

NOTICE OF MEETING

Notice is hereby given that the Legislature of Rockland County will meet in its Chambers in the Allison-Parris Office Building, New City, New York on Tuesday, November 19, 2013 at 7:00 P.M., pursuant to the adjournment of the November 6, 2013 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 14th day of November 2013

The Legislature of Rockland County convened in regular session pursuant to adjournment of the November 6, 2013 meeting.

A Roll Call being taken (7:13 p.m.), the following Legislators were present and answered to their names:

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

Late: Legislator Frank P. Sparaco (7:21 p.m.)
Absent: Legislator John A. Murphy

Eileen and Kristen Warbick led in the Salute to the Flag and delivered the invocation.
Sang *God Bless America*.

PUBLIC NOTICE

NOTICE is hereby given that a public hearing will be held by the Legislature of Rockland County at its Legislative Chambers, 11 New Hempstead Road, New City, Rockland County, New York on the **2nd day of July, 2013, at 7:05 p.m.**, prevailing time, to consider the adoption of a budget for Rockland Community College for the fiscal year beginning September 1, 2013 and ending August 31, 2014, including the budget for the Retired Senior Volunteer Program for the year beginning September 1, 2013 and ending August 31, 2014.

FURTHER NOTICE is hereby given that copies of said proposed budget are available at the Office of the Clerk to the Legislature of Rockland County at New City, New York, where it may be inspected and procured by any interested person during business hours.

By order of the Legislature of Rockland County.

Dated: New City, New York
June 13, 2013

LAURENCE O. TOOLE
Clerk to the Legislature
County of Rockland
11 New Hempstead Road
New City, New York 10956

Legislator Frank P. Sparaco arrived at 7:21 p.m.

The Vice Chairman opened the public hearing at 7:17 and the following persons spoke:

- ❖ Jim Flynn, concerns
- ❖ Tom Ninan, President CSEA Unit 8350, Save jobs

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

**RESOLUTION NO. 590 OF 2013
CLOSE PUBLIC HEARING**

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

RESOLVED, that the public hearing be and it is hereby closed (7:25 p.m.).

PUBLIC NOTICE

NOTICE is hereby given that a public hearing will be held by the Legislature of Rockland County at its Legislative Chambers, 11 New Hempstead Road, New City, Rockland County, New York, on the **19th day of November, 2013, at 7:10 P.M.**, prevailing time, to consider adoption of a local law overriding tax levy limit for fiscal year 2014 in the county of Rockland.

Dated: New City, New York
November 7, 2013

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

The Vice Chairman opened the public hearing at 7:26 and the following persons spoke:

- ❖ Ruth Ivey, Opposition to override and budget

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

**RESOLUTION NO. 591 OF 2013
CLOSE PUBLIC HEARING**

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

RESOLVED, that the public hearing be and it is hereby closed (7:32 p.m.).

PUBLIC NOTICE

NOTICE is hereby given that a public hearing will be held by the Legislature of Rockland County at its Legislative Chambers, 11 New Hempstead Road, New City, Rockland County, New York, on the **19th day of November, 2013, at 7:15 P.M.**, prevailing time, to consider adoption of a local law amending Local Law 10 of 2012, A Local Law creating a Rockland County Deficit Reduction Act (RCDRA).

Dated: New City, New York
November 7, 2013

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

The Vice Chairman opened the public hearing at 7:32 and the following persons spoke:

- ❖ Ruth Ivey, Opposed
- ❖ Jim Flynn, concerns

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

**RESOLUTION NO. 592 OF 2013
CLOSE PUBLIC HEARING**

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

RESOLVED, that the public hearing be and it is hereby closed (7:42 p.m.).

The Chairwoman opened the public participation portion of the meeting at 7:43 p.m. and the following persons appeared and spoke:

- ❖ Roy Tschudy, In favor of flood remediation in Suffern, New York
- ❖ Timothy Englin, Need better Tourism Department for economic drive in Rockland County
- ❖ Jim Giannettino, In favor of flood remediation in Suffern, New York

Public Participation ended at 7:49 p.m.

Comments from the Chairwoman:

Honorable Harriet D. Cornell

Once again I will congratulate our County Executive Elect Ed Day. We are happy that you are here and we hope you had a great vacation. We are all looking forward to working with you Ed. Thank you for being here. Congratulations again.

Legislator Edwin J. Day

For the record, so am I.

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. Nancy Low-Hogan, Sponsor

**RESOLUTION NO. 593 OF 2013
 APPROVING AGREEMENT WITH IBI GROUP FOR
 CONSULTING SERVICES FOR THE DEVELOPMENT OF AN
 INTELLIGENT TRANSPORTATION SYSTEM DEPLOYMENT PLAN
 FOR THE ROCKLAND COUNTY DEPARTMENT OF
 PUBLIC TRANSPORTATION UNDER RFP-FTA-RC-2012-022
 FROM FINAL CONTRACT EXECUTION FOR A PERIOD OF ONE YEAR
 FOR A TOTAL AMOUNT NOT TO EXCEED \$165,869
 WITH FOUR (4) ADDITIONAL ONE (1) YEAR OPTIONS
 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE AGREEMENT
 (DEPARTMENT OF PUBLIC TRANSPORTATION)
 (\$165,869)**

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

WHEREAS, The Director of Purchasing advertised for proposals for consulting services for the Development of an Intelligent Transportation System Deployment Plan for the Rockland County Department of Public Transportation under RFP-FTA- RC-2012-022 (the "RFP"); and

WHEREAS, Two hundred nine (209) firms were notified of the RFP through the County's electronic bid notification system, fifty-two (52) firms downloaded the specifications and two responses were received, Kimley Horn and IBI Group; and

WHEREAS, To comply with the Federal Transit Administration ("FTA") grant requirements, the consultant must conduct a thorough systems engineering analysis and submit finalized Phase 1 reports updated on an annual basis; and

WHEREAS The required ongoing annual reports shall be negotiated based on the hourly rates provided in the solicitation and the contract shall be amended in the future as necessary; and

WHEREAS, Based upon the evaluation committees review the entity rated number one after the evaluation process was IBI Group, 115 Broad Street, 5th Floor, Boston, Massachusetts, 02110; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that they approve an agreement with IBI Group, 115 Broad Street, 5th Floor, Boston, Massachusetts, 02110, for a period of one year from final contract execution in an amount not to exceed \$165,869, with four (4) additional one (1) year options; and

WHEREAS, Sufficient funding is available in Capital Project 019260; 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 agreement with IBI Group, 115 Broad Street, 5th Floor, Boston, MA 02110, for consulting services for the Development of an Intelligent Transportation System Deployment Plan for the Rockland County Department of Public Transportation under RFP-FTA-RC-2012-022, for a period of one year from final contract execution in an amount not to exceed \$165,869, with four (4) additional one (1) year options and hereby authorizes the County Executive to execute the agreement subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding is available in Capital Project 019260.

