The Legislature of Rockland County

ILAN S SCHOENBERGER
Legislator – District 4

Chair, Planning & Public Works Committee
Budget & Finance Committee

AGENDA
PLANNING & PUBLIC WORKS COMMITTEE
WEDNESDAY, OCTOBER 26, 2016
7:00 PM

ROLL CALL

ADOPTION OF MINUTES: 10/13/16

1. REFERRAL NO. 6795

APPROVING ADDITIONAL PURCHASES IN EXCESS OF $100,000 FROM KEN'S TREE CARE, INC. FOR TREE CUTTING AND REMOVAL SERVICES ON AN AS NEEDED BASIS FOR VARIOUS DEPARTMENTS INCLUDING THE DEPARTMENT OF GENERAL SERVICES – FACILITIES MANAGEMENT, ROCKLAND COUNTY DRAINAGE AGENCY, AND THE DIVISION OF ENVIRONMENTAL RESOURCES IN THE ADDITIONAL AMOUNT OF $40,000 FOR THE PERIOD FROM SEPTEMBER 13, 2016 THROUGH SEPTEMBER 12, 2017 WITH AN OPTION TO RENEW FOR ONE (1) ADDITIONAL ONE (1) YEAR TERM FOR A TOTAL AMOUNT NOT TO EXCEED $560,208 FROM THE COMMENCEMENT DATE SEPTEMBER 13, 2013 THROUGH SEPTEMBER 12, 2017 UNDER RFB-RC-2013-079 [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING] ($560,208)
(PAUL J. BRENNAN, DIRECTOR, DGS PURCHASING)
DL#: 2016-03466

1A. REFERRAL NO. 6795

DETERMINING THAT CERTAIN SPACE ELEVATIONS ON VARIOUS COUNTY-OWNED WIRELESS COMMUNICATIONS TOWERS LOCATED AT THE SHERIFF'S HEADQUARTERS, MITCH MILLER PROPERTY, VETERAN'S CEMETERY, DR. ROBERT L. YEAGER HEALTH CENTER AND ROCKLAND COMMUNITY COLLEGE ARE NOT REQUIRED FOR PUBLIC USE AND AUTHORIZING THE DIRECTOR OF PURCHASING TO ADVERTISE FOR PROPOSALS FOR SITE LICENSES FOR USE OF SPACE ON SAID TOWERS/SITES AT ELEVATIONS AS SPECIFIED UNDER RFP-RC-2016-027 [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(PAUL J. BRENNAN, DIRECTOR, DGS PURCHASING)
DL#: 2016-03564

1B. REFERRAL NO. 6795

APPROVING PURCHASES IN EXCESS OF $100,000 FROM SWIFT ELECTRICAL SUPPLY FOR ELECTRICAL SUPPLIES FOR VARIOUS COUNTY OF ROCKLAND DEPARTMENTS IN THE ADDITIONAL AMOUNT OF $60,000 FOR A TOTAL AMOUNT NOT TO EXCEED $239,549.27 FROM THE COMMENCEMENT SATE SEPTEMBER 23, 2016 THROUGH MARCH 12, 2017 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER UNDER RFB-RC-2013-010 [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING] ($239,549,27)
(PAUL J. BRENNAN, DIRECTOR, DGS PURCHASING)
DL#: 2016-03447

2. REFERRAL NO. 5906

APPROVING PURCHASES IN EXCESS OF $100,000 FROM RESIDUALS MANAGEMENT SERVICES D/B/A/ EARTHCARE FOR SLUDGE HAULING AND DISPOSAL SERVICES FOR ROCKLAND COUNTY SEWER DISTRICT NO. 1 FOR A TOTAL AMOUNT NOT TO EXCEED $300,000 FROM THE COMMENCEMENT DATE APRIL 18, 2013 THROUGH APRIL 17, 2017 WITH ONE (1) ADDITIONAL ONE (1) YEAR OPTION TERM REMAINING WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER UNDER RFB-RC-2013-032 [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING] ($300,000)
(PAUL J. BRENNAN, DIRECTOR, DGS PURCHASING)
DL#: 2016-03519

3. REFERRAL NO. 5906

AWARD OF CONTRACT TO NATIONAL WATER MAIN CLEANING CO. AND APPROVING AGREEMENT IN EXCESS OF $200,000 FOR A TOTAL CONTRACT SUM NOT TO EXCEED $474,625 FOR THE LOWER MAIN INTERCEPTOR REHABILITATION PROJECT UNDER RFB-RC-SWR-SM2016-04 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [ROCKLAND COUNTY SEWER DISTRICT NO. 1] ($474,625)
(DIANNE R. PHILIPPS, P.E.. EXECUTIVE DIRECTOR, SEWER DISTRICT)
DL#: 2016-03489

4. REFERRAL NO. 2946

APPROVING A CONTRACT IN EXCESS OF $100,000 WITH OCS INDUSTRIES INC. FOR THE MINISCEONGO CREEK EMBANKMENT STABILIZATION PROJECT AT 49 SOUTH ROUTE 9W IN THE VILLAGE OF WEST HAVERSTRAW IN AN AMOUNT NOT TO EXCEED $1,126,614 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE UNDER CAPITAL PROJECT NO. 7112 [DRAINAGE AGENCY] ($1,126,614)
(CHARLES H. VEZZETTI, CHAIRMAN, DRAINAGE AGENCY)
DL#:2016-03293

5. REFERRAL NO. 5474

RECONSTITUTING THE ROCKLAND COUNTY SEWER DISTRICT NO. 1 BOARD OF COMMISSIONERS IN ACCORDANCE WITH RESOLUTION NO. 260 OF 2016
(HONS. ALDEN H. WOLFE, MICHAEL M. GRANT, ILAN S. SCHOENBERGER, CHARLES J. FALCIGLIA, LEGISLATURE)
LG#: 2016-91

6. REFERRAL NO. 9075

SETTING A DATE FOR A PUBLIC HEARING WITH RESPECT TO ADOPTION OF A LOCAL LAW SUPERSEDING NEW YORK STATE COUNTY LAW § 215 RELATING TO THE SALE OF REAL PROPERTY LOCATED AT 18 NEW HEMPSTEAD ROAD, NEW CITY TO ND ACQUISITIONS, LLC, ITS SUCCESSORS AND/OR ASSIGNS
(HONS. LON HOFSTEIN, CHRISTOPHER J. CARY, CHARLES J. FALCIGLIA, DOUGLAS J. JOBSON, PATRICK J. MORONEY, LAURIE A. SANTULLI, VINCENT D. TYER)
LG#: 2016-93PH

7. REFERRAL NO. 1021 REQUESTING THAT THE NEW YORK STATE LEGISLATURE INTRODUCE HOME RULE LEGISLATION AUTHORIZING THE COUNTY OF ROCKLAND TO CONVEY TO MILLENNIUM PIPELINE COMPANY A PERMANENT EASEMENT OF .32 ACRES OF KAKIAT PARK IN THE TOWN OF RAMAPO
(R. ALLAN BEERS, COORDINATOR, ENVIRONMENTAL RESOURCES)
DL#: 2016-03315

