

WHEREAS, The County Executive has recommended to the County Legislature of Rockland County that the Legislature adopt a local law overriding the tax levy limit for fiscal year 2016 in the county of Rockland; and

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

RESOLVED, That the Legislature of Rockland County hereby sets the **3rd day of December 2015, 2015, at 7:10 p.m.**, for a public hearing to provide for a local law overriding the tax levy limit for fiscal year 2016 in the county of Rockland.

Introduced by:

Referral No. 9500

- Hon. Alden H. Wolfe, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Michael M. Grant, Co-Sponsor
- Hon. Toney L. Earl, Co-Sponsor
- Hon. Jay Hood, Jr., Co-Sponsor
- Hon. Douglas J. Jobson, Co-Sponsor
- Hon. Philip Soskin, Co-Sponsor

**RESOLUTION NO. 511 OF 2015
 AUTHORIZING PAYMENT OF FUNDS IN VARIOUS AMOUNTS TO NON-PROFIT
 ORGANIZATIONS PURSUANT TO COUNTY LAW § 224**

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

WHEREAS, New York State's County Law § 224 permits the Legislature of the County of Rockland to contract with non-profit organizations and other corporations, associations and agencies within the County and within adjoining Counties for the purposes described in County Law § 224; and,

WHEREAS, As reflected in the adopted Budget for fiscal year 2015, the Legislature of the County of Rockland has chosen to provide funds to the following non-profit organization in the following amounts from the noted budget line:

- | | | | |
|----|----------------------|----------|---------|
| 1) | Rockland County YMCA | \$25,220 | CA-7577 |
|----|----------------------|----------|---------|

; and

WHEREAS, the above listed organization seeks to perform the services described in the Schedule A to the Memorandum Receipt for 2015 - a sample of which is annexed hereto and incorporated into this resolution as Schedule A - that shall be signed and filed with the Clerk to the Legislature in exchange for said funds; and,

WHEREAS, County funds are being provided by this resolution which funds shall be used to effect the services set forth in the Schedule A's to the Memorandum Receipt that shall be signed and filed with the Clerk to the Legislature; and,

WHEREAS, The amount the Legislature shall make available to the above listed organizations will be for services to be provided between January 1, 2015 to December 31, 2015; and,

WHEREAS, Funding for the payment of these services has been allocated in the above noted budget line; and

WHEREAS, the sums to be provided shall be paid to the above listed organization on or about April 30, 2015 and October 31, 2015; and

WHEREAS, The Budget and Finance Committee 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 authorizes the payment of funds to the following non-profit organization from the noted budget line:

- | | | | |
|----|----------------------|----------|---------|
| 1) | Rockland County YMCA | \$25,220 | CA-7577 |
|----|----------------------|----------|---------|

; and

RESOLVED, That the sum shall only be provided for services to be rendered and under the conditions set forth in the Memorandum Receipt for 2015 - a sample of which is annexed hereto and incorporated into this resolution as Schedule A - which shall be signed and filed with the Clerk to the Legislature; and be it further,

RESOLVED, The sums to be provided shall be paid to the above listed organization on or about April 30, 2015 and October 31, 2015, and be it further;

RESOLVED, That any funds unused by the above listed organization for the services to be rendered and under the conditions set forth in the Memorandum Receipts, which shall be signed and filed with the Clerk to the Legislature, shall be refunded to the County; and be it further,

RESOLVED, That the aforementioned payments shall not be disbursed until such a time as the Rockland County Commissioner of Finance, receives a Memorandum Receipt, in the form set forth and which shall be signed and filed with the Clerk to the Legislature, signed by the principal officer of and disbursing officer of the individual non-profit organization; and be it further,

RESOLVED That the Memorandum Receipt shall require a verified account of the individual non-profit organization's disbursements related to the services that have been provided in accordance with the Memorandum Receipt and this resolution, with verified or certified vouchers describing the services to be rendered, attached to such account and to otherwise comply with the terms of the Memorandum Receipt and this resolution; and be it further,

RESOLVED, That any funds allocated by this resolution and which remain unused by the above listed organization through December 31, 2015, shall be refunded to the County of Rockland; and be it further,

RESOLVED, That the Rockland County Commissioner of Finance shall disburse, in accordance with this resolution, the sum indicated herein from the above noted budget line of the adopted Budget for fiscal year 2015.

Federal ID# 13-1740513

MEMORANDUM RECEIPT

THIS Memorandum Receipt dated this ____ day of _____, 2015, acknowledges the conditions of funding, from the **COUNTY OF ROCKLAND**, a municipal corporation of the State of New York, having its principal office at 11 New Hempstead Road, New City, New York 10956, hereinafter described as "COUNTY," to the Recipient, **ROCKLAND COUNTY YMCA**, a New York State not-for-profit corporation, with offices located at 35 South Broadway, Nyack, New York 10960, hereinafter called "the RECIPIENT," in the manner following:

WITNESSETH:

WHEREAS, the RECIPIENT is a not-for-profit corporation which provided services described in Schedule "A" with the funding hereby provided by the COUNTY attached and made a part hereof, and

WHEREAS, the COUNTY desires such services as RECIPIENT provides, for the benefit of County residents, and

WHEREAS, the Legislature of Rockland County appropriated the necessary funds for the RECIPIENT, to be disbursed in accordance with Section 224 of the New York State County Law for prevention of cruelty to children and animals, a purpose provided for therein, and

NOW, THEREFORE, the RECIPIENT agrees that, the following requirements must be met for the receipt of the funding provided:

1. **TERM:** The services rendered by RECIPIENT under this Memorandum Receipt commenced **January 1, 2015** and terminated **December 31, 2015**.

