

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, April 17, 2012 at 7:00 P.M., pursuant to the adjournment of the April 3, 2012 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 12th day of April 2012

The Legislature of Rockland County convened in regular session pursuant to the adjournment of the April 3, 2012 meeting.

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

Christopher J. Carey
Edwin J. Day
Toney L. Earl
Michael M. Grant
Nancy Low-Hogan
Jay Hood, Jr.
Joseph L. Meyers
Patrick J. Moroney
John A. Murphy
Aney Paul
Ilan S. Schoenberger
Frank P. Sparaco
Aron B. Wieder
Alden H. Wolfe, Vice Chairman
Harriet D. Cornell, Chairwoman

Absent: Legislators Douglas J. Jobson and Philip Soskin

Honorable Nancy Low-Hogan, Legislator, District 17, led in the Salute to the Flag and delivered the invocation.

**RESOLUTION NO. 179 OF 2011
WAIVE THE RULES OF THE LEGISLATURE
TO CONSIDER PROPOSED RESOLUTION
UNDER NEW BUSINESS**

Mr. Schoenberger offered the following resolution, which was seconded by Mr. Hood, Jr., Mr. Moroney and Mr. Wieder and unanimously adopted:

RESOLVED, that the Rules of the Legislature be waived to consider Items 12 A 1, 2, 3 & 4, Resolution No.'s 180, 181, 182 & 183 of 2012 under New Business.

Discussion:Mr. Schoenberger

All four items provide for intermunicipal cooperation agreements with the County of Rockland. It is for Haverstraw, Orangetown, Ramapo and Clarkstown for the Narcotics Task Force for this calendar year. Before I move the four items, because they are here under New Business and they just got to our offices today, a number of us felt that these should have been vetted through the committee process, but rather than delay for two weeks I am going to move them tonight. We have asked the District Attorney to attend this meeting and he is here. I am going to ask for your indulgence, I know it is something we don't usually do, but he is our County District Attorney, for him to have the opportunity to address the Legislature on these four items before I move them.

Mr. Zugibe, District Attorney

I am asking this Legislature to consider my request to approve the four contracts with the four towns. I am very embarrassed to be here tonight, because I feel like I am almost a part of the dysfunction that has occurred between the County Executive's office and the four towns over this issue. The Legislature has been apprised of part of it, but are not aware of all of the dysfunction that has gone on over a period of time. I am asking you to please accept the substance of this request and look past the procedural improprieties that may have occurred.

As many of you know this body, notwithstanding the County's Executive's failure to allocate any money to the task force or to the Intelligence Unit, allocated \$1,000,000 for the task force and \$1,000,000 for Intel to keep it functioning as reimbursement to the towns for the manpower. Notwithstanding that fact, we are in a situation where the Intel has been basically dissolved. The towns have pulled their men back effective yesterday. We did work out a formula to save the task force, at least, for calendar year 2012.

I appreciate you giving me the audience and the chance to address this body. The task force was formed in 1975. It was formed as a partnership between the towns and the County, because there was recognition that you can't combat drugs on a town-by-town basis. It can't be done. It always crosses over, town, County and State lines. This was put together in 1975 and I was actually the lead Prosecutor on the task force in 1981 to 1983. It was a very well functioning unit with participation from all the towns and that is the way it was designed. Over the years we have gotten more sophisticated with wire tap evidence and all the big drug raids you see that happen in this County on an ongoing basis. We recently had a joint raid with the FBI involving prescription drugs. It is a very sophisticated unit and it is fighting drugs at a level where it has to be dealt with and not on a local level. Three years ago, without my participation and the Sheriff's participation, the town supervisors tried to negotiate more sales tax and the County Executive was not inclined to do so. So they instead negotiated my office and the Sheriff's Department and they decided to reimburse all these men and towns instead of giving them a greater percentage of the sales tax. He never consulted with me and when I found out about it six months later I confronted the County Executive and I expressed my displeasure and he said, "Why do you care, we are paying for it." I said, because when you decide to pull the funding you are going to see these units jeopardized. Not only are they jeopardized the Intel Unit is gone, at least temporarily gone. The task force – we are fighting for our lives.

This body allocated \$2,000,000 out of a total of \$2,600,000 requested for both Intel and task force. \$1,000,000 was allocated out of a \$1,000,000 request by the DA's office and \$1,000,000 out of \$1,600,000 by the Sheriff's Department for Intel. We basically had 100% of what was requested and the Sheriff got 60% of what was requested. Sheriff Kralik and I decided to go into this together as a team and we combined the two funds and we told the towns that we have 80% of what you are looking for so please keep the manpower in and they denied that request. They said that if they don't get 100% of what they requested they are pulling their manpower. We then agreed to supplement the \$2,000,000 with an additional \$600,000 in asset forfeiture money to give them 100% and they came back and said that they recalculated the numbers and the numbers were shorted and it is really \$3,000,000. They need an additional \$400,000. They wanted \$1,000,000 on top of what this body allocated for the Intel and task force. I went back to them and said that unless you tell me there is going to be a solution going forward for 2013, because we cannot come up with more asset forfeiture money next year, I am not going to spend \$1,000,000, and the Chief's agreed, to keep the task force alive on top of what this body allocated and see the entire both units disappear come January. We have to have at least a solution for next year. That fell on deaf ears. The threat was to pull the money back. We met with the County Executive and Legislative leaders and we were advised that we couldn't combine the two funds. I have \$1,000,000 for the task force and \$1,000,000 for Intel. So I made a deal with the towns. The deal was that they would get 90% of what they requested, \$1,000,000 out of a little over \$1,100,000. This was a few weeks back and we have been back and forth trying to negotiate a contract to keep both units alive and well and that is why we are here today.

As late as last week the towns pulled their men, because they didn't believe that the County was acting fast enough to sign the contracts. That is the kind of nonsense I have been dealing with from the beginning. Without even talking to me my task force is called by town Chief's saying that they are pulling their men back, because the County is dragging their feet on this matter. It is hard to believe in this day and age that we would have elected officials acting in this manner, but nevertheless it happened. I got it back on track again. I got the County and the towns to sit down and negotiate a contract and everything was settled, but then there was an additional delay in getting it to this body for approval. It was supposed to be delivered to you yesterday and it wasn't. I don't know what happened. I received a call from a Supervisor saying basically that if it is not on tonight we are pulling our men. We are being held hostage here. They are using the task force as a political football on both sides of the fence and I don't like it and I don't know what to do about it.

I am telling you for 2013 there cannot be a connection between reimbursement and the survival of these units. I will dissolve them before I go through this process again. It has been a disgrace and embarrassment to government the way this whole process was operated. I quite frankly don't know what to do about it. I am here today to ask this body to please look past the hostilities. You just cannot believe what has actually driven this. When you see the hostility between the groups that are negotiating this deal. There is no reason here. It is all based upon personal feelings and it has just driven the process. I am asking this body to be above that and please help us out. Don't punish the task force simply because we didn't get this matter on early enough, which was beyond my control. I tried everything in my power to get it to this body in time. I didn't know until 4:00 p.m. today that there was an issue. I had thought it was resolved. So I am here to appeal to this body to please not put form over substance and to look at the merits of this application and to move it through so that we could keep this very vital Narcotics Task Force operating in taking the steps necessary to keep Rockland County safe.

Chairwoman Cornell

We will move the issue. I was willing to put this on under New Business tonight knowing how important the Narcotics Task Force is to the crime fighting that you do. We are willing to deal with it. I am going to ask Mr. Schoenberger to move this issue and we will proceed.

NEW BUSINESS
Referral No. 9473

Introduced by:

- Hon. Harriet D. Cornell, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Michael M. Grant, Sponsor

**RESOLUTION NO. 180 OF 2012
 APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT
 IN THE AMOUNT OF \$225,811 BETWEEN THE COUNTY OF ROCKLAND
 AND THE TOWN OF HAVERSTRAW POLICE DEPARTMENT
 FOR REIMBURSEMENT FOR POLICE OFFICERS FOR NARCOTICS TASK FORCE
 FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012
 AND AUTHORIZING EXECUTION OF THE AGREEMENTS BY
 THE COUNTY EXECUTIVE
 [OFFICE OF THE DISTRICT ATTORNEY]
 (\$225,811)**

Mr. Schoenberger offered the following resolution, which was seconded by Mr. Day, Mr. Grant and Mr. Hood, Jr. and unanimously adopted:

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal governments to perform together that which each government is authorized to perform individually and requires that any intermunicipal cooperation agreement be approved by each participating municipal corporation by a majority vote of the voting strength of its governing body; and

WHEREAS, The County of Rockland through its Office of the District Attorney and the Town of Haverstraw Police Department desire to enter into an intermunicipal cooperation agreement in an amount of \$225,811, for reimbursement for police officer(s) assigned to the Rockland County Narcotics Task Force, for the period January 1, 2012 through December 31, 2012; and

WHEREAS, The agreement shall be in an amount not to exceed \$225,811; and

WHEREAS, That sufficient funding for these agreements exists within the 2012 Operating Budget for the District Attorney’s Office; 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; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves the execution of the intermunicipal cooperation agreement between the County of Rockland through its Office of the District Attorney and the Town of Haverstraw Police Department in an amount of \$225,811, for reimbursement for police officer(s) assigned to the Rockland County Narcotics Task Force, for the period January 1, 2012 through December 31, 2012, subject to the approval of the County Attorney; and be it further

RESOLVED, That the agreement shall be in an amount not to exceed \$225,811 and be it further

RESOLVED, That sufficient funding for these agreements exists within the 2012 Operating Budget for the District Attorney’s Office.

Debate:Mr. Schoenberger

Since I Chair the Budget and Finance Committee I want to go over the history of this for the members of the Legislature, certainly those who may have not been here last year when this was passed by the Budget and Finance Committee and the Full Legislature, and by members of the public.

In the budget for 2012 submitted by the County Executive to us about October 25th of last year, funding for the reimbursement to the towns and villages and their police departments for participation in the Narcotics Task Force and the County Intel Unit was defunded. It was zeroed out. When the Budget and Finance Committee reviewed the budget we looked at how much money it cost the County for reimbursement to the towns and villages for their participation in these two units.

In 2011 it cost the County about \$1,000,000 to reimburse the towns for their participation in the Narcotics Task Force and about \$1,600,000 for their participation in the Intelligence Task Force. The Narcotics Task Force is out of the DA's Department and the Intelligence Unit is out of the Sheriff's Department. Faced with the financial picture we had for 2012, we restored \$1,000,000 for the Narcotics Task Force for 2012, which is about 100% of their anticipated funding. We restored \$1,000,000 to the Intelligence Unit, which was about two-thirds of their anticipated funding. Their funding was anticipated to be \$1,600,000. So out of \$2,600,000 the Legislature in the 2012 budget restored about \$2,000,000. As the year progressed the Supervisors from the towns actually demanded more money instead of working with us during this financial crises the County is facing. We thought it would be fair to fund 100% of the Narcotics Task Force and two-thirds for the Intelligence Unit. It benefits the towns to participate as well, because it enables them to have stronger and better law enforcement through the power of the County's resources and serve their residents. We thought that \$2,000,000 was a fair number.

During the course of 2012, the towns began revising their numbers. Where it was \$2,600,000 for both for 2011 they now wanted \$3,100,000 for 2012. Certainly, it wasn't budgeted and it wasn't anticipated and the Legislature and the Executive branch basically stood with the \$2,000,000 that we allocated.