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

**RESOLUTION NO. 594 OF 2013
 APPROVING THE PURCHASE IN EXCESS OF \$100,000
 FROM BETTER POWER INC.
 OF A GENERAC MOBILE POWER 45KW GENERATOR
 UNDER NEW YORK STATE OFFICE OF
 GENERAL SERVICES CONTRACT NO. PC62003
 IN AN AMOUNT NOT TO EXCEED \$29,533
 AND FOR A TOTAL AMOUNT NOT TO EXCEED \$108,852
 WHICH PURCHASE IS TO BE MADE BY FORMAL PURCHASE ORDER
 [DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING]
 (\$108,852)**

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

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the purchase in excess of \$100,000 from Better Power Inc., 2140 West Henrietta Road, Rochester, New York 14623, of a Generac Mobile Power 45Kw Generator under New York State Office of General Services (NYS OGS) Contract No. PC62003 in an amount not to exceed \$29,533 and for a total amount not to exceed \$108,852; and

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

WHEREAS, A purchase order in the amount of \$79,319 previously was issued in 2013 for the purchase of a Generac Mobile Power 175Kw Generator under NYS OGS Contract No. PC62003; and

WHEREAS, The additional generator is needed to replace aging generators that are used by the Office of Fire and Emergency Services; and

WHEREAS, Homeland Security Grant funds will be used to pay for this purchase; and

WHEREAS, The purchase shall be made by formal purchase order; and

WHEREAS, Sufficient funding for this purchase exists in the 2013 Budget of the Rockland County Sheriff's Office in Account No. GS27-E5060; and

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

WHEREAS, The 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 purchase in excess of \$100,000 from Better Power Inc., 2140 West Henrietta Road, Rochester, New York 14623, of a Generac Mobile Power 45Kw Generator under New York State Office of General Services Contract No. PC62003 in an amount not to exceed \$29,533 and for a total amount not to exceed \$108,852, which purchase shall be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for this purchase exists in the 2013 Budget of the Rockland County Sheriff's Office in Account No. GS27-E5060.



Introduced by:

Referral No. 6306

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. 595 OF 2013
AUTHORIZING AND DIRECTING THE
CLERK TO THE LEGISLATURE TO ADVERTISE FOR BIDS
FOR THE CONSTRUCTION OF BUILDING L
EMERGENCY GENERATOR INSTALLATION
CAPITAL PROJECT No. 2078
[DEPARTMENT OF GENERAL SERVICES – FACILITIES MANAGEMENT]**

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

WHEREAS, By Resolutions No. 42 of 2003, 59 of 2011 and 297 of 2013, the Legislature of Rockland County authorized capital project funds for the construction of Building L Emergency Generator Installation under Capital Project No. 2078; and

WHEREAS, Plans and specifications for the construction of Building L Emergency Generator Installation has been prepared by the Jan Degenshein Architect Planners, P.C.; and

WHEREAS, The Commissioner of General Services and the Director of Facilities Management recommend to the County Executive and the Legislature of Rockland County that the Clerk to the Legislature be authorized and directed to advertise for bids for the construction of Building L Emergency Generator Installation; and

WHEREAS, Capital Project No. 2078 has been authorized in the 2013 Adopted Capital Budget for Building L Improvements; 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 authorizes and directs the Clerk to the Legislature to advertise for bids for the construction of Building L Emergency Generator Installation, subject to the approval of the County Attorney; and be it further

RESOLVED, Capital Project No. 2078 has been authorized in the 2013 Adopted Capital Budget for Building L Improvements.

Introduced by:

Referral No. 1319

Hon. Ilan S. Schoenberger, Sponsor
Hon. Alden H. Wolfe, 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. Aron B. Wieder, Sponsor

**RESOLUTION NO. 596 OF 2013
APPROVING AMENDMENT OF AGREEMENT IN EXCESS OF \$100,000
WITH BERGMANN ASSOCIATES IN AN ADDITIONAL AMOUNT OF
\$224,700 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$544,700
TO UPDATE THE LOCAL SANITARY SEWER AND ADDITIONAL WORK TO
ACCOMMODATE WATER COMPANY FACILITIES FOR THE PASCACK BROOK
CULVERT FLOOD MITIGATION PROJECT
FROM AUGUST 1, 2011 THROUGH DECEMBER 31, 2013 AND AUTHORIZING ITS
EXECUTION BY THE COUNTY EXECUTIVE CAPITAL PROJECT ACCOUNT NO. 7001
[DEPARTMENT OF HIGHWAYS/DRAINAGE AGENCY]
(\$544,700)**

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

WHEREAS, On July 15, 2011, the County of Rockland executed a professional services contract with Bergmann Associates, for revisions to bid documents to combine Phases II and IV of the Union Road Pascack Brook Culver Project, Village of Spring Valley, in the amount of \$98,000 for the term August 1, 2011 through August 1, 2012; and

WHEREAS, By Resolution 516 of 2012, the Legislature of Rockland County approved an additional amount of \$222,000 for a total contract sum not to exceed \$320,000 for the period from August 2, 2012 through December 31, 2012; and

WHEREAS, Bergmann Associates, 200 First Federal Plaza, 28 East Main Street, Rochester, New York 14614, performed the engineering design work for the above project; and

WHEREAS, During design work, Rockland County Sewer District No. 1, requested upgrades to the local sanitary sewer system, which were incorporated into the contract; and

WHEREAS, The Chairman of Drainage Agency recommends that the County Executive and the Rockland County Legislature approve this amendment to the contract in excess of \$100,000 with Bergmann Associates, 200 First Federal Plaza, 28 East Main Street, Rochester, NY 14614 to increase the contract for an additional amount of \$224,700 from \$320,000 to \$544,700 for engineering design work for the period from August 1, 2011 through December 31, 2013; and

WHEREAS, Sufficient funding for this contract amendment exists in Capital Project No. 7001; 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 hereby approves the amendment to the contract in excess of \$100,000 with Bergmann Associates, 200 First Federal Plaza, 28 East Main Street, Rochester, NY 14614 increasing the contract for an additional amount of \$224,700 from \$320,000 to \$544,700 for engineering design work for the period from August 1, 2011 through December 31, 2013 and authorizing its execution by the County Executive, subject to the approval of the County Attorney, and be it further,

RESOLVED, Sufficient funding for this contract amendment exists in Capital Project No. 7001.