2. **SERVICES:** The RECIPIENT provided services as set forth in Schedule "A", annexed and made part of this Memorandum Receipt. The RECIPIENT warrants and represents that it and its employees, agents and servants possess the skills and experience to render the services provided for this Memorandum Receipt. The funds provided by the Legislature and described below shall be expended on the services described in Schedule "A"

3. **FUNDING:** The COUNTY will provide to the RECIPIENT a sum not to exceed **TWENTY FIVE THOUSAND TWO HUNDRED TWENTY DOLLARS and 00/100 (\$25,220.00)** to permit the RECIPIENT for the services set forth in the attached Schedule "A".

Payment will be made only when a certified and signed voucher in a form is approved and authorized by the Commissioner of Finance. Payments will be made upon the following schedule:

PAYMENT SCHEDULE

<u># of Payments</u>	<u>Date</u>
First Payment	On or About April 30th
Second Payment	On or About October 31st

All financial statements and proofs of insurance, or other documentation required in this Memorandum Receipt must be on file with the Commissioner of Finance **before** any payment will be made. Failure to comply with any provision under this Memorandum Receipt may result in the delay or forfeiture of the aforementioned payments.

This Memorandum Receipt requires a verified account of **ROCKLAND COUNTY YMCA** disbursements related to the services that have been provided in accordance with the Memorandum Receipt and this resolution, with verified or certified vouchers describing the services rendered, attached to such account; and it is further,

4. **CONDITIONS AFFECTING FUNDING:** The funding offered by the COUNTY and described herein is offered entirely at the COUNTY's discretion. It is neither a contract nor a general obligation of the COUNTY. Neither the full faith and credit nor the taxing power of the COUNTY are pledged to the payment of any amount due or to become due under this Memorandum Receipt. It is understood that neither this Memorandum Receipt nor any representation by any COUNTY employee or officer creates any obligation to appropriate or make monies available for the purpose of the Memorandum Receipt. **This Memorandum Receipt shall not be effective unless the monies to be paid hereunder by the COUNTY are appropriated in and remain in the COUNTY budget for the purpose described herein. Furthermore, neither this Memorandum Receipt nor the appropriation described herein shall constitute any obligation expressed or implied that the County of Rockland will continue to appropriate funding in the future.**

5. **FINANCIAL RECORDS/AUDIT:** The RECIPIENT shall maintain records of all its financial transactions, including all expenses and disbursements, which relate to this Memorandum Receipt. Such records shall be kept in accordance with GAAP (Generally Accepted Accounting Practices) and/or County record-keeping requirements, and each transaction shall be documented. Such records shall be made available to the COUNTY for inspection or audit upon request. **The RECIPIENT shall file with the Commissioner of Finance such reports and statements as are required to be filed with the Attorney General of the State of New York pursuant to Article 7-A of the Executive Law and Section 8-1.4 of the Estates, Powers and Trust Law, on or before**

the first day of July after the close of such fiscal year. Upon the failure to file reports and statements no further compensation or fee for services will be due to the RECIPIENT unless or until financial statements have been filed with the Rockland County Department of Finance.

6. INDEMNIFY AND HOLD HARMLESS: The RECIPIENT agrees to defend, indemnify and hold harmless the COUNTY and its respective officers, employees and agents from and against all claims, actions and suits, including but not limited to suits claiming that the appropriation to the RECIPIENT was illegal, and will defend the COUNTY and its respective officers, employees and agents, at its own cost and at no cost to the COUNTY, in any suit, action or claim, including appeals, for personal injury to, or death of, any person, or loss or damage to property arising out of, or resulting from, the activities or omissions of the RECIPIENT that arise from the services described in Schedule "A", to the fullest extent permitted by law. These indemnification provisions are for the protection of the COUNTY and its respective officers, employees and agents only, and shall not establish, of themselves, any liability to third parties. The provisions of this section shall survive the termination of this Memorandum Receipt and the expiration term for which funding is provided.

7. RECIPIENT IS INDEPENDENT OF THE COUNTY: The RECIPIENT is an independent entity, providing services on its own cognizance and for its own purposes. RECIPIENT covenants and agrees that it, its agents, servants and/or employees, will neither hold itself out as, nor claim to be an employee, servant or agent of the COUNTY, and that it, its agents and employees will not make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the COUNTY, including, but not limited to, Workers' Compensation coverage, unemployment insurance benefits, Social Security coverage or retirement membership or credit.