Remember, these are not for our costs for operating these units, those are paid for separately out of County taxpayer dollars. I think the Narcotics Task Force alone cost County taxpayers an additional \$2,000,000 - \$2,100,000 without the reimbursement to the towns for their participation. So we kept the \$2,100,000 that we already pay and we kept the \$1,000,000 for the Narcotics Task Force.

The towns demanded more money. In our financial situation that we face we could not afford to give them more money. So Clarkstown, and I believe Orangetown and Haverstraw or maybe Stony Point, I don't know if those four towns passed resolutions, but Clarkstown certainly did and publicly went out with it and sent it to us. It said that if we did not give them the additional money they requested by April 15th they would pull their members. That did not sit well with either the Executive branch or the Legislature. None of us like to be threatened. None of us like to be blackmailed. None of us like to be told that either you give us more money or else. After that happened our District Attorney sat down with the Police Chief's and worked out an agreement for the \$1,000,000 for this year for the Narcotics Task Force, which was the budgeted amount.

The resolutions came to us this afternoon. I don't know if it was 4:00 p.m. or 4:30 p.m. this afternoon, but very late this afternoon. We were asked for them to be put on for tonight's meeting under New Business without being vetted through committee and without being discussed in committee, because the threat was if we did not go forward with these tonight that they would pull their members and not participate in the Narcotics Task Force.

The District Attorney, who I have a great deal of respect for and I think has done a wonderful job as the County's District Attorney, who supervises the Narcotics Task Force called me about 5:00 p.m. today and he also had a call into the Chair and the Majority Leader, to ask us to take it up tonight under New Business.

Though I greatly and strongly resent the threats that were made by the towns to pull their members unless we do this and that and some other thing I strongly support the Narcotics Task Force and I don't think the District Attorney or the people of Rockland County should be punished. So, I put aside my personal feelings with regard to that behavior and we had a meeting and we discussed putting this on for tonight.

All contracts provide the same thing except the financial differences and I will talk about those in a second. All the contracts provide that the County can terminate the contract on thirty days notice. If we terminate the officers submitted by the four respective towns they will only be paid up to the dates of their termination. Why do we have that clause in there? Because the money for the Narcotics Task Force, the money for the Intelligence Unit, the money to keep County employees in their jobs, and the money for the contract agencies were predicated upon receiving a deficit bond with a three-eighths of one percent sales tax increase, which would go to pay the deficit bond. We passed a Home Rule request on January 19th asking our State Legislature to introduce that Home Rule. We sit here today, April 17th, and as far as I know the Home Rule request has not yet been introduced in either the Senate or the Assembly. A number of us have gone to Albany. We have met with the Assembly Finance Committee and the Chair of the Assembly Ways and Means Committee, Denny Farrell, privately. A number of us went back to Albany again and met with the staff of the Senate Finance Committee and separately with the Governor's office and various other State Senators and State Assembly people, including Senator Larkin who is going to be the New State Senator for Haverstraw and Stony Point. Senator Larkin was extremely understanding and supportive of the concerns this County faces, by the way.

Unless we receive our deficit bond with the three-eighths of one percent sales tax increase it is entirely likely that even these contracts that we predicated based upon a year will not even last a year. They may last a month, two months or three months and they may then be terminated.

The contract with the Town of Haverstraw in the amount of \$225,811, which I just moved, is for one Police Officer being assigned to the Narcotics Task Force. One! For the Town of Orangetown for one officer, \$169,674.00. For the Town of Ramapo for one Police Officer, \$201,783.00. For the Town of Clarkstown for two Police Officers, \$402,732.00. That is how much the towns are looking for reimbursement to submit one, or on one case two officers, to our Narcotics Task Force and that totals about \$1,000,000. We are essentially being asked to reimburse the Police Officers salary, pension, sick time and their pension benefits or otherwise they will pull all their people out. One has to wonder if five officers for \$1,000,000 per year is getting the best bang for the County buck. But on the other hand, the Narcotics Task Force is so important the pursuit of drugs by criminals and the money to buy drugs pervades crime in this County and it pervades it on a countywide basis. This is not limited to any town or village or anywhere else. Criminals burglarize homes all over this County. They assault and commit crimes against people all over this County. Very often those crimes are motivated by the pursuit to get money to buy drugs.

It is too important to the people of Rockland County to allow this task force to become a political football or to become an ego game, which is why this didn't go through committee or who are they to tell us we have to do it by April 15th so we will drag it on for two more weeks and show them who is boss. It is too important. It is on tonight. I ask this Legislature, and I think you will, approve this. The \$1,000,000 we are being asked to approve for these five officers from four towns is the exact same amount that we approved in the budget and it is no reduction in police participation. This is what we had last year in 2011, five officers. We are actually getting what we anticipated in the budget and we are paying for what we anticipated we had to pay.

Unfortunately, I would like to think that for \$400,000 to the Town of Clarkstown we could have gotten more than two officers. I would like to think for \$169,000 Orangetown is getting off cheap. \$225,000 for the Town of Haverstraw and \$201,000 for the Town of Ramapo makes me wonder about who are they sending for \$225,000 compared to who are they sending for \$169,000 or for \$201,000. Someone suggested during the course of this process that the towns are sending, perhaps, their highest paid officers to get the maximum reimbursement at our expense and not necessarily that which is best for the task force. The District Attorney has assured me contrary to that and I take his word, because he is our police professional.

I will try to answer any answers you have. We asked the District Attorney to come tonight to answer any questions you may have. I once again urge you to support this and to keep the Narcotics Task Force operational. Thank you.

Mr. Day

I am going to speak from a perspective as the only member of law enforcement sitting up here.

First off, Tom – Mr. D.A., you have nothing to be embarrassed about. That is the first thing I have to correct in your comments. You have stayed above a lot of petty bickering. You have kept your eye on the ball for the good of this County and for the people who reside here. I want to thank you for that and you deserve that praise. I obviously will support your very good intentions and your good counsel tonight.

What you are hearing here tonight is a testament to broken government at all levels. There is no other way of putting this right now. Legislator Schoenberger spoke about this Task Force initiative being around for thirty years or so. It was just over the last few years this reimbursement issue has come to light. What this issue of reimbursement truly is about is about sharing of sales tax revenue, no more than that. Frankly, I think a lot of us do agree that maybe the towns should have a better cut of the sales tax revenue, because a lot of money is expended in town law enforcement budgets to ensure a safe shopping environment that keeps people shopping, thus maintaining that sales tax revenue. Look at the Palisades Center, for example, where I think we realize about \$40,000,000 in sales tax revenue every year. If the Palisades Center was even perceived to be unsafe, certainly there would be an impact upon revenues for the County coffers and a lot of that responsibility falls upon the Clarkstown PD. So I certainly understand the argument, but this matter has come from lot of broken promises and a failure of trust between people in different positions in government. And what has happened is that law enforcement has become a poker chip. That, as a professional law enforcement person, I truly resent.

The Intelligence Center, which seems to be going away at this point, is a place where the Federal and State government has provided countless and frankly invaluable resources in support of local investigations for our law enforcement personnel. They have truly brought a lot to the table and the people in this County are going to be the losers with that development. We also cannot lose sight of the fact that there was \$14,000,000 worth of seizure money secured not long ago that was sourced out of the efforts in this one area. So it actually to some degree not only pays for itself, but also prevents more expenditure of taxpayer funds. This is another very important perspective that has been lost in this debate.

There is an absolute failure of too many people in government to recognize a crime has no borders. A bad guy is not going to magically stop at 9W, up by Tilcon, to go into Clarkstown or Haverstraw. They are not going to stop on Route 304 while heading into Clarkstown or Orangetown. What of the burglary gangs from Bergen County? There are no borders for criminal enterprise, whether they are town or State. I am not even going to get into the number of arrests that have been made in a particular town where the perpetrator resided in a different town or different State, which is not an unusual scenario. To have this provincial approach to law enforcement frankly sickens me. It really does.

I hate to see a time where a police officer has to think of a billing being more important than a backup. Are we going to now bill out when one town responds across a border to backup a cop in trouble? Will there be a bill to follow with that? This is something that is unheard of in the thirty years I have been here in Rockland County. The Bomb Squad, REACT, when they go out; are we going to follow up with the County and have our Finance Commissioner send a bill to the town for that effort?

Law enforcement, as long as I have been involved in it, has always risen above this type of petty bickering. I really do wish others would see it that way. Again, I commend you, DA Zugibe, for your efforts, because you do see that.

Finally, let's understand something. This is for everybody who cares to pay attention to the goings-on in government, especially regarding this issue of reimbursements, if you just heard what I talked about as far as law enforcement working together to a common goal of keeping this community safe regardless of where you live, the reimbursement issue is very interesting. What this really comes down to is that it is basically double taxation. Every police officer that works in any town is already paid through your town or village tax dollars. In order to get what is called a reimbursement from the County, that is also called the County taxpayer. So essentially what happens is the town police officer is paid through the town taxes, we will call the right pocket, and now there is this so called reimbursement that comes from taking more money from County taxpayers, we will call your left pocket. You are essentially paying for that cop twice.

I am not criticizing any Supervisor or the County Executive, but we have to get past this. This is an absolute embarrassment. I look at my friend Tom Zugibe now; he doesn't want to be here right now. He doesn't want to be in this position right now. Many of us feel horrible about what is going on and it is absolutely unnecessary. We need to work together here in this County, towns and villages and stop this nonsense, because that is all this is – nonsense. The true stakes here is the public safety of this community. It is a sad commentary; it really is, upon our government as a whole. Thank you.

Mr. Wolfe

I am not going to belabor the discussion on the merits, because I think the Narcotics Task Force and its necessity speaks for itself. I want to talk very briefly about the process. I am one of those on this board that really was put off by this being dropped on our laps at the last possible minute and essentially being told that we had no choice, but to entertain this as New Business. I don't take very lightly being told by anybody what I should or should not do or certainly what I have to do. I do want to say that the only reason why I am supporting the Waiver of New Business and the resolutions tonight, because our District Attorney came here. He didn't expect to be here, but he knows how important it is to be here. In his upfront, honest, forthcoming and straightforward way, which I think all of us appreciate, he has convinced me that some or all of the Supervisors will take the childish step of pulling the officers, because they are not getting their way. And that is not to say that we wouldn't approve these resolutions three weeks from now when we have our next meeting, but simply the threat, again, I find it to be very childish and unprofessional. I am absolutely in support of the resolutions, but I really want to just thank the District Attorney for coming here tonight and being as straightforward and forthcoming as a man possibly could be. Thank you very much.

Mr. Meyers

I have a couple of questions through the Chair and then I would like to make some comments. I think Legislator Schoenberger gave an excellent summary, but I just want to be clear on this. The \$1,000,000 that we are approving tonight for the Narcotics Task Force is in addition to the \$1,000,000 that was allocated for in the 2012 budget?

Chairwoman Cornell

No, it is the \$1,000,000 that was allocated in the budget. There is no additional money involved.

Mr. Meyers

The funds that the Intelligence Unit needed were \$1,600,000?

Chairwoman Cornell

The Intelligence Unit is not being dealt with tonight and apparently at this point in time there is no Intelligence Unit.

