

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, May 15, 2012 at 7:00 P.M., pursuant to the adjournment of the May 1, 2012 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 10th day of May 2012

The Legislature of Rockland County convened in regular session pursuant to the adjournment of the May 1, 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.
Douglas J. Jobson
Joseph L. Meyers
John A. Murphy
Aney Paul
Ilan S. Schoenberger
Philip Soskin
Frank P. Sparaco
Alden H. Wolfe, Vice Chairman
Harriet D. Cornell, Chairwoman

Late: Legislator Aron B. Wieder (7:10 p.m.)

Absent: Legislator Patrick J. Moroney

Haitian American Nurses' Association and Indian Nurses' Association of New York led in the Salute to the Flag.

Honorable Aney Paul, Legislator District 14, delivered the invocation.

**RESOLUTION NO. 226 OF 2012
ADOPTION OF MINUTES OF LEGISLATIVE MEETING
OF APRIL 17, 2012**

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

Resolved, that the transcribed minutes of the Legislative meeting of April 17, 2012, as recorded by the Clerk and presented to the Legislature, be and they are hereby adopted.

Statement by the Honorable Harriet D. Cornell, Chairwoman

The special order of the day is we are going to go into a Committee of the Whole. Before we do that let me explain what this is about. We are going to have a presentation from Toski & Company, consultants, who are going to spend about 25 to 30 minutes giving us an overview of a report that was presented to us today on the Rockland County Public Benefit Corporation evaluation and privatization alternatives. They are going to make their report and then we will allow another 30 to 45 minutes for Legislators to ask questions. However, since we have just received the report we are not going to be spending time debating it. There may be some questions for clarification.

After reading this lengthy report over the next day or so we will probably start next Wednesday evening having joint committee meetings. I am going to ask all the Legislators to please save next Wednesday evening. We will have the consultants come back and we will be able to go in depth into the report.

The report itself is going online on the County website this evening. I do have the information for those of you who are interested. The County website is www.rocklandgov.com.

The Legislators all received, late this afternoon in their boxes, the report. I just want the Legislators to know that I know it is difficult to read the charts in the report, because it is in black and white, but I have been told that within a day or two there will be color copies to make it easier for Legislators to access the charts and the graphs.

Everything will be happening in public. We will notify you when we are holding meetings. Basically we are starting with information both for ourselves and for the public.

I will ask Legislator Schoenberger to move us into the Committee of the Whole.

Special Order of the Day:

Chairwoman Harriet D. Cornell called for the Legislature to move into the Committee of the Whole at 7:11 p.m.

Legislator Ilan S. Schoenberger moved to convene as a Committee of the Whole, which was seconded by Legislator Michael M. Grant and passed unanimously.

The Legislature now resolved itself into a Committee of the Whole, Chaired by Harriet D. Cornell, for a Presentation by Toski & Co. PC - Rockland County PBC Evaluation And Privatization Alternatives (Referral No. 9485).

Chairwoman Harriet D. Cornell called to adjourn the Committee of the Whole and report back to the full Legislature at 8:40 p.m., which was moved by Legislator Alden H. Wolfe and seconded by Legislator Frank P. Sparaco and passed unanimously.

Chairwoman Cornell called for a recess at 8:40 p.m. The Legislative meeting reconvened at 8:59 p.m. with all members in attendance.

The Chairwoman opened the public participation portion of the meeting at 8:59 p.m. and the following persons appeared and spoke:

- ❖ Rochelle Sternheim, Concerned with County finances
- ❖ Bruce Levine, Must move on hospital/nursing home issues quickly
- ❖ Matt Brennan, Concerned with Social Services fraud, the County's low credit rating and illegal immigration
- ❖ Jose Nunez, Sheriff's Department offers great services and their officers take great pride in their department

Public Participation ended at 9:08 p.m.

Comments from the Chairwoman:

Honorable Harriet D. Cornell

There will be a Special Meeting of the Legislature on Tuesday, May 29th at 7:00 p.m. We will be considering a package of resolutions, which will be coming from the County Executive to deal with government operations for the remainder of 2012 in the absence of action by the State Legislature on the County's Home Rule request and our plan for deficit reduction.

All of the bond items have been removed from the agenda at my request. I sent an email out several days ago with regard to that.

Legislator Ilan S. Schoenberger

Am I correct in understanding that 10 A 4, 10 A 5, 10 A 6, 10 A 7 and 10 A 8, which are the bond resolutions are all being pulled this evening?

Honorable Harriet D. Cornell

Yes they are.

Legislator Ilan S. Schoenberger

Are there any other items in addition that are being pulled?

Honorable Harriet D. Cornell

No, there are none.

Introduced by:

Referral No. 9044

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

**RESOLUTION NO. 228 OF 2012
APPROVING ACCEPTANCE OF A CONTINUATION GRANT
IN THE AMOUNT OF \$146,822 (NCTD)
WITH A POTENTIAL COST OF LIVING ADJUSTMENT (COLA)
OF NO MORE THAN \$14,682 (10% OF GRANT)
FOR A TOTAL AMOUNT NOT TO EXCEED \$161,504 (NCTD)
FROM THE NEW YORK STATE DEPARTMENT OF HEALTH
FOR THE CHILDHOOD IMMUNIZATION PROGRAM
FOR THE PERIOD APRIL 1, 2012 THROUGH MARCH 31, 2013
AND AUTHORIZING EXECUTION OF ALL NECESSARY
DOCUMENTS BY THE COUNTY EXECUTIVE
[DEPARTMENT OF HEALTH]
(\$161,504)**

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

WHEREAS, The Commissioner of Health has advised the County Executive and the County Legislature that her department has been awarded continuation grant funds in the amount of \$146,822 from the New York State Department of Health to continue the Childhood Immunization Program, of which said amount needs to be appropriated for the period April 1, 2012 through March 31, 2013; and

WHEREAS, A potential cost of living adjustment (COLA) award of no more than \$14,682 (10% of said \$146,822 grant) also needs to be appropriated, for a total award not to exceed \$161,504 for said program period; and

WHEREAS, \$146,822 grant is 71% State funded and 29% federally funded and \$14,682 potential COLA is State funded; and

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

WHEREAS, Said funds will be used to provide childhood immunization activities, which include compliance, monitoring of providers, outreach and education for residents of Rockland County; 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 "execution of all contracts in excess of \$100,000 entered into by the County;" and

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

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance and appropriation of a continuation grant award in the amount of \$146,822 from the New York State Department of Health to continue the Childhood Immunization Program for the period from April 1, 2012 through March 31, 2013; 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 a potential cost of living adjustment (COLA) award of no more than \$14,682 (10% of said \$146,822 grant) also needs to be appropriated, for a total award not to exceed \$161,504 for said program period; and be it further

RESOLVED, That \$146,822 grant is 71% State funded and 29% federally funded and \$14,682 potential COLA is State funded; and be it further

RESOLVED, That no County tax dollars (NCTD) are required to accept said grant and potential COLA; 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 -4052	-E1100	Salaries, Employees	79,121
	-E1910	Health	19,000
	-E1911	Dental	1,400
	-E1912	Vision	300
	-E1920	Retirement	8,500
	-E1930	Social Security	6,055
	-E1940	Unemployment Insurance	100
	-E1950	Workers' Compensation	343
	-E1980	MTA Mobility Tax	270
	-E4098	Services from Other County Depts	46,415

