

**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, August 7, 2012 at 7:00 P.M., pursuant to the adjournment of the July 10, 2012 meeting.

Very truly yours,

Laurence O. Toole  
Clerk to the Legislature

Dated at New City, New York  
This 2<sup>nd</sup> day of August 2012

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The Legislature of Rockland County convened in regular session pursuant to the adjournment of the July 10, 2012 meeting.

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

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

Late: Joseph L. Meyers (7:03 p.m.)

Absent: Legislator Douglas J. Jobson

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Honorable Philip Soskin, Legislator, District 7 led in the Salute to the Flag and delivered the invocation.

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**RESOLUTION NO. 370 OF 2012**  
**ADOPTION OF MINUTES OF LEGISLATIVE MEETINGS**  
**JUNE 18, 2012 SPECIAL MEETING - FULL LEGISLATURE**  
**JUNE 18, 2012 COMMITTEE OF THE WHOLE**  
**JUNE 19, 2012 SPECIAL MEETING - FULL LEGISLATURE**  
**JUNE 19, 2012 COMMITTEE OF THE WHOLE**  
**JUNE 20, 2012 SPECIAL MEETING - FULL LEGISLATURE**  
**JUNE 20, 2012 COMMITTEE OF THE WHOLE**  
**JUNE 19, 2012 FULL LEGISLATURE**  
**JULY 10, 2012 FULL LEGISLATURE**

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

Resolved, that the transcribed minutes of the Legislative meetings of June 18, 2012 Special Meeting - Full Legislature, June 18, 2012 Committee of the Whole, June 19, 2012 Special Meeting - Full Legislature, June 19, 2012 Committee of the Whole, June 20, 2012 Special Meeting - Full Legislature, June 20, 2012 Committee of the Whole, June 19, 2012 Full Legislature and July 10, 2012 Full Legislature, as recorded by the Clerk and presented to the Legislature, be and they are hereby adopted.

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The Chairwoman opened the public participation portion of the meeting at 7:05 p.m. and the following persons appeared and spoke:

- ❖ Stan Pasco, Pres. United Sportsman Association, Request to commemorate National Hunting & Fishing Day
- ❖ Raymond Smith, Budget concerns
- ❖ Bryan Burrell, In favor of Brega Bus contracts
- ❖ Joe Tarangelo, Questioned new Correction Officers salaries

Public Participation ended at 7:13 p.m.

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**Comments from the Chairwoman:**

Honorable Harriet D. Cornell

*"It struck me, very young, that it was extraordinary that my father could vote and my mother could not. I thought it was an indignity. I couldn't bear the thought that she was denied so basic a right of citizenship."* That quote was stated by Caroline Lexow Babcock who was born in 1882 and lived much of her life in South Nyack. She became a leading suffragist in our County, our State and in the nation.

92 years ago in August of 1920 the Nineteenth Amendment was ratified stating that, "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex." It had been a long, arduous and often bitter 72-year struggle, which enlisted millions of women and men over several generations.

Since 1920 we have witnessed great changes in the issues that have moved to the forefront of America's consciousness, largely because women were given a voice. Work and family issues have become a priority. Childcare has become an indispensable lifeline for working parents. Women's voices are heard on subjects ranging from education, the environment and health care to poverty and national security. And issues once thought of, as "women's issues" are now understood as vital public policies benefiting all.

The right to vote is a precious one, one denied to women in many parts of the world. We should remember what Americans did to gain the vote, and cherish our right to vote - by voting, and ensuring by encouraging people and by ensuring that barriers are not erected to preventing American citizens from voting.

I also wanted to say on another subject that there are probably not many people other than history buffs who know that today, August 7, 2012, is National Lighthouse Day. It was on this day in 1789, that Congress approved an Act for the establishment and support of lighthouses and beacons. Then in 1989 in celebration of the 200<sup>th</sup> anniversary of the signing of the Act Congress passed a resolution designating August 7<sup>th</sup> as National Lighthouse Day.

The special significance for Rockland residents is that the Stony Point Lighthouse, built in 1826, is the oldest lighthouse on the Hudson River and was in operation for 99 years before it was replaced by an automatic beacon. It was decommissioned in 1925, but it now stands as a historical reminder of the importance of lighthouses to commerce on the Hudson River.

It can be visited regularly, but there will be a special lighthouse event on September 9, 2012 from 12:00 noon to 4:00 p.m. to celebrate the history of lighthouses on the Hudson River. Tours of the lighthouse will be given throughout the day and there will be storytelling and music, plus costumed lighthouse keeper to host a tea party for visitors. This is a program sponsored by the Palisades Interstate Park and its conservancy. I thought it was a good opportunity to remind people of the history here in Rockland County.

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UNFINISHED BUSINESS

Referral No. 8737

Introduced by:

Hon. Harriet D. Cornell, Sponsor  
Hon. Alden H. Wolfe, Co-Sponsor

**RESOLUTION NO. 371 OF 2012  
AMENDING RESOLUTION NO. 296 OF 2012 THAT ESTABLISHED A  
STANDARD WORKDAY FOR ELECTED AND APPOINTED OFFICIALS IN  
ROCKLAND COUNTY IN COMPLIANCE WITH THE REGULATIONS OF  
THE NEW YORK STATE RETIREMENT SYSTEM**

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

WHEREAS, by Resolution No. 296 of 2012, the Rockland County Legislature established a standard workday for elected and appointed officials of the Rockland County Legislature in compliance with the New York State Retirement System. Attached to the resolution was a Schedule A that consisted of a chart providing all the required information for each elected and appointed official of the Rockland County Legislature; and

WHEREAS, at the time said resolution was adopted, Legislator Nancy Low Hogan had not yet submitted a record of her work-related activities for three consecutive months, and therefore she was not included on the attached Schedule A. She has since submitted the record to the legislative clerk; now therefore be it

RESOLVED that the Rockland County Legislature hereby establishes standard the following as standard work days for elected and appointed officials and will report the following days worked for the New York State and Local Employees Retirement System based on the time keeping system records of activities maintained and submitted by these officials to the clerk of this body:

SEE ATTACHED AMENDED SCHEDULE A

and be it further

RESOLVED, that this resolution shall be posted on the Rockland County website for a minimum of thirty days after its adoption; and

RESOLVED, that the Clerk to the Legislature be and is hereby authorized and directed to file a certified copy of this resolution with an Affidavit of Posting with the Office of the New York State Comptroller within forty-five (45) days of the adoption of this resolution.

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| STANDARD WORK DAY   |                    | AMENDED SCHEDULE "A"      |                        |                                |                   |  |   |
|---|--------------------|---------------------------|------------------------|--------------------------------|-------------------|--|---|
| TITLE   | NAME               | SS No.<br>(Last 4 Digits) | Registration<br>Number | Standard Work<br>Day (Hrs/Day) | Term Begins/Ends  | Participates<br>in Employer's Time<br>Keeping System | Days/Month<br>Based on<br>Record of<br>Activities |
| <b>Elected Officials</b>  |                    |                           |                        |                                |                   |  |   |
| Legislator  | Carey, Christopher | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| Legislator  | Cornell, Harriet   | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| Legislator  | Earl, Tony         | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| Legislator  | Grant, Michael     | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| Legislator  | Hood, Jr., Jay     | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| Legislator  | Jobson, Douglas J. | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| Legislator  | Meyers, Joseph     | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| Legislator  | Murphy, John       | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| Legislator  | Paul, Aney         | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| Legislator  | Soskin, Philip     | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| Legislator  | Sparaco, Frank     | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| Legislator  | Weder, Aron        | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| Legislator  | Wolfe, Alden       | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| Legislator  | Low-Hogan, Nancy   | *                         | *                      |                                | 6/1/12 - 12/31/15 | No   | 20  |
| <b>Appointed Officials</b>  |                    |                           |                        |                                |                   |  |   |
| Clerk to the Legislature  | Toole, Laurence    | *                         | *                      |                                | 8/1/12 - 12/31/12 | Yes  | 20  |
| Deputy Clerk to Legislature   | Widmer, Mary       | *                         | *                      |                                | 8/1/12 - 12/31/12 | Yes  | 20  |
| Legislative Counsel   | McKey, Ricardo     | *                         | *                      |                                | 8/1/12 - 12/31/15 | Yes  | 20  |
| Legislative Counsel   | Yeger, Elana       | *                         | *                      |                                | 8/1/12 - 12/31/15 | Yes  | 20  |
| Confidential Secretary  | Seidel, Chris      | *                         | *                      |                                | 7/1/12 - 12/31/12 | Yes  | 20  |
| <p>*Redaction Note: Personal identifying information redacted to protect privacy of individual. Original unredacted copy, logs and recertifications are on file with the Clerk to the Legislature in Legislature's Personnel Files.</p> |                    |                           |                        |                                |                   |  |   |

Introduced by:

Referral No. 8634

- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Jay Hood, Jr., Co-Sponsor
- Hon. Alden H. Wolfe, Co-Sponsor
- Hon. Michael M. Grant, Co-Sponsor
- Hon. Philip Soskin, Co-Sponsor
- Hon. Toney L. Earl, Co-Sponsor
- Hon. Aron B. Wieder, Co-Sponsor

**RESOLUTION NO. 372 OF 2012  
 URGING THE GOVERNOR OF THE STATE OF NEW YORK AND  
 THE NEW YORK STATE SENATE AND ASSEMBLY TO INCLUDE  
 MANDATE RELIEF FOR ALL COUNTIES IN THE STATE OF NEW YORK IF  
 NEW YORK STATE LAWMAKERS RECEIVE PAY INCREASES IN THE YEAR 2012**

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

WHEREAS, Rockland County's Budget is approximately 75% State mandated; and

WHEREAS, these State imposed mandates contribute to New York's highest in the nation local tax burden for residents and businesses, severely damaging New York's ability to attract, create and maintain good paying jobs, as well as contributing to New York State's population migration to other states; and

WHEREAS, when the State enacted a property tax cap in 2011, a Mandate Relief Council was established with the mandate to review specific State mandates and advance legislative proposals to reduce the statutory and regulatory burdens on local municipalities; and

WHEREAS, it is highly possible that the New York State Senate and Assembly will reconvene after the November 2012 election to vote for pay increases for themselves, which raises would cost New York State taxpayers about \$4.25 million dollars annually, if in fact the per diem reimbursements to State Legislators are continued; and

WHEREAS, in the event lawmakers receive a pay increase, the County of Rockland requests that the Governor of the State of New York, New York State Senate and Assembly approve these pay increases only on the condition that they likewise must simultaneously follow through with his promise of mandate relief for counties in New York State and Rockland County; a

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

RESOLVED, that the Governor of the State of New York is requested to include mandate relief to all the counties in New York State, if the State of New York lawmakers are successful in receiving pay increases in the year 2012; and be it further

RESOLVED, that the Governor should move forward with mandate relief council process and advance legislation proposals to reduce and/or eliminate the statutory and regulatory mandated financial burden on municipalities; and be it further

RESOLVED, that the Clerk to the Legislature be and is hereby authorized and directed to send a copy of this resolution to Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, and William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. Nancy Calhoun, and Hon. Ann G. Rabbitt, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

The vote resulted as follows:

- Ayes: 13 (Legislators Carey, Day, Earl, Grant, Hood, Jr., Moroney, Murphy, Paul, Schoenberger, Soskin, Sparaco, Wieder, Wolfe)
- Nays: 03 (Legislators Low-Hogan, Meyers, Cornell)
- Absent: 01 (Legislator Jobson)



**Debate:**

Mrs. Low-Hogan

Why only if the New York State Lawmakers receive pay increases?

Mr. Schoenberger

This came out of a column in the New York Post on June 25<sup>th</sup> where the columnist clearly stated, and I think all of us believe this to be true even though neither our Senator or our Assembly people will admit it, that they are going back after the election to give themselves a pay raise. It has been reported in most of the newspapers and media. The columnist from the New York Post said, "Mandates are killing the State" and before they give themselves a pay raise they should address the issue of mandates. It is something that Governor Cuomo had promised and began to address, but has not been addressed. It was a story in the Journal News about it. One of our State Assemblyman responded to it and said that they are giving us mandate relief for Medicaid. In 2014 the total amount of relief will result in a relief of \$1,000,000 on a Medicaid bill now that is \$83,000,000 to \$85,000,000 annually. It is more than real property tax that we collect. The State allows Medicaid to increase to local governments at the rate of 3% per year and caps our tax at a rate of 2% per year. When the amount that you pay Medicaid exceeds the amount that taxes could be raised you know there is going to be a problem.

In addition to that, one of our Assemblymen said that they are also giving us relief for pensions by created a new Tier in the pension system. Of course that new Tier-6 just went into effect a few months ago and anybody who is hired after the date went into effect prospectively has to make a greater contribution towards their retirement. That is not going to help this County for twenty or twenty-five years.

The mandate relief the State has given local governments so far is illusory and specious at best. If they are going to go back and give themselves a raise they should at least address the issue of mandates.

Let's talk about what our State Senators and Assembly people get paid. They will tell you that they get paid \$79,000 a year, which is their salary. They also get a per diem of \$225.00 a day for every day they are in Albany. If they have meetings on Monday, instead of driving up Monday morning they can drive up Sunday night and just by getting there Sunday night - \$225.00. When their day is done on Thursday for most of them it pays to stay over night until Friday morning at 9:00 am and fill out a form that says that they were there on Friday - \$225.00. In addition to that they get the pension benefits and medical benefits. In addition to that they have staffs and offices and they are on committees. If you are a Minority member in a Majority house you get a stipend. If you sit on certain committees you get a stipend. If you Chair certain committees you get a stipend. My estimate is that most of our State Senators and State Assembly people easily make \$200,000 per year before you even add in the cost of the local office rent, staff for local office and secretaries and then they have another office up in Albany.

If they want to give themselves a raise they should do it before the election. They are going to have a special meeting after the election to do it then at least they should give local governments mandate relief. I hope I answered your question.

Mrs. Low-Hogan

Is it specific enough when you just say "Mandate Relief" given what you just said about what they interpret to be mandate relief? Should it say a specific kind of mandate relief? Should it say meaningful or additional is what we are urging?

Mr. Schoenberger

I would be glad to get meaningful, whatever that means. I would be glad to get additional, whatever that means. I just think there should be some relief. I think the Governor, who I think is doing an excellent job, should keep his word, and I am sure he will, and lead this state to have mandate relief. Thus far everything waits until after the election.

Mr. Day

Certainly I cannot quarrel with the need for mandate relief. I would like to think, however, that this body would avoid throwing rocks while we are asking for that. I think this body in particular should be better than that, especially when it comes to the issue of getting raises. I will agree with my colleague Legislator Low-Hogan. I think it is a great idea and agree that we are simply saying that if you have the chutzpah to put in for a raise then you should move a little quicker with mandate relief. I also agree with Legislator Low-Hogan that mandate relief should happen regardless. The Mandate Relief Team, well intentioned as it may be, has had its results to date described as underwhelming. The impact upon our government here has been well documented.

It even gets to a point where legislation is proposed with little concern given to the impact to the lower levels of government. I specifically recall one proposed State law regarding hate crime education in our schools that Legislator Earl had proposed with regards to the schools within a supporting memorializing resolution. I actually called the former Superintendent of Clarkstown School District with regard to that specific item and found that they did this training already and if they were going to be forced to comply with what was being directed by law, but it would have cost thousands and thousands of dollars in training and the abolition of other curricular in order to accomplish that. It was well intentioned as the issue was hate crime, but it was duplicative, not well thought out, and just another unnecessary mandate. The reality is that the costs of the State mandates for 2012, the so called "9 and 90" – 9 mandates that make up 90% of the State mandates, when compared to the 2% cap that we are allowed to raise your property tax, there is an automatic approximate \$2,000,000 difference. Yes, a budget deficit. What that means is that we here in Rockland County are raising additional funds or cutting back local services to satisfy State mandates. Yes, things that make this County very special and that are so very important to us locally have to be cut back in order to deal with State mandates.

I wholeheartedly agree with the resolution. I hope and expect the State to move quickly on the issue of mandate relief, because it is critical and we have to get help. Every County in the State is dealing with this. Hopefully this will not fall on deaf ears. I acknowledge Legislator Schoenberger for bringing it forward and I will support it.

Mr. Meyers

I agree that the State should address certain unfunded mandates. I think that not all unfunded mandates are created equal. Every time a senior level of government decides for the welfare and benefit of citizens that something should be done that is going to cost a lower government money or somebody beneath them money does not mean that they have to necessarily fund it for the benefit of welfare and safety. For example, before I came to this body this body required that people wear helmets when riding bicycles, which was in a sense an unfunded mandate to our citizens, because we weren't buying the helmets or reimbursing them for the cost of the helmets. We were just telling them that it is best if they wear helmets and they have to go out and buy a helmet. We required well testing for sellers when selling their property. The State has required people to have smoke detectors and carbon monoxide detectors in their homes. They are not given the money to by the smoke detectors and carbon monoxide detectors. These are things the government decided were best for the health, welfare and safety of the people.

I have never actually been impressed with the term "unfunded mandates." I know that it is a term for whenever a higher governmental level is requiring a lower governmental level or people to do something, but not giving them the money to do it. Does the State have to give us the money to do everything that they determine is worthwhile? I don't think they always have to give us the money. Many laws that have been passed by the State where the State is not actually footing the bill will provide in the memorandums that the body of the House and Senate at the State level have not determined what the costs would be. Why should they determine what the cost would be, because it is not costing them anything, but I think that they have to give more thought of what the costs would be and weigh it against the benefit even if it is not their cost.

At the last Legislative meeting we had the mother of all unfunded mandates, S.7722, that came up under new business, which could have essentially required that local school districts, which is the major component of every property taxpayers bill, would require that they perhaps fund private school parochial education for certain special needs students. This body by a majority didn't even agree to agree to debate that resolution calling upon the Governor to veto it. So there is a lot of talk about unfunded mandates and how upset we are about them there was a prime example and this Legislature, in my opinion, has done a lot of good, but has also made a lot of bonehead votes and that was the bonehead vote of all bonehead votes. Fortunately, the Governor had the good sense to veto that Legislation, because he realized it was a massive unfunded mandate.

I do agree with the idea of mandate relief. I find that this resolution is a little bitter, a little throwing rocks as Legislator Day said and I don't really want to vote against this resolution, but I don't think that is the right message to send. We should be passing a resolution asking the State once again to address unfunded mandates, in particular if they are going to raise their salaries. It seems like we are only asking them to address it if they are going to raise salaries. We should be asking them to address it regardless as Legislator Low-Hogan said. I am not going to make a motion to amend this, because I don't think the mover would receive it. I don't think that this resolution makes us look good. I think it is definitely playing politics and I am not sure I will vote for it for that reason. Thank you.

Mr. Moroney

I appreciate what Mr. Meyers said. We are not throwing any rocks here. Where were our State representatives this year when we needed some help? We didn't see them. We never heard from them until late in the process. I would like to see the State live up to their mandates and pay us for the mandates that they put upon us, but they don't do that. We are \$30,000 to \$40,000 behind. Where are our State representatives when we need them? Most of them served on this body and they know the problems that the County faces. How often have you heard about the services that we provide. We can't throw the people in our nursing homes in the street. I never heard anything about paying for these mandates. Where do they think we are going to get the money to pay these mandates? They put mandates on top of mandates and the biggest joke of all is that they don't pay for them. We have to borrow money to try to balance the budget, which we can't do if the State doesn't pay us. Mr. Meyers talked about unfunded mandates. It is a joke what is happening.