8. COMPLIANCE WITH ANTIDISCRIMINATION LAWS: RECIPIENT agrees that it shall not discriminate on the basis of race, creed, sex, ethnic background, age or national origin, and shall comply with all Federal, State and Local Anti-Discrimination Laws and resolutions, including, but not limited to the Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964; the Age Discrimination in Employment Act; the Equal Pay Act; the Immigration and Reform Act; the Genetic Information Reform Act; the New York State Human Right's Law and; the Rockland County Human Rights Law. Also, RECIPIENT agrees that its services will be available to all residents of Rockland County.

9. INJURY, PROPERTY DAMAGE: The RECIPIENT shall be responsible for all damages and/or injury to life and property due to, or resulting from, the activities or omissions of the RECIPIENT, its agents or employees in connection with its work, activities or services described in Schedule "A" of this Memorandum Receipt. The RECIPIENT represents and warrants that its agents and employees possess the experience, knowledge and skills and independence necessary for the work/services to be performed in connection with this Memorandum Receipt.

10. INSURANCE REQUIREMENTS: The RECIPIENT shall, at its own cost and expense, procure and maintain insurance to cover its work, services, employees, owners, servants and/or agents described in Schedule A, which insurance shall include, but may not be limited to those policies indicated:

- A Commercial General Liability Insurance not less than \$1,000,000 (One Million) for each occurrence and a general aggregate not less than \$2,000,000 (Two Million) per project
- B Automobile Liability Insurance not less than \$1,000,000 (One Million) Combined Single Limit for each accident
- C Excess Umbrella Liability Insurance not less than \$2,000,000 (Two Million) over General Liability, Employers Liability (if not unlimited on the workers compensation policy), Auto Liability and Professional Liability, if required, for each occurrence and a general aggregate not less than \$2,000,000 (Two Million)
- D Workers' Compensation and Employers Liability Insurance in accordance with statutory requirements of the NYS Workers Compensation Law
- E Disability Insurance in accordance with provisions and requirements of the NYS Disability Law
- F Professional Liability Insurance (or Errors and Omissions or Malpractice) not less than \$1,000,000 (One Million) for each claim, or if not included on the excess umbrella the limits should equal \$1,000,000 plus the required excess limit
- * All other insurance as required by law

A check mark in the box indicates that the type of insurance specified **IS REQUIRED**

The RECIPIENT warrants and represents to the County of Rockland that it has sufficient funds to satisfy the amount of the self insured retention limit (deductible) required of each liability policy as it applies to this Memorandum Receipt, and that said amount is available to settle, compromise, or pay any suit or claim for negligence, gross negligence, medical malpractice, or intentional acts or omissions, made against it arising out of or during the term of this Memorandum Receipt. The RECIPIENT shall provide, at the request of the County of Rockland, proof or guarantee of financial responsibility, as it deems necessary.

11. LAWS OF THE STATE OF NEW YORK: This Memorandum Receipt shall be governed by the Laws of the State of New York.

12. LABOR LAW AND EXECUTIVE LAW: The RECIPIENT shall comply with all of the provisions of the Labor Law of the State of New York including, but not limited to, prevailing wage provisions, **if required by law**, and with Article 15 of the Executive Law of the State of New York relating to unlawful discriminatory practices

insofar as the provisions are applicable to the work and/or services to be performed under this Memorandum Receipt.

13. LOCAL LAWS AND RESOLUTIONS: The RECIPIENT shall comply with all local laws and resolutions of the Legislature of Rockland County, including, but not limited to, the resolution authorizing payment of funds identified in this Memorandum Receipt to the RECIPIENT pursuant to County Law §224, and the filing of Disclosure Statements and Affirmative Action Plans, if required by law or resolution.

14. REPRESENTATIONS AND WARRANTIES OF THE RECIPIENT: RECIPIENT represents and warrants to the COUNTY as follows:

(a) RECIPIENT is a corporation duly organized not-for-profit organization, validly existing under the laws of New York, and is duly qualified to do business in New York. RECIPIENT has full power and authority to conduct its business as now carried on, and to carry out and perform its undertakings and obligations as provided herein. The execution and delivery by RECIPIENT of this Memorandum Receipt and the consummation of the transactions contemplated herein have been duly authorized by the Board of Directors or applicable body or officer of RECIPIENT and will not conflict with or breach any provision of the Certificate of Incorporation or Bylaws of RECIPIENT. The copies of the documents pertaining to the organization of the RECIPIENT provided by RECIPIENT to the COUNTY are true and complete copies of said documents.

(b) No action, approval, consent or authorization, including without limitation any action, approval, consent or authorization of any governmental or quasi-governmental RECIPIENT, commission, board, bureau or instrumentality, is necessary for RECIPIENT to constitute this Memorandum Receipt the binding and enforceable obligation of RECIPIENT or to consummate the transactions contemplated hereby.

(c) There are no violations of any law or governmental rule or regulation pending or, to the best of RECIPIENT's knowledge, threatened against RECIPIENT. The RECIPIENT has complied with all laws and governmental rules and regulations applicable to its business operations.

