



**MINUTES
COMMITTEE OF THE WHOLE
SEPTEMBER 20, 2016**

MEMBERS PRESENT

Alden H. Wolfe, Chair
Jay Hood, Jr.
Christopher J. Carey
Harriet D. Cornell
Toney L. Earl
Charles Falciglia
Michael M. Grant
Lon M. Hofstein
Douglas J. Jobson
Nancy Low-Hogan
Patrick J. Moroney
Aney Paul
Laurie A. Santulli
Ilan S. Schoenberger
Philip Soskin
Vincent D. Tyer
Aron B. Wieder

OTHERS PRESENT

Elana Yeger, Esq.	Laurence Toole
Laura Incalcaterra	Mary Widmer
Robert Gruffi	Guillermo Rosa
Mary Barbera	Adam Feuer
Sheriff Falco	Michael Drummond

Chairman Alden H. Wolfe called for the Legislature to move into the Committee of the Whole at 7:04 p.m., which was seconded by Legislator Christopher J. Carey and passed unanimously.

The Legislature now resolved itself into a Committee of the Whole, chaired by the Honorable Alden H. Wolfe to discuss the following:

Discussion Regarding The Redundant Backup Public Safety Radio Communications Project.
(Referral No. 9252) (Hon. Ilan S. Schoenberger, Hon. Michael M. Grant)

STATE OF NEW YORK : COUNTY OF ROCKLAND.
LEGISLATURE OF ROCKLAND COUNTY

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Committee of the Whole:

Discussion Regarding the Redundant Backup
Public Safety Radio Communications Project
(Referral No. 9252)

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Legislative Chambers
11 New Hempstead Road
New City, New York
September 20, 2015
7:04 p.m.

BEFORE:

- | | |
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| ALDEN H. WOLFE, | CHAIRMAN |
| JAY HOOD, | VICE CHAIRMAN |
| CHRISTOPHER CAREY | PATRICK J. MORONEY |
| HARRIET D. CORNELL | ANEY PAUL |
| TONEY L. EARL | LAURIE SANTULLI |
| CHARLES FALCIGLIA | ILAN S. SCHOENBERGER |
| MICHAEL M. GRANT | PHILIP SOSKIN |
| LON M. HOFSTEIN | VINCE TYER |
| DOUGLAS J. JOBSON | ARON WIEDER |
| NANCY LOW-HOGAN | |

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2 CHAIRMAN WOLFE: Okay, the special
3 order of the day is first, we have a
4 Committee of the Whole, which is a discussion
5 regarding the back up on the communication
6 project. This was discussed somewhat in
7 committee. There was a number of items,
8 there was some questions. There was, I guess
9 a request to have the representatives from
10 the administration explain the project and
11 the past to reach this point. So I agreed to
12 put this on the agenda tonight as a Committee
13 of the Whole. So I will move that we Resolve
14 Committee of the Whole.

15 LEGISLATOR CAREY: Second.

16 CHAIRMAN WOLFE: Seconded by Mr. Carey.
17 On the question? All in favor, please say
18 aye?

19 (A unanimous vote of aye.)

20 CHAIRMAN WOLFE: Opposed? None.

21 We are now resolving the Committee of
22 the Whole. For those in the audience what
23 that means is that we are having a 17 person
24 committee to have an opportunity to have a
25 discussion, ask questions have a back and

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2 forth between us and those who are advocating
3 for these items. So what I would like to do
4 is, I guess Mr. Schoenberger would you like
5 to start?

6 LEGISLATOR SCHOENBERGER: I chair the
7 Planning and Public Works Committee and the
8 Budget Finance Committee, if you would like
9 me to start, I will start.

