

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, March 6, 2012 at 7:00 P.M., pursuant to the adjournment of the February 21, 2012 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 1st day of March 2012

The Legislature of Rockland County convened in regular session pursuant to the adjournment of the February 21, 2012 meeting.

A Roll Call being taken, the following Legislators were present and answered to their names:

Christopher J. Carey
Edwin J. Day
Toney L. Earl
Michael M. Grant
Douglas J. Jobson
Nancy Low-Hogan
Jay Hood, Jr.
Joseph L. Meyers
Patrick J. Moroney
Aney Paul
Ilan S. Schoenberger
Philip Soskin
Aron B. Wieder
Alden H. Wolfe, Vice Chairman
Harriet D. Cornell, Chairwoman

Late: Legislators John A. Murphy (7:02 p.m.) and Frank P. Sparaco (7:04 p.m.)

Honorable Michael M. Grant, Majority Leader, led in the Salute to the Flag and delivered the invocation.

**RESOLUTION NO. 78 OF 2012
ADOPTION OF MINUTES OF LEGISLATIVE MEETINGS
OF DECEMBER 6, 2011 AND DECEMBER 19, 2011**

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

Resolved, that the transcribed minutes of the Legislative meetings of December 6, 2011 and December 19, 2011, as recorded by the Clerk and presented to the Legislature, be and they are hereby adopted.

Special Order Of The Day:**Honorable C. Scott Vanderhoef, County Executive
2012 State of the County Address**

Honorable C. Scott Vanderhoef presented an abbreviated version of the following State of the County Address to the Legislature.

2012 MESSAGE TO THE LEGISLATURE

Good evening, Chairwoman Cornell, ladies and gentlemen of the Rockland County Legislature and welcome to the newest Legislators – Legislator Carey, Legislator Paul, Legislator Wieder and Legislator Low-Hogan. I look forward to working with you all this year as we serve the residents of this County. Good evening also to our distinguished officials, guests and residents who are watching this at home.

I wish that I were before you tonight in better times, with better news. We are living through what has been called the Great Recession – the most difficult economic times in our nation's history since the Great Depression. It is a period our grandchildren and their children will be reading about in the history books. It is a time that demands strong leadership, steadfastness and unwavering determination to meet the challenges and set a course for a better tomorrow.

Today, we stand at a crossroads. Rockland County government recently received the sobering news that our bond credit rating has been downgraded from A1 to A3, due in part to our awaiting approval from our state officials of an increase in our sales tax rate and proposed deficit bond. We also must determine what becomes of the Summit Park Hospital and let our voices be heard as the Tappan Zee Bridge – the largest construction project in the history of the Hudson Valley – gets underway.

I would like to speak on each of these major areas with the underlying notion that properly addressed we will persevere and that better times are on the horizon.

The County Budget

I think we would all agree that hammering out a budget for 2012 was a painstaking, often contentious and difficult process. We faced numerous challenges. We are not alone. I speak with County Executives across this state as a board member of The New York State Association of Counties or NYSAC and counties all over are grappling with many of the same problems we are – a new property tax cap that does not exempt debt, onerous state mandates, delays in reimbursements for State aid, expensive contractual obligations and nursing homes that are simply too costly to run.

As you are well aware, my proposed budget for 2012 included severe cuts that were necessary to balance the budget. The Legislature decided to restore most of those cuts by proposing an increase in the sales tax rate, which I was reluctant to propose given the uncertainty of state approvals. Nevertheless, the Legislature's sales tax plan had bi-partisan support which, when coupled with a dedicated deficit bond repayment plan to eliminate the deficit, made for a stronger financial argument.

After approving your amended budget, we have been working well together to lobby State lawmakers to approve this plan as soon as possible. But we both know that the clock is ticking and time is running out. The adopted budget included the revenues of the increased sales tax beginning in March and since we have not yet received State approval, we have started to fall behind in revenues by \$1.4 million per month.

I strongly suggest that if the sales tax proposal is not approved or near approval by May 1st, we take action on a contingency plan. In the following days thereafter, I will be submitting to you a series of resolutions to address the \$14 million shortfall, which will include some combination of cuts in programs, cuts to contract agencies, additional revenue-generating actions, furloughs and layoffs.

Summit Park Hospital

Our County budget and the fiscal stability of Rockland are intrinsically tied to the future of the Summit Park Nursing Home and Hospital. Let me be very clear about one thing, Summit Park provides excellent care for its residents. That is not the issue. We simply cannot continue to run the nursing home and hospital the same way as in the past when we know it is losing millions of dollars a year.

Working together, we hired a consultant – Toski & Company – to recommend options for Summit Park. Chairwoman Cornell, thank you for your active involvement to date. You have been a vocal participant in the regular conference calls we've had with the consultants and we'll continue to work with you as this process moves ahead.

We have been advised that a draft final report is due out at the end of this month. We need to quickly review the report and make a decision as to the best course of action for the future of our taxpayers and residents. I have asked the Rockland Business Association (RBA) to identify several business leaders to help review the report and to offer their advice. Their business expertise will be helpful in guiding the County's decision making. Summit Park Hospital and Nursing Care Center must cease to be a financial burden for our taxpayers, without abandoning its role in providing special care for our residents.

Tappan Zee Bridge

As we grapple with the County budget and the future of Summit Park, long-awaited plans for a new Tappan Zee Bridge are moving rapidly. President Obama and Governor Cuomo have put this project on the fast track.

When the details for the new bridge were unveiled, I was disappointed that the earlier plans for commuter rail and Bus Rapid Transit (BRT) had been set aside. We certainly need a new, safer bridge that can sustain an earthquake and is not under constant repair. We welcome the jobs and the economic stimulus such a massive project will bring to the region.

However, we've been discussing and waiting for a new bridge for more than a decade. Earlier designs and Alternatives Analyses have had much stakeholder input. Some of our landowners will have their property taken to build this bridge. We will endure an estimated five years of construction and inconvenience. And when the bridge is completed, we do not want to be sitting in traffic on it, just like we are today.

It is important to note that mass transportation is not just about speed and convenience, it also is about improving the quality of our air and the health of our residents. Our region is currently in non-attainment for Ozone and the new TZ bridge, as proposed, makes no effort to improve our air quality.

We understand the realities of the required study and cost that comes with mass transit and we're hesitant to hold up the entire project. That's why we've been looking for a middle ground, and I commend State DOT Commissioner Joan McDonald for coming down to Rockland to meet with me in my office on numerous occasions to hear Rockland's concerns.

This is what I have proposed. Let's turn our TAPPAN ZEEExpress bus service into a true express bus by taking it out of the same traffic as cars and running it on the proposed emergency lanes as a dedicated lane on the new TZ Bridge. It would be a sort of pilot BRT program.

In order to properly accommodate such a program, we need better access to the Tarrytown Train Station so that the buses aren't stuck in traffic once they cross the bridge. We're hoping the State and MTA will work with us to make this plan work.

The residents of Rockland need to know that we are working hard to make sure that this new Tappan Zee Bridge results not only in a newer, safer bridge, but also in a quicker, easier commute over the Hudson River. We will insist that ultimately the State live up to its word that this bridge will accommodate mass transit in the not so distant future. Rockland must get the mass transportation options we desperately need and deserve.

At the same time, we are working on another front to get better mass transportation for our residents. A recently completed report on the MTA shows about a \$40 million value gap for Rockland County. For every dollar we pay to the MTA in taxes, tolls and fares, we get back just 62 cents in services. We should explore the possibility of withdrawing from the MTA, but we need to proceed cautiously. If we withdraw, we may be obligated to repay a portion of MTA's bond debt and we don't know if we could get the State to approve handing over the revenue from the MTA taxes. That revenue would be critical if we are going to run our own transportation system. While exploring withdrawal, we will continue efforts to get improved services and additional funding for Rockland.

Jobs

We are pleased that the planned construction of the new TZ Bridge will spur economic growth and bring jobs to the region. The latest unemployment numbers available show Rockland's unemployment rate at 6.5 percent for December – making us among the five counties with the lowest unemployment rates in the State. While Rockland is faring better than most other New York counties when it comes to our unemployment rate, the statistics don't mean much to those who are out of work and looking for jobs.

We're working to bring new jobs to the County through the efforts of the Rockland Economic Development Corporation and the Industrial Development Agency. We've been successful in attracting new businesses and supporting the expansion of existing ones, resulting in the creation of about 500 new jobs in the past year. Interestingly, more than 275 of those jobs are in the manufacturing sector.

In addition, our Workforce Investment Board or WIB is working to assist County residents looking for jobs through training and letting them know what opportunities are out there. On March 28th, the WIB and Rockland Community College are sponsoring the Job Readiness Forum at RCC to help attendees update their resumes and brush up on their interviewing and job search skills. Then on April 3rd, the WIB is cosponsoring the annual Job Fair at RCC where attendees can meet employers and apply for jobs.

We also have an exciting announcement about two new loan programs for small businesses that are expected to create hundreds of jobs. The programs – called the Grow Rockland Fund and the Economic Development Microloan Program have been approved by the federal government and will be administered by the County through the Office of Community Development.

These new loans will be available to small businesses to create and retain low-income jobs. It's a great way to stimulate economic growth and support our local businesses. The programs will allow Community Development to loan money at lower rates than banks, extend repayment terms, and ease the approval process.

We'll be releasing all of the details of these new programs when we begin accepting applications this spring.

Serving our Residents

As we continue to tackle larger issues, it's important to remember that the critical day-to-day business of government continues. Tonight, I chose to address the challenges before us, instead of listing all of our accomplishments over the past year. However, I urge you to read through the Goals and Achievements section of your books to review what each of our departments has achieved in 2011.

As our mission states: "We will continue to serve the people of Rockland County well by providing needed services in a high quality, ethical, courteous, timely and cost-effective manner."

Our hard-working employees have continued to do just that. And they are to be commended for persevering during these difficult times with fewer staff and less resources. Around the clock our County employees are serving the residents of Rockland County. They are: Sheriff's deputies handling emergency calls; Sewer District workers making sure our wastewater is treated properly; doctors and nurses treating patients at the Summit Park Hospital; employees assisting residents in getting a passport or registering to vote; park workers maintaining our beautiful County parks; correction officers guarding prisoners; health department workers inspecting our restaurants; and the list seems almost endless.

Last year, some of our departments had to handle particularly challenging situations. The Department of Social Services saw a 23 percent increase in those needing help finding housing. More than one thousand families and single adults came to them for help, many because of evictions from their homes or unemployment. Social Services rose to the challenge, averting 879 families and singles from homelessness. The remaining individuals were placed in emergency housing until they could find a home.

The Office of Fire and Emergency Services coordinated the response to Tropical Storm Irene in August that left thousands of homes and businesses flooded. Highway crews worked long and hard to restore many of the roads left impassable and then began repairs on the more serious damage left to roads and bridges. Both departments were called to action again when the unprecedented October snowstorm had devastating effects on the county.

We're constantly working on improving County government. The construction of a new \$8 million Radio Communications Center is underway and expected to be completed by May – six months ahead of schedule and on budget. It's being built as an addition to the Fire Training Center and will be critical to public safety in Rockland. The \$30.4 million infrastructure necessary for the new, interoperable radio system is also being put in place. For the first time ever, our fire, police and EMS will all be able to easily communicate with one another on a dedicated County channel in an emergency. We plan on testing the new system the second half of this year and be up and running by January 2013.

Unfortunately, some residents are not quite sure what County government is all about or what it is that we actually do. Well this Sunday, they will have the chance to find out all about us at the Second Annual County Government Day. It's being held in conjunction with YouthFest and RCC's Open House. It's a great way to highlight the services we provide. Last year's was a huge success and I expect this year will be the same.

In another effort to reach out to our residents and make government more accessible we'll be unveiling a new, redesigned website next month. It will be more user-friendly with a new search function and will provide important information for our residents.

Department of the Year

One of our departments that have embraced the concept of making government services more accessible and convenient for our residents is the Office of the County Clerk. The office provides extended office hours, mobile services, E-Z pass tags and money order sales, an ATM on the premises, a public drop box, designated parking spaces for customers and internet access to records and forms.

Last year, because of the efforts of County Clerk Paul Piperato and his staff, Rockland became the first county in the state of New York to implement e-Filing or the mandatory electronic filing of court records. This adds up to a tremendous savings for Rockland – a savings in time, material, labor and storage. Just think about it. About 15,000 court cases were filed manually each year before. Each case, which included stacks of paper, had to be manually docketed and filed away.

Paul and his staff have a new goal this year – to be the first County Clerk's Office in the state to implement e-recording or the electronic recording of land records.

Meanwhile, the County Clerk's Office has worked on special initiatives including enrolling veterans in the "Return the F.A.V.O.R. program" which gives discounts to veterans at local businesses. Rockland now has 3,000 veterans and 350 businesses enrolled. In addition, the staff is working on developing a statewide program to increase organ donor registrations.

For all these reasons, I am proud to announce this evening that the Office of the County Clerk is the recipient of the 2011 Rockland County Department of the Year. Congratulations to Paul Piperato and his staff for doing an outstanding job and fulfilling the mission of County government so well.

DeFlumere Award

Tonight is a night when we also honor exemplary citizens with the Rockland County Medal of Valor, also known as the DeFlumere Medal of Valor, in honor of the first recipient, Alfred DeFlumere, Jr. This medal is awarded only in exceptional cases to residents who have demonstrated unusual heroism and courage in risking their lives, while attempting to save the lives of others. Tonight the honor goes to three Rocklanders – Todd Pezzementi, John Ferriello and Colton Reitzes, who together with Fausto Alvarez of Manhattan, pulled Annamaria Badenchini from her wrecked car, seconds before it exploded.

It happened last July 19th, about 6 p.m. Annamaria was heading north on the Palisades Parkway between exits 12 and 13, when she saw a large planter in the road. As she swerved to avoid it, her car flipped and rolled through trees in the median stopping upside down near the southbound lanes of traffic. The four men were in separate cars and could have all just passed by, but instead they stopped and rescued the badly-injured Annamaria from her car. Just when they pulled her clear of the wreck, the car exploded. Annamaria's life was spared because of the actions of these selfless men who put their lives at risk to save another. Congratulations to Todd Pezzementi, John Ferriello and Colton Reitzes who displayed such courage and compassion, and are this year's recipients of the Alfred DeFlumere Medal of Valor.

Remembering Our Veterans

There are many heroes who walk among us and I'm especially thinking of our veterans at this time. We are so fortunate to have citizens who are willing to put their lives at risk to protect us and our freedoms.

Our local Veterans Service Agency has always provided excellent support to our veterans to let them know about the benefits available to them. And now the agency is extending its focus to help the many veterans returning from Iraq who are looking for jobs. The Veterans Service Agency is partnering with the State Labor Department and setting up a database to help returning veterans find jobs in a difficult economy.

I'd like to take a moment to remember those veterans who did not make it home. There were four Rocklanders who were killed in action in Iraq: 20-year-old Manny Lopez of Haverstraw; 30-year-old Philip Esposito of Pearl River; 21-year-old Steven Vahaviolos of Airmont; and 26-year-old Justin Garcia of Valley Cottage.

In May, we will be adding a bronze plaque to the War Memorial in front of the Rockland County Court House with the names of these fallen soldiers. May they always remain in our hearts.

Conclusion

Over the years, together we have had great accomplishments of which we can be proud. Some that come to mind include purchasing more than 1,200 acres of open space, creating 10 new County parks, constructing five new buildings, creating more than two thousand units of affordable housing, beginning the School of the 21st Century, initiating an award-winning GIS mapping system, reducing the welfare rolls and bringing a local VA clinic to Rockland.

I am hopeful that we can work cooperatively again, with decisiveness, determination and urgency as we take on critical issues that demand our immediate attention. The actions we take this year will shape the future of Rockland County.

Thank you. God bless you and good night.

Chairwoman Cornell called for a brief recess at 7:32 p.m. The meeting reconvened at 7:52 p.m. with all members in attendance.

The Chairwoman opened the public participation portion of the meeting at 7:53 p.m. and the following persons appeared and spoke:

- ❖ Shayna Kellin, wants to be a volunteer & more involved with government and opposed mortgage taxes
- ❖ Joe Tarangelo, opposed to \$80 million deficit bond and tax increases. Concerned with seniors without EPIC and paying for insurance
- ❖ Bruce Levine, opposed to increased share of tax to towns and villages. Use the money for services instead.
- ❖ Supervisor St. Lawrence, Town of Ramapo, commended Legislators for providing services to Rockland County and for multi-year budgeting. New Director of Drainage doing tremendous and efficient job
- ❖ Wyneth Lindsay, Spring Valley needs to be cleaned up. People need help with unemployment

Public Participation ended at 8:04 p.m.

Comments from the Chairwoman:

Honorable Harriet D. Cornell

I want to read something to you. I am not going to get involved with the issue with regard to the statement that had been made by Rush Limbaugh about a young law student. What I wanted to read was one the President of Georgetown University wrote to the student body after this occurred.

President of Georgetown University John DeGioia eloquently defended the student by saying, "She provided a model of civil discourse. This expression of conscience was in the tradition of the deepest values we share as a people. One need not agree with her substantive position to support her right to respect free expression." He went on to quote St. Augustine, "Let us on both sides lay aside all arrogance. Let us not on either side claim that we have already discovered the truth."

I thought those words were just incredibly beautiful. I wanted to read them, because I think that it is so important as we differ over issues, and we do often differ over issues, that we do it with the understanding that we are all individuals, we all have the right to free expression and we should respect one another.