Increase Est. Rev. Acct. (Debit):

A-DOH -4052	-R3480	Health Grant(s) - State	118,926
	-R4480	Health Grant(s) - Federal	42,578

UNEMPLOYMENT FUND - 2012

Increase Approp. Acct. (Credit):

Q-PER -9050	-E8010	Employee Benefits	100
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Increase Est. Rev. Acct. (Debit):

Q-PER -9050	-R2809	Interfund Revenues	100
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and be it further

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

Introduced by:

Referral No. 9361

- Hon. Jay Hood, Jr., Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon Christopher J. Carey, Sponsor
- Hon. Edwin J. Day, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Aron B. Wieder, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Frank A. Sparaco, Sponsor

**RESOLUTION NO. 229 OF 2012
 APPROVING ACCEPTANCE OF GRANT
 IN THE AMOUNT OF \$343,746 (NCTD) FROM THE
 NEW YORK STATE OFFICE OF HOMELAND SECURITY -
 LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM
 (LETPP) GRANT (NO. WM11972912) FOR THE PERIOD
 SEPTEMBER 1, 2011 THROUGH AUGUST 31, 2014
 AND AUTHORIZING EXECUTION OF THE NECESSARY
 GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
 [SHERIFF'S DEPARTMENT]
 (\$343,746)**

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

WHEREAS, The County Executive has been advised by the Sheriff that the New York State Office of Homeland Security has awarded his department a \$343,746 Law Enforcement Terrorism Prevention Program (LETPP) grant (No. WM11972912) for the period September 1, 2011 through August 31, 2014; and

WHEREAS, These funds will be used to assist law enforcement in Rockland County with their terrorism prevention and preparedness efforts; for planning, training and exercises for all Rockland County anti-terrorism teams; and to purchase specialty equipment that will enhance the various counter-terrorism teams; and

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

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

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

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

RESOLVED, That the Legislature of the County of Rockland hereby approves the acceptance of a \$343,746 Law Enforcement Terrorism Prevention Program (LETPP) grant (No. WM11972912) from the New York State Office of Homeland Security and Emergency Services for the period September 1, 2011 through August 31, 2014, and authorizes execution of the necessary grant documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That these funds will be used to assist law enforcement in Rockland County with their terrorism prevention and preparedness efforts; for planning, training and exercises for all Rockland County anti-terrorism teams; and to purchase specialty equipment that will enhance the various counter-terrorism teams; and be it further

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

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

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

GENERAL FUND - 2012

Increase Approp. Acct. (Credit):

A SHF- 3118	-E1110	Overtime	25,000
A -SHF -3118 -GS28	-E2050	Equipment	60,000
	-E4090	Fees for Services, Non-Employee	100,000
	-E4098	Services from Other County Depts	11,873
	-E5060	Program Costs	<u>146,873</u>
			343,746

Increase Est. Rev. Acct. (Debit):

A - SHF - 3118	-R4380	Public Safety Grant(s)	25,000
A - SHF -3118 - GS28	-R4380	Public Safety Grant(s)	<u>318,746</u>
			343,746

Introduced by:

Referral No. 9263

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

**RESOLUTION NO. 230 OF 2012
 APPROVING ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$60,000
 (NCTD) FROM THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY
 SERVICES FOR CHILD CARE FRAUD AND DETECTION INCENTIVE PROGRAMS
 FOR THE PERIOD APRIL 1, 2012 THROUGH MARCH 31, 2013
 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE
 ALL NECESSARY INSTRUMENTS AND DOCUMENTS
 [DEPARTMENT OF SOCIAL SERVICES]
 (\$60,000)**

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

WHEREAS, The Commissioner of Social Services has advised the County Executive and the Rockland County Legislature that the Department of Social Services has been awarded a grant in the amount of \$60,000 from the New York State Office of Children and Family Services for Child Care Fraud and Detection Incentive Programs for the period April 1, 2012 through March 31, 2013; and

WHEREAS, Said funds shall be used for fraud deterrence and identifying and holding accountable anyone who defrauds the Child Care Subsidy Program; and

WHEREAS, The Department of Social Services and the District Attorney’s Office will work together on this initiative, including the development and implementation of a public education campaign; and

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

WHEREAS, It is necessary to appropriate said funds to the proper account; 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 the acceptance of a grant in the amount of \$60,000 from the New York State Office of Children and Family Services for Child Care Fraud and Detection Incentive Programs for the period April 2, 2012 through March 31, 2013 and authorizes the County Executive to execute all necessary instruments and documents, subject to the approval of the County Attorney; 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-DSS-6010-GD15-E5060	Program Costs	60,000
<u>Increase Est. Rev. Acct. (Debit):</u>		
A-DSS-6010-GD15-R3680	DSS Grant(s)	60,000

Introduced by:

Referral No. 2873

- Hon. Michael M. Grant, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Edwin J. Day, 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
- Hon. Frank A. Sparaco, Sponsor

**RESOLUTION NO. 231 OF 2012
 APPROVING PURCHASES IN EXCESS OF \$100,000
 FROM NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. (NYSID)
 OF JANITORIAL SERVICES FOR THE DEPARTMENT OF MENTAL HEALTH
 IN BUILDING F AT THE THE DR. ROBERT L. YEAGER HEALTH CENTER
 WITH SERVICES TO BE PROVIDED BY NYSID’S MEMBER AGENCY JAWONIO, INC.
 IN AN AMOUNT NOT TO EXCEED \$144,700.20
 FOR THE PERIOD FROM FEBRUARY 1, 2012 THROUGH JANUARY 31, 2013
 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
 [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
 (\$144,700.20)**

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

WHEREAS, Pursuant to section 163 of the New York State Finance Law, select providers have preferred source status for the purposes of procurement, and procurement from these providers is exempt from the competitive procurement statutes; and

WHEREAS, Preferred source status is accorded to commodities and services produced by certain qualified charitable non-profit-making agencies for severely disabled persons; and

WHEREAS, New York State Industries for the Disabled, Inc. (NYSID), 11 Columbia Circle Drive, Albany, NY 12203, has preferred source status; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the purchases in excess of \$100,000 from NYSID for janitorial services for the Department of Mental Health in Building F at The Dr. Robert L. Yeager Health Center in an amount not to exceed \$144,700.20 for the period from February 1, 2012 through January 31, 2013, which services will be provided by NYSID member agency, Jawonio, Inc., 260 North Little Tor Road, New City, NY 10956; 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 Mental Health 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 purchases in excess of \$100,000 from New York State Industries for the Disabled, Inc. (NYSID), 11 Columbia Circle Drive, Albany, NY 12203, of janitorial services for the Department of Mental Health in Building F at the The Dr. Robert L. Yeager Health Center, which will be provided by NYSID member agency, Jawonio, Inc., 260 North Little Tor Road, New City, NY 10956, in an amount not to exceed \$144,700.20 for the period from February 1, 2012 through January 31, 2013, with all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2012 Budget of the Department of Mental Health and is contingent upon 2013 budget appropriations.