SUBJECT TO APPROVAL OF ENVIRONMENTAL COMMITTEE
ADDITIONAL BACK UP WITH CLERK

8. REFERRAL NO. 9472 APPROVING AGREEMENT IN EXCESS OF $100,000 WITH KS ENGINEERS, P.C. IN THE AMOUNT OF $242,300 FOR ENGINEERING INSPECTION SERVICES FOR HURRICANE IRENE CONSTRUCTION PROJECTS FROM SEPTEMBER 15, 2016 THROUGH DECEMBER 31, 2017 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [COUNTY OF ROCKLAND DRAINAGE AGENCY] (DIVISION OF THE HIGHWAY DEPARTMENT) ($242,300)
(CHARLES H. VEZZETTI, SUPERINTENDENT, HIGHWAYS)
DL#: 2016-03188

TABLED IN PPW ON 09/27/16

9. REFERRAL NO. 5906 DISCUSSION ITEM PRESENTATION OF QUARTERLY REPORT – ROCKLAND COUNTY SEWER DISTRICT NO. 1
(HONS. ILAN SCHOENBERGER, CHARLES FALCIGLIA, LEGISLATURE)

Introduced by: DRAFT Referral No. 6795

RESOLUTION NO. OF 2016
APPROVING ADDITIONAL PURCHASES IN EXCESS OF $100,000 FROM KEN'S TREE CARE, INC. FOR TREE CUTTING AND REMOVAL SERVICES ON AN AS NEEDED BASIS FOR VARIOUS DEPARTMENTS INCLUDING THE DEPARTMENT OF GENERAL SERVICES - FACILITIES MANAGEMENT, ROCKLAND COUNTY DRAINAGE AGENCY, AND THE DIVISION OF ENVIRONMENTAL RESOURCES IN THE ADDITIONAL AMOUNT OF $40,000 FOR THE PERIOD FROM SEPTEMBER 13, 2016 THROUGH SEPTEMBER 12, 2017 WITH AN OPTION TO RENEW FOR ONE (1) ADDITIONAL ONE (1) YEAR TERM FOR A TOTAL AMOUNT NOT TO EXCEED $560,208 FROM THE COMMENCEMENT DATE SEPTEMBER 13, 2013 THROUGH SEPTEMBER 12, 2017 UNDER RFB-RC-2013-079
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
($560,208)

WHEREAS, By Resolution No. 600 of 2013, the Legislature of Rockland County approved purchases of services in excess of $100,000 from Ken's Tree Care, Inc., 401 Paulding Avenue, Northvale, New Jersey 07647, for tree cutting and removal services on an as needed basis for various Departments including the Department of General Services - Facilities Management, the Rockland County Drainage Agency, and the Division of Environmental Resources under RFB-RC-2013-079, in an amount not to exceed $195,208 for the period from September 13, 2013 through September 12, 2014, with an option to renew for four (4) additional one (1) year terms; and

WHEREAS, By Resolution No. 466 of 2014, the Legislature of Rockland County approved additional purchases of services in excess of $100,000 from Ken's Tree Care, Inc., 401 Paulding Avenue, Northvale, New Jersey 07647, for tree cutting and removal services on an as needed basis for various Departments including the Department of General Services - Facilities Management, the Rockland County Drainage Agency, and the Division of Environmental Resources under RFB-RC-2013-079, in the additional amount of $150,000 for the period from September 13, 2014 through September 12, 2015, with an option to renew for three (3) additional one (1) year terms, for a total amount not to exceed $345,208 from the commencement date September 13, 2013 through September 12, 2015; and

WHEREAS, By Resolution No. 491 of 2015, the Legislature of Rockland County approved additional purchases of services in excess of $100,000 from Ken's Tree Care, Inc., 401 Paulding Avenue, Northvale, New Jersey 07647, for tree cutting and removal services on an as needed basis for various Departments including Facilities Management, the Drainage Agency, and Environmental Resources under RFB-RC-2013-079, in the additional amount of $175,000 for the period from September 13, 2015 through September 12, 2016, with two (2) additional one (1) year

option terms, for a total amount not to exceed $520,208 from the commencement date September 13, 2013 through September 12, 2016; and

WHEREAS, The Director of Purchasing recommends that the County Executive and the Legislature of Rockland County approve additional purchases of services from Ken's Tree Care, Inc. 401 Paulding Avenue, Northvale, New Jersey 07647, for tree cutting and removal services on an as needed basis for various Departments including Facilities Management, the Drainage Agency, and Environmental Resources under RFB-RC-2013-079, in the additional amount of $40,000 for the period from September 13, 2016 through September 12, 2017, with one (1) additional one (1) year option term, for a total amount not to exceed $560,208 from the commencement date September 13, 2013 through September 12, 2017; and

WHEREAS, From the contract award to September 28, 2016, there has been $393,495.86 encumbered leaving a balance of $126,712.14 unspent of the currently approved amount of $520,208, which with the $40,000 requested herein, will provide the estimated departmental usage totaling $160,000 (Facilities Management $50,000; Drainage Agency $75,000; Environmental Resources $10,000; Sewer District $15,000; and Department of Public Transportation $10,000) for the period from September 13, 2016 through September 12, 2017; and

WHEREAS, All purchases will be initiated by formal purchase order, subject to the approval of the Director of Purchasing; and

WHEREAS, Sufficient funding for these purchases is provided for in the 2016 Budget of the Department of General Services - Facilities Management, the Rockland County Drainage Agency, the Division of Environmental Resources, Rockland County Sewer District No. 1 and the Department of Public Transportation, and is contingent upon 2017 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 Committees of the Legislature have met, considered and approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves additional purchases of services from Ken's Tree Care, Inc., 401 Paulding Avenue, Northvale, New Jersey 07647, for tree cutting and removal services on an as needed basis for various Departments including Facilities Management, the Drainage Agency, and Environmental Resources under RFB-RC-2013-079, in the additional amount of $40,000 for the period from September 13, 2016 through September 12, 2017, with one (1) additional one (1) year option term, for a total amount not to exceed $560,208 from the commencement date September 13, 2013 through September 12, 2017; and be it further

RESOLVED, That all purchases shall be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2016 Budget of the Department of General Services - Facilities Management, the Rockland County Drainage Agency, the Division of Environmental Resources, Rockland County Sewer District No. 1 and the Department of Public Transportation, and is contingent upon 2017 budget appropriations.

