

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, June 2, 2015 at 7:00 P.M., pursuant to the adjournment of the May 19, 2015 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 28th day of May 2015

The Legislature of Rockland County convened in regular session pursuant to adjournment of the May 19, 2015 meeting.

A Roll Call being taken at 7:09 p.m., the following Legislators were present and answered to their names:

Christopher J. Carey
Harriet D. Cornell
Richard C. Diaz
Toney L. Earl
Michael M. Grant
Lon M. Hofstein
Douglas J. Jobson
Patrick J. Moroney
John A. Murphy
Aney Paul
Ilan S. Schoenberger
Philip Soskin
Aron B. Wieder
Jay Hood, Jr., Vice Chairman
Alden H. Wolfe, Chairman

Absent: Legislators Nancy Low-Hogan and Joseph L. Meyers

Honorable Patrick J. Moroney, Legislator, District 15, led in the Salute to the Flag and delivered the invocation.

**RESOLUTION NO. 237 OF 2015
ADOPTION OF MINUTES OF LEGISLATIVE
MEETING OF APRIL 21, 2015**

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

Resolved, that the transcribed minutes of the Legislative meeting April 21, 2015, as recorded by the Clerk and presented to the Legislature, be and they are hereby adopted.

The Chairman opened the public participation portion of the meeting at 7:11 p.m. and the following person spoke:

- ❖ Justin Schwartz, in favor of memorializing support for the Rockland County codes initiative To combat illegal and substandard housing In Rockland County
- ❖ Gordon Wren, in favor of memorializing support for the Rockland County codes initiative To combat illegal and substandard housing In Rockland County
- ❖ Laurie Santuli, in favor of memorializing support for the Rockland County codes initiative To combat illegal and substandard housing In Rockland County
- ❖ Richard Sena, in favor of monitor for East Ramapo School District
- ❖ Joseph Coe, concerns with possible appointment of Peter Bradley
- ❖ Marge Hook, objects to possible appointment of Peter Bradley
- ❖ Peter Bradley, in favor of equal treatment to firefighters by all
- ❖ Dr Castaldo-Greene, in favor of memorializing support for the Rockland County codes initiative To combat illegal and substandard housing In Rockland County
- ❖ Frank Hutton, in favor of memorializing support for the Rockland County codes initiative To combat illegal and substandard housing In Rockland County

Public Participation ended at 7:30 p.m.

**RESOLUTION NO. 238 OF 2015
WAIVE THE RULES OF THE LEGISLATURE
TO CONSIDER PROPOSED RESOLUTIONS
UNDER NEW BUSINESS**

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

RESOLVED, that the Rules of the Legislature be waived to consider Item 13 A, Resolution No. 239 of 2015 and 13 B, Resolution 240 of 2015 under New Business.

Introduced by:
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 239 OF 2015
REQUESTING HOME RULE REQUEST
BY THE NEW YORK STATE LEGISLATURE OF
SENATE BILL S.5284 AND ASSEMBLY BILL A. 7696
TO AMEND THE TAX LAW §253-f(6)
REGARDING THE TERM FOR IMPOSITION OF
MORTGAGE RECORDING TAX IN THE COUNTY OF ROCKLAND**

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

WHEREAS, By Resolution 165 of 2015, the Legislature of Rockland County requested that the New York State Legislature introduce home rule legislation amending Tax Law §253-f(6) regarding the term for imposition of mortgage recording tax in the County of Rockland; and

WHEREAS, In order to provide that the mortgage recording tax in the County of Rockland be in effect for the full three years without a gap in the County's authority to collect, it has become necessary to amend Tax Law §253-f(6); and a Home Rule request is required; and

WHEREAS, The State Legislature has introduced Senate Bill S. 5284 and Assembly Bill A.7696 to amend Tax Law §253-f(6) to provide for the imposition of mortgage tax in the County of Rockland for a period of time no longer than three years from the date of its imposition; and

WHEREAS, It is required that the Legislature of Rockland County specifically request that the Legislature of the State of New York enact said proposed legislation;;now therefore be it

RESOLVED, That the Legislature of Rockland County hereby requests that the New York State Legislature enact the Home Rule legislation introduced in the New York State Senate as Senate Bill S. 5284 and Assembly Bill A.7696 to amend Tax Law §253-f(6) so as to permit the County of Rockland to impose the local mortgage recording tax for a period of time no longer than three years from the date of its imposition; and be it further

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

AMENDED
NEW BUSINESS
 Referral No. 8220

Introduced by:

Hon. Harriet D. Cornell, Sponsor
 Hon. Richard C. Diaz, Sponsor
 Hon. Toney L. Earl, Sponsor
 Hon. Michael M. Grant, Sponsor
 Hon. Jay Hood, Jr., Sponsor
 Hon. Aney Paul, Sponsor
 Hon. Ilan S. Schoenberger, Sponsor
 Hon. Philip Soskin, Sponsor
 Hon. Aron B. Wieder, Sponsor
 Hon. Alden H. Wolfe, Sponsor
 Hon. Christopher Carey, Co-Sponsor
 Hon. Long M. Hofstein, Co-Sponsor
 Hon. Douglas J. Jobson, Co-Sponsor
 Hon. Patrick J. Moroney, Co-Sponsor
 Hon. John A. Murphy, Co-Sponsor

**RESOLUTION NO. 240 OF 2015
 MEMORIALIZING SUPPORT FOR THE ROCKLAND COUNTY CODES INITIATIVE
 TO COMBAT ILLEGAL AND SUBSTANDARD HOUSING
 IN ROCKLAND COUNTY**

Mr. Diaz offered the following amended resolution, which was seconded by Mrs. Cornell, Mr. Earl, Mr. Grant, Mrs. Paul, Mr. Schoenberger, Mr. Soskin, Mr. Hood, Jr. and Chairman Wolfe and unanimously adopted

WHEREAS, Throughout Rockland County, there is a problem of tenants living in illegal, unsafe, unsanitary and overcrowded housing provided for by exploitive landlords; and

WHEREAS, Such housing puts the lives and health of tenants and first responders at risk, harms neighborhood quality and character and negatively impacts the County's infrastructure; and

WHEREAS, as a result of the long time concern and advocacy of Rockland's firemanic community the Rockland Codes Initiative seeks to combat illegal and substandard housing and overcrowding in Rockland County to preserve the quality and character of the County's multifaceted neighborhoods; and

WHEREAS, these firefighters are volunteers who place their lives on the line every time they answer the call; and

WHEREAS, The initiative targets illegal, unsafe housing, utilizing the broad powers of the County Department of Health pursuant to the County's Sanitary Code to inspect dwellings and issue violations; and

WHEREAS, The initiative presently consists of several components, including: (1) *Online Reporting* - a web-based, confidential complaint form on which individuals can submit reports of suspected illegal housing or unsafe living conditions; (2) *Rockland County's Worst Landlord Watch List* - an online resource allowing local tenants and neighbors to learn the identities of the most egregious landlord offenders and to view the number of code violations for a specific property; (3) *Multiple Dwelling Rental Registry* - the future implementation of a registry of dwelling with multiple units for rent via a proposed amendment to the Sanitary Code, which registry and associated certification process will allow the Department of Health to identify, track, correct and penalize health code violations; and (4) *Enhanced Adjudication Process* - the future implementation of an administrative enforcement process that will have greater efficiency, and accountability for violators of the Sanitary Code while providing due process to the accused; and

WHEREAS, The Legislature of Rockland County supports the concept of the Rockland Codes Initiative and urges that the County Executive, in its implementation, does so in a legal and proper manner so that it will protect the lives and health of tenants and first responders who are at risk due to illegal, unsafe and unsanitary housing conditions, limit overcrowding and preserve the quality and character of the County's neighborhoods; and

WHEREAS, the highest court in the State of New York, the Court of Appeals, recently decided in the case of Matter of New York Statewide Coalition of Hispanic Chambers of Commerce v. New York City Dept. of Health & Mental Hygiene, 23 N.Y.3d 681 (2014), which decision devised a four-pronged test to determine whether a matter can be addressed by a Sanitary Code or required a legislative action; and

WHEREAS, the County Legislature has not been provided with any documentation or information or legal opinions, other than in press releases; and

WHEREAS, the Legislature wishes to memorialize its support for the Rockland Codes Initiative and urges the County Executive, in the implementation of his proposal, to make sure that the actions of the County, its agents and employees, comply with federal and state laws, so as to not result in litigation, which could cost the taxpayers large sums of money; now therefore be it

RESOLVED, The Legislature of Rockland County supports the concept of the Rockland Codes Initiative and urges that the County Executive, in its implementation, does so in a legal and proper manner so that it will protect the lives and health of tenants and first responders who are at risk due to illegal, unsafe and unsanitary housing conditions, limit overcrowding and preserve the quality and character of the County's neighborhoods-and be it further

RESOLVED, that the Legislature of Rockland County supports the members of the Rockland County firemanic community and credits their lifetime commitment to public safety and their long time advocacy for a solution to unsafe and illegal housing; and be it further

RESOLVED, That the Clerk to the Legislature be and hereby is authorized and directed to send a copy of this resolution to such persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Debate

Mr. Diaz

I wasn't here last week so I wasn't able to see what took place. I do know that every Legislator here has nothing but the utmost respect for our first responders, firefighter, police, emergency services people and not a one of us sitting here wants to put anyone in harms way. We know how important of a job you day every day for us and we know how important it is to have you out there, because you are willing to do things for us that some of us are unable to do and in some cases unwilling to do. You protect us all. We understand that and we are in total support of you.

Mr. Schoenberger

When I spoke last Tuesday some bloggers accused me of being hysterical and/or losing my cool, because it suited their purpose to do so. At the Multi-Services meeting last week the first thing I said was that I supported the resolution. The first thing I said was I supported the firefighters and the first responders. And the first thing I said was that I was concerned with the lives of the tenants who live in these houses or units, which landlords chop into little rooms and build walls and create a danger. When I asked questions about the resolution itself the next thing I know it was interpreted that I was against it, because it suited certain people's political agenda to say that about me. I was attacked, but that goes with the territory. I have a thick skin and I only hope that others who attack me have equally thick skin themselves.

My statements were not in opposition to the housing initiative, it was a request for more information. Tonight Justin Schwartz, who I have known for decades and has been my friend for decades, got up and said that he thought that I was posturing and said that the information was on the website. It is the same thing that our County Executive said, he said, "I don't know why they are asking questions, everything is on the website." I looked at the website and I did not see a legal opinion. There is no legal opinion that has been shared with this Legislature by the County Attorney or anyone in that administration, which puts their name on a piece of paper that says that this is legal. I looked for it on the website and it just isn't there.

I also said last Tuesday night, "The highest court in the State of New York, the Court of Appeals, recently decided in the case of Matter of New York Statewide Coalition of Hispanic Chambers of Commerce v. New York City Dept. of Health & Mental Hygiene, 23 N.Y.3d 681 (2014), which decision devised a four-pronged test to determine whether a matter can be addressed by a Sanitary Code or required a legislative action." In other words, what was truly under a health code compared to what is actually a Legislative action. I have not seen anything from the County Attorney or the administration saying that this is legal under that recent Court of Appeals case and I would like to see that.

I am finishing my twentieth year as a County Legislator and prior to that I was the County Attorney. When Scott Vanderhoef was County Executive he would have never have presented to this Legislature or to the public a proposal without it having been fully vetted and documented so as not to jeopardize the interests of the County of Rockland or its taxpayers should litigation ever ensue. I am not saying that there will be lawsuits over this, but I have been on this earth enough years to know that there may very well be. I think that every one of you firefighters who are going to be going to somebody's house or every one of the inspectors that are going to be going to somebody's house should know exactly that you are protected and that the County has an opinion on record that protects your rights and interests in case you get sued. Asking for that is not too much, I don't think.

