

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, September 4, 2012 at 7:00 P.M., pursuant to the adjournment of the August 7, 2012 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 30th day of August 2012

The Legislature of Rockland County convened in regular session pursuant to the adjournment of the August 7, 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
Joseph L. Meyers
Patrick J. Moroney
John A. Murphy
Aney Paul
Ilan S. Schoenberger
Philip Soskin
Frank P. Sparaco
Aron B. Wieder
Alden H. Wolfe, Vice Chairman

Absent: Legislators Jay Hood, Jr., Douglas J. Jobson and Harriet D. Cornell, Chairwoman

Honorable Frank P. Sparaco, Minority Leader, led in the Salute to the Flag and delivered the invocation.

**RESOLUTION NO. 400 OF 2012
ADOPTION OF MINUTES OF LEGISLATIVE MEETING
AUGUST 7, 2012**

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

Resolved, that the transcribed minutes of the Legislative meeting of August 7, 2012, as recorded by the Clerk and presented to the Legislature, be and they are hereby adopted.

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

- ❖ Bruce Broadley, concerned with union contract negotiation agreement and deficit
- ❖ Jim Flynn, budget concerns
- ❖ Matt Brennan, opposed to proposed changes in Electrical Code Enforcement Program

Public Participation ended at 7:11 p.m.

Introduced by:

Referral No. 7910

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

**RESOLUTION NO. 401 OF 2012
CONFIRMING THE APPOINTMENT OF
STEPHEN F. DEGROAT, SOUTH NYACK, NEW YORK
AS COMMISSIONER OF FINANCE
AND BUDGET DIRECTOR**

Mr. Schoenberger offered the following resolution, which was seconded by Mr. Carey, Mr. Earl, Mr. Grant, Mrs. Low-Hogan, Mr. Meyers, Mr. Moroney, Mr. Murphy, Mrs. Paul, Mr. Soskin, Mr. Sparaco, Mr. Wieder and Vice Chairman Wolfe and unanimously adopted:

WHEREAS, Section C17.01 of the Rockland County Charter provides that there shall be a Department of Finance headed by a Commissioner of Finance who shall be appointed by the County Executive to serve at his pleasure, subject to confirmation by the County Legislature, and

WHEREAS, Section 5-36 (A) of the Rockland County Administrative Code provides that there shall be a Division of the Budget headed by a Budget Director who shall be appointed by the County Executive to serve at his pleasure and under his direction, subject to confirmation by the County Legislature, and

WHEREAS, The County Executive has appointed Stephen F. DeGroat, South Nyack, New York, as Commissioner of Finance and Budget Director, subject to legislative confirmation, 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 confirms the appointment of Stephen F. DeGroat, South Nyack, New York, as Commissioner of Finance and Budget Director, to serve at the pleasure of the County Executive, at an annual salary set forth in the 2012 County Budget to serve at the pleasure of the County Executive, and be it further

RESOLVED, That any future salary increases shall be by resolution or local law as appropriate.

Introduced by:

Referral No. 7300

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

**RESOLUTION NO. 402 OF 2012
 ACCEPTING THE BID OF THE LOWEST RESPONSIBLE BIDDER
 AND APPROVING A CONTRACT IN EXCESS OF \$100,000
 WITH HARLEY CONSTRUCTION MANAGEMENT CORP.
 IN AN AMOUNT NOT TO EXCEED \$318,000
 TO RENOVATE THE INMATE SHOWERS FOR THE
 EUGENE J. GROGAN CORRECTIONAL CENTER
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [DEPARTMENT OF GENERAL SERVICES-FACILITIES MANAGEMENT]
 (\$318,000)**

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

WHEREAS, By Resolution No. 222 of 2011, the Legislature of Rockland County authorized its Clerk to advertise for bids to renovate the inmate showers for the Eugene J. Grogan Correctional Center with the use of the Sheriff's Department Forfeiture Funds pursuant to plans and specifications prepared by the Department of General Services-Facilities Management and Jan Degenshein Architects; and

WHEREAS, A public bid was advertised and three bids were received and opened; and

WHEREAS, Harley Construction Management Corp., 160 Paris Avenue, Northvale, New Jersey 07647, was the lowest responsible bidder, who submitted the lowest bid to renovate the inmate showers for the Eugene J. Grogan Correctional Center in the amount of \$318,000; and

WHEREAS, The Commissioner of General Services and the Director of Facilities Management recommend that the County Executive and the County Legislature accept the bid and approve a contract with Harley Construction Management Corp., Inc. in an amount not to exceed \$318,000; 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, Sufficient funding for this project exists in Sheriff's Department Forfeiture Funds; and

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

RESOLVED, That the Legislature of Rockland County accepts the bid of \$318,000 from Harley Construction Management Corp., 160 Paris Avenue, Northvale, New Jersey 07647 and approves the contract in excess of \$100,000 in an amount not to exceed \$318,000 to renovate the inmate showers for the Eugene J. Grogan Correctional Center with the use of the Sheriff's Department Forfeiture Funds pursuant to plans and specifications prepared by the Department of General Services-Facilities Management and Jan Degenshein Architects, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this project exists in the Sheriff's Department Forfeiture Funds.



Introduced by:

Referral No. 6394

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

**RESOLUTION NO. 403 OF 2012
 APPROVING THE PURCHASE IN EXCESS OF \$100,000
 FROM TRIUS, INC.
 OF ONE (1) TYMCO 500X AIR SWEEPER
 FOR THE HIGHWAY DEPARTMENT
 UNDER RFB-RC-2012-030
 TO BE MADE BY FORMAL PURCHASE ORDER
 [DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING]
 (\$221,256)**

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

WHEREAS, The Director of Purchasing requested bids for the one (1) time purchase of a regenerative-air, high-dumping street sweeper for use by the Highway Department under RFB-RC-2012-030 (the "RFB"); and

WHEREAS, Forty-nine (49) vendors were notified of the bid, and the sole bidder was Trius, Inc., P.O. Box 158, Bohemia, New York 11716, which met all of the requirements of the RFB; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the purchase in excess of \$100,000 from Trius, Inc. of one (1) Tymco 500x Air Sweeper and training in an amount not to exceed \$221,256 (including vehicle, options and delivery) under the RFB for the Highway Department; and

WHEREAS, Training on the machine is available at a cost of \$400/day; and

WHEREAS, The purchase will be initiated by formal purchase order; and

WHEREAS, Sufficient funding for this purchase is provided for in Capital Project No. 3394; 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 and Public Works and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution; now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the purchase in excess of \$100,000 from Trius, Inc., P.O. Box 158, Bohemia, New York 11716, of one (1) Tymco 500x Air Sweeper and training in an amount not to exceed \$221,256 (including vehicle, options and delivery) under RFB-RC-2012-030 for the Highway Department, to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for this purchased is provided for in Capital Project No. 3394.

Introduced by:

Referral No. 6803

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

**RESOLUTION NO. 404 OF 2012
ACCEPTING THE BID OF THE LOWEST RESPONSIBLE BIDDER
AND APPROVING CONTRACT IN EXCESS OF \$100,000 WITH
TILCON NEW YORK, INC.
IN AN AMOUNT NOT TO EXCEED \$2,200,000
FOR RESURFACING OF COUNTY ROADS AND
APPROVING EXECUTION OF THE CONTRACT
BY THE COUNTY EXECUTIVE
[DEPARTMENT OF HIGHWAYS]
(\$2,200,000)**

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

WHEREAS, By Resolution No. 155 of 2012, the Legislature of Rockland County authorized its Clerk to advertise for bids for the resurfacing of County roads, pursuant to plans and specifications being prepared by the Rockland County Highway Department; and

WHEREAS, General Municipal Law Section 103 requires that contracts for public work involving an expenditure of more than \$20,000 be awarded to the lowest responsible bidder; 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, Tilcon New York, Inc., 162 Old Mill Road, West Nyack, New York 10994, was the lowest responsible bidder, who submitted the lowest bid for a contract for the resurfacing of County roads, in the amount of \$3,230,600; and

WHEREAS, The maximum amount budgeted for this project in 2012 was \$2,200,000, therefore, the Rockland County Highway Department reduced bid item R403.1701 from 34,000 tons to 22,415 tons and reduced bid item R604.07 from 300 tons to 200 tons resulting in a contract amount not to exceed \$2,200,000; and

WHEREAS, Sufficient funding for this project exists in Capital Accounts 3401 (Three year resurfacing program) and 3399 (Hurricane Irene, road repairs), and in the Department of Highway's budget account line 5110-4460 (CHIPS Capital); and

WHEREAS, Funds expended from the 5110-4460 account will be reimbursed 100% by the New York State Department of Transportation through its CHIPS Program; and

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

RESOLVED, That the Legislature of Rockland County accepts the bid from the lowest responsible bidder, who submitted the lowest bid, and approves execution of a contract with Tilcon New York, Inc., 162 Old Mill Road, West Nyack, New York 10994, in an amount not to exceed \$2,200,000, for a contract for the resurfacing of County roads, pursuant to plans and specifications prepared by the Rockland County Highway Department, subject to the approval of the County Attorney, and be it further

RESOLVED, Sufficient funding for this project exists in Capital Accounts 3401 (Three year resurfacing program) and 3399 (Hurricane Irene, road repairs), and in the Department of Highway's budget account line 5110-4460 (CHIPS Capital)



Introduced by:

Referral No. 5906

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

**RESOLUTION NO. 405 OF 2012
APPROVING AMENDMENT TO OUTSIDE COUNSEL
AGREEMENT IN EXCESS OF \$100,000 WITH
PANNONE LOPES DEVEREAUX & WEST LLC
IN THE ADDITIONAL AMOUNT OF \$450,000
FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$985,000
FOR SPECIAL COUNSEL SERVICES AND
EXTENDING TERM THROUGH DECEMBER 31, 2014
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[ROCKLAND COUNTY SEWER DISTRICT NO. 1]
(\$985,000)**

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

WHEREAS, On December 1, 2010, the County, on behalf of the Rockland County Sewer District No. 1, entered into an outside counsel agreement with Pannone, Lopes, Devereaux & West, LLC, 100 Church Street, 8th Floor, New York, New York 10007, in an amount not to exceed \$85,000 for special counsel services for legal matters including permit enforcement, environmental, litigation, construction, real estate, procurement, and other matters for the period from August 2, 2010 through December 31, 2011; and

WHEREAS, On July 18, 2011, the County, on behalf of the Rockland County Sewer District No. 1, entered into an amendment to the outside counsel agreement with Pannone, Lopes, Devereaux & West, LLC, 100 Church Street, 8th Floor, New York, New York 10007, in the additional amount of \$450,000, for a total contract amount not to exceed \$535,000 for special counsel services for legal matters including permit enforcement, environmental, litigation, construction, real estate, procurement, and other matters for the period from August 2, 2010 through December 31, 2012; and

WHEREAS, In order to ensure continuity of legal services, a contract under \$100,000 was established with the understanding that the Board of Sewer Commissioners would request that the contract be amended and referred to the Rockland County Legislature; and

WHEREAS, The Sewer District now wishes to further amend the outside counsel agreement with Pannone, Lopes, Devereaux & West, LLC, relating to legal matters, including Wick's Law compliance, permit enforcement, environmental, litigation, construction, real estate, procurement and other matters; and

WHEREAS, The Sewer District has received a proposal for on-going legal services from Pannone, Lopes, Devereaux & West, LLC dated June 18, 2012 which requests an amendment to the existing agreement in the amount of \$450,000, for a total contract in the amount of \$985,000; and

WHEREAS, By Resolution No. 49 of 2012 the Board of Commissioners of the Rockland County Sewer District No. 1 authorized the amendment of the outside counsel agreement between the County on behalf of the Sewer District with Pannone, Lopes, Devereaux & West, LLC, 100 Church Street, 8th Floor, New York, New York 10007, in the additional amount of \$450,000, for a total contract sum not to exceed \$985,000, and extend the contract through December 31, 2014, subject to the approval of the Rockland County Legislature; and

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

WHEREAS, Sufficient funds for a portion of the amendment to this agreement exists in the 2012 Operating Budget of the Rockland County Sewer District No. 1, with the remaining balance to be appropriated in the 2013 and 2014 Operating Budgets of the Rockland County Sewer District No. 1; and

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

RESOLVED, That the Legislature of Rockland County hereby approves the amendment to the outside counsel agreement between the County on behalf of the Rockland County Sewer District No. 1, with Pannone, Lopes, Devereaux & West, LLC, 100 Church Street, 8th Floor, New York, New York 10007, in the additional amount of \$450,000, for a total contract sum not to exceed \$985,000, relating to legal matters, including Wick's Law compliance, permit enforcement, environmental, litigation, construction, real estate, procurement and other matters, and extending the term through December 31, 2014, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, Sufficient funds for a portion of the amendment to this agreement exists in the 2012 Operating Budget of the Rockland County Sewer District No. 1, with the remaining balance to be appropriated in the 2013 and 2014 Operating Budgets of the Rockland County Sewer District No. 1

Introduced by

Referral No. 5906

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

**RESOLUTION NO. 406 OF 2012
 APPROVING AMENDMENT TO CONTRACT IN EXCESS OF \$100,000 WITH
 GHD CONSULTING ENGINEERS LLC (F/K/A/ STEARNS & WHEELER, LLC.)
 IN THE ADDITIONAL AMOUNT OF \$256,000 FOR A TOTAL
 CONTRACT SUM NOT TO EXCEED \$6,741,681
 FOR ENGINEERING AND ADMINISTRATION OF CONSTRUCTION SERVICES
 FOR DESIGN AND CONSTRUCTION OF SANITARY SEWERS,
 FORCE MAINS AND PUMPING STATIONS TO SERVE WESTERN RAMAPO
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [ROCKLAND COUNTY SEWER DISTRICT NO. 1]
 (\$6,741,681)**

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

WHEREAS, By Resolution No. 439 of 2001, the Legislature of Rockland County approved execution of a contract with Stearns & Wheeler LLC, in an amount not to exceed \$3,402,886, for design and construction administration services for sanitary sewers and pumping stations to serve Western Ramapo, with the Rockland County Sewer District No. 1; and

WHEREAS, The County entered into said contract with Stearns & Wheeler, LLC on September 19, 2001, and the contract was subsequently amended and extended eight times with the approval of the Rockland County Legislature in the total amount of \$3,082,795, for a total amount not to exceed \$6,485,681; and

WHEREAS, The Executive Director of the Rockland County Sewer District No. 1 has requested that the contract with GHD Consulting Engineers LLC, f/k/a/ Stearns and Wheeler, LLC be amended by increasing the contract in the amount of \$256,000, for engineering and administration of construction services for sanitary sewers, force mains and pumping stations to serve Western Ramapo, for a total contract amount not to exceed \$6,741,681; and

WHEREAS, This increase is for completion of the design phase for the remaining four contracts for the WRSE project including bidding services, construction phase services for the close out of contracts WR03-03A and WR03-04B including change orders, final payment requests and review of final closeout documents and payment requests, resolution of issues related to project deficiency list and field testing review; and

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

WHEREAS, Sufficient funding for this project exists in the Sewer District's Capital Project #6150; 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 an amendment to the contract with GHD Consulting Engineers LLC f/k/a/ Stearns & Wheeler, LLC, One Remington Avenue, Cazenovia, New York 13035, in an additional amount of \$256,000, for engineering and administration of construction services for sanitary sewers, force mains and pumping stations to serve Western Ramapo for a total contract sum not to exceed \$6,741,681, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this project exists in the Sewer District's Capital Project #6150.



Introduced by:

Referral No. 5906

Hon. Ilan S. Schoenberger, Sponsor
 Hon. Edwin J. Day, Sponsor
 Hon. Douglas J. Jobson, Sponsor
 Hon. Harriet D. Cornell, Sponsor
 Hon. Philip Soskin, Sponsor
 Hon. Toney L. Earl, Sponsor
 Hon. Nancy Low-Hogan, Sponsor
 Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 407 OF 2012
 APPROVING AGREEMENT IN EXCESS OF \$100,000
 WITH HELMER-CRONIN CONSTRUCTION, INC.
 IN AN AMOUNT NOT TO EXCEED \$2,287,300
 FOR ANAEROBIC DIGESTER REHABILITATION PROJECT
 CIP 2012-03 FOR A PERIOD OF 365 CONSECUTIVE CALENDAR DAYS
 FROM THE NOTICE TO PROCEED AND
 AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [ROCKLAND COUNTY SEWER DISTRICT NO. 1]
 (\$2,287,300)**

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

WHEREAS, The Anaerobic Digester Rehabilitation Project consists of removal and disposal of the remaining floating cover appurtenances; repairing cracks in the concrete, damaged corbels and hydrostatic valve; furnish, install test and complete the installation of a new floating cover, install pressure relief valves and appurtenances on cover, repair brick façade, install resinous flooring system to Zimpro building, furnish and install new stair system including removal and disposal of old stairs, test and abate any lead containing material; and

WHEREAS, Bids were advertised for Anaerobic Digester Rehabilitation Project, Contract CIP2012-03; and

WHEREAS, In a memo dated June 22, 2012, Staff of the Sewer District has indicated that a total of four (4) bids were received as follows:

<u>Contractor</u>	<u>Bid Amount</u>
Helmer-Cronin Construction 27 Route 210 Stony Point, NY 10980	\$2,287,300.00
Northeast Remsco Construction Inc. 1433 Route 34 South-Building B Farmingdale, NJ 07727	\$2,432,700.00
Spectraserve Inc. 75 Jacobus Ave South Kearny, NJ 07032	\$2,482,450.00
Montana Construction Corp., Inc. 80 Contant Ave Lodi, NJ 07644	\$3,995,500.00

and,

WHEREAS, The work is located at the wastewater treatment plant in Orangeburg, NY;
and

WHEREAS, Helmer-Cronin Construction has submitted the lowest bid for the work described in the contract documents; and

WHEREAS, By Resolution No. 48 of 2012, the Board of Sewer Commissioner's of the Rockland County Sewer District No. 1, has approved the award of Contract CIP 2012-03, to Helmer-Cronin Construction, 27 Route 210, Stony Point, New York 10980, an amount not to exceed \$2,287,300; and

WHEREAS, Local Law 18 of 1996 provides for the Legislature to approve "execution of all contracts in excess of \$100,000 entered into by the County; and

WHEREAS, Sufficient funding for the agreement exists in the 2012 Adopted Capital Budget, Capital Project No. 6240; and

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

RESOLVED, That the Legislature of Rockland County hereby approves the contract in excess of \$100,000 with Helmer-Cronin Construction, 27 Route 210, Stony Point, New York 10980, in an amount not to exceed \$2,287,300, for Contract CIP 2012-03 the Anaerobic Digester Rehabilitation Project for a period of 365 consecutive calendar days from the Notice to Proceed, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, Sufficient funding for the agreement exists in the 2012 Adopted Capital Budget, Capital Project No. 6240.