Introduced by:

Referral No. 6803

Hon. Michael M. Grant, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Edwin J. Day, 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. Frank A. Sparaco, Sponsor

**RESOLUTION NO. 232 OF 2012
APPROVING PURCHASES IN EXCESS OF \$100,000
FROM TILCON NEW YORK INC. FOR BITUMINOUS CONCRETE
FOR USE BY THE HIGHWAY DEPARTMENT
UNDER RFB-RC-2011-020
IN THE ADDITIONAL AMOUNT OF \$369,285
FOR THE PERIOD MARCH 29, 2012 THROUGH MARCH 30, 2013
AND FOR A TOTAL AMOUNT NOT TO EXCEED \$569,285
FOR THE FULL PERIOD MARCH 29, 2011 THROUGH MARCH 30, 2013
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING]
(\$569,285)**

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

WHEREAS, By Resolution No. 268 of 2011, the Legislature of Rockland County approved the purchases in excess of \$100,000 from Tilcon New York Inc. ("Tilcon"), 162 Old Mill Road, West Nyack, NY 10994, for bituminous concrete for use by the Highway Department under RFB-RC-2011-020 (the "RFB") in an amount not to exceed \$200,000 for the period March 29, 2011 through March 30, 2012 with one (1) additional one (1) year option; and

WHEREAS, \$169,285 was spent during the first year of the contract; and

WHEREAS, The Highway Department has requested authorization to purchase \$400,000 of additional material during the first option term of the contract; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the purchases from Tilcon of bituminous concrete for use by the Highway Department under the RFB in the additional amount of \$369,285 for the period from March 29, 2012 through March 30, 2013 and in a total amount not to exceed \$569,285 for the full period from March 29, 2011 through March 30, 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 Highway Department 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 purchases in excess of \$100,000 from Tilcon New York Inc., 162 Old Mill Road, West Nyack, New York 10994, for bituminous concrete for use by the Highway Department under RFB-RC-2011-020 in the additional amount of \$369,285 for the period from March 29, 2012 through March 30, 2013 and in a total amount not to exceed \$569,285 for the full period from March 29, 2011 through March 30, 2013, and 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 Highway Department and is contingent upon 2013 budget appropriations.

Introduced by:

Referral No. 9325

Hon. Michael M. Grant, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Edwin J. Day, 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. Frank A. Sparaco, Sponsor

**RESOLUTION NO. 233 OF 2012
APPROVING PURCHASES IN EXCESS OF \$100,000
FROM BEYER BROS. CORP. FOR THREE (3) SNOW PLOW TRUCKS
FOR THE HIGHWAY DEPARTMENT UNDER RFB-RC-2012-017
IN AN AMOUNT NOT TO EXCEED \$985,395
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$985,395)**

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

WHEREAS, Under RFB-RC-2011-079, the Director of Purchasing requested bids for the purchase of three (3) snow plow trucks with the option to purchase an additional three (3) snow plow trucks at a later date; and

WHEREAS, Seventy-seven (77) firms were notified of RFB-RC-2011-079, thirty-eight (38) firms downloaded it and only one (1) vendor responded to it; and

WHEREAS, The Purchasing Department decided to reject the bid and reissue the solicitation because, when contacted, several firms indicated that they would respond to the new bid and because the Purchasing Department also decided to reissue the solicitation with only three (3) snow plow trucks; and

WHEREAS, Under RFB-RC-2012-017 (the "RFB"), the Director of Purchasing requested bids for the purchase of three (3) snow plow trucks; and

WHEREAS, Eighty-eight (88) firms were notified of the new RFB through the County's bid notification system, and several additional firms were notified of the RFB via mail with instructions on how to register and download the RFB; and

WHEREAS, The County received bids from the following two (2) entities, i.e., Beyer Bros. Corp. ("Beyer") in the amount of \$985,395 and Penn Jersey in the amount of \$988,128, as well as one (1) no bid response from Gabrielli Truck Sales, Ltd.; and

WHEREAS, The Director of Purchasing determined that Beyer, 109 Broad Avenue, Routes 1 & 9, Fairview, NJ 07022, was the lowest responsible bidder that met all of the requirements of the RFB; and

WHEREAS, The Director of Purchasing requested that Beyer reduce its pricing, but Beyer indicated that it was unable to do so; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the purchases in excess of \$100,000 from Beyer for three (3) snow plow trucks for the Highway Department under the RFB in an amount not to exceed \$985,395; and

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

WHEREAS, Sufficient funding for these purchases is provided for in CP #3394 – Five (5) Year Equipment Replacement Program – Phase II – Year II; 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 purchases in excess of \$100,000 from Beyer Bros. Corp., 109 Broad Avenue, Routes 1 & 9, Fairview, New Jersey 07022, of three (3) snow plow trucks for the Highway Department under RFB-RC-2012-017 in an amount not to exceed \$985,395, and authorizes the 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 CP #3394 – Five (5) Year Equipment Replacement Program – Phase II – Year II.

Introduced by:

Referral No. 5906

Hon. Alden H. Wolfe, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Edwin J. Day, 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. Frank A. Sparaco, Sponsor

**RESOLUTION NO. 234 OF 2012
APPROVING PURCHASES IN EXCESS OF \$100,000
FROM CLEAN WATERS, INC. FOR POLYMER FOR CENTRIFUGES
FOR THE ROCKLAND COUNTY SEWER DISTRICT NO. 1
UNDER RFB-RC-2010-001
IN THE ADDITIONAL AMOUNT OF \$170,000
FOR THE PERIOD MARCH 7, 2012 THROUGH MARCH 6, 2013
AND FOR A TOTAL AMOUNT NOT TO EXCEED \$500,022.50
FOR THE PERIOD MARCH 7, 2010 THROUGH MARCH 6, 2013
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$500,022.50)**

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

WHEREAS, By Resolution No. 195 of 2010, the Legislature of Rockland County approved the purchases in excess of \$100,000 from Clean Waters, Inc. ("Clean Waters"), 26808 County Route 3, Plessis, New York 13675, for polymer for centrifuges for the Rockland County Sewer District No. 1 (the "Sewer District") under RFB-RC-2010-001 (the "RFB") in an amount not to exceed \$160,000 for the period from March 7, 2010 through March 6, 2011, with the option to renew for one (1) additional one (1) year period; and

WHEREAS, By Resolution No. 93 of 2011, the Legislature of Rockland County approved additional purchases in excess of \$100,000 from Clean Waters for polymer for centrifuges for the Sewer District under the RFB in an amount not to exceed \$120,000 for the first year option term from March 7, 2011 through March 6, 2012 and for a total amount not to exceed \$280,000 for the full period from March 7, 2010 through March 6, 2012; and

WHEREAS, By Resolution No. 565 of 2011, the Legislature of Rockland County approved additional purchases in excess of \$100,000 from Clean Waters for polymer for centrifuges for the Sewer District under the RFB in the additional amount of \$50,022.50 for the period December 2011 through March 6, 2012 and for a total amount not to exceed \$330,022.50 for the full period from March 7, 2010 through March 6, 2012; and

WHEREAS, The scope of work under the RFB is to provide the Sewer District with liquid polymer suitable for use with the existing polymer feed system and centrifuges to dewater its anaerobically digested sewage sludge from approximately 1% solids to 26% solids; and

WHEREAS, Bidders are required to pre-qualify and schedule a Bench and Performance Test of vendor products to determine their ability to meet these specifications; and

WHEREAS, Due to equipment failure, the Sewer District has advised that it is unable to run an accurate polymer test at this time (though it is working to resolve the issues), and the District therefore has requested that this RFB be extended for an additional twelve (12) months; and

WHEREAS, The Director of Purchasing is authorized to extend the RFB with Clean Waters for an additional twelve (12) months under the General Terms and Conditions of the RFB; and

WHEREAS, Clean Waters has agreed to extend its pricing through March 6, 2013; and

WHEREAS, The Director of Purchasing and the Executive Director of the Sewer District recommend to the County Executive and the Legislature of Rockland County that they approve the purchases in excess of \$100,000 from Clean Waters for polymer for centrifuges for the Sewer District under the RFB in the additional amount of \$170,000 for the period March 7, 2012 through March 6, 2013 and for a total amount not to exceed \$500,022.50 for the full period from March 7, 2010 through March 6, 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 Sewer District 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 purchases from Clean Waters, Inc., 26808 County Route 3, Plessis, New York 13675, for polymer for centrifuges for the Rockland County Sewer District No. 1 under RFB-RC-2010-001 in the additional amount of \$170,000 for the period March 7, 2012 through March 6, 2013 and for a total amount not to exceed \$500,022.50 for the full period from March 7, 2010 through March 6, 2013, with all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2012 Budget of the Rockland County Sewer District No. 1 and is contingent upon 2013 budget appropriations.

