

The Legislature of Rockland County



ILAN S SCHOENBERGER
Legislator – District 4

Chair, Planning & Public Works Committee
Second Vice-Chair, Budget & Finance Committee
Economic Development Committee

AGENDA
PLANNING & PUBLIC WORKS COMMITTEE
TUESDAY, OCTOBER 28, 2014
7:00 P.M.

ROLL CALL

ADOPTION OF MINUTES OF 9/8, 9/30 AND 10/14

- 1. REFERRAL NO. 8293** APPRPROVING ACCEPTANCE OF FEDERAL TRANSIT ADMINISTRATION GRANT #NY -04-0103 IN THE AMOUNT OF \$2,400,000 (NO COUNTY TAX DOLLARS) FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION PURSUANT TO 49 U.S.C. § 5309-2 AND AUTHORIZING THE ELECTRONIC EXECUTION OF ALL NECESSARY INSTRUMENTS, DOCUMENTS, CERTIFICATIONS AND ASSURANCES FOR THE PERIOD NOVEMBER 30, 2017 TO JANUARY 30, 2017 [DEPARTMENT OF PUBLIC TRANSPORTATION] (\$2,400,000) **(DOUG SHUETZ, ACTING COMMISSIONER PUBLIC TRANSPORTATION) DL# 2014-04491**

- 2. REFERRAL NO. 8293** APPROVING ACCEPTANCE OF FEDERAL TRANSIT ADMINISTRATION GRANT #NY-90-X737-00 IN THE AMOUNT OF \$5,060,000 (NO COUNTY TAX DOLLARS) FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION PURSUANT TO 49 U.S.C. §5307-2 AND AUTHORIZING THE ELECTRONIC EXECUTION OF ALL NECESSARY INSTRUMENTS, DOCUMENTS, CERTIFICATIONS AND ASSURANCES FOR THE PERIOD OCTOBER 15, 2013 TO DECEMBER 31, 2017 [DEPARTMENT OF PUBLIC TRANSPORTATION] (\$5,060,000) **(DOUG SHUETZ, ACTING COMMISSIONER PUBLIC TRANSPORTATION) DL# 2014-04488**

- 3. REFERRAL NO. 6795** APPROVING ADDITIONAL PURCHASES IN EXCESS OF \$100,000 FROM KEN'S TREE CARE, INC. IN THE ADDITIONAL AMOUNT OF \$150,000 FOR TREE CUTTING AND REMOVAL SERVICES ON AN AS NEEDED BASIS FOR VARIOUS DEPARTMENTS INCLUDING THE DEPARTMENT OF GERNERAL SERVICES-FACILITIES MANAGEMENT, ROCKLAND COUNTY DRAINAGE AGENCY, AND THE DIVISION OF ENVIRONMENTAL RESOURCES FOR A TOTAL AMOUNT NOT TO EXCEED \$345,208 FOR THE PERIOD FROM SEPTEMBER 13, 2014 THROUGH SEPTEMBER 12, 2015 WITH AN OPTION TO RENEW FOR THREE (3) ADDITIONAL ONE (1) YEAR TERMS UNDER RFB-RC-2013-079 [DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING] (\$345,208) **(PAUL BRENNAN, DIRECTOR DGS-PURCHASING) DL#2014-04169**
- 4. REFERRAL NO. 5337** AUTHORIZING AND DIRECTING THE CLERK TO THE LEGISLATURE TO ADVERTISE FOR BIDS- ROOFING AND FLASHING RECONSTRUCTION ACADEMIC I & II BUILDINGS CAPITAL PROJECT NO. 8305 [DEPARTMENT OF GENERAL SERVICES-FACILITIES MANAGEMENT] **(ROBERT H. GRUFFI, DIRECTOR, DGS-FACILITIES MANAGEMENT) DL# 2014-04387**
- 5. REFERRAL NO. 5906** APPROVING AND ACCEPTING ENGINEERING REPORT AND SEQRA TYPE II ACTION FOR THE PUMP STATION EMERGENCY GENERATOR & FUEL OIL STORAGE TANK REPLACEMENT AND UPGRADE PROJECT (CAPITAL PROJECT NO. 6295) [ROCKLAND COUNTY SEWER DISTRICT NO. 1] **(DIANNE T. PHILIPPS, EXECUTIVE DIRECTOR SEWER DISTRICT) DL# 2014-04038**
- 6. REFERRAL NO. 5906** AMENDING THE CAPITAL BUDGET INCREASING THE AMOUNT OF PUMP STATION EMERGENCY GENERATOR AND FUEL OIL STORAGE TANK REPLACEMENT AND UPGRADE PROJECT (CAPITAL ACCOUNT NO. 6295) FOR A TOTAL PROJECT AMOUNT OF \$9,650,000 [ROCKLAND COUNTY SEWER DISTRICT NO. 1] (\$9,650,000) **(DIANNE T. PHILIPPS, EXECUTIVE DIRECTOR SEWER DISTRICT) DL# 2014-04041**
- 7. REFERRAL NO. 5906** APPROVING AMENDMENT TO CONTRACT IN EXCESS OF \$100,000 WITH GHD CONSULTING ENGINEERS, LLC (F/K/A/ STEARNS & WHEELER, LLC) IN THE ADDITIONAL AMOUNT OF \$239,200 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$1,058,785.88 FOR VILLAGE/TOWN SEWER EXTENSION AND RECONSTRUCTION PROJECTS (VTSE) FOR ENGINEERING STUDY FOR THE TOWN OF STONY POINT CONSOLIDATION AND THE TOWN OF ORANGETOWN WASTEWATER TREATMENT PLANT EVALUATION AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [ROCKLAND COUNTY SEWER DISTRICT NO. 1] (\$1,058,785.88) **(DIANNE T. PHILIPPS, EXECUTIVE DIRECTOR SEWER DISTRICT) DL# 2014-04276**