LHG:dc
2016-03466
10-5-16
r. 10-17-16

Introduced by: DRAFT Referral No. 6795 (A)

RESOLUTION NO. OF 2016

DETERMINING THAT CERTAIN SPACE ELEVATIONS ON VARIOUS COUNTY-OWNED WIRELESS COMMUNICATIONS TOWERS LOCATED AT THE SHERIFF'S HEADQUARTERS, MITCH MILLER PROPERTY, VETERAN'S CEMETERY, DR. ROBERT L. YEAGER HEALTH CENTER AND ROCKLAND COMMUNITY COLLEGE ARE NOT REQUIRED FOR PUBLIC USE AND AUTHORIZING THE DIRECTOR OF PURCHASING TO ADVERTISE FOR PROPOSALS FOR SITE LICENSES FOR USE OF SPACE ON SAID TOWERS/SITES AT ELEVATIONS AS SPECIFIED UNDER RFP-RC-2016-027

[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]

WHEREAS, The Director of Purchasing requests that the County Executive and Legislature of Rockland County determine that certain space elevations on various county-owned wireless communications towers located at the Sheriff's Headquarters, Mitch Miller property, Veteran's Cemetery, Dr. Robert L. Yeager Health Center, Building A, and Rockland Community College are not required for public use and may be licensed to the highest bidder after public advertisement for a term not exceeding twenty-five (25) years for the purpose of being used as a wireless communications site under RFP-RC-2016-027 (the "RFP"); and

WHEREAS, County Law §215(1) provides that the Legislature of Rockland County shall have the general care and control of all of the corporate real and personal property of the county; and

WHEREAS, Local Law No. 4 of 1997, which authorized the County to supersede §215(4) of County Law, permits the County of Rockland to lease County-owned real property that is not required for public use for a term not exceeding twenty-five (25) years for the purpose of being used as a wireless communication site, provided that such property may be leased only to the highest responsible bidder after public advertisement; and

WHEREAS, It is necessary for the Legislature of Rockland County to determine that these certain space elevations on various county-owned wireless communications towers are not required for public use before said elevations may be licensed to the highest bidder after public advertisement for the purpose of being used as a wireless communications site:

- Sheriff's Headquarters, 55 New Hempstead Road, New City, NY 10956 – 110 Foot Elevation;
- Sheriff's Headquarters, 55 New Hempstead Road, New City, NY 10956 – 120 Foot Elevation;
- Mitch Miller Property, 94 Lime Kiln Road, Wesley Hills, NY 10952 – 120 Foot Elevation;

- Veteran's Cemetery, 175 Brick Church Road, New Hempstead, NY 10977 – 100 Foot Elevation;

- Rockland Community College, 145 College Road, Suffern, NY 10901 – 120 Foot Elevation;

- Rockland Community College, 145 College Road, Suffern, NY 10901 – 140 Foot Elevation;

- Rockland Community College, 145 College Road, Suffern, NY 10901 – 165 Foot Elevation; and

- Dr. Robert L. Yeager Health Center, Building A, 50 Sanatorium Road, Pomona, NY 10970 – Penthouse Elevation; and

WHEREAS, The specifications for the RFP have been prepared by the Purchasing Division in cooperation with the E-911 Coordinator; and

WHEREAS, Based upon prior history for these services, revenues for each license may exceed $100,000 during the term of the agreement; and

WHEREAS, The adoption of this resolution does not require the expenditure of any County tax dollars; and

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

RESOLVED, That pursuant to County Law and Local Law No. 4 of 1997, the Legislature of Rockland County hereby determines that the following space elevations on various county-owned wireless communications towers are not required for public use and may be licensed to the highest bidder after public advertisement for a term not exceeding twenty-five (25) years for the purpose of being used as a wireless communications site under RFP-RC-2016-027:

- Sheriff's Headquarters, 55 New Hempstead Road, New City, NY 10956 – 110 Foot Elevations;

- Sheriff's Headquarters, 55 New Hempstead Road, New City, NY 10956 – 120 Foot Elevations;

- Mitch Miller Property, 94 Lime Kiln Road, Wesley Hills, NY 10952 – 120 Foot Elevation;

- Veteran's Cemetery, 175 Brick Church Road, New Hempstead, NY 10977 – 100 Foot Elevation;

- Rockland Community College, 145 College Road, Suffern, NY 10901 – 120 Foot Elevation;

- Rockland Community College, 145 College Road, Suffern, NY 10901 – 140 Foot Elevation;

- Rockland Community College, 145 College Road, Suffern, NY 10901 – 165 Foot Elevation; and

- Dr. Robert L. Yeager Health Center, Building A, 50 Sanatorium Road, Pomona, NY 10970 – Penthouse Elevation; and be it further

RESOLVED, That the Legislature of Rockland County authorizes the Director of Purchasing to advertise for proposals for Site Licenses for Use of Space on Various County-Owned Communications Towers/Sites at Elevations as specified under RFP-RC-2016-027; and be it further

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

TS: dc
2016-03564
10-14-16
r. 10-19-16

Introduced by:

DRAFT

Referral No. 6795 (B)

RESOLUTION NO. OF 2016
APPROVING PURCHASES IN EXCESS OF $100,000
FROM SWIFT ELECTRICAL SUPPLY
FOR ELECTRICAL SUPPLIES
FOR VARIOUS COUNTY OF ROCKLAND DEPARTMENTS
IN THE ADDITIONAL AMOUNT OF $60,000
FOR A TOTAL AMOUNT NOT TO EXCEED $239,549.27 FROM
THE COMMENCEMENT DATE SEPTEMBER 23, 2016 THROUGH MARCH 12, 2017
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
UNDER RFB-RC-2013-010
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
($239,549.27)

WHEREAS, The Director of Purchasing advertised for bids for electrical supplies under RFB-RC-2013-010 (the "RFB") for various County of Rockland Departments for a one-year term, with three (3) one (1) year options; and

WHEREAS, The purpose of this contract is for the purchase of electrical supplies for various County of Rockland Departments; and

WHEREAS, The Director of Purchasing determined that Swift Electrical Supply, 100 Hollister Road, Teterboro, New Jersey 07608, was the lowest responsive, responsible bidder and awarded Swift Electrical Supply a contract not to exceed $100,000 for the period from March 13, 2013 through March 12, 2014, with three (3) one (1) year options; and

WHEREAS, The Director of Purchasing exercised the first option term with Swift Electrical Supply, 100 Hollister Road, Teterboro, New Jersey 07608, for electrical supplies under RFB-RC-2013-010 with all purchases being made by formal purchase order, from the commencement date March 13, 2014 through March 12, 2015, with two (2) remaining one (1) year options; and

WHEREAS, By Resolution No. 461 of 2015 the Director of Purchasing exercised the second option term with Swift Electrical Supply, 100 Hollister Road, Teterboro, New Jersey 07608, for electrical supplies under RFB-RC-2013-010, with all purchases being made by formal purchase order, in an amount not to exceed $119,549.27 from the commencement date March 13, 2014 through March 12, 2016, with one (1) remaining one (1) year option; and

WHEREAS, By Resolution No. 61 of 2016 the Director of Purchasing exercised the third option term with Swift Electrical Supply, 100 Hollister Road, Teterboro, New Jersey 07608, for electrical supplies under RFB-RC-2013-010, with all purchases being made by formal purchase

order, in an amount not to exceed $179,549.27 from the commencement date March 13, 2013 through March 12, 2017; and