10 THE CHAIRMAN: Please.

11 LEGISLATOR SCHOENBERGER: Let me begin
12 by thanking Mr. Rosa and Mr. Gruffi for
13 coming here tonight and of course, Sheriff
14 Lou Falco as well. The Planning and Public
15 Works Committee and the Budget Finance
16 Committee, we met last week, very concerned
17 about the Redundant Back Up Public Safety
18 Radio Project because in the event something
19 should happen to our current 911 system, the
20 County could be left in jeopardy if we did
21 not have a redundant system. And we received
22 five resolutions, and we were concerned about
23 where we were and where we were going, and
24 how we got to where we were. And you and I
25 had telephone conversations, Mr. Rosa and you

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2 and I exchanged e-mails, and I am glad for
3 everyone coming tonight. And I guess the
4 first question that the committee had, which
5 of course I share as well, is that the, there
6 were 13 bids received in the public opener,
7 the general construction, plumbing,
8 mechanical contracting on this project on
9 April 7, 2015, that's approximately 18 months
10 ago, maybe less. And we just received them
11 to put on the agenda in the last few weeks,
12 and we're concerned. The basic resolution
13 that was sent to us rejected all of the bids,
14 talked about the available funding, there is
15 a question about the available funding. We
16 can talk about that in a few minutes. But
17 also talked about the bids being stale, that
18 they had been submitted in April of 2015 and
19 yet they are just coming to us now. And I
20 guess the recommendation to reject them had
21 to do with the fact that they exceeded the
22 project's anticipated funding, that they were
23 too high. And I think we are entitled to an
24 explanation what happened, why that was not
25 sent to us back in April of 2015. What

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2 clearly I believe we have a referral to the
3 administration's position, these are now
4 stale. We can't accept bids that are a year
5 and a half old, and that what the
6 administration proposes to do, how they
7 propose to handle it. So some of us want to
8 look at some of the contractors in the County
9 that are very well known, and we believe are
10 responsible. And when you look at bids that
11 gives us a full picture of what happened last
12 week in the committee meeting, like general
13 construction, I believe the highest, the
14 lowest bid, the lowest bid was by a local
15 contracting company for \$1,382,000.00 general
16 construction and the next bidder, next lowest
17 was \$1.4 million. There was a bid higher
18 after that. When you start to get into those
19 ranges within an area and in that close, we
20 begin to wonder if that really is the true
21 cost of the project. And if the
22 administration's position that the bids are
23 too high, than what do you propose? Reducing
24 the project, changing the project or
25 something else. And you are asking us to

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reject the bid, in the second resolution to go out and bid again. There was a third resolution to, I guess redesign, and there is a resolution fourth of requesting a bond, and there is a resolution requesting that we authorize the advancement of the bond until the bond is sold. Only three of those resolutions passed the committee, Public Works. They were not financial ones, because we realize that after we authorized design, and authorized to go to the rebid that's going to go to take awhile, and financial's will come later. You acknowledged to me in an e-mail there was an error in the number given to us. So if you would like me to ask you specific questions, I will do so, but I don't want you to feel that you are being cross examined or abused or treated in an unfair manner. If you don't want me to ask specific questions, I am a lawyer and I do cross examine and I will be glad to do that, but I will be glad to surrender the floor to you, and you can explain it at your own pace.

MR. ROSA: Thank you for the offer, I

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2 will take you up on that. Good evening,
3 thank you for having me back. Let me start
4 by, let me start by saying --

5 CHAIRMAN WOLFE: You should come here
6 more often.

7 MR. ROSA: Let me start by saying that
8 the Sheriff spoke with the County Executive
9 last week, and not only last week but for
10 months and months and months that he has been
11 stressing this issue as an issue of public
12 safety. It's not that it has not, that he
13 hasn't brought it up by any means or he
14 hasn't been listened to. And so after
15 receiving the invite last week from the
16 meetings, from not, the minutes but the
17 action items, the County Executive said you
18 need to go there, and then left it up to me
19 to decide who I wanted to bring here. And so
20 I have Mr. Gruffi to speak about, who would
21 speak and answer questions with regard to
22 contracting, the bidding process, all that
23 occurred, and I actually rather than bring in
24 the Commissioner of Finance, I brought
25 Michael Drummond who is actually the

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2 accountant for the capital budget who will
3 have a lot more detail than Mr. DeGroat.

4 LEGISLATOR SCHOENBERGER: We respect
5 that.

6 MR. ROSA: And obviously the Sheriff.
7 I am not an expert in any of those three
8 areas, but I again wanted to also want to
9 thank Legislator Schoenberger for reaching
10 out on e-mail and on the call we had on
11 Friday. And let me answer and start by
12 answering some of those concerns.