Introduced by:

Referral No. 5906

Hon. Alden H. Wolfe, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Edwin J. Day, 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. Frank A. Sparaco, Sponsor

**RESOLUTION NO. 235 OF 2012
APPROVING AMENDMENT TO CONTRACT IN EXCESS OF \$100,000 WITH
HAUSER BROS., INC. FOR AN ADDITIONAL AMOUNT OF \$9,179
IN AN AMOUNT NOT TO EXCEED \$264,122
FOR UNION HILL PUMP STATION EMERGENCY REPAIR,
CONTRACT 2011-04 AND AUTHORIZING ITS EXECUTION
BY THE COUNTY EXECUTIVE
[ROCKLAND COUNTY SEWER DISTRICT NO. 1]
(\$264,122)**

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

WHEREAS, By Resolution 272 of 2011, the Legislature of Rockland County approved an agreement in excess of \$100,000 with Hauser Bros., Inc. in an amount not to exceed \$254,943 for Union Hill Pump Station emergency repair, Contract 2011-04; and

WHEREAS, The Rockland County Sewer District No. 1 ("Sewer District") is requesting permission to enter into an amendment to the contract with Hauser Bros., Inc., for Contract 2011-04, Union Hill Pump Station Emergency Repair for an additional amount of \$9,179; and

WHEREAS, By Resolution No. 21 of 2012, the Board of Sewer Commissioner's of the Rockland County Sewer District No. 1, approved Change Order No. 1 to Contract 2011-04 with Hauser Bros., Inc., 17 Old Schoolhouse Lane, Orangeburg, New York, 10962, in an additional amount of \$9,179 for a total amount not to exceed \$264,122; and

WHEREAS, The Executive Director of the Rockland County Sewer District #1 is now requesting that the Legislature of Rockland County approve the amendment to the contract with Hauser Bros., Inc.; and

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

WHEREAS, Sufficient funding for this agreement exists in Operating Budget Account No. 8120 of the Rockland County Sewer District No. 1; 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 an amendment to the contract in excess of \$100,000 with Hauser Bros., Inc., 17 Old Schoolhouse Lane, Orangeburg, New York 10962, for an additional amount of \$9,179 for a total amount not to exceed \$264,122, for Contract 2011-04, the Union Hill Pump Station Emergency Repair, and authorizes the execution of all documents as may be necessary to carry out the intent of this resolution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement exists in Operating Budget Account No. 8120 of the Rockland County Sewer District No. 1.

Introduced by:

Referral No. 9473

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

**RESOLUTION NO. 236 OF 2012
ADJUSTMENT OF 2012 APPROPRIATIONS
AND ESTIMATED REVENUE WITHIN
THE DEPARTMENT OF HEALTH
TO COVER COST TO OPERATE
HEALTH DEPARTMENT CLINICS
FOR THE FISCAL YEAR 2012
[DEPARTMENT OF HEALTH]**

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

WHEREAS, The County Executive and the Legislature of Rockland County have been advised by the Department of Health that an adjustment of 2012 appropriations and estimated revenue within the agency Department of Health is necessary in order to cover the cost to operate Health Department clinics for the fiscal year 2012, and

WHEREAS, Said adjustments will be made to Dept. 2960 (DOH Education Children Pre-K), Dept. 2901 (DOH Education, Children Early Intervention) and Dept. 4010 (Department of Health); and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County funds, 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 an adjustment of 2012 appropriations and estimated revenue within the agency Department of Health in order to cover the cost to operate Health Department clinics for the fiscal year 2012, and be it further

RESOLVED, That said adjustments will be made to Dept. 2960 (DOH Education Children Pre-K), Dept. 2901 (DOH Education, Children Early Intervention) and Dept. 4010 (Department of Health); and be it further

RESOLVED, That this resolution does not involve the expenditure of any County funds, 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 - 2012

Decrease Approp. Acct. (Debit):

A-DOH-2961	-E5530	Travel, Non-Employees	90,000
A-DOH-2961	-E3290	Operational Supplies	35,000
	-E5530	Travel, Non-Employees	20,000
A-DOH-4010	-E1110	Overtime	2,000
	-E3130	Office Supplies	4,000
	-E3150	Drugs	24,000
A-DOH-4046	-E4090	Fees for Services, Non-Employees	<u>25,000</u>
			200,000

Increase Approp. Acct. (Credit):

A-DOH-4010	-E6600	Appropriation Reserve	200,000
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Decrease Est. Rev. Acct. (Credit):

A-DOH-2960	-R3446	Handicapped Children	53,550
A-DOH-2961	-R3406	Medicaid Reimbursement	23,100
	-R3449	Early Intervention	15,631
A-DOH-4010	-R3401	Public Health Aid	10,800
A-DOH-4046	-R3489	State Aid - Health	<u>12,500</u>
			115,581

Increase Est. Rev. Acct. (Debit):

A-DOH-4010	-R2806	Reimb. from Other Depts./Sources	115,581
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Introduced by:

Referral No. 9040

Hon. Nancy Low-Hogan, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Joseph L. Meyers, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Frank A. Sparaco, Sponsor

**RESOLUTION NO. 237 OF 2012
APPROVING EXTENSION OF AND AMENDMENT TO AGREEMENT IN
EXCESS OF \$100,000 WITH GINA NOWICKI
FOR COURT REPORTING AND TRANSCRIPTION SERVICES
TO VARIOUS ROCKLAND COUNTY AGENCIES
ON AN AS NEEDED BASIS UNDER RFP-RC-2010-005
EXTENDING THE TERM OF THE AGREEMENT
FROM APRIL 14, 2012 THROUGH APRIL 13, 2013
WITH TWO (2) REMAINING ONE (1) YEAR OPTIONS
AND INCREASING THE AMOUNT OF THE AGREEMENT BY \$110,000
FOR A TOTAL AMOUNT NOT TO EXCEED \$250,000
FOR THE FULL PERIOD FROM JUNE 17, 2010 THROUGH APRIL 13, 2013
AND AUTHORIZING THE COUNTY EXECUTIVE
TO EXECUTE THE EXTENSION AND AMENDMENT
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$250,000)**

