

# The Legislature of Rockland County



**ARON B. WIEDER**  
*Legislator – District 13*  
Chair, Public Safety Committee

AGENDA  
**PUBLIC SAFETY COMMITTEE**  
WEDNESDAY, OCTOBER 26, 2016  
6:00 PM

ROLL CALL  
PLEDGE OF ALLEGIANCE  
ADOPTION OF MINUTES, MEETING OF OCTOBER 13, 2016

1. REF. #5327 - APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF ROCKLAND AND THE VILLAGE OF SPRING VALLEY IN CONNECTION WITH A 2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) AWARD THAT WILL GO DIRECTLY TO THE VILLAGE OF SPRING VALLEY IN THE AMOUNT OF \$13,065 AND AUTHORIZING EXECUTION OF THIS AGREEMENT BY THE COUNTY EXECUTIVE [OFFICE OF THE SHERIFF] (\$13,065)  
**(LOUIS FALCO III, SHERIFF)**  
**DL#2016-03250**
2. REF. #5327 - APPROVING AGREEMENT IN EXCESS OF \$100,000 IN AN AMOUNT NOT TO EXCEED \$124,100 FROM THE GRANT COMMENCEMENT DATE OF OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2017 FROM EAC, INC. FOR MISDEMEANOR DRUG COURT CASE MANAGEMENT AND EVALUATION SERVICES PER THE DEPARTMENT OF JUSTICE ADULT DRUG COURT GRANT  
[DISTRICT ATTORNEY'S OFFICE] (\$124,100)  
**(THOMAS P. ZUGIBE, DISTRICT ATTORNEY)**  
**DL#2016-03330**
3. REF. #6704 - APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$18,447.29 BETWEEN THE COUNTY OF ROCKLAND, THROUGH ITS OFFICE OF THE DISTRICT ATTORNEY, AND THE VILLAGE OF SUFERN, FOR THE DISBURSEMENT OF FORFEITURE FUNDS TO SAID VILLAGE FOR LAW ENFORCEMENT PURPOSES, TO COVER THE COST OF OVERTIME FOR AN OFFICER ASSIGNED TO THE DISTRICT ATTORNEY'S REGIONAL INVESTIGATIVE RESOURCE CENTER FOR THE PERIOD SEPTEMBER 17, 2015 THROUGH MARCH 31, 2016 AND AUTHORIZING EXECUTION OF THIS AGREEMENT BY THE COUNTY EXECUTIVE [OFFICE OF THE DISTRICT ATTORNEY] (\$18,447.29)  
**(THOMAS P. ZUGIBE, DISTRICT ATTORNEY)**  
**DL# 2015-03317**
4. REF. #8495 - URGING THE NEW YORK STATE ASSEMBLY TO PASS BILL A.8465-A AND THE NEW YORK STATE SENATE TO PASS BILL S.6069-A ESTABLISHING INSTALLATION AND MAINTENANCE STANDARDS FOR GAS STATION FIRE SUPPRESSION SYSTEMS  
**(HON. ANEY PAUL, LEGISLATURE)**  
**LG# 2016-94**

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

RESOLVED, That the Legislature of Rockland County hereby approves an interlocal agreement between the County of Rockland and the Village of Spring Valley in connection with a 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) award in the amount of \$13,065 and authorizes execution of the agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That since said award amount will go directly to the Village of Spring Valley and not through the County of Rockland, a funding clause is not required on this resolution.

AFR:dc  
2016-03250  
10-11-16



RESOLVED, That sufficient funding for this agreement is available in the 2016 Budget of the District Attorney's Office, DA-GA39-E4090.

AR:dc  
2016-03330  
9-23-16  
r. 10/20/16

## Schedule A

EAC, Inc is the designated partner for this Department of Justice Adult Drug Court grant. EAC, Inc. will provide the following:

A Senior Advisor who will be responsible for EAC staff supervision, liaison with the Rockland County District Attorney's Office on programmatic and policy issues, and reporting as needed.