We are getting bombarded by our towns after all we have done for those towns for years, including tax revenue sharing. Now they are after us because we are trying to cut back.

The rocks to throw are not hard enough in my opinion. This is only a job. We have to get our State representatives to be more responsive to the needs of Rockland County. They go up there and do whatever the hell they want. We never see them or hear from them. We didn't have these problems when Senator Thomas Morahan was our Senator. If we had a problem he addressed it and got back to us.

I am going to support this, because anything we throw at them to open their eyes up there is a good deal. We should be telling them to come down here every once in a while to address this body. We shouldn't be taking all the heat; it is their responsibility too. They are the fat cats. They show up to ask for your vote. These rocks should be harder. They should be snowballs picking them up on the way down in Albany so they get rid of them. Thank you.

Mr. Schoenberger

I want to thank you Pat. There were certain Legislators who were saying that this resolution, which was mine, had a hard edge to it. I think you just softened it so much by your speech and I appreciate that very much.

Let us not forget that the two Assembly people who represent the majority of this County served on this Legislature. Three of the five Supervisors served on this Legislature. So they should know our problems and the issues we face.

I don't put together the agenda. I didn't put this down as the first item. If I were the one putting together this agenda I would have put item 10 A 11 first, which is establishing fifteen positions in the Sheriff's Department Correction Facility, which is mandated by the New York State Commission of Corrections. There will be fourteen positions of Correction Officers starting salaries \$45,653 and one position of Correct Sergeant salary \$87,853. Those salaries are set by the Department of Personnel. I am just trying to respond in a way that I can in the process that we follow. While the Sheriff has not requested any additional funds to establish these positions this year, and the money will be taken from his existing budget, all of us know that when it comes to salaries even if his department runs over the amount that is allocated in the budget for salaries we are still legally responsible to pay it once we establish those positions. This will be voted on later. It is particularly timely. If I were writing the agenda I would have put that one first and then this one second, because I think they should be tied in together, but I didn't. Tonight we are being required by the State Commissioner of Corrections to add fourteen Correction Officers at \$45,653 each and one position of Correct Sergeant salary \$87,853 and that is a mandate.

I ask all of you, even those of you who may feel the resolution is too strong, to support it. I would ask the Clerk to the Legislature to send this resolution to the Clerk to the Legislature of every County in New York State, outside the City of New York, and ask them if they care to join us and pass the same resolution.

Chairwoman Cornell

I was out of the County and I did not attend the Budget and Finance Committee meeting and actually did not get to read this resolution until shortly before this meeting. I am strongly and actively in favor of mandate relief. In fact, I went to New Paltz some months ago to testify in front of the Governor's Mandate Relief Commission. If I was here I would have been happy to have loaned some language from my talk to the Mandate Relief Commission perhaps for inclusion in this particular resolution. Nor do I approve of the possibility of pay raises for State Legislators, although I am not sure that I would care to tell them what it is they should be doing. They should be making those decisions for themselves.

I have a different feeling about the way this resolution is worded. We have talked a lot about the State Legislators. I see this as being a directive to the Governor who I think may not have actually given the Legislation to the Assembly and State Senate on particular mandate relief other than that which we have talked about, which was basically the benefit of protecting us from increases as years go on, which Legislator Schoenberger pointed out before. I am reading this as if to say Governor Cuomo if you are so bold as to sign a pay increase for State Legislators you must follow through on your promise of mandate relief. I really don't like tying those two things together. I really don't and I really don't think I can vote for this in this particular way. If the resolution had indicated that if the Assembly and Senate reconvene for any reason that we hoped that they would address the need for mandate relief and perhaps be more specific. The way I am reading this is not really the way that I want to direct the Governor in this particular case, because as we all know bills that are passed by the Assembly and Senate go to the Governor for his signature. So what it is really saying is if you sign a bill giving State Legislators a salary increase then we also feel you should be giving us mandate relief, but we are not even telling him how.

I can't vote for it this way. I think there is too much in here that ties the two things together so I am not going to try to amend it. I just feel as if the mandate relief is really important. There are other things where we obviously need the Governor's help. If we go back and seek the bond to eliminate our deficit we would certainly want support for that. I am just not in favor of tying these two things together.

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Introduced by:

Referral No. 9326

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

**RESOLUTION NO. 373 OF 2012  
APPROVING AGREEMENT IN EXCESS OF \$100,000  
WITH BREGA TRANSPORT CORP.  
FOR THE TRANSPORTATION OF PRE-SCHOOL  
AND EARLY INTERVENTION CHILDREN WITH SPECIAL NEEDS  
FOR THE HEALTH DEPARTMENT UNDER RFB-RC-2012-001  
IN AN AMOUNT NOT TO EXCEED \$13,837,436.62  
FOR THE PERIOD FROM SEPTEMBER 1, 2012 THROUGH AUGUST 31, 2015  
WITH TWO (2) REMAINING ONE (1) YEAR OPTIONS  
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE  
[DEPARTMENT OF GENERAL SERVICES, DIVISION OF PURCHASING]  
(\$13,837,436.62)**

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

WHEREAS, The Director of Purchasing let bids for the transportation of pre-school and early intervention children with special needs for the Health Department under RFB-RC-2012-001 (the "RFB") for the period from September 1, 2012 through August 31, 2015, with the option to renew for two (2) additional one (1) year periods; and

WHEREAS, Over one hundred (100) vendors were notified of the bid and four (4) responses were received from the following vendors: (1) Brega Transport Corp.; (2) Chestnut Ridge Transportation, Inc.; (3) Acme Bus Corp.; and (4) Student Bus Company, Inc.; and

WHEREAS, Student Bus Company, Inc.'s bid was deemed non-responsive because it responded to only four (4) of the twenty (20) line items on the cost proposal pages even though the RFB specified that the agreement would be awarded in its entirety; and

WHEREAS, The Health and Purchasing Departments determined that Brega Transport Corp. ("Brega"), 500 Corporate Court, Valley Cottage, New York 10989, was the lowest responsible bidder that met all of the requirements of the RFB; and

WHEREAS, The Director of Purchasing and the Commissioner of Health recommend to the County Executive and the Legislature of Rockland County that the County approve the agreement in excess of \$100,000 with Brega to provide transportation of pre-school and early intervention children with special needs for the Health Department under the RFB in an amount not to exceed \$13,837,436.62 for the period from September 1, 2012 through August 31, 2015 with the option to renew for two (2) additional one (1) year periods; and

WHEREAS, The not to exceed amount of \$13,837,436.62 accounts for a 2% estimated rate of inflation for the second and third years of the agreement; and

WHEREAS, Brega's bid represents an approximate 3.78% savings compared to current contract pricing, resulting in an estimated savings of \$177,627.70 annually and \$532,883.10 for the three (3) year agreement; and

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

WHEREAS, Sufficient funding for these purchases is provided for in the 2012 Budget of the Health Department and is contingent upon 2013-2015 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 approves the execution of the agreement in excess of \$100,000 with Brega Transport Corp., 500 Corporate Court, Valley Cottage, New York 10989, to provide transportation of pre-school and early intervention children with special needs for the Health Department under RFB-RC-2012-001 in an amount not to exceed \$13,837,436.62 for the period from September 1, 2012 through August 31, 2015 with the option to renew for two (2) additional one (1) year periods, with all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing, 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 for these purchases is provided for in the 2012 Budget of the Health Department and is contingent upon 2013-2015 budget appropriations.

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Introduced by:

Referral No. 5906

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

**RESOLUTION NO. 374 OF 2012**  
**SETTING A DATE FOR A PUBLIC HEARING FOR THE PURPOSE OF**  
**CONSIDERING A PROPOSED INCREASE IN COST FOR THE WESTERN**  
**RAMAPO SEWER EXTENSION TO ROCKLAND COUNTY SEWER DISTRICT**  
**NO. 1 IN THE COUNTY OF ROCKLAND, NEW YORK**  
**[\$168,000,000]**

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

WHEREAS, Pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 1 of the County of Rockland, New York (the "District"), has heretofore been established; and

WHEREAS, The County Legislature previously approved the establishment of the Western Ramapo Sewer Extension of the District at a maximum estimated cost of \$125,000,000, covering sewer projects in unsewered areas and improvements to sewers in connection with extending service to the village of Hillburn, Sloatsburg and a portion of the unincorporated area of the Town of Ramapo; and

WHEREAS, There has been prepared by the County engineers a revised report and estimate of cost relating to the proposed Extension dated June, 2010 which has been approved by the Board of Commissioners of the District and filed with the County Legislature pursuant to Section 269 of the County Law; and

WHEREAS, The maximum estimated cost of the aforesaid Extension is now \$168,000,000 which amount is to be assessed, levied and collected from the real property in the District, as extended; and

WHEREAS, The Board of Commissioners of the District has prepared and filed for public inspection with the Clerk of the Legislature, a detailed explanation of how the estimated cost of hook-up fees, if any, to, and the increased cost of the Extension to, the "typical property" and, if different, the typical one or two family home was computed; and

WHEREAS, Pursuant to applicable provisions of the County Law, the consent of the State Comptroller dated July 2, 2012 has been received approving the increase in cost which was required because the cost thereof to the Typical Property (as defined in the County Law) is \$437 (\$604 for a two-family home) for those in the Town of Ramapo and \$360 (\$642 for a two-family home) for those in the Town of Clarkstown which are above the Average Cost of \$352 to the Typical Properties for similar types of expenditures, as computed by the State Comptroller; and

WHEREAS, It is necessary to call a public hearing to consider said increased cost of the Extension in accordance with the provisions of Section 269 of the County Law, and NOW, THEREFORE, BE IT

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 sets the **19th day of September, 2012 at o'clock 7:10 P.M.**, for the purpose of conducting a public hearing upon the aforesaid proposed increased cost of said District extension, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises, and BE IT FURTHER

RESOLVED, That the estimated cost to a "typical property" in the District, as extended, as defined in the County Law, after such increase in cost, is \$437 (\$604 for a two-family home) for those in the Town of Ramapo and \$360 (\$642 for a two-family home) for those in the Town of Clarkstown and the estimated cost of hook-up fees to property owners of a "typical property" in connection with the District extension, as defined in the County Law, is \$150 and the Board of Sewer Commissioners has heretofore caused to be prepared and filed for public inspection with the Clerk of the Legislature, a detailed explanation of how the estimated cost of the District extension and the estimated cost of hook-up fees to the typical property were computed, and BE IT FURTHER

RESOLVED, That the notice of such public hearing shall be in substantially the following form, to wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Rockland, New York, shall be held at 11 New Hempstead Road, New City, New York, in said County on the 19th day of September, 2012, at 7:10 o'clock P.M., for the purpose of conducting a public hearing upon a proposed increased cost of the Western Ramapo Sewer Extension to Rockland County Sewer District No. 1 (the "District") in said County.

The improvement consists of an advanced wastewater treatment plant, pump stations, a sewer collection system and an interconnection line, all as more fully described in the report and estimate of cost dated June, 2010, as prepared by the County engineers which has been filed with the County Legislature and which has been approved by the Board of Commissioners of the District.

The maximum estimated cost of such Extension is now \$168,000,000, which amount is to be assessed, levied and collected from the real property in the District, as extended, in the same manner and at the same time as other County charges, on the basis of the equalized assessed value of lots and parcels of land. The annual expense of operation and maintenance for the project shall be assessed, levied and collected on the basis of unit charges, in the same manner and at the same time as the expense of the improvement is assessed, levied and collected.

The estimated cost of the Extension to a "typical property" in the District, as defined in the County Law, is \$437 (\$604 for a two-family home) for those in the Town of Ramapo and \$360 (\$642 for a two-family home) for those in the Town of Clarkstown. The estimated cost of hook-up fees to property owners of a "typical property" in connection with the Extension, as defined in the County Law, is \$150. The Board of Commissioners of the District has heretofore caused to be prepared and filed for public inspection with the Rockland County Clerk and the Clerk to the Rockland County Legislature, a detailed explanation of how such costs were computed, as incorporated in said report and estimate of cost prepared by and for the District.

Dated: New City, New York  
August 7, 2012

BY ORDER OF THE COUNTY  
LEGISLATURE OF THE COUNTY OF  
ROCKLAND

BY: \_\_\_\_\_  
Clerk, Rockland County Legislature

and BE IT FURTHER

RESOLVED, that the Clerk of the Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in the second resolved clause herein be published once in the "Rockland Journal News," and once in the "Rockland County Times" not less than ten nor more than twenty days before the date set herein for said public hearing and the Clerk to the Legislature is further authorized and directed to file a certified copy of the Notice of Public Hearing with the Comptroller of the State of New York on or about the date of the publication of the Notice of Public Hearing, and BE IT FURTHER

RESOLVED, that prior to such publication, the Clerk to the Legislature is hereby authorized and directed to file in the office of the County Clerk to the County of Rockland the report and estimate of cost prepared by and for the Rockland County Sewer District No. 1 which includes the detailed explanation of how such costs were computed.

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Debate:

Mr. Meyers

I am going to submit a referral on the Western Ramapo Sewer District extension, because I think it is time we got another update from the Director of the Sewer District as to exactly where that project is going and how much more it is going to cost. It seems like we are regularly approving increases for the entire five years that I have been here. I would like to know where we are heading with that. I will be submitting a referral to the Planning and Public Works Committee.

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Introduced by:

Referral No. 8886

Hon. Ilan S. Schoenberger, Sponsor  
Hon. Jay Hood, Jr., Sponsor  
Hon. Alden H. Wolfe, Sponsor  
Hon. Michael M. Grant, Sponsor  
Hon. Philip Soskin, Sponsor  
Hon. Toney L. Earl, Sponsor

**RESOLUTION NO. 375 OF 2012  
APPROVING ACCEPTANCE OF A CONTINUATION GRANT  
IN THE AMOUNT OF \$94,584  
WITH A POTENTIAL COST OF LIVING ADJUSTMENT (COLA)  
OF NO MORE THAN \$9,458 (10% OF GRANT)  
FOR A TOTAL AMOUNT NOT TO EXCEED \$104,042  
FROM THE NEW YORK STATE DEPARTMENT OF HEALTH  
FOR THE TOBACCO CONTROL PROGRAM FOR YOUTH REALITY CHECK  
FOR THE PERIOD JULY 1, 2012 THROUGH JUNE 30, 2013  
AND AUTHORIZING EXECUTION OF ALL NECESSARY  
DOCUMENTS BY THE COUNTY EXECUTIVE  
[DEPARTMENT OF HEALTH]  
(\$104,042)**

Mr. Schoenberger 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 County Legislature that her department has been awarded continuation grant funds in the amount of \$94,584 from the New York State Department of Health for the Tobacco Control Program For Youth Reality Check, of which said amount needs to be appropriated for the period July 1, 2012 through June 30, 2013; and

WHEREAS, A potential cost of living adjustment (COLA) award of no more than \$9,458 (10% of said \$94,584 grant) also needs to be appropriated, for a total award not to exceed \$104,042 for said program period; and

WHEREAS, Additional, there is a local County Share that will be covered by the approval of transfer funds of \$23,464 from Local Share Match from Department No. 4052-2012 budget; and

WHEREAS, Said funds will be used to continue the Prevention of Tobacco Use by Youth Program; and

WHEREAS, It is necessary to appropriate these funds to the proper accounts; 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 the acceptance and appropriation of a continuation grant award in the amount of \$94,584 from the New York State Department of Health to continue the Tobacco Control Program for Youth Reality Check for the period from July 1, 2012 through June 30, 2013; and authorizes execution of all necessary documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That a potential cost of living adjustment (COLA) award of no more than \$9,458 (10% of said \$94,584 grant) also needs to be appropriated, for a total award not to exceed \$104,042 for said program period; and be it further

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

GENERAL FUND - 2012

Increase Approp. Acct. (Credit):

|                         |              |
|-------------------------|--------------|
| A-DOH E1100 Salaries    | \$76,411     |
| E1900 Fringe Benefits   | 35,149       |
| E3010 Food              | 150          |
| E4040 Mileage           | 1,779        |
| E4090 Fees for Services | 4,159        |
| E4140 Conferences       | 400          |
| E5060 Program Costs     | <u>9,458</u> |
|                         | \$127,506    |

Decrease Approp. Acct. (Credit):

|                                      |          |
|--------------------------------------|----------|
| A-DOH -4052 -E5390 Local Share Match | \$23,464 |
|--------------------------------------|----------|

Increase Est. Rev. Acct. (Debit):

|                                 |           |
|---------------------------------|-----------|
| A-DOH -4064 -E3480 Heath Grants | \$104,042 |
|---------------------------------|-----------|

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.

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Introduced by:

Referral No. 6704

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

**RESOLUTION NO. 376 OF 2012  
APPROPRIATION OF FEDERAL FORFEITURE FUNDS  
REQUESTED BY THE OFFICE OF THE DISTRICT ATTORNEY  
IN THE AMOUNT OF \$100,000 TO PARTIALLY REIMBURSE THE  
VILLAGE OF SUFFERN POLICE DEPARTMENT  
FOR THE COST OF SUFFERN POLICE OFFICER ASSIGNED TO THE  
ROCKLAND COUNTY DRUG TASK FORCE  
FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012  
AND APPROVING INTERMUNICIPAL COOPERATION AGREEMENT  
BETWEEN THE COUNTY OF ROCKLAND  
AND THE VILLAGE OF SUFFERN POLICE DEPARTMENT  
IN AN AMOUNT NOT TO EXCEED \$100,000  
AND AUTHORIZING EXECUTION OF THIS AGREEMENT  
BY THE COUNTY EXECUTIVE  
[OFFICE OF THE DISTRICT ATTORNEY]  
(\$100,000)**

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

WHEREAS, The Office of the District Attorney is requesting that \$100,000 of federal forfeiture funds in balance sheet account A-8880 (Designated for Law Enforcement - Federal Proceeds) be appropriated to partially reimburse the Village of Suffern Police Department for the cost of Suffern police officer assigned to the Rockland County Drug Task Force for the period January 1, 2012 through December 31, 2012; and

WHEREAS, The assigned Suffern police officer has been performing his duties to the Rockland County Drug Task Force since January 1, 2012; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County funds since sufficient funds to cover total \$100,000 appropriation exists within said balance sheet account; and

WHEREAS, The use of these funds is authorized under federal forfeiture guidelines; 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 County of Rockland, through its Office of the District Attorney, and the Village of Suffern Police Department desire to enter into an intermunicipal cooperation agreement in an amount not to exceed \$100,000, as partial reimbursement for the cost of Suffern police officer assigned to the Rockland County Drug Task Force, for the period January 1, 2012 through December 31, 2012; and



Introduced by:

Referral No. 5327/6704

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

**RESOLUTION NO. 377 OF 2012  
 APPROPRIATION OF FEDERAL FORFEITURE FUNDS  
 REQUESTED BY THE OFFICE OF THE SHERIFF  
 AND THE DISTRICT ATTORNEY'S OFFICE  
 TO BE APPROPRIATED TO THE OFFICE OF THE SHERIFF  
 TO PURCHASE ITEMS AND SERVICES RELATED TO THE  
 NOVEMBER 17, 2012 POLICE EXAMINATION  
 [OFFICE OF THE SHERIFF AND THE DISTRICT ATTORNEY'S OFFICE]  
 (\$34,500)**

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

WHEREAS, The Office of the Sheriff and the District Attorney's Office have requested that \$34,500 of federal forfeiture funds in balance sheet account A-8880 (Designated for Law Enforcement - Federal Proceeds) be appropriated to the Office of the Sheriff's 2012 Budget to purchase items and services related to the November 17, 2012 police examination, which is being given on behalf of all 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 \$34,500 appropriation exists within said balance sheet account; and

WHEREAS, The use of these funds is authorized under federal forfeiture 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 Acting Commissioner of Finance is hereby authorized to increase the following accounts in the amounts indicated:

GENERAL FUND - 2012

Increase Approp. Acct. (Credit):

|                       |                             |        |
|-----------------------|-----------------------------|--------|
| A-SHF-3108-FS03-E3500 | Forfeiture Funds - Supplies | 5,000  |
| -E4500                | Forfeiture Funds - Services | 29,500 |

Increase Approp. Fund Bal. (Debit):

|                  |   |        |
|------------------|---|--------|
| A-UNC-9990-R5990 | (Designated for Law Enforcement - Federal Proceeds) | 34,500 |
|------------------|---|--------|

\_\_\_\_\_

Introduced by:  
3657

Referral No.

