

The Legislature of Rockland County



MICHAEL M. GRANT
Legislator - District 2

Chair, Budget & Finance Committee
2nd Vice Chair - Planning & Public Works Committee

MINUTES
BUDGET & FINANCE COMMITTEE
TUESDAY, FEBRUARY 23, 2016
7:45 PM

MEMBERS PRESENT

Leg. Leg. Grant, Chair
Leg. J. Hood, Jr., Vice Chair
Leg. H. Cornell
Leg. T. Earl
Leg. L. Hofstein
Leg. D. Jobson
Leg. I. Schoenberger
Leg. P. Soskin
Leg. A. Wolfe

MEMBERS ABSENT

Leg. A. Wieder

OTHERS PRESENT

Leg. Paul E. Yeger, Esq.
L. Incalcaterra V. Altieri
S. Powers S. DeGroat
P. Brennan J. Silvestri
A. Curley D. Block, Esq.

ROLL CALL AT 8:35 P.M.

ADOPTION OF MINUTES: FEBRUARY 9, 2016

MOTION TO ADOPT
CORNELL/HOOD, JR.

UNAN.

1. BONDS/PUBLIC WORKS MATTER:

1PPW) REF. #6803/8973- APPROVING PURCHASES IN EXCESS OF \$100,000 FOR VARIOUS COUNTY DEPARTMENTS UNDER VARIOUS NEW YORK STATE OFFICE OF GENERAL SERVICES CONTRACTS FOR THE PERIOD JANUARY 1, 2016 THROUGH DECEMBER 31, 2016 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER [DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING].

(PAUL J. BRENNAN, CPPO, DIRECTOR, DGS-PURCHASING)

DL#: 2016-00403

TRANSFERRED FROM PLANNING & PUBLIC WORKS COMMITTEE 2/23/16

ADDED SPONSORS: LEGS. SCHOENBERGER, WOLFE, GRANT, PAUL, JOBSON

MOTION TO APPROVE
WOLFE/SCHOENBERGER

UNAN.

ADDED SPONSORS: LEGS. HOOD, JR., CORNELL, EARL, HOFSTEIN, SOSKIN,

2PPW) REF. #5337 - APPROVING RENOVATION AND CONSTRUCTION OF STUDENT UNION FOOD SERVICE AREA (ROCKLAND COMMUNITY COLLEGE) (\$110,000).
(CLIFF L. WOOD, PRESIDENT, RCC)
DL#: 2016-00419

DEFERRED AT PLANNING & PUBLIC WORKS COMMITTEE 2/23/16

3PPW) REF. #6394 - APPROVING AN INTERMUNICIPAL AGREEMENT WITH THE TOWN OF CLARKSTOWN FOR REIMBURSEMENT OF COSTS TO THE TOWN IN AN AMOUNT NOT TO EXCEED \$1,000,000 FOR DEMAREST KILL FLOOD MITIGATION PROJECT AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE CAPITAL PROJECT NO. 7114 [DRAINAGE AGENCY] (\$1,000,000).
(CHARLES H. VEZZETTI, CHAIRMAN, DRAINAGE AGENCY)
DL#: 2016-00426

TRANSFERRED FROM PLANNING & PUBLIC WORKS COMMITTEE 2/23/16
ADDED SPONSORS: LEGS. SCHOENBERGER, WOLFE, GRANT, PAUL, JOBSON

MOTION TO APPROVE AS AMENDED AT PPW **UNAN.**
SOSKIN/JOBSON

ADDED SPONSORS: LEGS. HOOD, JR., CORNELL, EARL, HOFSTEIN, SOSKIN,

4PPW) REF. #1519 - APPROVING AN AMENDMENT TO AND EXTENSION OF AN AGREEMENT IN EXCESS OF \$100,000 WITH HARRIS BEACH, PLLC FOR LEGAL SERVICES IN CONNECTION WITH THE MATTER OF WEST GATE LANDSCAPING, INC. V. COUNTY OF ROCKLAND IN THE ADDITIONAL AMOUNT OF \$80,000 FOR A TOTAL SUM NOT TO EXCEED \$239,000 AND EXTENDING THE PERIOD FROM JANUARY 1, 2016 THROUGH DECEMBER 31, 2016 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF LAW] (\$239,000)
(THOMAS E. HUMBACH, COUNTY ATTORNEY, LAW DEPARTMENT)
DL#: 2016-00366

