

# The Legislature of Rockland County



**MICHAEL M. GRANT  
LEGISLATOR – DISTRICT 2  
CHAIR, BUDGET & FINANCE COMMITTEE**

**AGENDA  
BUDGET & FINANCE COMMITTEE  
TUESDAY, DECEMBER 10, 2013  
7:15 PM**

ROLL CALL

ADOPTION OF MINUTES FROM DECEMBER 2, 2013

**1. BONDS/PUBLIC WORKS MATTER:**

1PPW) REF. #9323 - APPROVING AN AMENDMENT TO AN AGREEMENT IN EXCESS OF \$100,000 WITH PA CONSULTING GROUP, INC. FOR AN ADDITIONAL AMOUNT OF \$25,000 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$224,300 FOR CONSULTING SERVICES TO SELECT A PATIENT INFORMATION SOFTWARE AND ELECTRONIC MEDICAL RECORDS SYSTEM UNDER RFP-RC-09-019 FOR THE PERIOD FROM FEBRUARY 1, 2013 THROUGH DECEMBER 31, 2013 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE FOR CAPITAL PROJECT 4443 (DEPARTMENT OF GENERAL SERVICES) (\$224,300) (GERRY WALSH, COMMISSIONER DGS-PURCHASING) DL#2013-04816

***SUBJECT TO THE APPROVAL OF PPW 12/10/13***

**2. GRANTS/DONATIONS:**

2A) REF. #7529 - ACCEPTANCE OF DONATION FROM THE 2<sup>ND</sup> ANNUAL STICKBALL HOME RUN DERBY TOURNAMENT TO SUPPORT OUR LOCAL FIRST RESPONDERS (OFFICE OF THE SHERIFF) (\$1,100) (LOUIS FALCO, SHERIFF) DL#2013-04801

***SUBJECT TO THE APPROVAL OF PUBLIC SAFETY 12/10/13***

**3. BUDGET ITEMS:**

3A) REF. #9485 - DIRECTING THAT ANY ASSETS THAT MAY BE RECEIVED BY THE COUNTY UPON THE DISSOLUTION OF THE ROCKLAND COUNTY HEALTH FACILITIES CORPORATION BE PLACED IN A RESERVE FUND MARKED FOR DEFICIT REDUCTION PURSUANT TO LOCAL LAW NO. 10 OF 2012 (HON. ALDEN H. WOLFE, LEGISLATURE) LG#3273

4. AUTHORIZATIONS:

NONE

5. CONTRACTS/AGREEMENTS:

5A) REF. #8894 - APPROVING FIVE (5) CONTRACTS WHICH ARE IN EXCESS OF \$100,000 FOR PUBLIC HEALTH SOCIAL WORK SERVICES FOR SPECIAL EDUCATIONAL SERVICES IN PRE-SCHOOL PROGRAMS FOR THE PERIOD OF JULY 1, 2013 THROUGH JUNE 30, 2014 AND AUTHORIZING THEIR EXECUTION BY THE COUNTY EXECUTIVE (DEPARTMENT OF HEALTH) (\$7,860,000.00)  
**(DR. PATRICIA RUPPERT, COMMISSIONER HEALTH DEPT.) DL#2013-04825  
ADDITIONAL BACK-UP WITH CLERK**

5B) REF. #7300 - APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF ROCKLAND AND THE COUNTY OF ONEIDA IN ORDER FOR THE COUNTY OF ONEIDA TO PROVIDE SECURITY SERVICES TO INMATES RECEIVING MENTAL HEALTH TREATMENT AT THE CENTRAL NEW YORK PSYCHIATRIC CENTER FOR THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2016 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE (SHERIFF'S DEPARTMENT)  
**(LOUIS FALCO, SHERIFF) DL#2013-04541**

