

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 Wednesday, April 3, 2013 at 7:00 P.M., pursuant to the adjournment of the March 19, 2013 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 28th day of March 2013

The Legislature of Rockland County convened in regular session pursuant to adjournment of the March 19, 2013 meeting.

A Roll Call being taken (7:03 P.M.), the following Legislators were present and answered to their names:

- Edwin J. Day
- Christopher J. Carey
- Toney L. Earl
- Michael M. Grant
- Jay Hood, Jr.
- Douglas J. Jobson
- Patrick J. Moroney
- John A. Murphy
- Aney Paul
- Ilan S. Schoenberger
- Philip Soskin
- Frank P. Sparaco
- Alden H. Wolfe, Vice Chairman
- Harriet D. Cornell, Chairwoman

Late: Legislators Joseph L. Meyers (7:04 P.M.) and Aron B. Wieder (7:10 P.M.)

Absent: Legislator Nancy Low-Hogan

Legislator Joseph L. Meyers arrived at meeting (7:04 p.m.)

Ms. Olivia Castor, Spring Valley High School student who represented the school at the United States Senate Youth Program, led in the Salute to the Flag and delivered the invocation.

Honorable Aney Paul, Legislator, District 14, delivered the invocation.

**RESOLUTION NO. 161 OF 2013
ADOPTION OF MINUTES OF LEGISLATIVE MEETING
FEBRUARY 5, 2013**

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

Resolved, that the transcribed minutes of the Legislative meeting of February 5, 2013, as recorded by the Clerk and presented to the Legislature, be and they are hereby adopted.

The vote resulted as follows:

Ayes:	14	(Legislators Carey, Day, Earl, Grant, Hood, Jr., Jobson, Meyers, Moroney, Paul, Schoenberger, Soskin, Sparaco, Wolfe, Cornell)
U.A. Nay:	01	(Legislator Murphy)
Absent:	02	(Legislators Low-Hogan, Wieder)



The Chairwoman opened the public participation portion of the meeting at 7:07 p.m. and the following persons appeared and spoke:

- ❖ Marge Hook, In favor of Devocalization Bill (Senate 2271/Assembly 1204) & concerns with Hi Tor Animal Shelter

Public Participation ended at 7:10 p.m.



Comments from the Chairwoman:

Honorable Harriet D. Cornell

I am going to announce an opportunity to participate in a cancer research study. I have worked with the American Cancer Society over the past fifteen or twenty years on cancer outreach, detection and treatment. I am very excited now at the opportunity for Rockland County to be a prime site for this cancer study, which is the third national cancer study being run by the American Cancer Society. The first study was conducted in the 1950's and confirmed the link between tobacco use and cancer. The second study in the 1980's revealed the link between obesity and cancer and also concluded that aspirin use could decrease the risk for colon cancer.

Now the American Cancer Society is seeking 300,000 adults, men and women, from various racial and ethnic backgrounds from across this country to participate in this third national study to identify the causes of cancer and to further research into new affective cancer prevention strategies.

Rockland County is a prime site, because we have done a lot of work on this in the past. I can't think of anything more meaningful than to participate. If you are between the ages of 30 – 65 years old and would like to participate go online to www.cps3hudsonvalley.org or call 1-888-604-5888.

Preventing cancers must be one of the highest priorities of doctors, scientists and researchers. We have the opportunity to participate. It is going to be very easy. There are three sites in Rockland County in May to register, but first you have to go online or make the telephone call. I hope that Rockland County will turnout a lot of people so that we can feel that we are helping to prevent cancers in the future. Thank you.



Introduced by:

Referral No. 9481

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

**RESOLUTION NO. 162 OF 2013
 APPROPRIATING THE SUM OF \$1,500 TO
 CHARLES G. MUELLER CHAPTER 120 MILITARY ORDER OF THE
 PURPLE HEART USA, POMONA, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2013**

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

WHEREAS, the Rockland County Legislature has set aside in the 2013 Budget and designated an account for funding of patriotic observances; and

WHEREAS, Charles G. Mueller Chapter 120 Military Order Of The Purple Heart USA, Pomona, New York, is contracting with the County of Rockland to conduct patriotic observances in 2013, 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, to Charles G. Mueller Chapter 120 Military Order Of The Purple Heart USA, Pomona, New York, for providing patriotic observance events in Rockland County in calendar year 2013; 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-7649-5010

Charles G. Mueller Chapter 120 Military Order of the Purple Heart USA c/o Kearsing Edwards American Legion Post 1600 20 Station Street Pomona, New York 10970	\$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. 9481

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

**RESOLUTION NO. 163 OF 2013
 APPROPRIATING THE SUM OF \$1,500 TO
 JEWISH WAR VETERANS OF THE UNITED STATES OF AMERICA –
 PFC. FREDERICK HECHT POST #425 SPRING VALLEY, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2013**

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

WHEREAS, the Rockland County Legislature has set aside in the 2013 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the Jewish War Veterans of the United States of America – Pfc. Frederick Hecht Post #425, Spring Valley, New York, is contracting with the County of Rockland to conduct patriotic observances in 2013, 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, to Jewish War Veterans of the United States of America – Pfc. Frederick Hecht Post #425, Spring Valley, New York for the purpose of providing patriotic observance events in Rockland County in calendar year 2013; 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-7639-5010	Jewish War Veterans of the USA Pfc. Frederick Hecht Post #425 Post Office Box 122 Spring Valley, NY 10977	\$1,500
<u>Decrease Approp. Acct.:</u>		
A-LEG-1010-5042	Patriotic Observances	\$1,500

Introduced by:

Referral No. 5327

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

**RESOLUTION NO. 164 OF 2013
 APPROPRIATION OF FEDERAL FORFEITURE FUNDS
 REQUESTED BY THE SHERIFF IN ORDER TO
 PURCHASE COMNETIX FINGERPRINTING HARDWARE
 FOR VARIOUS POLICE AGENCIES WITHIN ROCKLAND COUNTY
 [OFFICE OF THE SHERIFF]
 (NCTD)
 (\$220,000)**

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

WHEREAS, The Sheriff has requested that \$220,000 of federal forfeiture funds in balance sheet account A-8880 (Designated for Law Enforcement - Federal Proceeds) be appropriated to his 2013 Budget in order to purchase Comnetix Fingerprinting hardware upgrades for various police agencies within Rockland County; 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 \$220,000 appropriation exists within said balance sheet account; and

WHEREAS, The use of these funds for said purposes are permitted under federal guidelines; 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 Commissioner of Finance is hereby authorized to increase the following accounts in the amounts indicated:

GENERAL FUND - 2013

Increase Approp. Acct. (Credit):

A-SHF-3108-FS01-E2500	Forfeiture Funds - Equipment	220,000
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Increase Approp. Fund Bal. (Debit):

A-UNC-9990-R5990	(Designated for Law Enforcement - Federal Proceeds)	220,000
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Introduced by:

Referral No. 8203

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

**RESOLUTION NO. 165 OF 2013
ADOPTING THE LIST OF PERSONS REQUIRED TO FILE
AN ANNUAL STATEMENT OF FINANCIAL DISCLOSURE
FOR THE REPORTING YEAR 2012**

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

WHEREAS, The financial disclosure law of the County of Rockland, codified as Article II of chapter 66 of the Rockland County Administrative Code, requires certain officers and employees of the County of Rockland to file an annual statement of financial disclosure; and

WHEREAS, By Local Law No. 2 of 1993, the Legislature of Rockland County amended the financial disclosure law to authorize the annual approval of the list of those persons required to file an annual statement of financial disclosure by resolution; and

WHEREAS, By Local Law No. 16 of 2007, the Legislature of Rockland County amended the financial disclosure law to provide that there be two forms of the annual statement of financial disclosure designated as Form "A" and Form "B"; and

WHEREAS, Financial Disclosure Form "A" shall be utilized by persons in positions identified annually by resolution of the Rockland County Legislature, designating which positions are elected officers, employees and appointees who hold professional licenses, policymaking or policy influencing positions; and

WHEREAS, Financial Disclosure Form "B" shall be utilized by volunteer members and chairpersons of boards and commissions as designated in the annual resolution on financial disclosure; and

WHEREAS, The County Executive has referred the annexed list of persons required to file an annual statement of financial disclosure for the reporting year 2012 to the Rockland County Legislature for its review and adoption; 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 adopts the annexed list of persons required to file an annual statement of financial disclosure for the reporting year 2012.

INCUMBENTS OF THE FOLLOWING POSITIONS

ROCKLAND COUNTY

**INDIVIDUALS REQUIRED TO COMPLETE AND FILE
2012 ANNUAL STATEMENTS OF FINANCIAL DISCLOSURE**

INCUMBENTS OF THE FOLLOWING POSITIONS

- Accounting Supervisor, Grade A
- Administrative Assistant
- Administrative Specialist (Social Services)
- Assistant Coordinator, Welfare Management Systems
- Assistant to the Director (Community Development)

- Assistant Director, Drug Task Force
- Assistant Director of Fire and Emergency Services
- Assistant Director of Food Services (Health Complex)
- Assistant Director of Legal Services
- Assistant Director of MIS (Customer Support Services)

- Assistant Director of MIS (Technical Support and Operations)
- Assistant Director of Nursing
- Assistant Director of Nursing (Admissions)
- Assistant Director of Nursing (Psychiatric)
- Assistant Director of Patient Services

- Assistant Director of Plant Facilities
- Assistant Director, Emergency Preparedness (Public Health)
- Assistant Director, Office for the Aging
- Assistant Director, Public Health Education
- Assistant Director, Public Health Social Work (Adult Services)

- Assistant Director, Public Health Social Work (Children's Services)
- Assistant Director for Sewer Operations
- Assistant Director, Youth Bureau
- Assistant to the Chairwoman of the Legislature
- Assistant to the County Executive II

- Associate Planner (GIS)
- Auditor (Child Care Program)
- Auditor (Social Services)
- Budget Director
- Chairman of the County Legislature

OFFICE OF THE CLERK
 13 MAR -6 11:25
 ROCKLAND COUNTY
 LEGISLATIVE

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 2 OF 8

Chief Deputy Sheriff (Civil)
Chief of Communications
Chief Criminal Investigator
Chief of Corrections
Chief of Patrol

Chief of Staff (County Executive)
Chief Operator
Children Special Services Administrator
Clerk of the Works I
Clerk of the Works II

Clerk to the Legislature
Commissioner of Elections
Commissioner of Finance
Commissioner of General Services
Commissioner of Health

Commissioner of Hospitals
Commissioner of Human Rights
Commissioner of Labor Relations
Commissioner of Mental Health
Commissioner of Personnel

Commissioner of Planning
Commissioner of Social Services
Community Relations Coordinator
Compliance Administrator (Sewers)
Confidential Assistant to the County Executive

Confidential Assistant to the Commissioner of Personnel
Confidential Investigator
Confidential Investigator (Computer Crimes)
Consumer Protection Coordinator (Operations)
Coordinator, Adult Day Care Program

Coordinator, Assistance Programs
Coordinator, Communicable Disease Program (Public Health)
Coordinator, Community Resource Programs
Coordinator, Employee Rights, Relations, and Training
Coordinator, Employment Programs and Services

Coordinator of Environmental Resources
Coordinator, Fire Instruction
Coordinator, Planning (Mental Health)
Coordinator, Planning (Social Services)
Coordinator, Safety, Compliance, & Fire Services