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

WHEREAS, By Resolution No. 429 of 2010, the Legislature of Rockland County approved an agreement in excess of \$100,000 with Gina Nowicki, 6 Aspen Court, Nanuet, New York 10954, for court reporting and transcription services – Qualified Suppliers List (QSL) to various Rockland County agencies on an as needed basis under RFP-RC-2010-005 (the “RFP”) in an amount not to exceed \$140,000 for the period from June 17, 2010 through April 13, 2012 with three (3) one (1) year options, with all purchases of services to be made by formal purchase order, subject to the approval of the Director of Purchasing, and authorized the County Executive to execute the agreement; and

WHEREAS, Ms. Nowicki has provided court reporting and transcription services to the County of Rockland for over five (5) years; and

WHEREAS, \$37,521 was spent under the RFP from August through December 2010, and \$76,883.75 was spent under the RFP from January through December 2011; and

WHEREAS, By this resolution, the Director of Purchasing seeks to exercise the first year option term of the agreement, extending the term of the agreement from April 14, 2012 through April 13, 2013, with two (2) remaining one (1) year options, and increase the amount of the agreement by \$110,000 for a total amount not to exceed \$250,000 for the full period from June 17, 2010 through April 13, 2013; and

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

WHEREAS, Sufficient funding for the extension of and amendment to this agreement is provided for in the 2012 Budget of the various Departments utilizing such services 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 Government Operations 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 extension of and amendment to the agreement in excess of \$100,000 with Gina Nowicki, 6 Aspen Court, Nanuet, New York 10954, for court reporting and transcription services – Qualified Suppliers List (QSL) to various Rockland County agencies on an as needed basis under RFP-RC-2010-005, extending the term of the agreement from April 14, 2012 through April 13, 2013, with two (2) remaining one (1) year options, and increasing the amount of the agreement by \$110,000 for a total amount not to exceed \$250,000 for the full period from June 17, 2010 through April 13, 2013, with all purchases of services to be made by formal purchase order, subject to the approval of the Director of Purchasing, and hereby authorizes the County Executive to execute such extension of and amendment to the agreement, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for the extension of and amendment to this agreement is provided for in the 2012 Budget of the various Departments utilizing such services and is contingent upon 2013 budget appropriations.

Debate:

Mr. Schoenberger

I would just like to state for the record that we are not paying this person \$250,000. We are authorizing up to \$250,000 to be spent on an as needed basis for the various agencies that she does court reporting for.

Introduced by:

Referral No. 8862

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

**RESOLUTION NO. 238 OF 2012
APPROVING ACCEPTANCE OF FUNDING IN THE AMOUNT OF \$469,860
WHICH SAID AWARD IS FEDERALLY FUNDED BUT
ADMINISTERED BY THE COUNTY OF WESTCHESTER
TO HELP FUND ROCKLAND COUNTY'S RYAN WHITE PART A PROGRAM, AND
COST OF LIVING (COLA) ESTIMATED TO BE 10% OR \$46,986
AND HIV CLINIC REVENUE OF \$60,352 FOR A TOTAL GRANT AMOUNT
AND CLINIC REVENUE TOTAL NOT TO EXCEED \$577,198
[NO COUNTY TAX DOLLARS]
FOR THE PERIOD MARCH 1, 2012 THROUGH FEBRUARY 28, 2013
AND AUTHORIZING THE EXECUTION OF ALL NECESSARY
GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
[DEPARTMENT OF HEALTH]
(\$577,198)**

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

WHEREAS, The Rockland County Department of Health has been awarded a \$469,860 Ryan White Part A Program continuation grant to help provide HIV/AIDS ambulatory and outpatient medical care, early intervention services and housing, for the period March 1, 2012 through February 28, 2013; and

WHEREAS, This grant may be followed by a Cost of Living Adjustment (COLA) award that is estimated to be no more than 10% or \$46,986, making it a total grant of \$516,846; and

WHEREAS, An additional \$60,352 of anticipated HIV Clinic revenue for said period of time needs to be appropriated to cover costs not funded by this grant which would make the total grant and clinic revenue total not to exceed \$577,198; and

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

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve "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 an additional \$60,352 of anticipated HIV Clinic revenue for said period of time needs to be appropriated to cover costs not funded by this grant; and

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of an amount of \$469,860 for the Ryan White Part A Program continuation grant to help provide HIV/AIDS ambulatory and outpatient medical care, early intervention services and housing, for the period March 1, 2012 through February 28, 2013 which may be followed by a Cost of Living Adjustment (COLA) of 10% or \$46,986 which would make the total grant and clinic revenue total not to exceed \$577,198 authorizing execution of all necessary grant documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That it is necessary to appropriate these additional funds to the proper accounts; 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 -4040	-E1100	Salaries, Employees	143,590
	-E1910	Health	36,000
	-E1911	Dental	3,000
	-E1912	Vision	600
	-E1920	Retirement	14,500
	-E1930	Social Security	10,985
	-E1940	Unemployment Insurance	200
	-E1950	Workers' Compensation	277
	-E1980	MTA Mobility Tax	490
	-E4098	Services from Other County Depts	198,132
	-E5060	Program Costs	<u>169,424</u>
			577,198

Increase Est. Rev. Acct. (Debit):

A-DOH -4040	-R1601	Patient/Service Fees	60,352
	-R4489	Federal Aid - Health	<u>516,846</u>
			577,198

UNEMPLOYMENT FUND - 2012

Increase Approp. Acct. (Credit):

Q-PER-9050-E8010		Employee Benefits	200
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Increase Est. Rev. Acct. (Debit):

Q-PER-9050-R2809		Interfund Revenues	200
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and be it further

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

Introduced by:

Referral No. 6704

- Hon. Jay Hood, Jr., Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon Christopher J. Carey, Sponsor
- Hon. Edwin J. Day, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Aron B. Wieder, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Frank A. Sparaco, Sponsor

**RESOLUTION NO. 239 OF 2012
 APPROVING PURCHASES IN EXCESS OF \$100,000
 IN AN AMOUNT NOT TO EXCEED \$136,160
 FROM EDUCATION & ASSISTANCE CORPORATION
 FOR DRUG COURT CASE MANAGEMENT CONSULTATION SERVICES
 UNDER RFP-RC-2011-025 FOR THE PERIOD FROM
 JANUARY 1, 2012 THROUGH DECEMBER 31, 2012
 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
 [DISTRICT ATTORNEY'S OFFICE]
 (\$136,160)**

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

WHEREAS, The Director of Purchasing requested proposals for Drug Court Case Management Consultation services under RFP-RC-2011-025 (the "RFP") for the period from January 1, 2012 to December 31, 2012; and

WHEREAS, Ninety-three (93) companies and non-profit agencies were notified of the RFP, opportunity and the County received a single response from Education & Assistance Corporation, 50 Clinton Street, Suite 107, Hempstead, New York 11550; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the purchases in excess of \$100,000 to Education & Assistance Corp., 50 Clinton Street, Suite 107, Hempstead, New York 11550 for Drug Court Case Management Consultation services under the RFP in an amount not to exceed \$136,160 for the period from January 1, 2012 through December 31, 2012; and

WHEREAS, All purchases shall be made by formal purchase order on an as-needed basis, subject to the approval of the Director of Purchasing; and

WHEREAS, Sufficient funding for these purchases exist in the 2012 Budget of the District Attorney's Office; 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 Public Safety and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the purchases in excess of \$100,000 to Education & Assistance Corp., 50 Clinton Street, Suite 107, Hempstead, New York 11550 for Drug Court Case Management Consultation services under the RFP in an amount not to exceed \$136,160 for the period from January 1, 2012 through December 31, 2012, and 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 exist in the 2012 Budget of the District Attorney's Office.