This is not a resolution that creates the Rockland Codes Initiative, that has already been created by the County Executive. This is a resolutions that memorializes our support for the actions that the County Executive has taken. I said last Tuesday night that I supported the actions of the County Executive, I did not want to see illegal housing, I did not want to see the people who live there, first responders or firefighters getting trapped or hurt in buildings. This resolution is memorializing. In response to it some people, for political reasons I believe, tried to turn it into a resolution that I opposed. I am not opposed. I have never been opposed. This resolution, which has been changed somewhat from the resolution that was presented last week, we should have copies available for the people here to be able to read. I am going to support the resolution tonight as I was going to do a week ago had I been given the information instead of being stonewalled. I still don't have a legal opinion. I think that is a shame. I would like to think that somewhere in this County government there is a legal opinion. I would like to believe that our County Executive is responsible enough to get a legal opinion before he put the initiative forward. I would like to think that he works cooperatively with us to the extent that he will share that opinion.

We had an instance in this County government last October where a couple months before that the County Executive released to the press that he had signed a letter of intent with Hi Tor Animal Center over the future of the construction of a new shelter. I immediately contacted the County Executive's office and asked the he please share a copy of that opinion with the Legislature. We learned about it, because we saw it in the press. I couldn't get that opinion from the administration for two months.

We don't want our County employees or anyone else going out and violating people's rights and getting sued and then the County will be on the hook for the money. All I ask is that this be done in the right way.

Mrs. Cornell

I have served as the liaison of the Fire Advisory Committee for many years. I would like to read parts of this resolution.

WHEREAS, Throughout Rockland County, there is a problem of tenants living in illegal, unsafe, unsanitary and overcrowded housing provided for by exploitive landlords; and

WHEREAS, Such housing puts the lives and health of tenants and first responders at risk, harms neighborhood quality and character and negatively impacts the County's infrastructure; and

WHEREAS, as a result of the long time concern and advocacy of Rockland's firemanic community the Rockland Codes Initiative seeks to combat illegal and substandard housing and overcrowding in Rockland County to preserve the quality and character of the County's multifaceted neighborhoods; and

WHEREAS, these firefighters are volunteers who place their lives on the line every time they answer the call; and

WHEREAS, The initiative targets illegal, unsafe housing, utilizing the broad powers of the County Department of Health pursuant to the County's Sanitary Code to inspect dwellings and issue violations;

RESOLVED, The Legislature of Rockland County supports the concept of the Rockland Codes Initiative and urges that the County Executive, in its implementation, does so in a legal and proper manner so that it will protect the lives and health of tenants and first responders who are at risk due to illegal, unsafe and unsanitary housing conditions, limit overcrowding and preserve the quality and character of the County's neighborhoods-and be it further

RESOLVED, that the Legislature of Rockland County supports the members of the Rockland County firemanic community and credits their lifetime commitment to public safety and their long time advocacy for a solution to unsafe and illegal housing; and be it further

RESOLVED, That the Clerk to the Legislature be and hereby is authorized and directed to send a copy of this resolution to such persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

The resolution that came before the Multi-Services Committee did not have anything in it in terms of specifics having to do with the code. Those things will come as separate resolutions when they are prepared. I think this resolution really speaks to the lifelong commitment and advocacy of our firemanic community in bringing these issues to the floor and this Legislature is prepared to support that.

Mr. Carey made a motion to amend to remove the 9th Whereas, "Whereas, although the County Executive has represented that all the information regarding his proposed Codes initiative is 'on the website' the County website does not contain, among other things, any opinion by the County Attorney regarding the legality of this proposal" and to remove a section from the 11th Whereas, "notwithstanding the County Executive's refusal to work cooperatively with the Legislative branch", which was seconded by Mr. Jobson.

Debate on the Motion to Amend

Mr. Schoenberger

You and I know there is a lot of truth in the statement, "notwithstanding the County Executive's refusal to work cooperatively with the Legislative branch". Sometimes this administration is more governed by press releases than they are by substance. It is disturbing to me. If that language, you find offensive, and the majority of us agree with you, I would not have any problem taking those words out. I am looking to build a consensus among all of us to pass a resolution, and I will tell you who taught me that; the man sitting on your right Legislator John Murphy. I learned a lot from him and truthfully I think he is one of the best Legislators that ever sat here. I will support taking out with the hopes that it leads to better cooperation in the future.

The Whereas that says, "on the website," expressed exactly what he said. There is no getting around it. That is exactly what he said. Honestly, I pointed out one instance of something that is relatively major and important to this, which is a legal opinion that is not on the website. The County Executive is sometimes loose in his language.

Some kids sat on a Memorial in Haverstraw Bay Park who happen to be Jewish kids. He said that they were desecrating the monument. Now those are extremely harsh words and they were extremely out of place, because anyone could have gone up there any Sunday and seen black, Hispanic or white children sitting on the monument, because sometimes kids don't know any better. It is not right to call it a desecration. I heard him say the information was on the website, he said it on the radio, it's not right. The Whereas, I think, is what he reaps from what he sows. I won't support taking out that Whereas.

I would like to work with the County Executive on many things. We may not agree on everything all the time, but I don't have a problem sitting in a room with him or his representatives and working things out. Legislator Hood, Chair Wolfe, and Legislator Earl sat in a room with the County Executive reviewing the Charter amendments and they worked out language in the Charter that he agreed to and he made them a promise that if they pass it the way it was changed he would not veto it. Then when they passed it to he immediately vetoed it. I sat in a meeting, with other Legislators, with the County Executive and his staff on September 10th or 11th when he told us the budget was coming over will not eliminate the Sheriff's Patrol and he is going to fund the contract agencies for 2015 exactly how he funded them in 2014. The budget came over and everything he told me he did the opposite. If he should have picked up the telephone telling us the situation changed and he can't do what he told us, but he didn't. How do you deal with someone like that? I want to know. When you tell me how I can do that I will be glad to do that. I would wipe the slate clean, forgetting the past, and let's start fresh and govern together for the people of Rockland County. I have no problem doing that, but to ask me to reduce and take out something that he said from his own words "its all on the website" when he knows it is not true I cannot go along with. We have raised legitimate concerns for the people of Rockland County. I am not going to undo a lie that he said.

Mr. Earl

I can't see taking this out. I remember sitting with Mr. Day talking about illegal housing. I am in full support of what you are trying to do here with illegal housing. Last week I was accused of not responding to that. I wanted to see what was unfolding here. The County Executive has lied. He could have called us to let us know he was wiping out the whole contract agency budget. I remember going up to the Martin Luther King Center and spoke with a packed house explaining to them what had happened to their funding. For him to bring this and try to shove it down our throats through Mr. Schwartz and Mr. Gordon, I don't think was the right way to go with this. It is a constant with Mr. Day where he is constantly bypassing us. We have to stand up and let him know that we are dissatisfied with his actions. I can't support this amendment.

Mr. Hofstein

I voiced my disapproval at the Multi-Services Committee meeting that I was not recognized by the Chair. I think it is a little disrespectful when we are supposed to be working together here and for me to not be recognized when I was making a motion. Everybody has a right to their own opinion. I don't know how many times we go down memory lane and I here about the budget, the County Executive and the things that he supposedly said, but this is becoming like a top hit oldie record about the budget. I thought we were here to work together. If there are Legislators that have issues with the way the County Executive carries out his duties, as public servants we owe it to the people to try to work this out and not at the expense of the people, but for the people. Let's be adults, let's find a way to cross party lines and work together. I am not saying one side is right over the other. We have our differences and our faults. We are not perfect, but for gods sake we are here to represent the people. Let's stop wasting all of our time talking about what we don't like and figure out what we can do like to make this work for all the people.

I question the sincerity of this resolution. We are not here to point fingers. We are not here to make comments that are hurtful. We are here pass a resolution for the benefit of the people. I hear comments that we are willing to meet and find a compromise so why don't we start with this. Let's take out the unnecessary comments, get to the point and do what we are supposed to do for the firefighters. We should stop wasting time and do what we were elected to do and serve the people. Thank you.

Mr. Hood, Jr.

Legislator Hofstein, that was very passionate and I am glad to listen to its reasonableness. The problem is this body has been dealing with unreasonableness and problems for a long time since this County Executive has taken office. I am sorry, but that is just the way it is. It is hard to do business when you have to put up with that on each and every issue. Everything is a fight and a problem. Chairman Wolfe and I put together a resolution for a new animal shelter, which we pass unanimously funding \$500,000. I read in the Rockland County Times that the County Executive said it was ill-conceived with no explanation. It is just a shot at us for no reason, because he ended up signing it anyway and that is unfair. Every issue that comes up becomes politics and it shouldn't. This is another example of where politics took over.

I have not heard anything about the fee schedule. Please consider the fee Mr. Wren, think about the fee schedule and think about doing it without a fee to our taxpayers. I am for this initiative. I am against illegal housing. Having questions about it does not mean I do not support it. I have no problem with Legislator Carey's amendments even though the statements in the resolution are totally and completely true. I would agree to take them out, because we want this to pass this tonight. I am for making these changes, passing this tonight and get this initiative moving.

Mr. Soskin

Last week all I asked for was more time to look at this. I do not have social emails and information so I wasn't aware of the details the County Executive was proposing. I came a little late to the meeting. I saw the agenda late, because there was a Jewish holiday followed by Memorial Day so I walked into the room very cold. I saw all the volunteer officers at the meeting. As Gordon Wren knows, I am very close to most of them for the thirteen years that I have been here and try to do everything for them. It is my duty as a Legislator to do what I can for the benefit of the whole County. I wanted to know more about this, that is all I asked for. The firefighters were down here and I gave them a chance to talk. The meeting went on for over 2 ½ hours. I prefaced everything by saying that I supported the firefighters. There are too many issues in here as you have heard. During the course of the week I spoke to Mr. Wren, who was very cooperative. To me, last weeks resolution was not a memorializing resolution it was a regular resolution adding things. It is my responsibility as Chairman of a committee to make sure the firefighters and emergency workers, as well as everybody in the County, are protected. I am not a lawyer, I don't know. I saw a registry, I saw the Health Department getting involved when I thought that maybe they shouldn't. I am against illegal housing, because of safety matters. I wouldn't like to go into an unsafe house.

I asked for more time for those reasons. Based upon talking to Mr. Wren and others I am willing to go along with this resolution, because my questions have been answered. I will continue to support firefighters if and when I am reelected. I want to congratulate all of you and thank you for all of your work whether you like me or don't like me. Thank you.

Mr. Diaz

Being the newest member on the Legislature I don't have the history to refer back to when it comes to dealing with our County Executive. That being said, what I think the most important job we have here as Legislators is to do what is right for the people of Rockland County. To do what is right for the people of Rockland County is to get this resolution passed. If we have to work with Mr. Carey to get this passed then I am willing to go along with the amendments. We need to get this done tonight.

Mrs. Paul

We are concerned with the safety of the firefighters. They risk their lives to save others. I agree with the amendments if it means passing the resolution. I thank you all so much for your service.

Mr. Wieder

This bipartisan effort is very refreshing and perhaps there is a new day in Rockland County. I support the amendments, but the least we ought to include in the resolution, that there is no legal opinion in reference of this new initiative posted on the County's website. This must stay in the resolution. We shouldn't make this personal. Mr. Carey, if you have a legal opinion with you tonight then we don't have to include it, we will simply ask that it be made public.

Mr. Carey

It is okay to talk about the past, but I am concerned with documenting it in resolutions. I hope that we can agree on my proposed amendments and get this resolution passed. This is not about the ongoing battles with the administration. I hope you accept these changes.

Chairman Wolfe

The points were well made about the legal opinion. There are constitutional issues that are raised when you get into the question whether there is authority of a government office to enter someone's home. Is there a warrant required? These are very serious issues. This could present a very serious liability issue not only to the County as a government entity, but also to the person who is acting on behalf of the government. Typically when we are dealing with any type of proposal these issues need to be hashed out.

I want to repeat the fact that any insinuation that a member of this body somehow is in favor of poor fire safety and placing people at risk is completely absurd. I have personally met with the fire inspectors to look at strategies, to have the towns and villages essentially listen to them and hear their frustration with the judiciary and dealing with these types of complaints. My brother, my best friend in the world, has been a volunteer fireman for almost 30-years. I just want to make a point about the comment that we should not have language in here essentially chastising the County Executive. The original resolution that was put in had language that was praising the County Executive. I have to be honest, I have never ever seen that before. It is odd and we did take it out. It is odd to cheapen a resolution by inflecting it with those types of platitudes. Instead, what we did was give the praise where I think it belongs and that is the members of the firemanic community who have been beating the drum about this very important issue for a lot longer than our County Executive has been in office.

