

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, January 19, 2016 at 7:00 P.M., pursuant to the adjournment of the January 5, 2016 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 14th day of January 2016

The Legislature of Rockland County convened in regular session pursuant to adjournment of the January 5, 2016 meeting.

A Roll Call being taken at 7:15 p.m., the following Legislators were present and answered to their names:

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

Absent: Legislator Patrick J. Moroney and Jay Hood, Jr., Vice Chairman

Honorable Christopher J. Carey, Legislator, District 9, led in the salute to the flag and delivered the invocation.

**RESOLUTION NO. 10 OF 2016
ADOPTION OF MINUTES OF LEGISLATIVE
MEETINGS OF OCTOBER 20, 2015, NOVEMBER 4, 2015
NOVEMBER 17, 2015, DECEMBER 3, 2015**

Mr. Jobson offered the following resolution, which was seconded by Mrs. Low-Hogan and unanimously adopted:

Resolved, that the transcribed minutes of the Legislative meetings of October 20, 2015, November 4, 2015, November 17, 2015, December 3, 2015 , as recorded by the Clerk and presented to the Legislature, be and they are hereby adopted.

Comments from the Chairperson

Honorable Alden H. Wolfe, Chairman

There have been quite a few losses in the past recent weeks. There are a number of celebrities that have lost their lives. I want to mention someone who lost their life today, Steve Jaffee, the husband of Assemblywoman Ellen Jaffee. He has had a difficult road the last couple of years. He was someone who was a leader in the Suffern Democratic Party when I first became involved. He was an all-around nice guy. His loss will certainly be felt. I send my best wishes to Assemblywoman Jaffee and her family on their loss.

Special Order of the Day:

PUBLIC NOTICE

NOTICE is hereby given that a public hearing will be held by the Legislature of Rockland County at its Legislative Chambers, 11 New Hempstead Road, New City, Rockland County, New York, on the **19th day of January, 2016, at 7:05 P.M.**, prevailing time, to consider adoption of a local law to require housing cooperatives to take timely action upon applications by prospective purchasers.

Dated: New City, New York
January 7, 2016

LAURENCE O. TOOLE
Clerk to the Legislature
Allison-Parris County Office Building
11 New Hempstead Road
New City, New York 10956

The Chairman opened the public hearing at 7:20 p.m. and the following person spoke:

- ❖ Barry Kramer, Hudson Gateway Associates of Realtors, in favor
- ❖ Laurie DiFrancesco, in favor
- ❖ Russ Wooley, in favor

Affidavits of publication and a complete transcript of the public hearing are on file in the Office of the Clerk to the Legislature.

**RESOLUTION NO. 11 OF 2016
CLOSE PUBLIC HEARING**

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

RESOLVED, that the public hearing be and it is hereby closed. (729 p.m.)

There was no vote on this matter this evening.

The Chairman opened the public participation portion of the meeting at 7:30 p.m. and there were no speakers.

AMENDED
UNFINISHED BUSINESS
Referral No. 2867/8400

Introduced by:
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 12 OF 2016
CONFIRMING APPOINTMENTS TO THE
ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY**

Mr. Grant offered the following amended resolution, which was seconded by Mr. Hofstein 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, the Chair of the Legislature has appointed the following five (5) members:

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

; and

WHEREAS, the Minority Leader of the Legislature has appointed the following three (3) members:

- Hon. Douglas J. Jobson
- Hon. Patrick J. Moroney
- Hon. Lon M. Hofstein

; and

WHEREAS, the Rockland County Conference of Mayors has recommended the following two members:

- Hon. Lawrence Lynn
- Hon. Michael Kohut

; now, therefore be it

RESOLVED, that the Legislature of Rockland County hereby confirms the following five (5) appointments of the Chairman of the Legislature:

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

and; be it further

RESOLVED, that the Legislature of Rockland County herein confirms the following three (3) appointments of the Minority Leader:

Hon. Douglas J. Jobson
Hon. Patrick J. Moroney
Hon. Lon M. Hofstein

and; be it further

RESOLVED, that the Legislature of Rockland County herein confirms the following two (2) appointments upon the recommendation of the Rockland County Conference of Mayors

Hon. Lawrence Lynn
Hon. Michael Kohut

;and be it further

RESOLVED, said terms are to expire on or about January 15, 2018; and be it further

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

Debate:

Mr. Schoenberger

The Solid Waste Authority also consists of every Supervisor in the County of Rockland. We have two new Supervisors, Stony Point and Clarkstown, who will also be members of the Solid Waste Authority even though it is not reflected in this resolution. They serve by virtue of their positions.

Introduced by:

Referral No. 9505

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

**RESOLUTION NO. 13 OF 2016
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 Mrs. Cornell, Mr. Earl, Mrs. Low-Hogan, Mrs. Paul and 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 2016, the Legislature of the County of Rockland has chosen to provide funds to the following non-profit organization in the following amounts from the noted budget line:

SEE ATTACHED SCHEDULE "A"

; and

WHEREAS, the above listed organization seeks 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 B - 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 Receipt 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, 2016 to December 31, 2016; and,

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

WHEREAS, the sums to be provided shall be paid to the above listed organization on or about April 30, 2016 and October 31, 2016; and

WHEREAS, The Budget and Finance Committee of the Legislature has 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 organization from the noted budget line:

SEE ATTACHED SCHEDULE "A"

; 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 2016 - a sample of which is annexed hereto and incorporated into this resolution as Schedule B - 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 organization on or about April 30, 2016 and October 31, 2016, and be it further;

RESOLVED, That any funds unused by the above listed organization 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 organization through December 31, 2016, 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 2016.

SCHEDULE A

Arts Council Rockland	CA - 7561 E5010 \$	40,630
Assoc. Visually Impaired	CA - 4083 E5010 \$	154,117
Big Brothers Big Sisters	CA - 8821 E5010 \$	95,745
MHA - CASA	CA - 8822 E5010 \$	11,300
Chiku Awaali African Dance	CA - 7642 E5010 \$	1,560
Childcare Resources of RC	CA - 8804 E5010 \$	120,735
Childcare Resources of RC	CA - 8804 5060 \$	57,285
Cornell Cooperative Ext	CA - 8750 E5010 \$	260,620
Debra Weiss Dance	CA - 7535 E5010 \$	1,896
Edward Hopper House Art Center	CA - 7655 E5010 \$	3,160
Elmwood Community Playhouse	CA - 7541 E5010 \$	8,263
Friends of Nyacks	CA - 7518 E5010 \$	6,575
Garnerville Art Center	CA - 7664 E5010 \$	17,658
Haverstraw Brick Museum	CA - 7515 E5010 \$	13,070
Historical Society	CA - 7520 E5010 \$	36,114
HI-TOR	CA - 3510 E5010 \$	44,825
Hudson Vagabond Puppets	CA - 7571 E5010 \$	4,000
Keep Rockland Beautiful	CA - 8841 E5010 \$	51,667
Legal Aid Society	CA - 1171 E5010 \$	59,860
Library Association of Rockland	CA - 7410 E5010 \$	39,885
MHA Family Treatment Court	CA - 8806 E5010 \$	14,355
Morning Music Club	CA - 7555 E5010 \$	1,085
NAACP Nyack	CA - 6324 E5010 \$	5,484
NAACP Spring Valley	CA - 6343 E5010 \$	5,484
Penguin Repertory	CA - 7566 E5010 \$	2,376
Rivertown Films	CA - 7545 E5010 \$	1,355
Rockland Camerata	CA - 7550 E5010 \$	1,560
Rockland Center for Holocaust	CA - 7521 E5010 \$	9,030
Rockland Center Arts	CA - 7562 E5010 \$	36,114
Rockland Choral Society	CA - 7542 E5010 \$	3,184
Rockland Conservatory Music	CA - 7531 E5010 \$	18,057
Rockland Economic Develop	CA - 1233 E5010 \$	315,998
Rockland Schools 21st C	CA - 8958 E5010 \$	199,621
Rockland Youth Dance	CA - 7536 E5010 \$	4,810

SCHEDULE "B"

Federal ID#**-*****

**2016
MEMORANDUM RECEIPT**

THIS Memorandum Receipt dated this ____ day of _____, 2016, 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, 2016** and terminate **December 31, 2016**.

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.

FOR HI-TOR ONLY - *The COUNTY OF ROCKLAND shall be named as an additional insured on general liability insurance policies and policy endorsements, and the policies and policy endorsements shall provide that the insurance shall not be cancelled or terminated without thirty (30) days prior written notice to the County of Rockland. Unless and until RECIPIENT obtains such insurance, this Memorandum Receipt shall not be effective and no monies shall be paid or given to the RECIPIENT.*

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 _____ 2016.