Introduced by:

Referral No. 6704

- Hon. Jay Hood, Jr., Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Christopher J. Carey, Sponsor
- Hon. Edwin J. Day, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Aron B. Wieder, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Frank Sparaco, Sponsor

**RESOLUTION NO. 240 OF 2012
 APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT
 IN THE AMOUNT OF \$150,000 (NCTD) BETWEEN THE COUNTY OF ROCKLAND
 AND THE TOWN OF RAMAPO POLICE DEPARTMENT
 FOR REIMBURSEMENT FOR ONE POLICE OFFICER
 TO THE DISTRICT ATTORNEY’S SPECIAL INVESTIGATIONS UNIT TO
 WORK ON CARP (CRIMES AGAINST REVENUE PROSECUTION)
 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]
 (\$150,000)**

Mr. Schoenberger offered the following resolution, which was seconded by Mr. Earl, Mr. Hood, Jr., Mr. Jobson, Mr. Soskin and Mr. Wieder 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 \$150,000, for reimbursement for one police officer to the District Attorney’s Special Investigations Unit to work on CARP (Crimes Against Revenue Prosecution), for the period January 1, 2012 through December 31, 2012; and

WHEREAS, The agreement shall be in an amount not to exceed \$150,000; 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”; and

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

RESOLVED, That the Legislature of Rockland County hereby approves the 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 \$150,000, for reimbursement for one police officer to the District Attorney’s Special Investigations Unit to work on CARP (Crimes Against Revenue Prosecution), 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 \$150,000 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. 3657

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

**RESOLUTION NO. 241 OF 2012
 APPROVING CONTRACT IN EXCESS OF \$100,000
 WITH COMMUNITY HEALTH AIDE SERVICES, INC.
 D/B/A COMMUNITY HEALTH CARE
 TO PROVIDE HOME CARE SERVICES TO
 QUALIFIED SENIOR CITIZEN'S
 IN AN AMOUNT NOT TO EXCEED \$104,000
 FOR THE PERIOD APRIL 1, 2012 THROUGH MARCH 31, 2013
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [OFFICE FOR THE AGING]
 (\$104,000)**

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

WHEREAS, The Director of the Office for the Aging is requesting that the County enter into contract with Community Health Aide Services, Inc., D/B/A Community Health Care, 1 Hillcrest Center, Suite 210, Spring Valley, New York 10977, to provide Home Care Services to qualified Senior Citizen's, in an amount not to exceed \$104,000, for the period April 1, 2012 through March 31, 2013; and

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

WHEREAS, Sufficient funding for this contract exists in the 2012 Operating Budget of the Office for the Aging; 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 a contract in excess of \$100,000 with Community Health Aide Services, Inc., D/B/A Community Health Care, 1 Hillcrest Center, Suite 210, Spring Valley, New York 10977, to provide Home Care Services to qualified Senior Citizen's, in an amount not to exceed \$104,000, for the period April 1, 2012 through March 31, 2013, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this contract exists in the 2012 Operating Budget of the Office for the Aging.

Introduced by:

Referral No. 8634

Hon. Edwin J. Day, Sponsor
 Hon. Ilan S. Schoenberger, Co-Sponsor
 Hon. Jay Hood, Jr., Co-Sponsor
 Hon. Alden H. Wolfe, Co-Sponsor
 Hon. Harriet D. Cornell, Co-Sponsor
 Hon. Michael M. Grant, Co-Sponsor
 Hon. Philip Soskin, Co-Sponsor
 Hon. Toney L. Earl, Co-Sponsor
 Hon. Nancy Low-Hogan, Co-Sponsor
 Hon. Frank Sparaco, Co-Sponsor
 Hon. Douglas J. Jobson, Co-Sponsor

**RESOLUTION NO. 242 OF 2012
 DECLARING MAY 15TH, 2012 TO BE “MAYDAY FOR MANDATE RELIEF”
 AND URGING THE MANDATE RELIEF COUNCIL TO TAKE SWIFT ACTION IN SUBMITTING
 A PACKAGE OF MANDATE RELIEF PROPOSALS TO GOVERNOR CUOMO AND THE
 STATE LEGISLATURE TO BE VOTED ON THIS SESSION**

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

WHEREAS, the State of New York mandates and requires the delivery of State programs using local resources, causing some counties to dedicate more than 80 percent of their entire budget toward the funding of State mandated programs and fixed costs; and

WHEREAS, the New York State Association of Counties has identified just 9 state mandates that equal 90 percent of all county property taxes levied in 2010 (outside of New York City), consuming \$4 billion of \$4.4 billion in county property taxes levied. These mandates include: Medicaid, TANF/Public Assistance Safety Net, Child Welfare Protective and Preventive Care, Special Education Pre-School, Early Intervention, Probation, Indigent Defense, Youth Detention, and Pensions; and

WHEREAS, while the goals of these State mandates are worthy—providing help for families, promoting health, assisting the lives of the elderly and ensuring early intervention for children and youth to avoid more costly later interventions—these mandates, which come without appropriate financial support, are the root cause of high county property and sales taxes in New York and have led to a decline in the delivery of other important local services; and

WHEREAS, these State imposed mandates continue to contribute to New York's highest in the nation local tax burden for residents and businesses, severely damaging New York's ability to attract, create and maintain good paying jobs, as well as contributing to population losses to other states; and

WHEREAS, when the State enacted a property tax cap in 2011, a Mandate Relief Council was established to review specific mandates and advance legislative proposals to reduce the statutory and regulatory burden on municipalities; and

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

RESOLVED, that Rockland County hereby declares May 15th, 2012 to be “Mayday for Mandate Relief” to demonstrate that the decisions made in Albany have a direct impact on the property tax levy and local community services here in Rockland County; and

RESOLVED, that Rockland County hereby calls on the Mandate Relief Council to take swift action in submitting a package of Mandate Relief proposals to Governor Cuomo and the State Legislature, to be voted on by our State Representatives during the 2012 State Legislative Session; 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 Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, New York State Senator, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. Nancy Calhoun, and Hon. Ann G. Rabbitt, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Debate:Mr. Day

I want to thank my colleagues for all seconding this that was precisely the intention that I had and I am glad that it did come to fruition. Essentially this is an effort to deal with the issue of State mandates. Executive Order No. 6 in January 2011 created the Mandate Relief Council to aggressively identify and implement true mandate relief. We have watched and waited at the County level, as has the New York Association of Counties has also endorsed this effort, and the results to date so far has been described as underwhelming when it comes to this Council. The work that has been done so far has not provided the relief that we so need desperately here locally.

We have now what is known as the 9 and 90 mandates; 9 mandates that make up 90% of the cost to our counties. Those mandates are projected to go up \$3,750,000. If there was a property tax increase here of a maximum capped amount of 2%, we would be left with an automatic \$2,000,000 deficit unless we cut the things that we hold very dear in the County; our highways, law enforcement, prosecution, parks. These are things that are very important to us, and we should not have to cut these to serve a mandate that funds other counties.

New York State requires local governments to fund Medicaid, and does so at the largest share in the Country at 16%. The second largest State is California at 2.5%. We are nearly seven times higher than the second largest State's funding demand. That is an unsustainable model.