***SUBJECT TO THE APPROVAL OF PUBLIC SAFETY 12/10/13***

5C) REF. #5327 - APPROVING INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF ROCKLAND AND THE VILLAGE OF SPRING VALLEY IN CONNECTION WITH A 2013 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD THAT WILL GO DIRECTLY TO THE VILLAGE OF SPRING VALLEY IN THE AMOUNT OF \$12,912 AND AUTHORIZING EXECUTION OF THE AGREEMENT BY THE COUNTY EXECUTIVE (OFFICE OF THE SHERIFF) (\$12,912)  
**(LOUIS FALCO, SHERIFF) DL#2013-04673**

***SUBJECT TO THE APPROVAL OF PUBLIC SAFETY 12/10/13***

5D) REF. #8097 - APPROVING RETAINER AGREEMENT BETWEEN THE LAW OFFICES OF NANCY ROSE STORMER, P.C., WHITEMAN OSTERMAN & HANNA LLP, AND MANATT PHELPS & PHILLIPS LLP, AND THE COUNTY OF ROCKLAND TO PURSUE RECOVERY OF MEDICAID OVERBURDEN PAYMENTS FROM THE STATE OF NEW YORK AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE (DEPARTMENT OF SOCIAL SERVICES)  
**(SUSAN SHERWOOD, COMMISSIONER SOCIAL SERVICES) DL#2013-04800**

6. ALLOCATION/RECLASSIFICATION OF POSITIONS:

6A) REF. #9142 - RECLASSIFYING ONE POSITION IN THE VETERANS' SERVICES AGENCY  
**(JOAN SILVESTRI, COMMISSIONER, PERSONNEL) DL#2013-04780**

- 7. **BIDS:** NONE
- 8. **TRANSFER OF FUNDS/OTHERS:** NONE
- 9. **TAX ITEMS:** NONE
- 10. **PUBLIC HEARINGS:** NONE
- 11. **LOCAL LAWS/HOME RULES:** NONE
- 12. **PRESENTATIONS/DISCUSSIONS:**
  - 12A) REF. #9485 - *DISCUSSION ITEM:* PROPOSED TRANSFER BY THE COUNTY OF ROCKLAND OF ITS RESIDUAL RIGHT, TITLE AND INTEREST IN AND TO BUILDING "A" AT THE DR. ROBERT L. YEAGER HEALTH CENTER TO ROCKLAND COUNTY HEALTH FACILITIES CORPORATION  
(HON. MICHAEL M. GRANT, LEGISLATURE)
- 13. **MISCELLANEOUS:** NONE
- 14. **RECEIVE & FILE:** NONE
- 15. **CORRESPONDENCE – REVIEW AND DISCUSSION:** NONE

"The Rockland County Legislature is committed to full compliance with the Americans with Disabilities Act. To that end, the Legislature is committed to creating an accessible environment for all. To request accommodations that you may require, please call Damaris Alvarez at 845-638-5248 (845-708-7899 for TTY/TDD). Please request these accommodations three (3) days in advance so that we can seek to meet your needs."

Introduced by:

DRAFT

Referral No 9323

1PPW

**RESOLUTION NO. OF 2010  
APPROVING AN AMENDMENT TO AN AGREEMENT  
IN EXCESS OF \$100,000 WITH  
PA CONSULTING GROUP, INC.  
FOR AN ADDITIONAL AMOUNT OF \$25,000  
FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$224,300  
FOR CONSULTING SERVICES TO SELECT A PATIENT INFORMATION  
SOFTWARE AND ELECTRONIC MEDICAL RECORDS SYSTEM UNDER  
RFP-RC-09-019 FOR THE PERIOD  
FROM FEBRUARY 1, 2013 THROUGH DECEMBER 31, 2013  
AND AUTHORIZING ITS EXECUTION BY THE  
COUNTY EXECUTIVE  
FOR CAPITAL PROJECT 4443  
[DEPARTMENT OF GENERAL SERVICES]  
(\$224,300)**

WHEREAS, By Resolution No. 264 of 2001, the Legislature of Rockland County authorized the issuance of a bond in the amount of \$1,500,000 to finance the acquisition and installation of computer hardware and software for the Integrated Patient Information System (Phase I) to be used by the Departments of Hospitals, Health and Mental Health; and