13 The bids were opened here in the
14 building by the Clerk of the Legislature back
15 on April 2, 2015. When the bids were
16 received they were very high. So high that
17 it was, when Mr. Gruffi brought them to me,
18 my first question, why such a huge difference
19 from what the administration estimated what
20 the cost would be, and Mr. Gruffi said I am
21 not really sure why. But as Mr. --
22 Legislator Schoenberger said there were 13
23 bids. There were three bids of companies we
24 have done business with that we were quite
25 surprised that they were all high. And they

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2 were equally high, but they were higher than
3 we would have thought. And so what occurred
4 after was that I basically instructed Mr.
5 Gruffi to just stop. This is not just
6 \$100,000.00, \$200,000.00 over, there was
7 significant amount of money over, and Mr.
8 Gruffi has the exact number on that. So I
9 said let's just stop here and figure out what
10 we were going to do. And we started
11 exploring should we do a smaller building, if
12 we are going to do a smaller building let's
13 talk to the Sheriff and find out what his
14 needs are, and what the needs are overall for
15 the project. Let's talk to, let's find out
16 from some of those builders, some of the
17 contractors before we actually close the bid,
18 let's go out back to them, find out from them
19 why is it so high. Is it because
20 construction materials are high, labor is
21 higher? We really weren't expecting it would
22 be that high. That took some time. Bob then
23 came back to me and said it looks like those
24 are the prices, these guys are not budging
25 down and for those of you who know me, I am,

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I am cheap. I, I don't like to pay more than I really have to pay. And so I then asked Mr. Gruffi to go and look for leasing opportunities throughout the County understanding that we didn't want to build another antennae tower because that's adds another five or \$600,000.00 to the project. So somewhere where we could have done something and then let's explore where we can go. He will explain what he went through in terms of going to Blue Hill Plaza and other possibilities, and then he came back and said you know this is what it is, and again engage with the contractors. And I will have him explain how that all occurred. And really, if anybody is to take responsibility for how long it took, it was me. Because I just kept saying, I can't believe we have to pay a million dollars more than what we thought it would be, and so doing my due diligence. In addition to that, we were then trying to explore what other funding is available that doesn't necessarily have to be taxpayer dollars. And so with that we engaged the

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2 Sheriff as well and he offered some potential
3 opportunities there. And so there was no
4 magic trick in terms of, you know, why is it
5 being brought up now versus six or seven
6 months ago. It just took us a long time to
7 do that, and among many other things. We
8 just basically kept talking and trying to
9 figure out how to do it better. With that, I
10 will turn over to Mr. Gruffi.

11 LEGISLATOR SCHOENBERGER: Let me just
12 say this, I asked the clerk to our, we asked
13 our County Clerk to total it up and if my
14 recollection from that night is correct, it
15 was about \$2.9 million for all the low bids
16 together in the project.

17 MR. ROSA: That's what I understand the
18 bids came to.

19 LEGISLATOR SCHOENBERGER: We have to
20 bid separately, general construction,
21 plumbing, the electrical.

22 MR. ROSA: All those came to about \$2.9
23 million. It's an estimation and I will have
24 Mr. Gruffi come up. We thought it was going
25 to cost us about \$1.7 million.

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2 LEGISLATOR SCHOENBERGER: That's a big
3 difference. I would like Mr. Gruffi to tell
4 us how much per square foot was estimated,
5 and how much per square foot was the \$2.9
6 million is, so we get a range of where we
7 are, thank you.

8 MR. GRUFFI: Where should I start?

9 LEGISLATOR SCHOENBERGER: Where ever
10 you feel comfortable doing.

11 MR. GRUFFI: Okay, let's start at the
12 square footage. The building that we are
13 looking at is approximately 3600, 3700 square
14 foot building, very small. The typical size
15 of a residential home, a large home that
16 would be found in Rockland County. When we
17 looked at the project, we estimated and
18 established about \$400.00 a square foot, and
19 we took it at 4000 square feet, it would be
20 \$1.6 million. If it's at 3,000 square feet,
21 it's at \$1.2 million. We felt that we were
22 in the range. We felt the bids would come in
23 about one four, we really believed that.
24 When the bids came in, they were a million
25 five over what we anticipated, \$2,914,000.00.

