

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, April 16, 2013 at 7:00 P.M., pursuant to the adjournment of the April 3, 2013 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 11th day of April 2013

The Legislature of Rockland County convened in regular session pursuant to adjournment of the April 3, 2013 meeting.

A Roll Call being taken (7:01 P.M.), the following Legislators were present and answered to their names:

Edwin J. Day
Christopher J. Carey
Toney L. Earl
Michael M. Grant
Jay Hood, Jr.
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
Harriet D. Cornell, Chairwoman

Late: Legislator Douglas J. Jobson (7:13 P.M.)

Anngela Vasser Cooper, recipient of the 2013 Buffalo Soldier Award from Rockland County and founder and Chief Executive Officer of Women Veterans Association of the Hudson Valley, led in the Salute to the Flag.

The Irish Northern Aid, Thomas McCorry, delivered the invocation.

**RESOLUTION NO. 190 OF 2013
ADOPTION OF MINUTES OF LEGISLATIVE MEETINGS
FEBRUARY 19, 2013 – AS AMENDED
MARCH 5, 2013, MARCH 19, 2013**

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

Resolved, that the transcribed minutes of the Legislative meetings of February 9, 2013-As Amended, March 5, 2013 and March 19, 2013, as recorded by the Clerk and presented to the Legislature, be and they are hereby adopted.

Debate:

Mr. Day

I will be referencing the minutes of February 19th. I first want to express my appreciation to my colleagues who were concerned during debate on an item that was being amended numerous times about where my whereabouts were. What troubles me frankly is that fact that those concerns were clearly source and comments that came from the Chair. There were comments on the outset of the meeting that “I chose not to be here today and the Chair did not know where I was.” I will accept for the moment that there was a missed email from nine-days earlier on February 10th that stated that I would be out of the country that day that went to the Chair and to our Clerk. I asked that the appropriate records be noted accordingly for the Proceedings Clerk. I would ask either that the statement be amended by the Chair, if she so wishes, or if not I would like to have it entered into the record the email that was sent advising the body that I would be out of the country at that time.

Chairwoman Cornell

Absolutely.

Special Order of the Day:

PUBLIC NOTICE

NOTICE is hereby given that pursuant to Not-for-Profit Corporation Law Section 1411(d)(3), a public hearing will be held by the Legislature of Rockland County at its Legislative Chambers, 11 New Hempstead Road, New City, Rockland County, New York, on the **16th day of April, 2013, at 7:05 P.M.**, prevailing time, to consider the proposed transfer by the County to a local development corporation to be formed of the Summit Park Nursing Care Center facility located at 50 Sanatorium Rd, Pomona, New York 10970, and operated by the County under NYSDOH Certificate No. 4353000N as a 321 bed Residential Health Care Facility (the "Facility"). The transfer will be by 99 year lease with option to purchase for all the real and personal property that is used or useful with respect to the operation of the Facility, reserving to the County the right to continue to operate the Facility under the County license until such time as the newly formed local development corporation terminates said right.

Dated: New City, New York
March 28, 2013

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

The Chairwoman opened the public hearing at 7:13 p.m. and the following spoke:

- ❖ Ross Steinhardt, Summit Park resident opposed
- ❖ Roberta Pickus, Summit Park resident opposed
- ❖ Harold Schulman, Summit Park resident opposed
- ❖ Iris Liddell, Summit Park resident opposed
- ❖ Vincent Liddell, Summit Park resident opposed
- ❖ David Schwall, CSEA employee opposed
- ❖ Angela Horan, CSEA employee opposed
- ❖ Tom Micelli, President RAM, opposed
- ❖ Marianna Avarali, Director of Social Work, Dept. of Hospitals, opposed
- ❖ Margaret McSharar, Quality Ins. Coordinator, Dept. of Hospitals, opposed
- ❖ Anne Fella, Director of Nursing, Dept. of Hospitals, opposed
- ❖ Marianne Riccaldo, Director of Rehabilitation Services, opposed
- ❖ Jeanne Destin, CSEA employee opposed
- ❖ William Steinmann, Mother patient at nursing home, opposed
- ❖ Amanda Squillin, Retired Nursing Supervisor, Dept. of Hospitals, opposed
- ❖ Sheila Berman, Office of the Aging and volunteer at nursing home, opposed
- ❖ Hara Hartman, CSEA employee opposed
- ❖ Melissa Genzano, Mother patient at nursing home, opposed
- ❖ Joel Deitch, Wife was a patient at nursing home, opposed
- ❖ P.T. Thomas, President CSEA, opposed
- ❖ Grace White, opposed
- ❖ Goldie Battle Bryant, Mother patient at nursing home, opposed
- ❖ Billy Reccaldo, President CSEA regional, opposed
- ❖ Fran Oldenberger, Mother patient at nursing home, opposed
- ❖ Tom Ninnan, Dept. of Social Services, opposed
- ❖ Elizabeth Bordon, CSEA employee opposed
- ❖ Scott Goldman, opposed
- ❖ Raymond Smith, concerned
- ❖ Kathy Delfiero, opposed
- ❖ Vladimir Leon, opposed

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

**RESOLUTION NO. 191 OF 2013
CLOSE PUBLIC HEARING**

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

RESOLVED, that the public hearing be and it is hereby closed. (9:18 p.m.)

The vote resulted as follows:

Ayes:	16	(Legislators Carey, Day, Earl, Grant, Hood, Jr., Jobson, Low-Hogan, Moroney, Murphy, Paul, Schoenberger, Soskin, Sparaco, Wieder, Wolfe, Cornell)
U.A. Nay:	01	(Legislator Meyers)

Chairwoman Cornell called for a recess at 9:20 p.m. The meeting reconvened at 9:37 p.m. with all members in attendance.

AMENDED

Referral No. 9485

Introduced by:

Hon. Harriet D. Cornell, Sponsor
 Hon. Ilan S. Schoenberger, Sponsor
 Hon. Jay Hood, Jr., Sponsor
 Hon. Nancy Low-Hogan, Sponsor
 Hon. Philip Soskin, Sponsor
 Hon. Alden H. Wolfe, Sponsor
 Hon. Frank Sparaco, Sponsor

**RESOLUTION NO. 192 OF 2013
 AUTHORIZING THE ESTABLISHMENT
 OF THE ROCKLAND COUNTY HEALTH FACILITIES CORPORATION
 AND TRANSFER OF ALL RIGHT, TITLE AND INTEREST
 OF THE FACILITY, WITH RESERVATION OF RIGHTS
 [OFFICE OF THE COUNTY EXECUTIVE]**

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

WHEREAS, the County of Rockland (the "County") owns Summit Park Nursing Care Center facility located at 50 Sanatorium Rd, Pomona, New York 10970, operated by the County under NYSDOH Certificate No. 4353000N as a 321 bed Residential Health Care Facility as more accurately described in the attached legal description (the "Facility"); and

WHEREAS, Section 1411 of the Not-For-Profit Corporation Law of the State of New York (the "LDC Act") authorizes not-for-profit local development corporations operated exclusively for charitable or public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, instructing or training individuals to improve or develop their capabilities for such jobs, carrying on scientific research for the purpose of aiding a community or geographical area by attracting new industry to the community or area or by encouraging the development of, or retention of, an industry in the community or area, and lessening the burdens of government and acting in the public interest; and

WHEREAS, the LDC Act authorizes the legislative body of the County, by resolution, to determine that certain real property of the County not required for use by the County may be sold or leased to a not-for-profit local development corporation, lessening the burdens of government and acting in the public interest; and

WHEREAS, Section 1411(d) of the LDC Act further provides that the sale or lease may be on such terms as may be agreed upon by the County and the local development corporation, without appraisal or public bidding, provided the County first holds a public hearing on ten (10) days' notice; and

WHEREAS, in furtherance of the public purposes set forth the LDC Act, the County held a public hearing on ten (10) days' notice on or prior to the date hereof and now desires to transfer to a newly created local development corporation under the name "Rockland County Health Facilities Corporation" (the "Corporation"), formed pursuant to Section 1411(a) of the Not for Profit Corporation Law, by ninety-nine (99) year lease with option to purchase all the real and personal property that is used or useful with respect to the operation of the Facility, reserving to the County the right to continue to operate the Facility under the County license until such time as the Corporation terminates said right; and

WHEREAS, the Corporation will be subject to and shall comply with the Open Meetings Law of the State of New York, as set forth within Article 7 of the Public Officers Law and will be subject to and shall comply with the Freedom of Information Law of the State of New York, as set forth within Article 6 of the Public Officers Law; and

WHEREAS, the Corporation shall comply with the State Environmental Quality Review Act, as set forth within Article 8 of the New York Environmental Conservation Law; and

WHEREAS, the books and records of account of the Corporation shall be subject to inspection and/or audit at any time by the Office of the New York State Comptroller; and

WHEREAS, the County Executive recommends that the Legislature of Rockland County authorize the establishment of the Rockland County Health Facilities Corporation; and

WHEREAS, the Budget and Finance Committee of the Legislature has met, considered and approved this resolution; NOW THEREFORE BE IT

RESOLVED, that the Legislature of Rockland County, on behalf of the County, being an involved agency under the State Environmental Quality Review Act, has reviewed the short form Environmental Assessment Form in this matter and hereby finds and determines that this resolution constitutes an Unlisted Action; and be it further

RESOLVED, that the Legislature of Rockland County hereby authorizes the formation and organization of the Rockland County Health Facilities Corporation pursuant to Section 1411 of Not-For-Profit Corporation Law of the State of New York; and be it further

RESOLVED, that the Legislature of Rockland County hereby approves of the Certificate of Incorporation and By-Laws presented at this meeting, in substantially the form attached and as made a part of this resolution; and be it further

RESOLVED, that the Corporation shall be governed by seven voting directors, four of whom shall be appointed by the County Executive and three of whom shall be appointed by the County Legislature, and such directors as well as officers of the Corporation shall serve without compensation; and be it further

RESOLVED, that the County shall be the sole member of the Corporation, acting by and through the County Executive, ex officio; and be it further

RESOLVED, that under the authority of the LDC Act with respect to the real property and under County Law Section 215 and Section 140-9.6 of the Rockland County Code with respect to the personal property, it being hereby determined that disposition of such personal property in this manner is in the best interest of the County, the County hereby authorizes the transfer to the Corporation of all its right, title and interest in and to the Facility by Ninety-Nine (99) year lease, with option to take fee title, subject to the retained rights of the County to continue to operate the Facility until such time as the Corporation has given 60 days written notice to the County terminating the reserved rights ("Termination Date"), and subject further to the County's retention of all supplies and inventory with any remaining supplies and inventory at the time of the Termination Date being disposed of by the County to a future user of the Facility at market value; and be it further

RESOLVED, that the Legislature of Rockland County authorizes the County Executive to execute any and all documents, instruments and agreements or applications necessary or ancillary to the foregoing to effectuate the intent and purpose of this resolution, and shall document the reservation of rights in a lease agreement from the Corporation to the County that provides that the County shall pay all costs of the Corporation and shall pay all operational costs of the Facility while a tenant, each of the foregoing being subject to the approval of the County Attorney.

The vote resulted as follows:

Ayes:	11	(Legislators Carey, Grant, Hood, Jr., Low-Hogan, Murphy, Schoenberger, Soskin, Sparaco, Wieder, Wolfe, Cornell)
Nays:	06	(Legislators Day, Earl, Jobson, Meyers, Moroney, Paul)

Debate:Chairwoman Cornell

The Legislature is a policymaking body. We don't administer government departments, we don't administer the Summit Park Nursing home and we don't have the power to tell Commissioners how to run their departments. Under the County Charter that is the function of the County Executive who is elected by the voters of Rockland County. Legislators are not regularly kept up to date about the workings of the units of government. Consequently it came as a deeply distressing shock to learn in October of 2010, when the County Executive presented his 2011 budget to this Legislature, he said that the nursing home had become too expensive for the County to run and that there was a plan; he had a plan and that plan for a Public Benefit Corporation did not come to fruition, which many of you opposed, and that was in the Fall of 2010. It is now 2013 so that plan did not come to fruition and the unrealized revenues that had been placed in the 2011 budget became an albatross around our necks. It was an \$18,000,000 deficit, which kept growing.

Now it is April of 2013 and we are discussing a resolution, which the County Executive sent to the Legislature to form a Local Development Corporation, which is an entity that will seek a purchaser to operate Summit Park Nursing Care Centers 321 beds, which we intend will balance quality of care with the County's fiscal concerns. In the years since 2010 the County hired three sets of consultants to study Summit Park, Toski & Company, Alvarez & Marsal and Marcus and Millichap. In varying ways the consultants said to bring the nursing home back to full health with renovations, with modernizations, with state of the art equipment and with 21st Century billing procedures instead of the antiquated paper processes still being used that it could be done, but it required a great deal of funding, tight management and changes in salaries, wages and benefits, which require negotiated agreements. Alvarez & Marsal said, "The benefit level is 26% above the benchmark level and may be unsustainable."

The nursing home has gone without a Medical Director for many months. It must have one not only to provide professional oversight of the medical staff, but also to champion the nursing home to the medical community and the public ensuring that beds are filled. Consultants told us that the payer mix for nursing care is way below national and regional benchmarks, because over 82% of our patients are on Medicaid and in order to attract more Medicare and private-pay patients, which would help put the nursing home on a more sustainable basis, significant investments must be made in technology and infrastructure as well as for outreach for referral sources. Somebody mentioned earlier that Summit Park Nursing Home is not even on the list in hospitals as a nursing home. These are not things that the Legislature does or should be doing or even knew about. So you have to understand this. Furthermore, the consultants pointed out that the reimbursement climate in New York State is murky and unpredictable. In describing the landscape of New York State with regard to long-term care Marcus and Millichap summarized the common threads, uncertainty and systematic adversity. The reports also demonstrated something that I have always known and that is the employees of the nursing home are deeply dedicated to their work, to the residents and to the patients and that is something very special and I thank you for all of the care that you give.

Nothing has caused me greater angst and pain then being forced into a corner, which you see us in tonight. Sale of the nursing care center is something that I have opposed, and if I could see a way out, believe me, I would still oppose it. I have taken such great pride in the Summit Park complex. It is a national model of a health care complex that has been developed by a County for its citizens. Many of you know it opened as a County run hospital in a totally different era for the treatment of residents suffering from tuberculosis. Over time as medical advances for tuberculosis improved Summit Park evolved to meet the changing needs of our residents and one of those needs was long-term care for senior citizens, and for others. The Infirmary opened in 1957 when residents of Rockland County Welfare Home/Arms House moved there from the grounds, which is now known as RCC. So we have this long history. The quality of care delivered at the nursing home is unbelievable and it is really regardless of the ability to pay. I believe this is why County nursing home exists. While private nursing homes do take Medicaid patients they are profit-making entities, which don't take all who are improvised and they don't take the sickest.

New York State is pushing counties to divest themselves of nursing facilities potentially leaving some very sick and indigent people without options. New York State should be presenting solutions such as offering realistic reimbursements or encouraging neighbor counties to collaborate and combine their nursing care centers. So there are innovative possibilities, but that is not what we are really getting from the State of New York.

As I reported in the 2010 County study *Project Tomorrow: Aging in Place*, the population of Rockland County residents age 65 and over is exploding and growing at a rate that far outpaces the State and national averages. Our Planning Department works with Cornell University's program and they do projections for future growth so we know by the year 2035 we are going to see a 64% increase in Rockland County residents age 65 and over. These residents will represent approximately 18% of our total population. By comparison in the year 2000 residents age 65 and over represented only 12% of our population. We see what is coming and we do read the national news articles, which focus on the commensurate number of adults who will develop Alzheimer's and need specialized services. I understand this should not be the time to think about moving away from the business of caring for elderly residents we should be doubling our efforts, but unfortunately Rockland County and other counties throughout the State do not have the financial resources to deal with the infrastructure problems and the ever-increasing cost of staff.

Last year we increased our property taxes by 18%, which only went to pay for the State increase in pension cost. The burdensome costs of running a nursing home facility may now be more than taxpayers can bear. With State and Federal reimbursement undependable at best I have very reluctantly recognized that the County no longer has the financial resources to operate the facility. The proposal before us tonight will keep the Summit Park Nursing Care Center open. It will not be closed. After tonight's vote, if the vote is to form the LDC, it will continue to be operated by the County while the LDC is actually formed and until such time as it is actually sold. It would then continue to operate under new management hopefully with much of the existing dedicated staff retained to provide continuity of care. I personally will convey to the Board of the LDC the importance I place on the mission of the nursing care center to provide care to all who need it, because of decades the people of Rockland County have relied on Summit Park to care for our residents, those with insurance and those without. It has given families the peace of mind to know that the needs of their loved ones are being met by a well-trained caring staff of professionals.

I know this is not what you wanted to hear. It is not what I would have liked to say. I want to thank the Commissioner. I want to thank the Board of Governors. I want to thank the entire staff of Summit Park for ensuring that all residents have been and will continue to be treated with the dignity and care they so richly deserve.

Mr. Murphy

I can speak to you from a different perspective than any other Legislator up here. I came here in 1971. I was part of the growth of the Summit Park Complex in a very major way. Most of my efforts were building up the mental health services. In fact I spent two decades on the Board of Community Health, Mental Health and Retardation. I was so proud of what I was a part of and my heart still rests with the safekeeping of Summit Park. It is my painful personal experience now to be witness to a century of the desolation of the mental health service system that I had a very big hand in developing. It is like watching the child grow and see the child die, in my eyes.

The reimbursement rates that we got for a unit of mental health service were below the employees cost for mental health. I would never have voted to contract or outsource any of the mental health services I loved so much and are so badly needed, but the cost exceeds the reimbursement rate to the point where the County could not afford it.

My whole universe is about hospitals, nursing homes, psychiatric hospitals and facilities for the developmentally disabled. I have spent my entire adult life working on that and I would have done anything to save our nursing home, anything at all, but I know that the reduction in Medicaid reimbursements to New York are shrinking and getting smaller. The two hospitals in the County are being asked to be pay back over \$2,000,000 each to the Federal governments Medicaid system. I have studied the New York State proposed Medicaid reduction plans and managed care the future is looking dimmer for our nursing home, because the power of deciding which patients will go where rely on the number of health homes now. These health homes exist under managed care to reduce Medicaid burden. It is going to be very difficult for someone to get into an assisted living facility, nursing care center, and harder to get into long-term care hospitals.

I have personally invested forty years and the last three years I have studied the managed care proposals and all the alternatives I could find. I tell you that what I vote for tonight is like throwing my child out of my home and out of my heart. I will tell you that we won't have the reimbursement rates to operate out of debt. It is breaking my heart and I want to apologize to the families being served and to our staff. We are victims of cutbacks of Medicaid reimbursements. I am voting to tear down what I built and the overburdened Medicaid and Medicare system are driving it all.

Mr. Grant

I want to thank all of you for coming out tonight and it was important that you all be heard. The case was made for employees, families and residents of our nursing home facility. My father's time as a County Legislator and later as the County Executive was very proud of the Summit Park Nursing Home. One of the reasons he got into government and why I followed him in government is for the good things that you can do. All of you wanted to shout about how important it was to keep this nursing home open. For all of you in the room who twenty-five years ago cared for my grandfather Ercolano Zippilli I thank you for your professionalism and care for him and for other friends and family.

I think you all know how difficult this decision is to make tonight. One of our consultants used a phrase over and over again, "It is not a fair fight" and I think he is right. John Murphy spoke of the dwindling Medicaid/Medicare reimbursement rates and how with each cut they make is another dollar that is required locally to support it.

Someone made a comment that this was done behind closed doors and not in the public view, which couldn't be more wrong. We had very extensive discussions, Committee of the Whole meetings, reports, analysis and appraisals, which were all done in public. This resolution was vetted in the Budget and Finance Committee meeting, which was published and open to the public. One member of the public came and there was no press. We had a presentation by Harris Beach and no one else was here. I thank you all for coming tonight. Thank you for speaking to us and making sure that we heard your voice.

I think after long, careful and painful deliberations outlined by Chairwoman Cornell I think the LDC is the next step for us to take.

Mr. Day

One speaker said that she was very disappointed with the handling of Summit Park and I agree 100%. To be clear, we understand that the situation is not of your making and that is as maddening to you as it is to us. This is something that has been going on for five years, since 2008, where it was first proposed that it would take \$81,000,000 to repair, but it wouldn't even make code. It was proposed by the administration back then to borrow \$200,000,000 that would be reimbursed by Medicaid and Medicare to build a new facility, which was repeated in 2009 to do the exact same thing. In 2010 we were told that there was a plan developed to aggressively market Summit Park. I have not seen it. In October the Public Benefit Corporation was proposed, and again the damage that was done by that one act on the economy in Rockland County I don't think was unsurpassable by anything else. In 2011 there was an effort to close the facility. At that time a 30% property tax increase was levied, jobs were saved and there were comments made at the time that there was anxiety in the room and if we don't do something we will be back here again. Bob Jackson said that exact same thing.

The clarion was sounded 14 to 16 months ago. Nothing has happened. The Chairwoman was very eloquent in stating how the process in government works. No action was taken and no action was done to make a change after everybody's job was saved in 2011. The reports we received from consultants were less than kind. We are trying to deal with something that I always called an asset, but that asset has taken a beating plus there is the issue of reimbursements. We are trying to make the best judgment possible. It is difficult for all of us to do this right now. Essentially we have to make a call here, because if we don't make a call and balance some of the details that I am talking about right now we are going to be looking at a closure and lay offs, which is even worse. This is not something we are taking on willingly in any shape or form.

Mr. Hood, Jr.

I thank all of you for coming tonight. It was heart wrenching for me to listen to this. This is probably one of the hardest decisions for me to make since I have been here. Thank you for all the services you have given to the families over the years. I think of my Uncle Lenny who never stayed there, but I think he may have been better off there. He went from senior housing in Haverstraw to Northern Riverview when he needed more care. I think he was treated all right, but from what I have heard tonight I think he would have been treated even better if he were in the care of you.

Reviewing the budgets from the County Executive over a number of years the majority of us who have passed the budget has done all we can do to save jobs, save our employees so they can keep their benefits, but the ones who didn't vote to pass the budgets I think it was less important to them and I hope you realize that.

I think this needs to be laid where it needs to be laid. I sat here meeting after meeting listening to Legislator Murphy giving suggestions like create an Alzheimer's Ward, downsize or whatever it takes to keep it, but nothing – it has been business as usual while it has been going down the tubes. It was maddening to me. We passed resolutions to do something whether it was sell, change or close, but nothing was done and that is why I am backed into the corner tonight to vote on this and I don't see any other option. Changes should have been made years ago. Renovations were not done, we cannot keep up with the times and there has been neglect and the administration needed to do more for you to keep this entity going and it didn't.

As I made decisions on this board through the years I have listened to the experts and that is how I have based my decisions. The experts have come in and said that this is the best option. I also listened tonight to Chairwoman Cornell and Legislator Murphy and if they don't see a way out I don't know how I can come up with one. I am not proud tonight. I am sorry that we have come to this. I apologize to you and all of the families that are affected by this. I am going to have to support this tonight.

Mr. Earl

Thank you for coming out tonight. It makes me proud to see all the union members come out and fight back. 43% of the workforce in the facility comes out of my district. I visited numerous times. I have had the opportunity to visit a high-end facility where my Aunt was living in California in February. I am proud to say the quality of care there reminded me of Summit Park. I can understand where some of our colleagues are coming from like Legislator Murphy and Legislator Grant. No matter what happens with this vote tonight I am not throwing the towel in. I am going to vote no, because I think it is the right thing to do. One consultant, if I heard him right, didn't close the door that we could not keep this in some capacity. My heart is with you no matter what happens tonight. Even if we go down the LDC road I will still fight for you to get the best deal you can. I wish you God speed with all of this.