A full-time Forensic Case Manager will provide initial assessments and implement the treatment plan in all its aspects, support the client throughout the treatment process, and provide regular reports on client progress. The Forensic Case Manager will liaison with service providers and Assistant District Attorneys.

The part-time Senior Court Liaison for the project will be responsible for directly supervising initial screening and assessment of clients, will liaison with service providers and Assistant District Attorneys. The Senior Court Liaison will oversee day-to-day administration of the EAC staff in Rockland.

An Evaluator will provide data analysis using SPSS; administering the Stakeholder Feedback Survey; training staff on the screening instruments; and preparing the evaluation report.



WHEREAS, Sufficient funding for this agreement is available in the 2016 Operating Budget of the District Attorney (Dept. FA02, line E4500); 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 Committees of the Legislature have met, considered and approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the execution of an intermunicipal cooperation agreement in an amount not to exceed \$18,447.29 between the County of Rockland, through its Office of the District Attorney, and the Village of Suffern for the disbursement of forfeiture funds to said village for law enforcement purposes, to cover the cost of overtime for an officer assigned to the District Attorney's Regional Investigative Resource Center, for the period September 17, 2015 through March 31, 2016, and authorizing execution of this agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement is available in the 2016 Operating Budget of the District Attorney (Dept. FA02, line E4500).

AR/dc  
2016-03317  
10/11/16

# DRAFT

Introduced by:  
Hon. Aney Paul, Sponsor

Referral No.  
, 2016

**RESOLUTION NO.        OF 2016**  
**URGING THE NEW YORK STATE ASSEMBLY TO PASS BILL A.8465-A**  
**AND THE NEW YORK STATE SENATE TO PASS BILL S.6069-A –**  
**ESTABLISHING INSTALLATION AND MAINTENANCE STANDARDS FOR**  
**GAS STATION FIRE SUPPRESSION SYSTEMS**

WHEREAS, Automatic fire suppression systems at gas stations enhance public safety and protect motorists, drivers, fire-fighters, first responders, gas-station employees and others from fires that can cause serious harm, injury or even death and ensure the protection of property in the immediate vicinity of gas stations; and

WHEREAS, The New York State Fire Prevention and Building Code Council ("the Code Council") is the entity empowered to maintain and periodically update the Uniform Fire Prevention and Building code and to adopt higher or more restrictive local standards upon the recommendation of local governments; and

WHEREAS, On August 19, 2015, the Code Council passed a resolution, effective October 2016, eliminating the requirement for automatic fire suppression systems at gas stations, in contravention of their mandate to adopt stricter fire code safety standards; and

WHEREAS, Elimination of the fire code requirement that fueling stations install and maintain automatic fire suppression systems raises serious public safety concerns; and

WHEREAS, The automatic fire suppression systems, installed either in the canopies above pumps or on top of the pumps, automatically detect fires and/or explosions at pumping stations and release chemicals to suppress fires within seconds of an incident; and

WHEREAS, Clear evidence and documentation demonstrate that, throughout New York State, these systems have been instrumental in suppression and/or extinguishing flames prior to the arrival of fire departments; and

WHEREAS, The National Fire Protection Association (NFPA), in its most recent statistics, reported that there were 4,280 documented gas station fires in 2008, which resulted in 25 civilian injuries and \$28 million in damages; and

WHEREAS, The number of gas station fires remains high, despite a decreased number of cases since 1980, further highlighting the need for and importance of automatic fire suppression systems; and

WHEREAS, The Westchester County Association of Fire Chiefs, the Fire Marshals Association of Suffolk County, the Nassau County Fire Marshals and others contend that the installation and maintenance of automatic fire suppression systems are vital for public safety and their elimination will have a severe, negative impact on the health, safety and welfare of the public; and

WHEREAS, New York State Assembly Bill A.6793-A and New York State Senate Bill S.4971-A create standards for gas station fire suppression systems including but not limited to: (1) using a suitable petroleum extinguishing agent on automatic fire suppression systems; (2) monitoring unattended service stations; (3) using dry chemical fire extinguishing system where liquid motor fuel is dispensed and (4) regularly servicing automatic fire extinguishing systems; and