WHEREAS, By Resolution No. 143 of 2004, the Legislature of Rockland County authorized the issuance of a bond in the additional amount of \$750,000 bond to finance the design and implementation of the hospital based integrated patient information system to be used by the Hospital, Health and Mental Health Departments within the County for a total amount not to exceed \$2,250,000 bonds to finance said appropriation; and

WHEREAS, By Resolution 410 of 2010, the County Executive and the Legislature of Rockland County approved an agreement in excess of \$100,000 with PA Consulting Group, Inc. for a total contract sum not to exceed \$199,300 for consulting services to select a patient information software and electronic medical records system under RFP-RC-09-019 for Capital Project 4443; and

WHEREAS, The Commissioner of General Services recommends that the County Executive and Legislature of Rockland County approve an agreement with PA Consulting Group, Inc., 10 Canal Street, Cambridge, MA 02142, for an additional amount of \$25,000 for a total contract sum not to exceed \$224,300 to provide consulting services to select a patient information software and electronic medical records system for the Department of Hospitals, Mental Health and Health from February 1, 2013 through December 31, 2013; and

DRAFT

WHEREAS, Sufficient funding for this amended agreement exists in the 2013 Capital Budget, Capital Project Account No. 4443; 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 Committees of the Legislature have met, considered and approved this resolution; now therefore be it

RESOLVED, That the Legislature of Rockland County approves an agreement in excess of \$100,000 with PA Consulting Group, Inc., 10 Canal Street, Cambridge, MA 02142, for an additional amount of \$25,000 for a total contract sum not to exceed \$224,300 to provide consulting services to select a patient information software and electronic medical records system from February 1, 2013 through December 31, 2013 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 amended agreement exists in the 2013 Capital Budget, Capital Project Account No. 4443.

TS:lo  
2013-04816  
11/20/13

11/20/13



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GENERAL FUND - 2013

Increase Approp. Acct. (Credit):

A-SHF-3108-E5060	Program Costs	1,100
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Increase Est. Rev. Acct. (Debit):

A-SHF-3108-R2705	Gifts & Donations	1,100
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and be it further

RESOLVED, That the Legislature hereby directs the Clerk of the Legislature to express the appreciation of the Rockland County Legislature to the Stickball Home Run Derby Tournament for its donation in support of our local First Responders.

MB:lo  
11/15/13  
2013-04801

**DRAFT**

Introduced by:  
Hon. Alden H. Wolfe, Sponsor

Referral No. 9485

**RESOLUTION NO.            OF 2013**  
**DIRECTING THAT ANY ASSETS THAT MAY BE RECEIVED BY THE COUNTY**  
**UPON THE DISSOLUTION OF THE ROCKLAND COUNTY HEALTH FACILITIES**  
**CORPORATION BE PLACED IN A RESERVE FUND MARKED FOR DEFICIT**  
**REDUCTION PURSUANT TO LOCAL LAW NO. 10 OF 2012**

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 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 assets returned to the County upon the sale of the Facility and the subsequent dissolution of the Corporation be set aside in the deficit reserve fund created by Local Law 10 of 2012 to be applied only to deficit reduction against the amount required to be appropriated that same year or the following year at the discretion of the Legislature, as mandated by the Deficit Reduction Act; and

WHEREAS, the \_\_\_\_\_ committee of the Legislature has met and by a \_\_\_\_\_ vote has approved this resolution, now therefore be it

RESOLVED, that any assets returned to the County upon the sale of the Facility and the subsequent dissolution of the Corporation be set aside in the deficit reserve fund created by Local Law 10 of 2012 to be applied only to deficit reduction against the amount required to be appropriated that same year or the following year at the discretion of the Legislature, as mandated by the Deficit Reduction Act.