By: _____
(presiding officer)
President

Dated: _____

By: _____
Treasurer (disbursing officer)

Dated: _____

VETOED BY THE COUNTY EXECUTIVE/NO OVERRIDE BY THE LEGISLATURE

Introduced by:

Referral No. 9505

- Hon. Alden H. Wolfe, Sponsor
- Hon. Michael M. Grant, 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
- Hon. Aron B. Wieder, Co-Sponsor
- Hon. Harriet D. Cornell, Co-Sponsor

**RESOLUTION NO. 14 OF 2016
 APPROVING EXECUTION OF 2016 CONTRACTS WHICH ARE IN EXCESS
 OF \$100,000 TO CONTRACT AGENCIES BOTH WITHIN COUNTY
 DEPARTMENTS AND OUTSIDE**

Mr. Grant offered the following resolution, which was seconded by Mrs. Cornell, Mr. Earl, Mrs. Low-Hogan, Mrs. Paul, Mr. Soskin, Mr. Wieder and Chairman Wolfe and adopted

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 Legislature has appropriated funds in the 2016 Budget for these programs; and

WHEREAS, agreements are in the process of being prepared for these programs; and

WHEREAS, these agreements provide for payment by the County to the providers based upon a specific fee for services; and

WHEREAS, these agreements may exceed the sum of \$100,000; and

WHEREAS, the Budget and Finance Committee of the Legislature has met, considered and by a unanimous vote approved this resolution; now, therefore, be it

RESOLVED, that the Legislature of Rockland County approves the execution of all 2016 agreements listed on the Schedule "A" attached.

The vote resulted as follows:

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

Schedule A
2016 Budget Contract Agency Contracts in Excess of \$100,000

Community Enrichment Programs

Association for Visually Impaired	\$ 154,117
Catholic Community Svc of RC	\$ 162,513
Child Care Resources of Rockland	\$ 120,735
Community Improvement Council	\$ 162,513
Cornell Coop Extention of Rockland	\$ 260,620
EXE- Rockland Economic Develop	\$ 315,998
Rockland Schools 21st Century	\$ 199,621
Vounteer Counseling Service	\$ 162,515
Westchester Comm Opportunity	\$ 166,315

Mental Health Contract Agencies

DMH- Dept of Mental Health	\$ 900,000
DMH - Jawonio	\$ 584,010
DMH- AHRC	\$ 257,600
DMH - Camp Venture	\$ 366,980
DMH- Mental Health Association	\$ 2,351,600
DMH - Rockland Council on Aic	\$ 389,015
DMH- Mid Hudson Society Epilepsy	\$ 155,540
DMH - Open Arms	\$ 528,515
DMH - Loeb House	\$ 916,940
DMH - St. Dominic's Home	\$ 759,555
DMH - Rockland Hospital Guild	\$ 752,100
DMH - Lexington Center for Recover	\$ 1,367,310
DMH- Rockland Paramedics	\$ 849,670
DMH - Narcotics Addiction Control	
Town of Clarkstown	\$ 112,148
CANDLE	\$ 236,525
Village of Haverstraw	\$ 216,592

Contracts with Social Services

DSS- Share	\$ 162,513
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Contracts with Office for the Aging

OFA-Meals on Wheels	\$ 1,084,860
Community Health Aide Services	\$ 120,000
A&T Health Care	\$ 180,000
Home Aides of Rockland	\$ 124,000
Northern Metropolitan	\$ 129,000
New York Health Care	\$ 120,000

Debate:Mr. Hofstein

I am wondering if we should vote on this without having the contracts to review.

Mr. Schoenberger

I agree with many of the initiatives that Ed Day has instituted. What I don't agree with, very often, is the process by which they go through. I don't agree that when Friedwald House, which I think is a good thing, is now going to be running the Adult Day Care Center that the way I learned about it was by reading about it in the newspaper. If the County is going to give out contracts of that nature I think we should be more involved in the process and we should have input. We are not just here to pass a resolution that he sends over to us. We may want to change them and have input. I am not saying that I am smarter than the County Executive or that he is smarter than me, what I am saying is that working together we can accomplish the most for the people of Rockland County.

Chairman Wolfe

The contracts in question are the same standard form County contract with a schedule A attached. The schedule A is the statement of what the service is. This is the process. We don't negotiate contracts in this office. All the contracts are prepared by the County Attorney's office. All that they really do is process the paperwork. It is a way of providing the funding to the not-for-profits. You are certainly free to vote however you like, but please understand that we are essentially facilitating the eventual distribution of the funds in exchange for their promised services. Since it is above \$100,000 those are the contracts that require Legislative approval as opposed to those that are under \$100,000, which we do not.

Mr. Schoenberger

These are the same contract agencies that we awarded the contracts to in 2015, 2014, 2013. I would expect the contracts to be the same, but I could be wrong.

Mrs. Cornell

Almost all the agencies had to jump through a lot of hoops in 2015 after a budget had been approved in 2014 and many of them didn't actually receive any money until late Fall. These are contracts that have been done year after year, including for mental health agencies, Jawonio, Camp Venture, Mental Health Association, Counsel on Alcoholism, Loeb House, etc. I think it would be a mistake to hold this up. These agencies depend on this money. I urge my colleagues to support this.

Chairman Wolfe

The language "to be signed" actually came from the County Attorney's office last year when we were doing the exact same thing.

Mr. Jobson

I certainly have nothing against any of the groups the money will be going to. I wouldn't mind seeing the contract before I approve it. I hope housekeeping wise that things are in order, because it is sinful that some of these groups had to wait so long to get their hand on the money, but I will not be supporting this resolution this evening.

Mr. Wieder

I respect the Legislators who have expressed concern. We have just honored someone who took his shirt off for a homeless person. Rockland County has an issue with homeless people and people who are in-need. We all got the agenda. The items on this agenda went through the committees. The needy person out on the street didn't get the agenda. I look at the agenda and I go to committee meetings. If it is so important to you then ask for a copy of the contract before you come to the meeting. I am not trying to lecture anyone, but I have made a commitment to the people who are in need to be their advocate and voice. If you have issues, with anything on the agenda there is a telephone or email and you can get the information. You don't have to come to the Full Legislature after it has gone through the committee and try to clarify your confusions. Why are contract agencies the issue some love to attack? Why? We have a budget over \$700,000,000. How much money goes to the contract agencies from the budget? How much? Why are we sitting up here debating this? You have a concern about a contract, you call and ask. It has gone through committees. You could have asked your questions then. I just don't understand. It bothers me. It really bothers me. I look at this list and these agencies have poured their hearts out to us for the hardships they have to go through dealing with the County. Why are some trying to make a point on the backs of the needy and homeless people.

Are we going to tell someone who is visually impaired that I didn't have a chance to look at the contract, I didn't attend the committee meeting, I didn't ask for the contract before the Full Legislature, therefore I am not going to vote for this. Are we going to tell the Catholic Community of Rockland County that we didn't look at the contract. Are you not going to vote to give the money to the not-for-profits just so you can make a point here in the Legislature.

Those who have already committed not to vote for this and said so publically, it will take a lot for you to reconsider. Please do so. Vote for these contracts. Don't make a point on the backs of these needy people, just don't. Thank you.

Mr. Carey

Earlier this year I met with Julian and Stephen Papas, I think Mr. Hofstein was with us, I keep hearing that the process is so onerous and we are making them fill out all this paperwork, but they welcome this. They feel that people feel that we are just handing them money with no strings attached. Everybody on this list will get their money like they did last year, but there needs to be a process. Frankly, that is exactly what the not-for-profits wanted. I am not making it up. I think this is the way to make sure that we follow-up on our fiduciary responsibility. I just think that signing them in bulk without have the back up is not a good way to go. I will be voting no.

Mr. Hofstein

With all do respect Legislator Wieder, when we met in committee we were told it was in the process. I know that his was prepared the week prior. The impression you are giving me is that you think that I am grandstanding. Overall we should not be approving contracts that have not been read. I am told that this was told in the past, but that doesn't make it right. We have a responsibility to protect all the citizens of Rockland County, which means we should be reviewing contracts before we approve them. I am not looking to delay the process. We have right to know and there should be transparency for all. This is not a matter of an issue to go against or after the contract agencies. We should not approve money without knowing where it is going and what is the scope.

