

# The Legislature of Rockland County



**JAY HOOD, JR.**

*Legislator – District 3*

Chair, Public Safety Committee

AGENDA  
**PUBLIC SAFETY COMMITTEE**  
TUESDAY, APRIL 29, 2014  
5:15 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION OF MINUTES, MEETING OF MARCH 25, 2014

1. REF. #5327 - APPROPRIATION OF FEDERAL FORFEITURE FUNDS REQUESTED BY THE SHERIFF IN ORDER TO PROVIDE FUNDING FOR DUTY JACKETS FOR THE SHERIFF'S PATROL DIVISION  
[OFFICE OF THE SHERIFF] (\$5,750)  
**(LOUIS FALCO, SHERIFF)**
  
2. REF. #6704 - APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$400,000 BETWEEN THE COUNTY OF ROCKLAND, THROUGH ITS OFFICE OF THE DISTRICT ATTORNEY, AND THE TOWN OF CLARKSTOWN POLICE DEPARTMENT, FOR THE DISBURSEMENT OF FORFEITURE FUNDS TO SAID TOWN FOR LAW ENFORCEMENT PURPOSES, FOR THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 AND AUTHORIZING EXECUTION OF THIS AGREEMENT BY THE COUNTY EXECUTIVE  
[OFFICE OF THE DISTRICT ATTORNEY] (\$400,000)  
**(THOMAS ZUGIBE, DISTRICT ATTORNEY)**
  
3. REF. #6704 - APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$300,000 BETWEEN THE COUNTY OF ROCKLAND, THROUGH ITS OFFICE OF THE DISTRICT ATTORNEY, AND THE TOWN OF RAMAPO POLICE DEPARTMENT, FOR THE DISBURSEMENT OF FORFEITURE FUNDS TO SAID TOWN FOR LAW ENFORCEMENT PURPOSES, FOR THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 AND AUTHORIZING EXECUTION OF THIS AGREEMENT BY THE COUNTY EXECUTIVE  
[OFFICE OF THE DISTRICT ATTORNEY] (\$300,000)  
**(THOMAS ZUGIBE, DISTRICT ATTORNEY)**

4. REF. #9252 - ACCEPTANCE OF GRANT FUNDS HAZMAT MATERIALS GRANT IN THE AMOUNT OF \$71,000 (NCTD) FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE MAINTENANCE AND CALIBRATION OF EQUIPMENT AND ENHANCING THE CAPABILITIES OF THE REGIONAL HAZMAT TEAM (ROCKLAND, ORANGE, ULSTER, AND SULLIVAN COUNTIES) FOR THE PERIOD SEPTEMBER 6, 2013 THROUGH AUGUST 31, 2015 AND AUTHORIZING EXECUTION OF ALL NECESSARY GRANT DOCUMENTS BY THE COUNTY EXECUTIVE  
[OFFICE OF FIRE AND EMERGENCY SERVICES] (\$71,000)  
**(GORDON W. WREN, DIRECTOR, FIRE & EMERGENCY)**
  
5. REF. #7424 - REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL A.8644 AND THE NEW YORK STATE SENATE PASS BILL S.6254 - AN ACT TO AMEND THE PENAL LAW TO ESTABLISH THE CRIMES OF RECKLESS ENDANGERMENT OF A PEACE OFFICER, POLICE OFFICER, FIREFIGHTER OR EMERGENCY MEDICAL SERVICES PROFESSIONAL IN THE FIRST AND SECOND DEGREES  
**(HON. DOUGLAS J. JOBSON, COUNTY LEGISLATOR)**
  
6. REF. #8293 - URGING THE UNITED STATES HOUSE OF REPRESENTATIVES TO PASS H.R. 4109 - TO REQUIRE THE PRESIDENT TO DESIGNATE A LEGAL PUBLIC HOLIDAY TO BE KNOWN AS NATIONAL FIRST RESPONDERS DAY  
**(HON. CHRISTOPHER CAREY, COUNTY LEGISLATOR)**

"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."