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

**RESOLUTION NO. 378 OF 2012  
 APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT  
 OF \$22,537 (NCTD) FROM THE NEW YORK STATE OFFICE FOR THE  
 AGING’S COMMUNITY SERVICES FOR THE ELDERLY (CSE) PROGRAM  
 TO BE APPROPRIATED TO THE ROCKLAND COUNTY  
 OFFICE FOR THE AGING’S 2012 BUDGET  
 FOR THEIR TAXI VOUCHER PROGRAM  
 [OFFICE FOR THE AGING]  
 (\$22,537)**

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

WHEREAS, The Rockland County Office for the Aging administers a taxi voucher program; and

WHEREAS, The taxi voucher program is for Rockland County residents 60 years old and over who need transportation to medical appointments; and

WHEREAS, The taxi voucher program for the year 2012 will require funding of \$34,834, of which only \$12,297 was made available in the 2012 Budget of the Rockland County Office for the Aging, creating a funding shortfall of \$22,537; and

WHEREAS, Additional funds from the New York State Office for the Aging’s Community Services for the Elderly (CSE) Program will cover shortfall of \$22,537, allowing the taxi voucher program to continue to operate through the end of 2012; and

WHEREAS, No County tax dollars (NCTD) are required to accept said additional State funding; 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 appropriation of additional funds from the New York State Office for the Aging’s Community Services for the Elderly (CSE) Program in the amount of \$22,537 so that the taxi voucher program administered by the Rockland County Office for the Aging can continue to operate through the end of 2012; and be it further

RESOLVED, That no County tax dollars (NCTD) are required to accept said additional State funding; and be it further

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

GENERAL FUND - 2012

|  |  |        |
|--|--|--------|
| <u>Increase Approp. Acct. (Credit):</u>  |  |        |
| A-OFA-6772-E5060                         | Program Costs                            | 22,537 |
| <u>Increase Est. Rev. Acct. (Debit):</u> |  |        |
| A-OFA-6772-R3702                         | Community Services for the Elderly (CSE) | 22,537 |

\_\_\_\_\_

Introduced by:

Referral No. 8894

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

**RESOLUTION NO. 379 2012  
 APPROVING FIFTEEN (15) CONTRACTS WHICH ARE IN EXCESS OF \$100,000  
 FOR STATE MANDATED SPECIAL EDUCATIONAL SERVICES IN PRE-SCHOOL  
 AND STATE MANDATED EARLY INTERVENTION PROGRAMS  
 FOR A ONE YEAR PERIOD FROM JULY 1, 2012 THROUGH JUNE 30, 2013  
 AND AUTHORIZING THEIR EXECUTION BY THE COUNTY EXECUTIVE  
 [DEPARTMENT OF HEALTH]  
 (\$24,220,000)**

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

WHEREAS, The Commissioner of Health is requesting that the County Executive and the Legislature of Rockland County approve fifteen (15) agreements for State mandated Special Educational Services in Pre-School and State mandated Early Intervention Programs, with the various providers as specified on the attached Schedule "A", each of which is in excess of \$100,000 for a one year period from July 1, 2012 through June 30, 2013; and

WHEREAS, These agreements require payment by the County to various providers for services rendered in compliance with the Individual Family Service Plan/Individual Education Plan (IFSP/IEP) as specified in the annexed Schedules "A" and "B" for a total sum not to exceed \$24,220,000; and

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

WHEREAS, Funding for all contract expenses are and will be provided for in the current and future budgets of the Department of Health's Pre-School Program (Dept. 2960) and Early Intervention Program (Dept. 2961); 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 approves the fifteen (15) agreements listed on the attached Schedule "A" for the Department of Health's State mandated Special Education Services in Pre-School and State mandated Early Intervention Programs for a one year period from July 1, 2012 through June 30, 2013, for a total sum not to exceed \$24,220,000, and authorizes their execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That funding for all contract expenses are and will be provided for in the current and future budgets of the Department of Health's State mandated Pre-School Program (Dept. 2960) and Early Intervention Program (Dept. 2961).

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2012

## SCHEDULE "A"

| PROVIDER  | Contract<br>Amount Not to<br>Exceed | Contract<br>Term |
|---|-------------------------------------|------------------|
| <b>A STARTING PLACE, INC.</b><br>Early Intervention & Preschool Related Services for Children with Disabilities   | \$ 950,000                          | 2012 - 2013      |
| <b>A STARTING PLACE, INC.</b><br>Preschool Center Based/SEIT Program  | \$ 4,000,000                        | 2012 - 2013      |
| <b>ADVANCED THERAPEUTIC CONCEPTS, INC.</b><br>Early Intervention & Preschool Related Services for Children with Disabilities                                      | \$ 500,000                          | 2012 - 2013      |
| <b>ADVANCED THERAPEUTIC CONCEPTS, INC.</b><br>Preschool Center Based/SEIT Program   | \$ 250,000                          | 2012 - 2013      |
| <b>SHANNON L. BENDER, MS, CCC-SLP, LLC DBA CHILDREN'S HOME THERAPY SERVICES</b><br>Early Intervention & Preschool Related Services for Children with Disabilities | \$ 350,000                          | 2012 - 2013      |
| <b>FIRST MEDCARE, INC. - WELLSPRING</b><br>Early Intervention & Preschool Related Services for Children with Disabilities   | \$ 960,000                          | 2012 - 2013      |
| <b>HEADSTART OF ROCKLAND, INC.</b><br>Preschool Center Based/SEIT Program   | \$ 1,000,000                        | 2012 - 2013      |
| <b>HEBREW ACADEMY FOR SPECIAL CHILDREN, INC.</b><br>Early Intervention & Preschool Related Services for Children with Disabilities                                | \$ 900,000                          | 2012 - 2013      |
| <b>HEBREW ACADEMY FOR SPECIAL CHILDREN, INC.</b><br>Preschool Center Based/SEIT Program   | \$ 3,500,000                        | 2012 - 2013      |
| <b>HTA OF NEW YORK, INC.</b><br>Early Intervention & Preschool Related Services for Children with Disabilities  | \$ 460,000                          | 2012 - 2013      |
| <b>HTA OF NEW YORK, INC.</b><br>Preschool Center Based/SEIT Program   | \$ 800,000                          | 2012 - 2013      |
| <b>JAWONIO, INC.</b><br>Early Intervention & Preschool Related Services for Children with Disabilities  | \$ 950,000                          | 2012 - 2013      |
| <b>JAWONIO, INC.</b><br>Preschool Center Based/SEIT Program   | \$ 4,000,000                        | 2012 - 2013      |
| <b>JUDI DOBNER THERAPIST AGENCY, LLC</b><br>Early Intervention & Preschool Related Services for Children with Disabilities  | \$ 4,200,000                        | 2012 - 2013      |
| <b>YEDEI CHESED, INC. (STEP FORWARD)</b><br>Early Intervention & Preschool Related Services for Children with Disabilities  | \$ 1,400,000                        | 2012 - 2013      |
| <b>TOTAL AMOUNT</b>   | <b>\$ 24,220,000.00</b>             |                  |

## SCHEDULE "B"

**CONTRACTOR:** A Starting Place, Inc.  
**PURPOSE OF CONTRACT:** Early Intervention & Preschool Related Services for Children with Disabilities  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$950,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Psychologist,  
 Family Counseling/Training  
**ADDRESS:** 664 Orangeburg Road, Pearl River, NY 10965  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 75  
 Individual  Corporation

**CONTRACTOR:** A Starting Place, Inc.  
**PURPOSE OF CONTRACT:** Preschool Special Education Center Based/SEIT Program  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$4,000,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Psychologist,  
 Family Counseling/Training  
**ADDRESS:** 664 Orangeburg Road, Pearl River, NY 10965  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 180  
 Individual  Corporation

**CONTRACTOR:** Advanced Therapeutic Concepts, Inc  
**PURPOSE OF CONTRACT:** Early Intervention & Preschool Related Services for Children with Disabilities  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$500,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Physician,  
 Psychologist, Teacher of the Deaf, Teacher of the Visually Impaired, Social Worker  
**ADDRESS:** 100 Lawrence St, Suite 109, Nanuet, NY 10954  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 60  
 Individual  Corporation

**CONTRACTOR:** Advanced Therapeutic Concepts, Inc  
**PURPOSE OF CONTRACT:** Preschool Special Education Center Based/SEIT Program  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$250,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Physician,  
 Psychologist, Teacher of the Deaf, Teacher of the Visually Impaired, Social Worker  
**ADDRESS:** 100 Lawrence St, Suite 109, Nanuet, NY 10954  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 15  
 Individual  Corporation

## SCHEDULE "B"

**CONTRACTOR:** Shannon L. Bender, MS, CCC-SLP, LLC DBA Children's Home Therapy Services  
**PURPOSE OF CONTRACT:** Early Intervention & Preschool Related Services for Children with Disabilities  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$350,000.00  
**PROGRAM:** Speech Pathology, Occupational Therapy, Physical Therapy, Special Education  
**ADDRESS:** 40 Forest Glen Road, Valley Cottage, NY 10989  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 49  
 Individual  Corporation

**CONTRACTOR:** First MedCare, Inc. - WellSpring  
**PURPOSE OF CONTRACT:** Early Intervention & Preschool Related Services for Children with Disabilities  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$960,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Social Worker, Psychologist, Nutrition  
**ADDRESS:** 8707 Flatlands Avenue, Brooklyn, NY 11236  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 130  
 Individual  Corporation

**CONTRACTOR:** Headstart of Rockland, Inc.  
**PURPOSE OF CONTRACT:** Preschool Special Education Center Based/SEIT Program  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$1,000,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Social Worker, Psychologist  
**ADDRESS:** 85 Depew Avenue, PO Box 107, Nyack, NY 10960  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 30  
 Individual  Corporation

**CONTRACTOR:** Hebrew Academy for Special Children, Inc.  
**PURPOSE OF CONTRACT:** Early Intervention & Preschool Related Services for Children with Disabilities  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$900,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Teacher of the Deaf/Hearing Impaired  
**ADDRESS:** 5902 14<sup>th</sup> Avenue, Brooklyn, NY 11219  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 35  
 Individual  Corporation

## SCHEDULE "B"

**CONTRACTOR:** Hebrew Academy for Special Children, Inc.  
**PURPOSE OF CONTRACT:** Preschool Special Education Center Based/SEIT Program  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$3,500,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Teacher of the Deaf/Hearing Impaired  
**ADDRESS:** : 5902 14<sup>th</sup> Avenue, Brooklyn, NY 11219  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 66  
 Individual  Corporation

**CONTRACTOR:** HTA of New York, Inc.  
**PURPOSE OF CONTRACT:** Early Intervention & Preschool Related Services for Children with Disabilities  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$460,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Teaching Assistant, Teacher of the Deaf, Teacher of the Visually Impaired, Psychologist, Social Worker, Nutritionist  
**ADDRESS:** 1053 Saw Mill River Road, Ardsley, NY 10502  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 29  
 Individual  Corporation

**CONTRACTOR:** HTA of New York, Inc.  
**PURPOSE OF CONTRACT:** Preschool Special Education Center Based/SEIT Program  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$800,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Teaching Assistant, Teacher of the Deaf, Teacher of the Visually Impaired, Psychologist, Social Worker, Nutritionist  
**ADDRESS:** 1053 Saw Mill River Road, Ardsley, NY 10502  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 70  
 Individual  Corporation

**CONTRACTOR:** Jawonio, Inc.  
**PURPOSE OF CONTRACT:** Early Intervention & Preschool Related Services for Children with Disabilities  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$950,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Psychologist, Social Worker  
**ADDRESS:** 260 North Little Tor Road, New City, NY 10956  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 105  
 Individual  Corporation

SCHEDULE "B"

**CONTRACTOR:** Jawonio, Inc.  
**PURPOSE OF CONTRACT:** Preschool Special Education Center Based/SEIT Program  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$4,000,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Psychologist, Social Worker  
**ADDRESS:** 260 North Little Tor Road, New City, NY 10956  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 113  
 Individual  Corporation

**CONTRACTOR:** Judi Dobner Therapist Agency, LLC  
**PURPOSE OF CONTRACT:** Early Intervention & Preschool Related Services for Children with Disabilities  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$4,200,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Teacher of the Deaf, Teacher of the Visually Impaired, Social Worker, Psychological, Nutritionist  
**ADDRESS:** 386 Route 59, Suite 102, Monsey, NY 10952  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 967  
 Individual  Corporation

**CONTRACTOR:** Yedei Chesed, Inc. (Step Forward)  
**PURPOSE OF CONTRACT:** Early Intervention & Preschool Related Services for Children with Disabilities  
**CONTRACT TERM:** 2012 - 2013  
**AMOUNT NOT TO EXCEED:** \$1,400,000.00  
**PROGRAM:** Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, TVI, Social Worker  
**ADDRESS:** 48 Scotland Hill Road, Chestnut Ridge, NY 10977  
**FUNDS ARE SPENT:** Payment for services rendered in compliance with the IFSP/IEP for the children referred.  
**# CHILDREN SERVICED:** 230  
 Individual  Corporation

Introduced by:

Referral No. 8896

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

**RESOLUTION NO. 380 OF 2012  
APPROVING THE EXTENSION OF THE AGREEMENT BETWEEN  
THE COUNTY OF ROCKLAND AND ROCKLAND MOBILE CARE, INC.  
FOR AMBULANCE SERVICE (NON-EMERGENCY) UNDER RFB-RC-08-104  
FROM SEPTEMBER 1, 2012 THROUGH AUGUST 31, 2013 AND  
APPROVING THE ADDITIONAL PURCHASES IN THE AMOUNT OF \$140,000  
FOR A TOTAL AMOUNT NOT TO EXCEED \$643,000  
FOR THE FULL PERIOD SEPTEMBER 1, 2008 THROUGH AUGUST 31, 2013  
AND AUTHORIZING THE COUNTY EXECUTIVE  
TO EXECUTE THE EXTENSION/AMENDMENT  
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]  
(\$643,000)**

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

WHEREAS, By Resolution No. 472 of 2010, the Legislature of Rockland County approved the extension of and amendment to the agreement in excess of \$100,000 with Rockland Mobile Care, Inc. ("Rockland Mobile"), 149-A South Main Street, P.O. Box 614, Nanuet, New York 10954, for ambulance service (non-emergency) for the Departments of Hospitals and Mental Health and any other departments that request this service under RFB-RC-08-104 (the "RFB"), extending the term of the agreement from September 1, 2010 through August 31, 2011, and increasing the amount of the agreement by \$150,000, for a total amount not to exceed \$339,000 for the full period from September 1, 2008 through August 31, 2011, with two (2) remaining one (1) year options, and authorized the County Executive to execute the extension of and amendment to the agreement, subject to the approval of the County Attorney; and

WHEREAS, By letter dated September 29, 2010, the agreement was extended and amended as set forth in Resolution No. 472 of 2010; and

WHEREAS, By Resolution No. 423 of 2011, the Legislature of Rockland County approved the extension of and amendment to the agreement in excess of \$100,000 with Rockland Mobile for ambulance service (non-emergency) for the Departments of Hospitals and Mental Health and any other departments that request this service under the RFB, extending the term of the agreement from September 1, 2011 through August 31, 2012, and increasing the amount of the agreement by \$164,000 (i.e., \$24,000 for the period September 1, 2010 through August 31, 2011 and \$140,000 for the period September 1, 2011 through August 31, 2012), for a total amount not to exceed \$503,000 for the full period from September 1, 2008 through August 31, 2012, with one (1) remaining one (1) year option, and authorized the County Executive to execute the extension of and amendment to the agreement, subject to the approval of the County Attorney; and

WHEREAS, By letter dated December 6, 2011, the agreement was extended and amended as set forth in Resolution No. 423 of 2011; and

WHEREAS, The Director of Purchasing seeks to renew the RFB for the fourth and final option term from September 1, 2012 through August 31, 2013 and to increase the amount of the agreement by \$140,000, for a total amount not to exceed \$643,000 for the full period from September 1, 2008 through August 31, 2013; and

WHEREAS, This agreement is used primarily by the Departments of Hospitals and Mental Health; and

WHEREAS, The Department of Hospitals' usage of this agreement has continued to increase dramatically because it has had a greater number of dialysis patients who require this service, however actual usage will depend on the types of patient in the departments using this service; and

WHEREAS, Rockland Mobile, which is a local vendor, has agreed to renew the final option term at the current contract prices which were negotiated for the 2011-2012 term at half the Consumer Price Index (CPI) for All Urban Consumers; and

WHEREAS, The CPI rose 2.7% for the previous twelve (12) months, resulting in a savings of \$3,780; and

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

WHEREAS, Sufficient funding for these purchases is provided for in the 2012 Budgets of the Departments of Hospitals and Mental Health subject to available intra-departmental transfers and is contingent upon 2013 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 extension of and amendment to the agreement with Rockland Mobile Care, Inc., 149-A South Main Street, P.O. Box 614, Nanuet, New York 10954, for ambulance service (non-emergency) for the Departments of Hospitals and Mental Health and any other departments that request this service under RFB-RC-08-104, extending the term of the agreement from September 1, 2012 through August 31, 2013, and increasing the amount of the agreement by \$140,000, for a total amount not to exceed \$643,000 for the full period from September 1, 2008 through August 31, 2013, with no remaining options, with all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing, and hereby authorizes the County Executive to execute the extension of and amendment to the agreement, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2012 Budgets of the Departments of Hospitals and Mental Health subject to available intra-departmental transfers and is contingent upon 2013 budget appropriations.