Mr. Schoenberger

All of those members who choose to vote no it is certainly your right to do so. I would hope that all of you who are voting no on this, because you haven't seen the contract would be likewise consistent with the rest of the items on the agenda. On the agenda, Item # 2, 3, 5a, 5c, 6, 7, 8, 9, 10 are all contracts. Has anyone seen these contracts? If you are going to vote no on this and all of you want to be consistent, honest and fair you have to vote no on everything else that is on the agenda tonight. You can't just pick and choose or say it is a matter of policy to see the contracts before you vote and then vote for those you want and those you don't want. Thank you.

Chairman Wolfe

The very first item we voted unanimously on tonight was agreements you haven't seen. It is approving the appropriation. You can disguise it with a policy cloak if one wishes, but when we vote tonight we will clearly see what is going on tonight.

Introduced by:

Referral No. 9500/2973

- Hon. Philip Soskin, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Aron B. Wieder, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Lon M. Hofstein, Sponsor
- Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 15 OF 2016
 AMENDING THE 2015 BUDGET BY APPROVING THE ACCEPTANCE OF
 ADDITIONAL FUNDS FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH
 IN THE AMOUNT OF \$35,495 [NCTD] TO BE DISTRIBUTED TO THE ROCKLAND COUNTY
 DEPARTMENT OF MENTAL HEALTH AS THE LOCAL GOVERNMENTAL UNIT
 FOR THE SINGLE POINT OF ACCESS PROGRAM FOR THE CALENDAR YEAR 2015
 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL NECESSARY DOCUMENTS
 [DEPARTMENT OF MENTAL HEALTH]
 (\$35,495)**

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

WHEREAS, The Commissioner of the Department of Mental Health (RCDMH) has advised the County Executive and the Legislature of Rockland County that the New York State Office of Mental Health (OMH) has awarded RCDMH, as the Local Governmental Unit (LGU), additional funding in the amount of \$35,495 for the Single Point of Access (SPOA) Program for the calendar year 2015; and

WHEREAS, OMH is anticipating the expansion of the role of the LGU in the SPOA Program; and

WHEREAS, No County tax dollars [NCTD] are required to accept these additional funds; and

WHEREAS, It is necessary to appropriate these additional funds to the proper account; 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 additional funding from the New York State Office of Mental Health to the Rockland County Department of Mental Health, as the Local Governmental Unit, in the amount of \$35,495 for the Single Point of Access Program for the calendar year 2015, and hereby authorizes the County Executive to execute all necessary documents related to the acceptance of these funds, subject to the approval of the County Attorney; and be it further

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

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

HOSPITAL FUND - 2015

<u>Increase Approp. Acct. (Credit):</u>		
EH-DMH-4301-M890-E5010	Dept. of Mental Health - Local Gov't Unit	35,495
<u>Increase Est. Rev. Acct. (Debit):</u>		
EH-DMH-4301-M890-R3470	State Aid – OMH	35,495

Introduced by:

Referral No. 6803

Hon. Ilan S. Schoenberger, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Aney Paul, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Lon M. Hofstein, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 16 OF 2016
SETTING A DATE FOR A PUBLIC HEARING
REGARDING THE PROPOSED RELOCATION OF THE NEW HIGHWAY FACILITY
TO THE PARCEL OF LAND LOCATED AT 36 SCOTLAND HILL ROAD IN THE
VILLAGE OF CHESTNUT RIDGE PURSUANT TO EMINENT DOMAIN PROCEDURE
LAW ARTICLE 2 UNDER CAPITAL PROJECT NO. 1307
(DEPARTMENT OF HIGHWAYS)**

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

WHEREAS, The Legislature of Rockland County established Capital Project Account No. 1307 for the Department of Highways involving the acquisition of real property for the proposed relocation of the New Highway Facility to the parcel of land located at 36 Scotland Hill Road in the Village of Chestnut Ridge (the "Project"); and

WHEREAS, by Resolution 23 of 2015, the Rockland County Legislature authorized the acquisition of the real property located at 36 Scotland Hill Road, Village of Chestnut Ridge, for the proposed project, and authorized the County Attorney to commence any and all proceedings under Eminent Domain Procedure Law and related laws in the event that the property owners reject the written offers of just compensation in exchange for the County acquiring such real property interest; and

WHEREAS, the property owners have rejected a written offer of just compensation in exchange for the County acquiring the real property interest in said property and the County Attorney wishes to commence proceedings under the Eminent Domain Procedure Law; and

WHEREAS, Pursuant to Eminent Domain Procedure Law Article 2, a public hearing is required to be conducted regarding the proposed Project; and

WHEREAS, The purpose of this hearing is to outline the Project's purpose, proposed location and alternate locations, if any, and to present other pertinent information, including maps and property descriptions of the properties to be acquired and adjacent parcels; and

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

RESOLVED, That this Legislature hereby sets the **1st day of March, 2016 at 7:05 p.m.** for a public hearing regarding the acquisition of real property for the proposed relocation of the New Highway Facility to the parcel of land located at 36 Scotland Hill Road in the Village of Chestnut Ridge pursuant to Eminent Domain Procedure Law Article 2 and for such other action on the part of said Legislature as may be required by law or proper in the premises; and be it further

RESOLVED, That the Clerk to said Legislature is hereby authorized and directed to cause a notice of said public hearing to be published at least ten (10) but not more than thirty (30) days before the hearing date in a least five (5) successive issues of an official daily newspaper and in at least five (5) successive issues of a daily newspaper of general circulation in the County of Rockland, and, further, to cause a notice of said public hearing to be sent, at least ten (10) but not more than thirty (30) days before the hearing date, by certified mail, return receipt requested, to each assessment record billing owner of real property that may be acquired for such public project, such notices to be in substantially the following respective forms, to wit:

[see attached]

**NOTICE OF PUBLIC HEARING PURSUANT TO
EMINENT DOMAIN PROCEDURE LAW §202(C)**

PLEASE TAKE NOTICE that in accordance with New York Eminent Domain Procedure Law, §202(C), notice is hereby given of a public hearing regarding the proposed public project No. 1307 for the Department of Highways involving the acquisition of real property for the proposed relocation of the New Highway Facility to the parcel of land at 36 Scotland Hill Road in the Village of Chestnut Ridge, Rockland County, New York. The public hearing will be held on the **1st day of March, 2016, at 7:05 p.m.** at the Legislative Chambers located at 11 New Hempstead Road, New City, New York.

The purpose of this hearing is to outline the project’s purpose, proposed location and alternate locations, if any, and to present other pertinent information, including maps and property descriptions of the properties to be acquired and adjacent parcels.

Persons may appear in person or by agent and will be given the opportunity to present oral or written statements and to submit other documents or information concerning the proposed project.

Questions regarding the hearing may be addressed to:

Charles H. Vezzetti
Superintendent of Highways
23 New Hempstead Road
New City, New York 10956
(845) 638-5060

AMERICANS WITH DISABILITIES ACT NOTICE: To request accommodations for a disability, please call Therese Vailakis at (845) 638-5100 [(845) 708-7899 for TTY/TDD]. Please request those accommodations three (3) days in advance of the meeting so that we can seek to meet your needs.

Dated: New City, New York
_____, 2016

LAURENCE O. TOOLE
Clerk to the Legislature
Allison-Parris County Office Building
11 New Hempstead Road
New City, New York 10956

_____, 2016

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Redstone Holdings, LLC
P.O. Box 533
Lakewood, New Jersey 08701

Re: Project No. 1307 the proposed relocation of the New Highway Facility to the parcel of land located at 36 Scotland Hill Road in the Village of Chestnut Ridge, Rockland County, New York.

Dear Managing Member:

PLEASE TAKE NOTICE that in accordance with New York Eminent Domain Procedure Law, §202(C), notice is hereby given of a public hearing regarding the proposed public project No. 1307 for the Department of Highways involving the acquisition of real property for the proposed relocation of the New Highway Facility to the parcel of land at 36 Scotland Hill Road in the Village of Chestnut Ridge, Rockland County, New York. The public hearing will be held on the ____ **day of** ____, **2016, at** ____ **p.m.** at the Legislative Chambers located at 11 New Hempstead Road, New City, New York.

The purpose of this hearing is to outline the project’s purpose, proposed location and alternate locations, if any, and to present other pertinent information, including maps and property descriptions of the properties to be acquired and adjacent parcels.

Persons may appear in person or by agent and will be given the opportunity to present oral or written statements and to submit other documents or information concerning the proposed project.

Those property owners who may subsequently wish to challenge condemnation of their property via judicial review may do so only on the basis of issues, facts, and objections raised at such hearing.

AMERICANS WITH DISABILITIES ACT NOTICE: To request accommodations for a disability, please call Therese Vailakis at (845) 638-5100 [(845) 708-7899 for TTY/TDD]. Please request those accommodations three (3) days in advance of the meeting so that we can seek to meet your needs.

