

NOTICE OF MEETING

Notice is hereby given that the Legislature of Rockland County will meet in its Chambers in the Allison-Parris Office Building, New City, New York on Tuesday, April 3, 2012 at 7:00 P.M., pursuant to the adjournment of the March 20, 2012 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 29th day of March 2012

The Legislature of Rockland County convened in regular session pursuant to the adjournment of the March 20, 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
Douglas J. Jobson
Nancy Low-Hogan
Jay Hood, Jr.
Joseph L. Meyers
Patrick J. Moroney
John A. Murphy
Aney Paul
Ilan S. Schoenberger
Philip Soskin
Frank P. Sparaco
Aron B. Wieder
Alden H. Wolfe, Vice Chairman
Harriet D. Cornell, Chairwoman

Honorable Douglas J. Jobson, Legislator, District 1, led in the Salute to the Flag and delivered the invocation.

**RESOLUTION NO. 145 OF 2012
ADOPTION OF MINUTES OF LEGISLATIVE MEETING
OF FEBRUARY 21, 2012**

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

Resolved, that the transcribed minutes of the Legislative meeting of February 21, 2012, as recorded by the Clerk and presented to the Legislature, be and they are hereby adopted.

The Chairwoman opened the public participation portion of the meeting at 7:17 p.m. and the following persons appeared and spoke:

- ❖ Marge Hook, In favor of Legislator Day as Legislative liaison to Hi Tor Animal Shelter
- ❖ Bette Nussbaum, Concerns with Hi Tor Animal Shelter spending
- ❖ Jame Boyle, In favor of Brega being awarded bus contract
- ❖ Frank Grandel, In favor of Legislator Day as Legislative liaison to Hi Tor Animal Shelter
- ❖ Mike Davitt, EEO issues
- ❖ Rochelle Stern, In favor of funding public safety
- ❖ Mel Berkowitz, Law to eliminate use of pesticides/chemicals inside buildings and homes

Public Participation ended at 7:30 p.m.

Comments from the Chairwoman:

Honorable Harriet D. Cornell

This past Saturday, March 31st, a rally was held in Nyack in memory of the boy from Florida, Trayvon Martin who was shot and killed on his way to or from a convenient store. This was my statement.

Parents should not have to worry about the well-being, the safety, the very survival of their children each time they leave the house. But they do. Some parents worry more than others. Some parents have reason to worry. They worry, because they live in a world with people who profile, people who make assumptions about their children based on the color of their skin and not, as Dr. King implored, "the content of their character."

I think parents of African-American children worry most of all, and with good reason.

I don't know when, or even if we will ever know all the details of what occurred that night in Sanford Florida. But there is one thing we do know; George Zimmerman started following Trayvon Martin, because he was a black teenager who was out of place in his neighborhood and Mr. Zimmerman believed he was up to no good.

It hurts me to think of this boy being frightened on his errand, of being followed by a stranger, and that the last thing he saw was this stranger's gun. How senseless and heartbreaking.

The name of Trayvon Martin now enters the pantheon of those whose death, under tragic, unforeseen and ultimately avoidable circumstances, could and should lead to social and legal transformation in our society. In the United States of America we should strive to ensure that no parent need dread this day when their innocent child becomes a victim of the deadly combination of ignorance and impulse.

Statement by the Honorable Ilan S. Schoenberger

I ask for your indulgence. I know that this is not normally done, but with your permission and the body's permission I would like to try and answer the question that Mr. Boyle raised regarding the transportation contracts before we proceed.

It is my understanding that the County, the administration not the Legislature, went out to bid. We may have approved or authorized them to go out to bid, but they went out for bids for request for proposals to continue the County's bus transportation system. When they went out for bids, and after the bids were received one of the bidders, I believe was Brega, objected to the process that was used. The County/administration held off referring the bids to us for our review and approval. Ultimately who gets awarded the bid gets decided here in this Legislature. We did have a hearing on it, but without the bids being referred, we had a discussion not a meeting.

Brega brought a lawsuit and Judge Nicolai, Supreme Court Judge sitting in Putnam County, threw out all the bids. He threw out the specifications and ordered that instead of going for a request for proposals, which is a much broader process that the County going for a request for bids where the bid is awarded to the lowest responsible bidder. That is State law. My understanding is that Brega felt they were being discriminated against in those bids and they brought a lawsuit. My further understanding is that, Friday at about 3:00 p.m. or so the bids were opened and Brega was the lowest bidder by some \$5,000,000. About fifteen minutes later Judge Nicolai issued a decision on their lawsuit to set-aside the specifications and Brega won.

They were the low bidder. They sued challenging the specifications. They were successful and the Judge threw out the specifications. I spoke to the Deputy County Executive, as well as certain Legislators, regarding this matter on Friday. It was the Administration's position that the Judge had gone way too far on his decision and made an analysis of our County government's processes that were in error.

I didn't see today's article in the Journal News, but we are sitting here in the Legislature waiting for the administration to refer the bids to us for us to make the final decision as to who this Legislature will award the contracts to. That is where it stands right now with the further complication that the Judge has vacated the process. I hope that answers your question as to where we are.

Mr. Boyle, if this matter comes to the Legislature for its approval you can give one our Clerks your contact information and they will notify you when it is scheduled for committee so you can be here to hear the discussion and that includes anybody else who may be listening.

BOND RESOLUTION NO. 146 OF 2012

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, ADOPTED APRIL 3, 2012, AUTHORIZING FINANCING OF A ROAD RESURFACING PROGRAM, STATING THE CURRENT ESTIMATED MAXIMUM COST THEREOF IS \$5,000,000, APPROPRIATING \$5,000,000 FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION.

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

THE LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Legislature) AS FOLLOWS:

Section 1. Based upon the review of this action by the County of Rockland (herein called the "County"), the Legislature of the County hereby determined that the object or purpose authorized pursuant to this resolution constitutes a Type II Action pursuant to the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law).

Section 2. The County is hereby authorized to finance Capital Project No. 3401 for the Department of Highways, consisting of a road resurfacing program, including sidewalks, curbs, gutters, drainage, landscaping, grading or improving rights-of-way, and incidental expenses in connection therewith. The current estimated maximum cost thereof, including costs incidental thereto and the financing thereof, is \$5,000,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$5,000,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and if not paid from other sources, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. Bonds of the County in the principal amount of \$5,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriation.

Section 4. The following additional matters are hereby determined and declared:

- a) The period of probable usefulness to the purpose for which said \$5,000,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 20(c) of the Law is fifteen (15) years; and
- b) The proposed maturity of the bonds authorized by this Resolution will exceed five (5) years.

Section 5. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 6. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by general tax from all sources including all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 thereof relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 thereof relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and Sections 50.00, 56.00 to 60.00 and 168.00 thereof, the powers and duties of the County Legislature relative to authorizing bond anticipation notes, or the renewals thereof, and relative to providing for substantially level or declining annual debt service, and prescribing the terms, form and contents, and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, as well as to executing agreements for credit enhancements, are hereby delegated to the Commissioner of Finance, the chief fiscal officer of the County.

Section 8. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This bond resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter, and the Clerk to the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the "ROCKLAND JOURNAL NEWS," published in West Nyack, New York and the "ROCKLAND COUNTY TIMES," published by Citizen Publishing Corp., Nanuet, New York, each of said newspapers having been designated the official newspapers of said County for such publication, and such other newspapers designated by the Clerk to the Legislature, each of said newspapers having a general circulation in the County for such publication.

* * * * *

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

AYES: 17
 NOES: 0
 ABSENT: 0

The resolution was declared and adopted.

Roll Call:

Legislator Low-Hogan – Yes.

Legislator Meyers – Yes.

Legislator Moroney – Yes.

Legislator Murphy – Yes.

Legislator Paul – Yes.

Legislator Schoenberger – Yes.

This is a fifteen-year bond. There is a schedule attached to the referral that lists exactly what roads are intended to be resurfaced pursuant to this and that is available from the Clerk to the Legislature's office if anybody wants a copy. I vote yes.

Legislator Soskin – Yes.

Legislator Sparaco – Yes.

Legislator Wieder – Yes.

Legislator Carey – Yes.

Legislator Day – Yes.

Legislator Earl – Yes.

Legislator Grant – Yes.

Legislator Hood, Jr. – Yes.

Legislator Jobson – Yes.

Vice Chairman Wolfe – Yes.

Chairwoman Cornell - -Yes.

Introduced by:

Referral No. 6394

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

**RESOLUTION NO. 147 OF 2012
 AUTHORIZING THE ADVANCE OF GENERAL FUND MONIES IN AN
 AMOUNT NOT TO EXCEED \$180,000 FOR THE DESIGN AND
 RIGHT-OF-WAY ACQUISITION FOR THE FORSHAY ROAD FROM VIOLA ROAD TO
 RECONSTRUCTION PROJECT WILLOW TREE ROAD,
 TOWN OF RAMAPO AND VILLAGE OF WESLEY HILLS
 CAPITAL PROJECT 3314
 [DEPARTMENT OF HIGHWAYS]
 (\$180,000)**

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

WHEREAS, The Superintendent of Highways has requested that the Legislature authorize the advance of general fund for the design and right-of-way acquisition for the Forshay Road reconstruction project from Viola Road to Willow Tree Road, Town of Ramapo and Village of Wesley Hills; and

WHEREAS, Resolution No. 21 of 2006 Resolution No. 618 of 2007 and Resolution No. 145 of 2010, authorizing the issuance of a total of \$870,000 Bonds to finance Capital Project 3314 have been previously approved by the legislature; and

WHEREAS, Submitted simultaneously herewith is a request for bonding to finance additional work which has become necessary on Capital Project 3314 in the amount of \$180,000, for a total project sum not to exceed \$1,050,000; and

WHEREAS, The Superintendent of Highways is requesting an advancement of funds in the amount of \$180,000, so that this Capital Project can be completed as quickly as possible; and

WHEREAS, Pending the financing of this capital project by the issuance of a bond, the Commissioner of Finance advises that general fund monies will be required to continue this capital project without delay; and

WHEREAS, Any advance of general fund monies by the Commissioner of Finance shall be made with the understanding that such advance shall be reimbursed with interest in the future when the bond financing is undertaken by the County; and

WHEREAS, The Legislature is authorized to approve the advance of such general fund monies for this capital project in accordance with Local Finance law §165.10; 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 advance of general fund monies in an amount not to exceed \$180,000 by the Commissioner of Finance to continue Capital Project 3314 without delay and that such advance shall be reimbursed with interest when bond financing is undertaken by the County.

Introduced by:

Referral No. 6394

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

**RESOLUTION NO. 148 OF 2012
 APPROVING AMENDMENT TO AGREEMENT IN EXCESS OF \$100,000
 WITH HUDSON VALLEY ENGINEERING ASSOCIATES, P.C.
 IN THE ADDITIONAL AMOUNT OF \$62,000
 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$658,100
 FOR ENGINEERING SERVICES FOR THE RECONSTRUCTION
 OF FORSHAY ROAD (COUNTY ROUTE 81) FROM
 VIOLA ROAD TO WILLOW TREE ROAD IN THE TOWN OF RAMAPO
 FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012
 AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [DEPARTMENT OF HIGHWAYS]
 (\$658,100)**

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

WHEREAS, By Resolution No. 84 of 2006, and 147 of 2010, the Legislature of Rockland County approved a contract in excess of \$100,000 with Hudson Valley Engineering Associates, P.C., to provide engineering services for the reconstruction of Forshay Road (County Route 81) from Viola Road to Willow Tree Road, in the Town of Ramapo, in the amount of \$355,100, for the period from January 1, 2006 through December 31, 2008; and

WHEREAS, By Resolutions No. 619 of 2007 and No. 147 of 2010, the Legislature of Rockland County approved amendments to the agreement with Hudson Valley Engineering Associates in the additional amounts of \$109,500 and \$131,500, for the engineering work and map preparation necessary for the reconstruction of Forshay Road from Viola Road to Willow Tree Road in the Town of Ramapo for a total contract sum not to exceed \$596,100; and

WHEREAS, It has become necessary to add services that were not anticipated in the original scope of work requiring a contract increase because of the need for additional right-of-way acquisition tasks; and

WHEREAS, The Superintendent of Highways is recommending that the County enter into an amendment to the agreement with Hudson Valley Engineering Associates, P.C., 560 Route 52, Suite 201, Beacon, New York 12508, for additional services for the project in the additional amount of \$62,000, for a total contract sum not to exceed \$658,100 for the reconstruction of Forshay Road from Viola Road to Willow Tree Road in the Town of Ramapo; and

WHEREAS, Funding is available in 2012 Capital Project #3314, Forshay Road Reconstruction; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the amendment to the agreement in excess of \$100,000 with Hudson Valley Engineering Associates, P.C., 560 Route 52, Suite 201, Beacon, New York 12508, for the additional services for the reconstruction of Forshay Road from Viola Road to Willow Tree Road in the Town of Ramapo, in the additional amount of \$62,000, for a total contract sum not to exceed \$658,100 and authorizes its execution by the County Executive, subject to the approval of the County Attorney, and be it further

RESOLVED, That funding is available in 2012 Capital Project #3314, Forshay Road Reconstruction.

BOND RESOLUTION NO. 149 OF 2012

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, ADOPTED APRIL 3, 2012, AUTHORIZING FINANCING OF THE PURCHASE OF EQUIPMENT AND VEHICLES FOR THE HIGHWAY DEPARTMENT, STATING THE CURRENT ESTIMATED MAXIMUM COST THEREOF IS \$6,000,000, APPROPRIATING \$6,000,000 FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$6,000,000 BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION.

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

THE LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Legislature) AS FOLLOWS:

Section 1. Based upon the review of this action by the County of Rockland (herein called the "County"), the Legislature of the County hereby determined that the object or purpose authorized pursuant to this resolution constitutes a Type II Action pursuant to the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law).

Section 2. The County is hereby authorized to finance Capital Project No. 3402 for the Department of Highways, consisting of the purchase of equipment and vehicles, including costs incidental thereto. The current estimated maximum cost thereof, including costs incidental thereto and the financing thereof, is \$6,000,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$6,000,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and if not paid from other sources, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. Bonds of the County in the principal amount of \$6,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriation.

Section 4. The following additional matters are hereby determined and declared:

- a) The period of probable usefulness to the purpose for which \$5,900,000 of such bonds are authorized to be issued for equipment, within the limitations of Section 11.00 a. 28 of the Law is fifteen (15) years;
- b) The period of probable usefulness to the purpose for which the remaining \$100,000 of such bonds are authorized to be issued for vehicles, within the limitations of Section 11.00 a. 77 of the Law is three (3) years; and
- c) The proposed maturity of the \$5,900,000 bonds authorized by this Resolution will exceed five (5) years.

Section 5. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 6. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by general tax from all sources including all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 thereof relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 thereof relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and Sections 50.00, 56.00 to 60.00 and 168.00 thereof, the powers and duties of the County Legislature relative to authorizing bond anticipation notes, or the renewals thereof, and relative to providing for substantially level or declining annual debt service, and prescribing the terms, form and contents, and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, as well as to executing agreements for credit enhancements, are hereby delegated to the Commissioner of Finance, the chief fiscal officer of the County.