Mr. Wieder

Ladies and gentlemen, let me address the current resolution concerning the LDC and the nursing home. First, let me say something about our great employees of the nursing home. You are hardworking people who have dedicated your lives and careers to tend for those of us that need the assistance of a nursing home facility. You have done your job with much devotion, tender love and care. I have seen it myself recently when I visited the facility. We owe these great employees a debt of gratitude, because if not for them, quite frankly, we would have had to do it ourselves. We would have to do it ourselves, because as a society we have an obligation to take care of the needy, sick, young, poor, elderly and those who can't help themselves. Never pass judgment on a community until you know how they treat their neediest. In fact, one should only judge a society based on their treatment of the disadvantaged. Yet the County faces unparalleled challenges, challenges the County never faced before – ever growing deficits, near junk bond ratings, mounting unfunded State mandates and State officials unwilling or unable to help. If we don't do something the whole ship will be wrecked. If we don't take action today there will be no tomorrow to contemplate. If we don't act today Rockland County will surely become insolvent, the State will then come and take over the County and not a single resident of Rockland County will have a say in local government affairs. Furthermore, we can be certain that the first thing the State will do is get rid of the nursing home and will not do it in a measured responsible fashion. Thus I believe the current resolution is, yes very-very painful especially after hearing all of you tonight, but surely necessary. I commit to only approve appointing members to this LDC who would be caring, compassionate and smart individuals who will only do what is right for the employees, the residents of the facility and the good people of Rockland County. Thank you Madam Chair.

Mrs. Paul

Today we are going to make a very difficult decision. It is a very painful situation. We all want to do the best for our community. Most of the employees of the facility are from my district and many of the residents are my constituents. Many of the employees called and emailed me about their concerns and today I heard from you all directly. I am very worried about my constituents concerns and based on their concerns I will vote no on the LDC.

Mr. Carey

I do know about the facility. My grandmother spent the last eight years of her life there. I know the great work that is done there, but I have to go back to what the consultants said about it not being a fair fight. We sat through a lot of meetings and we did do our homework on this. I know how important it is to Legislator Murphy and to see him move in this direction really validates to me this is something we cannot sustain in the long term. I believe we will soon be back here talking about the hospital as well, because of the environment of managed care. I am going to support this tonight, but I am very concerned that if we do not address the overhead issue as part of this solution we are not going to gain anything. So I am going to work very hard with the administration to make sure that if this moves forward that there will be some corresponding cuts there as well. None of this is easy. This is not something we wanted to do. We all feel that we are backed into a corner. I will be supporting this tonight.

Mr. Moroney

Chairwoman Cornell, I appreciate your remarks earlier and how you described how we arrived in this situation. It goes back to 2010 bonding \$18,000,000. We had to put that in the budget the next year, because we had to pay that back. I think that is where things started to go down hill. The State's mandates and the tax cap limited to 2% caused problems. Governor Cuomo cut mental health and other programs and schools. We have spent over \$150,000,000 on the Western Ramapo Sewer District. We found the money for that, bonded it and have to pay it back. We did it for the health and safety of the residents of the Western Ramapo Sewer District. I have no qualms for voting for it.

We are facing a new administration in January. Here we are now putting our feet to the fire to vote for this resolution. My colleagues are the most compassionate people I have worked with for the last 23-years, but I surprised at some of the votes tonight. I will be even more surprised if this passes. We have always said that if you need something done here come to us and we will always try to solve that problem. I don't think that we have failed. There are chargeback's to the nursing home and hospital in the amount of \$9,000,000 in 2013. What about unemployment insurance? What about social services? What kind of an impact will we have if there are lay offs?

I care for the people. I will be damned if it will be my legacy to lay off 400 people or vote for the LDC. When we do that we are losing control of the situation, in my opinion. I am speaking from my heart. I am not running for any more public office. I am not running for anything else. I am not going to be the next County Executive, which is going to be a tough job and God bless the person who gets it. Let's be realistic here. We are balancing the books again on the backs of the wrong people. We can't just keep doing that. There are political appointees who are making a lot of money in this County government. We never address those issues. Some of us try to do it during the budget, but were never heard. My legacy will not be to put you people out of work; because of the good work and care you give to our seniors and most vulnerable people. I know my colleagues up here have compassion. I vote no on the LDC.

Mr. Soskin

When I walked into the meeting tonight I had not made up my mind as to how I would vote. I would like to thank all of you for coming down. I have always been for the union people. I have always spoke about how my dad worked for the International Garment Union Workers in Manhattan and overnight his firm closed down and he was left unemployed and it almost killed him. I know what you are going through and that is the reason I have been so undecided. I listened to everybody here tonight – the care, the dedication and the personal touch that all the employees give to the patients are fantastic. It is not your fault what is going on.

Unfortunately, filtered down economics is taking place here. The Federal governments made decisions with regard to Medicare and Medicaid that the States will administer and the States find themselves without enough money. They turned around and told the counties that they will have to take care of it. We have raised taxes. We do not have much of a choice about what to do now. I am Chairman of the Multi-Services Committee and I deal with a lot of health issues. When Legislator Murphy said that it was not feasible anymore that just about locked in my vote. There is not too much we can do about this. All we can do is try to direct the best as we can the Board of Directors of the LDC, which will take a while to set up. We will do whatever we can to support the employees as long as we can. Many of our friends have gone through these bad economic times and know the effects on the families. It is not easy, not nice and not pleasant. I wish you all well and unfortunately I am supporting this proposal.

Mr. Meyers

It was said earlier by Chairwoman Cornell's very eloquent remarks that we are a policymaking party it is just that we can't execute and that is one of the problems I have with what we are doing tonight. I feel as if the County Executive made a decision back in 2009, when he first proposed the Public Benefit Corporation, that he was giving up on the nursing home and wasn't willing to entertain ideas on how to improve the nursing home or how to turn it around. Since then things have slid. I feel pretty confident that the reimbursement rates and our ability to compete in terms of Medicaid reimbursements makes this probably not the kind of facility that we can maintain and compete with. But you hear all the time in America about how institutions or programs became a model against the odds, were able to turn things around and make a profit or do the things they need to do where others weren't able to do it. So, I for one am willing to have the next County Executive and actually do their own analysis of alternatives with an eye towards to whether it is possible that there is something that we can do, because nothing is going to happen once we turn this over to an LDC anyway in the next several months. So why not get a County Executive in there who can actually do their own analysis, which Mr. Vanderhoef was not really willing to do in a creative way and he made his decision and nothing else filtered in after that. The reports from the accounting firm showed the legacy costs, the costs to provide services to the jail and the reimbursements costs were such that if you added it all those together we could actually in the short-term lose more by turning the hospital over to private hands than just by running it. There is no particular need to rush in. Yes, I know that they reimbursement rates are going to move against us and it is not a fair fight, but it is a slow creep of those things.

I would like to see what the next County Executive has to say, because we can ask the consultants that were brought in questions, but we can't extrapolate alternatives or questions different directions. Only a County Executive working with a staff can do that. I think I am going to vote no tonight, not because I don't think that eventually will be going to go in this direction, but I just want to wait until the new County Executive takes over and see if in the first hundred days he can develop a plan. By the way, let the candidates for County Executive tell us what their thoughts are in the next several months. They won't be able to do that if it is already turned over to an LDC. This is a great time to see what these creative minds that want to run for County Executive can do for us creatively. I do think that eventually we will come to the same place, probably, but maybe eight months from now instead of today. Thank you.

Mrs. Low-Hogan

I want to thank everybody for coming; your enthusiasm is very inspiring. It is very important to me and for you to know that we have been assured that under no circumstances can anyone who is in the nursing home now be removed or thrown out. We have been told by the consultants that cannot happen. We have the ability to work very closely with the LDC and to make our priorities made about the quality of care that we expect and demand and also steps that we expect to be taken with respect to the employees. There is the ability here to manage this process.

Mr. Jobson

I have been here quite a while and it is nights like tonight where you really are not proud to be sitting where you are sitting and there are no good choices to be made. I have the utmost respect for all of my colleagues. I serve with a great group of people and I respect their opinion on things regardless of what their votes and opinions are on these issues. Tonight is not an easy issue and I feel bad, because I am a union man myself. I don't know what is going on with our nation today, but the rich man has been doing it to the little man since the beginning of time and it seems to be getting worse instead of better. I am told by the six digit professionals who are always sitting here making big salaries that we should do this and that, but yet people come and go from government taking their golden parachute and retire and go on to their next thing and the poor bastards left behind are always the ones holding the bag and always the ones who pay.

Harriet mentioned the word "divest" and I will tell you a story about that word. I was born and raised in Stony Point and they were told to divest their assets and it had something to do with a company I happen to work for called Orange and Rockland. You had to give away and sell your means of production, because it was going to be better for the markets and competition. We had a company that came in from down South and one of the gentleman who worked there his whole life taught these folks who came from down South who was making a third of his pay and he taught them everything he knew and the first reward they gave him was he was the first person given his pink slip. He taught them everything he knew and they just got rid of him. It happened with numerous people there. The Lovitte Plant, my community is still reeling from what happened over a decade ago. We had to have the County step in, because school taxes and bills had to be paid.

Everybody covers his or her own butt and leaves the little person hanging out in the wind all the time. You have to pay attention to what is going on at every level. We just reelected a President and what contribute towards medical benefits doubled since Obama Care. The reason this is happening is from many levels. Neglect is a form of child abuse, which is what happened to the nursing home. We are dying a death of a thousand paper cuts. It is the CSEA employees that end up paying the price for it. You have put up with salary cuts, benefit cuts and other changes. If we would let the professionals who know what they are doing run things instead of the bean counters in a room at the other end of the County run things and tell you what you can spend this and that on maybe things would be different. The number one nursing facility in this County is Summit Park. My grandmother was there for three years when she had TB. They took care of Grant Jobson until he left this world. Those people are there, because they have to be.

I feel like a real jackass tonight for what we are doing. I respect people no matter how they vote, but it is one of the saddest days I will ever have in public service, because I refuse to cut somebody's throat. I will not be a part of it and I am voting no.

Introduced by:

Hon. Frank P. Sparaco, Sponsor
Hon. Edwin J. Day, Sponsor

**RESOLUTION NO. 193 OF 2013
OVERRIDING THE DISAPPROVAL OF THE COUNTY EXECUTIVE
RESOLUTION 129 OF 2013 OF THE LEGISLATURE OF THE COUNTY OF ROCKLAND,
THE LEGISLATURE OF ROCKLAND COUNTY HEREBY DIRECTS
THAT THE COUNTY ATTORNEYS OFFICE AND COUNTY EXECUTIVE
COMPLY WITH RESOLUTION 457 AND THE FEBRUARY 25, 2013 ORDER
OF JUDGE NICOLAI, THAT THE LEGISLATURE DOES NOT AUTHORIZE
THE COUNTY ATTORNEY, THE COUNTY EXECUTIVE AND OUTSIDE
COUNSEL TO FILE AN APPEAL OF THE FEBRUARY 25, 2013 ORDER
AND THAT THE APPEAL OF THE MARCH 30, 2012 BE DISCONTINUED
AS BEING MOOT AS A RESULT OF THE FEBRUARY 25, 2013 ORDER**

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

RESOLVED, That, Pursuant To Section 2.02 Of The Rockland County Charter, This Legislature, Upon Reconsideration Of The Disapproval Of The County Executive With Respect To Resolution 129 Of 2013 Of The Legislature Of The County Of Rockland, The Legislature Of Rockland County Hereby Directs That The County Attorneys Office And County Executive Comply With Resolution 457 And The February 25, 2013 Order Of Judge Nicolai, That The Legislature Does Not Authorize The County Attorney, The County Executive And Outside Counsel To File An Appeal Of The February 25, 2013 Order And That The Appeal Of The March 30, 2012 Be Discontinued As Being Moot As A Result Of The February 25, 2013 Order, And By A Vote Of At Least Two-Thirds Of The Total Voting Power Of The Legislature Passed Such Resolution.

The vote resulted as follows:

Ayes:	16	(Legislators Carey, Day, Earl, Grant, Hood, Jr., Jobson, Low-Hogan, Meyers, Moroney, Paul, Schoenberger, Soskin Sparaco, Wieder, Wolfe, Cornell)
Abstain:	01	(Legislator Murphy, President and Chairman of the Board of Camp Venture. Brega supplies bus service for Camp Venture)

The Chairwoman opened the public participation portion of the meeting at 10:59 p.m. and there were no speakers.

Comments from the Chairwoman:

Honorable Harriet D. Cornell

I only want to reiterate what was said earlier with regard to the great sadness of the tragic happenings and horror at the Boston Marathon and hope that the Boston Police and the Federal Authorities come to a quick capture of the persons who did such horrible things to innocent people who turned out for a happy and wonderful event.

Mr. Schoenberger moved to recommit the following resolutions to the Budget and Finance Committee, which was seconded by Mr. Murphy and passed:

Referral No. 9490

- a. Ratifying Memorandum Of Agreement Between The County Of Rockland And The Rockland Association Of Management For The 2013 Targeted Voluntary Separation Incentive Program. (Sponsors: Hon. Michael M. Grant, Hon. Jay Hood, Jr., Hon. Harriet D. Cornell, Hon. Ilan S. Schoenberger, Hon. Philip Soskin, Hon. Douglas J. Jobson)
- b. Inclusion Of Non-Union Salaried Management That Follow RAM (Excluding Relief And Temporary Positions) In The Rockland County 2013 Targeted Voluntary Separation Incentive Program. (Sponsors: Hon. Michael M. Grant, Hon. Jay Hood, Jr., Hon. Harriet D. Cornell, Hon. Ilan S. Schoenberger, Hon. Philip Soskin, Hon. Douglas J. Jobson)
- c. Ratifying Memorandum Of Agreement Between The County Of Rockland And The Civil Service Employees Association, Rockland County Local 844, For The 2013 Targeted Voluntary Separation Incentive Program. (Sponsors: Hon. Michael M. Grant, Hon. Jay Hood, Jr., Hon. Harriet D. Cornell, Hon. Ilan S. Schoenberger, Hon. Philip Soskin, Hon. Douglas J. Jobson)
- d. Inclusion Of Non-Union Non-Management (Excluding Relief And Temporary Positions) In The Rockland County 2013 Targeted Voluntary Separation Incentive Program. (Sponsors: Hon. Michael M. Grant, Hon. Jay Hood, Jr., Hon. Harriet D. Cornell, Hon. Ilan S. Schoenberger, Hon. Philip Soskin, Hon. Douglas J. Jobson)

Debate:

Mr. Grant

These items are virtually identical. It is a part of the administrations proposal for a voluntary separation incentive program. I think it is important that we vote on them at this juncture, whether you are for or against, so there is some clarity going forward. If these items pass tonight there is a savings component of over \$4,000,000. If we vote against it the administration has an obligation to make adjustments to the budget and to make allowances for the savings that they won't realize.

We spent some time in committee trying to get the resolutions in order, because they included Memorandum's of Understanding with the bargaining units that included specific dates for opting in, out and securing your rights under the program. In addition to that the committee sought to include language in the resolutions that would not permit the County Executive to have sole discretion to bring back people who opted into the program who receive the benefits of the incentive to come back as consultants or otherwise employed by the County and essentially double dip. We worked to get that in order.

I have been skeptical in the program since the beginning. We have been through three early retirement incentives over the last few years. It seemingly exhausted the pool of people that we could spare and not fill and in his budget address the County Executive called this specifically "A targeted retirement program called the Voluntary Separation Incentive Program." The word "targeted" has been used over and over again since the conversation began and low and behold there is no list of targeted positions. There is already \$3,500,000 in salary savings that has been included in the budget. A description has been provided by Commissioner Silvestri in terms of what they would try to accomplish this through the elimination of positions, the way of filling positions, backfilling positions of lower salary classifications, backfilling the position with new employees at the lower end of the current salary band and still achieve this \$4,000,000 in savings despite paying out an incentive that amounts to about 25% of their base salary.

I think it is very important that we vote on these tonight so there is some decision and clarity going forward, but I am going to vote no on each one of them.

Mr. Schoenberger

I was going to vote yes on these, but after hearing Legislator Grant's explanation and respecting his position as Chair of the Budget and Finance Committee and having worked with him on these resolutions in depth since the end of last year if Legislator Grant is so disturbed by the product that is being presented to us tonight then I think it should be sent back to committee to see if in some way it can be resolved or ironed out. The issues and concerns that he raised should be addressed. If it can't be sent to committee I will support Legislator Grant's position. With that in mind I am going to make a motion to recommit all four of the resolutions back to the Budget and Finance Committee for further review, determination, discussion and possible amendment to make them conform to the issues raised by Legislator Grant.

Mr. Murphy

I second.

Chairwoman Cornell

I second the ideas that were raised by Legislator Grant, because all along the concept of these positions being targeted and there being a finite relatively small number of positions that was told to us and I thought by targeting it would mean that the position would be not a vital position and therefore there would not be an attempt to refill it afterward. We spent a lot of time on language that would indicate that the County Executive couldn't unilaterally return people or hire them as consultants. The description from County Personnel about how this is going to work is very distressing. I am willing to recommit, but I am not sure going back to committee is going to solve this particular problem. After the difficult things we had to do earlier today I am not sure this incentive is a very good idea anyway.

Mr. Schoenberger

The first time this was presented to us was in the budget for 2013 without specifications or details with the promise and assurance that this was going to be negotiated by the unions and then presented to us. When we received this at the end of January of this year there was a Memorandum of Understanding attached with RAM dated November of last year and Memorandum of Understanding with CSEA from January. That was the first time we had seen the Memorandums of Understanding and we had questions regarding them. At last week's Budget and Finance Committee meeting, which we had a quorum of only six members, I offered an amendment to the resolution to try and make sure that this would not turn out to be "The Golden Parachute," that certain high paid employees would not receive an incentive to leave County employ (not retire) and then be able to come back shortly thereafter as either an employee again, consultant or contracted employee and retain their incentive, which is the golden parachute, and yet still come back in our employ. We amended language in these four resolutions to prevent that from happening. At the time a question was asked of the Commission of Personnel how it was targeted and who was it targeted to and that is the issue Legislator Grant just raised, and I think rightfully so. The answer was that these positions might not be abolished. An employee may leave and receive three months worth of pay, 25% of their salary and the position is not abolished so a person can be hired for that position at a lower salary and will have to contribute to their benefits and that benefits us, but if you moved someone from within the system who does not contribute to their benefits into the position then it does not benefit us. It makes one wonder if we are truly getting the savings and is it worth the incentive benefit we are paying.

Frankly, I saw the memo from the Commissioner of Personnel for the first time today right before the meeting started in the Chairwoman's office. Legislator Grant questioned it. I think we are entitled to answers and it should be fully explored in committee. We should have a list of positions. If we give a person in a position an incentive should that position remain? Is it more economically feasible to abolish that position? I think we have to carefully consider the impact of what is being proposed and how it will be handled. The problem is that in the County Executive's budget he proposed a salary savings of \$3,500,000 in traditional salary savings and over \$4,000,000 in savings based upon the retirement incentive. Had we been able to resolve this back in January or February and people had taken their incentives and positions not filled we could be looking at substantial savings. We are here now in April faced with the prospect of even if we pay the incentives the positions could be filled and the savings for the calendar year are already reduced. These are very serious issues, because we have a budget.

I, and Legislator Sparaco and other Legislators, proposed eliminating the charge back to the towns for the RCC costs and one of the questions that was asked, "How is the money going to be made up?" The same question has to be asked on this. With that in mind I made a motion to send it back to committee. I appreciate that Legislator Grant is supporting that. We just can't simply let this go the way it is. Thank you.

Mr. Carey

Will there be discussions at committee and with the administration so it will be productive?

Mr. Grant

Again, I am going to sit down and work on the resolution with everyone and anyone. It is not my job to sell this initiative to all of you. I think the administration has done a particularly bad job of handling an important issue like this and selling it to us. They provided little or no detail in the fall. They began working without making us a partner in that effort. They have been insufficient in identifying the positions that obviously they had some idea about, because they did calculations of people eligible and likely to take part in the program. They need to provide the list and where the money is going to come from and the shortfall in the savings.

Mr. Carey

Can you make a formal request that they be there?

Mr. Grant

They are always invited to come and they copies of the agenda. Again, it is their initiative and they need to be there to sell it to us, defend it and make everything crystal clear to us, as they should with every resolution they send over. All too often the resolutions come with incomplete backup or no one shows for the department to make the pitch.

Mr. Hood, Jr.

When I saw the memo from Commissioner Silvestri and found out that the targeted jobs were not actually targeted at all is a major issue. I think I would rather see it go back to committee and get a half a year savings, which is better than zero, instead of voting it down.

Chairwoman Cornell

The motion passes to recommit to committee unanimously.

Introduced by:

Referral No. 9473/9481

- Hon. Michael M. Grant, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Ilan S. Schoenberger, Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Douglas J. Jobson, Sponsor

**RESOLUTION NO. 194 OF 2013
 ADJUSTMENTS TO THE 2012 AND 2013 BUDGETS
 FOR YEAR-END CONTRACT AND PURCHASE ORDER ENCUMBRANCES
 [DEPARTMENT OF BUDGET]**

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

WHEREAS, The Budget Director has requested that the Legislature approve certain budgetary adjustments to the 2012 and 2013 Budgets to cover certain year-end adjustments and purchase order encumbrances; and

WHEREAS, Certain departments require adjustments to their respective accounts, as detailed on the annexed Schedule A; 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 Commissioner of Finance of the County of Rockland is authorized to increase and decrease the accounts as listed on the attached Schedule A in the amounts indicated.