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 3 OF 8

Coordinator of Services, Children, Youth, and Families
Coordinator of Services, Adults & Seniors
Coordinator, Special Projects (DGS)
Coordinator, TRIPS Operations
Coordinator, WIC Program

Correction Captain
County Archivist
County Auditor
County Clerk
County Communications Coordinator

County Executive
County Legislator
Deputy Budget Director
Deputy Clerk to the Legislature
Deputy Commissioner of Elections

Deputy Commissioner of Mental Health
Deputy Commissioner of Social Services
Deputy County Clerk
Deputy Sheriff Lieutenant (Civil)
Director, Alcohol & Substance Abuse Services (Mental Health)

Director, Alternative to Incarceration Program
Director of Clinical Services
Director of Communications (CE)
Director of Community Relations (County Executive)
Director of Compliance and Resource Recovery

Director of Consumer Protection and Public Advocate
Director of County Veterans Service Agency
Director, Drainage Agency
Director, Drug Task Force
Director, Emergency Preparedness (Public Health)

Director, Environmental Public Health
Director of Epidemiology and Public Health Planning
Director, Facilities Management
Director of Fire and Emergency Services
Director Fiscal Operations (PH)

Director of Food Services (Health Complex)
Director, GIS
Director, Hospitals (Mental Health)
Director of Housing & Community Development
Director of Insurance & Risk Management

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 4 OF 8

Director of Intergovernmental Relations
Director, Investigative Technologies Support Center
Director of Legal Services
Director of MIS
Director, Medical Services

Director, Medical Services (DSS)
Director of Nursing
Director, Office for the Aging
Director of Patient Services
Director of Pharmacy Services

Director of Plant Facilities
Director of Probation III
Director, Public Health Education
Director of Purchasing
Director of Rehabilitative Services

Director of Research (Planning)
Director of Social Services (PH)
Director of Social Services (Social Services)
Electrical Inspector (pt)
Emergency Planning and Public Information Coordinator

Environmental Biologist
Executive Director of Sewer Operations and Engineering (Sewer District #1)
Executive Director, Youth Bureau
Fire + Emergency Services Coordinator
Fiscal Administrator

Fleet Manager
Flow Control Engineer
Geologist II
Highway Maintenance Supervisor III
Home Program Coordinator

Housing and Community Development Supervisor
Human Resources Coordinator
Industrial Training Coordinator
Legislative Analyst
Legislative Fiscal Analyst

Legislative Research Coordinator
Management Analyst & Programmer
Manager, Computer Operations
Network Administrator II (MIS)
Nursing Coordinator (Psychiatric)

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 5 OF 8

Operations Analyst (Budget)
Operations Analyst (Hospital)
Parks Operations Manager
Patient Services Administrator
Patrol Captain

Personnel Administrator
Personnel Administrator II
Personnel Coordinator (Classifications+Transactions)
Personnel Coordinator (Examinations)
Pollution Control Supervisor

Pre-School Program Coordinator
Principal Planner
Principal Planner (Transportation)
Program Coordinator, Hazardous Materials
Public Health Administrator

Public Health Education Coordinator
Public Health Sanitarian
Real Property Tax Services Officer
Research Assistant (County Executive)
Second Deputy County Clerk

Section 8 Program Coordinator (Community Development)
Security Administrator (MIS)
Security Administrator II (MIS)
Security Operations Coordinator
Senior Budget Specialist

Senior Criminal Investigator
Senior Environmental Health Specialist
Senior Medical Investigator
Senior Personnel Technician
Senior Public Health Sanitarian

Senior Public Information Specialist
Sheriff
Stop DWI and Traffic Safety Program Coordinator
Superintendent of Highways
Supervising Nurse

Supervising Nurse Practitioner (PH)
Supervising Public Health Nurse
Support Services Project Coordinator
Surveyor
Systems Administrator (MIS)

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 6 OF 8

Systems Administrator II (MIS)
Systems Administrator & Programmer (MIS)
Systems Development Administrator (MIS)
Transit Administrator
Tourism & Local Development Coordinator

Undersheriff
Unified Services Coordinator

Individuals employed by the County of Rockland and possessing a professional license as an attorney, physician, dentist, engineer or accountant, if such individual's earnings from the County of Rockland during calendar year 2011 was more than \$7500. Such requirement shall include, but not be limited to:

INCUMBENTS OF THE FOLLOWING TITLES FOR WHICH A PROFESSIONAL LICENSE IS REQUIRED:

ENGINEERS

Associate Public Health Engineer *

Engineer III *

Engineer III (Sewers) *

Engineer IV *

Engineer IV (Highway) *

Engineer IV (Sewers) *

Public Health Engineer *

Senior Public Health Engineer *

*Requires Professional Engineer's License

ATTORNEYS

Assistant County Attorney
Assistant District Attorney
Assistant Public Defender
Attorney II
Attorney III

Chief Assistant County Attorney
Chief Assistant District Attorney
County Attorney
Deputy Public Defender
District Attorney

INCUMBENTS OF THE FOLLOWING POSITIONS

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Executive Assistant County Attorney
Executive Assistant District Attorney
Executive Assistant District Attorney (Narcotics)
Executive Assistant District Attorney (Special Programs & Investigations)
First Assistant District Attorney

Legislative Counsel
Principal Assistant County Attorney
Public Defender
Senior Assistant County Attorney
Senior Assistant District Attorney

Senior Assistant Public Defender
Supervising Assistant District Attorney
Supervising Assistant District Attorney (Financial Crimes)
Supervising Assistant Public Defender

PHYSICIANS & DENTISTS

Assistant Medical Examiner (PT)
Clinic Dentist
Clinic Physician
Clinic/Consulting Physician
Deputy Medical Examiner (LTFT)

Director, TB and Communicable Disease Programs
Internist
Jail Physician
Medical Examiner
Pathologist

Psychiatrist I
Psychiatrist II
Psychiatrist III

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 8 OF 8

AT ROCKLAND COMMUNITY COLLEGE

Trustee
President
Vice President of Academic Affairs
Vice President of Finance & Administration
Vice President of Student Services
Director of Campus Communications
Director of Human Resources
Associate Vice President of Finance/Comptroller
Dean of Academic & Community Partnerships
Dean of Academic Services
Dean of Enrollment
Dean of Student Development

THE CHAIRPERSON OF THE FOLLOWING BOARDS/COMMISSIONS

Agricultural and Farm Protection Board
Arts in Public Places Committee
Board of Electrical Examiners
Board of Governors
Board of Health
Community Services Board
Disability Advisory Council
Environmental Management Council
Fair Housing Board
Fire Advisory Board
Historic Preservation Board
Home Improvement Licensing Board
Human Rights Commission
Local Emergency Planning Committee
Office for the Aging Advisory Board
Parks Commission
Planning Board
Plumbing, Heating & Cooling Examiners Board
Rockland County Board of Appeals (Stream Control Act)
Rockland County Rent Guidelines Board
Rockland County Soil & Water Conservation District
Traffic Safety Board
Youth Bureau

MEMBERS OF THE FOLLOWING BOARDS/COMMITTEES

Board of Ethics
Sewer Commission
The Committee of the Rockland County Workers Compensation Self-Insurance Plan

Introduced by:

Referral No. 9252

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

**RESOLUTION NO. 166 OF 2013
 APPROVING AMENDMENT TO AGREEMENT IN EXCESS OF \$100,000
 WITH NEXTEL OF NEW YORK, INC. FOR USE OF SPACE ON COUNTY
 OWNED COMMUNICATIONS TOWER LOCATED AT 94 LIME KILN ROAD,
 WESLEY HILLS, NY TO APPROVE AN ADDITIONAL OF SIX (6) REMOTE
 RADIO HEADS AT THE 138 FOOT ELEVATION OF THE TOWER WITH
 A \$600.00 INCREASE IN THE MONTHLY TOTAL CONTRACT (NCTD)
 FOR THE PERIOD FROM APRIL 1, 2001 THROUGH MARCH 31, 2026
 (OFFICE OF FIRE AND EMERGENCY SERVICES)**

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

WHEREAS, By Resolution No. 673 of 2001, the Legislature of Rockland County approved a twenty-five (25) year license agreement with Sprint Spectrum, L.P., a corporation with its principals office located at 1 International Boulevard, Suite 800, Mahwah, New Jersey 07495, to develop a Rockland County Public Safety Wireless Communication Systems located at the located at 94 Lime Kiln Road, Wesley Hills, NY; and

WHEREAS, Pursuant to said resolution, the County entered into a license agreement with Sprint Spectrum, L.P. on December 31, 2001 for the use of space on a County-owned communications tower located at 94 Lime Kiln Road in the Town of Ramapo for the total amount of \$849,576.53 for the period from April 1, 2001 through March 31, 2026; and

WHEREAS, The Director of the Office of Fire and Emergency Services has advised the County Executive and the Legislature of Rockland County that Nextel has requested permission to install an additional of six (6) remote radio heads at the 138 foot elevation of the tower with a increase monthly fees paid to the County of \$600.00 per month for a total contract sum of \$983,498.57 for the term of the license agreement; and

WHEREAS, Sprint Spectrum LLP has requested approval to install additional equipment on the communications tower which increases the monthly fee for the amount of \$600.00 or \$7,200 annually, subject to an annual increase in percentage for the term of the license agreement; and

WHEREAS, The total additional fees of the amendment to the license agreement is \$133,922.04; and

WHEREAS, The adoption of this resolution does not require the expenditure of any County funds; 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 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 a amendment to an agreement with Nextel of New York, Inc., a Delaware corporation, with an office at 6391 Sprint Parkway, Mailstop KSOPHT0101Z2650, Overland Park, KS 66251-2650, to approve the addition of six (6) remote radio heads at the 138 foot elevation of the tower with a increase monthly fees paid to the County of \$600.00 per month for a total contract sum of \$983,498.57 for the term of the license agreement period from April 1, 2001 through March 31, 2026, and further authorizes its execution and all other necessary documents to effectuate the intent and purpose of this resolution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That the adoption of this resolution does not require the expenditure of any County funds.

BOND RESOLUTION NO. 167 OF 2013

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, ADOPTED APRIL 3, 2013, AUTHORIZING FINANCING OF HOSPITAL MEDICAL GASES EQUIPMENT, STATING THE CURRENT ESTIMATED MAXIMUM COST THEREOF IS \$450,000, APPROPRIATING \$450,000 FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$450,000 BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION.

Mr. Grant offered the following bond resolution, which was seconded by Mr. Earl 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. 4476, replacement and upgrading of medical gases equipment, including incidental expenses in connection therewith. The current estimated maximum cost thereof, including costs incidental thereto and the financing thereof, is \$450,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$450,000 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 \$450,000 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 \$450,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 32 of the Law is five (5) 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 Legislator Toney L. Earl and duly put to a vote on roll call, which resulted as follows:

AYES: 16 (Legislators Carey, Day, Earl, Grant, Hood, Jr., Jobson, Meyers, Moroney, Murphy, Paul, Schoenberger, Soskin, Sparaco, Wieder, Wolfe, Cornell)

NOES: 0

ABSENT: 01 (Legislator Low-Hogan)

The resolution was declared and adopted.

Roll Call:

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.

Legislator Hood, Jr. – Yes.

Legislator Jobson – Yes.

Legislator Meyers – Yes.

Vice Chairman Wolfe – Yes.

Chairwoman Cornell - -Yes.