Section 8. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This bond resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter, and the Clerk to the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the "ROCKLAND JOURNAL NEWS," published in West Nyack, New York and the "ROCKLAND COUNTY TIMES," published by Citizen Publishing Corp., Nanuet, New York, each of said newspapers having been designated the official newspapers of said County for such publication, and such other newspapers designated by the Clerk to the Legislature, each of said newspapers having a general circulation in the County for such publication.

* * * * *

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

AYES: 17
 NOES: 0
 ABSENT: 0

The resolution was declared and adopted.

Roll Call:

Legislator Low-Hogan – Yes.

Legislator Meyers – Yes.

Legislator Moroney – Yes.

Legislator Murphy – Yes.

Legislator Paul – Yes.

Legislator Schoenberger – Yes.

Legislator Soskin – Yes.

Legislator Sparaco – Yes.

Legislator Wieder – Yes.

Legislator Carey – Yes.

Legislator Day – Yes.

Legislator Earl – Yes.

Legislator Grant – Yes.

Legislator Hood, Jr. – Yes.

Legislator Jobson – Yes.

Vice Chairman Wolfe – Yes.

Chairwoman Cornell - -Yes.

BOND RESOLUTION NO. 150 OF 2012

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, ADOPTED APRIL 3, 2012, AUTHORIZING FINANCING OF IMPROVEMENTS TO THE PASCACK BROOK CULVERT AT UNION ROAD IN RAMAPO, STATING THE CURRENT ESTIMATED MAXIMUM COST THEREOF IS \$10,000,000, APPROPRIATING \$10,000,000 FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$10,000,000 BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION.

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

THE LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Legislature) AS FOLLOWS:

Section 1. Based upon the review of this action by the County of Rockland (herein called the "County"), the Legislature of the County hereby determined that the object or purpose authorized pursuant to this resolution constitutes an Unlisted Action pursuant to the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law) for which a negative declaration has been made.

Section 2. The County is hereby authorized to finance Capital Project No. 7113 for the Department of Highways, consisting of improvements to the Pascack Brook Culvert at Union Road, Pascack Brook, in the Town of Ramapo, including designs, construction, permitting, construction support, studies and mitigation measures, as well as any incidental improvements and expenses in connection therewith. The current estimated maximum cost thereof, including costs incidental thereto and the financing thereof, is \$10,000,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$10,000,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and if not paid from other sources, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. Bonds of the County in the principal amount of \$10,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriation.

Section 4. The following additional matters are hereby determined and declared:

- a) The period of probable usefulness to the purpose for which said \$10,000,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law is forty (40) years; and
- b) The proposed maturity of the bonds authorized by this Resolution will exceed five (5) years.

Section 5. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 6. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by general tax from all sources upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 thereof relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 thereof relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and Sections 50.00, 56.00 to 60.00 and 168.00 thereof, the powers and duties of the County Legislature relative to authorizing bond anticipation notes, or the renewals thereof, and relative to providing for substantially level or declining annual debt service, and prescribing the terms, form and contents, and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, as well as to executing agreements for credit enhancements, are hereby delegated to the Commissioner of Finance, the chief fiscal officer of the County.

Section 8. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This bond resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter, and the Clerk to the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the "ROCKLAND JOURNAL NEWS," published in West Nyack, New York and the "ROCKLAND COUNTY TIMES," published by Citizen Publishing Corp., Nanuet, New York, each of said newspapers having been designated the official newspapers of said County for such publication, and such other newspapers designated by the Clerk to the Legislature, each of said newspapers having a general circulation in the County for such publication.

* * * * *

The adoption of the following resolution was seconded by Legislators Toney L. Earl, Aney Paul, Philip Soskin and Aron B. Wieder and duly put to a vote on roll call, which resulted as follows:

AYES: 17
 NOES: 0
 ABSENT: 0

The resolution was declared and adopted.

Roll Call:

Legislator Low-Hogan – Yes.

Legislator Meyers – Yes.

Legislator Moroney – Yes.

Legislator Murphy – Yes.

Legislator Paul – Yes.

Legislator Schoenberger – Yes.

Legislator Soskin – Yes.

Legislator Sparaco – Yes.

Legislator Wieder – Yes.

Legislator Carey – Yes.

Legislator Day – Yes.

Legislator Earl – Yes.

Legislator Grant – Yes.

Legislator Hood, Jr. – Yes.

Legislator Jobson – Yes.

Vice Chairman Wolfe – Yes.

Chairwoman Cornell - -Yes.

Introduced by:

Referral No. 9252

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

**RESOLUTION NO. 151 OF 2012
APPROVING AN AGREEMENT FOR THE LEASE OF REAL PROPERTY
WITH NEW CINGULAR WIRELESS PCS, LLC FOR THE USE OF SPACE ON A WIRELESS
COMMUNICATIONS TOWER AND 2,500 SQUARE FEET OF AREA LOCATED AT ST.
MARY’S CHURCH, 45 TABLE ROCK ROAD, SLOATSBURG, FOR THE INSTALLATION,
MAINTENANCE AND OPERATION OF ANTENNAS AND COMMUNICATIONS EQUIPMENT
FOR THE COUNTY PUBLIC SAFETY RADIO COMMUNICATIONS PROJECT FOR THE
PERIOD FROM APRIL 1, 2012 TO MARCH 31, 2017 WITH AN OPTION TO RENEW FOR
FOUR ADDITIONAL FIVE YEAR TERMS AND AUTHORIZING ITS EXECUTION BY THE
COUNTY EXECUTIVE AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE THE
INTENT AND PURPOSE OF THIS RESOLUTION
CAPITAL PROJECT 1860
[OFFICE OF FIRE AND EMERGENCY SERVICES]**

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

WHEREAS, The Office of Fire and Emergency Services has advised the County Executive and the Legislature of Rockland County that it has negotiated a lease agreement (“Agreement”) for the County of Rockland (County) with New Cingular Wireless, PCS, LLC (“New Cingular Wireless”), 12555 Cingular Way, Suite 1300, Alpharetta, Georgia 30004 for the use, installation, maintenance and operation of antennas and communications equipment for the County Public Safety Radio Communications Project for the period from April 1, 2012 to March 31, 2017; and

WHEREAS, New Cingular Wireless maintains a wireless communication tower (the “Tower”) located at St. Mary’s Church, 45 Table Rock Road, Sloatsburg, New York 10974 (the “Site”);

WHEREAS, Pursuant to the Agreement, the New Cingular Wireless shall lease to the County the use of space on the Tower and 2,500 square feet of area at the Site for the installation, maintenance and operation of antennas and communications equipment for the County Public Safety Radio Communications Project; and

WHEREAS, Thereafter, pursuant to the Agreement, the County shall pay New Cingular Wireless on the anniversary date of the Agreement an annual lease fee of one (\$1.00) dollar, the receipt and sufficiency of which is expressly waived; and

WHEREAS, The Director of the Office of Fire and Emergency Services requests that the County Executive and the Legislature of Rockland County approve the Agreement with New Cingular Wireless for the five year term with an option to renew for four additional five year terms; and

WHEREAS, The funding for this agreement is provided in the 2012 capital budget under Capital Project 1860; and

WHEREAS, County Law §215 requires the Legislature of Rockland County to approve all agreements for the lease of real property; and

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

RESOLVED, That the Legislature of Rockland County approves an agreement for the lease of real property with New Cingular Wireless PCS, LLC, 12555 Cingular Way, Suite 1300, Alpharetta, Georgia 30004 for the use of space on a wireless communications tower and 2,500 square feet of area located at St. Mary's Church, 45 Table Rock Road, Sloatsburg, New York 10974 for the installation, maintenance and operation of antennas and communications equipment for the County Public Safety Radio Communications Project for the period from April 1, 2012 to March 31, 2017 with an option to renew for four additional five year terms and authorizes its execution by the County Executive and all other documents necessary to effectuate the intent and purpose of this resolution, subject to the approval of the County Attorney; and be it further

RESOLVED, That funding for this agreement is provided in the 2012 capital budget under Capital Project 1860.

Introduced by:

Referral No. 9252

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

**RESOLUTION NO. 152 OF 2012
APPROVING AN AGREEMENT FOR THE LEASE OF REAL PROPERTY
WITH THE COUNTY OF BERGEN, NEW JERSEY, FOR THE USE OF SPACE ON A
WIRELESS COMMUNICATIONS TOWER AND AN AREA NEAR THE BASE OF THE TOWER
LOCATED AT THE STAG HILL TOWER, MAHWAH, FOR INSTALLATION, MAINTENANCE
AND OPERATION OF ANTENNAS AND COMMUNICATIONS EQUIPMENT FOR THE
COUNTY PUBLIC SAFETY RADIO COMMUNICATIONS PROJECT
FOR THE PERIOD FROM APRIL 1, 2012 THROUGH MARCH 31, 2017
WITH AN OPTION TO RENEW FOR AN ADDITIONAL FIVE YEAR TERM
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
AND ALL OTHER NECESSARY DOCUMENTS
CAPITAL PROJECT 1860
[OFFICE OF FIRE AND EMERGENCY SERVICES]**

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

WHEREAS, The Office of Fire and Emergency Services has advised the County Executive and the Legislature of Rockland County that it has negotiated a shared services agreement for the lease of real property ("Agreement") with the County of Bergen ("Bergen County"), One Bergen County Plaza, Hackensack, New Jersey, 07601-7076 for the use, installation, maintenance and operation of antennas and communications equipment for the County Public Safety Radio Communications Project for the period from April 1, 2012 to March 31, 2017 with an option to renew for an additional five year term; and

WHEREAS, Bergen County maintains a wireless communication tower on its real property in Mahwah, New Jersey, known as the "Stag Hill Tower"(the "Site");

WHEREAS, Pursuant to the Agreement, Bergen County shall lease to the County of Rockland the use of space on the wireless communications tower and an area at its base at the Site for the use, installation, maintenance and operation of antennas and communications equipment for the County Public Safety Radio Communications Project; and

WHEREAS, Thereafter, pursuant to the Agreement, the County of Rockland shall pay Bergen County on the anniversary date of the Agreement an annual lease fee of one (\$1.00) dollar, the receipt and sufficiency of which is expressly waived; and

WHEREAS, The Director of the Office of Fire and Emergency Services requests that the County Executive and the Legislature of Rockland County approve the Agreement with the Bergen County for the five year term; and

WHEREAS, The funding for this agreement is provided in the 2012 capital budget under Capital Project 1860; and

WHEREAS, County Law §215 requires the Legislature of Rockland County to approve all agreements for the lease of real property; and

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

RESOLVED, That the Legislature of Rockland County approves the shared services agreement for the lease of real property with the County of Bergen, One Bergen County Plaza, Hackensack, New Jersey 07601-7076 for the use of space on a wireless communications tower and an area at its base at the Stag Hill Tower, Mahwah, New Jersey, for the installation, maintenance and operation of antennas and communications equipment for the County Public Safety Radio Communications Project for the period from April 1, 2012 to March 31, 2017 with an option to renew for an additional five year term and authorizes its execution by the County Executive and all other documents necessary to effectuate the intent and purpose of this resolution, subject to the approval of the County Attorney; and be it further

RESOLVED, That funding for this agreement is provided in the 2012 capital budget under Capital Project 1860.

Introduced by:

Referral No. 9252

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

**RESOLUTION NO. 153 OF 2012
 APPROVING A LICENSE AGREEMENT WITH CSC HOLDINGS, LLC
 FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF ANTENNAS
 AND COMMUNICATIONS EQUIPMENT FOR THE OPERATION OF THE
 COUNTY PUBLIC SAFETY RADIO COMMUNICATIONS PROJECT FOR THE
 PERIOD FROM APRIL 1, 2012 THROUGH MARCH 31, 2017
 WITH AN OPTION TO RENEW FOR FOUR ADDITIONAL FIVE YEAR TERMS
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 AND ALL OTHER NECESSARY DOCUMENTS CAPITAL PROJECT 1860
 [OFFICE OF FIRE AND EMERGENCY SERVICES]
 (\$127,419.26)**

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

WHEREAS, The Office of Fire and Emergency Services has advised the County Executive and the Legislature of Rockland County that it has negotiated a license agreement ("Agreement") for the County of Rockland (County) with CSC Holdings, LLC ("Cablevision"), 1111 Stewart Avenue, Bethpage, New York 11714-3581 for the installation, maintenance and operation of antennas and communications equipment for the County Public Safety Radio Communications Project for the period from April 1, 2012 to March 31, 2017; and

WHEREAS, Pursuant to the Agreement, Cablevision shall lease to the County the use of 2,500 square feet of ground space and specified elevations on the 120-foot guyed "H" tower located at 16 Eastview Avenue, Monsey, New York 10952 (the "Site"); and

WHEREAS, Thereafter, pursuant to the Agreement, the County shall pay Cablevision a monthly lease fee of \$2,000.00 with a 3% annual increase on the anniversary date of the Agreement; and

WHEREAS, The Director of the Office of Fire and Emergency Services requests that the County Executive and the Legislature of Rockland County approve the Agreement with Cablevision in the amount of \$127,419.26 for the period from January 1, 2012 through March 12, 2017 with an option to renew for four additional five year terms; and

WHEREAS, The funding for this agreement is provided in the 2012 capital budget under Capital Project 1860; and

WHEREAS, County Law §215 requires the Legislature of Rockland County to approve all agreements for the lease of real property; and

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

RESOLVED, That the Legislature of Rockland County approves the lease agreement with CSC Holdings, LLC ("Cablevision"), 1111 Stewart Avenue, Bethpage, New York 11714-3581 for the installation, maintenance and operation of antennas and communications equipment for the County Public Safety Radio Communications Project for the period from April 1, 2012 to March 31, 2017 in the amount of \$127,419.26 with an option to renew for four additional five year terms and authorizes its execution by the County Executive and all other documents necessary to effectuate the intent and purpose of this resolution, subject to the approval of the County Attorney; and be it further

RESOLVED, That funding for this agreement is provided in the 2012 capital budget under Capital Project 1860.