(d) There are no judgments, liens, suits, actions or proceedings pending or, to the best of RECIPIENT's knowledge, threatened against RECIPIENT. The RECIPIENT is not a party to, subject to or bound by any agreement or any judgment or decree of any court, governmental body or arbitrator which would conflict with or be breached by the execution, delivery or performance of this Memorandum Receipt, or which could prevent the carrying out of the transactions provided for in this Memorandum Receipt,

or which could prevent the performance of its obligations under this Memorandum Receipt or adversely affect the conduct of its business.

(e) The RECIPIENT has filed each tax return, including without limitation all income, excise, property, gain, sales, franchise and license tax returns, required to be filed by the RECIPIENT prior to the date hereof. Each such return is true, complete and correct, and the RECIPIENT has paid all taxes, assessments and charges of any governmental authority required to be paid by it, including but not limited to any County, Town, Village real property tax or School tax, and has created reserves or made provision for all taxes accrued but not yet payable. No government is now asserting, or to RECIPIENT's knowledge threatening to assert, any deficiency or assessment for additional taxes or any interest, penalties or fines with respect to the RECIPIENT.

(f) The financial statements, balance sheets and other information pertaining to the RECIPIENT and provided to the COUNTY are true, correct and complete as of the dates and for the periods set forth therein; have been prepared in accordance with generally accepted accounting principles consistently applied; and fairly represent the financial position of the RECIPIENT at such dates and for such periods. The RECIPIENT had at said dates no liabilities or obligations of any kind, contingent or otherwise, not reflected in the financial statements provided to the COUNTY. Since said dates and periods, there has been no material adverse change in the financial condition, assets or liabilities of the RECIPIENT.

15. NO ASSIGNMENT: The RECIPIENT cannot assign, sublet or transfer or otherwise dispose of its interest in the funds described in this Memorandum Receipt without a duly adopted resolution of the Legislature of Rockland County authorizing such assignment or transfer.

16. APPROVAL OF FEDERAL, STATE AND LOCAL RECIPIENT: Notwithstanding any other provisions of this Memorandum Receipt, the COUNTY shall not be liable for any payment or compensation to the RECIPIENT until the services rendered by the RECIPIENT under this Memorandum Receipt meet the approval and standards of any other Federal, State or local agency, authority, commission or body, which has jurisdiction over the services to be rendered under this Memorandum Receipt which provides funding in whole or in part for the services provided under this Memorandum Receipt.

17. FUND RAISING: All fund raising affairs of the RECIPIENT shall be included within the borders of Rockland County, whenever possible, pursuant to Resolution No. 119 of 1992.

18. NATURE OF MEMORANDUM RECEIPT. This Memorandum Receipt is not a contract or agreement between the parties. This document, as described by Section 224 of the New York State County Law and its County legislation authorizing its terms, sets forth certain conditions, undertakings and obligations of the RECIPIENT. This Memorandum Receipt creates no obligations on the part of the COUNTY including any obligation for the payment of the funds described in this Memorandum Receipt or its related legislation.

IN WITNESS WHEREOF, the RECIPIENT executes this Memorandum Receipt this _____ day of _____ 2015.

By: _____
(presiding officer)
President

Dated: _____

By: _____
Treasurer (disbursing officer)

Dated: _____

**RESOLUTION NO. 512 OF 2015
WAIVE THE RULES OF THE LEGISLATURE
TO CONSIDER PROPOSED RESOLUTION
UNDER NEW BUSINESS**

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

RESOLVED, that the Rules of the Legislature be waived to consider Item 13 A, Resolution No. 513 of 2015 under New Business.



NEW BUSINESS
Referral No. 9485

Introduced by:

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

**RESOLUTION NO. 513 OF 2015
APPOINTMENT TO THE BOARD OF DIRECTORS
OF THE ROCKLAND COUNTY HEALTH FACILITIES CORPORATION**

Mrs. Cornell offered the following resolution, which was seconded by the entire Legislature and unanimously adopted

WHEREAS by Resolution 192 of 2013, the Legislature of Rockland County authorized the establishment of the Rockland County Health Facilities Corporation pursuant to Section 1411 of Not-For-Profit Corporation Law of the State of New York; and

WHEREAS, by Resolution 192 of 2013, the Legislature of Rockland County approved the Certificate of Incorporation and By-Laws attached to said resolution 192 of 2013; and

WHEREAS, this Corporation is governed by seven voting directors, four of whom shall be appointed by the County Executive, not requiring legislative confirmation; and three of whom are appointed by the County Legislature, not subject to Executive veto, and all such directors as well as officers of the Corporation serve without compensation; and

WHEREAS, by Resolution 402 of 2013, the Legislature appointed Magdalena Ramirez, to the Board of Directors for a two year term, which expired on July 23, 2015; and

WHEREAS, it is the desire of the Legislature to appoint Donna M. Pauldine, Congers, New York; to replace Magdalena Ramirez; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby appoints Donna M. Pauldine, Congers, New York as a member of the Board of Directors of Rockland County Health Facilities Corporation, for a two-year term which expires on July 23, 2017; and be it further

RESOLVED, that the Clerk to the Legislature shall notify the Rockland County Health Facilities Corporation and the appointees of this resolution.