Introduced by:

Referral No. 9323

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

**RESOLUTION NO. 168 OF 2013
 APPROVING THE PURCHASES IN EXCESS OF \$100,000
 FROM ORACLE AMERICA, INC. OF ANNUAL PEOPLESOFT
 FINANCIAL AND HUMAN RESOURCE SYSTEMS MAINTENANCE
 AND SUPPORT FOR EXISTING LICENSES IN THE AMOUNT OF \$214,348.10
 FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2013
 AND ANNUAL ORACLE DATABASE ENTERPRISE EDITION-PROCESSOR
 PERPETUAL MAINTENANCE AND SUPPORT FOR EXISTING LICENSES
 IN THE AMOUNT OF \$31,213.24 FOR THE PERIOD
 FEBRUARY 11, 2013 THROUGH FEBRUARY 10, 2014
 FOR A TOTAL AMOUNT NOT TO EXCEED \$245,561.34
 IN ACCORDANCE WITH NYS OGS CONTRACT NO. PT64000
 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
 [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
 (\$245,561.34)**

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

WHEREAS, By Resolution No. 577 of 2012, the Legislature of Rockland County approved the purchases in excess of \$100,000 from Oracle America, Inc. ("Oracle"), 1910 Oracle Way, Reston, VA 20190, for Oracle PeopleSoft Enterprise and PeopleSoft Database maintenance and support for existing licenses in an amount not to exceed \$104,480.68 for the period from July 1, 2012 through December 31, 2012 in accordance with the terms and conditions specified in NYS OGS Contract No. PT64000; and

WHEREAS, The County is authorized to use NYS contracts for the procurement of such services; and

WHEREAS, The initial purchase of software maintenance was awarded under RFP-RC-004-007 and was purchased in advance as part of the original capital project for the County's Financial and Human Resource system, but the maintenance contract that was purchased is complete; and the County must purchase annual software maintenance; and

WHEREAS, Software maintenance is required to receive annual tax updates for the payroll system, software upgrade licenses and system fixes as they become available; and

WHEREAS, The Director of Purchasing requests that the County Executive and the Legislature of Rockland County approve the purchases in excess \$100,000 from Oracle America, Inc. for annual PeopleSoft Financial and Human Resource Systems maintenance and support for existing licenses in the amount of \$214,348.10 for the period from January 1, 2013 through December 31, 2013 and annual Oracle Database Enterprise Edition-Processor Perpetual maintenance and support for existing licenses in the amount of \$31,213.24 for the period from February 11, 2013 through February 10, 2014, for a total amount not to exceed \$245,561.34, in accordance with the terms and conditions specified in NYS OGS Contract No. PT64000; and

WHEREAS, All purchases shall be made by formal purchase order; and

WHEREAS, Sufficient funding for these purchases is provided for in Capital Project #1462, County-Wide Information Technology; 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 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 the purchases in excess of \$100,000 from Oracle America, Inc., 1910 Oracle Way, Reston, VA 20190, for annual PeopleSoft Financial and Human Resource Systems maintenance and support for existing licenses in the amount of \$214,348.10 for the period from January 1, 2013 through December 31, 2013 and annual Oracle Database Enterprise Edition-Processor Perpetual maintenance and support for existing licenses in the amount of \$31,213.24 for the period from February 11, 2013 through February 10, 2014, for a total amount not to exceed \$245,561.34, in accordance with the terms and conditions specified in NYS OGS Contract No. PT64000, with all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in Capital Project #1462, County-Wide Information Technology.

Introduced by

Referral No. 2946

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

**RESOLUTION NO. 169 OF 2013
 APPROVING CONTRACT IN EXCESS OF \$100,000 WITH
 BERGMANN ASSOCIATES IN AN AMOUNT NOT TO EXCEED \$199,980
 FOR DESIGN AND ENGINEERING SERVICES FOR 49 SOUTH ROUTE 9W
 EMBANKMENT STABILIZATION PROJECT MINISCEONGO CREEK
 TOWN OF HAVERSTRAW
 FOR THE PERIOD FROM JANUARY 30, 2013 THROUGH
 JANUARY 30, 2014 UNDER CAPITAL PROJECT NO. 7112
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [DRAINAGE AGENCY]
 (\$199,980)**

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

WHEREAS, The Purchasing Department solicited proposals from all firms that are on the prequalified list in compliance with the RFP-RC-2011-010; and

WHEREAS, Six (6) firms responded providing the Rockland County Drainage Agency with proposals, the proposals were analyzed by the RDCA staff and each firm was given a score based on the criteria set forth in the RFP; and

WHEREAS, Bergmann Associates, Inc. was chosen based on their demonstrated understanding of the project, previous experience in similar projects and familiarity with the location based on previous work at the site for others; and

WHEREAS, The Chairman of the Drainage Agency recommends that the County of Rockland enter into a contract in excess of \$100,000 with Bergmann Associates, Inc., 200 First Federal Plaza, 28 East Main Street, Rochester, New York 14614, for Design and Engineering Services for 49 South Route 9W Embankment Stabilization Project, Minisceongo Creek, Town of Haverstraw, Capital Project No. 7112 in an amount not to exceed \$199,980, for the period from January 30, 2013 through January 30, 2014; and

WHEREAS, The scope of work includes the analysis of a failed embankment and the design of a repair to the eroded embankment that was damaged due to Hurricane Irene; and

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

WHEREAS, Sufficient funds for this contract exist in Capital Project No. 7112 of the Rockland County Drainage Agency; 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 the contract in excess of \$100,000 with Bergmann Associates, Inc., 200 First Federal Plaza, 28 East Main Street, Rochester, New York 14614, for Design and Engineering Services for 49 South Route 9W Embankment Stabilization Project, Minisceongo Creek, Town of Haverstraw, Capital Project No. 7112 in an amount not to exceed \$199,980, for the period from January 30, 2013 through January 30, 2014, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funds for this contract exist in Capital Project No. 7112 of the Rockland County Drainage Agency.



Introduced by:

Referral No. 3977

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

**RESOLUTION NO. 170 OF 2013
 APPROVING SUBMISSION OF THE
 FY2013 EMERGENCY SOLUTIONS GRANT PROGRAM APPLICATION
 IN THE AMOUNT OF \$163,457 WITH A MATCH (\$163,457)
 TO BE DOCUMENTED WITH THE U.S. DEPARTMENT OF
 HOUSING AND URBAN DEVELOPMENT
 AND UPON ITS APPROVAL AUTHORIZING
 THE COUNTY EXECUTIVE TO EXECUTE
 THE NECESSARY INSTRUMENTS AND DOCUMENTS AND
 AUTHORIZING THE COMMISSIONER OF FINANCE TO
 ESTABLISH NEW ACCOUNTS FOR THE FY2013
 EMERGENCY SOLUTIONS GRANT RECIPIENTS
 [OFFICE OF COMMUNITY DEVELOPMENT]
 (\$163,457)**

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

WHEREAS, Various towns and villages within Rockland County have formed a Consortium for the purpose of obtaining funds from the U.S. Department of Housing and Urban Development (HUD) for necessary eligible activities under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, Additionally, a HUD program entitled "Emergency Solutions Grant Program" provides funds to provide safe, emergency shelter for income eligible individuals and families; and

WHEREAS, The Rockland County Consortium is eligible to receive grant monies from the Emergency Solutions Grant Program; and

WHEREAS, The Rockland County Consortium has been designated as a "Participating Jurisdiction" under the Emergency Solutions Grant Program by HUD; and

WHEREAS, The County of Rockland has been advised by HUD that its Emergency Solutions Grant allocation for the Federal Fiscal Year 2013 will be \$163,457; and

WHEREAS, The current Emergency Solutions Grant regulations requires a dollar for dollar "match" of nonfederal funds from state, local or other funding sources be generated and/or identified by the participating jurisdiction; and

WHEREAS, "Match" funds are derived from monies appropriated in the 2013 County budget as well as from state funding received by the grant recipients; and

WHEREAS, The participating sub-recipients, upon receipt and disbursement of any portion of the grant funds shall be individually liable to account to HUD for their matching share contribution; and

WHEREAS, The County Executive and the County Legislature agree that no money will be spent under the Emergency Solutions Grant Program involving an expenditure by the County unless legislative approval is granted; and

WHEREAS, The Multi-Services and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the execution and submission of the required application by the County Executive to the U.S Department of Housing and Urban Development (HUD) for the funds available to the Consortium from the FY2013 Emergency Solutions Grant Program; and be it further

RESOLVED, That the Legislature of Rockland County hereby accepts a \$163,457 Emergency Solutions Grant with a dollar for dollar "match" from the U.S. Department of Housing and Urban Development for FY2013; and

RESOLVED, That no money will be spent under the Emergency Solutions Grant Program involving any expenditure by the County unless legislative approval is granted; and be it further

RESOLVED, That, upon approval of the application by HUD, the Legislature of Rockland County hereby approves the execution by the County Executive of the grant agreement and of any and all necessary instruments and documents in furtherance of the FY2013 Emergency Solutions Grant Program submission and program, subject to the approval of the County Attorney; and be it further

RESOLVED, That, upon approval of the application by HUD and upon execution of the grant agreement by the County Executive and by HUD, the Commissioner of Finance of the County of Rockland be and is hereby authorized and directed to establish new accounts for the FY2013 Emergency Solutions Grant funds.

Introduced by:

Referral No. 5886

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

**RESOLUTION NO. 171 OF 2013
 APPROVING ACCEPTANCE OF CONTINUATION GRANT
 IN THE AMOUNT OF \$5,500 (NCTD)
 FOR THE SHERIFF'S CHILD PASSENGER SAFETY PROGRAM
 FROM THE NYS GOVERNOR'S TRAFFIC SAFETY COMMITTEE
 TO PURCHASE CHILD SAFETY SEATS AND RELATED SUPPLIES
 FOR THE SHERIFF'S FITTING STATION/SPECIAL CHILD SAFETY EVENTS
 AS WELL AS TO PURCHASE PROMOTIONAL MATERIAL
 FOR CHILD SAFETY SEAT AWARENESS
 FOR THE PERIOD OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013
 AND AUTHORIZING THE EXECUTION OF ALL NECESSARY
 GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
 [SHERIFF'S DEPARTMENT]
 (\$5,500)**

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

WHEREAS, The Rockland County Sheriff has advised the County Executive and the County Legislature that his department has been awarded a \$5,500 Child Passenger Safety Program continuation grant from the New York State Governor's Traffic Safety Committee for the period October 1, 2012 through September 30, 2013; and

WHEREAS, Said grant funds will be used to purchase child safety seats and related supplies for the Sheriff's fitting station/special child safety events as well as to purchase promotional material for child safety seat awareness; and

WHEREAS, No County tax dollars (NCTD) are required to accept said grant; and

WHEREAS, It is necessary to appropriate these funds to the proper account; and

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

RESOLVED, That the Legislature of the County of Rockland hereby approves the acceptance of a \$5,500 Child Passenger Safety Program continuation grant from the New York State Governor's Traffic Safety Committee for the Sheriff's Department to purchase child safety seats and related supplies for the Sheriff's fitting station/special child safety events as well as to purchase promotional material for child safety seat awareness for the period October 1, 2012 through September 30, 2013, and authorizes execution by the County Executive of all necessary grant documents, subject to the approval of the County Attorney; and be it further

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

GENERAL FUND - 2013

<u>Increase Approp. Acct. (Credit):</u>		
A-SHF-3108-GS35-E5060	Program Costs	5,500
<u>Increase Est. Rev. Acct. (Debit):</u>		
A-SHF-3108-GS35-R3380	Public Safety Grant(s)	5,500

