

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, March 18, 2014 at 7:00 P.M., pursuant to the adjournment of the March 4, 2014 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 13th day of March 2014

The Legislature of Rockland County convened in regular session pursuant to adjournment of the March 4, 2014 meeting.

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

- Christopher J. Carey
- Harriet D. Cornell
- Toney L. Earl
- Michael M. Grant
- Douglas J. Jobson
- Barry S. Kantrowitz
- 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
- Jay Hood, Jr., Vice Chairman
- Alden H. Wolfe, Chairman

Honorable Aron B. Wieder, Majority Leader, led in the Salute to the Flag.

Rabbi Chaim Ehrenreich, founder and director of Chabad Jewish Enrichment Center, delivered the invocation.

**RESOLUTION NO. 104 OF 2014
ADOPTION OF MINUTES OF LEGISLATIVE MEETINGS
OF FEBRUARY 18, 2014 AND MARCH 4, 2014**

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

Resolved, that the transcribed minutes of the Legislative meetings of February 18, 2014 and March 4, 2014, as recorded by the Clerk and presented to the Legislature, be and they are hereby adopted.

The Chairman opened the public participation portion of the meeting at 7:04 p.m. and the following persons spoke:

- ❖ Bonnie Morr, United Transportation Union representing employees of Brega Transport concerned with union negotiations
- ❖ Helaine Parsons, Concerned with union negotiations between Brega Transport and United Transportation Union
- ❖ Samuel Nasca, NYS Legislative Director of United Transportation Union concerned with union negotiations between Brega Transport and United Transportation Union
- ❖ Thomas Bruce, Concerned with union negotiations between Brega Transport and United Transportation Union
- ❖ Laura Wright, East Ramapo student, help returning art and music to school district
- ❖ Richard Brega, Negotiations with United Transportation Union are ongoing
- ❖ Alexandria Dixon, Alpha Kappa Alpha Sorority Inc., Emerging Young Leaders Program
- ❖ Steve White, Concerns with East Ramapo School District; contact Commissioner King

Public Participation ended at 7:18 p.m.

Comments from the Chairperson

Honorable Alden H. Wolfe

Spring is just a few days away, which is something we can all look forward to.

Comments from Legislators:

Legislator Patrick J. Moroney

Invitation to the Pearl River St. Patrick's Day Parade Sunday. You are all welcomed. I hope to see you all there.

Legislator Toney L. Earl

It was a little disheartening to hear what was going on with the union tonight. I know Mr. Brega well and I plan to become more involved with that coming from 8-years with the New York City Transit Union. I plan to make myself more available to the union and to Mr. Brega. I have worked with him before and we have a good working relationship. He is an honorable man. I look forward to working on that with you.

It is good to see students here from East Ramapo School District, and my friend Alexandria Dixon. Ms. Wright, you handled yourself very well tonight. I too would like to see my colleagues help in anyway they can to get the arts and music programs back. Legislator Aney Paul and I met with Congresswoman Nita Lowey we also were exploring ways to help with that situation.

Legislator Harriet D. Cornell

I want to speak to the students, because I think there is nothing more important than having music and arts in the schools. Some of our not-for-profit organizations, most particularly, "The Rockland Center for the Arts" sought and received grants from various State sources and worked with students from East Ramapo on the visual arts. They are going to be attending a Budget and Finance Committee meeting later this month just to tell our Legislative colleagues about the work that they have done with students. I think that the entire community of Rockland County cares about those issues and would like to see the arts back in the schools, but in the meantime the not-for-profit organizations are working to provide arts for students. Thank you.

Legislator Aney Paul

I appreciate the students who came tonight and spoke to us. I understand their concerns. Arts and music is very important for the children. We met with Congresswoman Lowey and she said she will look into that and we will follow-up and try to help the best we can.

**RESOLUTION NO. 105 OF 2014
WAIVE THE RULES OF THE LEGISLATURE
TO CONSIDER PROPOSED RESOLUTION
UNDER UNFINISHED BUSINESS**

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

RESOLVED, that the Rules of the Legislature be waived to consider Item 10 A, Resolution No. 106 of 2014 under Unfinished Business.

UNFINISHED BUSINESS
AMENDED
Referral No. 9485

Introduced by:

- Hon. Alden H. Wolfe, Sponsor
- Hon. Harriet D. Cornell, Co-Sponsor
- Hon. Toney L. Earl, Co-Sponsor
- Hon. Philip Soskin, Co-Sponsor
- Hon. Frank Sparaco, Co-Sponsor
- Hon. Douglas J. Jobson, Co-Sponsor

**RESOLUTION NO. 106 OF 2014
DIRECTING THAT ANY ASSETS THAT MAY BE RECEIVED BY THE COUNTY
UPON THE DISSOLUTION OF THE ROCKLAND COUNTY HEALTH FACILITIES
CORPORATION BE PLACED IN THE "LDC TRANSFER RESERVE FUND" AND TO BE
DISBURSED PURSUANT TO THE PROVISIONS OF THIS RESOLUTION**

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

WHEREAS, by Local Law No. 10 of 2012, the Legislature of Rockland County instituted a plan to reduce the Rockland County deficit by annually placing monies into an account designated "for deficit reduction", which account is a deficit reserve fund and cannot and will not be used for any purpose other than to eliminate the deficit in Rockland County; and

WHEREAS, by Resolution No. 192 of 2013, the Legislature of Rockland County authorized the establishment of the Rockland County Health Facilities Corporation, pursuant to Section 1411 of the Not-for-Profit Law of the State of New York (the "LDC Act"), to allow certain real property of the County not required for use by the County (the Facility") and all personal property that is used or useful to the operation of the Facility to 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, by Resolution No. 192 of 2013 and Resolution 663 of 2013, the County also authorized the transfer to the LDC of all its right, title and interest in and to the Facility; and

WHEREAS, in 2013 the Governor of the State of New York signed the Rockland County Deficit Financing Act, which authorized the County to sell bonds in the amount of \$96 million dollars, the amount of the 2011 audited deficit. However, the 2012 audited deficit is \$128 million dollars, and there may be an additional amount certified when the 2013 audit is completed, thereby keeping the County in deficit even after the sale of the deficit bonds; and

WHEREAS, the Rockland County Health Facilities Corporation is in the process of securing bids and arranging for the sale of the Facility; and

WHEREAS, paragraph eight of the By-laws of the Corporation provides that upon dissolution of the Corporation, "after paying or making provision for payment of all debts and liabilities...the remaining assets and property of the Corporation will be transferred to the county pursuant to Section 1411 of the Not-for-Profit Corporation Law"; and

WHEREAS, it is the intention of the County Legislature that any cash returned to the County upon the sale of the Facility and the subsequent dissolution of the Corporation be set aside in the "LDC Cash Transfer Reserve Fund" created by this resolution to be applied only to legacy expenses, related debts and deficit reduction of the nursing home and/or hospital obligations to be released that same year or the following years by resolution duly adopted in accordance with the Rockland County Charter; and

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

RESOLVED, when the local development corporation (LDC) transfers the cash back to the County of Rockland those funds shall be deposited into a dedicated reserve fund to be titled the "LDC Cash Transfer Reserve Fund" which funds will be restricted to payment of legacy expenses, related debts and obligations of the nursing home and/or hospital and deficit reduction. None of the "LDC Cash Transfer Reserve Fund" can be removed from this account except by a legislative resolution duly adopted in accordance with the Rockland County Charter.

Debate:

Mr. Schoenberger

This has been on our agenda twice before and pulled at the request of the County Executive. The last meeting you read a letter that said there was a new and improved resolution.

Chairman Wolfe

That is correct.

Mr. Schoenberger

I just got this on my desk a few minutes ago. In what manner is this new and improved?

Chairman Wolfe

It is not. This is my original version that had been previously tweaked with the input of our independent auditors. It is our version that we will be voting on tonight.

RESOLUTION NO. 107 OF 2014**BOND RESOLUTION DATED MARCH 18, 2014**

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR THE COST OF REPLACEMENT OF THE SAMSONDALE AVENUE BRIDGE OVER CSX RAILROAD IN THE VILLAGE OF WEST HAVERSTRAW, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,600,000; STATING THAT THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,600,000 BONDS HEREIN AUTHORIZED; AND AUTHORIZING \$1,731,200 EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA AND \$324,600 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

Mr. Grant offered the following bond resolution, which was seconded by Mr. Earl, Mr. Jobson, Mr. Moroney and Mr. Hood, Jr. and by roll call vote was unanimously adopted:

(Adopted) March 18, 2014

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Rockland, New York (herein called "County"), is hereby authorized to establish a new capital project for the Department of Highway, consisting of replacement of the Samsondale Avenue Bridge over CSX Railroad in the Village of West Haverstraw, all as more particularly described in the County's 2014 Capital Budget, as amended. The estimated total cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,600,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$3,600,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes, and authorizing \$1,731,200 expected to be received from the United States of America and \$324,600 expected to be received from the State of New York to be expended towards the cost of said specific object or purpose or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. Bonds of the County in the principal amount of \$3,600,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years.

Section 4. The County intends to finance, and the Commissioner of Finance of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the specific object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the total amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Rockland, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution, or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. The Clerk to the Rockland County Legislature is hereby directed to publish the foregoing bond resolution, in summary, in the "ROCKLAND JOURNAL NEWS", West Nyack, New York and the "ROCKLAND COUNTY TIMES", published by Citizen Publishing Corp., Nanuet, New York, each of said newspapers having been designated the official newspapers of the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 9. This Resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter.

* * *

The adoption of the foregoing resolution was seconded by Legislators Toney L. Earl, Douglas J. Jobson, Patrick J. Moroney and Jay Hood, Jr. and duly put to a vote on roll call, which resulted as follows:

AYES: 17
NOES: 0
ABSENT: 0

The resolution was declared adopted.

Roll Call:

Legislator Kantrowitz – Yes.

Legislator Low-Hogan – Yes.

Legislator Meyers – Yes.

Legislator Moroney – Yes.

Legislator Murphy – Yes.

Legislator Paul – Yes.

Legislator Schoenberger – Yes.

Legislator Soskin – Yes.

Legislator Sparaco – Yes.

Legislator Wieder – Yes.

Legislator Carey – Yes.

Legislator Cornell – Yes.

Legislator Earl – Yes.

Legislator Grant – Yes.

Legislator Jobson – Yes.

Vice Chair Hood, Jr. – Yes.

Chairman Wolfe – Yes.