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Introduced by:

Referral No. 6311/9019

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

**RESOLUTION NO. 381 OF 2012  
 APPROVING AN INTERMUNICIPAL HOST SITE AGREEMENT  
 IN THE AMOUNT OF \$3,000 BETWEEN THE COUNTY OF ROCKLAND  
 ON BEHALF OF ITS YOUTH BUREAU AND THE ROCKLAND BOARD  
 OF COOPERATIVE EDUCATIONAL SERVICES (B.O.C.E.S.)  
 WHICH IS ACTING AS A HOST SITE FOR THE  
 ROCKLAND COUNTY AMERICORPS ENVIRONMENTAL CORPS PROGRAM  
 FROM JUNE 1, 2012 THROUGH DECEMBER 31, 2012  
 AND AUTHORIZING THE COUNTY EXECUTIVE  
 TO EXECUTE THE INTERMUNICIPAL HOST SITE AGREEMENT  
 [YOUTH BUREAU]  
 (\$3,000)**

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

WHEREAS, Both the County of Rockland (the "County") and the Rockland Board of Cooperative Educational Services ("B.O.C.E.S.") are "municipal corporation[s]" as defined in New York General Municipal Law Section 119-n(a); and

WHEREAS, General Municipal Law Section 119-o(1) further provides, in relevant part, that "municipal corporations have [the] power to enter into . . . agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a . . . contract basis," provided that such agreements are "approved by each participating municipal corporation . . . by a majority vote of the voting strength of its governing body"; and

WHEREAS, The Rockland County AmeriCorps ("RCA") is a program of the Rockland County Youth Bureau which enrolls local municipalities and not-for-profit corporations as Host Sites for the Environmental Corps Program (the "Program") which runs from June 1, 2012 through December 31, 2012; and

WHEREAS, RCA members that are placed at Host Sites perform various projects for the Host Sites with an emphasis on environmental and beautification work; and

WHEREAS, B.O.C.E.S. wishes to participate in the Program and accept for placement RCA members referred by RCA pursuant to an intermunicipal Host Site agreement; and

WHEREAS, The residents of the County and B.O.C.E.S. will benefit from the intermunicipal Host Site agreement; and

WHEREAS, Pursuant to the intermunicipal agreement, B.O.C.E.S. will pay the County \$3,000 for the services of two (2) RCA members for the period June 1, 2012 through December 31, 2012; and

WHEREAS, On March 14, 2012, by Resolution the Board of B.O.C.E.S. approved the intermunicipal Host Site agreement; and

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

RESOLVED, That the Legislature of Rockland County hereby approves, pursuant to New York General Municipal Law Sections 119-n(a) and 119-o(1), the intermunicipal Host Site agreement between the County of Rockland and the Rockland Board of Cooperative Educational Services (B.O.C.E.S.), pursuant to which the B.O.C.E.S. will pay the County \$3,000 for the services of two (2) Rockland County AmeriCorps members for the period June 1, 2012 through December 31, 2012, which agreement was approved by the Board of B.O.C.E.S. by Resolution on March 14, 2012; and be it further

RESOLVED, That the Legislature hereby authorizes the County Executive to execute the intermunicipal Host Site agreement on behalf of the County.

**Schedule A**

Rockland County AmeriCorps (RCA), a program of the Rockland County Youth Bureau enrolls local municipalities and not-for-profit organizations to be HOST SITES for the Environmental Corps from June 1, 2012 - December 31, 2012. AmeriCorps members perform various projects while placed at HOST SITES with the emphasis on environmental and beautification work.

The HOST SITE agrees to pay RCA \$1500.00 per 300 hr member in two installments of \$750.00. The first payment is due on or before July 27, 2012 and the second payment is due on or before September 28, 2012. In the event that a Member leaves the program or is transferred to another site, the HOST SITE may submit a written request for a pro-rated cost based on the number of weeks the Member completed in the program.

For their service, Members are required to complete 50 hours of training and 250 hours of service for a total commitment of 300 hours of service. In return for their service, Members will receive a bi-weekly stipend from RCA, not to exceed the total amount of \$2,000 for 300 hours of service. RCA pays the stipend from funds it receives through a grant from the NYS Office of Children and Family Services.

R.C. BOCES is scheduled to receive and accept for placement a maximum of 2 Members.

**Payment Schedule**

**Maximum Sum Due: \*\* \$3,000.00**

**\$1500.00 per 300 hour Member x 2 Members = \$3,000.00**

**Installment Amounts:**

**\$750.00 per Member due on or before July 27, 2012**

**\$750.00 per Member due on or before September 28, 2012**

***\*\*If the Host Site ultimately accepts for placement less than the originally scheduled number of Members, this amount will be adjusted.***

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Introduced by:

Referral No. 6311/9019

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

**RESOLUTION NO. 382 OF 2012  
 APPROVING AN INTERMUNICIPAL HOST SITE AGREEMENT  
 IN THE AMOUNT OF \$3,000 BETWEEN THE COUNTY OF ROCKLAND  
 ON BEHALF OF ITS YOUTH BUREAU AND THE PALISADES INTERSTATE  
 PARK COMMISSION WHICH IS ACTING AS A HOST SITE FOR THE  
 ROCKLAND COUNTY AMERICORPS ENVIRONMENTAL CORPS PROGRAM  
 FROM JUNE 1, 2012 THROUGH DECEMBER 31, 2012  
 AND AUTHORIZING THE COUNTY EXECUTIVE  
 TO EXECUTE THE INTERMUNICIPAL HOST SITE AGREEMENT  
 [YOUTH BUREAU]  
 (\$3,000)**

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

WHEREAS, Both the County of Rockland (the "County") and the Palisades Interstate Park Commission (the "PIPC") are "municipal corporation[s]" as defined in New York General Municipal Law Section 119-n (a); and

WHEREAS, General Municipal Law Section 119-o (1) further provides, in relevant part, that "municipal corporations have [the] power to enter into . . . agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a . . . contract basis," provided that such agreements are "approved by each participating municipal corporation . . . by a majority vote of the voting strength of its governing body"; and

WHEREAS, The Rockland County AmeriCorps ("RCA") is a program of the Rockland County Youth Bureau which enrolls local municipalities and not-for-profit corporations as Host Sites for the Environmental Corps Program (the "Program") which runs from June 1, 2012 through December 31, 2012; and

WHEREAS, RCA members that are placed at Host Sites perform various projects for the Host Sites with an emphasis on environmental and beautification work; and

WHEREAS, The PIPC wishes to participate in the Program and accept for placement RCA members referred by RCA pursuant to an intermunicipal Host Site agreement; and

WHEREAS, The residents of the County and the PIPC will benefit from the intermunicipal Host Site agreement; and

WHEREAS, Pursuant to the intermunicipal agreement, the Palisades Interstate Park Commission will pay the County an amount not to exceed \$3,000 for the services of two (2) RCA members for the period June 1, 2012 through August 31, 2012; and

WHEREAS, By Resolution No. 156 of 2012 the PIPC approved the intermunicipal Host Site agreement; and

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

RESOLVED, That the Legislature of Rockland County hereby approves, pursuant to New York General Municipal Law Sections 119-n (a) and 119-o (1), the intermunicipal Host Site agreement between the County of Rockland and the Palisades Interstate Park Commission, pursuant to which the Commission will pay the County an amount not to exceed \$3,000 for the services of two (2) Rockland County AmeriCorps members for the period June 1, 2012 through December 31, 2012, which agreement was approved by the PIPC Board by Resolution No. 156-2012 and be it further

RESOLVED, That the Legislature hereby authorizes the County Executive to execute the intermunicipal Host Site agreement on behalf of the County.

**Schedule A**

Rockland County AmeriCorps (RCA), a program of the Rockland County Youth Bureau enrolls local municipalities and not-for-profit organizations to be HOST SITES for the Environmental Corps from June 1, 2012 - December 31, 2012. AmeriCorps members perform various projects while placed at HOST SITES with the emphasis on environmental and beautification work.

The HOST SITE agrees to pay RCA \$1500.00 per 300 hr member in two installments of \$750.00. The first payment is due on or before July 27, 2012 and the second payment is due on or before September 28, 2012. In the event that a Member leaves the program or is transferred to another site, the HOST SITE may submit a written request for a pro-rated cost based on the number of weeks the Member completed in the program.

For their service, Members are required to complete 50 hours of training and 250 hours of service for a total commitment of 300 hours of service. In return for their service, Members will receive a bi-weekly stipend from RCA, not to exceed the total amount of \$2,000 for 300 hours of service. RCA pays the stipend from funds it receives through a grant from the NYS Office of Children and Family Services.

Palisades Interstate Park Commission is scheduled to receive and accept for placement a maximum of 2 Members.

**Payment Schedule**

**Maximum Sum Due: \*\* \$3,000.00**

**\$1500.00 per 300 hour Member x 2 Members = \$3,000.00**

**Installment Amounts:**

**\$750.00 per Member due on or before July 27, 2012**

**\$750.00 per Member due on or before September 28, 2012**

***\*\*If the Host Site ultimately accepts for placement less than the originally scheduled number of Members, this amount will be adjusted.***

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Introduced by:

Referral No. 6311/9019

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

**RESOLUTION NO. 383 OF 2012  
 APPROVING AN INTERMUNICIPAL HOST SITE AGREEMENT  
 IN THE AMOUNT OF \$4,500 BETWEEN THE COUNTY OF ROCKLAND  
 ON BEHALF OF ITS YOUTH BUREAU AND THE ROCKLAND COUNTY  
 SOLID WASTE MANAGEMENT AUTHORITY WHICH IS ACTING AS  
 A HOST SITE FOR THE ROCKLAND COUNTY AMERICORPS  
 ENVIRONMENTAL CORPS PROGRAM  
 FROM JUNE 1, 2012 THROUGH OCTOBER 31, 2012  
 AND AUTHORIZING THE COUNTY EXECUTIVE  
 TO EXECUTE THE INTERMUNICIPAL HOST SITE AGREEMENT  
 [YOUTH BUREAU]  
 (\$4,500)**

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

WHEREAS, Both the County of Rockland (the "County") and the Rockland County Solid Waste Management Authority are "municipal corporation[s]" as defined in New York General Municipal Law Section 119-n(a); and

WHEREAS, General Municipal Law Section 119-o(1) further provides, in relevant part, that "municipal corporations have [the] power to enter into . . . agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a . . . contract basis," provided that such agreements are "approved by each participating municipal corporation . . . by a majority vote of the voting strength of its governing body"; and

WHEREAS, The Rockland County AmeriCorps ("RCA") is a program of the Rockland County Youth Bureau which enrolls local municipalities and not-for-profit corporations as Host Sites for the Environmental Corps Program (the "Program") which runs from June 1, 2012 through October 31, 2012; and

WHEREAS, RCA members that are placed at Host Sites perform various projects for the Host Sites with an emphasis on environmental and beautification work; and

WHEREAS, The Rockland County Solid Waste Management Authority wishes to participate in the Program and accept for placement RCA members referred by RCA pursuant to an intermunicipal Host Site agreement; and

WHEREAS, The constituents served by both the County and Rockland County Solid Waste Management Authority. will benefit from the intermunicipal Host Site agreement; and

WHEREAS, Pursuant to the intermunicipal agreement, Rockland County Solid Waste Management Authority. will pay the County \$4,500 for the services of three (3) RCA members for the period June 1, 2012 through October 31, 2012; and

WHEREAS, On May 24, 2012, by Resolution No. 26 of 2012 of the Rockland County Solid Waste Management Authority approved the intermunicipal Host Site agreement; and

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

RESOLVED, That the Legislature of Rockland County hereby approves, pursuant to New York General Municipal Law Sections 119-n(a) and 119-o(1), the intermunicipal Host Site agreement between the County of Rockland and the Rockland County Solid Waste Management Authority pursuant to which the Rockland County Solid Waste Management Authority will pay the County \$4,500 for the services of three (3) Rockland County AmeriCorps members for the period June 1, 2012 through October 31, 2012, which agreement was approved by the Board of the Rockland County Solid Waste Management Authority by Resolution on May 24, 2012 Resolution No. 26 of 2012; and be it further

RESOLVED, That the Legislature hereby authorizes the County Executive to execute the intermunicipal Host Site agreement on behalf of the County.

**Schedule A**

Rockland County AmeriCorps (RCA), a program of the Rockland County Youth Bureau enrolls local municipalities and not-for-profit organizations to be HOST SITES for the Environmental Corps from June 1, 2012 - December 31, 2012. AmeriCorps members perform variOUs projects while placed at HOST SITES with the emphasis on environmental and beautification work.

The HOST SITE agrees to pay RCA \$1500.00 per 300 hr member in two installments of \$750.00. The first payment is due on or before July 27, 2011 and the second payment is due on or before September 28, 2011. In the event that a Member leaves the program or is transferred to another site, the HOST SITE may submit a written request for a pro-rated cost based on the number of weeks the Member completed in the program.

For their service, Members are required to complete 50 hours of training and 250 hours of service for a total commitment of 300 hours of service. In return for their service, Members will receive a bi-weekly stipend from RCA, not to exceed the total amount of \$2,000 for 300 hours of service. RCA pays the stipend from funds it receives through a grant from the NYS Office of Children and Family Services.

**R.C. Solid Waste Management Authority is scheduled to receive and accept for placement a maximum of 3 Members.**

**Payment Schedule**

**Maximum Sum Due: \*\* \$4,500.00**

**\$1500.00 per 300 hour Member x 3 Members = \$4,500.00**

**Installation Amounts:**

**\$750.00 per Member due on or before July 27, 2012**

**\$750.00 per Member due on or before September 28, 2012**

***\*\*If the Host Site ultimately accepts for placement less than the originally scheduled number of Members, this amount will be adjusted.***

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Introduced by:

Referral No. 6311/9019

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

**RESOLUTION NO. 384 OF 2012  
 APPROVING AN INTERMUNICIPAL HOST SITE AGREEMENT  
 IN AN AMOUNT NOT TO EXCEED \$6,000 BETWEEN THE  
 COUNTY OF ROCKLAND ON BEHALF OF ITS YOUTH BUREAU  
 AND THE VILLAGE OF HAVERSTRAW  
 ON BEHALF OF ITS PUBLIC WORKS DEPARTMENT  
 WHICH IS ACTING AS A HOST SITE FOR THE  
 ROCKLAND COUNTY AMERICORPS  
 ENVIRONMENTAL CORPS PROGRAM  
 FROM JUNE 1, 2012 THROUGH DECEMBER 31, 2012  
 AND AUTHORIZING THE COUNTY EXECUTIVE  
 TO EXECUTE THE INTERMUNICIPAL HOST SITE AGREEMENT  
 [YOUTH BUREAU]  
 (\$6,000)**

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

WHEREAS, Both the County of Rockland (the "County") and the Village of Haverstraw (the "Village") are "municipal corporation[s]" as defined in New York General Municipal Law section 119-n(a); and

WHEREAS, General Municipal Law section 119-o(1) further provides, in relevant part, that "municipal corporations have [the] power to enter into . . . agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a . . . contract basis," provided that such agreements are "approved by each participating municipal corporation . . . by a majority vote of the voting strength of its governing body"; and

WHEREAS, The Rockland County AmeriCorps ("RCA") is a program of the Rockland County Youth Bureau which enrolls local municipalities and not-for-profit corporations as Host Sites for the Environmental Corps Program (the "Program") which runs from June 1, 2012 through December 31, 2012; and

WHEREAS, RCA members that are placed at Host Sites perform various projects for the Host Sites with an emphasis on environmental and beautification work; and

WHEREAS, The Village's Public Works Department wishes to participate in the Program and accept for placement a maximum of four (4) RCA members referred by RCA to the Village pursuant to an intermunicipal Host Site agreement; and

WHEREAS, The residents of the County and the Village will benefit from the intermunicipal Host Site agreement; and

WHEREAS, Pursuant to the intermunicipal Host Site agreement, the Village's Public Works Department will pay the County an amount not to exceed \$6,000 for the services of the four (4) RCA members for the period June 1, 2012 through December 31, 2012; and

WHEREAS, On June 11, 2012, by Resolution No. 103-2012, the Village's Board of Trustees approved the intermunicipal Host Site agreement; and

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

RESOLVED, That the Legislature of Rockland County hereby approves, pursuant to New York General Municipal Law sections 119-n(a) and 119-o(1), the intermunicipal Host Site agreement between the County of Rockland and the Village of Haverstraw (the "Village"), pursuant to which the Village's Public Works Department will pay the County an amount not to exceed \$6,000 for the services of a maximum of four (4) Rockland County AmeriCorps members for the period June 1, 2012 through December 31, 2012, which agreement was approved by the Village's Board of Trustees on June 11, 2012 by Resolution No. 103-2012; and be it further

RESOLVED, That the Legislature hereby authorizes the County Executive to execute the intermunicipal Host Site agreement on behalf of the County.

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**Schedule A**

Rockland County AmeriCorps (RCA), a program of the Rockland County Youth Bureau enrolls local municipalities and not-for-profit organizations to be HOST SITES for the Environmental Corps from June 1, 2012 - December 31, 2012. AmeriCorps members perform various projects while placed at HOST SITES with the emphasis on environmental and beautification work.

The HOST SITE agrees to pay RCA \$1500.00 per 300 hour member in two installments of \$750.00. The first payment is due on or before July 27, 2012 and the second payment is due on or before September 28, 2012. In the event that a Member leaves the program or is transferred to another site, the HOST SITE may submit a written request for a pro-rated cost based on the number of weeks the Member completed in the program.

For their service, Members are required to complete 50 hours of training and 250 hours of service for a total commitment of 300 hours of service. In return for their service, Members will receive a bi-weekly stipend from RCA, not to exceed the total amount of \$2,000 for 300 hours of service. RCA pays the stipend from funds it receives through a grant from the NYS Office of Children and Family Services.

Village of Haverstraw is scheduled to receive and accept for placement a maximum of 4 Members.

**Payment Schedule**

**Maximum Sum Due: \*\* \$6,000.00**

**\$1500.00 per 300 hour Member x 4 Members = \$6,000.00**

**Installment Amounts:**

**\$750.00 per Member due on or before July 27, 2012**

**\$750.00 per Member due on or before September 28, 2012**

***\*\*If the Host Site ultimately accepts for placement less than the originally scheduled number of Members, this amount will be adjusted.***

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Introduced by:

Referral No. 6707

- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Toney L. Earl, Sponsor

**RESOLUTION NO. 385 OF 2012  
 ESTABLISHING FIFTEEN POSITIONS IN  
 THE SHERIFF'S DEPARTMENT CORRECTIONAL FACILITY  
 IN ORDER TO ENSURE COMPLIANCE WITH NEW MINIMUM  
 STAFFING REQUIREMENTS MANDATED BY THE  
 NEW YORK STATE COMMISSION OF CORRECTIONS  
 [SHERIFF'S DEPARTMENT]**

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

WHEREAS, The Sheriff is requesting the establishment of fifteen (15) positions in the Sheriff's Department Correctional Facility in order to ensure compliance with new minimum staffing mandates mandated by the New York State Commission of Corrections; and

WHEREAS, The Department of Personnel has reviewed the job descriptions for the fifteen (15) positions and has made appropriate civil service classifications; and

WHEREAS, The Sheriff is requesting no additional funds to establish these positions; and

WHEREAS, The Budget and Finance Committee of this Legislature has met, reviewed and this resolution; now, therefore, be it

RESOLVED, That fourteen (14) positions of Correction Officer, position numbers 9009, 9010, 9011, 9012, 9013, 9014, 9015, 9016, 9017, 9018, 9019, 9020, 9021, 9022, (starting salary \$45,653), be and hereby are established in the Sheriff's - Correctional Facility -3150; and be it further

RESOLVED, That the following one position of Correction Sergeant, position #9023, (starting salary \$87,853) be and hereby is established in the Sheriff's - Correctional Facility - 3150.