Sincerely,

CHARLES H. VEZZETTI
Superintendent of Highways

Introduced by:

Referral No. 9252

- Hon. Aron B. Wieder, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Nancy Low-Hogan, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Laurie Santulli, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Lon M. Hofstein, Sponsor
- Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 17 OF 2016
ACCEPTANCE OF FUNDS FROM ORANGE & ROCKLAND UTILITIES, INC.
IN THE AMOUNT OF \$150,000 (NCTD) PURSUANT TO THE TERMS OF A
GRANT AGREEMENT WITH THE NEW YORK STATE PUBLIC SERVICE
COMMISSION TO ENHANCE FIRST RESPONDER TRAINING AND
AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[FIRE AND EMERGENCY SERVICES]
(\$150,000)**

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

WHEREAS, The Coordinator of Fire & Emergency Services has advised the County Executive and the Legislature of Rockland County that the County of Rockland will receive funds from Orange & Rockland Utilities, Inc. ("O&R") in the amount of \$150,000 pursuant to the terms of a Grant Agreement with the New York State Public Service Commission ("NYSPSC") and O&R under Case 14-G-0186 relating to the natural gas incident that occurred in January 2012 in West Haverstraw, New York; and

WHEREAS, Pursuant to the Grant Agreement, said funds are to be used to enhance First Responder Training by the County of Rockland; and

WHEREAS, Pursuant to the Rockland County Charter, it is necessary to obtain legislative approval to accept said funds; and

WHEREAS, Local Law 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 adoption of this resolution does not involve the expenditure of any County funds; and

WHEREAS, The Public Safety 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 Grant Agreement between the New York State Department of Public Service and Orange and Rockland Utilities, Inc. to accept funds from Orange & Rockland Utilities, Inc. in the amount of \$150,000 pursuant to the terms of a Grant Agreement with the New York State Public Service Commission ("NYSPSC") and O&R under Case 14-G-0186 relating to the natural gas incident that occurred in January 2012 in West Haverstraw, New York and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That the adoption of this resolution does not involve the expenditure of any County funds; and be it further

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

<u>GENERAL FUND - 2016</u>		
<u>Increase Approp. Acct. (Credit):</u>		
A-EME-3410-E5060	Program Costs	150,000
<u>Increase Est. Rev. Acct. (Debit):</u>		
A-EME-3410-R2770	Unclassified Revenue	150,000

Introduced by:

Referral No. 6394

Hon. Ilan S. Schoenberger, Sponsor
 Hon. Michael M. Grant, Sponsor
 Hon. Nancy Low-Hogan, Sponsor
 Hon. Aney Paul, Sponsor
 Hon. Douglas J. Jobson, Sponsor
 Hon. Toney L. Earl, Sponsor
 Hon. Jay Hood, Jr. , Sponsor
 Hon. Lon M. Hofstein, Sponsor
 Hon. Philip Soskin, Sponsor
 Hon. Aron B. Wieder, Sponsor
 Hon. Vincent Tyer, Sponsor
 Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 18 OF 2016
 APPROVING AN AMENDMENT AND EXTENSION TO
 AN AGREEMENT IN EXCESS OF \$100,000 WITH C & S ENGINEERS, INC.
 FOR ADDITIONAL INSPECTION AND CONSTRUCTION SERVICES FOR THE
 OAK TREE ROAD BRIDGE REPLACEMENT IN THE TOWN OF ORANGETOWN
 BY INCREASING THE CONTRACT AMOUNT AN ADDITIONAL \$102,545
 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$458,685
 AND BY EXTENDING THE TERM OF THE AGREEMENT
 FROM DECEMBER 31, 2014 TO FEBRUARY 28, 2016
 FOR A TOTAL CONTRACT TERM FROM JULY 22, 2010
 THROUGH FEBRUARY 28, 2016 UNDER CAPITAL PROJECT NO. 3300
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [DEPARTMENT OF HIGHWAYS]
 (\$458,685)**

Mr. Grant offered the following resolution, which was seconded by Mrs. Cornell, Mrs. Low-Hogan and Mr. Wieder and unanimously adopted

WHEREAS, By Resolution No. 70 of 2000, the Legislature of Rockland County approved the engineering and design of a new bridge to replace the Oak Tree Road Bridge over Sparkill Creek, Town of Orangetown under Capital Project No. 3300 (the "Project"); and

WHEREAS, By Resolution No. 309 of 2010, the Legislature of Rockland County approved a contract with C & S Engineers, Inc., 499 Col. Eileen Collins Boulevard, Syracuse, NY 13212 to provide inspection and construction services in connection with this Project in the amount of \$356,140 for the period from the issuance of the Notice to Proceed through December 31, 2011; and

WHEREAS, On July 22, 2010, the County entered into an agreement with C & S Engineers, Inc., 499 Col. Eileen Collins Boulevard, Syracuse, NY 13212 to provide for inspection and construction services in connection with this Project in the amount of \$356,140 for the period from July 22, 2010 to December 31, 2011; and

WHEREAS, On June 11, 2013, the County entered into an agreement to extend the term of the agreement with C & S Engineers, Inc., 499 Col. Eileen Collins Boulevard, Syracuse, NY 13212 to provide inspection and construction services in connection with this Project from December 31, 2011 through December 31, 2014 for a total contract term for the period from July 22, 2010 to December 31, 2014; and

WHEREAS, During the progress of the work, delays were occasioned in moving utilities and winter work not originally anticipated resulting in an increase of additional inspection hours from 2,766 to 3,486 and additional testing of construction materials originally to be performed by the New York State Department of Transportation (NYSDOT) was not included in the original agreement resulting in an increase in costs associated with the Project; and

WHEREAS, The Superintendent of Highways is requesting that the County Executive and the Legislature of Rockland County approve an amendment and extension to an agreement with C & S Engineers, Inc., 499 Col. Eileen Collins Boulevard, Syracuse, NY 13212 to provide for additional inspection and construction services for the replacement of the Oak Tree Road Bridge over Sparkill Creek in the Town of Orangetown by increasing the contract sum in the additional amount of \$102,545 for a total contract sum not to exceed \$458,685 and by extending the term of the agreement from December 31, 2014 to February 28, 2016 for a total contract term from July 22, 2010 to February 28, 2016 under the Project; and

WHEREAS, The additional work for the Project is subject to an eighty (80%) percent Federal Share, a fifteen (15%) percent State Share and a five (5%) County Share; 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, Funding for this amendment is provided in the 2015 Adopted Capital Budget; Capital Project No. 3300; and

WHEREAS, The Planning and 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 and extension to the contract with C & S Engineers, Inc., 499 Col. Eileen Collins Boulevard, Syracuse, NY 13212 to provide for additional inspection and construction services for the replacement of the Oak Tree Road Bridge over Sparkill Creek in the Town of Orangetown by increasing the contract sum in the additional amount of \$102,545 for a total contract sum not to exceed \$458,685 and by extending the term of the agreement from December 31, 2014 to February 28, 2016 for a total contract term from July 22, 2010 to February 28, 2016 under Capital Project No. 3300 and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That funding for this Project is provided in the 2015 Adopted Capital Budget; Capital Project No. 3300.

Debate:

Mr. Wieder

Can any of my esteemed colleagues that voted no for the contract agencies, because they haven't seen the contracts, provide me with a summary on this contract before they vote.

Mr. Carey

That was directed at us and would hope that you would stop that in the future from happening.

Chairman Wolfe

I didn't ask that question of any one.

Mr. Carey

You didn't shut them down either.

Chairman Wolfe

Mr. Carey, Mr. Wieder is entitled to say whatever he wants on this floor the same way you are. If he wished to pose a rhetorical question during his comments that is his right.

Mr. Wieder

I have been very respectful to my colleagues, esteemed colleagues, and I mean it sincerely. I apologize to those who got offended by my question. I would still like to know if you have a summary and if you know why we are extending this contract. What are the terms and conditions? What is the money going for? I would like to know.

Mr. Carey

These are the kind of questions that come up in committee. If you really wanted to know the answers to them why didn't you ask them in committee.