I would like to divide the question and treat the two changes separately and a separate vote. I happen to think is a fair statement to put in that the County Executive has represented that the information is on the website even though it is not. I think that is a fair statement. It doesn't say anything negative it is just a statement of fact.

The other statement, "notwithstanding the County Executive's refusal to work cooperatively with the Legislative branch", I will state publically for the record that this statement is 100% true, however, I would support taking it out in the interest of achieving a result that is more satisfactory and more to the point and meets the need that we are hearing from the community.

Mrs. Cornell

I would like to say at this point that although I don't find anything objectionable with "Whereas, although the County Executive has represented that all the information regarding his proposed Codes initiative is 'on the website' the County website does not contain, among other things, any opinion by the County Attorney regarding the legality of this proposal" basically from my perspective I would be willing to remove that Whereas and the next one separately in order to maintain a cooperative attitude on the Legislature and to move forward, because this is an issue that really surpasses and goes beyond anything. It is important to understand the legality of this proposal, but for the sake of working together with my colleagues and the sponsor of this resolution I am going to vote for the amendments for the sake of harmony.

Mr. Grant

I think we should have an action item requesting a legal opinion from the County Attorney/County Executive.

Chairman Wolfe

I am requesting the following information from the County Attorney/County Executive:

- ✓ Detailed legal opinion from the County Attorney regarding all aspects of the "Rockland County Codes Initiative" indicating its legality and the legal authority for the proposed action with constitutionality of each component.
 - ✓ An analysis of the authority of the County Executive to take such action without Legislative authority.
 - ✓ A copy of the proposed changes to the Sanitary Code
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Mr. Carey made a motion to amend to remove the 9th Whereas, "Whereas, although the County Executive has represented that all the information regarding his proposed Codes initiative is 'on the website' the County website does not contain, among other things, any opinion by the County Attorney regarding the legality of this proposal", which was seconded by Mr. Jobson and passed.

The vote resulted as follows:

Ayes: 11 (Legislator Carey, Cornell, Diaz, Earl, Grant, Hofstein, Jobson, Moroney, Murphy, Paul, Hood, Jr.)
Nays: 04 (Legislators Schoenberger, Soskin, Wieder, Wolfe)
Absent: 02 (Legislators Low-Hogan, Meyers)

Mr. Carey made a motion to amend to remove a section from the 11th Whereas, "notwithstanding the County Executive's refusal to work cooperatively with the Legislative branch", which was seconded by Mr. Jobson and passed.

The vote resulted as follows:

Ayes: 13 (Legislator Carey, Cornell, Diaz, Hofstein, Jobson, Moroney, Murphy, Paul, Schoenberger, Soskin, Wieder, Hood, Jr., Wolfe)
Nays: 02 (Legislators Earl, Grant)
Absent: 02 (Legislators Low-Hogan, Meyers)

Introduced by:
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 241 OF 2015
CONFIRMING APPOINTMENT TO THE
ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY**

Mr. Carey offered the following resolution, which was seconded by Chairman Wolfe and unanimously adopted

WHEREAS, pursuant to Chapter 434 of the Laws of 1993, also known as Title 13-M of the Public Authorities Law of the State of New York, Rockland County was granted the power and authority to establish a Rockland County Solid Waste Management Authority; and

WHEREAS, Section 2053-c provides for the Rockland County Solid Waste Management Authority to consist of seventeen (17) members, to serve for a term of two (2) years; and

WHEREAS, eight (8) of the seventeen (17) members shall be members of the County Legislature; five (5) of the eight (8) members to be appointed by the Chair of the Legislature and three (3) of the eight (8) members to be appointed by the Minority Leader of the County Legislature, subject to, in each case, confirmation by a majority of the County Legislature; and

WHEREAS, among the legislative members of the authority, there shall be a resident of each of the five towns in the County; and

WHEREAS, by Resolution No. 13 of 2014, the Legislature confirmed the following members whose terms expire January 15, 2016:

1) the Chair of the Legislature appointed the following five (5) members:

- Hon. Michael M. Grant
- Hon. Aney Paul
- Hon. Ilan S. Schoenberger
- Hon. Philip Soskin
- Hon. Aron B. Wieder

2) the Minority Leader of the Legislature appointed the following three (3) members:

- Hon. Douglas J. Jobson
- Hon. Patrick J. Moroney
- Hon. Frank Sparaco

; and

WHEREAS, there is currently a vacancy on the Solid Waste Management Authority due to the resignation of Legislator Frank Sparaco; and

WHEREAS, the Minority Leader of the Legislature has appointed Hon. John Murphy to fill the vacancy caused by the resignation of Legislator Fran Sparaco; now, therefore be it

RESOLVED, that the Legislature of Rockland County hereby confirms the following appointment of the Minority Leader:

Hon. John Murphy

and; be it further

RESOLVED, said term will expire on or about January 15, 2016; and be it further

RESOLVED, that the Clerk to the Legislature shall advise the Solid Waste Management Authority and the appointees of this resolution.

Introduced by:

Referral No. 9500

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

**RESOLUTION NO. 242 OF 2015
AUTHORIZING PAYMENT OF FUNDS IN VARIOUS AMOUNTS TO NON-PROFIT
ORGANIZATIONS PURSUANT TO COUNTY LAW § 224**

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

WHEREAS, New York State's County Law § 224 permits the Legislature of the County of Rockland to contract with non-profit organizations and other corporations, associations and agencies within the County and within adjoining Counties for the purposes described in County Law § 224; and,

WHEREAS, As reflected in the adopted Budget for fiscal year 2015, the Legislature of the County of Rockland has chosen to provide funds to the following non-profit organizations in the following amounts from the noted budget line:

1)	Morning Music Club	\$1,140	CA-7555
2)	Holocaust Museum and Study Center	\$9,500	CA-7521

; and

WHEREAS, the above listed organizations seek to perform the services described in the Schedule A to the Memorandum Receipt for 2015 - a sample of which is annexed hereto and incorporated into this resolution as Schedule A - that shall be signed and filed with the Clerk to the Legislature in exchange for said funds; and,

WHEREAS, County funds are being provided by this resolution which funds shall be used to effect the services set forth in the Schedule A's to the Memorandum Receipts that shall be signed and filed with the Clerk to the Legislature; and,

WHEREAS, The amount the Legislature shall make available to the above listed organizations will be for services to be provided between January 1, 2015 to December 31, 2015; and,

WHEREAS, Funding for the payment of these services has been allocated in the above noted budget lines; and

WHEREAS, the sums to be provided shall be paid to the above listed organizations on or about April 30, 2015 and October 31, 2015; and

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

RESOLVED, That the Legislature of the County of Rockland hereby authorizes the payment of funds to the following non-profit organizations from the noted budget lines:

1)	Morning Music Club	\$1,140	CA-7555
2)	Holocaust Museum and Study Center	\$9,500	CA-7521

; and

RESOLVED, That the sum shall only be provided for services to be rendered and under the conditions set forth in the Memorandum Receipt for 2015 - a sample of which is annexed hereto and incorporated into this resolution as Schedule A - which shall be signed and filed with the Clerk to the Legislature; and be it further,

RESOLVED, The sums to be provided shall be paid to the above listed organizations on or about April 30, 2015 and October 31, 2015, and be it further;

RESOLVED, That any funds unused by the above listed organizations for the services to be rendered and under the conditions set forth in the Memorandum Receipts, which shall be signed and filed with the Clerk to the Legislature, shall be refunded to the County; and be it further,

RESOLVED, That the aforementioned payments shall not be disbursed until such a time as the Rockland County Commissioner of Finance, receives a Memorandum Receipt, in the form set forth and which shall be signed and filed with the Clerk to the Legislature, signed by the principal officer of and disbursing officer of the individual non-profit organization; and be it further,

RESOLVED That the Memorandum Receipt shall require a verified account of the individual non-profit organization's disbursements related to the services that have been provided in accordance with the Memorandum Receipt and this resolution, with verified or certified vouchers describing the services to be rendered, attached to such account and to otherwise comply with the terms of the Memorandum Receipt and this resolution; and be it further,

RESOLVED, That any funds allocated by this resolution and which remain unused by the above listed organizations through December 31, 2015, shall be refunded to the County of Rockland; and be it further,

RESOLVED, That the Rockland County Commissioner of Finance shall disburse, in accordance with this resolution, the sum indicated herein from the above noted budget line of the adopted Budget for fiscal year 2015.

Federal ID# **-*****

2015
MEMORANDUM RECEIPT

THIS Memorandum Receipt dated this ____ day of _____, 2015, acknowledges the conditions of funding, from the COUNTY OF ROCKLAND, a municipal corporation of the State of New York, having its principal office at 11 New Hempstead Road, New City, New York 10956, hereinafter described as "COUNTY," to the Recipient, _____, a New York State not-for-profit corporation, with offices located at _____, hereinafter called "the RECIPIENT," in the manner following:

WITNESSETH:

WHEREAS, the RECIPIENT is a not-for-profit corporation which promises to provide services described in Schedule "A" with the funding hereby provided by the COUNTY attached and made a part hereof, and

WHEREAS, the COUNTY desires such services as RECIPIENT provides, for the benefit of County residents, and

WHEREAS, the Legislature of Rockland County appropriated the necessary funds for the RECIPIENT, to be disbursed in accordance with Section 224 of the New York State County Law for maintenance and operation of a public museum and the maintenance and operation of a professional symphony or philharmonic orchestra, musical festival, or vocal, dance, drama, or performing arts troupe, group or activity of any kind of nature, purposes provided for therein, and

NOW, THEREFORE, the RECIPIENT agrees that, the following requirements must be met for the receipt of the funding provided:

1. TERM: The services to be rendered by RECIPIENT under this Memorandum Receipt shall commence **January 1, 2015** and terminate **December 31, 2015**.

2. SERVICES: The RECIPIENT shall provide services as set forth in Schedule "A", annexed and made part of this Memorandum Receipt. The RECIPIENT warrants and represents that it and its employees, agents and servants possess the skills and experience to render the services provided for this Memorandum Receipt. The funds provided by the Legislature and described below shall be expended on the services described in Schedule "A"

3. FUNDING: The COUNTY will provide to the RECIPIENT a sum not to exceed _____ **DOLLARS and 00/100 (\$-----.00)** to permit the RECIPIENT to perform the services set forth in the attached Schedule "A".

Payment will be made only when a certified and signed voucher in a form is approved and authorized by the Commissioner of Finance. Payments will be made upon the following schedule:

PAYMENT SCHEDULE

<u># of Payments</u>	<u>Date</u>
First Payment	On or About April 30th
Second Payment	On or About October 31st

All financial statements and proofs of insurance, or other documentation required in this Memorandum Receipt must be on file with the Commissioner of Finance **before** any payment will be made. Failure to comply with any provision under this Memorandum Receipt may result in the delay or forfeiture of the aforementioned payments.

This Memorandum Receipt requires a verified account of ----- disbursements related to the services that have been provided in accordance with the Memorandum Receipt and this resolution, with verified or certified vouchers describing the services rendered, attached to such account; and it is further,

4. **CONDITIONS AFFECTING FUNDING:** The funding offered by the COUNTY and described herein is offered entirely at the COUNTY's discretion. It is neither a contract nor a general obligation of the COUNTY. Neither the full faith and credit nor the taxing power of the COUNTY are pledged to the payment of any amount due or to become due under this Memorandum Receipt. It is understood that neither this Memorandum Receipt nor any representation by any COUNTY employee or officer creates any obligation to appropriate or make monies available for the purpose of the Memorandum Receipt. **This Memorandum Receipt shall not be effective unless the monies to be paid hereunder by the COUNTY are appropriated in and remain in the COUNTY budget for the purpose described herein. Furthermore, neither this Memorandum Receipt nor the appropriation described herein shall constitute any obligation expressed or implied that the County of Rockland will continue to appropriate funding in the future.**

5. **FINANCIAL RECORDS/AUDIT:** The RECIPIENT shall maintain records of all its financial transactions, including all expenses and disbursements, which relate to this Memorandum Receipt. Such records shall be kept in accordance with GAAP (Generally Accepted Accounting Practices) and/or County record-keeping requirements, and each transaction shall be documented. Such records shall be made available to the COUNTY for inspection or audit upon request. **The RECIPIENT shall file with the Commissioner of Finance such reports and statements as are required to be filed with the Attorney General of the State of New York pursuant to Article 7-A of the Executive Law and Section 8-1.4 of the Estates, Powers and Trust Law, on or before**

the first day of July after the close of such fiscal year. Upon the failure to file reports and statements no further compensation or fee for services will be due to the RECIPIENT unless or until financial statements have been filed with the Rockland County Department of Finance.