UNFINISHED BUSINESS
Referral No. 9372

Introduced by:
Hon. Ilan S. Schoenberger, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Toney L. Earl, Sponsor

**RESOLUTION NO. 79 OF 2012
REQUESTING THAT THE NEW YORK STATE LEGISLATURE INTRODUCE
HOME RULE LEGISLATION AUTHORIZING AN INCREASE OF ¼ OF 1%
(FROM ¼ OF 1% TO ½ OF 1%)
FOR EACH \$100 OF OBLIGATION SECURED BY A MORTGAGE
ON REAL PROPERTY SITUATED IN ROCKLAND COUNTY AND
AMENDING NEW YORK STATE TAX LAW SECTION 253-F**

Mr. Schoenberger offered the following resolution, which was seconded by Mr. Hood, Jr. and adopted:

WHEREAS, The County of Rockland currently receives a mortgage recording tax of ¼ of 1% for each \$100 of obligation secured by a mortgage on real property situated in the County to help offset County real property taxes; and

WHEREAS, The County Executive has asked the Legislature of Rockland County to request that the New York State Legislature introduce home rule legislation to amend New York State Tax Law, Article 11, Section 253-f, thereby increasing the amount of mortgage tax from ¼ of 1% to ½ of 1% for each \$100 of obligation secured by a mortgage on real property; and

WHEREAS, The County Executive has further asked that the home rule legislation also amend New York State Tax Law, Article 11, Section 253-f by deleting sub-section (6), so that each enactment of the local law provides for the imposition of the new rate from the effective date proposed; and

WHEREAS, Currently, an estimated \$3.5 million annually is expected to be received from this increase of ¼ of 1%, which will be used to help offset County real property taxes; 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 requests that the New York State Legislature introduce home rule legislation to amend New York State Tax Law, Article 11, Section 253-f, thereby increasing the amount of mortgage tax from ¼ of 1% to ½ of 1% for each \$100 of obligation secured by a mortgage on real property; and be it further

RESOLVED, That the Legislature of Rockland County hereby further requests that the home rule legislation also amend New York State Tax Law, Article 11, Section 253-f by deleting sub-section (6), so that each enactment of the local law provides for the imposition of the new rate from the effective date proposed; and be it further

RESOLVED, That the proceeds received from this increase will be used to help offset County real property taxes; and be it further

RESOLVED, That the Clerk to the Legislature is hereby authorized and directed to send a certified copy of this resolution to the Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David S. Carlucci, New York State Senator; Hon. Ellen C. Jaffee, Hon. Kenneth P. Zebrowski, Jr., Hon. Ann G. Rabbit and Hon. Nancy Calhoun, Members of the New York State Assembly; and to such other persons as he deems necessary in order to effectuate the purpose of this resolution.

The vote resulted as follows:

Ayes: 13 (Legislators Earl, Grant, Hood, Jr., Jobson, Low-Hogan, Moroney, Murphy, Paul, Schoenberger, Soskin, Wieder, Wolfe, Cornell)
Nays: 04 (Legislators Carey, Day, Meyers, Sparaco)

Debate:Chairwoman Cornell

Let me be very clear about this. This is not voting to pass or adopt a tax it is asking for authority from the New York State Legislature to pass a tax should it be wished in the future.

Mr. Meyers

I am on record as opposing this particular tax. I think that one of the critical things for me is that I don't want Rockland County to have the distinction of being the highest taxed County at the County level in certain areas. One of them is the mortgage tax and the other is the tax that we are going to be discussing after this item. If we raise the mortgage tax we will be in that very top tier if not the highest tier of counties that charge a high mortgage tax of one-half percent. I know that the boroughs of New York City charge at a higher level, but this obviously is not New York City. I just do not think that our tax base and housing stock is so stable in Rockland County that we could afford to pass on this cost to people who are trying to refinance their mortgages particularly at a time when many people are upside-down in their mortgages and are trying to refinance at lower interest rates. I just think that it is a very cruel tax. I think that we should be doing more, and I have said that very often, to decrease our costs on the other side of the ledger and if necessary to raise more money through property taxes, which are tax deductible to our residents. These insidious taxes are not the way to go and they are not going to help home values or the stability of our communities. I am opposed to this tax and will lobby against it in the State Legislature. Thank you.

Mr. Wolfe

I recognize first and foremost that what we are voting on tonight is not the imposition of a tax. It is the Home Rule request, which is the first step in a process. If it passes tonight and if we have a bill introduced in Albany then it would have to come back here any way.

I happen to think the mortgage tax is the most regressive tax. I think it is more regressive than a sales tax, because it penalizes people in direct relationship to the amount of money that they need to borrow to buy a house. I think it particularly penalizes first time homebuyers and young families. If you are blessed to have the cash to buy a house then you don't pay a mortgage tax. If you are struggling to put a down payment together and you are financing the rest then you pay more tax.

If this comes back to us I will be voting against the mortgage tax and I can say that with absolute certainty. I will be voting tonight for this, and I literally did change my mind as I was sitting up here tonight thinking about it, because it is a Home Rule request recognizing that it is simply one step in a process. If it plays out then I will be voting against the increase in the mortgage tax. I will be voting tonight in favor of the Home Rule request in the spirit of cooperation and what we need to do here in the County.

Mr. Day

Much of what my colleague Legislature Meyers said I am going to concur with. The County Executive is one of the better orators we have in Rockland County, but what struck me is the same thing that Legislature Meyers alluded to. Oration aside, we are still looking at only one side of the ledger. Given the financial crisis we are trying to come out of I heard nothing about a plan; an idea; even a concept to try to reduce spending as opposed to going for more revenue streams, a nice word for more taxes. I heard nothing about the potential consolidation of departments. I heard nothing about the issue of early retirement with those same folks coming back and being put back on the payroll so the supposed savings are really skewed. I heard nothing about consolidating functions in government. We cannot continue to go that way. I know we need taxes to function as a government. The reality is this particular tax would place us as number one County in the State at a \$1.55 per \$100.00. The only two municipalities that would be higher than us would be New York City and Yonkers.

This is at a time where we are trying to encourage purchasing of homes by residents. This particular tax, as Legislature Wolfe said, is a particularly egregious tax, because it hits people at their home. People are trying to get out from under water right now and get a lower mortgage rate and what do we do? Levy an additional tax. In reality, this will hurt the average person more than anybody else. In fact, it was recently reported in an article in the newspaper back in January where people of higher means are paying in cash and avoiding this tax altogether.

I am not going to support neither the tax nor the Home Rule request. I think it sends a bad message. I think it will hurt the average person of this County more than anybody else. This is absolutely the wrong way to go.

Chairwoman Cornell

I can't imagine that there are many of us who are enjoying voting for increased taxes, as most of us did not enjoy voting to increase the property tax, but it seems to be essential. I heard in the County Executive's speech that he is going to be coming back to us in a month with a series of resolutions on cuts for agencies, layoffs and other things unless we are able to get that application supported by the State Legislature. In any event, I too am going to support the Home Rule request and wait to see what happens when it comes back to us. Every one of these taxes is burdensome. We serve the public and somehow we have to be paying for those services. They are not extraneous services. One of the speakers talked about EPIC. These are the programs that we fund when we have the funds and if we don't have the funds we can't do it. We can't inspect the restaurants and we can't do a whole host of other things. For those reasons I am going to support the Home Rule request.

UNFINISHED BUSINESS

Referral No. 4817

Introduced by:

- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Toney L. Earl, Sponsor

**RESOLUTION NO. 80 OF 2012
 REQUESTING THAT THE NEW YORK STATE LEGISLATURE
 INTRODUCE HOME RULE LEGISLATION PERMITTING ROCKLAND COUNTY,
 PURSUANT TO ARTICLE 31 OF THE NEW YORK STATE TAX LAW,
 TO ADOPT A LOCAL LAW TO IMPOSE, COLLECT AND RETAIN A TAX ON
 REAL ESTATE TRANSFERS OF \$2.00 FOR EACH \$500 OF CONSIDERATION
 ON REAL PROPERTY TRANSACTIONS WITHIN ROCKLAND COUNTY
 [DEPARTMENT OF FINANCE]**

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

WHEREAS, Article 31 of the New York State Tax Law permits counties to enact local laws imposing, collecting and retaining a tax on real estate transfers in an appropriate amount relative to real property transactions; and

WHEREAS, The County Executive has asked the Legislature of Rockland County to request that the New York State Legislature introduce home rule legislation to allow Rockland County to impose, collect and retain a tax on real estate transfers of \$2.00 for each \$500 of consideration on real property transactions within Rockland County; and

WHEREAS, Currently an estimated \$4 million annually is expected to be received from the imposition of this tax, which will be used to help offset County real property taxes; and

WHEREAS, The Budget & Finance Committee of the Legislature has met, considered and by a vote of 8 aye(s) and 1 nay(s) approved this resolution; now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby requests that the New York State Legislature introduce home rule legislation to allow Rockland County to impose, collect and retain a tax on real estate transfers of \$2.00 for each \$500 of consideration on real property transactions within Rockland County; and be it further

RESOLVED, That the proceeds received from this tax will be used to help offset County real property taxes; and be it further

RESOLVED, That the Clerk to the Legislature is hereby authorized and directed to send a certified copy of this resolution to the Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David S. Carlucci, New York State Senator; Hon. Ellen C. Jaffee, Hon. Kenneth P. Zebrowski, Jr., Hon. Ann G. Rabbit and Hon. Nancy Calhoun, Members of the New York State Assembly; and to such other persons as he deems necessary in order to effectuate the purpose of this resolution.

The vote resulted as follows:

- Ayes: 13 (Legislators Earl, Grant, Hood, Jr., Jobson, Low-Hogan, Moroney, Murphy, Paul, Schoenberger, Soskin, Wieder, Wolfe, Cornell)
- Nays: 04 (Legislators Carey, Day, Meyers, Sparaco)

Debate:Mr. Meyers

Our property values have gone down 30%-35%. So what could be a better idea than when our seniors and others look to sell their homes let's have them pay another \$2,000.00 to \$3,000.00 tax on their way out, because after all their homes have only gone down in value by 35%. Now we will hit them with a transfer tax. Many years ago I was on the Board of Directors of my cooperative in Forest Hills, before I moved to New Jersey and then to Rockland County, and in cooperatives it is common to have a Flip Tax. The idea was that when people sold their cooperatives, since they enjoyed the benefit of living in the cooperative and getting the rise in the value through the activities and beautification, that there would be a flip tax/transfer tax to the corporation of 1% to 2% and I was always opposed to that. I felt that the revenues of an organization, whether it be a co-op or a County, should be collected by the people who live there and work there while they are there not a kick in the tush on their way out. I think that is not the right way to go and it is an unfair way to go.

Once again, this would put us in the very upper tier of counties throughout the State of New York in charging a \$2.00 per \$500.00 tax in addition to the State tax, which is the same amount. I don't want Rockland County to have that distinction as being one of the highest taxed County's in the State in terms of transfer tax and known as an unfriendly place to sell a home. I think that is a bad legacy. I would urge my colleagues to oppose this. I know that some of our State representatives are vehemently opposed to this particular tax. I will be lobbying them and the State Legislature to oppose granting this Home Rule request. I know the local Realtors Association is going to be opposing this and many other business organizations will be opposing this tax as well.

Mr. Wolfe

I will be supporting the Home Rule request. I am going to be giving serious consideration to how I am going to vote if this ever comes back. I do have very serious reservations about this although I don't believe that a transfer tax is as much of a drag on the real estate market as the mortgage tax is, because I have never known someone to say that I can't sell my home, because the transfer tax is too high. I certainly have heard people say that I can't buy a home, because I can't afford the mortgage tax. I am reserving my right to vote against this if it ever comes back to us, but I am going to support the Home Rule request.

Mr. Day

For many of the reasons I mentioned earlier I am not going to support this. The last resolution essentially we are looking at 21 or 24 counties at .25 cents and we are asking for .50 cents. It puts us way in the top tier. To give a sense of cost to the people of this particular tax - \$400,000 home that \$1,600.00 transfer tax will become a \$3,200.00 transfer tax. The escape clause, this is what this is all about. I truly believe we should be looking at other ways of dealing with these issues. I am hoping we can see that come down the road from the administration. Thank you.

Introduced by:

Referral No. 9361

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

**RESOLUTION NO. 81 OF 2012
 APPROVING ACCEPTANCE OF FUNDS TOTALING \$38,412.64 (NCTD)
 FROM THE CITY OF NEW YORK UNDER THE
 SECURE THE CITIES PROGRAM RUN BY THE COUNTY
 TO REIMBURSE THE TOWN OF STONY POINT
 FOR THE PURCHASE OF A 2011 CHEVROLET TAHOE
 AND AUTHORIZING ITS EXECUTION OF
 MEMORANDUM OF UNDERSTANDING BETWEEN
 THE COUNTY OF ROCKLAND AND THE TOWN OF STONY POINT
 BY THE COUNTY EXECUTIVE
 [SHERIFF'S DEPARTMENT]
 (\$38,412.64)**

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

WHEREAS, The Office of the Sheriff has informed the County Executive and the Legislature of Rockland County that they have received funds from the City of New York Secure The Cities Program run by the County totaling \$38,412.64 to reimburse the Town of Stony Point for the purchase of a 2011 Chevrolet Tahoe; and

WHEREAS, No County Tax dollars (NCTD) are required to accept said funds; and

WHEREAS, It is necessary to appropriate these funds to the proper account; 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 acceptance of funds from the City of New York under the Secure the Cities Program run by the County in the amount of \$38,412.64 to reimburse the town of Stony Point for the purchase of a 2011 Chevrolet Tahoe and authorizing its execution of a Memorandum of Understanding between the County of Rockland and the Town of Stony Point by the County Executive; and be it further

RESOLVED, That no County Tax dollars (NCTD) are required to accept said funds; and be it further

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

GENERAL FUND - 2012

<u>Increase Approp. Acct. (Credit):</u>		
A-SHF-3108-E4920	Reimburse Municipalities	38,413
<u>Increase Est. Rev. Acct. (Debit):</u>		
A-SHF-3108-R2260	Public Safety Revenue - Other Gov'ts	38,413



Introduced by:

Referral No. 9473

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

**RESOLUTION NO. 82 OF 2012
 APPROPRIATING THE SUM OF \$1,500 TO KEARSING-EDWARDS
 AMERICAN LEGION POST 1600 POMONA, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2012**

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

WHEREAS, the Rockland County Legislature has set aside in the 2012 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the Kearsing-Edwards American Legion Post 1600 Pomona, New York, is contracting with the County of Rockland to conduct patriotic observances in 2012, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

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

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of \$1,500, for providing patriotic observance events in Rockland County in calendar year 2012; and be it further

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

GENERAL FUND

<u>Increase Approp. Acct.:</u>		
A-CA-7590-5010	Kearsing-Edwards American Legion Post 1600 Pomona, New York 10952	\$1,500.
<u>Decrease Approp. Acct.:</u>		
A-LEG-1010-5042	Patriotic Observances	\$1,500.

Introduced by:

Referral No. 9473

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

**RESOLUTION NO. 83 OF 2012
 APPROPRIATING THE SUM OF \$1,500 TO
 KOREAN WAR VETERANS, ROCKLAND COUNTY EAGLE CHAPTER,
 NEW CITY, NEW YORK FOR PATRIOTIC OBSERVANCES IN 2012**

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

WHEREAS, the Rockland County Legislature has set aside in the 2012 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the Korean War Veterans, Rockland County Eagle Chapter, New City, New York is contracting with the County of Rockland to conduct patriotic observances in 2012, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

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

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of \$1,500, for providing patriotic observance events in the County of Rockland in calendar year 2012; and be it further

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

GENERAL FUND

Increase Approp. Acct.:

A-CA-7654-5010	Korean War Veterans Rockland County Eagle Chapter PO Box 304 New City, New York 10956	\$1,500
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Decrease Approp. Acct.:

A-LEG-1010-5042	Patriotic Observances	\$1,500
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Introduced by:

Referral No. 9473

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

**RESOLUTION NO 84 OF 2012
 APPROPRIATING THE SUM OF \$1,500 TO AMERICAN LEGION
 FRED ELLER POST 1447, MONSEY, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2012**

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

WHEREAS, the Rockland County Legislature has set aside in the 2012 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the American Legion Fred Eller Post 1447, Monsey, New York, is contracting with the County of Rockland to conduct patriotic observances in 2012, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

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

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of \$1,500 for providing patriotic observance events in Rockland County, in calendar year 2012; and be it further

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

GENERAL FUND

<u>Increase Approp. Acct.:</u>		
A-CA- 7589-5010	American Legion Fred Eller Post 1447 Post Office Box 127 Monsey, New York 10952	\$1,500
<u>Decrease Approp. Acct.:</u>		
A-LEG-1010-5042	Patriotic Observances	\$1,500

Introduced by:

Referral No. 9473

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

**RESOLUTION NO. 85 OF 2012
 APPROPRIATING THE SUM OF \$1,500 TO
 VETERANS OF FOREIGN WARS OF U.S., CLARKSTOWN
 MEMORIAL POST NO. 851, NEW CITY, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2012**

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

WHEREAS, the Rockland County Legislature has set aside in the 2012 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the Veterans of Foreign Wars of U.S., Clarkstown Memorial Post No. 851, New City, New York, is contracting with the County of Rockland to conduct patriotic observances in 2012, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

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

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of \$1,500 for providing patriotic observance events in Rockland County in calendar year 2012; and be it further

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

GENERAL FUND

<u>Increase Approp. Acct.:</u>		
A-CA-7583-5010	Veterans of Foreign Wars of the U.S. Clarkstown Memorial Post No. 851 New City, NY 10956	\$1,500
<u>Decrease Approp. Acct.:</u>		
A-LEG-1010-5042	Patriotic Observances	\$1,500

Introduced by:

Referral No. 6704

- Hon. Jay Hood, Jr., Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon Christopher J. Carey, Sponsor
- Hon. Edwin J. Day, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Aron B. Wieder, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Philip Soskin, Sponsor

**RESOLUTION NO. 86 OF 2012
 APPROPRIATION OF FEDERAL FORFEITURE FUNDS
 REQUESTED BY THE OFFICE OF THE DISTRICT ATTORNEY
 FOR CONTINUED ACCESS TO THE iSAFE WEB-BASED
 ACCUSATORY INSTRUMENT FOR ALL LAW ENFORCEMENT
 AGENCIES IN ROCKLAND COUNTY FOR 2012
 [OFFICE OF THE DISTRICT ATTORNEY]
 (\$16,850)**

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

WHEREAS, The Office of the District Attorney has requested that \$16,850 of federal forfeiture funds in balance sheet account A-8880 (Designated for Law Enforcement - Federal Proceeds) be appropriated to the District Attorney's 2012 Budget for continued access to the iSafe web-based accusatory instrument for all law enforcement agencies in Rockland County for 2012; and