The vote resulted as follows:

Ayes:	16	(Legislators Day, Earl, Grant, Hood, Jr., Jobson, Low-Hogan, Meyers, Moroney, Murphy, Paul, Schoenberger, Soskin, Sparaco, Wieder, Wolfe, Cornell)
U.A. Nay:	01	(Legislator Carey)



GENERAL FUND - 2012

Decrease Approp. Acct:

A	DOH	GH02	E4080	Fees for Services Non-Employee	86,483	
A	DOH	GH03	E4090	Fees for Services Non-Employee	38,760	
A	DOH	4082	E4080	Fees for Services Non-Employee	41,343	
A	DSS	GD16	E4080	Advertising	1,200	
A	HRC	G083	E3080	Program Costs	2,800	
A	HRC	GR04	E4080	Fees for Services Non-Employee	62,000	
A	SHF	GS11	E2080	Equipment	2,403	
A	SHF	GS16	E2080	Equipment	160,328	
A	SHF	GS16	E4080	Fees for Services Non-Employee	23,400	
A	SHF	GS18	E2080	Equipment	7,741	
A	SHF	GS20	E2080	Equipment	5,288	
A	SHF	GS21	E2080	Equipment	1,768	
A	SHF	GS22	E2080	Motor Vehicles	30,000	
A	SHF	GS22	E2080	Equipment	12,688	
A	SHF	GS22	E4080	Fees for Services Non-Employee	72,400	
A	SHF	GS25	E2080	Equipment	1,983	
A	SHF	GS25	E4080	Fees for Services Non-Employee	9,148	
A	YB	1261	E3130	Office Supplies	1,143	
A	YB	1261	E3290	Operational Supplies	2,814	
					Total:	647,470

Decrease Est Revenue Acct:

A	DOH	GH03	R3480	Health Grants(s)	86,483	
A	DOH	GH03	R3480	Health Grants(s)	38,760	
A	DOH	4082	R4489	Health Grants(s)	41,343	
A	DSS	GD16	R4680	DSS - Grant(s)	1,200	
A	HRC	G083	R4880	Home & Community Services Grant	2,800	
A	HRC	GR04	R4880	Home & Community Services Grant	62,000	
A	SHF	GS11	R4380	Public Safety Grant(s)	2,403	
A	SHF	GS16	R4380	Public Safety Grant(s)	173,728	
A	SHF	GS18	R4380	Public Safety Grant(s)	7,741	
A	SHF	GS20	R4380	Public Safety Grant(s)	5,288	
A	SHF	GS21	R4380	Public Safety Grant(s)	1,768	
A	SHF	GS22	R4380	Public Safety Grant(s)	115,088	
A	SHF	GS25	R4380	Public Safety Grant(s)	5,111	
A	YB	1261	R4680	Youth Program Grant (s)	3,767	
					Total:	647,470

Increase Appropriation:

GENERAL FUND - 2013

A	CD	1280	E3130	Office Supplies	13,278
A	CLK	1410	E4020	Rental of Equipment	2,936
A	CLK	1480	E4771	Clearing A/C Archives	7,648
A	DA	FA01	E4600	Forfeiture Funds - Services	204,188
A	DA	1185	E4080	Fees for Services Non-Employee	1,000
A	DOH	4010	E2030	Motor Vehicles	17,604
A	DOH	4010	E4080	Fees for Services Non-Employee	11,400
A	DOT	6830	E4080	Advertising	4,000
A	DOT	6830	E4080	Fees for Services Non-Employee	4,280
A	DOT	6830	E6410	Tappan Zee Express	14,375
A	DSS	6010	E4080	Fees for Services Non-Employee	6,680
A	EME	3410	E3280	Operational Supplies	1,832
A	EME	3843	E2080	Equipment	11,542
A	EME	3843	E5080	Program Costs	6,678
A	EME	3844	E3280	Operational Supplies	2,148
A	EME	3844	E4080	Fees for Services Non-Employee	2,330
A	ENV	8080	E8110	Sturdy Expenses	7,335
A	ENV	8080	E8820	Parks Improvement	4,200
A	EXE	1230	E4080	Fees for Services Non-Employee	872
A	EXE	1237	E5080	Program Costs	2,037
A	EXE	1240	E6084	Program Costs - County Match	12,600
A	EXE	1240	E8891	Tourism Program - Non-Matching	6,750
A	EXE	4260	E6080	Program Costs	12,384
A	FIN	1325	E4080	Fees for Services Non-Employee	5,766
A	LAW	1420	E4080	Fees for Services Non-Employee	10,000
A	LEG	1010	E3280	Printed Materials	7,910
A	LEG	1010	E6080	Program Costs	4,600
A	OFA	6772	E4080	Fees for Services Non-Employee	11,686
A	OFA	6772	E8080	Program Costs	113,083
A	OFA	6772	E5771	Meals on Wheels	78,638
A	PDF	1170	E4080	Fees for Services Non-Employee	4,600
A	PLN	8020	E6080	Program Costs	6,277
A	PLN	8020	E4380	Maintenance Agreements	18,092
A	SHF	3107	E3280	Operational Supplies	1,080
A	SHF	3114	E2600	Forfeiture - Equipment	9,680
A	SHF	3114	E6080	Program Costs	6,091
A	SHF	3118	E2080	Equipment	1,878
A	SHF	3160	E3070	Uniforms	7,618
A	SHF	3160	E4080	Fees for Services Non-Employee	3,649
A	SHF	F802	E2600	Forfeiture - Equipment	21,371
A	SHF	F802	E4600	Forfeiture Funds - Services	193,598
A	YB	1250	E5830	Youth Employment Program	193,600
A	DOH	GH02	E4080	Fees for Services Non-Employee	89,483
A	DOH	GH03	E4080	Fees for Services Non-Employee	38,769
A	DOH	4032	E4080	Fees for Services Non-Employee	41,343
A	DSS	GD16	E4080	Advertising	1,200
A	HRC	Q983	E6080	Program Costs	2,800
A	HRC	GR04	E4080	Fees for Services Non-Employee	62,000
A	SHF	GS11	E2080	Equipment	2,403
A	SHF	GS15	E2080	Equipment	160,328
A	SHF	GS15	E4080	Fees for Services Non-Employee	23,400
A	SHF	GS19	E2080	Equipment	7,741
A	SHF	GS20	E2080	Equipment	5,286
A	SHF	GS21	E2080	Equipment	1,788
A	SHF	GS22	E2080	Motor Vehicles	30,000

A	SHF	G822	E2060	Equipment	12,889
A	SHF	G822	E4090	Fees for Services Non-Employees	72,400
A	SHF	G825	E2060	Equipment	1,803
A	SHF	G825	E4090	Fees for Services Non-Employees	3,148
A	YB	1251	E3130	Office Supplies	1,143
A	YB	1251	E3280	Operational Supplies	2,614
Total:					<u>1,648,959</u>

Increase Est Revenue Acct:

A	DOH	GH02	R3480	Health Grants(s)	88,483
A	DOH	GH03	R3480	Health Grants(s)	36,750
A	DOH	4082	R4489	Health Grants(s)	41,343
A	DSS	GD16	R4880	DSS - Grant(s)	1,200
A	HRC	G088	R4980	Home & Community Services Grant	2,800
A	HRC	GR04	R4980	Home & Community Services Grant	62,000
A	SHF	G811	R4380	Public Safety Grant(s)	2,403
A	SHF	G816	R4380	Public Safety Grant(s)	173,729
A	SHF	G819	R4380	Public Safety Grant(s)	7,741
A	SHF	G820	R4380	Public Safety Grant(s)	5,285
A	SHF	G821	R4380	Public Safety Grant(s)	1,755
A	SHF	G822	R4380	Public Safety Grant(s)	175,089
A	SHF	G825	R4380	Public Safety Grant(s)	5,111
A	YB	1251	R4860	Youth Program Grant (s)	3,737
A	UNC	9990	R5989	Appropriated Fund Balance	1,001,489
Total:					<u>1,548,959</u>

COUNTY ROAD FUND - 2013

Increase Appror. Acct:

D	CRF	5110	E3610	Bituminous	75,000
D	CRF	5110	E4480	CHIPS - Contract Maintenance	34,113
D	CRF	5120	E5570	Stream Maintenance	5,777
Total:					<u>114,890</u>

Increase Est Revenue Acct:

D	CRF	9552	R5989	Appropriated Fund Balance	114,890
Total:					<u>114,890</u>

SEWER FUND - 2013

Increase Approp. Acct:

G	SWR	8110	E4090	Fees for Services Non-Employee	59,799	
G	SWR	8120	E2030	Motor Vehicles	175,300	
G	SWR	8120	E3280	Operational Supplies	89,892	
G	SWR	8120	E4080	Equipment Repairs	12,680	
G	SWR	8120	E4080	Fees for Services Non-Employee	472,400	
G	SWR	8120	E4380	Maintenance Agreements	327,247	
G	SWR	8120	E4580	Trunk Repairs	47,667	
G	SWR	8130	E3280	Operational Supplies	88,022	
G	SWR	8130	E4080	Equipment Repairs	28,083	
G	SWR	8130	E4070	Repairs	80,011	
G	SWR	8130	E4080	Fees for Services Non-Employee	73,888	
					Total:	1,482,089

Increase Est Revenue Acct:

G	SWR	8852	R6989	Appropriated Fund Balance	1,482,089	
					Total:	1,482,089

HOSPITAL FUND - 2013

Increase Approp. Acct:

EH	DMH	M001	E3180	Office Supplies	680	
EH	DMH	M001	E3280	Operational Supplies	680	
EH	DMH	M780	E4080	Fees for Services Non-Employee	58,683	
EH	DMH	M890	E4080	Fees for Services Non-Employee	103	
EH	HSP	4800	E4080	Fees for Services Non-Employee	8,432	
EH	HSP	E301	E4090	Fees for Services Non-Employee	42,481	
EH	HSP	E922	E4080	Fees for Services Non-Employee	24,380	
					Total:	133,788

Increase Est Revenue Acct:

EH	DMH	M889	R5989	Appropriated Fund Balance	58,528	
EH	HSP	4980	R5989	Appropriated Fund Balance	75,273	
					Total:	133,799

GENERAL SERVICES FUND - 2013

Increase Approp. Acct:

M	DGS	1241	E4080	Fees for Services Non-Employee	6,840	
M	DGS	1245	E3280	Operational Supplies	2,720	
M	DGS	1245	E4080	Equipment Repairs	15,815	
M	DGS	1245	E5110	Sandy Expenses	7,983	
					Total:	35,158

Increase Est Revenue Acct:

M	DGS	2100	R6989	Appropriated Fund Balance	35,158	
					Total:	35,158

Introduced by:

Referral No. 9473

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

**RESOLUTION NO. 195 OF 2013
 AMENDING THE 2012 BUDGET
 BY APPROVING A SECOND ALLOCATION IN THE AMOUNT OF \$1,667 [NCTD]
 FROM THE NYS OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES
 TO BE DISTRIBUTED TO THE ROCKLAND COUNCIL ON ALCOHOLISM
 AND OTHER DRUG DEPENDENCE, INC.
 FOR EQUIPMENT, FURNITURE, FIXTURES AND COMPUTER SOFTWARE
 FOR A TOTAL AMOUNT NOT TO EXCEED \$18,900 [NCTD]
 FOR THE CALENDAR YEAR 2012
 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE
 ALL NECESSARY DOCUMENTS INCLUDING
 THE APPLICABLE CONTRACT AMENDMENT
 [DEPARTMENT OF MENTAL HEALTH]
 (\$18,900)**

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

WHEREAS, By Resolution 575 of 2012, the Legislature of Rockland County approved the acceptance of a "one-time" only allocation in the amount of \$17,233 from the New York State Office of Alcoholism and Substance Abuse Services for the Rockland Council on Alcoholism and Other Drug Dependence, Inc. (RCADD) for equipment, furniture, fixtures, software and other computer related equipment; and

WHEREAS, The Commissioner of the Department of Mental Health has advised the County Executive and the Legislature of Rockland County that due to an error in the original calculation, an additional \$1,667 must be appropriated to RCADD, for a total amount not to exceed \$18,900 for the calendar year 2012; and

WHEREAS, The acceptance of these funds will require a second amendment to the County's 2012 contract with RCADD, which was approved by Resolution Nos. 47 of 2012 and 575 of 2012; and

WHEREAS, No County tax dollars [NCTD] are required to accept these funds; and

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

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a second allocation in the amount of \$1,667 from the New York State Office of Alcoholism and Substance Abuse Services for the Rockland Council on Alcoholism and Other Drug Dependence, Inc. (RCADD) for equipment, furniture, fixtures, software and other computer related equipment, which when added to the original allocation in the amount of \$17,233 results in a total amount not to exceed \$18,900 for the calendar year 2012, and hereby authorizes the County Executive to execute all necessary documents related to the acceptance of this allocation, including the contract amendment with RCADD, subject to the approval of the County Attorney; and be it further

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

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

GENERAL FUND - 2012

<u>Increase Approp. Acct. (Credit):</u>		
A-DMH-4330-E5010	RCADD, Inc.	1,667
<u>Increase Est. Rev. Acct. (Debit):</u>		
A-DMH-4330-R3476	State Aid - OASAS	1,667

The vote resulted as follows:

Ayes:	16	(Legislators Day, Earl, Grant, Hood, Jr., Jobson, Low-Hogan, Meyers, Moroney, Murphy, Paul, Schoenberger, Soskin, Sparaco, Wieder, Wolfe, Cornell)
U.A. Nay:	01	(Legislator Carey)

Introduced by:

Referral No. 9481

- Hon. Patrick J. Moroney, Sponsor
- Hon. Michael M. Grant, Co-Sponsor
- Hon. Jay Hood, Jr., Co-Sponsor
- Hon. Harriet D. Cornell, Co-Sponsor
- Hon. Ilan S. Schoenberger, Co-Sponsor
- Hon. Nancy Low-Hogan, Co-Sponsor
- Hon. Philip Soskin, Co-Sponsor
- Hon. Douglas J. Jobson, Co-Sponsor
- Hon. Alden H. Wolfe, sponsor

**RESOLUTION NO. 196 OF 2013
 APPROPRIATING THE SUM OF \$1,500 TO
 JOHN SECOR POST 329
 PEARL RIVER, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2013**

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

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

WHEREAS, the John Secor Post 329, Pearl River, New York, is contracting with the County of Rockland to conduct patriotic observances in 2013, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

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

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of \$1,500, to John Secor Post 329, Pearl River, New York for providing patriotic observance events in Rockland County in calendar year 2013; and be it further

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

GENERAL FUND

Increase Approp. Acct.:

A-CA-7580-5010	American Legion John Secor Post 329 30 Railroad Avenue Pearl River, NY 10965	\$1,500
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Decrease Approp. Acct.:

A-LEG-1010-5042	Patriotic Observances	\$1,500
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The vote resulted as follows:

- | | | |
|-----------|----|--|
| Ayes: | 16 | (Legislators Day, Earl, Grant, Hood, Jr., Jobson, Low-Hogan, Meyers, Moroney, Murphy, Paul, Schoenberger, Soskin, Sparaco, Wieder, Wolfe, Cornell) |
| U.A. Nay: | 01 | (Legislator Carey) |



Introduced by:

Referral No. 9481

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

**RESOLUTION NO. 197 OF 2013
 APPROPRIATING THE SUM OF \$1,500 TO
 FROMM-MAXWELL-DEBAUN AMERICAN LEGION POST 859,
 SUFFERN, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2013**

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

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

WHEREAS, the Fromm-Maxwell-DeBaun American Legion Post No. 859, Suffern, New York, is contracting with the County of Rockland to conduct patriotic observances in 2013, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

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

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of \$1,500 to the Fromm-Maxwell-DeBaun American Legion Post No. 859, Suffern, New York, for providing patriotic observance events in Rockland County in calendar year 2013; and be it further

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

GENERAL FUND

Increase Approp. Acct.:

A-CA- 7591-5010	Fromm-Maxwell-DeBaun American Legion Post No. 859 P.O. Box 7 Suffern, NY 10901	\$1,500
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Decrease Approp. Acct.:

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

Referral No. 9481

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

**RESOLUTION NO. 198 OF 2013
 APPROPRIATING THE SUM OF \$1,500 TO
 AMERICAN LEGION, CHARLES R. & RAYMOND O. BLAUVELT POST 310
 NYACK, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2013**

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

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

WHEREAS, the American Legion, Charles R. & Raymond O. Blauvelt Post 310, is contracting with the County of Rockland to conduct patriotic observances in 2013, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

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

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of \$1,500, to The American Legion, Charles R. & Raymond O. Blauvelt Post 310 for providing patriotic observance events in Rockland County in calendar year 2013; and be it further

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

GENERAL FUND

Increase Approp. Acct.:

A-CA 8951-5010	American Legion Charles R & Raymond O. Blauvelt Post 310 PO Box 302 Nyack, New York 10960	\$1,500
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Decrease Approp. Acct.:

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

Referral No. 9481

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

**RESOLUTION NO. 199 OF 2013
 APPROPRIATING THE SUM OF \$1,500 TO
 JAMES H. ANDERSON POST NO. 1199 AMERICAN LEGION
 ORANGEBURG, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2013**

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

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

WHEREAS, the James H. Anderson Post No. 1199, American Legion Orangeburg, New York, is contracting with the County of Rockland to conduct patriotic observances in 2013, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

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

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of \$1,500 to the James H. Anderson Post No. 1199, American Legion, Orangeburg, New York, for providing patriotic observance events in Rockland County in calendar year 2013; and be it further

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

GENERAL FUND

Increase Approp. Acct.:

A-CA- 7593-5010	James H. Anderson Post No. 1199 American Legion Hunt Road – Anderson Field Orangeburg, New York 10962-2502	\$1,500
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Decrease Approp. Acct.:

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

Referral No. 9019

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

**RESOLUTION NO. 200 OF 2013
 ACCEPTANCE OF DONATION IN THE AMOUNT OF \$2,500
 FROM NOVARTIS PHARMACEUTICALS CORPORATION
 TO BE UTILIZED FOR THE REPRODUCTION OF THE YOUTH BUREAU
 GUIDE TO YOUTH & FAMILY SERVICES (BLUE BOOK)
 [YOUTH BUREAU]
 (\$2,500)**

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

WHEREAS, The County Executive and the Legislature have been advised by the Rockland County Youth Bureau that they have received a donation from Novartis Pharmaceuticals Corporation in the amount of \$2,500 to be utilized for the reproduction of the Youth Bureau Guide to Youth & Family Services (Blue Book); and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a donation in the amount of \$2,500 from Novartis Pharmaceuticals Corporation for the reproduction of the Youth Bureau Guide to Youth & Family Services (Blue Book); and be it further

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

GENERAL FUND - 2013

Increase Approp. Acct. (Credit):		
A-YB-1250-E4090	Fees for Services-Non-Employee	2,500
Increase Est. Rev. Acct. (Debit):		
A-YB-1250-R2705	Gifts & Donations	2,500

and be it further

RESOLVED, That the Legislature hereby directs the Clerk of the Legislature to express the appreciation of the Rockland County Legislature to the Novartis Pharmaceuticals Corporation for their donation.

Introduced by:

Referral No. 6394

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

**RESOLUTION NO. 201 OF 2013
APPROVING THE PURCHASE IN EXCESS OF \$100,000
OF A SECOND 930K CATERPILLAR WHEEL LOADER INCLUDING
A 3.0YD BUCKET AND A 5 YEAR/5,000 HOUR EXTENDED WARRANTY
FROM H.O. PENN. MACHINERY COMPANY, INC.
IN AN AMOUNT NOT TO EXCEED \$142,120
UNDER NYS OGS CONTRACT NO. PC65309
WHICH PURCHASE IS TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING]
(\$142,120)**

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

WHEREAS, By Resolution No. 55 of 2013, the Legislature of Rockland County approved the purchase in excess of \$100,000 of a 930K Caterpillar wheel loader including a 3.0YD bucket as well as a 5 year/5,000 hour extended warranty for the Highway Department from H.O. Penn Machinery Company, Inc. ("H.O. Penn"), 699 Brush Avenue, Bronx, New York 10465, in an amount not to exceed \$142,120 under NYS OGS Contract No. PC65309; and

WHEREAS, The Director of Purchasing and the Superintendent of Highways recommend to the County Executive and the Legislature of Rockland County that the County approve the purchase in excess of \$100,000 of a second 930K Caterpillar wheel loader including a 3.0YD bucket as well as a 5 year/5,000 hour extended warranty for the Highway Department from H.O. Penn in an amount not to exceed \$142,120 under NYS OGS Contract No. PC65309; and

WHEREAS, The additional loader is needed to replace aging Highway Department equipment that is used to move salt, stone and fill on a regular basis and to respond to weather-related events; and

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

WHEREAS, Sufficient funding for this purchase is provided for in Capital Project #3402, Highway Department, Three (3) Year Equipment Replacement Program; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the purchase in excess of \$100,000 of a second 930K Caterpillar wheel loader including a 3.0YD bucket as well as a 5 year/5,000 hour extended warranty for the Highway Department from H.O. Penn Machinery Company, Inc., 699 Brush Avenue, Bronx, New York 10465, in an amount not to exceed \$142,120 under NYS OGS Contract No. PC65309, 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 purchase is provided for in Capital Project #3402, Highway Department, Three (3) Year Equipment Replacement Program.

Introduced by:

Referral No. 6803

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

**RESOLUTION NO. 202 OF 2013
APPROVING PURCHASES IN EXCESS OF \$100,000
FROM HIGHWAY REHABILITATION CORP.
FOR ASPHALT BITUMINOUS, HOT-IN-PLACE,
HEAT AND SCARIFYING MATERIAL
UNDER RFB-RC-2012-027
IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$750,000
FOR THE PERIOD FROM APRIL 18, 2013 THROUGH APRIL 17, 2014
AND IN A TOTAL AMOUNT NOT TO EXCEED \$1,350,000
FOR THE FULL PERIOD APRIL 18, 2012 THROUGH APRIL 17, 2014
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING]
(\$1,350,000)**

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

WHEREAS, By Resolution No. 338 of 2012, the Legislature of Rockland County approved the purchases in excess of \$100,000 from Highway Rehabilitation Corp., 2258 Route 22, Brewster, New York 10509, of asphalt bituminous, hot-in-place, heat and scarifying material under RFB-RC-2012-027 (the "RFB") in an amount not to exceed \$600,000 for the period from April 18, 2012 through April 17, 2013 with the option to renew for one (1) additional one (1) year term; and

WHEREAS, The Highway Department spent \$588,944 during the first year of the RFB, and it has requested authorization to purchase up to \$750,000 in materials during the first year option term; and

WHEREAS, Highway Rehabilitation Corp. has agreed to maintain the current contract prices even though the Consumer Price Index for All Urban Consumers (CPI-U) has increased by 1.7%, resulting in a savings to the County in the amount of \$12,750; 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 Highway Rehabilitation Corp. of asphalt bituminous, hot-in-place, heat and scarifying material under the RFB in an additional amount not to exceed \$750,000 for the period from April 18, 2013 through April 17, 2014, and in a total amount not to exceed \$1,350,000 for the full period from April 18, 2012 through April 17, 2014; and

WHEREAS, All purchases shall be made by formal purchase order on an as-needed basis; and

WHEREAS, Sufficient funding for these purchases exists in the 2013 Budget of the Rockland County Highway Department in Account No. 5110.4460 and is contingent upon 2014 budget appropriations; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the purchases in excess of \$100,000 from Highway Rehabilitation Corp., 2258 Route 22, Brewster, New York 10509, of asphalt bituminous, hot-in-place, heat and scarifying material under RFB-RC-2012-027 in an additional amount not to exceed \$750,000 for the period from April 18, 2013 through April 17, 2014, and in a total amount not to exceed \$1,350,000 for the full period from April 18, 2012 through April 17, 2014, and authorizes all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2013 Budget of the Highway Department in Account No. 5110.4460 and is contingent upon 2014 budget appropriations.

Introduced by:

Referral No. 7300

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

**RESOLUTION NO. 203 OF 2013
AUTHORIZING AND DIRECTING THE
CLERK TO THE LEGISLATURE TO ADVERTISE FOR BIDS
FOR THE CONSTRUCTION OF THE
HYDRAULIC ELEVATORS AT THE
EUGENE J. GROGAN CORRECTIONAL CENTER
CAPITAL PROJECT #1468
[DEPARTMENT OF GENERAL SERVICES – FACILITIES MANAGEMENT]**

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

WHEREAS, The Legislature of Rockland County authorized the design and construction of the Correctional Center Hydraulic Elevators renovation under Capital Project # 1468; and

WHEREAS, Plans and specifications for this project have been prepared by the Greenman-Pedersen, Inc.; and

WHEREAS, The Commissioner of General Services and the Director of Facilities Management recommend to the County Executive and the Legislature of Rockland County that the Clerk to the Legislature be authorized and directed to advertise for bids for the construction of the Hydraulic Elevators at the Eugene J. Grogan Correctional Center; and

WHEREAS, Funding for this project is provided in Capital Project #1468; 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 Clerk to the Legislature is hereby authorized and directed to advertise for bids for the construction of the Correctional Center Hydraulic Elevators at the Eugene J. Grogan Correctional Center, subject to the approval of the County Attorney; and be it further

RESOLVED, That funding for this project is provided in Capital Project #1468.

Introduced by:

Referral No. 7300

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

**RESOLUTION NO. 204 OF 2013
AUTHORIZING AND DIRECTING THE
CLERK TO THE LEGISLATURE TO ADVERTISE FOR BIDS
FOR THE CONSTRUCTION OF THE JAIL SECURITY IMPROVEMENTS FOR
PERIMETER SECURITY FENCING AT THE EUGENE J. GROGAN
CORRECTIONAL CENTER CAPITAL PROJECT # 1456
[DEPARTMENT OF GENERAL SERVICES – FACILITIES MANAGEMENT]**

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

WHEREAS, The Legislature of Rockland County authorized the design and construction of the jail security improvements for perimeter security fencing at the Eugene J. Grogan Correctional Center; and

WHEREAS, Plans and specifications for this project have been prepared by the Degenshein Architects; and

WHEREAS, The Commissioner of General Services and the Director of Facilities Management recommend to the County Executive and the Legislature of Rockland County that the Clerk to the Legislature be authorized and directed to advertise for bids for the construction of the jail security improvements for perimeter security fencing at the Eugene J. Grogan Correctional Center; and

WHEREAS, Funding for this project is provided in Capital Project #1456 and

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

RESOLVED, That the Clerk to the Legislature is hereby authorized and directed to advertise for bids for the construction of the jail security improvements for perimeter security fencing at the Eugene J. Grogan Correctional Center; subject to the approval of the County Attorney; and be it further

RESOLVED, That funding for this project is provided in Capital Project #1456.