Mr. Schoenberger

\$1,600,000 is not the amount that is needed. It is the amount the towns and villages have requested. \$1,600,000 was a number that was used in 2011. The budget appropriated \$1,000,000 for Narcotics, which is no increase in money. The budget appropriated \$1,000,000 for Intelligence, but we feel that if we are reimbursing Narcotics 100% and giving Intelligence two-thirds out of \$1,600,000 that should be sufficient and the towns and villages if they wish to participate in law enforcement as a countywide benefit should also contribute. There are those towns or villages who will probably stay with Intelligence. There are those towns or villages who won't, because they want more money. It is not a question of need it is a question of what they want. They raised the number from \$2,600,000 combined to \$3,100,000.

Mr. Meyers

Was the additional money split between Narcotics and Intelligence?

Mr. Schoenberger

It was a total amount, because they have contracts with their officers and the wages and salaries are going up. As the wages and salaries go up so do the pension benefits and the value of their vacation and everything else so they factored those in and that is how they get from \$2,600,000 combined to \$3,100,000. We feel that at some point they have to carry some of the burden, because they are getting the benefit of the program. As Legislator Day said, if we raise it by County taxpayers money and give it to the towns and villages or they raise it by town taxpayer money and use it for their Police Departments it is still the same taxpayer in the end who pays.

Mr. Meyers

If all we are doing is approving the \$1,000,000 that the budget called for I don't understand the major controversy.

Chairwoman Cornell

I don't think there is a major controversy with us this evening. We have four contracts that are similar to the contracts that we issued last year and the year before for each of the four towns that participate in the Narcotics Task Force. So part of our responsibility is to approve these contracts.

Mr. Meyers

In budget sessions I supported that aspect of the County Executive's budget, which required that the towns fund their contribution to the Narcotics Task Force and Intelligence Unit as a way of the County saving money. But in as much as the budget passed with giving them \$1,000,000, as suggested by Legislator Schoenberger, I kind of got comfortable with that aspect of the budget so I don't really have a problem with approving this tonight.

Chairwoman Cornell

Thank you.

Mr. Carey

I just have one question for Mr. Zugibe. You talked about the process and that you weren't included in the deal that was negotiated. Have there been any discussions about getting those same parties together right now to talk about 2013 so that it doesn't come to that dire need where you said you would just have to pull it out yourself. Have any of those discussions happened?

Mr. Zugibe, District Attorney

There have been no decisions other than the Town of Ramapo. What happened was, the Town of Clarkstown proposed that each of the towns pass a resolution pulling their men by April 15th unless they got 100%. The Town of Ramapo rejected that and actually passed a resolution suggesting that in the future that the towns put their manpower in without reimbursement. So that has been the only crack in the wall at the current time. I am hoping to leverage off of that to take it further. Right now we are just fighting for survival in 2012. There have been no discussions as to what is going to occur in 2013. The information that I received from the County Executive, as well as Legislative leaders, is don't expect any reimbursement for 2013. The towns indicated that without that they are going to pull their manpower in 2013. That is the status that we are at right now.

Mr. Grant

Thank you District Attorney Zugibe. I think it is absolutely critical that you were here tonight. Your advocacy with passion and your candor brought clarity to this issue that we might not otherwise have had. In the fall, during the budget season, we had every Chief of every department; whether they participated in the Narcotics Task Force or the Intelligence Unit descend on this body to advocate on behalf of those very important law enforcement units, which historically were always intended to be collaborative efforts between governments to make sure the public safety needs of the people of Rockland County were served. They told us when they were here that no community and no police department would be spared the consequences of the dissolution of either one of those two units. Since then, I think, their Supervisors or Mayors have muzzled them and we have had this problem with the political football of the Narcotics Task Force and the Intelligence Unit.

I would like to be added as a sponsor to each one of these resolutions tonight. Not because I support the efforts of the Supervisors to manipulate the situation, but I support the efforts of District Attorney Zugibe and his task force to implement a safer Rockland County for all of us. The process here is that we bring to committee so that we can completely vet the issues that are before us. In this case the four current contracts. There are some very important questions that needed to be asked. Some were asked tonight and others might have been asked during committee. The Chief's of Police, who provide those officers to us, may have attended and further enlightened us, but we didn't have that opportunity.

The problem is the chronic problem we have with the administration that doesn't bring to us, in a timely fashion, many resolutions and tonight it is these four very important. Frankly, I have spoken on it on a regular basis in all my years here since 2005 and it absolutely needs to change. It is systemic and part of the dysfunction of this County government and we just can't tolerate it anymore. Had you not been here I may have asked that this be referred to committee and risked the consequences of the towns exercising their political muscle in pulling their people. I can't tell you how disappointed I am with each and every one of the town Supervisor's in Rockland County, because they haven't been able to see their way clear that the law enforcement needs of these two units are more important than their grappling with the County Executive for deals that were cut in his office that excluded this Legislature and Legislature's before it. I urge you and Sheriff Falco to find a new model where we are not going to be held hostage over this petty sales tax sharing issue time and time again. It was a bad idea. There is incredible bad faith that has followed it since its inception. It needs to stop. I thank you so much for being here and speaking to the Legislature on behalf of the Narcotics Task Force.

Mr. Moroney

I appreciate Mr. Grant's frustration about all of this, but I don't believe that we should be pointing a finger at the County Executive, because he was very clear in his budget message that there was not going to be any money for a task force. Now it has been manipulated by four of the towns. I appreciate Mr. Zugibe's efforts. Going back to September or October meeting with you and the Town of Orangetown to see if this could be resolved once and for all. We sat with the Supervisor, at that time, and the Chief of Police and money was mentioned. I was amazed that day that the Chief of Police didn't know how much money was given to the town for the police department and he doesn't see that money, because it goes into the general fund. I come back to the frustration that I understand that you have Michael and we all have, but this should not be a topic of discussion. This Narcotics Task Force is so important to the people of Rockland County that we as a Legislature with the County Executive should be looking to see that this would not happen again in 2013. I am sure you have other things that you can better serve the community then having to worry about this issue. The elected officials should be the ones taking care of this.

As Mr. Schoenberger pointed out, we have a request to the State for three-eighths of one percent increase in sales tax. What is happening to that? This is going on in the State of New York for four months. This is April and we passed the budget in December. Why hasn't our State representatives acted on this? It is crazy. It is absolutely crazy. You are telling me that the Supervisors don't have an influence on the way they are behaving. In another month from now you won't have a Legislature in Albany, because they will gone for the summer as soon as the budget is passed. What will we do? This is a very serious problem we have here. Our whole budget is predicated on the fact that we could get this sales tax passed so we can pay off our deficit.

Whatever we do as a Legislature and whatever we may differ on or debate we should come up with a program to continue this task force so we do not have to go through this again. I am not going to point my finger at anybody tonight, because the County Executive was, at least, up front that we didn't have the money to fund the Narcotics Task Force. Now the political football takes it over and it goes from town to town. Orangetown is in arbitration with their local police. Ramapo has a four-year contract and all I hear on the radio about the other towns is that they can't afford the police. What happened when Nyack disbanded their police? Orangetown had to take over.

We recognize the fact that there is a monetary problem and the economy is down, but we can't neglect the drug problems that we have in this County. There is hardly a week that goes by, Mr. Zugibe, that you don't get a call from a constituent about an address here and there. How are you going to address that if you don't have a Narcotics Task Force? It is not fair for me to come to you and ask you to do me a favor if you don't have to tools to deal with it. As responsible elected officials, whether town, County or State, we should be addressing the problems that we face instead of kicking the can down the road.

I appreciate the work you have done on this, Mr. Zugibe. You have gone above and beyond the call of duty for you and your office. We, the town Supervisors and the County Executive have a responsibility. Hopefully this will not happen in 2013. What are we here for? Thank you.

Chairwoman Cornell

Thank you, District Attorney Zugibe, for coming today. It was very important. Last winter, on a bitter cold day, I stood next to District Attorney Zugibe in the Village of Nyack and with all the members of the law enforcement community, including the Narcotics Task Force, at an announcement of a big drug bust. Residents from the Village of Nyack were there, so appreciative of the work that our law enforcement does. Here in Rockland County, in the absence of a County Police Force, it is so valuable to have these collaborative services where the District Attorney has this Narcotics Task Force working with the Intelligence Unit, which is a countywide collaborative effort and working with the Bureau of Criminal Identification, which is a collaborative effort. This is the reason why we felt it was very important, because it really isn't controversial, but we do have to vote on these different contracts and that is what we are doing tonight.

So there are a lot of things that have come up tonight. The issue of process is one. The County Executive's office knows usually if they don't have the resolution ready, at least, a call comes early in the week requesting that it goes on under New Business and we know it is coming. When the District Attorney called me today it was close to 5:00 p.m. and the resolutions had not arrived in the office, because I had been on the phone minutes before with our Clerk to the Legislature. We are not arguing over process. Everybody knows how it should work and everyone knows that this kind of discussion should have taken place in the Budget and Finance Committee. It is too important to hold up. We are going to vote on it now.

NEW BUSINESS
Referral No. 9473

Introduced by:

- Hon. Harriet D. Cornell, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Michael M. Grant, Sponsor

**RESOLUTION NO. 181 OF 2012
 APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT
 IN THE AMOUNT OF \$169,674 BETWEEN THE COUNTY OF ROCKLAND
 AND THE TOWN OF ORANGETOWN POLICE DEPARTMENT
 FOR REIMBURSEMENT FOR POLICE OFFICERS FOR NARCOTICS TASK FORCE
 FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012
 AND AUTHORIZING EXECUTION OF THE AGREEMENTS BY
 THE COUNTY EXECUTIVE
 [OFFICE OF THE DISTRICT ATTORNEY]
 (\$169,674)**

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

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal governments to perform together that which each government is authorized to perform individually and requires that any intermunicipal cooperation agreement be approved by each participating municipal corporation by a majority vote of the voting strength of its governing body; and

WHEREAS, The County of Rockland through its Office of the District Attorney and the Town of Orangetown Police Department desire to enter into an intermunicipal cooperation agreement in an amount of \$169,674, for reimbursement for police officer(s) assigned to the Rockland County Narcotics Task Force, for the period January 1, 2012 through December 31, 2012; and

WHEREAS, The agreement shall be in an amount not to exceed \$169,674; and

WHEREAS, That sufficient funding for these agreements exists within the 2012 Operating Budget for the District Attorney's Office; 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"; now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the execution of the intermunicipal cooperation agreement between the County of Rockland through its Office of the District Attorney and the Town of Orangetown Police Department in an amount of \$169,674 for reimbursement for police officer(s) assigned to the Rockland County Narcotics Task Force, for the period January 1, 2012 through December 31, 2012, subject to the approval of the County Attorney; and be it further

RESOLVED, That the agreement shall be in an amount not to exceed \$169,674 and be it further

RESOLVED, That sufficient funding for these agreements exists within the 2012 Operating Budget for the District Attorney's Office.