WHEREAS, There is no expiration date required for use of these funds; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County funds since sufficient funds to cover total \$16,850 appropriation exists within said balance sheet account; 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 Acting Commissioner of Finance is hereby authorized to increase the following accounts in the amounts indicated:

GENERAL FUND - 2012

<u>Increase Approp. Acct. (Credit):</u>		
A-DA-1165-E4500	Forfeiture Funds - Services	16,850

<u>Increase Approp. Fund Bal. (Debit):</u>		
A-UNC-9990-R5990	(Designated for Law Enforcement - Federal Proceeds)	16,850

Introduced by:

Referral No. 6704

Hon. Jay Hood, Jr., Sponsor
Hon. Toney L. Earl, Sponsor
Hon Christopher J. Carey, Sponsor
Hon. Edwin J. Day, Sponsor
Hon. Aney Paul, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Philip Soskin, Sponsor

**RESOLUTION NO. 87 OF 2012
APPROVING PURCHASES IN EXCESS OF \$100,000
IN AN AMOUNT NOT TO EXCEED \$138,414
FROM EDUCATION & ASSISTANCE CORPORATION
FOR ALTERNATIVE TO INCARCERATION CASE MANAGEMENT SERVICES
UNDER RFP-RC-2011-025 FOR THE PERIOD FROM
JANUARY 1, 2012 THROUGH DECEMBER 31, 2012
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DISTRICT ATTORNEY'S OFFICE]
(\$138,414)**

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

WHEREAS, The Director of Purchasing requested proposals for the Alternative to Incarceration Program under RFP-RC-2011-025 (the "RFP") for the period from January 1, 2012 to December 31, 2012; and

WHEREAS, Ninety-three (93) companies and non-profit agencies were notified of the RFP, opportunity and the County received a single response from Education & Assistance Corporation, 50 Clinton Street, Suite 107, Hempstead, New York 11550; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the purchases in excess of \$100,000 to Education & Assistance Corp., 50 Clinton Street, Suite 107, Hempstead, New York 11550 for the Alternative to Incarceration Case Management Program under the RFP in an amount not to exceed \$138,414 for the period from January 1, 2012 through December 31, 2012; and

WHEREAS, All purchases shall be made by formal purchase order on an as-needed basis with no funds encumbered in advance, subject to the approval of the Director of Purchasing; and

WHEREAS, Sufficient funding for these purchases exist in the 2012 Budget of the District Attorney's Office; 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 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 purchases in excess of \$100,000 to Education & Assistance Corp., 50 Clinton Street, Suite 107, Hempstead, New York 11550 for the Alternative to Incarceration Case Management Program under the RFP in an amount not to exceed \$138,414 for the period from January 1, 2012 through December 31, 2012, and authorizes all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases exist in the 2012 Budget of the District Attorney's Office.

Introduced by:

Referral No. 8293

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

**RESOLUTION NO. 88 OF 2012
APPROVING INTERMUNICIPAL COOPERATION AGREEMENT BETWEEN
THE COUNTY OF ROCKLAND AND THE TOWN OF CLARKSTOWN
USING NEW YORK STATE MASS TRANSPORTATION OPERATING ASSISTANCE
(STOA) TO FUND CONTINUED OPERATION WITHIN ROCKLAND COUNTY OF THE
“CLARKSTOWN MINI TRANS” PUBLIC TRANSPORTATION BUS SERVICE
FOR THE PERIOD APRIL 1, 2012 THROUGH MARCH 31, 2013
AND AUTHORIZING EXECUTION BY THE COUNTY EXECUTIVE OF THE
INTERMUNICIPAL COOPERATION AGREEMENT
[DEPARTMENT OF PUBLIC TRANSPORTATION]
(NO COUNTY TAX DOLLARS)**

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

WHEREAS, Pursuant to Section 18(b) of the Transportation Law and Section 119-r of the General Municipal Law of the State of New York, and Local Law No. 9 of 1974, the County of Rockland (“County”) is authorized to contract with the State of New York and with bus companies, including municipal corporations such as the Town of Clarkstown (“Town”), to assist in providing bus service to the public, and to contract for public transportation services to be rendered to the people of Rockland County for a fair and reasonable consideration; and

WHEREAS, The Town operates the “Clarkstown Mini Trans” bus service for the public; and

WHEREAS, Both the County and the Town want the Town to continue to operate and maintain its present level of bus service and rates, because it benefits the people of Rockland County for the Town to do so; and

WHEREAS, It is consistent with the transportation policies of the County, of the State of New York, and of the United States that such public bus transportation service be maintained and continued; and

WHEREAS, Part of the cost of operating the Town’s “Clarkstown Mini Trans” bus service can be offset by obtaining financial assistance from the State of New York, which, pursuant to its Transportation Law, appropriates funds for this purpose; and

WHEREAS, The County, through its Department of Public Transportation, administers the New York State Mass Transportation Operating Assistance (STOA) program within Rockland County and receives funds for bus services, as well as for other municipal and private bus services in Rockland County; and

WHEREAS, The New York State Department of Transportation requires a contract between the County and bus service operators, such as the Town, for the operators to adhere to the New York State Department of Transportation's regulations; and

WHEREAS, The County of Rockland and the Town of Clarkstown are municipal corporations as defined by Section 119-n of Article 5-G of the General Municipal Law of the State of New York; and

WHEREAS, Section 119-o of Article 5-G of the General Municipal Law of the State of New York authorizes municipal corporations to contract to perform together that which each is authorized to perform individually, provided that any such agreement to do so “be approved by each participating municipal corporation” “by a majority vote of the voting strength of its governing body;” and

WHEREAS, The County’s 2012 Adopted Budget appropriates sufficient funds for the County-wide Mass Transportation Operating Assistance Program, and neither this resolution nor an intermunicipal cooperation agreement pursuant to it will require the expenditure of any County funds; and

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

RESOLVED, That the Legislature of Rockland County hereby approves, pursuant to Article 5-G of the General Municipal Law, the agreement between the County of Rockland and the Town of Clarkstown for the Town to continue to operate its “Clarkstown Mini Trans” bus service public transportation routes within the Town of Clarkstown for the County from April 1, 2011 through March 31, 2012, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That part of the cost of operating the Town’s “Clarkstown Mini Trans” bus service is to be offset by obtaining financial assistance from the State of New York, which, pursuant to its Transportation Law, appropriates funds for this purpose; and be it further

RESOLVED, That the County, through its Department of Public Transportation, which administers the New York State Mass Transportation Operating Assistance (STOA) program, receives funds for bus services, as well as for other municipal and private bus services in Rockland County; and be it further

RESOLVED, That the County’s 2012 Adopted Budget appropriates sufficient funds for the County-wide Mass Transportation Operating Assistance Program, and that neither this resolution nor the intermunicipal cooperation agreement hereby approved will require the expenditure of any County funds.

Introduced by:

Referral No. 8293

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

**RESOLUTION NO. 89 OF 2012
APPROVING INTERMUNICIPAL COOPERATION AGREEMENT BETWEEN
THE COUNTY OF ROCKLAND AND THE VILLAGE OF SPRING VALLEY
USING NEW YORK STATE MASS TRANSPORTATION OPERATING ASSISTANCE
(STOA) TO FUND CONTINUED OPERATION WITHIN ROCKLAND COUNTY OF THE
"SPRING VALLEY JITNEY" PUBLIC TRANSPORTATION BUS SERVICE
FOR THE PERIOD APRIL 1, 2012 THROUGH MARCH 31, 2013
AND AUTHORIZING EXECUTION BY THE COUNTY EXECUTIVE OF THE
INTERMUNICIPAL COOPERATION AGREEMENT
[DEPARTMENT OF PUBLIC TRANSPORTATION]
(NO COUNTY TAX DOLLARS)**

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

WHEREAS, Pursuant to Section 18(b) of the Transportation Law and Section 119-r of the General Municipal Law of the State of New York, and Local Law No. 9 of 1974, the County of Rockland ("County") is authorized to contract with the State of New York and with bus companies, including municipal corporations such as the Village of Spring Valley ("Village"), to assist in providing bus service to the public, and to contract for public transportation services to be rendered to the people of Rockland County for a fair and reasonable consideration; and

WHEREAS, The Village operates the "Spring Valley Jitney" bus service for the public; and

WHEREAS, Both the County and the Village want the Village to continue to operate and maintain its present level of bus service and rates, because it benefits the people of Rockland County for the Village to do so; and

WHEREAS, It is consistent with the transportation policies of the County, of the State of New York, and of the United States that such public bus transportation service be maintained and continued; and

WHEREAS, Part of the cost of operating the Villages's "Spring Valley Jitney" bus service can be offset by obtaining financial assistance from the State of New York, which, pursuant to its Transportation Law, appropriates funds for this purpose; and

WHEREAS, The County, through its Department of Public Transportation, administers the New York State Mass Transportation Operating Assistance (STOA) program within Rockland County and receives funds for bus services, as well as for other municipal and private bus services in Rockland County; and

WHEREAS, The New York State Department of Transportation requires a contract between the County and bus service operators, such as the Village, for the operators to adhere to the New York State Department of Transportation's regulations; and

WHEREAS, The County of Rockland and the Village of Spring Valley are municipal corporations as defined by Section 119-n of Article 5-G of the General Municipal Law of the State of New York; and

WHEREAS, Section 119-o of Article 5-G of the General Municipal Law of the State of New York authorizes municipal corporations to contract to perform together that which each is authorized to perform individually, provided that any such agreement to do so “be approved by each participating municipal corporation” “by a majority vote of the voting strength of its governing body;” and

WHEREAS, The County’s 2012 Adopted Budget appropriates sufficient funds for the County-wide Mass Transportation Operating Assistance Program, and neither this resolution nor an intermunicipal cooperation agreement pursuant to it will require the expenditure of any County funds; and

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

RESOLVED, That the Legislature of Rockland County hereby approves, pursuant to Article 5-G of the General Municipal Law, the agreement between the County of Rockland and the Village of Spring Valley for the Village to continue to operate its “Spring Valley Jitney” bus service public transportation routes within the Village of Spring Valley for the County from April 1, 2012 through March 31, 2013, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That part of the cost of operating the Village’s “Spring Valley Jitney” bus service is to be offset by obtaining financial assistance from the State of New York, which, pursuant to its Transportation Law, appropriates funds for this purpose; and be it further

RESOLVED, That the County, through its Department of Public Transportation, which administers the New York State Mass Transportation Operating Assistance (STOA) program, receives funds for bus services, as well as for other municipal and private bus services in Rockland County; and be it further

RESOLVED, That the County’s 2012 Adopted Budget appropriates sufficient funds for the County-wide Mass Transportation Operating Assistance Program, and that neither this resolution nor the intermunicipal cooperation agreement hereby approved will require the expenditure of any County funds.

Introduced by:

Referral No. 8293

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

**RESOLUTION NO. 90 OF 2012
 APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT BETWEEN
 THE COUNTY OF ROCKLAND AND THE TOWN OF CLARKSTOWN
 TO ALLOW THE TOWN OF CLARKSTOWN TO USE
 VEHICLES THAT THE COUNTY OWNS TO CONTINUE
 TO PROVIDE "CLARKSTOWN MINI TRANS" BUS SERVICE
 WITHIN ROCKLAND COUNTY
 FROM JANUARY 1, 2012 THROUGH DECEMBER 31, 2017
 IN ACCORDANCE WITH ITS CONTRACTS WITH THE COUNTY
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 (NO COUNTY TAX DOLLARS)
 [DEPARTMENT OF PUBLIC TRANSPORTATION]**

Mr. Schoenberger offered the following resolution, which was seconded by Mr. Day, Mrs. Paul and Mr. Sparaco and unanimously adopted:

WHEREAS, Both the County of Rockland ("County") and the Town of Clarkstown ("Town") are municipal corporations as defined by Section 119-n of Article 5-G of the General Municipal Law of the State of New York; and

WHEREAS, Section 119-o of Article 5-G of the General Municipal Law of the State of New York authorizes municipal corporations to contract to perform together that which each is authorized to perform individually, provided that any such agreement to do so "be approved by each participating municipal corporation" "by a majority vote of the voting strength of its governing body;" and

WHEREAS, The Town operates the "Clarkstown Mini Trans" bus service for the public; and

WHEREAS, Both the County and the Town want the Town to continue to operate and maintain its present level of bus service and rates, because it benefits the people of Rockland County for the Town to do so; and

WHEREAS, It is consistent with the Department of Transportation policies, rules and regulations of the State of New York and of the United States Federal Transit Administration that such public bus transportation service be maintained and continued; and

WHEREAS, Pursuant to an Agreement dated June 27, 2011, the Town agreed to continue to operate the "Clarkstown Mini Trans" bus service for the public; and

WHEREAS, The County through the Department of Public Transportation owns the Ford E450 T.R.I.P.S. buses identified on the attached **SCHEDULE "A"**; and

WHEREAS, The County Executive and the Legislature of Rockland County have been advised that the Department of Public Transportation recommends that the County enter into an intermunicipal agreement with the Town for the Town to possess, operate, maintain, and use the VEHICLES as identified in the attached **SCHEDULE "A"** from January 1, 2012 through December 31, 2017 solely to continue to operate its "Clarkstown Mini Trans" bus service for the public, as set forth in the June 27, 2011 Agreement, but for no other purpose whatsoever and for no other benefit whatsoever to any other persons, (the Town being expressly forbidden to use the VEHICLES for purposes such as, but not limited to, charter, school, or other non-commuter uses); and

WHEREAS, This agreement requires the expenditure of no County tax dollars, because the County owns the VEHICLES, which were purchased with Federal Transit Administration funds (80%); New York State Department of Transportation funds (10%) and MTA Special Allocation funds (10%); and

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

RESOLVED, That the Legislature of Rockland County hereby approves, pursuant to Article 5-G of the General Municipal Law, the intermunicipal agreement between the County of Rockland and the Town of Clarkstown for the Town to possess, operate, maintain, and use the following VEHICLES, as identified in the attached **SCHEDULE "A"** from January 1, 2012 through December 31, 2017 now, therefore, be it

RESOLVED, That such agreement shall provide for the Town to possess, operate, and maintain the VEHICLES solely to continue to operate its "Clarkstown Mini Trans" bus service for the public, as set forth in the June 27, 2011 Agreement, but for no other purpose whatsoever and for no other benefit whatsoever to any other persons, (the Town being expressly forbidden to use the VEHICLES for purposes such as, but not limited to, charter, school, or other non-commuter uses); and be it further

RESOLVED, That the Legislature hereby authorizes execution of that agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That this agreement requires the expenditure of no County tax dollars, because the County owns the VEHICLES, which were purchased with Federal Transit Administration funds (80%); New York State Department of Transportation funds (10%) and MTA Special Allocation funds (10%).

Schedule A

Town of Clarkstown / Mini Trans Buses (each bus has a 5-year useful life)

BUS #	YEAR/MAKE	VIN #	USE DATE
CMT-8	2006 Ford E-450 (insurance replacement of CMT-4)	1FDXE45P06HA51355	3/15/2004
CMT-9	2006 Ford E-450	1FDXE45P76DA62098	9/26/2006
CMT-10	2005 Ford E-450	1FDXE45P36HA53410	9/26/2006
CMT-12	2003 Ford E-450	1FDXE45F73HB58051	7/22/2009
CMT-13	2003 Ford E-450	1FDXE45F03HB58053	8/11/2009
CMT-14	2003 Ford E-450	1FDXE45F83HB58057	8/11/2009
CMT-15	2003 Ford E-450	1FDXE45FX3HB58058	8/11/2009
CMT-17	2010 Ford E-450	1FDXB4FP8ADA41781	1/6/2011
CMT-18	2010 Ford E-450	1FDXB4FP5ADA41785	1/6/2011
CMT-37	2001 Ford E-450	1FDXE45F81HA28286	9/26/2006

Introduced by:

Referral No. 8293

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

**RESOLUTION NO. 91 OF 2012
 APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT
 BETWEEN THE COUNTY OF ROCKLAND
 AND THE VILLAGE OF SPRING VALLEY
 TO ALLOW THE VILLAGE OF SPRING VALLEY TO USE
 VEHICLES THAT THE COUNTY OWNS TO CONTINUE
 TO PROVIDE "SPRING VALLEY JITNEY" BUS SERVICE
 WITHIN ROCKLAND COUNTY
 FROM JANUARY 1, 2012 THROUGH DECEMBER 31, 2017
 IN ACCORDANCE WITH ITS CONTRACTS WITH THE COUNTY
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 (NO COUNTY TAX DOLLARS)
 [DEPARTMENT OF PUBLIC TRANSPORTATION]**

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

WHEREAS, Both the County of Rockland ("County") and the Village of Spring Valley ("Village") are municipal corporations as defined by Section 119-n of Article 5-G of the General Municipal Law of the State of New York; and

WHEREAS, Section 119-o of Article 5-G of the General Municipal Law of the State of New York authorizes municipal corporations to contract to perform together that which each is authorized to perform individually, provided that any such agreement to do so "be approved by each participating municipal corporation" "by a majority vote of the voting strength of its governing body;" and

WHEREAS, The Village operates the "Spring Valley Jitney" bus service for the public; and

WHEREAS, Both the County and the Village want the Village to continue to operate and maintain its present level of bus service and rates, because it benefits the people of Rockland County for the Village to do so; and

WHEREAS, It is consistent with the Department of Transportation policies, rules and regulations of the State of New York and of the United States Federal Transit Administration that such public bus transportation service be maintained and continued; and

WHEREAS, Pursuant to an Agreement dated July 28, 2011, the Village agreed to continue to operate the "Spring Valley Jitney" bus service for the public; and

WHEREAS, The County through the Department of Public Transportation owns the **Ford E450 T.R.I.P.S.** buses identified on the attached **SCHEDULE "A"**; and

WHEREAS, The County Executive and the Legislature of Rockland County have been advised that the Department of Public Transportation recommends that the County enter into an intermunicipal agreement with the Village for the Village to possess, operate, maintain, and use the VEHICLES as identified in the attached **SCHEDULE "A"** from January 1, 2012 through December 31, 2017 solely to continue to operate its "Spring Valley Jitney" bus service for the public, as set forth in the July 28, 2011 Agreement, but for no other purpose whatsoever and for no other benefit whatsoever to any other persons, (the Village being expressly forbidden to use the VEHICLES for purposes such as, but not limited to, charter, school, or other non-commuter uses); and

WHEREAS, This agreement requires the expenditure of no County tax dollars, because the County owns the VEHICLES, which were purchased with Federal Transit Administration funds (80%); New York State Department of Transportation funds (10%) and MTA Special Allocation funds (10%); and

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

RESOLVED, That the Legislature of Rockland County hereby approves, pursuant to Article 5-G of the General Municipal Law, the intermunicipal agreement between the County of Rockland and the Village of Spring Valley for the Village to possess, operate, maintain, and use the following VEHICLES, as identified in the attached **SCHEDULE "A"** from January 1, 2012 through December 31, 2017, now, therefore, be it

RESOLVED, That such agreement shall provide for the Village to possess, operate, and maintain the VEHICLES solely to continue to operate its "Spring Valley Jitney" bus service for the public, as set forth in the July 28, 2011 Agreement, but for no other purpose whatsoever and for no other benefit whatsoever to any other persons, (the Village being expressly forbidden to use the VEHICLES for purposes such as, but not limited to, charter, school, or other non-commuter uses); and be it further

RESOLVED, That the Legislature hereby authorizes execution of that agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That this agreement requires the expenditure of no County tax dollars, because the County owns the VEHICLES, which were purchased with Federal Transit Administration funds (80%); New York State Department of Transportation funds (10%) and MTA Special Allocation funds (10%).