Lg3273  
RAM/ELY/cs  
12/3/13

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5A

Introduced by:

Referral No. 8894

**RESOLUTION NO. 2013  
APPROVING FIVE (5) CONTRACTS WHICH  
ARE IN EXCESS OF \$100,000  
FOR PUBLIC HEALTH SOCIAL WORK SERVICES  
FOR SPECIAL EDUCATIONAL SERVICES IN PRE-SCHOOL PROGRAMS  
FOR THE PERIOD OF JULY 1, 2013 THROUGH JUNE 30, 2014 AND  
AUTHORIZING THEIR EXECUTION BY THE COUNTY EXECUTIVE  
[DEPARTMENT OF HEALTH]  
(\$7,860,000.00)**

WHEREAS, The Commissioner of Health is requesting that the County Executive and the Legislature of Rockland County approve five (5) agreements for Special Educational Services in Pre-School Programs, with the various providers as specified on the attached Schedule "A", each of which is in excess of \$100,000 for the one year period of July 1, 2013 through June 30, 2014; and

WHEREAS, These agreements provide for payment by the County to various providers for services rendered in compliance with the Individual Family Service Plan/Individual Education Plan (IFSP/IEP) for the children referred as specified in the annexed Schedules "A" and "B"; and

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

WHEREAS, Sufficient funding for these agreements has been appropriated in the 2013 Budget of the Rockland County Health Department, Pre-K Program, and is contingent upon 2014 budget appropriations; and

WHEREAS, The \_\_\_\_\_ Committees of the Legislature have met, considered and approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County approves the five (5) agreements listed on the attached Schedule "A" and "B" for the Department of Health's Special Education Services in Pre-School Programs for a one year period commencing July 1, 2013 and ending June 30, 2014, having a total aggregate sum not to exceed \$7,860,000.00, and authorizes their execution by the County Executive subject to the approval of the County Attorney; and be it further

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RESOLVED That sufficient funding for these agreements has been appropriated in the 2013 Budget of the Rockland County Health Department, Pre-K Program, and is contingent upon 2014 budget appropriations.

TS:lo  
2013-04825  
11/20/13

**SCHEDULE "A"**

<b>PROVIDER</b>	<b>Contract Amount Not to Exceed</b>	<b>Contract Term</b>
<b>APPLIED BEHAVIORAL ANALYSIS DBA FRED S. KELLER SCHOOL</b> Preschool Center Based/SEIT Program	\$ 1,500,000	2013 – 2014
<b>HEADSTART OF ROCKLAND, INC.</b> Preschool Related Services for Children with Disabilities	\$ 200,000	2013 – 2014
<b>HEADSTART OF ROCKLAND, INC.</b> Preschool Center Based/SEIT Program	\$ 1,000,000	2013 – 2014
<b>HEBREW ACADEMY FOR SPECIAL CHILDREN, INC.</b> Preschool Related Services for Children with Disabilities	\$ 860,000	2013 – 2014
<b>HEBREW ACADEMY FOR SPECIAL CHILDREN, INC.</b> Preschool Center Based/SEIT Program	\$ 4,300,000	2013 – 2014
<b>TOTAL AMOUNT</b>	<b>\$7,860,000.00</b>	