GENERAL FUND - 2014

SECRET

Increase Approp. Acct. (Credit):

A-SHF-3108-FS02-E3500                      Forfeiture Funds - Supplies                      5,750

Increase Approp. Fund Bal. (Debit):

A-UNC-9990-R5990                      (Designated for the Sheriff - Federal Proceeds)                      5,750

MB:lo  
2014-01092  
3/21/14

**DRAFT**

**RESOLUTION NO.            OF 2014  
APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT  
IN AN AMOUNT NOT TO EXCEED \$400,000  
BETWEEN THE COUNTY OF ROCKLAND,  
THROUGH ITS OFFICE OF THE DISTRICT ATTORNEY,  
AND THE TOWN OF CLARKSTOWN POLICE DEPARTMENT,  
FOR THE DISBURSEMENT OF FORFEITURE FUNDS  
TO SAID TOWN FOR LAW ENFORCEMENT PURPOSES,  
FOR THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2014  
AND AUTHORIZING EXECUTION OF  
THIS AGREEMENT BY THE COUNTY EXECUTIVE  
[OFFICE OF THE DISTRICT ATTORNEY]  
(\$400,000)**

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

WHEREAS, The County of Rockland, through its Office of the District Attorney, and the Town of Clarkstown Police Department desire to enter into an intermunicipal cooperation agreement in an amount not to exceed \$400,000, for the disbursement of forfeiture funds to said town for law enforcement purposes, for the period January 1, 2014 through December 31, 2014; and

WHEREAS, This is an authorized use of forfeiture funds under applicable rules; and

WHEREAS, That sufficient funding for this agreement exists within the 2014 Operating Budget of the District Attorney (Dept. FA01, line E4500); 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 execution of an intermunicipal cooperation agreement in an amount not to exceed \$400,000 between the County of Rockland, through its Office of the District Attorney, and the Town of Clarkstown Police Department, for disbursement of forfeiture funds to said town for law enforcement purposes, for the period January 1, 2014 through December 31, 2014, and authorizing execution of this agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That this is an authorized use of forfeiture funds under applicable rules; and be it further

RESOLVED, That sufficient funding for this agreement exists within the 2014 Operating Budget of the District Attorney (Dept. FA01, line E4500).

MB:lo  
2014-01344  
4/3/14

DRAFT

Introduced by:

Referral No.

**DRAFT**

**RESOLUTION NO.                      OF 2014**  
**APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT**  
**IN AN AMOUNT NOT TO EXCEED \$300,000**  
**BETWEEN THE COUNTY OF ROCKLAND,**  
**THROUGH ITS OFFICE OF THE DISTRICT ATTORNEY,**  
**AND THE TOWN OF RAMAPO POLICE DEPARTMENT,**  
**FOR THE DISBURSEMENT OF FORFEITURE FUNDS**  
**TO SAID TOWN FOR LAW ENFORCEMENT PURPOSES,**  
**FOR THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2014**  
**AND AUTHORIZING EXECUTION OF**  
**THIS AGREEMENT BY THE COUNTY EXECUTIVE**  
**[OFFICE OF THE DISTRICT ATTORNEY]**  
**(\$300,000)**

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

WHEREAS, The County of Rockland, through its Office of the District Attorney, and the Town of Ramapo Police Department desire to enter into an intermunicipal cooperation agreement in an amount not to exceed \$300,000, for the disbursement of forfeiture funds to said town for law enforcement purposes, for the period January 1, 2014 through December 31, 2014; and

WHEREAS, This is an authorized use of forfeiture funds under applicable rules; and

WHEREAS, That sufficient funding for this agreement exists within the 2014 Operating Budget of the District Attorney (Dept. FA01, line E4500); and

DRAFT

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 execution of an intermunicipal cooperation agreement in an amount not to exceed \$300,000 between the County of Rockland, through its Office of the District Attorney, and the Town of Ramapo Police Department, for disbursement of forfeiture funds to said town for law enforcement purposes, for the period January 1, 2014 through December 31, 2014, and authorizing execution of this agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That this is an authorized use of forfeiture funds under applicable rules; and be it further

RESOLVED, That sufficient funding for this agreement exists within the 2014 Operating Budget of the District Attorney (Dept. FA01, line E4500).

MB:lo  
2014-01348  
4/3/14

**DRAFT**

Introduced by:

Referral No.