NEW BUSINESS
Referral No. 9473

Introduced by:

- Hon. Harriet D. Cornell, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Michael M. Grant, Sponsor

**RESOLUTION NO. 182 OF 2012
 APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT
 IN THE AMOUNT OF \$402,732 BETWEEN THE COUNTY OF ROCKLAND
 AND THE TOWN OF CLARKSTOWN POLICE DEPARTMENT
 FOR REIMBURSEMENT FOR POLICE OFFICERS FOR NARCOTICS TASK FORCE
 FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012
 AND AUTHORIZING EXECUTION OF THE AGREEMENTS BY
 THE COUNTY EXECUTIVE
 [OFFICE OF THE DISTRICT ATTORNEY]
 (\$402,732)**

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

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal governments to perform together that which each government is authorized to perform individually and requires that any intermunicipal cooperation agreement be approved by each participating municipal corporation by a majority vote of the voting strength of its governing body; and

WHEREAS, The County of Rockland through its Office of the District Attorney and the Town of Clarkstown Police Department desire to enter into an intermunicipal cooperation agreement in an amount of \$402,732, for reimbursement for police officer(s) assigned to the Rockland County Narcotics Task Force, for the period January 1, 2012 through December 31, 2012; and

WHEREAS, The agreement shall be in an amount not to exceed \$402,732; and

WHEREAS, That sufficient funding for these agreements exists within the 2012 Operating Budget for the District Attorney’s Office; 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;” now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the execution of the intermunicipal cooperation agreement between the County of Rockland through its Office of the District Attorney and the Town of Clarkstown Police Department in an amount of \$402,732, for reimbursement for police officer(s) assigned to the Rockland County Narcotics Task Force, for the period January 1, 2012 through December 31, 2012, subject to the approval of the County Attorney; and be it further

RESOLVED, That the agreement shall be in an amount not to exceed \$402,732 and be it further

RESOLVED, That sufficient funding for these agreements exists within the 2012 Operating Budget for the District Attorney’s Office.

Introduced by:

Referral No. 9473

- Hon. Harriet D. Cornell, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Michael M. Grant, Sponsor

**RESOLUTION NO. 183 OF 2012
 APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT
 IN THE AMOUNT OF \$201,783 BETWEEN THE COUNTY OF ROCKLAND
 AND THE TOWN OF RAMAPO POLICE DEPARTMENT
 FOR REIMBURSEMENT FOR POLICE OFFICERS FOR NARCOTICS TASK FORCE
 FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012
 AND AUTHORIZING EXECUTION OF THE AGREEMENTS BY
 THE COUNTY EXECUTIVE
 [OFFICE OF THE DISTRICT ATTORNEY]
 (\$201,783)**

Mr. Schoenberger offered the following resolution, which was seconded by Mr. Earl, Mr. Wider and Mr. Wolfe and unanimously adopted:

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal governments to perform together that which each government is authorized to perform individually and requires that any intermunicipal cooperation agreement be approved by each participating municipal corporation by a majority vote of the voting strength of its governing body; and

WHEREAS, The County of Rockland through its Office of the District Attorney and the Town of Ramapo Police Department desire to enter into an intermunicipal cooperation agreement in an amount of \$201,783, for reimbursement for police officer(s) assigned to the Rockland County Narcotics Task Force, for the period January 1, 2012 through December 31, 2012; and

WHEREAS, The agreement shall be in an amount not to exceed \$201,783; and

WHEREAS, That sufficient funding for these agreements exists within the 2012 Operating Budget for the District Attorney’s Office; 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”; now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the execution of the intermunicipal cooperation agreement between the County of Rockland through its Office of the District Attorney and the Town of Ramapo Police Department in an amount of \$201,783, for reimbursement for police officer(s) assigned to the Rockland County Narcotics Task Force, for the period January 1, 2012 through December 31, 2012, subject to the approval of the County Attorney; and be it further

RESOLVED, That the agreement shall be in an amount not to exceed \$201,783 and be it further

RESOLVED, That sufficient funding for these agreements exists within the 2012 Operating Budget for the District Attorney’s Office.

The Chairwoman opened the public participation portion of the meeting at 8:00 p.m. and the following persons appeared and spoke:

- ❖ Bert Singer, Cannot shutdown Indian Point without replacement plan

Public Participation ended at 8:02 p.m.

Comments from the Chairwoman:

Honorable Harriet D. Cornell

A great honor was bestowed upon Rockland County yesterday when the New York State Planning Federation awarded the County of Rockland Comprehensive Plan its special award for our plan *Rockland Tomorrow*. We were nominated by Frank Fish, the Consultant we had worked with. I was happy to represent the County there together with Sal Corallo, who had been Commissioner of our Planning Department basically during the two years we worked on this plan. Also present was Vincent Altieri, representing the County Executive, and we had a Principal Planner Helen Kenny Burrows. So four of us were there. We drove up to Saratoga Springs to accept the award.

We should all take pride in the fact that this, I believe, was the first time this regional award was ever given and we were very proud to be there.

UNFINISHED BUSINESS

Referral No. 5614

Introduced by:

- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 184 OF 2012
 DETERMINING THAT CERTAIN COUNTY OWNED REAL PROPERTY LOCATED AT
 185 NORTH MAIN STREET, SPRING VALLEY, IS NO LONGER NECESSARY
 FOR PUBLIC USE AND AUTHORIZING THE SALE OF SAID REAL PROPERTY
 BY PUBLIC ADVERTISEMENT OR PRIVATE SALE TO A MUNICIPALITY,
 WHICHEVER IS HIGHER SALE PRICE
 [DEPARTMENT OF BUDGET AND FINANCE]**

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

WHEREAS, The County of Rockland is the owner of certain real property located at 185 North Main Street, Spring Valley, more particularly identified by the metes and bounds description as follows:

Beginning at the corner formed by the intersection of the southerly side of Linden Avenue with the westerly side of North Main Street and running thence;

1. South 30 degrees 18' 00" West, a distance of 300 feet along the westerly side of North Main Street, thence,
2. North 76 degrees 12' 00" West, a distance of 350 feet to the easterly side of South Orchard Street, thence,
3. North 13' degrees 48' 00" East, along the easterly side of South Orchard Street, a distance of 287.65 feet to a point on the Southerly side of Linden Avenue, thence,
4. South 76 degrees 12' 00" East, along the southerly side of Linden Avenue, a distance of 435.21 feet to the point or place of beginning.

; and

WHEREAS, The County of Rockland acquired this real property from the East Ramapo School District by deed of conveyance made the 28th day of January 1977 for the exclusive use of Rockland Community College in the same manner as existing college facilities for the college's educational program; and

WHEREAS, The deed of conveyance recites a covenant in favor of the East Ramapo School District which provides that said School District shall have an option to repurchase the real property in the event that the real property is not used substantially for

the college's educational program and/or the County intends to sell the real property during the thirteen years from the date that the conveyance was made to the County of Rockland; and

WHEREAS, The covenant recited in the deed of conveyance expired in or about 1990; and

WHEREAS, The County Executive and the Legislature of Rockland County determine that said parcel is no longer necessary for public use by the County of Rockland; and

WHEREAS, County Law §215 authorizes the sale of real property which is no longer necessary for public use; and

WHEREAS, The Real Property Tax Officer recommends that the County Executive and the Legislature of Rockland County determine that the County-owned real property located at 185 North Main Street, Spring Valley, is no longer necessary for public use and authorize the sale of said real property by public advertisement or private sale to a municipality, whichever is higher, in accordance with County Law §215; and

WHEREAS, A review by the Department of Planning indicates that it is a Type II Action as defined in Section 617.5(c)(25) of 6 NYCRR Part 617, which are the regulations under the State Environmental Quality Review Act, and is therefore not subject to the provisions of those regulations; 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 determines that the County-owned real property located at 185 North Main Street, Spring Valley, more particularly identified by the metes and bounds description as follows to be no longer necessary for public use:

Beginning at the corner formed by the intersection of the southerly side of Linden Avenue with the westerly side of North Main Street and running thence;

1. South 30 degrees 18' 00" West, a distance of 300 feet along the westerly side of North Main Street, thence,
2. North 76 degrees 12' 00" West, a distance of 350 feet to the easterly side of South Orchard Street, thence,
3. North 13' degrees 48' 00" East, along the easterly side of South Orchard Street, a distance of 287.65 feet to a point on the Southerly side of Linden Avenue, thence,
4. South 76 degrees 12' 00" East, along the southerly side of Linden Avenue, a distance of 435.21 feet to the point or place of beginning.

; and be it further

RESOLVED, That the Legislature of Rockland County accepts the determination by the Department of Planning that the project is a Type II Action as defined in Section 617.5(c)(25) of 6 NYCRR Part 617, which are the regulations under the State Environmental Quality Review Act, and is therefore not subject to the provisions of those regulations; and be it further

RESOLVED, That the Legislature of Rockland County authorizes the sale of County-real property located at 185 North Main Street, Spring Valley, by public advertisement or private sale to a municipality, whichever is higher, in accordance with County Law §215; and be it further

RESOLVED, That the Director of Purchasing is authorized to advertise the real property for public sale in accordance with County Law §215.

Debate:

Mr. Meyers

We did get a memo in our boxes this afternoon from Stephen DeGroat. It isn't exactly the memo I was hoping for, but it does make it pretty clear in terms of properties those locations that are leased by the County that we really don't need any additional space and that we can make due without these locations. Of course making due without these two locations is not the same thing as it being surplus, but it is close enough as far as I am concerned. Thank you.

Introduced by:

Referral No. 9473

Hon. Ilan S. Schoenberger, Sponsor
 Hon. Jay Hood, Jr., Sponsor
 Hon. Harriet D. Cornell, Sponsor
 Hon. Michael M. Grant, Sponsor
 Hon. Philip Soskin, Sponsor
 Hon. Toney L. Earl, Sponsor
 Hon. Nancy Low-Hogan, Sponsor
 Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 185 OF 2012
 AMENDING THE 2012 BUDGET BY APPROVING THE ACCEPTANCE
 OF ADDITIONAL FUNDS IN THE AMOUNT OF \$425,207 [NCTD]
 FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH
 FOR THE CALENDAR YEAR 2012 TO BE DISTRIBUTED TO
 MENTAL HEALTH ASSOCIATION OF ROCKLAND COUNTY, INC.
 AND AUTHORIZING THE COUNTY EXECUTIVE
 TO EXECUTE ALL NECESSARY DOCUMENTS INCLUDING
 THE APPLICABLE CONTRACT IN THE AMOUNT OF \$1,898,766
 [DEPARTMENT OF MENTAL HEALTH]
 (\$1,898,766)**

Mr. Schoenberger offered the following resolution, which was seconded by Mr. Murphy and Mr. Paul and unanimously adopted:

WHEREAS, By Resolution No. 47 of 2012, the Legislature of Rockland County approved a contract in excess of \$100,000 in an amount not to exceed \$1,527,081 with Mental Health Association of Rockland County, Inc. ("MHA"), 706 Executive Boulevard, Suite F, Valley Cottage, New York 10989, for the calendar year 2012; and

WHEREAS, \$1,527,081 was appropriated in the 2012 Adopted Budget, however the County subsequently received a total of only \$1,473,559 in State aid from the New York State Office of Mental Health (OMH) and the New York State Office of Alcoholism and Substance Abuse Services (OASAS), resulting in a \$53,522 difference; and

WHEREAS, That contract has not yet been executed; and

WHEREAS, The Commissioner of Mental Health has advised the County Executive and the Legislature of Rockland County that additional State aid totaling \$425,207 has been made available from OMH to MHA for the calendar year 2012; and

WHEREAS, The additional funding will be used to fund the Personal Recovery Oriented Services (PROS) Program at MHA, which is a new OMH initiative; and

WHEREAS, The additional funding in the amount of \$425,207 will be added to the \$1,473,559 previously received from OMH and OASAS, for a new contract amount not to exceed \$1,898,766; and