Introduced by:

Referral No. 9252

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

**RESOLUTION NO. 154 OF 2012
APPROVING A SEVENTH AMENDMENT TO AGREEMENT
IN EXCESS OF \$100,000 WITH MOTOROLA, INC. BY
INCREASING THE AMOUNT OF THE AGREEMENT BY \$1,458,651.00
FOR ADDITIONAL RADIO COMMUNICATIONS EQUIPMENT FOR A
TOTAL CONTRACT SUM NOT TO EXCEED \$26,652,566.69 FOR THE
ROCKLAND COUNTY PUBLIC SAFETY RADIO COMMUNICATIONS PROJECT
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF GENERAL SERVICES – FACILITIES MANAGEMENT]
CAPITAL PROJECT NO. 1860
(\$26,652,566.69)**

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

WHEREAS, By Resolution No. 387 of 2007, the Legislature of Rockland County approved an agreement with Motorola, Inc., 85 Harristown Road, Glen Rock, New Jersey 07452, to design, provide, install and test an interoperable county-wide public safety communications system, including equipment, software, incidental hardware and materials, and related subscribe equipment, in an amount not to exceed \$20,383,699.48 for a period of three years; and

WHEREAS, On July 27, 2007, the County entered into an agreement with Motorola, Inc. to design, provide, install and test an interoperable county-wide public safety communications system, including equipment, software, incidental hardware and materials, and related subscribe equipment, in an amount not to exceed \$20,383,699.48, for a term commencing July 27, 2007 and terminating July 26, 2010; and

WHEREAS, On December 27, 2007, the County entered into an amendment to the agreement with Motorola, Inc. to revise the start date of the contract to September 10, 2007 and the termination date to September 9, 2010; and

WHEREAS, By Resolution No. 533 of 2008, the Legislature of Rockland County approved a second amendment to the agreement with Motorola, Inc., 5 Paragon Drive, Suite 200, Montvale, New Jersey 07645, to incorporate and accept Linear Technology Enhancement and the related decrease in equipment pricing in the amount of \$189,889.48 with a modified milestone payment plan, resulting in a contract amount not to exceed \$20,193,810; and

WHEREAS, On December 5, 2008, the County entered into a second amendment to the agreement with Motorola, Inc. to incorporate and accept Linear Technology Enhancement and the related decrease in equipment pricing in the amount of \$189,889.48 with a modified milestone payment plan, resulting in a contract amount not to exceed \$20,193,810, with a term commencing September 10, 2007 and terminating September 9, 2010; and

WHEREAS, By Resolution No. 17 of 2009, the Legislature of Rockland County approved the third amendment to the agreement with Motorola, Inc., 5 Paragon Drive, Suite 200, Montvale, New Jersey 07645, to provide for the design and installation of a 900 MHz frequency microwave communication system, to replace the existing 2 GHz frequency microwave system, at an additional cost of \$89,579.69, for a total contract sum not to exceed \$20,283,389.69; and

WHEREAS, On February 19, 2009, the County entered into a third amendment to the agreement with Motorola, Inc. to provide for the design and installation of a 900 MHz frequency microwave communication system to replace the existing 2 GHz frequency microwave system at an additional cost of \$89,579.69, for a total contract sum not to exceed \$20,283,389.69, with a term ending September 9, 2010; and

WHEREAS, By Resolution No. 405 of 2009, the Legislature of Rockland County approved the fourth amendment to the agreement with Motorola, Inc., 5 Paragon Drive, Suite 200, Montvale, New Jersey 07645, to provide for a coverage study utilizing the newly available 700 MHz frequencies at an additional cost of \$28,576 for a total contract sum not to exceed \$20,311,965.69, with a term ending September 9, 2010; and

WHEREAS, On August 26, 2009, the County entered into a fourth amendment to the agreement with Motorola, Inc., to provide for a coverage study utilizing the newly available 700 MHz frequencies at an additional cost of \$28,576 for a total contract sum not to exceed \$20,311,965.69, with a term ending September 9, 2010; and

WHEREAS, By Resolution No. 598 of 2010, the Legislature of Rockland County approved the fifth amendment to the agreement with Motorola, Inc., 5 Paragon Drive, Suite 200, Montvale, New Jersey 07645, to provide for equipment shelters and emergency generators for each communications tower at an additional cost of \$1,620,648 for a total contract sum not to exceed \$21,932,613.69, with a term ending November 27, 2013; and

WHEREAS, On December 13, 2010, the County entered into the fifth amendment to the agreement with Motorola, Inc., to provide for equipment shelters and emergency generators for each communications tower at an additional cost of \$1,620,648 for a total contract sum not to exceed \$21,932,613.69, with a term ending November 27, 2013; and

WHEREAS, By Resolution No. 599 of 2010, the Legislature of Rockland County approved the sixth amendment to the agreement with Motorola, Inc., 5 Paragon Drive, Suite 200, Montvale, New Jersey 07645, to provide for necessary civil site construction services for the radio communications tower sites at an additional cost of \$4,191,302 less the price adjustment to the contract amount as a reduction to offset interest in the sum of 930,000 for a total contract sum not to exceed \$25,193,915.69, with a term ending November 27, 2013; and

WHEREAS, On December 13, 2010, the County entered into the sixth amendment to the agreement with Motorola, Inc., to provide for necessary civil site construction services for the radio communications tower sites at an additional cost of \$4,191,302 less the price adjustment to the contract amount as a reduction to offset interest in the sum of 930,000 for a total contract sum not to exceed \$25,193,915.69, with a term ending November 27, 2013; and

WHEREAS, It has become necessary to amend the scope of services to provide for additional design and construction services and radio communications equipment in accordance with their original proposal dated April 22, 2005, Section III, Optional Equipment Pricing and as set forth in the annexed Schedule A at an additional cost of \$1,458,651 for a total contract amount not to exceed \$26,652,566.69; and

WHEREAS, The Commissioner of General Services and the Director of Facilities Management request that the County Executive and Legislature of Rockland County approve the request to enter into a seventh amendment to the agreement with Motorola, Inc. to amend the scope of services to provide for additional design and construction services and radio communications equipment in accordance with their original proposal dated April 22, 2005, Section III, Optional Equipment Pricing and as set forth in the annexed Schedule A at an additional cost of \$1,458,651 for a total contract amount not to exceed \$26,652,566.69; and

WHEREAS, The Radio Communication Work Group Committee fully supports and recommends this seventh amendment to the agreement to include the additional radio communications equipment which are necessary for the project; and

WHEREAS, The funding required for this amendment to the agreement shall not increase the previously approved budget in the amount of \$30,434,000 for Capital Project 1860; and

WHEREAS, Sufficient funds for this amendment exist in Capital Project 1860; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the seventh amendment to the agreement with Motorola, Inc., 5 Paragon Drive, Suite 200, Montvale, New Jersey 07645, to amend the scope of services to provide for additional design and construction services and radio communications equipment in accordance with their original proposal dated April 22, 2005, Section III, Optional Equipment Pricing and as set forth in the annexed Schedule A at an additional cost of \$1,458,651 for a total contract amount not to exceed \$26,652,566.69 and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funds for this amendment exist in Capital Project 1860.

SCHEDULE A



January 26th, 2012

County of Rockland
Attn. Robert Gruffi, P.E., LEED AP

Subject: RFP NO. RFP-RC-04-040
Rockland County County-Wide Public Safety Communications Network CP-1860

Motorola is formally making the following offer to Rockland County to the contract referenced above:
(Options as identified in the original contract to be selected by the County during construction.)

Contract Price Adjustments:

Original Contract Value:	\$20,383,700
Previous Change Order Amounts for Change Order Numbers 1 through 5:	\$4,810,216
Options Change Order:	\$1,458,651
Revised Contract Value:	\$26,652,567
Paid to date:	(\$12,938,231)
Remaining Contract Value:	\$13,714,336
Balance to be paid based on original milestones	\$13,714,336

The following is the breakout for the above additional equipment:

Radio equipment for Bear Mtn. site added during system design:	\$793,206
Trunking Control Stations (15) for FTC dispatch:	\$153,048
Trunking Control Station combiner for FTC dispatch:	\$7,200
Logging Recorder for FTC dispatch Radio/Phone:	\$331,289
Spare Conventional Site Controller:	\$12,050
Redundant ST2600 routers at 10 sites:	\$77,075
Required Subscriber Radios:	\$84,783
Total Options:	\$1,458,651

Sincerely,

Luke St. Clair PMP

Motorola Solutions, Inc.,
5 Paragon Drive
Montvale, NJ 07645

Introduced by:

Referral No. 6803

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

**RESOLUTION NO. 155 OF 2012
 AUTHORIZING THE CLERK TO THE LEGISLATURE
 TO ADVERTISE FOR BIDS –
 2012 RESURFACING PROGRAM FOR COUNTY ROADS
 NEW YORK STATE DEPARTMENT OF TRANSPORTATION
 CHIPS PROGRAM (\$2,750,000)
 [HIGHWAY DEPARTMENT]**

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

WHEREAS, As part of the 2012 Resurfacing Program of the Department of Highways, the Superintendent of Highways has recommended that the Clerk to the Legislature be authorized and directed to advertise for bids for the resurfacing of County roads in the amount of \$2,750,000, as shown on the attached Schedule "A", pursuant to plans and specifications being prepared by the Rockland County Highway Department; and

WHEREAS, Sufficient funding for this project exists in Capital Accounts 3401(Three year resurfacing program) and 3399 (Hurricane Irene, road repairs), in the budget account line 5110-4460 (CHIPS Capital); and

WHEREAS, Funds expended from the 5110-4460 account will be reimbursed 100% by the New York State Department of Transportation through its CHIPS Program; and

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

RESOLVED, That the Clerk to the Legislature is hereby authorized and directed to advertise for bids for the resurfacing of County roads in the amount of \$2,750,000, as shown on the attached Schedule "A", pursuant to plans and specifications being prepared by the Rockland County Highway Department, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this project exists in Capital Accounts 3401(Three year resurfacing program) and 3399 (Hurricane Irene, road repairs), in the budget account line 5110-4460 (CHIPS Capital); and be it further

RESOLVED, That funds expended from the 5110-4460 account will be reimbursed 100% by the New York State Department of Transportation through its CHIPS Program.

Schedule H



**COUNTY OF ROCKLAND
DEPARTMENT OF HIGHWAYS**

23 New Hempstead Road
New City, New York 10956
(845) 638-5060
Fax. (845) 638-5037
Email: highway@co.rockland.ny.us

C. SCOTT VANDERHOEF
County Executive

CHARLES H. VEZZETTI
Superintendent of Highway

To: Charles H. Vezzetti
Superintendent of Highways

Date: February 27, 2012

From: Andrew M. Connors PE



Re: 2012 Proposed Resurfacing list

Bellow lists the roads that will receive a two-inch overlay as part of our resurfacing program.

Route Road Name From To Square Yards

33	Middletown Road	Rte 59	Smith Road	22121
33	Little Tor Road	W. Clarkstown	Milich Lane	17009
74	Eckerson Road	W. Clarkstown	Rte 45	16821
80	New City - Congers Road	Rte 304	Brewery	12643
20	Veterans Memorial Drive	Old Middletown Rd	Blue Hill Rd So.	3990
42	Townline Road	Ehrhardt Rd	Sickletown Road	20954
51	Sanatorium Road	Summit Park	Rte 45	12561
72	Sterling Mine Road	Acadia Ct	Rte 17	10931
86	Pomona Road	Rte 306	Rte 45	31557
89	Airmont Road	Church Road	Rte 59	13066
89	Airmont Road	Dunnigan Drive	Montebello Road	13057
	Total			174710

Introduced by

Referral No. 5906

- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Edwin J. Day, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 156 OF 2012
 APPROVING AMENDMENT TO AGREEMENT IN EXCESS OF \$100,000
 WITH MONTANA CONSTRUCTION CORP, INC.
 IN THE ADDITIONAL AMOUNT OF \$109,313.56
 FOR A TOTAL CONTRACT SUM NOT TO EXCEED
 \$2,700,633.38 FOR NORTH PASCACK
 INTERCEPTOR EXTENSION AND REPLACEMENT-
 CONTRACT IIP10-01 AND EXTENDING THE TERM TO AUGUST 7, 2012
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [ROCKLAND COUNTY SEWER DISTRICT NO. 1]
 (\$2,700,633.38)**

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

WHEREAS, By Resolution No. 414 of 2010, the Legislature of Rockland County approved an agreement over \$100,000 with Montana Construction Corp., 80 Contant Avenue, Lodi, New Jersey, 07644, for Contract IIP10-01 for the North Pascack Interceptor Extension and Replacement, in an amount not to exceed \$2,591,319.82; and

WHEREAS, On September 9th, 2010, the County entered into an agreement, on behalf of the Rockland County Sewer District No. 1, with Montana Construction Corp., 80 Contant Avenue, Lodi, New Jersey, 07644, for Contract IIP10-01 for the North Pascack Interceptor Extension and Replacement, for a period of 365 calendar days from the Notice to Proceed, in an amount not to exceed \$2,591,319.82; and

WHEREAS, Change Order No. 1 for Contract IIP10-01 with Montana Construction Corp, Inc. for Interceptor Improvement Project Phase I, N. Pascack Interceptor Extension and Replacement, has been proposed; and

WHEREAS, The Summary of Change to Contract involves an increase to the contract in the amount of \$109,313.56 due to an adjustment to quantities and additional unanticipated work including modification to manholes, locating laterals, and removal, replacement and concrete encasement of corrugated metal drainage pipe; and

WHEREAS, The Summary of Change to Contract also involves a 37 day no-cost extension of time due to high volume of rain days, severe winter conditions in December of 2010 to January 2011 and, high groundwater tables; and

WHEREAS, Change Order No. 1 increases the total contract to an amount not to exceed \$2,700,633.38; and

WHEREAS, By Resolution No. 4 of 2012, the Board of Commissioners of the Rockland County Sewer District No. 1, approved the amendment to the agreement with Montana Construction Corp., 80 Contant Avenue, Lodi, New Jersey, 07644, as outlined in Change Order No. 1 to Contract IIP10-01, increasing the contract sum by the additional amount of \$109,313.56 for a total contract sum not to exceed \$2,700,633.38, subject to the approval of the Rockland County Legislature; and

WHEREAS, The Executive Director of the Sewer District recommends that terms of the contract also be amended to reflect a substantial completion date of November 9, 2011, a final completion date of February 7, 2012 and an overall extension of term to August 7, 2012 for payment purposes only, with the liquidated damages clause to remain in effect for the period from February 7, 2012 through August 7, 2012; and

WHEREAS, Sufficient funds for this amendment to the agreement exist in Capital Project Account No. 6270 of the Rockland County Sewer District No. 1; and

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

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

RESOLVED, That the Legislature of Rockland County approves an amendment to the agreement in excess of \$100,000 with Montana Construction Corp., 80 Contant Avenue, Lodi, New Jersey, 07644, for Contract IIP10-01 for the North Pascack Interceptor Extension and Replacement, as outlined in Change Order No. 1 to Contract IIP10-01, increasing the contract sum by the additional amount of \$109,313.56 for a total contract sum not to exceed \$2,700,633.38, and authorizing its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That the terms of the contract also be amended to reflect a substantial completion date of November 9, 2011, a final completion date of February 7, 2012 and an overall extension of term to August 7, 2012 for payment purposes only, with the liquidated damages clause to remain in effect for the period from February 7, 2012 through August 7, 2012; and

RESOLVED, That sufficient funds for this amendment to the agreement exist in Capital Project Account No. 6270 of the Rockland County Sewer District No. 1.