Introduced by:

Referral No. 1319

- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Alden H. Wolfe, 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. Aron B. Wieder, Sponsor

**RESOLUTION NO. 597 OF 2013
 AUTHORIZING THE ACQUISITION OF
 FOUR PERMANENT EASEMENTS FOR THE
 PASCACK BROOK BYPASS CULVERT PROJECT
 VILLAGE OF SPRING VALLEY
 CAPITAL PROJECT NO. 7113
 [DRAINAGE AGENCY]**

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

WHEREAS, The County has undertaken the Pascack Brook Bypass Culvert Project for which four easements are required to accommodate permanent sanitary sewer or storm drainage structures which will be placed within the easements under Capital Project No. 7113; and

WHEREAS, Three easements are necessary for the relocation of the County sanitary sewer in Union Road and King Terrace and one is necessary for the construction of an intake structure for the culvert at Francis Place; and

WHEREAS, The name of the property owners, and the nature of the property interests to be acquired to accomplish the project, are as follows:

<u>Map/ Parcel</u>	<u>Type of Acquisition</u>	<u>Size</u>	<u>Owner</u>
1. M70/P1	Permanent Easement	629 SF	Mark and Ellen Garcia
2. M69/P1	Permanent Easement	1245 SF	Chaskel Scharf
3. M74/P1	Permanent Easement	146 SF	King Terrace Estates, LLC
4. M75/P1	Permanent easement	70 SF	Mendel Bineth and Chedvah Bineth

WHEREAS, In accordance with the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 and the New York Eminent Domain Procedure Law (EDPL), all property interests to be acquired must be appraised and just compensation established based upon the highest approved appraisal; and

WHEREAS, The appraisals and review appraisals for the property interests to be acquired have or are in the process of being prepared by Beckman Appraisal, Inc., Tappan, New York; and

WHEREAS, The appraisals are reviewed to determine the amount of just compensation to be paid to the property owners for each parcel; and

WHEREAS, Funding for the payment of just compensation is contained in Capital Account No. 7113; and

WHEREAS, The Superintendent of Highways recommends that the Legislature of Rockland County authorize the acquisition of the necessary real property interests for the proposed public project, the Pascack Brook Bypass Culvert Project, located in the Village of Spring Valley; 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 authorizes the acquisition of the real property interests indicated below, for the Pascack Brook Bypass Culvert Project located in the Village of Spring Valley;

<u>Map/ Parcel</u>	<u>Type of Acquisition</u>	<u>Size</u>	<u>Owner</u>
1. M70/P1	Permanent Easement	629 SF	Mark and Ellen Garcia
2. M69/P1	Permanent Easement	1245 SF	Chaskel Scharf
3. M74/P1	Permanent Easement	146 SF	King Terrace Estates, LLC
4. M75/P1	Permanent easement	70 SF	Mendel Bineth and Chedvah Bineth

and be it further

RESOLVED, That the Legislature of Rockland County authorizes the written offers of just compensation to be sent to the property owners in the amount of one hundred (100%) percent of the highest approved appraisal for the real property interests indicated above, and authorizes the County Executive or his designee to perform all tasks necessary to complete the transactions for the acquisition of such real property interests with said property owners; and be it further

RESOLVED, That in the event that the written offers of just compensation are rejected in whole or in the part, by any or all property owners the County Attorney is hereby authorized to commence any and all proceedings required under the EDPL and related laws to obtain the required acquisitions and conclude the project; and be it further

RESOLVED, That sufficient funding for these acquisitions exists in Capital Project No. 7113.

Introduced by:

Referral No. 5906

- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Alden H. Wolfe, 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. 598 OF 2013
 APPROVING ADDITIONAL PURCHASES IN EXCESS OF \$100,000
 FROM H. KREVIT & CO., INC.
 FOR THE PURCHASE AND DELIVERY OF SODIUM HYPOCHLORITE
 TO THE ROCKLAND COUNTY SEWER DISTRICT NO. 1
 UNDER RFB-RC-2011-030 IN THE ADDITIONAL AMOUNT OF \$88,200
 FOR THE SECOND YEAR OPTION TERM
 FROM MAY 31, 2013 THROUGH MAY 30, 2014
 AND IN A TOTAL AMOUNT NOT TO EXCEED \$255,173.32
 FOR THE FULL PERIOD FROM MAY 31, 2011 THROUGH MAY 30, 2014
 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
 [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
 (\$255,173.32)**

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

WHEREAS, By Resolution No. 157 of 2012, the Legislature of Rockland County approved the purchases and deliveries in excess of \$100,000 from H. Krevit & Co., Inc., 67 Welton Street, New Haven, CT 06534, of Sodium Hypochlorite on an as needed basis to the Rockland County Sewer District No. 1 under RFB-RC-2011-030 in the amount of \$103,320 for the period from May 31, 2012 through May 30, 2013 and in a total amount not to exceed \$166,973.32 for the full period from May 31, 2011 through May 30, 2013, with three (3) remaining one (1) year option terms; and

WHEREAS, After completing a market analysis of this product, the County negotiated a reduced per gallon rate from \$0.82 to \$0.735 per gallon for the second year option term, resulting in a estimated savings to the County in the amount of \$10,200; and

WHEREAS, To date, \$159,900 has been spent under the RFB, and based upon an average annual usage of 120,000 gallons at \$0.735 per gallon, it is anticipated that an additional \$88,200 will be expended during the second year option term; and