Introduced by:

Referral No. 6394

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

**RESOLUTION NO. 108 OF 2014
 AMENDING 2014 ADOPTED CAPITAL BUDGET IN THE AMOUNT OF \$4,200,000
 INCREASING THE TOTAL PROJECT COST FROM \$37,800,000 TO \$42,000,000
 FOR RECONSTRUCTION OF NEW HEMPSTEAD ROAD,
 TOWNS OF RAMAPO AND CLARKSTOWN
 CAPITAL PROJECT NO. 3273
 [DEPARTMENT OF HIGHWAYS]
 (\$42,000,000)**

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

WHEREAS, Previously the Legislature of Rockland County authorized a capital project for the reconstruction of New Hempstead Road in the Towns of Ramapo and Clarkstown and created an account in the Capital Budget, Capital Project No. 3273; and

WHEREAS, By Resolution No. 570 of 2013 the Legislature of Rockland County approved an amendment to the 2013 Adopted Capital Budget to increase the total project amount of Capital Project No. 3273 in the amount of \$4,500,000, which represented the estimated Utility Portion of the project being reimbursed to the County by the utility companies in the approximate amount of \$4,500,000; and

WHEREAS, Most of the utility work has been completed and the actual cost for the Utility Portion of the project is \$1,578,452 more than previously estimated; and

WHEREAS, The additional costs for the Utility Portion of the project in the amount of \$1,578,452 will be reimbursed to the County by the utility companies; and

WHEREAS, Further costs in the amount of \$2,588,203 were incurred as work on the project progressed. Costs attributed to road reconstruction (e.g. drainage pipe, excavation, asphalt and curbing) will be eligible for Federal and State reimbursement. Federal reimbursement is expected in the amount of Federal \$2,065,573 with State reimbursement expected in the amount of \$30,073. Additional costs related to decorative street lighting, electric service connections and ancillary improvements in the amount of \$492,557 are not eligible for Federal and State reimbursement and therefore, are the County's local share; and

WHEREAS, The Superintendent of Highways is requesting that the Rockland County Legislature amend the 2014 Capital Budget to increase the Capital Project 3273 in the amount of \$4,200,000 to allow for continued payment of actual construction costs of the project; and

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

RESOLVED, That the Legislature of Rockland County hereby approves an amendment to the 2014 Capital Budget to increase funding in the amount of \$37,800,000 to \$42,000,000 an increase of \$4,200,00 in the Capital Project No. 3273 for reconstruction of New Hempstead Road; and be it further

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

CAPITAL PROJECTS FUND

Increase Approp. Acct.:

H3273	County Route 80 Corridor Study, EA & Construction - New City Revitalization	4,200,000
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Increase Est. Rev. Acct.:

H2770	Other Unclassified Revenue (Utility Reimbursement)	1,578,452
H3098	State Aid	30,073
H4098	Federal Aid	2,065,573
H5710	Proceeds from Bonds	525,902

Introduced by:

Referral No. 6394

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

**RESOLUTION NO. 109 OF 2014
 APPROVING AGREEMENT IN EXCESS OF \$100,000
 WITH MONTESANO BROS., INC.
 FOR THE RECONSTRUCTION OF NEW HEMPSTEAD ROAD,
 TOWNS OF RAMAPO AND CLARKSTOWN
 CAPITAL PROJECT NO. 3273
 IN THE ADDITIONAL AMOUNT OF \$4,166,653.49
 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$32,715,574.79
 AND AUTHORIZING EXECUTION OF THE CONTRACT
 BY THE COUNTY EXECUTIVE
 [DEPARTMENT OF HIGHWAYS]
 (\$32,715,574.79)**

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

WHEREAS, By Resolution No. 136 of 2011 the Legislature of Rockland County accepted the bid of \$28,548,921.30 from Montesano Bros. Inc., the lowest responsible bidder, and approved a contract in excess of \$100,000 with Montesano Bros, Inc., 76 Plain Avenue, New Rochelle, New York 10801, in an amount not to exceed \$28,548,921.30 for the reconstruction of New Hempstead Road, Capital Project No. 3273 pursuant to plans and specifications prepared by the Rockland County Department of Highways, and authorized the execution of the contract by the County Executive, subject to the approval of the County Attorney; and

WHEREAS, On April 12, 2011 the County of Rockland entered into an agreement with Montesano Bros, Inc., 76 Plain Avenue, New Rochelle, New York 10801, in an amount not to exceed \$28,548,921.30 for the reconstruction of New Hempstead Road, Capital Project No. 3273 with the term to commence upon the receipt of Notice to Proceed and all work to be completed within 28 months; and

WHEREAS, By letter amendment dated September 16, 2013, the term of the agreement with Montesano Bros, Inc., 76 Plain Avenue, New Rochelle, New York 10801, in an amount not to exceed \$28,548,921.30 for the reconstruction of New Hempstead Road, Capital Project No. 3273 was extended through December 31, 2013; and

WHEREAS, By letter amendment dated December 23, 2013, the term of the agreement with Montesano Bros, Inc., 76 Plain Avenue, New Rochelle, New York 10801, in an amount not to exceed \$28,548,921.30 for the reconstruction of New Hempstead Road, Capital Project No. 3273 was extended through July 31, 2014; and

WHEREAS, The Superintendent of Highways recommends that the Rockland County Legislature approve an amendment to the contract in the additional amount of \$4,166,653.49, for a total contract sum not to exceed \$32,715,574.79 with Montesano Bros, Inc., 76 Plain Avenue, New Rochelle, New York 10801, for additional construction costs related to the reconstruction of New Hempstead Road Capital Project No. 3273 for the period through July 31, 2014; and

WHEREAS, Costs related to the Utility Portion of the work on the New Hempstead Road project in the amount of \$1,578,452 will be reimbursed to the County by the utility companies; and

WHEREAS, Costs attributed to the road reconstruction (e.g. drainage pipe, excavation, asphalt and curbing) are eligible for reimbursement to the County as follows, Federal Aid in the amount of \$2,065,573 and State Aid in the amount of \$30,073; and

WHEREAS, Additional costs related to decorative street lighting, electric service connections and ancillary improvements in the amount of \$492,557 are not eligible for Federal and State reimbursement and therefore, are the County's local share; and

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

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

RESOLVED, That the Rockland County Legislature hereby approves an amendment to the contract with Montesano Bros, Inc., 76 Plain Avenue, New Rochelle, New York 10801, in the additional amount of \$4,166,653.49, for a total contract sum not to exceed \$32,715,574.79, for additional construction costs related to the reconstruction of New Hempstead Road Capital Project No. 3273 for the period through July 31, 2014, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That costs related to the Utility Portion of the work on the New Hempstead Road project in the amount of \$1,578,452 will be reimbursed to the County by the utility companies; and be it further

RESOLVED, That costs attributed to the road reconstruction (e.g. drainage pipe, excavation, asphalt and curbing) will be reimbursed to the County as follows, Federal Aid in the amount of \$2,065,573 and State Aid in the amount of \$30,073; and be it further

RESOLVED, That sufficient funding for the County's local share of \$492,557 has been authorized in the 2014 Amended Capital Budget, Capital Project No. 3273.

Introduced by:

Referral No. 5906

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

**RESOLUTION NO. 110 OF 2014
 APPROVING AGREEMENT IN EXCESS OF \$100,000
 WITH NATIONAL WATER MAIN CLEANING CO.
 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$885,852.45
 FOR THE SEWER SYSTEM MAINTENANCE PROJECT, CONTRACT SM2014-01
 FOR A PERIOD OF 210 CONSECUTIVE CALENDAR DAYS OR
 UNTIL DECEMBER 31, 2014 WHENEVER IS EARLIEST
 FROM THE NOTICE TO PROCEED AND
 AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [ROCKLAND COUNTY SEWER DISTRICT NO. 1]
 (\$885,852.45)**

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

WHEREAS, The Rockland County Sewer District No. 1 ("Sewer District") is required pursuant to a modified permit issued by the New York State Department of Environmental Conservation ("NYSDEC") to rehabilitate 126,500 linear feet of sewer lines per year in order to reduce infiltration;

WHEREAS, The Sewer District advertised for bids for 2014 Sewer System Maintenance Project, Contract SM2014-01; and

WHEREAS, This contract is for cleaning, televising, testing and sealing of sewer lines, manhole sealing with grout, internal manhole chimney seals and miscellaneous work; and

WHEREAS, The work is located in the Towns of Clarkstown, Ramapo and Orangetown; and

WHEREAS, Two (2) bids were received by the Sewer District on November 7, 2013, as follows: New England Pipe Cleaning Co. in the amount of \$1,097,584.15; and, National Water Main Cleaning Co. in the amount of \$885,852.45 and

WHEREAS, The bids were tabulated and checked by the staff of the Sewer District; and

WHEREAS, National Water Main Cleaning Co. has satisfactorily completed similar projects in the past for the Sewer District; and

WHEREAS, By Resolution No. 48 of 2013 the Board of Sewer Commissioner's awarded Contract SM2014-01 to National Water Main Cleaning Co., 875 Summer Avenue, Newark, New Jersey 07104, for the 2014 Sewer System Maintenance Project, for a period of 210 calendar days from the Notice to Proceed or December 31, 2014 whichever date is earliest, subject to the approval of the Rockland County Legislature; and

WHEREAS, Sufficient funding for this agreement exists in the 2014 Operating Budget of the Rockland County Sewer District No. 1.

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

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

RESOLVED, That the Legislature of Rockland County hereby approves execution of an agreement in excess of \$100,000 with National Water Main Cleaning Co., 875 Summer Avenue, Newark, New Jersey 07104, for the 2014 Sewer System Maintenance Project, Contract SM2014-01 in an amount not to exceed \$885,852.45, for a period of 210 calendar days from the Notice to Proceed or December 31, 2014 whichever is earliest, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement exists in the 2014 Operating Budget of the Rockland County Sewer District No. 1.