DEFERRED AT PLANNING & PUBLIC WORKS COMMITTEE 2/23/16

5PPW) REF. #7621 - SETTING A DATE FOR A PUBLIC HEARING WITH RESPECT TO THE ADOPTION OF A LOCAL LAW AUTHORIZING THE USE OF A BEST VALUE AWARD METHODOLOGY FOR PURCHASE CONTRACTS (INCLUDING CONTRACTS FOR SERVICE WORK, BUT EXCLUDING ANY PURCHASE CONTRACTS NECESSARY FOR THE COMPLETION OF A PUBLIC WORKS CONTRACT PURSUANT TO ARTICLE EIGHT OF THE LABOR LAW) AS AUTHORIZED BY § 103 OF THE GENERAL MUNICIPAL LAW AND AS DEFINED IN § 163 OF THE STATE FINANCE LAW (DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING)
(PAUL J. BRENNAN, CPPO, DIRECTOR, DGS-PURCHASING)
DL#: 2015-03802

DEFERRED AT PLANNING & PUBLIC WORKS COMMITTEE 2/23/16

6PPW) REF. #8390 - APPROVING PURCHASES IN EXCESS OF \$100,000 FROM DAN NOLAN INC. FOR BURIAL SERVICES AT GARY ONDERDONK VETERANS MEMORIAL CEMETERY ON THE GROUNDS OF ROCKLAND COMMUNITY COLLEGE, THE COUNTY SECTION OF HIGHVIEW CEMETERY IN NANUET, AND THE FREDERICK LOESCHER VETERANS MEMORIAL CEMETERY IN NEW HEMPSTEAD UNDER RFB-RC-2014-101 FOR A TOTAL AMOUNT NOT TO EXCEED \$230,000 FOR THE PERIOD JANUARY 16, 2015 THROUGH JUNE 30, 2016 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER [DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING] (\$230,000).
(PAUL J. BRENNAN, CPPO, DIRECTOR, DGS-PURCHASING)
DL#: 2015-05776

TRANSFERRED FROM PLANNING & PUBLIC WORKS COMMITTEE 2/23/16
ADDED SPONSORS: LEGS. SCHOENBERGER, WOLFE, PAUL, JOBSON

MOTION TO APPROVE **UNAN.**
JOBSON/EARL

ADDED SPONSORS: LEGS. CORNELL, EARL, HOFSTEIN, SOSKIN

1A) REF. #8709 - REFUNDING BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING THE REFUNDING OF ALL OR A PORTION OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID COUNTY, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED ~~\$17,000,000~~ \$30,000,000 THEREFOR, AUTHORIZING THE ISSUANCE OF ~~\$17,000,000~~ \$30,000,000 REFUNDING BONDS OF SAID COUNTY OR SO MUCH THEREOF AS MAY BE NECESSARY TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN DETERMINATIONS ALL RELATIVE THERETO.
(STEPHEN F. DeGROAT, CPA, COMM. DEPT. OF BUDGET & FINANCE)
DL#: 2016-00420

MOTION TO APPROVE AS AMENDED **UNAN.**
HOFSTEIN/WOLFE

Mr. DeGroat, Commissioner of Finance, advised the committee that the resolution changed, because 2011 bonds are now also refundable due to the ten year treasury yield that came down as of today and the stock market dropping. The County should yield approximately \$400,000 to \$500,000 each year over the next ten years as budgetary savings.

2. GRANTS/DONATIONS:

2A) REF. #6704 - APPROVING ACCEPTANCE OF CONTINUATION GRANT IN THE AMOUNT OF \$164,545 (NCTD) FROM THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES TO SUPPORT THE SPECIAL VICTIMS CENTER-CHILD ADVOCACY PROGRAM FOR THE PERIOD FEBRUARY 1, 2016 THROUGH JANUARY 31, 2017 AND AUTHORIZING EXECUTION OF ALL GRANT DOCUMENTS BY THE COUNTY EXECUTIVE [OFFICE OF THE DISTRICT ATTORNEY] (\$164,545).
(THOMAS P. ZUGIBE, DA, OFFICE OF THE DISTRICT ATTORNEY)
DL#: 2016-00062