Introduced by:

Referral No. 8894

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

**RESOLUTION NO. 205 OF 2013
 APPROVING ACCEPTANCE OF CONTINUATION GRANT
 IN THE AMOUNT OF \$65,952 (NCTD) FROM THE NEW YORK STATE
 DEPARTMENT OF HEALTH TO HELP SUPPORT THE EARLY INTERVENTION –
 CHILDREN WITH SPECIAL HEALTH CARE NEEDS (CSHCN) PROGRAM,
 WITH AN ESTIMATED COST-OF-LIVING ADJUSTMENT (COLA) AWARD
 OF NO MORE THAN \$6,594, MAKING TOTAL GRANT AMOUNT
 TO BE APPROPRIATED \$72,546 (NCTD),
 FOR THE PERIOD OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2014
 AND AUTHORIZING EXECUTION OF ALL NECESSARY
 GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
 [DEPARTMENT OF HEALTH]
 (\$72,546)**

Mr. Grant offered the following resolution, which was seconded by Mr. Earl, 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 the New York State Department of Health has awarded the department a \$65,952 continuation grant to help offset various Department of Health (Dept. 4010) personnel costs incurred in support of the Early Intervention - Children with Special Health Care Needs (CSHCN) Program, with an estimated Cost-of-Living Adjustment (COLA) award of no more than \$6,594, making the total grant to be appropriated \$72,546, for the period October 1, 2012 through September 30, 2014; 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 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 \$65,952 to help offset various Department of Health (Dept. 4010) personnel costs incurred in support of the Early Intervention - Children with Special Health Care Needs (CSHCN) Program, with an estimated Cost-of-Living Adjustment (COLA) award of no more than \$6,594, making the total grant to be appropriated \$72,546, for the period October 1, 2012 through September 30, 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 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 - 2013

Increase Approp. Acct. (Credit):

A-DOH -4045 -E4098	Services from Other County Depts.	
65,952		
	-E5060 Program Costs	6,594

Increase Est. Rev. Acct. (Debit):

A-DOH -4045 -R4489	Federal Aid - Health	72,546
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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. 6546

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

**RESOLUTION NO. 206 OF 2013
APPROVING THE EXTENSION OF AND AMENDMENT TO
THE AGREEMENT IN EXCESS OF \$100,000 WITH PHARMACISTS NOW, INC.
TO PROVIDE TEMPORARY LABOR SERVICES AND MEDICAL SUPPORT
STAFFING TO VARIOUS DEPARTMENTS OF THE COUNTY
ON AN AS NEEDED BASIS UNDER RFP-RC-2011-018
EXTENDING THE TERM OF THE AGREEMENT
FROM FEBRUARY 15, 2013 THROUGH FEBRUARY 14, 2014
AND INCREASING THE AMOUNT OF THE AGREEMENT BY \$70,000
FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$145,000
FOR THE FULL PERIOD
FROM FEBRUARY 15, 2012 THROUGH FEBRUARY 14, 2014
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$145,000)**

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

WHEREAS, The Director of Purchasing issued RFP-RC-2011-018 (the "RFP") for temporary labor services and medical support staffing for various Departments of the County on an as needed basis; and

WHEREAS, Over one hundred (100) vendors were sent notification of the RFP, fourteen (14) vendors submitted proposals and the RFP was awarded to ten (10) vendors including Pharmacists Now, Inc., 150 White Plains Road, Tarrytown, NY 10591, to cover all of the positions that may be required by the various Departments of the County; and

WHEREAS, On May 18, 2012, the County entered into a one (1) year contract with Pharmacists Now, Inc. in the amount of \$75,000 for the period from February 15, 2012 through February 14, 2013; and

WHEREAS, Pharmacists Now, Inc. has been requested to supply a pharmacist; and

WHEREAS, The Department of Hospitals has determined that it is in its best interest to continue contracting with the same pharmacist as a new pharmacist would require training in County policies and procedures, and there is limited staff available to provide training at this time; and

WHEREAS, The overall cost of this contract may be greater or less than the requested amount and shall be dependent on the amount of hours required by the Department of Hospitals; and

WHEREAS, Pharmacists Now, Inc. has agreed to renew this contract for the first option year at current contract prices even though the Consumer Price Index (CPI) – All Urban Consumers increased by 1.8% for the past twelve (12) months, resulting in an additional savings of \$1,260; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the extension of and amendment to the agreement in excess of \$100,000 with Pharmacists Now, Inc., 150 White Plains Road, Tarrytown, NY 10591, to provide temporary labor services and medical support staffing to various Departments of the County on an as needed basis under the RFP, extending the term of the agreement from February 15, 2013 through February 14, 2014 and increasing the amount of the agreement by \$70,000 for a total contract sum not to exceed \$145,000 for the full period from February 15, 2012 through February 14, 2014; and

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

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

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

WHEREAS, The 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 extension of and amendment to the agreement in excess of \$100,000 with Pharmacists Now, Inc., 150 White Plains Road, Tarrytown, NY 10591, to provide temporary labor services and medical support staffing to various Departments of the County on an as needed basis under RFP-RC-2011-018, extending the term of the agreement from February 15, 2013 through February 14, 2014 and increasing the amount of the agreement by \$70,000 for a total contract sum not to exceed \$145,000 for the full period from February 15, 2012 through February 14, 2014, and hereby authorizes the County Executive to execute the extension/amendment, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2013 Budget of the Hospitals Department and is contingent upon 2014 budget appropriations.

Introduced by:

Referral No. 3977

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

**RESOLUTION NO. 207 OF 2013
APPROVING THE SUBMISSION OF THE
CONSOLIDATED/ACTION PLAN FOR FY2013
TO THE U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT AND APPROVING
EXECUTION BY COUNTY EXECUTIVE
OF ALL NECESSARY INSTRUMENTS AND DOCUMENTS
(NO COUNTY TAX DOLLARS)
[OFFICE OF COMMUNITY DEVELOPMENT]
(\$4,672,876)**

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

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

WHEREAS, Each member of the Consortium has signed a Cooperation Agreement for the program years, 2012, 2013 and 2014 with the County of Rockland to apply for said Community Development funds for said program years and to carry out Community Development activities, and

WHEREAS, The total population of the Consortium communities exceeds 200,000 people, hereby enabling the County of Rockland to apply for said funds as an "Urban County," and

WHEREAS, The County of Rockland has been advised by HUD that its Community Development allocation for the Program Year 2013 will be approximately \$4,700,000 (Funds for the HOME program and the Emergency Solutions grant are being accepted by separate resolution due to the need for County contribution); and

WHEREAS, It is necessary, in order to obtain the funds, that the County Executive execute and submit to HUD the County's Consolidated/Action Plan for FY2013 (a copy of which is attached as "Schedule A"), and

WHEREAS, It is necessary, in order to implement the Plan and its projects, that the County Executive execute on behalf of the County of Rockland various instruments and documents for each project, including but not limited to, a "Variable/Fixed Rate Note" and a "Contract for Loan Guarantee Assistance Under Section 108 of the Housing and Community Development Act of 1974, as Amended;" and

WHEREAS, The Consortium communities have authorized the activities to be included in Rockland County's submission for Program Year 2013, and

WHEREAS, No County funds are required for this program, 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 hereby approves the execution and submission by the County Executive of the County's Consolidated/Action Plan for FY2013, as recommended by the County Consortium, to the U.S. Department of Housing and Urban Development (HUD), and be it further

RESOLVED, That, upon approval of the County's Consolidated/Action Plan for FY2013 to HUD, the Legislature of Rockland County hereby approves, generally and pursuant to Local Law No. 18 of 1996, the execution by the County Executive of the grant agreement and of any and all necessary instruments and documents with respect to the federal funds in furtherance of the Plan submission and program, subject to the approval of the County Attorney, and be it further

RESOLVED, That, upon approval of the submitted Consolidated/Action Plan for FY2013 by HUD and upon execution of the grant agreement by the County Executive and by HUD, the Commissioner of finance of the County of Rockland be and is hereby authorized, empowered and directed to establish new accounts for the FY2013 Community Development funds.

**CONSOLIDATED/ACTION PLAN
COUNTY OF ROCKLAND, FY2013**

The County of Rockland has submitted to the United States Department of Housing and Urban Development a five-year consolidated plan for the years 2010-2014. The County is required to submit its FY2013 Action Plan and Certifications as part of the five-year Consolidated Plan process. The County is estimating funding of \$1,905,744 for the Community Development Block Grant(CDBG) program, \$586,870 for the HOME Investment Partnership program, and \$163,457 for the Emergency Solutions Grant (ESG) program. The projects that are listed are projections of funding and are subject to change based on the final grant from HUD.

CITIZENS PARTICIPATION

The County of Rockland has proposed and adopted a Citizen Participation Plan that complies with Section 104(a)(3) of the Housing and Community Development Act of 1974. The Citizen Participation Plan is included with the Rockland County Consolidated Plan 2010-2014.

Said plan provides and encourages citizens to participate in the development of the Consolidated Plan, Action Plan and in the Consolidated Annual Performance Evaluation Report. Particular emphasis was made to encourage participation by low and moderate-income residents and to those that reside in the area of where the projects will be proposed. Also taken into consideration were the views of minorities and non-English speaking persons and those with disabilities. The county also included outreach to Faith-Based Organizations. Public hearings were held in each of the consortium member communities.

RESOURCES

The Rockland County Office of Community Development required all potential applicants for funding through any of the Entitlement Programs to attend a workshop. The workshops were offered over a 5-month period from August through the end of the application submission deadline of January 31, 2013. Through this process, over 30 not-for-profit agencies and 15 of the 22 Towns/Villages attended. The workshops included extensive training on each of the Entitlement programs and included reach-out on community needs. Meetings were also held with members of the consortium communities, and with two designated CHDO's, Rockland Housing Action Coalition, and Joseph's Home. Additional meetings were held with the Legal Aid Society of Rockland, the Rockland Family Shelter (DV), and the Community Outreach Center. Meetings were also held with several other Rockland County departments to include the Department of Social Services, The Department of Health, The Department of Mental Health, and the County Executive.

The County of Rockland received 57 applications for Entitlement funding requests for a total of \$4,011,417 as a result of these meetings and workshops.

Through the selection process, the Office of Community Development scored each project using six scoring criteria's that the consortium has had in place, to include geographical distribution. Additional weight was given to applications that completed the citizen's participation process following the Citizen's Participation Plan. Subsequent meetings with two representatives of the consortium, a town supervisor and a village mayor lead to the final selection of the projects to submit as part of the Action Plan.

The County of Rockland will receive as an entitlement \$1,905,744 in CDBG funds, \$586,870 in HOME funds, \$163,4570 in ESG funds and will earn \$15,487.00 in Program Income from CDBG Investor loans this year. The loan, from 1995 and refinanced in 2002, is a 20-year loan through a CDBG rehabilitation program. The remaining loan is current in payments. The loan is:

Carpenters and Joiners	
Original loan:	\$232,707.45
Monthly payment:	\$ 1,290.59
Payments remaining	115
Balance remaining	\$148,417.85

The results of the input received indicated the following uses of the CDBG, HOME, and ESG funds in Rockland County:

OBJECTIVES AND ACTIVITIES

OBJECTIVES

All objectives are outlined in the 2010-2014 Rockland County Consolidated Plan submitted on May 15, 2010 and a copy is available through the Office of Community Development or on-line at <http://rocklandgov.com/departments/community-development/reports>.

HOUSING OBJECTIVE

Affordable housing in the county continues at levels that border on a crisis. Fewer funding opportunities exist. Many Low/Moderate residents, volunteers, and senior citizens cannot find housing that sells in the price range they can afford. L/M renters, specifically those on the Housing Choice Voucher Program find it very difficult to find apartments that rent within the FMR established for the county. Although the problem of finding affordable housing is well documented in the local press on a regular basis, few, if any, consortium communities have stepped forward to sponsor local projects. The Not-In-My-Back-Yard (NINBY) syndrome is ever prevalent.

It is the county's objective to provide as many affordable housing opportunities as possible. Several senior affordable housing projects have been built over the last 8 years; however, the rents established as part of the Low Income Housing Tax Credits are too high for local seniors to afford. Several communities are now looking at how they can control the rents at senior housing developments to include the use of municipal owned land use for these developments.

Despite the drastic cut in the HOME Investment Partnership Program of over 40%, the County of Rockland continues to place an emphasis on affordable housing for the low/moderate residents. Affordable housing remains rated the highest priority in our Consolidated Plan 2010-2014. The Median Income for the county is \$105,400 for 2012. The county is however still tied to New York City with the Fair Market Rent Limits, placing a great burden on those receiving rental assistance and limiting their success in finding apartments to several areas of the county.

The County of Rockland has identified senior citizens, First Responders (emergency service volunteers), and Human Care Providers, as populations in need of affordable housing units, both rental and for-sale. These populations provide services to the local communities, but due to the extreme cost of housing, cannot afford to remain in the county.

ACTIVITY

Tenant Assistance Program

From the HOME funds, the county will continue to use a substantial portion of our funds, \$102,183.00 for a tenant based rental assistance program and a tenants assistance program. This program mirrors the Housing Choice Voucher program in criteria and assists a growing population in need of help. The Office of Community Development will utilize HOME Vouchers for programs through the Rockland Family Shelter and the Office of Community Development. The program gives these individuals the opportunity of assistance for a maximum of two years. The program will require assisted families to pay the Total Tenant Payment in accordance to Section 8 Housing Choice Voucher Program regulations. The program also assists people that are on subsidized housing programs to receive security and utility deposits.

Homeownership

Despite rising housing costs, the county will continue the Homebuyer Loan Assistance program with a few changes. The Homebuyer Loan Assistance program will assist families with the lower of \$7,500 or 5% of the contracted purchase price for down payment and closing costs. The administrative policy for this program also limits the amount of funds a borrower can receive in gifts from family and friends as well downpayment. The Office of Community also limits the maximum downpayment a borrower can place, as the program is geared towards families needing to close a gap in their financing. Several clients over the last two years have been placing large downpayment to avoid Private Mortgage Insurance and have not needed the funds to close a gap, but rather to reduce their payments.

The county will allocate \$125,000.00 to assist Rockland County residents in purchasing their first homes. To date the county has funded over 265 new homeowners with this program, and works with several not-for-profits in securing lower interest loans, private funding, and grants from state agencies to match the HOME dollar amount as well as the assisting with the homebuyers.

Homeownership Training

HACSO

Home Buying Workshop teaches program participants about the true cost of buying a home and how to get the best mortgage to finance their purchase. It also provides an overview of the home-buying process from searching for a home to the final closing, improve their budget and credit profiles, how to maintain their home after purchase, learn about local, state, federal programs that are available for first time homebuyers and how to avoid predatory lenders and other scams. Individual counseling is also provided. Workshops are presented 10 times a year and serve 50-70 participants per workshop. The program also partners with HSBC and M&T bank to offer potential homebuyers the opportunity to join the first home club for additional down payment assistance in addition to access down-payment assistance from the county federal assistance program.

Homeowner Rehabilitation

There are currently 2 programs in the county that perform Owner Occupied Rehabilitation. The Hillburn Housing Development Corp. runs a program open to residents of the Village of Hillburn, while Rockland Community Development Council (RCDC) offers a countywide Weatherization program. RCDC received funding through New York State Homes and Community Renewal to assist families, while Hillburn received a HOME program grant in 2003 and 2004 to assist with sewer connections and housing rehabilitation. The Office of Community Development is reintroduced the Owner Occupied Rehabilitation program in July 2011 offering homeowners \$25,000.00 for alleviating HQS and local code issues. A program description is in more detail in Schedule H, Administrative Policies and Procedure. This year RCOCD will fund the Rockland Independent Living Center to carry out the activities of the Owner Occupied Rehabilitation program on behalf of Community Development. The program will continue to follow the Administrative Policies and Procedures of RCOCD.

The county has funded the RESTORE program through the Village of Spring Valley several years (2005) and are still spending the funds. The program matches New York State Homes and Community Renewal RESTORE funds and is eligible to those 60+ and meeting the income eligibility of the CDBG program. The program currently still has about two-years of funding available for use and therefore will not receive additional funds this year, but will consider each potential applicant as a possible match of funds through the Homeowner Rehabilitation program, as long as the application meets all HOME program requirements.

Community Housing Development Organization (CHDO)

The Office of Community Development is in the final stages of having two new CHDO's approved, HACSO and the Rockland Independent Living Center (RILC). Once approved and set up through HUD, RILC will be awarded the CHDO designated 15% allocation of \$96,000 to establish a second housing rehabilitation program, this one for low-income rental units.

PUBLIC FACILITIES AND IMPROVEMENTS

OBJECTIVE

The objective of Rockland County is to assist the communities with providing excellent facilities to their residents. In the past the county has utilized CDBG funds to construct 10 community centers in 9 consortium communities and has assisted with funding. The county recognizes the need for these facilities and has increased efforts to assist towns, villages and not-for-profits.

ACTIVITY

Village of Suffern Business District Revitalization - \$85,000

The Suffern Business District Revitalization Project is a program to rejuvenate approximately 25 building facades over a five-year period. Thus far, CDBG monies have been used for start-up and mobilization of the program and to rejuvenate 10 building facades (currently in process, two are near completion). 2013 CDBG funds will be used to rejuvenate 5 additional building facades.

Village of Haverstraw Comprehensive Sidewalk Program - \$85,000

The Comprehensive Sidewalk Replacement Program continues the Village's efforts to rehabilitate its decaying infrastructure. In the past 6 years, the Village has resurfaced 32 of the Village streets and the sidewalks on 7 streets through the combined resources of CDBG, budgetary appropriations and bonding. In 2013 sidewalks will be installed on Hudson Avenue, West Broad Street, Division Street, Grant Street and Archer Street.

Village of Spring Valley Curb and Sidewalk Program - \$80,000

Funding will be used for roadway paving and curb and sidewalk improvements. Project locations include the paving of Kennedy Drive and curbs and sidewalks on Washington Street and East Castle Avenue.

Town of Haverstraw Shoreline Seawall and Jetties at Bowline Point Park - \$80,000

Funding will be used for a proposed project that will consist of a Seawall with construction of jetties to secure the shoreline at Bowline Point Park. The project will help protect all existing infrastructure at the park that is used by thousands of people during the course of each year.

Village of West Haverstraw Peck' Pond Parking Area Improvements - \$80,000

The parking area at Peck's Pond Park requires renovation. Phase IV of a five-year plan, will address the installation of sidewalks and drainage to improve the safety of park patrons.

Town of Ramapo Old Nyack Tpke. Sidewalk Project - \$60,000

The project will consist of the installation of almost 3,000 linear feet of concrete curb and sidewalk in an area primarily populated by low/moderate-income residents.

Town of Stony Point RHO Building Accessible Restroom Project - \$50,000

Funding will be used for the removal of architectural barriers at the RHO Building. The present bathrooms will be modified to create ADA and ANSI compliant men and women's bathrooms.

Village of Kaser Kaser Terrace Improvements - \$50,000

To improve the public's safety the Kaser Terrace Road and sidewalk will be replaced. This project will include restoring new curbs and sidewalks, removing utilities that lie on the walk and disturb the use of the sidewalk, mill and repave the roadway, during this construction the sidewalk will be relocated to remove it from the private property on which it exists.

South Nyack Franklin Street Park Restroom Project - \$48,000

Funding will complete the Franklin Street Park Restroom Project. The restroom will serve users of the park, the Esposito Trail, and the Villages small commercial strip just south of Cedar Hill Avenue on Franklin Street.

Town of Clarkstown – MiniTrans Vehicle - \$35,000

The Town currently has a fleet of 12 buses of which 3 are dedicated to senior citizen services (bus#8, 11 and 16). An additional bus would be beneficial as interest in using the bus program continues to expand. These buses provide:

- Door to door transportation for all the Senior Clubs meeting from Monday through Friday; and special events over the weekends.
- Transportation to all the local supermarkets from senior complexes with carry-in bag service.
- Rides from the senior complexes to the monthly senior dance/socials organized by the Recreation and Parks Department.

Town of Clarkstown Accessible Pedestrian Signals and Detectors - \$30,000

The Town of Clarkstown will install audible pedestrian signals and detectors with tactile arrows and locator tones at the intersection of Squadron Boulevard and North Main Street, New City. The audible signals, detectors, locator tones and tactile arrows will facilitate the safety of visually impaired pedestrians; the count down timer displays will facilitate elderly pedestrians and the community at large and is a requirement of the NYS DOT.

Town of Ramapo Harry Reis Park Walkway - \$28,000

The proposed project is for the installation of a 5-foot wide macadam walkway, approximately 933 feet in length, within the Harry Reis Park along Blauvelt Road. The walkway will provide residents with an adequate walking path through the park.

Village of Hillburn 5th Street Sidewalk Improvements - \$10,000

Funding will replace section of sidewalk that has deteriorated making it dangerous for senior and handicapped residents. The sidewalk is used by residents who utilize the community room, including the Hillburn Senior Citizens Club who holds meetings there twice a month.

SPECIAL ECONOMIC DEVELOPMENT ACTIVITIES**OBJECTIVE**

The county's objective is to assist the town and villages in their economic rebirth through economic stimulus. Improvements to lighting, streetscapes, facade, and other related programs have assisted in attracting new businesses and business expansions over the last four years. Business loans for the creation of L/M job creation and retention has emerged as a priority to assist in this rebirth.

ACTIVITY**Rockland County – Economic Development Assistance**

The intent of this program is to offer technical assistance to small to medium sized business that need a business borrowing plan. The business must be involved in an economic impact in the county of Rockland and project one of the following: creating low-income jobs or retaining low-income jobs.

A business-borrowing plan must be for a credit line, term loan, AR financing, asset based financing, equipment leasing, purchase order financing, contract financing, real estate financing or business financing.

PUBLIC SERVICES**OBJECTIVE**

The objective of the county is to assist with vital services to the consortium communities through programs that assist many L/M residents. The past eight years the county has expressed to the consortium members to seek more public service projects and now receives requests that are more than triple the 15% program cap. Historically the county has funded slightly under the 15% program cap.

ACTIVITY

Of the 22 applications received for request of funds that met eligibility, 13 were funded with a total estimate of \$197,400.00. This figure represents nearly the 10.3% public service projects cap. Several projects have received support in the past and have received funding again this year. The County also funded 4 new public service projects this year.

Legal Aid Landlord Tenant Advocacy /Security Deposit Programs - \$36,000

Landlord Tenant Advocacy Program - The purpose of LTAP is to prevent homelessness of families and individuals by providing legal representation in eviction proceedings. The Legal Aid Society of Rockland (LASRC) has always focused upon eviction representation as a sure fire way to ensure families remain stable in their current shelter and that evictions, and the resultant homelessness, with all of its disruptive consequences are avoided. Eviction and homeless prevention have become even more crucial over the years as the scarcity of decent affordable housing for low and moderate-income families has become a critical issue in Rockland County.

Security Deposit Assistance Program – One of the main impediments to a tenant's ability to move in, or, on occasion remain in his or her current dwelling is the lack of security deposit funds.

Community Outreach Center Safety At All Times Program - \$25,000

1. "Safety At All Times" will allow the Community Outreach Center (COC) to hire a safety coordinator to collaborate with the Ramapo Police Department to arrange and present a kid-friendly safety slide presentation to be viewed by thousands of private school children at their respective school sites. COC's sister affiliate, the Community Education Center (CEC), provides education services to nearly 50 private schools representing over 21,000 children, offering COC direct access into the many private schools. The slide presentation will emphasize safety issues pertaining to schoolchildren including:
 - importance of wearing reflective belts when walking
 - bus safety rules
 - bike helmet safety
 - strangers

2. COC proposes to distribute and properly install car seats to local low-income residents. COC will employ a NYS certified technician by SafeKids Worldwide who install the car seats in vehicles free of charge. The technician will educate the recipients of the importance of installing car seats properly.

3. "Safety At All Times" will promote safety education at COC's annual Safety Awareness Day. The first Safety Awareness Day will be conducted in the Town of Ramapo where low-income residents will receive bi-lingual education information in English and Yiddish on helmet safety. COC employees will assist in distributing and properly fitting helmets to participants free of charge. The second Safety Awareness Day will be conducted in the Village of Haverstraw in conjunction with The Rockland County Health Department and The Haverstraw WIC office, where low income residents will receive bilingual education information in English and Spanish on helmet safety.

Rockland Jewish Family Service Senior Support Network - \$20,000

The Senior Support Network of Rockland Jewish Family Service has been developed to meet the ever-changing needs of the aging population of Rockland County. The Senior Support Network has been designed to enable older adults to age in place safely. This is achieved through in-home assessment, development and implementation of mutually agreed upon individual care plans, supportive counseling services for seniors and family members/caregivers, and psycho educational groups.

Arts Alliance of Haverstraw Arts Ablaze Program - \$18,000

Year round and weekend programs provide an opportunity for youth ages 5-18 to gain access to engaging and educational programming in the fine, performing and culinary arts via spring, summer and fall sessions that typically run 8-10 weeks per session, plus additional workshops, exhibits and performances. All programs are carried out by our professional staff and provide a positive alternative to delinquent behavior, viable career paths and exposure to multicultural activities. In 2013-2014 the Arts Alliance will offer new services through our arts "cross-training" program, combining different art forms. This will provide more interaction among young people, creating positive social interaction and it should also attract new participants.