WHEREAS, The Director of Purchasing therefore recommends to the County Executive and the Legislature of Rockland County that the County approve the additional purchases in excess of \$100,000 from Krevit for the purchase and delivery of Sodium Hypochlorite on an as needed basis to the Rockland County Sewer District No. 1 under the RFB in the additional amount of \$88,200 for the second year option term from May 30, 2013 through May 31, 2014, and in a total amount not to exceed \$255,173.32 for the full period from May 31, 2011 through May 30, 2014, with two (2) remaining one (1) year options; 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 Rockland County Sewer District No. 1 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 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 additional purchases in excess of \$100,000 from H. Krevit & Co., Inc., 67 Welton Street, New Haven, CT 06534, for the purchase and delivery of Sodium Hypochlorite on an as needed basis to the Rockland County Sewer District No. 1 under RFB-RC-2011-030 in the additional amount of \$88,200 during the second year option term from May 30, 2013 through May 31, 2014, and in a total amount not to exceed \$255,173.32 for the full period from May 31, 2011 through May 30, 2014, with two (2) remaining one (1) year options, 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 Rockland County Sewer District No. 1 and is contingent upon 2014 budget appropriations.

Introduced by:

Referral No. 8593

Hon. Ilan S. Schoenberger, Sponsor
Hon. Alden H. Wolfe, 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. 599 OF 2013
RATIFYING AN AGREEMENT IN EXCESS OF \$100,000
WITH COLONIAL ENERGY INC.
FOR THE SUPPLY OF NATURAL GAS (INTERRUPTIBLE ACCOUNTS)
FOR THE COUNTY OF ROCKLAND IN THE AMOUNT OF \$520,000
AND ROCKLAND COMMUNITY COLLEGE IN THE AMOUNT OF \$320,000
FOR A TOTAL AMOUNT NOT TO EXCEED \$840,000
FOR THE PERIOD FROM NOVEMBER 1, 2013 THROUGH OCTOBER 31, 2015
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$840,000)**

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

WHEREAS, By Resolution 579 of 2009, the Legislature of Rockland County amended the County's Procurement Policy and added § 140-15 entitled Energy Advisory Group to the Laws of Rockland County, creating the Energy Advisory Group, which consists of the Commissioner of Finance, the Director of Purchasing and the Executive Director of the Rockland County Sewer District No. 1, and permitting the Energy Advisory Group to, among other things, develop and review energy related bids, act as the County's agent in awarding said bids and forward information regarding such awards to the Legislature of Rockland County for ratification; and

WHEREAS, The Director of Purchasing requested bids for the supply of natural gas (Interruptible Accounts) under RFB-RC-2013-087 (the "RFB") for the County of Rockland and Rockland Community College (RCC) and notified over thirty (30) natural gas marketers of the RFB; and

WHEREAS, There is currently no contract in place from the Municipal Electric and Gas Alliance (MEGA), a cooperative of local governments, for the Rockland County and Orange County service area; and

WHEREAS, Three (3) bids were received in response to the RFB; and

WHEREAS, The Director of Purchasing and the County's energy consultant Energy Enterprises, Inc. analyzed the three (3) proposals and determined that it would be in the best interests of the County to award the contract to Colonial Energy Inc. ("Colonial"), 3975 Fair Ridge Drive, Fairfax, VA 22033, for a period of two (2) years; and

WHEREAS, The pricing received on behalf of Colonial for Method #4 (i.e., indexed based pricing with trigger option and 100% swing – two year term) requires the marketer to deliver natural gas on a firm full plant requirement but allows the County to lock in pricing for future months at any time, meaning the marketer must supply the County's usage needs at the bid price; and

WHEREAS, Based upon the current bid price from Colonial, the energy consultant recommended that the County lock in the low rate of \$.167 for a two-year period; and

WHEREAS, The County's five-year average price has been over \$1.50, the 2012-2013 price was \$0.743 and Colonial's current bid pricing is lower than the previous twelve (12) month contract (i.e., \$0.167 versus \$0.743), which will result in an estimated savings of \$47,364 or 18.24% if usage remains the same; and

WHEREAS, In accordance with § 140-15, the Director of Purchasing submitted the energy consultant's analysis to the members of the Energy Advisory Group for review and approval; and

WHEREAS, The members of the Energy Advisory Group agreed with the energy consultant's analysis and recommendation and awarded the bid to Colonial for a period of two (2) years; and

WHEREAS, The Director of Purchasing has issued a blanket purchase order to Colonial; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that they ratify the agreement in excess of \$100,000 with Colonial for the supply of natural gas (Interruptible Accounts) under the RFB for the County in the amount of \$520,000 and for RCC in the amount of \$320,000, for a total amount not to exceed \$840,00 for the period from November 1, 2013 through October 31, 2015; and

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

WHEREAS, Sufficient funding for these purchases is provided for in the 2013 Budget of the Department of General Services and is contingent upon 2014 and 2015 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 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 ratifies the County's agreement in excess of \$100,000 with Colonial Energy, Inc., 3975 Fair Ridge Drive, Fairfax, VA 22033, for the supply of natural gas (Interruptible Accounts) under RFB-RC-2013-087 for the County of Rockland in the amount of \$520,000 and Rockland Community College in the amount of \$320,000 for a total amount not to exceed \$840,000 for the period from November 1, 2013 through October 31, 2015, 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 the 2013 Budget of the Department of General Services and is contingent upon 2014 and 2015 budget appropriations.