WHEREAS, The County has expended approximately $170,619.51 through September 2016 and it is anticipated that an estimated additional $60,000 will be expended during the third option term of the contract through March 12, 2017; and

WHEREAS, The Director of Purchasing recommends that the County Executive and the Legislature of Rockland County approve additional purchases of electrical supplies from Swift Electrical Supply, 100 Hollister Road, Teterboro, New Jersey 07608 in the additional amount of $60,000 for a total amount not to exceed $239,549.27 from the commencement date September 23, 2016 through March 12, 2017; and

WHEREAS, All purchases will be initiated by formal purchase order, subject to the approval of the Director of Purchasing in accordance with the approved budgets for the department requesting the services; and

WHEREAS, Sufficient funding for these additional purchases is provided for in the 2016 Operating Budgets of the Department of General Services and the Rockland County Sewer District No. 1, and is contingent upon 2017 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 Committees of the Legislature has met, considered and approved this resolution; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves purchases in excess of $100,000 from Swift Electrical Supply, 100 Hollister Road, Teterboro, New Jersey 07608, for electrical supplies for various County of Rockland Departments in the additional amount of $60,000 for a total amount not to exceed $239,549.27 from the commencement date September 23, 2016 through March 12, 2017 under RFB-RC-2013-010 and authorizes all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these additional purchases is provided for in the 2016 Operating Budgets of the Department of General Services and the Rockland County Sewer District No. 1, and is contingent upon 2017 budget appropriations.

LHG/bab
2016-03447
10-4-16
10-19-16bab

Introduced by: DRAFT Referral No. 5906

RESOLUTION NO. OF 2016
APPROVING PURCHASES IN EXCESS OF $100,000
FROM RESIDUALS MANAGEMENT SERVICES
D/B/A EARTHCARE
FOR SLUDGE HAULING AND DISPOSAL SERVICES
FOR ROCKLAND COUNTY SEWER DISTRICT NO. 1
FOR A TOTAL AMOUNT NOT TO EXCEED $300,000 FROM THE
COMMENCEMENT DATE APRIL 18, 2013 THROUGH APRIL 17, 2017
WITH ONE (1) ADDITIONAL ONE (1) YEAR OPTION TERM REMAINING
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
UNDER RFB-RC-2013-032
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
($300,000)

WHEREAS, The Director of Purchasing issued a solicitation in April 2013 under RFB-RC-2013-032 for sludge hauling and disposal services from the sludge holding tank located at the Rockland County Sewer District No. 1 Plant Facility in Orangeburg, New York, with all services to be on an as-needed basis with no guarantee of work; and

WHEREAS, Over 75 firms were notified of the bid opportunity and five (5) competitive solicitations were received with per gallon price ranging from $0.11 to $0.16 and Residuals Management Services d/b/a Earthcare, 99 Maple Grange Road, Vernon, New Jersey 07462 was deemed the lowest responsive responsible bidder; and

WHEREAS, The bid was awarded for a one year term, with four (4) one (1) year options with the contract having been extended through April 17, 2017, with one (1) one (1) year option term remaining; and

WHEREAS, As of October 6, 2016, there have been no encumbrances against this contract; and

WHEREAS, On October 6, 2016 the Executive Director of Rockland County Sewer District No. 1 advised the Purchasing Division that the wastewater treatment plant in Orangeburg is experiencing a process upset resulting in sludge that cannot be dewatered and the plant is being overloaded with solids causing odors and the possibility of not meeting permit limits; and

WHEREAS, As a result of this emergency situation, an estimated 1,000,000 gallons of sludge will need to be removed immediately at an estimated cost of $110,000; and

WHEREAS, Due to the nature of the emergency work covered under this contract and the need to have sludge hauled in a timely fashion, this request will authorize total expenditures in excess of $100,000 not to exceed $300,000 for the entire term of the contract commencing on April 18, 2013 through April 17, 2017, with one (1) remaining one (1) year option term; and

WHEREAS, The Director of Purchasing and the Executive Director of the Sewer District recommend that the County Executive and the Legislature of Rockland County approve purchases in excess of $100,000 from Residuals Management Services d/b/a Earthcare, 99 Maple Grange Road, Vernon, New Jersey 07462 for sludge hauling and disposal services under RFB-RC-2013-032 in an amount not to exceed $300,000, for the entire term of the contract commencing on April 18, 2013 through April 17, 2017, with one (1) remaining one (1) year option term; and

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

WHEREAS, Sufficient funding for the purchases is provided for in the 2016 Budget of Rockland County Sewer District No. 1 (G-SWR-8130-E4090) and is contingent upon 2017 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 Committees of the Legislature have met, considered and approved this resolution; now, therefore, be it

RESOLVED, That the Legislature of Rockland County approves purchases in excess of $100,000 from Residuals Management Services d/b/a Earthcare, 99 Maple Grange Road, Vernon, New Jersey 07462 for sludge hauling and disposal services under RFB-RC-2013-032 in an amount not to exceed $300,000, for the entire term of the contract commencing on April 18, 2013 through April 17, 2017, with one (1) remaining one (1) year option 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 the purchases is provided for in the 2016 Budget of Rockland County Sewer District No. 1 (G-SWR-8130-E4090) and is contingent upon 2017 budget appropriations.

LHG:dc
2016-03519
10-11-16

Introduced by: DRAFT Referral No. 5906

RESOLUTION NO. OF 2016
AWARD OF CONTRACT TO
NATIONAL WATER MAIN CLEANING CO.
AND APPROVING AGREEMENT IN EXCESS OF $100,000
FOR A TOTAL CONTRACT SUM NOT TO EXCEED $474,625
FOR THE LOWER MAIN INTERCEPTOR REHABILITATION PROJECT
UNDER RFB-RC-SWR-SM2016-04 AND
AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[ROCKLAND COUNTY SEWER DISTRICT NO. 1]
($474,625)

WHEREAS, The Rockland County Sewer District ("Sewer District") advertised for bids for RFB-RC-SWR-SM2016-04, Lower Main Interceptor Rehabilitation Project which consists of sanitary sewer cleaning, televising, installation of sanitary sewer cementitious liner system of approximately 1,900 linear feet of sewer lines, and miscellaneous additional work in the Town of Orangetown; and

WHEREAS, Five (5) bids were received by the Sewer District which were checked and tabulated by the staff of the Sewer District; and it was determined that the low bidder was National Water Main Cleaning Co.; and

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

WHEREAS, By Resolution No. 51 of 2016 the Board of Sewer Commissioner's awarded the Contract for RFB-RC-SWR-SM2016-04 to National Water Main Cleaning Co., 1806 Newark Turnpike, Kearny, New Jersey 07032, for the Lower Main Interceptor Rehabilitation Project, in a total contract sum not to exceed $474,625, subject to the approval of the Rockland County Legislature; and

WHEREAS, Sufficient funding for this agreement exists in the 2016 Operating Budget of the Rockland County Sewer District No. 1, SWR-8120-E4380; 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 hereby awards Rockland County Sewer District contract RFB-RC-SWR-SM2016-04 to the low bidder National Water Main Cleaning Co, in the amount not to exceed $474,625; and be it further

RESOLVED, That the Legislature of Rockland County hereby approves execution of an agreement in excess of $100,000 with National Water Main Cleaning Co., 1806 Newark Turnpike, Kearny, New Jersey 07032, contract RFB-RC-SWR-SM2016-04 for the Lower Main Interceptor Rehabilitation Project, in a total contract sum not to exceed $474,625, for a period of 180 consecutive calendar days from the Notice to Proceed, and authorizes its execution by the County Executive, subject to the review of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement exists in the 2016 Operating Budget of the Rockland County Sewer District No. 1, SWR-8120-E4380.