Introduced by:

Referral No. 6803/7493

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

**RESOLUTION NO. 111 OF 2014
 APPROVING PURCHASES IN EXCESS OF \$100,000
 FOR COMPREHENSIVE LIQUID BITUMINOUS MATERIALS UTILIZING THE
 NEW YORK STATE CONTRACT GROUP 31555 AWARD 22669 AND ANY
 SUCCESSOR CONTRACT IN A TOTAL AMOUNT NOT TO EXCEED \$1,000,000
 BY FORMAL PURCHASE ORDER FOR THE PERIOD
 FROM JANUARY 1, 2014 THROUGH DECEMBER 31, 2014
 [DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING]
 (\$1,000,000)**

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

WHEREAS, Comprehensive liquid bituminous material (including Chip Seal and Microseal) is available to the County under New York State OGS Contract No. Group 31555 Award 22669; and

WHEREAS, Specific vendors cannot be determined at this time, as the state contract requires the Department of Highways to obtain Quick Quotes from multiple vendors regarding each specific job prior to the work being performed by the County; and

WHEREAS, The Quick Quotes must be requested and received near the dates for the work to be scheduled since the prices of these products fluctuate based upon market conditions; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County enter into a contract in excess of \$100,000 under NYS OGS Contract No. Group 31555 Award 22669 and any successor contract for Comprehensive Liquid Bituminous Materials (Chip Seal in the amount of \$250,000 and Microseal in the amount of \$750,000) for a total amount not to exceed \$1,000,000 for the period from January 1, 2014 through December 31, 2014; and

WHEREAS, Based on the Quick Quotes received by the Highway Department and Purchasing Division, funds shall be encumbered in advance by entering a requisition to be approved by the Department of Budget and upon the Division of Purchasing issuing a purchase order; and

WHEREAS, All purchases will be initiated by formal purchase order in accordance with the approved 2014 Budget of the Department of Highways; and

WHEREAS, Sufficient funding for this contract is provided for in the 2014 Budget of the Department of Highways; 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 approves the purchases in excess of \$100,000 under NYS OGS Contract No. Group 31555 Award 22669 and any successor contract for Comprehensive Liquid Bituminous Materials (Chip Seal in the amount of \$250,000 and Microseal in the amount of \$750,000) for a total amount not to exceed \$1,000,000 for the period from January 1, 2014 through December 31, 2014 and authorizes the purchases to be made by formal purchase order, subject to the approval of the Department of Budget and Director of Purchasing; and be it further

RESOLVED, That sufficient funding for this contract is provided for the 2014 Budget of the Department of Highways.

Introduced by:

Referral No. 9323

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

**RESOLUTION NO. 112 OF 2014
 APPROVING PURCHASES IN EXCESS OF \$100,000
 FROM ORACLE AMERICA, INC.
 FOR ANNUAL PEOPLESFT ENTERPRISE AND PEOPLESFT
 DATABASE MAINTENANCE AND SUPPORT FOR EXISTING LICENSES
 IN AN AMOUNT NOT TO EXCEED \$252,928.16
 IN ACCORDANCE WITH NYS OGS CONTRACT NO. PT64000
 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
 [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
 (\$252,928.16)**

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

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

WHEREAS, By Resolution No. 168 of 2013, the Legislature of Rockland County approved the purchases in excess of \$100,000 from Oracle America, Inc., 1910 Oracle Way, Reston, VA 20190 for annual PeopleSoft Financial and Human Resource Systems Maintenance and support for existing licenses in an amount not to exceed \$214,348.10 for the period from January 1, 2013 through December 31, 2013 and Annual Oracle Database Enterprise Edition-Processor Perpetual Maintenance and support for existing licenses in the amount of \$31,213.24 for the period February 11, 2013 through February 10, 2014 for a total amount not to exceed \$245,561.34 in accordance with the terms and conditions specified in New York Office of General Services (NYS OGS) Contract No. PT64000; and

WHEREAS, It is necessary for the County to continue this annual maintenance and support for its PeopleSoft Software from Oracle America, Inc. in 2014; and

WHEREAS, The County may procure the annual maintenance and support from Oracle America, Inc. in accordance with the NYS OGS contract at volume discounted pricing for the entire State of New York; and

WHEREAS, Under the NYS OGS contract, the price to purchase of PeopleSoft Financial and Human Resource Systems for the period from January 1, 2014 through December 31, 2014 is \$220,778.52 (3% increase over previous cost); and

WHEREAS, Under the NYS OGS contract, the price to purchase of Oracle Database Enterprise Edition- Processor Perpetual for the period from February 11, 2014 through February 10, 2015 is \$32,149.64 (3% increase over previous cost); and

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

WHEREAS, The Director of Purchasing requests that the County Executive and the Legislature of Rockland County approve purchases in excess \$100,000 from Oracle America, Inc., 1910 Oracle Way, Reston, VA 20190 for annual Oracle PeopleSoft Enterprise and PeopleSoft Database maintenance and support for existing licenses in an amount not to exceed \$252,928.16 in accordance with the terms and conditions specified in NYS OGS Contract No. PT64000; and

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

WHEREAS, Sufficient funding for these purchases is provided for in the 2014 Adopted Budget of the Department of General Services M DGS-2300-4220; 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 purchases in excess \$100,000 from Oracle America, Inc., 1910 Oracle Way, Reston, VA 20190 for annual Oracle PeopleSoft Enterprise and PeopleSoft Database maintenance and support for existing licenses in an amount not to exceed \$252,928.16 in accordance with the terms and conditions specified in NYS OGS Contract No. PT64000; and

RESOLVED, That sufficient funding for these purchases is provided for in the 2014 Adopted Budget of the Department of General Services M DGS-2300-4220.

Introduced by:

Referral No. 8203

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

**RESOLUTION NO. 113 OF 2014
ADOPTING THE LIST OF PERSONS REQUIRED TO FILE
AN ANNUAL STATEMENT OF FINANCIAL DISCLOSURE
FOR THE REPORTING YEAR 2013**

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

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

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

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

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

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

WHEREAS, The County Executive has referred the annexed list of persons required to file an annual statement of financial disclosure for the reporting year 2013 to the Rockland County Legislature for its review and adoption; and

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

RESOLVED, That the Legislature of Rockland County hereby adopts the annexed list of persons required to file an annual statement of financial disclosure for the reporting year 2013.

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 1 OF 9

ROCKLAND COUNTY

INDIVIDUALS REQUIRED TO COMPLETE AND FILE
2013 ANNUAL STATEMENTS OF FINANCIAL DISCLOSURE

INCUMBENTS OF THE FOLLOWING POSITIONS

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

Assistant Director, Drug Task Force
Assistant Director, Facilities Management
Assistant Director of Fire and Emergency Services
Assistant Director of Food Services (Health Complex)
Assistant Director of Legal Services

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

Assistant Director of Patient Services
Assistant Director of Plant Facilities
Assistant Director, Emergency Preparedness (Public Health)
Assistant Director, Office for the Aging
Assistant Director, Public Health Education

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

Assistant to the Commissioner of Social Services (Special Projects)
Assistant to the County Executive II
Assistant Patient Services Administrator
Assistant Trips Operations Supervisor
Associate Planner (GIS)

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 2 OF 9

Auditor (Child Care Program)
Auditor (Social Services)
Budget Director
Chairman of the County Legislature
Chief Advisor to the County Executive

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

Chief of Staff (County Executive)
Chief Operator
Child Program Coordinator (Public Health Social Work)
Child Welfare Legal Specialist
Clerk of the Works I

Clerk of the Works II
Clerk to the Legislature
Commissioner of Elections
Commissioner of Finance
Commissioner of General Services

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

Commissioner of Personnel
Commissioner of Planning
Commissioner of Social Services
Communications Coordinator (Sheriff)
Community Relations Coordinator

Compliance Administrator (Sewers)
Confidential Assistant to the County Executive
Confidential Assistant to the Commissioner of Personnel
Confidential Investigator
Confidential Investigator (Computer Crimes)

Consumer Protection Coordinator (Operations)
Coordinator, Adult Day Care Program
Coordinator, Assistance Programs
Coordinator, Communicable Disease Program (Public Health)
Coordinator, Community Resource Programs

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 3 OF 9

Coordinator, Employment Programs and Services
Coordinator, EMS
Coordinator of Environmental Resources
Coordinator, Fire Instruction
Coordinator, Planning (Mental Health)

Coordinator, Planning (Social Services)
Coordinator, Safety, Compliance, & Fire Services
Coordinator of Services, Children, Youth, and Families
Coordinator of Services, Adults & Seniors
Coordinator, Special Projects (DGS)

Coordinator, Training Programs
Coordinator, TRIPS Operations
Coordinator, WIC Program
Correction Captain
County Archivist

County Auditor
County Clerk
County Communications Coordinator
County Executive
County Legislator

County Training Coordinator
Deputy Budget Director
Deputy Clerk to the Legislature
Deputy Commissioner of Elections
Deputy Commissioner of Mental Health

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

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

Director of Consumer Protection and Public Advocate
Director of County Veterans Service Agency
Director, Drainage Agency
Director, Drug Task Force
Director of Economic Development

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 4 OF 9

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

Director Fiscal Operations (PH)
Director of Food Services (Health Complex)
Director, GIS
Director, Hospitals (Mental Health)
Director of Housing & Community Development

Director of Insurance & Risk Management
Director of Intergovernmental Relations
Director, Investigative Technologies Support Center
Director of Legal Services
Director of MIS

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

Director of Pharmacy Services
Director of Plant Facilities
Director of Probation III
Director, Public Health Education
Director of Public Policy and Intergovernmental Relations

Director of Purchasing
Director of Rehabilitative Services
Director of Research (Planning)
Director of Social Services (PH)
Director of Social Services (Social Services)

Director of Strategic Communications
Electrical Inspector (pt)
Emergency Planning and Public Information Coordinator
Environmental Biologist
Environmental Health Specialist

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

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 5 OF 9

Fleet Manager
Flow Control Engineer
Geologist II
GIS Planning Coordinator
Grants Specialist (Public Transportation)

Health Records Administrator
Highway Maintenance Supervisor III
Home Program Coordinator
Housing and Community Development Supervisor
Housing Coordinator (DSS)

Human Resources Coordinator
Industrial Training Coordinator
Labor Relations Administrator
Laboratory Supervisor
Legislative Analyst

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

Nursing Coordinator (Psychiatric)
Operations Analyst (Budget)
Operations Analyst (Hospital)
Parks Operations Manager
Patient Services Administrator

Patrol Captain
Personnel Administrator
Personnel Administrator II
Personnel Coordinator (Classifications+Transactions)
Personnel Coordinator (Examinations)

Pharmacy Supervisor
Pollution Control Supervisor
Pre-School Program Coordinator
Principal Planner
Principal Planner (Transportation)

Program Coordinator, Hazardous Materials
Public Health Administrator
Public Health Education Coordinator
Public Health Sanitarian
Public Transportation Procurement Coordinator

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 6 OF 9

Quality Assurance Coordinator
Real Property Tax Services Officer
Research Assistant (County Executive)
Second Deputy County Clerk
Section 8 Program Coordinator (Community Development)

Security Administrator (MIS)
Security Administrator II (MIS)
Security Operations Coordinator
Senior Auditor
Senior Budget Specialist

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

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

Supervising Nurse Practitioner (PH)
Supervising Public Health Nurse
Supervising Radiologic Technician
Supervising Respiratory Therapist
Support Services Project Coordinator

Surveyor
Systems Administrator (MIS)
Systems Administrator II (MIS)
Systems Administrator and Programmer (GIS)
Systems Administrator and Programmer (MIS)