Introduced by:

Referral No. 6795

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. 600 OF 2013
 APPROVING THE PURCHASES OF SERVICES IN EXCESS OF \$100,000
 FROM KEN'S TREE CARE, INC. FOR TREE CUTTING AND REMOVAL SERVICES
 ON AN AS NEEDED BASIS FOR VARIOUS DEPARTMENTS INCLUDING
 THE DEPARTMENT OF GENERAL SERVICES – FACILITIES MANAGEMENT,
 THE ROCKLAND COUNTY DRAINAGE AGENCY AND THE
 DIVISION OF ENVIRONMENTAL RESOURCES
 UNDER RFB-RC-2013-079
 IN AN AMOUNT NOT TO EXCEED \$195,208
 FOR THE PERIOD FROM SEPTEMBER 13, 2013 THROUGH SEPTEMBER 12, 2014
 WITH FOUR (4) ADDITIONAL ONE (1) YEAR OPTION TERMS
 [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
 (\$195,208)**

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

WHEREAS, The Director of Purchasing advertised for bids for tree cutting and removal services on an as needed basis for various Departments including the Department of General Services - Facilities Management ("Facilities"), the Rockland County Drainage Agency (RCDA) and the Division of Environmental Resources (DER) under RFB-RC-2013-079 (the "RFB") for one (1) year with four (4) additional one (1) year option terms; and

WHEREAS, Over ninety-five (95) firms were notified of the RFB, twenty-five (25) firms downloaded the solicitation and three (3) bids along with one (1) no bid response were received; and

WHEREAS, The Director of Purchasing determined that Ken's Tree Care, Inc., 401 Paulding Avenue, Northvale, New Jersey 07647, was the lowest responsive, responsible bidder; and

WHEREAS, The Director of Purchasing therefore recommends to the County Executive and the Legislature of Rockland County that the County approve the purchases of services in excess of \$100,000 from Ken's Tree Care, Inc. for tree cutting and removal services on an as needed basis for various Departments including Facilities, RCDA and DER under the RFB in the amount of \$195,208 for the period from September 13, 2013 through September 12, 2014, with four (4) additional one (1) year option terms; and

WHEREAS, The \$195,208 requested is based upon past expenditures for these services; and

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

WHEREAS, Sufficient funding for these purchases is provided for in the 2013 Budget of the Department of General Services - Facilities Management, the Rockland County Drainage Agency and the Division of Environmental Resources 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 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 of services in excess of \$100,000 from Ken's Tree Care, Inc., 401 Paulding Avenue, Northvale, New Jersey 07647, for tree cutting and removal services on an as needed basis for various Departments including the Department of General Services - Facilities Management, the Rockland County Drainage Agency and the Division of Environmental Resources under RFB-RC-2013-079 in an amount not to exceed \$195,208 for the period from September 13, 2013 through September 12, 2014, with four (4) additional one (1) year option terms, and authorizes all purchase to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2013 Budget of the Department of General Services - Facilities Management, the Rockland County Drainage Agency and the Division of Environmental Resources and is contingent upon 2014 budget appropriations.

Introduced by:

Referral No. 6803

- 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. 601 OF 2013
 APPROVING ADDITIONAL PURCHASES IN EXCESS OF \$100,000
 FROM TILCON NEW YORK INC.
 FOR SUBBASE MATERIAL, CRUSHED STONE, GRAVEL, SAND
 AND STONE FOR BANK AND CHANNEL PROTECTION
 FOR USE BY THE HIGHWAY DEPARTMENT
 AND THE ROCKLAND COUNTY DRAINAGE AGENCY
 UNDER RFB-RC-2012-065
 IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$100,000
 DURING THE OPTION TERM FROM
 SEPTEMBER 20, 2013 THROUGH SEPTEMBER 19, 2014
 AND FOR A TOTAL AMOUNT NOT TO EXCEED \$500,000
 FOR THE FULL PERIOD FROM
 SEPTEMBER 20, 2012 THROUGH SEPTEMBER 19, 2014
 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
 [DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING]
 (\$500,000)**

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

WHEREAS, By Resolution No. 60 of 2013, the Legislature of Rockland County approved the purchases in excess of \$100,000 from Tilcon New York Inc., 162 Old Mill Road, West Nyack, NY 10994, for subbase material for use by the Highway Department and the Rockland County Drainage Agency (RCDA) under RFB-RC-2012-065 in an amount not to exceed \$400,000 for the period from September 20, 2012 through September 19, 2013, with the option to renew for one (1) additional one (1) year term; and

WHEREAS, Tilcon has agreed to extend current pricing during the one (1) year option term; and

WHEREAS, To date, \$310,000 has been encumbered under this contract, and it is anticipated that an additional \$190,000 is required; and

WHEREAS, The Director of Purchasing therefore recommends to the County Executive and the Legislature of Rockland County that they approve the purchases in excess of \$100,000 from Tilcon under the RFB for subbase material, crushed stone, gravel, sand and stone for bank and channel protection for use by the Highway Department and the RCDA under the RFB in an amount not to exceed \$100,000 during the option term from September 20, 2013 through September 19, 2014 and for a total amount not to exceed \$500,000 during the full period from September 20, 2012 through September 19, 2014; and

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

WHEREAS, Sufficient funding for these purchases is provided for in the 2013 Budget of the Highway 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 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 additional purchases in excess of \$100,000 from Tilcon New York Inc., 162 Old Mill Road, West Nyack, NY 10994, for subbase material, crushed stone, gravel, sand and stone for bank and channel protection for use by the Highway Department and the Rockland County Drainage Agency under RFB-RC-2012-065 in an amount not to exceed \$100,000 during the option term from September 20, 2013 through September 19, 2014 and for a total amount not to exceed \$500,000 during the full period from September 20, 2012 through September 19, 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 purchases is provided for in the 2013 Budget of the Highway Department and is contingent upon 2014 budget appropriations.

Introduced by:

Referral No. 8886

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

**RESOLUTION NO. 602 OF 2013
 APPROVING ACCEPTANCE OF A CONTINUATION GRANT
 IN THE AMOUNT OF \$376,735 (NCTD)
 WITH A POTENTIAL C.O.L.A. AWARD ESTIMATED TO BE \$30,138 (NCTD)
 FOR A TOTAL GRANT AWARD OF \$406,873 (NCTD)
 FROM THE NEW YORK STATE DEPARTMENT OF HEALTH
 FOR ACTIVITIES RELATED TO ADOLESCENT TOBACCO ENFORCEMENT
 FOR THE PERIOD APRIL 1, 2013 THROUGH MARCH 31, 2018
 AND AUTHORIZING THE EXECUTION OF ALL NECESSARY
 GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
 [DEPARTMENT OF HEALTH]
 (\$406,873)**

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

WHEREAS, The Commissioner of Health has advised the County Executive and the Legislature that the Rockland County Health Department has been awarded a continuation grant in the amount of \$376,735 from the New York State Department of Health for activities related to adolescent tobacco enforcement under the Adolescent Tobacco Use Prevention Act (ATUPA) for the period April 1, 2013 through March 31, 2018; and