DB:dc
2016-03489
10-11-16

Introduced by:

Referral No. 2946

DRAFT

RESOLUTION NO. OF 2016
APPROVING A CONTRACT IN EXCESS OF $100,000
WITH OCS INDUSTRIES INC.
FOR THE MINISCEONGO CREEK EMBANKMENT STABILIZATION PROJECT
AT 49 SOUTH ROUTE 9W IN THE VILLAGE OF WEST HAVERSTRAW
IN AN AMOUNT NOT TO EXCEED $1,126,614
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
UNDER CAPITAL PROJECT NO. 7112
[DRAINAGE AGENCY]
($1,126,614)

WHEREAS, By Resolution No. 59 of 2016, the Legislature of Rockland County authorized and directed the Clerk to the Legislature to advertise for bids for the Minisceongo Creek Embankment Stabilization Project at 49 South Route 9W in the Village of West Haverstraw, under Capital Project 7112 (the "Project"); and

WHEREAS, Six bids were received by the Clerk to the Legislature for the Project and, after correction of math errors contained in their proposal, OCS Industries Inc., 33 Fini Drive, Middletown, New York 10941 submitted the lowest bid of $979,644.40; and

WHEREAS, The Chairman of the Drainage Agency requests that the County Executive and Legislature of Rockland County approve a contract in excess of $100,000 with OCS Industries Inc., 33 Fini Drive, Middletown, New York 10941for the Project in an amount not to exceed $1,126,614 which includes a 15% contingency amount; and

WHEREAS, Funds spent on this project may be reimbursable under the F.E.M.A. Reimbursement Program; and

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

WHEREAS, Sufficient funding for this agreement has been authorized in the 2016 Capital Budget, Capital Project Account No. 7112; 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 the agreement in excess of $100,000, between the County of Rockland and OCS Industries Inc., 33 Fini Drive, Middletown, New York 10941 for the Minisceongo Creek Embankment Stabilization Project at

49 South Route 9W in the Village of West Haverstraw, under Capital Project 7112 in an amount not to exceed $1,126,614 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 has been authorized in the 2016 Capital Budget, Capital Project Account No. 7112.

TS:dc
2016-03293
9-26-16

DRAFT

DRAFT

Introduced by:
Hon. Alden H. Wolfe, Sponsor
Hon. Michael M. Grant, Sponsor
Hon. Ilan S. Schoenberger, Sponsor
Hon. Charles Falciglia, Sponsor

Referral No. 5474
, 2016

RESOLUTION NO. OF 2016
RECONSTITUTING THE ROCKLAND COUNTY SEWER DISTRICT NO. 1 BOARD OF COMMISSIONERS IN ACCORDANCE WITH RESOLUTION NO. 260 OF 2016

WHEREAS, on May 17, 2016, the Rockland County Legislature unanimously approved Resolution No. 260 of 2016, amending § 165-5 of the Rockland County Code to make needed changes to various terms and conditions of the Rockland County Sewer District No. 1 Board of Commissioners; and

WHEREAS, one of the amendments was to reduce the number of Commissioners from 13 to 10 and create three (3) classes of Commissioners; and

WHEREAS, in accordance with Resolution No. 260 of 2016, the Rockland County Legislature wishes to reconstitute the Sewer Commission and appoint the following individuals as Sewer Commissioners in their respective classes:

(1) Class One Commissioners
  (a) Christopher St. Lawrence – Supervisor, Town of Ramapo, ex officio
  (b) George Hoehmann – Supervisor, Town of Clarkstown, ex officio
  (c) Andrew Stewart – Supervisor, Town of Orangetown, ex officio
(2) Class Two Commissioners
  (a) Demeza Delhomme – Elected Official from the Village of Spring Valley
  (b) Craig M. Flanagan – Elected Official from Ramapo
  (c) Aney Paul – Elected Official from Clarkstown
(3) Class Three Commissioners
  (a) Richard Diaz – Resident, Town of Clarkstown
  (b) Kevin P. Connell – Resident, Town of Clarkstown
  (c) Seth Lehman – Resident, Town of Ramapo
  (d) Michael A. Genito – Resident, Town of Ramapo

WHEREAS, with these appointments, the Rockland County Sewer District 1 Board of Commissioners shall be reconstituted effective as of the date of adoption of this resolution by the Rockland County Legislature; and

WHEREAS, the _____committee has met, considered, and by a _____ vote, approved this resolution; now therefore be it

RESOLVED, in accordance with Resolution No. 260 of 2016, the Rockland County Legislature hereby reconstitutes the Sewer Commission and appoints the following individuals as Sewer Commissioners in their respective classes:

(1) Class One Commissioners
  (d) Christopher St. Lawrence – Supervisor, Town of Ramapo, ex officio
  (e) George Hoehmann – Supervisor, Town of Clarkstown, ex officio
  (f) Andrew Stewart – Supervisor, Town of Orangetown, ex officio
(2) Class Two Commissioners
  (d) Demeza Delhomme – Elected Official from the Village of Spring Valley
  (e) Craig M. Flanagan – Elected Official from Ramapo
  (f) Aney Paul – Elected Official from Clarkstown
(3) Class Three Commissioners
  (e) Richard Diaz – Resident, Town of Clarkstown
  (f) Kevin Connell – Resident, Town of Clarkstown
  (g) Seth Lehman – Resident, Town of Ramapo
  (h) Michael Genito – Resident, Town of Ramapo

and be it further

RESOLVED, with these appointments, the Rockland County Sewer District 1 Board of Commissioners shall be reconstituted effective as of the date of adoption of this resolution by the Rockland County Legislature; and be it further

RESOLVED, that the Clerk to the Legislature shall notify the Rockland County Board of Sewer Commissioners and the appointees of this resolution.