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We looked at that. We met with all of the contractors. We met with the engineers, the architect. We reviewed everything. We asked the contractors to go back over their numbers. They did, the only concession we received, was, I do believe as I recollect, was \$35,000.00 reduction from the plumber. The other trades could not reduce their price any lower. To this date, myself, the engineers, the architect, and even the contractors cannot give an explanation of how it came in at \$2.9 million. We are at a loss for words. With that, we went back to look at everything. We had many discussions. We examined different avenues. One of them was to go out and look for leased space. To find leased space for the Back Up Radio Room requires that the radio room that we would built had to be located at one of the constellation tower sites in the entire radio system. We have 13 different constellation radio tower sites located throughout Rockland County and adjacent counties. These all comprise the communication system, the ring

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that operates the system and how it interacts and communicates. The only location that we could find that would meet that criteria was the Bluehill site. STAC is in the woods. Saint Mary's is in the woods. Chiefcoat is in a residential area. Jackie Jones is in the Palisade Park. Bear Mountain is up, just north of the Bear Mountain circle. You have Lamont on the Lamont Doherty property. We have Salisbury Place which is located at the Tappan Zee Bridge. None of these sites would be able to accommodate the need to build a back up radio room.

We entered into a discussion with Bluehill and it took about four to six months of going back and forth, looking at rental space, trying to get a handle on how much space we could use. The only space that they had was just dictated by walls. We had to look at it closely to see if it would work. There was one space that would have met the minimal, minimal square footage. I mean absolute minimal. We said, okay, how much would it cost to build it out, and then we'll

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2 lease it from you. They came back with a
3 price of \$1.6 million dollars to build it
4 out.

5 LEGISLATOR SCHOENBERGER: Approximately
6 when did that discussion happen? How long
7 after the bids came in and the determination
8 was made?

9 MR. GRUFFI: Approximately two or three
10 months after the bids came in, somewhere in
11 that area. I don't have the exact date here
12 with me tonight, but it happened, you know,
13 somewhat afterwards.

14 LEGISLATOR SCHOENBERGER: So we talked
15 about from April, May, June, somewhere with
16 July.

17 MR. GRUFFI: June, July, August
18 September, October, it went on.

19 LEGISLATOR SCHOENBERGER: 2015?

20 MR. GRUFFI: 2015. We went back and
21 forth to try to negotiate a price. When they
22 told us it would be \$1.6 million dollars, we
23 could not see the County investing \$1.6
24 million dollars into rental space that, if
25 for some reason we decided to leave, they

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2 would have benefited from the improvements to
3 the infrastructure for their benefit, and it
4 was a large sum of money. We went looking at
5 what we were building. We had discussions
6 and we decided that we would have to do some
7 redesign of the building. We would change
8 the appearance of the building. We would
9 change the structure of the building. We
10 looked at --

11 LEGISLATOR SCHOENBERGER: When was that
12 decision made to redesign would be the
13 perfect way to go?

14 MR. GRUFFI: Somewhat after the lease
15 space was reviewed.

16 LEGISLATOR SCHOENBERGER: Are we
17 talking about somewhat a month to six months?

18 MR. GRUFFI: Probably one month, two
19 months or so in that area, where we decided
20 we would look at to redesign the building.

21 LEGISLATOR SCHOENBERGER: We are
22 talking about this time last year?

23 MR. GRUFFI: Somewhere around that
24 time, yes. Changing the requirements of what
25 we would need for infrastructure within the

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2 building, looking at different materials,
3 valid engineering, and we felt that we could
4 most likely bring the building in around \$2.1
5 million, \$2 million, hopefully, that's what
6 we are looking at. It could go to 2.2, who
7 knows, it depends on the market, on the
8 economy. We believe we looked at enough
9 significant changes to reduce the price of
10 the structure without really in any way
11 really compromising the integrity of the
12 structure or the operation of the structure.

13 LEGISLATOR SCHOENBERGER: May I ask you
14 to be a little more specific, when you talk
15 about redesign? You were talking about a
16 building before of 3600, 3700 square feet
17 reducing it in size?