**RESOLUTION NO.            OF 2014  
ACCEPTANCE OF GRANT FUNDS  
HAZMAT MATERIALS GRANT  
IN THE AMOUNT OF \$71,000 (NCTD)  
FROM THE NEW YORK STATE DIVISION OF  
HOMELAND SECURITY AND EMERGENCY SERVICES  
FOR THE MAINTENANCE AND CALIBRATION OF EQUIPMENT AND  
ENHANCING THE CAPABILITIES OF THE REGIONAL HAZMAT TEAM  
(ROCKLAND, ORANGE, ULSTER AND SULLIVAN COUNTIES)  
FOR THE PERIOD SEPTEMBER 6, 2013 THROUGH AUGUST 31, 2015  
AND AUTHORIZING EXECUTION OF ALL NECESSARY  
GRANT DOCUMENTS BY THE COUNTY EXECUTIVE  
[OFFICE OF FIRE AND EMERGENCY SERVICES]  
(\$71,000)**

WHEREAS, The Rockland County Office of Fire and Emergency Services has been notified that they have been awarded a Hazardous Materials Grant in the amount of \$71,000 by the New York State Division of Homeland Security and Emergency Services for the period September 6, 2013 through August 31, 2015; and

WHEREAS, These grant funds will be utilized for the maintenance and calibration of equipment and enhancing the capabilities of the Regional HazMat Team (Rockland, Orange, Ulster and Sullivan counties); and

WHEREAS, The Rockland County Office of Fire and Emergency Services will manage this grant on behalf of said team; and

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

DRAFT

WHEREAS, No County tax dollars (NCTD) are required to accept this grant; 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 acceptance of a Hazardous Materials Grant in the amount of \$71,000 from the New York State Division of Homeland Security and Emergency Services for the period September 6, 2013 through August 31, 2015, of which said funds will be utilized for the maintenance and calibration of equipment and enhancing the capabilities of the Regional HazMat Team (Rockland, Orange, Ulster and Sullivan counties), and authorizes execution of all necessary grant documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That the Rockland County Office of Fire and Emergency Services will manage this grant on behalf of said team; and be it further

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

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

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

GENERAL FUND - 2014

Increase Approp. Acct. (Credit):

A-EME-3410-GE02-E5060                      Program Costs    71,000

Increase Est. Rev. Acct. (Debit):

A-EME-3410-GE02-R3380                      Public Safety Grant(s)    71,000

MB:lo  
2014-00596  
3/14/14  
rev 3/31/14

# DRAFT

Introduced by:

Hon. Douglas J. Jobson, Sponsor

Referral No.

, 2014

**RESOLUTION NO.                      OF 2014**  
**REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL**  
**A.8644 AND THE NEW YORK STATE SENATE PASS BILL S.6254 –**  
**AN ACT TO AMEND THE PENAL LAW TO ESTABLISH THE CRIMES**  
**OF RECKLESS ENDANGERMENT OF A PEACE OFFICER, POLICE**  
**OFFICER, FIREFIGHTER OR EMERGENCY MEDICAL SERVICES**  
**PROFESSIONAL IN THE FIRST AND SECOND DEGREES**

WHEREAS, building codes exist to ensure that residents, and particularly first responders and emergency personnel, are protected from the dangers posed by fire and inferior construction methods; and

WHEREAS, while responding to any emergency is dangerous, this is particularly so when a building has been illegally altered, usually to make room for more occupants; and

WHEREAS, firefighters and other first responders are put at a significant risk when they enter a structure anticipating a certain layout and instead must navigate around with walls where they don't belong, narrow passageways, blocked entrances or exits, or other structural changes, all while battling smoke and flames; and

WHEREAS, all too often these situations result in serious injury to, or even the death of, firefighters or other emergency personnel; and

WHEREAS, in 2005, an apartment fire in the Bronx turned into a deathtrap when six firefighters were forced to jump from a fourth floor window after they were trapped in the apartment by illegally constructed walls – two firefighters were killed and several more were severely injured; and

WHEREAS, more recently, in 2011, firefighters in Haverstraw who entered a smoke-filled single family home were confronted with the fact that it had been illegally converted to a rooming house; a disoriented firefighter running out of air was rescued only when his fellow firefighters were able to locate him using a thermal imaging device; and

WHEREAS, our first responders provide an invaluable service in keeping us safe and assisting us in emergencies, and unscrupulous individuals who directly place the health and safety of first responders at risk for the sake of their own profits should be held accountable in the event that their illegal conduct results in injury or death to a firefighter or emergency services personnel; and

WHEREAS, bill A.8644 and S.6254 would create the crimes of reckless endangerment of a peace officer, police officer, firefighter or emergency medical services professional in the first and second degrees; and

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

RESOLVED, that the Legislature of Rockland County hereby requests that the New York State Assembly pass Bill A.8644 and the New York State Senate pass Bill S.6254 – an act to amend the Penal Law to establish the crimes of reckless endangerment of a peace officer, police officer, firefighter or emergency medical services professional in the first and second degrees; 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.