Schedule A

Village of Spring Valley / Spring Valley Jitney Buses (each bus has a 5-year useful life)

BUS #	YEAR/MAKE	VIN #	USE DATE
SVJ-101	2005 Ford E-450	1FDXE45P56HA53408	8/22/2005
SVJ-102	2005 Ford E-450	1FDXE45P76HA53409	8/22/2005

Introduced by:

Referral No. 8896

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

**RESOLUTION NO. 92 OF 2012
APPROVING AN AMENDMENT TO AGREEMENT IN EXCESS OF \$100,000
WITH USA CENTRAL STATION ALARM CORPORATION
TO PROVIDE CENTRAL ALARM SERVICES TO 44 CONTROL
FOR AN ADDITIONAL AMOUNT OF \$58,000
FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$143,892.12
FOR THE PERIOD FROM JANUARY 1, 2012 THROUGH DECEMBER 31, 2012
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[OFFICE OF FIRE AND EMERGENCY SERVICES]
(\$143,892.16)**

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

WHEREAS, In 2009, the Director of Purchasing requested bids for central alarm services for 44 Control under RFP-RC-09-016 (the "RFP"); and

WHEREAS, Two hundred twenty-eight 228 vendors were notified of the RFP, sixty-six (66) vendors viewed it and four (4) vendors responded to it; and

WHEREAS, The Director of Purchasing determined that USA Central Station Alarm Corporation, 28 Willett Avenue, Port Chester, New York 10573, submitted a proposal that met all of the proposal specifications; and

WHEREAS, Thereafter, the County of Rockland entered into an agreement with USA Central Station Alarm Corporation, 28 Willett Avenue, Port Chester, New York 10573 to provide central alarm services to 44 Control in the amount of \$85,892.16 for the period for February 18, 2011 through December 31, 2011 with the option to renew for four (4) additional one year terms; and

WHEREAS, The Director of the Office of Fire and Emergency Services requests that the County Executive and the Legislature of Rockland County approve an amendment to the agreement with USA Central Alarm Corporation for an additional amount of \$58,000 a total contract sum not to exceed \$143,892.16 and exercise the first option to renew for the period between January 1, 2012 through December 31, 2012 with three (3) additional one year terms; and

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

WHEREAS, Sufficient funding exists for this amendment to the agreement in the 2012 Adopted Budget of the Office of Fire and Emergency Services; and

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

RESOLVED, That the Legislature of Rockland County approves an amendment of an agreement with USA Central Alarm Corporation, 28 Willett Avenue, Port Chester, New York 10573 to provide central alarm services to 44 Control for an additional amount of \$58,0000 for a total contract sum not to exceed \$143,892.16 for the period between January 1, 2012 through December 31, 2012 with three (3) additional one year terms; and be it further

RESOLVED, That the Legislature of Rockland County approves its execution by the County Executive of all necessary documents and instruments necessary to effectuate the purpose and intent of this resolution, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding exists for this amendment to the agreement in the 2012 Adopted Budget of the Office of Fire and Emergency Services.

BOND RESOLUTION NO. 93 OF 2012

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, ADOPTED MARCH 6, 2012, AUTHORIZING FINANCING OF THE CORRECTIONAL CENTER SECURITY IMPROVEMENTS AND UPGRADES, STATING THE CURRENT ESTIMATED MAXIMUM COST THEREOF IS \$650,000, APPROPRIATING \$650,000 FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$650,000 BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION.

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

THE LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Legislature) AS FOLLOWS:

Section 1. Based upon the review of this action by the County of Rockland (herein called the "County"), the Legislature of the County hereby determined that the object or purpose authorized pursuant to this resolution constitutes a Type II Action pursuant to the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law).

Section 2. The County is hereby authorized to finance Capital Project No. 1456 for Facilities Management, consisting of Correctional Center security improvements and upgrades, including incidental expenses in connection therewith. The current estimated maximum cost thereof, including costs incidental thereto and the financing thereof, is \$650,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$650,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and if not paid from other sources, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. Bonds of the County in the principal amount of \$650,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriation.

Section 4. The following additional matters are hereby determined and declared:

- a) The period of probable usefulness to the purpose for which said \$650,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law is fifteen (15) years; and
- b) The proposed maturity of the bonds authorized by this Resolution will exceed five (5) years.

Section 5. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 6. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by general tax from all sources including all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 thereof relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 thereof relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and Sections 50.00, 56.00 to 60.00 and 168.00 thereof, the powers and duties of the County Legislature relative to authorizing bond anticipation notes, or the renewals thereof, and relative to providing for substantially level or declining annual debt service, and prescribing the terms, form and contents, and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, as well as to executing agreements for credit enhancements, are hereby delegated to the Commissioner of Finance, the chief fiscal officer of the County.

Section 8. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This bond resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter, and the Clerk to the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the "ROCKLAND JOURNAL NEWS," published in West Nyack, New York and the "ROCKLAND COUNTY TIMES," published by Citizen Publishing Corp., Nanuet, New York, each of said newspapers having been designated the official newspapers of said County for such publication, and such other newspapers designated by the Clerk to the Legislature, each of said newspapers having a general circulation in the County for such publication.

* * * * *

The adoption of the following resolution was seconded by Legislators Edwin J. Day and Douglas J. Jobson and duly put to a vote on roll call, which resulted as follows:

AYES: 17
 NOES: 0
 ABSENT: 0

The resolution was declared and adopted.

Roll Call:

- Legislator Hood, Jr. – Yes.
 - Legislator Jobson – Yes.
 - Legislator Low-Hogan – Yes.
 - Legislator Meyers – Yes.
 - Legislator Moroney – Yes.
 - Legislator Murphy – Yes.
 - Legislator Paul – Yes.
 - Legislator Schoenberger – Yes.
 - Legislator Soskin – Yes.
 - Legislator Sparaco – Yes.
 - Legislator Wieder – Yes.
 - Legislator Carey – Yes.
 - Legislator Day – Yes.
 - Legislator Earl – Yes.
 - Legislator Grant – Yes.
 - Vice Chairman Wolfe – Yes.
 - Chairwoman Cornell - -Yes.
-

Debate:Mr. Meyers

I voted against this in committee, because the alarm system that is being replaced had not been working for three years under the Kralik administration and was not replaced and was apparently not a strong enough priority of retired Sheriff Kralik to pursue with this body. Since the time that I voted against it in committee I have become a little bit more educated with the population of our local jail. I understand that we have serious criminals that are there. Some of them are there awaiting trial, in transport or for other reasons including that fellow Lau who murdered that young woman. I am sure other dangerous criminals are there too.

I am going to vote for this tonight. I am going to say that, not looking to pick a fight with anyone, these are very close questions, when you are in a fiscal crisis, whether to give priority to one thing or to another or whether to bond something for over \$600,000 when the former holder of the position didn't think it was necessary for the last three years. We need to be scrutinizing all of these things as carefully as we would scrutinize whether to go on a vacation if our family budget was tight or whether to repair certain things in our house. I really don't think we do that enough. I think that Sheriff Falco is doing his job and he finds this to be unacceptable. He goes to Mr. Vanderhoef and they compromise on this and it is basically rubber stamped by this body. I think we do a little bit too much of that. I think that we really need to be scrutinizing these things and to be setting the priorities. We are not doing in some quarters as much as we could as if it was really our money and this I think is one of those things.

There was virtually no debate about it in committee except to laugh about when the last time was that somebody tried to escape from the prison. The Chair of the committee, the respected Legislator Grant, wanted to know why I was the only one voting no. There really was no discussion on the issue. He wasn't asking why other people were voting yes he just wanted to know why someone would vote no. I think as much weight should be given as to why people are voting yes as there is to why people are voting no, because people can go either way on the question. It is just that balance towards that automatic yes vote on something like this, which they haven't had for three years and apparently the former Sheriff did not feel it was needed, that it was so strange that somebody would be opposed to that. I just think we need more scrutiny, but I will be voting yes.

Mr. Day

I think that as the only law enforcement person up here I would really have to make a comment at this point. I want to acknowledge Legislator Meyers, because he expressed to me that he was looking to vote no on this and I did speak to him. I want to acknowledge him for listening and coming around to support this. I share your concerns Joe, obviously, on this issue in general as far as approving expenditures. As someone who has spent thirty years in central New City, and whose neighborhood backs up to the jail, there is a very deep concern for the issue of making sure that the community is safe. If there was an escape from that jail they are in the backyards of central New City. It is something that we have lived with for many years. We have been lucky enough that any time that anything has ever occurred there have been a very rapid reaction by the Sheriff's Department. We are very proud of the Sheriff's Department in our community, because of their rapid response to situations.

As Legislator Meyers said, yes we don't have shoplifters in that jail. The jail presents a very difficult challenge for our law enforcement person. It is the toughest job in law enforcement. I know the guys in my old department would probably yell at me for saying that, but there is no such thing as working in a good neighborhood in a jail. It is a tough job to do. I salute them for what they do. I recognize that they have an essential effort in keeping this community safe.

Again, I think Legislator Meyers for coming around on this, acknowledging and seeing that it is more than just a few bucks here. This is something that is very important for the safety of this community. Thank you.

Mr. Schoenberger

I have a slightly different recollection as to what occurred at committee. I remember Sheriff Falco coming in and making a presentation as to why this was necessary and why we should do it and why it was in the best interest of public safety, community safety and proper safety and security for the jail. I don't believe that anyone ever suggested that Sheriff Kralik didn't think this was needed during his term of office. I know for a fact that he did. To say that there was no discussion I don't think was a fair evaluation of what happened at committee. I believe there are some Legislators that may not fully appreciate the tough job that our Correction Officers have to do or the issues that they face and the dangers that they face day-to-day in the jail. There are very serious criminals in our jail. We have people that are accused, but not convicted and those that are accused and incarcerated pending trial have one level of protection that must be afforded them. Their constitutional rights are totally different than someone who has been convicted. We have another group of people who are convicted, but are serving less than a year. Then there are people who are convicted, are State ready or may be State prisoners who are here, because they are charged with other crimes and being housed here during that interim as well. Some of them have committed serious crimes and pose a real threat and danger to the public's safety.

I must say however that I always like and appreciate it when Legislators become more educated. Thank you.

Introduced by:

Referral No. 7300

Hon. Jay Hood, Jr., Sponsor
Hon. Toney L. Earl, Sponsor
Hon Christopher J. Carey, Sponsor
Hon. Edwin J. Day, Sponsor
Hon. Aney Paul, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Philip Soskin, Sponsor

**RESOLUTION NO. 94 OF 2012
APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT
BETWEEN THE COUNTY OF ROCKLAND AND COUNTY OF MONROE
TO PROVIDE SECURITY SERVICES TO INMATES
RECEIVING MENTAL HEALTH TREATMENT AT THE
ROCHESTER PSYCHIATRIC CENTER
FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2015
AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[SHERIFF'S DEPARTMENT]**

Mr. Schoenberger offered the following resolution, which was seconded by Mr. Hood, Jr. 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 municipal cooperation agreement shall 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 and the County of Monroe desire to enter into a municipal cooperation agreement for the County of Monroe, 130 South Plymouth Ave, Rochester, New York 14614, to provide housing and jail security services to inmates receiving mental health treatment at the Rochester Psychiatric Center located at 1111 Elmwood Avenue, Rochester, New York for the County of Rockland Sheriff's Department for the period January 1, 2012 through December 31, 2015; and

WHEREAS, The total amount for annual services is \$140.00 a day per inmate and the annual amount cannot be capped as Sheriff Department does not know in advance how many inmates will be subject to this agreement; and

WHEREAS, Sufficient funding for this agreement exists in the 2012 Budget of the Sheriff's Department; 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 an intermunicipal cooperation agreement with the County of Monroe, 130 South Plymouth Ave, Rochester, New York 14614, to provide housing and jail security services to inmates receiving mental health treatment at the Rochester Psychiatric Center located at 1111 Elmwood Avenue, Rochester, New York for the County of Rockland Sheriff's Department for the period January 1, 2012 through December 31, 2015, and authorizing its execution by the County Executive, subject to the approval of the County Attorney, and be it further

RESOLVED, That sufficient funding for this agreement exists in the 2012 Budget of the Sheriff's Department.

Introduced by:

Referral No. 7300

Hon. Jay Hood, Jr., Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Christopher J. Carey, Sponsor
Hon. Edwin J. Day, Sponsor
Hon. Aney Paul, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Philip Soskin, Sponsor

**RESOLUTION NO. 95 OF 2012
APPROVING A SECOND AMENDMENT AND EXTENSION
TO AN AGREEMENT IN EXCESS OF \$100,000 IN AN ADDITIONAL
AMOUNT OF \$64,000 FOR A TOTAL CONTRACT
SUM NOT TO EXCEED \$125,000 RFP-RC-2010-008
BETWEEN THE COUNTY OF ROCKLAND
AND DONAHOO CONSULTING, LLC
FOR CONSULTING SERVICES FOR RAILWAY
SECURITY AND TRAINING EXERCISES AS NEEDED FOR THE
PERIOD FROM AUGUST 13, 2012 THROUGH AUGUST 12, 2013
WITH TWO (2) ADDITIONAL ONE (1) YEAR OPTIONS
AND AUTHORIZING EXECUTION OF THE AGREEMENT
BY THE COUNTY EXECUTIVE (NO COUNTY TAX DOLLARS)
[SHERIFF'S DEPARTMENT]
(\$125,000)**

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

WHEREAS, On August 10, 2010, the County of Rockland entered into an agreement with Donahoo Consulting, LLC, 201 Somerston Road, Yorktown Heights, New York 10598 for the period from August 13, 2010 through August 12, 2011 in a total contract sum not to exceed \$40,000; and

WHEREAS, There was a first amendment to this agreement on April 20, 2011 in the amount of \$21,000; and

WHEREAS, The contract was extended through August 12, 2012 by agreement dated September 28, 2011; and

WHEREAS, The Sheriff's Department wishes to further extend the agreement with Donahoo Consulting, LLC for a period from August 13, 2012 through August 12, 2013 with two (2) additional one (1) year options for railway security and training exercises; and

WHEREAS, Sufficient funding for this agreement exists within the 2012 Operating Budget of the Sheriff's Department, Grant Department GS20-E4090; 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 Budget and Finance and Public Safety Committees of the Legislature have met, considered and unanimous approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the execution of a second amendment and extension between the County of Rockland and the Donahoo Consulting, LLC, in an additional amount of \$64,000 for a total contract sum not to exceed \$125,000 for the railway security and training exercises from August 13, 2012 through August 12, 2013 with two (2) additional one (1) year options, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement exists within the 2012 Operating Budget of the Sheriff's Department, Grant Department GS20-E4090.