Introduced by:

Referral No. 5906

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

**RESOLUTION NO. 408 OF 2012
 APPROVING ADDITIONAL PURCHASES IN EXCESS OF \$100,000
 FROM HAUSER BROS., INC.
 FOR PLUMBING, MECHANICAL AND PIPING WORK –
 SERVICES AND MATERIAL
 FOR USE BY THE ROCKLAND COUNTY SEWER DISTRICT #1
 AND THE DEPARTMENT OF GENERAL SERVICES
 UNDER RFB-RC-2010-104
 IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$300,000
 FOR THE PERIOD FROM MARCH 6, 2012 THROUGH MARCH 5, 2013
 AND IN A TOTAL AMOUNT NOT TO EXCEED \$710,144
 FOR THE FULL PERIOD FROM MARCH 6, 2011 THROUGH MARCH 5, 2013
 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
 [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
 (\$710,144)**

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

WHEREAS, By Resolution No. 271 of 2011, the Legislature of Rockland County approved purchases in excess of \$100,000 from Hauser Bros Inc. (“Hauser”), 17 Old Schoolhouse Road, Orangeburg, New York 10962, for plumbing, mechanical and piping work – services and materials for use by the Rockland County Sewer District #1 (the “Sewer District”) and the Department of General Services under RFB-RC-2010-104 (the “RFB”) in an amount not to exceed \$410,144 for the period from March 6, 2011 through March 5, 2012, with the option to renew for one (1) additional one (1) year term; and

WHEREAS, \$108,596.34 was expended during the 2011 fiscal year, and approximately \$301,000 has been encumbered or expended during the 2012 fiscal year for an estimated total of \$409,596.34; and

WHEREAS, The Sewer District has estimated the need for an additional \$300,000 in services through the end of the contract period due to ongoing repairs of their facilities; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the additional purchases in excess of \$100,000 from Hauser for plumbing, mechanical and piping work – services and materials for use by the Sewer District and the Department of General Services under the RFB in an additional amount not to exceed \$300,000 for the period March 6, 2012 through March 5, 2013; 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 Sewer District and the Department of General Services subject to available interdepartmental 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 Planning and Public Works and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution; now, therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves the additional purchases in excess of \$100,000 from Hauser Bros., Inc., 17 Schoolhouse Road, Orangeburg, New York 10962, for plumbing, mechanical and piping work – services and materials for use by the Rockland County Sewer District #1 and the Department of General Services under RFB-RC-2010-104 in an additional amount not to exceed \$300,000 for the period from March 6, 2012 through March 5, 2013, and in a total amount not to exceed \$710,144 for the full period from March 6, 2011 through March 5, 2013, and authorizes all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That Sufficient funding for these purchases is provided for in the 2012 Budgets of the Rockland County Sewer District #1 and the Department of General Services subject to available interdepartmental transfers and is contingent upon 2013 budget appropriations.

Introduced by:

Referral No. 8894

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

**RESOLUTION NO. 409 OF 2012
 APPROVING ACCEPTANCE OF CONTINUATION GRANT
 IN THE AMOUNT OF \$42,392 FROM THE
 NEW YORK STATE DEPARTMENT OF HEALTH
 WITH A LOCAL SHARE MATCH OF \$42,392
 FOR RESPITE SERVICES FOR CHILDREN ENROLLED
 IN THE EARLY INTERVENTION (EI) PROGRAM
 FOR THE PERIOD APRIL 1, 2012 THROUGH MARCH 31, 2013
 AND AUTHORIZING EXECUTION OF ALL NECESSARY
 GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
 (DEPARTMENT OF HEALTH)
 (\$42,392)**

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

WHEREAS, The Commissioner of Health has advised the County Executive and the Legislature that the New York State Department of Health has awarded the Rockland County Department of Health (DOH) a \$42,392 continuation grant to provide respite services for children enrolled in the Early Intervention (EI) Program, pursuant to Public Health Law Section 2547, for the period April 1, 2012 through March 31, 2013; and

WHEREAS, This grant is federally funded but administered by New York State and represents 50% of total potential costs of \$84,784 for respite services for said period; and

WHEREAS, Acceptance of this grant requires a local share match of \$42,392, which will be derived from available funds within DOH Dept. 2961 (Education, Children, Early Intervention Program 0-2 Years), line E5520; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a continuation grant from the New York State Department of Health in the amount of \$42,392 to provide respite services for children enrolled in the Early Intervention (EI) Program, pursuant to Public Health Law Section 2547, for the period April 1, 2012 through March 31, 2013, and authorizes execution of all necessary grant documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That this grant is federally funded but administered by New York State and represents 50% of total potential costs of \$84,784 for respite services for said period; and be it further

RESOLVED, That acceptance of this grant requires a local share match of \$42,392, which will be derived from available funds within DOH Dept. 2961 (Education, Children, Early Intervention Program 0-2 Years), line E5520; and be it further

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

GENERAL FUND - 2012

<u>Increase Approp. Acct. (Credit):</u> A-DOH-4045-E5060	Program Costs	84,784
<u>Increase Est. Rev. Acct. (Debit):</u> A-DOH-4045-R4480	Health Grant(s)	42,392
<u>Decrease Approp Acct. (Debit):</u> A-DOH-2961-E5520	Tuition	42,392

Introduced by:

Referral No. 8894

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

**RESOLUTION NO. 410 OF 2012
 APPROVING FIVE (5) CONTRACTS WHICH ARE IN EXCESS OF \$100,000
 WITH PUBLIC HEALTH SOCIAL WORK
 FOR SPECIAL EDUCATIONAL SERVICES IN PRE-SCHOOL
 AND EARLY INTERVENTION PROGRAMS
 FOR THE PERIOD OF JULY 1, 2012 THROUGH JUNE 30, 2013 AND
 AUTHORIZING THEIR EXECUTION BY THE COUNTY EXECUTIVE
 [DEPARTMENT OF HEALTH]
 (\$3,791,500.00)**

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

WHEREAS, The Commissioner of Health is requesting that the County Executive and the Legislature of Rockland County approve five (5) agreements for Special Educational Services in Pre-School and Early Intervention Programs, with the various providers as specified on the attached Schedule "A", each of which is in excess of \$100,000 for the one year period of July 1, 2012 and ending June 30, 2013 be approved; and

WHEREAS, These agreements provide for payment by the County to various providers for services rendered in compliance with the Individual Family Service Plan/Individual Education Plan (IFSP/IEP) for the children referred as specified in the annexed Schedules "A" and "B"; 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 Legislature has appropriated funds in the 2012 Budget for Rockland County Health Department and Early Intervention Program (EIP) Pre-K and is contingent upon 2013 budget appropriations; 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 five (5) agreements listed on the attached Schedule "A" for the Department of Health's Special Education Services in Pre-School and Early Intervention Programs for a one year period of July 1, 2012 and ending June 30, 2013, for a total sum not to exceed \$3,791,500.00, and authorizes their execution by the County Executive subject to the approval of the County Attorney; and be it further

RESOLVED That the Legislature has appropriated sufficient funds in the 2012 Budget for Rockland County Health Department and Early Intervention Program (EIP) Pre-K and is contingent upon 2013 budget appropriations for these agreements.



2012

SCHEDULE "A"

PROVIDER	Contract Amount Not to Exceed	Contract Term
ARC - PRIME TIME FOR KIDS Preschool Center Based/SEIT Program	\$ 2,500,000	2012 - 2013
ARC - PRIME TIME FOR KIDS Early Intervention & Preschool Related Services for Children with Disabilities	\$ 550,000	2012 - 2013
JODY E. BIRKENFELD Early Intervention & Preschool Related Services for Children with Disabilities	\$ 178,500	2012 - 2013
CHANA HERZBERG Early Intervention & Preschool Related Services for Children with Disabilities	\$ 168,000	2012 - 2013
NEXT STEP AHEAD, INC. Early Intervention & Preschool Related Services for Children with Disabilities	\$ 395,000	2012 - 2013
TOTAL AMOUNT	\$3,791,500.00	

SCHEDULE "B"

CONTRACTOR: ARC - Prime Time for Kids
PURPOSE OF CONTRACT: Early Intervention & Preschool Related Services for Children with Disabilities
CONTRACT TERM: 2012 - 2013
AMOUNT NOT TO EXCEED: \$550,000.00
PROGRAM: Speech Therapy, Occupational Therapy, Physical Therapy, Special Education, Psychologist, Social Worker, Nurse
ADDRESS: 25 Hemlock Drive, Congers, NY 10920
FUNDS ARE SPENT: Payment for services rendered in compliance with the IFSP/IEP for the children referred.
CHILDREN SERVICED: 207
 Individual Corporation

CONTRACTOR: ARC - Prime Time for Kids
PURPOSE OF CONTRACT: Preschool Special Education Center Based/SEIT Program
CONTRACT TERM: 2012 - 2013
AMOUNT NOT TO EXCEED: \$2,500,000.00
PROGRAM: Speech Therapy, Occupational Therapy, Physical Therapy, Special Education, Psychologist, Social Worker, Nurse
ADDRESS: 25 Hemlock Drive, Congers, NY 10920
FUNDS ARE SPENT: Payment for services rendered in compliance with the IFSP/IEP for the children referred.
CHILDREN SERVICED: 63
 Individual Corporation

CONTRACTOR: Jody Birkenfeld
PURPOSE OF CONTRACT: Early Intervention & Preschool Related Services for Children with Disabilities
CONTRACT TERM: 2012 - 2013
AMOUNT NOT TO EXCEED: \$178,500.00
PROGRAM: Physical Therapy
ADDRESS: 11 Inverness Drive, New City, NY 10956
FUNDS ARE SPENT: Payment for services rendered in compliance with the IFSP/IEP for the children referred.
CHILDREN SERVICED: 90
 Individual Corporation

CONTRACTOR: Chana Herzberg
PURPOSE OF CONTRACT: Early Intervention & Preschool Related Services for Children with Disabilities
CONTRACT TERM: 2012 - 2013
AMOUNT NOT TO EXCEED: \$168,000.00
PROGRAM: Special Education Teacher
ADDRESS: 1 Albert Drive, Monsey, NY 10952
FUNDS ARE SPENT: Payment for services rendered in compliance with the IFSP/IEP for the children referred.
CHILDREN SERVICED: 25
 Individual Corporation

SCHEDULE "B"

CONTRACTOR: Next Step Ahead, Inc.

PURPOSE OF CONTRACT: Early Intervention & Preschool Related Services for Children with Disabilities

CONTRACT TERM: 2012 - 2013

AMOUNT NOT TO EXCEED: \$395,000.00

PROGRAM: Speech Therapy, Occupational Therapy, Physical Therapy, Social Worker, Psychologist

ADDRESS: 165 Grandview Ave, Wesley Hills, NY 10952

FUNDS ARE SPENT: Payment for services rendered in compliance with the IFSP/IEP for the children referred.

CHILDREN SERVICED: 275

Individual Corporation

Introduced by:

Referral No. 8894

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

**RESOLUTION NO. 411 OF 2012
 APPROVING AMENDMENT TO CONTRACT IN AN ADDITIONAL
 AMOUNT OF \$300,000 WITH MILESTONES INTEGRATED
 SERVICES, OT, PT, RN, SLP, PLLC FOR SPECIAL EDUCATIONAL
 SERVICES AND EARLY INTERVENTION PROGRAMS FOR CHILDREN
 WITH DISABILITIES FOR A TOTAL CONTRACT NOT TO EXCEED \$600,000
 FOR THE PERIOD FROM JULY 1, 2011 THROUGH JUNE 30, 2013 AND
 EXECUTION BY THE AUTHORIZING ITS COUNTY EXECUTIVE
 [DEPARTMENT OF HEALTH]
 (\$600,000)**

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

WHEREAS, By Resolution 484 of 2011 the Legislature of Rockland County approved a contract with Milestones Integrated Services OT, PT, RN, SLP, PLLC for Special Education Services in Pre-School and Early Intervention Programs in the amount of \$300,000 for the period from July 1, 2011 through June 30, 2013; and

WHEREAS, The Commissioner of the Department of Health recommends that the County enter into an amendment to an agreement with Milestones Integrated Services, OT, PT, RN, SLP, PLLC, 37 Woodlake Drive, Thiells New York 10984 for Special Educational Services in Pre-School and Early Intervention Programs in the additional amount of \$300,000 for a total contract not to exceed \$600,000 for the period from July 1, 2011 through June 30, 2013; and

WHEREAS, Sufficient funds for the 2011 and 2012 portion of said contract were already appropriated in the 2011 and 2012 Adopted Budgets of the Rockland County Health Department's Pre-School Program (Dept. 2960) and Early Intervention Program (Dept. 2961) and sufficient funds for the 2013 portion of said contract are contingent upon appropriations in the 2013 Adopted Budget; and

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

WHEREAS, The 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 amendment to the agreement in excess of \$100,000 with Milestones Integrated Services, OT, PT, RN, SLP, PLLC, 37 Woodlake Drive, Thiells New York 10984 for Special Educational Services in Pre-School and Early Intervention Programs in the additional amount of \$300,000, for a total contract sum not to exceed \$600,000 for the period from July 1, 2011 through June 30, 2013, and authorizes its execution by the County Executive subject to the approval of the County Attorney; and be it further

RESOLVED, Sufficient funds for the 2011 and 2012 portion of said contract were already appropriated in the 2011 and 2012 Adopted Budgets of the Rockland County Health Department's Pre-School Program (Dept. 2960) and Early Intervention Program (Dept. 2961) and sufficient funds for the 2013 portion of said contract are contingent upon appropriations in the 2013 Adopted Budget.



Introduced by:

Referral No. 8862

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

**RESOLUTION NO. 412 OF 2012
ACCEPTANCE OF DONATION FROM COLUMBIA UNIVERSITY
TO ASSIST HIV CLIENTS WHO ARE IN THE
ROCKLAND COUNTY HEALTH DEPARTMENT'S ID PROGRAM
TO ENROLL IN COLUMBIA UNIVERSITY'S
TRI-COUNTY (WESTCHESTER, ROCKLAND AND PUTNAM)
C.H.A.I.N. (COMMUNITY HEALTH ADVISORY &
INFORMATION NETWORK) PROJECT
[DEPARTMENT OF HEALTH]
(\$1,800)**

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

WHEREAS, The Commissioner of the Health Department has advised the County Executive and the County Legislature that the Department has received a donation of \$1,800 from Columbia University to assist HIV clients who are in the Rockland County Health Department's ID program, to enroll in Columbia University's Tri-County (Westchester, Rockland and Putnam) CHAIN (Community Health Advisory & Information Network) Project; and

WHEREAS, Said clients are followed over a 6 year period to elicit information on what it is like to live with HIV and about their treatment and care which is compared to information from the Boroughs of New York City and the Tri-county area; and

WHEREAS, a document is produced yearly with data that is used to improve services; and

WHEREAS, It is necessary to obtain approval of the Legislature to accept said donation; and

WHEREAS, The funds from Columbia University have already been budgeted and, therefore, no appropriation is necessary; and

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

WHEREAS, The Multi-Services Committee of the Legislature has met, considered and by a vote of 4 aye(s), 1 nay and 2 absent approved this resolution, now therefore, be it

RESOLVED, That the Legislature of Rockland County hereby accepts a donation of \$1,800 from Columbia University to assist HIV clients who are in the Rockland County Health Department's ID program, to enroll in Columbia University's Tri-County CHAIN Project; and be it further

RESOLVED, The funds from Columbia University have already been budgeted and, therefore, no appropriation is necessary; and be it further

RESOLVED That the Legislature hereby directs the Clerk to the Legislature to express the appreciation of the Rockland County Legislature to Columbia University for its donation to the County of Rockland.