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

WHEREAS, It is necessary to appropriate these 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 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 accepts the additional funds totaling \$425,207 from the New York State Office of Mental Health (OMH) for the calendar year 2012, which will be distributed to Mental Health Association of Rockland County, Inc. ("MHA"), 706 Executive Boulevard, Suite F, Valley Cottage, New York 10989, to fund the Personal Recovery Oriented Services (PROS) Program at MHA, which is a new OMH initiative, and authorizes the County Executive to execute all necessary documents related to the acceptance of these additional funds including the contract with MHA in the new not to exceed amount of \$1,898,766 for the calendar year 2012, subject to the approval of the County Attorney; and be it further

RESOLVED, That no County tax dollars [NCTD] are required to accept this additional funding; and be it further

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

GENERAL FUND - 2012

Decrease Approp. Acct. (Debit):

A-DMH-4306-E5010	MHA of Rockland	53,522
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Decrease Est. Rev. Acct. (Credit):

A-DMH-4306-R3470	State Aid - OMH	53,522
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Increase Approp. Acct. (Credit):

A-DMH-4306-E5010	MHA of Rockland	425,207
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Increase Est. Rev. Acct. (Debit):

A-DMH-4306-R3470	State Aid - OMH	425,207
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Introduced by:

Referral No. 9473

- Hon. Philip Soskin, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Jay Hood, Jr., Co-Sponsor
- Hon. Harriet D. Cornell, Co-Sponsor
- Hon. Michael M. Grant, Co-Sponsor
- Hon. Toney L. Earl, Co-Sponsor

**RESOLUTION NO. 186 OF 2012
 APPROPRIATING THE SUM OF \$1,500 TO
 JEWISH WAR VETERANS OF THE UNITED STATES OF AMERICA –
 PFC. FREDERICK HECHT POST #425 SPRING VALLEY, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2012**

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

WHEREAS, the Rockland County Legislature has set aside in the 2012 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the Jewish War Veterans of the United States of America – Pfc. Frederick Hecht Post #425, Spring Valley, New York, is contracting with the County of Rockland to conduct patriotic observances in 2012, 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 \$1,500, for providing patriotic observance events in Rockland County in calendar year 2012; 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

<u>Increase Approp. Acct.:</u>		
A-CA-7639-5010	Jewish War Veterans of the USA Pfc. Frederick Hecht Post #425 Post Office Box 122 Spring Valley, NY 10977	\$1,500
<u>Decrease Approp. Acct.:</u>		
A-LEG-1010-5042	Patriotic Observances	\$1,500

Introduced by:

Referral No. 9173

Hon. Philip Soskin, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Aney Paul, Sponsor
Hon. Patrick J. Moroney, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 187 OF 2012
APPROVING ACCEPTANCE OF GRANT IN THE AMOUNT OF \$300,000
(NO COUNTY TAX DOLLARS)
FROM THE NEW YORK STATE DEPARTMENT OF HEALTH
CREATING HEALTHY PLACES TO LIVE, WORK AND PLAY GRANT
FOR THE PERIOD APRIL 1, 2012 THROUGH MARCH 31, 2013
WHICH MAY BE FOLLOWED BY A COST-OF-LIVING ADJUSTMENT (COLA)
AWARD OF NO MORE THAN 10% OR \$30,000
MAKING TOTAL GRANT AWARD \$330,000
AND AUTHORIZING EXECUTION OF ALL NECESSARY
GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
[DEPARTMENT OF HEALTH]
(\$330,000)**

Mr. Schoenberger offered the following resolution, which was seconded by 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 (DOH) a \$300,000 Creating Healthy Places to Live, Work and Play Grant with an possible Cost-of-Living Adjustment (COLA) award of no more than 10% or \$30,000, making total grant award \$330,000, for the period April 1, 2012 through March 31, 2013; and

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

WHEREAS, It is necessary to appropriate said amount to the proper accounts; and

WHEREAS, The Multi-Services 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 the Creating Healthy Places to Live, Work and Play Grant from the New York State Department of Health in the amount of \$300,000, with an estimated Cost-of-Living Adjustment (COLA) award of no more than 10% or \$30,000, making total grant award \$330,000, for the period April 1, 2012 through March 31, 2013, 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 no County tax dollars (NCTD) are required to accept said grant and potential COLA award; and be it further

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

GENERAL FUND - 2012

Increase Approp. Acct. (Credit):

A-DOH-4010 -GH02	-E3010 Food		500
	-E3130	Office Supplies	1,500
	-E3290	Operational Supplies	1,000
	-E4040	Travel	1,500
	-E4090	Fees for Services, Non-Employee	112,000
	-E4098	Services from Other County Depts.	107,000
	-E4140	Conferences & Seminars	1,500
	-E5060	Program Costs	<u>22,500</u>
			247,500

A-DOH-4010 -GH03	-E3130	Office Supplies	1,017
	-E3280	Printed Materials	1,000
	-E3290	Operational Supplies	3,750
	-E4040	Travel	1,000
	-E4090	Fees for Services, Non-Employee	36,000
	-E4098	Services from Other County Depts.	30,883
	-E4140	Conferences & Seminars	1,350
	-E5060	Program Costs	<u>7,500</u>
			82,500

Increase Est. Rev. Acct. (Debit):

A-DOH-4010 -GH02	-R3480	Health Grant(s)	247,500
A-DOH-4010 -GH03	-R3480	Health Grant(s)	82,500

Introduced by:

Referral No. 5906

Hon. Ilan S. Schoenberger, Sponsor
 Hon. Douglas J. Jobson, Sponsor
 Hon. Aney Paul, Sponsor
 Hon. Jay Hood, Jr., Sponsor
 Hon. Harriet D. Cornell, Sponsor
 Hon. Philip Soskin, Sponsor
 Hon. Toney L. Earl, Sponsor
 Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 188 OF 2012
 APPROVING AMENDMENT AND EXTENSION TO CONTRACT
 OVER \$100,000 WITH NIXON PEABODY, LLP
 IN AN AMOUNT NOT TO EXCEED \$60,000
 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$1,739,000
 FOR ADDITIONAL LEGAL SERVICES IN CONNECTION WITH
 PROPERTY ACQUISITIONS/CONDEMNATIONS FOR THE
 WESTERN RAMAPO SEWER EXTENSION PROJECT
 AND THE VILLAGE/TOWN SEWER EXTENSION PROJECT,
 EXTENDING THE CONTRACT THROUGH DECEMBER 31, 2012
 AND AUTHORIZING EXECUTION OF THE CONTRACT
 BY THE COUNTY EXECUTIVE
 [ROCKLAND COUNTY SEWER DISTRICT NO. 1]
 (\$1,739,000)**

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

WHEREAS, The Rockland County Sewer District No. 1 entered into an agreement with Nixon Peabody, LLP for legal services on January 13, 2004 for property acquisitions/condemnations in connection with the Western Ramapo Sewer Extension Project and the Village/Town Sewer Extension Project in an amount not to exceed \$50,000 for the period January 1, 2004 through December 31, 2004; and

WHEREAS, The Rockland County Sewer District No. 1 entered into an amendment to the agreement with Nixon Peabody, LLP on or about June 28, 2004 for additional legal services (property acquisitions/condemnations in connection with the Western Ramapo Sewer Extension Project and the Village/Town Sewer Extension Project), which increased the amount of legal services by \$45,000 for a total contract sum not to exceed amount \$95,000, for the period January 1, 2004 through December 31, 2004; and

WHEREAS, By Resolution No. 489 of 2004, the Legislature of Rockland County approved an amendment to the agreement with Nixon Peabody, LLP for additional legal services (property acquisitions/condemnations in connection with the Western Ramapo Sewer Extension Project and the Village/Town Sewer Extension Project), which increased the amount of legal services by \$475,000 for a total contract sum not to exceed \$570,000, for the period from January 1, 2004 through December 31, 2004; and

WHEREAS, The Rockland County Sewer District No. 1 entered into an amendment to agreement with Nixon Peabody, LLP on or about October 26, 2004 for additional legal services (property acquisitions/condemnations in connection with the Western Ramapo Sewer Extension Project and the Village/Town Sewer Extension Project), which increased the amount of legal services by \$475,000 for a total contract sum not to exceed amount of \$570,000, for the period January 1, 2004 through December 31, 2004; and

WHEREAS, The Rockland County Sewer District No. 1 entered into an extension to the agreement with Nixon Peabody, LLP on or about January 31, 2005 which extended the term of agreement to June 30, 2005; and

WHEREAS, By Resolution No. 322 of 2005, the Legislature of Rockland County approved an amendment and extension to the agreement with Nixon Peabody, LLP for additional legal services (property acquisitions/condemnations for the Western Ramapo Sewer Extension Project and the Village/Town Sewer Extension Project), which increased the amount of legal services by \$193,000 for a total contract sum not to exceed \$763,000, for the period from January 1, 2004 through December 31, 2005; and

WHEREAS, The Rockland County Sewer District No. 1 entered into an amendment to agreement with Nixon Peabody, LLP on or about July 27, 2005, for additional legal services (property acquisitions/condemnations in connection with the Western Ramapo Sewer Extension Project and the Village/Town Sewer Extension Project), which increased the amount of legal services by \$193,000 for a total contract sum not to exceed amount of \$763,000 for the period from July 1, 2005 through December 31, 2005; and

WHEREAS, The Rockland County Sewer District No. 1 entered into an extension to the agreement with Nixon Peabody, LLP on or about January 18, 2006 which extended the term of the agreement to June 30, 2006; and

WHEREAS, By Resolution No. 386 of 2006, the Legislature of Rockland County approved an amendment and extension to the agreement with Nixon Peabody, LLP which increased the amount of legal services by \$195,000 for a total contract sum not to exceed \$958,000 for the period from July 1, 2006 through June 1, 2007; and

WHEREAS, The Rockland County Sewer District No. 1 entered into an amendment to agreement with Nixon Peabody, LLP on or about August 28, 2006, for additional legal services (property acquisitions/condemnations in connection with the Western Ramapo Sewer Extension Project and the Village/Town Sewer Extension Project), which increased the amount of legal services by \$195,000 for a total contract sum not to exceed amount of \$958,000 for the period from July 1, 2006 through June 1, 2007; and

WHEREAS, The Rockland County Sewer District No. 1 entered into an extension to the agreement with Nixon Peabody, LLP on or about July 24, 2007 which extended the term of the agreement to June 1, 2008; and

WHEREAS, By Resolution No. 154 of 2008, the Legislature of Rockland County approved an amendment and extension to the agreement with Nixon Peabody, LLP for legal services (property acquisitions/condemnations for the Western Ramapo Sewer Extension Project and the Village/Town Sewer Extension Project), which increased the amount of legal services by \$154,000 for a total contract sum not to exceed \$1,112,000, and extending the term through June 1, 2009; and

WHEREAS, The Rockland County Sewer District No. 1 entered into an amendment and extension to the agreement with Nixon Peabody, LLP on or about August 25, 2008 which increased the amount of legal services by \$154,000, for a total contract sum not to exceed \$1,112,000 and extended the term of the agreement to June 1, 2009; and

WHEREAS, By Resolution No. 241 of 2009, the Legislature of Rockland County approved an amendment and extension to the agreement with Nixon Peabody, LLP which increased the amount of legal services by \$286,000 for a total contract sum not to exceed \$1,398,000 for the period from June 2, 2009 through June 1, 2010; and

WHEREAS, The Rockland County Sewer District No. 1 entered into an amendment to agreement with Nixon Peabody, LLP on or about May 12, 2009, for additional legal services (property acquisitions/condemnations in connection with the Western Ramapo Sewer Extension Project and the Village/Town Sewer Extension Project), which increased the amount of legal services by \$286,000 for a total not to exceed amount of \$1,398,000 for the period from June 2, 2009 through June 1, 2010; and