Introduced by:

Referral No. 5906

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

**RESOLUTION NO. 96 OF 2012
 APPROVING APPROPRIATION OF FUNDS IN THE AMOUNT OF \$337,406
 FROM THE SEWER'S DISTRICT ACCOUNT DESIGNATED FOR SEWER
 TREATMENT PLANT & COLLECTION SYSTEM
 FOR TRUNK REPAIRS ASSOCIATED WITH THE
 ROBERT PITT DRIVE SEWER UPGRADE PROJECT
 [ROCKLAND COUNTY SEWER DISTRICT NO. 1]
 (\$337,406)**

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

WHEREAS, The Rockland County Sewer District No. 1 requests that the County Executive and the Legislature of Rockland County appropriate \$337,406 of funds in balance sheet account G-8898 (Designated for Sewer Treatment Plant & Collection System) to the Sewer's 2012 Operating Budget for trunk repairs associated with the Robert Pitt Drive Sewer Upgrade Project; and

WHEREAS, The Board of Sewer Commissioners awarded Contract 2011-08 in the amount of \$312,406.06 for the Robert Pitt Drive Sewer Upgrade Project; and

WHEREAS, An additional amount of \$25,000 is recommended as a contingency for the Robert Pitt Drive Sewer Upgrade Project, making total appropriation needed an estimated \$337,406; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County funds since sufficient funds to cover \$337,406 appropriation exists within said balance sheet account; and

WHEREAS, The Board of Sewer Commissioners, by Sewer Resolution No. 84 of 2011, is requesting the Legislature of Rockland County approve this request; and

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

RESOLVED, That the Legislature of Rockland County hereby appropriates \$337,406 of funds in balance sheet account G-8898 (Designated for Sewer Treatment Plant & Collection System) to the Sewer's 2012 Operating Budget for trunk repairs associated with the Robert Pitt Drive Sewer Upgrade Project; and be it further

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

SEWER FUND - 2012

<u>Increase Approp. Acct. (Credit):</u>		
G-SWR-8120-E4580	Trunk Repairs	337,406
<u>Increase Approp. Fund Bal. (Debit):</u>		
G-SWR-9952-R5990	(Designated for Sewer Treatment Plant & Collection System)	337,406



Introduced by:

Referral No. 9325

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

**RESOLUTION NO. 97 OF 2012
APPROVING PURCHASES IN EXCESS OF \$100,000
IN AN AMOUNT NOT TO EXCEED \$128,109.78
FROM UNI-SELECT USA, INC. D/B/A MARK AUTO PARTS
FOR REPLACEMENT PARTS FOR AUTOMOBILES, TRUCKS
AND OTHER EQUIPMENT UNDER RFB-RC-07-115 FOR
THE PERIOD FROM NOVEMBER 9, 2007 THROUGH NOVEMBER 8, 2012
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING]
(\$128,109.78)**

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

WHEREAS, In 2007, the Director of Purchasing requested bids for replacement parts for automobiles, trucks and other equipment under RFB-RC-07-115 (the "RFB") for the period from November 9, 2007 through November 8, 2008 with four one-year options; and

WHEREAS, One hundred fifty (150) vendors were notified of the RFB, thirty-seven (37) vendors viewed it and eleven (11) vendors responded to it; and

WHEREAS, The Director of Purchasing determined that Uni-Select USA, Inc. d/b/a Mark Auto Parts ("Mark Auto Parts"), 260 Route 9W, Haverstraw, New York 10927, was the lowest responsible bidder, who submitted the lowest bid; and

WHEREAS, The County has exercised each of the four one-year options and extended the initial term of the contract with Mark Auto Parts from November 9, 2007 through November 8, 2012; and

WHEREAS, To date, the County has spent \$88,109.78 under the RFB and the expenditures in 2012 are anticipated to be between \$30,000 and \$40,000; and

WHEREAS, The Director of Purchasing recommends that the County Executive and the Legislature of Rockland County approve purchases in excess of \$100,000 from Uni-Select USA, Inc. d/b/a Mark Auto Parts, 260 Route 9W, Haverstraw, New York 10927 for replacement parts for automobiles, trucks and other equipment under the RFB in an amount not to exceed \$128,109.78 for the period from November 9, 2007 through November 8, 2012; and

WHEREAS, All purchases shall be made by formal purchase order on an as-needed basis with no funds encumbered in advance, subject to the approval of the Director of Purchasing; and

WHEREAS, Sufficient funding for these purchases exists in the 2012 Budgets of the Departments of General Services, Highway and the Rockland Sewer District No. 1; 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 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 purchases in excess of \$100,000 from Uni-Select USA, Inc. d/b/a Mark Auto Parts, 260 Route 9W, Haverstraw, New York 10927, for replacement parts for automobiles, trucks and other equipment under RFB-RC-07-115 for the period from November 9, 2007 through November 8, 2012 in an amount not to exceed \$128,109.78, and authorizes all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases exists in the 2012 Budgets of the Departments of General Services, Highway and the Rockland Sewer District No. 1.

Introduced by:

Referral No. 7666

Hon. Jay Hood, Jr., Sponsor
Hon. Toney L. Earl, Sponsor
Hon Christopher J. Carey, Sponsor
Hon. Edwin J. Day, Sponsor
Hon. Aney Paul, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Philip Soskin, Sponsor

**RESOLUTION NO. 98 OF 2012
APPROVING CONTRACT IN EXCESS OF \$100,000
IN AN AMOUNT NOT TO EXCEED \$150,000 WITH STERLING HELICOPTER
FOR ENGINE AND STRUCTURAL UPGRADES TO BELL HELICOPTER
UNDER RFP-RC-2011-012 FOR THE PERIOD FROM
MARCH 1, 2012 THROUGH AUGUST 30, 2012
[SHERIFF'S DEPARTMENT]
(\$150,000)(NCTD)**

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

WHEREAS, The Director of Purchasing requested proposals for the Engine and Structural Upgrades to Bell Helicopter RFP-RC-2011-012 (the "RFP") for the period from March 1, 2012 to August 30, 2012; and

WHEREAS, Three (3) proposals were received from Paradigm Aerospace Corporation, Helicopter Services and Sterling Helicopter to the RFP, and the County received the lowest bid from Sterling Helicopter, 1226 River Road, Croydon, PA. 19021; and

WHEREAS, The Sheriff's Department, Director of Fire and Emergency Services and the Board of Directors of the H.E.I.P. Program have recommended to the County Executive and the Legislature of Rockland County that the County approve the contract in excess of \$100,000 to Sterling Helicopter, 1226 River Road, Croydon, PA. 19021 for Engine and Structural Upgrades to Bell Helicopter under the RFP in an amount not to exceed \$150,000 for the period from March 1, 2012 through August 30, 2012; and

WHEREAS, Sufficient funding for these purchases exist in the 2012 Budget of the District Attorney's Office – FA01-E4500 (Forfeiture 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 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 contract in excess of \$100,000 to Sterling Helicopter, 1226 River Road, Croydon, PA. 19021 for Engine and Structural Upgrades to Bell Helicopter under the RFP in an amount not to exceed \$150,000 for the period from March 1, 2012 through December 30, 2012, and authorizes the County Executive to execute a contract; and be it further

RESOLVED, That sufficient funding for this contract exist in the 2012 Budget of the District Attorney's Office –FA01-E4500 (Forfeiture Account).

Introduced by:

Referral No. 8281

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

**RESOLUTION NO. 99 OF 2012
 APPROVING EXECUTION OF AN INTERMUNICIPAL AGREEMENT
 IN AN AMOUNT NOT TO EXCEED \$22,150
 BETWEEN COUNTY OF ROCKLAND AND
 VILLAGE OF WEST HAVERSTRAW FOR THE
 HEALTHY PLACES TO LIVE, WORK AND PLAY INITIATIVE,
 FOR A TERM FROM OCTOBER 1, 2011 THROUGH MARCH 31, 2012 AND
 AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [HEALTH DEPARTMENT]
 (\$22,150)**

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

WHEREAS, By Resolution No. 21 of 2011 The Rockland County Department of Health received a grant to reduce death and disability due to chronic disease by initiating targeted lifestyle interventions in the Rockland County Community through the Creating Healthy Places to Live, Work and Play initiative funded by the New York State Department of Health; and

WHEREAS, An intermunicipal agreement has been proposed between the County of Rockland and Village of West Haverstraw has been prepared to implement policy and environmental improvements to help achieve a healthier community as indicated in Schedule "A"; and

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal governments to perform together that which each government is authorized to perform individually and requires that any intermunicipal 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 and Village of Spring Valley desire to enter into a intermunicipal agreement with the Village of West Haverstraw, 130 Samsondale Avenue, West Haverstraw, New York 10993, to implement policy and environmental improvements in order to reach the goal of a healthier community for the County of Rockland Department of Health in the amount not to exceed \$22,150 for the period October 1, 2011 through March 31, 2012; and

WHEREAS, The County shall have the option to renew the contract for four (4) additional one (1) year terms; and

WHEREAS, Sufficient grant funds have been provided for this agreement in the 2012 budget of Department of Health; 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, The County shall have the option to renew the contract for four (4) additional one (1) year terms; and be it further

RESOLVED, That the Legislature of Rockland County approves the execution of an intermunicipal agreement with the Village of West Haverstraw, 130 Samsondale Avenue, West Haverstraw, New York 10993, to provide a implement policy and environmental improvements in order to reach the goal of a healthier community for the County of Rockland Department of Health in the amount not to exceed \$22,150 for the period October 1, 2011 through March 31, 2012, and authorizing the execution of the agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, Sufficient grant funds have been provided for this agreement the 2012 budget of Department of Health.

ROCKLAND COUNTY DEPARTMENT OF HEALTH



SCHEDULE A

Village of West Haverstraw

Catherine B. Kopf, Treasurer

130 Samsondale Avenue

West Haverstraw, NY 10993

Phone: 845-947-2800

Fax: 845-947-1560

Email: ckopf@westhaverstraw.org (Catherine B. Kopf)

Tax ID: 13-6007338



<p>GOALS & OBJECTIVES:</p>	<p>The Rockland County Department of Health seeks to reduce death and disability due to chronic disease by initiating targeted lifestyle interventions in the Rockland County Community through the Creating Healthy Places to Live, Work and Play initiative funded by the New York State Department of Health.</p> <p>Village of West Haverstraw is committed to working with the Rockland County Department of Health to implement policy and environmental improvements in the following areas to reach the goals of a healthier community: Create, rehabilitate, maintain and promote parks and recreation facilities in underserved residential areas to offer safe, accessible and attractive opportunities for physical activity for persons of all ages and abilities; Develop and/or enhance playgrounds for children that are safe, attractive, accessible and available; Improve street-scale urban design for small geographic areas (such as a few blocks): improved street lighting, safe street crossing, use of traffic calming approaches (speed humps, traffic circles), enhanced landscaping, and promote these areas as appropriate for physical activity; Create community gardens by working with community planning boards, neighborhood associations, persons with disabilities, and senior and low-income housing developments; And improve quality of food at grocery stores, convenience stores/bodegas and small stores in underserved communities.</p>
<p>STATEMENT OF WORK:</p>	<ul style="list-style-type: none"> • Create a concept plan with Follow the Child to design a multi-generational natural play space • Create a construction plan with Follow the Child to determine how to implement the natural play space • Purchase at least 2 pieces of play equipment for the multi-generational natural play space • Adopt/Sign a Healthier Communities Proclamation. • Conduct an inventory of community connections using the Wilder Collaborations Factors Inventory. • Promote and join at least one advocacy website (e.g., New York State Healthy Eating and Physical Activity Alliance (NYSHEPA), American Diabetes Association (ADA) and National Alliance of Nutrition and Activity (NANA), National Center on Physical Activity and Disability (NCPAD)). • Write at least 1 letters to the editor of local papers discussing obesity and type 2 diabetes prevention issues annually. • Produce and distribute at least 1 press release annually about the work in

	<p>your community.</p> <ul style="list-style-type: none"> • Communicate bi-monthly with elected leaders and decision-makers to keep them informed about nutrition and physical activity initiatives in the community to prevent and reduce obesity and diabetes. • Conduct one visit annually to educate elected officials about activities in the community to prevent and reduce obesity and diabetes. • Engage at least one community member, who has suffered as a result of the obesity/diabetes epidemic, to be a community advocate/champion for the initiative. • Build relationships with local news reporters and media personalities to disseminate obesity and type 2 diabetes prevention messages and information. • Conduct both process and outcome evaluation. This will include reporting twice a year on the implementation of the strategies and activities fostering sustainability and policy, systems and environmental change. It will also include conducting program evaluation to measure the impact of these strategies and activities.
RATE:	<p>Year 1 award: \$ 22,150 Option to renew annually: Up to \$90,000 over the four-year service period. Vouchers must be submitted to Melissa Jacobson, RCDOH, 50 Sanatorium Road, Building J, Pomona, NY 10970.</p>
DATE(S) OF SERVICE:	<p>Total contract period: October 1, 2011 – March 31, 2015 Annual dates of service: Year 1 – October 1, 2011 – March 31, 2012 Year 2 – April 1, 2012 – March 31, 2013 Year 3 – April 1, 2013 – March 31, 2014 Year 4 – April 1, 2014 – March 31, 2015</p>
<p>NOT TO EXCEED: \$90,000 over 4 years \$ 22,150 for Year 1</p>	<p>\$90,000 over 4 years \$ 22,150 for Year 1</p> <p>The availability of funds is pending an annual renewal of the Creating Health Places to Live, Work and Play (CHP) award from the New York State Department of Health. It is also pending the approval of annual workplans by the Rockland County Department of Health and spending limitations dictated by the CHP funding.</p> <p>The following must be done in order to receive full payment: work with Melissa Jacobson to develop an appropriate method of evaluating the success of the project; complete an interim and final report; submit all vouchers and reports by March 31 of each contract year; contribute at least a 15% match of in-kind based on value of contract. Use the Steps to a Healthier Rockland and Creating Healthy Places to Live Work and Play name and logo on any printed materials, media releases, or promotional activities related to the funded initiative.</p>

Introduced by:

Referral No. 8281

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

**RESOLUTION NO. 100 OF 2012
 APPROVING EXECUTION OF AN INTERMUNICIPAL AGREEMENT
 IN AN AMOUNT NOT TO EXCEED \$29,987
 BETWEEN COUNTY OF ROCKLAND AND
 VILLAGE OF SPRING VALLEY FOR THE HEALTHY PLACES
 TO LIVE WORK AND PLAY INITIATIVE
 FOR A TERM FROM OCTOBER 1, 2011 THROUGH MARCH 31, 2012 AND
 AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [HEALTH DEPARTMENT]
 (\$29,987)**

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

WHEREAS, By Resolution 21 of 2011 The Rockland County Department of Health received a grant to reduce death and disability due to chronic disease by initiating targeted lifestyle interventions in the Rockland County Community through the Creating Healthy Places to Live, work and Play initiative funded by the New York State Department of Health; and

WHEREAS, An intermunicipal agreement has been proposed between the County of Rockland and Village of Spring Valley has been prepared to implement policy and environmental improvements to help achieve a healthier community as indicated in Schedule "A"; and

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal governments to perform together that which each government is authorized to perform individually and requires that any intermunicipal 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 and Village of Spring Valley desire to enter into a intermunicipal agreement with the Village of Spring Valley, 200 North Main Street, Spring Valley, New York 10977, to provide a implement policy and environmental improvements in order to reach the goal of a healthier community for the County of Rockland Department of Health in the amount not to exceed \$29,987 for the period October 1, 2011 through March 31, 2012; and

WHEREAS, The County shall have the option to renew the contract for four (4) additional one (1) year terms; and

WHEREAS, Sufficient grant funds have been provided for this agreement in the 2012 budget of Department of Health- DOH-GH02 –E-4090; 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, The County shall have the option to renew the contract for four (4) additional one (1) year terms; and be it further

RESOLVED, That the Legislature of Rockland County approves the execution of an intermunicipal agreement with the Village of Spring Valley, 200 North Main Street, Spring Valley, New York 10977, to provide a implement policy and environmental improvements in order to reach the goal of a healthier community for the County of Rockland Department of Health in the amount not to exceed \$29,987 for the period October 1, 2011 through March 31, 2012, and authorizing the execution of the agreement by the County Executive, subject to the approval of the County Attorney.

RESOLVED, Sufficient grant funds have been provided for this agreement in the 2012 budget of Department of Health DOH-GH02 –E-4090.

ROCKLAND COUNTY DEPARTMENT OF HEALTH



SCHEDULE A

Village of Spring Valley
 Noramie Jasmin, Mayor
 200 North Main Street
 Spring Valley, New York 10977
 Phone: 845-517-1143
 Fax: 845-352-1164



Email: yinzar@villagespringvalley.org (Yvette Inzar, Contact Person)
 Tax ID: 13-6007331

<p>GOALS & OBJECTIVES:</p>	<p>The Rockland County Department of Health seeks to reduce death and disability due to chronic disease by initiating targeted lifestyle interventions in the Rockland County Community through the Creating Healthy Places to Live, Work and Play initiative funded by the New York State Department of Health.</p> <p>Village of Spring Valley is committed to working with the Rockland County Department of Health to implement policy and environmental improvements in the following areas to reach the goals of a healthier community: Create, rehabilitate, maintain and promote parks and recreation facilities in underserved residential areas to offer safe, accessible and attractive opportunities for physical activity for persons of all ages and abilities. Develop and/or enhance playgrounds for children that are safe, attractive, accessible and available; Develop transportation policies and environmental changes to ensure streets are safe, accessible and convenient for all users of the roadway including: pedestrians, bicyclists, users of public transit, motorists, children, the elderly, and people with disabilities. Examples include: encourage walking and bicycling as a means of transportation, reduce car use through increased parking costs, change roadway design standards, including traffic calming, or create or enhance bike lanes and install racks on public transportation; Establish and promote the use of farmers markets and implement innovative strategies to increase access to healthy foods in high need areas, such as providing produce carts or vans to offer communities in need fresh, nutritious produce; Create community gardens by working with community planning boards, neighborhood associations, persons with disabilities, and senior and low-income housing developments; And establish and promote the use of grocery stores in high needs areas.</p>
<p>STATEMENT OF WORK:</p>	<ul style="list-style-type: none"> • Purchase and install exercise equipment for the new exercise room at the community center near Memorial Park, equipment will include treadmills, weight machine and stationary bike.* • Purchase and install gymnastics supplies – ie. Balance bar and mirrors* • Purchase and install a Wii Console, Wii Fit and exercise games along with a flat screen TV.* • Purchase 2 portable ping pong tables* • Purchase equipment for village run sporting leagues and lessons for softball, tennis, and soccer (a goal)* • Adopt/Sign a Healthier Communities Proclamation. • Conduct an inventory of community connections using the Wilder Collaborations Factors Inventory. • Promote and join at least one advocacy website (e.g., New York State Healthy