Introduced by:

Referral No. 9361

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

**RESOLUTION NO. 172 OF 2013
 APPROVING ACCEPTANCE OF FUNDS IN THE AMOUNT OF
 \$38,620.07 (NCTD) FROM THE CITY OF NEW YORK,
 THROUGH THE NEW YORK CITY POLICE DEPARTMENT,
 UNDER THE SECURE THE CITIES HOMELAND SECURITY PROGRAM
 FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2013
 SAID FUNDS TO BE USED TO REIMBURSE THE TOWN OF ORANGETOWN
 FOR THE PURCHASE OF A 2011 CHEVROLET TAHOE VEHICLE
 AND AUTHORIZING THE EXECUTION BY THE COUNTY EXECUTIVE
 OF A MEMORANDUM OF UNDERSTANDING
 BETWEEN THE COUNTY OF ROCKLAND AND THE TOWN OF ORANGETOWN
 AND AUTHORIZING THE EXECUTION BY THE COUNTY EXECUTIVE
 OF ANY OTHER NECESSARY DOCUMENTS TO EFFECTUATE THIS AWARD
 [SHERIFF'S DEPARTMENT]
 (\$38,620.07)**

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

WHEREAS, The Rockland County Sheriff has advised the County Executive and the Legislature of Rockland County that his department has been awarded a Secure the Cities Homeland Security Program allocation in the amount of \$38,620.07 from the City of New York, through the New York City Police Department, for the period January 1, 2013 through December 31, 2013; and

WHEREAS, These funds will be used to reimburse the Orangetown Police Department for the purchase of one (1) 2011 Chevrolet Tahoe vehicle at a cost total of \$38,620.07; and

WHEREAS, No County tax dollars (NCTD) are required to accept these funds; and

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

WHEREAS, The 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 awarded under the Secure the Cities Homeland Security Program in the amount of \$38,620.07 from the City of New York, through the New York City Police Department, for the period January 1, 2013 through December 31, 2013, and authorizing the execution by the County Executive of a Memorandum of Understanding between the County of Rockland and the Town of Orangetown which will indicate that this award will be use to reimburse the Orangetown Police Department for the purchase of one (1) 2011 Chevrolet Tahoe vehicle and authorizing the execution by the County Executive of any other necessary documents to effectuate this award, subject to the approval of the County Attorney; and be it further

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

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

GENERAL FUND - 2013

Increase Approp. Acct. (Credit):

A-SHF-3108-E4920	Reimburse Municipalities	38,621
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Increase Est. Rev. Acct. (Debit):

A-SHF-3108-R2260	Public Safety Revenue - Other Gov'ts	38,621
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Introduced by:

Referral No. 6924

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

**RESOLUTION NO. 173 OF 2013
 APPROVING INTERMUNICIPAL AGREEMENT
 WITH ORANGE, ULSTER AND SULLIVAN COUNTIES
 FOR THE REIMBURSEMENT TO THE COUNTY OF ROCKLAND
 FOR HAZARDOUS MATERIALS GRANT
 [NCTD] AND AUTHORIZES ITS
 EXECUTION BY THE COUNTY EXECUTIVE
 [OFFICE OF FIRE AND EMERGENCY]**

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

WHEREAS, The Rockland County Office of Fire and Emergency Services has been selected to be the primary contact to receive funds from Hazardous Materials Grant for the region; and

WHEREAS, In order to receive Hazardous Materials Grant the County of Rockland must be part of a regional partnership. The regional partnership was established by the State, and Rockland, Orange Ulster and Sullivan Counties serve as one region; and

WHEREAS, Rockland needs to establish an agreement with Orange, Ulster and Sullivan Counties so that when we receive the grant money, it would be deposited into a newly-established line code under Dept. 3410.

WHEREAS, The funds will be utilized for the maintenance and calibration of equipment and enhancing the capabilities of the regional team; and

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

WHEREAS, The Director of Office of Fire and Emergency recommends that the County enter into an intermunicipal agreement with Rockland, Orange, Ulster and Sullivan Counties in order to receive grant money under the Hazardous Materials Grant; and

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

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

RESOLVED, That the Legislature of Rockland County approves the intermunicipal agreement with the Rockland, Orange, Ulster and Sullivan Counties in order to receive grant money under the Hazardous Materials Grant, and authorizes its execution by the County Executive, subject to the approval of the County Attorney.



Introduced by:

Referral No. 8862

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

**RESOLUTION NO. 174 OF 2013
APPROVING ADDITIONAL PURCHASES IN EXCESS OF \$100,000
FROM UNIVAR USA INC. FOR INSECTICIDE FOR MOSQUITO CONTROL
FOR THE HEALTH DEPARTMENT UNDER RFB-RC-2011-006
IN THE ADDITIONAL AMOUNT OF \$92,296.40
FOR THE SECOND YEAR OPTION TERM FROM
FEBRUARY 9, 2013 THROUGH FEBRUARY 8, 2014
AND IN A TOTAL AMOUNT NOT TO EXCEED \$229,710.40
FOR THE FULL PERIOD FEBRUARY 9, 2011 THROUGH FEBRUARY 8, 2014
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$229,710.40)**

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

WHEREAS, The Director of Purchasing advertised for bids for insecticides for mosquito control for the Health Department under RFB-RC-2011-006 (the "RFB") for the period of one (1) year from the date of the award with the option to renew for two (2) additional one (1) year terms; and

WHEREAS, The Purchasing Department determined that UNIVAR USA Inc. ("UNIVAR"), 8 Valley Place, New Rochelle, New York, was the lowest responsive, responsible bidder, and it awarded the contract to UNIVAR under the RFB for the period from February 9, 2011 through February 8, 2012; and

WHEREAS, By Resolution No. 163 of 2012, the Legislature of Rockland County approved the purchases in excess of \$100,000 from UNIVAR USA Inc., 8 Valley Place, New Rochelle, New York, for insecticides for mosquito control for the Health Department under the RFB in the amount of \$65,000 for the period from February 9, 2012 through February 8, 2013, and in a total amount not to exceed \$137,414 for the full period from February 9, 2011 through February 8, 2013, with one (1) remaining one (1) year option; and

WHEREAS, Purchases for the original contract year and the first option year totaled \$135,823.40; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the additional purchases in excess of \$100,000 from UNIVAR for insecticides for mosquito control for the Health Department under the RFB in the additional amount of \$92,296.40 for the second year option term from February 9, 2013 through February 8, 2014, and in a total amount not to exceed \$229,710.40 for the full period from February 9, 2011 through February 8, 2014; and

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

WHEREAS, Sufficient funding for the additional purchases is provided for in the 2013 Budget of the Health Department and is contingent upon 2014 budget appropriations; and

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

WHEREAS, The Multi-Services and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the additional purchases in excess of \$100,000 from UNIVAR USA Inc., 8 Valley Place, New Rochelle, New York, for insecticides for mosquito control for the Health Department under RFB-RC-2011-006 in the additional amount of \$92,296.40 for the second year option term from February 9, 2013 through February 8, 2014, and in a total amount not to exceed \$229,710.40 for the full period from February 9, 2011 through February 8, 2014, 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 additional purchases is provided for in the 2013 Budget of the Health Department and is contingent upon 2014 budget appropriations.

Introduced by:

Referral No. 9414

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

**RESOLUTION NO. 175 OF 2013
APPROVING AMENDMENT TO CONTRACT IN EXCESS OF \$100,000
WITH CAPITAL MARKET ADVISORS, LLC
IN THE ADDITIONAL AMOUNT OF \$150,000 FOR
A TOTAL CONTRACT SUM NOT TO EXCEED \$300,000
FOR FINANCIAL ADVISORY SERVICES UNDER RFP-RC-11-003
FOR THE PERIOD APRIL 1, 2013 THROUGH MARCH 31, 2014
WITH THE OPTION THREE ADDITIONAL ONE-YEAR TERMS
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF BUDGET AND FINANCE]
(\$300,000)**

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

WHEREAS, The Director of Purchasing issued RFP-RC-11-003 for financial advisory services, with an original term from April 6, 2011 through April 5, 2012, and with the option for four additional one year terms; and

WHEREAS, One Hundred fifty-five vendors were notified of the solicitation by electronic bid notification, forty-five vendors downloaded the specifications and four responses were received by the Division of Purchasing; and

WHEREAS, Responses were reviewed by the Department of Finance; and

WHEREAS, By Resolution 415 of 2011, the Legislature of Rockland County approved the agreement in excess of \$150,000 with Capital Market Advisors, LLC, 1 Great Neck Road, Suite 1, Great Neck, New York 10021, for financial advisory services in the amount of \$150,000, with an original term from April 6, 2011 through April 5, 2012 and with the option for four additional one-year terms; and

WHEREAS, During the course of Capital Market Advisors' engagement with the County over the last fifteen years, in addition to assisting the Commissioner of Finance's office with general obligation bond and note financings and re-financings, they have assisted with a variety of bond financings and performed financial modeling and refunding analysis for the County Sewer District in connection with its financing through the new York State Environmental Facilities Corp.; and

WHEREAS, The Commissioner of Finance and the Director of Purchasing recommend that the Legislature of Rockland County approve the amendment agreement in excess of \$100,000 with Capital Market Advisors, LLC, 1 Great Neck Road, Suite 1, Great Neck, New York 10021, for financial advisory services in the additional amount of \$150,000, for a total contract sum not to exceed \$300,000, for the period from April 1, 2013 through March 31, 2014 and with the option for three 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 for this agreement exists in the 2013 Budget of the Department of Finance and the 2013 Adopted Capital Budget; 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 amendment agreement in excess of \$100,000 with Capital Market Advisors, LLC, 1 Great Neck Road, Suite 1, Great Neck, New York 10021, for financial advisory services in the additional amount of \$150,000, for a total contract sum not to exceed \$300,000, for the period from April 1, 2013 through March 31, 2014 and with the option for three additional one-year terms, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, Sufficient funding for this agreement exists in the 2013 Budget of the Department of Finance and the 2013 Adopted Capital Budget.