**SCHEDULE "B"**

**CONTRACTOR: Applied Behavior Analysis Corp. DBA Fred S. Keller School**

**PURPOSE OF CONTRACT: Preschool Special Education Center Based/SEIT Program**

**CONTRACT TERM: 2013 - 2014**

**AMOUNT NOT TO EXCEED: \$1,500,000.00**

**PROGRAM: Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Teaching Assistant, Family Training**

**ADDRESS: One Odell Plaza, Yonkers, NY 10701**

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

**# CHILDREN SERVICED: 45**

Individual  Corporation

**CONTRACTOR: Headstart of Rockland, Inc.**

**PURPOSE OF CONTRACT: Preschool Related Services for Children with Disabilities**

**CONTRACT TERM: 2013 - 2014**

**AMOUNT NOT TO EXCEED: \$200,000.00**

**PROGRAM: Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Social Worker, Psychologist**

**ADDRESS: 117 Route 9W, Havestraw NY 10927**

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

**# CHILDREN SERVICED: 30**

Individual  Corporation

**CONTRACTOR: Headstart of Rockland, Inc.**

**PURPOSE OF CONTRACT: Preschool Special Education Center Based/SEIT Program**

**CONTRACT TERM: 2013 - 2014**

**AMOUNT NOT TO EXCEED: \$1,000,000.00**

**PROGRAM: Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Social Worker, Psychologist**

**ADDRESS: 117 Route 9W, Havestraw NY 10927**

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

**# CHILDREN SERVICED: 30**

Individual  Corporation

**CONTRACTOR: Hebrew Academy for Special Children, Inc.**

**PURPOSE OF CONTRACT: Preschool Related Services for Children with Disabilities**

**CONTRACT TERM: 2013 - 2014**

**AMOUNT NOT TO EXCEED: \$860,000.00**

**PROGRAM: Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Teacher of the Deaf/Hearing Impaired**

**ADDRESS: 5902 14<sup>th</sup> Avenue, Brooklyn, NY 11219**

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

**# CHILDREN SERVICED: 35**

Individual  Corporation

**SCHEDULE "B"**

**CONTRACTOR: Hebrew Academy for Special Children, Inc.**

**PURPOSE OF CONTRACT: Preschool Special Education Center Based/SEIT Program**

**CONTRACT TERM: 2013 - 2014**

**AMOUNT NOT TO EXCEED: \$4,300,000.00**

**PROGRAM: Speech Therapy, Occupational Therapy, Physical Therapy, Special Education Teacher, Teacher of the Deaf/Hearing Impaired**

**ADDRESS: : 5902 14<sup>th</sup> Avenue, Brooklyn, NY 11219**

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

**# CHILDREN SERVICED: 66**

Individual  Corporation



and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That appropriations in line E4350 of the 2014, 2015 and 2016 future budgets of the Sheriff-Jail (Dept. 3150) will cover cost associated with this agreement.

MB:mf  
2013-04541  
10-31-13



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

WHEREAS, The \_\_\_\_\_ Committees of the Legislature have met considered and approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves an intermunicipal agreement between the County of Rockland and the Village of Spring Valley in connection with a 2013 Byrne Justice Assistance Grant (JAG) Program award in the amount of \$12,912 and authorizes execution of the agreement by the County Executive, subject to the approval of the County Attorney; and be it further

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

MB:lo  
2013-04673  
11/7/13



# DRAFT

WHEREAS, The County Attorney and the Commissioner of the Department of Social Services recommend retaining the services of the Law Offices of Nancy Rose Stormer, P.C., 1325 Belle Avenue, Utica, New York 13501; Whiteman Osterman & Hanna LLP, One Commerce Plaza, Albany, New York 12260; and Manatt Phelps & Phillips LLP, 7 Times Square, New York, New York 10036 (the "Law Firms") to pursue recovery of Medicaid overburden payments from the State of New York; and

WHEREAS, The legal services are to be provided on a contingency basis at a rate of thirty-six (36%) percent of the actual recoveries, with no out of pocket expenses; and

WHEREAS, The legal services may entail multiple litigation efforts, including a constitutional challenge to legislation that would otherwise effectively prevent recovery; 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 \_\_\_\_\_ committees of the Legislature have met, considered and \_\_\_\_\_ approved this resolution, now, therefore, be it

RESOLVED, That the County Executive is authorized to enter into an agreement with the Law Offices of Nancy Rose Stormer, P.C., 1325 Belle Avenue, Utica, New York 13501; Whiteman Osterman & Hanna LLP, One Commerce Plaza, Albany, New York 12260; and Manatt Phelps & Phillips LLP, 7 Times Square, New York, New York 10036 (the "Law Firms") to pursue recovery of Medicaid overburden payments from the State of New York, subject to the approval of the County Attorney.

LG:lo  
2013-04800  
11/20/13