Introduced by:

Referral No. 6394

- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Nancy Low-Hogan, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Lon M. Hofstein, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Aron B. Wieder, Sponsor
- Hon. Vincent Tyer, Sponsor
- Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 19 OF 2016
 AMENDING THE 2016 ADOPTED CAPITAL BUDGET
 FOR THE REPLACEMENT OF THE ORANGEBURG ROAD BRIDGE
 OVER THE CSX RAILROAD IN THE TOWN OF ORANGETOWN
 TO PROVIDE ADDITIONAL FUNDING IN THE AMOUNT OF \$800,000
 FOR A TOTAL AMOUNT OF \$15,700,000
 UNDER CAPITAL PROJECT NO. 3280
 (DEPARTMENT OF HIGHWAYS)
 (\$15,700,000)**

Mr. Grant offered the following resolution, which was seconded by Mrs. Low-Hogan and unanimously adopted

WHEREAS, The Legislature of Rockland County previously approved funding in the amount of \$14,900,000 for the Replacement of the Orangeburg Road Bridge over the CSX Railroad in the Town of Orangetown under Capital Project 3280; and

WHEREAS, This is a County-funded capital project with federal (80%) and state (15%) reimbursement of funds; and

WHEREAS, The current approved amount in the 2016 Adopted Capital Budget amount for this project is \$14,900,000; and

WHEREAS, It anticipated that the project cost will be \$15,700,000; and

WHEREAS, The Superintendent of Highways requests that the County Executive and the Legislature of Rockland County approve an amendment to the 2016 Adopted Capital Budget for the replacement of the Orangeburg Road Bridge over the CSX Railroad in the Town of Orangetown in the additional amount of \$800,000 to fully fund the construction phase of the project, for a total amount of \$15,700,000 under Capital Project No. 3280; and

WHEREAS, The Planning and 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 2016 Adopted Capital Budget for the replacement of the Orangeburg Road Bridge over the CSX Railroad in the Town of Orangetown, under Capital Project No. 3280 in the additional amount of \$800,000 for a total amount of \$15,700,000; 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

<u>Increase Approp. Acct.</u>		
H3280	Orangeburg Road Bridge Replacement	800,000
 <u>Increase Est. Rev. Acct.</u>		
H4098	Federal Aid	800,000



Introduced by:

Referral No. 6394

Hon. Ilan S. Schoenberger, Sponsor
 Hon. Michael M. Grant, Sponsor
 Hon. Nancy Low-Hogan, Sponsor
 Hon. Aney Paul, Sponsor
 Hon. Douglas J. Jobson, Sponsor
 Hon. Toney L. Earl, Sponsor
 Hon. Jay Hood, Jr., Sponsor
 Hon. Lon M. Hofstein, Sponsor
 Hon. Philip Soskin, Sponsor
 Hon. Aron B. Wieder, Sponsor
 Hon. Vincent Tyer, Sponsor
 Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 20 OF 2016
 APPROVING A CONTRACT IN EXCESS OF \$100,000
 WITH RITACCO CONSTRUCTION INC.
 FOR THE REPLACEMENT OF THE ORANGEBURG ROAD BRIDGE
 OVER THE CSX RAILROAD IN THE TOWN OF ORANGETOWN
 IN AN AMOUNT NOT TO EXCEED \$12,483,406.30
 FOR A PERIOD OF TWENTY-FOUR (24) MONTHS FROM THE
 NOTICE TO PROCEED AND AUTHORIZING ITS
 EXECUTION BY THE COUNTY EXECUTIVE
 UNDER CAPITAL PROJECT NO. 3280
 [DEPARTMENT OF HIGHWAYS]
 (\$12,483,406.30)**

Mr. Grant offered the following resolution, which was seconded by Mrs. Low-Hogan and unanimously adopted

WHEREAS, The Legislature of Rockland County approved Capital Project No. 3280 for the replacement of the Orangeburg Road Bridge over the CSX Railroad in the Town of Orangetown in the 2015 Adopted Capital Budget; and

WHEREAS, Upon the opening of bids on November 19, 2015, the Clerk to the Legislature received three (3) bids after advertisement; and

WHEREAS, The bids have been reviewed by the Department of Highways and the Department of Law; and

WHEREAS, The Superintendent of Highways recommends that the County Executive and the Legislature of Rockland County approve a contract in excess of \$100,000 with Ritacco Construction Inc., 10 Lawrence Street, Belleville, New Jersey 07109 for the replacement of the Orangeburg Road Bridge over the CSX Railroad, in the Town of Orangetown, in an amount not to exceed \$12,483,406.30 for a period of twenty-four months from the date of the Notice to Proceed, under Capital Project No. 3280; 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 funds for this contract have been authorized in the 2016 Adopted Capital Budget, and with the adoption of Res. 19 of 2016 amending the 2016 Adopted Capital Budget simultaneously herewith, Capital Project No. 3280 - Orangeburg Road Bridge Repair; and

WHEREAS, The Planning and 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 a contract in excess of \$100,000 with Ritacco Construction Inc., 10 Lawrence Street, Belleville, New Jersey 07109 for the replacement of the Orangeburg Road Bridge over the CSX Railroad, in the Town of Orangetown, in an amount not to exceed \$12,483,406.30 for a period of twenty-four months from the date of the Notice to Proceed, under Capital Project No. 3280; and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That Sufficient funds for this contract have been authorized in the 2016 Adopted Capital Budget, and with the adoption of Res. 19 of 2016 amending the 2016 Adopted Capital Budget simultaneously herewith, Capital Project No. 3280 - Orangeburg Road Bridge Repair.

Debate:

Mr. Schoenberger

We are required to accept the lowest responsible bidder. I am not sure if this was the lowest bidder. The bid documents are never reviewed by this Legislature and we never see them before they go out. We are just given the right to accept or reject after the bids go out. The bid documents or contracts contained therein are never shared with us. I am going to vote for this. I was going to vote no just to be contrary. I do not want to hurt the people of Orangetown.

I am concerned about the direction that this Legislature is going in. We are the appropriating branch. The day-to-day administration of County government, including the contracts, are left to the Department of Law. It goes through a process and we appropriate. We don't micromanage departments. Yet however I guess in some instances that is the direction some people would like to go in. I think there is a bigger picture on why certain people voted against the resolution approving the contracts with the contract agencies, and now want to start examining each one. I hope I am wrong in my suspicion. As the process goes forward I will see if my suspicions are correct. I hope I am wrong and that it doesn't turn out to be a situation where there is a divisiveness in this Legislature between the needy and the needy.

Mr. Wieder

Did the administration submit the contract for this item? I honestly would like to know if we were given a copy of the contract.

Chairman Wolfe

We will provide you with a copy.

Mr. Wieder

I don't need a contract. I just want to know if we received a copy of the contract.

Chairman Wolfe

We will provide you with an email copy of the back up that was provided with this proposed resolution.

Introduced by:

Referral No. 6546

Hon. Philip Soskin, Sponsor
 Hon. Toney L. Earl, Sponsor
 Hon. Aney Paul, Sponsor
 Hon. Ilan S. Schoenberger, Sponsor
 Hon. Aron B. Wieder, Sponsor
 Hon. Douglas J. Jobson, Sponsor
 Hon. Michael M. Grant, Sponsor
 Hon. Jay Hood, Jr., Sponsor
 Hon. Lon M. Hofstein, Sponsor
 Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 21 OF 2016
 APPROVING THE ACCEPTANCE OF
 A CONTINUATION IPA/NAVIGATOR GRANT
 FROM THE NEW YORK STATE DEPARTMENT OF HEALTH
 TO REACH UNINSURED CHILDREN, ADULTS AND
 SMALL BUSINESS EMPLOYERS THROUGHOUT ROCKLAND COUNTY
 IN THE AMOUNT OF \$675,000 [NCTD],
 APPROPRIATING \$636 OF EMPLOYEE HEALTH INSURANCE
 REIMBURSEMENT IN CONNECTION WITH THIS GRANT
 RESULTING IN A TOTAL APPROPRIATION IN THE AMOUNT OF \$675,636
 FOR THE PERIOD FROM OCTOBER 1, 2015
 THROUGH SEPTEMBER 30, 2018
 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE
 ALL NECESSARY DOCUMENTS INCLUDING THE AGREEMENT
 WITH THE NEW YORK STATE DEPARTMENT OF HEALTH
 [DEPARTMENT OF HEALTH]
 (\$675,636)**

Mr. Grant offered the following resolution, which was seconded by Mr. Earl, 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 Rockland County Department of Health has been awarded a continuation IPA/Navigator grant from the New York State Department of Health to reach uninsured children, adults and small business employers throughout Rockland County in the amount of \$675,000 for the period from October 1, 2015 through September 30, 2018; and

WHEREAS, The IPA/Navigator grant will serve residents and employers on a monthly basis through education and assistance and result in the facilitation of enrollment in health insurance; and

WHEREAS, An additional \$636 of employee health insurance reimbursement will be appropriated in connection with this grant, resulting in a total appropriation in the amount of \$675,636; and