WHEREAS, This grant award may be followed by a potential Cost of Living Adjustment (COLA) award estimated to be \$30,138, for a total grant award of \$406,873; and

WHEREAS, The program supported by this continuation grant seeks to prevent tobacco access to youth less than 18 years of age; and

WHEREAS, The staff funded by this grant provide county-wide training and education to vendors, and conducts on-site inspections and compliance checks of sellers of tobacco products; and

WHEREAS, \$338,949 of personnel costs connected to total grant award will be covered by salary and fringe appropriated in the 2013 through 2018 adopted budgets of the Department of Health and, therefore, only \$67,924 of total grant award needs to be appropriated by this resolution; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a continuation grant in the amount of \$376,735 with a potential Cost of Living Adjustment (COLA) award estimated to be \$30,138, for a total grant award of \$406,873, from the New York State Department of Health for activities related to adolescent tobacco enforcement under the Adolescent Tobacco Use Prevention Act (ATUPA) for the period April 1, 2013 through March 31, 2018 and authorizes the County Executive to execute all necessary grant documents, subject to the approval of the County Attorney, and be it further

RESOLVED, That \$338,949 of personnel costs connected to this grant will be covered by salary and fringe appropriated in the 2013 through 2018 adopted budgets of the Department of Health and, therefore, only \$67,924 of total grant award needs to be appropriated by this resolution; and be it further

RESOLVED, That no County tax dollars (NCTD) are required to accept said total grant award; 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-DOH-4010	-GH06	-E1170	Summer/Student Employment	25,355
		-E1930	Social Security	1,940
		-E1980	MTA Mobility Tax	87
		-E5060	Program Costs	40,542

Increase Est. Rev. Acct. (Debit):

A-DOH-4010	-GH06	-R3409	ATUPA Grant	67,924
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Introduced by:

Referral No. 9340

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

**RESOLUTION NO. 603 OF 2013
ACCEPTANCE OF A CONTINUATION GRANT IN THE AMOUNT OF \$78,919
WITH A POTENTIAL C.O.L.A. AWARD ESTIMATED TO BE \$6,314
FOR A TOTAL GRANT AWARD OF \$85,233
FROM THE NEW YORK STATE DEPARTMENT OF HEALTH
FOR THE HEALTHY NEIGHBORHOODS PROGRAM
FOR THE PERIOD OCTOBER 1, 2013 THROUGH MARCH 31, 2014
WITH A LOCAL SHARE OF \$5,000 ASSOCIATED WITH THIS GRANT AND
\$1,408 OF ESTIMATED EMPLOYEE HEALTH INSURANCE REIMBURSEMENT,
MAKING TOTAL APPROPRIATIONS NEEDED
FOR THIS PROGRAM FOR SAID PERIOD \$91,641
AND AUTHORIZING EXECUTION OF THE NECESSARY
GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
[DEPARTMENT OF HEALTH]
(\$91,641)**

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

WHEREAS, The Commissioner of Health has advised the County Executive and the Legislature of Rockland County that the New York State Department of Health has awarded a \$78,919 continuation grant for the Healthy Neighborhoods Program to reduce tobacco use, asthma hospitalization, home fire deaths, contaminants that affect indoor air quality and childhood lead poisoning, for the period October 1, 2013 through March 31, 2014; and

WHEREAS, This grant award may be followed by a potential Cost of Living Adjustment (COLA) award that is estimated to be \$6,314, for a total grant award of \$85,233; and

WHEREAS, There is a local share of \$5,000 associated with this grant, which will be covered by available matching funds within the Healthy Neighborhoods Program (Dept. 4048); and

WHEREAS, \$1,408 of estimated employee health insurance reimbursement will be appropriated in connection with this grant; and

WHEREAS, Said total grant award, local share, and employee health insurance reimbursement added together equals \$91,641, and it is this amount that needs to be appropriated to the proper accounts; and

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

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a \$78,919 continuation grant and a COLA award that is estimated to be \$6,314, for a total grant award of \$85,233 from the New York State Department of Health for the Healthy Neighborhoods Program, to reduce tobacco use, asthma hospitalization, home fire deaths, contaminants that affect indoor air quality and childhood lead poisoning for the period October 1, 2013 through March 31, 2014, and authorizes execution of the necessary grant documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That there is a local share of \$5,000 associated with this grant, which will be covered by available matching funds within the Healthy Neighborhoods Program (Dept. 4048); and be it further

RESOLVED, That \$1,408 of estimated employee health insurance reimbursement will be appropriated in connection with this grant; and be it further

RESOLVED, That said total grant award, local share, and employee health insurance reimbursement added together equals \$91,641, and it is this amount that needs to be appropriated to the proper accounts; 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-DOH -4048	-E1100	Salaries, Employees	46,901
	-E1110	Overtime	498
	-E1910	Health	17,750
	-E1911	Dental	1,500
	-E1912	Vision	300
	-E1920	Retirement	6,500
	-E1930	Social Security	3,630
	-E1940	Unemployment Insurance	50
	-E1950	Workers' Compensation	278
	-E1980	MTA Mobility Tax	160
	-E3130	Office Supplies	845
	-E3290	Operational Supplies	1,000
	-E4040	Travel	400
	-E4098	Services from Other County Depts	4,615
	-E4140	Conferences & Seminars	550
	-E4600	Telephone	350
	-E5060	Program Costs	<u>6,314</u>
			91,641

GENERAL FUND - 2013 (Cont'd)

Decrease Approp. Acct. (Debit):

A-DOH-4048	-E5390	Local Share Match	5,000
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Increase Est. Rev. Acct. (Debit):

A-DOH-4048	-R1211	Allocation – Employee Health Insurance Reimb.	1,408
A-DOH-4048	-R3489	State Aid - Health	<u>85,233</u>
			86,641

UNEMPLOYMENT FUND - 2013

Increase Approp. Acct. (Credit):

Q -PER -9050	-E8010	Employee Benefits	50
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Increase Est. Rev. Acct. (Debit):

Q -PER -9050	-R2809	Interfund Revenues	50
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and be it further

RESOLVED, That should outside funding be reduced and/or eliminated, any position(s) previously created under this grant shall automatically terminate without further action of this Legislature.