TRANSFERRED FROM PUBLIC SAFETY COMMITTEE 2/23/16
ADDED SPONSORS: LEGS. WIEDER, JOBSON, PAUL, SOSKIN, SANTULLI

MOTION TO APPROVE **UNAN.**
EARL/CORNELL

ADDED SPONSORS: LEGS. GRANT, HOOD, JR., CORNELL, EARL, HOFSTEIN,
SCHOENBERGER, WOLFE

2B) REF. #6704 - APPROVING ACCEPTANCE OF GRANT IN THE AMOUNT OF \$378,189 (NCTD) FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES (NYSDCJS) CRIMES AGAINST REVENUE PROSECUTION (CARP) PROGRAM FOR THE PERIOD JANUARY 1, 2016 THROUGH DECEMBER 31, 2016 AND AUTHORIZING THE EXECUTION OF ALL NECESSARY GRANT DOCUMENTS BY THE COUNTY EXECUTIVE [OFFICE OF THE DISTRICT ATTORNEY] (\$378,189).
(THOMAS P. ZUGIBE, DA, OFFICE OF THE DISTRICT ATTORNEY)
DL#: 2016-00167

TRANSFERRED FROM PUBLIC SAFETY COMMITTEE 2/23/16
ADDED SPONSORS: LEGS. WIEDER, JOBSON, PAUL, SOSKIN, SANTULLI

MOTION TO APPROVE **UNAN.**
HOOD, JR./WOLFE

ADDED SPONSORS: LEGS. GRANT, HOOD, JR., CORNELL, EARL, HOFSTEIN,
SCHOENBERGER, WOLFE

3. BUDGET ITEMS:

3A) REF. #6704 - APPROPRIATION OF FORFEITURE FUNDS REQUESTED BY THE OFFICE OF THE DISTRICT ATTORNEY TO COVER COSTS RELATED TO WIRETAP OPERATIONS AND LAW ENFORCEMENT CONSULTATION SERVICES [OFFICE OF THE DISTRICT ATTORNEY] (\$100,000).
(THOMAS P. ZUGIBE, DA, OFFICE OF THE DISTRICT ATTORNEY)
DL#: 2016-00402

**TRANSFERRED FROM PUBLIC SAFETY COMMITTEE 2/23/16
ADDED SPONSORS: LEGS. WIEDER, JOBSON, PAUL, SOSKIN, SANTULLI**

**MOTION TO APPROVE UNAN.
SCHOENBERGER/JOBSON**

**ADDED SPONSORS: LEGS. GRANT, HOOD, JR., CORNELL, EARL, HOFSTEIN,
SCHOENBERGER, WOLFE**

3B) REF. #9505 - APPROPRIATING THE SUM OF \$1,250 TO FRED ELLER AMERICAN LEGION POST 1447, MONSEY, NEW YORK FOR PATRIOTIC OBSERVANCES IN 2016.
(HON. ALDEN H. WOLFE, LEGISLATURE)
LG#: 2016-13

**MOTION TO APPROVE UNAN.
SOSKIN/EARL**

**ADDED CO-SPONSORS: LEGS. GRANT, HOOD, JR., CORNELL, EARL, JOBSON, HOFSTEIN,
SCHOENBERGER, SOSKIN**

3C) REF. #9505 - AUTHORIZING PAYMENT OF FUNDS IN VARIOUS AMOUNTS TO NON-PROFIT ORGANIZATIONS PURSUANT TO COUNTY LAW § 224.
(HONS. ALDEN H. WOLFE, ILAN S. SCHOENBERGER, LEGISLATURE)
LG#: 2016-12

**MOTION TO APPROVE UNAN.
EARL/WOLFE**

**ADDED CO-SPONSORS: LEGS. HOOD, JR., CORNELL, EARL, JOBSON, HOFSTEIN,
SOSKIN**

3D) REF. #9505 - APPROPRIATING THE SUM OF \$1,250 TO RAYMOND W. DEMEOLA VFW POST 1615 ORANGEBURG, NEW YORK FOR PATRIOTIC OBSERVANCES IN 2016.
(HON. VINCENT D. TYER, LEGISLATURE)
LG#: 2016-16

**MOTION TO APPROVE UNAN.
CORNELL/WOLFE**

**ADDED CO-SPONSORS: LEGS. HOOD, JR., CORNELL, EARL, JOBSON, HOFSTEIN,
SCHOENBERGER, SOSKIN, WOLFE**

4. AUTHORIZATIONS:

4A) REF. #8519 - INCREASING NEW YORK STATE CIVIL SERVICE EXAMINATION
APPLICATION FEES
(JOAN M. SILVESTRI, COMMISSIONER, PERSONNEL)
DL#: 2015-05796
DEFERRED 1/26/16 B&F