The vote resulted as follows:

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

**Debate:**

Mr. Carey

Is there any way that some of the folks that were laid off could be candidates for these positions? It would be something worthwhile pursuing.

Chairwoman Cornell

I don't know that, but we could certainly find out at a later date. There is no one here from the Sheriff's Department to respond to that nor do I remember whether there were any Correctional Officers that were laid off. I don't recall that there were.

Mr. Schoenberger

I don't know that there were any Correction Officers laid off, but I do believe that the positions of Correction Officers are Civil Service tested and there is an established list and under Civil Service Law you have to hire from that list. Now it is possible that some of the people that were laid off may also be on that list and may have a priority, but basically they hire from the top three of the Civil Service test and I guess it will be fourteen out of the top.

Mr. Wieder

I will be voting no on this resolution. We, all of us, in this Legislative chamber have been struggling to save this great County each in their own way. Rockland County under the yolk of State unfunded mandates and a very harsh economic reality has been strained and distressed. We turned to Albany for help. No, we didn't ask for handouts or government bailouts. No, we didn't ask Albany to pay our bills. What we did ask for was for desperate relief of unfunded mandates. What we did ask for was a Home Rule request so we can determine our own destiny. What was the answer we got from Albany? Well, we didn't get any answer. As a result taxes were raised, positions were eliminated, hardworking people were laid off and the County's credit rating was downgraded further straining the hardworking taxpayers of Rockland County.

In the midst of all this madness we get a letter in the mail. It is a letter from Albany with a new unfunded mandate. They have determined that we need to hire fifteen new employees for the County jail. Albany, my answer is a resounding "No". This madness has got to stop. The message has to be loud and clear, Albany, we no longer will submit to this onslaught. If we approve this resolution and capitulate to the demands of Albany we do not deserve any better than Albany.

Mr. Day

Earlier a number of us talked about State mandates and very accurately so. They are very overwhelming and at times burdensome. Legislator Meyers made a comment characterizing the difference between certain mandates, and others I know feel the same way here.

I just want to offer a balancing thought this evening. I hear my colleague and I know he is very passionate about this particular issue, but I would certainly refer a thought back here tonight to our Sheriff who did come in and talk about his issue. He did not express umbrage at the hiring. He did not recommend we say "no". I don't know if it something we even can win when it comes down to it, because of the way the correction system works. There are mandates so symbolically it may be a very positive thing to say no.

I want to offer a couple of thoughts from a background in law enforcement. Both Sheriff Falco and Sheriff Kralik have and are doing a great job in making the jail system work here in Rockland County, along with the entire department and so have the Correction Officers. I would suggest to my colleagues we give some thought to the men and women who are in the Corrections Division right now, because truly is where the balance is. I can tell you as a former cop that the toughest job in law enforcement is corrections, hands down. There is no such thing as a good neighborhood just the reality of it all. The balance we have to never lose sight of is minimum staffing. Those expectations, policies and procedures are in place for a reason. I worked some busy nights as a radio car cop in Upper Manhattan and Harlem and there was a reason for minimum manning, believe me. When you get into a situation when you need help and your shy a couple of cars every second counts, your life is on the line, along with the lives of the people you are trying to protect. I would ask my colleagues to consider that this evening.

There comes a point where we compromise the safety of our Correction Officers, the safety of our inmates, which we are charged to ensure happens and never forget the safety of the public especially those who live near the jail and those who could be impacted by an escaped prisoner. Correction Officers typically love overtime. It is a great thing. Working overtime is the agony and the ecstasy. The agony is working it and the ecstasy is getting the paycheck, but there comes a point where they work all those hours they start getting off top of your game and start making mistakes and that is truly what we are talking about tonight at least in a balance before we talk about this as a general mandate. I spoke to some of the Correction Officers about this issue and even they who love working overtime recognize that we need some help. I am trying to look at this mandated hiring in that vane. I am going to choose to look at it by yielding to my experience, my sense of importance of this issue, the fact that our elected Sheriff has worked with less and did not tell us when he came here that this is something we should not do. He said that he would make it work, overtime would be reduced obviously and I think he mentioned that it might be revenue neutral.

I think we have a responsibility here, besides raising our voicing about State mandates, to our Correction Officers who are working one of the toughest jobs in the County in my estimation making sure that the inmates who come under the oversight of our County jail is are safe, because if they are not we will end up being liable for any injuries incurred upon these folks and most importantly the public at large know when a criminal is arrested that he or she is going to jail

and he or she is not going to walk out a backdoor, because some Correction Officers is working 24 hours in a row trying to make it work.

Mr. Schoenberger

I appreciate what Legislator Day said. I don't remember how many Correction Officer we have at the jail. Whatever that number is we are now going to add fourteen plus a sergeant. I think what is really begging the question here is that if we don't add these fifteen positions the New York State Commission on Corrections will require time shifts to be added for those positions. What that means is that existing officers would be forced to work overtime in those additional slots that are being mandated by the State Department of Corrections to be created. So that if we are paying someone a starting salary of \$45,000, with overtime in essence they will be getting time-in-a-half, which is \$67,000. So, if you want to talk about financially creating fifteen positions saving on overtime is probably a better thing. I have to agree with that and the Sheriff will probably agree with that. I am sure Legislator Day agrees with that. But that still begs the question that I was talking about and misses the major issue.

The major issue is in the first Whereas, which says, "WHEREAS, The Sheriff is requesting the establishment of fifteen (15) positions in the Sheriff's Department Correctional Facility in order to ensure compliance with new minimum staffing mandates mandated by the New York State Commission of Corrections." The question that has to be asked is why are there new minimum mandates? What has occurred in our jail or across the State that has made the New York State Commission on Corrections create a new mandate to add more staff? Isn't our jail running well? I am not aware of anyone escaping from the jail. I believe the prisoners there are housed, fed and taken care of and they are exercised and they have TV and all the accoutrements of a good life; some of them better than they have out on the street. Yet, we are being mandated to add fifteen more people. The question is not whether adding fifteen people and complying with the mandates is going to save money against overtime. The question is why are there fifteen new positions being mandated upon us. Truthfully, no one has been able to give me a clear answer to that question.

I will vote for this, because we have to not because I want to. Thank you.

Mr. Soskin

When I read about this in the newspaper I put through a resolution from the Multi-Services Committee, which was subsequently referred to the Public Safety Committee. We invited the Sheriff to come down to explain to us whether it was necessary to do this or not. According to law, and I don't know whether it is new law or existing law, every prisoner who is admitted to the jail must answer a questionnaire and if they answer it a certain way they require a psychological examination. We have a part-time psychiatrist working at the jail. Based upon the answers determines whether they need more supervision than others and for that reason there are something like 800 people who have to be seen by psychiatrists before they can be admitted to the jail on a general population basis as opposed to being there on a 24 hour watch basis and this is the reason why they require fifteen additional officers. Do I like it? No, I think it is horrendous, but we really don't have much to say about it. That is the State law. The Tax Law was written and we have no choice on that. This is something we have no choice on.

It hurts me very much, because we just fired approximately 100 employees, people who have families, people who may not be earning as much as other people are. I have received letter from several of them and they do not earn that much. If you go to the store today to buy ice cream they give you a 48-ounce container with 35 ounces. Even the Federal government is printing dollars and selling the Treasury bills to the public and the value of the dollar is going down. We really do not have too much of a choice.

The Sheriff did tell us that within a year or year and a half there are quite a few officers who work at the jail who will be retiring. Once we get to that point he will be able to work around this by replacing some of these people who have just been hired into the general grouping of officers so the problem may be solved. Also, the Sheriff told us he is going to be introducing some new methods where the psychiatrist could interview the prisoners by a teleconference. As much as I hate to vote for it I don't think we have too much of a choice.

I just hope we can all get together instead of fighting with each other and get our employees rehired. I think from what I heard our employees have first choice in the openings that come up and after working for the County many years I think they are entitled to that. Our Sheriff is working very hard. I see him walking in and I must congratulate him for all his efforts. I know he is going to continue to do a good job. We don't have a choice, thank you.

Mr. Moroney

I totally agree with my colleague Mr. Wieder on the issue, but I have reservations about voting no. I would love to vote against a mandate from the State of New York tonight after my original speech, but I can't in good conscience on this issue. When I read the report this is going to save the County \$1,000,000 in overtime. The concern I had when I read that report was the percentage of mentally disturbed people that are in that jail. For that reason alone the safety of the other Correction Officers is important. This is a greave concern of mine. I remember when we first built the jail the State told us that 200 beds were enough. Guess what? We spent millions of dollars a few years later to add on an addition. So the State is not always right. This mandate is certainly something that I do not want to risk the lives of any Correction Officer, because of some action that we took here tonight. I don't like it, but it good conscience I have to protect the safety and wellbeing of those people that serve in the County jail. I have to vote yes on this one tonight. I appreciate the words of my colleague Mr. Wieder.

Mrs. Paul

My brother is a Correction Officer, not in Rockland County. He always worried about how to keep safe the inmates. Now, we don't have any choice, because it is mandated. I support this resolution and will say yes.

Mr. Grant

I also have to agree with Legislator Wieder, at least the sentiment of his conversation. Anything that continues to focus the spotlight on the price the County has paid for the State mandates is a good thing. One of the things that people should understand about this particular item is it requires us to hire fifteen additional Correction Officers. Yes, it may cost us \$1,100,000, but originally in the budget was \$1,100,000 for the Intelligence Task Force and \$1,000,000 for the Narcotics Task Force, which we are struggling to keep these things together. Fifteen officers, with three Correction Officers on a shift at any one time; that is what we are getting for \$1,100,000. Fifteen officers, because it is a 365 day year operation/24-hours a day. You have vacation, sick, training time and it just goes on and on. So you get these officers to add to the additional safety and protection of other Correction Officers and others prisoners in the jail. It is important that people understand what we are getting for the money and that other services may not be provided to meet this mandate.

I think this conversation focuses the spotlight on the issue of mandates and a need to resolve them. \$1,100,000 is two-thirds of what the 2% tax cap generates if you stay under it. All these things the people in Albany think is so important and will accomplish so much for the people of Rockland County and other counties the amount of pressure that is being placed on County government to reinvent itself, to modify itself and to retool itself so it could meet the needs of the people of our community has caused us to have fewer and fewer options.

Legislator Day was absolutely correct, the safety and security of our Correction Officers, the facility and the other inmates is the utmost importance. I think we are compelled here to pass this tonight and I urge you all to vote for it. Thank you.

Mr. Day

In reference to the issue of the first Whereas that Legislator Schoenberger brought up I heard Sheriff Falco speak to this issue earlier. I was under the assumption that the need was better vetted. I would just simply suggest that if we need more information as to the rationale as to why the State feels this is important or critical we should simply get those details at some future committee date. We all certainly questioned the need through this whole process; it was not done in a vacuum. From my prospective I looked to provide some balance to the issue from my own experience. A number of Legislators here bring life skills to the table and do the same thing. The reality is there certainly is a grey area here. We are not going to wait for an escape to occur. I think the idea here is to take action to prevent an escape from occurring. I am not going to quarrel with Legislator Schoenberger's observations on the living conditions and some of the accoutrements that are found in the jail. It is frustrating for many people in the community. There is a need to do this and that based on my own experience also and listening to what the Correction Officers themselves have to deal with I think it is important that we support this. I think that what this comes down to after listening to my colleagues is picking and choosing our battles when it comes to mandates. I would submit that this is probably not the one to do.

Chairwoman Cornell

I will just say very briefly that I too am very sympathetic to the comments made by Legislator Wieder and Legislator Grant with regard to mandates, but the issue of safety and the minimum staffing requirements, which we accept the fact that the Sheriff knows what these are and why they are important, therefore I certainly accept the need. I think that the safety of the inmates, Correctional Officers and public are extraordinarily important. Out of my own experience, I had a friend that a number of years ago with a young son in his twenties who was mentally ill and was being transported to a prison upstate where they had psychiatric care as well as the prison facilities, killed himself in the car being transported. We have great obligations to the people who work for us and the people who are in our care for whatever put them into the jail. The Sheriff has the responsibility and I don't think we have a choice.

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Introduced by:

Referral No. 8111/5614

Hon. Ilan S. Schoenberger, Sponsor  
Hon. Jay Hood, Jr., Sponsor  
Hon. Alden H. Wolfe, Sponsor  
Hon. Michael M. Grant, Sponsor  
Hon. Philip Soskin, Sponsor  
Hon. Toney L. Earl, Sponsor

**RESOLUTION NO. 386 OF 2012  
CORRECTION OF 2012 TAX ROLLS  
FOR VARIOUS PROPERTIES IN  
TOWN OF RAMAPO  
237 ROUTE 59  
SUFFERN, NEW YORK 10901  
[DEPARTMENT OF FINANCE]**

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

WHEREAS, An application for these corrections of the tax rolls for the 2012 Town and County Real Property Taxes levied against properties located in the Town of Ramapo, as indicated on the annexed Schedule "A",

WHEREAS, These properties were significantly damaged by Hurricane Irene and Tropical Storm Lee; and

WHEREAS, As part of the tax legislation passed by the New York State Legislature in December of 2011, the Legislature enacted the Hurricane Irene and Tropical Storm Lee Assessment Relief Act; and

WHEREAS, The Act allows local municipalities to provide tax relief to owners of properties that were "catastrophically impacted" by the severe 2011 storms. Property that lost 50% more of its value as a result of flooding is considered catastrophically impacted and the Act effectively allows heavily damaged properties to be reassessed on the 2011 assessment roll based upon its post-storm condition, even though the damage occurred after the 2011 taxable status date; and

WHEREAS, By Resolution No. 21 of 2012 the Rockland County Legislature opted in to the Hurricane Irene and Tropical Storm Lee Assessment Relief Act, which was part of the tax legislation passed by the New York State Legislature in December of 2011; and

WHEREAS, These parcels should be reduced on the 2012 Town and County Tax Roll and refunds be issued in accordance with the attached Schedule "A"; and

WHEREAS, The corrections add up to be over \$1,000.00 and require Legislative approval; and

WHEREAS, The Real Property Tax Service Officer has investigated the application in accordance with the requirements of Part of Chapter 56 of the Laws of 2011; and

WHEREAS, The Real Property Tax Service Officer has recommended approval of said application; and

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

RESOLVED, That the Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for the reduction of tax amounts on the 2012 Town and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll and issue a new tax bill accordingly.

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A

Town of Ramapo  
Hurricane Assessment Relief Act

| Parcel ID #   | County          | Town            | Sewer         | Sol Waste     | Total Refund    |
|---------------|-----------------|-----------------|---------------|---------------|-----------------|
| 48.13-2-4     | 332.00          | 899.86          | 65.96         | 38.07         | 1,335.89        |
| 48.13-2-5     | 557.23          | 1,510.35        | 110.70        | 65.08         | 2,243.34        |
| 48.13-2-8     | 403.51          | 1,093.72        | 80.16         | 47.11         | 1,624.50        |
| 54.60-2-68    | 210.00          | 201.03          |               | 51.45         | 462.48          |
| 54.60-2-67    | 515.81          | 402.48          |               | 60.22         | 978.51          |
| 54.60-2-83    | 436.12          | 352.70          |               | 59.21         | 848.03          |
| 54.60-2-84    | 436.12          | 352.70          |               | 59.21         | 848.03          |
| <b>Totals</b> | <b>2,890.79</b> | <b>4,812.84</b> | <b>256.82</b> | <b>380.33</b> | <b>8,340.78</b> |

Introduced by:

Referral No. 2871

Hon. Philip Soskin, Sponsor  
Hon. Jay Hood, Jr., Sponsor  
Hon. Toney L. Earl, Sponsor  
Hon. Aney Paul, Sponsor  
Hon. Douglas J. Jobson, Sponsor  
Hon. Patrick J. Moroney, Sponsor  
Hon. Edwin J. Day, Sponsor  
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 387 OF 2012  
CONFIRMING THE REAPPOINTMENT  
OF RICHARD W. KING, M.D., CONGERS, NEW YORK  
TO THE ROCKLAND COUNTY BOARD OF GOVERNORS**

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

WHEREAS, Pursuant to Section §C8.03 of the Rockland County Charter, the County Executive is authorized to appoint members of the Board of Governors for a term of five years, subject to confirmation by the Legislature; and

WHEREAS, Said Board shall consist of ten members, at least two but not more than three of whom must be physicians, persons licensed in the health professions, or professionals in the field of hospital administration; and

WHEREAS, There are currently four members on the Board, with six vacancies, two of whom are physicians, and persons licensed in the health professions; and

WHEREAS, By Resolution No. 105 of 2007, the Legislature confirmed the appointment of Richard W. King, M.D., Congers, New York to the Board of Governors, for a term of five years commencing March 6, 2007; and

WHEREAS, The appointment of Richard W. King, M.D. expired on March 6, 2012 and he has continued to discharge his duties pursuant to Public Officers Law §5; and

WHEREAS, The County Executive has reappointed Richard W. King, M.D., Congers, New York to the Rockland County Board of Governors for an additional five year term; and

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

RESOLVED, That the Legislature of Rockland County hereby confirms the reappointment of Richard W. King, M.D., Congers, New York to the Rockland County Board of Governors, for a term of five years commencing March 7, 2012, and be it further

RESOLVED, That the Clerk to the Legislature is hereby directed to send a copy of this resolution to the Rockland County Board of Governors and to Richard W. King, M.D., Congers, New York.

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Introduced by:

Referral No. 2871

Hon. Philip Soskin, Sponsor  
Hon. Jay Hood, Jr., Sponsor  
Hon. Toney L. Earl, Sponsor  
Hon. Aney Paul, Sponsor  
Hon. Douglas J. Jobson, Sponsor  
Hon. Patrick J. Moroney, Sponsor  
Hon. Edwin J. Day, Sponsor  
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 388 OF 2012  
CONFIRMING THE REAPPOINTMENT  
OF VINCENT P. ABBATECOLA, HAVERSTRAW, NEW YORK  
TO THE ROCKLAND COUNTY BOARD OF GOVERNORS**

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

WHEREAS, Pursuant to Section §C8.03 of the Rockland County Charter, the County Executive is authorized to appoint members of the Board of Governors for a term of five years, subject to confirmation by the Legislature; and

WHEREAS, Said Board shall consist of ten members, at least two but not more than three of whom must be physicians, persons licensed in the health professions, or professionals in the field of hospital administration; and

WHEREAS, There are currently four members on the Board, with six vacancies, two of whom are physicians, and persons licensed in the health professions; and

WHEREAS, By Resolution No. 105 of 2007, the Legislature confirmed the reappointment of Vincent P. Abbatecola, Haverstraw, New York for a term of five years commencing March 6, 2007; and

WHEREAS, The appointment of Vincent P. Abbatecola expired on March 6, 2012 and he has continued to discharge his duties pursuant to Public Officers Law §5; and

WHEREAS, The County Executive has reappointed Vincent P. Abbatecola, Haverstraw, New York to the Rockland County Board of Governors for an additional five year term commencing on March 7, 2012; and

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

RESOLVED, That the Legislature of Rockland County hereby confirms the reappointment of Vincent P. Abbatecola, Haverstraw, New York to the Rockland County Board of Governors, for a term of five years commencing on March 7, 2012, and be it further

RESOLVED, That the Clerk to the Legislature is hereby directed to send a copy of this resolution to the Rockland County Board of Governors and to Vincent P. Abbatecola, Haverstraw, New York.