18 MR. GRUFFI: We were going to keep it
19 at the same size.

20 LEGISLATOR SCHOENBERGER: What was the
21 redesigned that would cause the cost of the
22 building to drop from \$800,000.00 to a
23 million dollars?

24 MR. GRUFFI: We looked at the entire
25 site itself and the infrastructure. There

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was some, there were a lot, a significant amount of money in the infrastructure of the work itself, and we looked at it and modified it and changed. We looked at the plumbing, the air conditioning that was very expensive. We have now looked at and changed to be of the same operating characteristics, the same reliability but of a different type of construction. We believe we will save significant money there. The structure of the building is no longer a stipped roof system. It is now a typical A frame building. We are looking at which makes the structure much more easier to work. We are looking at putting a mezzanine in the building as opposed to a full basement. There you save site money, less excavation, less cut and fill, less retaining walls, just a number of numerous things when you look at it all, it adds you and we believe we can save money.

LEGISLATOR SCHOENBERGER: This is changes to the original design prepared by the consultant?

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2 MR. GRUFFI: That's correct.

3 LEGISLATOR SCHOENBERGER: For those
4 people that may not be familiar about what we
5 are talking about. We are talking about, I
6 should have done that to begin with. We are
7 talking about a Redundant Back Up Public
8 Safety Radio Communication Facility which is
9 to ensure continuous uninterrupted operation
10 of the public safety radio communication
11 system, in the event the main radio
12 communication building becomes inoperable, am
13 I correct, sir?

14 MR. GRUFFI: Yes, that is correct.

15 LEGISLATOR SCHOENBERGER: So as we sit
16 here today, we do not have a Redundant Back
17 Up System?

18 MR. GRUFFI: We do not have a Redundant
19 Back Up System, that is true, correct.

20 LEGISLATOR SCHOENBERGER: So this is
21 the 911 system, am I correct with that?

22 MR. GRUFFI: The 911 is part of this
23 system, yes, correct.

24 LEGISLATOR SCHOENBERGER: So if the 911
25 system went down tonight, there will be no

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back up system for tonight or tomorrow until something could be done?

MR. GRUFFI: Correct.

LEGISLATOR SCHOENBERGER: And I am trying to understand how this didn't come forward or move towards or even come to us over the 18 month period since the bids came in. I am going to assume now there was no redundant system for the last 18 months.

MR. GRUFFI: Correct.

LEGISLATOR SCHOENBERGER: Okay, I don't know how many more questions I am going to ask, but the sense that I have of my fellow legislators, and I don't speak for anybody but one, I am one of the 17, but the sense I have of the body is it would have probably been much more appropriate for all of us to have been advised of this earlier, and to discuss where we were going, and what was proposed, rather than coming over to us 18 months later and being labeled not as an emergency, but as something that had to be done expeditiously because public safety was in jeopardy. I am not directing that at you

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or anyone, I am not being critical of anyone. I am not being critical of anybody. I am just being observational and those of us who have a responsibility sitting here would have liked to have been involved in the process, and contributed whatever we could to move it forward. I think that my questions at this point are answered. With the exception of the financial item, which we are going to discuss with Legislator Grant will speak on that for another time. For the time being I will yield to the Legislature Members who might have questions. And by the way, I assured Mr. Rosa in our e-mails that this day would be treated with every courtesy and very professional here tonight, and we always try to do, and hopefully we will accomplish that.

CHAIRMAN WOLFE: Legislator Cornell?

LEGISLATOR CORNELL: Thank you, Mr. Rosa and Mr. Gruffi. Long before the 17 months that we are talking about, we had done a new radio room, correct?

MR. GRUFFI: Yes.

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2 LEGISLATOR CORNELL: So there has been
3 a long time there hasn't been a redundant
4 system, is that correct? Is there some state
5 law that requires this? What made us, 17
6 months ago decide to go out to bid in the
7 first place?

8 MR. GRUFFI: It was always part of the
9 original design. There was always discussion
10 that when you put in this new system you had
11 to have a back up radio room. The law I know
12 that there is reference to legislation that
13 says you need to have a back up radio room,
14 and the Sheriff may answer that.