LG2016-91
ELY
9/22/16
10/13/16
10/19/16 ASE

DRAFT

Referral No. 9075
2016

Introduced by:
Hon. Lon M. Hofstein, Sponsor
Hon. Christopher J. Carey, Sponsor
Hon. Charles J. Falciglia, Sponsor
Hon. Douglas J. Jobson, Sponsor
Hon. Patrick J. Moroney, Sponsor
Hon. Laurie A. Santulli, Sponsor
Hon. Vincent D. Tyre, Sponsor

RESOLUTION NO. OF 2016
SETTING A DATE FOR A PUBLIC HEARING WITH RESPECT TO ADOPTION OF A LOCAL LAW SUPERSEDING NEW YORK STATE COUNTY LAW § 215 RELATING TO THE SALE OF REAL PROPERTY LOCATED AT 18 NEW HEMPSTEAD ROAD, NEW CITY TO ND ACQUISITIONS, LLC, ITS SUCCESSORS AND/OR ASSIGNS

WHEREAS, The County Attorney is recommending to the County Executive and the Legislature of Rockland County that the Legislature adopt a local law superseding New York State County Law §215 relating to the sale of real property located at 18 New Hempstead Road, New City to ND Acquisitions, LLC, its successors and/or assigns; 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 sets the _____ day of _____, 2016 at _____ p.m. for a public hearing to provide for a local law amending superseding New York State County Law § 215 relating to the sale of real property located at 18 New Hempstead Road, New City to ND Acquisitions, LLC, its successors and/or assigns.

AFR:dc
2016-03269
9-20-16

ELY
LG2016-93PH
10/14/16

DRAFT

LOCAL LAW NO. OF 2016
COUNTY OF ROCKLAND
STATE OF NEW YORK

(Introduced by Hon. Lon M. Hofstein)
Hon. Christopher J. Carey, Co-Sponsor
Hon. Charles J. Falciglia, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor
Hon. Patrick J. Moroney, Co-Sponsor
Hon. Laurie A. Santulli, Co-Sponsor
Hon. Vincent D. Tyer, Co-Sponsor

A local law superseding New York State County Law Section 215 relating to the sale of real property located at 18 New Hempstead Road, New City to ND Acquisitions, LLC, its successors and/or assigns.

Be it enacted by the Legislature of the County of Rockland as follows:

Section 1.

The County of Rockland intends to sell the real property located at 18 New Hempstead Road, New City. After public advertisement by the County of Rockland, only a single bid offer was received in response to the request for bids. The bid received was not responsive to the terms of the bid. However, an offer to purchase the real property has been received that exceeds the $4,000,000 estimated value established by an independent licensed appraiser. Under the circumstances, in order to accomplish the goals of the County in a timely fashion, the Legislature of the County of Rockland hereby authorizes the sale of the real property to that offeror.

Section 2.

The Legislature of Rockland County intends by this local law to supersede the provisions of County Law §215(5) and (6).

Section 3.

The Legislature of the County of Rockland determines that it is in the best interest of the County of Rockland to supersede the provisions of §215 of County Law and therefore authorizes the sale of the real property located at 18 New Hempstead Road, New City to ND Acquisitions, LLC, its successors and/or assigns.

Section 4.

The Legislature of Rockland County hereby further authorizes the County Attorney to negotiate and enter into contract with ND Acquisitions, LLC, its successors and/or assigns, for the sale of the real property located at 18 New Hempstead Road, New City, and authorizes its execution by the County Executive.

Section 5.

All New York State laws, local laws and resolutions of the Legislature of Rockland County or the former Board of Supervisors of Rockland County to the extent that the same are inconsistent with the law are hereby superseded by this law.

Section 6.

This local law is adopted subject to a permissive referendum and the clerk is directed to publish notice of the same as required by law.

Section 7.

This local law shall take effect immediately upon its approval by referendum or otherwise as provided by law.

AFR:dc
2016-03259
9-20-16

ELY
LG-2016-93LL
10/14/16

DRAFT

Introduced by:

Referral No. 1021

RESOLUTION NO. OF 2016
REQUESTING THAT THE NEW YORK STATE LEGISLATURE INTRODUCE HOME RULE LEGISLATION AUTHORIZING THE COUNTY OF ROCKLAND TO CONVEY TO MILLENNIUM PIPELINE COMPANY A PERMANENT EASEMENT OF .32 ACRES OF KAKIAT PARK IN THE TOWN OF RAMAPO

WHEREAS, The Coordinator of Environmental Resources has requested that the County of Rockland grant a permanent surface easement of .32 acres of land at Kakiat Park in the Town of Ramapo to Millennium Pipeline Company ("Millennium") as shown on the attached Description Schedule; and

WHEREAS, In exchange for this easement, Millennium has offered to convey to the County .42 acres of land located at 24 Sky Meadow Road in the Town of Ramapo as well as an access easement across the same property as shown on the attached Description Schedule; and

WHEREAS, Representatives of Millennium made a presentation to the Park Commission at their regular meeting held on March 14, 2016 and the Commission unanimously approved the proposal; and

WHEREAS, The Park Commission has desired to gain another emergency access point into Kakiat Park and the Millennium property exchange would provide said emergency access point; and

WHEREAS, In order to convey parkland to a non-public entity, or to use parkland for another purpose, the County must receive prior authorization from the State in the form of legislation enacted by the State Legislature; and

WHEREAS, In order to obtain Home Rule relief, the Legislature of Rockland County requests that the New York State Legislature introduce legislation which would permit the County of Rockland to grant a permanent surface easement of .32 acres of land at Kakiat Park in the Town of Ramapo as shown on the attached Description Schedule, to Millennium Pipeline Company; and to accept the conveyance from Millennium Pipeline Company of .42 acres of land located at 24 Sky Meadow Road in the Town of Ramapo as well as an access easement across the same property as shown on the attached Description Schedule; and

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

RESOLVED, That the Legislature of Rockland County hereby requests that the New York State Legislature introduce Home Rule legislation which would permit the County of Rockland to grant a permanent surface easement of .32 acres of land at Kakiat Park in the Town of Ramapo as shown on the attached Description Schedule, to Millennium Pipeline Company; and to accept the conveyance from Millennium Pipeline Company of .42 acres of land located at 24 Sky Meadow Road in the Town of Ramapo as well as an access easement across the same property as shown on the attached Description Schedule; and be it further

RESOLVED, That the Clerk to the Legislature be and he is hereby authorized and directed to send a certified copy of this resolution to the Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, New York State Senator, Hon. William Larkin, New York State Senator; Hon. Kenneth P. Zebrowski, Hon. Ellen C. Jaffee, Hon. James Skoufis, Hon. Karl Brabenec, 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.