I want to acknowledge Warren County Supervisor Mark Westcott, who has been the driver of this issue. I am very proud to hear my colleagues support this, because we are becoming part of a statewide effort to get this point across and to ensure that there is a complete top to bottom effort to control cost, not just a somewhat politically expedient effort to ostensibly control costs that truly leaves it to the people at the County level of government to figure out. Thank you.

Chairwoman Cornell

I will just indicate that this is an issue of great importance. I spoke myself to the Governor's Mandate Relief Commission at SUNY New Paltz. Close to 200% of our property taxes go to pay for mandate relief. So it is 100% of our County property taxes plus other revenues for all sorts of mandates. Given the difficulty and the dire straight of County finances if that burden were not upon us we would not be in this situation. I am pleased to support this.

Introduced by:

Referral No. 1021

Hon. Alden H. Wolfe, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Nancy Low-Hogan, Co-Sponsor
Hon. Christopher J. Carey, Co-Sponsor
Hon. Harriet D. Cornell, Co-Sponsor
Hon. Toney L. Earl, Co-Sponsor
Hon. Aron B. Wieder, Co-Sponsor
Hon. Philip Soskin, Co-Sponsor

**RESOLUTION NO. 243 OF 2012
URGING ALGONQUIN GAS TRANSMISSION CORPORATION TO PREPARE
AND SUBMIT TO THE FEDERAL ENERGY REGULATORY COMMISSION (FERC)
AN ADDITIONAL MEANS OF ACCESS TO THE PIPELINE AND FACILITIES OPERATING
IN AND THROUGH KAKIAT PARK, AND URGING FERC TO REJECT ANY APPLICATION
FOR EXPANSION OR MODIFICATION OF ALGONQUIN'S FACILITIES ABSENT
A PLAN FOR ADDITIONAL ACCESS**

Mr. Wolfe offered the following resolution, which was seconded by Mr. Day, Mr. Earl, Mr. Jobson, Mrs. Low-Hogan, Mrs. Paul, Mr. Schoenberger, Mr. Soskin and Mr. Wieder and unanimously adopted:

WHEREAS, Algonquin Gas Transmission Corporation ("Algonquin") owns and operates a natural gas pipeline and facilities servicing the pipeline in and through Kakiat Park, parkland owned by the County of Rockland; and

WHEREAS, Algonquin has an application pending before the Federal Energy Regulatory Commission (FERC) for expansion or modification of said facilities; and

WHEREAS, Rockland County residents living in the Town of Ramapo border on Kakiat Park, as does the Viola Elementary School; and

WHEREAS, the Rockland County Legislature wishes to ensure that the pipeline is maintained in such a manner as to provide the maximum safety to all County residents, especially those who live in close proximity to the pipeline; and

WHEREAS, the only access that Algonquin has to the pipeline is by traveling along Sky Meadow Road, crossing the Mahwah River on Sky Meadow Bridge, and then entering Kakiat Park; and

WHEREAS, Sky Meadow Road and the bridge over the Mahwah River frequently flood and are inaccessible during hurricanes, other storms, and heavy seasonal rains; and

WHEREAS, in the event of an emergency at the pipeline facilities, Algonquin has no emergency access to the pipeline or its facilities if Sky Meadow Road or the bridge is flooded; and

WHEREAS, the potential inability to respond immediately in the event of an emergency situation at the pipeline or its facilities presents an unacceptable risk to the residents of Rockland County; and

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

RESOLVED, that the Legislature of Rockland County hereby requests that Algonquin prepare and submit to the Federal Energy Regulatory Commission (FERC) an additional means of access to the pipeline and its facilities, and urges FERC to reject any application for expansion or modification of Algonquin's facilities absent a plan for additional access; and be it further

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

Debate:

Mr. Wolfe

We had a very interesting discussion at the Environmental Committee meeting last week. Essentially that is a gas transmission facility and lines that basically run in and through County Kakiat Park off Route 202 in the northwestern part of the County. Although there are many companies that actually utilize this station on a highway that traverses through and around our County Algonquin is currently applying to FERC for permission to expand the capacity of their portion of the facility. There is a safety concern, because of the proximity to homes, Viola Elementary School and our park. Currently there is really only one means of access through an easement that goes along someone's property, basically up their driveway, and over a bridge that is not currently rated for that type of traffic that it requires in order to even do construction in the normal maintenance of the facility. There has been damage to the bridge and the area floods quite frequently. If there is some sort of catastrophe that happens there is really no way of accessing it.

There has been a push to try and see if there could be a voluntary secondary means of access that would be built. We are going to have a further discussion at the Environmental Committee regarding some other issues like possible land swap or some negotiations that may or may not be going on with the companies.

The next item on the agenda, Referral No. 4374/4065 – Amending Resolution No. 304 Of 1998 And Renaming The Demarest Kill Recreation Park In Honor Of Former Rockland County Legislators Hon. Kenneth P. Zebrowski And Hon. Thomas P. Morahan As The Zebrowski-Morahan Park, was withdrawn for this meeting, because of the need to put a fourteen day notice out and it will come back.

**RESOLUTION NO. 244 OF 2012
WAIVE THE RULES OF THE LEGISLATURE
TO CONSIDER PROPOSED RESOLUTION
UNDER NEW BUSINESS**

Mr. Schoenberger offered the following resolution, which was seconded by Mr. Day, Mr. Earl, Mr. Meyers, Mrs. Paul, Mr. Soskin and Mr. Wolfe and unanimously adopted:

RESOLVED, that the Rules of the Legislature be waived to consider Item 12 A, Resolution No. 245 of 2012 under New Business.

AMENDED
NEW BUSINESS
Referral No. 5906

Introduced by:

Hon. Ilan S. Schoenberger, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Toney L. Earl, Co-Sponsor
Hon. Joseph L. Meyers, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Philip Soskin, Co-Sponsor
Hon. Alden H. Wolfe, Co-Sponsor

**RESOLUTION NO. 245 OF 2012
URGING THE NEW YORK STATE LEGISLATURE TO PASS BILLS A.9420-A
AND S.6268-A, AN ACT TO AMEND THE ENVIRONMENTAL CONSERVATION LAW
TO CREATE THE SEWAGE RIGHT TO KNOW ACT**

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

WHEREAS, just as members of the public have come to expect storm warnings, amber/silver alerts, boil water alerts and pollen warnings, information about public health risks from water contamination must be made available to the public – particularly since billions of gallons of untreated sewage gets released into New York’s waters each year; and

WHEREAS, discharges of untreated or partially treated sewage included contaminants and pollutants, pathogens, bacteria and toxins raising public health, safety and environmental concerns; and

WHEREAS, current notification procedures have proven inadequate in disseminating information. Because New York does not have such a notification system in place, there have been incidents as recently as the summer of 2011 when New Yorkers have unwittingly come into contact with water polluted by raw sewage; and

WHEREAS, prompt notification of discharge events, including media notification, would help ensure the public has the information needed to limit recreational uses and activities such as swimming and diving; and

WHEREAS, in the event of a discharge of untreated or partially treated sewage (including sewer overflows), bills A.9420-A and S. 6268-A would require Publicly Owned Treatment Works (POTWs):

to report the discharge to the Department of Environmental Conservation and the local health department as soon as possible and no later than two hours of the discharge; and to report the discharge to the State Health Department, the Chief Executive Officer (CEO) of the municipality in which the discharge occurred, the CEO’s of any adjoining municipalities that may be affected, and the general public through local media outlets, newspapers and other available media as soon as possible and no later than four hours; now therefore be it