Systems Development Administrator (MIS)
Therapeutic Recreation Supervisor
Transit Administrator
Transit Marketing Coordinator
Tourism & Local Development Coordinator

Undersheriff
Unified Services Coordinator

INCUMBENTS OF THE FOLLOWING POSITIONS

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

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

ENGINEERS

- Associate Public Health Engineer *
- Engineer III *
- Engineer III (Sewers) *
- Engineer IV *
- Engineer IV (Highway) *
- Engineer IV (Sewers) *
- Public Health Engineer *
- Senior Public Health Engineer *

*Requires Professional Engineer's License

ATTORNEYS

- Assistant County Attorney
- Assistant District Attorney
- Assistant Public Defender
- Attorney II
- Attorney III
- Chief Assistant County Attorney
- Chief Assistant District Attorney
- County Attorney
- Deputy Public Defender
- District Attorney
- Executive Assistant County Attorney
- Executive Assistant District Attorney
- Executive Assistant District Attorney (Narcotics)
- Executive Assistant District Attorney (Special Programs & Investigations)
- First Assistant District Attorney

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 8 OF 9

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

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

PHYSICIANS & DENTISTS

Assistant Medical Examiner (PT)
Clinic Dentist
Clinic Physician
Clinic/Consulting Physician
Director, TB and Communicable Disease Programs

Internist
Jail Physician
Medical Examiner
Pathologist
Psychiatrist I

Psychiatrist I (Clinic)
Psychiatrist II
Psychiatrist II (Clinic)
Psychiatrist III

AT ROCKLAND COMMUNITY COLLEGE

Trustee
President

Associate Vice President of Academic and Community Partnerships
Associate Vice President of Enrollment Management
Associate Vice President of Finance/Comptroller
Associate Vice President of Instruction and Academic Services
Associate Vice President of Student Development

Director of Campus Communications
Director of Human Resources
Provost and Vice President of Academic Affairs and Student Services
Vice President of Finance & Administration

INCUMBENTS OF THE FOLLOWING POSITIONS

PAGE 9 OF 9

THE CHAIRPERSON OF THE FOLLOWING BOARDS/COMMISSIONS

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

MEMBERS OF THE FOLLOWING BOARDS/COMMITTEES

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

Introduced by:

Referral No. 9475

Hon. Michael M. Grant, Sponsor
 Hon. Alden H. Wolfe, Co-Sponsor
 Hon. Ilan S. Schoenberger, Co-Sponsor
 Hon. Harriet D. Cornell, Co-Sponsor
 Hon. Toney L. Earl, Co-Sponsor
 Hon. Jay Hood, Jr., Co-Sponsor
 Hon. Nancy Low-Hogan, Co-Sponsor
 Hon. Philip Soskin, Co-Sponsor
 Hon. Frank Sparaco, Co-Sponsor
 Hon. Christopher J. Carey, Co-Sponsor
 Hon. Douglas J. Jobson, Co-Sponsor
 Hon. Barry S. Kantrowitz, Co-Sponsor
 Hon. Joseph L. Meyers, Co-Sponsor
 Hon. Patrick J. Moroney, Co-Sponsor
 Hon. John A. Murphy, Co-Sponsor
 Hon. Aney Paul, Co-Sponsor
 Hon. Aron B. Wieder, Co-Sponsor

**RESOLUTION NO. 114 OF 2014
 REQUESTING THE NEW YORK STATE LEGISLATURE AND THE GOVERNOR
 OF THE STATE OF NEW YORK TO ADOPT LEGISLATION ELIMINATING
 THE IMPOSITION ON COUNTIES OF 50 PERCENT OF THE
 NON-FEDERAL PORTION FOR MEDICAID EXPENSES**

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

WHEREAS, the United States federal government has passed legislation creating the Medicaid Program of benefits for all qualified residents of the United States; and

WHEREAS, the federal government has legislated that it will pay 50 percent of the costs of the Medicaid program and has passed the obligation of the remaining 50 percent to the individual states; and

WHEREAS, all but 2 of the 50 states have opted to pay 100 percent of non-federal share from state funds only; and

WHEREAS, the states are permitted by statute to share the non-federal portion (50 percent) with the counties of said state by splitting the 50 percent non federal portion, 25 percent from the counties and 25 percent from the state; and

WHEREAS, the State of New York has opted to impose upon the counties of New York State to bear the cost of one-half of the state obligation, to wit: 25 percent; and

WHEREAS, the election by New York State to share fifty-fifty the non-federal portion of the cost of Medicaid with its counties is an onerous and inappropriate procedure; and

WHEREAS, the costs to the County of Rockland for its contributions to the state to pay the Medicaid program expenses for the year 2013 was approximately \$75,000,000; and

WHEREAS, the total Rockland County real property tax collected for the year 2013 was \$105,000,000; and

WHEREAS, it is time for the New York State government to eliminate billing its counties for the costs of that the non-federal costs of Medicaid programs and it is time for New York state to align itself with the 48 other states and pay 100 percent of the non-federal portion of the Medicaid program; and

WHEREAS, the Legislature of Rockland County hereby requests the Governor of the State of New York and the New York State Legislature to adopt legislation to remove the Medicaid contribution payments from the counties to the State of New York for the non-federal portion of payment of the Medicaid obligation; 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 requests the New York State Legislature and the Governor to adopt legislation eliminating the imposition on counties of 50 percent of the non-federal portion for Medicaid expenses; and be it further

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

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

Referral No. 9495

**RESOLUTION NO 115 OF 2014
 APPROPRIATING THE SUM OF \$1,250 TO
 MARINE CORPS LEAGUE - DEPARTMENT OF NEW YORK
 ROCKLAND COUNTY DETACHMENT,
 HAVERSTRAW, NEW YORK
 FOR PATRIOTIC OBSERVANCES IN 2014**

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

WHEREAS, the Rockland County Legislature has set aside in the 2014 Budget and designated an account for funding of patriotic observances; and

WHEREAS, Marine Corps League, - Department of New York - Rockland County Detachment, Haverstraw, New York, is contracting with the County of Rockland to conduct patriotic observances in 2014, 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 \$1,250, to Marine Corps League – Department of New York, Rockland County Detachment, Haverstraw, New York, for providing patriotic observance events in Rockland County in calendar year 2014; and be it further

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

GENERAL FUND

<u>Increase Approp. Acct.:</u>		
A-CA-7519-5010	Marine Corps League – Department of New York, Rockland County Detachment P.O. Box 191 Haverstraw, NY 10927	\$1,250
<u>Decrease Approp. Acct.:</u>		
A-LEG-1010-5042	Patriotic Observances	\$1,250



Introduced by:

Referral No. 9495

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

**RESOLUTION NO. 116 OF 2014
 APPROPRIATING THE SUM OF \$1, 250 TO
 THE NAM KNIGHTS OF AMERICA HUDSON VALLEY CHAPTER
 FOR PATRIOTIC OBSERVANCES IN 2014**

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

WHEREAS, the Rockland County Legislature has set aside in the 2014 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the Hudson Valley Chapter of the Nam Knights of America, Tappan, New York is contracting with the County of Rockland to conduct patriotic observances 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 \$1,250 to the Nam Knights Of America Hudson Valley Chapter for providing patriotic observance events in Rockland County in calendar year 2014; and be it further

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

<u>GENERAL FUND</u>		
<u>Increase Approp. Acct.:</u>		
A-CA-7657-5010	Nam Knights of America Hudson Valley Chapter One Western Highway Tappan, NY 10983	\$1,250
<u>Decrease Approp. Acct.:</u>		
A-LEG-1010-5042	Patriotic Observances	\$1,250

Introduced by:

Referral No. 9495

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

**RESOLUTION NO. 117 OF 2014
 AUTHORIZATION TO PAY 2014 SALARIES OF
 EMPLOYEES IN GRANT DEPARTMENTS THAT ARE
 UNFUNDED IN THE 2014 PERSONNEL BUDGET
 BUT ANTICIPATED TO BE FUNDED FROM VARIOUS
 SOURCES DURING THE YEAR 2014
 [DEPARTMENT OF FINANCE]**

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

WHEREAS, The Commissioner of Finance is requesting the authorization to pay 2014 salaries of employees in grant departments that are unfunded in the 2014 Personnel Budget but anticipated to have their grant funding renewed from state and/or federal revenue sources to fully or partially cover their personnel expenses for the year 2014; and

WHEREAS, Any local share required to pay these employees was either already provided for in the 2014 Budget and/or will be derived from departmental revenue sources or existing available funds within the 2014 Budget; and

WHEREAS, These grants expire at various times during the year 2014 and, therefore, any eligible salary and fringe monies that remain in these departments at the end of 2013 will be "rolled over" into the year 2014; and

WHEREAS, This resolution shall not obviate the required notice of approved or anticipated funding from departmental, state and/or federal revenue sources by resolution, nor required resolutions for inter-departmental transfers, nor the sunset clause provision on created positions; and

WHEREAS, Anticipated salaries for positions tied to these employees are in the following grant departments:

<u>Fund</u>	<u>County Agency</u>	<u>Grant Dept #</u>	<u>Grant Department Name</u>
A	Dept. of Health	4040	Ryan White Part A Program
		4041	HIV Reporting & Partner Notification Assistance Program
		4045	Early Intervention Program/Children with Special Health Care Needs Program
		4047	Tuberculosis Control Outreach Program
		4048	Healthy Neighborhoods Program
		4049	In Person Assistor/Navigator Program
		4051	Bioterrorism
		4052	Childhood Immunization Program
		4058	Safe Drinking Water Program
		4064	Tobacco Control Program for Youth
		4082	Women, Infants & Children Program
A	Public Defender	1169	Indigent Legal Services Program

;and

WHEREAS, Salaries for said grant departments are:

<u>Fund</u>	<u>County Agency</u>	<u>Grant Dept #</u>	<u># of Positions in 2014 Adopted</u>	<u>Grant Dept. Salary Amt. in 2014 Adopted</u>
A	Dept. of Health	4040	1	\$63,274
		4040	1 (Relief)	28,500
		4041	1	59,274
		4045	1	20,832
		4045	1 (Relief)	22,000
		4047	1	76,702
		4048	2	94,158
		4049	3	155,270
		4051	1	116,048
		4052	1	80,312
		4058	1	88,494
		4064	1	76,702
		4082	18	1,056,433
		4082	2 (Relief)	48,000
A	Public Defender	1169	2	114,427

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 is hereby authorized to pay 2014 salaries of employees in the aforementioned grant departments that are unfunded in the 2014 Personnel Budget since these departments are anticipated to have their grant funding renewed from state and/or federal revenue sources to fully or partially cover their personnel expenses for the year 2014; and be it further

RESOLVED, That any local share required to pay these employees was either already provided for in the 2014 Budget and/or will be derived from departmental revenue sources or existing available funds within the 2014 Budget; and be it further

RESOLVED, That these grants expire at various times during the year 2014 and, therefore, any eligible salary and fringe monies that remain in these departments at the end of 2013 will be "rolled over" into the year 2014; and be it further

RESOLVED, That this resolution shall not obviate the required notice of approved or anticipated funding from departmental, state and/or federal revenue sources by resolution, nor required resolutions for inter-departmental transfers, nor the sunset clause provision on created positions; and be it further

RESOLVED, That the Legislature of Rockland County shall receive quarterly updates as to the status of receipt of state and federal monies for the above county agencies and notification of where the County took the needed funds from to pay those employees of said agencies awaiting the receipt of grant funding.