15 LEGISLATOR CORNELL: He is nodding,
16 thank you very much.

17 SHERIFF FALCO: Okay, every County in
18 the State of New York gets a 911 surcharge on
19 your phone bill. Those monies that the
20 County received, they have to have a
21 redundant radio system. Back in 2010 or 11,
22 the State came down and did an audit and
23 found that we didn't. They held back the
24 funding. When they contacted then Sheriff
25 Kralik and myself, we put what we called a

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2 patch in, where we were doing the redundancy
3 through the police division desk here in New
4 City, but that was just simply a patch. And
5 then we started discussions with then County
6 Executive Vanderhoef to start a back up radio
7 room. It was decided at that point to wait
8 until the new radio room was built then we
9 would do the redundancy. And where it became
10 even more critical was that patch that was
11 done, we can only dispatch the police
12 departments through the sheriff's police
13 division desk if in fact the radio room went
14 down. Once we went live in 2015 with the
15 interruptablilty radio system, where the
16 dispatch of police, fire and EMS all on one,
17 the patch we had in was obsolete. So we
18 decided and I had started discussions way
19 before that 18 months with our current County
20 Executive, and then we started moving the
21 process forward. But yes, it is required
22 based on us receiving that funding from the
23 surcharges. As a matter of fact, I was just
24 notified that the Comptroller's Office is
25 coming down in the next couple of weeks to do

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2 another audit. So this I hope will be in
3 process by then so we can explain that to the
4 Comptroller's Office.

5 LEGISLATOR CORNELL: Thank you very
6 much, that helps clarify some of how we got
7 here.

8 THE CHAIRMAN: Mr. Grant?

9 LEGISLATOR GRANT: Thank you Mr.
10 Chairman, just a couple of follow-up
11 questions. Mr. Rosa went through a
12 description of why it took us so long to get
13 here. I am not sure that I am actually
14 satisfied with all of the responses yet. I
15 just want to keep in mind these bids were
16 opened in the April of 2015, not April 2016.
17 As Mr. Schoenberger mentioned that is a year
18 and a half, eighteen months ago was when the
19 bids were actually opened. Since that time,
20 we had another round of capital budget
21 review. The County Executive prepared a
22 capital budget along with Capital Projects
23 Committee and it was submitted to us last
24 October 1. Why wasn't the capital budget
25 amended in October of 2015 so the work could

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commence on this backup radio system in 2016?
Does anybody have an answer for that? It
seems to be apparent that not enough money
was provided for this project, initially.
And it's not as though the project has been
redesigned so that it conforms to the
existing budget. We are being asked to add
another million and a half dollars to it. So
why wasn't it back in October brought to our
attention that this required more funding.

MR. ROSA: That's a very good question
and the one answer I have to that is, I was
striking out and looking for as much none
taxpayer funded possibilities that we could
have. And the Sheriff has been a partner and
along with talking to the contractors and
builders, and seeing how we can actually
reduce the cost, and you are absolutely right
that was an opportunity that we missed.

LEGISLATOR GRANT: Okay, in terms of
the new radio room, not the back up radio
room, Mr. Gruffi, can you just give us some
information relating to what the size of that
with the square footage cost were, total cost

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2 were for that project?

3 MR. GRUFFI: For the new radio room?

4 LEGISLATOR GRANT: The new radio room,
5 not the back up.

6 MR. GRUFFI: The main one is the budget
7 that I recollect was approximately \$8.5
8 million dollars overall, and I am going back
9 on square footage now --

10 LEGISLATOR GRANT: Ballpark.

11 MR. GRUFFI: I believe it was around
12 8000 square foot roughly.

13 LEGISLATOR GRANT: In terms of, that's
14 just construction or is that the equipment
15 and furnishings?

16 MR. GRUFFI: That was equipment,
17 furnishings, structure, everything.

18 LEGISLATOR GRANT: So I am trying to
19 see a little disconnect in terms of 3600
20 square foot. I know it was a completely new
21 structure on the site, and a little bit of
22 the disconnect of on the cost and the
23 explanation for that. In terms of the
24 equipment, I don't know if you are the right
25 guy to answer, the radio equipment that's in

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new back up radio facility, there are two expenditures that I find, one was \$2.6 million that's been spent and \$2.7 million that's been encumbered, is that all of the equipment for the radio room? Is that spares or what's involved in the \$5 million, over \$5 million dollars in the radio equipment?