Introduced by:

Referral No. 5906

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

**RESOLUTION NO. 157 OF 2012
APPROVING PURCHASES IN EXCESS OF \$100,000 FROM H. KREVI & CO., INC.
FOR THE PURCHASE AND DELIVERY OF SODIUM HYPOCHLORITE
TO THE ROCKLAND COUNTY SEWER DISTRICT NO. 1
UNDER RFB-RC-2011-030
IN THE ADDITIONAL AMOUNT OF \$103,320
FOR THE PERIOD MAY 31, 2012 THROUGH MAY 30, 2013
AND IN A TOTAL AMOUNT NOT TO EXCEED \$166,973.32
FOR THE FULL PERIOD FROM MAY 31, 2011 THROUGH MAY 30, 2013
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$166,973.32)**

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

WHEREAS, The Director of Purchasing advertised for bids for Chemicals – Wastewater – Chlorine Gas, Chemicals, Degreaser, Lubricants and Cleaning Solvents including the purchase and delivery of Sodium Hypochlorite to the Rockland County Sewer District No. 1 under RFB-RC-2011-030 (the “RFB”) for the period of one (1) year from the date of the award with the option to renew for four (4) additional one (1) year options; and

WHEREAS, Two hundred seventy-five (275) vendors were notified of the RFB, twenty (20) vendors responded to the RFB and five (5) vendors responded to Line Item #10 for Sodium Hypochlorite; and

WHEREAS, The Purchasing Department determined that H. Krevit & Co., Inc. (“Krevit”), 67 Welton Street, New Haven, CT 06534, was the lowest responsible bidder for Line Item #10 for Sodium Hypochlorite, and it awarded the contract to Krevit to furnish and deliver Sodium Hypochlorite on an as needed basis to the Rockland County Sewer District No. 1 under the RFB for the period May 31, 2011 through May 30, 2012; and

WHEREAS, The Sewer District typically orders this chemical between the months of May and November of each year; and

WHEREAS, To date, \$63,653.32 has been spent under the RFB, and based upon an average annual usage of 126,000 gallons at \$0.82 per gallon, it is anticipated that an additional \$103,320 will be expended during this first year option term from May 31, 2012 through May 30, 2013; and

WHEREAS, Krevit has agreed to hold its pricing for this product at \$0.82 per gallon through May 30, 2013, resulting in a projected annual savings to the County in the amount of \$3,099.60; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the additional purchases in excess of \$100,000 from Krevit for the purchase and delivery of Sodium Hypochlorite on an as needed basis to the Rockland County Sewer District No. 1 under the RFB in the additional amount of \$103,320 for the period May 31, 2012 through May 30, 2013, and in a total amount not to exceed \$166,973.32 for the full period from May 31, 2011 through May 30, 2013, with three (3) remaining one (1) year options; and

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

WHEREAS, Sufficient funding for the additional purchases is provided for in the 2012 Budget of the Rockland County Sewer District No. 1 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 and Public Works and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves the additional purchases in excess of \$100,000 from H. Krevit & Co., Inc., 67 Welton Street, New Haven, CT 06534, for the purchase and delivery of Sodium Hypochlorite on an as needed basis to the Rockland County Sewer District No. 1 under RFB-RC-2011-030 in the additional amount of \$103,320 for the period May 31, 2012 through May 30, 2013, and in a total amount not to exceed \$166,973.32 for the full period from May 31, 2011 through May 30, 2013, with three (3) remaining one (1) year options, 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 additional 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. 2973

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

**RESOLUTION NO. 158 OF 2012
 AMENDING THE 2012 BUDGET BY APPROVING THE ACCEPTANCE
 OF ADDITIONAL FUNDS IN THE AMOUNT OF \$252,553 [NCTD]
 FROM THE NEW YORK STATE OFFICE OF ALCOHOL
 AND SUBSTANCE ABUSE SERVICES (OASAS)
 FOR THE CALENDAR YEAR 2012
 TO BE DISTRIBUTED TO OPEN ARMS, INCORPORATED
 AND AUTHORIZING THE COUNTY EXECUTIVE
 TO EXECUTE ALL NECESSARY DOCUMENTS INCLUDING
 THE APPLICABLE CONTRACT IN THE AMOUNT OF \$482,691
 [DEPARTMENT OF MENTAL HEALTH]
 (\$482,691)**

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

WHEREAS, By Resolution No. 47 of 2012, the Legislature of Rockland County approved a contract in excess of \$100,000 in an amount not to exceed \$231,000 with Open Arms, Incorporated ("Open Arms"), 57-59 Sharp Street, Haverstraw, New York 10927, for the calendar year 2012; and

WHEREAS, \$231,000 was appropriated in the 2012 Adopted Budget, however the County subsequently received only \$230,138 in State aid from the New York State Office of Alcohol and Substance Abuse Services (OASAS), resulting in an \$862 difference; and

WHEREAS, That contract has not yet been executed; and

WHEREAS, The Commissioner of Mental Health has advised the County Executive and the Legislature of Rockland County that additional State aid totaling \$252,553 has been made available from OASAS to Open Arms for the calendar year 2012; and

WHEREAS, The additional funding in the amount of \$252,553 will be added to the \$230,138 previously received from OASAS, for a new contract amount not to exceed \$482,691; and

WHEREAS, The additional funding will be used to operate a halfway house for women; and

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

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

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

WHEREAS, The 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 accepts the additional funds totaling \$252,553 from the New York State Office of Alcohol and Substance Abuse Services (OASAS) for the calendar year 2012, which will be distributed to Open Arms, Incorporated ("Open Arms"), 57-59 Sharp Street, Haverstraw, New York 10927, to operate a halfway house for women, which amount will be added to the \$230,138 in State aid previously received from OASAS, and authorizes the County Executive to execute all necessary documents related to the acceptance of these additional funds including the contract with Open Arms in the new not to exceed amount of \$482,691 for the calendar year 2012, subject to the approval of the County Attorney; and be it further

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

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

GENERAL FUND - 2012

Decrease Approp. Acct. (Debit):

A-DMH-4334-E5010	Open Arms, Inc.	862
------------------	-----------------	-----

Decrease Est. Rev. Acct. (Credit):

A-DMH-4334-R3476	State Aid - OASAS	862
------------------	-------------------	-----

Increase Approp. Acct. (Credit):

A-DMH-4334-E5010	Open Arms, Inc.	252,553
------------------	-----------------	---------

Increase Est. Rev. Acct. (Debit):

A-DMH-4334-R3476	State Aid - OASAS	252,553
------------------	-------------------	---------

Introduced by:

Referral No. 9463/9473

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

**RESOLUTION NO. 159 OF 2012
ADJUSTMENTS TO THE 2011 AND 2012 BUDGETS
FOR YEAR-END CONTRACT AND PURCHASE ORDER ENCUMBRANCES
[DEPARTMENT OF BUDGET]**

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

WHEREAS, The Budget Director has requested that the Legislature approve certain budgetary adjustments to the 2011 and 2012 Budgets to cover certain year-end adjustments and purchase order encumbrances; and

WHEREAS, Certain departments require adjustments to their respective accounts, as detailed on the annexed Schedule A; 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 Commissioner of Finance of the County of Rockland is authorized to increase and decrease the accounts as listed on the attached Schedule A in the amounts indicated.

GENERAL FUND - 2011

Decrease Approp. Acct:

A	DA	GA14	E4090	Fees for Services Non-Employee	40,000
A	DOH	4047	E2070	Medical Equipment	4,910
A	DOH	GH02	E4090	Fees for Services Non-Employee	19,000
A	DOH	GH03	E4090	Fees for Services Non-Employee	33,525
A	HRC	G083	E5080	Program Costs	3,000
A	SHF	GS01	E2050	Equipment	10,051
A	SHF	GS11	E2050	Equipment	55,428
A	SHF	GS12	E5080	Program Costs	5,976
A	SHF	GS15	E2050	Equipment	72,105
A	SHF	GS20	E5080	Program Costs	70,192
A	SHF	GS22	E2050	Equipment	141,484

Total: 455,651

Decrease Est. Revenue Acct:

A	DA	GA14	R3380	Public Safety Grant(s)	40,000
A	DOH	4047	R3433	State Aid - Health	4,910
A	SHF	GS01	R4380	Public Safety Grant(s)	10,051
A	SHF	GS11	R4380	Public Safety Grant(s)	55,428
A	SHF	GS12	R2280	Public Safety Rev - Other Govts	5,976
A	SHF	GS15	R4380	Public Safety Grant(s)	72,105
A	DOH	GH02	R3480	Health Grants(s)	19,000
A	DOH	GH03	R3480	Health Grants(s)	33,525
A	HRC	G083	R4980	Home & Community Services Grant	3,000
A	SHF	GS20	R4380	Public Safety Grant(s)	70,192
A	SHF	GS22	R4380	Public Safety Grant(s)	141,484

Total: 455,651

GENERAL SERVICES FUND - 2011

Decrease Approp. Acct:

M	DGS	GG01	E4090	Fees for Services Non-Employees	12,743
---	-----	------	-------	---------------------------------	--------

Total: 12,743

Decrease Est. Revenue Acct:

M	DGS	GG01	R4089	Federal Aid General Gov't	12,743
---	-----	------	-------	---------------------------	--------

Total: 12,743

<u>Increase Approp. Acct:</u>				<u>GENERAL FUND - 2012</u>	
A	CLK	1410	E3220	Computer Software	3,750
A	CLK	1410	E4020	Rental of Equipment	2,338
A	CLK	1450	E4771	Clearing A/C Archives	2,592
A	DA	FA01	E2500	Forfeiture Funds - Equipment	160,039
A	DA	FA01	E4500	Forfeiture Funds - Services	18,000
A	DA	1165	E4500	Forfeiture Funds - Equipment	17,811
A	DOH	2961	E3290	Operational Supplies	4,418
A	DOH	2961	E4090	Fees for Services Non-Employee	3,000
A	DOH	4010	E2070	Medical Equipment	4,345
A	DOH	4010	E4090	Fees for Services Non-Employee	65,317
A	DOT	5830	E4090	Fees for Services Non-Employee	161,145
A	DOT	5830	E5060	Program Costs	39,500
A	DSS	6010	E4380	Maintenance Agreements	3,835
A	EME	3410	E3290	Operational Supplies	1,457
A	EME	3643	E5060	Program Costs	24,750
A	EME	3644	E4090	Fees for Services Non-Employee	2,330
A	EXE	1236	E5880	Tourism Prg - Sponsor NYS Funded	34,984
A	EXE	1237	E5060	Program Costs	8,892
A	EXE	4250	E5060	Program Costs	11,382
A	FIN	1325	E4090	Fees for Services Non-Employee	5,960
A	INS	1910	E4090	Fees for Services Non-Employee	1,500
A	LAW	1420	E4090	Fees for Services Non-Employee	10,000
A	LEG	1010	E5060	Program Costs	37,545
A	OFA	6772	E4090	Fees for Services Non-Employee	14,889
A	OFA	6772	E5060	Program Costs	48,304
A	OFA	6772	E5771	Meals on Wheels	85,398
A	PDF	1170	E4090	Fees for Services Non-Employee	12,000
A	PLN	8020	E2100	Computers	6,394
A	PLN	6020	E4380	Maintenance Agreements	73,781
A	SHF	3108	E2600	Forfeiture - Equipment	10,110
A	SHF	3112	E2500	Forfeiture - Equipment	56,591
A	SHF	3112	E4500	Forfeiture Funds - Services	7,600
A	SHF	3114	E4020	Rental of Equipment	4,785
A	SHF	3114	E4500	Forfeiture Funds - Services	8,469
A	SHF	3114	E5060	Program Costs	8,943
A	SHF	3117	E4500	Forfeiture Funds - Services	2,717
A	SHF	3118	E4380	Maintenance Agreements	2,105
A	SHF	3119	E2050	Equipment	1,978
A	SHF	3150	E2500	Forfeiture - Equipment	14,942
A	SHF	3150	E3070	Uniforms	1,395
A	SHF	3150	E3290	Operational Supplies	2,298
A	SHF	3150	E4090	Fees for Services Non-Employee	5,000
A	SHF	3150	E4500	Forfeiture Funds - Services	20,916
A	YB	1250	E5830	Youth Employment Program	118,424
A	YB	1250	E5832	Bridges Program	40,430
A	DA	GA14	E4090	Fees for Services Non-Employee	40,000
A	DOH	4047	E2070	Medical Equipment	4,910
A	SHF	GS01	E2050	Equipment	10,091
A	SHF	GS11	E2050	Equipment	55,428
A	SHF	GS12	E5060	Program Costs	5,976
A	SHF	GS15	E2050	Equipment	72,105
A	DOH	GH02	E4090	Fees for Services Non-Employee	19,000
A	DOH	GH03	E4090	Fees for Services Non-Employee	33,525
A	HRC	G083	E5060	Program Costs	3,000
A	SHF	GS20	E5060	Program Costs	70,192
A	SHF	GS22	E2050	Equipment	141,464
Total:					1,625,950

COUNTY ROAD FUND - 2012

Increase Approp. Acct:

D	CRF	5110	E3780	Highway Supplies	1,080	
D	CRF	5110	E4460	CHIPS - Contract Maintenance	43,247	
					Total:	<u>44,327</u>

Increase Est. Revenue Acct:

D	CRF	9552	R5989	Appropriated Fund Balance	44,327	
					Total:	<u>44,327</u>

HOSPITAL FUND - 2012

Increase Approp. Acct:

EH	HSP	4600	E4090	Fees for Services Non-Employee	4,500	
EH	HSP	E905	E4050	Advertising	1,250	
EH	HSP	E922	E4090	Fees for Services Non-Employee	24,390	
EH	DMH	M760	E4090	Fees for Services Non-Employee	12,350	
EH	DMH	M890	E4090	Fees for Services Non-Employee	827	
					Total:	43,317

Increase Est. Revenue Acct:

EH	HSP	4980	R5989	Appropriated Fund Balance	30,140	
EH	DMH	M999	R5989	Appropriated Fund Balance	13,177	
					Total:	43,317

GENERAL SERVICES FUND - 2012

Increase Approp. Acct:

M	DGS	I222	E4090	Fees for Services Non-Employees	185,750	
M	DGS	I241	E4090	Fees for Services Non-Employees	1,100	
M	DGS	I241	E4380	Maintenance Agreements	35,521	
M	DGS	I243	E3290	Operational Supplies	5,222	
M	DGS	I243	E4060	Equipment Repairs	4,908	
M	DGS	I245	E3290	Operational Supplies	9,404	
M	DGS	I245	E4060	Equipment Repairs	7,468	
M	DGS	GG01	E4090	Fees for Services Non-Employees	12,743	
					Total:	282,118

Increase Est. Revenue Acct:

M	DGS	GG01	R4099	Federal Aid General Gov't	12,743	
M	DGS	2100	R5889	Appropriated Fund Balance	249,373	
					Total:	262,116

Introduced by:

Referral No. 9473

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

**RESOLUTION NO. 160 OF 2012
 TRANSFER OF FUNDS \$36,375 FROM THE COUNTY'S 2012 BUDGET
 PRESENTLY ALLOCATED FOR HOGAR, INC. (CONTRACT AGENCY)
 FOR HOUSING COUNSELING TO THE ROCKLAND HOUSING ACTION COALITION
 (CONTRACT AGENCY) TO PROVIDE HOUSING COUNSELING**

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

WHEREAS, HOGAR, INC., a non-profit contract agency was allocated \$36,375 in the Rockland County 2012 Budget, however, HOGAR, INC., is no longer in existence; and

WHEREAS, the Rockland Housing Action Coalition is overwhelmed with work since there are no other affordable housing agencies in the county that provides counseling on homebuyer, credit, mortgage, foreclosure, etc.; and

WHEREAS, the Rockland Housing Action Coalition is requesting that their agency receive the funds allocated for HOGAR in the Rockland County 2012 Budget, to assist its agency in providing services to residents of Rockland County, who had previously received assistance from HOGAR, Inc.; 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 transferring of the \$36,375 presently allocated to HOGAR INC., to the Rockland Housing Action Coalition; to assist its agency in providing services to residents of Rockland County, who had previously received assistance from HOGAR, Inc. 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

Increase Approp. Acct. (Credit):

A-CA-8030-5010	Rockland Housing Action Coalition	\$36,375
----------------	-----------------------------------	----------

Decrease Approp. Acct. (Debit):

A-CA-6318-5010	HOGAR, Inc.	\$36,375
----------------	-------------	----------

Debate:

Mr. Hood, Jr.

