

The Legislature of Rockland County



ILAN S. SCHOENBERGER

Legislator - District 4

Chair - Planning & Public Works Committee

**MINUTES
PLANNING & PUBLIC WORKS COMMITTEE
TUESDAY, JANUARY 26, 2016
7:00 PM**

MEMBERS PRESENT

Leg. I. Schoenberger, Chair
Leg. A. Wolfe, VC
Leg. C. Carey
Leg. N. Low-Hogan

MEMBERS ABSENT

Leg. M. Grant, 2nd VC
Leg. P. Moroney
Leg. A. Paul

OTHERS PRESENT

Leg. Cornell	Leg. Hood, Jr.	Leg. Santulli
Leg. Earl	Leg. Soskin	Leg. Jobson
Leg. Carey	Leg. Hofstein	N. Doliner
E. Yeger, Esq.	P. Brennan	R. Gruffi
D. Schuetz	S. Powers	T. Humbach

ROLL CALL AT 7:15 P.M.

- 1) REF. #9392 - APPROVING LEASE AGREEMENT BETWEEN GOOD SAMARITAN REGIONAL MEDICAL CENTER AND THE COUNTY OF ROCKLAND AT NO COST TO THE COUNTY (NCTD) FOR A PERIOD OF 60 MONTHS (FIVE YEARS) FROM JANUARY 1, 2016 TO DECEMBER 31, 2020 AND AUTHORIZING EXECUTION OF THIS AGREEMENT BY THE COUNTY EXECUTIVE (OFFICE OF THE DISTRICT ATTORNEY)
(THOMAS P. ZUGIBE, DISTRICT ATTORNEY)
DL#2015-05850

**MOTION TO APPROVE AS AMENDED
LOW-HOGAN/WOLFE**

**UNAN.
TRANSFER TO BUDGET & FINANCE 1/26/16**

ADDED SPONSORS: LEGS. SCHOENBERGER, WOLFE, LOW-HOGAN

ACTION TO AMEND: LEGISLATIVE COUNSEL TO ADD RESOLVE CLAUSE TO EXPRESS THANKS TO GOOD SAMARITAN HOSPITAL. COUNSEL TO PROVIDE EXACT LANGUAGE.

- 2) REF. #8896 - APPROVING A MAINTENANCE SERVICE AGREEMENT BETWEEN THE COUNTY OF ROCKLAND AND MOTOROLA, INC. FOR A NEW RADIO SYSTEM LOCATED AT THE SHERIFF'S COMMUNICATION CENTER IN AN AMOUNT NOT TO EXCEED \$720,000 FOR THE PERIOD JANUARY 1, 2016 THROUGH DECEMBER 31, 2016 AND AUTHORIZING THE EXECUTION OF THIS AGREEMENT BY THE COUNTY EXECUTIVE (OFFICE OF FIRE AND EMERGENCY SERVICES) (\$720,000)
(GORDON W. WREN, JR., DIRECTOR OFFICE OF FIRE & EMERGENCY)
DL#2015-05643

MOTION TO APPROVE
CAREY/WOLFE

UNAN.
TRANSFER TO BUDGET & FINANCE 1/26/16

ADDED SPONSORS: LEGS. SCHOENBERGER, WOLFE, LOW-HOGAN

ACTION: PURCHASING DEPARTMENT WAS REQUESTED TO PROVIDE A COPY OF THE AGREEMENT TO LEGISLATIVE COUNSEL.

- 3) REF. #5906 - APPROVING PURCHASES IN EXCESS OF \$100,000 FROM UNIVERSAL ELECTRIC MOTOR SERVICE, INC. FOR PUMPS - INSPECTION, OVERHAUL, REWIND AND REPAIR SERVICES IN AN ADDITIONAL AMOUNT OF \$85,000 AND EXERCISING THE FOURTH OPTION TERM FROM APRIL 28, 2015 THROUGH APRIL 27, 2016 FOR A TOTAL AMOUNT NOT TO EXCEED \$700,000 FROM THE COMMENCEMENT DATE APRIL 28, 2012 THROUGH APRIL 27, 2016 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER UNDER RFB-RC-2012-018 (DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING) (\$700,000)
(PAUL J. BRENNAN, CPPO DIRECTOR DGS-PURCHASING)
DL#2015-05867