MR. GRUFFI: I am going to ask our Chief of Communications to answer the equipment questions because he was well versed in the equipment, better than myself.

MR. FEUER: Good evening, the equipment that has been purchased is the Motorola piece of the equipment, which is actually, it's called the System Core, which is the fully redundant backup system that is required to keep the radio system going, so that all police, fire, and EMS can communicate that we have. It's at the health complex, I believe. Bob has it, and it also consisted of the dispatcher work station where the dispatcher sits in front of all of the monitors, and that furniture, it's all included in that. But there is some equipment that is not

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2 included. There is some minor stuff that's,
3 some PCs, but the bulk of the core, the
4 entire core is there.

5 LEGISLATOR GRANT: What was budgeted
6 for that in the original \$6 million?

7 MR. FEUER: I am terrible at numbers.
8 I am more of a technical person.

9 LEGISLATOR GRANT: I guess my question,
10 my issue is this, if \$5 million dollars was,
11 over \$5 million, \$5.2 million was for
12 equipment, then this project has been under
13 budgeted from the beginning, or was there a
14 decision made to spend money differently?

15 MR. GRUFFI: No, this was originally in
16 the original budget, that is the equipment
17 that would be needed to replicate the radio
18 room that's located at the fire training
19 center. It's an identical replication of the
20 equipment and the operating systems.

21 MR. GRANT: I will accept that
22 explanation, but again on the sheets that
23 were prepared for us is \$2.6 million that's
24 been spent, \$2.6 that's encumbered, that's
25 \$5.2 million, a \$6 million budget, this

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2 project is clearly under budgeted from the
3 beginning, yes or no? Does anybody have an
4 opinion on that?

5 MR. GRUFFI: Originally from our
6 estimation we had approximately \$700,000,
7 \$750,000 remaining in the budget in the
8 expenditure of \$6 million. We also had
9 another \$700,000 from the radio room that we
10 built in Pomona that we still have, that we
11 are going to apply, which is the way we got
12 to our \$1.4 million that we would be at. I
13 can't give any other explanation other than
14 that we thought we had the budget.

15 LEGISLATOR GRANT: That would still
16 require an amendment to this capital project,
17 wouldn't it? It would require an amendment
18 to this capital project to transfer the funds
19 to accommodate that. So I guess I am
20 concerned is that there hasn't been a
21 sufficient communication with the legislature
22 on this issue. The backup radio system, the
23 Sheriff has indicated that's something that's
24 required by Law. It is something that should
25 be among our higher priorities, especially in

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2 the post-Sandy era. And we know how
3 important this is, not just to the County of
4 Rockland, but to the other eight police
5 agencies, 26 fire departments and 18
6 ambulance corps, the EMT corps in the County.
7 So it's a very high priority and the
8 certainty of a disaster that would impact the
9 fire training center would render us without
10 communication, it seems to be very
11 significant. And yet we haven't been able to
12 pull this all together and say, we under
13 budgeted, it's taking too long, we need to
14 get the information to the Legislature, make
15 a decision to move forward. I think the
16 decision should have probably have been made
17 at least last October when the capital budget
18 was presented to the Legislature. There was
19 insufficient funding to accomplish this
20 project and move forward. And here we sit at
21 September almost October, another year later,
22 and we are trying to still gain an
23 understanding and get our arms around it. It
24 hasn't helped that department heads have not
25 been coming to Legislature committee

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2 meetings, probably many of these questions
3 could have been asked then. One of my other
4 issues related to the cost of the project,
5 just to recap, we have five resolutions that
6 are being considered. One, is to redact the
7 bids from April 2015. The other is to amend
8 the capital budget, to increase it by a
9 million five. We are not trying to squeeze
10 the project into the six million. We are
11 trying to increase, recognizing things are
12 more expensive. The fourth is to issue a
13 fourth rider to the Legislature to rebid the
14 project. And then there are two funding
15 resolutions, one is to bond for 25 years, and
16 so the building has a 25 year life
17 expectancy. I am not sure if the equipment
18 does. And another, a fifth issue is to
19 advance the money so we can enter into
20 contracts so we can begin the process right
21 away. And we have another issue, we have
22 been very vocal about it, we are in an
23 austerity and we are advancing money from the
24 general fund, yet the vendors are told they
25 are going to have to wait for their money