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Introduced by:

Referral No. 2871

Hon. Philip Soskin, Sponsor  
Hon. Jay Hood, Jr., Sponsor  
Hon. Toney L. Earl, Sponsor  
Hon. Aney Paul, Sponsor  
Hon. Douglas J. Jobson, Sponsor  
Hon. Patrick J. Moroney, Sponsor  
Hon. Edwin J. Day, Sponsor  
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 389 OF 2012  
CONFIRMING THE REAPPOINTMENT  
OF JOSEPH R. LAGANA, PEARL RIVER, NEW YORK  
TO THE ROCKLAND COUNTY BOARD OF GOVERNORS**

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

WHEREAS, Pursuant to Section §C8.03 of the Rockland County Charter, authorizes the County Executive to appoint members of the Board of Governors for a term of five years, subject to confirmation by the Legislature, and

WHEREAS, Said Board shall consist of ten members, at least two but not more than three of whom must be physicians, persons licensed in the health professions, or professionals in the field of hospital administration, and

WHEREAS, There are currently four members on the Board, with six vacancies, two of whom are physicians, and persons licensed in the health professions, and

WHEREAS, By Resolution No. 105 of 2007, the Legislature confirmed the reappointment of Joseph R. Lagana, Pearl River, New York for a term of five years commencing March 6, 2007; and

WHEREAS, The appointment of Joseph R. Lagana expired on March 6, 2012 and he has continued to discharge his duties pursuant to Public Officers Law §5; and

WHEREAS, The County Executive has reappointed Joseph R. Lagana, Pearl River, New York to the Rockland County Board of Governors, for an additional term of five years commencing on March 7, 2012; and

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

RESOLVED, That the Legislature of Rockland County hereby confirms the reappointment of Joseph R. Lagana, Pearl River, New York to the Rockland County Board of Governors, for a term of five years commencing March 7, 2012, and be it further

RESOLVED, That the Clerk to the Legislature is hereby directed to send a copy of this resolution to the Rockland County Board of Governors and to Joseph R. Lagana, Pearl River, New York.

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**Debate:**

**Mr. Soskin**

Just for everybody's information the Rockland County Board of Governors is a body that has oversight over the hospital. They have a five-year term and most of these are reappointments.

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Introduced by:

Referral No. 3179

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

**RESOLUTION NO. 390 OF 2012  
CONFIRMING THE APPOINTMENT OF  
MARY JEAN MARSICO ED.D., PEARL RIVER, NEW YORK  
TO THE ROCKLAND COUNTY BOARD OF HEALTH**

Mr. Murphy offered the following resolution, which was seconded by Mr. Carey, Mr. Day, Mr. Earl, Mrs. Low-Hogan, Mr. Moroney, Mrs. Paul and Mr. Soskin and unanimously adopted:

WHEREAS, Article VII, §C7.03 of the Rockland County Charter established a Board of Health ("Board") consisting of five members, two of whom shall be physicians; and

WHEREAS, The aforesaid Article VII, §C7.03 provides that appointment to the Board of Health shall be for a five-year term or for the unexpired term when there is a vacancy, subject to confirmation by the Legislature; and

WHEREAS, The County Executive has appointed Mary Jean Marsico, Ed.D., Pearl River, New York to a five-year term on the board created by the resignation of Dr. Ronald Discenza whose term expired December 31, 2011; and

WHEREAS, There are currently two physicians on the Board; and

WHEREAS, With this appointment, the Board shall be fully constituted; and

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

RESOLVED, That the Legislature of Rockland County hereby confirms the appointment of Mary Jean Marsico, Ed.D., Pearl River, New York to the Rockland County Board of Health for a five-year term commencing on January 1, 2012 and expiring on December 31, 2016; and be it further

RESOLVED, That the Clerk to the Legislature is hereby directed to send a copy of this resolution to the Rockland County Board of Health and to the appointee, Mary Jean Marsico, Ed.D.

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**Debate:**

**Mr. Murphy**

I think it is a wonderful story to tell. Dr. Marsico's first fulltime job was working for me in a group home for developmentally disabled people. From that humble origin she went on to get her Doctor's degree and become head of BOCES and to serve on the Board of Camp Venture. I think her story of her devotion to people with special needs is worth sharing with my fellow Legislators. Thank you.

**Chairwoman Cornell**

I would like to second the sentiments as well, because I work very closely with Dr. Marsico. We serve together on the Board of Rockland 21<sup>st</sup> Century Collaborative for Children and Youth. She traveled with me as well to Washington DC in 2006 so that we could testify before members of the United States Congress on issues having to do with the No Child Left Behind legislation. She is a very special person and her knowledge of special needs is absolutely complete.

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Introduced by:

Referral No. 2912

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. Douglas J. Jobson, Co-Sponsor  
Hon. Patrick J. Moroney, Co-Sponsor  
Hon. Alden H. Wolfe, Co-Sponsor

**RESOLUTION NO. 391 OF 2012  
RECOMMENDING APPOINTMENT OF MILAGROS GUZMAN TO THE  
ROCKLAND COUNTY RENT GUIDELINES BOARD**

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

WHEREAS, the Rockland County Rent Guidelines Board was created pursuant to the provisions of Section 8624 of the Unconsolidated Laws of the State of New York; and

WHEREAS, it has come to the attention of the Rockland County Legislature that a vacancy exists on the said Board caused by the resignation of William A. Kalman; and

WHEREAS, New York State Law requires that the Legislature of Rockland County recommend appointments or re-appointments to the Commissioner of the New York State Division of Housing and Community Renewal who has the power of appointment to the Rockland County Rent Guidelines Board; and

WHEREAS, the Legislature of Rockland County notes that the Rockland County Rent Guidelines Board consists of two members representative of tenants, two members representative of owners of property and five public members each of whom must have at least five years of experience in either finance, economics or housing; and

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

RESOLVED, that the Legislature of Rockland County hereby recommends Milagros Guzman from the Haverstraw, New York for appointment to the Rockland County Rent Guidelines Board; as a public member and be it further

RESOLVED, that the Clerk to the Legislature is hereby directed to forward a copy of this resolution to the Commissioner of the New York State Division of Housing and Community Renewal, to the Chairperson of the Rockland County Rent Guidelines Board and to the recommended appointee.

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Introduced by:

Referral No. 8757

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

**RESOLUTION NO. 392 OF 2012  
SETTING A DATE FOR A PUBLIC HEARING:  
A LOCAL LAW AMENDING THE ROCKLAND COUNTY MULTIPLE  
DWELLING SMOKING POLICY ACT (LOCAL LAW NO. 6 OF 2011)**

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

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

RESOLVED, that this Legislature hereby sets the 3rd day of October, 2012, at 7:05 P.M. for a public hearing to provide for A Local Law Amending The Rockland County Multiple Dwelling Smoking Policy Act (Local Law No. 6 Of 2011)

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**Debate:**

Mr. Wolfe

Basically the Health Department, with the advice of the County Attorney, had begun to implement our law in a way that I felt was inconsistent with the Legislative intent. They were going actually beyond the intent of the law in terms of its application. I also received some feedback from members of the Rockland County Bar with regard to the impact on condos, co-ops, and HOA's and so in consultation with Counsel we felt that there were clarification and technical changes that we wanted to make. So that is what this is.

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Introduced by:

Referral No. 3936

Hon. Michael M. Grant, Sponsor  
Hon. Ilan S. Schoenberger, Sponsor  
Hon. Alden H. Wolfe, Sponsor  
Hon. Edwin J. Day, Sponsor  
Hon. Aney Paul, Sponsor  
Hon. Douglas J. Jobson, Sponsor  
Hon. Philip Soskin, Sponsor

**RESOLUTION NO. 393 OF 2012  
CONFIRMING THE APPOINTMENT OF  
JOANNA GALDONE,  
NEW CITY, NEW YORK TO THE  
ROCKLAND COUNTY PARK COMMISSION**

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

WHEREAS, Chapter 128 of the Laws of Rockland established the Rockland County Park Commission ("Commission") §128-2 provides that the commission shall be composed of seven residents of Rockland County (one member from each of the five towns and two at-large members), appointed by and serving at the pleasure of the Legislature; and

WHEREAS, The County Executive has appointed Joanna Galdone of New City, New York to the Rockland County Park Commission; and

WHEREAS Joanna Galdone is a resident of Clarkstown; and

WHEREAS With this appointment, there will be three vacancies on the Commission (one member from Orangetown and two-at large members); and

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

RESOLVED, That the Legislature of Rockland County hereby confirms the appointment of Joanna Galdone of New City, New York to the Rockland County Park Commission, to serve at the pleasure of the County Executive; and be it further

RESOLVED, That the Clerk to the Legislature is hereby directed to forward a copy of this resolution to the Rockland County Park Commission and to the appointee, Joanna Galdone.

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**Debate:**

**Chairwoman Cornell**

Joanna Galdone has been serving on the Deer Management Committee with a number of others and I very much appreciate her willingness and desire to serve on the Park Commission.

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Introduced by:

Referral No. 5506

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

**RESOLUTION NO. 394 OF 2012  
CONFIRMING THE APPOINTMENT OF  
CHIEF WILLIAM BARBERA  
TAPPAN, NEW YORK  
TO THE ROCKLAND COUNTY  
TRAFFIC SAFETY BOARD**

Mr. Hood, Jr. offered the following resolution, which was seconded by Mr. Day, Mr. Earl, Mrs. Low-Hogan, Mr. Murphy and Mr. Soskin and unanimously adopted:

WHEREAS, The Traffic Safety Board was established by Chapter 177 of the Laws of Rockland County, pursuant to Article 43 of the Vehicle and Traffic Law of the State of New York, to be composed of twenty (20) members, each of which shall be a resident of the County, a qualified elector thereof and interested in traffic safety and traffic problems; and

WHEREAS, Section C3.02 of the Charter Law of Rockland County provides that the County Executive shall appoint members of all county boards and commissions, subject to legislative confirmation; and

WHEREAS, The County Executive has appointed Chief William Barbera, Tappan, New York to the Rockland County Traffic Safety Board, to serve at his pleasure subject to legislative confirmation; and

WHEREAS, The appointee is a resident of the County, a qualified elector thereof and is interested in traffic safety and traffic problems; and

WHEREAS, Chief William Barbera is replacing Sheriff Falco who had been a member of the Rockland County Traffic Safety Board; and

WHEREAS, With this appointment, there remains one (1) vacancy on the Rockland County Traffic Safety Board; and

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

RESOLVED, That the Legislature of Rockland County hereby confirms the appointment of Chief William Barbera, Tappan, New York, to the Rockland County Traffic Safety Board to serve at the pleasure of the County Executive; and be it further

RESOLVED, That the Clerk to the Legislature is directed to forward a copy of this resolution to the Rockland County Traffic Safety Board and to the appointee.

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**RESOLUTION NO. 395 OF 2012  
WAIVE THE RULES OF THE LEGISLATURE  
TO CONSIDER PROPOSED RESOLUTION  
UNDER NEW BUSINESS**

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

RESOLVED, that the Rules of the Legislature be waived to consider Item 12 A, Resolution No. 396 of 2012 under New Business.

The vote resulted as follows:

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

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**Debate:**

Chairwoman Cornell

Whoever moves to waive the rules has to indicate the reason for the emergency, please.

Mr. Moroney

The resolution addresses what may be a serious and dangerous condition in that the Town of Clarkstown, as I understand it, has illegally put up a barrier on a town road. The County Highway Superintendent believes that cannot be done without his input and approval as mandated by the State Highway law and other State laws.

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AMENDED  
NEW BUSINESS  
Referral No. 6394

Introduced by:

Hon. Ilan S. Schoenberger, Sponsor  
Hon. Patrick J. Moroney, Sponsor  
Hon. Philip Soskin, Co-Sponsor  
Hon. Alden H. Wolfe, Co-Sponsor

**RESOLUTION NO. 396 OF 2012  
AUTHORIZING THE COUNTY ATTORNEY TO SUE  
THE TOWN OF CLARKSTOWN FOR ILLEGALLY CLOSING  
SAMUEL ROAD IN THE VILLAGE OF CHESTNUT RIDGE**

Mr. Moroney offered the following amended resolution, which was seconded by Mr. Schoenberger and adopted:

WHEREAS, the Town of Clarkstown has illegally barricaded and closed a public road, to wit: Samuel Road, located in the Town of Clarkstown; and

WHEREAS, said road runs from the Town of Clarkstown, continues into the adjoining municipality of the town of Ramapo in the hamlet of Chestnut Ridge; and

WHEREAS, the Rockland County Superintendent of Highways has stated that he had never heard of a town closing a street that also ran through another municipality; and further stated that it was the first time he knew of a street being closed without a permit issued by the County Superintendent of Highways; and

WHEREAS, that under New York State Highway Law, the County Superintendent of Highways is authorized to approve or deny the closing of Town roads within the County of Rockland; and

WHEREAS, the Supervisor of the Town of Clarkstown has stated to the press that the Town of Clarkstown did not need a permit from the County of Rockland to close this road, which is contrary to State law; and

WHEREAS, at the public hearing held by the Town of Clarkstown prior to the Town Board's vote to close this street, various emergency services members voiced objections to the closure citing safety concerns and pointing out that every minute counts; during heavy rain, Pascack Road is often flooded and during winter storms the closed road could force emergency vehicles to take a detour into New Jersey before they can access Samuel Road due to the closure as well as other streets affected by this closure; and

WHEREAS, the Mayor of Chestnut Ridge and several trustees likewise opposed the closing of Samuel Road; and

WHEREAS, the Town of Clarkstown alleges to have performed a two year traffic study of the subject road, and the primary reason for closing the road is not because of it being dangerous condition, or non compliance with construction criteria or for dangerous blind turns in the road or other questions regarding construction of the road; and

WHEREAS, the Supervisor of the Town of Clarkstown stated to the press that the reason for closing Samuel Road was that vehicles were speeding on that road; and

WHEREAS, the Town of Clarkstown has approximately 170 police officers which should be able to address and control the alleged speeding without having to close the road and put so many people's lives and property at risk; and

WHEREAS, the actions of the Town of Clarkstown in closing Samuel Road could jeopardize the safety of the people living in that area, including but not limited to Chestnut Ridge; now therefore be it

RESOLVED, in the interests of public safety, the Legislature of Rockland County authorizes the County Attorney to institute court action(s) to compel the removal of the barrier on Samuel Road, and to open the road for public traffic in the same manner that it existed prior to the barrier being erected in violation of New York State Highway Law; and be it further

RESOLVED, that the Legislature of Rockland County calls upon the Town of Ramapo to take appropriate action to protect the residents of the Town of Ramapo who reside in the Village of Chestnut Ridge or who may be driving on Samuel Road and to join Rockland County in this lawsuit against the Town of Clarkstown.

The vote resulted as follows:

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

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#### Debate:

##### Mr. Moroney

This came to my attention about two weeks ago. The Clarkstown Town Board passed a resolution authorizing this blockage. Looking at the way this thing has gone down it reminds me of going back to Northern Ireland a long time ago when they blocked off streets so one particular neighborhood couldn't get to the others. There are two dumpsters; one of each side of the road with concrete blocks in-between so there is no pass through. I understand some of the concerns that both sides of the residents have, but one of the reasons that really upsets me about this blockage is there is a culvert down there that is very easily flooded. If that floods there is no access for emergency service into that hamlet of Chestnut Ridge and to all the people that live along Lillian and Samuel Drive. It is absolutely horrendous that this has taken place. I am very disappointed in the attitude of the Supervisor of the Town of Clarkstown. I have had three meetings with Mr. Gromack and he is adamant about that the fact that this barrier stays in place until they do another study and then they will propose a new gate. They are claiming that the planning wasn't done right and it shouldn't have happened this way. Well, you know what, you can go to a thousand areas in this County and you have the same planning problems. We can't rectify planning problems that happened years ago, but to shutoff a public access to emergency services that could serve either side in a catastrophe, which happens all the time these days, is not acceptable. They can't get in from the Chestnut Ridge side and the Nanuet people can't get in from their side.

Also, the issue here is, in my opinion, it is an illegal barrier. The Commissioner of Highways explained that all towns are supposed to get a permit from the County Highway Commissioner and that hasn't happened. There are certain rules established by State Law that says that they cannot proceed with this issue. I have tried to negotiate this so it wouldn't reach this point. It is falling on deaf ears as far as Mr. Gromack is concerned. I talked to some of the people on the Town Board and they did pass a resolution, but I think the resolution is illegal according to State Law. Mr. McKay, please explain the law.

##### Mr. McKay, Legal Counsel

I conferred with the County Attorney's office and Charles Vezzetti, Superintendent of County Roads, and Mr. Vezzetti was very adamant about the fact that this is clearly within his jurisdiction.

##### Mr. Moroney

We have these problems all over the County with heavy traffic and local roads for one development going to another, but I have never seen the action taken like this where the lives of people are being jeopardized. As it exists today the Chief of Police in Clarkstown does not agree with this blockade and neither does the Assistant Chief of the Nanuet Fire Department. They were at the meeting that I had today at 2:00 p.m. So I can't be anymore clear in the fact, in my opinion, that this is a disgrace. There has to be a way to do this and protect the people on both sides of this issue.

Speeding is one thing. Cops can take care of the speeding issue. If there is a volume of traffic maybe there is something we can do to slow the traffic down. I understand that the Clarkstown Town Board did their homework and I got a list of people that were notified, but I didn't get a list of people that responded. I got a list from the people of Chestnut Ridge, 200 signatures against this blockade. There is one gentleman from Chestnut Ridge who recently had a massive heart attack. God forbid this man has another attack or something like that. I have never in my life seen these extremes that the Town of Clarkstown has taken. I represent the Town of Clarkstown and I represent the Nanuet side. You are damned if you do and your damned if you don't. This is an issue that really scars me. It is a precedent that shouldn't happen.

I can't believe it is happening in this day and age when we have all the other traffic studies that we can so we can possibly line up something to alleviate the traffic on Newport Drive. Newport Drive is a long road and the people on the culvert down there could be speeding, because it is all down hill. Don't tell me that it is because the children play on the street. Any street the children play on, but it is not a playground. There are other ways to protect children besides having them play on the street. That is not good enough. I am very disturbed about this whole process and I tried to do the best I can without it reaching this stage tonight.

Mr. Soskin in his prayers tonight said that we should be working together to remedy the problems that we face on a cordial basis. I have tried, I have had three meetings with the Supervisor of Clarkstown and this is the only result I can see to resolve this. First, according to the County Attorney's opinion and the Commissioner of Highway's his is illegal. We all have these concerns throughout the County and that is why we are here to work together to resolve these issues. I am disturbed about the whole scenario.