TS:dc
2016-03315
9-23-16
r. 10-19-16

Introduced by:

DRAFT

Referral No. 9472

RESOLUTION NO. OF 2016

APPROVING AGREEMENT
IN EXCESS OF $100,000
WITH KS ENGINEERS, P.C.
IN THE AMOUNT OF $242,300
FOR ENGINEERING INSPECTION SERVICES
FOR HURRICANE IRENE CONSTRUCTION PROJECTS
FROM SEPTEMBER 15, 2016 THROUGH DECEMBER 31, 2017
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[COUNTY OF ROCKLAND DRAINAGE AGENCY]
(DIVISION OF THE HIGHWAY DEPARTMENT)
($242,300)

WHEREAS, The Rockland County Drainage Agency solicited proposals through the Purchasing Division for an Engineering Consultant to provide construction inspection services for the Hurricane Irene Construction Projects; and

WHEREAS, KS Engineers, P.C. was selected after review by the Drainage Agency and Purchasing Division and a determination that the proposal represented the best value; and

WHEREAS, The Superintendent of Highways recommends that the County Executive and the Legislature of Rockland County approve the contract in excess of $100,000 with KS Engineers, P.C., 65 Broadway, Suite 401 New York, New York 10006 in an amount not to exceed $242,300 for the term from September 15, 2016 through December 31, 2017; and

WHEREAS, Sufficient funding for this agreement is available in the 2016 Capital Budget, Capital Project No. 7112; 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 hereby approves the contract in excess of $100,000 with KS Engineers, P.C., 65 Broadway, Suite 401 New York, New York 10006 in an amount not to exceed $242,300 for the term from September 15, 2016 through December 31, 2017 and authorizing 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 is available in the 2016 Capital Budget, Capital Project No. 7112.

TS/bb
2016-03188
9/13/16
9/14/16bb

5906

Request for Presentation of Quarterly Report - Rockland County Sewer District No. 1 For Placement on the first meeting in October, 2016 and Quarterly thereafter at the Planning & Public Works (PPW) committee

Toole, Laurence

Fri 9/2/2016 10:40 AM

Inbox

To:Alvarez, Damaris <AlvarezD@co.rockland.ny.us>;

Cc:Wolfe, Alden <WolfeA@co.rockland.ny.us>; Charles Falciglia <charlesfalciglia@yahoo.com>; Schoenberger, Ilan <Schoenbl@co.rockland.ny.us>; Jacqueline Sanders <SandersJ@co.rockland.ny.us>; Widmer, Mary <WidmerM@co.rockland.ny.us>; Darcy Greenberg <GreenbuD@co.rockland.ny.us>; Yeger, Elana <YegerE@co.rockland.ny.us>; Friedman, Daniel <FriedmDa@co.rockland.ny.us>; Grant, Michael <GrantM@co.rockland.ny.us>; Doliner, Nicole <DolinerN@co.rockland.ny.us>;

1 attachments (204 KB)

res 260 of 2016.pdf;

Damaris –

Please place a Request for a Presentation of Quarterly Report Item - on our October, 2016 (first meeting) committee calendar and Quarterly thereafter addressing the above topic. Please find specifics below and initiating resolution attached (section J. (2)) that outlines the ongoing requirement and scope of the issue. Within it states - "The Executive Director of the Rockland County Sewer District No. 1 shall report to the Legislature quarterly, in writing, the status of all operational, legal, financial, and personnel matters regarding the Rockland County Sewer District No. 1."

Please proceed to coordinate the review of this Presentation Item and request that staff invite the RC Sewer District No. 1 Executive Director and officials and others deemed appropriate as determined by the sponsors Legislator Ilan Schoenberger, Chair, Planning & Public Works committee and Legislator Charles Falciglia. This is a very specific (new) matter and will need to be communicated directly to the Executive Director of RC Sewer District No. 1 – perhaps with the help of Elana Yeger, Esq., Legislative Counsel if not done previously.

Please prepare and direct this matter to the agenda of the first meeting of the October, 2016 Planning & Public Works committee and list Legislators Ilan Schoenberger and Charles Falciglia as the sponsors.

Thank you.

Larry

-----Original Message-----
From: Ilan Schoenberger [mailto:nalis@aol.com]
Sent: Friday, August 12, 2016 5:49 PM

Rockland County

Ed Day, Rockland County Executive

ROCKLAND COUNTY SEWER DISTRICT #1
4 Route 340
Orangeburg, New York 10962
Phone: (845) 365-6111 Fax: (845) 365-6686
RCSD@co.rockland.ny.us

Dianne T. Philipps, P.E.
Executive Director

DATE: October 5, 2016

TO: Laurence O. Toole
Clerk of the Legislature

FROM: Dianne T. Philipps, P.E.
Executive Director

RE: Quarterly Report to Planning and Public Works Committee –
Quarter Ending September 30, 2016

As per the attached letter, I am submitting the Quarterly Report for the period ending September 30, 2016. It is my understanding that this report will be a discussion item on the agenda of the October 13, 2016 Planning and Public Works Committee meeting.

LITIGATION

At this time, the Sewer District is in litigation with Spectraserv and its bonding company. This construction contractor completed a contract for the District that included replacement of a 90' diameter steel digester cover. The cover failed prior to completion. The District is seeking damages for demolition of the failed cover and installation of a new cover. Attached are additional details regarding the Spectraserv litigation. $14,940 has been expended for legal fees during the last quarter and $150,000 has been budgeted for this matter.

The District anticipates mediation and possibly litigation with Metra Ind. Metra is currently installing sewers in the Village of Sloatsburg under the Western Ramapo Project. The contractor has submitted numerous claims, mostly related to complexities of blasting rock near Orange and Rockland gas mains. The District has issued a stop work order on the blasting on several occasions.

CURRENT PROJECTS

Attached is a spreadsheet listing the status of current and active contracts for maintenance, construction and capital projects. The list includes contracts with contractors and consultants. The list also includes recently requested contracts that are pending approval by the Legislature.

FINES/FEES

The District has not been issued any fines and the Board of Commissioners has not waived any impact fees.

AUDIT

As of the date of this letter, the County audit report for 2015 has not been made available to the District.

I plan on attending the Planning and Public Works Committee meeting on October 13th to answer any questions regarding the quarterly report.

Cc: Board of Commissioners
M. Saber
S. Powers

File: Legislature
Reader

The Legislature of Rockland County

ALDEN H. WOLFE
Chairman

August 16, 2016

Ms. Diane Philipps, Executive Director
Rockland County Sewer District One
4 Route 340
Orangeburg, New York 10962

Re: Quarterly Reporting to Planning and Public Works Committee

Dear Ms. Philipps:

As you are aware, the Rockland County Legislature voted unanimously on May 17, 2016 to amend the law governing Rockland County Sewer District One. The amendments were signed into law by the County Executive on June 8, 2016.

One of the amendments to the law now requires the Executive Director to report on certain matters to the Legislature on a quarterly basis. Accordingly, this will become part of the Planning and Public Works Committee agenda and take effect with the quarter ending September 30, 2016. The first report, in written form, will be due at the first Planning and Public Works Committee meeting in October of this year. Please submit your report and all subsequent quarterly reports one week prior to the meeting(s) to the Clerk of the Legislature.

The report should contain, at a minimum, the following:

- Status of all ongoing litigation, plus any indication of proposed litigation against Rockland County Sewer District One; or proposed litigation by the Sewer District.
- The costs expensed and projected in connection with the above are to additionally be reported.
- Any fines levied against Rockland County Sewer District One; the reason for the fine and the corrective action taken.