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

RESOLVED, The Rockland County Legislature hereby supports and urges the New York State Assembly to pass Bill A.8465-A and the New York State Senate to pass Bill S.6069-A – establishing installation and maintenance standards for gas station fire suppression systems, and urges the Governor to sign such legislation; and be it further

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

LG-2016-94

ASE

10/18/16

10/20/16

**A08465 Summary:**

BILL NO A08465A

SAME AS SAME AS

SPONSOR Brindisi

COSPNR Jaffee, Galef, Magee, Mosley, Peoples-Stokes, Simon, Abinanti, Gottfried, Blake, Skoufis, Steck

MLTSPNSR Cook, DenDekker, Glick, Hooper, Richardson

Amd §378, Exec L

Establishes installation and maintenance standards for gas station fire suppression systems.

A08465 Text:

## STATE OF NEW YORK

8465--A

2015-2016 Regular Sessions

## IN ASSEMBLY

October 9, 2015

Introduced by M. of A. BRINDISI, JAFFEE, GALEF, MAGEE, MOSLEY, PEOPLES-STOKES, SIMON, ABINANTI, GOTTFRIED, BLAKE, SKOUFIS, STECK -- Multi-Sponsored by -- M. of A. COOK, DENEKKER, GLICK, HOOPER, RICHARDSON -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to establishing installation and maintenance standards for gas station fire suppression systems

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Section 378 of the executive law is amended by adding a new  
2 subdivision 17 to read as follows:
- 3 17. Standards for gas station fire suppression systems shall require:  
4 a. Automatic fire-extinguishing systems using an extinguishing agent  
5 suitable for petroleum fires.  
6 b. Automatic fire-extinguishing systems at unattended self-service  
7 motor fuel-dispensing facilities shall be monitored by an approved  
8 supervising station.  
9 c. Where flammable liquid motor fuel is dispensed at an automotive  
10 liquid motor fuel-dispensing facility, the dispensing area shall be  
11 provided with a dry chemical fire-extinguishing system designed and  
12 installed in accordance with the following:  
13 (i) the fire-extinguishing system shall be designed to provide over-  
14 head protection of the dispenser area;  
15 (ii) the extinguishing agent containers shall be equipped with indica-  
16 tors to show whether the system is fully charged;  
17 (iii) the installation, alteration, testing and repair of the fire-ex-  
18 tinguishing system, including any maintenance or modification of the

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD11963-04-6

A. 8465--A

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1 system, shall be performed by a technician who is trained and knowledge-  
2 able in the installation, operation and maintenance of the specific  
3 fire-extinguishing system; and  
4 (iv) dispensers shall not be operated when the fire-extinguishing  
5 system has discharged or is inoperative, except as authorized in writing  
6 by the department.  
7 d. Automatic fire-extinguishing systems shall be serviced after acti-  
8 vation of the system and at regular intervals thereafter. Inspection  
9 records shall also be kept on premises where the automatic fire-extin-  
10 guishing systems are located for a minimum of five years.  
11 e. Systems shall be inspected and tested for proper operation at  
12 initial installation and at regular intervals thereafter. Tests shall  
13 be in accordance with the manufacturer's requirements and include a  
14 check of the detection system, alarms and releasing devices, including  
15 manual stations and other associated equipment.  
16 f. Failure to comply with the installation or maintenance requirements  
17 of this section shall result in the revocation of the building's certifi-  
18 cate of occupancy and/or the permit to operate fueling dispensers.  
19 g. The provisions of this subdivision shall be enforced in accordance  
20 with the provisions of section three hundred eighty-one of this article.  
21 § 2. This act shall take effect on the one hundred eightieth day after  
22 it shall have become a law; provided, however, that the state fire  
23 prevention and building code council shall take any and all actions  
24 necessary to implement the provisions of this act on or before its  
25 effective date.