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2 because of austerity, and I don't have an
3 answer on that. But specifically on that
4 third resolution authorizing us to issue
5 bids. There is a back up that said we would
6 put Brooker Engineering and OLA and
7 Degenshein Architects back to work doing
8 design and design specifications. We already
9 paid them \$175,000.00 in total, and I don't
10 know the timing of everything because I have
11 about \$90,000 has been expended and another
12 \$83,000.00 that's been encumbered. Is their
13 work complete? What are we paying them to
14 redesign? You say they are going to get a
15 survey done, what surveying, what engineering
16 needs to be done, why are we are giving them
17 a third bite at the apple? And tell me that
18 I am wrong, because I want to be wrong on
19 this.

20 MR. GRUFFI: I don't want to say you
21 are wrong or not wrong. Dengenshein is our
22 architect, and John Batista and Brooker
23 Engineering. Brooker does the civil site.
24 John Batista is doing the mechanical,
25 electrical, plumbing and Degenshein is doing

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2 the architectural. For consistency purposes
3 and to reduce the cost of what it would cost
4 to go out and the time elements involved, if
5 we went out we would have to have go with an
6 RFP. We would probably find what I have to
7 hopefully say is, they would be the ones that
8 would be selected. If not somebody else we
9 would have to start from ground zero. Here
10 we already have the original plans, all of
11 the basic steps. What we are doing is
12 modifying those plans, altering those plans
13 but it still costs money to do it, it's time.
14 And it's really cost effective in the long
15 run because this reevaluation and review and
16 redesign of the existing plans, taking them,
17 will only take about two, about three months
18 maximum. We are looking to go out to bid
19 hopefully in November or December of this
20 year. And hopefully by February or March
21 have the contractors lined up and start
22 construction as soon as the ground thaws out.
23 And then hopefully do a construction project
24 anywhere between six to nine months, and
25 rapid construction because of the importance

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2 of the project.

3 LEGISLATOR GRANT: I don't have any
4 further questions at this point in time.

5 CHAIRMAN WOLFE: Anybody else? Mr.
6 Schoenberger?

7 LEGISLATOR SCHOENBERGER: I want to
8 thank you for coming tonight. I myself speak
9 for me personally, I am satisfied with your
10 answers, and I hope we'll be able to at least
11 reach some resolution tonight, and get this
12 project back on track.

13 CHAIRMAN WOLFE: And with that, is
14 there a motion to rise from the committee to
15 the full legislature?

16 LEGISLATOR SCHOENBERGER: Motion.

17 CHAIRMAN WOLFE: A motion by Legislator
18 Schoenberger, is there a second?

19 LEGISLATOR LOW-HOGAN: Second.

20 CHAIRMAN WOLFE: And a second by
21 Legislator Low-Hogan, on the question, all in
22 favor, aye?

23 (A unanimous vote of aye.)

24 CHAIRMAN WOLFE: Opposed, no. Now We'll
25 go to the full legislature.

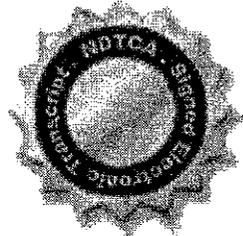
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C E R T I F I C A T I O N

Certified to be a true and accurate
transcript of the aforesaid proceeding to
the best of my ability.

Anne Marie Ambrose

Anne Marie Ambrose



Committee of the Whole
Minutes, 9/20/16

Chairman Alden H. Wolfe called to adjourn the Committee of the Whole and report back to the full Legislature at 7:43 p.m., which was moved by Legislator Ilan S. Schoenberger and seconded by Legislator Nancy Low-Hogan and passed unanimously.

Respectfully submitted,

Darcy Shapin-Greenberg
Proceedings Clerk