Introduced by:

Referral No. 6760

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

**RESOLUTION NO. 118 OF 2014
 APPROVING AN AGREEMENT IN EXCESS OF \$100,000 WITH
 THE ROCKLAND COUNTY BAR ASSOCIATION INC.
 IN THE AMOUNT OF \$110,000
 FOR THE PERIOD FROM JANUARY 1, 2014
 THROUGH DECEMBER 31, 2014
 [DEPARTMENT OF BUDGET AND FINANCE]
 (\$110,000)**

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

WHEREAS, The Legislature of Rockland County appropriated \$110,000 to the Rockland County Bar Association for coordination of the Assigned Counsel Plan pursuant to 18-B of the County Law; and

WHEREAS, The Commissioner of the Finance is recommending to the County Executive and the Rockland County Legislature that the County enter into an agreement with the Rockland County Bar Association, 337 North Main Street, New City, New York 10956 for services provided in the attached Schedule "A", in the amount of \$110,000 for the period from January 1, 2014 through December 31, 2014; and

WHEREAS, Sufficient funding for this agreement exists within the 2014 Adopted County Budget, ACP-1172-E4090; and

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

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

RESOLVED, That the Legislature of Rockland County approves the agreement in excess of \$100,000 with the Rockland County Bar Association Inc., 337 North Main Street, New City, New York 10956 for services provided in the attached Schedule "A", in the amount of \$110,000 for the period from January 1, 2014 through December 31, 2014 and authorizes its execution by the County Executive subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement exists in the 2014 Adopted County Budget, ACP-1172-E4090.



SCHEDULE A

The Rockland County Bar Association coordinates the Assigned Counsel Plan (18-B). We receive all intake of cases from the Public Defender's Office, Family Court and Family Treatment Court. We determine qualification of criminal cases (felonies/misdemeanors) and make assignments accordingly. When necessary, we resolve scheduling and coordination problems with attorneys and the courts. We maintain a computerized data base system containing all assigned counsel personnel and their assignments. This is utilized to avoid conflicts and in cases with multiple co-defendants and enables us to maintain a history of assignments of repeat respondents/defendants.

We assist in the coordination of all mandatory and voluntary continuing legal education programs for assigned counsel. We insure assigned counsel attorneys are aware of the programs and encourage attendance. We arrange mailings, handouts and videotaping of seminars. (Videotapes and handouts are also available to those attorneys who were unable to attend the seminar.)

We coordinate emergency preliminary hearings in local justice courts/court courts with the Public Defender's Office, Family Court and assigned attorneys, relaying up to date information as it becomes available. The completed attorneys' vouchers are examined and then processed for submission to the Department of Finance. A monthly report is generated to insure the utilization of Assigned Counsel Plan attorneys on a rotation basis.

We have an extensive application and assist those new attorneys applying for Assigned Counsel membership, by working with the Chairperson of the Assigned Counsel program in determining their eligibility and experience. Each new applicant is interviewed by the Chairperson with a staff member present. If an attorney requires mentoring before becoming an ACP attorney, a mentor is assigned to that attorney. We track the mentoring program and communicate with the mentor until such time as a recommendation and reapplication is made when the new attorney is qualified and prepared to take on cases.

Debate:Chairman Wolfe

I just want to mention that although I am a member of other Rockland County Bar Association, I am an attorney, I am a former director and I do not sit on the Board of Directors and I am not a participant in the Assigned Counsel Program therefore I am able to vote on this tonight. In the interest of full disclosure I mentioned this.

Mr. Kantrowitz

I am a member of the Rockland County Bar Association. I do not sit on the board. This is related to the management of the 18-B Program. My wife does provide certain 18-B services, but my understanding is that this allocation is to the Bar Association for management of the program not the payment of any fees. Again, for full disclosure, but I do not feel I have any conflict.

Mr. Schoenberger

Full disclosure, I am not a member of the Rockland County Bar Association.

Introduced by:

Referral No. 7844

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

**RESOLUTION NO. 119 OF 2014
 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 BY INCREASING THE AMOUNT
 OF THE AGREEMENT BY \$75,000
 AND EXTENDING THE TERM OF THE AGREEMENT
 FROM APRIL 1, 2014 THROUGH MARCH 31, 2015
 WITH ONE (1) REMAINING ONE (1) YEAR OPTION
 FOR A TOTAL AMOUNT NOT TO EXCEED \$222,500
 FOR THE PERIOD FROM APRIL 1, 2011 THROUGH MARCH 31, 2015
 FOR THE DEPARTMENT OF MENTAL HEALTH
 UNDER RFP-RC-2010-031
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
 (\$222,500)**

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

WHEREAS, The Director of Purchasing issued RFP-RC-2010-031 (the "RFP") for a qualified suppliers list ("QSL") for forensic psychologist consulting services on an as needed basis for the Department of Mental Health for the period of one (1) year with four (4) additional one (1) year option terms; 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, 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) Charles Heller, Ph.D. and (2) Michele Katz, Ph.D.; and

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

WHEREAS, On June 2, 2011, the County entered into a contract with Michele Katz, Ph.D., 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, the County extended the term of the agreement from April 1, 2012 through March 31, 2013 with three (3) remaining one (1) year options; and

WHEREAS, The Purchasing Division reached out to a New York State list of providers and advertised in the New York State 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, By letter dated April 4, 2012, the County 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, the County increased the amount of the agreement by \$40,000 for a total contract amount not to exceed \$65,000; and

WHEREAS, Michele Katz, Ph.D. 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%, thereby resulting in a savings to the County in the amount of \$1,492 for these forensic psychologist services; and

WHEREAS, By Resolution No. 212 of 2013, the Legislature of Rockland County approved the amendment and extension to the agreement 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 by increasing the amount of the agreement by \$82,500 for a total amount not to exceed \$147,500 and extending the term of the agreement from April 1, 2013 through March 31, 2014 with two (2) remaining one (1) year options; and

WHEREAS, The Director of Purchasing and Commissioner of Mental Health recommends to the County Executive and the Legislature of Rockland County approve the amendment and extension to the agreement in excess of \$100,000 with Michele Katz, Ph.D., 18 Maiden Lane, New City, New York 10965 for forensic psychologist consulting services on an as needed basis for Department of Mental Health under the RFP by increasing the amount of the agreement by \$75,000 and extending the term of the agreement from April 1, 2014 through March 31, 2015 with one (1) remaining one (1) year option for a total amount not to exceed \$222,500 for the period from April 1, 2011 through March 31, 2015; and

WHEREAS, Sufficient funding for the amendment and extension to this agreement is provided for in the 2014 Budget of DMH and is contingent upon 2015 budget appropriations; and

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

WHEREAS, The 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 amendment and extension to the agreement in excess of \$100,000 with Michele Katz, Ph.D., 18 Maiden Lane, New City, New York 10965 for forensic psychologist consulting services on an as needed basis for Department of Mental Health under the RFP by increasing the amount of the agreement by \$75,000 and extending the term of the agreement from April 1, 2014 through March 31, 2015 with one (1) remaining one (1) year option for a total amount not to exceed \$222,500 for the period from April 1, 2011 through March 31, 2015 and authorizes the County Executive to execute such amendment and extension to the agreement, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for the amendment and extension to this agreement is provided for in the 2014 Budget of the Department of Mental Health and is contingent upon 2015 budget appropriations.

Introduced by:

Referral No. 9383

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

**RESOLUTION NO. 120 OF 2014
APPROVING PURCHASES IN EXCESS OF \$100,000
FROM PAPER MART FOR THE PURCHASE OF MULTI-PURPOSE
RECYCLED AND VIRGIN COPY PAPER
FOR VARIOUS ROCKLAND COUNTY AGENCIES
UNDER RFB-RC-2012-092 IN AN AMOUNT NOT TO EXCEED \$143,000
FOR THE PERIOD FROM JANUARY 1, 2013 THROUGH JUNE 30, 2014
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING]
(\$143,000)**

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

WHEREAS, Under RFB-RC-2012-092 (the "RFB"), the Director of Purchasing requested bids for the purchase of multi-purpose recycled and virgin copy paper on an as-needed basis for various Rockland County agencies for a six-month term commencing January 1, 2013 through June 30, 2013 with three additional six-month option terms; and

WHEREAS, Seventy-five (75) vendors were notified of the RFB, and two (2) vendors submitted a response; and

WHEREAS, Paper Mart, 151 Ridgedale Avenue, East Hanover, New Jersey 07936 was the lowest responsive and responsible bidder and was awarded all line items for recycled paper; and

WHEREAS, The County exercised the first six-month option term and extended the contract with Paper Mart from July 1, 2013 through December 31, 2013; and

WHEREAS, Paper Mart has agreed to hold its price for recycled paper for the second six-month option term for the period commencing January 1, 2014 through June 30, 2014; and

WHEREAS, The U.S. Bureau of Labor and Statistics Producer's Price Index (PPI) for recycled paper during the previous twelve months reflects an average increase of 1.7%; and

WHEREAS, The County spent the sum of \$94,000.00 from January 1, 2013 through December 31, 2013 and it is estimated that the County will spend an additional 49,000.00 during the second six-month option term commencing on January 1, 2014 through June 30, 2014 for a total contract sum not to exceed \$143,000.00 for the contract period from January 1, 2013 through June 30, 2014; and

WHEREAS, The Director of Purchasing recommends that the County Executive and the Legislature of Rockland County approve purchases in excess of \$100,000 from Paper Mart, 151 Ridgedale Avenue, East Hanover, New Jersey 07936 in an amount not to exceed \$143,000 for the purchase of multi-purpose recycled and virgin copy paper on an as-needed basis for various Rockland county agencies under the RFB for the period of the contract with the second option term from January 1, 2013 through June 30, 2014 with the option to renew for one additional six month term; and

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

WHEREAS, Sufficient funding for all purchases exists in the Adopted 2014 Budget for the various county departments; 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 approve purchases in excess of \$100,000 from Paper Mart, 151 Ridgedale Avenue, East Hanover, New Jersey 07936 in an amount not to exceed \$143,000 for the purchase of multi-purpose recycled and virgin copy paper on an as-needed basis for various Rockland county agencies under the RFB for the period of the contract with the second option term from January 1, 2013 through June 30, 2014 with the option to renew for one additional six month term 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 all purchases exists in the Adopted 2014 Budget for the various county departments.