Introduced by:

Referral No. 7342

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

**RESOLUTION NO. 604 OF 2013
 APPROVING LEASE AGREEMENT BETWEEN
 THE COUNTY OF ROCKLAND AND THE HAVERSTRAW MARINA
 FOR RENTAL OF A WINTER SLIP FOR A 28' PATROL VESSEL
 IN THE AMOUNT OF \$546.00 AND AUTHORIZING EXECUTION OF
 THE AGREEMENT BY THE COUNTY EXECUTIVE
 [OFFICE OF THE SHERIFF]
 (\$546.00)**

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

WHEREAS, The County Executive and the Legislature have been advised by the Office of the Sheriff that his department needs to lease office space and a slip for a 28' patrol vessel for the River Patrol for emergency purposes; and

WHEREAS, Haverstraw Marina located at 600 Beach Road, Haverstraw, New York 10993, is the only Marina open in the Winter; and

WHEREAS, The Sheriff recommends entering into a lease agreement for a period of six (6) months from November 13, 2013 through April 15, 2014 for the space at the following rates; and

- (a) Slip rental is for a boat with a length over all (LOA) of 28' x the rate of \$14.00/ft. LOA includes bowsprits, anchor overhangs, swim platforms, davits, out drives, etc. The rate may change upon verification by Haverstraw Marina Corporation of size. The rate does not include vessel's electricity which is billed separately.
- (b) Interest at the rate of 1 ½ % per month will be charged on any past due accounts.

WHEREAS, The Real Property Tax Officer has advised that the rental rate for this lease is reasonable in comparison to market rental rates, and

WHEREAS, Sufficient funds for the lease exist in the 2013 Budget of the Rockland County Sheriff's Department; and

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

RESOLVED, That the Legislature of Rockland County hereby approves a Lease agreement between the County of Rockland and the Haverstraw Marina located at 600 Beach Road, Haverstraw, New York 10993, for rental space a slip for a 30' patrol vessel for the River Patrol for emergency purposes; and be it further

RESOLVED, Sufficient funds for the lease exist in the 2013 Budget of the Rockland County Sheriff's Department; and

Introduced by:

Referral No. 6546

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

**RESOLUTION NO. 605 OF 2013
 ESTABLISHING THREE POSITIONS AND ABOLISHING
 THREE POSITIONS IN CONNECTION
 WITH THE NEW YORK STATE DEPARTMENT
 OF HEALTH IPA (IN PERSON ASSISTOR)/NAVIGATOR GRANT
 (NCTD) ACCEPTED BY RESOLUTION NO. 482 OF 2013
 (DEPARTMENT OF HEALTH)**

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

WHEREAS, By Resolution No. 482 of 2013, the Legislature of Rockland County approved acceptance of a grant from the New York State Department of Health IPA (In Person Assistor)/Navigator to reach uninsured children, adults, and small business employers throughout Rockland County in order to help facilitate enrollment in health insurance for the period August 1, 2013 through September 30, 2014; and

WHEREAS, Resolution No. 482 of 2013 did not include the establishment of three positions, requested by the Commissioner of Health, and such positions are needed to comply with New York State Department of Health requirements; and

WHEREAS, The Department of Personnel has reviewed job descriptions for three positions and has made appropriate civil service classifications; and

WHEREAS, The Commissioner of Health is requesting no additional funds to establish these positions as full funding will be provided by said grant from the New York State Department of Health; 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 following three positions be established in the Department of Health – 4049

<u>Title</u>	<u>Salary</u>	<u>Position #</u>
Public Health Assessment Assistant II (French/Creole Speaking)	SG 15 (\$50,248 - \$60,612)	9116
Senior Public Health Assistant (French/Creole Speaking)	SG 10 (\$39,779 - \$47,814)	9117
Senior Public Health Assistant (Spanish-Speaking)	SG 10 (\$39,779 - \$47,814)	9118

and be it further

RESOLVED, That the titles of Senior Public Health Assistant (French/Creole Speaking) and Senior Public Health Assistant (Spanish-Speaking) be allocated to salary grade 10 (\$39,779 - \$47,814) as provided in the contract between the County of Rockland and the Civil Service Employees' Association, and be it further

RESOLVED, That the following three positions be abolished in the Department of Health-4049

Title	Salary	Position #
Public Health Assessment Assistant I	SG 13 – (\$45,653 - \$55,136)	8086
Senior Public Health Aide	SG 7 – (\$34,491 - \$41,667)	8089
Senior Public Health Aide (LTFT)	SG 7 – (\$34,491 - \$41,667)	8090

RESOLVED, That should outside funding be reduced or eliminated, these positions shall be abolished without further action of this Legislature.

**RESOLUTION NO. 606 OF 2013
WAIVE THE RULES OF THE LEGISLATURE
TO CONSIDER PROPOSED RESOLUTION
UNDER NEW BUSINESS**

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

RESOLVED, that the Rules of the Legislature be waived to consider Item 12 A, Resolution No. 607 of 2013 under New Business.

Debate:

Chairwoman Cornell

I asked to put this on, because we heard the other night that the bus transition has been made and things were going well, but the manner in which the prior vendor/service bus company had been collecting money had been taken with them. Consequently, there was a desperate need for fare boxes that were modern and up to date and I had indicated that I would put this under new business. It is urgent. There is a problem with the drives having no place to put the fares. We heard a rather dramatic story of what was happening. It is an emergency and it is important.