	<p>Eating and Physical Activity Alliance (NYSHEPA), American Diabetes Association (ADA) and National Alliance of Nutrition and Activity (NANA), National Center on Physical Activity and Disability (NCPAD)).</p> <ul style="list-style-type: none"> • Write at least 1 letters to the editor of local papers discussing obesity and type 2 diabetes prevention issues annually. • Produce and distribute at least 1 press release annually about the work in your community. • Communicate bi-monthly with elected leaders and decision-makers to keep them informed about nutrition and physical activity initiatives in the community to prevent and reduce obesity and diabetes. • Conduct one visit annually to educate elected officials about activities in the community to prevent and reduce obesity and diabetes. • Engage at least one community member, who has suffered as a result of the obesity/diabetes epidemic, to be a community advocate/champion for the initiative. • Build relationships with local news reporters and media personalities to disseminate obesity and type 2 diabetes prevention messages and information. • Conduct both process and outcome evaluation. This will include reporting twice a year on the implementation of the strategies and activities fostering sustainability and policy, systems and environmental change. It will also include conducting program evaluation to measure the impact of these strategies and activities. <p>* see attached sample supply budget</p>
RATE:	<p>Year 1 award: \$ 29,987 Option to renew annually: Up to \$90,000 over the four-year service period. Vouchers must be submitted quarterly to Melissa Jacobson, RCDOH, 50 Sanatorium Road, Building J, Pomona, NY 10970.</p>
DATE(S) OF SERVICE:	<p>Total contract period: October 1, 2011 – March 31, 2015 Annual dates of service: Year 1 – October 1, 2011 – March 31, 2012 Year 2 – April 1, 2012 – March 31, 2013 Year 3 – April 1, 2013 – March 31, 2014 Year 4 – April 1, 2014 – March 31, 2015</p>
NOT TO EXCEED: \$90,000 over 4 years \$ 29,987 for Year 1	<p>\$90,000 over 4 years \$ 29,987 for Year 1</p> <p>The availability of funds is pending an annual renewal of the Creating Health Places to Live, Work and Play (CHP) award from the New York State Department of Health. It is also pending the approval of annual workplans by the Rockland County Department of Health and spending limitations dictated by the CHP funding.</p> <p>The following must be done in order to receive full payment: work with Melissa Jacobson to develop an appropriate method of evaluating the success of the project; complete an interim and final report; submit all vouchers and reports by March 31 of each contract year; contribute at least a 15% match of in-kind based on value of contract; support the implementation of the Nutrition And Physical Self-Assessment in Child Care (NAPSACC) program at childcare facilities located in the village or that serve children from the village. Use the Steps to a Healthier Rockland and Creating Healthy Places to Live Work and Play name and logo on any printed materials, media releases, or promotional activities related to the funded initiative.</p>

Introduced by:

Referral No. 8281

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

**RESOLUTION NO. 101 OF 2012
APPROVING A FIVE (5) YEAR LEASE AGREEMENT
FOR OFF-SITE WOMEN, INFANT AND CHILDREN (WIC) PROGRAM
AND CLINIC/SERVICES FOR THE DEPARTMENT OF HEALTH,
WITH CONGREGATION OF M'KOR CHAIM
9 JACKSON AVENUE
NEW SQUARE, NY 10977
DEPARTMENT OF HEALTH
(\$69,056.12)**

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

WHEREAS, The Commissioner of Health has requested approval of a Five (5) year lease from the period February 1, 2012 through January 31, 2017, with Congregation of M'Kor Chaim for the Department of Health's off-site health clinic located at 9 Jackson Avenue, New Square, New York for a total lease amount not to exceed \$69,056.12; and

WHEREAS, The off-site clinic is used by the Health Department for Women's Health Services and Women, Infant and Children (WIC) Clinics; and

WHEREAS, The proposed rent for the premises would be \$8,800 [\$1,100.00 monthly] from February 1, 2012 through September 30, 2012; \$13,464.00 [\$1,122.00 monthly] from October 1, 2012 through September 30, 2013; \$13,733.28 [\$1,144.44 monthly] from October 1, 2013 through September 30, 2014; \$14,007.96 [\$1,167.33 monthly] from October 1, 2014 through September 30, 2015; and \$19,050.88 [\$1,190.68 monthly] from October 1, 2015 through January 31, 2017, for a total lease not to exceed \$69,056.12; and

WHEREAS, The Real Property Tax Officer has advised that the rental rate for this lease is reasonable in comparison to market rental rates and represents no increase over last year's lease; and

WHEREAS, That sufficient funding for this lease has been provided in the 2012 Budget of the Department of Health -4082 WIC Grant Program and is contingent upon 2013-2017 Federal WIC Grants and budget appropriations; and

WHEREAS, The Multi-Services Committee of the Legislature has met, considered and by a vote of 5 aye(s) and 1 nay(s) approved this resolution; 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 approves the five (5) year lease from the period February 1, 2012 through January 31, 2017 with Congregation of M'Kor Chaim for an off-site Health Clinic at 9 Jackson Avenue, New Square, New York, to be used by the Health Department for Women's Health Services and Women, Infant and Children (WIC) Clinics; and be it further

RESOLVE, That the Legislature of Rockland County approves the proposed rent for the premises as follows: \$8,800 [\$1,100.00 monthly] from February 1, 2012 through September 30, 2012; \$13,464.00 [\$1,122.00 monthly] from October 1, 2012 through September 30, 2013; \$13,733.28 [\$1,144.44 monthly] from October 1, 2013 through September 30, 2014; \$14,007.96 [\$1,167.33 monthly] from October 1, 2014 through September 30, 2015; and \$19,050.88 [\$1,190.68 monthly] from, for a total lease not to exceed \$69,056.12; and be it further

RESOLVED, That the Legislature of Rockland County authorizes the County Executive to execute the lease and all other documents necessary to effectuate the off-site clinic and facilities, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this lease in 2012 has been provided in the 2012 Budget of the Department of Health DOH-4082– WIC Grant Program and is contingent upon 2013-2017 federal WIC grants and budget.

Introduced by:

Referral No. 5614/8111

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

**RESOLUTION NO. 102 OF 2012
CORRECTION OF 2012 TAX ROLLS
TOWN OF ORANGETOWN
BETH NORMAN AND
ABDELLATIF BELFESSA
PROPERTY ID# 65.44-2-23
210 DEPEW AVENUE
NYACK, NEW YORK 10960
[DEPARTMENT OF FINANCE]**

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

WHEREAS, An application for the correction of the tax rolls for the 2012 Town and County Real Property Taxes levied against property located in the Town of Orangetown, as indicated on the annexed Schedule "A", has been filed by Beth Norman and Abdellatif Belfessa with the Real Property Tax Service Officer, pursuant to §556 of the Real Property Tax Law; and

WHEREAS, The Village of Nyack erroneously re-levied the 2011-2012 Village tax on to the 2012 tax roll, when in fact the tax was paid on June 30, 2011; and

WHEREAS, This created a clerical error as defined in Real Property Tax Law Section 550(2)(h); and

WHEREAS, The tax amount of \$5,795.18 on the 2012 Town and County tax roll should be corrected to read \$3,8823.73 and a new bill be issued; and

WHEREAS, The correction is over \$1,000.00 and requires Legislative approval; and

WHEREAS, The Real Property Tax Service Officer has investigated the application in accordance with the requirements of Section 554 and 556 of the Real Property Tax Law; and

WHEREAS, The Real Property Tax Service Officer has recommended approval of said application; 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 Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2012 Town and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll and issue a new tax bill accordingly.

**SCHEDULE A
TOWN OF ORANGETOWN**

OWNER: BETH NORMAN & ABDELLATIF BELFESSA

PROPERTY I.D.# 65.44-2-23

CORRECTION: THE TAX AMOUNT OF \$5,795.18 ON THE 2012 TOWN/COUNTY TAX ROLL BE CORRECTED TO READ \$3,882.73 AND A NEW BILL BE ISSUED.

REASON: THE VILLAGE OF NYACK ERRONEOUSLY RE-LEVIED THE 2011-2012 VILLAGE TAX ON TO THE 2012 TAX ROLL. THIS TAX WAS PAID ON JUNE 30, 2011. THIS CREATED A CLERICAL ERROR AS DEFINED IN RPTL §550(2)(H).

Introduced by:

Referral No. 8757

Hon. Alden H. Wolfe, Sponsor
 Hon. Philip Soskin, Co-Sponsor
 Hon. Jay Hood, Jr., Co-Sponsor
 Hon. Toney L. Earl, Co-Sponsor
 Hon. Aney Paul, Co-Sponsor
 Hon. Douglas J. Jobson, Co-Sponsor

**RESOLUTION NO. 103 OF 2012
 REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL A.6097 –
 AN ACT TO AMEND THE PUBLIC HEALTH LAW WITH RESPECT TO
 PROHIBITING SMOKING ON THE PREMISES OF PUBLIC HOUSING UNITS**

Mr. Soskin offered the following resolution, which was seconded by Mr. Earl, Mrs. Low-Hogan and Mr. Wolfe and adopted:

WHEREAS, the United States Environmental Protection Agency (EPA) classifies secondhand smoke as a Group A carcinogen, responsible for approximately 3000 lung cancer deaths in non-smokers each year; and

WHEREAS, environmental tobacco smoke (ETS) is also associated with a myriad of other health problems that include: asthma, bronchitis, pneumonia, ear infections, lower respiratory tract infections, and reduction in lung function, among other health problems; and

WHEREAS, the British Medical Journal last year found that secondhand smoke increases the risk of heart disease among non-smokers by as much as 60%; and

WHEREAS, second-hand smoke seeps through the walls and endangers the health of families in other public housing units. People deserve the right to live in a smoke-free environment, and Assembly Bill A.6097 provides for a healthier, cleaner and safer environment for families and children residing in public housing by prohibiting smoking in or on the grounds of any public housing accommodation classified by the commissioner as a smoke-free building; and

WHEREAS, upon the effective date of this legislation, fifty percent (50%) of all public housing accommodations shall be classified as smoke-free. Any vacancies that occur after the effective date of this legislation in a building classified as smoke-free shall be reclassified as a smoke-free unit prior to any new tenant taking occupancy. On January 1, 2016, all public housing shall be classified as smoke-free; and

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

RESOLVED, the Rockland County Legislature hereby requests that the New York State Assembly pass Bills A. 6097, an act to amend the Public Health Law with respect to prohibiting smoking on the premises of public housing units, that the New York State Senate introduce similar legislation, and that the Governor sign such legislation; 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 Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, New York State Senator, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. Nancy Calhoun, and Ann G. Rabbitt, 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.

The vote resulted as follows:

Ayes:	13	(Legislators Earl, Grant, Hood, Jr., Low-Hogan, Meyers, Moroney, Murphy, Paul, Schoenberger, Soskin, Wieder, Wolfe, Cornell)
Nays :	04	(Legislators Carey, Day, Jobson, Sparaco)



Debate:Mr. Day

Normally many of us sponsor memorializing resolutions, but this one I have to ask the sponsor a few questions on only because the issue of smoking on public grounds had come up earlier in a Local Law that Legislator Wolfe had sponsored and I remembered a conversation that this would in no way going to limit people from smoking within their own abode. I have to add that the Rockland County Sanitary Code allows smoking inside someone's residence in multi family housing. The way this reads comes January 1, 2016 if you are in a public housing accommodation you will no longer be able to smoke within your own home. The definition of public housing and accommodation I tried very hard to find specifically what they meant. Precisely, here in Rockland County we have the housing authorities in Ramapo, New Square and Kaser. I am wondering if this will apply to all public housing, including public housing in Rockland County. Will it be controverted by our own sanitary code? Will it apply to accommodations that are partially funded by any type of Federal or Stated funding, such as the Ramapo Local Land Development Corporation? The way this reads here we are actually going into someone's home and saying that they are no longer allowed to smoke a cigarette. I am concerned with the scope of this particular bill.

Chairwoman Cornell

I think part of your question is answered in the fifth Whereas Clause. It is basically in a building that is classified as smoke-free. It would be vacancies that occur after the effective date of this Legislation. I will let the sponsor address this.

Mr. Wolfe

I want to correct a statement that Legislator Day made. The Local Law that we passed concerns smoking on private grounds, but didn't concern public housing units. Actually, that Local Law had nothing to do with anything other than promulgating a smoking policy. It didn't say that smoking would be allowed or prohibited.

This bill will do something that is probably long overdue and that is to fade out smoking in public housing units. I think it probably goes without saying that secondhand smoke is a tremendous problem. It is an even worse problem for those who are tenants and renters especially those who have no choice, but to reside in public housing. So people of a lower socioeconomic class who end up suffering disproportionately larger adverse health impacts, because of the simple fact that they have no choice, but to live in public housing.

New York State will promulgate regulations to classify public housing units, 50% as non-smoking. Then grandfather the remaining units, which will be slowly phased out as vacancies occur through January 1, 2016 when all public housing will be classified as smoke free. I hope that answers your questions. I happen to think that this is a really important public health issue especially for those of meager means. I certainly ask my colleagues for their support.

Mr. Day

I certainly understand and appreciate Legislator Wolfe's concerns for the people of the lower socioeconomic class, but these who are the same people who will be told that they can't smoke in their own homes. I think that is a bit of an overreach. I have a hard time wrapping my arms around the notion that if you make enough money to have your own home or to rent a higher end, privately held apartment you are okay, but if you unfortunately are of the lower socioeconomic class and cannot afford anything other than public housing then the government is going to tell you that you can't smoke in your own home. I understand about second hand smoke, but this whole approach seems to be a bit of an overreach and it is being inflicted upon people who simply cannot afford better accommodations. I also don't know how expansive this bill will be if it is passed. Will it affect every housing accommodation that accepts any kind of Federal or State assistance? That could impact hundreds of accommodations here in Rockland that are under the oversight of a number of local housing authorities.

I really find something else kind of remarkable. I looked at some of the sponsors of this bill, and some of the public housing accommodations and developments in their districts are veritable war zones right now. There are gunshots being fired all night. There is drug dealing left and right, and people are cowering in fear, with few straying outside. Yet, the Assemblyman from Brooklyn sees fit to focus his energy on smoking. I really have to wonder. I give Legislator Wolfe a lot of credit. I know where his heart is. His heart is in the right place, but I really have to wonder, having spent time in New York City policing these neighborhoods. There is an ability under Operation Safe Housing to implement proceedings against drug dealers who live in public housing who hold people hostages in their own homes. There were over 12,000 cases being brought forth and only 500 or so are finalized as stipulations that are merely a slap on the wrist, don't do it again punishment. Because of this failure to utilize existing laws, they can't get drug dealers out of apartments, yet they will enforce no smoking rules? Evict families over that?. One has to wonder if this also includes a non tobacco-smoking incident such as someone smoking marijuana in their own home. Does that fall under this law too?

I certainly understand your intention, Legislator Wolfe. I heard you speak passionately on a number of similar issues and I agree with him in that regard, but I really believe in my heart this is an absolute overreach. I think the highest of ironies is that it is an overreach that goes into folks home who can least afford to deal with these types of issues and really have no choice other than to find a home in public housing. I just think it is absolutely well intentioned, but it is absolutely wrong headed. Thank you.

Mr. Wolfe

I just want to remind you that when someone owns their own home they can do whatever they want. No, they can't smoke marijuana there, because it is against the law. A landlord, and in this case it includes a public entity, is entitled to set rules and regulations that govern the particular unit. If you are renting a piece of property, no you can't do anything you want. Maybe you can't have a pet. Maybe you can't smoke. You certainly can't tear up the apartment and put holes in the wall without recourse on the part of the landlord. So yes, it is true; you can't do anything you want to do in a home that you don't own. Legislator Day, you are free to your own opinion. I respect you opinion, but I disagree. Yes, we can think about gun control, public safety and the sponsors of this bill in Albany. To trivialize that they are thinking about one issue and not these other huge issues such as gun control, but you know, I think about the children with asthma in minority communities. I think it is really important. Again, you are free to vote however you like. I would never begrudge you. I ask for my colleagues support. Thank you.

Mr. Meyers

Legislator Wolfe made some excellent points. I do understand what Legislator Day is saying and I do worry about big brother telling people what they can or can't do. I always air on the side of believing that we are one community. Particularly if you live in public housing the likelihood of developing emphysema, lung cancer, asthma and associated illnesses are there for the children from secondhand smoke and for the smoker themselves. If you are in public housing you are more likely to not have health insurance so then the taxpayers will end up paying for the cost of healthcare for those associated problems. I just think we are living in a society where there is so many dollars out there. We don't want to hover over people and tell them what they can or cannot do, but the fact of the matter is that whatever anybody does in our society many of the actions that they take have some affect on everybody else. We do have that responsibility to one another. Smoking is not a good thing. Nobody can say that it is. If the landlord, which is public housing authorities, want to provide a smoke free environment I think it is entirely appropriate for those reasons. Thank you.

Introduced by:

Referral No. 7740

Hon. Aney Paul, Sponsor
 Hon. Philip Soskin, Co-Sponsor
 Hon. Jay Hood, Jr., Co-Sponsor
 Hon. Toney L. Earl, Co-Sponsor
 Hon. Joseph L. Meyers, Co-Sponsor
 Hon. Douglas J. Jobson, Co-Sponsor
 Hon. Alden H. Wolfe, Co-Sponsor

RESOLUTION NO. 104 OF 2012
URGING THE NEW YORK STATE LEGISLATURE TO PASS BILLS
A.9114 AND S.6273, AN ACT TO AMEND THE EXECUTIVE LAW TO REQUIRE THE
PROVISIONS OF REASONABLE ACCOMMODATIONS FOR PREGNANT WOMEN

Mr. Soskin offered the following resolution, which was seconded by the Entire Legislature and unanimously adopted:

WHEREAS, under existing New York law, employers are not required to make reasonable accommodations for pregnant women unless she has a pregnancy-related disability; pregnancy itself is not a "disability" under the federal Americans with Disabilities Act. As a result, women are often forced to take unpaid leave or are fired for requesting a small accommodation. For example, a New York waitress can be fired because she is eight months pregnant and needs more frequent bathroom breaks; and

WHEREAS, the "reasonable accommodation" framework has worked for employers who are required to accommodate people with disabilities, and pregnancy accommodations are much less burdensome. This is because pregnancy is only temporary, and pregnancy accommodations are far less costly since additional equipment is usually unnecessary. The most frequent accommodations involve limits on lifting, access to places to sit, and more frequent bathroom breaks; and

WHEREAS, working during pregnancy can be a beneficial choice for many women. By working the extra months, women can earn additional income and achieve increased seniority. Moreover, women who work during pregnancy may then be able to take a longer period of leave following childbirth, which in turn facilitates breastfeeding, bonding with and caring for the new child, and recovering from childbirth; and

WHEREAS, many pregnant women are single mothers or the primary breadwinners for their families - if they lose their jobs, then the whole family will suffer, including newborns and older children. Pregnant women who are forced to leave their jobs often have no choice but to use government resources such as public assistance, Medicaid and WIC, draining taxpayer funds. A pregnancy reasonable accommodation law can lead to taxpayer savings while also keeping women in the workforce; and

WHEREAS, bills A.9114 and S. 6273 would make it illegal to refuse to provide reasonable accommodations to an employee for conditions related to pregnancy; and

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

RESOLVED, that the Rockland County Legislature hereby urges the New York State Legislature to pass A.9114 and S.6273, an act to amend the Executive Law to require the provisions of reasonable accommodations for pregnant women; and

RESOLVED, that the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, New York State Senator, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. Nancy Calhoun, and Ann G. Rabbitt, 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.