Mr. Schoenberger

I thank Legislator Moroney for his leadership on this issue. We spoke earlier today. I believe he met with the Supervisor of Clarkstown, the Mayor and Legal Counsel for Chestnut Ridge earlier today. We discussed holding off doing any resolution hoping that this could be resolved, but clearly it wasn't resolved and the Town of Clarkstown is intractable. They passed a resolution and the resolution was the Town Board in an effort to address complaints of traffic concerns, speeding and shortcutting through the Newport Drive subdivision off Convent Road authorized a dead end closure of Samuel Road along with the installation of breakaway metal pipe type double gate with chain and padlock for key distribution to affected emergency services, at the municipal boundary with the Village of Chestnut Ridge, Town of Ramapo. That is what the board authorized, but that is not what they did. They just blocked the road so nobody could get through. Emergency or not the road is blocked. There are barriers and nobody could get through. They haven't even followed their own resolution. They said it was to address complaints of traffic concerns, speeding and shortcutting. Guess which town and which village has the largest police force in Rockland County? The Town of Clarkstown has over 170 sworn officers and they can't address speeding. They can't address speeding? They have to close the road. I guess that means Little Tor Road is next along with a handful of other roads. Speeding is rampant.

You want to talk about people's safety? Let's talk about fire, police and ambulance that have to get around that barrier to save peoples lives, to put out fires or to give someone with a heart attack ambulance service. They are going to have to go way out of their way when time counts to save a life. Tonight we awarded a bid for just under \$14,000,000 for pre-school and early intervention transportation. Those buses are going to have to go around those barriers too; make no mistake about it. Why? Because of complaints of traffic concerns and speeding, which is the most ridiculous thing I ever heard of, and in my opinion, absolutely illegal.

Besides the opinion of the Superintendent of Highways and State statute, this is not the first time a municipality has tried this. I have in my hand an opinion from the Appellate Division, Second Department, which covers the Town of Clarkstown and covers this area. In that case it involved a municipality that tried to close a road. I am going to read the Appellate Division decision:

"The laws enabling such subordinate governmental units to close roadways differ and are found in various statutes. The City of New York's power to discontinue streets was granted by the Legislature in Administrative Code of City of New York. Villages may discontinue streets pursuant to Village Law § 6-612. Second class cities were granted this authority in Second Class Cities Law § 101. A county's right to close a street is governed by Highway Law § 131-b.

The laws governing a town's right to close or discontinue a highway are more restrictive. The Highway Law provides for the closing of town highways under very limited circumstances. § 171 provides that a town superintendent may declare part of a highway "useless" or no longer necessary. § 205 provides that a highway may be declared "abandoned" for lack of use. § 207 provides for the closure of the end portion of a highway which is unnecessary. None of those sections are applicable to the situation at bar because Gleam Street is apparently still in active use.

The town board can only empower the town planning board to approve closing off or abandonment of streets, highways or other public areas under the provisions of the town and highway laws (Town Law § 274).

In sum, in order to close this portion of the highway to the public, the town was required to follow the specific statutory mandate of the Highway Law or obtain other clear and express legislative authorization.

In that case the town didn't do so just like the town didn't do so here and therefore had no right to close off the road. Let's talk about what the town had to do. The town had to go to the Town Superintendent and get a declaration from him that the highway is useless or no longer necessary or that it was abandoned. The town did not do that. The County Superintendent acts as an agent for the State Commissioner of Transportation on local roads and they need his approval as well. But it doesn't even get that far unless the Town Superintendent of Highways says that this is no longer necessary then it goes to the County.

What we presently have is an unauthorized illegal closing of a town road by a town, which didn't follow the town and highway law and puts the lives in jeopardy of people in danger. This resolution tonight will authorize the County Attorney to take legal action to make sure that the law that authorizes our Superintendent of Highways to allow or not allow a road to be closed is protected. We have to protect our jurisdictional rights. Also, this resolution calls upon the Town of Ramapo to take appropriate action to protect the residents of the Town of Ramapo who reside in the Village of Chestnut Ridge or who may be driving on Samuel Road and to join Rockland County in this lawsuit against the Town of Clarkstown. Simultaneously as we are asking the Town of Ramapo to do so Mr. Moroney was advised today that Chestnut Ridge intends to join us in this lawsuit. Am I correct Mr. Moroney?

Mr. Moroney

Yes.

Mr. Schoenberger

Ramapo will be voting tomorrow night not to sue Clarkstown to protect the residents of Ramapo, but they will be voting tomorrow night to join Clarkstown to sue us over hydrants and lights on the road. I think there is some confusion as to what priorities the Town of Ramapo should be engaging in. We are calling upon them to step up to the plate, because the residents of Chestnut Ridge are also citizens of the Town of Ramapo and deserve their government's protection as well. So we are going to ask all of you to support this resolution tonight. I know some of you didn't want to waive the rules and that is certainly your prerogative. Once the rules are waived I think this should be supported. I think that Clarkstown's illegal action, which are detrimental to the residents of this County are inappropriate illegal actions and must be stopped. I would hope that the County Attorney will run into court and get an Order to Show Cause that will immediately remove those barriers.

Mr. Meyers

I did not vote to waive the rules. I think this is a very serious issue. I did not think it was an emergency, because the County Attorney doesn't need authorization from us to bring an action. He can independently seek to bring an action. I don't believe that our County Charter that the County Legislature authorize the County Attorney to bring legal action before he can bring legal action. Does the County Attorney need this body to authorize this body to bring legal action?

Mr. McKay, Legal Counsel

He can be authorized and he also can act independently.

Mr. Meyers

Thank you that is why I did not think it was an emergency. As a side note on a Parliamentary matter, perhaps our rules need to be changed to say that waiver of the rules is for a time sensitive matter where it can't wait to go through the committee process rather than an emergency, because that is what we really use it as. We use it as a time sensitive matter rather than an emergency. An emergency is really too restrictive for waiving the rules. But on the merits of this it does seem that the Town of Clarkstown's action was very arbitrary and something needs to be done. I would think that the first step probably would be for the Village of Chestnut Ridge since their citizens are most affected and they have very aggressive counsel that represents them in Chestnut Ridge for them to bring an action to protect their citizens or the County Attorney can also.

For our purposes here, being able to hear from the Chestnut Ridge Mayor, the trustees and the people from Clarkstown who equally feel why it is not important I would like that, because this is one of those kinds of issues where you would like to hear from both sides. We are hearing from two Legislators who are very upset about it and feel very strongly and feel that the Town of Clarkstown is doing something it should not do, but when you bypass the committee process you don't get to hear from the other people who have opinions about it unless they felt it was important to come here to speak at public participation. So we are missing that component of it and copies of the law and resolutions. Since the County Attorney can do it with or without us it really wasn't an emergency, but I am going to support this resolution tonight, because it appears that the Town of Clarkstown acted arbitrarily.

Mr. Moroney

We do not meet for one more month. I appreciate what Mr. Meyers interjected into the conversation. I thought that this deserved attention. To get it through the committee process would take thirty days. I think 24-hours is too long to have this barrier and that is the reason this is being rushed through. There is concern for the safety of the people. I just want to clarify that we do not meet again until September 4<sup>th</sup>. We didn't get copies of the law and resolution until this afternoon. It is a tremendous emergency. I have never seen something like this happen in all my years on the Legislature. There are a lot of people at risk. The issue is for all the people to try to work this out. I don't think we can afford to wait thirty days or more to go through committee.

Chairwoman Cornell

The information is being passed out to you now that was requested.

Mr. Sparaco

This is the first I am hearing about this tonight. This has never been brought up to me. There have been meetings, paperwork and legal opinions requested and I have heard nothing about it. There are allegations of "illegal activity" made by the town. There is nobody here to address their concerns. There is nobody opposing point of view. There is no time for me to call the town representatives to get their opinions on it. There is no time for me to speak to legal counsel to find out their point of view on it. There is no time for me speak to the County Highway Superintendent and find out his opinion on it. There is no time for me to speak to the Clarkstown Highway Superintendent and find out his opinion on it. Everything you are saying tonight makes sense and I have no problem supporting it, but how could this be rushed through without going through the Public Safety Committee where we could address the concerns, hear opposing points of view, let the town address the allegations of illegal activity and then make an informed decision.

I have no idea how something of this magnitude with the language that is included in this resolution, "...the actions of the Town of Clarkstown in closing Samuel Road shows reckless disregard for the safety of the people living in that area including, but not limited to Chestnut Ridge." This is very strong language. I have never been to the road. I would like to take a ride by the road and see what this is about. I would like to speak to the constituents, speak to the neighbors and find out what this is. You are asking me to vote on something that skipped the whole committee process, which we are supposed to use to help us make informed decisions. Now granted, I could take you at your word and I am sure you are telling the truth, but I have no idea the opposing point of view. I cannot vote on something of this magnitude with such strong language in it without at the very least been given 24-hours to do some of my own research.

Mrs. Low-Hogan

Who decides whether or not to sue on behalf of the County? Does the County Attorney's office make that decision whether or not they will sue? In other words, just because we authorize them to sue does that mean we can't order them to sue or request that they sue we authorizing so would it be the County Attorney's office that would make the decision whether or not to sue.

Mr. McKay, Legal Counsel

It is my understanding that the County Attorney's office will use their good judgment. They are not under our direct supervision and that is why the request is being made to them. Clearly they would understand our argument by reading the papers and understand the urgency as represented in the papers. They would have an opportunity to evaluate themselves. The mere fact that we get this done today and not have a meeting for another thirty days is the emergency. The County Attorney's office may have a need for taking more time, but at least they would have the information and the mandate that if the law supports it as we submitted they would have also the support of the Legislature to go forward. There is a reference made to time and timing is a question predicated on when things develop. All the research that was done today was after the failure of the negotiations after a period of time. Looking at the options of when we will meet again and how we can do it this was the only time we could put the matter before the County Attorney's office.

Mrs. Low-Hogan

So we should be relatively sure that if the County Attorney's office thought that this kind of suit was frivolous or inappropriate then they would not pursue it.

Mr. McKay, Legal Counsel

That is my understanding. A client can come to me to bring an action, but I can decline as the attorney.

Chairwoman Cornell

We also know that this resolution goes to the County Executive and he has to sign it before anything happens and that could take another thirty days.

Mr. Carey

I would like to thank Legislator Moroney for all the hard work he has done on this, but I found out at about 6:45 p.m. tonight, which enabled me to make one telephone call to someone in Clarkstown and the facts that I got back were a lot different than are in here. I am very concerned base on what Pat has laid out and I do take this very seriously. I am not prepared to vote for it tonight, because I believe I would be making an uninformed decision. However I have a suggestion, and I hear loud and clear that we are not meeting for another month, assuming there is enough votes to carry this tonight my strong recommendation is since we do have committee meetings scheduled during this month so if we move forward on the legal front I think we should still have that discussion in a Public Safety Committee meeting. All of the discussions tonight about not having all the information, not having the benefit of asking Skip Vezzetti to his face and giving the Clarkstown folks the benefit to come here. I think that is really way to do this so we don't lose any time, assuming this body wants to support this tonight. I don't know how to do that procedurally, but I hope that we wouldn't let procedure get in the way of us being informed and knowing as much as we can.

Mr. Hood, Jr.

Legislator Carey, that is a great suggestion and I will accept a referral from whoever would like to bring that to my committee. It certainly should be talked about, because the legal wheels as they turn are usually pretty slow. I am sure we will have time to discuss it in the meantime.

I normally wouldn't want one government suing another government. There has been a lot of that talk recently. It doesn't seem like people really want to work together right now for different reasons. I think personally it is making us all look bad to the public. No matter what they are saying or arguing I think the people see us as one body whether it is village, town, County, State or Federal. I hope that we can get together on some of these issues just like Legislator Soskin said, and I hope for that.

When someone brings something from their district to me and wants action, as Pat and Ilan did today, I have to consider it, because I think of it from my point of view if it was my district and a road was closed and I was upset about it I would want some action so I am going to give them that deference tonight and support this. I hope that cooler heads prevail. Usually the treat of litigation actually gets things done and gets people to the table. Let's hope that happens.

Mr. Schoenberger

First I would like to clarify some of the things other speakers have said. Someone asked about Chestnut Ridge. I am told that Chestnut Ridge is going to sue as well. You have to understand that Chestnut Ridge sues from wearing a different suit or a different hat than we do. They sue on behalf of the residents of their village. We sue on behalf of our Superintendent of Highways whose legal authority has been usurped by the Town of Clarkstown closing the road without first getting permission from our Superintendent of Highways. So we have greater standing and we have more rights than I think arguably Chestnut Ridge has. They are certainly welcomed to join us, but we are here defending the statutory rights of our County Superintendent of Highways.

Secondly, to my friends Frank and Chris, yes the language is strong, but it is true. The language that says, "Whereas, the actions of the Town of Clarkstown in closing Samuel Road shows a wanton, reckless disregard for the safety of people living in that area including but not limited to Chestnut Ridge." That is what it says and it is true. Both of you have been handed copies of the resolution passed by the Town Board of the Town of Clarkstown and copies of the case law that I read from. Look at the resolution, "Resolved, that the Town Board, in the interest of the health, safety and welfare of the residents in the vicinity of Newport Drive, hamlet of Nanuet, hereby authorizes the dead end closure of Samuel Road, along with the installation of a metal pipe type breakaway double gate with chain and padlock for key distribution to affected emergency services, at the municipal boundary with the Village of Chestnut Ridge, Town of Ramapo." That is not what is being done. They violated their own resolution. They blocked it with garbage trucks and barriers.

Mr. McKay, Legal Counsel

I have spoken with Skip Vezzetti and they have looked at and there are two trucks with chains between them. By October they intend to install something in the form of a key controlled gate, but currently there is nothing more than highway equipment and chains.

Mr. Schoenberger

I just showed the Legislators from the Town of Clarkstown the picture from the newspaper of the closed road. There is no breakaway gate. There is no chain for emergency services. There is no way any vehicle can get through there the way they have closed it. People on the other side of that barrier, if there is a fire how is a fire truck going to get through? Should they go all around the block? If someone has a heart attack they will have to wait until the ambulance gets there and goes up and down streets. They blocked it, and they blocked it and they blocked it. So if you say that I do not have enough information gentlemen, there is your information. Read the resolution and look at the picture. You should vote against the Town of Clarkstown doing this even if you are from Clarkstown, because it is wrong and illegal.

Legislator Low-Hogan asked who decides who will sue. Her question is correct and is a good question. Legislator Meyers asked if the County Attorney needed our authority. There are differences in law. There are some cases that say in certain Counties that the County Attorney cannot sue without the legislative approval. If the County is sued then the County Attorney has an obligation to immediately defend. There are some interpretations in some charter counties, because the County Executive runs the County on a day-to-day basis, that it is not the County Attorney decides who will sue, but the County Executive directs the County Attorney to sue. This resolution, if it is passed tonight, doesn't get adopted until the County Executive approves it. He has thirty days to approve it or veto it. If he vetoes it we have a right to override the veto and then it becomes adopted. The truth of the matter is I think the County Executive is as concerned as the County Superintendent of Highways about the illegal action taken by the Town of Clarkstown.

The hubris! The Supervisor of the Town of Clarkstown is going to sue us for hydrants and electrical on county roads, which under State law is a town charge. The hubris! He is going to sue us and he illegally blocks the roads and doesn't expect to get sued back. What is he nuts. What is he crazy? Who authorizes the suit? The County Executive runs the County on a day-to-day basis. He supervises every department, and that includes the County Attorney's office. Can he say the Legislature has authorized you to sue, but I say no? Yes he can, but I suspect he is going to say yes, because it is his department head, his appointee the Superintendent of Highways, who is saying that Clarkstown is acting illegally, Clarkstown is violating the County's authority and we have to stand up and defend the County's authority, because if we don't we might as well give the whole ball of wax to somebody else. We have to protect the rights and prerogatives and the State Law authorization that this County government has. I think the County Executive will stand up and say so as well. Thank you.

Mrs. Low-Hogan

The paragraph that has been referred to a couple of times, "Whereas, the actions of the Town of Clarkstown in closing Samuel Road shows a wanton, reckless disregard for the safety of people living in that area including but not limited to Chestnut Ridge" has been mentioned that it is a very strong statement to make that I personally can't go along with. I am wondering if terminology like, "Whereas, the actions of the Town of Clarkstown in closing Samuel Road raises questions for the safety of the people living in that area." The only reason I would consider voting for this is because I know and hope that ultimately the decision about whether we should sue is in the hands of the County Attorney and will be reviewed by the County Executive. I understand the concerns, but I agree with my colleagues that there are some people missing here from this discussion. Making a statement that the Town of Clarkstown has shown a wanton, reckless disregard for the safety of the people living in that area is something that I really can't agree with.

Chairwoman Cornell

Mr. Moroney, you are the sponsor. Legislator Low-Hogan has raised a question that bothers some of us, because despite other kinds of in temperate language that has been directed towards the Legislature in the past we may not want to make that kind of statement.

Mr. Moroney

You can tone down the language, but I should advice my colleagues that the Chief of Police of Clarkstown was present in the room today at 2:00 p.m. He said that these conditions are absolutely ridiculous and should not be tolerated. Those were his words to me across the table. As it stands today that blockade should not be and he is concerned about the safety of the people on both sides of the blockade. You can tone down the words any way you want, but what I am saying to my colleagues here is I have tried not to come to this point. I didn't want to bring this here tonight, but I don't think the Town of Clarkstown is prepared to take this blockade down until they do another traffic study. Since they did a traffic study already why do they have to do another one?

Why didn't they do this legally? Why didn't they go to the County Superintendent of Highways and get a permit like the Village of Montebello did and follow the process? They violated the process. My concern is not for me, but it is for the safety of the people.

Chairwoman Cornell

Would you accept the language that says, "Whereas, the actions of the Town of Clarkstown in closing Samuel Road could jeopardize the safety of the people living in that area including, but not limited to Chestnut Ridge."

Mr. Moroney

I would be glad to accept that amendment.

Mr. Schoenberger

Those of us who believe there is a wanton, reckless disregard for the safety of people can maintain our opinion, but it would still be only our own opinion as compared to the resolution.

Chairwoman Cornell

Correct.

Mrs. Low-Hogan

That is fine.

Mr. Day

I have been very patiently listening to all the comments made this evening and weighing the input most importantly from my colleagues particularly Legislator Moroney who I have spoken to a number of times over the past three weeks. All I will offer about the photo that I saw as a practical matter I think that the impact of that photo just defies commonsense. I certainly would agree my former colleague Chief Sullivan. I am glad that Pat accepted the amendment. I thank Legislator Low-Hogan and others trying to deal with what I believe to be an inflammatory and unnecessary Whereas clause. This is starting to sound like a continuation of all the issues we have had in the past few months between the town and the County. That is there, but I think also it is important that we moderate the tone and someone has to do that. Someone has to assert leadership here. We are going to have to do something to stop this. I am always of the impression that when things like this happen it is better to try to be better than everybody else and stay above the fray. The way this is starting out tonight it looks like we are just jumping into it with both feet and I think we are all better than that.

I like what I hear from Legislators Carey and Hood. I think it is important that we get more information and we bring more of the people in to discuss this. We need to show the respect to the other levels of government that we are asking for them to go in and go over this issue. That takes away that quid pro quo issue. I certainly thank Legislator Hood as Chair of Public Safety in saying that he wants to bring this to his committee. I think we should start the ball rolling this evening. I think it is important and even having not heard from my colleagues from Clarkstown just from what I have seen we really need to start the ball rolling, but concurrently work with our colleagues in other levels of government to try to deal with this in a more amicable way.