6. INDEMNIFY AND HOLD HARMLESS: The RECIPIENT agrees to defend, indemnify and hold harmless the COUNTY and its respective officers, employees and agents from and against all claims, actions and suits, including but not limited to suits claiming that the appropriation to the RECIPIENT was illegal, and will defend the COUNTY and its respective officers, employees and agents, at its own cost and at no cost to the COUNTY, in any suit, action or claim, including appeals, for personal injury to, or death of, any person, or loss or damage to property arising out of, or resulting from, the activities or omissions of the RECIPIENT that arise from the services described in Schedule "A", to the fullest extent permitted by law. These indemnification provisions are for the protection of the COUNTY and its respective officers, employees and agents only, and shall not establish, of themselves, any liability to third parties. The provisions of this section shall survive the termination of this Memorandum Receipt and the expiration term for which funding is provided.

7. RECIPIENT IS INDEPENDENT OF THE COUNTY: The RECIPIENT is an independent entity, providing services on its own cognizance and for its own purposes. RECIPIENT covenants and agrees that it, its agents, servants and/or employees, will neither hold itself out as, nor claim to be an employee, servant or agent of the COUNTY, and that it, its agents and employees will not make any claim, demand or application to or for any right or privilege applicable to an officer or employee of the COUNTY, including, but not limited to, Workers' Compensation coverage, unemployment insurance benefits, Social Security coverage or retirement membership or credit.

8. COMPLIANCE WITH ANTIDISCRIMINATION LAWS: RECIPIENT agrees that it shall not discriminate on the basis of race, creed, sex, ethnic background, age or national origin, and shall comply with all Federal, State and Local Anti-Discrimination Laws and resolutions, including, but not limited to the Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964; the Age Discrimination in Employment Act; the Equal Pay Act; the Immigration and Reform Act; the Genetic Information Reform Act; the New York State Human Right's Law and; the Rockland County Human Rights Law. Also, RECIPIENT agrees that its services will be available to all residents of Rockland County.

9. INJURY, PROPERTY DAMAGE: The RECIPIENT shall be responsible for all damages and/or injury to life and property due to, or resulting from, the activities or omissions of the RECIPIENT, its agents or employees in connection with its work, activities or services described in Schedule "A" of this Memorandum Receipt. The RECIPIENT represents and warrants that its agents and employees possess the experience, knowledge and skills and independence necessary for the work/services to be performed in connection with this Memorandum Receipt.

10. INSURANCE REQUIREMENTS: The RECIPIENT shall, at its own cost and expense, procure and maintain insurance to cover its work, services, employees, owners, servants and/or agents described in Schedule A, which insurance shall include, but may not be limited to those policies indicated:

- A Commercial General Liability Insurance not less than \$1,000,000 (One Million) for each occurrence and a general aggregate not less than \$2,000,000 (Two Million) per project
- B Automobile Liability Insurance not less than \$1,000,000 (One Million) Combined Single Limit for each accident
- C Excess Umbrella Liability Insurance not less than \$2,000,000 (Two Million) over General Liability, Employers Liability (if not unlimited on the workers compensation policy), Auto Liability and Professional Liability, if required, for each occurrence and a general aggregate not less than \$2,000,000 (Two Million)
- D Workers' Compensation and Employers Liability Insurance in accordance with statutory requirements of the NYS Workers Compensation Law
- E Disability Insurance in accordance with provisions and requirements of the NYS Disability Law
- F Professional Liability Insurance (or Errors and Omissions or Malpractice) not less than \$1,000,000 (One Million) for each claim, or if not included on the excess umbrella the limits should equal \$1,000,000 plus the required excess limit
- * All other insurance as required by law

A check mark in the box indicates that the type of insurance specified **IS REQUIRED**

The RECIPIENT warrants and represents to the County of Rockland that it has sufficient funds to satisfy the amount of the self insured retention limit (deductible) required of each liability policy as it applies to this Memorandum Receipt, and that said amount is available to settle, compromise, or pay any suit or claim for negligence, gross negligence, medical malpractice, or intentional acts or omissions, made against it arising out of or during the term of this Memorandum Receipt. The RECIPIENT shall provide, at the request of the County of Rockland, proof or guarantee of financial responsibility, as it deems necessary.

11. LAWS OF THE STATE OF NEW YORK: This Memorandum Receipt shall be governed by the Laws of the State of New York.

12. LABOR LAW AND EXECUTIVE LAW: The RECIPIENT shall comply with all of the provisions of the Labor Law of the State of New York including, but not limited to, prevailing wage provisions, **if required by law**, and with Article 15 of the Executive Law of the State of New York relating to unlawful discriminatory practices

insofar as the provisions are applicable to the work and/or services to be performed under this Memorandum Receipt.

13. LOCAL LAWS AND RESOLUTIONS: The RECIPIENT shall comply with all local laws and resolutions of the Legislature of Rockland County, including, but not limited to, the resolution authorizing payment of funds identified in this Memorandum Receipt to the RECIPIENT pursuant to County Law §224, and the filing of Disclosure Statements and Affirmative Action Plans, **if required by law or resolution**.

14. REPRESENTATIONS AND WARRANTIES OF THE RECIPIENT: RECIPIENT represents and warrants to the COUNTY as follows:

(a) RECIPIENT is a corporation duly organized not-for-profit organization, validly existing under the laws of New York, and is duly qualified to do business in New York. RECIPIENT has full power and authority to conduct its business as now carried on, and to carry out and perform its undertakings and obligations as provided herein. The execution and delivery by RECIPIENT of this Memorandum Receipt and the consummation of the transactions contemplated herein have been duly authorized by the Board of Directors or applicable body or officer of RECIPIENT and will not conflict with or breach any provision of the Certificate of Incorporation or Bylaws of RECIPIENT. The copies of the documents pertaining to the organization of the RECIPIENT provided by RECIPIENT to the COUNTY are true and complete copies of said documents.

(b) No action, approval, consent or authorization, including without limitation any action, approval, consent or authorization of any governmental or quasi-governmental RECIPIENT, commission, board, bureau or instrumentality, is necessary for RECIPIENT to constitute this Memorandum Receipt the binding and enforceable obligation of RECIPIENT or to consummate the transactions contemplated hereby.

(c) There are no violations of any law or governmental rule or regulation pending or, to the best of RECIPIENT's knowledge, threatened against RECIPIENT. The RECIPIENT has complied with all laws and governmental rules and regulations applicable to its business operations.

(d) There are no judgments, liens, suits, actions or proceedings pending or, to the best of RECIPIENT's knowledge, threatened against RECIPIENT. The RECIPIENT is not a party to, subject to or bound by any agreement or any judgment or decree of any court, governmental body or arbitrator which would conflict with or be breached by the execution, delivery or performance of this Memorandum Receipt, or which could prevent the carrying out of the transactions provided for in this Memorandum Receipt,

or which could prevent the performance of its obligations under this Memorandum Receipt or adversely affect the conduct of its business.

(e) The RECIPIENT has filed each tax return, including without limitation all income, excise, property, gain, sales, franchise and license tax returns, required to be filed by the RECIPIENT prior to the date hereof. Each such return is true, complete and correct, and the RECIPIENT has paid all taxes, assessments and charges of any governmental authority required to be paid by it, including but not limited to any County, Town, Village real property tax or School tax, and has created reserves or made provision for all taxes accrued but not yet payable. No government is now asserting, or to RECIPIENT's knowledge threatening to assert, any deficiency or assessment for additional taxes or any interest, penalties or fines with respect to the RECIPIENT.

(f) The financial statements, balance sheets and other information pertaining to the RECIPIENT and provided to the COUNTY are true, correct and complete as of the dates and for the periods set forth therein; have been prepared in accordance with generally accepted accounting principles consistently applied; and fairly represent the financial position of the RECIPIENT at such dates and for such periods. The RECIPIENT had at said dates no liabilities or obligations of any kind, contingent or otherwise, not reflected in the financial statements provided to the COUNTY. Since said dates and periods, there has been no material adverse change in the financial condition, assets or liabilities of the RECIPIENT.

15. NO ASSIGNMENT: The RECIPIENT cannot assign, sublet or transfer or otherwise dispose of its interest in the funds described in this Memorandum Receipt without a duly adopted resolution of the Legislature of Rockland County authorizing such assignment or transfer.

16. APPROVAL OF FEDERAL, STATE AND LOCAL RECIPIENT:

Notwithstanding any other provisions of this Memorandum Receipt, the COUNTY shall not be liable for any payment or compensation to the RECIPIENT until the services rendered by the RECIPIENT under this Memorandum Receipt meet the approval and standards of any other Federal, State or local agency, authority, commission or body, which has jurisdiction over the services to be rendered under this Memorandum Receipt which provides funding in whole or in part for the services provided under this Memorandum Receipt.

17. FUND RAISING: All fund raising affairs of the RECIPIENT shall be included within the borders of Rockland County, whenever possible, pursuant to Resolution No. 119 of 1992.

18. NATURE OF MEMORANDUM RECEIPT. This Memorandum Receipt is not a contract or agreement between the parties. This document, as described by Section 224 of the New York State County Law and its County legislation authorizing its terms, sets forth certain conditions, undertakings and obligations of the RECIPIENT. This Memorandum Receipt creates no obligations on the part of the COUNTY including any obligation for the payment of the funds described in this Memorandum Receipt or its related legislation.

IN WITNESS WHEREOF, the RECIPIENT executes this Memorandum Receipt this ____ day of _____ 2015.

By: _____
(presiding officer)
President

Dated: _____

By: _____
Treasurer (disbursing officer)

Dated: _____

Introduced by:

Referral No. 9500

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

**RESOLUTION NO. 243 OF 2015
 APPROPRIATING THE SUM OF \$1,250 TO
 AMERICAN LEGION, CHARLES R. & RAYMOND O. BLAUVELT
 POST 310 NYACK, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2015**

Mr. Grant offered the following resolution, which was seconded by Mr. Murphy, Mrs. Paul and Mr. Soskin and unanimously adopted

WHEREAS, the Rockland County Legislature has set aside in the 2015 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the American Legion, Charles R. & Raymond O. Blauvelt Post 310, is contracting with the County of Rockland to conduct patriotic observances in 2015, 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 \$1,250, to The American Legion, Charles R. & Raymond O. Blauvelt Post 310 for providing patriotic observance events in Rockland County in calendar year 2015; 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

Increase Approp. Acct.:

A-CA 8951-5010	American Legion Charles R & Raymond O. Blauvelt Post 310 PO Box 302 Nyack, New York 10960	\$1,250
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Decrease Approp. Acct.:

A-LEG-1010-5042	Patriotic Observances	\$1,250
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Introduced by:

Referral No. 9500

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

**RESOLUTION NO 244 OF 2015
 APPROPRIATING THE SUM OF \$1,250 TO
 JOHN H. SECOR POST 329
 PEARL RIVER, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2015**

Mr. Grant offered the following resolution, which was seconded by Mr. Moroney, Mrs. Paul and Mr. Soskin and unanimously adopted

WHEREAS, the Rockland County Legislature has set aside in the 2015 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the John H. Secor Post 329, 30 Railroad Avenue, Pearl River, New York, is contracting with the County of Rockland to conduct patriotic observances in 2015, 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 \$1,250, to John H. Secor Post 329, 30 Railroad Avenue, Pearl River, New York for providing patriotic observance events in Rockland County in calendar year 2015; 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-7580-5010	American Legion John H. Secor Post 329 30 Railroad Avenue Pearl River, NY 10965	\$1,250
<u>Decrease Approp. Acct.:</u>		
A-LEG-1010-5042	Patriotic Observances	\$1,250

Introduced by:

Referral No. 9500

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

**RESOLUTION NO. 245 OF 2015
 APPROPRIATING THE SUM OF \$1,250 TO
 CARL A. SCHELIN POST NO. 1271 AMERICAN LEGION
 TAPPAN, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2015**

Mr. Grant offered the following resolution, which was seconded by Mr. Murphy, Mrs. Paul, Mr. Soskin and Mr. Wieder and unanimously adopted

WHEREAS, the Rockland County Legislature has set aside in the 2015 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the Carl A. Schelin Post No. 1271 American Legion, Tappan, New York, is contracting with the County of Rockland to conduct patriotic observances in 2015, 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 \$1,250, to Carl A. Schelin Post No. 1271 American Legion, Tappan, New York for providing patriotic observance events in Rockland County in calendar year 2015; 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-7640-5010	Carl A. Schelin Post No. 1271 American Legion P.O. Box 105 Tappan, NY 10983	\$1,250
 <u>Decrease Approp. Acct.:</u> A-LEG-1010-5042	 Patriotic Observances	 \$1,250

Introduced by:

Referral No. 9500/7621

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

**RESOLUTION NO. 246 OF 2015
AUTHORIZING A SPECIAL PROCUREMENT, AS PERMITTED BY SECTION 140-1.4
OF THE ROCKLAND COUNTY PROCUREMENT POLICY, FOR PUBLIC BENEFIT SERVICE
CONTRACTS THE FUNDING FOR WHICH WAS APPROPRIATED IN THE 2015 COUNTY BUDGET
AND DISPENSING WITH A COMPETITIVE PROCUREMENT PROCESS FOR THOSE CONTRACTS**

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

WHEREAS, By Resolution No. 513 of 2014, the Legislature of Rockland County approved the adoption of the 2015 County budget; and

WHEREAS, The County Attorney has reviewed the method by which, in prior years, County tax dollars had been disbursed to various public benefit service agencies from funding appropriated in the "Contract Agencies" budgets; and

WHEREAS, The various public benefit service agencies identified on the annexed **Schedule "A"** are intended to receive contracts from the County for professional services that provide public benefits for County residents in the year 2015, which contracts are based upon applications for funding submitted prior to the adoption of the 2015 budget; and

WHEREAS, The various public benefit service agencies identified on the annexed **Schedule "A"** prepared their 2015 annual budgets in reliance on receiving the funding appropriated in the 2015 "Contract Agencies" budget lines so that they may provide certain public benefit services to County residents; and

WHEREAS, Many members of the County Legislature question the propriety and need for the County's proposed new method of disbursement, and the need for competitive procurement processes would create financial difficulties for the public benefit service agencies identified on the annexed **Schedule "A"**; and

WHEREAS, Section 140-1.4 of the Rockland County Code ("Rockland County Procurement Policy") permits the County of Rockland to secure a "special procurement" for professional services upon a determination of the County Legislature that an *unusual or unique situation* exists that makes the requirements for competitive proposals contrary to the public interest; and

WHEREAS, The County Legislature hereby determines that, in 2015, they must relieve the public benefit service agencies identified on the annexed **Schedule "A"** of the financial difficulties anticipated to be caused by the proposed new method of disbursement, which financial difficulties are an "unusual or unique" situation as defined by § 140-1.4 of the Rockland County Procurement Policy and that the burden imposed upon the agencies is contrary to the public interest; and

WHEREAS, The County Legislature has determined that under the circumstances application of all requirements of competitive sealed proposals and competition for the contracts is not practicable at this time; and

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

RESOLVED, The County Legislature hereby determines that they must relieve the public benefit service agencies identified on the annexed **Schedule "A"**, with whom the County intends to contract in 2015, of the financial difficulties anticipated to be caused by the proposed new method of disbursement; and be it further

Debate

Mr. Schoenberger

I would like the Clerk to initiate a referral to change our Procurement Policy since that appears to have been the impediment regarding contract agencies for this year. By the time this comes up next year our Procurement Policy would be changed.

Chairman Wolfe

I have already initiated that. It was an issue that Mr. Grant thought would be perfect for the Joint Task Force on Fiscal Improvement to take up since that is more of a collaborative environment. There is certainly a commitment on behalf of this branch of government to make whatever changes need to be made to the Procurement Policy.

Mr. Schoenberger

I suggest that it should be done before the County Executive sends over his budget to us on October 1st so he can't say that he did it because he had to.

Introduced by:

Referral No. 9019

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

**RESOLUTION NO. 247 OF 2015
APPROPRIATION OF FUNDS IN THE AMOUNT OF \$40,000
FROM VARIOUS COUNTY AND NON-COUNTY SITES
THAT USE PARTICIPANTS IN THE YOUTH BUREAU'S
ENVIRONMENTAL CORPS INTERNSHIP PROGRAM
FOR THE PERIOD JUNE 1, 2015 THROUGH AUGUST 7, 2015
[YOUTH BUREAU]
(\$40,000)**

Mr. Grant offered the following resolution, which was seconded by Mrs. Cornell, Mr. Diaz, Mr. Earl, Mrs. Paul and Mr. Soskin and unanimously adopted

WHEREAS, The Rockland County Youth Bureau, through the Rockland Conservation & Service Corps (the "Corps" or the "Environmental Corps") has advised the County Executive and the Legislature of Rockland County that it needs to appropriate \$40,000 that will come from various County and non-County sites that use participants in the Youth Bureau's Environmental Corps Internship Program; and

WHEREAS, Participants in this program are required to serve 350 hours from June 1, 2015 through August 7, 2015 for such sites as the Rockland County Division of Environmental Resources, the Town of Clarkstown Planning Department, the Town of Ramapo, the Rockland County Drainage Agency, the Rockland County Solid Waste Management Authority and Cornell Cooperative Extension among other potential sites, with fifty (50) hours of training at Cornell Cooperative Extension included in the 350-hour time commitment; and

WHEREAS, Participants in this program are trained in areas that include environmental education, trail building, conservation, curriculum development, leadership, team building, safety, as well as a variety of other pertinent topics; and

WHEREAS, After training is completed, participants in this program will educate the public about ecological conservation and environmental health issues, conduct field research, build and maintained nature trails, teach environmental education at camps, create gardens, patrol streams, facilitate clean ups and implement recycling programs; and

WHEREAS, The Corps will provide internship opportunities for motivated people who are at least 17 years of age and who want to perform environmental community service this summer in the County; and

WHEREAS, The Corps will provide twenty-five (25) internships throughout said County and non-County sites, with each of these sites reimbursing the Corps \$1,600 per intern (25 interns x \$1,600 = \$40,000); and

WHEREAS, This \$40,000 of reimbursement will be appropriated to Youth Bureau Dept. 1251 in order to help offset the cost of two (2) temporary employees needed in connection with the Youth Bureau's Environmental Corps Internship Program; and

WHEREAS, Each intern will be paid a \$2,100 stipend from existing funds within Youth Bureau Dept. 1251 (25 interns x \$2,100 = \$52,500); and

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

RESOLVED, That the Legislature of Rockland County hereby authorizes the appropriation of \$40,000, which will come from various County and non-County sites that use participants in the Youth Bureau's Environmental Corps Internship Program that will run from June 1, 2015 through August 7, 2015, with said funds to be used to help offset the cost of two (2) temporary employees needed in connection with said program; and be it further

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

GENERAL FUND - 2015

Increase Approp. Acct. (Credit):

A - YB - 1251	-E1130	Temporary	37,040
	-E1930	Social Security	2,834
	-E1980	MTA Mobility Tax	<u>126</u>
			40,000

Increase Est. Rev. Acct. (Debit):

A - YB - 1251	-R1251	Departmental Fees	24,000
	-R2806	Reimbursement from Other County Depts	9,600
	-R2850	Reimbursement from Capital (Drainage Project)	<u>6,400</u>
			40,000

Introduced by:

Referral No. 2867

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

**RESOLUTION NO. 248 OF 2015
 APPROVING AN AGREEMENT IN EXCESS OF \$100,000
 BETWEEN THE DEPARTMENT OF HEALTH
 AND THE SOLID WASTE MANAGEMENT AUTHORITY
 TO REIMBURSE THE COUNTY FOR THE DEPARTMENT OF HEALTH'S FLOW CONTROL
 ENFORCEMENT PROGRAM IN THE AMOUNT OF \$400,635 [NCTD]
 FOR THE PERIOD FROM JANUARY 1, 2015 THROUGH DECEMBER 31, 2015
 AND AUTHORIZING THE COUNTY EXECUTIVE
 TO EXECUTE THE INTERMUNICIPAL LETTER AGREEMENT
 [DEPARTMENT OF HEALTH]
 (\$400,635)**

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

WHEREAS, The Rockland County Department of Health (DOH) maintains a Flow Control Enforcement Program for residents of the County; and

WHEREAS, The Commissioner of Health recommends to the County Executive and the Legislature of Rockland County that the County enter into an agreement in excess of \$100,000 with the Solid Waste Management Authority, 420 Torne Valley Road, Hillburn, New York 10931, for reimbursement to the County for the DOH's Flow Control Enforcement Program in the amount of \$400,635 for the period from January 1, 2015 through December 31, 2015; and

WHEREAS, Reimbursement to the County is for services rendered to the Solid Waste Management Authority by employees of the DOH; and

WHEREAS, This is a revenue contract, and the adoption of this resolution does not involve the expenditure of any County tax dollars [NCTD]; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the agreement in excess of \$100,000 between the County of Rockland, on behalf of its Department of Health (DOH), and the Solid Waste Management Authority, 420 Torne Valley Road, Hillburn, New York 10931, for reimbursement to the County for the DOH's Flow Control Enforcement Program in the amount of \$400,635 for the period from January 1, 2015 through December 31, 2015, and hereby authorizes the County Executive to execute the agreement, subject to the approval of the County Attorney; and be it further

RESOLVED, That this is a revenue contract, and that the adoption of this resolution does not involve the expenditure of any County tax dollars [NCTD].

Introduced by:

Referral No. 6394

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

**RESOLUTION NO. 249 OF 2015
AMENDING 2015 CAPITAL BUDGET TO INCREASE FUNDING
IN THE AMOUNT OF \$1,650,000 FOR
A TOTAL AMOUNT OF \$12,650,000
FOR THE RECONSTRUCTION OF FORSHAY ROAD
LOCATED IN THE TOWN OF RAMAPO AND
VILLAGE OF WESLEY HILLS
UNDER CAPITAL PROJECT NO. 3314
(DEPARTMENT OF HIGHWAYS)
(\$12,650,000)**

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

WHEREAS, Capital Project No. 3314 involves reconstruction of approximately 1.5 miles of Forshay Road located in the Town of Ramapo and Village of Wesley Hills, and includes the addition of turning lanes at intersections, a roundabout at Willow Tree Road, new sidewalks, traffic signals and drainage improvements; and

WHEREAS, This is a Federal aid project with costs eligible for 95% reimbursement by the Federal Highway Administration and the State; and

WHEREAS, A State/County agreement will be executed to provide funding and reimbursement for the construction phase of this project; and

WHEREAS, The current approved Capital Budget amount for this project is \$11,000,000; and

WHEREAS, The request for an increase of \$1,650,000 is due to the actual cost of construction being higher than originally estimated, based upon the bids received due to the high traffic volume and limited space available at the site; and

WHEREAS, The Superintendent of Highways requests that the County Executive and the Legislature of Rockland County approve an amendment to the 2015 Capital Budget to increase funding in the amount of \$1,650,000 for a total amount of \$12,650,000, for the Reconstruction of Forshay Road located in the Town of Ramapo and Village of Wesley Hills, under Capital Project No. 3314; and

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

RESOLVED, That the Legislature of Rockland County hereby approves an amendment to the 2015 Capital Budget to increase funding in the amount of \$1,650,000 for a total amount of \$12,650,000, to include the reconstruction of Forshay Road located in the Town of Ramapo and Village of Wesley Hill, under Capital Project No. 3314; and be it further

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

CAPITAL PROJECTS FUND

Increase Approp. Acct.

H3314	Forshay Road Reconstruction	\$1,650,000
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Increase Est. Rev. Acct.