Debate:

Mr. Schoenberger

I support Donna M. Pauldine to the LDC Board, because of her lengthy experience and knowledge and familiarity with our facility. I am under the impression that this resolution is a Legislative resolution and not subject to a County Executive's veto and it becomes effective tonight.

Chairman Wolfe

That is correct. I have to give credit to Mr. Grant who suggested that we reach out to Donna Pauldine. The board is made up of seven members, four appointed and serve at the pleasure of the County Executive and three of whom are appointed and serve at the pleasure of the County Legislature. The composition of the board is very important when the board is considering the direction that things will go from this point forward. When it was announced that Sympaticare's offer was rejected I raised the question who rejected it. The County Executive is not the LDC nor is he the County. He and us are the County. We speak together for Rockland County. The question was, "Who rejected the offer?" It seems to me that the County Executive has used the LDC as either sword or shield, depending on the particular issue that he was dealing with at the particular moment.

I think that Donna Pauldine is the ideal person. Not only does she have knowledge of this particular transaction, but she also has knowledge of the institution in general. She cares deeply not only for the residents, but also the employees.

This Legislature unanimously supported a resolution at our last meeting supporting an alternative to closure. I think it is worth noting that this body spoke unanimously in calling upon all parties to do what they can do to at least have a conversation. You can't just say no, you have to try.

Reports of County Officers:

Receive and File County of Rockland Comprehensive Annual Report for Fiscal Year Ending December 31, 2014 Prepared by O'Connor Davies LLP.

Receive and File Required Certification of Calendar Year 2014 Election Expenses.

Comments from Legislators

Mr. Schoenberger

I believe the incentive plan submitted by the County Executive is discriminatory. It has to be fair and equitable across the board. All CSEA, all RAM, not some to the exclusion of others. I think it is poorly thought-out and planned. I will not support it.

There are three reasons why this Legislature approved the resolution unanimously at the last meeting calling upon the County Executive to move forward and close this deal. The first reason was the patients. The patients at our facility have been there for a long period of time. They are elderly, and here because they have families that are here and the families have to be able to see them and be with them. This is their home. To move them and dislocate them at this late stage of their life would be very harmful to them. They have social interaction at our complex. They see the same people every day. They have friends. When you break that up you cause great harm to those people, because this is their social life. They know the caregivers, our employees, and the caregivers know them.

The second reason is the employees. The employees know these people, they communicate with them and developed a relationship of trust and friendship. The employees know what the patients concerns are. The patients can talk to them. They can become disoriented in a new place, they lose their social contacts, they lose their ability to communicate with caregivers who don't know them and it is very harmful and wrong to do that to these patients. It is just wrong. Then the family who visits has to travel a great distance to see them.

Our employees were promised that when the facility was transferred to the new owner that they would be given the opportunity to stay with the facility, stay with the patients and be able to provide the services they have been providing. At the very last minute the rug is being pulled out from under them and they are being told they have to go. To add insult to injury others are being told they will be offered an incentive to retire, but the hospital employees are not included and will not be offered an incentive.

The third reason is our deficit. That is the reason the whole process has come about over the last three years. We have a buyer willing to pay us \$32,500,000 for this facility to be applied to the deficit and other expenses we feel appropriate. The disruption will be kept to a minimal to the patients and the employees. The County Executive is refusing to do that. That money is going to have to be made up by each and every taxpayer in this County. I do not understand how the County comes out better off if the facility is closed and we, the public and the taxpayers get zero.

I will use the words of Mr. Braunstein's father that we should ask the County Executive to speak to them and see if we can revive the sale and get it going. The answer is, we already did by unanimously passing a resolution, but instead of being receptive he has ignored us and pushed for the closing of the facility. This Legislature is doing everything we can. I disagree with the decision to close the facility. I hope the County Executive comes around and sees that selling the facility and keeping it open is the right thing to do.

Mr. Meyers

For the people who work at the hospital, and for the residents who live there, my feeling is that because the hospital/nursing home is subject to sale or closure does not diminish the work you have done for the years you have been there and it is not a reflection on you. Nobody should feel that they did a bad job or services were not valued.

Why would a County Executive want to give up \$32,000,000, a chance to provide a service to County residents and keep the employees working? There is no reason why a County Executive would want to do that. Obviously, there is something more going on here. This particular County Executive agreed consensually to extend the time to close on the contract from December 14, 2014 for nine more months and reduce the price by \$4,000,000, because the purchaser had certain issues with the deal. Does that sound like a County Executive who didn't want to close the transaction? Of course not.