WHEREAS, By Resolution No. 196 of 2010, the Legislature of Rockland County approved an amendment and extension to the agreement with Nixon Peabody, LLP which increased the amount of legal services by \$186,000 for a total contract sum not to exceed \$1,584,000 for the period from June 2, 2010 through June 1, 2011; and

WHEREAS, The Rockland County Sewer District No. 1 entered into an amendment to agreement with Nixon Peabody, LLP on or about May 7, 2010, for additional legal services (property acquisitions/condemnations in connection with the Western Ramapo Sewer Extension Project and the Village/Town Sewer Extension Project), which increased the amount of legal services by \$186,000 for a total not to exceed amount of \$1,584,000 for the period from June 2, 2010 through June 1, 2011; and

WHEREAS, By Resolution No. 475 of 2011, the Legislature of Rockland County approved an amendment and extension to the agreement with Nixon Peabody, LLP which increased the amount of legal services by \$95,000 for a total contract sum not to exceed \$1,679,000 for the period from June 1, 2011 through December 31, 2011; and

WHEREAS, The Rockland County Sewer District No. 1 entered into an amendment to agreement with Nixon Peabody, LLP on or about November 9th, 2011, for additional legal services (property acquisitions/condemnations in connection with the Western Ramapo Sewer Extension Project and the Village/Town Sewer Extension Project), which increased the amount of legal services by \$95,000 for a total not to exceed amount of \$1,679,000 for the period from June 1, 2011 through December 31, 2011; and

WHEREAS, Based upon the 2012 budget proposal of Nixon Peabody, LLP and the legal work which is anticipated for this project, additional funds for legal services in the amount of \$60,000 are necessary; and

WHEREAS, By Resolution 10 of 2012, the Board of Sewer Commissioner's approved the amendment of the contract for legal services with Nixon Peabody, LLP in the amount of \$60,000, for a total contract sum not to exceed \$1,739,000, extending the contract through December 31, 2012 and authorized its execution by the Executive Director of the Rockland County Sewer District No. 1, and requests the approval of the Rockland County Legislature for this contract; and

WHEREAS, The Executive Director of Rockland County Sewer District No. 1 and the Department of Law recommend the amendment and extension to the agreement with Nixon Peabody, LLP, 1100 Clinton Square, Post Office Box 31051, Rochester, New York 14604, be approved for the additional legal services (property acquisitions/condemnations in connection with the Western Ramapo Sewer Extension and Village/Town Sewer Extension Project), increasing the amount of legal services by \$60,000, for a total contract sum not to exceed \$1,739,000, and extending the contract through December 31, 2012; 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, Funding for this contract amendment is provided for in the 2012 Sewer District Operating Budget, SWR-8110-E4090; 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 the amendment of and extension to an agreement in excess of \$100,000 with Nixon Peabody, LLP, 1100 Clinton Square, Post Office Box 31051, Rochester, New York 14604 for additional legal services (property acquisitions/condemnations for the Western Ramapo Sewer Extension Project and Village/Town Sewer Extension Project), increasing the amount of legal services by \$60,000, for a total contract sum not to exceed \$1,739,000, extending the contract through December 31, 2012, and authorizes its execution by the County Executive subject to the approval of the County Attorney; and be it further

RESOLVED, That funding for this contract amendment is provided for in the 2012 Sewer District Operating Budget, SWR-8110-E4090.

Introduced by:

Referral No. 8293

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

**RESOLUTION NO. 189 OF 2012
 APPROVING AN AGREEMENT WITH THE NEW YORK STATE
 DEPARTMENT OF TRANSPORTATION
 FOR THE METROPOLITAN PLANNING ORGANIZATION (“MPO”)
 MEMBER AGENCY FEDERAL-AID MASTER PROJECT
 COMPTROLLER’S CONTRACT NO. C033469
 IN AN AMOUNT UP TO \$8,310,970
 FOR THE PERIOD APRIL 1, 2012 THROUGH MARCH 31, 2022
 AND AUTHORIZING EXECUTION OF ALL NECESSARY
 DOCUMENTS BY THE COUNTY EXECUTIVE
 [DEPARTMENT OF PLANNING]
 (\$8,310,970)**

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

WHEREAS, The County Executive and the Legislature of Rockland County have been advised that the Department of Planning desires to enter into an agreement in an amount up to \$8,310,970 with New York State Department of Transportation (“NYSDOT”) for the Metropolitan Planning Organization (“MPO”) Member Agency Federal-Aid Master Project Agreement, Comptroller’s Contract No. C033469, for the period April 1, 2012 through March 31, 2022; and

WHEREAS, The MPO determines the distribution and appropriate use of Federal Highway Administration (“FHWA”) and Federal Transit Administration (“FTA”) Federal-Aid funds for the metropolitan area as provided by 23 USC § 105 and § 134, and applicable Federal and State regulations, as described in the annual Unified Planning Work Program; and

WHEREAS, The MPO Member Agency Federal-Aid Master Project Agreement with NYSDOT is a ten (10) year agreement that will allow the County to be reimbursed for staff work related to eligible costs to meet the federal MPO requirements. The work program and funding estimates will be established each year with the MPO and included in the County Revenue Budget; and

WHEREAS, Projects under the MPO Member Agency Federal-Aid Master Project Agreement eligible for funding under Title 23 U.S. Code, as amended, call for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-federal funds; and

WHEREAS, The agreement is federally funded but administered by the State of New York, on a reimbursement basis; and

WHEREAS, The 20% non-federal funds will be provided by “in kind” services of County staff time working on the Project; 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 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 approves the agreement in the amount up to \$8,310,970 with the New York State Department of Transportation for the MPO Member Agency Federal-Aid Master Project Agreement, Comptroller's Contract No. C033469, for the period April 1, 2012 through March 31, 2022, 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 the MPO Member Agency Federal-Aid Master Project with NYSDOT will allow the County to be reimbursed for staff work related to eligible costs to meet the federal MPO requirements. Work program and funding estimates will be established each year with the MPO and included in the County Revenue Budget, with non-federal funds being met by "in kind" services of County staff time working on the Project.

Introduced by:

Referral No. 2994

Hon. Michael M. Grant, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Aney Paul, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Nancy Low-Hogan, Sponsor

**RESOLUTION NO. 190 OF 2012
APPROVING ADDITIONAL PURCHASES IN EXCESS OF \$100,000
FROM BREGA D.O.T. MAINTENANCE CORP.
FOR PARATRANSIT BUS FLEET INSPECTION,
PREVENTIVE MAINTENANCE AND REPAIRS
FOR THE ROCKLAND COUNTY DEPARTMENT OF TRANSPORTATION
UNDER RFB-RC-07-140
IN AN AMOUNT NOT TO EXCEED \$400,000
FOR THE PERIOD MARCH 1, 2012 THROUGH FEBRUARY 28, 2013
AND IN A TOTAL AMOUNT NOT TO EXCEED \$1,984,856
FOR THE FULL PERIOD FROM MARCH 1, 2008 THROUGH FEBRUARY 28, 2013
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$1,984,856)**

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

WHEREAS, By Resolution No. 100 of 2008, the Legislature of Rockland County approved the purchase of services in excess of \$100,000 from Brega D.O.T. Maintenance Corp. ("Brega"), 500 Corporate Court, Valley Cottage, New York 10989, for paratransit bus fleet inspection, preventive maintenance and repairs for the Rockland County Department of Transportation under RFB-RC-07-140 (the "RFB") in the amount of \$250,000 for the period from March 1, 2008 through February 28, 2009, with four (4) additional one (1) year options; and

WHEREAS, By Resolution No. 198 of 2009, the Legislature approved additional purchases in the amount of \$59,856 for the period from March 1, 2008 through February 28, 2009 for a total amount not to exceed \$309,856; and

WHEREAS, By Resolution No. 199 of 2009, the Legislature approved the execution of the first year option term of the contract from March 1, 2009 through February 28, 2010 as well as additional purchases in the amount of \$350,000 for a total amount not to exceed \$659,856; and

WHEREAS, By Resolution No. 179 of 2010, the Legislature approved additional purchases in the amount of \$25,000 for the period from March 1, 2009 through February 28, 2010 for a total amount not to exceed \$684,856; and

WHEREAS, By Resolution No. 180 of 2010, the Legislature approved the execution of the second year option term of the contract from March 1, 2010 through February 28, 2011 as well as additional purchases in the amount of \$450,000 for a total amount not to exceed \$1,134,856; and

WHEREAS, By Resolution No. 165 of 2011, the Legislature approved the execution of the third year option term of the contract from March 1, 2011 through February 28, 2012 as well as additional purchases in the amount of \$450,000 for a total amount not to exceed \$1,584,856; and

WHEREAS, The Director of Purchasing seeks to renew the RFB for the fourth and final option term from March 1, 2012 through February 28, 2013; and

WHEREAS, The Department of Public Transportation estimates that an additional \$400,000 will be spent from March 1, 2012 through February 28, 2013, for a total amount not to exceed \$1,984,856 for the full period from March 1, 2008 through February 28, 2013; and

WHEREAS, The Consumer Price Index (CPI) for the period January 2011 through January 2012 was 2.9%, but Brega agreed to hold its 2007 pricing, resulting in a savings to the County of \$11,600 for the period March 2012 through February 2013; and

WHEREAS, Several bid lines (i.e., 33, 35, 37, 7 and 12) also were negotiated to lower unit cost pricing, resulting in an additional savings to the County; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the additional purchases in excess of \$100,000 from Brega for paratransit bus fleet inspection, preventive maintenance and repairs under the RFB in the additional amount of \$400,000 for the fourth and final option term from March 1, 2012 through February 28, 2013 and in a total amount not to exceed \$1,984,856 for the full period from March 1, 2008 through February 28, 2013; and

WHEREAS, All purchases will be initiated by formal purchase order; and

WHEREAS, Sufficient funding for these purchases is provided for in the 2012 Budget of the Department of Public Transportation and is contingent upon 2013 budget appropriations; 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 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 the additional purchases in excess of \$100,000 from Brega D.O.T. Maintenance Corp., 500 Corporate Court, Valley Cottage, New York 10989, for paratransit bus fleet inspection, preventive maintenance and repairs for the Rockland County Department of Transportation under RFB-RC-07-140 in the additional amount of \$400,000 for the fourth and final option term from March 1, 2012 through February 28, 2013 and in a total amount not to exceed \$1,984,856 for the full period from March 1, 2008 through February 28, 2013, and hereby authorizes 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 is provided for in the 2012 Budget of the Department of Public Transportation and is contingent upon 2013 budget appropriations.

Debate:

Mr. Sparaco

I see Mr. Brega in the audience tonight and I just want to take this opportunity to commend him and thank him. I would like to read the following:

"WHEREAS, The Consumer Price Index (CPI) for the period January 2011 through January 2012 was 2.9%, but Brega agreed to hold its 2007 pricing, resulting in a savings to the County of \$11,600 for the period March 2012 through February 2013; and

WHEREAS, Several bid lines (i.e., 33, 35, 37, 7 and 12) also were negotiated to lower unit cost pricing, resulting in an additional savings to the County."

I think that this gentleman deserves much recognition for being put through what he is being put through, Legislator Grant used the word 'crime' before. I think the argument could be made that with what this gentleman business owner is being put through he is still going out of his way to try to help the County save its residents money. Thank you.