RESOLVED, that the Rockland County Legislature hereby urges the New York State Legislature to pass A.9420-A and S. 6268-A, an act to amend the Environmental Conservation Law to create the Sewage Right to Know Act; and

RESOLVED, that the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Andrew M. Cuomo, Governor of the State of New York; Joe Martens, Commissioner of the New York State Department of Environmental Conservation; Hon. David Carlucci, New York State Senator, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. Nancy Calhoun, and Ann G. Rabbitt, 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 Captain John Lipscomb, c/o Riverkeeper, Ossining, New York to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Debate:Mr. Schoenberger

Last week some time a young man came walking up my driveway. Where I live the houses are relatively far apart and my driveway is about 325 feet uphill from the street I live on and I don't get too many people who knock on my door with petitions. A young man knocks on my door with a petition in his hand and he wants me to sign a petition to support these bills by numbers and I start talking to him. Obviously, the young man is very concerned about our environment and our future and he started talking about these bills. I made a point to write down the bill numbers. Not really being familiar with the bills themselves and not knowing this young man I didn't sign the petition, because I like to know what I am signing before I sign it. I really didn't know if he was giving me one side of the story or the full story. Afterwards I called in and had staff pull out the bills, which I reviewed. It seems to be merely a bill that requires that any sewer discharge that occurs by any sewer plant; it sets up a process under State Law that notification must be given.

This is a statewide bill. This is not a bill limited to just Rockland County. It is a bill that is going to be enacted that will affect everybody who lives in New York State and every agency in New York State that discharge sewers. Then I looked at the bill and the first sponsor in the Assembly is someone named Sweeney, but the first co-Sponsor is Jaffee. I thought that was very progressive of Assemblywoman Jaffee. So I looked at the bill and I thought it was very good and I discussed it with Chair Cornell. Chair Cornell had a similar resolution, not for this, but for a different bill last year and we discussed this together and we sponsored it together. I couldn't think any reason why this type of bill shouldn't become law. People have a right to know what is happening on properties that their adjacent to or that is near them, particularly with sewer discharge. It sets up a process whereby the DEC and others must be notified. I think notification is a good thing. I urge you and ask you all to support this bill. Thank you.

Chairwoman Cornell

Since my name was mentioned, basically this Legislature has supported this, because the importance of notification of sewage discharges is in our County Comprehensive Plan as a recommendation. We are moving right ahead with our Clean Water Policy. Thank you all for supporting the County Comprehensive Plan and for this as well.

Mr. Day

Clearly I am going to support this, as obviously it is common sense. We also have to understand that the language in this bill is not ours. My first opportunity to read this was tonight. I am just going to offer a perspective that might be interesting to some of my colleagues. Some time ago we had a Mandate Relief Summit sponsored by our local State Legislators. Part of the conversation I had that evening was language of State bills, and the unintended consequences in the area of cost. In this particular bill the section about the fiscal implications stated there was none for the State. The question however was their fiscal implications for the State and local governments, and it only said there was none for the State. There was no reference to local governments. In my view this is a continuous disconnect and this is something I brought up at that meeting, as we again see a lack of cost recognition when well-intentioned bills are submitted. When I look at the way this bill was written, to me it seems a bit poorly worded, because it speaks about mandating a notification process immediately and in no case later than two hours after the reported discharge. There should be some language tightening up so we don't have a potential liability issue where upon becoming aware of the Chief Executive Officer of a municipality will have to make notifications along with Chief Executive of the adjoining municipality that may be affected. There are a number of things in here that have a cost, and while they may be minor, there is a cost nonetheless.

Again, it is common sense. It is a smart bill. It makes a lot of sense to do this and I certainly recognize Legislator Schoenberger and Chairwoman Cornell for their efforts here. But again, I think it is important for our State Legislators to realize that when they craft legislation they should at least give a passing thought to what the cost will be at the lower level of government so at least it is a fairer approach to what this issue is all about. Thank you.

Mr. Meyers

I would like to be added as a co-sponsor to this. My district has had problems with sewer discharges over the last several years, as have areas of Spring Valley, I believe. I had some conversations with Dianne Philipps early on and I believe that the sewer district is required to report any spill or sewer discharge to the Department of Environmental Conservation, but probably not within two hours and not at this level of detail, which is what makes this good. I am not sure that actually every sewer authority will know all the answers to these questions within the two hours, because I have been in contact with Ms. Philipps right after a sewer discharge reported by residents and it usually takes her a couple of days to understand the magnitude of whatever the discharge was and get her field information back. So this may need some work before it actually passes.

It is a good step. The idea of a quick sense of information is a good step, because people feel very powerless when they notice a sewer discharge and they see tampons and things floating by in an advanced community and they feel as if nobody is out there looking after them or informing anybody. So this will definitely raise confidence.

I am curious if whether Mr. Carlucci is a sponsor of the State version? Have you seen the State version?

Chairwoman Cornell

I have not seen the State version.

Mr. Schoenberger

The Assembly bill is the same as the Senate bill. It has co-sponsors and multi-sponsors. Under the co-sponsors I did mention Assemblywoman Jaffee, but I see also Assemblyman Zebrowski is a co-sponsor as well.

Mr. Earl

I would like to be added as a co-sponsor, and Phil Soskin. We have big problems. Thank you.

Chairwoman Cornell

I just want to remind my fellow Legislators that Captain John Lipscomb, the Riverkeeper, came and spoke to us on this very issue probably at least a year ago. It is a very important issue.

Mr. Schoenberger

May I suggest that we add Captain John Lipscomb, c/o Riverkeeper, to the Resolved Clause to be sent a copy of the resolution?

Chairwoman Cornell

Absolutely.

**RESOLUTION NO. 246 OF 2012
RECEIVE AND FILE 2011 ANNUAL REPORT
OFFICE OF THE ROCKLAND COUNTY DISTRICT ATTORNEY**

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

RESOLVED, that the Year 2011 Annual Report of the Office of the Rockland County District Attorney, be and it is hereby received and filed.

**ADJOURNMENT IN MEMORY OF
JOHN SANGIMINO**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of John Sangimino.

**ADJOURNMENT IN MEMORY OF
ARTHUR "ARTIE" C. PISANO, SR.**

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 Arthur "Artie" C. Pisano, Sr..

**ADJOURNMENT IN MEMORY OF
JAMES V. DAMIANI, SR.**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of James V. Damiani, Sr..

**ADJOURNMENT IN MEMORY OF
DANIEL ESPINAL**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Daniel Espinal.

**ADJOURNMENT IN MEMORY OF
KATHERINE B. REINA**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Katherine B. Reina.

**ADJOURNMENT IN MEMORY OF
THOMAS A. MOORE**

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 Thomas A. Moore.

**ADJOURNMENT IN MEMORY OF
DANIEL McGRORY**

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 Daniel McGrory.

**ADJOURNMENT IN MEMORY OF
MARY ELLEN MURPHY**

Mr. Wolfe 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 Mary Ellen Murphy.

**RESOLUTION NO. 247 OF 2012
ADJOURNMENT**

Mr. Murphy offered the following resolution, which was seconded by Mr. Jobson and unanimously adopted (9:35 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Tuesday, May 29, 2012 at seven o'clock in the evening for a Special Meeting.

Respectfully Submitted,

DARCY M. GREENBERG
Proceedings Clerk