WHEREAS, No County tax dollars [NCTD] are required to accept said 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, It is necessary to appropriate the grant funds to the proper accounts; and

WHEREAS, The Multi-Services 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 acceptance of the continuation IPA/Navigator grant from the New York State Department of Health to reach uninsured children, adults and small business employers throughout Rockland County in the amount of \$675,000 for the period from October 1, 2015 through September 30, 2018, and hereby authorizes the County Executive to execute all necessary documents including the agreement with the New York State Department of Health, subject to the approval of the County Attorney; and be it further

RESOLVED, That an additional \$636 of employee health insurance reimbursement will be appropriated in connection with this grant, resulting in a total appropriation in the amount of \$675,636; and be it further

RESOLVED, That no County tax dollars [NCTD] are required to accept said grant funds; 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 -4049 -E1100	Salaries, Employees	100,876
-E1910	Health	26,000
-E1911	Dental	1,600
-E1912	Vision	350
-E1920	Retirement	18,000
-E1930	Social Security	7,715
-E1940	Unemployment Insurance	75
-E1950	Workers' Compensation	7,423
-E1980	MTA Mobility Tax	345
-E3130	Office Supplies	275
-E4090	Fees for Services, Non-Employee	27,500
-E4098	Services from Other County Depts	32,807
-E4600	Telephone	2,670
-E5060	Program Costs	<u>450,000</u>
		675,636

Increase Est. Rev. Acct. (Debit):

A-DOH -4049 -R1211	Allocation-Employee Health Ins. Reimb.	636
-R3480	Health Grant(s)	99,765
-R4489	Federal Aid - Health	<u>575,235</u>
		675,636

UNEMPLOYMENT FUND - 2015

Increase Approp. Acct. (Credit):

Q-PER -9050 -E8010	Employee Benefits	75
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Increase Est. Rev. Acct. (Debit):

Q-PER -9050 -R2809	Interfund Revenues	75
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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. 3657

Hon. Philip Soskin, Sponsor
 Hon. Toney L. Earl, Sponsor
 Hon. Aney Paul, Sponsor
 Hon. Ilan S. Schoenberger, Sponsor
 Hon. Aron B. Wieder, Sponsor
 Hon. Douglas J. Jobson, Sponsor
 Hon. Michael M. Grant, Sponsor
 Hon. Jay Hood, Jr., Sponsor
 Hon. Lon M. Hofstein, Sponsor
 Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 22 OF 2016
 APPROVING AN AMENDMENT TO AN AGREEMENT
 IN EXCESS OF \$100,000 WITH A&T HEALTHCARE, LLC.
 FOR HOME CARE SERVICES TO SENIOR CITIZENS
 INCREASING THE TOTAL CONTRACT SUM BY \$67,000
 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$172,000
 FOR THE PERIOD APRIL 1, 2015 THROUGH MARCH 31, 2016,
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [OFFICE FOR THE AGING]
 (\$172,000)**

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

WHEREAS, On April 16, 2015, the County, through its Office for the Aging, entered into an agreement with A&T Healthcare, LLC, 339 North Main Street, Building 5, Unit 5, New City, New York 10956, in an amount not to exceed \$105,000, for home care services to senior citizens, for the period April 1, 2015 through March 31, 2016; and

WHEREAS, On May 8, 2015, the County, through its Office For Aging, entered into an agreement not to exceed \$140,000 with New York Health Care, Inc., 20 East Sunrise Highway, Suite 201, Valley Stream, New York 11581, to provide home care services to senior citizens, for the period April 1, 2015 through March 31, 2016; and

WHEREAS, On May 18, 2015 the County, through its Office For Aging, entered into an agreement not to exceed \$45,000 with Circle of Friends of Rockland, LLC, 19 Robert Pitt Drive, Suite 106, Monsey, New York 10952, to provide adult day care services to senior citizens, for the period April 1, 2015 through March 31, 2016; and

WHEREAS, On March 20, 2015 the County, through its Office For Aging, entered into an agreement not to exceed \$82,770 with VIP Health Care Services, Inc., 116-12 Myrtle Avenue, Richmond Hill, New York 11418, to provide home care services to senior citizens for the period April 1, 2015 through March 31, 2016; and

WHEREAS, The projected expenditures for the respective agreements with New York Healthcare, Inc., VIP Health Care Services, Inc. and Circle of Friends of Rockland, LLC are anticipated to be less than the amounts previously earmarked for these agreements; and

WHEREAS, The Director of the Office for Aging has advised the County Executive and Legislature of Rockland County that the agreement with A&T Healthcare, LLC, is to be amended by increasing the contract sum by \$67,000, for a total contract amount not to exceed \$172,000; and

WHEREAS, No funding clause is required since excess funds previously earmarked for the agreements with New York Healthcare, Inc., VIP Health Care Services, Inc. and Circle of Friends of Rockland, LLC will be used to fund said increase in its entirety; 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 2015 Adopted Budget contains sufficient funds for this amendment to the agreement; and

WHEREAS, The Multi-Services 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 agreement with A&T Healthcare, LLC, 339 North Main Street, Building 5, Unit 5, New City, New York 10956, increasing the sum by \$67,000, for a total contract amount not to exceed \$172,000, for home care services to senior citizens, for the period April 1, 2015 through March 31, 2016, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That no funding clause is required since excess funds previously earmarked for the agreements with New York Healthcare (\$40,000), VIP Healthcare (\$10,400) and Circle of Friends (\$16,600) will be used to fund said increase in its entirety.

Introduced by:

Referral No. 5023

Hon. Michael M. Grant, Sponsor
 Hon. Ilan S. Schoenberger, Sponsor
 Hon. Toney L. Earl, Sponsor
 Hon. Jay Hood, Jr., Sponsor
 Hon. Lon M. Hofstein, Sponsor
 Hon. Douglas J. Jobson, Sponsor
 Hon. Philip Soskin, Sponsor
 Hon. Aron B. Wieder, Sponsor
 Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 23 OF 2016
 APPROVING CONTRACT IN EXCESS OF \$100,000
 WITH PMA MANAGEMENT CORP. IN THE AMOUNT OF \$872,500
 FOR THE PERIOD DECEMBER 1, 2015 THROUGH NOVEMBER 30, 2020
 FOR WORKERS' COMPENSATION AND NYS GML 207-C CLAIMS
 ADMINISTRATION SERVICES FOR ROCKLAND COUNTY WORKERS'
 COMPENSATION SELF-INSURANCE PLAN
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [DEPARTMENT OF INSURANCE]
 (\$872,500)**

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

WHEREAS, The Director of Purchasing requested proposals for Workers' Compensation and NYS GML 207-C claims administration services under RFP-RC-2015-017; and

WHEREAS, Three hundred seventy-five firms were notified of this solicitation and the County received four proposals; and

WHEREAS, The proposals were evaluated for technical capabilities, qualifications and experience, past/present performance and cost, and PMA Management Corp. ("PMA") 5789 Widewaters Parkway, DeWitt, New York 13214, received the highest overall score by a significant margin while offering the most cost efficient program; and

WHEREAS, PMA has proven results in claims reduction, loss control and overall program cost efficiency and offered the lowest annual administrative fee, including value added options at no charge; and

WHEREAS, The evaluation committee, consisting of members of the Workers' Compensation Committee and the County Insurance and Workers' Compensation Division, reviewed and evaluated the proposals, and unanimously recommended the incumbent PMA for the award; and

WHEREAS, The full Workers' Compensation Committee voted unanimously to accept the findings of the evaluation committee and recommended that the Rockland County Legislature approve the award of the contract to PMA; and

WHEREAS, PMA has agreed to payment terms of \$174,500 annually for 5 years from December 1, 2015 through November 30, 2020 for a total contract amount not to exceed \$872,500, with price modifications negotiable contingent upon a material change in program membership, e.g. closing of Summit Park; and

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

WHEREAS, Sufficient funding for this contract is available in the 2015 Budget of the Rockland County Workers' Compensation Consortium and is contingent upon appropriations in future year budgets; and

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

RESOLVED, That the Legislature of Rockland County hereby approves the contract in excess of \$100,000 with PMA Management Corp., 5789 Widewaters Parkway, DeWitt, New York 13214 for Workers' Compensation and NYS GML 207-C claims administration services under RFP-RC-2015-017, in the amount of \$174,500 annually, for the period from December 1, 2015 through November 30, 2020, for a total contract amount not to exceed \$872,500 and authorizes its execution by the County Executive, subject to the review of the County Attorney; and be it further

