

The Legislature of Rockland County



ILAN S SCHOENBERGER
Legislator – District 4

Chair, Planning & Public Works Committee
Budget & Finance Committee

AGENDA
PLANNING & PUBLIC WORKS COMMITTEE
TUESDAY, FEBRUARY 23, 2016
7:00 P.M.

ROLL CALL

MOTION TO ADOPT MINUTES OF 12/8/15

1PPW) REF.# 9302 CONFIRMING THE APPOINTMENT OF JOHN. WICKES,
AIRMONT, NY TO THE ROCKLAND COUNTY AGRICULTURAL AND
FARM PROTECTION BOARD (**EDWIN J. DAY, COUNTY
EXECUTIVE**) **DL# 2016-00056**

2PPW) 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

3PPW) 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

- 4PPW) 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
- 5PPW) 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
- 6PPW) REF. #7621 - SETTING A DATER 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 PUBIC 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

7PPW) 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

8PPW) REF. # 5906 DISCUSSION: Sewer District (HON. C. FACILIGLIA,
LEGISLATOR)

- a. Condemnation by the Rockland County Sewer District resulting in an award by the Supreme Court, State of New York to the property owner in excess of \$8 million...(Last on our agenda on 6/30/15 at which time it was deferred)
- b. Request of Legislator Charles Falciglia for a Discussion concerning proposed amendments to the Sewer District (letter attached containing 10 items)
- c. Organization/reorganization

PPW22316AGNMZ

Introduced by:

Referral No.

DRAFT

**RESOLUTION NO. OF 2016
CONFIRMING THE APPOINTMENT OF
JOHN W. WICKES, AIRMONT, NY
TO THE ROCKLAND COUNTY AGRICULTURAL AND
FARM PROTECTION BOARD**

WHEREAS, By Resolution No. 638 of 1998 the Rockland County Legislature established the Rockland County Agricultural and Farm Protection Board as authorized by Section 302 of the New York State Agricultural and Markets Law, and

WHEREAS, The Rockland County Agricultural and Farm Protection Board was re-constituted and by Resolution No. 152 of 2010 the Legislature of Rockland County confirmed said appointments; and

WHEREAS, The law provides that the Board shall consist of eleven (11) members, four of whom shall be active farmers, one of whom shall represent agribusiness, one of whom may represent an organization dedicated to agricultural land preservation, one of whom shall be the chairperson of the county soil and water conservation district board of directors, one of whom shall be a member of the County Legislature, one of whom shall be a county cooperative extension agent, one of whom shall be the county planning director, and one of whom shall be the county director of real property tax services, and

WHEREAS, There are currently five (5) vacancies on the Rockland County Agricultural and Farm Protection Board; and

WHEREAS, John W. Wickes is the owner of Wickes Arborist, he is a professionally trained tree and landscape consultant, certified nursery professional, arborist, and member of the Rockland Farm Alliance advisory board; and

WHEREAS, John W. Wickes will be filling the vacancy as a representative of agribusiness; and

WHEREAS, The County Executive has appointed John W. Wickes to fill a vacancy on the Rockland County Agricultural and Farm Protection Board, a subject to legislative confirmation; 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, Section 302 of the New York State Agricultural and Markets Law has been superseded by, to the extent that it is inconsistent with, Section C3.02 of the Charter Law of Rockland County which provides that members of County boards and commissions shall serve at the pleasure of the County Executive; and

WHEREAS, The _____ Committee of the Legislature has met, considered and recommended this confirmation; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves the appointment of John W. Wickes to the Rockland County Agricultural and Farm Protection Board; and be it further

RESOLVED, That the Clerk to the Legislature shall send a copy of this resolution to the Rockland County Agricultural and Farm Protection Board and to John W. Wickes, as set forth herein.

VWJ/vma
2016-00056
1/20/2016

WHEREAS, The _____ and _____ Committees of the Legislature have met, considered and approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the purchases in excess of \$100,000 under various New York State Office of General Services (OGS) contracts, and their successor contracts (if awarded in 2016), for the period January 1, 2016 through December 31, 2016 in the amounts listed:

Contract Title	Vendor	State Contract Number	Estimated Purchases
Comprehensive Bituminous Materials (Joint and Crack Filler/ Sealer)	Vendor Determined Quick Quote Process NYS OGS Contract at the time of application	Group 31555 - Award 22787	\$300,000
Pharmaceuticals - Individual Prescriptions (Jail)	Med World Acquisition Corp.	PC 67018 and successor contract	\$300,000

;and be it further

RESOLVED, That all purchases shall be made by formal purchase order, encumbering the funds in advance of services provided, subject to the approval of the Director of Purchasing, and shall be in accordance with the approved 2016 Budgets for each County Department which purchases off of these contracts.

LHG:dc
2016-00403
2/3/16

Introduced by

DRAFT

Referral No.