Introduced by:

Referral No. 9361

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

**RESOLUTION NO. 413 OF 2012
ACCEPTANCE OF GRANT FUNDS
IN THE AMOUNT OF \$50,000 (NCTD)
FROM THE NEW YORK STATE DIVISION OF
HOMELAND SECURITY AND EMERGENCY SERVICES
(GRANT #WM11839819)
FOR THE SHERIFF'S EXPLOSIVE DETECTION CANINE TEAM
FOR THE PERIOD JULY 6, 2012 THROUGH AUGUST 31, 2014
AND AUTHORIZING EXECUTION OF ALL NECESSARY
GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
[OFFICE OF THE SHERIFF]
(\$50,000)**

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

WHEREAS, The Office of the Sheriff has informed the County Executive and the Legislature of Rockland County that they have been awarded a grant (#WM11839819) in the amount of \$50,000 from the New York State Division of Homeland Security and Emergency Services for the period July 6, 2012 through August 31, 2014; and

WHEREAS, These grant funds will be used to enhance the Sheriff's Department Explosive K9 Team with monies allocated for a canine, canine equipment and response vehicle; and

WHEREAS, This grant is federally funded but administered by New York State; and

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

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a grant (#WM11839819) in the amount of \$50,000 from the New York State Division of Homeland Security and Emergency Services for the period July 6, 2012 through August 31, 2014, and authorizes execution of all necessary grant documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That these grant funds will be used to enhance the Sheriff's Department Explosive K9 Team with monies to be allocated for a canine, canine equipment and response vehicle; and be it further

RESOLVED, That this grant is federally funded but administered by New York State; and be it further

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

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

GENERAL FUND - 2012

Increase Approp. Accts (Credit):

A -SHF -3107 -GS30	-E2050 Equipment	36,000
	-E4090 Fees for Services-Non-Employee	14,000

Increase Est. Rev. Acct. (Debit):

A -SHF -3107 -GS30	-R4380 Public Safety Grant(s)	50,000
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Introduced by:

Referral No. 9361

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

**RESOLUTION NO. 414 OF 2012
 APPROVING ACCEPTANCE OF A
 NEW YORK STATE DEPARTMENT OF HEALTH -
 PUBLIC HEALTH EMERGENCY PREPAREDNESS CONTINUATION GRANT
 IN THE AMOUNT OF \$227,361 (NCTD)
 GRANT SUPPORTS THE NECESSARY FUNCTIONS RELATED TO AN EMERGENCY
 EVENT, WHICH INCLUDES PLANNING, SURVEILLANCE, COMMUNICATION,
 EDUCATION AND TRAINING
 FOR THE PERIOD JULY 1, 2012 THROUGH JUNE 30, 2013
 AND AUTHORIZING EXECUTION OF ALL NECESSARY
 GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
 (DEPARTMENT OF HEALTH)
 (\$227,361)**

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

WHEREAS, The County Executive and the Legislature have been advised by the Rockland County Commissioner of Health that her department has been awarded a New York State Department of Health - Public Health Emergency Preparedness continuation grant in the amount of \$227,361 for necessary functions related to an emergency event, which includes planning, surveillance, communication, education and training for the period July 1, 2012 through June 30, 2013, and

WHEREAS, This grant is federally funded but administered by the New York State; and

WHEREAS, No County tax dollars (NCTD) are required to accept said \$227,361; and

WHEREAS, It is necessary to appropriate said amount 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 of a New York State Department of Health - Public Health Emergency Preparedness continuation grant in the amount of \$227,361 for necessary functions related to an emergency event, which includes planning, surveillance, communication, education and training for the period July 1, 2012 through June 30, 2013, and authorizes execution of all necessary grant documents by the County Executive, subject to the approval of the County Attorney, and be it further

RESOLVED, That this grant is federally funded but administered by New York State; and be it further

RESOLVED, That No County tax dollars (NCTD) are required to accept said \$227,361; 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-4051	-E1100	Salaries, Employees	98,399
	-E1910	Health	9,000
	-E1911	Dental	700
	-E1912	Vision	300
	-E1920	Retirement	24,000
	-E1930	Social Security	7,530
	-E1940	Unemployment Insurance	300
	-E1950	Workers' Compensation	147
	-E1980	MTA Mobility Tax	335
	-E4098	Services from Other County Depts	75,145
	-E4040	Travel	1,605
	-E4140	Conferences & Seminars	2,000
	-E4600	Telephone	7,900

Increase Est. Rev. Acct. (Debit):

A-DOH-4051	-R4480	Health Grant(s)	227,361
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UNEMPLOYMENT FUND - 2012

Increase Approp. Acct. (Credit):

Q-PER-9050	-E8010	Employee Benefits	300
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Increase Est. Rev. Acct. (Debit):

Q-PER-9050	-R2809	Interfund Revenues	300
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and be it further

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

Introduced by:

Referral No. 9473

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

**RESOLUTION NO. 415 OF 2012
REALLOCATION OF 2012 FUNDS
WITHIN THE DEPARTMENT OF HEALTH
TO COVER ANTICIPATED DOH CLINIC
AND PROGRAM EXPENSES FOR
THE REMAINDER OF 2012
[DEPARTMENT OF HEALTH]**

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

WHEREAS, The Commissioner of Health has advised the County Executive and the Legislature of Rockland County that a reallocation of 2012 funds within the Department of Health is necessary in order to cover anticipated clinic and program expenses for the remainder of 2012; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves a reallocation of 2012 funds within the Department of Health in order to cover anticipated clinic and program expenses for the remainder of 2012; and be it further

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

GENERAL FUND - 2012

Increase Approp. Acct. (Credit):

A-DOH-4010-E4040	Travel	11,000
A-DOH-4010-E4090	Fees for Services, Non-Employee	23,500
A-DOH-4653-E4090	Fees for Services, Non-Employee	<u>195,000</u>
		229,500

Increase Est. Rev. Acct (Debit):

A-DOH-4010-R3401	Public Health Aid	12,420
A-DOH-4653-R3401	Public Health Aid	<u>70,200</u>
		82,620

Reallocation of Approp./Rev. within Depts. 4010 & 4653 - Local Share Increase 146,880

Decrease Approp. Acct. (Debit):

A-DOH-2961-E5520	Tuition	219,107
A-DOH-4035-E1100	Salaries, Employees	34,050
A-DOH-4041-E5390	Local Share Match	30,000
A-DOH-4044-E5390	Local Share Match	6,000
A-DOH-4046-E4090	Fees for Services, Non-Employee	36,000
A-DOH-4052-E5390	Local Share Match	<u>6,275</u>
		331,432

Decrease Est. Rev. Acct. (Credit):

A-DOH-2961-R3406	Medicaid Reimbursement	92,024
A-DOH-2961-R3449	Early Intervention	62,270
A-DOH-4035-R3489	State Aid - Health	12,258
A-DOH-4046-R3489	State Aid - Health	<u>18,000</u>
		184,552

*Reallocation of Approp./Rev. within Depts. 2961, 4035, 4041, 4044, 4046 & 4052 -
Local Share Decrease* 146,880

Introduced by:

Referral No. 9473

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

**RESOLUTION NO. 416 OF 2012
AMENDING THE 2012 BUDGET BY APPROVING THE
ACCEPTANCE OF ADDITIONAL FUNDS
IN THE AMOUNT OF \$314,376 [NCTD]
FOR A TOTAL AMOUNT NOT TO EXCEED \$2,213,142
FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH
FOR THE CALENDAR YEAR 2012 TO BE DISTRIBUTED TO THE
MENTAL HEALTH ASSOCIATION OF ROCKLAND COUNTY, INC.
AND AUTHORIZING THE COUNTY EXECUTIVE
TO EXECUTE ALL NECESSARY DOCUMENTS
[DEPARTMENT OF MENTAL HEALTH]
(\$2,213,142)**

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

WHEREAS, The Commissioner of Mental Health has advised the County Executive and the Legislature of Rockland County that additional funding totaling \$314,376 from the New York State Office of Mental Health has been made available to the Mental Health Association of Rockland County, Inc. ("MHA"), 706 Executive Boulevard, Suite F, Valley Cottage, New York 10989, for the calendar year 2012; and

WHEREAS, The funding will be used to provide MHA Combined Services including the Psychosocial Club, Assertive Community Treatment, Family Support, Advocacy, Drop-In-Center, Intensive Case Management, Compeer, CCSI/Network, Supported Housing, Supportive Case Management, Recovery Services and Rockland Success Team; and

WHEREAS, The acceptance of these funds will require an amendment to the County's 2012 contract with MHA in the amount of \$1,898,766, which was fully executed on April 26, 2012, in the new not to exceed amount of \$2,213,142 for the calendar year 2012; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County tax dollars; 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 the "execution of all contracts in excess of \$100,000 entered into by the County"; and

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

RESOLVED, That the Legislature of Rockland County hereby accepts the additional funds totaling \$314,376 from the New York State Office of Mental Health for the calendar year 2012, which will be distributed to the Mental Health Association of Rockland County, Inc., 706 Executive Boulevard, Suite F, Valley Cottage, New York 10989, to provide MHA Combined Services including the Psychosocial Club, Assertive Community Treatment, Family Support, Advocacy, Drop-In-Center, Intensive Case Management, Compeer, CCSI/Network, Supported Housing, Supportive Case Management, Recovery Services and Rockland Success Team, and authorizes the County Executive to execute all necessary documents related to the acceptance of these additional funds including the amendment to the contract with Open Arms in the new not to exceed amount of \$2,213,142 for the calendar year 2012, subject to the approval of the County Attorney; and be it further

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

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

GENERAL FUND - 2012

Increase Approp. Acct. (Credit):

A-DMH-4306-E5010

MHA of Rockland

314,376

Increase Est. Rev. Acct. (Debit):

A-DMH-4306-R3470

State Aid - OMH

314,376

RESOLUTION NO. 417 OF 2012

**REVENUE ANTICIPATION NOTE RESOLUTION DATED
SEPTEMBER 4, 2012.**

A RESOLUTION DELEGATING TO THE ACTING COMMISSIONER OF FINANCE OF THE COUNTY OF ROCKLAND, NEW YORK, THE POWER TO AUTHORIZE, FROM TIME TO TIME DURING FISCAL YEAR 2012, THE SALE AND ISSUANCE OF NOT TO EXCEED \$30,000,000 REVENUE ANTICIPATION NOTES OF SAID COUNTY IN ANTICIPATION OF THE RECEIPT OF COUNTY SALES AND COMPENSATING USE TAX REVENUES, MORTGAGE RECORDING TAX REVENUES, AND REVENUES TO BE RECEIVED FROM THE STATE OF NEW YORK AND FROM THE UNITED STATES OF AMERICA.

Mr. Schoenberger offered the following Revenue Anticipation Note resolution, which was seconded by Vice Chairman Wolfe and by roll call vote was unanimously adopted:

WHEREAS, the County of Rockland (the "County"), in the State of New York (the "State"), desires to issue revenue anticipation notes in anticipation of the receipt of County Sales and Compensating Use Tax Revenues, Mortgage Recording Tax Revenues, and revenues to be received from the State of New York and from the United States of America in and for the County in its fiscal year beginning January 1, 2012;

NOW THEREFORE, BE IT RESOLVED by the affirmative vote of the County Legislature of the County of Rockland, New York, as follows:

Section 1. The power to authorize, from time to time during fiscal year 2012, the sale and issuance of not to exceed \$30,000,000 revenue anticipation notes (the "Notes") of the County of Rockland, New York, in anticipation of the receipt of County Sales and Compensating Use Tax Revenues, Mortgage Recording Tax Revenues, and revenues to be received from the State of New York and from the United States of America during the fiscal year of said County during which such sale and issuance shall be authorized or for the fiscal year during which such notes shall be issued and sold (hereinafter, the "Revenues"), is hereby delegated to the Acting Commissioner of Finance, the chief fiscal officer. Such Notes shall be of such terms, form and contents as may be determined by said Acting Commissioner of Finance, pursuant to the provisions of the Local Finance Law.

Section 2. The County Legislature has ascertained and hereby states that (a) not less than \$30,000,000 of such Revenues remains uncollected as of the date hereof for the fiscal year of the County beginning January 1, 2012; (b) \$80,000,000 revenue anticipation notes have previously been issued in anticipation of the collection of such Revenues; (c) no amount has been included in the annual budget of the County for such fiscal year to offset, in whole or in part, any anticipated deficiency in the collection during such fiscal year of Revenues for such fiscal year; (d) the date of maturity of the Notes shall not be extended beyond the close of the second fiscal year succeeding the fiscal year in which such Notes were issued, which is the close of the applicable period provided in Section 25.00 of the Local Finance Law for the maturity of the Notes; and (e) all earnings from the proceeds of the Notes, if any, shall be applied for payment of

interest on the Notes when due and payable or for payment of other governmental purposes of the County within the meaning of Section 1.148-7(b)(2) of the United States Treasury Regulations in effect or proposed on the date of the Notes.

Section 3. In the absence of the Acting Commissioner of Finance of the County, the Deputy Commissioner of Finance of the County is hereby authorized to exercise the powers referred to in this resolution.

Section 4. The Notes shall be dated, shall mature, shall be in such denominations and shall bear interest at the rate or rates of interest per annum, determined at the time of the sale of the Notes by the Acting Commissioner of Finance of the County at private or public sale in accordance with the provisions of the Local Finance Law of the State and Chapter 2 of the New York Code of Rules and Regulations. Interest on the Notes shall be paid at maturity.

Section 5. Pursuant to provisions of Section 30.00, 50.00, 56.00 and 60.00, inclusive, of the Local Finance Law, the power to sell, issue and deliver and to prescribe the terms, form and contents of the Notes is hereby delegated to the Acting Commissioner of Finance of the County, as chief fiscal officer of the County. The Acting Commissioner of Finance of the County is hereby authorized to execute the Notes on behalf of the County and the County Clerk is hereby authorized to affix the seal of the County to the Notes and to attest such seal. The Acting Commissioner of Finance of the County is hereby authorized to deliver the Notes to the purchaser thereof upon receipt in full of the purchase price thereof.

Section 6. The County covenants for the benefits of the holders of the obligations authorized herein that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the County which would cause the interest on such obligations to become subject to Federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the alternative minimum tax imposed on corporations by Section 55 of the Code) or subject the County to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations or the proceeds thereof if such action or omission would cause the interest on such obligations to become subject to Federal income taxation under the Code (except for the alternative minimum tax imposed on corporations by Section 55 of the Code) or subject the County to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the obligations or any other provision hereof until the date which is 60 days after the final maturity date or earlier prior redemption date hereof.

Section 7. The County hereby covenants for the benefit of holder(s) of the obligations authorized herein to comply with Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (the "Rule"), and in particular paragraphs (b)(5)(i)(A), (b)(5)(i)(B), and (b)(5)(i)(C) of the Rule, by providing to a nationally recognized municipal securities information repository, as required by the Rule: (1) at least annually, current financial information and (2) notice of any material event; unless an exemption from such paragraphs(s) exists pursuant to the Rule.

Section 8. It is the intent of this County Legislature that this resolution shall remain in full force and effect until December 31, 2012, at which time the powers granted to the Acting Commissioner of Finance shall automatically terminate without further action of this Legislature.

Section 9. The faith and credit of the County hereby is and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this resolution as the same shall become due.

Section 10. The Acting Commissioner of Finance of the County is hereby directed to file with the County Legislature certificates reporting the date of the Notes, the date the Notes mature, the rate of interest of the Notes, the purchaser of the Notes and a statement to the effect that the power of the Acting Commissioner of Finance of the County to sell, issue and deliver the Notes is in full force and effect and has not been modified, amended or revoked prior to the delivery of and payment for the Notes, and such other certificates as may be delivered to the purchaser or purchasers of the Notes.

Section 11. This resolution shall take effect immediately.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES:	14	(Legislators Carey, Day, Earl, Grant, Low-Hogan, Meyers, Moroney, Murphy, Paul, Schoenberger, Soskin, Sparaco, Wieder, Wolfe)
NOES:	0	
ABSENT:	3	(Legislators Hood, Jr., Jobson, Cornell)
EXCUSED:		

The resolution was declared adopted.

Debate:Mr. Schoenberger

At any given time the State of New York owes us \$30,000,000 to \$40,000,000 that is money we are entitled to for work that we performed under their State mandated programs. The Commissioner of Finance advised me that they currently owe us \$38,000,000. We have completed the work and billed the State and we have not been paid. The State runs months behind in paying us. Some of that \$38,000,000 even goes back to 2011. We count on that money coming in to be able run the County of Rockland and pay for the costs associated with these programs and other programs in Rockland County. Because the State does not pay us in a timely manner we have to go out and get a short-term Revenue Anticipation Note, which this is, for not more than one-year. We borrow money in the open market, which we use to enable our cash flow until such time that the State pays us. I think at one time last summer there was even \$70,000,000 owed to us. That is why we need to do this.

Mr. Moroney

Obviously I understand why we have to do this, but it is also going to cost us money in interest. Can we recoup that interest?

Mr. Wolfe

This is not an unusual borrowing. This is the normal cash flow borrowing. This was discussed at committee.

Mr. Schoenberger

I don't recall us ever recovering the interest money. This Legislature approved a Home Rule request earlier this year for a deficit bond in the amount of \$80,000,000 to be paid back over ten years. The first one we approved we wanted to have sales tax revenue dedicated to that. Our State Assembly people introduced it, our State Senator wouldn't. We then came back with one that was \$80,000,000 over ten years without any increase in the sales tax. Had we received that deficit bond we would have had the money in our accounts and we would not have to continually make these short-term borrowings to make up for our cash flow. We would have had that one note and it would have been done.

Mr. Moroney

It doesn't make me any happier, because it seems to be a one-way street when it comes to paying us for mandated programs. It is disappointing that we have to go through this year after year after year. I go back to our elected officials from our County that should put a bill into effect in Albany that we get paid on time. This is going on year after year. We hear all about mandated relief, but they are still not paying us for ones that are there. Naturally I will vote for this, but I am disappointed in the State's attitude toward local governments. Thank you.

Mr. Wolfe

We also just found out that our mandated pension contribution to New York State is going to go up.

Mr. Carey

Are we approving a one shot deal here?

Mr. Schoenberger

This is not the first one that we have been forced to sell this year. We sold one a few months ago. My understanding is, from my conversation with the Commissioner of Finance, Mr. Grogan and with the County Executive's office, that this is it for the rest of the year. This is what they calculate will be necessary to have the cash flow through the rest of this year. So they told me in essence they are not coming back for more this year.

Roll Call:

Legislator Earl – Yes.

Legislator Grant – Yes.

Legislator Low-Hogan – Yes.

Legislator Meyers – Yes.

Legislator Moroney – Yes.

Legislator Murphy – Yes.

Legislator Paul – Yes.

Legislator Schoenberger – Yes.

Legislator Soskin – Yes.

Legislator Sparaco – Yes.

Legislator Wieder – Yes.

Legislator Carey – Yes.

Legislator Day – Yes.

Vice Chairman Wolfe – Yes.