I guess it is unfortunate that HOGAR has gone out of business, because they did provide some good services to the Village of Haverstraw and the surrounding area for the people that needed counseling in different areas, not just housing. I am glad that you put this on and transferred the money over to Gerri Levy's agency. I believe we talked about that a while ago. She does a wonderful job. I was wondering if there is a possibility of a caveat or can she be urged to do something in Haverstraw now that HOGAR is closed either with this money or in general? I wonder if that is something we can do?

Chairwoman Cornell

I believe that the Rockland Housing Action Coalition is pleased and preparing to do that. I know that because of the fact that HOGAR is no longer able to provide these services that the Rockland Housing Action Coalition is actually the only agency in the County providing that range of counseling services for homebuyer credit, mortgages and foreclosures and more. So I can certainly contact them by mail and let them know that we would like them very much to look at that situation.

Mr. Hood, Jr.

I know it might cost probably more than this to do, but I would like to see a little office opened in Haverstraw possibly with someone that speaks Spanish to answer the phone for certain questions.

Chairwoman Cornell

I think that we could certainly invite Gerri Levy, Executive Director, to come to a committee meeting to talk about that.

Introduced by:

Referral No. 9473

- Hon. Edwin J. Day, Sponsor
- Hon. Christopher J. Carey, Sponsor
- Hon. Ilan S. Schoenberger, 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. Alden H. Wolfe, Co-Sponsor

**RESOLUTION NO. 161 OF 2012
 APPROPRIATING THE SUM OF \$1500 TO
 AMERICAN LEGION WILLIAM E. DEBEVOISE POST 1682
 NEW CITY, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2012**

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

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

WHEREAS, the American Legion William E. DeBevoise Post 1682, New City, New York, is contracting with the County of Rockland to conduct patriotic observances in 2012, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

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

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of \$1,500, for providing patriotic observance events in Rockland County in calendar year 2012; and be it further

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

GENERAL FUND

<u>Increase Approp. Acct.:</u>		
A-CA-7582-5010	American Legion William E. DeBevoise, Jr. Post 1682 65 American Legion Way New City, NY 10956	\$1,500.
<u>Decrease Approp. Acct.:</u>		
A-LEG-1010-5042	Patriotic Observances	\$1,500.

Introduced by:

Referral No. 9473

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

**RESOLUTION NO. 162 OF 2012
 APPROPRIATING THE SUM OF \$1500 TO LEO LADERS AMERICAN
 LEGION POST 130, THIELLS, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2012**

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

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

WHEREAS, the Leo Laders American Legion Post 130, Thiells, New York is contracting with the County of Rockland to conduct patriotic observances in 2012, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

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

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of \$1,500 for providing patriotic observance events in Rockland County in calendar year 2012; and be it further

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

GENERAL FUND

<u>Increase Approp. Acct.:</u>		
A-CA-7581-5010	Leo Laders Post 130 P.O. Box 500 West Haverstraw, NY 10993	\$1,500
<u>Decrease Approp. Acct.:</u>		
A-LEG-1010-5042	Patriotic Observances	\$,1500

Introduced by:

Referral No. 8862

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

**RESOLUTION NO. 163 OF 2012
APPROVING PURCHASES IN EXCESS OF \$100,000
FROM UNIVAR USA INC.
FOR THE PURCHASE OF INSECTICIDE FOR MOSQUITO CONTROL
UNDER RFB-RC-2011-006
IN THE ADDITIONAL AMOUNT OF \$65,000
FOR THE PERIOD FEBRUARY 9, 2012 THROUGH FEBRUARY 8, 2013
AND IN A TOTAL AMOUNT NOT TO EXCEED \$137,414
FOR THE FULL PERIOD FROM FEBRUARY 9, 2011 THROUGH FEBRUARY 8, 2013
WITH ONE (1) REMAINING ONE (1) YEAR OPTION
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$137,414)**

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

WHEREAS, The Director of Purchasing advertised for bids for insecticides for mosquito control for the Health Department under RFB-RC-2011-006 (the "RFB") for the period of one (1) year from the date of the award with the option to renew for two (2) additional one (1) year terms; and

WHEREAS, Fifteen (15) vendors were notified of the RFB, and two (2) vendors responded; and

WHEREAS, The Purchasing Department determined that UNIVAR USA Inc. ("UNIVAR"), 8 Valley Place, New Rochelle, New York, was the lowest responsible bidder, and it awarded the contract to UNIVAR under the RFB for the period February 9, 2011 through February 8, 2012; and

WHEREAS, To date, \$72,414 has been spent under the RFB, and it is anticipated that an additional \$65,000 will be spent during the year 2012; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the additional purchases in excess of \$100,000 from UNIVAR for the purchase of insecticides for mosquito control for the Health Department under the RFB in the additional amount of \$65,000 for the period February 9, 2012 through February 8, 2013, and in a total amount not to exceed \$137,414 for the full period from February 9, 2011 through February 8, 2013, with one (1) remaining one (1) year option; and

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

WHEREAS, Sufficient funding for the additional purchases is provided for in the 2012 Budget of the Health 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 Multi-Services and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the additional purchases in excess of \$100,000 from UNIVAR USA Inc., 8 Valley Place, New Rochelle, New York, for the purchase of insecticides for mosquito control for the Health Department under RFB-RC-2011-006 in the additional amount of \$65,000 for the period February 9, 2012 through February 8, 2013, and in a total amount not to exceed \$137,414 for the full period from February 9, 2011 through February 8, 2013, with one (1) remaining one (1) year option, 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 additional purchases is provided for in the 2012 Budget of the Health Department and is contingent upon 2013 budget appropriations.

Mr. Carey

Just a follow up. I think we talked about the Tiger mosquito and whether this was applicable. Did someone have a take away from that action item?

Chairwoman Cornell

In terms of whether this would be effective on this I don't know whether we have that answer.

Mr. Soskin

I think a memo was sent out from the Multi-Services Committee. If I remember correctly there was something like over 200 or 500 packs that were distributed last year. You should have gotten something in your box.

Chairwoman Cornell

I think the question is whether this is effective on that newly discovered Tiger mosquito. Why don't we find out about that. I think that you probably want to support this anyway.

Mr. Soskin

Madam Chairlady, we have something scheduled with the Health Department. They will be coming to the next Multi-Services Committee meeting to discuss these items and to also tell us how it will apply to the new type of mosquito.

The next item on the Agenda, 10 A 11, Referral No. 5614 - Determining That Certain County Owned Real Property Located At 185 North Main Street, Spring Valley, Is No Longer Necessary For Public Use And Authorizing The Sale Of Said Real Property By Public Advertisement Or Private Sale To A Municipality, Whichever Is Higher Sale Price. [Department Of Budget & Finance], was pulled.

Debate:

Mr. Schoenberger

I just want to clarify for the record that when this item came to the committees last week, Planning and Public Works and Budget and Finance, it was only authorizing the sale of the real property at public advertisement to a private sale. I had received a call earlier that day from the Mayor of the Village of Spring Valley who had expressed an interest in this property. She told me she had written a letter to the County Executive and to Mr. Noto, Director of Real Property, to express her interest some time ago, months ago she said she wrote the letter. I asked her to send me a letter, which she faxed over immediately, and that night we brought it up in committee. We had a discussion as to whether we should be selling it privately or selling it to another municipality. I think the position of the committee, which is reflected in this resolution, is that we are not the State of New York and we are not going to give it away to a municipality for \$1.00 like the State sometimes does. As long as we got the highest and best price we were willing to sell it to another municipality. If we didn't get the highest and best price we would then sell it privately. The change in the language in this resolution was designed to open up the process to not just private bidders, but public municipalities as well.

Mr. Meyers

One of the things that Legislator Schoenberger mentioned was a question that I had. Did this come before the Planning and Public Works Committee? Was it on the agenda last week?

Chairwoman Cornell

Yes.

Mr. Meyers

To my knowledge I have not seen any kind of County Facilities Management analysis of the properties that the County owns, the uses that those properties are being put to and whether or not we need those properties and how to consolidate the uses that we have into various facilities. This resolution has us declaring this as surplus property and it is a declaration, but I have not seen any analysis that would lead us to be able to make that conclusory statement that this is surplus and that the County has no need for it. I know that the functions being run out of there are a Senior Citizen Center and I think BOCES is renting space. There are certainly other locations where the County is renting space in the capacity as a tenant.

How much rent are we paying in those places? Where is the analysis of whether we could save money by switching the renting of space to housing it in this building? Where is the analysis of the rent that we are getting in this building? How much would we be losing verses how much this property could yield in a sale? I don't see any analysis.

I know that the County Executive has identified this property as a property that he would like to sell for a one-shot budget infusion, but where is the analysis that backs up this proposal that allows us to draw the conclusion that it is surplus property. Is there any answer to that? It wasn't a hypothetical question.

Mr. Schoenberger

I have not seen any analysis in writing or detail as you are requesting, Legislator Meyers. I don't even know if it exists, but I do know that when the County Executive sent over the budget in October 2011 for 2012 he indicated that he wanted to start a deficit reduction fund and targeted \$5,000,000 for that fund to come about by the sale of two properties. This was one of them and the other is the Bank of New York building at the corner of Main Street and New Hempstead Road. Now I assume you have read the resolution, because I know you read these things carefully, and you know that the County acquired this property from the East Ramapo School District in 1977 and it was to be used exclusively for Rockland Community College. Apparently there was a Reverter right to East Ramapo or it wasn't even a Reverter right is an option to repurchase. According to the resolution it expired in about 1990. It is my understanding that the College is no longer using that property. Others might, and there might be tenants there, but I have not seen an actual analysis of the kind of things that you are asking.

We do have and had on the last couple of Legislative meetings rental agreements for other properties to be used by the Sheriff and the other to be used by the DA. Those were for units that needed confidentiality and therefore the addresses themselves are not exactly disclosed. The landlord may have been, but the addresses were not. I don't know if this property would be appropriate for something like an undercover unit of Sheriff's Department or the DA's Office if it is a County building or in a facility that everybody knows is a County building.

I have not seen a written analysis. I went along with this, because it was proposed in the budget and the County Executive recently, I believe, cautioned the public and all of us that the \$5,000,000 he intended to use for a deficit reduction fund may not be able to be used for a deficit reduction fund, because it may have to go for operational expenses if we don't get the deficit bond.

At this point we can declare it surplus. We can then put it out to bid and ultimately before anything finally happens it has to come back to us for approval. Have I seen an actual analysis that says it is surplus and here are the reasons for it? No, I have not.

Mr. Meyers

Thank you Legislator Schoenberger. That is exactly the reason why I don't think we should declare this as surplus until the County Executive provides us with that analysis, perhaps before the next meeting. There are a good many things in the County Executive's budget. He suggested the closure of the hospital, which was illegal and couldn't even logistically or legally be done. Things that are contained within the County Executive's budget we certainly cannot assume based on history that they have been done with analysis and forethought especially when we haven't even seen the analysis. I, as a real estate person, would like to see the analysis. I would like to see the analysis relating to this particular piece of property and I would like to see an analysis relating to all their facilities, which shouldn't take them long to do, because I am sure he has done the analysis if he knows that this is a property that is not cost-effective for the County to have and the County does not need. In the last twelve months we have passed other resolutions for the leasing of property by the Health Department and for a clinic for chemical dependency.

I would like to see where we are leasing to others and where we are leasing from others to see how much money we would need to yield for this property for it to actually yield an annual cost savings to us in terms of net rentals that we could gain or programs that we could shift over to his location. Can you really do this without that analysis? It is not just an attempt to throw a wrench in the works it is just decent good government at its most basic level. I just don't see how this body could declare this surplus when we have no idea whether it is surplus or not. It just doesn't make any sense.

Mr. Day

I just want to say, as a matter of fact, I agree with the notion that is being brought forward here. I think that if we do in fact have surplus property and we can sell it and provide some relief to the crisis the County is in right now that makes a lot of sense. We do pay rent for our Veteran's on Squadron Boulevard. We have employees at another building we will be contemplating declaring as surplus at some point.

What I will say is that in my time as a Civic Association President, going to Town Board meetings and watching the development in the central part of New City and how it coalesced with the County's plans at that time I really was not comfortable with a lot of things that I saw or heard as it related to the planning of space and what buildings would be where. That conversation came up only a couple of years ago with the matter of the streetscapes of New City and the issue of where the roads would go. Will it go north of the Bank building to create a longer jog between Congers Road and New Hempstead Road, which alleviate traffic issues?

I would like to think there has been a planning of this projected space requirements. I am a bit troubled there is nothing here. Truly the planning of it is not within our domain, but as a Legislative body we are a check and balance to this. I think it is important that we see at least something that shows some documented forethought and plan as to where we are going. That is the way I feel.

I am going to move to table this and just have that information conveyed to our body so we have a better sense of exactly where this is all going to be going. I am going to make a motion to table this. I will withdraw it if I am informed through the Budget and Finance Committee Chair, the Planning and Public Works Committee Chair or the Chairwoman that this is a critical issue time wise. I offer this motion with an understanding that I agree with the concept, but I am concerned about the lack of information that is behind it.

Chairwoman Cornell

I don't think a motion will be necessary, because I believe the Chair of Budget and Finance Committee was prepared to remove it from tonight's agenda.

Mr. Schoenberger

I asked to speak when Legislator Meyers was finished. I was going to pull this as the Chair of the committee, but the Chair told me I had to wait, because you were next on the list.

Mr. Day

I withdraw my motion.

Mr. Schoenberger

The resolution says that it had been considered and approved by the Budget and Finance Committee. It doesn't say by both Planning and Public Works and Budget and Finance. It did not go to the Planning and Public Works Committee.

I think the points made are valid points. I have no problem with a Legislator's request for information and putting this matter on as Unfinished Business on another meeting. Hopefully before the next meeting in two weeks from tonight the County Executive's office can supply documentation to the Legislators who requested it and we can get clear answers and go forward one way or the other. With that in mind I will defer to the body's request and I will pull this matter from the agenda tonight.

Mr. Meyers

Thank you Legislator Schoenberger. Can I also ask that this go to the Planning and Public Works Committee, because it does belong in that committee, and at their next meeting they can consider whatever documentations the County Executive's wants to give. Also, the Budget and Finance Committee can consider it at their meeting also before our next full Legislative meeting.

Mr. Schoenberger

What referrals go to what committee is within the exclusive province of the Clerk to the Legislature. Once again, I have no problem with it going to any committee you want. I have no problem with it not even coming back to Budget and Finance since we already approved it once and if you want more input from Planning and Public Works I have not problem with that either.

Mr. Meyers

I am not determining which committee it goes to, but clearly it is not just a monetary item. It is a Government Operations item or a something else item, but not just a monetary item.

Mr. Schoenberger

I defer to Legislator Grant if he would like to entertain it.

Chairwoman Cornell

I think the main thing is to determine if there is an analysis. I am happy to send a memo to the County Executive and the General Services folks and try to get the document. We can figure out what is going to happen after that.