Debate:

Mrs. Paul

Current employment laws are inadequate to protect pregnant workers on the job. Under Federal law and the laws of most states, employers are not required to make reasonable accommodations for pregnant women unless they have a pregnancy related disability. As a result, pregnant women are often forced to take unpaid leave or are fired for requesting small accommodations such as limits on heavy lifting, access to places to sit, and more frequent bathroom breaks.

Many pregnant women are single mothers or the primary breadwinners for their families. If they lose their jobs then their whole family will suffer, including newborns and children. These women have no choice but to use government resources such as public assistance and Medicaid, which drain taxpayer's funds.

Research has shown that stress from job loss can increase the risk of having stress related health problems in pregnant women like pregnancy induced hypertension, having premature babies risking mothers' health, as well as the babies' health. This will unnecessarily increase America's skyrocketing healthcare costs.

Accommodating pregnant women is important for public health and important for saving taxpayers money. I urge your support for reasonable accommodation law for pregnant women in the workforce for health and economic security with limited imposition on the employer.

Introduced by:

Referral No. 2867

Hon. Harriet D. Cornell, Sponsor
Hon. Alden H. Wolfe, Co-Sponsor
Hon. Ilan S. Schoenberger, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Joseph L. Meyers, Co-Sponsor
Hon. Aney Paul, Co-Sponsor
Hon. Edwin J. Day, Co-Sponsor
Hon. Philip Soskin, Co-Sponsor

**RESOLUTION NO. 105 OF 2012
CONFIRMING APPOINTMENTS TO THE
ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY**

Mr. Grant offered the following resolution, which was seconded by the Entire Legislature 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, pursuant to Resolution 11 of 2012, the Rockland County Legislature confirmed the legislative appointments to the Solid Waste Management Authority, reserving its confirmation of the two mayoral appointments until recommendations were received from the Rockland County Conference of Mayors; and

WHEREAS, the Rockland County Conference of Mayors, pursuant to its resolution dated January 31, 2012 recommends the appointment of Mayor Dennis Kay of the Village of Airmont and Mayor Lawrence Lynn of the Village of Grand View-On-Hudson to Legislature for appointment to the Rockland County Solid Waste Management Authority; and

WHEREAS, the Village of Airmont and the Village Grand View-On-Hudson of have signed the Intermunicipal Recyclables Managements agreements; and

WHEREAS, the Planning and Public Works Committee has met, considered and by a unanimous vote approved this resolution; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby confirms the appointment of Mayor Dennis Kay of the Village of Airmont and Mayor Lawrence Lynn of the Village of Grand View-On-Hudson to the Rockland County Solid Waste Management Authority which terms will expire on or about January 15, 2014.

Debate:

Mr. Sparaco

Who are being appointed?

Chairwoman Cornell

These are the appointees who are named by the group of mayors. Their names are Mayor Dennis Kay of the Village of Airmont and Mayor Lawrence Lynn of the Village of Grand View-On-Hudson. They are being recommended for appointment to the Rockland County Solid Waste Management Authority.

Mr. Schoenberger

Frank, there is a process for their appointment, the Conference of Mayors meet. We have nineteen villages in Rockland County. A majority of them get together and by majority vote they make a recommendation to the Legislature as who to appoint. Mayor Kay is actually a reappointment. Mayor Lawrence Lynn of the Village of Grand View-On-Hudson I believe is replacing Patricia DuBow who is the Mayor of the Village South Nyack. That is who the Conference of Mayors recommended and that is what the statute provides.

Mr. Sparaco

Thank you. I just didn't have their names in front of me.

Introduced by:

Referral No. 5834

Honorable Jay Hood, Jr., Sponsor
 Honorable Ilan S. Schoenberger, Sponsor
 Hon. Toney L. Earl, Co-Sponsor
 Hon. Christopher J. Carey, Co-Sponsor
 Hon. Edwin J. Day, Co-Sponsor
 Hon. Aney Paul, Co-Sponsor
 Hon. Aron B. Wieder, Co-Sponsor
 Hon. Alden H. Wolfe, Co-Sponsor
 Hon. Douglas J. Jobson, Co-Sponsor
 Hon. Philip Soskin, Co-Sponsor

**RESOLUTION NO. 106 OF 2012
 REQUESTING ENACTMENT OF HOME RULE REQUEST
 BY THE NEW YORK STATE LEGISLATURE OF
 SENATE BILL S.6491 AND ASSEMBLY BILL A.9301
 AN ACT TO AMEND THE GENERAL MUNICIPAL LAW AND VEHICLE
 AND TRAFFIC LAW IN RELATION TO REGULATION OF THE
 REGISTRATION AND LICENSING OF TAXICABS AND LIVERY VEHICLES
 IN ROCKLAND COUNTY**

Mr. Hood, Jr. offered the following resolution, which was seconded by Mr. Carey, Mr. Day, Mr. Earl, Mr. Jobson, Mr. Schoenberger, Mr. Soskin and Mr. Wieder and unanimously adopted:

WHEREAS, By Resolution No. 131 of 2008, the Legislature of Rockland County requested the Legislature of the State of New York to introduce legislation granting Rockland County the power to adopt local laws regulating taxicabs, limousines and livery vehicles while continuing to allow towns and villages to regulate taxis and livery vehicles within their jurisdiction concurrently with the county of Rockland; and

WHEREAS, The State Legislature had introduced Senate Bill S.5308-B and Assembly Bill A.8652-A to amend the general municipal law of the State of New York in relation to municipal regulation of the registration and licensing of taxicabs, limousines and livery vehicles; and

WHEREAS By Resolution 272 of 2010 the Legislature of Rockland County requested enactment of Senate Bill S.5308-B and Assembly Bill A.8652-A, however due to a failure to timely submit the bill, the State never adopted these bills; and

WHEREAS, after meeting with local elected officials the members of the State Legislature subsequently introduced the new amended bill, Senate Bill S.5124-A And Assembly Bill A.1677-A an act to amend the general municipal law in relation to regulation of the registration and licensing of taxicabs and livery vehicles; and

WHEREAS, by Resolution 335 of 2011 the Legislature of Rockland County requested enactment of Senate Bill S.5124-A and Assembly Bill A.1677-A, however, the bills never made it out of committee; and

WHEREAS, Senate Bill S.6491 and Assembly Bill A.9301 have now been introduced in committee, and it is required that the Legislature of Rockland County now specifically request the Legislature of the State of New York to enact said proposed legislation; now, therefore, be it

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

RESOLVED, That the Legislature of Rockland County hereby requests that the New York State Legislature enact the Home Rule legislation introduced in the New York State Senate as Senate Bill S.6491 and Assembly Bill A.9301 to amend Section 181 of the General Municipal Law, as amended by Chapter 579 of the laws of 1993, subdivision 1 as amended by Chapter 430 of the laws of 2003, to permit the County of Rockland to adopt local laws or ordinances regulating the registration and licensing of taxicabs, limousines, and livery vehicles and may limit the number to be licensed, and amend and Section 498 of the Vehicle and Traffic Law to protect licensed Rockland County taxicabs, limousines and livery vehicles from being required to be licensed in other licensing jurisdictions, providing that the county adheres to the "reciprocity standards currently existing in the Vehicle and Traffic Law, while similarly not requiring licensed taxicabs, limousines and livery vehicles in other authorized jurisdictions to be licensed in Rockland County provided that they are licensed in jurisdictions adhering to the same "reciprocity" standards; and be it further

RESOLVED, That the Clerk to the Legislature be and he is hereby authorized and directed to send a certified copy of this resolution to the Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, New York State Senator; Hon. Ellen C. Jaffee, Hon. Kenneth P. Zebrowski, Jr., Hon. Ann G. Rabbitt and Hon. Nancy Calhoun, members of the New York State Assembly; and to such other persons as he deems necessary in order to effectuate the purpose of this resolution.

Debate:

Mr. Hood, Jr.

This has been going on for a number of years. We are trying to get permission from the State to allow us to regulate taxis on a County level. It just came to our attention by a conference call we had recently that there may be a better and easier way to get it done than the resolutions we had previously put in. That is why you are going to see two before you tonight. If one doesn't work hopefully the other one will work. I think some lobbyists are working on this for the taxi drivers in Rockland County. They might have found a better way for us to do this.

Mr. Schoenberger

I want to thank Jay who has taken a leadership position on this issue this year and last year. This Home rule request to obtain a State law to allow the County to regulate and license taxicabs and livery vehicles in Rockland County has quite a history here. I remember when the late Bill Darden served in this Legislature and I remember when Ellen Jaffee was on this Legislature and we worked together to introduce such Legislation. The State Senate and Assembly passed it then Governor Pataki vetoed it. We were seeking a law to allow Rockland County to license and regulate taxicabs and we were seeking a second law to give us give us reciprocity with other municipalities whose vehicles come into this County and pick up passengers and take them to various airports, whether it is Newark, JFK, LaGuardia, Newburgh or Westchester County. We were having a very difficult time getting a law passed.

There are people in this County who open up taxicab businesses and are totally unregulated. The Village of Spring Valley has a regulation. Years ago Suffern did. The Village of Haverstraw did. I don't know if Suffern and Haverstraw still enforce it. People think that when they are calling for a taxi to come and pick up their child and take them from their home to the Palisades Center or late at night when the parents are maybe out of town and their child has to go home and they call a taxi that they are getting a safe taxi. Unless those taxis are licensed and regulated you are really playing Russian Roulette. I know from a number of cases that I have seen in courts in this County that you have taxicab drivers who are unlicensed and taxicabs that are uninsured and unregistered. You have taxi drivers who are criminals who have actual criminal histories and are out driving cabs and driving children back-and-forth, and those you love and hold near and dear.

We need to have a central regulation of taxis in Rockland County. We need to have one agency that can do it. We believe that the proper place for it to be done is perhaps in the Office of Consumer Protection. We are not looking to create a new taxi licensing committee like they have in New York City or Commission that is separate and apart, but something similar to home improvement licensors. They would have to come in with proof of insurance. I know of cases in this County drivers who are innocent people get ticketed. Why are they innocent? They go to someone who has a taxi that is licensed by a municipality or unlicensed, they buy the cab for a day, they go out and there is a registration card and insurance card in the glove compartment that has a period of time that encompasses when they are using it, and they think they are getting a legal taxi. They get pulled over by police, because the registration was cancelled, the insurance payment wasn't made and they then get a ticket for driving an uninsured and unregistered taxi and they are just innocent bystanders. They are just trying to earn a living. That happens to in this County. To have a central place that will license cabs, make sure that they are insured, make sure they are properly registered and will make sure they are safe when they go out on the road so that residents anywhere in this County can have the safety of a licensed cab and a qualified driver with a background check done. It is something that is sorely needed in this County.

Right now Spring Valley licenses, but you can still get someone unlicensed when you order a cab and drop you off in a licensed area like Spring Valley and not be regulated. It is a danger to our public. This has been going on for years. Earlier this year we all got a call from our State Assemblywoman Jaffee, State Senator Carlucci and Assemblyman Zebrowski talking about getting this and thinking this year we could get something accomplished with trying to amend the different section of law and trying to include Rockland County and the reciprocity by adding us as one of the ten counties that by State law is entitled to reciprocity. So we could really do a good thing not only for the residents of Rockland County, but also for the people that own and operate cabs. If they could be included in this Law of reciprocity they could go automatically by State law into these other counties and not be prevented from earning a living and not be ticketed.

This is a good thing. I see we are all on board with this. We have gone through this several times over the last few years so what I am saying is not new to some of the Legislators that have been here, but is new to some of the Legislators who have not been here. I thank you all for supporting it. Hopefully we can build a level of security for the people of Rockland County.

Mr. Day

I want to thank Legislator Hood and Legislator Schoenberger for their work on this. This is probably one of the most frustrating pieces that I have seen since I became a Legislator six years ago, as this has been before us off and on for years. Legislator Schoenberger used a phrase, "Russian Roulette." I can't think of a more accurate statement than what we are playing with right now. And when I say "we", I mean the State government in failing to act upon this. There is going to come a time where because the most simple, basic licensing requirement for someone to go out and pick up passengers was not done, there is going to be a tragedy. It is just a matter of time and I don't know what it is going to take for the State to understand this. We here are trying to do it the right way and do the right thing.

Those of you who are familiar with New York City know that when you get into a cab you think nothing of it. You get it automatically and presume you will be fine, with your biggest concern being whether or not you will be stuck in traffic and how much the fare is going to be. When I was Chief of Detectives in Baltimore I found that it was completely the opposite – there was no licensing in Baltimore. When I started to hear about hack robberies I made the assumption as a New York City Police Commander that the cab drivers were being robbed. It was the other way around. The cab drivers were robbing the passengers. There was no licensing there and this is potentially what we are looking at here.

Again, I am just offering a voice of a professional law enforcement person pleading with the State to please do the right thing for the community here in Rockland County. Thank you.

Introduced by:

Referral No. 5834

Honorable Jay Hood, Jr., Sponsor
 Honorable Ilan S. Schoenberger, Sponsor
 Hon. Toney L. Earl, Co-Sponsor
 Hon. Christopher J. Carey, Co-Sponsor
 Hon. Edwin J. Day, Co-Sponsor
 Hon. Aney Paul, Co-Sponsor
 Hon. Aron B. Wieder, Co-Sponsor
 Hon. Alden H. Wolfe, Co-Sponsor
 Hon. Douglas J. Jobson, Co-Sponsor
 Hon. Philip Soskin, Co-Sponsor

**RESOLUTION NO. 107 OF 2012
 REQUESTING ENACTMENT OF HOME RULE REQUEST
 BY THE NEW YORK STATE LEGISLATURE OF
 SENATE BILL S.5124-A AND ASSEMBLY BILL A.1677-A
 AN ACT TO AMEND THE GENERAL MUNICIPAL LAW IN RELATION TO
 REGULATION OF THE REGISTRATION AND LICENSING OF TAXICABS
 AND LIVERY VEHICLES IN ROCKLAND COUNTY**

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

WHEREAS, By Resolution No. 131 of 2008, the Legislature of Rockland County requested the Legislature of the State of New York to introduce legislation granting Rockland County the power to adopt local laws regulating taxicabs, limousines and livery vehicles while continuing to allow towns and villages to regulate taxis and livery vehicles within their jurisdiction concurrently with the county of Rockland; and

WHEREAS, The State Legislature had introduced Senate Bill S.5308-B and Assembly Bill A.8652-A to amend the general municipal law of the State of New York in relation to municipal regulation of the registration and licensing of taxicabs, limousines and livery vehicles; and

WHEREAS By Resolution 272 of 2010 the Legislature of Rockland County requested enactment of Senate Bill S.5308-B and Assembly Bill A.8652-A, however due to a failure to timely submit the bill, the State never adopted these bills; and

WHEREAS, after meeting with local elected officials the members of the State Legislature subsequently introduced the new amended bill, Senate Bill S.5124-A And Assembly Bill A.1677-A an act to amend the general municipal law in relation to regulation of the registration and licensing of taxicabs and livery vehicles; and

WHEREAS, by Resolution 335 of 2011 the Legislature of Rockland County requested enactment of Senate Bill S.5124-A and Assembly Bill A.1677-A, however, the bills never made it out of committee; and

WHEREAS, Senate Bill S.5124-A and Assembly Bill A.1677-A are still in committee, and it is required that the Legislature of Rockland County now specifically request the Legislature of the State of New York to enact said proposed legislation; now, therefore, be it

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

RESOLVED, That the Legislature of Rockland County hereby requests that the New York State Legislature enact the Home Rule legislation introduced in the New York State Senate as Senate Bill S.5124-A and Assembly Bill A.1677-A to amend Section 181 of the General Municipal Law, as amended by Chapter 579 of the laws of 1993, subdivision 1 as amended by Chapter 430 of the laws of 2003 to permit the County of Rockland to adopt local laws or ordinances regulating the registration and licensing of taxicabs, limousines, and livery vehicles and may limit the number to be licensed; and be it further

RESOLVED, That the Clerk to the Legislature be and he is hereby authorized and directed to send a certified copy of this resolution to the Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, New York State Senator; Hon. Ellen C. Jaffee, Hon. Kenneth P. Zebrowski, Jr., Hon. Ann G. Rabbitt and Hon. Nancy Calhoun, members of the New York State Assembly; and to such other persons as he deems necessary in order to effectuate the purpose of this resolution.