Introduced by:

Referral No. 6760

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

**RESOLUTION NO. 418 OF 2012
 APPROVING ACCEPTANCE OF CONTINUATION GRANT
 IN THE AMOUNT OF \$18,100 FROM THE
 NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES
 WITH A LOCAL SHARE OF \$100,000
 FOR THE AID TO DEFENSE PROGRAM
 FOR THE PERIOD APRIL 1, 2012 THROUGH MARCH 31, 2013
 AND AUTHORIZING THE EXECUTION OF ALL NECESSARY
 GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
 [PUBLIC DEFENDER]
 (\$18,100)**

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

WHEREAS, The Public Defender has advised the County Executive and the Legislature of Rockland County that the New York State Division of Criminal Justice Services has awarded his department a grant in the amount of \$18,100 to continue the Aid to Defense Program for the period April 1, 2012 through March 31, 2013; and

WHEREAS, The purpose of this grant is to increase the time attorneys are able to allot to cases involving repeat and serious offenders; and

WHEREAS, The acceptance of this grant requires a local share of \$100,000, of which \$80,000 was provided for in the 2012 Adopted Budget of the Aid to Defense Program and the remaining \$20,000 will be provided by an appropriation reserve line (E6600) within the Public Defender's department (Dept. 1170); and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a grant in the amount of \$18,100 from the New York State Division of Criminal Justice Services to be used to continue the Aid to Defense Program for the period April 1, 2012 through March 31, 2013, and authorizes the execution of all necessary grant documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That the acceptance of this grant requires a local share of \$100,000, of which \$80,000 was provided for in the 2012 Adopted Budget of the Aid to Defense Program and the remaining \$20,000 will be provided by an appropriation reserve line (E6600) within the Public Defender's department (Dept. 1170); and be it further

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

GENERAL FUND - 2012

Increase Approp. Acct. (Credit):

A -PDF -1169 -E1100	Salaries, Employees	76,705
-E1910	Health	23,000
-E1911	Dental	1,500
-E1912	Vision	300
-E1920	Retirement	10,000
-E1930	Social Security	5,870
-E1940	Unemployment Insurance	100
-E1950	Workers' Compensation	365
-E1980	MTA Mobility Tax	260

Decrease Approp. Acct. (Debit):

A -PDF -1169 -E5390	Local Share Match	80,000
A -PDF -1170 -E6600	Appropriation Reserve	20,000

Increase Est. Rev. Acct. (Debit):

A -PDF -1169 -R3389	State Aid - Public Safety	18,100
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UNEMPLOYMENT FUND - 2012

Increase Approp. Acct. (Credit):

Q -PER -9050 -E8010	Employee Benefits	100
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Increase Est. Rev. Acct. (Debit):

Q -PER -9050 -R2809	Interfund Revenues	100
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and be it further,

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

Introduced by:

Referral No. 8896

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

**RESOLUTION NO. 419 OF 2012
 APPROVING ACCEPTANCE AND APPROPRIATION OF FUNDS
 IN THE AMOUNT OF \$3,450 (NCTD) FROM
 CONTINGENCY MANAGEMENT CONSULTING GROUP, LLC
 TO REIMBURSE THE COUNTY FOR 2012 TRAINING OF SCHOOL BUS DRIVERS
 IN CONNECTION WITH EMERGENCY EVACUATION PLANS
 [OFFICE OF FIRE AND EMERGENCY SERVICES]
 (\$3,450)**

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

WHEREAS, The Office of Fire and Emergency Services has advised the County Executive and the Legislature of Rockland County that it has received funds in the amount of \$3,450 from Contingency Management Consulting Group, LLC (consultants for Entergy) to reimburse the County for 2012 training of school bus drivers in connection with emergency evacuation plans; and

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

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of funds in the amount of \$3,450 from Contingency Management Consulting Group, LLC (consultants for Entergy) to reimburse the County for 2012 training of school bus drivers in connection with emergency evacuation plans; and be it further

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

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

<u>GENERAL FUND - 2012</u>		
<u>Increase Approp. Acct. (Credit):</u>		
A-EME-3643-E5060	Program Costs	3,450
<u>Increase Est. Rev. Acct. (Debit):</u>		
A-EME-3643-R2770	Unclassified Revenue	3,450

Introduced by:

Referral No. 5327

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

**RESOLUTION NO. 420 OF 2012
 APPROVING ACCEPTANCE OF FUNDS
 IN THE AMOUNT OF \$5,000 (NCTD)
 FROM THE UNITED STATES SECRET SERVICE
 FOR FEDERAL FISCAL YEAR 2011/12
 (OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012)
 TO BE USED IN CONNECTION WITH
 THE PARTICIPATION OF THE ROCKLAND COUNTY
 SHERIFF'S COMPUTER CRIME UNIT IN THE
 NEW YORK/NEW JERSEY ELECTRONIC CRIMES TASK FORCE
 [SHERIFF'S DEPARTMENT]
 (\$5,000)**

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

WHEREAS, The Sheriff of Rockland County has advised the County Executive and the Rockland County Legislature that the department has been awarded funds in the amount of \$5,000 from the United States Secret Service for federal fiscal year 2011/12 (October 1, 2011 through September 30, 2012), to be used in connection with the participation of the Rockland County Sheriff's Computer Crime Unit in the New York/New Jersey Electronic Crimes Task Force; and

WHEREAS, These funds were awarded pursuant to the conditions and procedures associated with the reimbursement allocation found in Part III of the Memorandum of Understanding entered into between the County of Rockland/Rockland County Sheriff's Department and the United States Secret Service on or about February 24, 2006; and

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

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of funds in the amount of \$5,000 from the United States Secret Service for federal fiscal year 2011/12 (October 1, 2011 through September 30, 2012), to be used in connection with the participation of the Rockland County Sheriff's Computer Crime Unit in the New York/New Jersey Electronic Crimes Task Force; 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 no County tax dollars (NCTD) are required to accept said funds; and be it further

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

GENERAL FUND - 2012

Increase Approp. Accts (Credit):

A-SHF-3114-E5060	Program Costs	5,000
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Increase Est. Rev. Acct. (Debit):

A-SHF-3114-R4389	Federal Aid - Public Safety	5,000
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Introduced by:

Referral No. 5327

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

**RESOLUTION NO. 421 OF 2012
 APPROVING INTERMUNICIPAL AGREEMENT BETWEEN THE
 COUNTY OF ROCKLAND AND THE
 VILLAGE OF SPRING VALLEY IN CONNECTION WITH A
 2012 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD
 THAT WILL GO DIRECTLY TO THE VILLAGE OF SPRING VALLEY
 IN THE AMOUNT OF \$14,615
 AND AUTHORIZING EXECUTION OF THE AGREEMENT
 BY THE COUNTY EXECUTIVE
 [OFFICE OF THE SHERIFF]
 (\$14,615)**

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

WHEREAS, The County Executive and the Legislature have been advised by the Office of the Sheriff that a 2012 Byrne Justice Assistance Grant (JAG) Program award going directly to the Village of Spring Valley in the amount of \$14,615 will require an intermunicipal agreement between the County of Rockland and the Village of Spring Valley; and

WHEREAS, In order for the Village of Spring Valley to receive the funding, the intermunicipal agreement must be executed on behalf of the County; 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 Spring Valley Police Department has agreed to be the point of contact for the JAG grant and the Village of Spring Valley shall receive grant funding in the amount of \$14,615 from the U.S. Department of Justice to act as the fiscal agent to distribute said funds to itself, and

WHEREAS, The Village of Spring Valley shall be provided grant funding in the amount of \$14,615 in order to deploy additional police officers within the community at targeted areas to handle specific violent crime and property crime occurring in the Village and deployment will be based on statistical analysis and crime mapping in order to utilize the funding in the most efficient manner; and

WHEREAS, The Sheriff is recommending that the Legislature approve the execution of this Intermunicipal Agreement so that said funding can be passed on to the participating municipality in order to deploy additional police officers within the community at targeted areas to handle specific violent crime and property crime occurring in the Village of Spring Valley as well as handle various programs as stated in the Intermunicipal Agreement; and

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

RESOLVED, That the Legislature of Rockland County hereby approves an intermunicipal agreement between the County of Rockland and the Village of Spring Valley in connection with a 2012 Byrne Justice Assistance Grant (JAG) Program award in the amount of \$14,615 and authorizes execution of the agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That since said award amount will go directly to the Village of Spring Valley and not through the County of Rockland, a funding clause is not required on this resolution.

Debate:

Mr. Day

I think it is important that we look a little deeply past the names of grants once in a while. There is a reason this evening why we should do this. Back in February of 1988 I was a young NYPD Sergeant up in West Harlem. Crack cocaine was the scourge in New York City and inner cities across the nation. It was literally a war zone in New York City at that time. There was a young police officer sitting in front of a home in Jamaica, Queens guarding a witness in a drug case. This young rookie officer was approaching just 22 years of age. While he was sitting there two people walked up to the passenger side of his radio car, got his attention, and another person walked up to the driver side and put five bullets in the young officers head. I know that is graphic, but that is real. This is what the crack wars were in New York City and in many other parts of the Country at that time.

It obviously affected all of us in law enforcement. It also woke up a nation to combat the scourge of crack and what it was doing to our communities, especially in minority communities where guns ruled the street and families had little chance to see the young of the community move on, grow up, and get educations. It was truly a bad time.

Eddie Byrne's did outrage a nation, especially when the communication between the shooters and Pappy Mason, the drug kingpin who ordered the hit from his jail cell. They celebrated and showed great glee over how that officer responded to being shot so many times. This was the inhumanity we were dealing with. That \$8,000 hit upon a cop did mobilize a nation, got us to move forward to deal with the issues that were in front of us and this is where this grant money and name came from. Presidents Reagan and Bush both carried Officers Ed Byrne's shield in their pockets.

I mention this tonight for a reason. Time is supposed to heal all wounds. It does not heal wounds for NYPD cop who saw such a horrific, cold-blooded murder of one of his fellow officer who simply was trying to do the right thing. Right now there is consideration going on that those who did the shooting be paroled. I simply want to raise some awareness for the life of a young officer and how he gave of his life to protect everybody in New York City and, by extension tonight, the people of Rockland County. Thank you.

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. Aron B. Wieder, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 422 OF 2012
 APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT
 IN AN AMOUNT NOT TO EXCEED \$5,000 BETWEEN THE
 COUNTY OF ROCKLAND AND THE VILLAGE OF HAVERSTRAW
 FOR THE DRUG MARKET INTERVENTION CASE MANAGEMENT PROGRAM
 FOR THE PERIOD JULY 1, 2012 THROUGH DECEMBER 31, 2012
 AND AUTHORIZING EXECUTION OF THE AGREEMENT
 BY THE COUNTY EXECUTIVE
 [OFFICE OF THE DISTRICT ATTORNEY]
 (\$5,000)**

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

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

WHEREAS, The County of Rockland, through its Office of the District Attorney, and the Village of Haverstraw desire to enter into an intermunicipal cooperation agreement in an amount not to exceed \$5,000, for the Drug Market Intervention Case Management Program for the period July 1, 2012 through December 31, 2012; and

WHEREAS, Sufficient funding for this agreement is provided for in the 2012 Budget of the Office of the District Attorney, Dept. 1165, line E4500; and

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

RESOLVED, That the Legislature of Rockland County hereby approves the execution of an intermunicipal cooperation agreement between the County of Rockland, through its Office of the District Attorney, and the Village of Haverstraw in an amount not to exceed \$5,000, for the Drug Market Intervention Case Management Program for the period July 1, 2012 through December 31, 2012; and be it further

RESOLVED, That sufficient funding for this agreement is provided for in the 2012 Budget of the Office of the District Attorney, Dept. 1165, line E4500.

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. Aron B. Wieder, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Philip Soskin, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Nancy Low-Hogan, Sponsor
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 423 OF 2012
APPROVING INTERMUNICIPAL COOPERATION AGREEMENT
IN THE TOTAL AMOUNT OF \$62,669, BETWEEN THE COUNTY OF ROCKLAND
AND THE VILLAGE OF PIERMONT POLICE DEPARTMENT FOR
FORFEITURE DISBURSEMENT FOR REIMBURSEMENT FOR
LAW ENFORCEMENT EQUIPMENT
FOR THE PERIOD MAY 1, 2012 THROUGH DECEMBER 31, 2012
AND AUTHORIZING EXECUTION OF THE
AGREEMENTS BY THE COUNTY EXECUTIVE
[OFFICE OF THE DISTRICT ATTORNEY]
(\$62,669)**

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

WHEREAS, The District Attorney has advised the County Executive and the Rockland County Legislature that the District Attorneys Office has received an equitable share of federally forfeited funds; and

WHEREAS, All forfeited funds received through the Equitable Sharing Program must be used for law enforcement purposes; and

WHEREAS, The United States Department of Justice permits the transfer of shared funds from one state or local law enforcement agency to another; 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 Village of Piermont Police Department desire to enter into intermunicipal cooperation agreements in the total amount of \$62,669, for transfer of shared funds for the reimbursement for law enforcement equipment for the period May 1, 2012 through December 31, 2012; and

WHEREAS, Sufficient funding for this agreement exists within District Attorney Dept. FA01, line E4500 of the 2012 Budget; and

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

RESOLVED, That the Legislature of Rockland County (through its Office of the District Attorney) hereby approves the execution of intermunicipal cooperation agreements between the County of Rockland and the Village of Piermont Police Department in the total amount of \$62,669, for transfer of shared funds for the reimbursement for surveillance equipment for the period May 1, 2012 through December 31, 2012, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement exists within District Attorney Dept. FA01, line E4500 of the 2012 Budget.

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. Aron B. Wieder, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 424 OF 2012
 APPROVING INTERMUNICIPAL COOPERATION AGREEMENT
 IN THE TOTAL AMOUNT OF \$61,630, BETWEEN THE COUNTY OF ROCKLAND
 AND THE VILLAGE OF SUFFERN POLICE DEPARTMENT FOR FORFEITURE
 DISBURSEMENT FOR REIMBURSEMENT FOR SURVEILLANCE EQUIPMENT
 FOR THE PERIOD MAY 1, 2012 THROUGH DECEMBER 31, 2012
 AND AUTHORIZING EXECUTION OF THE
 AGREEMENTS BY THE COUNTY EXECUTIVE
 [OFFICE OF THE DISTRICT ATTORNEY]
 (\$61,630)**

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

WHEREAS, The District Attorney has advised the County Executive and the Rockland County Legislature that the District Attorneys Office has received an equitable share of federally forfeited funds; and

WHEREAS, All forfeited funds received through the Equitable Sharing Program must be used for law enforcement purposes; and

WHEREAS, The United States Department of Justice permits the transfer of shared funds from one state or local law enforcement agency to another; 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 Village of Suffern Police Department desire to enter into intermunicipal cooperation agreements in the total amount of \$61,630, for transfer of shared funds for the reimbursement for surveillance equipment for the period May 1, 2012 through December 31, 2012; and

WHEREAS, Sufficient funding for this agreement exists within District Attorney Dept. FA01, line E4500 of the 2012 Budget; and

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

RESOLVED, That the Legislature of Rockland County (through its Office of the District Attorney) hereby approves the execution of intermunicipal cooperation agreements between the County of Rockland and the Village of Suffern Police Department in the total amount of \$61,630, for transfer of shared funds for the reimbursement for surveillance equipment for the period May 1, 2012 through December 31, 2012, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement exists within District Attorney Dept. FA01, line E4500 of the 2012 Budget.



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. Aron B. Wieder, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Nancy Low-Hogan, Sponsor
- Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 425 OF 2012
 APPROVING INTERMUNICIPAL COOPERATION AGREEMENT
 IN THE TOTAL AMOUNT OF \$47,750
 BETWEEN THE COUNTY OF ROCKLAND
 AND THE SOUTH NYACK-GRANDVIEW POLICE DEPARTMENT
 FOR FORFEITURE DISBURSEMENT
 FOR PURCHASE OF LIVSCAN LICENSE PLATE READER
 FOR THE PERIOD MAY 1, 2012 THROUGH DECEMBER 31, 2012
 AND AUTHORIZING EXECUTION OF THE
 AGREEMENTS BY THE COUNTY EXECUTIVE
 [OFFICE OF THE DISTRICT ATTORNEY]
 (\$47,750)**

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

WHEREAS, The District Attorney has advised the County Executive and the Rockland County Legislature that the District Attorneys Office has received an equitable share of federally forfeited funds; and

WHEREAS, All forfeited funds received through the Equitable Sharing Program must be used for law enforcement purposes; and

WHEREAS, The United States Department of Justice permits the transfer of shared funds from one state or local law enforcement agency to another; 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 South Nyack-Grandview Police Department desire to enter into intermunicipal cooperation agreements in the total amount of \$47,750, for transfer of shared funds for the purchase of a live scan fingerprinting system for the period May 1, 2012 through December 31, 2012; and

WHEREAS, Sufficient funding for this agreement exists within District Attorney Dept. FA01, line E4500 of the 2012 Budget; and

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

RESOLVED, That the Legislature of Rockland County (through its Office of the District Attorney) hereby approves the execution of intermunicipal cooperation agreements between the County of Rockland and the South Nyack-Grandview Police Department in the total amount of \$47,750, for transfer of shared funds for the purchase of a live scan fingerprinting system for the period May 1, 2012 through December 31, 2012, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement exists within District Attorney Dept. FA01, line E4500 of the 2012 Budget.