**MOTION TO APPROVE
WOLFE/HOFSTEIN**

**PASSED
6 AYES/3 NAYS/1 ABSENT**

AYES: 6 (CORNELL, JOBSON, HOFSTEIN, WOLFE, HOOD, JR., GRANT)

NAYS: 3 (EARL, SCHOENBERGER, SOSKIN)

ABSENT: 1 (WIEDER)

ADDED SPONSORS: LEGS. HOOD, JR., CORNELL, JOBSON, HOFSTEIN, WOLFE

Mr. Grant asked what the possible consequences would be if they did not raise the fees for Rockland County residents and raised them for all others.

Mrs. Silvestri, Commissioner of Personnel, advised that there are very few non-Rockland County residents that take the test. Under the Police Act you have to be a Rockland County resident to take the test to be a police officer.

Mr. Earl questioned if there is a promotion fee.

Mrs. Silvestri replied, yes, and they have to take an exam.

Mr. Earl stated that people looking for a job can't afford the extra fee for an exam, but supports a fee for the promotion exam, because that person has a current job.

Mrs. Silvestri advised that fees would be waived for people who certified that he or she is unemployed and primarily responsible for the support of a household or is a recipient of public assistance.

Mr. Jobson recommended that they increase the fee for the Police Exam to \$75.00 and make no other increases.

Mrs. Silvestri agreed as long as they get to the budgeted amount needed.

Mr. Jobson moved to amend the Law Enforcement titles fee to \$75.00 and make no other increases, which was seconded for discussion/vote by Mr. Wolfe and failed.

The vote resulted as follows:

Ayes: 2 (Legislators Grant, Jobson)

Nays: 7 (Legislators Cornell, Earl, Hofstein, Schoenberger, Soskin, Wolfe, Hood, Jr.)

Absent: 1 (Legislator Wieder)

Mrs. Silvestri advised that due to the rising costs for examinations, especially police officer exams, they need the increase in fees. She has to come up with \$60,000 in her budget.

Mr. Hofstein stated that the people taking the exam are making an investment in their future. The County can't keep on absorbing the costs.

Mr. Schoenberger stated that a person pays a fee every time they take an exam. We should be welcoming young people and others into government without raising the fees. He will not vote for this.

5. CONTRACTS/AGREEMENTS:

5A) REF. #9384 - APPROVING AGREEMENT WITH HARRIS BEACH, PLLC IN EXCESS OF \$100,000 FOR BOND COUNSEL SERVICES UNDER RFP-RC-2015-012 FOR THE PERIOD FROM CONTRACT FINALIZATION THROUGH DECEMBER 31, 2016 WITH AN OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE YEAR TERMS AND AUTHORIZING EXECUTION OF THE AGREEMENT BY THE COUNTY EXECUTIVE (DEPARTMENT OF FINANCE) (\$120,000)
(THOMAS E. HUMBACH, COUNTY ATTORNEY)
DL#: 2016-00185
DEFERRED AT B&F 1/26/16 AND 2/9/16

RED DOT

**MOTION TO APPROVE AS AMENDED
WOLFE/HOFSTEIN**

UNAN.

**ADDED SPONSORS: LEGS. CORNELL, EARL, JOBSON, HOFSTEIN, SCHOENBERGER, SOSKIN,
WOLFE**

**ACTION: LEGISLATIVE COUNSEL TO MAKE APPROPRIATE AMENDMENTS TO THE
RESOLUTION AS OUTLINED BY THE COMMITTEE**

Mr. Schoenberger moved to amend the resolution to add language that reflects that the agreement will require Bond Counsel's written consent contained in the contract with Bond Counsel to be directly responsive to the needs of the County Legislature by answering questions related to the issuance of bonds and providing information upon request, which was accepted by Mr. Wolfe.

6. ALLOCATION/RECLASSIFICATION OF POSITIONS:

6A) REF. #9173/9097 - ESTABLISHING ONE POSITION IN THE DEPARTMENT OF SOCIAL SERVICES AND ABOLISHING ONE POSITION IN THE DEPARTMENT OF MENTAL HEALTH IN CONNECTION WITH ROCKLAND COUNTY DRUG COURT PROGRAM [DEPARTMENT OF PERSONNEL].
(JOAN M. SILVESTRI, COMMISSIONER, PERSONNEL)
DL#: 2016-00365

**MOTION TO APPROVE
SCHOENBERGER/GRANT**

UNAN.