Introduced by:

Referral No. 1519

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

**RESOLUTION NO. 176 OF 2013
APPROVING AGREEMENT WITH HARRIS BEACH, PLLC
IN EXCESS OF \$100,000 FOR BOND
COUNSEL SERVICES UNDER RFP-RC-2012-030
FOR THE PERIOD FROM CONTRACT FINALIZATION
THROUGH DECEMBER 31, 2013 WITH AN OPTION
TO RENEW FOR FOUR (4) ADDITIONAL ONE YEAR
TERMS AND AUTHORIZING EXECUTION OF THE
AGREEMENT BY THE COUNTY EXECUTIVE
[DEPARTMENT OF FINANCE]
(\$120,000)**

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

WHEREAS, The Director of Purchasing advertised for proposals for bond counsel services to the county of Rockland under RFP-RC-2012-030; and

WHEREAS, Through the electronic bid notification system, seventy-nine firms were notified of the solicitation; nineteen firms downloaded the specifications, proposals were received from six firms: Harris Beach, PLLC; Hawkins Delafield & Wood, LLP; Mintz Levin Cohn Ferris Glovsky and Popeo PC; Orrick Herrington & Sutcliffe, LLP; Ruskin Moscov Faltischek PC; and Squire Sanders (US), LLP; and

WHEREAS, The proposals were reviewed by an evaluation committee comprised of members from the Department of Law and the Department of Finance, and there was a short list comprised of the top four firms who were interviewed via teleconference and Best and Final pricing was requested and received; and

WHEREAS, Based upon the written proposal evaluations, the interviews and follow-up cost proposal submitted, and compatibility of judgment, the County Attorney has determined that Harris Beach, PLLC is the firm which would offer the best value to the County; and recommends that the County enter into a contract with Harris Beach, PLLC for bond counsel services; and

WHEREAS, The Director of Purchasing and the Commissioner of Finance request that the Legislature approve an agreement with Harris Beach, PLLC, 455 Hamilton Avenue, Suite 1206, White Plains, New York 10601, for bond counsel services under RFP-RC-2012-030, in an amount not to exceed \$120,000 for the period from contract finalization to December 31, 2013, with the option to renew for four (4) additional one year terms; and

WHEREAS, Services of bond counsel are necessary to the Department of Finance and the Department of Law for the issuance of bonds for the financing of capital improvements; and

WHEREAS, With the exception of Revenue Anticipation Notes and Tax Anticipation Notes, the funds required for this agreement are incidental to the cost of the capital investment financed by the bond and require no additional increase in the 2013 Budget of the Department of Finance; and

WHEREAS, Sufficient funds exist in the 2013 Adopted Budget of the Department of Finance and the 2013 Adopted Capital Budget; 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 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 entering into an agreement with Harris Beach, PLLC, 455 Hamilton Avenue, Suite 1206, White Plains, New York 10601, for bond counsel services under RFP-RC-2012-030, in an amount not to exceed \$120,000 for the period from contract finalization to December 31, 2013, with the option to renew for four (4) additional one year terms; and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funds exist in the 2013 Adopted Budget of the Department of Finance and the 2013 Adopted Capital Budget.

**RESOLUTION NO. 177 OF 2013
WAIVE THE RULES OF THE LEGISLATURE
TO CONSIDER PROPOSED RESOLUTION
AS AN IMMEDIATE ATTENTION**

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

RESOLVED, that the Rules of the Legislature be waived to consider Resolution No.'s 178, 179 and 180 of 2013, as an immediate attention.

Debate:

Mr. Meyers

Please explain.

Mr. McKay, Legal Counsel

There is no requirement there be in a change in circumstances or that there is some new information. There is a provision that says that when a resolution is pending in a committee and has not been passed forward to the Legislature there is a procedure under our Rules that allows the Chair of that committee if he finds that there is an immediate need for the matter to go forward. The immediate need that was expressed to me was the fact that if we don't vote on these things Rockland County's public bus service would terminate.

Mr. Meyers

I am satisfied. Thank you.

Introduced by:
Hon. Michael M. Grant, Sponsor
Hon. Ilan S. Schoenberger, Sponsor

Referral No. 8293

**RESOLUTION NO. 178 OF 2013
APPROVING CONTRACT IN EXCESS OF \$100,000
WITH HUDSON TRANSIT CORP.
TO OPERATE THE TRANSPORT OF ROCKLAND (TOR)
ROUTE 93 PARTIAL BUS SERVICE
FOR THE PERIOD FROM APRIL 1, 2013 THROUGH JUNE 30, 2013
WITH ONE ADDITIONAL OPTION FOR A THREE MONTH EXTENSION
FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$74,021.73
(NO COUNTY TAX DOLLARS) AND AUTHORIZING ITS
EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF PUBLIC TRANSPORTATION]
(\$74,021.73)**

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

WHEREAS, As required by the Federal Transit Administration, the County of Rockland competitively bid the contract for the operation of its Transport of Rockland (TOR) bus service, which bid is currently the subject of litigation, therefore, the Department of Public Transportation is requesting that the County enter into an agreement in the interim with Hudson Transit Corp. for the period from April 1, 2013 through June 30, 2013, with one (1) additional option for a three (3) month extension; and

WHEREAS, The County Executive and the Legislature of Rockland County have been advised by the Department of Public Transportation that, in order to provide continued Transport of Rockland (TOR) Route 93 Partial bus service, it is necessary for the County to enter into an agreement with Hudson Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for the period April 1, 2013 through June 30, 2013 at a rate of \$24,673.91 per month for a three month total of \$74,021.73, with one (1) additional option for a three (3) month extension with a maximum contract amount not to exceed \$74,021.73; and

WHEREAS, Funds for this agreement are provided by the Metropolitan Transportation Authority (MTA) local discretionary funds, the Federal Transit Administration (FTA), and the State of New York, and exist in Account E5800 of the Department of Public Transportation; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County tax dollars; 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;" now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves the contract in excess of \$100,000 with Hudson Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for operation of the Transport of Rockland (TOR) Route 93 Partial bus service, for the period April 1, 2013 through June 30, 2013 at a rate of \$24,673.91 per month for a three month total of \$74,021.73, with one (1) additional option for a three (3) month extension with a maximum contract amount not to exceed \$74,021.73, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funds for this agreement are provided by MTA, FTA and the State of New York, and exist in Account E5800 of the Department of Public Transportation, and the agreement will require the expenditure of no County tax dollars.

Debate:**Mr. Wolfe**

This was on for the last committee meeting and it was pulled, because of a feeling amongst many of us that by continually giving extensions on these contracts we were essentially enabling the administration and giving them no incentive to end what I perceive was a practice of trying to get around this Legislature's determination that we wanted to move forward with a different vendor. There were conversations that were had with Sean Mathews, counsel and others and I made my position clear that I was not going to support an extension without some sort of a commitment from the County Executive to withdraw the appeals that are now pending.

I want to explain very briefly my vote tonight. I had a conversation with the County Executive shortly before the meeting tonight. I have a better understanding of the legal implications of withdrawing the appeals. He essentially gave his assurance that if the decision on the first appeal, which is pending now and a decision is expected shortly, upholds the bid process that the County engaged in then he would commit to moving forward with the new contract to Brega. It is not as simple as just withdrawing the appeals. There may be some additional resolution that we may have to pass in order to comply with Federal requirements.

I am prepared to support these resolutions tonight. I am going to hold the County Executive to his word that he gave to me tonight where he said that he would commit to bringing finality to this process and will agree to be bound by whatever is the decision of the Appellate Court. I had preferred to have that in writing from him, but he declined. I have to go on some measure of faith tonight. So I will be supporting these resolutions tonight. Thank you.

Mr. Meyers

We can't allow interruptions in the bus service. I think that what Legislator Wolfe accomplished with the County Executive was very useful and worthwhile and helps alleviate some of the concerns that the Legislators had. I think that is a useful thing and a great way to proceed. It is much better than playing chicken with the residents of Rockland County who need and use the bus service. I clearly applaud that, thank you.

Mr. Schoenberger

First, this issue revolves around the award of a contract for transportation services to a low bidder. Back in September of last year this Legislature passed a resolution awarding that bid to the lowest responsible bidder. For various reasons the County Executive vetoed that resolution and this Legislature in October overrode that veto. The Charter provides that when the veto is overridden it becomes the law of the County and the resolution is adopted. Thereafter, the County Executive accepted a protest from a second low bidder and based upon his acceptance of the protest determined that he would not go forward with the contract. The low bidder went to court and a Supreme Court Judge ordered the County Executive and the administration to proceed with the contract in Mandamus in Article 78 proceeding. Mandamus directs the County Executive and County Attorney to prepare the contract and to go forward with it. The County Executive chose to file an appeal from that order, which stays the order. The Legislature passed a resolution basically voicing their belief that the matter should not be appealed and that brings us to what happened in the Planning and Public Works Committee two weeks ago, which I Chair.

There were resolutions on to extend the contracts for the providers of bus services for what was three months with funding of six months. By passing resolutions for funding for six months, the money is appropriated and the County Executive then can extend it on his own for an addition three months for a total of six months. At that meeting a number of Legislators were upset that the award was not going forward and the appeal was going forward, and that the contract was being extended and the low bidder was not being awarded the contract particularly in view of our State law and Charter and the Order of a Supreme Court Judge. There was discussion and it was decided over the next two weeks the leadership should meet with the County Executive and attempt to resolve this issue. There was a meeting last Wednesday, which I was unable to attend, but I believe Legislators Wolfe, Grant, Hood and Chair Cornell attended. There was a meeting today with the County Executive that Legislator Wolfe, Chair Cornell and I attended. What was decided and agreed upon was that we would continue the contract for the existing bus service for three more months. If it needs to be continued again the County Executive would have to come back to us again.

In the opinion of the County Attorney, the appeal on one of the earlier orders of Judge Nicolai would most likely be resolved within three months. Then we would have a clearer picture of where we are and what was happening with these bids. The discussion today revolved around what would happen if the Appellate Division decided this way or that way and what the County's options would be.

I am going to vote for this tonight even though I am as concerned as many of the other Legislators about our processes, our Charter, our State law and the Judges' decision and that our legal process when we override a veto and becomes the law of the County and must be obeyed has been infringed upon by the administration. I am going to vote for this tonight, because the people who ride our buses are the innocent victims in this entire process and divergence of opinion between the County Executive's branch of government and the Legislative branch of government. They are innocent victims in the court case and the court decisions. The people who ride our buses are generally people who cannot afford a car, because if they could afford a car then they wouldn't be taking our buses. The students who take the bus to college are also innocent, and the workers who can't afford cars and take the bus. The harm that would befall them and the places they work and college is too great a potential harm to push this County equivalent of a transportation cliff similar to the Federal governments fiscal cliff. In the interest of those innocent people who will be adversely harmed if we did not extend this contract I am going to vote to extend it for three more months. I am glad about the compromise that was reached, which means the administration has to come back to us if they want to extend it again. I think what we are doing is responsible by keeping the buses running for three more months.

We all know this process cannot go on. It has already gone on for two or more years and it has to be brought to a conclusion. The conclusion that I recommended and the Legislature voted for was to award the contract to the lowest responsible bidder and that is what we did. I believe at the end of the process that is where it will end. Thank you.

Mr. Day

I wasn't part of the committee process when this first occurred. I certainly understand the frustrations that I read about and heard about from my colleagues. I appreciate the support they gave us, myself and Legislator Sparaco, when we brought the issue of discontinuing the funding of outside counsel. I think we all felt collectively that the Legislature was in the right and the continued expenditure of taxpayer money was not appropriate and there was a need for finality of this whole matter. Then it was a debate two branches of government as to whose function it was. It was accurately observed that the ridership of our citizens have been ensnared in this debate. We attempted to bring conclusion before and we are now trying to bring conclusion again mindful of the fact that there are innocent citizens in the middle of it all.

It has been said by the County Attorney that there is a belief it will be less than three months for the conclusion of the appeal. Even though this says three months there is no reason why this couldn't continue for another resolution three months from now. We could be back here having the same conversation where the ridership is again at risk. I would like to offer, because I don't want to be in the same boat again three months hence, a thought of a possible Whereas or Resolved clause that would tie these approvals into there decision-making process of the pending appeals so that it is very clear that if the court decides favorable for our decision and concludes the matter, I think that might be a good idea at this point. I don't want to see a situation where the court essentially finds in support of our position and then we are in the same boat again that they appeal, because we have nothing in writing. Then we end up facing similar resolutions again placed in front of us three months from now. I will offer that to the two sponsors if they are open to putting language in here that would tighten this up a little bit in absence of the written document that Legislator Wolfe was attempting to procure as part of these negotiations.