LG3320  
ELY  
3/7/14



19 CLASS E FELONY.

20 S 2. The penal law is amended by adding a new section 120.27 to read  
21 as follows:

22 S 120.27 RECKLESS ENDANGERMENT OF A PEACE OFFICER, POLICE OFFICER, FIRE-  
23 FIGHTER OR EMERGENCY MEDICAL SERVICES PROFESSIONAL IN THE  
24 FIRST DEGREE.

25 A PERSON IS GUILTY OF RECKLESS ENDANGERMENT OF A PEACE OFFICER, POLICE  
26 OFFICER, FIREFIGHTER OR EMERGENCY MEDICAL SERVICES PROFESSIONAL IN THE

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD11890-02-3

A. 8644

2

1 FIRST DEGREE WHEN HE OR SHE COMMITS THE CRIME OF RECKLESS ENDANGERMENT  
2 OF A PEACE OFFICER, POLICE OFFICER, FIREFIGHTER OR EMERGENCY MEDICAL  
3 SERVICES PROFESSIONAL IN THE SECOND DEGREE AND:

4 1. SUCH CONDUCT CREATES A GRAVE RISK OF DEATH TO A PEACE OFFICER,  
5 POLICE OFFICER, FIREFIGHTER OR EMERGENCY MEDICAL SERVICES PROFESSIONAL;  
6 OR

7 2. HAS PREVIOUSLY BEEN CONVICTED WITHIN THE LAST TEN YEARS OF RECKLESS  
8 ENDANGERMENT OF A PEACE OFFICER, POLICE OFFICER, FIREFIGHTER OR EMERGEN-  
9 CY MEDICAL SERVICES PROFESSIONAL IN THE FIRST OR SECOND DEGREE.

10 RECKLESS ENDANGERMENT OF A PEACE OFFICER, POLICE OFFICER, FIREFIGHTER  
11 OR EMERGENCY MEDICAL SERVICES PROFESSIONAL IN THE FIRST DEGREE IS A  
12 CLASS D FELONY.

13 S 3. This act shall take effect on the first of November next succeed-  
14 ing the date on which it shall have become a law.



Gillibrand, United States Senators; Hon. Nita M. Lowey, Member of the United States Congress; the President Pro Tem of the United States Senate; the Speaker of the United States House of Representatives; the Majority and Minority Leaders of the United States Senate and House of Representatives; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

LG3332

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4/8/14

HR 4109 IH

113th CONGRESS

2d Session

**H. R. 4109**

To require the President to designate a legal public holiday to be known as National First Responders Day.

**IN THE HOUSE OF REPRESENTATIVES****February 27, 2014**

Mr. CAPUANO (for himself, Mr. LYNCH, Mr. MEEKS, Mr. MAFFEI, Mr. ISRAEL, Mr. OWENS, Mr. KING of New York, Mr. GRIMM, Ms. CLARK of Massachusetts, Mr. FATTAH, Mrs. BUSTOS, Mr. BRADY of Pennsylvania, Ms. KUSTER, Mr. PERLMUTTER, Mrs. CAROLYN B. MALONEY of New York, Ms. KAPTUR, Mr. SWALWELL of California, Ms. NORTON, Mr. KENNEDY, Mr. ENYART, Mr. HASTINGS of Florida, Ms. SHEA-PORTER, Mr. MCGOVERN, Mr. CARTWRIGHT, Mr. RUIZ, and Mr. LARSON of Connecticut) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

**A BILL**

To require the President to designate a legal public holiday to be known as National First Responders Day.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. DESIGNATION OF NATIONAL FIRST RESPONDERS DAY.**

Not later than 90 days after the date of the enactment of this Act, the President shall issue a proclamation that designates a date as a legal public holiday to be known as 'National First Responders Day', which shall be treated in the same manner as a legal public holiday described in section 6103(a) of title 5, United States Code.

END

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