A.C.T. Academic Academy - \$15,000

The Academic Academy program aims to: improve reading comprehension, written and oral communication and leadership skills by using theme based projects and activities that are creative and fun; also, to build protective factors such as; providing supportive networks and social bonds, involving youth in community service. Program is offered after school when targeted population is usually unsupervised and without homework assistance. Participants are elementary and middle school students who are at risk for academic failure due to poor reading scores and few role models advocating for academic achievement.

Konbit Neg Lakay HHA/CNA Program - \$15,000

This program is designed for individuals who have an interest in health care careers and would like dual training as Home Health Aides and Certified Nurse Aides. It prepares students to take and pass the New York State certification examination and for registration on the New York State Home Care Registry. This New York State approved program covers the basics of personal care for the elderly and homebound, and patient care for those in nursing homes, assisted living centers, and hospitals. Students are required to successfully complete two supervised clinical work experiences.

R.O.D.A. Youth Counseling Program - \$12,000

Funding will be used to hire counselors for family crisis counseling, and counseling for troubled youth/adults.

West Street CCLC Summer Enrichment Program - \$10,000

The Summer Enrichment Program will provide summer activities for low/moderate income children through field trips, cultural events, arts and crafts, swimming and literacy enrichment. Children aged 6 – 12 years will be exposed to a rich, nurturing environment with qualified staff and three daily nutritious meals served family style.

Spring Valley Housing Authority Family Stabilization Program - \$10,000

The Neighborhood Stabilization Program will provide coordinated services and activities for both family and senior households living in public housing. The key functions will be to identify existing programs and activities that will assist and improve the lives of all residents. Continued utilization of computer resources and skill activities, boys and girls circles, and housekeeping education. The core goal is to develop independent contributing residents and citizens.

Literacy Volunteers Civics and Citizenship Adult Literacy Program- \$10,000

With funding, Literacy Volunteers of Rockland County will offer three learning opportunities for residents of Rockland; one US Civics for Immigrants class, targeting low-income, non-English speaking adults with low literacy in their home language(s); two Citizenship Preparation classes wherein legal residents will hone their English and knowledge of American civics and society in order to pass the U.S. Citizenship test; and one small-group class for more advanced students concentrating on preparation for obtaining a GED.

Meals on Wheels Homebound Meal Delivery Program - \$10,000

The Homebound Meal Delivery program provides one or two nutritionally balanced meals delivered daily with the care and personal touch of volunteers to the homes of those unable to provide for themselves. An on-staff registered dietician plans and purchases food for meals that adhere to individual dietary restrictions. As part of the Homebound program, the agency aims to provide shelf stable food delivered to the homebound for emergency use. In the event of predicted inclement weather, volunteers will deliver these shelf stable meals in the event a future delivery cannot be made.

People to People Weekend Backpack Program- \$8,400

The Weekend Backpack Program will provide low-income children with nutritional foods for the weekends when they do not receive free or subsidized meals at school. The identified children participate in after-school programs at the Nyack Center and the Haverstraw Center; children who normally receive free/reduced lunch at school, but who may not have access to sufficient food when school is not in session. Each Friday during the school year, People to People will provide Weekend Back Pack packages of easy to prepare and nutritious food so they have food to eat over the weekend. Packages will be assembled using the Regional Food Bank's guidelines of foods for the Backpack program and will be delivered to the Centers each Friday to be discreetly placed in the children's backpacks.

Chiku Awali African Dance Music and Culture Program - \$8,000

African dancing and drumming classes, and a rites of passage cultural program that includes African storytelling is proposed with an increase in the number of participants by 25% and an expansion of the program to include a field trip to a production of Alvin Ailey or Dance Africa, two world famous dance companies. The project gives low to moderate-income residents the opportunity to participate in art and cultural forms that increase confidence, self-efficacy, discipline, teamwork, and to see an artistic performance that is not otherwise available to the target population. The rites of passage component offers training in life skills such as etiquette, dating, public speaking, college preparation, etc. It is designed to thwart gang violence and give youth positive alternatives that lead to healthy lifestyles. Dance and drumming gives low and moderate income families the opportunity to participate in activities together. Classes provide physical activities for a healthy lifestyle. The project shares African culture with the community thereby promoting diversity and tolerance. It is a bridge to the past for African Americans and an offer of comradery for all other cultures in Rockland County.

SPECIAL NEEDS/ HOMELESS AND HIV/AIDS**OBJECTIVE**

The objective of Rockland County is to assist the housing needs of all sub populations in the special needs category. The county is experiencing a growing number of residents with special needs specifically in our aging and disabled population. In some of these cases they currently have housing but it is becoming more expensive to remain there and many require expensive care. In other cases, particularly with disabled residents, there just are not enough assessable housing units available in the county.

ACTIVITY

The county has stepped up efforts to assist those living in special needs housing through the Office of Community Development. Outreach to all facilities funded through New York State and The United States Department of Housing and Urban Development has led to many community meetings. Much of the follow-up work has been to get property owners and managers to meet the wishes of those residents. Site inspections have lead to several consumer complaints that have been addressed immediately by property management.

Although this is a positive for the county, several meetings held with all of the homeless providers in the county, now shows a lesser need than originally expected. The county, with the help of several not-for-profits, is continuing to seek additional federal and state funding for these needs, however.

Supported Housing

In a partnership with the RCOCD, the Department of Social Services and Legal Aid Society of Rockland, Inc., through funding from the HOME Investment Partnership Program a renewal of the Supportive Housing Grant will be able to continue to assist 10 battered women and their families with Tenant Based Rental Assistance. The program was established due to the hardship many victims of the battered women's shelter faced while seeking safe housing.

The Office of Community Development was awarded a new Supportive Housing Grant to assist 10 homeless families with permanent housing opportunities for disabled. The grant will utilize the same partnership with the RCOCD, the Department of Social Services and Legal Aid Society of Rockland, Inc., providing case management and other services.

HMIS

In May 2002, the county launched its work on implementing the Homeless Management Information System (HMIS). The system tracks the county's homeless population and provides services and referrals. A vendor, Foothold Technology was selected and the program implemented in July 2003. Full implementation has been completed as the Rockland County Continuum of Care sought \$220,000.00 and was funded in the FY2005 Continuum of Care and renewed every year since for \$74,000.

PLANNING AND ADMINISTRATION**OBJECTIVE**

The county expends funds for administration from each of the three entitlement grants (CDBG, HOME, ESG) to operate all programs. The County requests those consortium communities seek funding for planning from other sources, preferring to fund final projects and not planning studies that may have no action taken.

ACTIVITY

The planning and administration fees related to the operation of the Community Development Block Grant Program is 20% or \$377,734.00, for the HOME program is 10%, or \$58,687.00, and for the Emergency Solutions Grant is 7.5%, or \$12,250.00. The Rockland County Office of Community Development also receives \$761,100.00 in administrative fees for serving as the Local Administrator for the New York State Division of Homes and Community Renewal's Housing Choice Voucher Program.

SECTION 108 LOAN GUARANTEES**OBJECTIVE**

The county remains very active in the Section 108 Loan Guarantee program. To date 14 applications have been submitted and approved with requests totaling \$17,850,000.00. The county utilizes the Section 108 Loan Guarantee program as a tool to develop larger scale projects that would potentially receive CDBG assistance and in fact usually receives a commitment of future funds. The major benefit of the program is the ability to get funding for a major project, at reasonable interest rates and have the project started within a relatively short time frame. The first two of the county's Section 108 loans have closed and have been paid back.

ACTIVITY

The county has 14 approved Section 108 Loans and 11 current loans with the United States Department of Housing and Urban Development. The County of Rockland has reached the borrowing capacity permitted by the program and therefore will not be seeking any further 108 Loans. The repayment obligation for the loans from the County of Rockland is \$605,000.00 for FY2013. The projects are:

1. Haverstraw EDI approved, funded, and repaid for \$1,000,000.00 - The Martin Ginsburg waterfront development project. This loan is coupled with a \$500,000.00 grant and the developer used the funds for site acquisition. Full repayment was made by MGD.
2. Haverstraw BEDI approved, funded, and repaid for 1,400,000.00 - The Martin Ginsburg waterfront development project. This loan is coupled with a \$700,000.00 grant and the developer used the funds for site acquisition. Full repayment was made by MGD.
3. Jawanio Katzen School Renovation approved, funded, and repaid for \$900,000.00. Jawanio will be utilizing the funds to renovate the Katzen School facility to a day treatment and day care facility for developmentally disabled children. This project will create 30 new Low/Moderate income jobs. The county will repay \$400,000.00 of this loan over a 2-year period from future CDBG awards. A previous CDBG award of \$250,000.00 was made for this project, bring the county's total to \$650,000.00.

A problem occurred with the security position. Both HUD and the County Industrial Development Agency require the 1st position. Jawanio withdrew the 108 as a result. The county still provided the \$400,000.00 in CDBG.

4. Kaser Pascack Brook Improvements - approved and funded for \$785,000.00. The Village of Kaser will utilize the funds to make water and drainage improvements on a parcel of land adjacent to the proposed community center. The county will repay the entire loan to include interest over a ten-year period. A previous award of \$215,000.00 from CDBG will also go toward the overall project, bringing the commitment to \$1,700,000.00. The project is completed.
5. Rockland ARC Therapeutic Pool - approved for \$941,000.00. Rockland ARC will construct a therapeutic pool for the developmentally disabled on Phillips Hill Road. The county's commitment is for \$600,000.00 plus interest over 10 years from future CDBG awards. The project is completed.

6. Headstart of Spring Valley – approved for \$2,400,000.00. Headstart will construct a 25,000 square foot school on the former Bernard property in the Village of Spring Valley. The county's commitment is for \$1,500,000.00 plus interest over 10 years. This is the largest commitment made but the overall project merits the use of future CDBG funds. The project is completed.
7. Camp Venture Day Rehabilitation Center – approved and funded for \$450,000.00 – Camp Venture is purchasing the Sparkill Mason Lodge and converting it to a day rehabilitation center. A previous CDBG award for \$100,000.00 will assist in the purchase/renovation. Camp Venture will repay the entire loan. The project is completed.
8. Community Outreach Center – approved and funded for \$800,000.00 for the construction of a community center. The agency has determined a location and is waiting for the purchase of the site from the Town of Ramapo. A recent request for a 1-year extension of the loan was submitted to HUD and approved. Environmental studies are now complete and a request for the release of funds submitted. The property was acquired in October 2008 and construction is expected to start in mid 2012.
9. Spring Valley Headstart Park – approved for \$1,704,000.00 for the construction of a public recreational park in the Village of Spring Valley. The park, coupled with the Headstart Early Childhood Center and several affordable housing projects is assisting in the revitalization of the neighborhood. The project is completed.
10. Rockland Family Shelter – Approved for \$1,360,000.00. A not for profit corporation serving battered women, the Rockland Family Shelter is borrowing funds to acquire and renovate an existing building to be used as their main offices and will allow the RFS more space for existing services and expansion of programs. The project is completed.
11. Sapounas Inc. – Approved for \$800,000.00. Sapounas Inc. is seeking the loan to construct a 9000 square foot retail marketplace in the Village of Nyack, New York. The market will be a uniquely service-oriented marketplace specializing in quality groceries, produce, and prepared foods. The marketplace is part of an overall development that will also include 10 affordable housing apartments for the local volunteer firefighters, and a total project cost of \$4,416,000.00. The affordable housing units opened March 1, 2009. The retail market opened in March 2009. The retail market closed in September 2010 due to the downturn in the economy and most of the rental units were vacated in January based on the utilities being shut off due to non-payment. The Village of Nyack and the Office of Community Development is currently working with the owner to reestablish the property.
12. United Hospice of Rockland, Inc. – An approved application for \$500,000.00. The project is for the pre-development costs of a 10-bed hospice home. Loan proceeds will be used towards the acquisition of furnishings and equipment for the facility as well. The county funded the project in November and it is now completed.
13. Village of Nyack Streetscape Improvements - An application for \$750,000 was submitted in May 2011. The Village of Nyack will utilize the Section 108 Loan to underwrite some of the costs to construct planned streetscape improvements along Main Street in the central village from Broadway on the east to Franklin Street on the west. The streetscape improvements consist of new historic style lighting, sidewalks, curbs, curb cuts for handicapped accessibility, new crosswalks, trees and resurfacing the roadway. The project will install approximately 7,600 linear feet of sidewalk, curbing, mill and repave 3,800 linear feet of the roadbed, install 26 new historic-style lights, street furniture and plant approximately 35 trees and various plantings. The application is approved and waiting for contracts to start the work this spring/summer.
14. Rockland County Economic Development Program - The Office of Community Development was approved for \$1,867,000 from the Section 108 Loan program. The Section 108 Loan would established a new program, a for Micro-loan Program of up to \$100,000. The program started with three closings in December totaling \$230,000 and have two additional loans approved, waiting to fund as of February 2013. RCOCD submitted two new loans in February 2013 that are in review at that time.

EMERGENCY SOLUTIONS GRANT

There are major changes to the program this year with the change from the Emergency Shelter Grant to the Emergency Solutions Grant. The County has in the past and will continue to solicit proposals for use of Emergency Solutions Grant funds from the providers of services to the homeless. In the current year, the county has opted to provide the Center for Safety and Change, formally the Rockland Family Shelter, with funding to assist in the operations of a battered women's shelter, and the Legal Aid Society with funding to provide legal services to prevent evictions and provide other legal assistance as provided by the act. With the changes in the ESG program through the Hearth Act, the county is also continuing to fund an eviction prevention/rapid re-housing program to replace the Homeless Housing and Rapid Re-housing (HPRP) program funded through the American Recovery and Reinvestment Act (ARRA). The Administrative Policies and Procedures (attached) outline the level of services and qualifications for assistance.

Emergency Shelter Component (576.102)**Center for Safety and Change Emergency Residential Shelter**

The Center for Safety and Change Emergency Residential Shelter is an ongoing shelter that has been in continuous operation since 1979. Formally known as The Rockland Family Shelter, the agency recently change its name to better reflect the mission of their work. A secure facility at an undisclosed location (for security purposes), the Shelter provides battered women and their children a safe place to live while they recover from trauma of domestic violence and plan for their future safety. The only facility of its kind in Rockland County, the shelter is staffed by counselors/advocates who offer residents counseling, support, and advocacy; educate them about domestic violence and their legal rights; facilitate access to social service resources and New York State Crime Victims Board (CVB) compensation; and assist with immigration documentation and translation as necessary. Therapeutic appointments, employment and permanent housing search assistance, and recreational activities are also available to shelter residents, who are also able to meet and interact with each other for learning and mutual support. Shelter staff educates residents about the root causes of domestic violence, community programs available to assist them, and legal and medical options. Numerous volunteers from the community who contribute their time, energy, and expertise to assist the women and children in residence assist shelter staff.

Legal Aid Society of Rockland Legal Services

The Legal Aid Society of Rockland will also continue to offer free legal services to victims of domestic violence through the Family Court System and to eligible individuals and families that qualify for ESG related services.

Homeless Prevention (576.103)

Funds will be used to prevent the initial occurrence of homelessness by providing legal counsel to eligible tenants who are subject to eviction proceedings and cases will be settled by paying the rent arrears to avoid eviction.

Rapid Re-housing Assistance (576.104)

For families exiting an emergency shelter or transitional housing program listed on Rockland County's Housing Inventory Chart based on program requirements, and are unable to pay full monthly rent on an ongoing basis. A rental subsidy will be provided for no more than 24 months depending on case circumstances.

Housing Relocation and Stabilization Services (576.105)

Housing-related case management will be provided to assist families with housing relocation and stabilization services to include: rental application fees, last months rent if necessary to obtain housing for a program participant, moving costs such as truck rental or hiring a moving company, and assisting in developing a housing plan with the family and monitored by the case manager. The goal will be to insure that at the end of the supplement period the family will have the means to pay their full monthly rent.

Security/Utility Deposit and Utility payments will be available to those families who have exhausted all available benefits for security/utility deposits and utility payments will be offered assistance if they are need a deposit to secure housing or are faced with a shut off.

Short-term and Medium-term Rental Assistance (576.106)

For families facing eviction, already in the court system, who due to loss of income have rental arrears and are unable to pay full monthly rent on an ongoing basis. A rental subsidy will be provided for no more than 24 months of assistance during a 3-year period, depending on case circumstances. The subsidy amount will be determined following Section 8 HCVP guidelines.

HOPWA

The County of Rockland will utilize \$559,447 to finance a tenant based assistance program as in prior years with the client/household portion of the rent payment, plus the Department of Social Services shelter allowance for qualifying households. This leveraged financing is estimated to provide approximately \$800,000.

The County will continue to operate a tenant based assistance program with legal and counseling services, modeled after the Section 8 Housing Voucher Choice program with two modifications. The County of Rockland will also utilize funds for a second HIV/AIDS housing complex with a tenant based rental assistance program, bringing the total count of assisted persons and their families to 25.

Determination of eligibility, screening and assistance in finding suitable apartments is done through the coordinated efforts of the Department of Health. The Office of Community Development handles enrollments, recertifications, and day-to-day client services.

Tenant Based Rental Assistance (Office of Community Development)	\$447,195
Legal Services (Legal Aid Society of Rockland)	\$35,000
Client Services (Rockland County Department of Health)	\$35,000
Housing Services (Rockland County Office of Community Development)	\$42,252

The Rockland County Office of Community Development Administrative Policy and Procedure for the HOPWA program is attached as Exhibit A.

HOUSING CHOICE VOUCHER PROGRAM

The Office of Community Development is the Local Administrator for the New York State Division of Homes and Community Renewal Statewide Housing Choice Voucher Program. The program currently has 1082 vouchers and 232 families on the Wait List. The Wait list was opened for pre-applications on May 1, 2007 for a 90-day period and closed on July 31, 2007. A lottery was held for placement of 1350 pre-applications selected. RCOCD anticipates opening the Wait List in late 2013 or early 2014.

The following chart indicates the number of Housing Choice Voucher units in the county by programs and includes the number of Wait list clients. Copies of the 5-year PHA plans and Annual Plans for all of the PHA's that include all annual revisions are on file at the Office of Community Development.

The Office of Community Development holds quarterly meeting with the Ramapo Housing Authority, the Spring Valley Section 8 Office, the Nyack Housing Authority, and the New Square Housing Authority.

PROGRAM	VOUCHERS LEASED	WAIT LIST		UTILIZATION STATUS	
Rockland County Community Development	1082	1076	232	99.4%	Closed
Nyack Housing Authority	236	197	1568	83.5%	Open
Village of Spring Valley	815	584	220	71.7%	Closed
Village of Kaser	92	92	1	100%	Closed
Village of New Square	670	662	350	98.8%	Closed
Town of Ramapo Housing Authority	642	574	669	89.4%	Closed
Total Section 8 Units	3537	3185	3040	90%	

MONITORING

The Rockland County Office of Community Development conducts annual on-sight monitoring of sub-recipients. The monitoring consists of review the application, bid documents, contracts, requests for payments, program accomplishments, and income verifications. The monitoring also consists of, but is not be limited to:

1. National Objective Compliance
2. Labor Standard Compliance
3. Financial Management Compliance
4. Environmental Review Compliance
5. Procurement
6. Allowable Costs Compliance

Monitoring activities were conducted in June 2012, and will be scheduled for June 2013 for FY2012 program year. A copy of activities will be maintained at the Office of Community Development.

OTHER ACTIONS

Although previously addressed in the 2010 -2014 Consolidated Plan, in order to comply with 24CFR91.220(k), other actions, the following is a description on how the county plans to address barriers to affordable housing, foster and maintain affordable housing, reduce the number of poverty level families, and obstacles to meeting underserved needs.

The County of Rockland also continues to work with several public and private housing agencies as well as social service agencies to enhance services. Several of these agencies are indicated in the Public Service portion of the Consolidated/Action plan as recommendations for funding for these vital services. The county worked with several not-for-profit organizations over the last several years that provided training to local community groups in neighborhood watch, recycling, and health and safety. Although slow to catch on and labeled as "outsiders", the groups now seem to be making a small impact.

Rockland County faces a difficult challenge in the 2000's: Affordable housing is scarce, Housing Choice Voucher's are in incredible demand, and few communities, if any, feel the need to develop any additional affordable units unless it is for seniors. Many see the housing growth of the 1990's and 2000's as an opportunity to bring affluent residents, with disposable income into their community. Will the benefits of living in Rockland County be shared by all its residents, or will some residents continue to be restricted to inferior housing in marginal neighborhoods. Fair housing, defined as access to affordable housing without discrimination, is not yet a reality in Rockland County, however great strides were taken in the last 10 years to bring this reality closer for all residents.

Demographic trends point to the increasing variety and diversity of the County's population. Compared to 1970, 1980, and 1990 the County's population in 2000 is older, contains a greater proportion of non-family households and households headed by a single individual, and contains families with income levels ranging from the very rich to the desperately poor. The non-white population of the County has increased steadily, to 32.1% of the population in communities.

While the County's demographic profile points to increasing diversity, housing characteristics have not kept pace. The surge in housing prices between 1990 and 2000 outstripped income growth. As a result, 9.5% of County households in 2000 were living in poverty. The median value of owner occupied housing in 2000 was \$242,500, up an average of 17% annually.

Impediments to Fair Housing in Rockland County take two discrete forms: (1) barriers to housing access free of discrimination; and (2) barriers to housing affordability.

Barriers to housing access free of discrimination include:

1. Problems of interpersonal interaction;
2. Discrimination by individual real estate practitioners;
3. Discriminatory practices by individual lenders;
4. Discrimination in marketing of new construction.

Barriers to housing affordability include:

5. Situational factors and market conditions;
6. Fear and uncertainty;
7. Inadequate system for delivery of affordable housing.

In evaluating and for the reduction of lead-based paint hazards in Rockland County, estimates that there are households that are at a serious risk of lead paint hazards because; they have household incomes of 50% or less of the area medium income; they have children under the age of 6 residing in the unit; and they are units built prior to 1978. Recognizing the dangers of lead paint, Rockland County has implemented a wide-range strategy to control those hazards.

In the use of HOME Program funds for an owner-occupied housing rehabilitation programs the requirements are fully compliant with the HUD lead hazard control regulations at 24CFR Part 35. Proving safe and healthy homes is an objective that will be partially met through this program.

In the CDBG program, all local government grant recipients are required to comply with 24CFR570.487 with respect to lead paint poisoning prevention. Subrecipients that have a housing component which includes housing structures constructed or substantially rehabilitated prior to 1978 shall include appropriate measures in their housing activities to control, as much is practical, lead based hazards and shall provide notification of purchasers and tenants of the hazards of lead paint.

During the initial and periodic inspections for all tenant based rental program, to include Section 8 Housing program, HOME Program, and the Supportive Housing Grant Program, an inspector acting on behalf of the designated party and trained in visual assessment for deteriorated paint surfaces in accordance with procedures established by HUD shall conduct a visual assessment of all painted surfaces in order to identify any deteriorated paint.

(2) For tenant-based rental assistance provided under the HOME program, visual assessment shall be conducted as part of the initial and periodic inspections required under §92.209(i) of this title.

(b) The owner shall stabilize each deteriorated paint surface in accordance with §§35.1330(a) and (b) before commencement of assisted occupancy. If assisted occupancy has commenced prior to a periodic inspection, such paint stabilization must be completed within 30 days of notification of the owner of the results of the visual assessment. Paint stabilization is considered complete when clearance is achieved in accordance with §35.1340. If the owner does not complete the hazard reduction required by this section, the dwelling unit is in violation of Housing Quality Standards (HQS) until the hazard reduction is completed or the unit is no longer covered by this subpart because the unit is no longer under a housing assistance payment (HAP) contract with the housing agency.

(c) The owner shall provide a notice to occupants in accordance with §35.125(b)(1),(c) describing the results of the clearance examination.

(d) The designated party may grant the owner an extension of time to complete paint stabilization and clearance for reasonable cause, but such an extension shall not extend beyond 90 days after the date of notification to the owner of the results of the visual assessment.

LEVERAGING RESOURCES

Several of the sub-grantees have been very successful in leveraging funds from other federal, state, private, and public funds. Through the HOME Program, Rockland Housing Action Coalition, Joseph's Home, and the Legal Aid Society match nearly every dollar on a dollar for dollar match from state sources and private funds. The County also funds projects that are funded through the New York State Homes and Community Renewal's Low Income Housing Tax Credit program. These projects, through the efforts of the Office of Community Development, typically receive a Payment in Lieu of Taxes (PILOT) and the tax benefits contribute towards the match. The County also utilizes the appraised value of the land as a HOME match, when it qualifies.