Introduced by:

Referral No. 4249

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

**RESOLUTION NO. 164 OF 2012
APPROVING ADDENDUM TO LEASE AGREEMENT
BETWEEN DEPAULIS ENTERPRISES III, LTD. AND
THE COUNTY OF ROCKLAND FOR PREMISES IN CONGERS, NEW YORK
CONSISTING OF MULTIPLE UNITS AT THE ANNUAL RENT OF \$85,532.64,
FOR TOTAL RENT OF \$85,532.64 FOR THE ADDITIONAL PERIOD
FROM JANUARY 1, 2012 THROUGH JUNE 30, 2012 ON A MONTH TO
MONTH BASIS AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[DISTRICT ATTORNEY'S OFFICE]
(\$85,532.64)**

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

WHEREAS, The District Attorney is requesting that the County approve the addendum to the lease agreement with DePaulis Enterprises III, Ltd., 39 Murray Drive, Chester, New York 10918, for premises in Congers, New York, consisting of multiple units for use by the District Attorney's Office, period from January 1, 2012 through June 30, 2012 on a month to month basis at the monthly rental of \$14,255.44 for a total amount not to exceed \$85,532.64; and

WHEREAS, During the term of the lease, the owner or owner's agent shall have the right to enter the premises at reasonable hours upon twenty-four (24) hours' notice for the purpose of showing the premises to prospective tenants; and at no time shall the owner or owner's agent have access to the "Wire Room" of the demised premises without the written consent of the tenant; tenant shall have the right to withhold consent at its sole discretion; and

WHEREAS, Sufficient funding for this agreement exists in the 2012 Operating Budget of the District Attorney's Office; 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 addendum to the lease agreement with DePaulis Enterprises III, Ltd., 39 Murray Drive, Chester, New York 10918, for premises in Congers, New York, consisting of multiple units for use by the District Attorney's Office, period from January 1, 2012 through June 30, 2012 on a month to month basis at the monthly rental of \$14,255.44, for a total amount not to exceed \$85,532.64, 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 agreement exists in the 2012 Operating Budget of the District Attorney's Office.

Introduced by:

Referral No. 5327

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

**RESOLUTION NO. 165 OF 2012
 APPROVING AMENDMENT AND EXTENSION
 TO AGREEMENT IN EXCESS OF \$100,000 WITH
 EAGLE PROFESSIONAL SERVICES CORP.
 IN THE ADDITIONAL AMOUNT OF \$42,331 FOR
 A TOTAL CONTRACT SUM NOT TO EXCEED \$134,049
 FOR CONSULTANT SERVICES AS DIRECTOR OF THE POLICE ACADEMY AT
 THE ROCKLAND COUNTY POLICE & PUBLIC SAFETY ACADEMY
 UNDER RFP-RC-2010-23 FOR THE PERIOD
 FROM JANUARY 1, 2012 THROUGH JUNE 15, 2012
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [SHERIFF'S DEPARTMENT]
 (\$134,049)**

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

WHEREAS, The Director of Purchasing let bids for services at the Rockland County Police and Public Safety Academy under RFP-RC-2010-23 for management, training and consultant services; and

WHEREAS, The award for Director of the Police Academy was made to Eagle Professional Services Corp., 805 Sherman Avenue, Thornwood, New York, 10594; and

WHEREAS, The County entered into an agreement with Eagle Professional Services Corp., 805 Sherman Avenue, Thornwood, New York, 10594, for said services, on February 17, 2011 in an amount not to exceed \$91,718, for the period from January 1, 2011 through December 31, 2011; and

WHEREAS, The Sheriff recommends that the County enter into an amendment and extension to the agreement with Eagle Professional Services Corp., 805 Sherman Avenue, Thornwood, New York, 10594, for the extended period from January 1, 2012 through June 15, 2012, in an additional amount of \$42,331, for a total contract sum not to exceed \$134,049, for Director of Police Academy services at the Rockland County Police and Public Safety Academy; and

WHEREAS, Sufficient funding for this agreement exists within the 2012 budget of the Sheriff's Department 3120-E4090; 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 amendment and extension, in excess of \$100,000 with Eagle Professional Services Corp., 805 Sherman Avenue, Thornwood, New York, 10594, for the period from January 1, 2012 through June 15, 2012, in an additional amount of \$42,331, for a total contract sum not to exceed \$134,049 for Director of Police Academy services at the Rockland County Police and Public Safety, 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 agreement exists in the 2012 Budget of the Sheriff's Department 3120-E4090.

Introduced by:

Referral No. 5327

Hon. Jay Hood, Jr., Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Edwin J. Day, Sponsor
Hon. Aney Paul, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Philip Soskin, Sponsor

**RESOLUTION NO. 166 OF 2012
APPROVING AMENDMENT AND EXTENSION
TO AGREEMENT IN EXCESS OF \$100,000 WITH
PTD SYSTEMS, INC.
IN THE ADDITIONAL AMOUNT OF \$35,408, FOR
A TOTAL CONTRACT SUM NOT TO EXCEED \$112,126
FOR USE OF FORCE COORDINATOR SERVICES AT
THE ROCKLAND COUNTY POLICE & PUBLIC SAFETY ACADEMY
UNDER RFP-RC-2010-23
FOR THE PERIOD FROM JANUARY 1, 2012 THROUGH JUNE 15, 2012
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[SHERIFF'S DEPARTMENT]
(\$112,126)**

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

WHEREAS, The Director of Purchasing let bids for services at the Rockland County Police and Public Safety Academy under RFP-RC-2012-23 for management, training and consultant services; and

WHEREAS, The award for Use of Force Coordinator was made to PTD Systems, Inc., 2 Edgebrook Lane, Monsey, New York 10952; and

WHEREAS, The County entered into an agreement with PTD Systems, Inc., 2 Edgebrook Lane, Monsey, New York 10952, for said services, on February 14, 2011 in an amount not to exceed \$76,718, for the period from January 1, 2011 through December 31, 2011; and

WHEREAS, The Sheriff recommends that the County enter into an amendment and extension to the agreement with PTD Systems, Inc., 2 Edgebrook Lane, Monsey, New York 10952, for the period from January 1, 2012 through June 15, 2012, in an additional amount of \$35,408, for a total contract sum not to exceed \$112,126, for Use of Force Coordinator services at the Rockland County Police and Public Safety Academy; and

WHEREAS, Sufficient funding for this agreement exists within the 2012 budget of the Sheriff's Department 3120-E4090; 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 amendment and extension to the agreement, in excess of \$100,000 with PTD Systems, Inc., 2 Edgebrook Lane, Monsey, New York 10952, for the period from January 1, 2012 through June 15, 2012, in an additional amount of \$35,408, for a total contract sum not to exceed \$112,126, for Use of Force Coordinator services at the Rockland County Police and Public Safety Academy, 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 agreement exists in the 2012 Budget of the Sheriff's Department 3120-E4090.

Introduced by:

Referral No. 5327

Hon. Jay Hood, Jr., Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Edwin J. Day, Sponsor
Hon. Aney Paul, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Philip Soskin, Sponsor

**RESOLUTION NO. 167 OF 2012
APPROVING AMENDMENT AND EXTENSION
TO AGREEMENT IN EXCESS OF \$100,000 WITH
STEVEN HEUBECK
IN THE ADDITIONAL AMOUNT OF \$35,030, FOR
A TOTAL CONTRACT SUM NOT TO EXCEED \$110,930
FOR IN-SERVICE AND SPECIALIZED TRAINING COORDINATOR AT
THE ROCKLAND COUNTY POLICE & PUBLIC SAFETY ACADEMY
UNDER RFP-RC-2010-23
FOR THE PERIOD FROM JANUARY 1, 2012 THROUGH JUNE 15, 2012
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[SHERIFF'S DEPARTMENT]
(\$110,930)**

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

WHEREAS, The Director of Purchasing let bids for services at the Rockland County Police and Public Safety Academy under RFP-RC-2012-23 for management, training and consultant services; and

WHEREAS, The award for In-Service and Specialized Training Coordinator was made to Steven Heubeck, 185 Old Kings Highway North, Darien, CT 06820; and

WHEREAS, The County entered into an agreement with Steven Heubeck, 185 Old Kings Highway North, Darien, CT 06820, for said services, on February 16, 2011 in an amount not to exceed \$75,900, for the period from January 1, 2011 through December 31, 2011; and

WHEREAS, The Sheriff recommends that the County enter into an amendment and extension to the agreement with Steven Heubeck, 185 Old Kings Highway North, Darien, CT 06820, for the period from January 1, 2012 through June 15, 2012, in an additional amount of \$35,030, for a total contract sum not to exceed \$110,930 for In-Service and Specialized Training Coordinator at the Rockland County Police and Public Safety Academy; and

WHEREAS, Sufficient funding for this agreement exists within the 2012 budget of the Sheriff's Department 3120-E4090; 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 amendment and extension to the agreement, in excess of \$100,000 Steven Heubeck, 185 Old Kings Highway North, Darien, CT 06820, for the period from January 1, 2012 through June 15, 2012, in an additional amount of \$35,030, for a total contract sum not to exceed \$110,930, for In-Service Specialized Training Coordinator at the Rockland County Police and Public Safety Academy, 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 agreement exists in the 2012 Budget of the Sheriff's Department 3120-E4090.

Introduced by:

Referral No. 9067

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

**RESOLUTION NO. 168 OF 2012
APPROVAL OF A ONE (1) YEAR RENEWAL TO LEASE AGREEMENT
WITH SCENIC DEVELOPMENT, LLC
IN AN ADDITIONAL AMOUNT OF \$36,000 BASE RENT
FOR THE PERIOD FROM JANUARY 1, 2012 THROUGH DECEMBER 31, 2012
FOR A TOTAL LEASE AMOUNT NOT TO EXCEED \$144,000
FOR APPROXIMATELY 22 ACRES OF LAND
LOCATED OFF ROUTE 202, SUFFERN, FOR THE
SHERIFF'S HORSES AND AUTHORIZING ITS
EXECUTION BY THE COUNTY EXECUTIVE
[SHERIFF'S DEPARTMENT]
(\$144,000)**

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

WHEREAS, Scenic Development, LLC is the owner of property known as Hasty Hills Stables which consists of approximately 22 acres of land and the Sheriff's Department would need to use only so much of the premises which includes the barn, corrals, office trailer, house trailer, and two (2) cargo trailers which are located off Route 202, Suffern; and

WHEREAS, The Rockland County Sheriff has advised the County Executive and the Rockland County Legislature that his department needs to extend the lease of property for the horses and related equipment used by the department; and

WHEREAS, By Resolution 203 of 2008, the Legislature of Rockland County approved the execution of the original lease of this property was approved for a lease term of January 1, 2008 through December 31, 2008 at a rate of \$3,000 per month for a total lease amount not to exceed \$36,000; and

WHEREAS, This original lease was entered on June 9, 2008 for the term of January 1, 2008 through December 31, 2008; and

WHEREAS, By Resolution 248 of 2009, the Legislature of Rockland County approved the execution extending of the lease at a rate of \$3,000 per month for a total annual rent sum of \$36,000, for a total lease amount not to exceed \$72,000; and

WHEREAS, A lease extension was entered into on June 11, 2009, extending the lease through December 31, 2010 at a rate of \$3,000 per month for total annual rent sum of \$36,000, for a total lease amount not to exceed \$72,000; and

WHEREAS, By Resolution 304 of 2011, the Legislature of Rockland County approved the further extension of the lease through December 31, 2011 at a rate of \$3,000 per month for a total annual rent sum of \$36,000, for a total lease amount not to exceed \$108,000; and

WHEREAS, A lease extension was entered into on June 17, 2011 through December 31, 2011 at a rate of \$3,000 per month for a total annual rent sum of \$36,000, for a total lease amount not to exceed \$108,000; and

WHEREAS, The Sheriff recommends entering into a renewal of the lease agreement for a period of one (1) year, from January 1, 2012 through December 31, 2012, for the space at the rate of \$3,000 per month a total annual rent sum \$36,000, for a total lease amount not to exceed \$144,000; and

WHEREAS, The Real Property Tax Officer has advised that the rental rate for this lease is reasonable in comparison to market rental rates and represents no increase over last year's lease; and

WHEREAS, Sufficient funds exist for the lease in the 2012 Budget of the Rockland County Sheriff's Department; 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 approves the renewal of a one (1) year lease agreement from January 1, 2012 through December 31, 2012, with Scenic Development, LLC, at the rate of \$3,000 per month for a total annual rent sum \$36,000, for a total lease amount not to exceed \$144,000, for the premises which includes the barn, corrals, office trailer, house trailer, and two (2) cargo trailers which are located off Route 202, Suffern; and authorizes the County Executive to execute the renewal of the lease agreement and all other documents necessary to effectuate the renewal of the lease, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funds exist for this lease in the 2012 Budget of the Rockland County Sheriff's Department.

Introduced by:

Referral No. 9019

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

**RESOLUTION NO. 169 OF 2012
 RATIFYING THE SECOND AGREEMENT IN EXCESS OF \$100,000
 DATED MARCH 17, 2011 WITH THE CHILDREN'S VILLAGE, INC.
 IN CONNECTION WITH THE COUNTY'S PROJECT TURNING POINT PROGRAM
 UNDER RFP-RC-09-018 IN AN AMOUNT NOT TO EXCEED \$162,000 FOR
 THE PERIOD FROM SEPTEMBER 30, 2010 THROUGH SEPTEMBER 29, 2011,
 AMENDING RESOLUTION NO. 578 OF 2011 SO AS TO INDICATE THAT
 \$18,000 OF THE \$180,000 FEDERAL BASIC CENTER PROGRAM GRANT WOULD
 BE USED TO COVER THE YOUTH BUREAU'S GRANT ADMINISTRATION COSTS
 AND INCREASING THE NOT TO EXCEED AMOUNTS STATED IN
 RESOLUTION NOS. 610 OF 2010, 578 OF 2011 AND 579 OF 2011
 [YOUTH BUREAU]
 (\$540,000 (GRANT AWARD); \$504,000 (CONTRACT AMOUNT))**

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

WHEREAS, By Resolution No. 259 of 2010, the Legislature of Rockland County approved the acceptance of a federal Basic Center Program Grant from the U.S. Department of Health & Human Services (HHS) for the County's Project Turning Point program, which provides temporary emergency shelter for and counseling to runaway and homeless youth ages 14-18 and is operated by The Children's Village, Inc. ("Children's Village"), Echo Hills, Dobbs Ferry, New York 10522, under RFP-RC-09-018 (the "RFP"), in an amount not to exceed \$180,000 for the period from September 30, 2009 through September 29, 2012, and authorized the County Executive to execute all necessary grant documents, subject to the approval of the County Attorney; and

WHEREAS, By Resolution No. 387 of 2010, the Legislature of Rockland County approved the execution of the agreement in excess of \$100,000 with Children's Village in an amount not to exceed \$180,000 for the period from September 30, 2009 through September 29, 2010; and

WHEREAS, On July 23, 2010, an agreement with Children's Village in an amount not to exceed \$180,000 for the period from September 30, 2009 through September 29, 2010 was fully executed; and

WHEREAS, By Resolution No. 610 of 2010, the Legislature of Rockland County approved the acceptance of a second federal Basic Center Program Grant from HHS for the County's Project Turning Point program, which is operated by Children's Village under the RFP, in an amount not to exceed \$180,000 for the period from September 30, 2010 through September 29, 2011, of which \$18,000 would be used to cover various already appropriated Youth Bureau costs that would be incurred in the administering/overseeing of the grant, and authorized the County Executive to execute all necessary grant documents, subject to the approval of the County Attorney, and it clarified that Resolution No. 259 of 2010 should have stated that that the grant award was for the period from September 30, 2009 through September 29, 2010 (not 2012); and