Mr. Schoenberger

I join with Legislator Sparaco and once again wish to compliment Brega and thank them for holding their prices and in fact negotiating some lower amounts, which benefit the County taxpayers.

I cannot help, but note that we recently had the bids for the County Transit System. When the bids were opened the low bidder was Brega Corporation. Shortly after the bids were opened and the low bidder was Brega, Supreme Court Judge threw out the bid documents. Ironically, they were thrown out, because Brega Corporation questioned the validity of the documents and their fairness and yet he turned out to be the low bidder. That is at least the second round of bids that has been requested by the County. When I say the County I am talking about the Administration. The Legislature passed a resolution authorizing the Administration to go out for bid. The first round of bids the Executive branch unilaterally determined to reject and to re-bid rather than send the bids with the various low bidders to us, RFP, for our review and determination as to who to make an award to, they rejected all of them. They then went out to bid a second time and there was a lawsuit brought by Brega challenging the validity of the bids, I believe, on the second round, which caused the County to revise the bids. When they were revised, I believe, Brega Corporation felt that they were still unfair or discriminatory to them so they pursued the lawsuit. Now the bids are in. It is ironic that the bids are in, and on the one hand, and on the other hand a Judge has thrown the bids out.

Months later we still do not have the bids awarded. We have buses that must be run. We are under a threat of losing a substantial amount of money in Federal funds, because we have not complied with their procurement requirements in going to bid and awarding the contract to a bidder to provide the bus service.

With all that Brega has been through they are still granting financial breaks to the County to provide bus fleet inspection, preventive maintenance and repairs for the paratransit bus system. So especially they should be commended.

I urge the Administration to bring the bidding process, as required by Federal law, to a speedy conclusion so that we do not risk losing Federal aid and support.

Introduced by:

Referral No. 9075

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

**RESOLUTION NO. 191 OF 2012
DETERMINING THAT CERTAIN COUNTY OWNED REAL PROPERTY
LOCATED AT 2 NEW HEMPSTEAD ROAD, NEW CITY, NEW YORK, IS NO LONGER
NECESSARY FOR PUBLIC USE AND AUTHORIZING THE SALE OF SAID
REAL PROPERTY BY PUBLIC ADVERTISEMENT
[DEPARTMENT OF BUDGET AND FINANCE]**

Mr. Schoenberger offered the following resolution, which was seconded by Mr. Day and adopted:

WHEREAS, The County of Rockland is the owner of certain real property located at 2 New Hempstead Road, New City, New York, more particularly identified by the metes and bounds description as follows:

Beginning at point on the Northerly side of County Highway Route 80 (a/k/a New Hempstead Road) where the same is intersected by the division line between premises described herein and lands now or formerly of the County of Rockland also known as Section 43.15-1-45, and running thence;

1. Along the division line between lands described herein and lands now or formerly of the County of Rockland also known as Section 43.15-1-45, North 07 41'20" East a distance of 168.12 feet to a point, thence
2. Along the same North 06 36' 10" West a distance of 76.76 feet to a point, thence
3. Along the division line between lands described herein and lands now or formerly of the County of Rockland, also know as Section 43.15-1-47, North 06 55' 00" East a distance of 74.22 feet to a point, thence
4. Along the division line between lands describe ed herein and lands know or formerly of Abesrc Corp. also known as Section 43.15-1-42, South 82 52' 40" East a distance of 104.38 feet to a point, thence
5. Along the same South 23 31' 20" East a distance of 56.05 feet to a point, thence
6. Along the same South 06 13' 20" West a distance of 35.26 feet to a point, thence
7. Continuing along the same South 83 46' 40" East a distance 74.62 feet to a point, thence
8. Still along the same South 87 15' 00" East a distance of 178.89 feet to the Westerly side of County Highway Route 29 (a/k/a Main Street), thence

9. Along the Westerly side of County Highway Route 29 (a/k/a/ Main Street) South 08 11' 40" West 221.09 feet to a point of curve, thence
10. On a curve to the right having a radius of 28.71 feet an arc length of 45.23 feet to a point, thence
11. Along the Northerly side of County Highway Route 80 (a/k/a/ New Hempstead Road) South 09 06' 01" West a distance of 2.46 feet to a point, thence
12. Along the same North 80 54' 53" West a distance of 89.62 feet to a point, thence
13. Along the same South 09 05' 01" West a distance of 6.23 feet to a point, thence
14. Along the same North 81 20' 00" West 79.83 feet to a point, thence
15. Continuing along the same North 08 40' 00" East a distance of 4.00 feet to a point, thence
16. Along the same North 81 20' 00" West 46.00 feet to a point, thence
17. Along the same South 08 40' 00" West a distance of 4.00 feet to a point, and
18. Still along the same North 81 20' 00" West a distance of 120.57 to the point and place of BEGINNING.

BEING AND INTENDED TO BE part of the same premises conveyed to Rockland National Bank by deed from Robank Corporation recorded November 1, 1967 in Liber 834 page 489.

The Bank of New York is successor in interest to Rockland National Bank; and

WHEREAS, The County Executive had determined that said parcel is no longer necessary for public use by the County of Rockland; and

WHEREAS, County Law §215 authorizes the sale of real property which is no longer necessary for public use; and

WHEREAS, The Real Property Tax Officer and the County Executive recommend that the Legislature of Rockland County determine that the County-owned real property located at 2 New Hempstead Road, New City, New York, is no longer necessary for public use and authorize the sale of said real property by public advertisement in accordance with County Law §215; and

WHEREAS, A review by the Department of Planning indicates that it is a Type II Action as defined in Section 617.5(c)(25) of 6 NYCRR Part 617, which are the regulations under the State Environmental Quality Review Act, and is therefore not subject to the provisions of those regulations; 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 determines that the County-owned real property located at 2 New Hempstead Road, New City, New York, more particularly identified by the metes and bounds description as follows to be no longer necessary for public use:

Beginning at point on the Northerly side of County Highway Route 80 (a/k/a New Hempstead Road) where the same is intersected by the division line between premises described herein and lands now or formerly of the County of Rockland also known as Section 43.15-1-45, and running thence;

1. Along the division line between lands described herein and lands now or formerly of the County of Rockland also known as Section 43.15-1-45, North 07 41' 20" East a distance of 168.12 feet to a point, thence
2. Along the same North 06 36' 10" West a distance of 76.76 feet to a point, thence
3. Along the division line between lands described herein and lands now or formerly of the County of Rockland, also know as Section 43.15-1-47, North 06 55' 00" East a distance of 74.22 feet to a point, thence
4. Along the division line between lands described herein and lands know or formerly of Abesrc Corp. also known as Section 43.15-1-42, South 82 52' 40" East a distance of 104.38 feet to a point, thence
5. Along the same South 23 31' 20" East a distance of 56.05 feet to a point, thence
6. Along the same South 06 13' 20" West a distance of 35.26 feet to a point, thence
7. Continuing along the same South 83 46' 40" East a distance 74.62 feet to a point, thence
8. Still along the same South 87 15' 00" East a distance of 178.89 feet to the Westerly side of County Highway Route 29 (a/k/a Main Street), thence
9. Along the Westerly side of County Highway Route 29 (a/k/a/ Main Street) South 08 11' 40" West 221.09 feet to a point of curve, thence
10. On a curve to the right having a radius of 28.71 feet an arc length of 45.23 feet to a point, thence
11. Along the Northerly side of County Highway Route 80 (a/k/a New Hempstead Road) South 09 06' 01" West a distance of 2.46 feet to a point, thence
12. Along the same North 80 54' 53: West a distance of 89.62 feet to a point, thence
13. Along the same South 09 05' 01" West a distance of 6.23 feet to a point, thence
14. Along the same North 81 20' 00" West 79.83 feet to a point, thence
15. Continuing along the same North 08 40' 00" East a distance of 4.00 feet to a point, thence
16. Along the same North 81 20' 00" West 46.00 feet to a point, thence
17. Along the same South 08 40' 00" West a distance of 4.00 feet to a point, and
18. Still along the same North 81 20' 00" West a distance of 120.57 to the point and place of BEGINNING.

BEING AND INTENDED TO BE part of the same premises conveyed to Rockland National Bank by deed from Robank Corporation recorded November 1, 1967 in Liber 834 page 489.

The Bank of New York is successor in interest to Rockland National Bank; now, therefore, be it

RESOLVED, That the Legislature of Rockland County accepts the determination by the Department of Planning that the project is a Type II Action as defined in Section 617.5(c)(25) of 6 NYCRR Part 617, which are the regulations under the State Environmental Quality Review Act, and is therefore not subject to the provisions of those regulations; and be it further

RESOLVED, That the Legislature of Rockland County authorizes the sale of County-real property located at 2 New Hempstead Road, New City, New York, by public advertisement in accordance with County Law §215; and be it further

RESOLVED, That the Director of Purchasing is authorized to advertise the real property for public sale in accordance with County Law §215.

The vote resulted as follows:

Ayes:	14	(Legislators Carey, Day, Earl, Grant, Hood, Jr., Low-Hogan, Moroney, Murphy, Paul, Schoenberger, Sparaco, Wider, Wolfe, Cornell)
Nay:	01	(Legislator Meyers)
Absent:	02	(Legislators Jobson, Soskin)

Debate:

Mr. Day

I was going through this memo that we got from the Administration on this particular building. I seem to recall that we did end up with a lease on this building for a number of years. Will this lease terminate upon the sale of the building?

Mr. Schoenberger

There is a memo in your box dated from Sean Mathews to Chair Cornell and Legislator Grant regarding this property and the one we just voted on earlier. Attached to it was a memo from Stephen DeGroat dated April 16th to the County Executive that addressed the questions regarding the County owned RCC building in Spring Valley and the Chase building in New City. Have you seen those memos Legislator Day?

Mr. Day

It just wasn't quite clear whether or not if there is a sale if the lease would expire upon the sale.

Mr. Schoenberger

The memo says the three-story bank/office building was built in 1970 located on 2.26 acres of property containing 130 parking spaces. JP Morgan Chase occupies approximately 18% of rental space under a lease expiring October 21, 2014. The County of Rockland used the balance of the office space and list the following departments

Chairwoman Cornell

It is the paragraphs after that deal with the rental, which does go on until they expire.

Mr. Meyers

Since the lease goes through the end of December 2014 it would be highly unlikely to have a clause in the lease that says that upon the sale of the building by the County that the lease would terminate. No tenant would agree to that. Since that was sort of a sale-lease back situation at the time the County bought the property I am sure they have the right to extend the lease through the term. I hope that reference to 2014 encompasses any references in that lease to any renewal options that Chase may have.

The only thing that I am concerned about with regard to this being surplus property, I wasn't in the Legislature at the time, but I remember at the time the County bought the building it was rather desperate to have the additional space. I know that County government has shrunk substantially in size since that time, but the time could come in the future where the County could be in need of additional space again. We could have better times in our future. I know that we have the County owned campus, but we are here and this is our County seat, and we have the Court House. We really should think once or twice or three times about giving up an office building in such close proximity to our government offices, because once we sell it we may not be able to get it back again. We have to think about the future also not just our current need to have a couple million dollars to help with the budget.

When the County finds a buyer does the Legislature have another bite at the apple? We have to approve that sale at that time. Is that correct.

Chairwoman Cornell

Yes, we would have to approve the sale. I don't disagree with what you are saying with regard to this building, because there was a great deal of work that was done by the County to revamp the interior of the building to make it usable for the different offices and departments. It is a question as to whether our financial situation is such that we need to seek the sale of the building or to retain it as you said.