RESOLVED, That sufficient funding for this contract is available in the 2015 Budget of the Rockland County Workers' Compensation Consortium and is contingent upon appropriations in future

Introduced by:

Referral No. 9372

Hon. Philip Soskin, Sponsor
 Hon. Toney L. Earl, Sponsor
 Hon. Aney Paul, Sponsor
 Hon. Ilan S. Schoenberger, Sponsor
 Hon. Aron B. Wieder, Sponsor
 Hon. Douglas J. Jobson, Sponsor
 Hon. Michael M. Grant, Sponsor
 Hon. Jay Hood, Jr., Sponsor
 Hon. Lon M. Hofstein, Sponsor
 Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 24 OF 2016
 APPROVING THE FURTHER EXTENSION OF AND AMENDMENT TO
 THE AGREEMENT IN EXCESS OF \$100,000
 WITH CROTHALL SERVICES GROUP
 FOR MANAGEMENT SERVICES OF THE ENVIRONMENTAL
 HOUSEKEEPING FUNCTION FOR THE LONG-TERM ACUTE
 CARE HOSPITAL, ADULT HOME AND OTHER BUILDINGS AT THE
 COUNTY OF ROCKLAND HEALTH FACILITIES AND BUILDINGS
 UNDER RFP-RC-2010-013
 EXTENDING THE TERM OF THE AGREEMENT FOR ONE MONTH
 FROM DECEMBER 1, 2015 THROUGH DECEMBER 31, 2015
 AND INCREASING THE AMOUNT OF THE AGREEMENT BY \$37,417.63
 FOR THE PERIOD FROM DECEMBER 1, 2015 THROUGH DECEMBER 31, 2015
 FOR A TOTAL AMOUNT NOT TO EXCEED \$2,026,770.21
 FOR THE FULL PERIOD FROM JUNE 1, 2011 THROUGH DECEMBER 31, 2015
 AND AUTHORIZING THE COUNTY EXECUTIVE
 TO EXECUTE THE EXTENSION/AMENDMENT
 [DEPARTMENT OF HOSPITALS]
 (\$2,026,770.21)**

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

WHEREAS, By Resolution No. 130 of 2011, the Legislature of Rockland County approved the agreement in excess of \$100,000 with Crothall Services Group ("Crothall"), 955 Chesterbrook Boulevard, Suite 300, Wayne, PA 19087, for management services of the environmental housekeeping function for the long-term acute care hospital, adult home and other buildings at the County of Rockland health facilities and buildings under RFP-RC-2010-013 (the "RFP") in an amount not to exceed \$864,676 for a period of two (2) years with three (3) additional one (1) year option terms; and

WHEREAS, By Resolution No. 357 of 2013, the Legislature approved the extension of and amendment to the agreement in excess of \$100,000 with Crothall for management services of the environmental housekeeping function for the long-term acute care hospital, adult home and other buildings at the County of Rockland health facilities and buildings under the RFP, exercising the first year option term of the agreement from June 1, 2013 through May 31, 2014, and increasing the amount of the agreement by \$447,559.32 for the period from June 1, 2013 through May 31, 2014, for a total amount not to exceed \$1,312,235.32 for the full period from June 1, 2011 through May 31, 2014, with two (2) remaining one (1) year option terms; and

WHEREAS, By Resolution No. 327 of 2014, the Legislature approved the further extension of and amendment to the agreement in excess of \$100,000 with Crothall for management services of the environmental housekeeping function for the long-term acute care hospital, adult home and other buildings at the County of Rockland health facilities and buildings under the RFP, exercising the first six (6) months of the second year option term of the agreement from June 1, 2014 through November 30, 2014, and increasing the amount of the agreement by \$224,505.78, for the period from June 1, 2014 through November 30, 2014, for a total amount not to exceed \$1,536,741.10 for the full period from June 1, 2011 through November 30, 2014, with six (6) months remaining in the second year option term and one (1) additional one (1) year option term; and

WHEREAS, By Resolution No. 532 of 2014, the Legislature approved the further extension of and amendment to the agreement in excess of \$100,000 with Crothall for management services of the environmental housekeeping function for the long-term acute care hospital, adult home and other buildings at the County of Rockland health facilities and buildings under the RFP, exercising the second six (6) months of the second year option term of the agreement from December 1, 2014 through May 31, 2015, and increasing the amount of the agreement by \$224,505.78 for the period from December 1, 2014 through May 31, 2015, for a total amount not to exceed \$1,761,246.80 for the full period from June 1, 2011 through May 31, 2015, with one (1) remaining one (1) year option term; and

WHEREAS, By Resolution 350 of 2015, the Legislature approved the further extension of and amendment to the agreement in excess of \$100,000 with Crothall for management services of the environmental housekeeping function for the long-term acute care hospital, adult home and other buildings at the County of Rockland health facilities and buildings under the RFP, exercising the first six (6) months of the third year option term of the agreement from June 1, 2015 through November 30, 2015, and increasing the amount of the agreement by \$228,105.78 for the period from June 1, 2015 through November 30, 2015, for a total amount not to exceed \$1,989,352.58 for the full period from June 1, 2011 through November 30, 2015, with one (1) remaining six (6) month option term; and

WHEREAS, The Deputy Commissioner of Hospitals and the Director of Purchasing recommend to the County Executive and the Legislature of Rockland County that they approve the further extension of and amendment to the agreement in excess of \$100,000 with Crothall for management services of the environmental housekeeping function for the long-term acute care hospital, adult home and other buildings at the County of Rockland health facilities and buildings under the RFP, for one (1) month from December 1, 2015 through December 31, 2015, and increasing the amount of the agreement by \$37,417.63 for the period from December 1, 2015 through December 31, 2015, for a total amount not to exceed \$2,026,770.21 for the full period from June 1, 2011 through December 31, 2015, with five (5) optional months remaining; and

WHEREAS, The Department of Hospitals has requested the one (1) month extension pending the closure of Summit Park Hospital & Nursing Care Center; and

WHEREAS, All purchases of services will be initiated by formal purchase order; and

WHEREAS, Sufficient funding for the extension/amendment to the agreement is provided for in the 2015 Budget of the Department of Hospitals; 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 further extension of and amendment to the agreement in excess of \$100,000 with Crothall Services Group, 955 Chesterbrook Boulevard, Suite 300, Wayne, PA 19087, for management services of the environmental housekeeping function for the long-term acute care hospital, adult home and other buildings at the County of Rockland health facilities and buildings under RFP-RC-2010-013, for one (1) month from December 1, 2015 through December 31, 2015, and increasing the amount of the agreement by \$37,417.63 for the period from December 1, 2015 through December 31, 2015, for a total amount not to exceed \$2,026,770.21 for the full period from June 1, 2011 through December 31, 2015, with five (5) optional months remaining, with all purchases of services to be made by formal purchase order, subject to the approval of the Director of Purchasing, and hereby authorizes the County Executive to execute such extension/amendment to the agreement, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for the extension/amendment to the agreement is provided for in the 2015 Budget of the Department of Hospitals.

Introduced by:

Referral No. 6704

Hon. Aron B. Wieder, Sponsor
 Hon. Jay Hood, Jr. , Sponsor
 Hon. Nancy Low-Hogan, Sponsor
 Hon. Aney Paul, Sponsor
 Hon. Philip Soskin, Sponsor
 Hon. Douglas J. Jobson, Sponsor
 Hon. Laurie Santulli, Sponsor
 Hon. Michael M. Grant, Sponsor
 Hon. Ilan S. Schoenberger, Sponsor
 Hon. Toney L. Earl, Sponsor
 Hon. Lon M. Hofstein, Sponsor
 Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 25 OF 2016
 APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT
 IN AN AMOUNT NOT TO EXCEED \$15,630
 BETWEEN THE COUNTY OF ROCKLAND,
 THROUGH ITS OFFICE OF THE DISTRICT ATTORNEY,
 AND THE VILLAGE OF SUFFERN,
 FOR THE DISBURSEMENT OF FORFEITURE FUNDS
 TO SAID VILLAGE FOR LAW ENFORCEMENT PURPOSES, TO COVER
 THE COST OF OVERTIME FOR AN OFFICER ASSIGNED TO THE DISTRICT
 ATTORNEY'S REGIONAL INVESTIGATIVE RESOURCE CENTER
 FOR THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2015
 AND AUTHORIZING EXECUTION OF
 THIS AGREEMENT BY THE COUNTY EXECUTIVE
 [OFFICE OF THE DISTRICT ATTORNEY]
 (\$15,630)**