H5710	Proceeds from Bond	\$1,650,000
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RESOLUTION NO. 250 OF 2015**BOND RESOLUTION DATED JUNE 2, 2015**

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR THE COST OF RECONSTRUCTION OF FORSHAY ROAD BETWEEN VIOLA ROAD AND WILLOW TREE ROAD IN THE TOWN OF RAMAPO, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$12,650,000 (CAPITAL PROJECT NO. 3314); STATING THAT THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,650,000 BONDS HEREIN AUTHORIZED IN ADDITION TO THE \$11,000,000 BONDS PREVIOUSLY AUTHORIZED; AND AUTHORIZING \$10,120,000 EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA AND \$1,897,500 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Adopted) June 2, 2015

Recitals

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

WHEREAS, this Legislature has previously appropriated \$1,050,000 for the estimated maximum cost of preparation of engineering studies, preliminary and detailed plans, specifications and estimates necessary for the proposed reconstruction of Forshay Road, consisting of a 1.25 mile section of Forshay Road (Rockland County Route 81) from Viola Road to Willow Tree Road, including acquisition of land and rights-of-way and consultants (Capital Project No. 3314); and this Legislature has previously authorized the issuance of bonds in the aggregate principal amount of \$1,050,000 to finance such costs pursuant to Bond Resolution No. 21 of 2006, Bond Resolution No. 618 of 2007, Bond Resolution No. 145 of 2010, and Bond Resolution No. 73 of 2012; and

WHEREAS, this Legislature has previously appropriated \$9,950,000 for the estimated maximum cost of such reconstruction; and this Legislature has previously authorized the issuance of bonds in the aggregate principal amount of \$9,950,000 to finance such costs pursuant to Bond Resolution No. 179 of 2014; and

WHEREAS, it is now necessary to increase the appropriation for such project by \$1,650,000 to finance additional costs of reconstruction and the total maximum cost of such project is now estimated to be \$12,650,000;

now, therefore be it

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Rockland, New York (herein called "County") is hereby authorized to continue existing Capital Project No. 3314 for the Department of Highways, consisting of reconstruction of Forshay Road between Viola Road and Willow Tree Road in the Town of Ramapo, including sidewalk, curbing, and related infrastructure improvements, all as more particularly described in the County's 2015 Capital Budget, as amended. The estimated total cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$12,650,000, and \$1,650,000 is hereby appropriated therefor, in addition to the \$11,000,000 previously appropriated pursuant to Bond Resolution No. 21 of 2006, Bond Resolution No. 618 of 2007, Bond Resolution No. 145 of 2010, Bond Resolution No. 73 of 2012, and Resolution No. 179 of 2014 (the "Previously Appropriated Funds"). The plan of financing includes the expenditure of the Previously Appropriated Funds and the issuance of \$1,650,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes, and authorizing \$10,120,000 expected to be received from the United States of America and \$1,897,500 expected to be received from the State of New York to be expended towards the cost of said specific object or purpose or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. Bonds of the County in the principal amount of \$1,650,000 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 "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 20 of the Law, is fifteen (15) years.

Section 4. The County intends to finance, and the Commissioner of Finance of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the specific object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the total amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of

said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Rockland, payable as to both principal and interest by general tax upon all the taxable real property within the County. 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 or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. 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 this Resolution, or a summary hereof, 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 8. The Clerk to the Rockland County Legislature is hereby directed to publish the foregoing bond resolution, in summary, in the "ROCKLAND JOURNAL NEWS", 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 the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 9. This Resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter.

* * *

The adoption of the foregoing resolution was seconded by Legislator Ilan S. Schoenberger and duly put to a vote on roll call, which resulted as follows:

AYES: 15

NOES: 0

ABSENT: 02

The resolution was declared adopted.

Roll Call

Legislator Murphy – Yes.

Legislator Paul – Yes.

Legislator Schoenberger – Yes.

Legislator Soskin – Yes.

Legislator Wieder – Yes.

Legislator Carey – Yes.

Legislator Cornell – Yes.

Legislator Diaz – Yes.

Legislator Earl – Yes.

Legislator Grant – Yes.

Legislator Hofstein – Yes.

Legislator Jobson – Yes.

Legislator Moroney – Yes.

Vice Chairman Hood, Jr. – Yes.

Chairman Wolfe – Yes.

Introduced by:

Referral No. 6394

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

**RESOLUTION NO. 251 OF 2015
 APPROVING AN AGREEMENT IN EXCESS OF \$100,000
 WITH CARBRO CONSTRUCTORS CORP.
 FOR PIN 8756.88 THE RECONSTRUCTION OF FORSHAY ROAD (C.R.81)
 FROM VIOLA ROAD TO WILLOW TREE ROAD
 IN THE TOWN OF RAMAPO, VILLAGE OF WESLEY HILLS
 UNDER CAPITAL PROJECT NO. 3314
 AND AUTHORIZING ITS EXECUTION BY THE
 COUNTY EXECUTIVE
 [DEPARTMENT OF HIGHWAYS]
 (\$9,872,575.90)**

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

WHEREAS, By Resolution No. 181 of 2014, the Clerk to the Legislature was authorized and directed to advertise for bids for the Reconstruction of Forshay Road located in the Town of Ramapo and Village of Wesley Hills under Capital Project No. 3314; and

WHEREAS, This project involves reconstruction of approximately 1.5 miles of Forshay Road located in the Town of Ramapo and Village of Wesley Hills, and includes the addition of turning lanes at intersections, a roundabout at Willow Tree Road, new sidewalks, traffic signals and drainage improvements; and

WHEREAS, Five bids were received for the Reconstruction of Forshay Road under Capital Project 3314, and Carbro Constructors Corp., 605 Omni Drive, Hillsborough, New Jersey 08844 was the lowest responsible bidder who submitted the lowest bid of \$9,872,575.90; and

WHEREAS, Partial funding for this agreement has been authorized in the 2015 Adopted Capital Budget, Capital Project Account No. 3314 and additional funding has been requested under a separate referral to increase the total project funding for Capital Project Account No. 3314 to \$12,650,000.00; and

WHEREAS, This is a Federal Aid project, with costs normally eligible for 95% reimbursement by the Federal Highway Administration and the State; and

WHEREAS, The Superintendent of Highways requests that the County Executive and Legislature of Rockland County approve an agreement with Carbro Constructors Corp., 605 Omni Drive, Hillsborough, New Jersey 08844, for the Reconstruction of Forshay Road located in the Town of Ramapo and Village of Wesley Hills under Capital Project No. 3314 in an amount not to exceed \$9,872,575.90; 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 an agreement in excess of \$100,000 with Carbro Constructors Corp., 605 Omni Drive, Hillsborough, New Jersey 08844 for the Reconstruction of Forshay Road located in the Town of Ramapo and Village of Wesley Hills in an amount not to exceed \$9,872,575.90 under Capital Project No. 3314, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That partial funding for this agreement has been authorized in the 2015 Adopted Capital Budget, Capital Project Account No. 3314 and additional funding has been requested under a separate referral to increase the total project funding for Capital Project Account No. 3314 to \$12,650,000.00.

Introduced by:

Referral No. 6394/9325

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

**RESOLUTION NO. 252 OF 2015
 APPROVING PURCHASES IN EXCESS OF \$100,000 FROM UNI-SELECT USA
 TO PROVIDE AUTOMOTIVE REPLACEMENT PARTS FOR MEDIUM
 AND HEAVY DUTY TRUCKS TO VARIOUS COUNTY OF ROCKLAND DEPARTMENTS
 IN THE ADDITIONAL AMOUNT OF \$45,000
 FOR THE PERIOD FROM MAY 9, 2015 THROUGH MAY 8, 2016
 FOR A TOTAL AMOUNT NOT TO EXCEED \$129,341.58 FROM THE
 COMMENCEMENT DATE OF MAY 9, 2013 THROUGH MAY 8, 2016
 WITH TWO (2) REMAINING ONE (1) YEAR OPTION TERMS
 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
 UNDER RFB-RC-2013-015
 [DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING]
 (\$129,341.58)**

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

WHEREAS, The County of Rockland Department of General Services- Purchasing Division issued an Invitation to Bid for the County of Rockland and members of the Hudson Valley Municipal Purchasing Group to establish an annual agreement for a percent discount off of the current published price list for various manufacturers of Replacement Parts for Medium and Heavy Duty Trucks under RFB-RC-2013-015 (the "RFB"); and

WHEREAS, This contract was awarded to Uni-Select USA, 901 N. Lenola Road, Moorestown, New Jersey 08057 for Automotive Replacement Parts for a one year term commencing on May 9, 2013 through May 8, 2014 with four (4) one (1) year options with all purchases to be made by formal purchase order under RFB-RC-2013-015; and

WHEREAS, On May 9, 2014, the Director of Purchasing exercised the first option to extend the agreement with Uni-Select USA, 901 N. Lenola Road, Moorestown, New Jersey 08057 for Automotive Replacement Parts through May 8, 2015 with three (3) one (1) year options, with all purchases to be made by formal purchase order under RFB-RC-2013-015; and

WHEREAS, Purchasing has estimated that an additional amount of \$45,000 will be needed to cover expenditures for Automotive Replacement Parts through May 8, 2016; and

WHEREAS, To date, the total encumbered amount against this contract is \$84,341.58; and

WHEREAS, The Director of Purchasing recommends that the County Executive and the Legislature of Rockland County to approve purchases in excess of \$100,000 from Uni-Select, USA, 901 N. Lenola Road, Moorestown, New Jersey 08057 to provide for Automotive Replacement Parts under RFB-RC-2013-015 in the additional amount of \$45,000 for the period May 9, 2015 through May 8, 2016 for a total amount not to exceed \$129,341.58 from the commencement date of May 9, 2013 through May 8, 2016 with two (2) remaining one (1) year option terms; and

WHEREAS, All purchases shall be made by formal purchase order, subject to the approval of the Director of Purchasing; and

WHEREAS, Sufficient funding for these purchases is provided for in the 2015 Budgets of various County of Rockland Departments and subject to available intra-departmental transfers; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves purchases in excess of \$100,000 from Uni-Select, USA, 901 N. Lenola Road, Moorestown, New Jersey 08057 to provide for Automotive Replacement Parts in an additional amount of \$45,000 for the period May 9, 2015 through May 8, 2016 for a total amount not to exceed \$129,341.58 from the commencement date of May 9, 2013 through May 8, 2016 with two (2) remaining one (1) year option terms with all purchases to be made by formal purchase order under RFB-RC-20-13-015, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2015 Budgets of various County of Rockland Departments subject to available intra-departmental transfers.

Introduced by:

Referral No. 5906

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

**RESOLUTION NO. 253 OF 2015
APPROVING PURCHASES IN EXCESS OF \$100,000
BY FORMAL PURCHASE ORDER WITH HAUSER BROS., INC.
IN THE AMOUNT OF \$150,000 FOR BOILER INSPECTION, MAINTENANCE
AND REPAIR SERVICES FOR ROCKLAND COUNTY SEWER DISTRICT NO. 1
AND THE DEPARTMENT OF GENERAL SERVICES UNDER RFB-RC-2015-029
FOR THE PERIOD APRIL 20, 2015 THROUGH APRIL 19, 2016 WITH THE OPTION
TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR TERMS
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$150,000)**

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

WHEREAS, The Director of Purchasing has let bids for Boiler Inspection, Maintenance and Repair Services, under RFB-RC-2015-029 for a one year period with the option to renew for two (2) additional one (1) year terms; and

WHEREAS, The purpose of this bid is to secure labor and materials for boiler inspection, servicing and repairs for the County of Rockland; and

WHEREAS, The boilers are located at the Dr. Robert L. Yeager Health Center, New City Government Center, Fire Training Center, and Rockland County Sewer District No. 1; and

WHEREAS, The Empire State Purchasing Group System notified over seventy-five (75) contractors of this bid opportunity and eleven (11) contractors viewed the specifications; and

WHEREAS, The County received one (1) response from Hauser Bros., Inc.; and

WHEREAS, The Director of Facilities Management and the Director of Purchasing recommends that the County Executive and the Legislature of Rockland County approve the award of purchases under this bid to Hauser Bros., Inc., 17 Old Schoolhouse Lane, Orangeburg, New York 10962, for total purchases not to exceed the amount of \$150,000, for boiler inspection, maintenance and repair services under RFB-RC-2015-029 for the period April 20, 2015 through April 19, 2016, with the option to renew for two (2) additional one (1) year terms; and

WHEREAS, All purchases will be made by formal purchase order, subject to the approval of the Director of Purchasing; and

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

WHEREAS, Sufficient funding for this project exists in the 2015 Budgets of the Rockland County Sewer District No. 1 and Department of General Services-Facilities Management, and is contingent upon 2016 Budget Appropriations; 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 purchases in excess of \$100,000 with Hauser Bros., Inc., 17 Old Schoolhouse Lane, Orangeburg, New York 10962, for boiler inspections, maintenance and repair services under RFB-RC-2015-029, for the period April 20, 2015 through April 19, 2016 for purchases not to exceed \$150,000, with the option to renew for two (2) additional one (1) year terms; and be it further

RESOLVED, That all purchase will be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for this project is provided in the 2015 Budgets of the Rockland County Sewer District No. 1 and Department of General Services-Facilities Management, and is contingent upon 2016 Budget Appropriations.