Introduced by:

Referral No. 5574

Hon. Edwin J. Day, Sponsor
Hon. Jay Hood, Jr., Co-Sponsor
Hon. Toney L. Earl, Co-Sponsor
Hon. Christopher J. Carey, Co-Sponsor
Hon. Aney Paul, Co-Sponsor
Hon. Aron B. Wieder, Co-Sponsor
Hon. Alden H. Wolfe, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Philip Soskin, Co-Sponsor

**RESOLUTION NO. 108 OF 2012
REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL
A.8547-A – AN ACT TO AMEND THE EXECUTIVE LAW TO REQUIRE DNA
TESTING OF ALL PERSONS CONVICTED OF CERTAIN CRIMES**

Mr. Hood, Jr. offered the following resolution, which was seconded by Mr. Carey, Mr. Day and Mr. Wieder and unanimously adopted:

WHEREAS, The Legislature of Rockland County wishes to express its support for New York State Assembly Bill A.8547-A – an Act to amend the Executive Law to require DNA testing of all persons convicted of certain crimes; and

WHEREAS, in 2004, Curtis Tucker committed the crimes of attempted murder and attempted rape of a 14 year old girl before running away, leaving permanent injuries to her face; and

WHEREAS, despite two subsequent misdemeanor convictions, Tucker was not arrested for the heinous attack until he was convicted in 2010 for the burglary of a 74-year-old man and was required to provide a DNA sample that linked him to the 2004 attack; this was because none of his prior crimes were eligible for DNA collection upon conviction; and

WHEREAS, if DNA collection had been required in the mid-2000's upon conviction of all crimes, law enforcement would have solved the attempted murder/rape much sooner and potentially prevented the 2010 burglary of the 74-year-old man; and

WHEREAS, in 2006, New York recognized the importance of DNA as a crime-fighting tool by adding all remaining felonies, some attempted felonies, and 18 misdemeanors to the list of qualifying offenses for the DNA Index. As a result, hits resulting from samples taken on those expanded offenses led to 1,595 convictions in the three years immediately following the expansion. This dramatic success illustrates the value of taking DNA from people associated with low-level and non-violent offenses. Of the new qualifying offenses in 2006, very few were violent or sexual in nature; they included crimes such as bribery of a public servant, possession of a forged instrument, and falsification of business records; and

WHEREAS, despite the fact that DNA is a proven tool that solves cold cases and can prevent crime, only 46% of Penal Law crimes are eligible for DNA collection; and

WHEREAS, the language in Assembly Bill A.8547-A, which mirrors the 2012-2013 FY Executive Budget proposed by Governor Cuomo (which set forth an all-crimes DNA databank), would require every person convicted of a felony as defined in any chapter of the laws of New York State or a misdemeanor as defined in the Penal Law to provide a DNA sample; and

WHEREAS, the companion bill, Senate Bill 5560-A has already been passed by the New York State Senate; and

WHEREAS, The Public Safety Committee has met, considered and by a unanimous vote, approved this resolution; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby requests that New York State Assembly pass Bill A.8547-A – an Act to amend the Executive Law to require DNA testing of all persons convicted of certain crimes, and that the Governor of New York sign such legislation; and be it further

RESOLVED, That the Clerk to the Legislature be and is hereby authorized and directed to send a certified copy of this resolution to the Governor of the State of New York; Hon. David A. Carlucci, New York State Senator, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. Nancy Calhoun, and Ann G. Rabbitt, 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.

Debate:

Mr. Day

Just a quick recap for my colleagues who were not at the Public Safety Committee hearing. This bill is the same as what passed in the Senate and the Governor has indicated that he would sign it. This bill would require persons convicted of felonies and penal law misdemeanors to provide a DNA sample upon conviction, not arrest. DNA, essentially, is a 21st century fingerprint. It makes a lot of sense to utilize this in protection of the people in the community. There has been strong support expressed by law enforcement, our District Attorney Tom Zugibe, and our Police Chief's Association. As a point of fact, DA Zugibe came to the committee and gave some details. Back in 1996 when this was law was put into place there were 2,700 crimes that were solved through DNA. 200 were homicides, 600 sexual assaults, and 1,400 burglaries and more to the point, there were 27 exonerations. This occurred without the involvement of groups such as the Innocence Project. Some people would ask why sample at the lower level of crimes. In 2006, some lower level crimes, misdemeanors and penal law misdemeanors were included. Just based upon that segment, we ended up clearing 51 homicides. Also, 100 robberies and 222 sexual assaults were solved. These are the types of things DNA could provide.

It is important to note with 400,000 samples that have been taken there has not been one case in New York State of an erroneous identification. Essentially beyond the numbers here, we are looking at the number of crimes that will not happen and the amount of pain that will not be inflicted upon innocent victims and their families. This is why I am asking for the support of my colleagues. Thank you.

Mr. Schoenberger

I am going to support this, obviously, but I think it should go further. I think it should require DNA testing of people who are arrested and not yet convicted. In the event they are found to be not guilty later they can get the DNA test returned. I think the DNA testing in modern times is similar to fingerprint testing. Today everybody that gets arrested is fingerprinted, photographed and if you are ultimately found not guilty then you get the fingerprints and photographs returned.

Several years ago, four to six years ago, there was a bill in the State, which I believe passed, to amend State law to acquire testing for HIV for people that were arrested and charged with certain sex offenses. It was only people that were convicted of certain sex offenses that were allowed to be tested for HIV and you had to be convicted. What was happening was people would be charged with felonies such as rape, and other crimes, some of them against children and they might have been pleaded down to not enumerated misdemeanors and therefore there could not be HIV testing on the convicted defendant. It also took quite a period of time to process those sex crimes. The incident may happen one day and there may not be a conviction until two or more years later. Then to start the round of drugs and medicine that were required for HIV people would have to live in concern or fear as to whether or not they were infected two years earlier. So the State proposed a law listing the enumerated sex crimes in the Statute and upon arrest the person could be immediately tested for HIV. To my surprise certain members of the Assembly did not support that bill, but I thought it was an appropriate bill. There was some backlash among some groups, which said that it was an invasion of a person's privacy, a violation of other kinds of confidential medical and other things. I did not feel that way. The State did pass that bill and now if you are one of the enumerated sex crimes you get immediately tested by a request by the District Attorney to a Judge for HIV.

I think this is a step in the right direction, but I don't think it goes far enough because only DNA testing upon conviction of certain crimes. I think DNA should be looked at like fingerprints were a long time ago. Today DNA should be tested immediately. There is no problem with getting it expunged later on if the person is found to be innocent. I will support this, because it is the first step, but I don't think it goes far enough. Thank you.

Mr. Day

No quarrel from me Legislator Schoenberger, I agree 100%. This is why all misdemeanors being included are important specific to the reason you mentioned about an issue of pleading down. When you look at wrap sheet and you see disorderly conduct often it was an arrest for robbery. When you see a criminal trespass conviction often it is an arrest for burglary. So when we go now to all penal misdemeanors take a lot out of this. This is not an overt intrusion to someone's person upon arrest. The indications are that only language of conviction will pass in the Assembly so that is why the bill now, which is the same as the Senate has, apparently the best chance of passing. I agree, as I said earlier, it is the 21st century fingerprint. DNA does degrade after a certain period of time so it is not kept long and is basically a key system with numerical issues maintained here. I agree it should be part of an arrest. As we know sometimes we have to move towards each other to get things done and that seems to be where the issue is now.

Introduced by:

Referral No. 8055

Hon. Harriet D. Cornell, Sponsor
 Hon. Michael M. Grant, Co-Sponsor
 Hon. Douglas J. Jobson, Co-Sponsor
 Hon. Aron B. Wieder, Co-Sponsor
 Hon. Aney Paul, Co-sponsor
 Hon. Edwin J. Day, Co-Sponsor
 Hon. Philip Soskin, Co-Sponsor
 Hon. Alden H. Wolfe, Co-Sponsor

**RESOLUTION NO. 109 OF 2012
 URGING THE NEW YORK STATE LEGISLATURE TO PASS A.8868-A AND
 S.6079-A, AN ACT TO AMEND THE TAX LAW TO EXEMPT PUBLIC LIBRARIES
 FROM THE IMPOSITION OF THE METROPOLITAN COMMUTER
 TRANSPORTATION MOBILITY TAX**

Mr. Grant offered the following resolution, which was seconded by the Entire Legislature and unanimously adopted:

WHEREAS, in 2009, due to the MTA's financial problems, the New York State Legislature passed and imposed a .34% payroll tax on employers in the MTA's service region, including public libraries; and

WHEREAS, the New York State Legislature recently passed tax legislation that repealed or reduced the payroll tax for many employers. Its provisions include the elimination of the MTA payroll tax on small businesses, and public libraries are included in this category; and

WHEREAS, for businesses making less than \$1.25 million annually, the payroll tax is completely eliminated. Businesses with payrolls ranging from \$1.25 million and \$1.5 million will have the payroll tax reduced from .34% to .11%, and businesses with a payroll of more than \$1.5 million will have the payroll tax reduced to .23%; and

WHEREAS, since many public libraries - including New City Free Library, Haverstraw King's Daughter's Public Library, and Finkelstein Memorial Library – have payrolls of more than \$1.5 million, they will still have to pay the full .34% payroll tax, while many others with slightly smaller payrolls will still have to pay .23%; and

WHEREAS, although public libraries receive state aid, that aid has been cut by 23% since 2008, and libraries are forced to spend between 50-100% of their state aid on the payroll tax. Since public libraries are supported by taxes, increased costs result in either reduced services or increased taxes; and

WHEREAS, "any eligible educational institution," including all public and private elementary and secondary schools are now completely exempt from the payroll tax. Public libraries should be similarly exempt, noted Michael J. Borges, Executive Director of the New York Library Association: "Public libraries, like our public schools, are educational institutions that provide life-long learning to citizens of all ages in their communities, receive both state and local support, and are chartered by the Board of Regents, just like our schools, and yet we are left out in the cold," and

WHEREAS, Bills A.8868-A and S. 6079-A would amend the State Tax Law to include all public and free libraries in the definition of "any eligible educational institution" that is now exempt from the payroll tax; and

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

RESOLVED, that the Rockland County Legislature hereby urges the New York State Legislature to pass A.8868-A and S.6079-A, an act to amend the Tax Law to exempt public libraries from the imposition of the Metropolitan Commuter Transportation Mobility Tax; and

RESOLVED, that the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, New York State Senator, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. Nancy Calhoun, and Ann G. Rabbitt, 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.

Debate:Mr. Schoenberger

I am just curious as to why libraries are being exemptions from the MTA tax. Why are not other forms of municipal governments or towns in Rockland County are not. I am not opposed to this.

Chairwoman Cornell

The State Legislature categorized libraries with small businesses instead of with public schools all of which are chartered by the Board of Regents. Recently the State Legislature passed legislation that reduced the payroll tax for many employers including many small businesses, but did retain the mobility tax on businesses that had payrolls of more than \$1,500,000. In that group there are three named libraries in Rockland County, and I think there are five that actually reached that threshold, but we know that New City Free Library, Haverstraw Kings Daughters Public Library and Finkelstein Memorial Library and Nanuet I think was on the cusp as is Nyack. It certainly didn't seem fair for public libraries, which are taxpayer supported, to bare the brunt of the mobility tax. Actually we didn't believe that any employers, public and private, should have this unfair tax. If there are other institutions, such as governments then we could pass another resolution. We are basically endorsing an Assembly Bill and a Senate Bill that include public and free libraries in the definition of any eligible educational institution that would be exempt from payroll tax.

Mr. Schoenberger

The feeling is that libraries get their monies to pay the Metropolitan Commuter Transportation Mobility Tax from taxpayers so all we are doing is raising taxes on taxpayers through our library budgets to pay a commuter tax to the State and we should not be doing that, because you are just hitting the taxpayer again. I understand that and I like the fact that we are exempting them. I think it is a good idea, but we do the same thing in County government. I forget how many hundreds of thousands of dollars it costs us every year for the Metropolitan Commuter Transportation Mobility Tax that we have to raise by taxing our residents. Legislator Day said about \$600,000 and that sounds about right.

I accept the theory. I support the legislation, but I think it should be, once again, expanded so that we don't have to raise taxes. In essence, forcing us to raise taxes to pass the tax along to the State. It is like a mandate upon us to raise taxes.

Chairwoman Cornell

I think we all agree with you. This Legislature endorsed legislation quite some time ago opposed to the Metropolitan Commuter Transportation Mobility Tax. After we pass this we can deal with what is left.

Mr. Meyers

Please repeat what was the threshold libraries had to meet to qualify. I am wondering if the Suffern Free Library would qualify.

Chairwoman Cornell

It is \$1,500,000. The ones with payrolls less than that have already been exempt through State legislation. The libraries that I know where the payrolls are over \$1,500,000 are the ones I mentioned. Suffern may well be in there.

Mr. Meyers

I don't think their salaries are that high.

**RESOLUTION NO. 110 OF 2011
RECEIVE AND FILE 2011 ANNUAL REPORT
OFFICE OF THE COUNTY ATTORNEY**

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

RESOLVED, that the Year 2011 Annual Report of the Office of the County Attorney be and it is hereby received and filed.

Comments from Legislators:

Legislator Aron B. Wieder

Tonight I did support the measures put forth specifically in reference to the unfinished business. It is no news that the County is currently facing a crippling deficit crisis. Madam Chair, I would like to thank you and Legislator Schoenberger for taking the initiative and leadership role to address the monumental task at hand. Last month we have passed Resolution No. 28, in that bill we have taken the first step in issuing a deficit reduction bond plan. That bill was not a blank check. The bill stipulates tightening the yearly budget process to make sure that henceforward we will never again find ourselves in this predicament. There are those who criticize the proactive measured and the reasonable approach. They say it is not the proper remedy. They argue that we should sit back and just do nothing. They are not too concerned that this would result in a further downgrade of the credit worthiness of the County, because in the end they claim the State will simply take over the County and designate a Control Board.

Madam Chair, I have a few questions. Who would be paying the increase in interest the County will most certainly incur when the County credit rating will be downgraded? When a Control Board will ultimately takeover the very first thing they will do is eliminate all the consolidated services the County provides. Local towns and villages will have no choice and individually provide these services at a much greater cost. Madam Chair, who will be paying for these increases? Furthermore, we all know what will happen when law enforcement agencies don't have the necessary tools to fight and prosecute criminals. The crime rate will simply increase as direct result businesses will be hard hit and homes will depreciate. Who is going to bear the price for all of that? The resounding answer is in the end all this will be paid fair and square by the local taxpaying resident of Rockland County and with a huge interest to boot.

I, for one, believe that sitting back and doing nothing will overburden the overtaxed Rockland County residents. At the same token, we need to address spending, because one never spends their way out of a deficit crisis. Madam Chair, I know with your leadership and dedication we will weather through this treacherous storm and Rockland County will become whole again. Thank you.

Legislator Joseph L. Meyers

I guess I am one of the people who have been arguing that we should just do nothing, which of course is totally erroneous. He said that there were those that argued that we should vote against it and just do nothing. I have said all along that we should be reducing our expenses while increasing taxes and you need both sides of the ledger to work on. I just want to point out, and this is not an attack on you Legislator Wieder, that you were part of the majority of the school district that reduced costs rather than increase property taxes to the taxpayers. Now you come on the Legislature and suddenly you are all for increasing taxes. I just find that dichotomy a little bit strange, but you are certainly entitled to change your views if you like.

Legislator Aron B. Wieder

This is going to be my final statement being this is the second time tonight by the same type of people who bring up the very fact that I was on the school board. Indeed I was on the East Ramapo School Board and I feel particularly proud. I will simply point out one thing, for over a decade before I got on the school board the budget went from \$140,000,000 to \$200,000,000. While the only thing we are on the school board for is, not the extra curricular activities, not sports and anything of that sort, to graduate the children of the district. It decreased from the low eighties to the high sixties in over a decade. For three years that I had been on the school board we kept the budget relatively flat. At the same time the graduation rate increased from the high sixties to the high seventies or the low eighties. That is not an accident. I feel particularly proud. I feel particularly proud of the fact that I fund raised thousands of dollars for the East Ramapo Marching Band. It is very interesting that I have attended every single board meeting except one in three years. I haven't seen those who will go outside the realm of the school district attend any of the meetings. I can count them on one or two hands. So that is very ironic. Again, I feel very proud of the fact that I sat on the school board and we accomplished a great thing. I can't think of any other school district that was able to increase the graduation rate in this amount. I thank you for giving me the opportunity to respond.

Legislator Ilan S. Schoenberger

This is meant to be an observation and a factual statement and not an attack or criticism on anyone. I am looking at the Annotated Agenda from our Legislative meeting of December 6, 2011; the night the budget was adopted for 2012. There were three budget votes. The first one was to accept the report of the Budget and Finance Committee after its review of the Rockland County proposed 2012 budget, which passed 15 to 2. The two negative votes were Legislator Meyers and Legislator Sparaco. The next resolution was the adoption of the 2012 County budget, which passed 12 to 4, with Legislator Bierker absent. The four negative votes were Legislator Day, Meyers, Moroney and Sparaco. No criticism meant, that is everybody's right to vote as they choose. The last item for the budget that night was item C, appropriation of budget items for 2012, where by we voted to adopt a resolution where we appropriated the revenue for the expenditure of the budget for 2012. Contained in the appropriating resolutions was the anticipated transfer tax, was the anticipated increase in mortgage tax, was the anticipated increase in mortgage tax, and a variety of other things. And that resolution for the appropriation of the budget passed unanimously. Thank you.

**ADJOURNMENT IN MEMORY OF
WILLIE JOE THOMPSON**

Chairwoman Cornell offered the following memorial, which was seconded by Entire Legislature and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Willie Joe Thompson.

**ADJOURNMENT IN MEMORY OF
PASQUALE LOMELI JR.**

Mr. Day offered the following memorial, which was seconded by Mr. Carey and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Pasquale Lomeli Jr..

**ADJOURNMENT IN MEMORY OF
MARY ELLEN PESCI**

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 Mary Ellen Pesci.

**ADJOURNMENT IN MEMORY OF
MARLENE BENET**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Marlene Benet.

**ADJOURNMENT IN MEMORY OF
LOUIS D'ALISERA**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Louis D'Alisera.

**ADJOURNMENT IN MEMORY OF
JOHN "JJ" O'CONNOR**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of John "JJ" O'Connor.

**ADJOURNMENT IN MEMORY OF
MARILYN A. LENNA**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Marilyn A. Lenna.

**ADJOURNMENT IN MEMORY OF
MATTHEW BUTLER**

Chairwoman Cornell offered the following memorial, which was seconded by Entire Legislature and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Matthew Butler.

**ADJOURNMENT IN MEMORY OF
THOMAS J. HOWARD, JR.**

Chairwoman Cornell offered the following memorial, which was seconded by Entire Legislature and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Thomas J. Howard, Jr.

**ADJOURNMENT IN MEMORY OF
MARY MARGARET "MAE" VERICKER**

Chairwoman Cornell offered the following memorial, which was seconded by Entire Legislature and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Mary Margaret "Mae" Vericker.

**RESOLUTION NO. 111 OF 2012
ADJOURNMENT**

Mr. Murphy offered the following resolution, which was seconded by Mr. Jobson and unanimously adopted (9:28 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Tuesday, March 20, 2012 at seven o'clock in the evening.

Respectfully Submitted,

DARCY M. GREENBERG
Proceedings Clerk