The Center for Safety and the Legal Aid Society Change also match dollar for dollar funds used for the operational expenses at the battered women's shelter, funded by ESG from the State of New York Criminal Justice division, private donations, and through their annual support from the County of Rockland budget.

Many communities also leverage funds from New York State for their improvement projects.

The County of Rockland is currently working with all of its depositories for further future leveraging capabilities, and since the County of Rockland became its own Metropolitan Statistical Area, banks now have to reexamine their participation within Rockland.

CITIZEN'S COMMENTS

All comments received by the County of Rockland and the consortium communities during the preparation of the 2013 Consolidated/Action Plan will be kept on file at the Rockland County Office of Community Development, 50 Sanatorium Road, Building K, Pomona, New York 10970 and are available for review.

CITIZEN REVIEW PERIOD

A draft of the Action Plan was made available for the public comment period on April 4, 2013. Publication of a notice of availability was made on that date in the Rockland Journal News; copies of the Consolidated/Action Plan were made available to the 22 villages and towns in the consortium at our annual CDBG day.

NOTICE OF PUBLIC HEARING

The Rockland County Office of Community Development published the Notice of Public Hearing in the Rockland County Journal News and the Rockland County Times, a copy of which follows.

**NOTICE OF
PUBLIC HEARING**

Please TAKE NOTICE that a public hearing will be held by the Rockland County Office of Community Development on the 6th day of May, 2013 at 5:00 p.m. at the Rockland County Office of Community Development, 50 Sanatorium Road, Building K, Pomona, New York 10970 for the purpose of obtaining public comment on the Rockland County FY2013 Consolidated/Action Plan, the Proposed Statement of Community Development Objectives and Projected Use of Funds under Fiscal Year 2013 Community Development Block Grant Program, Fiscal Year 2013 HOME Investment Partnership Program, Fiscal Year 2013 Emergency Solutions Grant Program, and Fiscal Year 2013 Housing opportunities for Persons with AIDS (HOPWA).

Please TAKE NOTICE that the FY2013 Consolidated/Action Plan for Rockland County is available for public review and comments, at the Rockland County Office of Community Development, 50 Sanatorium Road, Building K, Pomona, New York 10970 on April 4, 2012.

At the aforesaid times and place any and all interested parties are invited to attend.

Dated March 26, 2013

C. SCOTT VANDERHOEF

County Executive

For the Rockland County Consortium

"The Rockland County Office of Community Development is committed to full compliance with the American with Disabilities Act. To that end, Community Development is committed to creating an accessible environment for all. The Rockland County Office of Community Development will also make all accommodations for language translations. To request accommodations that you may require, please call Joseph F. Abate at 845-364-3939. Please request these accommodations three (3) days in advance so that we can seek to meet your needs."

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing - The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in that regard.

Anti-displacement and Relocation Plan – It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104 (d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace – It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition:
2. Establishing an ongoing drug-free awareness program to inform employees about –
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will –
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant office or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following action, within 30 calendar days of receiving notice under subparagraph 4 (b), with respect to any employee who is so convicted –
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 19973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying – To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperation agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants loans, and cooperative agreements) and that all sub- recipients shall certify and disclose accordingly.

Authority of Jurisdiction – The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan – The housing activities to be undertaken with CDBG, HOME, ESG, and HOPWA funds are consistent with the strategic plan.

Section 3 – It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

	<u>May 10, 2013</u>
C. Scott Vanderhoef	Date
County Executive	

Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen's Participation – It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105

Community Development Plan – It's consolidated housing and community development plan identifies community development and housing needs and specifies both short-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR24 part 570).

Following a Plan - It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds – It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities, which benefit low and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available;
2. **Overall Benefit.** The aggregate use of CDBG funds including section 108 guaranteed loans during program year(s) 2012, 2013, and 2014 (a period specified by the grantee consisting of one, two, or three specific consecutive program years), shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period:
3. **Special Assessments.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, and assessment or charge may be made against the property with respect to the public improvements finance by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force – It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws - The grant will be conducted and administered in conformity- with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619, and implementing regulations.

Lead-Based Paint – Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with the requirements of 24 CFR Section 570.608;

Compliance with Laws – It will comply with applicable laws. with title formity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619, and implementing regulations.

C. Scott Vanderhoef
County Executive

May 10, 2013
Date

**OPTIONAL CERTIFICATION
CDBG**

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having a particular urgency as specified in 24 CFR 570.208 (c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

C. Scott Vanderhoef
County Executive

May 10, 2013
Date

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Tenant Based Rental Assistance – If the participating jurisdiction intends to provide tenant-based rental assistance:

The use of HOME funds for tenant-based rental assistance is an essential element of the participating jurisdiction's consolidated plan for expanding the supply, affordability, and availability of decent, safe, sanitary, and affordable housing.

Eligible Activities and Costs - It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR Section 92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities as described in Section 92.214.

Appropriate Financial Assistance – before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing.

C. Scott Vanderhoef
County Executive

May 10, 2013
Date

ESG Certifications

The Emergency Solutions Grants Program Recipient certifies that:

Major rehabilitation/conversion – If an emergency shelter's rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation. If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion. In all other cases where ESG funds are used for renovation, the jurisdiction will maintain the building as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

Essential Services and Operating Costs – In the case of assistance involving shelter operations

or essential services related to street outreach or emergency shelter, the jurisdiction will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the jurisdiction serves the same type of persons (e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

Renovation – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services – The jurisdiction will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal State, local, and private assistance available for such individuals.

Matching Funds – The jurisdiction will obtain matching amounts required under 24 CFR 576.201.

Confidentiality – The jurisdiction has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

Homeless Persons Involvement – To the maximum extent practicable, the jurisdiction will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted under the program.

Consolidated Plan – All activities the jurisdiction undertakes with assistance under ESG are consistent with the jurisdiction's consolidated plan.

Discharge Policy – The jurisdiction will establish and implement, to the maximum extent practicable and where appropriate policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

C. Scott Vanderhoef
County Executive

May 10, 2013
Date

APPENDIX TO CERTIFICATION**INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS****A. Lobbying Certification**

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and no more than \$100,000 for each such failure.

B. Drug-Free Workplace Certifications

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantees knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government may take action authorized under the Drug-Free Workplace Act.
3. Workplace under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplace at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identification must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert hall or radio stations),
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the spaces provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace is required by 24 CFR part 24, subpart F.

7. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of no lo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including" (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

SCHEDULE A

CDBG		\$ 1,921,134.00
Repayment of Section 108 Loan	Rockland County	\$ 605,000.00
CDBG Administration	Rockland County	\$ 377,484.00
Sidewalk Replacements	Vill. of Haverstraw	\$ 85,000.00
Business District Improvements	Suffern	\$ 85,000.00
Parking Area Improvements Pecks Pond	West Haverstraw	\$ 80,000.00
Bowline Shoreline Sea Wall and Jetty Improvements	Town of Haverstraw	\$ 80,000.00
Curbs and Sidewalks	Spring Valley	\$ 80,000.00
Old Nyack Tpk/Saddle River Rd Improvements	Ramapo	\$ 60,000.00
Kaser Terrace Sidewalks	Kaser	\$ 50,000.00
ADA RHO Center Restrooms	Stony Point	\$ 50,000.00
Restroom Project	South Nyack	\$ 48,000.00
Landlord/Tenant Advocacy Legal Aid	Rockland County	\$ 36,000.00
Mini Trans Vehicle for Senior Transport	Clarkstown	\$ 35,000.00
ADA Pedestrian Signals Squadron Blvd	Clarkstown	\$ 30,000.00
Harry Reis Park Walkway	Ramapo	\$ 28,000.00
Community Outreach Safety at All Times Program	Rockland County	\$ 25,000.00
Economic Development Initiative	Rockland County	\$ 20,000.00
JFS - Senior Support System	Rockland County	\$ 20,000.00
Arts Alliance	Haverstraw	\$ 18,000.00
ACT Academic Academy	Spring Valley/Nyack	\$ 15,000.00
Konbit Neg Lakay Education Extra	Rockland County	\$ 15,000.00
Youth Counseling	RODA (Kaser)	\$ 12,000.00
Sidewalk Replacemnt	Hillburn	\$ 10,000.00
West Street CCLC Summer Program	Spring Valley	\$ 10,000.00
LVA - Civics and Citizenship	Rockland County	\$ 10,000.00
Meals on Wheels Meal Delivery	Rockland County	\$ 10,000.00
Family Stabilaization Program - SVHA	Spring Valley	\$ 10,000.00
People to People Weekend Backpack Program	Rockland County	\$ 8,400.00
Chiku Awali African Dance	Spring Valley	\$ 8,000.00

SCHEDULE B

HOME PROGRAM	COMMUNITY	\$ 586,870.00
Owner Occupied Rehabilitation	Rockland County	\$ 150,000.00
Homebuyers Assistance	Rockland County	\$ 125,000.00
Tenant Based Rental Program	Rockland County	\$ 102,183.00
CHDO Designated Project	Rockland County	\$ 96,000.00
Administration	Rockland County	\$ 58,687.00
Security Deposit Program	Legal Aid	\$ 30,000.00
HACSO	Rockland County	\$ 25,000.00

SCHEDULE C

EMERGENCY SOLUTIONS GRANT		\$ 163,457.00
Center for Safety and Change	CSC	\$ 43,000.00
Legal Services	Legal Aid	\$ 30,000.00
Children's Village	Rockland County	\$ 25,000.00
Short/Long Term Rental Assistance	Rockland County	\$ 23,207.00
Homeless Prevention	Rockland County	\$ 15,000.00
Rapid Re-housing Assistance	Rockland County	\$ 15,000.00
Administration	Rockland County	\$ 12,250.00

SCHEDULE D

HOPWA FY2013	\$597,195.00
RENTAL ASSISTANCE	\$ 447,195.00
COMMUNITY DEVELOPMENT - HOUSING SERVICES	\$ 80,000.00
CLIENT SERVICES	\$ 70,000.00

SCHEDULE E

Section 108 Loan	\$825,000.00
Repayments	\$825,000.00

SCHEDULE F

Supportive Housing Grant	\$ 579,220.00
Transitional Housing Program	\$ 431,220.00
HMIS	\$ 148,000.00

SCHEDULE G

Administrative Policy and Procedures

HOME Investment Partnership Program
 Housing Opportunities for Persons with AIDS
 Emergency Solutions Grant
 January 1, 2012

The information included is the policy and procedures of the Rockland County Office of Community Development for the United States Department of Housing and Urban Development's HOME Investment Partnership, HOPWA, and Homeless Prevention and Rapid Re-Housing Programs. The policies and procedures have been established for all programs unless stated and are in accordance with federal regulations, Title 24 – Housing and Urban Development, Part 92 – HOME Investment Partnerships Program, Part 574 Housing Opportunities for Persons with AIDS, and Title 24 – Housing and Urban Development, Part 576 Emergency Solutions Grant.

GENERAL PROVISIONS (ALL PROGRAMS)**AFFIRMATIVE MARKETING POLICIES AND PROCEDURES**

In accordance with Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program regulations and in furtherance of the County of Rockland's commitment to non-discrimination and equal opportunity in housing, the County of Rockland has established procedures to affirmatively market units acquired, rehabilitated, constructed or otherwise assisted under the CDBG and/or HOME Programs.

The County of Rockland is committed to the goals of non-discrimination and equal access. In addition, the County of Rockland is committed to the goals of increasing the housing opportunities of those with limited English proficiency, low-income residents and under-represented ethnic and racial groups. These goals will be reached through the implementation of the County's Affirmative Marketing Policy. The implementation of this policy should result in a diverse tenant population in each of the affordable housing developments, with a representation of ethnic and racial groups that is consistent with their representation in the County.

The County of Rockland actively promotes fair housing through:

- Ongoing funding of fair housing services
- Adoption and implementation of an "Analysis of Impediments to Fair Housing Choice"
- Adoption of "Consolidated Plan" for CDBG, HOME program, with an analysis and strategy for fair housing, every five years
- Annual monitoring of fair housing activities through monitoring of fair housing services and reporting on ongoing activities in its Consolidated Annual Performance and Evaluation Report (CAPER)

The goal of the affirmative marketing procedures and outreach efforts are to ensure that all persons – regardless of their race, color, national origin, age, religion, sex, disability, familial status or English proficiency – are aware of the affordable housing opportunities generated by federal HOME funds and County Housing Funds and program activities, in accordance with 24 CFR 108.1.

The County of Rockland is responsible for the implementation of the Affirmative Marketing Policies and Procedures and all owners, developers, Community Housing Development Organizations and other nonprofits must comply with this policy for all CDBG, HOME and County funded housing developments.

The Affirmative Marketing Policies and Procedures exist as an appendix to the "Analysis of Impediments to Fair Housing Choice" maintained in the Community Development Department files. CDBG, HOME and County funded housing developments are held to the terms of the policies by reference of these policies as an attachment to loan or rent regulatory agreements with the County for receipt of CDBG, HOME and/or County funds.

1. Methods for Informing the Public, Owners and Potential Tenants about Fair Housing Laws and the County's Affirmative Marketing Policies and Procedures
 - a) The County of Rockland Office of Community Development shall be responsible for implementing the County's Affirmative Marketing Policies and Procedures.
 - b) Recipients of CDBG, HOME and/or County funds shall be informed of the County's Affirmative Marketing Policies by having this policy referenced in the agreement as an attachment with the County for the receipt of funds and by making compliance with this policy a requirement for the duration of the agreement.
 - c) The County shall continue to fund outside agencies to provide fair housing information/referral and case investigation services and tenant/landlord information/referral and mediation services.
 - d) The County collaborates with the members of the countywide consortium to reduce discrimination in housing.
 - e) The County shall work with Human Rights Commission to develop an outreach plan each year, which will include advertisements in local newspapers, public service announcements, distribution of fair housing brochures at relevant events, community presentations, and other outreach activities to inform the community about fair housing rights and responsibilities.

- f) The County shall carry out outreach and provide tenants and rental property owners with copies of the State of New York handbook on tenants rights and responsibilities, fair housing brochures as well as the County's Housing website and Affirmative Marketing Policies and Procedures.
- g) The County provides information about fair housing, fair housing procedures and links on the County's website.
- h) The County shall require that owners of CDBG and/or HOME funded housing provide an annual report describing how their actions have complied with the County's Affirmative Marketing Policies and Procedures.
- i) The County shall periodically post flyers and brochures that describe fair housing laws and services, in the County Office building, which is open to the public.
- j) Housing project owners shall instruct all employees and agents in writing and orally in the policy of nondiscrimination and fair housing.

2. Description of Requirements of Property Owners and the County to Affirmatively Market Housing Assisted with CDBG, HOME and/or County funds

It is the County of Rockland's policy to require that each owner of a rental or ownership project carried out with CDBG, HOME, and/or County funds:

- a) Use the "Equal Opportunity" logotype or slogan on all correspondence and advertising prepared relating to the rental of units.
- b) Place ads in a local Countywide newspaper of general circulation, e.g. the Rockland Journal News and Rockland County Times, to advertise housing opportunities.
- c) *Sales/Leasing Staff*; Maintain a nondiscriminatory hiring policy in recruiting from both minority and majority groups including both sexes and the handicapped, for staff engaged in the sale or rental of properties.
- d) *Advertising*; All advertising depicting persons shall depict persons of majority and minority groups including both sexes.
- e) *Fair Housing Poster*; Prominently display in all offices in which sale or rental activity pertaining to the project or subdivision takes place using the HUD-approved Fair Housing poster.
- f) *Sign on project site*; Post in a conspicuous position on the project site a sign displaying prominently either the Equal Housing Opportunity logo, slogan, or statement.
- g) *AFHM Plan*; Project owners should submit the AFHM Plan to Office of Community Development for review 120 days prior to initiating sales or rental marketing activities. The County will review and consider approval of the Plan within 30 days.

The County of Rockland shall carry out the following:

- a) Post flyers of upcoming housing opportunities in the consortium community village and town halls.
- b) Maintain and make available to interested parties a listing of the affordable housing stock which includes information about who to contact regarding the availability of housing and the estimated month and year (if known) when applications will be accepted from prospective new tenants.
- c) Monitor, in conjunction with the project monitoring, compliance with the County's Affirmative Marketing Policies and Procedures.

3. Description of What Property Owners and/or the County will do to Inform Persons not Likely to Apply for Housing Without Special Outreach

In order to solicit applications from persons who are not likely to apply for housing without special outreach, particularly those persons with limited English proficiency, each owner of CDBG and/or HOME assisted property, will be required to:

- a) Utilize HUD Form 935.2 to organize and document the affirmative marketing plan for a project.
- b) Target outreach, through a variety of means, to ethnic and racial groups that are underrepresented in the housing development based on their representation in the County.
- c) At a minimum, utilize newspapers, churches, and places of worship, and nonprofit organizations that serve the underrepresented group to distribute information about housing openings.
- d) Provide all advertising in the language the group is most familiar with and provide a contact person who can answer questions in the language primarily spoken by the target group.

The County of Rockland shall carry out the following activities:

- a) As appropriate, the Rockland County Executive's Communications Office will issue a press release to local media to include the Rockland Journal News, The Rockland County Times and News 12.
- b) Post notice of availability on the County website.

4. Maintenance of Records to Document Actions Taken to Affirmatively Market HOME, CDBG and/or County Assisted Units and to Assess Marketing Effectiveness.

The County shall request owners of property assisted under CDBG, HOME, and/or County to maintain the following records and report annually on:

- Written description of how vacancies were filled
- Copies of newspaper advertisements and flyers or other printed material used
- Copies of mailing lists to organizations that were sent flyers and other material
- Copies of press releases and description of circulation
- Evidence of broadcast of television and radio advertisements
- Photographs of site signs
- The racial, ethnic and gender characteristics of tenants

The County shall report on compliance with the County's Affirmative Marketing Policies and Procedures and consult with the property owners about any improvements which need to be addressed. The County shall maintain records regarding vacancies that occurred during the year and the process used to fill them.

The County will examine whether or not persons from a variety of racial and ethnic groups in the County applied for or became tenants of units that were affirmatively marketed. If the County finds that a variety of ethnic groups are represented, the County will assume that the affirmative marketing procedures were effective. If one or more groups are not represented consistent with their representation in the County, the County will review its procedures to determine what changes, if any, might be made to make the affirmative marketing efforts more effective.

5. What Corrective Actions will be Taken Where Affirmative Marketing Requirements are not met.

The County of Rockland will take corrective action if it is determined that a participating property owner had failed to carry out affirmative marketing efforts as required by the County's agreement. The County, prior to taking any corrective action, will discuss with the owner ways to improve affirmative marketing efforts. Initially, the County will provide a reasonable time period for the owner to establish written procedures for future use. If a participant property owner, after receiving notice and an opportunity to correct identified deficiencies, continues to neglect the responsibilities made incumbent by the terms of the agreement, the County will consider action such as notifying the property owner that a breach of the terms of the agreement with the County has occurred and that the County will exercise its rights under the terms of the agreement.

The County notes that federal regulations [24 CFR 108.50 – Compliance Procedures for Affirmative Fair Housing Marketing-Sanctions] state: "Applicants failing to comply with the requirements of these regulations, the AFHM regulations, or an AFHM plan will make themselves liable to sanctions authorized by law, regulations, agreements, rules, or policies governing the program pursuant to which the application was made, including, but not limited to, denial of further participation in Departmental programs and referral to the Department of Justice of suit by the United States for injunctive or other appropriate relief."

RECAPTURE PROVISION

The County of Rockland has been operating under an approved recapture provision for the Homebuyers Assistance, American Dream Down Payment Initiative, and HOPWA Programs.

Any loans made to homebuyers, developers, and not-for-profits to assist in the purchase or modification of existing or newly constructed housing unit is secured by a mortgage on the property. Said mortgage shall adhere to include the following provisions:

1. For the Homebuyers Assistance Program the premises will be their primary residence.
2. That upon sale during the period of affordability, the loan becomes due and payable upon transfer. If the sale is to a non-HOME eligible owner at an "affordable" price, the full principal is due plus interest at the same rate as the first mortgage. If it is sold to a qualifying person, only the principal is due. The County in these cases reserves the right to "roll over" the loan to the new owner without extending the period of affordability. In establishing its recapture requirements, the participating jurisdiction is subject to the limitation that when the recapture requirement is triggered by a sale (voluntary or involuntary) of the housing unit, and there are no net proceeds or the net proceeds are insufficient to repay the HOME investment due, the participating jurisdiction can only recapture the net proceeds,
3. During the first three years of the loan, repayment shall be the loan amount plus interest equal to the mortgage in the first position or 6%, whichever is greater. In years four and five, outstanding principal only and the loan will reduce annually from years six through fifteen at a rate of 10% of the loan amount with the loan forgiven after fifteen years.
4. If non-owner occupied, the premises will conform to the rental income guidelines established by the United States Department of Housing and Urban Development for Rockland County for a period of fifteen (15) years. If the rents exceed the HUD Fair Market Rent, then the loan is considered in default and repayment must be made immediately. Proof of income is required annually by all residents by submitting all resident's federal income tax returns and a copy of the lease.
5. That upon sale during the period of affordability, the loan becomes due and payable upon transfer. If the property is sold the full balance is due at the time of closing and settlement.

PROGRAM REQUIREMENTS

All housing units assisted with federal funds from the Rockland County Office of Community Development must meet all federal requirements, to include those listed in:

- 24 CFR 570 – Community Development Block Grants
- 24 CFR 92 – HOME Investment Partnership Program
- 24 CFR 576 – Emergency Solutions Grant
- 24 CFR 982- Section 8 Tenant Based Assistance
- 24 CFR 574 – Housing Opportunities for Persons with AIDS
- 24 CFR 8 – Nondiscrimination Based on Handicap in Federally Assisted Programs
- 24 CFR 58 – Environmental Review Procedures for Recipients Assuming HUD Responsibilities
- 24 CFR 35 – Lead Based Paint Poisoning Prevention in Federally Owned and Assisted Housing

SUBORDINATION

At the discretion of the Rockland County Office of Community Development, the County of Rockland can subordinate the loan in the event the borrower refinances the existing mortgage or mortgages, in an amount not to exceed the mortgages and reasonable closing costs. The borrower must be income and program eligible at the time of the subordination request and housing unit value cannot exceed the FHA Mortgage Limit as established by HUD for Rockland County. The County of Rockland shall not subordinate *in any other circumstance, to include debt consolidation.*

COMMUNITY DEVELOPMENT TBRA/TENANT ASSISTANCE PROGRAM

The program guidelines for the HOME TBRA Program, HOME 2 Program (HOPWA) and the Emergency Solutions Grant are the same as the United States Department of Housing and Urban Development Section 8 Voucher Program. The policies and procedures are available at the Rockland County Office of Community Development and are in accordance with federal and New York State Homes and Community Renewal regulations and administrative plans.

To be eligible for assistance the applicant must be a Rockland County resident for a minimum of one-year and meet all Section 8 Voucher Program enrollment guidelines. A family is not eligible for assistance if they have been previously terminated for cause from any Office of Community Development administered program within the past 10 years. The program will require assisted families to pay the total tenant payment as determined in accordance to Section 8 Voucher Program regulations. They must also have no outstanding family obligations, and provide proof that they have applied to and be within one year of assistance of an assisted housing program unit or of sustaining self-sufficiency. Persons that were terminated for cause from the Section 8 Voucher Program or any rent subsidized housing program through the Rockland County Office of Community Development are not eligible for assistance.

The HOME TBRA Program assistance is for one-year with the maximum time a person or family may receive assistance is for a total of 24 months. The program requires the family (no individuals) to be working a minimum of 25 hours a week for a minimum of 6 months.

To be eligible a family or individual must be chronically homeless, facing a court ordered eviction within 14 days, be a family that will be "reached" for subsidized housing within 2 years of assistance or a family that have had an "economic" situation (loss of income, health crisis) occur to place them in their financial situation. They must also demonstrate their ability to meet their financial obligations going forward once the assistance ends.