Mr. Schoenberger

I am not sure by what you meant when you said "court decides favorable for our decision." I am not sure what that means. We are waiting for a decision from the Appellate Division. The Petitioner who is Brega Company and the County who is the Respondent both want the same decision. I am not sure what "favorable for our decision" means, because in this instance I think that the resolution of this would be a favorable decision for both the County and Brega who are apparently the litigants of this, but on the same side at least in requesting the outcome of this decision, which is that the County's specifications when they went out to bid were legal and valid, which Judge Nicolai has ruled should be set aside. And that is what is being appealed.

Mr. Day

Is there a way we can incorporate the findings that we for seek coming in within this resolution or would it not make sense to do it?

Mr. Schoenberger

With all due respect to you, when dealing with the Appellate Division, which is several judges at once, no one ever knows until the Appellate Court makes a decision. They advised us through Mr. Mathews that they believed the decision would be forthcoming very shortly. I accepted that from them, but I have been down this road probably hundreds of times in my legal career and decisions always weren't forthcoming as people had hoped or predicted. So basically what we are doing by these resolutions is buying three more months and hopefully the Appellate Division will come down with a decision and hopefully it will be clear and unambiguous and hopefully it will define obligations for all concerned in the way that this can be resolved. So I don't know exactly what to say to you or what you are asking.

Mr. Day

I am just troubled by the fact that there are assurances being given to us and there is a resistance to put it in writing.

Mr. Schoenberger

I take the County Executive at his word. Now, at the same time I remember voting on an approval of a contract with CSEA and RAM seven to eight months ago where there would be no layoffs or terminations for budgetary reasons. Four weeks later the budget came over and it did have what we felt were layoffs or terminations for budgetary reasons in it. We approved the restored the positions, the County Executive vetoed that and we sat in these chambers on December 18th with people in the audience not knowing if they were going to have their jobs. I take him at his word, but I am also trying to be as cautious as I can.

Chairwoman Cornell

The day after we did not act at the committee meetings I found out today that the Federal Transit Administration called the County Executive and basically warned about loss of federal funds if we don't conclude. So I too take the County Executive at his word. He wants to conclude this and be sure that we don't lose funds. I think we all feel that the busses need to keep running. I think that what is here is a safeguard. We are not extending it beyond the three months and if something happens we will deal with it at that point.

Mr. Day

I am just concerned. I will reluctantly support this solely because of that particular issue of our residents, which I know a number of my colleagues feel the same way. I will take a leap of faith with everybody else on this.

Mr. Grant

Urgency is a great conversation starter. The urgency that was created by the timing of the resolutions being brought to the Legislature, and that would be all three of these resolutions, which total about \$3,700,000. The urgency created an opportunity for conversation and I think it was two very good conversations. We met first with Deputy County Executive Mathews who is actually serving as Acting County Executive during the week following the committee meetings while the County Executive was away. Also there was Tom Simeiti from the County Attorney's office, and Ron Levine and Sue Sarah. We talked in detail about our positions, our legal positions, our ideas and opinions about the process, where they were in agreement, where they were in conflict and tried to sort out a path toward resolution. This is a very serious matter. The loss of public transportation on these three contracts would be a disaster. We had a very productive conversation, but the County Executive was away and he is the final authority on the position that his administration takes and we had to wait for him to return to the County and we had that conversation again today. Chairwoman Cornell, as the leader for the Legislature, Mr. Schoenberger, as Chair of Planning and Public Works Committee, myself as Chair of Budget and Finance Committee and Vice Chair Wolfe had an opportunity to find a path toward resolution.

There are two court cases that are focal points of this issue. One is a decision in 2012 that is being appealed by the County and is integral in getting this resolved. If the appeals court were to uphold the original decision I think we would be in the position where we would be starting over. The County Executive has a legal strategy that he has asked to retain the opportunity to appeal the second decision of Judge Nicolai that compelled him to sign the contract just because it has consequences for the interim period. While we haven't resolved all of the issues I do take the County Executive at his word. I think Chairwoman Cornell's comments about the Federal Transit Administration being focused on this issue, the desire to make sure that public transportation is continued and in the final analysis have the new contracts put in place that would extend over five year period in an amount of over \$70,000,000 is why it is important that we take this interim step now to secure that for the future. I am prepared to vote yes to extend these contracts.

Chairwoman Cornell

Just a word about transit, because I serve on the Governor's Mass Transit Task Force and over the next years we are really going to be talking more about getting people out of their cars and into transit. This is very important both for the environment and for the fact that many young people want to use transit. I think we need to understand that what we have here right now in the County of Rockland is part of what is going to be a much wider set of options for people, but transit is very important for us and to think of as a way for all of us to get out of our cars and to use mass transit as we move along.

Introduced by:
Hon. Michael M. Grant, Sponsor
Hon. Ilan S. Schoenberger, Sponsor

Referral No. 8293

**RESOLUTION NO. 179 OF 2013
APPROVING CONTRACT IN EXCESS OF \$100,000
WITH HUDSON TRANSIT CORP.
TO OPERATE THE TAPPAN ZEEXPRESS BUS SERVICE
FOR THE PERIOD FROM APRIL 1, 2013 THROUGH JUNE 30, 2013
WITH ONE ADDITIONAL OPTION FOR A THREE MONTH EXTENSION
FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$842,904.68
(NO COUNTY TAX DOLLARS) AND AUTHORIZING ITS
EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF PUBLIC TRANSPORTATION]
(\$842,904.68)**

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

WHEREAS, As required by the Federal Transit Administration, the County of Rockland competitively bid the contract for the operation of its TAPPAN ZEEXPRESS (TZX) bus service, which bid is currently the subject of litigation, therefore, the Department of Public Transportation is requesting that the County enter into an agreement in the interim with Hudson Transit Corp. for the period from April 1, 2013 through June 30, 2013, with one (1) three (3) month option for extension; and

WHEREAS, The County Executive and the Legislature of Rockland County have been advised by the Department of Public Transportation that, in order to provide continued TAPPAN ZEEXPRESS (TZX) bus service it is necessary for the County to enter into an agreement with Hudson Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for the period April 1, 2013 through June 30, 2013 at a rate of \$280,968.28 per month for a three month total of \$842,904.84, with one (1) three (3) month option for extension with a maximum contract amount not to exceed \$842,904.68; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County tax dollars; and

WHEREAS, Funds for this agreement are provided by the Metropolitan Transportation Authority (MTA) local discretionary funds, the Federal Transit Administration (FTA), and the State of New York, and exist in Account E5410 of the Department of Public Transportation; 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," now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves the contract in excess of \$100,000 for operation of the TAPPAN ZEEXPRESS (TZX) bus service with Hudson Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for the period April 1, 2013 through June 30, 2013 at a rate of \$280,968.28 per month for a three month total of \$842,904.84, with one additional (1) three (3) month option for extension with a maximum contract amount for the next three months of \$842,904.68 and authorizes its execution by the County Executive, subject to the approval of the County Attorney, and be it further

RESOLVED, That the agreement will require the expenditure of no County tax dollars; and be it further

RESOLVED, That sufficient funds for this agreement are provided by MTA, FTA and the State of New York, and exist in Account E5410 of the Department of Public Transportation.

Introduced by:
Hon. Michael M. Grant, Sponsor
Hon. Ilan S. Schoenberger, Sponsor

Referral No. 2825

**RESOLUTION NO. 180 OF 2013
APPROVING CONTRACT IN EXCESS OF \$100,000
WITH ROCKLAND TRANSIT CORP.
TO OPERATE THE TRANSPORT OF ROCKLAND (TOR)
BUS SERVICE ROUTES 59, 91, 92, 93, 94, 95, 97, LOOP 1, 2 AND 3
FOR THE PERIOD FROM APRIL 1, 2013 THROUGH JUNE 30, 2013
WITH ONE ADDITIONAL OPTION FOR A THREE MONTH EXTENSION
FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$2,853,153.48
(NO COUNTY TAX DOLLARS) AND AUTHORIZING ITS
EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF PUBLIC TRANSPORTATION]
(\$2,853,153.48)**

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

WHEREAS, As required by the Federal Transit Administration, the County of Rockland competitively bid the contract for the operation of its Transport of Rockland (TOR) bus service, which bid is currently the subject of litigation, therefore, the Department of Public Transportation is requesting that the County enter into an agreement in the interim with Rockland Transit Corp. for the period from April 1, 2013 through June 30, 2013, with one (1) option for a three (3) month extension; and

WHEREAS, The County Executive and the Legislature of Rockland County have been advised by the Department of Public Transportation that, in order to provide continued Transport of Rockland (TOR) bus service, Routes 59, 91, 92, 93, 94, 95, 97, Loop 1, 2 and 3, it is necessary for the County to enter into an agreement with Rockland Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for the period April 1, 2013 through June 30, 2013 at a rate of \$951,051.16 per month for a three month total of \$2,853,153.48, with one (1) additional option for a three (3) month extension with a maximum contract amount not to exceed \$2,853,153.48; and

WHEREAS, Funds for this agreement are provided by Metropolitan Transportation Authority (MTA) local discretionary funds, the Federal Transit Administration (FTA), and the State of New York, and exist in Account E5800 of the Department of Public Transportation; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County tax dollars; 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"; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves the contract in excess of \$100,000 with Rockland Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for operation of the TRANSPORT OF ROCKLAND (TOR) bus service, Routes 59, 91, 92, 93, 94, 95, 97, Loop 1, 2 and 3, for the period April 1, 2013 through June 30, 2013 at a rate of \$951,051.16 per month for a three month total of \$2,853,153.48, with one (1) additional option for a three (3) month extension with a maximum contract amount not to exceed \$2,853,153.48, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funds for this agreement are provided by MTA, FTA and the State of New York, and exist in Account E5800 of the Department of Public Transportation, and the agreement will require the expenditure of no County tax dollars.

Introduced by:

Referral No. 8142

Hon. John A. Murphy, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Philip Soskin, Co-Sponsor
Hon. Jay Hood, Jr., Co-Sponsor
Hon. Toney L. Earl, Co-Sponsor
Hon. Aney Paul, Co-Sponsor
Hon. Joseph L. Meyers, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Ilan S. Schoenberger, Co-Sponsor
Hon. Michael M. Grant, Co-Sponsor
Hon. Edwin J. Day, Co-Sponsor
Hon. Patrick J. Moroney, Co-Sponsor
Hon. Alden H. Wolfe, Co-Sponsor

**RESOLUTION NO. 181 OF 2013
CONVEYING THE ROCKLAND COUNTY LEGISLATURE'S INTENT TO
EXPRESS CONDOLENCES TO, AND SUPPORT FOR, THE FAMILY
OF PAULA BOHOVESKY, WHO WAS BRUTALLY RAPED AND MURDERED
THIRTY THREE YEARS AGO, AS PAULA'S FAMILY ASKS THE
NEW YORK STATE PAROLE BOARD NOT TO RELEASE HER KILLERS**

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

WHEREAS, the Rockland County Legislature wishes to express its continuing condolences to, and support for, the family of Paula Bohovesky, who was brutally raped and murdered thirty three years ago, as Paula's family asks the New York State Parole Board not to release her killers; and

WHEREAS, in 1980, Paula Bohovesky was a talented artist, an aspiring actress and a well-regarded member of the Junior class at Pearl River High School; and

WHEREAS, this young woman, burgeoning with energy and a zest for life, was tragically and senselessly murdered just two blocks from her home; and

WHEREAS, the two young men who committed this heinous crime after a day spent drinking in a local bar received the maximum penalty for murder then allowed in New York State, twenty-five years to life in prison; and

WHEREAS, Paula's family and friends, as well as those living in Rockland County at the time, can still recall the horror of that day; and

WHEREAS, Paula's Mother, Lois Bohovesky, must again relive that day as she fights to keep Paula's killers in jail by asking the Parole Board not to authorize the men's release, a task that she will have to often undertake because State Law allows inmates seeking parole to reapply every two years; and

WHEREAS, by Resolutions No. 336 of 2005, 371 of 2007, 169 of 2009 and 119 of 2011, the Legislature of Rockland County expressed its unanimous support for the family of Paula Bohovesky as the family asked the New York State Parole Board not to release her killers; and

WHEREAS, the murderers of Paula Bohovesky are again eligible for parole and are seeking release from prison; and

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

RESOLVED, that the Rockland County Legislature wishes to express its continuing condolences to, and support for the family of Paula Bohovesky, who was brutally raped and murdered thirty three years ago, as Paula's Family asks the New York State Parole Board not to release her killers; 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 Ms. Lois Bohovesky; Hon. Andrew Cuomo, Governor of the State of New York, Barbara Tobin for the State of New York Division of Parole and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

The original 10 B 2, Referral No. 6644 - Approving An Amendment To Section 349-10 Of Article II Of Chapter 349 Of The Laws Of Rockland County Restricting Smoking On County Facilities [Department Of Health], which was moved by Mr. Soskin and Seconded by Mr. Schoenberger and Mr. Wolfe and passed by a vote of 15 ayes, 1 nay and 1 absent. This resolution was rescinded.