**ADDED SPONSORS: LEGS. GRANT, HOOD, JR., CORNELL, EARL, JOBSON, HOFSTEIN,
SCHOENBERGER, SOSKIN, WOLFE**

7. BIDS:

NONE

8. TRANSFER OF FUNDS/OTHERS:

NONE

9. TAX ITEMS:

9A) REF. #5614 - CORRECTION OF 2016 TAX ROLLS TOWN OF RAMAPO KEVLIN LYUDMYLA FAMILY TRUST PROPERTY ID# 62.6-1-39, 16 HIDDEN GLENN LANE MONSEY, NEW YORK 10952 [DIVISION OF REAL PROPERTY TAX SERVICES] (SEAN R. MATHEWS, REAL PROPERTY TAX OFFICE)
DL#: 2016-00378

**MOTION TO APPROVE
SCHOENBERGER/EARL, SOSKIN**

UNAN.

**ADDED SPONSORS: LEGS. HOOD, JR., CORNELL, EARL, JOBSON, HOFSTEIN,
SCHOENBERGER, SOSKIN, WOLFE**

9B) REF #5614 - CORRECTION OF 2016 TAX ROLLS TOWN OF ORANGETOWN ARTHUR HIGGINS AND LORI HIGGINS PROPERTY ID# 74.06-2-58, 82 DUTCH HOLLOW DRIVE ORANGEBURG, NEW YORK 10962 [DIVISION OF REAL PROPERTY TAX SERVICES].
(SEAN R. MATHEWS, REAL PROPERTY TAX OFFICE)
DL#: 2016-00377

**MOTION TO APPROVE
CORNELL/HOOD, JR.**

UNAN.

**ADDED SPONSORS: LEGS. GRANT, HOOD, JR., CORNELL, EARL, JOBSON, HOFSTEIN,
SCHOENBERGER, SOSKIN, WOLFE**

10. PUBLIC HEARINGS:

NONE

11. LOCAL LAWS/HOME RULES:

NONE

12. PRESENTATIONS/DISCUSSIONS:

12A) REF. #7621 - DISCUSSION: BEST VALUE PROCUREMENT POLICIES AND PROCEDURES.
(HON. MICHAEL M. GRANT, LEGISLATURE)

DISCUSSED: PRESENTATION ATTACHED

ACTIONS:

1. **WRITTEN OPINION FROM COUNTY ATTORNEY HUMBACH WITH REGARD TO THE CHARTER AUTHORITIES/POWERS VS. POLICY FOR BEST VALUE AWARD THAT WILL INCLUDE THAT ALL BEST VALUE AWARD RESOLUTIONS WILL NEED LEGISLATIVE APPROVAL REGARDLESS OF THE DOLLAR VALUE OF THE CONTRACT.**
2. **WRITTEN OPINION FROM COUNTY ATTORNEY'S OFFICE WHETHER A PUBLIC HEARING AT A PREVIOUS LEGISLATIVE SESSION SURVIVES THE CHANGE IN MEMBERSHIP OF LEGISLATURE. DO WE NEED TO DO A NEW PUBLIC HEARING?**
3. **B&F CLERK TO EMAIL TO ALL LEGISLATORS COPIES PROVIDED BY PAUL BRENNAN OF PRESENTATION, DRAFT RESOLUTION FOR AMENDMENTS TO PROCUREMENT POLICY/BEST VALUE PROCEDURES, RESOLUTION FOR VARIOUS AMENDMENTS TO THE PROCUREMENT POLICY, INCLUDING NEW PROPOSED SECTION FOR CONTRACTS FOR PROFESSIONAL SERVICES WITH COMMUNITY-BASED NON-PROFIT ORGANIZATIONS, AND DRAFT LOCAL LAW**

13. MISCELLANEOUS:

NONE

14. RECEIVE & FILE:

NONE

15. CORRESPONDENCE/REVIEW AND DISCUSSION:

NONE

**MOTION TO ADJOURN – 10:06 P.M.
JOBSON/EARL**

UNAN.

Respectfully submitted,

Darcy Shapin-Greenberg
Proceedings Clerk