Mr. Wolfe

Clearly I am supporting this resolution. I just want to offer a clarification about something that Supervisor Gromack said in the article where he talked about Ramapo closing a street in Montebello in the past. In fact, the street is Canterbury Lane where it intersects with Viola Road. The Village of Montebello closed it, because it is within the borders of the village and it is a village road not a town road. At the request of residents on the affected street, which is very different from the situation here, it was also done in connection with a site plan approval for a new development that created additional access immediately parallel to where that street was. A striking difference is that was done with the participation and consent of our Highway Superintendent. I think that is a bad example for the Supervisor of Clarkstown to give as to what is and isn't the proper way to approach this issue.

Mr. Wieder

I simply admire Legislator Moroney for all the work he has done on this issue especially the time, effort and passion. He has met with all of these people, he has listened to them and he has gone out there to try to resolve this and he also met with law enforcement. All I can say is that his constituents can sleep well knowing that he will look out for their wellbeing. Thank you.

Mr. Meyers

I very much agree with the comments made by Legislator Day. I think obviously we all know we are in a period with the town governments where there are some bad feelings on both sides regarding things that have transpired already. I missed some committee meetings here a few weeks ago, because I was at a Ramapo Town Hall meeting about raising the tax cap, which was being blamed on the County Legislature for the reasons why Ramapo's taxes would have to go up. I made a case, through information that was provided by Nicole Doliner, that it really wasn't because of the County Legislature's actions and really was Town of Ramapo's finances. At the end of the public comment the Town of Ramapo Supervisor really laid into the County Legislature as the reason for all the Town of Ramapo's financial woes. Legislator Schoenberger mentioned the lawsuit the Town of Ramapo and Town of Clarkstown was probably going to file against us, but I do agree with what Legislator Day said that we need to be very assertive on these things and definitely move forward on this tonight. We need to do it, because we are a higher body so we want to show that we have more quality and character perhaps than the town representatives do. We want to do it with dignity and with prudence. I am not saying we want to be weak. We do not want to show hotheadedness as we move forward.

Mr. Soskin

I read about the street closing in the newspaper a few days ago and wondered if this is a forecast of things to come. A way to possibly get back at the County for asking the towns and/or villages to bear some of the costs previously paid. For example: to institute a toll on the streets to pay for some costs. To control traffic wouldn't stop signs or road bumps be sufficient for control? Why close the street? Sound ridiculous, but these are strange times.

We have a serious problem here: open streets, safety, traffic control and volume. Although a small area is involved here we have to think about the whole community. Each community and its leaders will have to learn to work together and compromise. Lawsuits are easy problem resolution methods, but costs are high (legal and court costs). Who will pay the bills? The taxpayers, of course. "You and me."

We have to send a message and if this is the only message we can send we have to send it. Yes, this is an emergency. Mr. Moroney has been out there serving his constituents and doing his job. I don't know who else represents Chestnut Ridge, but I don't think he is the only one. You have to get out there and protect your constituents. The people from New City are trying to do that to. Let's slow down and forget politics now. We are here for the people. Let's work together. Let's put this through. They have thirty days and a compromise could come through and nothing would be needed. We have to get the ball rolling. I urge my colleagues to get the ball rolling. I don't like it and you don't like it, but it has to be done.

Mr. Sparaco

I have the utmost respect for a Legislator fighting for his constituents. Nine times out of ten I would go along with it blindly. I have the utmost respect for this body and this government flexing its authority in a non-partisan way as have done against the County Executive's office fighting side by side with my Democratic colleagues on numerous occasions.

I cannot understand for the life of me how three meetings have taken place with the Town Board members of my town and the Police Chief of my town and I was not invited or informed nor from what I am hearing were the other Clarkstown Legislators. If we were invited or informed maybe this could have come to a more peaceful solution.

I am being asked here tonight to sue my town and my neighbors and go along with that without the information. The Clarkstown Town Board, in my opinion, are very intelligent astute good representatives of their constituents. Why would they unanimously put forth this resolution? I don't know what their reasoning is? I don't know why they did this? Is this permanent? Is it temporary? What are the plans? Why is this happening? What is their point of view?

Just recently Senator Carlucci got heat in the newspapers, because he voted for a resolution, but he didn't here both sides of it and he didn't know what it was and he thought it sounded like a good idea. This is a kangaroo court here tonight. I am not hearing an opposing point of view. I respectfully request that we have an emergency meeting with the Clarkstown Town Board. If all of this turns out to be true, the picture doesn't look good to me, but I cannot go forward with suing my neighbors and my town and putting my name on that without at the very least hearing their point of view and what it is. If this had been dealt with properly, if I would have been invited to the meetings with my town, if we would have this go through the committee process, if we had been given 24-hours to research this issue then I would have no problem going along with this. I cannot go forward without being given the opportunity to research this and find out the other point of views. Thank you.

Mr. Moroney

I just want to emphasize one thing. This resolution stands on its' own. I apologize to my colleagues for bringing it the way I brought it tonight. I am here twenty-three years and it is the first time I have every done something like this. So don't hang your hat on the fact that the towns are suing us, because that has nothing to do with this resolution. This resolution is a legitimate resolution concerning the safety of the people of Chestnut Ridge and the people of Newport Drive, Nanuet.

Mr. Sparaco, you can go and ask your boss Mr. Ballard about the fact that I called him personally. I called him personally and why he didn't relay that message to you I don't know. This is in my district. I listened to you and other Legislators here when they come in with a problem in their districts. I listen to your problems and sympathize with the problems of any Legislator wherever they come from. My motto has been to help any process to resolve whatever problems there may be. I can tell you thousand of instances where we have helped each other, because we have to move the project along.

The Chief of Police of the Town of Clarkstown says that this particular blockade is ludicrous. He told me that at 2:00 this afternoon. I don't lie about these things. Again, don't hang your hat on the fact that the towns are suing us. I couldn't give a damn about what the towns are doing. It doesn't bother me. I have been a County representative for twenty-three years and I work on behalf of my constituents. I voted for millions of dollars for the sewers in Western Ramapo, I come from Orangetown. This is what we are supposed to do. This is why the people have faith in us. I didn't make this up. I don't give a damn what Alex Gromack says in the newspapers. He doesn't bother me. When I ask a man three times to resolve this issue I have to take upon myself as a Legislator representing those people.

As I said earlier, the people in Clarkstown on Newport Drive are probably going to be pissed off at me. This blockade is wrong. You can put any spin on it, but the spin stops here. I am not looking for votes, because I am going to lose as many as I gain, but that is not the issue. The one and only issue here is the safety and wellbeing of the people I represent.

Mr. Schoenberger

I get to follow Pat who gives these beautiful emotional speeches and is really interested in the benefit of what is good for the people, and I am moved by that.

Legislator Sparaco, there were numerous meetings. You were not invited. Maybe that reflects the value the Supervisor of Clarkstown has in your need to be there. Maybe he felt your presence wasn't required, because if he felt it was I am sure he would have invited you. Bear in mind Legislator Sparaco there may come a day in the future where you have an issue affecting your district or your town that involves safety or the concerns of your residents and you come to us saying that you need it tonight, well maybe then we will heed your advice and we will send it to committees, study it, look at it and wait another month or two. I hope you then won't have a different set of values that say your concerns have to be addressed immediately, but when it is other people's concerns we should study them and study them. You saw the photograph of the barrier. Legislator Grant passed it to you and you saw what is going on down there. You have the resolution in your hand that authorizes a breakaway gate not a barrier. You are going to tell me that Clarkstown is doing the right thing. You can't be serious Frank.

Mr. Day

What this simply is, when you look at it and take a step back is an incremental step to start a process. This has to go to the County Executive where he has to make a decision as to whether or not this would be an appropriate way to go with an attorney. We are merely authorizing this to be considered, no more than that. A concurrent approach is going to be taken tot gain information by bringing this into the Public Safety Committee. If you apply a commonsense standard this is clearly an issue of some urgency to the people in this area. The picture is compelling, and it is supported by the Chief of Police.

Finally, we have a Legislator here who I know has been directly involved with this for a number of weeks who had many meetings, none that I attended not that I really cared, because I have had meetings with other members of government on issues in my district. Legislator Moroney has done yeomen's work on this. This is something that is important to him. He is the district Legislator there. The facts support what he is asking and there is a moderate approach being taken by this board now that I feel more comfortable with. When you take the totality of where we are and what we are doing it is a moderate approach in service to the people of that community and maybe just maybe the beginning of trying to work together a little bit. Thank you.

Mr. Earl

I trust what Legislator Moroney has done. It looks like he has done his homework on this issue here. There are two main concerns here for me, one is safety and second is protocol. As a Safety Director/Manager no one can just step over their boundaries by closing a road. We can all say that we are not aware of it, but that is not true, because this issue has been in the newspaper and on the TV. So you have to have been in a cocoon not to have seen something about this. I am going to vote on this tonight. I think the main concern here is safety and the Supervisor shouldn't be able to just ignore protocol here. He should respect that and I hope our attorney's can get this situation right.

Mr. Wolfe

If a member of the Legislature is an employee or their prospective employer is the Town of Clarkstown do they have a conflict or would they need to recuse themselves from this vote?

Mr. McKay, Legal Counsel

Under certain circumstances possibly. I do not have all the facts at this time. You are talking about something potential where a person has apparently has not yet become an employee of a town we may be involved with a litigation. Even if he were we would have to look further to see under the criteria of conflict whether there was a potential financial gain and things of that nature. So at this point I do not have enough information to make a ruling or determination on that.

Mr. Grant

I just want to state my overwhelming support for the compelling argument that Legislator Moroney has made here tonight. I am a little bit curious of the squeamishness about the Whereas and why the want and reckless disregard for the safety of people living in the area should be removed. I would have thought you would have wanted to expand it to the callous disregard for the New York State Highway Law. Apparently, that is not the case. Legislator Schoenberger made the statement earlier about hubris, the individual hubris of the Supervisor, the collective hubris of the Town Board that unanimously adopted this resolution and then didn't follow through with what they adopted. The picture speaks a thousand words. It is not what they ordered. It clearly is not safe. Legislator Moroney spoke earlier of how bravely I think Chief Sullivan spoke out about it not being a good or safe situation and it is not called for. The Chief's are employees of each town and they are often subject to considerable pressure in their positions. For the Chief of Police to stand up and say that this is wrong I think is a very brave action on his part. I think we should act tonight. I think we should direct the County Attorney to initiate this action. I don't think anybody should be squeamish about it. Legislator Day enumerated all the reasons why this situation should not continue. I know Legislator Sparaco had an opportunity to view the Journal News article when he was looking at the picture. Mayor Kobre came out, his trustees came out, firefighters and Chief's came out and said it was an unsafe condition. I think it is. I think we should move forward with this vote. I think it will be 14 to 1.

Mr. Carey

I had every intention of voting no tonight based on the information coming late and not being able to digest all the information, but there are two things that changed my mind tonight. One is Chief Michael Sullivan going on record to say that he is not comfortable with this. Two, the picture. I am going to vote yes tonight. I want to make sure that we do take this up in the Public Safety Committee. I don't believe we know everything that we need to know right now. I am not going to hold up the process, but in the interest in communication we should get the town and County folks together. If facts come out of those discussions that are different than what we heard tonight I hope we will alter or amend this accordingly. With that as an understanding I am fully supporting this tonight.

Chairwoman Cornell

I too support this. Clearly there have been compelling arguments made. I certainly thank Legislator Moroney for his passion and for explaining the situation to us, and Legislator Grant for giving us that picture, which speaks a thousand words. I would much prefer that this and many other issues that we deal with be settled in a common sense intelligent manner, but it is clear that great efforts have been made to bring people together. I am a Clarkstown resident and despite the fact that a lot of intemperate language has been directed at this Legislature by Town Supervisors and certainly the Town of Clarkstown Supervisor towards this Legislature of which I am Chair I don't feel that I wish to retaliate with words that intimate and say outright that all the members of the Town Board have wanton, reckless disregard for the safety of the people, because many of those Town Board members may not have even realized what was going up and what was going to happen. I think for the sake of the resolution removing those words and substituting the phrase that this could jeopardize the safety of the people certainly serves our needs for tonight.

I don't think there is anything else I can really say except that over the past many months there have been many issues that have unfortunately separated County government from other levels of government, rather than bringing us together. The County provides support to all residents. The residents of Rockland County are also town residents. The services the County provides are for everyone. We requested that the Towns support us with Town Board resolutions as we sought State legislative help in order to achieve permission for deficit bonding. Those resolutions never happened. That support never materialized. There are so many issues, which we could have faced together in an intelligent, common sense manner that would have brought us together rather than apart.

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**RESOLUTION NO. 397 OF 2012  
RECEIVE AND FILE COUNTY FLOW CONTROL –  
FILING OF UPDATED IMPLEMENTATION SCHEDULE**

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

RESOLVED, that the County Flow Control – Filing of Updated Implementation Schedule, be and it is hereby received and filed.

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**RESOLUTION NO. 398 OF 2012  
RECEIVE AND FILE 2011 ANNUAL REPORT  
ROCKLAND COUNTY SHERIFF'S DEPARTMENT**

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

RESOLVED, that the Year 2011 Annual Report of the Rockland County Sheriff's Department be and it is hereby received and filed.

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**Comments from Legislators:**

Legislator Philip Soskin

I want to go on record remembering many of our service men who died during the Korean War, which never ended. It started in 1950 and the armistice went into being on July 27, 1953. 37,000 American men were killed during this police action. 27 Rocklander's died. The Eagle Chapter of the Korean War Veterans held a service on Sunday, July 22<sup>nd</sup> up at the Onderdunk Cemetery. A State Senator and I were there. A number of Korean's who settled in Valley Cottage representing the Koreans were there. I think we should not let this go by. Too many Americans are forgetting this. We still have part of our armed forces on the 38<sup>th</sup> parallel. It is incumbent upon us not to forget them. I would like to remember this day on behalf of the Korean War Veterans.

I believe that we should also remember August 8, 1945, when two atomic bombs were set off at Hiroshima and Nagasaki killing many people.

Chairwoman Harriet D. Cornell

I am sure that includes any women who might have died in any of those wars. Thank you very much for that.

Legislator Alden H. Wolfe

This weekend I was at Pocono Raceway for a NASCAR Race. It was a rain-shortened event due to a tremendous storm. We went out to our car in the parking lot along with pretty much everybody else that was at the stadium. Tragically there was a lightening strike in the parking lot where nine people were injured and one person died. I am sure we all send our thoughts out to the families that were affected. It was a sobering experience for me sitting in a car and actually seeing the lightening strike that killed somebody. I am one of those guys that is always fascinated by storms and like to watch from the safety of my home, but I just want to point out that we really can't underestimate the dangers associated with these types of things. So be careful out there. Thanks.

Legislator Joseph L. Meyers

I saw the press releases about the tentative agreement between the County Executive and the CSEA. I saw the article in the newspaper. After waiting so long for a tentative agreement to be reached I would have thought that somehow the members of the County Legislature would have more detailed notification or advanced notification other than seeing a press release that the County Executive was sending out for distribution to the press. I would like to know when we are going to see the details of that beyond what was in the press release. I see that in the press release one of the things is a guarantee that nobody would be laid off due to budget constraints. How long do we have to wait with our tongues hanging out for the figures as to how much it is going to save and what the reflection is on our budgetary situation. It is just a disgrace that we have to read about things in the newspaper. I would hope at least that the Chairwoman of the Legislature was advised in advance of the details.

Chairwoman Harriet D. Cornell

I also read this and as far as I know unless it has been submitted to the membership of the union then it isn't final yet. I do not know whether that has happened. I think as soon as it is final we will all have the details. We do get to vote on it.

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**ADJOURNMENT IN MEMORY OF  
MARK M. CEMBER**

Mr. Schoenberger 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 Mark M. Cember.

**ADJOURNMENT IN MEMORY OF  
THOMAS STEIMKE**

Mr. Schoenberger 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 Thomas Steinke.

**ADJOURNMENT IN MEMORY OF  
ALBERTA GREENE**

Chairwoman Cornell 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 Alberta Greene.

**ADJOURNMENT IN MEMORY OF  
BISHOP SIDNEY BUXTON, SR.**

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 Bishop Sidney Buxton, Sr..

**ADJOURNMENT IN MEMORY OF  
DOROTHY PRAYER TILLEY**

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 Dorothy Prayer Tilley.

**ADJOURNMENT IN MEMORY OF  
VICTOR ZUGIBE**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Victor Zugibe.

**ADJOURNMENT IN MEMORY OF  
INA ARMELLE CROFOOT BALSAMO**

Mr. Schoenberger 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 Ina Armelle Crofoot Balsamo.

**ADJOURNMENT IN MEMORY OF  
BENJAMIN LIPSON**

Chairwoman Cornell 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 Benjamin Lipson.

**ADJOURNMENT IN MEMORY OF  
WILLIAM J. LEINS**

Mr. Grant 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 William J. Leins.

**ADJOURNMENT IN MEMORY OF  
DOROTHY E. HERDMAN**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Dorothy E. Herdman.

**ADJOURNMENT IN MEMORY OF  
AGNES M. STEPHENS**

Mr. Schoenberger 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 Agnes M. Stephens.

**ADJOURNMENT IN MEMORY OF  
MARY D. MURRAY**

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 D. Murray.

**ADJOURNMENT IN MEMORY OF  
SISTER MARY THERESA MCGURK**

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 Sister Mary Theresa McGurk.

**ADJOURNMENT IN MEMORY OF  
DOROTHY M. CUCKSEY**

Chairwoman Cornell 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 Dorothy M. Cucksey.

**ADJOURNMENT IN MEMORY OF  
LORETTA F. MORAN**

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 Loretta F. Moran.

**ADJOURNMENT IN MEMORY OF  
ELIZABETH KNOWER**

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 Elizabeth Knower.

**ADJOURNMENT IN MEMORY OF  
GEORGE A. PSYCHAS**

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 George A. Psychas.

**ADJOURNMENT IN MEMORY OF  
MARY ANN WALSH**

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 Ann Walsh.

**ADJOURNMENT IN MEMORY OF  
EDDIE LANIER**

Mr. Earl 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 Eddie Lanier.

**ADJOURNMENT IN MEMORY OF  
MARCELLA KINSLEY**

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 Marcella Kinsley.

**ADJOURNMENT IN MEMORY OF  
JOHN L. HAUGH**

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 John I. Haugh.

**ADJOURNMENT IN MEMORY OF  
DEIRDRE MICHELLA**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Deirdre Michella.

**ADJOURNMENT IN MEMORY OF  
JEANETTE MEDNICK**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Jeanette Mednick.

**ADJOURNMENT IN MEMORY OF  
AMBROSE "BABE" MARGIOTTA**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Ambrose "Babe" Margiotta.

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**RESOLUTION NO. 399 OF 2012  
ADJOURNMENT**

Mr. Murphy offered the following resolution, which was seconded by Mr. Day and adopted (9:52 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Tuesday, September 4, 2012 at seven o'clock in the evening.

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Respectfully Submitted,

DARCY M. GREENBERG  
Proceedings Clerk