The vote to rescind/revoke 10 B 2, Referral No. 6644 - Approving An Amendment To Section 349-10 Of Article II Of Chapter 349 Of The Laws Of Rockland County Restricting Smoking On County Facilities [Department Of Health], was moved by Mr. Wolfe and seconded by Mr. Meyers and passed unanimously.

The resolution was rescinded/revoked and a vote was taken on an amended resolution.

Mr. Meyers made a motion to amend the resolution for the Whereas Clause and the Resolved Clause to read "indoor" instead of "outdoor", "RESOLVED, That the Legislature of Rockland County approves an amendment to §349-10 of Article II of Chapter 349 of the Laws of Rockland County to insert after the phrase "in any indoor area" the phrase "within twenty-five (25) feet from the entryways and exits" of county facilities so that the section shall now read "[t] he smoking or carrying of a lighted cigar, cigarette, pipe or any other form of smoking object or device in any indoor area and within twenty-five (25) feet from the entryways and exits of county facilities owned or operated by the County of Rockland is prohibited except for existing designated employee or patient common smoking areas" and to modify the caption of Article II of Chapter 349 to read "Smoking in and around County Facilities", subject to the approval of the County Attorney", which was accepted by Mr. Wolfe.

AMENDED
Referral No. 6644

Introduced by:
Hon. Philip Soskin, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Aney Paul, Sponsor
Hon. Joseph L. Meyers, Sponsor
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 182 OF 2013
APPROVING AN AMENDMENT TO SECTION 349-10 OF ARTICLE II
OF CHAPTER 349 OF THE LAWS OF ROCKLAND COUNTY
RESTRICTING SMOKING ON COUNTY FACILITIES
[DEPARTMENT OF HEALTH]**

Mr. Meyers offered the following amended resolution, which was seconded by Mr. Wolfe and adopted:

WHEREAS, By Local Law No. 2 of 1988 as amended by Local Law No. 6 of 1997, the County Executive and the Legislature of Rockland County approved the Smoke-Free Air Act of Rockland County (the "Act") under Chapter 349 of the Laws of Rockland County; and

WHEREAS, The purpose of the Act was to limit the exposure of the public to tobacco smoke and accommodate the personal preferences of county residents and, at the same time, to support the health, safety and welfare of the general public; and

WHEREAS, By Resolution No. 295 of 1994, the Legislature of Rockland County approved a proposal by the County Executive to prohibit smoking in all county facilities, excepting designated employee and patient common smoking areas in order to protect the health of county employees, patients and the public which is set forth in Article II of Chapter 349 of the Laws of Rockland County; and

WHEREAS, The Acting Commissioner of Health recommends that the County Executive and the Legislature of Rockland County approve an amendment to Section 349-10 of Article II of Chapter 349 of the Laws of Rockland County to insert after the phrase "in any indoor area" the phrase "and within twenty-five (25) feet from the entryways and exits" so that the section shall now read "[t] he smoking or carrying of a lighted cigar, cigarette, pipe or any other form of smoking object or device in any indoor area and within twenty-five (25) feet from the entryways and exits of county facilities owned or operated by the County of Rockland is prohibited except for existing designated employee or patient common smoking areas"; and

WHEREAS, all signs posted should reflect this change in the law; and

WHEREAS, The amendment of Section 349-10 of Article II of Chapter 349 of the Laws of Rockland County for this purpose will promote a healthy, comfortable and productive work environment for our employees; 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; now therefore be it

RESOLVED, That the Legislature of Rockland County approves an amendment to §349-10 of Article II of Chapter 349 of the Laws of Rockland County to insert after the phrase "in any indoor area" the phrase "within twenty-five (25) feet from the entryways and exits" of county facilities so that the section shall now read "[t] he smoking or carrying of a lighted cigar, cigarette, pipe or any other form of smoking object or device in any indoor area and within twenty-five (25) feet from the entryways and exits of county facilities owned or operated by the County of Rockland is prohibited except for existing designated employee or patient common smoking areas" and to modify the caption of Article II of Chapter 349 to read "Smoking in and around County Facilities", subject to the approval of the County Attorney; and be it further

RESOLVED, that all signs posted should reflect this change in the law.

The vote resulted as follows:

Ayes:	15	(Legislators Carey, Day, Earl, Grant, Hood, Jr., Meyers, Moroney, Murphy, Paul, Schoenberger, Soskin, Sparaco, Wieder, Wolfe, Cornell)
Nay:	01	(Legislator Jobson)
Absent:	01	(Legislator Low-Hogan)



Introduced by:

Referral No. 9492

Hon. Ilan S. Schoenberger, Sponsor
Hon. Alden H. Wolfe, Co-Sponsor
Hon. Michael M. Grant, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Aney Paul, Co-Sponsor

**RESOLUTION NO. 183 OF 2013
URGING THE NEW YORK STATE GOVERNOR AND LEGISLATURE
TO PROMULGATE RULES AND REGULATIONS REQUIRING LOCAL
APPROVAL FOR THE SITING OF A CASINO SHOULD THE NEW YORK STATE
CONSTITUTION BE AMENDED TO AUTHORIZE CASINOS IN NEW YORK**

Mr. Schoenberger offered the following resolution, which was seconded by Mr. Day, Mr. Earl, Mr. Hood, Jr., Mr. Meyers, Mrs. Paul, Mr. Soskin, Mr. Wieder and Mr. Wolfe and unanimously adopted:

WHEREAS, the State Legislature is considering an amendment to the New York State constitution to authorize up to seven Atlantic City style casinos to be built throughout the state; and

WHEREAS, to amend the state constitution, legislation must pass two consecutive legislative sessions and then a statewide referendum; and

WHEREAS, legislation was passed in 2012, and will likely be considered again shortly. If passed this year, a statewide referendum question will likely occur in November 2013; and

WHEREAS, while there are arguments for and against the issue of expanding casino gaming in New York, the process around casino development must include a provision for controlling local approval; and

WHEREAS, the state should require a local legislative body and local referendum prior to the siting of a commercial casino. New Yorkers should be trusted with a say on what happens in their communities, especially on something as impactful as casino development; and

WHEREAS, casinos bring enormous changes to the fabric of a community. Many environmental, transportation and social implications are involved when siting a casino, as well as the impact on small businesses; and

WHEREAS, some of the simplest government operations require authorization or input from a local government. The construction and operation of a casino is a far more significant undertaking than other projects requiring local approval; and

WHEREAS, before a casino is sited, a community should know exactly how they stand to benefit from hosting a casino and what are the potential downsides, and local communities must have an opportunity and mechanism to weigh in on issues related to a proposed casino; 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 Rockland County Legislature hereby strongly urges the New York State Governor and Legislature to promulgate rules and regulations requiring local approval for the siting of a casino should the New York state constitution be amended to authorize casinos in New York; 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, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. James G. Skoufis, 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.

Introduced by:

Referral No. 9487

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

RESOLUTION NO. 184 OF 2013
REQUESTING THAT THE NEW YORK STATE SENATE PASS BILL S.1344 –
AN ACT TO AMEND THE TRANSPORTATION LAW IN RELATION TO
THE POWERS OF GAS AND ELECTRIC CORPORATIONS

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

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

WHEREAS, The Legislature of Rockland County wishes to express its support for New York Senate Bill S.1344, a bill that will prevent gas and electric companies from expanding transmission lines or electric generating facilities for lines and facilities originating outside of New York; and

WHEREAS, The power of eminent domain should be used to achieve public purposes that inure to the benefit of the State of New York; and

WHEREAS, Transmission and generation projects that originate outside the territorial limits of the United States do not sufficiently benefit the State of New York and do not sufficiently encourage employment opportunities or economic development within the State; and

WHEREAS, Such projects will (a) discourage re-powering of existing generating facilities within the State; (b) discourage the rebuilding of existing transmission lines in the State; and (c) discourage the building of new transmission and generating lines, including renewable resources, within the State; and

WHEREAS, Construction of and development of new and already existing facilities and infrastructure in New York State, rather than outside the Country, maximizes employment and economic development in New York State and our nation; and

WHEREAS, By importing power from outside the United States, our nation's dependency on foreign imports of energy is increased, and

WHEREAS, Senate Bill S.1344 would provide that:

electric corporations that seek, through themselves or through one or more affiliated interests, to build or expand transmission lines connecting a location outside the territorial limits of the United States to a location within the State of New York, or

electric corporations seeking to build or expand an electric facility outside the United States and inter-connecting to a location within the State of New York

shall not be afforded the power of eminent domain; and

WHEREAS, The Environmental 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 the New York State Senate pass Bill S.1344 – an Act to amend the Transportation Law in relation to the powers of gas and electric corporations that will prevent gas and electric companies from expanding transmission lines or electric generating facilities for lines and facilities originating outside of New York, that the New York State Assembly introduce and pass such legislation, and that the Governor of New York sign such legislation; and be it further

RESOLVED, that the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. James G. Skoufis, and 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:	15	(Legislators Carey, Day, Earl, Hood, Jr., Jobson, Meyers, Moroney, Murphy, Paul, Schoenberger, Soskin, Sparaco, Wieder, Wolfe, Cornell)
Abstain:	01	(Legislator Grant, employed by utility company)
Absent:	01	(Legislator Low-Hogan)

Introduced by:

Referral No. 4374

Hon. Alden H. Wolfe, Sponsor
 Hon. Nancy Low-Hogan, Co-Sponsor
 Hon. Harriet D. Cornell, Co-Sponsor
 Hon. Toney L. Earl, Co-Sponsor
 Hon. Aron B. Wieder, Co-Sponsor
 Hon. Christopher J. Carey, Co-Sponsor
 Hon. Michael M. Grant, Co-Sponsor
 Hon. Douglas J. Jobson, Co-Sponsor
 Hon. Joseph L. Meyers, Co-Sponsor
 Hon. Ilan S. Schoenberger, Co-Sponsor
 Hon. Philip Soskin, Co-Sponsor