The reasons that the buyer cannot close really cannot be solved by the County. The buyer said that he has the money, but his investors are skittish, which means he doesn't have the money. I do not believe Mr. Braunstein has a commitment letter from the bank either, if he has a commitment for a loan he should bring the letter to the County Attorney tomorrow morning. The County Executive can't solve the problem of the litigations created to interfere with the sale. The County Executive can't solve the problem of the skittish investors. The Certificate of Need is a Conditional Certificate of Need, which he cannot operate with. The County Executive cannot satisfy the 27 conditions to get a full Certificate of Need, only the buyer can do that. We can't solve the problems that the buyer has.

So, what do we do? We passed a resolution, which I voted for, urging the buyer and the County to work together to try and close the transaction on the terms previously agree to. Now we have a problem and the problem is the buyer went to the LDC and made a counteroffer. The buyer asked to be able to close by December 31st. This is the same buyer who says he cannot close October 31st. He wants the Count to take full responsibility for any of the litigations. The seller can't do that, can't have entanglements after the closing occurs. We can't solve these problems and we wouldn't be able to solve them by December 31st. We can't solve the buyers money problems either.

This Legislature has the power to amend the County Executive's budget to add a 30% tax increase and fund the hospital for another year in case they don't come to the table by December 31st, which I am quite sure they are not going to, this Legislature can do that. If you don't see an amended budget that increases taxes 30% to keep the hospital open another year then you will know that the resolve of this Legislature to help you was really just talk, because they can do that. They should do it if they think it is the right thing to do. I would not support that, because it takes three months for a closure plan to be completed. The Department of Health is very close to approving the County Executive's closure plan, which would occur by December 31st. If he withdraws his closure plan the next time he could present the closure plan to the State Department of Health would be January 1, 2016. It would take three months to close it. The County Attorney told me it would have to be funded for the full year. The taxpayers are not going to stand for that.

There has only been one taxpayer that has come before us asking for us to keep the hospital open who didn't have a relative there or a job there. In my district nobody has called me asking to keep the hospital open. The public didn't come, because the taxpayers are tired of paying higher and higher taxes and the public will not stand for a 30% tax increase.

Closure was the last thing on any of our minds. We got a buyer that bid the highest and really wants to negotiate to price down. It is unfortunate the buyer really does not have a commitment to close.

Mrs. Paul

We want to keep the hospital/nursing home open, because it is called home by its residents . I support the sale of the hospital and I do not want it to close.

Mr. Carey

Two weeks ago I was one of the 17 Legislators that voted yes to the resolution. I am going to reiterate what I said that night also that I asked Mr. Braunstein to walk in with a check ready to close. Everything I have been hearing is focused toward the LDC and the County Executive. I have not heard anything about asking the buyer to show up with a check and the things needed to close this deal. We purposely changed the resolution to include that, but I think that has been ignored up to this point. I don't think the buyer is stepping up the way he should. The buyer has a fifteen month record of nothing. There is a game going on here that is not right. We said two weeks ago to give it an earnest try. What the buyer came back with to the LDC was not an earnest try. I said to specifically to walk in with \$32,500,000 to show that you were ready to do this. Show that you mean it, talking about it doesn't mean anything. I frankly have not seen the buyer move on this other than talking.

Mr. Hofstein

There are people that have alluded to a conversation that I had with Mr. Braunstein, including Mr. Braunstein himself. We all voted for that resolution. We don't want to see anyone unemployed. Our mission is here to represent you, but it is also to protect the people. Let's not forget how many people are crying that they can't afford to live in their homes. Let's not forget how many people are crying that they have to sell their homes.

Mr. Braunstein and I had three conversations. The first conversation you said to me that you had the money. The second conversation you said that you will have the money and at that point I said that either you have it or you will have it. Which is it? His response was that he will have it. I asked him if he had a financial commitment. The buyer said that he did, the bank was in Chicago and the broker was in New York. I didn't think there would be problem getting some kind of commitment to the LDC since he had the financial backing. Mr. Braunstein abruptly ended the conversation saying it was the bank on the phone. At approximately 6:00 p.m. that evening he called me again and I asked "Do you have the money?" He said that he felt I was interrogating him. The people need to know if you can make your financial commitment today or tomorrow. He said, "I will have it by the end of December." He wanted the County to turn the facility over to him without being paid. He needs to be honest with the people I understand they are all coming here on the hope and a prayer that you will be it. Do you or don't you have the financial commitment now? We have been dragging this along for an extended period of time. The County has been enduring the losses every month, which is why you said to me that you would take it over November 1st and do you a favor. I asked again if he had the money to pay for it and once again he said that he will. What transaction have you ever been involved with where a seller turns over their assets before receiving any kind of remuneration?

Be honest with the people. If you are prepared to make a financial commitment then come with a letter of financial commitment from the bank tomorrow and let's close the deal. Keep these people working and keep the residents in the nursing home. If you don't have it then be honest and tell the truth. We want to work to keep this open. We don't want to put these people out of work. We don't want to transfer residents out of the nursing. You have to be honest. Do you have the money today? Do you have the financial commitment? How could the bank be working on it if you were supposed to close September 30th. Be honest with the people, LDC and members of the Legislature. If you have the commitment please present it to the LDC.