Mr. Meyers

What I would suggest to my colleagues, and with the interest of Madam Chair, let's see what the County can get for it. The market is very depressed for office buildings. We will see at that time where we are and whether it is worth selling at the price the County is able to get for it. Then take a fresh look at it at that time.

I am only voting no, because I just feel like it would be internally inconsistent to later say that I don't want to sell it if I have already said that it is no longer needed. That is the reason I am voting no.

Introduced by:

Referral No. 9361

- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 192 OF 2012
 APPROPRIATION OF FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE
 FOR REIMBURSEMENT TO THE ROCKLAND COUNTY SHERIFF'S
 DEPARTMENT UNDER THE ORGANIZED CRIME DRUG
 ENFORCEMENT TASK FORCES OVERTIME AND AUTHORIZED
 EXPENSE/STRATEGIC INITIATIVE PROGRAM
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [SHERIFF'S DEPARTMENT]
 (\$30,000)**

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

WHEREAS, The U.S. Department of Justice has a Strategic Initiative Program to reimburse state and local departments for overtime and authorized expenses incurred by such departments which assist with Organized Crime Drug Enforcement Task Forces (OCDETF) investigations, initiatives and prosecutions as set forth in the Organized Crime Drug Enforcement Task Force State and Local Overtime and Authorized Expense Programs, Policies and Procedures Manual dated October 2010; and

WHEREAS, By Resolution 654 of 2010 the Legislature of Rockland County approved the authorization of an agreement with the U.S. Department of Justice for reimbursement to the Rockland County Sheriff's Department under the organized Crime Drug Enforcement Task Forces Overtime and Authorized Expense/Strategic Initiative Program; and

WHEREAS, The Sheriff of Rockland County requests that the County Executive and the Legislature approve an appropriation of funds for \$30,000 for the Organized Crime Drug Enforcement Task Forces Agreement with the U.S. Department of Justice to reimburse his department for overtime and authorized expenses incurred in providing such assistance under this Strategic Initiative Program; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County funds; 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 an appropriation of funds for \$30,000 for the Organized Crime Drug Enforcement Task Forces Agreement with U.S. Department of Justice for the reimbursement for overtime and authorized expenses incurred by the Sheriff's Department for assistance with Organized Crime Drug Enforcement Task Forces (OCDETF) investigations, initiatives and prosecutions as set forth in the Organized Crime Drug Enforcement Task Force State and Local Overtime and Authorized Expense Programs, Policies and Procedures Manual dated October 2010, and authorizes its execution by the County Executive, subject to the approval of the County Executive; and it is further

RESOLVED, That the adoption of this resolution does not require the expenditure of any County funds; and be it further

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

GENERAL FUND - 2012

<u>Increase Approp. Acct. (Credit):</u>		
A-SHF-3111-E1110	Overtime	30,000
<u>Increase Est. Rev. Acct. (Debit):</u>		
A-SHF-3111-R4389	Federal Aid - Public Safety	30,000

Introduced by:

Referral No. 9209

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

**RESOLUTION NO. 193 OF 2012
 APPROVAL OF AN AMENDMENT AND EXTENSION OF AN
 AGREEMENT IN EXCESS OF \$100,000 WITH CP/RP ROCKLAND
 ASSOCIATES LIMITED PARTNERSHIP TO INCREASE THE CONTRACT IN THE
 ADDITIONAL AMOUNT OF \$87,500 FOR A TOTAL CONTRACT SUM NOT TO EXCEED
 \$575,000 AND TO EXTEND THE TERM FOR THE PERIOD FROM JULY 2, 2008
 THROUGH JULY 31, 2012 FOR THE LEASE OF SPACE FOR THE STORAGE
 OF VOTING MACHINES AND AUTHORIZING ITS EXECUTION AND ALL OTHER
 NECESSARY DOCUMENTS BY THE COUNTY EXECUTIVE
 [BOARD OF ELECTIONS]
 (\$575,000)**

Mr. Schoenberger offered the following resolution, which was seconded by Mr. Carey and Mrs. Low-Hogan and unanimously adopted:

WHEREAS, Pursuant to the Election Law, the Rockland County Board of Elections is required to take custody and control of all voting machines within the County of Rockland; and

WHEREAS, By Resolution No. 369 of 2008, the Legislature of Rockland County approved an agreement with CP/RP Rockland Associates Limited Partnership, 100 Route 59, Suffern, New York 10901 to lease space for the storage of all voting machines used in Rockland County in the amount of \$487,500 for the period from July 2, 2008 through December 31, 2011 with an option to renew for an additional three year term; and

WHEREAS, The term of the lease agreement has expired and the Department of General Services-Facilities Management is presently renovating an area in Building G at The Dr. Robert L. Yeager Health Center to relocate the voting machines which is due to be completed by July 31, 2012; and

WHEREAS, The voting machines are stored at the current location at 100 Route 59 in Suffern and the County remains a tenant at the premises under an obligation to pay monthly rent and/or reasonable use and occupancy in the amount of \$12,500 per month; and

WHEREAS, The Commissioners of the Board of Elections recommend that the County Executive and the Legislature of Rockland County approve an amendment and extension of the lease agreement with CP/RP Rockland Associates Limited Partnership, 100 Route 59, Suffern, New York 10901 to increase the contract in the additional amount of \$87,500 for a total sum not to exceed \$575,000.00 and to extend the term of the agreement for the period from July 2, 2008 through July 31, 2012; and

WHEREAS, The Real Property Tax Officer has advised that the base rental rate for this space is reasonable in comparison to market rental rates in the area; 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, County Law §215 requires that the Legislature of Rockland County approve all lease agreements entered into by the County; and

WHEREAS, Sufficient funds for the amendment and extension of the lease agreement is appropriated in the 2012 Adopted Budget for the Rockland County Board of Elections; and

WHEREAS, The Multi-Services 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 an amendment and extension of the agreement in excess of \$100,000 with CP/RP Rockland Associates Limited Partnership, 100 Route 59, Suffern, New York 10901 to increase the contract in the additional amount of \$87,500 for a total sum not to exceed \$575,000 for the lease of space for the storage of all voting machines used in Rockland County and to extend the term of the agreement for the period from July 2, 2008 through July 31, 2012 and authorizes its execution and all other necessary documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funds exist in the 2012 Adopted Budget of the Board of Elections.

Introduced by:

Referral No. 8372

- Hon. Philip Soskin, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Patrick J. Moroney, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 194 OF 2012
 APPROVING AN AMENDMENT AGREEMENT IN EXCESS OF \$100,000
 WITH NYACK HOSPITAL FOR PRENATAL CLINIC SERVICES
 AS PER SPECIFICATIONS IN RFP-RC-2010-024 FOR AN ADDITIONAL
 AMOUNT OF \$1,400,000, FOR THE PERIOD FROM JANUARY 1, 2012 THROUGH
 DECEMBER 31, 2012, FOR A TOTAL CONTRACT SUM NOT TO EXCEED
 \$2,957,404 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [DEPARTMENT OF HEALTH]
 (\$2,957,404)**

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

WHEREAS, By Resolution 141 of 2011, the Legislature of Rockland County approved the agreement for the prenatal program at Nyack Hospital to provide prenatal clinic services under RFP-RC-2010-024 for the period of one year, January 1, 2011 through December 31, 2011 with the option to review for four (4) additional one year terms, in a total contract sum not to exceed \$1,597,700; and

WHEREAS, Since there were only 707 births during 2011 the total payment to Nyack Hospital in 2011 was \$40,296.00 less than the 2011 NTE contract amount \$1,597,700; and

WHEREAS, The Commissioner of Health recommends that the County amend the with Nyack Hospital, 16 North Midland Avenue, Nyack, New York, for the prenatal program to amend the contract for an additional amount of \$1,400,000 for the period from January 1, 2012 through December 31, 2012, for a total contract amount not to exceed \$2,957,404; and

WHEREAS, Sufficient funding for this amendment to the agreement exists in the 2012 budget of the Department of Health; 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 Multi-Services 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 amendment to the agreement with Nyack Hospital, 160 North Midland Avenue, Nyack, New York 10960 for the prenatal program under RFP-RC-2010-024 to amend the contract for an additional sum amount of \$1,400,000 for the period from January 1, 2012 through December 31, 2012, for a total contract not to exceed \$2,957,404 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 amendment to the agreement exists in the 2012 budget of the Department of Health.

Comments from Legislators:Legislator Edwin J. Day

This is something that struck close to home and it serves as a reminder to many here stateside about the dangers that our troops are facing overseas. This is something that would be hard-pressed to see in the national media. A Staff Sergeant, Travis Mills, who served with my son Christopher in Afghanistan, went back for his third tour and stepped on an IED. He lost both of his legs, one arm and a hand. He is recuperating, but you can imagine this affected all around him, including my son obviously, and all those who served in the 473 Calvary. Earlier today Legislator Low-Hogan made a point of having a moment to think about the loss of Mayor Kay. I would just ask that everybody have a prayer for Staff Sergeant Mills, his wife Chelsea and his little baby Chloe for what he is going to go through, which will certainly be an arduous recovery. Thank you.

Chairwoman Harriet D. Cornell

I will just say a word about Mayor Dennis Kay, who I got to know when we served together on the Solid Waste Management Committee. I attended his funeral today. I saw Legislator Meyers there and Legislator Wolfe attended, and perhaps there were others I did not see, because there was a large crowd there. I always enjoyed working with Dennis Kay, because he was a very thoughtful person, a very kind man and someone who was obviously involved in government, because of his commitment to public service. I know that all my colleagues join with me in extending condolences to his family and in our sorrow and shock in his passing.

**ADJOURNMENT IN MEMORY OF
FRED SEMINARA**

Mr. Grant offered the following memorial, which was seconded by Mr. Hood, Jr. and Mr. Jobson and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Fred Seminara.

**ADJOURNMENT IN MEMORY OF
GIUSEPPA SCAFFIDI**

Mr. Grant offered the following memorial, which was seconded by Mr. Hood, Jr. and Mr. Jobson and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Giuseppa Scaffidi.

**ADJOURNMENT IN MEMORY OF
JOHN McGUINNESS**

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 John McGuinness.

**ADJOURNMENT IN MEMORY OF
CYRILLE V. PAUL**

Chairwoman 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 Cyrille V. Paul.

**ADJOURNMENT IN MEMORY OF
DENNIS KAY**

Mr. Meyers 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 Dennis Kay.

**ADJOURNMENT IN MEMORY OF
RAYMOND T. KELLY, JR.**

Mr. Day offered the following memorial, which was seconded by Mr. Carey and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Raymond T. Kelly, Jr.

**ADJOURNMENT IN MEMORY OF
JEANNE RONNER O'CONNOR**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Jeanne Ronner O'Connor.

**ADJOURNMENT IN MEMORY OF
ARLEAN VIVIAN HOLSTINE**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Arlean Vivian Holstine.

**ADJOURNMENT IN MEMORY OF
HENDY MEISNER**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Hendy Meisner.

**RESOLUTION NO. 195 OF 2012
ADJOURNMENT**

Mr. Murphy offered the following resolution, which was seconded by Mr. Sparaco and unanimously adopted (8:25 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Tuesday, May 1, 2012 at seven o'clock in the evening.

Respectfully Submitted,

DARCY M. GREENBERG
Proceedings Clerk