Introduced by:

Referral No. 5906

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

**RESOLUTION NO. 254 OF 2015
APPROVING AN AGREEMENT IN EXCESS OF \$100,000
WITH H. KREVI & CO., INC. FOR THE PURCHASE AND DELIVERY OF
SODIUM HYPOCHLORITE TO ROCKLAND COUNTY SEWER DISTRICT NO. 1
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
UNDER RFB-RC-2011-030 IN THE ADDITIONAL AMOUNT OF \$49,500
FROM MAY 31, 2015 THROUGH MAY 30, 2016
FOR A TOTAL SUM NOT TO EXCEED \$304,673.32
FROM THE COMMENCEMENT DATE OF MAY 31, 2011 THROUGH MAY 30, 2016
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$304,673.32)**

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

WHEREAS, On May 31, 2011, the Director of Purchasing entered into an agreement with the lowest responsible bidder under RFB-RC-2011-030 for the purchase and delivery of Line Item #10 for Sodium Hydrochlorite on an as needed basis for Rockland County Sewer District No. 1 for the period May 31, 2011 through May 30, 2012, with the option to renew for four (4) additional one (1) year periods; and

WHEREAS, By Resolution No. 157 of 2012, the Legislature of Rockland County approved purchases and deliveries in excess of \$100,000 from H. Krevit & Co., Inc., 67 Welton Street, New Haven, CT 06511, of Sodium Hypochlorite on an as needed basis to Rockland County Sewer District No. 1 under RFB-RC-2011-030, in the additional amount of \$103,320 for the period from May 31, 2012 through May 30, 2013, for a total amount not to exceed \$166,973.32 from the commencement date of May 31, 2011 through May 30, 2013, with three (3) remaining one (1) year option terms; and

WHEREAS, By Resolution No. 598 of 2013, the Legislature of Rockland County approved purchases and deliveries in excess of \$100,000 from H. Krevit & Co., Inc., 67 Welton Street, New Haven, CT 06511, of Sodium Hypochlorite on an as needed basis to Rockland County Sewer District No. 1 under RFB-RC-2011-030, for an additional amount of \$88,200 for the period from May 31, 2013 through May 30, 2014 for a total amount not to exceed \$255,173.32 from the commencement date of May 31, 2011 through May 30, 2014 with two (2) remaining one (1) year options; and

WHEREAS, On May 28, 2014, the Director of Purchasing exercised the third option for purchases and deliveries in excess of \$100,000 from H. Krevit & Co., Inc., 67 Welton Street, New Haven, CT 06511, of Sodium Hypochlorite on an as needed basis to Rockland County Sewer District No. 1 under RFB-RC-2011-030, for the period May 31, 2014 through May 30, 2015, with one (1) remaining one (1) year option for a total sum not to exceed \$255,173.32 from the commencement date of May 31, 2011 through May 30, 2015; and

WHEREAS, H. Krevit, Co., Inc., has agreed to reduce the cost per gallon for this product from \$.735 to \$0.66 for the fourth and final term commencing on May 30, 2015 through May 30, 2016; and

WHEREAS, Based on the estimated annual usage of Sodium Hypochlorite of 75,000 gallons, this price reduction will save the County an estimated \$5,625 during the final term; and

WHEREAS, The Director of Purchasing therefore recommends to the County Executive and the Legislature of Rockland County that the County approve additional purchases in excess of \$100,000 from H. Krevit & Co., Inc., 67 Welton Street, New Haven, CT 06511, for the purchase and delivery of Sodium Hypochlorite on an as needed basis to Rockland County Sewer District No. 1 under RFB RC-2011-030, in the additional amount of \$49,500 for the fourth and final term, May 31, 2015 through May 31, 2016, for a total sum not to exceed \$304,673.32 from the commencement date of May 31, 2011 through May 30, 2016; and

WHEREAS, All purchases will be initiated by formal purchase order, subject to the approval of the Director of Purchasing; and

WHEREAS, Sufficient funding for the additional purchases is provided for in the 2015 Budget of the Rockland County Sewer District No. 1 and is contingent upon 2016 Budget appropriations; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the additional purchases in excess of \$100,000 from H. Krevit & Co., Inc., 67 Welton Street, New Haven, CT 06511, for purchase and delivery of Sodium Hypochlorite on an as needed basis to Rockland County Sewer District No. 1 under RFB-RC-2011-030, in the additional amount of \$49,500 during the fourth and final term, May 31, 2015 through May 30, 2016, for a total sum not to exceed \$304,673.32 from the commencement date of May 31, 2011 through May 30, 2016, 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 2015 Budget of the Rockland County Sewer District No. 1 and is contingent upon 2016 budget appropriations.

RESOLUTION NO. 255 OF 2015**BOND RESOLUTION DATED JUNE 2, 2015**

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR COSTS OF RELOCATION OF COUNTY DEPARTMENTS – PHASE I (CAPITAL PROJECT NO. 1481), STATING THE ESTIMATED TOTAL MAXIMUM COST THEREOF IS \$2,000,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Adopted) June 2, 2015

Mr. Grant offered the following bond resolution, which was seconded by Mr. Moroney and by roll call vote was unanimously adopted

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Rockland, New York (herein called "County"), is hereby authorized to continue existing Capital Project No. 1481 for the Department of General Services, Facilities Management, consisting of the relocation of County Departments affected by the sale of Building "A" at the Robert L. Yeager Health Center, including the Departments of Facilities Management, Purchasing, MIS, Medical Examiner, Health and other departments which may be affected depending on relocation logistics. Relocation of these departments will require space design, building design, construction, code compliant building improvements, furniture, furnishings, equipment and other related relocation expenses, all as more particularly described in the County's 2015 Capital Budget, as amended. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$2,000,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,000,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. Bonds of the County in the principal amount of \$2,000,000 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 "Law"), to finance said appropriation.

Section 3. The existing building is of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness applicable to the specific object or purpose for which said bonds authorized by this resolution are to be issued within the limitations of Section 11.00 a. 12.(a)(2) of the Law, is fifteen (15) years.

Section 4. The County intends to finance, and the Commissioner of Finance of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the specific object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the total amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Rockland, payable as to both principal and interest by general tax upon all the taxable real property within the County. 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 or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. 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 this Resolution, or a summary hereof, 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 8. The Clerk to the Rockland County Legislature is hereby directed to publish the foregoing bond resolution, in summary, in the "ROCKLAND JOURNAL NEWS", 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 the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 9. This Resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter.

* * *

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

AYES:	15
NOES:	0
ABSENT:	2

The resolution was declared adopted.

Roll Call

Legislator Murphy – Yes.

Legislator Paul – Yes.

Legislator Schoenberger – Yes.

Legislator Soskin – Yes.

Legislator Wieder – Yes.

Legislator Carey – Yes.

Legislator Cornell – Yes.

Legislator Diaz – Yes.

Legislator Earl – Yes.

Legislator Grant – Yes.

Legislator Hofstein – Yes.

Legislator Jobson – Yes.

Legislator Moroney – Yes.

Vice Chairman Hood, Jr. – Yes.

Chairman Wolfe – Yes.

Introduced by:

Referral No. 2973

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

**RESOLUTION NO. 256 OF 2015
 APPROVING THE ACCEPTANCE OF A DONATION
 IN THE AMOUNT OF \$500
 FROM FOUR WINDS HOSPITAL
 TO BE USED TOWARD THE PURCHASE OF MEALS
 FOR THE DEPARTMENT OF MENTAL HEALTH'S
 ANNUAL CHILD AND ADOLESCENT CONFERENCE
 SCHEDULED FOR MAY 14, 2015 AT THE STONY POINT CENTER
 (DEPARTMENT OF MENTAL HEALTH)**

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

WHEREAS, The County Executive has been advised by the Commissioner of Mental Health that Four Winds Hospital has offered a donation in the amount of \$500 to the County of Rockland, Department of Mental Health (DMH) to be used toward the purchase of meals for the DMH's annual Child and Adolescent Conference scheduled for May 14, 2015 at the Stony Point Center; and

WHEREAS, It is necessary for the Legislature to formally accept said offered donation; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County tax dollars [NCTD]; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a donation from Four Winds Hospital in the amount of \$500 to be used toward the purchase of meals at the Department of Mental Health's annual Child and Adolescent Conference scheduled for May 14, 2015 at the Stony Point Center; and be it further

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

<u>HOSPITAL FUND - 2015</u>		
<u>Increase Approp. Acct. (Credit):</u>		
EH-DMH-M110-E3010	Food	500
<u>Increase Est. Rev. Acct. (Debit):</u>		
EH-DMH-M110-R2705	Gifts & Donations	500

and be it further

RESOLVED, That the Legislature hereby directs the Clerk to the Legislature to express the appreciation of the County of Rockland to Four Winds Hospital for its donation.

Introduced by:

Referral No. 8862

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

**RESOLUTION NO. 257 OF 2015
 APPROVING THE ACCEPTANCE OF A CONTINUATION GRANT
 IN THE AMOUNT OF \$530,538 [NCTD]
 WHICH IS FEDERALLY FUNDED BUT ADMINISTERED
 BY THE WESTCHESTER COUNTY DEPARTMENT OF HEALTH
 TO HELP FUND ROCKLAND COUNTY'S RYAN WHITE PART A
 MEDICAL CASE MANAGEMENT, EARLY INTERVENTION
 SERVICES AND HOUSING GRANT FOR HIV/AIDS PROGRAMS
 FOR THE PERIOD FROM MARCH 1, 2015 THROUGH FEBRUARY 29, 2016,
 APPROPRIATING \$1,200 [NCTD] OF EMPLOYEE HEALTH INSURANCE
 REIMBURSEMENT IN CONNECTION WITH THESE PROGRAMS,
 APPROVING THE ACCOMPANYING AGREEMENT WITH THE
 WESTCHESTER COUNTY DEPARTMENT OF HEALTH
 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE
 ALL NECESSARY DOCUMENTS INCLUDING THE AGREEMENT
 [DEPARTMENT OF HEALTH]
 (\$531,738)**

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

WHEREAS, The Commissioner of Health has advised the County Executive and the Legislature of Rockland County that the Department of Health has been awarded a continuation grant in the amount of \$530,538 to help fund the County's Ryan White Part A Medical Case Management, Early Intervention Services and Housing Grant for HIV/AIDS Programs for the period from March 1, 2015 through February 29, 2016; and

WHEREAS, This grant is federally funded but administered by the Westchester County Department of Health; and

WHEREAS, This grant includes a contract amount of \$505,274 plus a cost-of-living adjustment (COLA) in the amount of five percent (5%) of the total grant award or \$25,263.70, for a total amount not to exceed \$530,538 (rounded up from \$530,537.70); and

WHEREAS, This grant funding is allocated for the following program services: ambulatory and outpatient medical care (\$222,475), early intervention (\$145,863) and housing (\$162,200); and

WHEREAS, An additional \$1,200 of employee health insurance reimbursement also will be appropriated in connection with this program, resulting in a total appropriation in the amount of \$531,738; and

WHEREAS, The Commissioner of Health further requests that the County Executive and the Legislature of Rockland County approve the accompanying agreement with the Westchester County Department of Health; and