Introduced by:

Referral No. 9173

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

**RESOLUTION NO. 426 OF 2012
 APPROVING EXECUTION OF AN INTERMUNICIPAL AGREEMENT
 IN AN AMOUNT NOT TO EXCEED \$30,000
 (NO COUNTY TAX DOLLARS)
 BETWEEN COUNTY OF ROCKLAND AND
 VILLAGE OF SPRING VALLEY FOR THE HEALTHY PLACES
 TO LIVE WORK AND PLAY INITIATIVE
 FOR A TERM FROM APRIL 1, 2012 THROUGH MARCH 31, 2013 AND
 AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [DEPARTMENT OF HEALTH]
 (\$30,000)**

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

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

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

WHEREAS, The County of Rockland and Village of Spring Valley desire to enter into a intermunicipal agreement with the Village of Spring Valley, 200 North Main Street, Spring Valley, New York 10977, to provide a implement policy and environmental improvements in order to reach the goal of a healthier community for the County of Rockland Department of Health in the amount not to exceed \$30,000 for the period April 1, 2012 through March 31, 2013; and

WHEREAS, The County shall have the option to renew the contract for two (2) additional one (1) year terms; and

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

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

RESOLVED, The County shall have the option to renew the contract for two (2) additional one (1) year terms; and be it further

RESOLVED, That the Legislature of Rockland County approves the execution of an intermunicipal agreement with the Village of Spring Valley, 200 North Main Street, Spring Valley, New York 10977, to provide a implement policy and environmental improvements in order to reach the goal of a healthier community for the County of Rockland Department of Health in the amount not to exceed \$30,000 (No County Tax Dollars) for the period April 1, 2012 through March 31, 2013, and authorizing the execution of the agreement by the County Executive, subject to the approval of the County Attorney; and be it further

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



ROCKLAND COUNTY DEPARTMENT OF HEALTH

SCHEDULE A



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



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

<p>GOALS & OBJECTIVES:</p>	<p>The Rockland County Department of Health seeks to reduce death and disability due to chronic disease by initiating targeted lifestyle interventions in the Rockland County Community through the Creating Healthy Places to Live, Work and Play initiative funded by the New York State Department of Health.</p> <p>Village of Spring Valley is committed to working with the Rockland County Department of Health to implement policy and environmental improvements in the following areas to reach the goals of a healthier community: Create, rehabilitate, maintain and promote parks and recreation facilities in underserved residential areas to offer safe, accessible and attractive opportunities for physical activity for persons of all ages and abilities. Develop and/or enhance playgrounds for children that are safe, attractive, accessible and available; Develop transportation policies and environmental changes to ensure streets are safe, accessible and convenient for all users of the roadway including: pedestrians, bicyclists, users of public transit, motorists, children, the elderly, and people with disabilities. Examples include: encourage walking and bicycling as a means of transportation, reduce car use through increased parking costs, change roadway design standards, including traffic calming, or create or enhance bike lanes and install racks on public transportation; Establish and promote the use of farmers markets and implement innovative strategies to increase access to healthy foods in high need areas, such as providing produce carts or vans to offer communities in need fresh, nutritious produce; Create community gardens by working with community planning boards, neighborhood associations, persons with disabilities, and senior and low-income housing developments; And enhance variety of fruits and vegetables, reduce point of sale marketing, and/or improve the quality of food at neighborhood markets.</p>
<p>STATEMENT OF WORK:</p>	<ul style="list-style-type: none"> • Revitalize the Community Garden at Memorial Park. This will include purchasing a shed, removing trees, removing existing infrastructure, preparing the ground, building raised beds, designing the layout of the garden and other logistics to make this garden a focal point for the community and to attract village residents and community-oriented businesses to the garden. • Assist the Rockland County Department of Health to implement changes at small groceries/bodegas to improve the quality of food, reduce point of sale marketing, or enhance the variety of fruits and vegetables offered. • Work with community members, planners and the Spring Valley Department of Public Works to improve access for pedestrians to neighborhood parks to include street calming methods, signage, etc. • Begin to work on adopting a Complete Streets or similar transportation policy • Conduct an inventory of community connections using the Wilder Collaborations Factors Inventory.

	<ul style="list-style-type: none"> ◦ promote and join at least one advocacy website (e.g., New York State Healthy Eating and Physical Activity Alliance (NYSHEPA), American Diabetes Association (ADA) and National Alliance of Nutrition and Activity (NANA), National Center on Physical Activity and Disability (NCPAD)). ◦ Write at least 1 letters to the editor of local papers discussing obesity and type 2 diabetes prevention issues annually. ◦ Produce and distribute at least 1 press release annually about the work in your community. ◦ Communicate bi-monthly with elected leaders and decision-makers to keep them informed about nutrition and physical activity initiatives in the community to prevent and reduce obesity and diabetes. ◦ Conduct one visit annually to educate elected officials about activities in the community to prevent and reduce obesity and diabetes. ◦ Engage at least one community member, who has suffered as a result of the obesity/diabetes epidemic, to be a community advocate/champion for the initiative. ◦ Build relationships with local news reporters and media personalities to disseminate obesity and type 2 diabetes prevention messages and information. ◦ Conduct both process and outcome evaluation. This will include reporting twice a year on the implementation of the strategies and activities fostering sustainability and policy, systems and environmental change. It will also include conducting program evaluation to measure the impact of these strategies and activities. ◦ Attend CHP meetings with other partners about 2 times per year. ◦ Funds can be spent on travel, personnel, administration, and all related expenses (approved by RCDOH technical advisor for this project) to complete the project deliverables.
<p>RATE:</p>	<p>Year 2 award: \$ 30,000 Option to renew annually: Up to \$90,000 over the four-year service period. Vouchers must be submitted quarterly to Melissa Jacobson, RCDOH, 50 Sanatorium Road, Building J, Pomona, NY 10970.</p>
<p>DATE(S) OF SERVICE:</p>	<p>Total contract period: April 1, 2011 – March 31, 2015 Annual dates of service: Year 1 – April 1, 2011 – March 31, 2012 Year 2 – April 1, 2012 – March 31, 2013 Year 3 – April 1, 2013 - March 31, 2014 Year 4 – April 1, 2014 – March 31, 2015</p>
<p>NOT TO EXCEED:</p> <p>\$90,000 over 4 years \$ 30,000 for Year 2</p>	<p>\$90,000 over 4 years \$ 30,000 for Year 2</p> <p>The availability of funds is pending an annual renewal of the Creating Health Places to Live, Work and Play (CHP) award from the New York State Department of Health. It is also pending the approval of annual workplans by the Rockland County Department of Health and spending limitations dictated by the CHP funding.</p> <p>The following must be done in order to receive full payment: work with Melissa Jacobson to develop an appropriate method of evaluating the success of the project; complete a final report; submit all vouchers and reports by March 31 of each contract year; contribute at least a 15% match of in-kind based on value of contract; support the implementation of the Nutrition And Physical Self-Assessment in Child Care (NAPSACC) program at childcare facilities located in the village or that serve children from the village. Use the Steps to a Healthier Rockland and Creating Healthy Places to Live Work and Play name and logo on any printed materials, media releases, or promotional activities related to the funded initiative.</p>

Introduced by:

Referral No. 6311/9019

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

**RESOLUTION NO. 427 OF 2012
 APPROVING AN INTERMUNICIPAL HOST SITE AGREEMENT
 IN AN AMOUNT NOT TO EXCEED \$3,000
 BETWEEN THE COUNTY OF ROCKLAND
 ON BEHALF OF ITS YOUTH BUREAU
 AND THE VILLAGE OF WEST HAVERSTRAW
 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. Earl, Mr. Grant and Mr. Soskin and unanimously adopted:

WHEREAS, Both the County of Rockland (the "County") and the Village of West 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 wishes to participate in the Program and accept for placement a maximum of two (2) 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 will pay the County an amount not to exceed \$3,000 for the services of the two (2) RCA members for the period June 1, 2012 through December 31, 2012; and

WHEREAS, On April 11, 2012, the Village's Board of Trustees approved the intermunicipal Host Site agreement and authorized the Mayor to execute the agreement; and

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

RESOLVED, That the Legislature of Rockland County hereby approves, 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 West Haverstraw (the "Village"), will pay the County an amount not to exceed \$3,000 for the services of a maximum of two (2) 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 April 11, 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.

Introduced by:

Referral No. 63II/9019

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

**RESOLUTION NO. 428 OF 2012
 APPROVING AN INTERMUNICIPAL HOST SITE AGREEMENT
 IN AN AMOUNT NOT TO EXCEED \$3,000 BETWEEN THE
 COUNTY OF ROCKLAND ON BEHALF OF ITS YOUTH BUREAU
 AND THE VILLAGE OF POMONA WHICH IS ACTING AS A HOST SITE
 FOR THE ROCKLAND COUNTY AMERICORPS
 ENVIRONMENTAL CORPS PROGRAM
 FROM JUNE 1, 2012 THROUGH OCTOBER 1, 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, Mr. Grant, Mrs. Paul and Mr. Soskin and unanimously adopted:

WHEREAS, Both the County of Rockland (the "County") and the Village of Pomona (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 October 1, 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 wishes to participate in the Program and accept for placement a maximum of two (2) 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 \$3,000 for the services of the two (2) RCA members for the period June 1, 2012 through October 1, 2012; and

WHEREAS, On April 23, 2012, the Village's Board of Trustees approved and authorized the Mayor to execute 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 Pomona (the "Village"), pursuant to which the Village's Public Works Department will pay the County an amount not to exceed \$3,000 for the services of a maximum of three (3) Rockland County AmeriCorps members for the period June 1, 2012 through October 1, 2012, which agreement was approved by the Village's Board of Trustees on April 23, 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.

Introduced by:

Referral No. 4249

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

**RESOLUTION NO. 429 OF 2012
ESTABLISHING ONE POSITION
AND ABOLISHING ONE POSITION
IN THE OFFICE OF THE DISTRICT ATTORNEY**

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

WHEREAS, The District Attorney has requested the establishment of one position in the Office of the District Attorney along with the concurrent abolishment of one position, and

WHEREAS, The Department of Personnel has reviewed a job description for one position and has made an appropriate civil service classification, and

WHEREAS, The District Attorney is requesting no additional funds to establish this position, and

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

RESOLVED, That one position of Prosecution Assistant, position #9024 (SG 13 - \$45,653 - \$55,136) be hereby established in the Office of the District Attorney – 1165 and be it further

RESOLVED, That the title of Prosecution Assistant be allocated to salary grade 13 (\$45,653 - \$55,136) as provided in the contract between the County of Rockland and the Civil Service Employees' Association, Inc., and be it further

RESOLVED, The one position of Principal Clerk-Typist, position #8955 (SG 13 - \$45,653 - \$55,136) be hereby concurrently abolished.

Introduced by:

Referral No. 5614/8111

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

**RESOLUTION NO 430 OF 2012
CORRECTION OF 2012 TAX ROLLS
GOULD PALISADES CORP
VARIOUS CONDOMINIUM UNITS
ON 2012 TOWN/COUNTY TAX ROLL AND REFUND
[DEPARTMENT BUDGET AND FINANCE]**

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

WHEREAS, This application is requesting that of the 2012 Town/County tax rolls be corrected for each parcel as indicated on the annexed Schedule "A", with the Real Property Tax Service Officer, pursuant to §550 (2) (b) of the Real Property Tax Law; and

WHEREAS, These parcels are owned by the Gould Palisades Corp. The assessor in correctly utilized the full assessed value to calculate the special district taxes.

WHEREAS, The assessor should have used the restricted assessed values to calculate these charges the special district taxes. The restricted assessed values were appropriately applied to all other tax lines. This created a clerical error as defined by RPTL §550 (2)(b); and

WHEREAS, The tax amounts should be reduced on the 2012 Town and County Tax Roll and a refund of approximately \$54,568.81 be issued in accordance with the attached Schedule "A"; and

WHEREAS, The corrections are 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 §550 (2) (b) of the Real Property Tax Law; and

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

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

RESOLVED, That the Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2012 Town and County tax rolls and a refund in the amount of \$54,568.81 be issued accordingly.

**SCHEDULE A
TOWN OF HAVERSTRAW**

OWNER: GOULD PALISADES CORP.

CORRECTION: THE APPLICATION IS REQUESTING THE TAX AMOUNTS BE REDUCED ON THE 2012 TOWN AND COUNTY TAX ROLL AND A REFUND OF APPROXIMATELY \$54,568.81 BE ISSUED IN ACCORDANCE WITH THE ATTACHED SCHEDULE

REASON: THE HAVERSTRAW ASSESSOR UTILIZED THE FULL ASSESSED VALUE TO CALCULATE THE SPECIAL DISTRICT TAXES. THE RESTRICTED ASSESSED VALUES, (UTILIZED IN CONDO CONVERSIONS LOCATED IN HOMESTEAD/NON-HOMESTEAD ASSESSMENT JURISDICTIONS) SHOULD HAVE BEEN USED TO CALCULATE THESE SPECIAL DISTRICT TAXES. THE RESTRICTED ASSESSED VALUES WERE APPROPRIATELY APPLIED TO ALL OTHER TAX LINES. THIS CREATED A CLERICAL ERROR AS DEFINED BY RPTL§ 550(2)(B).

Introduced by:

Referral No. 2962

Hon. Philip Soskin, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Patrick J. Moroney, Sponsor
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO 431 OF 2012
CONFIRMING THE APPOINTMENT OF
ROCHELLE BERGER, WEST NYACK, NEW YORK
TO THE ROCKLAND COUNTY
OFFICE FOR THE AGING ADVISORY COUNCIL**

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

WHEREAS, By Resolution No. 924 of 1974, the Office for the Aging Advisory Committee (currently referred to as the Rockland County Office for the Aging Advisory Council) was established, to be composed of at least fifty (50%) percent of persons sixty (60) years or over; 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 By-Laws of the Rockland County Office for the Aging Advisory Council require twenty-seven (27) members; and

WHEREAS, There are currently twenty-two (22) members on the Rockland County Office for the Aging Advisory Council, 75% of whom are over the age of sixty; and

WHEREAS, The County Executive has appointed Rochelle Berger, West Nyack, New York, to the Rockland County Office for the Aging Advisory Council to serve at his pleasure, subject to legislative confirmation, and

WHEREAS, Rochelle Berger is over the age of sixty (60) and is filling a vacancy on the Rockland County Office for Aging Advisory Council; and

WHEREAS, Rochelle Berger is the founder and former President and Chief Executive Officer of Meals on Wheels Programs and Services of Rockland, Inc., she has a history of working with and advocating for seniors; and

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

RESOLVED, That Legislature of Rockland County hereby confirms the appointment of Rochelle Berger of West Nyack, New York, to the Rockland County Office for the Aging Advisory Council, to serve at the pleasure of the County Executive; 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 Advisory Council and to the appointee, Rochelle Berger

Introduced by:

Referral No. 2416

Hon. Philip Soskin, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Patrick J. Moroney, Sponsor
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 432 OF 2012
CONFIRMING THE APPOINTMENT OF
KATHLEEN KATT
BARDONIA, NEW YORK
TO THE ROCKLAND COUNTY
COMMUNITY SERVICES BOARD**

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

WHEREAS, Article 41 of the New York State Mental Hygiene Law requires the County, as a condition for eligibility for state aid, to establish a community services board ("Board") composed of fifteen (15) members, who either have certain professional qualifications or represent the community interest in all of the problems of the mentally disabled, and further provides that, because the County has a population of over 100,000 the board members shall have staggered terms; and

WHEREAS, Article 41 of the New York State Mental Hygiene Law also requires that wherever practical, a psychologist and a physician or two physicians be appointed to the Board; and

WHEREAS, The Legislature of Rockland County previously confirmed the appointment of Evelyn S. Ha, M.D., a physician; and

WHEREAS, There are currently three (3) vacancies on the Board; and

WHEREAS, Section C9.03 of the Charter Law of Rockland County established the Rockland County Community Services Board and provides that it shall be constituted in accordance with the Mental Hygiene Law, whose members shall be appointed by the County Executive, subject to confirmation by the Legislature; 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, Article 41 of the New York State Mental Hygiene Law has been superseded by, to the extent that it is inconsistent with, Section C3.02 of the Charter Law of Rockland County which provides that members of County boards and commissions shall serve at the pleasure of the County Executive; and

WHEREAS, The appointment of Kathleen Katt, Bardonia, New York has been recommended by the Commissioner of Mental Health; and

WHEREAS, The County Executive has appointed Kathleen Katt, Bardonia, New York to a five-year term on the Rockland County Community Services Board, to fill the vacancy created by the resignation of Karyl Caplan; and

WHEREAS, Kathleen Katt is a representative from the Rockland Council on Alcoholism and Other Drug Dependence, Inc. and has demonstrated an interest in the field of service for persons with mental disabilities; and

WHEREAS, With this resolution and another resolution before the Legislature confirming the appointment of John J. Fella, Valley Cottage, New York, there will be one (1) vacancy on the Board; 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 Kathleen Katt, Bardonia, New York to the Rockland County Community Services Board; and be it further

RESOLVED, That the Clerk to the Legislature is directed to forward a copy of this resolution to the Community Services Board and to the appointee, Kathleen Katt, Bardonia, New York.

Introduced by:

Referral No. 2416

Hon. Philip Soskin, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Patrick J. Moroney, Sponsor
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO. 433 OF 2012
CONFIRMING THE APPOINTMENT OF
JOHN J. FELLA
VALLEY COTTAGE, NEW YORK
TO THE ROCKLAND COUNTY
COMMUNITY SERVICES BOARD**

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

WHEREAS, Article 41 of the New York State Mental Hygiene Law requires the County, as a condition for eligibility for state aid, to establish a community services board ("Board") composed of fifteen (15) members, who either have certain professional qualifications or represent the community interest in all of the problems of the mentally disabled, and further provides that, because the County has a population of over 100,000 the board members shall have staggered terms; and

WHEREAS, Article 41 of the New York State Mental Hygiene Law also requires that wherever practical, a psychologist and a physician or two physicians be appointed to the Board; and

WHEREAS, The Legislature of Rockland County previously confirmed the appointment of Evelyn S. Ha, M.D., a physician; and

WHEREAS, There are currently three (3) vacancies on the Board; and

WHEREAS, Section C9.03 of the Charter Law of Rockland County established the Rockland County Community Services Board and provides that it shall be constituted in accordance with the Mental Hygiene Law, whose members shall be appointed by the County Executive, subject to confirmation by the Legislature; 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, Article 41 of the New York State Mental Hygiene Law has been superseded by, to the extent that it is inconsistent with, Section C3.02 of the Charter Law of Rockland County which provides that members of County boards and commissions shall serve at the pleasure of the County Executive; and

WHEREAS, The appointment of John J. Fella, Valley Cottage, New York has been recommended by the Commissioner of Mental Health; and

WHEREAS, The County Executive has appointed John J. Fella, Valley Cottage, New York to a five-year term on the Rockland County Community Services Board, to fill the vacancy created by the resignation of Jose Cerron; and

WHEREAS, John J. Fella is a representative from the Rockland County Department of Social Services and has demonstrated an interest in the field of services for persons with mental disabilities; and

WHEREAS, With this resolution and another resolution before the Legislature confirming the appointment of Kathleen Katt, Bardonia, New York, there will be (1) vacancy on the Board; 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 John J. Fella, Valley Cottage, New York to the Rockland County Community Services Board; and be it further

RESOLVED, That the Clerk to the Legislature is directed to forward a copy of this resolution to the Community Services Board and to the appointee, John J. Fella, Valley Cottage, New York.