HOME 2 TBA clients must also be eligible under the guidelines as established by the United States Department of Housing and Urban Development for the Housing Opportunities for Persons With Aids (HOPWA) program 24CFR574. A wait list will be developed utilizing guidelines set forth in 24CFR982 and the New York State Homes and Community Renewal Administrative Plan as a separate wait list and opened either on it's own or at the time the County of Rockland opens the Section 8 Wait List.

The HOME Tenant Assistance Program offers the availability of security and utility deposits for families that are residing in subsidized housing units. The maximum assistance is two months security and requires a 12- month lease and follows all HOME program guidelines.

DOMESTIC VIOLENCE TBRA PROGRAM

The program guidelines for the Domestic Violence Tenant Based Rental Assistance Program is the same as the United States Department of Housing and Urban Development Section 8 Voucher Program. The policies and procedures are available at the Rockland County Office of Community Development and are in accordance with federal and New York State Division of Homes and Community Renewal regulations and administrative plans.

The assistance is for a minimum of 6 months to a maximum of 24 months. The program will require assisted families to pay the total tenant payment as determined in accordance to Section 8 Voucher Program regulations. Eligibility for a second year is based on employment history and achieving self-sufficiency. Persons that were terminated from the Section 8 Voucher Program are not eligible for assistance.

To be eligible, the applicant must have prior to participation resided in an emergency shelter and a resident of Rockland County for a minimum of one-year. The applicant must be fully employed with a goal of family self-sufficiency within two years of initial lease up. The person must have either a permanent or temporary court order of protection and the

HOMEBUYER ASSISTANCE PROGRAM

To qualify, a Rockland resident must be purchasing a home and meet the low-income guidelines. The guidelines for the program are that the maximum funds a family can receive is the lower of \$7,500 or 5% of the purchase price of the money needed to close the "gap" and a "match," money out of pocket by the homebuyer is required. The maximum Housing Expense and Housing/Debt ratio cannot exceed 40%. The maximum gifts the family receives cannot exceed \$20,000. The applicant must borrow the maximum credit a lender will offer and the maximum downpayment cannot exceed 10% of the purchase price. Funds the family earns from an approved Federal Home Loan Bank "First Home Club" is an acceptable match. The following is an overview of the Homebuyers Assistance Program that will provide assistance to persons of low income to purchase their primary residence.

Qualifications

Persons who reside in a Rockland County Consortium Community for a minimum of one year (the Village's of New Square and Upper Nyack are non-members) of low income, who will occupy the property as their principal residence.

A "low income person" is defined as having a household income according to national published Median Family Income (taxable or non taxable) that the household receives as defined by the United States Department of Housing and Urban Development.

Eligible properties

Either newly constructed or existing property located in a Rockland County Consortium Community (the Village's of New Square and Upper Nyack are non-members), which meets the United States Department of Housing and Urban Development's Housing Quality Standards. The residence can be any of the following:

1. Single family property
2. Condominium units
3. Manufactured home
4. Mobile home
5. Cooperative units
6. Legal two-family residence

The appraised value of the property cannot be greater than the FHA guaranteed loan amount for Rockland County.

Assistance and Availability

The County will lend the qualifying household the lower of \$7,500 or 5% of the purchase price to pay a portion of the down payment and cover the closing costs. The total amount the County will lend is based on the total amount needed to "Close the Gap" and a dollar for dollar match. It is required that the family borrows the maximum available through a lender. This loan will be secured by a second mortgage on the property that will not be repaid until the property is sold or the borrower comes off title.

It is expected that future money will be available as long as Congress funds the HOME Program. The money will be given out on a "first-come, first-served" basis.

Procedure

The funds become available by the prospective owner finding a home that qualifies, then applying to a local lending institution for a mortgage. If a person and the property is approved for a loan and the lending institution is prepared to issue a mortgage commitment letter but the prospective purchaser needs assistance to pay the required down payment and closing costs, then evidence of this should be forwarded to the Rockland County Office of Community Development office.

The information will be reviewed and as moneys are available under the Program, the Office of Community Development will commit the necessary funds to close this "gap".

Additional Requirements for Two Family Residences

The requirements for the purchase of a legal two family residence are slightly different as follows:

1. If the residence is purchased by a low income resident, the amount of the loan is stated as above. The second unit in the house must be rented to another low-income resident (as defined above) at rents no greater than the rents set by the Federal Fair Market Rent regulations. Please note that the above rents include all utilities. If utilities are not included, the above rents must be reduced according to schedules on file in the Rockland County Office of Community Development Office. The County will verify the income of the resident of the second unit and the rental paid on a yearly basis.

2. If the residence is purchased by two- (2) low-income households (either related or non-related) the amount of the loan each household can receive will be determined by dividing the purchase price by two (2) and the 5% formula will be applied to that amount. A single mortgage for the total amount will be placed on the property with each household signing a note for only 1/2 the amount of the mortgage.

EMERGENCY SOLUTIONS GRANT

The county will utilize funds as a supplement to expand existing services provided by the Department of Social Services and Office of Community Development. All services are consistent with the Consolidated Plan of 2010-2014. The maximum benefit per family through the ESG program is \$3,000.00 except for the Rapid Re-housing program and the short term/medium term rental assistance.

All families must meet with a housing-related case management person at the Office of Community Development. The RCOCD case management will be provided to each family that receives ESG funding. A housing plan will be developed with the family and monitored by the case manager. The case manager will meet with the family at least twice a month and complete all required forms to include all required by the United States of Housing and Urban Development (HUD). The case manager will also maintain all families in the Rockland County Homeless Management Information System (HMIS) as required by Congress. The goal will be to insure that at the end of the supplement period the family will have the means to pay their full monthly rent.

The Rockland County Office of Community Development will serve as the program administrator and will make all final eligibility determinations. Community Development will also process all payments for eligible families.

The Office of Community Development is also responsible for determining the adequacy of performance under subrecipient agreements and procurement contracts, and for taking appropriate action when performance problems arise. The Office of Community Development is responsible for applying to the Rockland County Department of Social Services and any other subrecipient the same requirements as are applicable to the Office of Community. The Office of Community Development will also apply all administrative requirements as defined in Part 85 to the monitoring and administration of HPRP funds

Short term rental assistance - For families facing eviction and already in the court system, due to loss of income have rental arrears and are unable to pay full monthly rent on an ongoing basis. A rental subsidy will be provided for no more than 3 months depending on case circumstances. The subsidy amount will be determined following Section 8 guidelines. The maximum benefit per family is the greater of \$3,000.00 or 3 months assistance.

Rapid Re-housing assistance - For families exiting an emergency shelter or transitional housing program listed on Rockland County's Housing Inventory Chart based on program requirements, and are unable to pay full monthly rent on an ongoing basis. A rental subsidy will be provided for no more than 24 months depending on case circumstances. The subsidy amount will be determined by bedroom size the family is eligible for with the family paying the greater of 30% of adjusted monthly income or 40% of the HUD Fair Market Rent for Rockland County as follows:

0 bedroom - \$450	1 bedroom - \$500
2 bedroom - \$575	3 bedroom - \$700
4 bedroom - \$775	

Security/Utility Deposit and Utility payments- those families who have exhausted all available benefits for security/utility deposits and utility payments will be offered assistance if they are in need of a deposit to secure housing or are faced with a shut off. The maximum benefit per family is the two month's rent, for security purposes, as defined in a lease, and not to exceed the maximum allowable under New York State law. The maximum assistance for utility security or utility payment assistance is \$1000.

Individuals and families receiving a utility allowance through a rent subsidy program are not eligible for assistance for funding for the portion of the arrears for the amount the rent subsidy program's utility allowance was paid to the individual and family and they did not pay towards the utility bill.

Eviction Prevention – Funds will be used to prevent the initial occurrence of homelessness by providing legal counsel to eligible tenants who are subject to eviction proceedings and cases will be settled by paying the rent arrears to avoid eviction. The maximum benefit per family is \$3,000.00 to include all legal costs. Individuals and families receiving a rent subsidy are not eligible for assistance for funding for the portion of the rental arrears that the rent subsidy program determined was otherwise the individual's or family's responsibility.

Qualifications - Persons who reside in a Rockland County that meet the "low-income" qualifications. A "very low income-person" is defined as having a household income of 30% of the Rockland County published Median Family Income (taxable or non taxable) that the household receives as defined by the United States Department of Housing and Urban Development.

For potential admission to any of the programs funded through the CoC the following HUD definition of homeless must be documented and met. They must also meet the criteria outlined in the CoC Project Application and the Technical Submission submitted and approved by HUD that is on file at the Rockland County Office of Community Development. This includes the DV Transitional Housing Program and the Permanent Housing Program through CD, and the Open Arms Permanent Housing Program.

Persons being referred to the DV Transitional Housing Program must be currently living in an emergency shelter, either the Rockland County Shelter, operated by the Department of Social Service or The Center for Safety and Change Emergency Shelter or meet #4 of the definition. If they have moved out of an emergency shelter and do not meet any of the 4 categories, they are not eligible. They cannot be living with friends or in an independent apartment, not subsidized through the homeless programs.

Persons being referred to the Permanent Housing Program must be homeless and permanently disabled. To meet the homeless criteria, DSS must first deem them homeless, meeting one of the four categories and they must be living in either the Rockland County Shelter or be living in a Transitional Housing unit, assisted by a Supportive Housing Grant.

The definition includes four broad categories of homelessness:

1. People who are living in a place not meant for human habitation, in emergency shelter, in transitional housing, or are exiting an institution where they temporarily resided. The only significant change from existing practice is that people will be considered homeless if they are exiting an institution where they resided for up to 90 days (it was previously 30 days), and were in shelter or a place not meant for human habitation immediately prior to entering that institution.
2. People who are losing their primary nighttime residence, which may include a motel or hotel or a doubled up situation, within 14 days and lack resources or support networks to remain in housing. HUD had previously allowed people who were being displaced within 7 days to be considered homeless. The proposed regulation also describes specific documentation requirements for this category.
3. Families with children or unaccompanied youth who are unstably housed and likely to continue in that state. This is a new category of homelessness, and it applies to families with children or unaccompanied youth who have not had a lease or ownership interest in a housing unit in the last 60 or more days, have had two or more moves in the last 60 days, and who are likely to continue to be unstably housed because of disability or multiple barriers to employment.
4. People who are fleeing or attempting to flee domestic violence, have no other residence, and lack the resources or support networks to obtain other permanent housing. This category is similar to the current practice regarding people who are fleeing domestic violence.

Introduced by:

Referral No. 3977

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

**RESOLUTION NO. 208 OF 2013
APPROVING THE FY2013 SUBMISSION OF THE
HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) APPLICATION
IN THE AMOUNT OF \$786,870 FOR HOME ALLOCATION WITH A COUNTY
MATCH OF 25% TO BE DOCUMENTED WITH THE U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT AND UPON ITS APPROVAL
AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL NECESSARY
INSTRUMENTS AND DOCUMENTS AND AUTHORIZING THE
COMMISSIONER OF FINANCE TO ESTABLISH NEW ACCOUNTS
FOR THE FY2013 HOME FUNDS
[OFFICE OF COMMUNITY DEVELOPMENT]
(\$786,870)**

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

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

WHEREAS, Additionally, a HUD program entitled "HOME Investment Partnership" (HOME) Program provides funds to expand affordable housing opportunities for low income families; and

WHEREAS, The Rockland County Consortium is eligible to receive grant monies from the HOME Investment Partnership Program; and

WHEREAS, The Rockland County Consortium has been designated as a "Participating Jurisdiction" under the HOME Program by the U. S. Department of Housing and Urban Development; and

WHEREAS, The County of Rockland has been advised by HUD that its HOME allocation for the Federal Fiscal Year 2013 will be \$586,870, with projected income of approximately \$200,000 for a total amount of \$786,870; and

WHEREAS, The current HOME regulations require a minimum "match" of 25% of non-Federal funds from state, local, private or other funding sources be generated and/or identified by the participating jurisdiction; and

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

WHEREAS, The County Executive and the County Legislature agree that no money will be spent under the HOME program involving an expenditure by the County unless legislative approval is granted; 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 hereby approves the execution and submission of the required application by the County Executive to the U.S. Department of Housing and Urban Development (HUD) for the funds available to the Consortium from the HOME Program; and be it further

RESOLVED, That the Legislature of Rockland County hereby accepts the FY2013 HOME allocation from the U.S. Department of Housing and Urban Development in the amount of \$786,870; and be it further

RESOLVED, That, upon approval of the application by HUD, the Legislature of Rockland County hereby approves, generally and pursuant to Local Law No. 18 of 1996, the execution by the County Executive of the grant agreement and of any and all necessary instruments and documents in furtherance of the FY2013 submission and program, subject to the approval of the County Attorney; and be it further

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

Introduced by:

Referral No. 6704

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

**RESOLUTION NO. 209 OF 2013
 APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT
 IN THE AMOUNT OF \$150,000 (NCTD)
 BETWEEN THE COUNTY OF ROCKLAND
 AND THE TOWN OF RAMAPO POLICE DEPARTMENT
 FOR REIMBURSEMENT OF ONE RAMAPO POLICE OFFICER ASSIGNED
 TO THE DISTRICT ATTORNEY’S SPECIAL INVESTIGATIONS UNIT TO
 WORK ON CARP (CRIMES AGAINST REVENUE PROSECUTION)
 FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2013
 AND AUTHORIZING EXECUTION OF THE
 AGREEMENT BY THE COUNTY EXECUTIVE
 [OFFICE OF THE DISTRICT ATTORNEY]
 (\$150,000)**

Mr. Grant offered the following resolution, which was seconded by Mr. Earl, Mr. Jobson, Mr. Schoenberger and Mr. Wieder 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 Town of Ramapo Police Department desire to enter into an intermunicipal cooperation agreement in an amount of \$150,000, for reimbursement of one Ramapo police officer assigned to the District Attorney’s Special Investigations Unit to work on CARP (Crimes Against Revenue Prosecution), for the period January 1, 2013 through December 31, 2013; and

WHEREAS, The agreement shall be in an amount not to exceed \$150,000; and

WHEREAS, Sufficient funding for this agreement exists within grant funded Dept. GA22, line E4090 of the 2013 Budget of the District Attorney and, therefore, no County tax dollars (NCTD) are required; 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 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 the intermunicipal cooperation agreement between the County of Rockland, through its Office of the District Attorney, and the Town of Ramapo Police Department in an amount of \$150,000, for reimbursement of one Ramapo police officer assigned to the District Attorney’s Special Investigations Unit to work on CARP (Crimes Against Revenue Prosecution), for the period January 1, 2013 through December 31, 2013, and authorizing execution of the agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That the agreement shall be in an amount not to exceed \$150,000; and be it further

RESOLVED, That sufficient funding for this agreement exists within grant funded Dept. GA22, line E4090 of the 2013 Budget of the District Attorney and, therefore, no County tax dollars (NCTD) are required.



Introduced by:

Referral No. 6704

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

**RESOLUTION NO. 210 OF 2013
 APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT
 IN THE AMOUNT OF \$12,500 (NCTD)
 BETWEEN THE COUNTY OF ROCKLAND AND
 THE TOWN OF ORANGETOWN POLICE DEPARTMENT
 TO SUPPORT VARIOUS ORANGETOWN LAW
 ENFORCEMENT NEEDS APPROVED BY THE ROCKLAND
 LAW ENFORCEMENT OVERSIGHT COMMITTEE
 FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2013
 AND AUTHORIZING EXECUTION OF THE
 AGREEMENT BY THE COUNTY EXECUTIVE
 [OFFICE OF THE DISTRICT ATTORNEY]
 (\$12,500)**

Mr. Grant offered the following resolution, which was seconded by Mrs. Low-Hogan 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 Town of Orangetown Police Department desire to enter into an intermunicipal cooperation agreement in an amount of \$12,500, to support various Orangetown law enforcement needs approved by the Rockland Law Enforcement Oversight Committee, for the period January 1, 2013 through December 31, 2013; and

WHEREAS, The agreement shall be in an amount not to exceed \$12,500; and

WHEREAS, this use of forfeiture funds is authorized by applicable rules governing the use of forfeiture funds; and

WHEREAS, Sufficient funding for this agreement exists within forfeiture funded Dept. FA01, line E4500 of the 2013 Budget of the District Attorney and, therefore, no County tax dollars (NCTD) are required; 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 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 Town of Orangetown Police Department in an amount of \$12,500, to support various Orangetown law enforcement needs approved by the Rockland Law Enforcement Oversight Committee, for the period January 1, 2013 through December 31, 2013, and authorizing execution of the agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That the agreement shall be in an amount not to exceed \$12,500; and be it further

RESOLVED, That sufficient funding for this agreement exists within forfeiture funded Dept. FA01, line E4500 of the 2013 Budget of the District Attorney and, therefore, no County tax dollars (NCTD) are required.



Introduced by:

Referral No. 4249

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

**RESOLUTION NO. 211 OF 2013
AUTHORIZING AN AGREEMENT WITH THE
U.S. DEPARTMENT OF JUSTICE DEA
TO ESTABLISH TERMS AND CONDITIONS
FOR SHARING LICENSE PLATE READER (LPR)
INFORMATION AND DISSEMINATION OF LPR INFORMATION
FOR THE PERIOD FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2013
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[SHERIFF'S DEPARTMENT]**

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

WHEREAS, The U.S. Department of Justice DEA wants to establish terms and conditions for sharing license plate reader (LPR) information and dissemination of LPR information; and

WHEREAS, The Sheriff of Rockland County recommends that the County Executive and the Legislature approve a memorandum of understanding between the Rockland County Sheriff's Office and the US Department of Justice DEA; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves a memorandum of understanding between the Rockland County Sheriff's Office and the US Department of Justice DEA to establish terms and conditions for sharing license plate reader (LPR) information and dissemination of LPR information, and authorizes its execution by the County Executive, subject to the approval of the County Executive; and it is further

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

Introduced by:

Referral No. 7844

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

**RESOLUTION NO. 212 OF 2013
 APPROVING THE EXTENSION OF AND AMENDMENT TO THE AGREEMENT IN
 EXCESS OF \$100,000 WITH MICHELE KATZ, PH.D.
 FOR FORENSIC PSYCHOLOGIST CONSULTING SERVICES
 ON AN AS NEEDED BASIS FOR THE DEPARTMENT OF MENTAL HEALTH
 UNDER RFP-RC-2010-031
 EXTENDING THE TERM OF THE AGREEMENT
 FROM APRIL 1, 2013 THROUGH MARCH 31, 2014
 WITH TWO (2) REMAINING ONE (1) YEAR OPTIONS
 AND INCREASING THE AMOUNT OF THE AGREEMENT BY \$82,500
 FOR A TOTAL AMOUNT NOT TO EXCEED \$147,500
 FOR THE FULL PERIOD FROM APRIL 1, 2011 THROUGH MARCH 31, 2014
 AND AUTHORIZING THE COUNTY EXECUTIVE
 TO EXECUTE THE EXTENSION/AMENDMENT TO THE AGREEMENT
 [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
 (\$147,500)**

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

WHEREAS, The Director of Purchasing issued RFP-RC-2010-031 (the "RFP") for forensic psychologist consulting services, Qualified Suppliers List ("QSL"), on an as needed basis, for the Department of Mental Health (DMH) for the period of one (1) year with four (4) one (1) year option terms; and

WHEREAS, One hundred twenty-two (122) vendors were notified of the RFP through the electronic bid notification system, eight (8) vendors downloaded the RFP and the County received responses from the following two (2) individuals: (1) Dr. Charles Heller and (2) Dr. Michele Katz; and

WHEREAS, The Department of General Services (DGS) - Purchasing Division evaluated the responses and recommended contracts with both individuals; and

WHEREAS, On June 2, 2011, the DMH entered into a contract with Dr. Katz under the RFP in the amount of \$12,350 for the period from April 1, 2011 through March 31, 2012 with four (4) one (1) year options; and

WHEREAS, By letter dated March 21, 2012, DMH extended the term of the agreement from April 1, 2012 through March 31, 2013 with three (3) remaining one (1) year options; and

WHEREAS, By letter dated April 4, 2012, DMH increased the amount of the agreement by \$12,650 for a total contract amount not to exceed \$25,000; and

WHEREAS, By letter dated July 17, 2012, DMH increased the amount of the agreement by \$40,000 for a total contract amount not to exceed \$65,000; and

WHEREAS, Dr. Katz has agreed to hold her originally offered pricing for the 2013 term even though the Consumer Price Index (CPI) for All Urban Consumers for the previous twelve months increased by 1.7%, resulting in a savings to the County in the amount of \$1,492; and

WHEREAS, The specifications for the RFP include an "Open Enrollment" clause which permits the County to add qualified vendors to the QSL if the County needs additional coverage; and

WHEREAS, The Purchasing Division reached out to a New York State list of providers and advertised in the Contract Reporter during the fall of 2012 to increase the vendors on the QSL; and

WHEREAS, The Purchasing Division received two (2) additional responses but at much higher rates, therefore no additional vendors were placed on the QSL; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that they approve the extension of and amendment to the agreement in excess of \$100,000 with Michele Katz, Ph.D., 18 Maiden Lane, New City, New York, for forensic psychologist consulting services on an as needed basis for DMH under the RFP, extending the term of the agreement from April 1, 2013 through March 31, 2014, with two (2) remaining one (1) year options, and increasing the amount of the agreement by \$82,500 for a total amount not to exceed \$147,500 for the full period from April 1, 2011 through March 31, 2014; and

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

WHEREAS, Sufficient funding for the extension of and amendment to this agreement is provided for in the 2013 Budget of DMH and is contingent upon 2014 budget appropriations; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the extension of and amendment to the agreement in excess of \$100,000 with Michele Katz, Ph.D., 18 Maiden Lane, New City, New York, for forensic psychologist consulting services on an as needed basis for the Department of Mental Health under RFP-RC-2010-031, extending the term of the agreement from April 1, 2013 through March 31, 2014, with two (2) remaining one (1) year options, and increasing the amount of the agreement by \$82,500 for a total amount not to exceed \$147,500 for the full period from April 1, 2011 through March 31, 2014, with all purchases of services to be made by formal purchase order, subject to the approval of the Director of Purchasing, and authorizes the County Executive to execute such extension/amendment to the agreement, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for the extension of and amendment to this agreement is provided for in the 2013 Budget of the Department of Mental Health and is contingent upon 2014 budget appropriations.