Introduced by:

Referral No. 9126

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

**RESOLUTION NO. 121 OF 2014
SETTING A DATE FOR A PUBLIC HEARING:
A LOCAL LAW ESTABLISHING A POLICY TO MANDATE
THE PROMPT PAYMENT OF LAWFUL DEBTS AND OBLIGATIONS
INCURRED BY THE COUNTY OF ROCKLAND**

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

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

RESOLVED, that this Legislature hereby sets the **6th day of May, 2014, at 7:05 P.M.** for a public hearing to provide for a local law establishing a policy to mandate the prompt payment of lawful debts and obligations incurred by the County of Rockland.

Debate:

Mr. Schoenberger

This was discussed in the Budget and Finance Committee and is not in its final form. There are still parts that need to be tweaked. This will go back to the Budget and Finance Committee for further review and discussion.

Mr. Meyers

Is it the intention of the introducer to remove the penalty that would be imposed on Rockland County?

Mr. Schoenberger

Yes, that is one of the issues that I believe needs to be straightened out before final form. I want to take it into the Budget and Finance Committee and get a consensus of the how they feel about that. My belief is that it should either be substantially reduced to a minimal amount of 1% or 2% or take it out entirely.

Mr. Meyers

That is good and I support that. I would vote in favor of a public hearing. Very often the public hearing is not robust, but more of a precursor to a quick vote on an issue. I wouldn't normally support a public hearing for this legislation if it was going to contain a penalty against Rockland County during fiscally stressed times, but I will support it with the understanding that it may very well not contain a penalty and therefore I would be able to vote for it when it comes up for a vote.

Mr. Schoenberger

Full disclosure, after we had the Budget and Finance Committee meeting a week ago where this was discussed Mr. Powers, County Executive's office, talked to me and I suggested that this be a discussion that I should have with the County Executive. That night the County Executive sent me a text message and suggested that we meet at 11:45 the next morning, but about 8:30 that morning he sent me a text message that the meeting was cancelled. I am hoping to talk to him prior to the Budget and Finance Committee meeting.

Introduced by:

Referral No. 5231

Hon. Ilan S. Schoenberger, Sponsor
Hon. Aron B. Wieder, Sponsor
Hon. Barry S. Kantrowitz, Sponsor
Hon. Frank Sparaco, Sponsor
Hon. Philip Soskin, Co-Sponsor
Hon. Toney L. Earl, Co-Sponsor
Hon. Aney Paul, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Alden H. Wolfe, Co-Sponsor

RESOLUTION NO. 122 OF 2014
REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL A.8770
AND THE NEW YORK STATE SENATE PASS BILL S.6620 –
THE VOTER INTIMIDATION PROTECTION ACT

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

WHEREAS, during the 2012 presidential election and the 2013 primary and general elections, the Office of the Attorney General operated an Election Day hotline to protect the ability to vote of minority-language speakers, people with disabilities, and other persons; and

WHEREAS, the hotline was staffed with lawyers from the Attorney General's Civil Rights Bureau who received and responded to numerous election-related complaints from across the state; and

WHEREAS, the Attorney General received several reports of baseless challenges to voter-eligibility at two predominantly African-American polling sites, as well as other unwarranted challenges throughout New York; and

WHEREAS, baseless challenges not only intimidate many New Yorkers seeking to exercise their Constitutionally-protected right to vote, but also subject those challenges to harassment; and

WHEREAS, under current law, voters whose right to cast a ballot is challenged are required to recite an oath affirming their right to vote, while the challenger has no such obligation and is in fact required to do nothing at all other than state an objection; and

WHEREAS, the Voter Intimidation Protection Act seeks to correct this imbalance by requiring those who challenge registrations to state the actual basis of their challenge and affirm their right to challenge such voter. This requirement is actually in place when an applicant seeking to register to vote is challenged, but not such protection exists at the polls on Election Day; and

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

RESOLVED, that the Legislature of Rockland County hereby requests that the New York State Assembly pass New York State Assembly Bill A.8770 and the New York State Senate pass Bill S.6620 – the Voter Intimidation Prevention Act - and that the Governor of New York sign such legislation; and be it further

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

Debate:

Mrs. Low-Hogan

Please explain what this bill is suggesting.

Mr. Schoenberger

If you read the statute attached to the bill you will clearly see what the law provides. Basically, there are elections that are held and people challenge other people's right to vote without having any basis or substance. This law will now require if someone makes a challenge they have to state what the basis or substance of it is before being considered.

Mrs. Low-Hogan

Does this apply to the poll watchers or anyone who challenges?

Mr. Schoenberger

I believe that not anybody can walk into a voting polling place and say, "I challenge you." I believe it applies to poll watchers.

Mrs. Low-Hogan

The large type is the changes in the law. Page 3 - line 28 says, "Any person other than an inspector or clerk may challenge the qualifications of a voter." This means that just any person could walk in with an affidavit and as long as they fill it out they can challenge a voter.

Mr. Schoenberger

The form provided by the Board of Elections has to contain the things that are required in the statute before you can make a challenge.

Mrs. Low-Hogan

Does a poll watcher have to fill out an affidavit?

Mr. Schoenberger

Any person other than Inspector or Clerk may challenge.

Mrs. Low-Hogan

I find this to be a little too confusing and I don't really feel comfortable voting in favor of it.

Mrs. Cornell

It says it was introduced by a member of the Assembly at the request of the Department of Law. Is that the Governor's or Attorney General's office? Is there a Department of Law? I gather that this came out of things that occurred in the State of New York during the 2012 Presidential election and primary. I think they are talking about the State Attorney General not the Federal government. Can anyone tell whom this bill is coming at the request of?

Mr. Schoenberger

This law did not emanate from Rockland County. This is not a Home Rule request for our County alone. This is a bill, which will have a statewide impact and affect every polling place throughout the State of New York. They are not referring to the Rockland County Department of Law. I am not sure whether it is the Attorney General or the Legal Department in the State Assembly.

Mrs. Cornell

I think, generally speaking, some of these memorializing resolutions are wonderful and all things I want to support. I don't want anyone intimidated. I don't want corruption in school districts. The titles are always good, but the devil is always in the details and it would be really helpful to understand these things a little bit better.

Mr. Schoenberger

I believe this emanated from Schneiderman's office. When he proposed this bill there was a press release from his office and I believe that is where it originated.

Chairman Wolfe

It appears to me that under current law anyone can challenge the right of a voter to cast a ballot without an affidavit. This law adds the requirement that the person making the challenge sign a sworn statement stating the objection. I am certainly prepared to support this. It tries to attack the process of challenging people's right to vote for reasons other than their possible ineligibility to vote. What this does, if enacted, it would allow for a methodology where someone who is making a challenge needs to sign a document that sworn under oath that states the reason for the objection.

Mr. Earl

There is a lot of intimidation going on in my community and people get discouraged and walk out of the polls. I plan to support this tonight. I hope all my colleagues support this. Thank you.

Mr. Meyers

This legislation also goes on to provide that a person will be presumptively be deemed to have been intimidating voter turnout if they are found that they have filed ten affidavits and all ten of those people have been found to be qualified voters. That is a clarification to the law also, which is potentially beneficial to penalizing voter suppression.

Mr. Schoenberger

Our staff just handed me Attorney Eric T. Schneiderman's press release on this. There is a quote from Assembly member Karim Camara, "During the 2012 and 2013 election cycles, the Attorney General's Office operated a statewide Election Day Hotline and received numerous complaints regarding voters who were subject to baseless challenges inside the polls. While creating an intimidating atmosphere inside the polling place, baseless challenges also disrupted and interfered with the conduct of the election. Many of those challenged were African-Americans, Latinos and other minority-language speakers."

Mrs. Cornell

I am assuming that the person who is challenged is enabled to vote and not sent away. Is that correct?

Mr. Schoenberger

I would assume that as well. I am not sure, right now, if you are challenged at the polls if you actually get to vote at the machine or if you vote on some sort of Affidavit Ballot, which is later counted. It is possible to walk into a poll, vote and have someone from an opposition party look at you and make a stereotypical opinion of you based upon your race or color and say that person is probably going to vote for one particular candidate and start challenging everybody who comes up from that particular race in order to suppress voting. With this law they will have to do more. They will have to file an Affidavit and they have to state why they are challenging it under oath. That is to prevent that kind of intimidation and that kind of an activity at the poll not only intimidates people and stops them from voting, but it also ties up the polling place so that the lines build up. People who come to the polling place to vote and see such a long line and decide to come back later, and maybe they do or maybe they don't.

The Attorney General's office has had numerous complaints about this happening in 2012 and 2013. This is an effort to deal with baseless challenges.

Mrs. Cornell

Certainly, anything that we can do that enhances the ability of voters to actually cast their vote is a good thing. I will support this.