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

WHEREAS, No County tax dollars [NCTD] are required to accept these grant funds; 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 this Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a continuation grant in the amount of \$530,538 to help fund the County's Ryan White Part A Medical Case Management, Early Intervention Services and Housing Grant for HIV/AIDS Programs for the period from March 1, 2015 through February 29, 2016 as well as the accompanying agreement with the Westchester County Department of Health, and hereby authorizes the County Executive to execute all necessary documents including the agreement, subject to the approval of the County Attorney; and be it further

RESOLVED, That no County tax dollars [NCTD] are required to accept these grant funds; and be it further

RESOLVED, That an additional \$1,200 of employee health insurance reimbursement also will be appropriated in connection with this program, resulting in a total appropriation in the amount of \$531,738; and be it further

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

GENERAL FUND - 2015

Increase Approp. Acct. (Credit):

A-DOH -4040 -E1100	Salaries, Employees	65,079
-E1910	Health	25,000
-E1911	Dental	1,500
-E1912	Vision	300
-E1920	Retirement	8,000
-E1930	Social Security	4,980
-E1940	Unemployment Insurance	200
-E1950	Workers' Compensation	48
-E1980	MTA Mobility Tax	220
-E4098	Services from Other County Depts	264,247
-E5060	Program Costs	<u>162,164</u>
		531,738

Increase Est. Rev. Acct. (Debit):

A-DOH -4040 -R1211	Allocation-Employee Health Ins. Reimb.	1,200
-R4480	Health Grant(s)	<u>530,538</u>
		531,738

UNEMPLOYMENT FUND - 2015

Increase Approp. Acct. (Credit):

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

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

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

Introduced by:

Referral No. 8983

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

**RESOLUTION NO. 258 OF 2015
APPROVING THE AGREEMENT WHICH MAY BE IN EXCESS OF \$100,000
WITH TIMOTHY HILL CHILDREN'S RANCH, INC., A LICENSED FOSTER CARE AGENCY,
TO PROVIDE THE SERVICES REQUIRED BY SOCIAL SERVICES LAW § 398
FOR THE PERIOD FROM JANUARY 1, 2015 THROUGH DECEMBER 31, 2015
WITH TOTAL EXPENDITURES NOT TO EXCEED THE DEPARTMENT OF
SOCIAL SERVICES' 2015 BUDGET FOR FOSTER CARE SERVICES
AND AUTHORIZING THE COUNTY EXECUTIVE
TO EXECUTE THE ACCOMPANYING AGREEMENT
[DEPARTMENT OF SOCIAL SERVICES]**

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

WHEREAS, The Commissioner of Social Services is required by Social Services Law § 398 to receive and care for neglected, abused and abandoned children as well as children alleged or adjudicated to be persons in need of supervision or juvenile delinquents who are placed in care by the Family Court; and

WHEREAS, The necessary services are provided to such children through various licensed foster care agencies; and

WHEREAS, Placements are made depending upon the services required and the licensed foster care agency's ability to provide such services; and

WHEREAS, All payments to licensed foster care agencies are made on a per diem basis for the individual child at rates set by the New York State Office of Children and Family Services (OCFS) and the New York State Department of Education; and

WHEREAS, The Commissioner of the Department of Social Services requests that the County Executive and the Legislature of Rockland County approve the agreement, which may be in excess of \$100,000, with Timothy Hill Children's Ranch, Inc., 298 Middle Road, Riverhead, NY 11901, a foster care agency licensed by OCFS which provides residential foster care for children, to provide the services required by Social Services Law § 398 for the period from January 1, 2015 through December 31, 2015 with total expenditures not to exceed the Department of Social Services' 2015 Budget for foster care services; and

WHEREAS, Reimbursement rates to the County for foster care are either fifty percent (50%) federal/fifty percent (50%) state or forty percent (40%) federal/sixty percent (60%) state based upon the financial reimbursement category for the child placed in the licensed foster care agency and limited by the provisions of the Family and Children's Services Block Grant up to a maximum sum of approximately \$3,200,000; 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, Sufficient funding for this agreement exists in the 2015 Budget of the Department of Social Services in Account No. 6119; and

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

RESOLVED, That the Legislature of Rockland County hereby approves the agreement, which may be in excess of \$100,000, with Timothy Hill Children's Ranch, Inc., 298 Middle Road, Riverhead, NY 11901, a foster care agency licensed by the New York State Office of Children and Family Services which provides residential foster care for children, to provide the services required by Social Services Law § 398 for the period from January 1, 2015 through December 31, 2015 with total expenditures not to exceed the Department of Social Services' 2015 Budget for foster care services, and authorizes the County Executive to execute the accompanying agreement, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement exists in the 2015 Budget of the Department of Social Services in Account No. 6119.

Introduced by:

Referral No. 8886

Hon. Aney Paul, Sponsor
Hon. Philip Soskin, Co-Sponsor
Hon. Toney L. Earl, Co-Sponsor
Hon. Ilan S. Schoenberger, Co-Sponsor
Hon. Lon M. Hofstein, Co-Sponsor
Hon. Patrick J. Moroney, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor

**RESOLUTION NO. 259 OF 2015
SETTING A DATE FOR A PUBLIC HEARING:
A LOCAL LAW AMENDING CHAPTER 349 OF THE LAWS OF
ROCKLAND COUNTY TO INCLUDE, AMONG OTHER THINGS,
THE SMOKING OF ELECTRONIC CIGARETTES**

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

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

RESOLVED, that this Legislature hereby sets the 4th day of August, 2015, at 7:05 P.M. for a public hearing to provide for a local law amending Chapter 349 of the Laws of Rockland County to Include, Among Other Things, the Smoking of Electronic Cigarettes.

Introduced by:

Referral No. 2871

Hon. Philip Soskin, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Aney Paul, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Lon M. Hofstein, Sponsor
Hon. Patrick J. Moroney, Sponsor
Hon. Douglas J. Jobson, Sponsor

**RESOLUTION NO. 260 OF 2015
CONFIRMING THE APPOINTMENT OF
DAVID H. KRAUSHAAR, DDS, WEST NYACK, NEW YORK
TO THE ROCKLAND COUNTY BOARD OF GOVERNORS
[COUNTY EXECUTIVE]**

Mr. Soskin offered the following resolution, which was seconded by Mr. Carey, Mrs. Cornell, Mr. Jobson, Mrs. Paul and Chairman Wolfe and unanimously adopted

WHEREAS, §C8.03 of the Rockland County Charter authorizes the County Executive to appoint members to the Rockland County Board of Governors ("Board") for staggered terms of five years, subject to legislative confirmation; and

WHEREAS, The Board is to consist of ten (10) members, with at least two (2), but not more than three (3) of such members being physicians, persons licensed in the health professions or professionals in the field of hospital administration; and

WHEREAS, There are currently four (4) members on the Board, with six (6) vacancies, two (2) of whom are physicians, persons licensed in the health professions, or professionals in the field of hospital administration; and

WHEREAS, §3.02 of the Rockland County Charter authorizes the County Executive to appoint members of Rockland County boards and commissions who shall serve at his pleasure, subject to legislative confirmation; and

WHEREAS, The County Executive has appointed David H. Kraushaar, DDS, West Nyack, New York to a vacancy on the Rockland County Board of Governors for a five (5) year term, subject to legislative confirmation; and

WHEREAS, The Multi-Services Committee of this Legislature has met, considered and unanimously recommended this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby confirms the appointment of David H. Kraushaar, DDS, West Nyack, New York to a five (5) year term on the Rockland County Board of Governors; and be it further

RESOLVED, That the Clerk to the Legislature is hereby directed to forward a copy of this resolution to the Rockland County Board of Governors and to the appointee, David H. Kraushaar, DDS.

Introduced by:

Referral No. 2962

Hon. Philip Soskin, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Aney Paul, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Lon M. Hofstein, Sponsor
Hon. Patrick J. Moroney, Sponsor
Hon. Douglas J. Jobson, Sponsor

**RESOLUTION NO 261 OF 2015
CONFIRMING THE APPOINTMENT OF
DR. DONALD N. HAMMOND, NYACK, NEW YORK
TO THE ROCKLAND COUNTY
OFFICE FOR THE AGING ADVISORY COUNCIL**

Mr. Soskin offered the following resolution, which was seconded by Mrs. Cornell, Mrs. Diaz, Mr. Grant, Mr. Jobson, Mr. Moroney, Mrs. Paul and Chairman Wolfe and unanimously adopted

WHEREAS, By Resolution No. 924 of 1974, the Office for the Aging Advisory Committee (currently referred to as the Rockland County Office for the Aging Advisory Council) was established, to be composed of at least fifty (50%) percent of persons sixty (60) years or over; and

WHEREAS, Section C3.02 of the Charter Law of Rockland County provides that the County Executive shall appoint members of all county boards and commissions, subject to legislative confirmation; and

WHEREAS, The By-laws of the Rockland County Office for the Aging Advisory Council require at least twenty-seven (27) but no more than thirty-three (33) members; and

WHEREAS, There are currently eighteen (18) members on the Rockland County Office for the Aging Advisory Council, more than 50% of whom are over the age of sixty (60); and

WHEREAS, The County Executive has appointed Dr. Donald N. Hammond, Nyack, New York, to a vacancy which exists on the Rockland County Office for the Aging Advisory Council, to serve at his pleasure, subject to legislative confirmation, and

WHEREAS, Dr. Donald N. Hammond is over the age of sixty (60) and is filling a vacancy on the Rockland County Office for Aging Advisory Council; and

WHEREAS, With the approval of the resolution, there will be fourteen (14) vacancies on the Rockland County Office for the Aging Advisory Council; and

WHEREAS, Dr. Donald N. Hammond has experience working with Senior Citizens and has worked with various community agencies; and

WHEREAS, The Multi-Services Committee of this Legislature has met, considered and unanimously recommended this confirmation, now, therefore, be it

RESOLVED, That Legislature of Rockland County hereby confirms the appointment of Dr. Donald N. Hammond, Nyack, New York, to the Rockland County Office for the Aging Advisory Council, to serve at the pleasure of the County Executive; and be it further

RESOLVED, That the Clerk to the Legislature is hereby directed to send a copy of this resolution to the Rockland County Advisory Council and to the appointee, Dr. Donald N. Hammond.

Mr. Carey offered the following resolution, Referral No. 2806, Confirming the appointment of Peter Bradley, Congers, New York To the Rockland County Planning Board, which was seconded by Mr. Moroney and failed.

The vote resulted as follows:

Ayes:	05 (Legislators Carey, Hofstein, Jobson, Moroney, Murphy)
Nays:	10 (Legislators Cornell, Diaz, Earl, Grant, Paul, Schoenberger, Soskin, Wieder, Hood, Jr., Wolfe)
Absent:	02 (Legislators Low-Hogan, Meyers)

Debate

Mr. Carey

It is my privilege to move the motion to appoint Peter Bradley. I have known Peter for several years. My personal opinion is that that the comments made about him earlier were out of line. He is a Lieutenant in the fire department and has a lot of experience.

**ADJOURNMENT IN MEMORY OF
MARY BADER**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Mary Bader.

**ADJOURNMENT IN MEMORY OF
DARIAN LAMON WEBB**

Mrs. Cornell offered the following memorial, which was seconded by entire Legislature and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Darian Lamon Webb.

**ADJOURNMENT IN MEMORY OF
LARISSA KARASSIK**

Mrs. Cornell offered the following memorial, which was seconded by entire Legislature and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Larissa Karassik.

**ADJOURNMENT IN MEMORY OF
FRANCES MEINSTEIN**

Chairman Wolfe offered the following memorial, which was seconded by Mrs. Cornell and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Frances Meinstein.

**ADJOURNMENT IN MEMORY OF
ROSE LUCIANO**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Rose Luciano,

**ADJOURNMENT IN MEMORY OF
THOMAS GALLAGHER**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Thomas Gallagher.

**RESOLUTION NO. 262 OF 2015
ADJOURNMENT**

Mr. Murphy offered the following resolution, which was seconded by the entire Legislature and unanimously adopted (9:00 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Tuesday, June 16, 2015 at 7:00 p.m.

Respectfully Submitted,

DARCY SHAPIN-GREENBERG
Proceedings Clerk