Mr. Wieder

The last meeting we worked very hard to pass a unanimously resolution in reference to the sale of Summit Park Hospital. We asked for the County Executive, the LDC and the buyer to try to work this out. As my colleague Legislator Schoenberger said, for the patients, the families, the employees and more importantly for the good people of Rockland County. \$32,500,000 can help us a long way in this budget. I was very curious to know what happened after the resolution we passed. These days all I can do is go on FaceBook. So went on FaceBook, because that is the way the County is being governed these days by the County Executive. From his personal FaceBook page it appears that the County Executive had said, "No". Did he sit down with the buyer or did the LDC take a vote on a counter proposal by the buyer? Not that I am aware of. The County Executive completely ignored our resolution. He didn't sit down with the buyer, and I don't know if the LDC even met. That is simply wrong.

There are some Legislators that are giving all sorts of excuses on behalf of the County Executive. Gentleman, this is no secret, we all know it is the County Executive standing between selling the hospital and saving the patients, the employees and the taxpayers. No one will believe you otherwise. You know why? Because people check out FaceBook. Social media is very popular. I don't think that a County should be governed by FaceBook, but it is a platform to get a lot of information from the County Executive.

The Legislature has asked the County Executive in our resolution to make this work. We need leadership. We need more leadership and less FaceBook.

I look forward to tomorrow's meeting. I am still very hopeful, because alternative the alternative is a lot worse. There is simply no alternative. We all have received the counterproposal from the seller and we heard from him tonight. What more commitment do you need? The buyer invested \$6,000,000. That is not enough of a commitment? I feel it is very important that we have an open mind about his counterproposal and stand behind the resolution that we passed

Mr. Jobson

I have wanted to keep the doors of this facility open from day one. I never wanted it to close and I still do not want it to close, but we have come to this point now. I can't apologize to you enough and I feel so sorry for everyone. There is a lot of blame going around. It is just unfortunate how this all happened. The people who are always caught in the middle are the innocent people who pay the price for other people's dealings. Tomorrow morning is the Hail Mary session. I don't know if minds are already made up or what is going to happen. I have supported this and tried to make it happen. I have spoken with the buyer, the Executive branch and the LDC members. It has been very hard. I do not want to cast dispersions at anyone. The people are paying with their careers and jobs. Grant Jobson was a relative of mine that was a very big fixture at Summit Park and called it home for many years. I know what a wonderful family atmosphere there is at the facility. I hope for a miracle to happen tomorrow and the sale goes through.

Mr. Earl

I believe what you said to me a couple of weeks ago Mr. Braunstein. I believe you have the money and will be able to come through with the purchase tomorrow. If not, I still view you as an option. A few of my colleagues came up with some very strong allegations and I hope you will be able to counter them tomorrow morning. I hope you will make this deal happen.

A majority of the employees at the hospital are my constituents. Their lives are being turned upside down. Mr. Braunstein we are counting on you and I still have faith. Make it happen tomorrow morning. Thank you.

Mr. Grant

Two of my colleagues here tonight did a tremendous disservice to the public by indicating that there is this 30% property tax bogey out there. It is unsupported by any analysis they provided to my committee. I don't think that they are prepared to do it tonight or tomorrow. I think it is a disgrace that they would just throw that number out there without any supporting documentation. There is a lot of work to be done on this budget. Mr. Day's proposal for 2016, with his declaration that the hospital be closed by December 31st, calls for \$14,000,000 to be allocated to the hospital. I don't understand all the reasons why, but I expect some explanation Thursday night at the Budget Review meeting. We are still working through the numbers and trying to understand them. If my colleagues have already done that I hope they will be there to share that with us.

The LDC has responsibility for negotiating the sale of the hospital and property. It is their job and remains their job to negotiate the purchase to conclusion. Mr. Day is the County Executive and the Chief Administrator for the County who has the responsibility of running the hospital while it is still ours. Part of the responsibility is recognizing the sale is in the works and we believed it to be in the best interest of taxpayers, residents and patients of the nursing home, the employees who would leave County service and all of those who would remain afterward, to be operated effectively and efficiently and produce a bottom-line was near the black. I would say that it has not happened yet.

One of the things he should have been working on, for these twenty-two months he has been in office is anticipating we might get to the point where the sale was close, was a Transition Services Agreement with the buyer. The County Executive has not done that either.

The Facility Closure Plan Guidelines from the Department of Health, which is on the web for anybody to see. It says that verbal notification must be provided to the Department of Health's Regional Manager or Program Director soon as a provider contemplates closure, services or discontinuation. Written notification of a possible closure must be provided to the regional office no later than 48 hours following the verbal notification. Information of a potential closure may not be disclosed to the public, patients, residents or staff prior to notifying the DOH, submission of a Closure Plan to the DOH and approval of such a plan by a DOH. From my understanding that hasn't been done yet. I don't understand what is happening at the hospital in light of this language and this Closure Plan. It seems like they are moving the people out that shouldn't even be taking place yet, because he doesn't have the authority to do that.