- Any stop work orders issued against any contractor working on behalf of Rockland County Sewer District One; the reason for the stop work order and the corrective action taken.

- A summary of all current work projects and budget status.

- Information regarding approved waivers of any Impact Fees and the reason for the waiver.

- When applicable, the audit report of Rockland County Sewer District One and management's response to any findings.

We ask that you arrange your schedule so as to be available at the Planning and Public Works Committee meetings as appropriate, to answer any questions Legislators may have.

We look forward to working with you, the Commissioners and the Administration to ensure transparency and cost efficiency to the public. Should you have any further questions, please do not hesitate to contact my office. Thank you for your cooperation.

Sincerely

ALDEN H. WOLFE
Chairman of the Legislature

AHW
cc: Rockland County Legislators
Rockland County Sewer District One Commissioners

Secondary Digester Litigation – Represented the County as Plaintiffs in two litigation matters related to the damage to the District's Secondary Digester. The first case is entitled *County of Rockland v. Spectraserv Inc. Case No. 034829/2013 (State Court) C.A. C.A. No. 7:13-cv-07830 (Federal Court).* This case concerns a contract between Defendant Spectraserv Inc. ("Spectraserv") and the County for certain repairs and improvements to the District's Anaerobic Digesters commonly referred to as the Wastewater Treatment Plant Masonry, Roofing, Steel Digester Cover and Building Rehabilitation Project. The contract obligated the Defendant to repair and rehabilitate portions of the masonry and roof of the Primary Digester, a 90 foot diameter structure with a fixed cover and to supply and install a new "floating" cover for the District's Secondary Digester, a 90-foot diameter structure with a moving cover (the "Primary" and "Secondary" Digesters, respectively). After the floating cover for the Secondary Digester was installed, but prior to final completion, the Floating Digester Cover failed causing extensive damage to both the Floating Digester Cover and the Secondary Digester. The County filed a summons and complaint in Supreme Court of the State of New York, Rockland County on September 12, 2013. On November 4, 2013, Spectraserv removed the matter to the Federal District Court for the Southern District of New York based on diversity jurisdiction. However, the parties and the Federal District Court agreed to stay the matter pending mediation before a mediator from the American Arbitration Association. After attending mediation, the mediator declared an impasse. The parties then consented to remand the matter back to Supreme Court, County of Rockland. The parties are currently preparing for discovery. The County will vigorously pursue the matter in Court. Because of the uncertainty of litigation in general, it is not possible to predict the outcome of this case at this time.

The second case in entitled *County of Rockland v. Liberty Mutual Insurance Co., Case No. 035749/2014.* This case stems from the same contract and incident that led to the damage to the District's Secondary Digester. Liberty Mutual Insurance Co. ("Liberty Mutual") is the holder of Spectraserv's performance bond, and as such is potentially liable for payment of the County's damages. The above-referenced mediation was unsuccessful and thus the County will vigorously pursue the matter in Court. The County intends to make a motion to consolidate these cases into one. Because of the uncertainty of litigation in general, it is not possible to predict the outcome of this case at this time.

RCSD #1
Current Service Contracts

[illegible]							
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Veolia Water North America NE LLC	8131	$8,402,640.74	6,787,519.67	615,120.87	O	Ends 2/28/17	O & M of the Western Ramapo Advanced Wastewater Treatment Plant (AWTP)
National Water Main Cleaning Company	8120	1,077,981.85	941,868.42	136,113.43	O	Ends 11/10/16	SM2016-01 - 2016 Sewer System Maintenance Project
Upstate Concrete & Masonry Contracting	8130	254,426.00	10,000.00	244,426.00	O	Ends 12/16/16	RFP-RC-SWR-2015-05 - Exterior Masonry/Stairs/Concrete Repair Project
GHD Consulting Engineers LLC	8130	460,900.00	453,792.50	27,107.50	O	Ended 6/30/16-Waiting For Extension	Engineering Services For Performance Improvements/Asset Management Plan Development For WWTP
Pannone Lopes Devereaux	8120	2,710,000.00	2,710,000.00	-	O	Ended 6/30/16-Need Amend/Ext	Special Counsel Services For Various Legal Matters For The Sewer District
Bleakley Platt & Schmidt LLP	8110	70,000.00	51,608.61	18,191.39	O	Ends 5/14/17	Legal Services For Property Acquisition/Condemnations
Western Ramapo Engineering	8131	165,000.00	34,154.26	130,845.74	O	Term of Project	Engineering Services For Design/Construction of AWTP - Operating Portion
William F Cosulich Associates PC	8130	33,150.00	25,410.96	7,739.04	O	12/31/16	Engineering Services For the Rehabilitation of the Dewatering Building at Plant
Hauser Bros Inc	8120	489,000.00	464,000.00	25,000.00	O	Ends 12/31/16	Mt. Ivy and Wilder Road Pump Station Improvements
National Water Main Cleaning Company	8120	474,625.00	-	474,625.00	O	DCE-100 Dated 9/26/16	For SM2015-04 - Lower Main Interceptor Rehabilitation Project
MASER CONSULTING P.A.	8130	15,000.00	-	15,000.00	O	Ends 6/23/17	GIS Needs Assessment & Implementation Plan Project
William F Cosulich Associates PC	8130	27,978.00	-	27,978.00	O	DCE-100 Dated 9/26/16	Engineering Services For Updates to Plant Wide Odor Control Study/Design Recommendation Report
GHD Consulting Engineers LLC	CAP5	10,496,681.00	9,636,599.75	860,081.25	WRSE	Term of Project	Engineering Services For WRSE Project
Beckmann Appraisals Inc	CAP5	1,000,800.00	908,669.70	92,130.30	WRSE	Ends 6/30/17	Land Acquisitions Services For WRSE and Village/Town Projects
Veolia Water North America NE LLC	CAP5	43,662,761.73	43,634,256.89	28,504.84	WRSE	Ended 5/4/16	Design/Build/Operation of Western Ramapo Advanced Wastewater Treatment Plant
Metro Industries Inc	CAP5	14,684,020.00	8,922,185.76	5,761,834.24	WRSE	Ends 1/4/17	WR03-03B - Western Ramapo Sanitary Sewer System, North Route 17
Metro Industries Inc	CAP5	7,465,155.00	4,621,510.12	2,643,644.88	WRSE	Ends 11/7/16	WR03-05 - Western Ramapo Sanitary Sewer System, Overlook Drive, etc.
EMA Engineering Services,Pc	CAP5	555,698.00	664,223.98	2,462.02	CIP I	Ends 12/31/19	Engineering Services - SCADA System
Gea Engineering P.c.	CAP5	99,595.00	57,000.00	47,595.00	CIP I	Ends 9/30/16	Engineering Services - Phase I Equipment Replacement Project
William F Cosulich Associates PC	CAP5	348,000.00	-	348,000.00	PS Eng	Ends 7/31/19	Engineering Services For Emergency Generator & Fuel Oil Tank Replacement and Upgrade Project at Plant