MOTION TO APPROVE
WOLFE/LOW-HOGAN

UNAN.
TRANSFER TO BUDGET & FINANCE 1/26/16

ADDED SPONSORS: LEGS. SCHOENBERGER, WOLFE

- 4) REF. #8390 - APPROVING PURCHASES IN EXCESS OF \$100,000 FROM DAN NOLAN, INC. FOR BURIAL SERVICE AT GARY ONDERDONK VETERANS MEMORIAL CEMETERY ON THE GROUNDS OF ROCKLAND COMMUNITY COLLEGE, THE COUNTY SECTION OF HIGHVIEW CEMETERY IN NANUET, AND THE FREDERICK LOESCHER VETERANS MEMORIAL CEMETERY IN NEW HEMPSTEAD UNDER RFB-RC-2014-101 FOR A TOTAL AMOUNT NOT TO EXCEED \$420,000 FOR THE PERIOD JANUARY 16, 2015 THROUGH JANUARY 15, 2018 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER (DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING (\$420,000)
(PAUL J. BRENNAN, CPPO DIRECTOR DGS-PURCHASING)
DL#2015-05776

DEFERRED

ACTION: COMMITTEE REQUESTS FACILITIES MANAGEMENT TO PROVIDE REQUIRED BURIAL APPLICATIONS.

Mr. Brennan explained that Mr. Gruffi, who oversees that cemeteries, felt he needed to change the payment method to have more control. He started having the contractors bill the County for their services. The County now bills the funeral homes for the services. So, we pay the contractor, we bill the funeral homes and get paid by the funeral homes.

Mr. Schoenberger asked who is the Commissioner of General Services.

Mr. Brennan advised that there is no Commissioner and there is no Acting Commissioner.

Mr. Schoenberger said that somebody has to be running the Department of General Services

Mr. Brennan stated that he reports to the Deputy County Executive.

Mr. Schoenberger questioned why there is a need for department heads if this is successfully working.

Legislative Chairman Wolfe stated that there is a need for a clear understanding of the chain of command for the Department of General Services. How long has this system of billing the funeral homes been taking place. Please explain the rationale of the change.

Mr. Gruffi advised that in 2011 the former County Executive, Mr. Vanderhoef, directed the Department of General Services-Facilities Management to take over the veterans cemeteries and burials. Since 2011 his department has been interacting with the Funeral Directors on a daily basis and we also work with the burial contractor. At that time we took a look at things and had a lot of work to do. We computerized the operations systems. The way the cemetery operated and the way the burials were paid for from the very beginning was that the Funeral Director would pay the burial contractor directly, who worked for the County of Rockland, without the County becoming an intermediary for the payment. We saw this, discussed it and we all felt that a change had to be made. Being that the contractor was hired by the County of Rockland and entered into a contract with the County then the County should pay them directly. We also felt that there should be transparency with regard to how much the contractor was being paid and things were being paid properly. So instead of having the Funeral Director or the family pay the burial contractor at the site of the burial, instead the burial contractor would take receipt/payment from Funeral Director and then he would bring it to our office, submit all the paperwork to us for the burial and then he would put a voucher in for payment. At the same time as he gives us the payment we bring that payment to the Finance Office and they deposit it into the revenue account. He gives us his voucher for payment, we then take it out of an expense account, which is tied to the revenue account. So, there is a whole record of the transaction. We wanted it to be totally transparent. We wanted everyone to know who was being paid and where the money was.

Legislative Chairman Wolfe asked when this change was implemented.

Mr. Gruffi replied January/February of 2015.

Legislative Chairman Wolfe stated that it seems like a lot of extra work and has multiple steps. Can the County just pay the contractor a fixed rate with a contract that says that the contractor will provide services at our cemeteries.

Mr. Humbach replied that conceptually it can be done and he can't think of anything against it, but he won't say for sure

Legislative Chairman Wolfe stated that he would like feedback from contractor and more information.

Mr. Carey stated that he is concerned. I want to be open and transparent. We are micromanaging. We need to work together.

Mrs. Low-Hogan asked if Mr. Gruffi designed this new process. What is your response to Mr. Wolfe's recommendation? Are there any imminent problems if this is not passed tonight?

Mr. Gruffi replied that he worked very closely with it and believes that this is the most beneficial process for his department since they have to do all the work. It is a good system, because it is transparent and it works. I would not be opposed to Mr. Wolfe's suggestion, we can write a contract that way. The only difficulty would be if this was not passed tonight is the payment to the contractor would be delayed.