Debate:

Mr. Soskin

The Rockland County Community Services Board is an advisory Mental Health Board. I want to thank everybody for accepting those positions.

Introduced by:

Referral No. 3936

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

**RESOLUTION NO. 434 OF 2012
CONFIRMING THE APPOINTMENT OF
MATHEW I. BRENNAN,
NEW CITY, NEW YORK TO THE
ROCKLAND COUNTY PARK COMMISSION**

Mr. Grant offered the following resolution, which was seconded by Mr. Carey, Mr. Day, Mr. Moroney, Mrs. Paul and Mr. Sparaco 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 Mathew I. Brennan of New City, New York to the Rockland County Park Commission; and

WHEREAS Mathew I. Brennan will serve as a member-at-large; and

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

WHEREAS, The Planning & Public Works Committees 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 Mathew I. Brennan 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, Mathew I. Brennan.

Introduced by:

Referral No. 2420

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

**RESOLUTION NO 435 OF 2012
SETTING A DATE FOR A PUBLIC HEARING
WITH RESPECT TO ADOPTION OF A LOCAL LAW
TO PROVIDE FOR AN ELECTRICAL CODE ENFORCEMENT
PROGRAM AND FOR THE CERTIFICATION OF
ELECTRICAL INSPECTORS IN THE COUNTY OF ROCKLAND**

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

WHEREAS, The County Executive has recommended to the County Legislature of Rockland County that the Legislature adopt a local law to provide for an electrical code enforcement program and for the certification of electrical inspectors in the county of Rockland.; and

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

RESOLVED, That the Legislature of Rockland County hereby sets the **7th day of November, 2012, at 7:10 p.m.**, for a public hearing to provide for a local law to provide for an electrical code enforcement program and for the certification of electrical inspectors in the county of Rockland.

Introduced by:

Referral No. 2420

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

**RESOLUTION NO. 436 OF 2012
 SETTING A DATE FOR A PUBLIC HEARING
 WITH RESPECT TO ADOPTION OF A LOCAL LAW
 AMENDING LOCAL LAW NUMBER 11 OF 1967 AS
 AMENDED BY LOCAL LAW NUMBER 16 OF 1967, LOCAL LAW
 NUMBER 5 OF 1968, LOCAL LAW NUMBER 2 OF 1983,
 LOCAL LAW NUMBER 2 OF 1996, LOCAL LAW NUMBER 5 OF
 2000, LOCAL LAW NUMBER 3 OF 2005, AND
 LOCAL LAW NUMBER 8 OF 2007, (CHAPTER 250 OF THE
 LAWS OF ROCKLAND COUNTY) RELATING TO THE LICENSING
 OF MASTER ELECTRICIANS IN ROCKLAND COUNTY**

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

WHEREAS, The County Executive has recommended to the County Legislature of Rockland County that the Legislature adopt a local law amending local law number 11 of 1967 as amended by local law number 16 of 1967, local law number 5 of 1968, local law number 2 of 1983, local law number 2 of 1996, local law number 5 of 2000, local law number 3 of 2005 and local law number 8 of 2007, (Chapter 250 of the Laws of Rockland County) in relation to the licensing of master electricians in Rockland County; and

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

RESOLVED, That the Legislature of Rockland County hereby sets the **7th day of November, 2012, at 7:05 p.m.**, for a public hearing to provide for adopt a local law amending local law number 11 of 1967 as amended by local law number 16 of 1967, local law number 5 of 1968, local law number 2 of 1983, local law number 2 of 1996, local law number 5 of 2000, local law number 3 of 2005 and local law number 8 of 2007, (Chapter 250 of the Laws of Rockland County) in relation to the licensing of master electricians in Rockland County.

Debate:

Mr. Schoenberger

One of the speakers at our public participation discussed this item. They should know that when this public hearing is set the speaker and anybody else who attends there is no two minute time limitation and they can raise whatever issues and concerns they have with the Legislature at the public hearing.

Introduced by:

Referral No. 7633

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

**RESOLUTION NO. 437 OF 2012
ADOPTING THE ROCKLAND COUNTY FIRE MUTUAL AID PLAN
(REVISED JULY 13, 2012) AND SUPERSEDING ALL PRIOR PLANS
[OFFICE OF FIRE AND EMERGENCY SERVICES]**

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

WHEREAS, Pursuant to County Law Section 225-a, the Legislature of Rockland County on June 5, 1985, by Resolution No. 380 of 1985, adopted a Fire Mutual Aid Plan; on February 3, 1998, by Resolution No. 51 of 1998, revised that plan; and on November 3, 2004, by resolution No. 548 of 2004, revised that plan; and

WHEREAS, The County Executive and the Legislature of Rockland County have been advised by the Director of Office of Fire and Emergency Services that, as of July 13, 2012, further revisions of the Rockland County Fire Mutual Aid Plan have been developed to meet the changing firefighting needs of fire districts, villages, and towns with Rockland County; and

WHEREAS, The Rockland County Fire Mutual Aid Plan, revised July 13, 2012, has been approved by the Rockland County Fire Coordinator and by the governing boards of twenty six (26) fire districts, villages with fire departments, and towns with fire protection districts within Rockland County; 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 approves and adopts the Rockland County Fire Mutual Aid Plan, revised July 13, 2012, which is attached to this resolution and which, effective immediately, hereby supersedes all prior Rockland County Fire Mutual Aid Plan.

ROCKLAND COUNTY
FIRE MUTUAL AID PLAN

Revised 10/11 / 7/13/ 12

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ROCKLAND COUNTY FIRE MUTUAL AID PLAN

2 - OBJECTIVE

A. Definition of Mutual Aid: (General Municipal Law Section 209, State of New York)

Mutual Aid is organized, supervised, coordinated, cooperative, reciprocal assistance in which personnel, equipment and physical facilities of all participating fire departments, regardless of type or size, are utilized for fire or other public emergency in which the services of fire fighters would be used throughout the County of Rockland and adjacent areas.

B. Amendments

Amendments to this plan may be made periodically and will follow this procedure:

1. Suggestions should be submitted to the Fire Coordinator
2. Prepared by the County Fire Coordinator
3. Recommended by the County Fire Advisory Board
4. Submitted by the County Fire Coordinator to the Legislature for approval after being approved by 26 fire departments and governing bodies.
5. Adopted by the Legislature of Rockland County
6. Admitted into the State Fire Mobilization and Mutual Aid plan by the New York State Office of Fire Prevention and Control.

C. Periodic Review:

Periodically this plan should be reviewed by the Fire Advisory Board and the Fire Coordinator for possible updating.

This plan shall be reviewed by the Fire Coordinator in conjunction with the Office of Fire Prevention and Control each year by June 15th.

The updated version will be mailed to all Chiefs, Commissioners and appropriate Village Officials for their review and comment.

Dates of previous reviews and submissions:

1/1995, 1/1998, 9/2003

3 – PARTICIPATION

A. Extent and limit of participation by fire departments. All towns, villages and fire districts in Rockland County may fully participate in this plan.

B. Participating Volunteer Departments and Industrial Brigades:

See Appendix A

C. Extent and Limit of Participation with county of Bergen, New Jersey:

There is no formal agreement with these counties. Local reciprocal assistance, if any, is in accordance with Article 14-G and Section 209 of the General Municipal Law. All requests for assistance must be routed through the Rockland County Fire Control Center.

Those fire departments willing to provide services to fire departments across state lines may do so after assuring proper insurance coverage for personnel and equipment and indicating their availability to respond, in writing to the Fire Coordinator.

D. Extent and limit of Participation with Adjacent Counties:

Mutual Aid is provided to and received from Orange, Westchester, and Putnam Counties through their respective County Fire Control Centers under the direction of their County Fire Coordinators or their legally appointed deputies.

E. Entering and Participating in the Plan

Any duly established Fire Company or fire department may participate in this plan by filing a copy of a resolution, adopted by the Fire Company or fire department with the Office of the County Fire Coordinator. Such resolution shall state that such Fire Company or fire department elects to participate in the Rockland County Fire Mutual Aid Plan and will comply with the provisions of such plan. The resolution shall state that the fire company or fire department shall recognize the call for assistance from another fire company or fire department through the Rockland County Fire Control Center.

There shall also be filed with the County Fire Coordinator a copy of a resolution adopted by the legislative body of each participating town and village, or by the Board of Fire Commissioners or other governing board having jurisdiction over the fire department, the Board of Fire Commissioners of each participating fire district, or the town board of each town in relation to participating fire companies serving the territories outside of town, villages and fire districts or in relation to a town fire department. Such resolution shall state that no restriction exists against "outside service" by the Fire Company or fire department of the municipality or district within the meaning of section 209 of the General Municipal Law which would affect the power of such Fire Company or fire department to participate in the Rockland County Fire Mutual Aid Plan.

F. Withdrawal from the Plan

Any fire company or fire department may elect to withdraw from this plan by adopting a resolution to such effect. Such withdrawal shall become effective 30 days after filing of such written notice with the Rockland County Fire Coordinator.

If the outside service activities of a participating fire company or fire department are restricted pursuant to Section 209 of the General Municipal Law, written notice of any restriction shall be given to the Rockland County Fire Coordinator. Any such restriction imposed by the legislative body of a village or town or by the Board of Fire Commissioners shall take effect in accordance with the resolution imposing the restriction.

Any fire company or fire department withdrawing from this plan, upon the effective date, shall surrender and return to the Rockland County Fire Coordinator, Rockland County Fire Training Center, Firemen's Memorial Drive, Pomona, New York, all county-owned equipment. Such withdrawal shall remain in effect until reinstated by resolution as defined by Section 209 of the General Municipal Law.

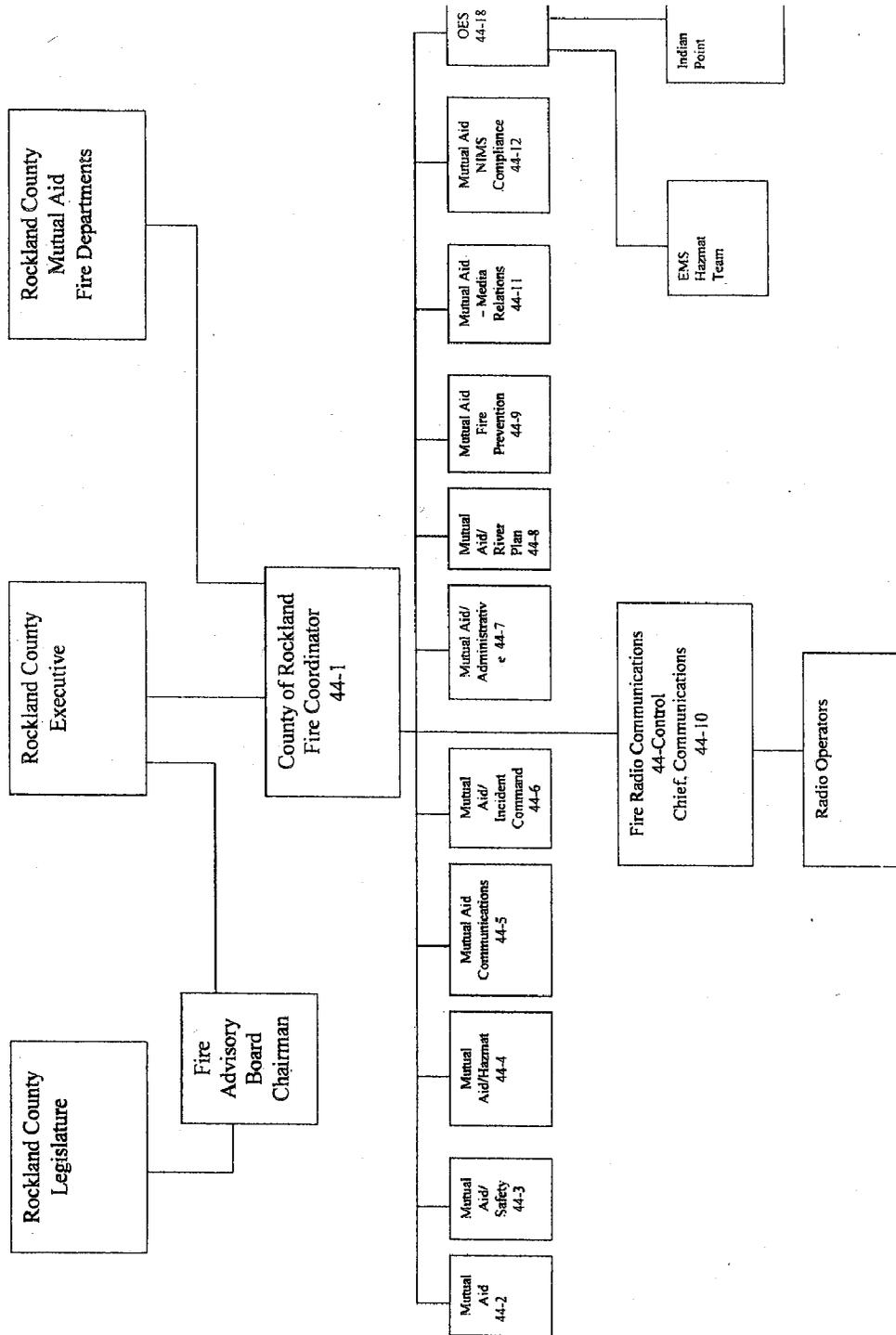
Withdrawal from this plan will result in the suspension of mutual aid pursuant to this plan to the Fire Company or fire department taking such action. All radio identifiers and call signs issued to such Fire Company or fire department are canceled on the effective date of withdrawal.

G. Fire Reporting

It shall be the responsibility of the Chief or his designated Officer to file with the Office of Fire Prevention and Control a copy of a Fire / Incident Report. This report shall be according to the National Fire Incident Report System (NFIRS) 5.0 standard as directed by NYS General Municipal Law, Section 204-d Duties of the Fire Chief.

H. Fire Resources Inventory

Each participating Fire Department shall submit a yearly inventory of equipment as requested by the Fire Coordinator. Said inventory shall be maintained by the Coordinator or his designee.



5 – DUTIES OF PERSONNEL

Extent and Limit of Authority of County Officials:

44-1 County Fire Coordinator. As Chief Officer at the County level for the fire service:

- (a) Administers the State Fire Training Program, the State Graduate Fire Training Program, and any and all training programs developed by the State or by his office throughout the County.
- (b) Administers this County Fire Mutual Aid Plan and is responsible for the efficient operation of this plan for intra and inter-county purposes at fires or where the services of fire fighters are used.
- (c) Administers the Rockland County Fire Radio Systems, which include the VHF Low Band, UHF Hi-Band and the new systems, under authorization of the Federal Communications Commission.
- (d) Administers the operation of the Rockland County Fire Control Center.
- (e) Acts as liaison officer between the fire service of Rockland County and the Office of Fire Prevention and Control.
- (f) May appoint and remove Deputy County Fire Coordinators in accordance with Section 401 of the County Law, Section 3 of the Public Officers Law.
- (g) Orders the County Fire Control Center to dispatch mutual aid at the request of the Fire Chief or officer in charge.
- (h) Acts as advisor to the Fire Chief regarding kinds of mutual aid available to him including ICS/NIMS

44-2 Deputy County Fire Coordinator (Mutual Aid Operations). Directly responsible to the County Fire Coordinator. The normal area of assignment is determined by the County Fire Coordinator.

- (a) Represents the County Fire Coordinator at the fire or other incident requiring the service of fire fighters.
- (b) Orders the County Fire Control Center to dispatch mutual aid at the request of the Fire Chief or officer in charge.
- (c) Acts as advisor to the Fire Chief regarding kinds of mutual aid available to him including ICS/NIMS.
- (d) Coordinates and administers the fire service emergency staging and response plan for Indian Point.

44-3 Deputy County Fire Coordinator (Mutual Aid Operations and Safety Officer). Directly responsible to the County Fire Coordinator. The normal area of assignment is determined by the County Fire Coordinator.

- (a) Represents the County Fire Coordinator at the fire or other incidents requiring the service of fire fighters.
- (b) Orders the County Fire Control Center to dispatch mutual aid at the request of the Fire Chief or Officer in charge.
- (c) Acts as advisor to the Fire Chief regarding kinds of mutual aid available to him including ICS/NIMS.
- (d) Liaison with Safety Officers Association.
- (e) Coordinates safety with local Incident Commander at major incidents.

44-4 Deputy County Fire Coordinator (Hazardous Materials). Directly responsible to the County Fire Coordinator. Normal area of assignment is determined by the Fire Coordinator.

- (a) Represents the County Fire Coordinator at the fire or other incidents requiring the service of fire fighters.
- (b) Orders the County Fire Control Center to dispatch mutual aid at the request of the Fire Chief or officer in charge.
- (c) Acts as advisor to the Fire Chief regarding kinds of mutual aid available to him including ICS/NIMS.
- (d) Acts as a liaison between the fire service and other agencies at a Hazardous Materials incident.

44-5 Deputy County Fire Coordinator (Mutual Aid Operations, Communications Officer). Directly responsible to the County Fire Coordinator. The normal area of assignment is determined by the County Fire Coordinator.

- (a) Represents the County Fire Coordinator at the fire or other incidents requiring the service of fire fighters.
- (b) Orders the County Fire Control Center to dispatch mutual aid at the request of the Fire Chief or officer in charge.
- (c) Acts as advisor to the Fire Chief regarding kinds of mutual aid available to him including ICS/NIMS.

- (d) Serves as Chairman of the Radio Committee.
- (e) Keeps abreast of current communication trends.
- (f) Suggests radio upgrades and procedures to the Fire Coordinator.
- (g) Liaison to Technical Rescue Team.

44-6 Deputy County Fire Coordinator (Mutual Aid Operations and Incident Command). Directly responsible to the County Fire Coordinator. The normal area of assignment is determined by the County Fire Coordinator.

- (a) Represents the County Fire Coordinator at the fire or other incident requiring the service of fire fighters.
- (b) Orders the County Fire Control Center to dispatch mutual aid at the request of the Fire Chief or officer in charge.
- (c) Acts as advisor to the Fire Chief regarding kinds of mutual aid available to him including ICS/NIMS.
- (d) Chairs the Incident Command Committee. Responsible for monitoring and making changes to the Rockland County Incident Command System S.O.P.