WHEREAS, That resolution also should have stated that the total not to exceed amount of the two (2) federal Basic Center Program Grants from HHS for the County's Project Turning Point program increased to \$360,000 for the full period from September 30, 2009 through September 30, 2011; and

WHEREAS, By that same resolution, the Youth Bureau indicated that it would be submitting a separate resolution requesting that the Legislature authorize the County Executive to execute the second agreement in an amount not to exceed \$162,000 with Children's Village; and

WHEREAS, That separate resolution inadvertently was not submitted; and

WHEREAS, On March 17, 2011, a second agreement with Children's Village in an amount not to exceed \$162,000 for the period from September 30, 2010 through September 29, 2011 was fully executed, resulting in a total contract amount not to exceed \$342,000 for the full period from September 30, 2009 through September 30, 2011; and

WHEREAS, By Resolution No. 578 of 2011, the Legislature of Rockland County approved the acceptance of a third federal Basic Center Program Grant from HHS for the County's Project Turning Point program, which is operated by Children's Village under the RFP, in an amount not to exceed \$180,000 for the period from September 30, 2011 through September 29, 2012, and authorized the County Executive to execute all necessary grant documents, subject to the approval of the County Attorney; and

WHEREAS, That resolution should have stated that \$18,000 of the \$180,000 federal Basic Center Program Grant from HHS would be used to cover the Youth Bureau's grant administration costs; and

WHEREAS, That resolution also should have stated that the total not to exceed amount of the three (3) federal Basic Center Program Grants from HHS for the County's Project Turning Point program increased to \$540,000 for the full period from September 30, 2009 through September 30, 2012; and

WHEREAS, By Resolution No. 579 of 2011, the Legislature of Rockland County approved the execution of an extension of and amendment to the second agreement dated March 17, 2011, extending the term of the agreement from September 30, 2011 through September 29, 2012 and increasing the contract amount by \$162,000; and

WHEREAS, That resolution also should have stated that the total not to exceed amount of the two (2) agreements and the one (1) extension/amendment with Children's Village would be increased to \$504,000 for the full period from September 30, 2009 through September 29, 2012; and

WHEREAS, That contract extension/amendment, extending the term of the second agreement dated March 17, 2011 from September 30, 2011 through September 29, 2012 and increasing the contract amount by \$162,000, has not yet been executed; and

WHEREAS, By this resolution, the Youth Bureau seeks to ratify the second agreement with Children's Village dated March 17, 2011; amend the not to exceed grant amount stated in Resolution No. 610 of 2010, increasing it from \$180,000 to \$360,000 for the period from September 30, 2009 through September 30, 2011; amend Resolution No. 578 of 2011 so as to (a) indicate that \$18,000 of the \$180,000 federal Basic Center Program Grant from HHS would be used to cover the Youth Bureau's grant administration costs and (b) increase the not to exceed grant amount from \$180,000 to \$540,000 for the full period from September 30, 2009 through September 30, 2012; and amend the not to exceed contract amount stated in Resolution No. 579 of 2011, increasing it from \$162,000 to \$504,000 for the full period from September 30, 2009 through September 29, 2012; and

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

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

RESOLVED, That the Legislature of Rockland County hereby ratifies the second agreement in excess of \$100,000 dated March 17, 2011 with The Children's Village, Inc., Echo Hills, Dobbs Ferry, New York 10522, in connection with the County's Project Turning Point Program under RFP-RC-09-018 in an amount not to exceed \$162,000 for the period from September 30, 2010 through September 29, 2011; hereby amends the not to exceed grant amount stated in Resolution No. 610 of 2010, increasing it from \$180,000 to \$360,000 for the period from September 30, 2009 through September 30, 2011; hereby amends Resolution No. 578 of 2011 so as to (a) indicate that \$18,000 of the \$180,000 federal Basic Center Program Grant from HHS would be used to cover the Youth Bureau's grant administration costs and (b) increase the not to exceed grant amount from \$180,000 to \$540,000 for the full period from September 30, 2009 through September 30, 2012; and hereby amends the not to exceed contract amount stated in Resolution No. 579 of 2011, increasing it from \$162,000 to \$504,000 for the full period from September 30, 2009 through September 29, 2012.

Introduced by:

Referral No. 8894

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

**RESOLUTION NO. 170 OF 2012
ACCEPTANCE OF CONTINUATION GRANT
FROM THE NEW YORK STATE DEPARTMENT OF HEALTH
FOR THE FAMILY HEALTH PLUS AND MEDICAID
FACILITATED ENROLLMENT GRANT PROGRAM
IN THE AMOUNT OF \$200,000
WHICH MAY BE FOLLOWED BY A C.O.L.A. AWARD
THAT IS ESTIMATED TO BE NO MORE THAN 10% OR \$20,000,
MAKING TOTAL GRANT AMOUNT \$220,000
FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012
AND AUTHORIZING EXECUTION OF ALL NECESSARY
DOCUMENTS AND AGREEMENTS BY THE COUNTY EXECUTIVE
[DEPARTMENT OF HEALTH]
(\$220,000)**

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

WHEREAS, The Commissioner of Health has advised the County Executive and the Rockland County Legislature that the department has been awarded grant funds in the amount of \$200,000 for the Family Health Plus and Medicaid Facilitated Enrollment Program, for the period January 1, 2012 through December 31, 2012; and

WHEREAS, As in the past, this grant may be followed by a COLA award that is estimated to be no more than 10% or \$20,000, making the grant in the total amount of \$220,000; and

WHEREAS, Said grant and COLA funds in the amount of \$186,995 were already appropriated in Dept. 4049 of the 2012 Adopted Budget and it is therefore necessary to appropriate the additional amount of \$33,005; and

WHEREAS, The 2012 Adopted Budget reflects a local share in the amount of \$15,230; and

WHEREAS, Local Law No. 18 of 1996 provides that 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 of continuation grant funds in the amount of \$200,000 from the New York State Department of Health for the Family Health Plus and Medicaid Facilitated Enrollment Program which may be followed by a C.O.L.A. award that is estimated to be no more than 10% or \$20,000, making the grant in the total amount of \$220,000 for the period January 1, 2012 through December 31, 2012 and authorizes the execution by the County Executive of all necessary documents and agreements, subject to the approval of the County Attorney; and be it further

RESOLVED, That the 2012 Adopted Budget reflects a local share in the amount of \$15,230; 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. 5614/8111

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

**RESOLUTION NO. 171 OF 2012
CORRECTION OF 2010 TAX ROLLS
TOWN OF RAMAPO
Y NOT 5 LLC C/O BECKMAN APPRAISALS
PROPERTY ID# 68.9-2-10
655 PASCACK ROAD
SPRING VALLEY, NEW YORK
[DEPARTMENT OF FINANCE]**

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

WHEREAS, An application for the correction of the tax rolls for the 2010 Town and County Real Property Taxes levied against property located in the Town of Ramapo, as indicated on the annexed Schedule "A", has been filed by Y Not 5 LLC c/o Beckman Appraisals with the Real Property Tax Service Officer, pursuant to §550 of the Real Property Tax Law; and

WHEREAS, This parcel was charged for the wrong fire district in error creating an Unlawful Entry. The erroneous district is to be removed from the tax roll and the correct district will be charged on the next tax roll as an omitted tax; and

WHEREAS, This created a clerical error as defined in Real Property Tax Law Section 550(7)(b); and

WHEREAS, The tax amount of \$27,456.09 on the 2010 Town and County tax roll should be corrected to read \$23,888.10 and a refund be issued in the amount of \$3,567.99; and

WHEREAS, The correction is over \$1,000.00 and requires Legislative approval; and

WHEREAS, The Real Property Tax Service Officer has investigated the application in accordance with the requirements of Section 550 of the Real Property Tax Law; and

WHEREAS, The Real Property Tax Service Officer has recommended approval of said application; 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 Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2010 Town and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll and issue a new tax bill accordingly.

**SCHEDULE A
TOWN OF RAMAPO**

OWNER: Y Not 5 LLC

CORRECTION: THE APPLICATION IS REQUESTING THE TAX AMOUNT OF \$27,456.09 ON THE 2010 TOWN/COUNTY TAX ROLL BE CORRECTED TO READ \$23,888.10 AND A REFUND BE ISSUED IN THE AMOUNT OF \$3,567.99.

REASON: THE PARCEL WAS CHARGED FOR THE WRONG FIRE DISTRICT IN ERROR CREATING AN UNLAWFUL ENTRY. THE ERRONEOUS DISTRICT IS TO BE REMOVED FROM THE TAX ROLL AND THE CORRECT DISTRICT WILL BE CHARGED ON THE NEXT TAX ROLL AS AN OMITTED TAX.

Introduced by:

Referral No. 5614/8111

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

**RESOLUTION NO. 172 OF 2012
CORRECTION OF 2011 TAX ROLLS
TOWN OF RAMAPO
Y NOT 5 LLC C/O BECKMAN APPRAISALS
PROPERTY ID# 68.9-2-10
655 PASCACK ROAD
SPRING VALLEY, NEW YORK
[DEPARTMENT OF FINANCE]**

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

WHEREAS, An application for the correction of the tax rolls for the 2011 Town and County Real Property Taxes levied against property located in the Town of Ramapo, as indicated on the annexed Schedule "A", has been filed by Y Not 5 LLC c/o Beckman Appraisals with the Real Property Tax Service Officer, pursuant to §550 of the Real Property Tax Law; and

WHEREAS, This parcel was charged for the wrong fire district in error creating an Unlawful Entry. The erroneous district is to be removed from the tax roll and the correct district will be charged on the next tax roll as an omitted tax; and

WHEREAS, This created a clerical error as defined in Real Property Tax Law Section 550(7)(b); and

WHEREAS, The tax amount of \$17,912.99 on the 2011 Town and County tax roll should be corrected to read \$13,878.88 and a refund be issued in the amount of \$4,034.11; and

WHEREAS, The correction is over \$1,000.00 and requires Legislative approval; and

WHEREAS, The Real Property Tax Service Officer has investigated the application in accordance with the requirements of Section 550 of the Real Property Tax Law; and

WHEREAS, The Real Property Tax Service Officer has recommended approval of said application; 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 Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2011 Town and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll and issue a new tax bill accordingly.

**SCHEDULE A
TOWN OF RAMAPO**

OWNER: Y Not 5 LLC

CORRECTION: THE APPLICATION IS REQUESTING THE TAX AMOUNT OF \$17,912.99 ON THE 2011 TOWN/COUNTY TAX ROLL BE CORRECTED TO READ \$13,878.88 AND A REFUND BE ISSUED IN THE AMOUNT OF \$4,034.11.

REASON: THE PARCEL WAS CHARGED FOR THE WRONG FIRE DISTRICT IN ERROR CREATING AN UNLAWFUL ENTRY. THE ERRONEOUS DISTRICT IS TO BE REMOVED FROM THE TAX ROLL AND THE CORRECT DISTRICT WILL BE CHARGED ON THE NEXT TAX ROLL AS AN OMITTED TAX.

Introduced by:

Referral No. 5614/8111

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

**RESOLUTION NO. 173 OF 2012
CORRECTION OF 2012 TAX ROLLS
TOWN OF RAMAPO
Y NOT 5 LLC C/O BECKMAN APPRAISALS
PROPERTY ID# 68.9-2-10
655 PASCACK ROAD
SPRING VALLEY, NEW YORK
[DEPARTMENT OF FINANCE]**

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

WHEREAS, An application for the correction of the tax rolls for the 2012 Town and County Real Property Taxes levied against property located in the Town of Ramapo, as indicated on the annexed Schedule "A", has been filed by Y Not 5 LLC c/o Beckman Appraisals with the Real Property Tax Service Officer, pursuant to §550 of the Real Property Tax Law; and

WHEREAS, This parcel was charged for the wrong fire district in error creating an Unlawful Entry. The erroneous district is to be removed from the tax roll and the correct district will be charged on the next tax roll as an omitted tax; and

WHEREAS, This created a clerical error as defined in Real Property Tax Law Section 550(7)(b); and

WHEREAS, The tax amount of \$4,622.20 on the 2012 Town and County tax roll should be corrected to read \$1,178.89 and a new bill be issued; and

WHEREAS, The correction is over \$1,000.00 and requires Legislative approval; and

WHEREAS, The Real Property Tax Service Officer has investigated the application in accordance with the requirements of Section 550 of the Real Property Tax Law; and

WHEREAS, The Real Property Tax Service Officer has recommended approval of said application; 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 Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2012 Town and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll and issue a new tax bill accordingly.

**SCHEDULE A
TOWN OF RAMAPO**

OWNER: Y Not 5 LLC

CORRECTION: THE APPLICATION IS REQUESTING THE TAX AMOUNT OF \$4,622.20 ON THE 2012 TOWN/COUNTY TAX ROLL BE CORRECTED TO READ \$1,178.89 AND A NEW BILL BE ISSUED

REASON: THE PARCEL WAS CHARGED FOR THE WRONG FIRE DISTRICT IN ERROR CREATING AN UNLAWFUL ENTRY. THE ERRONEOUS DISTRICT IS TO BE REMOVED FROM THE TAX ROLL AND THE CORRECT DISTRICT WILL BE CHARGED ON THE NEXT TAX ROLL AS AN OMITTED TAX.

Introduced by:

Referral No. 5614/8111

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

**RESOLUTION NO. 174 OF 2012
CORRECTION OF 2012 TAX ROLLS
TOWN OF STONY POINT
STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
PROPERTY ID# 15.19-4-75
2-10 NORTH LIBERTY DRIVE
STONY POINT, NEW YORK 10980
[DEPARTMENT OF FINANCE]**

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

WHEREAS, An application for the correction of the tax rolls for the 2012 Town and County Real Property Taxes levied against property located in the Town of Stony Point, as indicated on the annexed Schedule "A", has been filed by State of New York, Department of Transportation with the Real Property Tax Service Officer, pursuant to §550 (3) (a) of the Real Property Tax Law; and

WHEREAS, This parcel was vacant and erroneously charged for special district items based on its prior use on the 2012 tax roll creating a clerical error as defined in Real Property Tax Law Section 550(3) (a); and

WHEREAS, The tax amount of \$1,883.33 on the 2012 Town and County tax roll should be corrected to read \$0.00; and

WHEREAS, The correction is over \$1,000.00 and requires Legislative approval; and

WHEREAS, The Real Property Tax Service Officer has investigated the application in accordance with the requirements of Section 550 of the Real Property Tax Law; and

WHEREAS, The Real Property Tax Service Officer has recommended approval of said application; 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 Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2012 Town and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll and issue a new tax bill accordingly.