NEW BUSINESS

Referral No. 2994

Introduced by:

Hon. Ilan S. Schoenberger, Sponsor
Hon. Harriet D. Cornell, Sponsor

**RESOLUTION NO. 607 OF 2013
APPROVING PURCHASES IN EXCESS OF \$100,000
FROM GENFARE, A DIVISION OF SPX CORPORATION
TO FURNISH AND INSTALL FAREBOX EQUIPMENT AND SERVICES
FOR THE DEPARTMENT OF PUBLIC TRANSPORTATION
UNDER RFB- FTA-RC-2013-025
IN AN AMOUNT NOT TO EXCEED \$1,310,645
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
WITHIN SIX MONTHS OF CONTRACT FINALIZATION
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$1,310,645)**

Chairwoman Cornell offered the following resolution, which was seconded by Mr. Carey, Mr. Earl, Mr. Jobson, Mr. Meyers, Mrs. Paul, Mr. Soskin and Mr. Sparaco and unanimously adopted:

WHEREAS, The Director of Purchasing advertised for bids to furnish and install farebox equipment for the Department of Public Transportation under RFB-FTA-RC-2013-025 (the "RFB"); and

WHEREAS, Twenty-one (21) firms were notified of the RFB, and two (2) firms responded to it; and

WHEREAS, The two responses received were from Genfare, a Division of SPX Corporation (Genfare) and Fare Logistics. Due to the complexity of the equipment and services offered and the responses received, consultant STV, on behalf of the Department of Public Transportation, reviewed the bid responses; and

WHEREAS, Fare Logistics was determined to be non-responsive as they did not properly complete the pricing pages as provided in the solicitation; and

WHEREAS, Genfare was determined to be responsive and responsible, therefore, a price analysis was completed by consultant Consensus Systems Technologies (ConSysTec) in compliance with Federal Transit Administration (FTA) requirements to determine whether the pricing offered by Genfare was of fair market value; and

WHEREAS, Upon analysis, ConSysTec determined that Genfare, a division of SPX Corporation, 751 Pratt Boulevard, Elk Grove Village, Illinois 60007 offered a fair market value price, therefore, a best and final negotiation was held and Genfare lowered their original bid pricing from \$1,074,427 to \$1,061,627 for a savings of \$12,800; and

WHEREAS, Genfare also included with the initial bid response pricing for additional equipment and services such as Wireless Antennas, Wireless Probing System, Training Farebox, Spare Parts Kits, Ticket Receipt Issuing Machine, Printed Card Media, and a Printing & Encoding Dispenser which were determined to be more cost effective if ordered at the time of farebox manufacture; and

WHEREAS, The Department of Public Transportation has funding available for this additional equipment and services which may be purchased following FTA sole source requirements; and

WHEREAS, A best and final pricing offer for the additional equipment and services was offered at \$552,937; and

WHEREAS, The Department of Public Transportation has elected not to purchase all of the additional equipment and services at this time, therefore, the cost for the selected additional equipment and services is \$249,018; and

WHEREAS, In compliance with FTA requirements, consultant ConSysTec performed a price analysis which confirmed the fair market value of the additional equipment and services offered by Genfare. Thereafter, the Purchasing Division requested further price concessions for a savings of \$67,719 on the additional equipment and services; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the purchases in excess of \$100,000 from Genfare a Division of SPX Corporation, 751 Pratt Boulevard, Elk Grove Village, Illinois 60007 to furnish and install farebox equipment and services under RFB-FTA-RC-2013-025; and

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

WHEREAS, Sufficient funding for this procurement is available in the 2013 Adopted Capital Budget, Capital Project No. 1926 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"; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves purchases in excess of \$100,000 from Genfare, a Division of SPX Corporation, 751 Pratt Boulevard, Elk Grove Village, Illinois 60007 to furnish and install farebox equipment and services under RFB-FTA-RC-2013-025 to be used by the Department of Public Transportation under RFB-FTA-RC-2013-025 and authorizes all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing in an amount not to exceed \$1,310,645; and be it further

RESOLVED, That sufficient funding for this procurement is available in the 2013 Adopted Capital Budget, Capital Project No. 1926 and is contingent upon 2014 budget appropriations.

Debate:

Chairwoman Cornell

I will simply say that the Commissioner of Transportation indicated the other night that he thought with the addition of these appropriate fare boxes he expected that fare collections would increase by 20% to 25%. This will be a valuable purchase for us.

Mr. Meyers

Is this County tax dollars? Are we entitled to reimbursement from the Federal government for these fare boxes?

Mr. Grant

Funding is available in the 2013 adopted capital budget and contingent on the appropriations, of course.

Mr. Schoenberger

My understanding is that this purchase qualifies for Federal and State aid as almost all of our bus system does. I don't believe there are County tax dollars involved. I could be mistaken, but I don't think so. It is important to note that when we had the Planning and Public Works Committee meeting last week the new contractor told us of an incident where one of their drivers was coming back on the route from Suffern to Nyack where the fare is \$2.00 each and when he pulled into the garage at the end of the day he called in to ask someone to help him because he couldn't get out of the seat, because he was literally covered with money that people had paid and he had no place to put it. We are talking about \$7,500 to \$10,000 a day. We do not know why the fare boxes were not ordered, because this has been going on for three years. He projected were we to get these fare boxes he thought there would be as much as 20% increase in revenue, because the cash will be safely stored in boxes.

Our Commissioner of Transportation, Mr. Vanderbeek, was standing at that microphone and said that a he believed the increase in revenue to the County would be 25%. Chair Cornell said that if the resolution were delivered to her before we had this meeting she would put it on as new business, because if we pass this resolution now they could get the fare boxes by the end of the year.

Chairwoman Cornell

They will be built, delivered, installed, programmed and drives trained and in use by the end of the year. No County tax dollars.

Mrs. Yeger, Counsel

All purchases are to be made by formal purchase order within six months of contract finalization. That is presumably why they put into the resolution 2014. If it is done before 2014 then there is no issue.

Mr. Meyers

I just want to be sure that if it is done before 2014 then it is not in the 2014 budget at all. If it isn't done before 2014 that the 2014 budget reflect a revenue item to go along with the cost item.

Chairwoman Cornell

Those are good points.

**ADJOURNMENT IN MEMORY OF
CAROL E. WHITEHEAD**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Carol E. Whitehead.

**ADJOURNMENT IN MEMORY OF
ELIAS NICOLAKIS**

Mr. Jobson 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 Elias Nicolakis.

**ADJOURNMENT IN MEMORY OF
MARGARET MOSHER GURDA HARMAN**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Margaret Mosher Gurda Harman.

**RESOLUTION NO. 608 OF 2013
ADJOURNMENT**

Mr. Jobson offered the following resolution, which was seconded by Mr. Wolfe and adopted (8:07 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Thursday, December 5, 2013 at 6:00 p.m.

Respectfully Submitted,

DARCY SHAPIN - GREENBERG
Proceedings Clerk