We have a lot of work to do in Budget and Finance Committee before we adopt the final budget. This is a very challenging budget. It is probably more challenging than any of the budgets that I have dealt with in the past. It has some of the flavor of some of the worst budgets of the prior administration. I invite every member of this Legislature to attend every session that they possibly can so we all have a better understanding and we will be in a position to make the best decision possible. We will reframe from making statements about things that are in the budget that aren't and things that we might be able to do that we really can't until this has all been sorted out.

Mr. Soskin

I am an accountant. I have a list of reasons why the County should sell. Mr. Hofstein would like a check tomorrow morning. A bank is not going to give someone money over night. Banks have to consider it. There are business reasons for everything. There is someone threatening a lawsuit, which would give Mr. Braunstein a reason to stall or back out. It has been said that Mr. Braunstein had fifteen months to do something. That is not true. Mr. Braunstein was trying to get a license. He did not get the promise of a license until August 9th, which left only seven weeks to the closing date. There are reasons for everything. You can't blame Mr. Braunstein, because there are many business reasons.

We don't want to see anybody lose their job. It is not right and it is difficult. I heard a resident that was transferred to another nursing home died this morning. We don't want to see the employees lose their jobs and the patients lose their care. We would love to save the County residents money.

I heard the County would get \$32,000,000 for the sale. I also heard that the County would only be left with roughly \$10,000,000, because the County has financial obligations to take care of so the County is not going to have very much money left. If the sale doesn't go through the County is still going to have these expenses to take care of. I heard a number, \$88,000 from taxes that the prospective buyer would pay, because it is a commercial operation so the County will have money in its coffers. We have building A, which the buyer is supposed to put \$32,000,000 into the building for repairs. If the County were to use this building for office space it would have to be renovated. Where is that money going to come from? I heard that a sale of a building in the amount of \$4,000,000 would take care of the cost of the hospital. I don't see how \$4,000,000 is going to cover everything.

I also read in the Journal Newspaper, which rarely says anything nice about Rockland County, that there are not enough beds in the County to take care of all of the patients that have to move. How would you like it if your relative would be up in Albany County, or up in Watertown New York? We all have feelings. I am an account, people are only interested in their own situations. In the final analysis that is what is happening here. I wish that we could do something and we are going to try. Someone said that we are misleading everybody, but we are not misleading everybody we are just telling you the facts. I hope this is being televised, because these are the facts. I ask the competitor who may sue the County to think of the County and the loss to the County. I like to look forward and lets hope that we could do something.

I thank all of you for coming down and I thank all of you for your service.

Mr. Hood, Jr.

I heard a lot of good points tonight. I believe that I and all my fellow Legislators have done everything possible to get this to a close for so many reasons. I understand the buyer cannot have a check tomorrow, but take control of this transaction and try to get this sale done. I have not heard an offers with dates to close and that is what you need to do. Once you say that you have the money and you will bring it on a certain date what can anyone say to that. Then they would have to do what they have to do to get it done. But the buyer has not said that. I am asking again, thank you.

Mr. Diaz

A couple of weeks ago I along with other Legislators voted on a resolution asking everybody to come back to the table. Since that time there has been a lot of discussion. I decided last week to chat with several residents and employees of the facility. Nobody wants to leave. We heard about the dedication of our employees, and I have also seen it. It was very impressive to me when I spoke with them and they told me what it means to be an employee of the facility and what it means to be part of the families of the people that they take care of.

I have gone on record that I want to see this facility sold and not closed. I want to keep fighting for this facility to stay open and sold as opposed to just being closed. I do not want residents taken out of the facility, their home. If we don't sell all the employees lose their jobs and I don't want that. We are in a very dark time in Rockland County where people can't stay in their homes I am going to guarantee this, if the facility is closed there is going to be a lot more people who are not going to be able to stay in their homes.

I want to keep fighting for this. I need to see something tomorrow when you come to the table. You need to come to the table, Mr. Braunstein, and prove to everyone that you can do this. If you can't then unfortunately we have to move on. Please come to the table tomorrow and show that you are capable and able to take over this facility and run it as a hospital, keep the residents where they are and do what you can for the employees. Thank you

**ADJOURNMENT IN MEMORY OF
PHOEBE HSIA**

Mrs. Cornell offered the following memorial, which was seconded by Mrs. Low-Hogan and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Phoebe Hsia.

**ADJOURNMENT IN MEMORY OF
SUSAN ZEITLIN**

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 Susan Zeitlin.

**ADJOURNMENT IN MEMORY OF
DIEULA ERLA LEMOINE**

Mr. Earl 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 Dieula Erla Lemoine.

**ADJOURNMENT IN MEMORY OF
GLORIA MATERN**

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 Gloria Matern.

**ADJOURNMENT IN MEMORY OF
DR. MILTON SHAPIRO**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Dr. Milton Shapiro.

**RESOLUTION NO. 514 OF 2015
ADJOURNMENT**

Mr. Murphy offered the following resolution, which was seconded by Mr. Wieder and unanimously adopted: (8:48 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Wednesday, November 4, 2015 at 7:00 p.m.

Respectfully Submitted,

DARCY SHAPIN-GREENBERG
Proceedings Clerk