Introduced by:

Referral No. 7844

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

**RESOLUTION NO. 213 OF 2013
 APPROVING THE EXTENSION OF AND AMENDMENT TO THE AGREEMENT IN
 EXCESS OF \$100,000 WITH CHARLES HELLER, PH.D. OF
 HELLER CONSULTING GROUP FOR FORENSIC PSYCHOLOGIST
 CONSULTING SERVICES ON AN AS NEEDED BASIS
 FOR THE DEPARTMENT OF MENTAL HEALTH
 UNDER RFP-RC-2010-031
 EXTENDING THE TERM OF THE AGREEMENT
 FROM APRIL 1, 2013 THROUGH MARCH 31, 2014
 WITH TWO (2) REMAINING ONE (1) YEAR OPTIONS
 AND INCREASING THE AMOUNT OF THE AGREEMENT BY \$67,500
 FOR A TOTAL AMOUNT NOT TO EXCEED \$159,200
 FOR THE FULL PERIOD FROM APRIL 1, 2011 THROUGH MARCH 31, 2014
 AND AUTHORIZING THE COUNTY EXECUTIVE
 TO EXECUTE THE EXTENSION/AMENDMENT TO THE AGREEMENT
 [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
 (\$159,200)**

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

WHEREAS, The Director of Purchasing issued RFP-RC-2010-031 (the "RFP") for forensic psychologist consulting services, Qualified Suppliers List ("QSL"), on an as needed basis, for the Department of Mental Health for the period of one (1) year with four (4) one (1) year option terms; and

WHEREAS, One hundred twenty-two (122) vendors were notified of the RFP through the electronic bid notification system, eight (8) vendors downloaded the RFP and the County received responses from the following two (2) individuals: (1) Dr. Charles Heller and (2) Dr. Michele Katz; and

WHEREAS, The Department of Mental Health evaluated the responses and recommended contracts with both individuals; and

WHEREAS, On May 5, 2011, the Department of Mental Health entered into a contract with Dr. Heller under the RFP in the amount of \$12,350 for the period from March 31, 2011 through March 31, 2012, with four (4) one (1) year options, which subsequently was extended through March 31, 2013 and amended for a total amount not to exceed \$91,700; and

WHEREAS, The Consumer Price Index (CPI) All Urban Consumers for the previous twelve months increased by 1.7%, and the CPI for Medical Care Services (MCS) increased by 3.7%; and

WHEREAS, Dr. Heller has increased several of his rates, and the Department of Mental Health has agreed to the increases; and

WHEREAS, The specifications for the RFP include an "Open Enrollment" clause which permits the County to add qualified vendors to the QSL if the County needs additional coverage; and

WHEREAS, The Purchasing Division reached out to a New York State list of providers and advertised in the Contract Reporter during the fall of 2012 to increase the vendors on the QSL; and

WHEREAS, The Purchasing Division received two (2) additional responses but at much higher rates, therefore no additional vendors were placed on the QSL; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that they approve the extension of and amendment to the agreement in excess of \$100,000 with Charles Heller, Ph.D. of Heller Consulting Group, 18 Maiden Lane, New City, New York, for forensic psychologist consulting services on an as needed basis for the Department of Mental Health under the RFP, extending the term of the agreement from April 1, 2013 through March 31, 2014, with two (2) remaining one (1) year options, and increasing the amount of the agreement by \$67,500 for a total amount not to exceed \$159,200 for the full period from April 1, 2011 through March 31, 2014; and

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

WHEREAS, Sufficient funding for the extension of and amendment to this agreement is provided for in the 2013 Budget of the Department of Mental Health and is contingent upon 2014 budget appropriations; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the extension of and amendment to the agreement in excess of \$100,000 with Charles Heller, Ph.D. of Heller Consulting Group, 18 Maiden Lane, New City, New York, for forensic psychologist consulting services on an as needed basis for the Department of Mental Health under RFP-RC-2010-031, extending the term of the agreement from April 1, 2013 through March 31, 2014, with two (2) remaining one (1) year options, and increasing the amount of the agreement by \$67,500 for a total amount not to exceed \$159,200 for the full period from April 1, 2011 through March 31, 2014, with all purchases of services to be made by formal purchase order, subject to the approval of the Director of Purchasing, and authorizes the County Executive to execute such extension/amendment to the agreement, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for the extension of and amendment to this agreement is provided for in the 2013 Budget of the Department of Mental Health and is contingent upon 2014 budget appropriations.

Introduced by:

Referral No. 2973

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

**RESOLUTION NO. 214 OF 2013
 APPROVING A LEASE AGREEMENT
 WITH LEXINGTON CENTER FOR RECOVERY, INC.
 TO LEASE THE PROPERTY LOCATED AT
 DR. ROBERT L. YEAGER HEALTH CENTER, BUILDING D,
 SECOND FLOOR, SANATORIUM ROAD, POMONA, NEW YORK
 FOR USE AS AN OPIOID TREATMENT PROGRAM
 AND TO PAY RENT TO THE COUNTY
 IN THE AMOUNT OF \$6,933.34 PER MONTH
 FOR A TOTAL AMOUNT NOT TO EXCEED \$55,466.72 [NCTD]
 FOR THE PERIOD FROM MAY 1, 2013 THROUGH DECEMBER 31, 2013
 AND AUTHORIZING THE COUNTY EXECUTIVE
 TO EXECUTE THE LEASE AGREEMENT
 [DEPARTMENT OF MENTAL HEALTH]
 (\$55,466.72)**

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

WHEREAS, By Resolution No. 54 of 2012, the Legislature of Rockland County approved an agreement in excess of \$100,000 with Lexington Center for Recovery, Inc. ("Lexington"), 116 Radio Circle, Mount Kisco, New York 10549, for a Methadone Treatment Services Management Contract in the amount of \$605,873 for the period from April 1, 2012 through December 31, 2012, pursuant to which Lexington is required to provide methadone treatment management services at the County's Opioid Treatment Program, Dr. Robert L. Yeager Health Center, Building D, Second Floor, Sanatorium Road, Pomona, New York, in accordance with RFP-RC-06-022; and

WHEREAS, On March 21, 2013, Lexington was issued an Operating Certificate from the New York State Office of Alcoholism and Substance Abuse Services (OASAS), authorizing Lexington to assume the operation of the County's Opioid Treatment Program; and

WHEREAS, As part of its assumption of the operation of the Program, Lexington will enter into a Lease agreement with the Department of Mental Health (DMH) for the space located at Dr. Robert L. Yeager Health Center, Building D, Second Floor, Sanatorium Road, Pomona, New York; and

WHEREAS, The Commissioner of DMH recommends to the County Executive and the Legislature of Rockland County that the County enter into a Lease agreement with Lexington, pursuant to which Lexington will pay rent to the County in the amount of \$6,933.34 per month for a total amount not to exceed \$55,466.72 for the period from May 1, 2013 through December 31, 2013; and

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

WHEREAS, New York County Law § 215(3) requires the Legislature of Rockland County to approve all lease agreements entered into by the County; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the Lease agreement with Lexington Center for Recovery, Inc., 116 Radio Circle, Mount Kisco, New York 10549, to lease the property located at Robert L. Yeager Health Center, Building D, Second Floor, Sanatorium Road, Pomona, New York, for use as an Opioid Treatment Program in the amount of \$6,933.34 per month for a total amount not to exceed \$55,466.72 for the period from May 1, 2013 through December 31, 2013, and hereby authorizes the County Executive to execute the Lease agreement on behalf of the County, 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 [NCTD].

Introduced by:

Referral No. 1319

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

**RESOLUTION NO. 215 OF 2013
 APPROVING INTERMUNICIPAL COOPERATION AGREEMENT
 BETWEEN THE COUNTY OF ROCKLAND
 AND THE TOWN OF RAMAPO FOR REIMBURSEMENT FOR
 THE PREPARATION OF AN EMERGENCY ACTION PLAN
 FOR LAKE SUZANNE DAM LOCATED IN THE TOWN OF RAMAPO
 IN AN AMOUNT NOT TO EXCEED \$21,500
 CAPITAL PROJECT NO. 7055
 AND AUTHORIZING EXECUTION OF THE AGREEMENT
 BY THE COUNTY EXECUTIVE
 [DEPARTMENT OF HIGHWAYS]
 (\$21,500)**

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

WHEREAS, The County of Rockland (“County”) and the Town of Ramapo (“Town”) are required to prepare an Emergency Action Plan (“EAP”) for Lake Suzanne Dam located in the Town of Ramapo by the New York State Department of Environmental Conservation (“NYSDEC”); and

WHEREAS, A proposal has been solicited and accepted by the Town from Maser Consulting, 777 Chesnut Ridge Road, Suite, 202, Chestnut Ridge Road, New York 10977 for required engineering with additional work to be completed by the Town; 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 Superintendent of Highways has recommended to the County Executive and the Rockland County Legislature that the County enter into an intermunicipal cooperation agreement with the Town for reimbursement to the Town for the County’s proportionate share of the preparation of the EAP for the Lake Suzanne Dam in an amount not to exceed \$21,500; and

WHEREAS, Sufficient funding for this project exists within the Capital Budget of the Highway Department under Capital Project No. 7055; 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 intermunicipal cooperation agreement between the County and the Town for reimbursement to the Town from the County for the County’s proportionate share of the preparation of the EAP for the Lake Suzanne Dam in an amount not to exceed \$21,500, and authorizes execution of the agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this project exists within the Capital Budget of the Highway Department under Capital Project No. 7055.



Schedule IT



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

777 Chestnut Ridge Road
Suite 202
Chestnut Ridge, NY 10977-4218
T: 845.362.0411
F: 845.352.2611
www.maserconsulting.com

August 1, 2012

VIA E-MAIL/Mail

gdanski@ramapo-ny.gov

Town of Ramapo
Department of Public Works
18 Pioneer Avenue
Tallman, New York 10982
Attn: Paul Gdanski, P.E.

Re: Proposal for Professional Services
Lake Suzanne Dam, State ID: 196-4179
Rockland County, New York,
MC Proposal Nos. 12001066P

Ladies/Gentlemen:

As per your email dated July 31, 2012, please find herein the scope of work as directed by the NYSDEC and our fees to perform the necessary professional services for the construction inspection of the dam.

The following scope of services has been separated into phases so that it may be more easily reviewed. The order in which the phases are presented generally follows the sequence in which the project will be accomplished; however, depending on the project, the various authorized services contained in this proposal may be performed in a sequence as deemed appropriate by Maser Consulting to meet project schedules.

SCOPE OF SERVICES

PHASE 1.0 EMERGENCY ACTION PLAN

Maser Consulting shall prepare an Emergency Action Plan (EAP) per the Department of Water 3.1.3 - Emergency Action Plans for Dams, dated June, 2010. The effort required to prepare the initial EAP is significant as compared to the annual updates due to the amount of data required to be obtained and hydraulic modeling requirements. A dam breach analysis and inundation mapping is a requirement of an EAP. We propose to prepare a steady state HEC-RAS model for the dam.

Maser Consulting proposes to develop an EAP tailored to the Suzanne Lake Dam. Maser Consulting will coordinate the EAP with County Emergency Managers, emergency responders, local officials and the Client.

Customer Loyalty through Client Satisfaction



Paul Gdanski, P.E.
 MC Proposal Nos. 12001068P
 August 1, 2012
 Page 2 of 3

For a new EAP, the dam owner is to submit calculations and hydraulic modeling data in support of the inundation areas, on paper and electronically. EAP's must be submitted in hard copy form, bound in an appropriately sized, three-ring binder, and must include all maps, figures and tables at legible scales.

The EAP shall contain the required sections as follows:

- Emergency Notification Flowchart
- Emergency Detection, Evaluation, and Classification
- Site Description
- Preparedness
- Inundation Map(s)
- Appendices
- Purpose and Scope

Engineers from Maser Consulting shall perform a visual inspection of the dam, dike and spillway. Maser Consulting shall prepare an inspection report to the Client to confirm the scope of maintenance and repairs needed.

EAP Component:	\$ 4,000.00
Hydrologic Analysis & Inundation Map Component:	\$ 15,500.00
Total Lump Sum Fee Phase 1.0	\$ 19,500.00

PHASE 2.0 MEETINGS

Attendance at agency and project coordination (including with client and other consultants) meetings will be billed hourly in accordance with the Schedule of Hourly Rates in effect at the time the meeting is held. Time spent preparing for meetings will be billed hourly in accordance with the Schedule of Hourly Rates in effect at the time the service is completed.

Phase 2.0 Fee As Specified / Hourly

PHASE 3.0 PLAN REVISIONS AND ADDITIONAL SERVICES

Services accomplished under this phase will be billed hourly in accordance with the Schedule of Hourly Rates in effect at the time the service is accomplished and will include revisions or extra services requested by the various review agencies and/or the client that differ from the original scope of service, or revisions required as conditions of approval and are not an error or omission on the part of Maser Consulting.



Paul Gdanski, P.E.
MC Proposal Nos. 12001068P
August 1, 2012
Page 3 of 3

Additional services will not be advanced without providing notice to you of the need for additional services and obtaining your approval of the additional scope of services and fees.

Phase 3.0 Fee

Hourly

EXCLUSIONS AND UNDERSTANDINGS

Services relating to the following items are not anticipated for the project or cannot be quantified at this time. Therefore, any service associated with the following items is specifically excluded from the scope of professional services within this agreement:

- Wetland delineation, reports, letter of interpretation and/or permitting applications;
- Flood plain analysis and Flood Hazard Area Application;
- Exploratory or testing work, interpretations or conclusions related to determination of potential chemical, toxic, radioactive or other type of contaminants on the site;
- Application fees and escrow deposits to any regulatory review agencies;
- Changes or revisions beyond our control or changes in basic concept after design service has been accomplished;
- Substantial plan revisions, changes, or preparation of additional design support requested by regulatory agencies during the course of project review; and

If an item listed herein, or otherwise not specifically mentioned within this agreement, is deemed necessary Maser Consulting may prepare an addendum to this agreement for your review, outlining the scope of additional services and associated professional fees with regard to the extra services.

We very much appreciate the opportunity of submitting this proposal and look forward to performing these services for you.

Very truly yours,

MASER CONSULTING P.A.

Joseph T. Caruso, P.E., P.P.
Senior Principal

ABF/oa

cc: Andrew Fetherston, Maser Consulting

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Schedule B

AGREEMENT

AGREEMENT made as of the day of , 2012, by and between the TOWN OF RAMAPO, a municipal corporation organized under the laws of the State of New York, having its principal office located at 237 Route 59, Suffern, New York 10901, hereinafter referred to as "TOWN," and the COUNTY OF ROCKLAND, a municipal corporation organized under the laws of the State of New York, with its principal office located at 11 New Hempstead Road, New City, New York 10956, hereinafter referred to as "COUNTY."

WITNESSETH:

WHEREAS, the New York State Department of Environmental Conservation has advised COUNTY and TOWN that an Emergency Action Plan, hereinafter referred to as "EAP", for the Lake Suzanne Dam must be prepared, and

WHEREAS, TOWN and COUNTY wish to have TOWN prepare an EAP for the Lake Suzanne Dam, and

WHEREAS, both governmental entities, in order to provide the most efficient service to their constituents, have determined, pursuant to Article 5-G of the General Municipal Law, that the best interests of the public would be served by the entry into an inter-governmental agreement for the provision of services with regard to preparation of an EAP,

NOW, THEREFORE, in consideration of the terms and conditions and covenants contained herein, TOWN and COUNTY do hereby agree as follows:

FIRST: TOWN will accept the proposal of Maser Consulting in the amount of FIFTEEN THOUSAND FIVE HUNDRED (\$15,500.00) DOLLARS to assist TOWN with the preparation of an EAP. A copy of the proposal is annexed hereto and made a part hereof.

SECOND: COUNTY will advance all payments due Maser with TOWN reimbursing COUNTY FIFTY PERCENT (50%) of the cost of the Maser contract by February 15, 2013.

THIRD: COUNTY will reimburse TOWN an hourly rate of ONE HUNDRED FIFTEEN (\$115.00) DOLLARS for the Town Engineers working on the EAP, at a cost not to exceed SIX THOUSAND (\$6,000.00) DOLLARS.

FOURTH: Each municipality has agreed to and approved this agreement. A copy of the resolution of each respective governing body approving the terms and conditions contained in this

agreement are annexed hereto as Exhibits "A" and "B" and made a part hereof.

FIFTH: Any failure or delay on the part of TOWN in exercising or enforcing any right under any of the provisions of the Agreement will not constitute a waiver of such provisions or of the right of TOWN to exercise or enforce each and every other right.

SIXTH: Any notice, demand, request, or other communication required to be given under this Agreement will be given by personal delivery or by certified or registered mail, postage prepaid and addressed:

(a) to TOWN at its offices at the address first set forth above, marked "Attention: Supervisor," and

(b) to COUNTY at the address first set forth above, marked "Attention: County Executive."

Notice shall be deemed given when actually delivered to TOWN's Supervisor or COUNTY's County Executive or when deposited with the post office registry clerk or an official U.S. Post Box. Either TOWN or COUNTY may, by written notice to the other given as provided herein, change the address to which written notices, requests, or other communications are to be mailed.

SEVENTH: This agreement constitutes the entire agreement between the parties and supersedes all prior negotiations, representations or agreements either oral or written. It may not be modified, except by a writing signed by the parties.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the day and year first above written.

TOWN OF RAMAPO

COUNTY OF ROCKLAND

By: _____
Christopher P. St. Lawrence, Supervisor

By: _____
C. Scott Vanderhoef, County Executive

Dated: _____

Dated: _____

Introduced by:

Referral No. 1319

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

**RESOLUTION NO. 216 OF 2013
 AUTHORIZING THE CLERK TO THE LEGISLATURE
 TO ADVERTISE FOR BIDS
 FOR A CONSTRUCTION CONTRACTOR
 FOR THE PASCACK BROOK BYPASS CULVERT PROJECT
 STONEHOUSE DRIVE, VILLAGE OF SPRING VALLEY
 CAPITAL PROJECT NO. 7113
 (DRAINAGE AGENCY)
 DIVISION OF THE HIGHWAY DEPARTMENT**

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

WHEREAS, The Superintendent of Highways has recommended that the Clerk to the Legislature be authorized and directed to advertise for a construction contractor for the Pascack Brook Bypass Culvert Project (the "Project"); and

WHEREAS, Sufficient funding for this project exists in Capital Project No. 7113 and

WHEREAS, The Project consists of installing approximately 1,625 linear feet of new precast concrete box culvert beneath an existing roadway alignment and full depth roadway reconstruction within the Project limits at Stonehouse Drive, King Terrace, Francis Place, and Union Road, in the Village of Spring Valley; and

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

RESOLVED, That the Clerk to the Legislature is hereby authorized and directed to advertise for a construction contractor for the Pascack Brook Bypass Culvert Project under Capital Project No. 7113, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this project exists within Capital Project No. 7113.

Debate:

Mr. Wieder

I would like to publicly thank the Chairperson of the Budget and Finance Committee and the Chairperson of Planning and Public Works Committee for expediting this resolution. It is long overdue. People in this area have been suffering for years. They have approved this through the committees expeditiously and I want to thank them for that. I would also like to be added as a sponsor. Thank you.

Introduced by:

Referral No. 2321

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

**RESOLUTION NO. 217 OF 2013
CONFIRMING THE APPOINTMENT OF
GERALD H. INMAN, SR., POMONA, NEW YORK
TO THE ROCKLAND COUNTY HUMAN RIGHTS COMMISSION**

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

WHEREAS, Pursuant to §C19.03 of the Rockland County Charter, there shall be a Commission on Human Rights Commission constituted in accordance with the General Municipal Law or any other law, provided that members shall be appointed by the County Executive, subject to confirmation by the Legislature, and

WHEREAS, Pursuant to Resolution No. 124 of 1977, said Commission shall consist of thirteen (13) members, and

WHEREAS, The County Executive has appointed Gerald H. Inman, Sr., Pomona, New York to the Rockland County Human Rights Commission, subject to legislative confirmation, and

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

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

RESOLVED, That the Legislature of Rockland County hereby confirms the appointment of. Gerald H. Inman, Sr., Pomona, New York to the Rockland County Human Rights 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 send a copy of this resolution to the Rockland County Human Rights Commission and to the appointee, Gerald H. Inman, Sr.

Introduced by:

Referral No. 2962

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

**RESOLUTION NO. 218 OF 2013
CONFIRMING THE APPOINTMENT OF
DEBRA KAGAN-BIRKELAND OF
NYACK, NEW YORK
TO THE ROCKLAND COUNTY
OFFICE FOR THE AGING ADVISORY COUNCIL**

Mr. Soskin offered the following resolution, which was seconded by 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 Advisory Council require at least twenty-seven (27) but no more than thirty-three (33) members; and

WHEREAS, There are currently twenty-one (21) members on the Rockland County Office For the Aging Advisory Council; and

WHEREAS, There are currently six (6) vacancies on the Advisory Council; and

WHEREAS, Over fifty percent (50%) of the current membership of the Rockland County Office for the Aging Advisory Council are persons sixty (60) years or over; and

WHEREAS, The County Executive has appointed Debra Kagan-Birkeland, Nyack, New York, to a vacancy which exists on the Rockland County Office for the Aging Advisory Council to serve at his pleasure, subject to legislative confirmation, and

WHEREAS, Debra Kagan-Birkeland, is under the age of sixty (60) years, is a care consultant for the Alzheimer's Association and is filling a vacancy which exists on the Rockland County Office for the Aging Advisory Council; 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 Debra Kagan-Birkeland, 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 Office for the Aging Advisory Council and to the appointee, Debra Kagan-Birkeland.

Introduced by

Referral No. 2806

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

**RESOLUTION NO. 219 OF 2013
CONFIRMING THE REAPPOINTMENT OF
JOSEPH V. GONZALEZ, WEST HAVERSTRAW, NEW YORK
TO THE ROCKLAND COUNTY PLANNING BOARD**

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

WHEREAS, Section C5.03 of the Rockland County Charter authorizes the County Executive to appoint members to the Rockland County Planning Board for staggered terms of four (4) years, subject to confirmation by the Legislature; and

WHEREAS, The Board is to consist of nine (9) members, with one (1) from each Town; and

WHEREAS, The term of Joseph V. Gonzalez expired on December 31, 2009, he is a holdover; and

WHEREAS, The County Executive has reappointed Joseph V. Gonzalez of West Haverstraw, New York to the Rockland County Planning Board for a new four (4) year term which shall expire on December 31, 2013, subject to legislative confirmation; and

WHEREAS, With this reappointment there is one (1) vacancy on the Board; 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 confirms the reappointment of Joseph V. Gonzalez of West Haverstraw, New York to the Rockland County Planning Board for a four (4) year term, which shall expire on December 31, 2013; 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 Planning Board and to the re-appointee, Joseph V. Gonzalez.

Introduced by:

Referral No. 6675

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

**RESOLUTION NO. 220 OF 2013
CALLING UPON THE FEDERAL EMERGENCY MANAGEMENT
AGENCY (FEMA) TO EXPEDITE THE RELEASE OF ADVISORY BASE FLOOD
ELEVATIONS (ABFES) FOR ROCKLAND COUNTY**

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

WHEREAS, both Hurricane Sandy (2012) and Hurricane Irene (2011) severely impacted Rockland County, causing significant damage and catastrophic loss of property and life; and

WHEREAS, additionally both of these storms, Hurricane Sandy in particular, changed the face of Rockland County's shore line, through flooding, erosion, and significant wind damage; and

WHEREAS, the Legislature of Rockland County believes that the damage incurred by our riverfront communities was no less devastating than, what occurred in Westchester or Bergen Counties; and

WHEREAS, the Legislature of Rockland County does not believe that Rockland's businesses, property owners and municipalities, should have to wait two additional months to receive up-dated advisory base flood elevations from FEMA; which documents are essential to future planning and restoration of damaged property and in alerting new construction and restoration in flood plains that the maps will identify; and

WHEREAS, although Rockland County's Planning Department moved swiftly to ensure that current elevations would be established for Rockland County as well, FEMA indicated that the data would still not be available for two months; and

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

RESOLVED, that the Legislature of Rockland County hereby calls upon the Federal Emergency Management Agency to expedite the release of advisory base flood elevations for Rockland County; and be it further

RESOLVED, that the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Hon. Barack H. Obama, President of the United States; Hon. Charles Schumer and Hon. Kirsten Gillibrand, United States Senators, Hon. Nita M. Lowey, Member of the United States Congress; the President Pro Tem of the United States Senate; the Speaker of the United States House of Representatives; the Majority and Minority Leaders of the United States Senate and House of Representatives; Federal Emergency Management Agency, Region II Offices, 26 Federal Plaza, New York, New York 10278; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Debate:

Mr. Schoenberger

I introduced this resolution, because Westchester County and Bergen County apparently got their Advisory Base Flood Elevations and Rockland County did not. It is very important, because people that were flooded in Hurricane Sandy need to know if the FEMA flood line has been moved or changed, because when they make renovations or improvements to their home they have to know the flood line. They are required to get flood insurance, but have to be outside the flood line and if they are rebuilding and the elevations have changed people can serious problems with obtaining flood insurance for their homes. If they have mortgages they require flood insurance.

It is not right and not fair that Westchester County and Bergen County should have their Advisory Base Flood Elevations lines and Rockland County has to wait another two to three months for theirs. This resolution calls upon FEMA to treat Rockland County in a fair and equitable way and give us our Advisory Base Flood Elevations as soon as possible. Thank you.

**ADJOURNMENT IN MEMORY OF
DENIS "DJ" HERLIHY**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Denis "DJ" Herlihy.

**ADJOURNMENT IN MEMORY OF
JOHN F. KILLIAN**

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 John F. Killian.

**ADJOURNMENT IN MEMORY OF
TONI ANNE TEITEL**

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 Toni Anne Teitel.

**ADJOURNMENT IN MEMORY OF
JACKIE DEMPSEY-O'GRADY**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Jackie Dempsey-O'Grady.

**ADJOURNMENT IN MEMORY OF
JOSEPH MARSICO**

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 Joseph Marsico.

**ADJOURNMENT IN MEMORY OF
EUGENE MCCARTHY**

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 Eugene McCarthy.

**RESOLUTION NO. 221 OF 2013
ADJOURNMENT**

Mr. Murphy offered the following resolution, which was seconded by Mr. Jobson and unanimously adopted (11:38 p.m.)

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

Respectfully Submitted,

DARCY SHAPIN - GREENBERG
Proceedings Clerk