Introduced by:

Referral No. 9364

- Hon. Barry S. Kantrowitz, Sponsor
- Hon. Toney L. Earl, Co-Sponsor
- Hon. Aney Paul, Co-Sponsor
- Hon. Douglas J. Jobson, Co-Sponsor
- Hon. Ilan S. Schoenberger, Co-Sponsor
- Hon. Joseph L. Meyers, Co-Sponsor
- Hon. Alden H. Wolfe, Co-Sponsor

**RESOLUTION NO. 123 OF 2014
 REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL A.1328
 AND THE NEW YORK STATE SENATE PASS BILL S.1781 –
 THE NEW YORK STATE SCHOOL TAXPAYERS’ PROTECTION ACT**

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

WHEREAS, various counties in New York have recently experienced a series of public school district financial scandals; and

WHEREAS; a Suffolk County grand jury recently issued a thorough and comprehensive set of recommendations concerning the numerous public school financial misdeeds that occurred in that county. The grand jury found that each episode involved malfeasance by individuals or small groups in an environment where strong internal financial controls in school business offices were lacking and viewed as optional luxuries; and

WHEREAS, this legislation arises out of that grand jury investigation and reflects virtually all the legislative recommendations made by that grand jury; and

WHEREAS, bills A.1328 and S.1781 create the office of the Inspector General for education and give it broad authority to investigate allegations of corruption, financial improprieties, unethical misconduct or other criminal conduct within school districts outside of New York City that are causing waste and abuse of school taxpayers’ hard-earned dollars. They also incorporate extensive financial safeguards and sanctions for violations of school district finance laws; and

WHEREAS, the Multi Services Committee has met, considered and by a vote of four ayes, two nays and one absent, approved this resolution; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby urges the New York State Assembly to pass Bill A.1328 and the New York State Senate to pass Bill S.1781 – The New York State School Taxpayers’ Protection Act, and that the Governor of New York sign such legislation; and be it further

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

The vote resulted as follows:

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



Debate:**Mr. Kantrowitz**

It is my pleasure today to introduce this memorializing resolution in support of the New York State School Taxpayers' Protection Act. This law creates a statutory scheme for the oversight of New York school districts, specifically financial obligations. This law, which has been introduced in the Assembly and the Senate, creates an independent State agency, including the New York Inspector General for education, to investigate allegations of corruption, financial improprieties, unethical misconduct or other criminal conduct within school districts outside of New York City. This bill actually arises out of Suffolk New York where there was a rash of school districts with financial problems. As a result of those financial improprieties in Suffolk County a Grand Jury did a complete thorough investigation of the improprieties in the school districts out there and it came up with specific legislative recommendations. Those legislative recommendations are what are in the New York State School Taxpayers' Protection Act. There are several different sections of the act, which are complicated to read sometimes, but the gist of the act is to provide protection and create an agency that is designed to investigate and deal with financial improprieties in school districts across the State of New York. It does create a reporting scheme for public schools so that financial officials within the school districts have to report their financial situation on a regular basis.

It provides immunity for whistleblowers within a school district who see financial wrongdoing and report it. It does create the independent office of the State Inspector General for Education, which will provide oversight. It gives that Inspector General the powers generally of a prosecutor, but since it is focused purely on education it allows this to be an organization that focuses on the needs of school districts. I think this is great for school districts in the State of New York.

Mr. Meyers

This is a very worthwhile endeavor. The provisions relating to the appointment of a specific State Inspector General are very important, because we don't have anyone dedicated to do that job right now for school districts. There have been reports of corruptions periodically around the State of New York. The whistleblowers need to be protected. The treasures of the school district need to know what their obligations are. The appointment of a Compensation Committee is important. These are all important, because school districts are decentralized in New York State after experimentation with centralization and then back to decentralization again. There is always a possibility of corruption so this is a good thing. I can't imagine why anyone would not support it unless they favor corruption. I would like to be added as co-sponsor. Thank you.

Mr. Soskin

I am not for this for the simple reason is that it is adding another layer of government. As it stands now the Attorney General is in a position to answer all complaints by the various districts if the head of the State Education Department recommends it. As we discovered in the Multi-Services Committee this has nothing to do with the East Ramapo School District. We are talking about 55 districts throughout the State of New York that will be affected. Different areas within the State have different problems. At the present time most of them have financial problems, because of the economy and other problems. It will be very difficult for an Inspector General from the Education Department to equally determine the problems within each different district. There are different problems in the Southern part of New York, in the Northern part of New York and in our part of New York. We always want equal justice under the law. This may become a problem having a special group doing this aside from the cost; 55 districts spread out over the State of New York when we have such tough economic times. This will be coming out of the education budget and I haven't seen how we are going to pay for this. I feel that the Attorney General should be in the position to carry out his duties when and if necessary. Therefore I am going to vote against this.

Mr. Earl

It was stated in committee that this is a fix-all solve-all, but that is not what this is about. I think this is a good start. I thank Legislator Kantrowitz for bringing this to the committee. I truly believe it is a start and we have to start somewhere especially East Ramapo Central School District. I plan to support this and I hope my colleagues also support this with me tonight.

Mr. Schoenberger

I thank and acknowledge Legislator Kantrowitz for bringing it to us. I am a co-sponsor of the resolution requesting that this bill be enacted in the State. There are several things in here that I do like and I think are very important. The first is that it creates a mandatory reporting if there is wrongdoing or illegality and it gives immunity to any employee who makes that mandatory reporting. That is very important to me on a personal level, because in 1996 or 1997 I wrote the Rockland County Whistleblowers Act, which gives any County employee who reports any wrongdoing in County government immunity so they can't be penalized for doing so. This law goes further; because it makes it mandatory for regular and higher level employees in the school districts to report wrongdoing. I couldn't make it mandatory in County, but I could give immunity, which the Legislature did do. It also requires a certified annual financial report by the treasurer of the district.

It creates a Compensation Committee that is to receive and review every proposed contracts in school districts and its bargaining units, employees and administrators. It requires that they give their recommendations to the board regarding those contracts. Interestingly enough it requires a notification period of five-weeks to the public before any collective bargaining unit agreement can be approved. I think that is very important. Also very important in the law is that it provides that there shall be no unfunded mandate for school district. It states, "No unfunded mandate shall be enacted, which creates an annual net additional cost to any school district in excess of \$5,000 or an aggregate net additional cost to all the school districts in excess of \$500,000." This is a very significant change, because it is going to give school districts better ability to manage their budgets knowing that they won't face an unfunded mandate in excess of \$5,000.00. It is also very important for taxpayers.

I think all in all this is a good bill. It will hopefully mean very positive changes for school districts in this State. There is a tax cap in New York and school districts are capped at 2%. We also have a tax cap, but we can lift the tax cap by holding a public hearing and passing a resolution. If a school district wants to lift the tax cap it not only have to go through that process, but also has to go to a referendum and 60% of the voters has to approve it. So very often these school districts are stuck within a 2% tax cap even though they want to raise more money for needed programs, but they can't unless they go to a public referendum and very often they do not pass. We found ourselves in a situation with school districts throughout the State that the State increases the mandates, but refuses to allow the school districts to pay for them by raising taxes. Something has to give. The cap of unfunded mandates of \$5000.00 I think is a very positive step forward so I am going to support this.

Mr. Hood, Jr.

I would like to thank Legislator Kantrowitz for brining this up also. I didn't know that this was pending up in the State. I do like the mandatory reporting aspect of it. When you read about fraud or corruption that happened on a certain board you wonder how the others could not have known something was going on. Now they can look at those people and ask why they didn't say something and they can be in trouble for that and I think that is very important. I also like the last part where when someone is found to either defraud a public pension plan or assisted someone in defrauding a public pension plan can be held to a Class-E Felony. So that is very serious and I think that is a very important aspect of this bill. I will be glad to support this tonight. Thank you.

Mr. Kantrowitz

I appreciate the positive comments from my colleagues. Cost is obviously important and any time you add some layer of enforcement you increase cost, but nothing costs more than illegal and fraudulent conduct. There is nothing that costs more than having to enforce claims out of allegations of fraud and illegal conduct. To the extent that this does add some fiscal cost to the budget I think you will see a tremendous offset in the savings as a result of curtailing fraudulent criminal activity, because that would certainly cost a lot more than the funding of this plan.

Mrs. Cornell

I certainly compliment Legislator Kantrowitz for bringing this to us; however, I do want to say that there isn't a member of this Legislature, whether they vote yes or no, who is in favor of fraud or corruption. I do want to say that Legislator Soskin has raised some very important issues. I personally would feel better about voting for this if this was the task given to the State Comptroller who does these things anyway. Granted they don't do it on a regular basis. They do come and investigate counties and they investigate towns, villages and school districts. I would rather see that particular office and bureaucracy doing that rather than creating another bureaucracy under an Inspector General. However, because there are good things here I will support it this evening and I will vote yes. There is nobody here in favor of fraud and corruption.

Introduced by:

Referral No. 9359

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

**RESOLUTION NO. 124 OF 2014
REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL A.8198
AND THE NEW YORK STATE SENATE PASS BILL S.6204
TO CONSOLIDATE ALL PRIMARY ELECTIONS ON THE FOURTH
TUESDAY OF JUNE BEFORE EVERY GENERAL ELECTION**

Mr. Soskin offered the following resolution, which was seconded by Mr. Carey, Mr. Jobson, Mr. Kantrowitz, Mrs. Paul, Mr. Schoenberger, Mr. Hood, Jr. and Chairman Wolfe and unanimously adopted:

WHEREAS, the federal Military Overseas Voter Empowerment (MOVE) Act, enacted on 2009, expanded the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) which allowed members of the armed services, their families and US citizens living outside the US to register and vote absentee in federal elections; and

WHEREAS, the MOVE act provided further protections of these voting rights by, among other provisions, requiring states to send out requested absentee ballots to UOCAVA voters no less than 45 days before a federal election, except where the state has been granted an undue hardship waiver approved by the Department of Defense; and

WHEREAS, New York Election Law as currently written is not in compliance with the 45-day requirement of the MOVE Act, although they did obtain a hardship waiver in 2010; and

WHEREAS, in order to bring New York Election Law into compliance and change the timeframe in which military and overseas ballots must be mailed, there must be various changes to the overall structure of the deadlines and due dates in the Election Law, culminating with a change in the primary date; and

WHEREAS, the federal non-presidential primary date is currently the fourth Tuesday in June; and

WHEREAS, there are three benefits to merging the federal and state primary dates: 1) such a merger will ensure that military and overseas voters will have the opportunity to vote; 2) it will prevent New Yorkers from having to vote in three separate primaries in a presidential election year; and 3) it will save New York state approximately \$50 million dollars in election costs; and

WHEREAS, according to the Rockland County Board of Elections, merging the primaries will save Rockland County approximately \$400,000 per year; and

WHEREAS, bill A.8198 and S.6204 would make various changes to the structure of deadlines and due dates in the Election Law, culminating with changing the state and local primary date to the fourth Tuesday in June, the same day as federal non-presidential primaries; and

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

RESOLVED, that the Legislature of Rockland County hereby requests that the New York State Assembly pass New York State Assembly Bill A.8198 and the New York State Senate pass Bill S.6204 to consolidate all primary elections on the fourth Tuesday of June before every general election and that the Governor of New York sign such legislation; and be it further

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

Debate:

Chairman Wolfe

I had reached out to Senator Carlucci some time ago on this issue. The New York State Assembly passed a bill that would consolidate the State primary date with the Federal primary date, which is in June. The Senate Republicans have a bill that is pending that would move it to August, which of course is absolutely silly. I didn't receive what I would consider a satisfactory response from our Senator. It was more in the nature of a form letter that really didn't articulate his position.

I will tell you that for those of you who are not aware, because of this decoupled date in the primary where right now you have a Federal primary in June and New York State and local primaries in September someone who might be interested in running for Congress who might also be an elected New York State official could run in a primary in June for the Federal government/Congress, lose the primary and still have enough time to circulate petitions and run in a primary to retain their own seat in New York State government in September. This is all well and good, but the problem is it will cost the taxpayers almost half a million dollars for the privilege. Rockland County taxpayers pay roughly \$400,000 to \$500,000 for a primary election.