Mr. Brennan stated that once they reach the \$100,000 they will not be able to make any payments to contractor.

Mr. Humbach stated that he could redraft the contract. Possibly the best way to go about this would be by Regulations so we can have a more open-ended contract. We have many departments who have Regulations. I am trying to get a County NYCIR together.

Mr. Schoenberger asked if the contractor would stop doing the work if he doesn't get paid.

Mr. Gruffi stated that he hopes not, but it is always a possibility.

Mr. Schoenberger questioned Mr. Gruffi with regard to Burial Applications. There has been emails going up and back regarding section General Municipal Law § 148. Burial of members of the armed forces of the United States and their families; headstones. 3. Reports. It shall be the duty of the person or commission in this section provided, prior to the annual meeting of the board of supervisors [Legislature] to make an annual report to such board of supervisors of all the applications since the last annual report for burial and the erection of tombstones as provided herein, together with the amounts allowed. All applications herein referred to shall accompany said annual report and be placed and kept on file with the board of supervisors [Legislature].

The Burial Applications have not being given to us since 2012 and there is a statutory obligation to do so. We would like it to be done.

Mr. Humbach stated that he will discuss the requirements with Mr. Gruffi, or his boss, and I will see to it.

Legislative Chairman Wolfe believes that there is a need for a Burial Commissioner.

5) REF. #9323 - APPROVING PURCHASES IN EXCESS OF \$100,000 FROM ORACLE AMERICA, INC. FOR ANNUAL PEOPLE SOFT ENTERPRISE AND PEOPLESOFT DATABASE MAINTENANCE AND SUPPORT FOR EXISTING LICENSES IN AN AMOUNT NOT TO EXCEED \$234,223.89 AND FOR ORACLE DATABASE ENTERPRISE EDITION-PROCESSOR PERPETUAL IN AN AMOUNT NOT TO EXCEED \$34,107.55 FOR A TOTAL AMOUNT NOT TO EXCEED \$268,331.44 IN ACCORDANCE WITH NYS OGS CONTRACT NO. PT64000 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER (DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING) (\$268,331.44)
(PAUL J. BRENNAN, CPPO DIRECTOR DGS-PURCHASING)
DL#2015-05717

**MOTION TO APPROVE
LOW-HOGAN/CAREY**

**UNAN.
TRANSFER TO BUDGET & FINANCE 1/26/16**

ADDED SPONSORS: LEGS. SCHOENBERGER, WOLFE

6) REF. #6795 - APPROVING PURCHASES IN EXCESS OF \$100,000 FROM CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS FOR WIRELESS TELECOMMUNICATION SERVICES AND CELLULAR TELEPHONES FOR VARIOUS COUNTY DEPARTMENTS ON AN AS NEEDED BASIS UNDER NEW YORK STATE OFFICE OF GENERAL SERVICES CONTRACT NO. PS63766 FOR A TOTAL AMOUNT OF \$260,000 FOR THE PERIOD FROM JANUARY 1, 2016 THROUGH DECEMBER 31, 2016 AND AUTHORIZING PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER (DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING) (\$260,000)
(PAUL J. BRENNAN, CPPO DIRECTOR DGS-PURCHASING)
DL#2015-00032

**COMMITTEE WAIVED THEIR RIGHT TO REVIEW
DIRECTLY TRANSFER TO BUDGET & FINANCE 1/26/16**

Mr. Carey stated that since he is employed by Verizon he believes he should abstain on the vote, but if he does that it will fail.

Mr. Schoenberger asked Mr. Humbach for his opinion.

Mr. Humbach agreed that there is a conflict of interest and Mr. Carey should abstain.

Mr. Schoenberger recommended that the committee waive their right to review and directly transfer this referral to the Budget and Finance Committee, which the committee agreed with.

7) REF. #8021 - EXTENDING THE TERM OF DOUGLAS J. SCHUETZ AS ACTING COMMISSIONER OF PLANNING
(HON. EDWIN J. DAY, COUNTY EXECUTIVE)
DL#2016-00048

MOTION TO APPROVE CAREY/LOW-HOGAN UNAN.

ADDED SPONSORS: LEGS. SCHOENBERGER, WOLFE, LOW-HOGAN

MOTION TO ADJOURN AT 8:04 P.M. CAREY/LOW-HOGAN UNAN.

Respectfully submitted,

Darcy Shapin-Greenberg
Proceedings Clerk