44-7 Deputy County Fire Coordinator (Administrative Officer). Directly responsible to the County Fire Coordinator. The normal area of assignment is determined by the Fire Coordinator.

- (a) Represents the County Fire Coordinator at the fire or other incidents requiring the service of fire fighters.
- (b) Orders the County Fire Control Center to dispatch mutual aid at the request of the Fire Chief or officer in charge.
- (c) Acts as advisor to the Fire Chief regarding kinds of mutual aid available to him including ICS/NIMS.
- (d) Planning.
- (e) Maintains departments' equipment inventory and State inventory system.
- (f) Administrative Assistant to the Fire Coordinator.

44-8, Deputy County Fire Coordinator (River Plan and Dive Teams). Directly responsible to the County Fire Coordinator. The normal area of assignment is determined by the Fire Coordinator.

- (a) Represents the County Fire Coordinator at the fire or other incidents requiring the service of fire fighters.
- (b) Orders the County Fire Control Center to dispatch mutual aid at the request of the Fire Chief or officer in charge.
- (c) Acts as advisor to the Fire Chief regarding kinds of mutual aid available to him including ICS/NIMS.
- (d) Planning.
- (e) Administrative Assistant to the Fire Coordinator.
- (f) Coordinates the River Plan and works with the River Fire Departments and dive teams.

44-9 Deputy County Fire Coordinator (Fire Prevention)

Directly responsible to the County Fire Coordinator. The normal area of assignment is determined by the Fire Coordinator.

- (a) Represents the County Fire Coordinator at the fire or other incidents requiring the service of fire fighters.
- (b) Orders the County Fire Control Center to dispatch mutual aid at the request of the Fire Chief or officer in charge.
- (c) Acts as advisor to the Fire Chief regarding kinds of mutual aid available to him including ICS/NIMS.
- (d) Liaison for the County Fire Prevention Committee

44-10 Chief of Communications – Sheriff's Communications

44-11 Deputy County Fire Coordinator (Publicity and Media Relations)

- (a) Represents the County Fire Coordinator at the fire or other incidents requiring the service of fire fighters.
- (b) Orders the County Fire Control Center to dispatch mutual aid at the request of the Fire Chief or officer in charge.
- (c) Acts as advisor to the Fire Chief regarding kinds of mutual aid available to him including ICS/NIMS.

- (d) Assists the Incident Commander and local Public Information Officer at emergencies.
- (e) Arranges for press coverage at fire scenes and, when requested by Incident Commander, gives press interviews. Coordinates Unified Command Post, acts as Communications Officer when requested.
- (f) Coordinates Re-Hab and assists Incident Commander at Command Post.

44-12 Deputy County Fire Coordinator (Accountability, NIMS Compliance and Training)

- (a) Represents the County Fire Coordinator at the fire or other incidents requiring the service of fire fighters.
- (b) Orders the County Fire Control Center to dispatch mutual aid at the request of the Fire Chief or officer in charge.
- (c) Acts as advisor to the Fire Chief regarding kinds of mutual aid available to him including ICS/NIMS.
- (d) Coordinates NIMS compliance.
- (e) Encourages Firefighter accountability at emergencies.
- (f) Administers courses in the State Fire Training Program, the State Graduate Fire Training Program, and any and all training programs developed by the State or the County.
- (g) Publicizes courses with staff at the Fire Training Center and encourages enrollment.
- (e) Supervises instruction by the County Fire Instructors.
- (f) Determines need for existing courses and new courses and makes recommendations to the County Fire Coordinator for consideration.
- (g) Maintains records indicating manpower in the county, including the type and extent of training in each department for County and State courses.

44-18 Assistant Director – Office of Fire and Emergency Services/Hazmat

6 – LINE OF AUTHORITY

A. Absence of County Fire Coordinator:

In accordance with the authority designated by the Legislature of Rockland County, the following line of authority, in order, to possess his powers and duties:

- 44-2 DCFC Mutual Aid
- 44-3 DCFC Safety
- 44-4 DCFC Hazardous Materials
- 44-5 DCFC Communications Officer
- 44-6 DCFC Mutual Aid/Incident Command
- 44-7 DCFC Administrative Officer
- 44-8 DCFC River Plan/Dive Teams
- 44-9 DCFC Fire Prevention
- 44-11 DCFC Publicity/Media/Re-Hab
- 44-12 DCFC Accountability/Training/NIMS

B. Vacancy in Position of County Fire Coordinator

In accordance with authority designated by the County Executive of Rockland County, the following fire officer is authorized to act temporarily as the County Fire Coordinator until the County Executive of Rockland County shall appoint a County Fire Coordinator under Section 225-a of the County Law.

44-2 DCFC Mutual Aid

OR

Another Deputy Fire Coordinator based on seniority

7 - STATUS OF THE LOCAL FIRE DEPARTMENTS

A. Maintenance of Individuality:

Each fire department participating in this plan shall retain its internal command and individuality.

B. Authority of "Requesting" Fire Chief or Incident Commander:

A "requesting" Fire Chief or incident commander in charge is one who requests mutual aid for his department in accordance with this plan.

The line of "Command" at a fire or other emergency, in which the services of fire fighters would be used for fire fighters and officers entering the area under mutual aid, remains with the fire company or fire department requesting the mutual aid.

The fire officer in command will work with Chiefs, senior officers and company officers of departments providing mutual aid. The fire fighters in the assisting department will be supervised by their own officers, who are, in turn, commanded by officers of the department requesting mutual aid.

8- RADIO

- A. Location of the County Fire Control Center:
Rockland County Fire Training Center
35 Firemen's Memorial Drive
Pomona, New York 10970
- B. Telephone:
Business Phone: (845) 364-8500/8600
"911" Fire Calls Only: (845) 354-9000
- C. Operated By:
Sheriff's Communications
Rockland County Sheriff's Department
- D. Supervision and Repair of Communications Equipment:
Director of Emergency Services
(Resolution #599, August 5, 1974)
- E. Radio Frequencies: 46.18, 46.08, 46.48, 46.32***, 46.36***, 46.12*, 46.30*, 45.88**
*Max 6 Watt Power
**Rockland County Government Use Only
*** Mobil 100 Watt Channels
- F. Power Output: 300 watts
- G. FCC Call Sign: KEE 398
- H. New York State Fire Mutual Aid Identifier: 44-Control
- I. Volunteer and Industrial Brigade Departments:
See Appendix A
- J. Radio Signals
 - 10. Fire (Clear the Air)
 - 11. Situation Under Control*
 - 12. Working Fire
 - 13. Refreshments
 - 14. Return or Returning to Quarters
 - 15. Assignment Complete
 - 16. Drill

- 17. False Alarm
- 18. Hazard Material Involved
- 19. Arson Investigator
- 20. Emergency other than fire
- 21. Bomb Threat

“Red Alert – Emergency Evacuation” (Sound Air Horns)

“MAYDAY, MAYDAY”

(Only if fire fighter seriously injured or needs to be rescued)

“ALL CLEAR”

(Transmitted to Incident Commander by Sector Commander to ensure all sectors are cleared)

*Returns Radio to Normal Use

K. Communications with all other County Fire Control Centers in the State of New York is on Frequency 45.88.

L. The radio log used in Communications Center will meet FCC standards.

M. All Rockland County Fire Departments, duly licensed by the FCC, May use the (7)channels allotted to the Rockland County Fire Service in this plan. The six (6) UHF portable radio channels are licensed by Rockland County.

- (a) 46.18 Main Channel Voice and Signaling (F1)
- (b) 46.08 Channel 2 Voice, Fire Ground Channel and No Signaling.
- (c) 46.48 Channel 3 voice, fireground channel and no signaling. Advise 44-Control when using Channel 2 (F2) or Channel 3 (F3)
- (d) 46.32 100 watt mobil fireground channel (F4)
- (e) 46.36 100 watt mobil fireground channel (F5)
- (f) 46.30 6-watt portable fireground channel (F6)
- (g) 46.12 6-watt portable Fire Police channel (F7)
- (h) 45.88 New York State Inter-County Frequency (f8) For County Government Use Only and Office of Fire Prevention and Control

N. UHF Radio Frequencies

(a) Departments wishing to buy UHF portables and mobile repeaters

(b) By license, the portable radios output must be limited to 2 watts and have a time-out timer set for 60 seconds.

(c) Channel Assignment

<u>CH</u>	<u>TX FREQUENCY</u>	<u>PL</u>	<u>RX FREQUENCY</u>	<u>PL</u>	<u>RX SQUELCH</u>
1	465.5875	167.9	465.5875	167.9	Carrier Squelch
2	465.6375	167.9	465.6375	167.9	Carrier Squelch
3	460.6375	167.9	460.6375	167.9	Carrier Squelch
4	460.6125	167.9	460.6125	167.9	Carrier Squelch
5	465.6125	167.9	465.6125	167.9	Carrier Squelch
6	460.5875	167.9	460.5875	167.9	Carrier Squelch

(d) Position 1 on the portable should activate the mobile repeater. Only the Chief, Incident Commander should have the authority to activate the mobile repeater, except in a "Mayday" situation. Channels 2-6 will be used as fireground channels.

O. Provisions for Emergency Backup

(a) The mobil radios of the Fire Coordinator, his deputies and the command van will act as an alternate 44-Control.

(b) Police Agencies with Fire Radios:

Clarkstown	WNNO 888	9-102	46.18	46.08
Orangetown	KQY-843	21-102	46.18	46.08
Ramapo	KDV-409	7-102	46.18	46.08
Stony Point	KEF-476	18-102	46.18	46.08
Suffern	KEE-558	19-102	46.18	

P. Time:

All time use on the radio system will be in military time.

Q. Authority 44-Control Operators:

The 44-Control operators will have complete control of the three 350 300 watt frequencies in conjunction with the Fire Coordinator and his seven ten deputies as outlined by standard operating procedures.

R. Verification:

(a) The "Home Alert" tone transmitted from the fire department base station will be used as a verification signal.

(b) All alarm systems should be so designed where at least one (1) second pause exists after the 44-Control tone is completed and no longer than two (2) seconds before the "Home Alert" tone is started.

S. Time Out Timers: (Mandatory All Radios)

Time out timers are absolutely necessary to prevent tying up the air when an open mic condition occurs. (See radio procedural manual for explanation.)

T. The CTCSS (Private Line Tone) is 131.8. (See Radio Procedure Manual for explanation.)

U. Mutual Aid Drills:

Drills calling for more than two (2) departments. 44-Control should be advised of pending drills in advance.

V. Control Points: Fire Training Center, Cheesecote Mountain.
Orangetown – atop int. Nebo Mountain, Western Ramapo – Pine Grove Tower in Sloatsburg.

W. Fire Alarm Transmission:

Extended delay in answering alarm to 44-Control:
44-Control will summon another department after waiting 4 minutes. Example: Call department 55 for mutual aid if the alarm for department 41 is not answered in four (4) minutes.

X. Monday night testing of Quick Call Tones 1900 hours:
All departments in Rockland County.

Y. Monthly testing of “Home Alert” Tones from 44-Control 2000 hours first Wednesday of the month.

9 – STANDARD THREAD

A. Pursuant to the requirements of subdivision 5, Section 209-e of the General Municipal Law, all apparatus are to adapt to the NS thread or storz couplings:

All apparatus participating in this plan shall be equipped to adapt to standard threads or storz couplings as defined by the National Bureau of Standards.

10 – PARTICIPATION IN THE STATE FIRE MOBILIZATION AND MUTUAL AID PLAN

A. Procedure to Obtain Activation of Plan:

County Fire Coordinator or a Deputy in the line of authority designated pursuant or Section 4-1 of the County Law, after utilizing all available assistance from Orange, Westchester and Putnam Counties, may call the New York State Office of Fire Prevention and Control to obtain activation of the State Fire Mobilization and Mutual Aid Plan. The procedure shall conform with that specified by the New York State Office of Fire Prevention and Control and in accordance with Section 209-e of the General Municipal Law.

B. Authority by Responsibility of the Regional Fire Administrator:

The authority and responsibility of the Regional Fire Administrator under the activated State Fire Mobilization and Mutual Aid Plan is established by the New York State Office of Fire Prevention and Control and Section 209-e of the General Municipal Law.

C. Retirement Provision Relating to the Position of Regional Fire Administrator:

Should the County Fire Coordinator be separated from his office for any reason, he is automatically retired as Administrator if he also holds the position of Regional Fire Administrator. The State Fire Administrator of the New York State Office of Fire Prevention and Control is authorized by law to make this appointment.

D. The County Fire Coordinator shall utilize county number 44 assigned to Rockland County by the State Fire mobilization and Mutual Aid Plan.

11 – COORDINATION WITH OTHER EMERGENCY SERVICES

A. Extent and Limit of Inter-Service Coordination:

(a) Sheriff:

The County Fire Control Center shall be located physically in the same room with the Sheriff's radio control dispatching desk: KEE-398, 46.18 MHZ, 46.08 MHZ, 46.48 MHZ and 45.88.

(b) Other Services:

Informal agreements exist and telephone numbers are listed at the County Fire Control Center.

12 – TRAINING

A. Type and Extent of Training:

The State Fire Training Program consisting of Firefighter I and the State Graduate Fire Training Program adopted as a standard throughout the County of Rockland. The Rockland County Fire Training Center, through the office of the Fire Coordinator, also offers approximately 200 County courses, a winter training program, and train the trainer programs.

B. Chief Officers Qualifications:

In order to be designated as a Chief Officer it is recommended that Firefighters successfully complete the following New York State Training classes:

Introduction to Fire Officer or Rockland County Fire Officer Development Series AND A, B or C of the following:

- (a) Firefighter I, Firefighter Survival, Haz-Mat Operations, Haz-Mat Incident Command and NIMS / ICS (ICS 100,700, 200).
- (b) Basic Firefighter, Intermediate Firefighter, Firefighter Survival, Haz-Mat Operations, Haz-Mat Incident Command and NIMS / ICS (ICS 100, 700, 200).
- (c) Firefighter Essentials, Initial Fire Attack, Firefighter Survival, Haz-Mat Operations, Haz-Mat Incident Command and NIMS / ICS (ICS 100, 700, 200).

Maintain all OSHA mandated refreshers classes.

13 – HELICOPTER SERVICE (HELP)

- A. The Helicopter Emergency Lift Program (H.E.L.P.) has a Bell Jet Ranger II four-passenger helicopter manned by volunteer pilots, housed at the Rockland County Fire Training Center. The helicopter is available on a 24-hour basis. If the Incident Commander in charge of the emergency determines that the helicopter is required, he should notify 44-Control and make the request.

14 – NATIONAL INCIDENT MANAGEMENT SYSTEM/ INCIDENT COMMAND SYSTEM

The County of Rockland has adopted via a Resolution by the County Legislature the use of the National Incident Management System (NIMS) for all emergency situations. The Incident Command System (ICS) is an organized approach to effectively control and manage operations at fires and other emergencies and can be modified to fit any particular incident. At any fire department emergency, small or large, one person must be in command, assessing the situation, the available resources, determining the appropriate action plan (IAP), monitoring the plan's effectiveness and continually modifying the plan to meet the realities of the situation as events evolve. Every effort has been made to provide a system flexible enough to be used by all Rockland County Fire Departments, small and large, yet rigid enough so that various Fire Departments can work together under one system.

**THE FOLLOWING TEAMS ARE ORGANIZED UNDER THE AUTHORITY OF
204-bb OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK**

15 – ROCKLAND COUNTY RIVER RESCUE & DIVE TEAMS

There are several Departments in Rockland County that provide Hudson River rescue operations as well as dive team operations. These departments have developed the Rockland County Water Rescue & Dive Team Standard Operation Guidelines. These suggested guidelines detail radio communications, Hudson River rescue operations, dive team operations for salt and fresh water, inventories of available equipment by Department, maps of the Hudson River, U. S. Coast Guard guidelines, Incident Command for River Operations, etc. The S. O. P. for River operations and Dive Teams are reviewed periodically by the departments that operate on the Hudson River and or have Dive Teams and revisions are made accordingly. All Departments that operate on the Hudson River and have Dive Teams are strongly encouraged to utilize the Rockland County Water Rescue & Dive Team Standard Operating Guidelines.

16 - HAZARDOUS MATERIALS RESPONSE TEAM

The Rockland County Hazardous Material Response Team is an all-volunteer force, sponsored by the County of Rockland, and is comprised of firefighters, EMS, police, fire police and private industry in accordance with 204-F of the General Municipal Law and the Rockland County Hazardous Material Plan. They are independently fully equipped and trained to handle any and all incidents involving hazardous materials. The Haz-Mat Team is available on a 24-hour basis. If the Incident Commander of an incident determines that the Haz-Mat Team is required, they should notify 44-Control to activate said team.

17 – FIRE POLICE RESPONSE TEAM

The Rockland County Fire Police Response Team is an all-volunteer force. The Fire Police Response Team is available to augment support to local fire and police authorities during a major incident or disaster. The authority to provide this service is sanctioned under NY State General Municipal Law 209-c. The Fire Police Response Team is available on a 24-hour basis. If the Incident Commander of an incident determines that the Fire Police Response Team is required, they should notify 44-Control to activate said team.

18 - TECHNICAL RESCUE TEAM

The Rockland Regional Technical Rescue Team is an all-volunteer force comprised of firefighters in Rockland County. The team is NY State certified and fully equipped and trained to handle the following incidents: High and low angle rescues, ice rescues, trench collapse, confined space and structural building collapse. The Rockland Regional Technical Rescue Team is available on a 24-hour basis. If the Incident Commander of an incident determines that the Rockland Regional Technical Rescue Team is required, they should notify 44-Control to activate said team.

19- SAFETY OFFICERS RESPONSE TEAM

Safety Officers are an organization made up an all volunteer group of firefighters from across the county. The Rockland County Volunteer Safety Officers are available at any time to supplement the Safety Officers of the affected department. The Incident Commander may request the Safety Officers Response Team to respond by contacting 44- Control.