**SCHEDULE A
TOWN OF STONY POINT**

OWNER: STATE OF NEW YORK

**CORRECTION: THE APPLICATION IS REQUESTING THE TAX
AMOUNT OF \$1,883.33 ON THE 2012 TOWN/COUNTY TAX ROLL BE
CORRECTED TO READ \$0.00**

**REASON: THE PARCEL WAS VACANT AND ERRONEOUSLY
CHARGED FOR SPECIAL DISTRICT ITEMS BASED ON ITS PRIOR
USE**

The next item on the Agenda, 10 A 18, 5574 - Requesting That The New York State Assembly Pass Bill A.8669 And The New York State Senate Pass Bill S.6561-An Act To Amend The Executive Law In Relation To Authorizing The Adoption Of A Local Law Requiring Certain Individuals Currently Serving Or Who Shall Be Sentenced To A Period Of Probation Upon Conviction Of Any Crime To Pay The Local Probation Department With The Responsibility Of Supervising The Probationer An Administrative Fee Of Up To Twenty Dollars Per Month, was pulled.

Debate:

Chairwoman Cornell

Late this afternoon I received a call from Wilber Aldridge on behalf of the NAACP. He had read about this bill. He was not aware that it was coming up tonight and he had an appointment in the City, I believe, so he couldn't be here, and neither could Francis Pratt. I would appreciate it if we could hold off on voting on this until there is an opportunity for people from the NAACP to come in and express their viewpoint on this particular bill.

Mr. Schoenberger

Certainly at your request I would be glad to pull this from the agenda tonight. So we all understand, this is not our bill. This is a New York State Senate bill and Assembly bill. This is just a resolution actually memorializing them to pass the bill. I don't think they are sitting there, as Legislator Meyers has heard me say many times, on pins and needles waiting for our resolution to decide whether they are going to pass this or not. I will be glad to pull it from the agenda tonight.

Mr. Earl

I am glad that this is pulled. I never felt comfortable with it. I think we need to hear from the NAACP here. If they are not comfortable with it down here maybe we will be able to do something further up in Albany with it. I am glad this is pulled tonight, thank you.

Mr. Day

I have no problem with more input and I think it is a good thing. I will note that many of us were together at the NAACP breakfast the other morning and we never had a chance to discuss this. It would have been an ideal, relaxed time to do so.

There have been some discussions about this. I will be very clear about what this is. It seems that other things are coming out of this that I just don't quite get. This is a concept that came out of a Summit that was held by our State representatives. It is an issue that was carried by our own Legislator Ken Zebrowski. This is an existing law. As it stands right now there is an allowance for people who drive drunk with their kids in the car. If they are arrested, charged and convicted and sentenced to probation instead of jail time, within this law, they can be charged up to \$30.00 to help defray the cost of their own probation sentence.

The resolution tonight in front of us is very simple. If it is passed in the State by both houses and signed by the Governor all this will do is allow counties to extend that same concept, which again is already in place for one crime, to other people convicted of other crimes, such as burglars, people who commit robberies, people who commit larcenies, and sex offenders. There is no issue at all if they can't pay it. This is simply an existing law. I heard no uproar about this law at committee when it was pointed out that it is already an existing law under the State. Nobody made a proposed resolution to go the Legislature in the State to have this existing law repealed. I find it curious that now it is becoming an issue, because we are trying to extend and apply it to people who commit other serious crimes.

By the way, if this is passed in the State it doesn't automatically allow probation to charge the money. We have to pass a law here locally. I would submit that would be a better time to have this conversation then tonight. If the time comes if it is passed and there are people who have concerns, then that is the time to have the conversation, not now. That is my own feeling.

Know that we spend nearly \$5,000,000 of local taxpayer dollars in order to supervise people who have committed crimes upon our society here in Rockland County. We are simply asking these convicted criminals who are given the break of not being sentenced to jail time to pay a little bit of the freight that comes with having our Probation Officers supervise them. By the way, if this is passed in the State, signed by our Governor and we introduce a law here locally to do the same thing you will double the amount of money presently coming in under Leandra's Law right now. That is taxpayer money. I think the time has come where we should look at those who create the need for an expense, especially when they are committing crimes. I think we should look at them to help out a bit on the societal impact they have had and the cost they have caused to our taxpayers.

I will offer my protest to having this pulled tonight. Clearly I understand that may be within your prevue and regardless I will not debate it further. I would submit though that I find it curious at best that we have this simple memorializing resolution that is being pulled when there is a limited amount of time in the Legislature to even hear this knowing full well that no matter what we do tonight, whether it is passed or not in the State, this is not being implemented, as in order to do so, we need to submit a new local law in any event.

Chairwoman Cornell

I understand, Legislator Day. I don't disagree with anything that you said. In fact, it passed two committees unanimously. Because of the call that I got, it was as a matter of courtesy I was requested that it come back to us in two weeks so that the kinds of things that you have just said can be explained to the folks who were not able and didn't know that it had come up before any committees last week.

Mr. Day

As I said, I do not object to that per say. We had opportunities already.

Chairwoman Cornell

I think you have made your point.

Mr. Day

I would like to have this done rapidly, because there is a time period.

Chairwoman Cornell

Absolutely.

Mr. Meyers – Point of Order

Madam Chair, this has been pulled so why are we still debating it?

Chairwoman Cornell

I know we shouldn't be debating it. I just have been very flexible this evening on several occasions.

Mr. Sparaco

Thank you for letting me speak, Madam Chair. In spite of what this resolution may or may not entail I would just like to say to the victor goes the spoils, but Legislator Day probably put a lot of work into bringing it forward and pushing it through two committees.

Just as a point of personal courtesy I think that a heads up, I understand that you might have gotten the call late, but if something is going to be pulled it didn't seem to be that his opinion even mattered at the moment when it was just pulled. It was between you and Legislator Schoenberger. I understand the procedure, but I am just saying in the future we should give a heads up to somebody that put a lot of work into bringing something forward to this body instead of just out of nowhere just saying too bad we are pulling it tonight. A heads up would have been nice.

Chairwoman Cornell

Absolutely agreed.

Mr. Earl

Just to answer Legislator Sparaco first. Legislator Soskin and myself discussed this and we felt very uncomfortable with it. I think it is on the record. I also spoke with Legislator Day on this and I know he put a lot of work into it. Somehow I feel that if Legislator Soskin and I are not comfortable with it this is going to boomerang back to us and in the long run it is going to make us feel bad about not doing our homework on this. That is why I said what I said tonight. That is why I said what I said before and I think Legislator Soskin is on board with making a similar statement. Thank you.

Mr. Schoenberger

I am glad that Legislator Day does not object per say. There are a number of sponsors on this bill. I am one of them, Legislator Day is the main sponsor and the co-sponsors are Legislators Soskin, Earl, Paul, Meyers, Jobson, Chair Cornell and I. Now, this is being pulled as a courtesy to the NAACP who asked to have an opportunity to come in and address the issue. I know there was an NAACP breakfast, that I did not attend, but the suggestion that somehow this could have been resolved at the breakfast sort of offends me a little bit, because I don't believe that County government business is going to be done at a breakfast. It is done here in these chambers here in this room at a public meeting where everybody is invited and can hear what has to be said and discussed.

With that in mind, I as the Chair of the committee, have the right to exercise a prerogative and I am exercising it to pull this matter. I do acknowledge that Legislator Day has worked very hard on this and that he perhaps should have been advised earlier. I learned about it as I walked into the chambers tonight from the Chair who had learned about it shortly before that time from a phone call. With that in mind, this should be coming back very shortly I would hope.

In context, in the whole context, this is a memorializing resolution to the State regarding a bill that has an Assembly number and a Senate number that is going through a process in Albany. This is a resolution that requests that they adopt the law. I don't think that the 62 senators and 150 Assembly people or the Governor's office are all sitting there asking if that resolution from Rockland County came in yet, because we want to know how they feel about this. So if we get it in now or two weeks from now it is not going to change the world. Thank you.

Mr. Meyers – Point of Order

I have asked this question to Counsel before. I can't find anywhere in the Rules that even allows a Chair of a committee, and this is not directed at Legislator Schoenberger at all, to pull a matter. I have seen matters pulled at the meetings. I have seen matters pulled after they were moved and seconded when it was determined that there wouldn't be enough votes to pass it. I have seen items pulled at all kinds of strange times during the debate process, but I couldn't find in the Rules the right to ever pull a resolution once it has been placed on the agenda. I just think that is something that somebody has determined is tradition or is okay. I don't mind it so much if it is done before the matter even comes up on the agenda, but it really has riled me on those occasions during the five years that I have been here when items have been introduced, moved and seconded and then it has been determined there are not enough votes and the Chair of the committee pulls it. I don't believe that is proper and I have asked before that Counsel give us an answer on that question and I never got an answer on it.

Chairwoman Cornell

Thank you. We would be happy to research that.

Statement by Chairwoman Cornell

I just want to make a statement for the audience and for the people who watch this on the television. Virtually every item that comes out of the Budget and Finance Committee has gone through one or two other committees and it is only the final committee that it goes through, which is usually Budget and Finance, because there is money involved do you here the Chair of the committee issue the report from that final committee. So very often when I go through and I ask the Chairs of different committees if they have a report and their answer is no the reason is that the item has already been discussed at great length within those committees. So I think that it is very important to understand that.

Introduced by:

Referral No. 5474

- Hon. Harriet D. Cornell, Sponsor
- Hon. Michael M. Grant, Co-Sponsor
- Hon. Ilan S. Schoenberger, Co-Sponsor
- Hon. Edwin J. Day, Co-Sponsor
- Hon. Douglas J. Jobson, Co-Sponsor
- Hon. Aney Paul, Co-Sponsor
- Hon. Aron B. Wieder, Co-Sponsor
- Hon. Alden H. Wolfe, Co-Sponsor

**RESOLUTION NO. 175 OF 2012
 APPOINTING HON. ANEY PAUL TO THE VACANCY ON THE
 ROCKLAND COUNTY BOARD OF SEWER COMMISSIONERS**

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

WHEREAS, at the present time a vacancy exists on the Rockland County Board of Sewer Commissioners in the category of Clarkstown appointees; and

WHEREAS, pursuant to Resolution No. 611 of 2001, said vacancy may be filled by a "legislator whose district is substantially within the town of Clarkstown"; and

WHEREAS, Legislator Aney Paul, whose district is substantially within the Town of Clarkstown has been recommended to fill this vacancy; and

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

RESOLVED, that the Legislature of Rockland County hereby appoints Hon. Aney Paul as a member of the Rockland County Board of Sewer Commissioners as a "legislator whose district is substantially within the town of Clarkstown", commencing with the passage of this resolution; and be it further

RESOLVED, that the Clerk to the Legislature shall notify the Rockland County Board of Sewer Commissioners and the appointee of this resolution.

Debate:

Mrs. Paul

I want to thank all the Legislators for their support. I will do my best to be at all the meetings. Thank you.

**RESOLUTION NO. 176 OF 2011
 WAIVE THE RULES OF THE LEGISLATURE
 TO CONSIDER PROPOSED RESOLUTION
 UNDER NEW BUSINESS**

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

RESOLVED, that the Rules of the Legislature be waived to consider Item 12 A, Resolution No. 177 of 2012 under New Business.

Introduced by:
Hon. Harriet D. Cornell, Sponsor

**RESOLUTION NO. 177 OF 2012
CONFIRMING THE APPOINTMENTS BY THE COUNTY EXECUTIVE
OF LEGISLATORS JAY HOOD, JR., EDWIN J. DAY
AND TONEY EARL TO HEAR THE APPEAL OF
PAUL GESSNER – PAUL GESSNER PLUMBING AND HEATING
FROM AN ACTION BY THE ROCKLAND COUNTY
PLUMBING AND HEATING LICENSING BOARD**

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

WHEREAS, In February 2012, pursuant to Section 319-13 (D) of Chapter 286 of the Laws of Rockland County, the Plumbing and Heating Licensing Board denied renewal of the license of Paul Gessner-Paul Gessner Plumbing and Heating, under Sections 286-3, 286-10(A)(1), 286-10(a)(9), 286-RR4 of Chapter 286 of the Laws of Rockland County.

WHEREAS, On or about March 22, 2012, Paul Gessner- Paul Gessner Plumbing and Heating appealed to the Legislature pursuant to Section 286-19(A) of Chapter 286 of the Laws of Rockland County from an action by the Plumbing Board which denied the renewal of Paul Gessner-PaulGessner Plumbing and Heating license; and

WHEREAS, Section 286-19(D) of Chapter 286 of the Laws of Rockland County provides for the designation of three (3) members of the Legislature to hear appeals by persons aggrieved by an action of the Plumbing and Heating Licensing Board in making any decision or determination; and

WHEREAS, Section C3.02 of the Charter Law of Rockland County provides that, subject to confirmation by the Legislature of Rockland County, the County Executive shall appoint members of County boards and commissions, who shall serve at his pleasure; and

WHEREAS, The County Executive had appointed Legislators Jay Hood Jr., Edwin J. Day and Toney Earl, to hear the appeal of Paul Gessner-Paul Gessner Plumbing and Heating; now therefore be it

RESOLVED, That, pursuant to Section C3.02 of the Charter Law and Section 286-19(D) of Chapter 286 of the Laws of Rockland County, the Legislature of Rockland County hereby confirms the appointments of Jay Hood Jr., Edwin J. Day and Toney Earl to hear the appeal of Paul Gessner-Paul Gessner Plumbing and Heating, filed on or about March 22, 2012, from an action by the Plumbing and Heating Licensing Board which denied the renewal of Paul Gessner-Paul Gessner Plumbing and Heating License.

Comments from Legislators:

Legislator Edwin J. Day

I am not a member of the Multi-Services Committee and I will be away next week. This fluid issue with mosquitoes troubles me. I am concerned when I read about this new aggressive type of Asian mosquito. The Chair of Multi-Services spoke about the number of dunks that have been ordered, which is about ten percent less than the last couple of years. There is an advisory sign trailer out now on Little Tor and Germonds Roads asking people if they want to come in and pick them up they are welcome to. I would just like to make sure that when this matter does get heard, that there is a reason why we have ten percent fewer dunks, especially in light of the crisis detailed by our County Department of Health. Also, it is important to know if they have an ability to order more in a timely matter in order to ensure that if there is a need for more dunks, they will be out there early enough to have an effect.

Legislator Toney L. Earl

I would like to thank you for the statement that you made earlier tonight on Tayvon Martin. I also appeal to my colleagues here to rally to not support Bill 281 that they have in Florida, which is the Stand Your Ground Bill. We should keep it out of New York. Thank you.

**ADJOURNMENT IN MEMORY OF
DOROTHY "DOSSI" THAYER**

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 Dorothy "Dossi" Thayer.

**ADJOURNMENT IN MEMORY OF
BEATTA WOLLEY**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Beatta Wolley.

**ADJOURNMENT IN MEMORY OF
ELLEN LOUISE WATKINS**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Ellen Louise Watkins.

**ADJOURNMENT IN MEMORY OF
RUTH HYLAS**

Mr. Hood, Jr. and Mr. Jobson 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 Ruth Hylas.

**ADJOURNMENT IN MEMORY OF
CATHERINE NYTKO**

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 Catherine Nytko.

**ADJOURNMENT IN MEMORY OF
EDNA GARVEY**

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 Edna Garvey.

**RESOLUTION NO. 178 OF 2012
ADJOURNMENT**

Mr. Murphy offered the following resolution, which was seconded by Mr. Jobson and unanimously adopted (8:31 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Tuesday, April 17, 2012 at seven o'clock in the evening.

Respectfully Submitted,

DARCY M. GREENBERG
Proceedings Clerk