**RESOLUTION NO. 185 OF 2013
 REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL A.1297
 AND THE NEW YORK STATE SENATE PASS BILL S.1995 –
 AN ACT ENACTING THE “ROCKLAND BERGEN BI-STATE WATERSHED
 FLOOD PREVENTION AND PROTECTION ACT” AND CREATING
 THE ROCKLAND BERGEN BI-STATE RIVER COMMISSION**

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

WHEREAS, the Legislature of Rockland County wishes to express its support for New York State Assembly Bill A.1297 and New York State Senate Bill S. 1995 – an Act enacting The “Rockland Bergen Bi-State Watershed Flood Prevention And Protection Act” and creating the Rockland Bergen Bi-State River Commission; and

WHEREAS, the Legislature finds and declares that the States of New York and New Jersey and their respective citizens share a common concern to protect their personal safety and property through the identification and remediation of potential flood hazards along the Hackensack River, Sparkill Brook/Creek, Saddle River, Ramapo/Mahwah River, and their tributaries and watersheds; and

WHEREAS, because the Hackensack River, Sparkill Brook/Creek, Saddle River, Ramapo/Mahwah River, and their tributaries cross the interstate border region, the identification and remediation of potential flood hazards require a bi-state comprehensive approach; and

WHEREAS, a bi-state comprehensive flood prevention approach will also help ensure the preservation and maintenance of the environmental benefits of the Hackensack River, Sparkill Brook/Creek, Saddle River, Ramapo/Mahwah River, and their tributaries; and

WHEREAS, a bi-state approach will encourage open space preservation and recreational opportunities along the Hackensack River, Sparkill Brook/Creek, Saddle River, Ramapo/Mahwah River, and their tributaries; and

WHEREAS, there has been a long history of cooperation among state and local governmental entities and various private organizations and individuals in the vicinity of the Hackensack River, Sparkill Brook/Creek, Saddle River, Ramapo/Mahwah River, and their tributaries to ensure the preservation of those water bodies and watersheds; and

WHEREAS, the Legislature therefore determines that there is a need to endorse and formalize that bi-state cooperative effort to identify and remediate potential flood hazards and to protect the natural, scenic and recreational opportunities of the Hackensack River, Sparkill Brook/Creek, Saddle River, Ramapo/Mahwah River and their tributaries; and that the creation of a bi-state commission is an appropriate means to accomplish these very important goals; and

WHEREAS, Bill A.1297 and S.1995 create an 18-member bi-state commission, to be known as the Rockland-Bergen Bi-State River Commission, the purpose of which would be to provide a means to effectively facilitate the cooperation of the governments of the States of New York and New Jersey to help ensure that the natural, scenic, and recreational resources of the Hackensack River, Sparkill Brook/Creek, Saddle River, Ramapo/Mahwah River, their tributaries and watersheds are protected from despoliation due to environmental and other threats from both sides of the border, so that the pristine beauty of the area will be preserved and maintained for the enjoyment and recreation of present and future generations, and to ensure the safety of the surrounding communities from flood hazards; and

WHEREAS the State of New Jersey has already enacted similar legislation creating the Rockland Bergen Bi-State River Commission, but the same measure has languished in Albany. The legislation was originally introduced in the 2009/2010 legislative session, but the bills failed to make it out of committee; it was re-introduced in both January of 2011 and 2012, but each time failed to make it out of committee. The legislation was now re-introduced on January 9, 2013; and

WHEREAS, the Environmental 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 the New York State Assembly pass New York State Assembly Bill A.1297 and the New York State Senate pass Bill S.1995 – an Act enacting the “Rockland Bergen Bi-State Watershed Flood Prevention And Protection Act” and creating the Rockland Bergen Bi-State River Commission, and that the Governor of New York sign such legislation; and be it further

RESOLVED, that the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. James G. Skoufis, and 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.

Introduced by:

Referral No. 0770

Hon. Alden H. Wolfe, Sponsor
Hon. Harriet D. Cornell, Co-Sponsor
Hon. Toney L. Earl, Co-Sponsor
Hon. Aron B. Wieder, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Ilan S. Schoenberger, Co-Sponsor
Hon. Philip Soskin, Co-Sponsor

**RESOLUTION NO. 186 OF 2013
URGING THE UNITED STATES HOUSE OF REPRESENTATIVES TO
PASS H.R. 712 - TO EXTEND THE AUTHORIZATION OF THE HIGHLANDS
CONSERVATION ACT THROUGH FISCAL YEAR 2024**

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

WHEREAS, The Highlands Conservation Act of 2004 recognized the four-state Highlands (CT, NJ, NY, PA) as a region of national importance. It authorized up to \$100 million in land acquisition funding, and \$10 million in technical assistance funding over 10 years; and

WHEREAS, the purpose of the Highlands Conservation Act was:

- 1) to recognize the importance of the water, forest, agricultural, wildlife, recreational, and cultural resources of the Highlands region, and the national significance of the Highlands region to the United States;
- 2) to preserve and protect high priority conservation land in the Highlands by authorizing the Secretary of the Interior to work in partnership with the Secretary of Agriculture to provide financial assistance to the Highlands States;
- 3) to continue ongoing Forest Service programs to assist the Highlands States in the conservation of land and natural resources in the Highlands region;

and

WHEREAS; the funding contained in the Highlands Conservation Act of 2004 expires in 2014; and

WHEREAS, H.R. 712 would extend the funding until the year 2024; and

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

RESOLVED, that the Legislature of Rockland County hereby urges the United States House of Representatives to pass H.R. 712 to extend the authorization of the Highlands Conservation Act through fiscal year 2024; 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 Hon. Barack H. Obama, President of the United States; Hon. Charles E. Schumer and Hon. Kirsten E. Gillibrand, United States Senators; Hon. Nita Lowey, Member of the United States Congress; the President Pro Tem of the United States Senate; the Speaker of the United States House of Representatives; the Majority and Minority Leaders of the United States Senate and House of Representatives; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Introduced by:

Referral No. 4124

Hon. Harriet D. Cornell, Sponsor
Hon. Toney L. Earl, Co-Sponsor
Hon. Aron B. Wieder, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Ilan S. Schoenberger, Co-Sponsor
Hon. Philip Soskin, Co-Sponsor

**RESOLUTION NO. 187 OF 2013
SETTING A DATE FOR A PUBLIC HEARING:
A LOCAL LAW PROHIBITING THE TREATMENT OF HYDROFRACKING
WASTEWATER IN ANY WASTEWATER TREATMENT PLANT IN
ROCKLAND COUNTY AND THE USE OF HYDROFRACKING BRINE TO
TREAT ROADS IN ROCKLAND COUNTY**

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

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

RESOLVED, that this Legislature hereby sets the 4th day of June, 2013, at 7:05 P.M. for a public hearing to provide for a local law prohibiting the treatment of hydrofracking wastewater in any wastewater treatment plant in Rockland County and the use of hydrofracking brine to treat roads in Rockland County.

Debate:

Mr. Day

Just for the record, I will support setting a date for the public hearing, but I reserve my right to vote either way when that time comes.

Mr. Schoenberger

The name of the Local Law needs to be corrected to read Rockland County.

**RESOLUTION NO. 188 OF 2013
RECEIVE AND FILE 2012 ANNUAL REPORT
OFFICE OF THE ROCKLAND COUNTY CLERK**

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

RESOLVED, that the Year 2012 Annual Report of the Office of the Rockland County Clerk be and it is hereby received and filed.

Comments by Legislators:

Chairwoman Harriet D. Cornell

There was one important statement that I forgot to make when I was talking about the cancer study. People can be between the ages of thirty to sixty-five, but could not have had cancer other than basal or squamous cell cancers.

Legislator Patrick J. Moroney

I want to inform my colleagues of the untimely passing of Mrs. Sheila Burke. She had the distinction of being on the Board of Trustees at Rockland Community College and a Professor of Nursing. It is a sad day for all of us.

Legislator Toney L. Earl

I will read a letter that I received from Constance Frazier:

“I wanted to thank you for arranging and setting up our visit to the Rockland County Jail last Thursday, March 21st. The visit was enlightening, educational and very humbling. I don't think I will ever forget the experience. Sheriff Falco does well, however, he really needs to have all of the Legislators see what you and I saw so that they have a comprehensive understanding of what they are voting on and how the funds will be used as the jail. Thanks a million, talk to you soon.”

The Sheriff gave us a tour of the jail. It was very enlightening. I left with a promise that I would come back to the Legislators who have not been to visited and tell them to go and experience it for themselves. So, there it is.

Chairwoman Cornell

Thank you for sharing that with the Legislators. I do know that most departments are very pleased to be able to talk to Legislators about what they do and show them much of the work.

**ADJOURNMENT IN MEMORY OF
SHEILA BURKE**

Mr. Moroney offered the following memorial, which was seconded by Mr. Murphy and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Sheila Burke.

**ADJOURNMENT IN MEMORY OF
JOHN 'SEAN' O'GRADY**

Mr. Moroney offered the following memorial, which was seconded by Mr. Murphy and Mr. Schoenberger and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of John 'Sean' O'Grady.

**ADJOURNMENT IN MEMORY OF
MARGARET COBB**

Mr. Schoenberger 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 Margaret Cobb.

**ADJOURNMENT IN MEMORY OF
KIERAN JOSEPH HANRAHAN**

Mr. Murphy offered the following memorial, which was seconded by Mr. Moroney and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Kieran Joseph Hanrahan.

**ADJOURNMENT IN MEMORY OF
MARILYN HIGGINS**

Mr. Murphy offered the following memorial, which was seconded by Mr. Moroney and unanimously approved:

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

**ADJOURNMENT IN MEMORY OF
MARY ELLEN JOYCE**

Mr. Murphy offered the following memorial, which was seconded by Mr. Moroney and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Mary Ellen Joyce.

**ADJOURNMENT IN MEMORY OF
DANIEL CALLANAN**

Mr. Murphy offered the following memorial, which was seconded by Mr. Moroney and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Daniel Callanan.

**ADJOURNMENT IN MEMORY OF
BARBARA J. KALIN**

Mr. Murphy offered the following memorial, which was seconded by Mr. Moroney and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Barbara J. Kalin.

**ADJOURNMENT IN MEMORY OF
REVEREND JAMES J. WILLIAMS**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Reverend James J. Williams.

**ADJOURNMENT IN MEMORY OF
DANIEL P. HEENAN**

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 Daniel P. Heenan.

**ADJOURNMENT IN MEMORY OF
ANTOINETTE DENONNO**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Antoinette Denonno.

**ADJOURNMENT IN MEMORY OF
GERALD GLUCK**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Gerald Gluck.

**ADJOURNMENT IN MEMORY OF
LOUIS JOSEPH PESTONE**

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 Louis Joseph Pestone.

**ADJOURNMENT IN MEMORY OF
FRANCIS KEENAN**

Mr. Moroney offered the following memorial, which was seconded by Mr. Murphy and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Francis Keenan.

**ADJOURNMENT IN MEMORY OF
JAMES FITZMAURICE**

Mr. Moroney offered the following memorial, which was seconded by Mr. Murphy and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of James Fitzmaurice.

**RESOLUTION NO. 189 OF 2013
ADJOURNMENT**

Mr. Murphy offered the following resolution, which was seconded by Mr. Sparaco and unanimously adopted (8:16 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Tuesday, April 16, 2013 at 7:00 p.m.

Respectfully Submitted,

DARCY SHAPIN - GREENBERG
Proceedings Clerk