I would encourage all of my colleagues to support this and those that are in the audience and watching on TV to advocate for this issue. There is absolutely no reason why we have to have all of these various elections throughout the year. Turn out is low as it is and I think having a primary election at the end of August is perhaps the absolute worst time to have an election when everyone is on vacation with their family. We would live to save the taxpayers some money and consolidate the primaries to a date that makes sense.

Mr. Sparaco

People that are running for Congress and Federal races are out on their own. People have to go out and carry petitions to qualify to run for office and they need 5% of the register votes to qualify to even have an election. If you don't get those signatures there is no election. When you have committees organizing, committee people carrying, and when you have State Senators and the whole party organization behind you carrying for themselves as well as you as a candidate it helps you attain the level of signatures that you need to qualify. Last year, the first time this date was in effect, many of the Congressional candidates in the State of New York were unable to get enough signatures to qualify for many of the races. So it is defeating its own purpose. I fully support unifying the dates. All the elections should be on the same date. I will definitely support this resolution tonight, because politics is definitely a team sport.

Mr. Meyers

I very much support this. We need to save the taxpayers money. We need to save Rockland County taxpayers money. When Chairman Wolfe was making his comments before it reminded me of something that bothered me very much at the time and that was in New Jersey where the Governor decided that an election had to be held right away to replace Senator Lautenberg. Instead of combining it with the same election that would take place for him as Governor, because, it was reported, he did not want Cory Booker to be stealing his thunder or potentially to bring Democrats to the poll during his Gubernatorial race. And that kind of thing should really bother taxpayers very much. I think he got a major pass on that occasion. That is the kind of thing where you really see the true colors of certain elected officials that really are only interested in saving the taxpayers money when it suits their purposes or at least when it doesn't run cross-counter to their purposes. So this is definitely something that we should support. Thank you.

Mr. Jobson

I am going to support this. I think it is a great idea. Unfortunately I wish you hadn't outlined that example, because I am sure we will have a joker or two that will try that somewhere in the near future. It is going to save the taxpayers money. It is hard enough now to keep the public up to snuff as to what is going on. It is always a challenge and to stagger this process and to have numerous dates is just making it more confusing for the public at large. So one primary day I am for. Thank you.

Mrs. Cornell

I think even more problematic is that the State from year-to-year makes a change. You never know at the beginning of the year whether the primary is going to be June or September. Those decisions are made for whatever reason, but there is a lack of consistency. I think this is certainly a good idea. I am co-sponsor.

Introduced by:

Referral No. 8069

Hon. Christopher Carey, Sponsor
 Hon. Harriet D. Cornell, Co-Sponsor
 Hon. Alden H. Wolfe, Co-Sponsor
 Hon. Michael M. Grant, Co-Sponsor
 Hon. Nancy Low-Hogan, Co-Sponsor
 Hon. Douglas J. Jobson, Co-Sponsor
 Hon. Ilan S. Schoenberger, Co-Sponsor
 Hon. Joseph L. Meyers, Co-Sponsor
 Hon. Aney Paul, Co-Sponsor
 Hon. Philip Soskin, Co-Sponsor
 Hon. Toney L. Earl, Co-Sponsor
 Hon. Barry S. Kantrowitz, Co-Sponsor
 Hon. Patrick J. Moroney, Co-Sponsor
 Hon. John A. Murphy, Co-Sponsor
 Hon. Frank Sparaco, Co-Sponsor
 Hon. Aron B. Wieder, Co-Sponsor
 Hon. Jay Hood, Jr., Co-Sponsor

RESOLUTION NO. 125 OF 2014
REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL A.1198
AND THE NEW YORK STATE SENATE PASS BILL S.1996 –
AN ACT TO AMEND THE PUBLIC AUTHORITIES LAW TO ALLOW THE
NEW YORK STATE THRUWAY AUTHORITY TO OFFER DISCOUNTED
TOKENS TO RESIDENTS OF ROCKLAND AND WESTCHESTER FOR
TAPPAN ZEE BRIDGE CROSSINGS

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

WHEREAS, as the construction of the Tappan Zee Bridge proceeds, we must keep in mind that it is the residents of Rockland and Westchester who will bear the brunt of the burden of paying the anticipated increase in tolls; and

WHEREAS, this is particularly onerous to the residents of Rockland County for several reasons: 1) Rockland residents currently lack a one-seat mass transit seat to Manhattan, and many residents do not have an alternative mass transit option; and 2) Rockland County currently pays more than \$40 million to the MTA annually than it received back in services; and

WHEREAS, this value gap and lack of mass transit options available justifies granting a toll reduction, particularly to the residents of Rockland County; and

WHEREAS, bill A.1198 and S.1996 would allow the New York State Thruway Authority to offer discount tokens to residents of Rockland and Westchester for Tappan Zee Bridge crossings at 60% of the regular crossing fare; and

WHEREAS, the Governor and the State Legislature only days ago reached a similar decision with regard to the Verrazano-Narrows Bridge and agreed to grant Staten Island residents reduced tolls because, as the Governor stated, "The Verrazano is not just another bridge. When you toll that bridge, you toll the main artery" of the borough. The same is equally true of the Tappan Zee Bridge and Rockland County; and

WHEREAS, the Special Committee on Transit and the Planning and Public Works Committees have met, considered and unanimously approved this resolution; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby requests that the New York State Assembly pass New York State Assembly Bill A.1198 and the New York State Senate pass Bill S.1996 – an Act to amend the Public Authorities Law to allow the New York State Thruway Authority to offer discounted tokens to residents of Rockland and Westchester for Tappan Zee bridge crossings; and be it further

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

Debate:**Mr. Carey**

Approximately a month ago there was a press release that Governor Cuomo had created a program for residents of Staten Island, which would provide roughly a 60% discount for local residents using the Verrazano Bridge. With the understanding that we have a bridge under construction and we are paying in the \$5.00 range now and the estimated toll is to go up as high as \$14.00, even though no official number is out there, makes sense that we petition the Governor to have that same program be provided here in Rockland County. If the bridge were to go to \$14.00 local residents that potentially work in White Plains would see a dramatic reduction in their pay, because it is essentially like a pay cut. I do think that Rockland County deserves this consideration considering the lack of a one-seat ridership from Rockland County into New York City and the MTA value gap where we put in a vast amount more money than we receive in services back. This is also a regional bridge and the entire region, not just by residents in Rockland County, will feel the benefits of this bridge. I do feel we will be disproportionately hurt by if it goes to \$14.00. It makes sense to apply that same program here in Rockland County. I do appreciate my colleague's support. Thank you.

Mrs. Cornell

I support this very much. I know that in the discussion about building the new bridge many of my colleagues here were also very interested in having the residents receive host benefits in terms of reduced rates, because at one point the amount of \$14.00 came up by the Governor's right-hand person. So there was a lot of concern about not having Rockland County residents pick up a good part of the cost of the bridge to cross it. I think that when the Governor did this with Staten Island he really opened the door for this kind of request. I think it is important to recognize that the residents of Rockland County in particular are also subject to the traffic, the noise, the disruptions and all of the things that are going on for at least five-years that this is something that would of benefit to the residents of Rockland County who use the bridge.

Mr. Kantrowitz

I want to commend Legislator Carey for bringing this in and getting everybody to be co-sponsors. It home most recently, because by 24 year old son has lived and worked in Staten Island for the last ten months. He announced that he is coming back to live in Rockland County and he is going to be commuting over the Tappan Zee Bridge to a new job on the other side. He just assumed that having gotten that benefit in Staten Island and his E-Z pass give a discounted rate to go over the bridge that he was going to get that at the Tappan Zee Bridge here. We actually discussed it and I said that there is a bill pending and a suggestion made here and he said, "Why wouldn't the Governor do that?" To bring young people back to this County who may have to work across the bridge and work outside of the County and commute this is really a relevant and important issue and I support it.

Mr. Soskin

The State and local governments have been working on the Tappan Zee Bridge for as long as I have been here, for at least ten years. The Tappan Zee Bridge is part of the Northeast Corridor for Transportation. It is to keep a corridor open so people and trucks do not have to go through New York City in order to get to Long Island and up to New England. As such, the Thruway tolls should be charged to everybody equally. As Rockland County residents we travel from Suffern to the Tappan Zee Bridge, which is no more than 13 miles, and it is not fare that we bear the burden, because we will be paying the bulk of the tolls when we cross the bridge. Many of our young people go to college in Westchester. It just would no be fare that we bear the burden for the entire Thruway when other areas of the State, like the canals upstate and other areas, have to increase their tolls, because of the costs. The basic cost is spread throughout the length of the Thruway and therefore again it is not fare for us to bear such a great cost. The people upstate has to bear their fare share. I am going to vote for this. I think it is very important that equality will rule for everybody.

**RESOLUTION NO. 126 OF 2014
RECEIVE AND FILE 2013 ANNUAL REPORT
DEPARTMENT OF LAW**

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

RESOLVED, that the Year 2013 Annual Report of the Rockland County Department of Law be and it is hereby received and filed.

**RESOLUTION NO. 127 OF 2014
RECEIVE AND FILE 2014 ANNUAL REPORT
DEPARTMENT OF WEIGHTS AND MEASURES
OFFICE OF CONSUMER PROTECTION**

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

RESOLVED, that the Department Of Weights And Measures/Office Of Consumer Protection 2014 Annual Report Pursuant To Chapter 394-13 (D) – Towing Law & Regulations, be and it is hereby received and filed.

**ADJOURNMENT IN MEMORY OF
STEWART LEVESQUE**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Stewart Levesque.

**ADJOURNMENT IN MEMORY OF
MARGARET GAMBOLI**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Margaret Gamboli.

**ADJOURNMENT IN MEMORY OF
DOUGLAS PRICE**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Douglas Price.

**ADJOURNMENT IN MEMORY OF
DANIEL MURPHY**

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

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

**ADJOURNMENT IN MEMORY OF
MATTHEW J. MEISLER**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Matthew J. Meisler.

**ADJOURNMENT IN MEMORY OF
JOSEPH R. PIGOT**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Joseph R. Pigot.

**ADJOURNMENT IN MEMORY OF
ALLEN REINECKE**

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

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Allen Reinecke.

**RESOLUTION NO. 128 OF 2014
ADJOURNMENT**

Mr. Murphy offered the following resolution, which was seconded by Mr. Jobson and unanimously adopted (8:22 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Tuesday, April 1, 2014 at 7:00 p.m.

Respectfully Submitted,

Darcy Shapin-Greenberg
Proceedings Clerk