APPENDIX A

Volunteer Fire Departments and Industrial Brigades

- | | |
|-------------------|-------------------------|
| 1. Blauvelt | 15. Sloatsburg |
| 2. Central Nyack | 16. Sparkill |
| 3. Congers | 17. Spring Valley |
| 4. Haverstraw | 18. Stony Point |
| 5. Hillburn | 19. Suffern |
| 6. Hillcrest | 20. Tallman |
| 7. Monsey | 21. Tappan |
| 8. Nanuet | 22. Valley Cottage |
| 9. New City | 23. West Haverstraw |
| 10. Nyack | 24. West Nyack |
| 11. Orangeburg | 25. South Spring Valley |
| 12. Pearl River | 26. Thiells |
| 13. Piermont | |
| 14. Rockland Lake | |

Industrial Brigades:

52. Novartis Pharmaceuticals

**RESOLUTION NO. 438 OF 2012
RECEIVE AND FILE 2011 AUDIT REPORT
ROCKLAND COUNTY DEFERRED COMPENSATION PLAN**

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

RESOLVED, That The Year 2011 Audit Report Rockland County Deferred Compensation Plan be and it is hereby received and filed.

Comments from Legislators

Legislator Nancy Low-Hogan

What is the formal process for the Legislature to actually see the CSEA agreement? Do we just receive it when we have to vote on it? It seems like it is circulating, it is sort of in the public, it has been shared with various CSEA members and groups and I believe it has been vetted. I guess informally there are a couple of folks up here who have it. What if there is something really dramatic in that tentative agreement that one or several of us really have an issue with? Speaking for myself I would really have a problem and I know I am not alone and there are other people up here who feel the same way. When do we see this? When are we able to wrestle with it and discuss it and make our views known that maybe we don't like that agreement?

Vice Chairman Alden H. Wolfe

The process is that there is no agreement until we ratify the agreement. Right now there is a Memorandum of Agreement, which reflects only an agreement that has been reached in principal between the County Executive and the union.

Legislator Ilan S. Schoenberger

Nancy, I emailed it to you today.

Legislator Nancy Low-Hogan

Which means it has or hasn't been ratified?

Legislator Ilan S. Schoenberger

The Memorandum of Understanding is the three page agreement that was a summary result of the negotiations signed by the County's negotiator Jay Jason and signed by the CSEA members that was emailed to you today. Last week I spoke to Larry and we were trying to find a day to set up a Budget and Finance Committee meeting to have a discussion on this specific issue. The actual Memorandum of Understanding is in your email.

Legislator Nancy Low-Hogan

I have it. I guess I am wondering if everybody up here has it. What is the process for that? Will there be a Budget and Finance Committee meeting first?

Legislator Ilan S. Schoenberger

Yes, of course. I received it, because I asked the County Executive's office, Sean Mathews, to send me a copy. He complied and sent me a copy and I sent it to you, the Chair, the Vice Chair and to the Majority Leader as well. You are all welcomed to have a copy. It is not a secret document. I am under the understanding that this document is being circulated already and being discussed at meetings being held at various departments with the union and others. Because of the unreimbursed workday it has to be planned out with Finance and Personnel, and there is a limited time left in the year to do that with the number of pay periods. I believe that the people who handle payroll in the departments have been notified of it.

Legislator Edwin J. Day

I thank Legislator Low-Hogan for bringing this up, because I think most people would look at what is being said just now and shake their head out of incredulousness. No, we don't know what is going on formally. We as legislators are neither privy to nor involved in the negotiations between the administration and the unions. I also understand unless there has been a vote in this contract yet we have not been informed if there is a contract. The MOU is merely an understanding between the County Executive's negotiator and the union leadership. We really right now have a piece of paper of that understanding and it is specifically between union leadership and the County Executive's team negotiating for the County Executive directly. We do not see any of this until it really a fait accompli, which at that point is when we can vote on it. As to the details of how it was arrived to, how it ended, what it is; we see it when it is submitted, voted upon, approved by membership, approved by the County Executive; and then they we get it as the appropriating agency of government Thank you.

Vice Chairman Alden H. Wolfe

The point again needs to be made that if we assume that the union hasn't ratified it yet there is always the chance that maybe the union won't ratify it. It is really nothing until it reaches us and we vote on it. It is a work in progress.

Legislator Patrick J. Moroney

I have been here twenty-three years and we have never rejected a contract that has been negotiated with the County Executive. Are we going to do that now? I doubt it very much. Can we amend it? Can they go back to the bargaining table if we reject it? I am not so sure what grounds we have to stand on this. We have never had input. We should have some input into the negotiations. We don't know anything about the dialog that went on between the unions and the County Executive. It is a sore point with me since day one and it is still a sore point. Even if we don't like it what authority do we have even if we want to amend it? I would assume the unions would ratify it before we get it. We have no input into these negotiations whatsoever.

Vice Chairman Alden H. Wolfe

We don't have the authority to amend a contract. It is not going to come to us until it passes through the union first. When and if it comes to us our choices are to ratify it or not.

Legislator Nancy Low-Hogan

I have not read the MOA yet. What if there is something in here that some of us really have an issue with then we somehow have to get the message to the County Executive and/or to the unions that we are not happy with an item. That might be for me an issue for not voting for it and there may be other people who feel the same way.

Legislator Ilan S. Schoenberger

I want to talk about the process. There is a "used to be process" and there is a "current process". When I was the County Attorney we rarely used outside counsel. I had an Assistant County Attorney, which I hired specifically based upon his background and experience in negotiating contracts. He had negotiated many contracts. His name was Jack Schloss. When this County Executive became the County Executive he was in the middle of negotiating a contract and when that was completed I believe this County Executive let him go.

The old process was the Legislature had a committee called the Labor and Negotiation Committee that very often met in Executive Session where we were given status updates on the process of the negotiations and what was happening at the table. Our current County Executive, since he has become County Executive, has taken the position that we are, which is correct, the appropriating branch of government and we get the right to approve contracts. When he is done negotiating he presents the contract to us for our approval or disapproval. Although there has been requested a number of times to allow someone from the Legislature to be at the table to observe and get back to us that basically has not been allowed. That is the process we live under.

What you have now handed out to you is something called Rockland County and Rockland County CSEA Final Settlement MOA (Memorandum of Understanding) dated July 30, 2012. That lists the terms and conditions which upon the contract was negotiated. It now goes to the union for ratification and the vote is supposed to be held the second week in September. If this contract is signed by the union negotiator and the County Executive's negotiator then it is brought to the union for ratification and then it is brought to us and at that point we two options. We can either vote the contract up or we can vote the contract down. We can either approve it or disapprove it.

We did not sit at the table. We have no power to amend the contract and add terms that were not agreed to or take out terms that were agreed to. That would be considered unfair labor practice therefore we can't do that. We simply vote it up or vote it down.

The problem that puts this body in, practically speaking, is if we vote the contract down we don't have a contract. It puts us in a difficult position to vote down a contract that has already been, approved by the union, by the membership, by the employees and by the administration. It doesn't mean you can't. If there is anyone here who is so objects to the terms and conditions of the contract then you should vote your conscience. If that means it goes down then it goes down.

September 12th the Budget and Finance Committee will meet. I assume the Commissioner of Finance will be there to talk about the financial impact of this contract. I would hope someone from Personnel will be there and a representative from the Executive's office will be there to outline the terms and conditions and how they were arrived at for us in a public meeting. I hope we don't have to go into an Executive Session. When we get to the issue of negotiations we sometimes have to go into an Executive Session, but considering there is a Memorandum of Understanding already I hope everything will be done in a public meeting and there won't be a request by the County Attorney's office or the County Executive to go into Executive Session.

Basically that is the process that we live with today. Do I think there could be a better process? Yes. Do I think there should be a representative of this branch of government at the table? Yes, I believe there should be. It could be our Financial Analyst, our counsel or a number of other people. It should be someone that could talk to us about the status of the negotiations and talk to us about what the give and take is, because that is what this Memorandum of Understanding represents. There are things in this, which are good for the County and things in this, which maybe aren't as good for the County as some of us would have hoped for. I am sure there are things in here that are good for the union. Anybody who has ever been at the negotiating table, and I have more than once, it is a give and take, it is a compromise that results in a document and an understanding. Those of us who haven't sat at the table may have some very good questions as to why was this not demanded, why was this given up, why wasn't this not negotiated and I think the proper place to ask those questions is at the meeting where we will have the discussion of it before there is a ratification. I think the meeting on the 12th is more of an informational and then at a future date it would be placed on for a decision. Thank you.

Legislator Edwin J. Day

I have been involved with labor negotiations with NYPD. I certainly understand what the give and take is about. As Legislator Schoenberger pointed out, the County Executive has taken the position that the negotiations remain with the Executive branch. Okay, so be it, I certainly respect that. But that also comes an understanding that, and this is my narrow view of this right now, of the core issue of a 2012 budget, as proposed, and adopted by the Legislature, stated we would realize nearly \$18,000,000 worth of concessions as part of these negotiations for this contract. If the numbers that are here translate into an amount of only \$3,000,000 that is a number that has been achieved as a deferral. It is not a savings in my view. It is deferral of wages. Even if you accept that as a savings of sort it is still only 17% of what the projected line would be in the budget. So that is a serious shortfall of approximately \$15,000,000. And that I lay at the doorstep of the Executive branch not the union. To grasp the magnitude of the shortfall, it is nearly double the revenue that is being brought in by the energy tax. It is a lot of money. I am curious to hear the explanation more than anything else and how that number is going to coalesce with the budget. What it comes down to is whether or not we are presented with an explanation that comes close to detailing that, and how would this shortfall be addressed going forward.

Legislator Joseph L. Meyers

I am not trying to pre-discuss this issue on its merits, but I think Legislator Day hit the nail on the head. If the County Executive wants to keep unto his branch the ability to negotiate he should have come right away and briefed us on why he isn't able to meet the \$18,000,000 target for the balance of the year. Instead we read in the newspaper that there is a Memorandum of Understanding. Over a month has gone by and we really need to be a pro-active branch. I am glad the Budget and Finance Committee will be discussing this on September 12th. We need to let the County Executive know, if it should come to that, this is dead on arrival so don't waste your time waiting for the CSEA to come back to you and you better come up with something else quick and reenter into negotiations. Otherwise what happens is what I have seen so many times in this body for so many years. It comes to us, it is time for a vote, if we don't do this then we will lose that, there will be no other options, we are heading into budget time, there is no time to negotiate something else so we will just have to vote for it. I am not inclined to vote for it at this time, because it doesn't achieve the savings and gives up the one thing that we need in a fiscal crisis and that is the ability to have lay offs. We won't have that tool in our arsenal, which will be a disaster and could lead to bankruptcy for the County. How you give up that tool when you only achieved 17% of your anticipated savings, I don't know how one can do that. Granted it is a back and forth negotiation.

I wanted to raise another topic, which is the Summit Park Long-term Care Facility. We passed a resolution saying that by the end of the year he had to present us with his options. Why aren't we entertaining resolutions for requests for bid? Why aren't we getting proposals to determine the value of the Long-term Care Facility now? If we are waiting until the end of the year to make a decision we can hit the ground running with the information that we need to make a decision. It seems like there was some frenetic activity when we thought we need something from the State Legislature, which we didn't end up getting and then we just slid right back in to not being as proactive as we could be. Granted I understand that we just came to the end of the summer, but we really have to get back into it, because none of our issues have been solved. The fiscal crisis is still here. The only thing that we tried to do to avert our fiscal crisis didn't work and so we have to remind ourselves that we are still at square one on both of these things.

Vice Chairman Alden H. Wolfe

I am sure we all await anxiously a very in depth discussion about all these issues at the Budget and Finance Committee meeting.

We are awaiting finalization of the County Executive's appointments to the Joint Task Force on Fiscal Improvement. We are going to be scheduling the first meeting very soon. Hopefully that will address some of the issues we have had in terms of communication and the flow of information between the branches of government.

Legislator Nancy Low-Hogan

So as far as we know we are definitely having a Budget and Finance Committee meeting on the 12th, which is prior to the ratification votes?

Legislator Ilan S. Schoenberger

All I know is the ratification vote is some time in the second week in September.

Vice Chairman Alden H. Wolfe

It is going to go to committee before it comes here so there will be an opportunity to discuss this. It is not going to the Full Legislature until it goes through committee.

Legislator Nancy Low-Hogan

I am just wondering about that in relation to the ratification vote.

Vice Chairman Alden H. Wolfe

The ratification by the union is something that is outside of our control.

Legislator Nancy Low-Hogan

I understand all of that. I am trying say that if there is something in here, and the lay off clause may be it, that people on this esteemed body do not support and will not vote for we need to tell everybody now, because I am not going to go along with the statement that well, we are at the point where what choice do we have. I think there are other people up here who agree with me. So I just was trying to get the timing clear. It would be helpful if we had the meeting before the ratification vote just for psychological and political reasons and all sorts of rationale reasons. It would be really helpful if we could have that meeting and conversation in committee before the ratification vote.

Legislator Ilan S. Schoenberger

I hear what you are saying Nancy, but you seem to be thinking that whatever we say in our committee will help determine the outcome of the ratification vote in some way or we may be able to influence the outcome in some way. I don't know that that's correct. What I do know, and I think we all have to accept and I don't mean this in a negative way towards anybody, is if this passes and the union approves it, it then is going to come to us for approval. Those people in good conscience who feel they can't vote for it won't vote for it. Those people who feel in good conscience they can vote for it will vote for it. If nine votes vote for it, it is ratified. If we can't get nine votes to approve it, it will go down. That is simply what it boils down to in the end.

I personally don't agree with what was said earlier about well we are in a rush, we have to do this or we have no other choice. We always have a choice. It is just a question of exercising our prerogatives.

The County Executive doesn't work for us. He is not like a County Manager. He is our co-equal. He is an independent elected official. He doesn't come to our meetings, except once or twice a year. He sends staff, which is very competent, but he doesn't report to us. We are not his boss. He doesn't work for us. He reports directly to the people of Rockland County who elected him. He is finishing his nineteenth consecutive year; next year will be twenty years. Maybe they like what he is doing, maybe. This is the process he has chosen. This is the responsibility he has assumed. Under the Charter he can assume this responsibility. Now it is a question of how we are going to react to it. One of our members used the word "proactive", I like that word, and it is a good word. I am not sure how you can be proactive when we are not even allowed to sit at the table.

I understand what you are saying, but in the end it is going to boil down to a yes vote or a no vote. We should have the discussion in Budget and Finance. I tried to schedule it for August, but I wasn't able to. I got it on as early as I could. We are out in the public. We are the body that votes and discusses everything in a public meeting not in a room amongst staff with a closed door. We should have that discussion, but in the end it is going to boil down to yes I will vote for it or no I won't vote for it on an individual bases among the 17 of us.

Legislator Nancy Low-Hogan

Can I ask Commissioner DeGroat a sensitive question?

Vice Chairman Alden H. Wolfe

We are at the comments from Legislators portion of the meeting. I would like to note at this point that there are three Budget and Finance Committee meetings scheduled. I really don't want to get into a discussion about this. I think it is not the proper forum. We are all here, but I think this is best had at a Budget and Finance Committee meeting.

There is a Budget and Finance Committee meeting Wednesday, September 12th. There is a special meeting on Wednesday, September 19th, just prior to our Full Legislative meeting. Monday, September 24th is a regular meeting of the Budget and Finance Committee.

The issue of the labor contract will appear on the September 12th agenda of the Budget and Finance Committee. We can have a full discussion then.

Legislator Ilan S. Schoenberger

I believe, but I am not positive, that is before the unions ratification vote. I am not in the loop as to when they are going to vote.

**ADJOURNMENT IN MEMORY OF
STANLEY FELD**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Stanley Feld.

**ADJOURNMENT IN MEMORY OF
ANTONIO J. CASERES**

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 Antonio J. Caseres.

**ADJOURNMENT IN MEMORY OF
ABE BARBASH**

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 Abe Barbash.

**ADJOURNMENT IN MEMORY OF
DOLORES FAIST**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Dolores Faist.

**ADJOURNMENT IN MEMORY OF
LYNN SHEINKIN**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Lynn Sheinkin.

**ADJOURNMENT IN MEMORY OF
ROBERT J. OLLEY**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Robert J. Olley.

**ADJOURNMENT IN MEMORY OF
PAUL J. TENDLER**

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

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

**ADJOURNMENT IN MEMORY OF
EDWARD F. VONACHEN**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Edward F. Vonachen.

**ADJOURNMENT IN MEMORY OF
MARGARET TOSCANO**

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 Margaret Toscano.

**ADJOURNMENT IN MEMORY OF
MARTIN DANIEL FOGARTY**

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 Martin Daniel Fogarty.

**ADJOURNMENT IN MEMORY OF
MARILYN MORONEY**

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 Marilyn Moroney,

**ADJOURNMENT IN MEMORY OF
CHRISTINE A. GALLAGHER**

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 Christine A. Gallagher.

**ADJOURNMENT IN MEMORY OF
CHARLES W. FUREY**

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 Charles W. Furey.

**ADJOURNMENT IN MEMORY OF
EDWARD J. MOONEY**

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 Edward J. Mooney.

**ADJOURNMENT IN MEMORY OF
H. KENT VANDERHOEF**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of H. Kent Vanderhoef.

**ADJOURNMENT IN MEMORY OF
MARY T. (MARIE) CAREY**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Mary T. (Marie) Carey.

**ADJOURNMENT IN MEMORY OF
WARREN W. INGLESE**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Warren W. Inglese.

**ADJOURNMENT IN MEMORY OF
ANN DOHERTY**

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 Ann Doherty.

**ADJOURNMENT IN MEMORY OF
GWENDOLYN AMBROSE**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Gwendolyn Ambrose.

**ADJOURNMENT IN MEMORY OF
AUGUSTINE A. PAPPALARDO**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Augustine A. Pappalardo.

**RESOLUTION NO. 439 OF 2012
ADJOURNMENT**

Mr. Murphy offered the following resolution, which was seconded by Mr. Day and adopted (8:09 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Wednesday, September 19, 2012 at seven o'clock in the evening.

The vote resulted as follows:

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

Respectfully Submitted,

DARCY M. GREENBERG
Proceedings Clerk