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

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 County of Rockland, through its Office of the District Attorney, and the Village of Suffern desire to enter into an intermunicipal cooperation agreement in an amount not to exceed \$15,630, for the disbursement of forfeiture funds to said village for law enforcement purposes, to cover the cost of overtime for an officer assigned to the District Attorney's Regional Investigative Resource Center, for the period January 1, 2015 through December 31, 2015; and

WHEREAS, Pursuant to the Federal Guide for Equitable Distribution Section VIII.A.1.1., cash transfers of forfeiture funds from one State Law Enforcement Agency to another are permitted; and

WHEREAS, The County's sole responsibility in transferring these funds is to verify that the recipient agency is eligible to receive the funds; and

WHEREAS, The Village of Suffern Police Department is an eligible agency; and

WHEREAS, The County Attorney has advised that this disbursement is an authorized use of forfeiture funds under applicable rules; and

WHEREAS, That sufficient funding for this agreement exists within the 2015 Operating Budget of the District Attorney (Dept. FA02, line E4500); 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 Public Safety 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 execution of an intermunicipal cooperation agreement in an amount not to exceed \$15,630 between the County of Rockland, through its Office of the District Attorney, and the Village of Suffern for the disbursement of forfeiture funds to said village for law enforcement purposes, to cover the cost of overtime for an officer assigned to the District Attorney's Regional Investigative Resource Center, for the period January 1, 2015 through December 31, 2015, and authorizing execution of this agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement exists within the 2015 Operating Budget of the District Attorney (Dept. FA02, line E4500).

**RESOLUTION NO. 26 OF 2016
WAIVE THE RULES OF THE LEGISLATURE
TO CONSIDER PROPOSED RESOLUTION
UNDER NEW BUSINESS**

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

RESOLVED, that the Rules of the Legislature be waived to consider Item 13 A, Resolution No. 27 of 2016 under New Business.

NEW BUSINESS
Referral No. 1021

Introduced by:

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

**RESOLUTION NO. 27 OF 2016
URGING THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION TO ASSUME SOLE LEAD AGENCY STATUS FOR THE STATE
ENVIRONMENTAL QUALITY REVIEW PROCESS FOR THE PILGRIM PIPELINE PROJECT**

Mrs. Cornell offered the following resolution, which was seconded by Chairman Wolfe and unanimously adopted

WHEREAS, the County of Rockland adopted a resolution on December 15, 2015 urging the New York State Department of Environmental Conservation (DEC) to assume lead agency status for the State Environmental Quality Review (SEQR) process for the proposed Pilgrim Pipeline Project; and

WHEREAS, the two involved agencies, the New York State Thruway Authority and the DEC's Acting General Counsel proposed that they serve as co-lead agencies for the SEQR process for the proposed Pilgrim Pipeline Projects; and

WHEREAS, the Rockland County Legislature strongly opposes having the NYS Thruway Authority serve as co-lead agency for the following reasons:

- 1) The DEC itself discourages co-lead agency because of the potential for disagreement, and this case does not merit an exception. The DEC has advised in the past that language in the regulations that provide for the DEC Commissioner to choose between agencies and the plain reading of the regulations themselves preclude the use of co-lead agencies. The DEC's SEQR guidance instead recommends that "a single lead agency be established with the other agency actively involved in the process but not as co-lead agency."
- 2) The NYS DEC website states that, "the purpose of having a lead agency is to coordinate the SEQR process so that when an action is to be carried out, funded or approved by two or more agencies, a single integrated environmental review is conducted. This lead agency is responsible for making key SEQR determinations during the review process"—a task made potentially much more difficult when two different agencies are granted joint discretionary authority. The DEC has the appropriate mission, jurisdiction, resources, and expertise to exercise a proper and thorough environmental review of this proposed project;

3) The Thruway Authority's very narrow expertise in highway use policy and regulation does not provide an adequate basis to justify the Authority's serving as a co-lead agency in an environmental review;

4) The Thruway Authority continues to have an apparent conflict of interest in overseeing the environmental review of a project that if approved, would result in its receipt of revenues from the Pilgrim Pipeline project from fees charged by the Thruway Authority for use of the right of way; and

5) 27 of the 29 New York Municipalities affected, including Rockland County, have passed resolutions opposing the Thruway Authority's involvement in overseeing the environmental review of a project that presents significant potential risks and costs to our communities that far outweigh any potential benefits, and that contradicts local and State energy goals;

and

WHEREAS, Based on the DEC's own criteria which guide the Commissioner's designation of lead agency in the event of a dispute, such as here, it is apparent that the DEC is the only suitable agency to be Lead Agency in the Pilgrim Pipeline Project for the following reasons:

1) The proposed pipeline threatens important resources of statewide concern, including the Hudson River and major tributaries, such as the Rondout, Esopus, and Catskill Creeks and Wallkill River, State-regulated wetlands and other resources that the DEC is responsible for protecting and is better equipped to ensure a full and adequate evaluation of environmental impacts;

2) The DEC has statewide responsibility for mitigating climate change and helping to ensure that New York will meet the targets set in the 2015 New York State Energy Plan to reduce greenhouse gas emissions by 40% by 2030 and 80% by 2050 below 1990 emissions levels. The Commissioner's Policy mandates that DEC must consider climate change in all its actions, including permitting. This proposed project to construct the first crude oil pipeline in New York must be evaluated within the context of the Energy Plan and state energy objectives, and the DEC is best positioned to ensure the comprehensive evaluation that is needed;

3) The DEC, as the state environmental agency, is best suited to guide the environmental review of this large, multi-jurisdictional project that has the potential to impact environmental resources in six New York counties and 29 towns, and is the agency with the power and the expertise to ensure a comprehensive and coordinated review; and

4) The pipeline will traverse and impact private lands and resources outside of the Thruway Authority's right-of-way, and it is therefore more appropriate for the DEC than the Thruway Authority to play the lead role in evaluating the impacts to those lands and resources;

and now, therefore, be it

RESOLVED, that the Rockland County Legislature hereby urges the New York State Department of Environmental Conservation to assume sole lead agency status for the State Environmental Quality Review (SEQR) process for the proposed Pilgrim Pipeline project; and, be it further

RESOLVED, That the Clerk to the Legislature be and is hereby authorized and directed to send a copy of this resolution to Basil Seggos, Acting Commissioner of the New York State Department of Environmental Conservation; Joanne Mahoney, Chair of the New York State Thruway Authority; Robert Megna, Executive Director of the New York State Thruway Authority; Matthew J. Driscoll, Commissioner of the New York State Department of Transportation; Hon. Charles Schumer and Hon. Kirsten Gillibrand, United States Senators; Hon. Nita M. Lowey, Member of the United States Congress, Governor Andrew Cuomo, Audrey Zibelman, New York Public Service Commission Chairwoman; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. James G. Skoufis, and Hon. Karl Brabanec, 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.

**ADJOURNMENT IN MEMORY OF
JULIA FITZULA MARTINO**

Mr. Grant offered the following memorial, which was seconded by Mr. Hood, Jr. and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Julia Fitzula Martino.

**ADJOURNMENT IN MEMORY OF
RALPH CORDISCO**

Mr. Grant offered the following memorial, which was seconded by Mr. Hood, Jr. and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Ralph Cordisco.

**ADJOURNMENT IN MEMORY OF
JUNE M. ALFIERI**

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 June M. Alfieri.

**ADJOURNMENT IN MEMORY OF
ABIGAIL FLANAGAN**

Mrs. Cornell offered the following memorial, which was seconded by Mrs. Low-Hogan and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Abigail Flanagan.

**ADJOURNMENT IN MEMORY OF
STEVEN JAFFEE**

Chairman Wolfe 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 Steven Jaffee.

**ADJOURNMENT IN MEMORY OF
DEBRA TIAGWAD**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Debra Tiagwad.

**ADJOURNMENT IN MEMORY OF
KEEANDRA PAUL**

offered the following memorial, which was seconded by and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Keeandra Paul.

**ADJOURNMENT IN MEMORY OF
JOSEPH WALSH**

Mr. Tyer 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 Joseph Walsh.

**ADJOURNMENT IN MEMORY OF
BRENDA DIANE ATKINS**

Chairman Wolfe 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 Brenda Diane Atkins.

**ADJOURNMENT IN MEMORY OF
PATRICIA SIMMONS**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Patricia Simmons.

**RESOLUTION NO. 28 OF 2016
ADJOURNMENT**

Mr. Jobson offered the following resolution, which was seconded by Mr. Wieder and unanimously adopted (8:30 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Tuesday, February 2, 2016 at 7:00 p.m.

Respectfully Submitted,

DARCY SHAPIN-GREENBERG
Proceedings Clerk