**RESOLUTION NO. OF 2016
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 THE DEMAREST KILL FLOOD MITIGATION PROJECT
AND AUTHORIZING ITS
EXECUTION BY THE COUNTY EXECUTIVE
CAPITAL PROJECT NO. 7114
[DRAINAGE AGENCY]
(\$1,000,000)**

WHEREAS, Capital Project No. 7114 was created to provide reimbursement to the Town of Clarkstown for the County's share of work on the Demarest Kill Flood Mitigation Project; and

WHEREAS, The work is to be performed to reduce erosion and flooding along the Demarest Kill, a County regulated stream; and

WHEREAS, The project was designed by a consultant retained by the Town, and the Town subsequently received bids and awarded a contract for construction; and

WHEREAS, The County and the Town agree that the County shall provide proportional contribution of 40%, the total contribution to this project not to exceed \$1,000,000, and that the Town will pay the balance of the project costs; and

WHEREAS, The Town proposes to construct the Demarest Kill Flood Mitigation Project and the County proposes to reimburse the Town for a portion of the funds to be expended by the Town for the project and each desires to enter into an agreement setting forth their understanding regarding this project; and

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal governments to perform together that which each government is authorized to perform individually and requires that any intermunicipal cooperation agreement be approved by each participating municipal corporation by a majority vote of the voting strength of its governing body; and

WHEREAS, The Chairman of the Drainage Agency requests that the County Executive and the Legislature of Rockland County approve an intermunicipal agreement with the Town of Clarkstown for the reimbursement to the Town of costs for the County's share of the work on the Project in an amount not to exceed \$1,000,000; and

WHEREAS, Sufficient funding for this agreement has been authorized in the 2016 Adopted Capital Budget, Capital Project No. 7114 ; and

WHEREAS, The Committees of the Legislature have met, considered and approved this resolution; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves an intermunicipal agreement between the County and the Town of Clarkstown for the reimbursement to the Town of costs for the County's share of the work on the Project in an amount not to exceed \$1,000,000, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement has been authorized in the 2016 Adopted Capital Budget, Capital Project No. 7114.

TS:dc
2016-00426
2-4-16

DRAFT

WHEREAS, The County Attorney and the Commissioner of the Department of Highways recommend to the County Executive and the Legislature of Rockland County to approve an amendment and extension of the agreement with Harris Beach, PLLC, 445 Hamilton Avenue, Suite 1206, White Plains New York 10601, 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 an extension for the period from January 1, 2016 through December 31, 2016; 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 Rockland County Drainage Agency Capital Project No. 7049; and

WHEREAS, The Committees of the Legislature have met, considered and approved this resolution; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves an amendment and extension of the agreement in excess of \$100,000 with Harris Beach, PLLC, 445 Hamilton Avenue, Suite 1206, White Plains New York 10601, for legal services in connection with the matter of West Gate Landscaping, Inc. v. County of Rockland under Index No. 8310/07 in the additional amount of \$80,000 for a total sum not to exceed \$239,000 and an extension for the period from January 1, 2016 through December 31, 2016, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this to the agreement exists in the Rockland County Drainage Agency Capital Project No. 7049.

TH: mf
2016-00366
2/1/16
REV. 2-2-16

DRAFT

Introduced by:

Referral No.

**RESOLUTION NO _____ OF 2015
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)**

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County adopt 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; and

WHEREAS, A public hearing was previously held on December 17, 2013 and no vote was taken on this proposed local law; and

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

RESOLVED, That the Legislature of Rockland County hereby sets the _____ day of _____, 2015 at _____ p.m. for a public hearing to provide for 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.

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2015-03802
9-29-15

increased an average of 200 burials per year at an average cost of \$700 each, therefore, an additional amount of \$130,200 will be needed to cover expenditures for services through June 30, 2016; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve 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 in Suffern, New York, the County section of Highview Cemetery in Nanuet, New York, and The Frederick Loescher Veterans Memorial Cemetery in New Hempstead, New York under RFB-RC-2014-101 for a total amount not to exceed \$230,000 for the period January 16, 2015 through June 30, 2016; and

WHEREAS, All purchases are initiated 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 and 2016 Adopted Budget of the Department of General Services (Dept. I241, Line E5060); 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 _____ and _____ Committees of the Legislature have met, considered and approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves purchases in excess of \$100,000 with Dan Nolan Inc., 508 Route 303, Orangeburg, New York 10962, for burial services at Gary Onderdonk Veterans Memorial Cemetery on the grounds of Rockland Community College in Suffern, New York, the County section of Highview Cemetery in Nanuet, New York, and The Frederick Loescher Veterans Memorial Cemetery in New Hempstead, New York, under RFB-RC-2014-101 in an amount not to exceed \$230,000 for the period January 16, 2015 through June 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 purchases is provided for in the 2015 and 2016 Adopted Budget of the Department of General Services (Dept. I241, Line E5060).

LHG:vma
2015-05776
1/4/16
revised 2/8/16