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8. REFERRAL NO. 5906 APPROVING AMENDMENT TO CONTRACT IN EXCESS OF \$100,000 WITH GHD CONSULTING ENGINEERS, LLC (F/K/A/STEARNS & WHEELER, LLC) IN THE ADDITIONAL AMOUNT OF \$123,700 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$213,700 FOR ENGINEERING SERVICES FOR THE ASSET MANAGEMENT PLAN AND PERFORMANCE IMPROVEMENTS FOR THE WASTEWATER TREATMENT PLANT AND COLLECTION SYSTEMS AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [ROCKLAND COUNTY SEWER DISTRICT NO. 1] (\$213,700) **(DIANNE T. PHILIPPS, EXECUTIVE DIRECTOR SEWER DISTRICT) DL# 2014-04271**

WHEREAS, The \$2,400,000 grant covers 80% of the estimated total cost (\$3,000,000) of all of the projects in the application upon which the grant was awarded; and of the remaining 20% local share (\$600,000), \$300,000 (10% of the estimated total cost) will be provided by the New York State Department of Transportation; and \$300,000 (10% of the estimated total cost) will be provided by Rockland County from New York State Metropolitan Transportation Authority (MTA) Special Allocation Funds; and, therefore, the adoption of this resolution does not require the expenditure of any County tax dollars; and

WHEREAS, The grant will be used for the procurement and installation of technologically-advanced equipment which will improve and modernize service for bus riders, including computer-aided dispatch and automatic vehicle locator (CAD/AVL) computer software and hardware; automatic passenger counters; farebox system upgrade, automatic stop announcements; customer WiFi; and real time passenger information to generate "next bus" arrival prediction information; 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 United States Department of Transportation, Federal Transit Administration, requires all applications for, and certifications, and assurances in connection with acceptance of, grants to be submitted electronically, using a personal identification number (PIN); and

WHEREAS, These funds have already been appropriated in the 2014 Adopted Budget of the Department of Public Transportation and the 2014 Adopted Capital Budget, as set forth in the attached "**Schedule A**", 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 acceptance of a capital project assistance grant (#NY-04-0103) in the amount of \$2,400,000 from the United States Department of Transportation, Federal Transit Administration, under the "Urbanized Area Formula Program" authorized by Section 5309 of Title 2 of the United States Code acceptance, subject to the approval of the County Attorney; and be it further

RESOLVED, That adoption of this resolution and acceptance of this grant does not require the expenditure of any County tax dollars, because, although the \$2,400,000 grant covers 80% of the estimated total cost (\$3,000,000) of all of the projects in the application upon which the award was based, the remaining 20% local share (\$600,000) will be provided as follows: \$300,000 (10% of the estimated total cost) will be provided by the New York State Department of Transportation, and \$300,000 (10% of the estimated total cost) will be provided by Rockland County from New York State Metropolitan Transportation Authority (MTA) Special Allocation Funds; and be it further

RESOLVED, That the grant will be for the procurement and installation of technologically-advanced equipment which will improve and modernize service for bus riders, including computer-aided dispatch and automatic vehicle locator (CAD/AVL) computer software and hardware; automatic passenger counters; farebox system upgrade, automatic stop announcements; customer WiFi; and real time passenger information to generate "next bus" arrival prediction information; and be it further

RESOLVED, That, pursuant to Local Law No. 18 of 1996, the County Executive or his designee is hereby authorized to execute all instruments and documents necessary to the acceptance of this grant, and to do so electronically, using a personal identification number (PIN), or in whatever other manner is required by the United States Department of Transportation, Federal Transit Administration; and be it further

RESOLVED, That these funds have already been appropriated in the 2014 Adopted Budget of the Department of Public Transportation and the 2014 Adopted Capital Budget, as set forth in the attached "**Schedule A**".

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(TZx) bus services in 2014 and 2015; grants management and training, transportation planning consultants, the purchase of a bus simulator for driver training and Building T capital improvements; 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 United States Department of Transportation, Federal Transit Administration, requires all applications for, and certifications, and assurances in connection with acceptance of, grants to be submitted electronically, using a personal identification number (PIN); and

WHEREAS, These funds have already been appropriated in the 2014 Adopted Budget of the Department of Public Transportation, the 2014 Adopted Capital Project, and are included in the 2015 Proposed Budget of the Department of Public Transportation, and the 2015 Proposed Capital Budget, as set forth in the attached “**Schedule A**”, 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 acceptance of a capital project assistance grant (#NY-90-X737-00) in the amount of \$5,060,000 from the United States Department of Transportation, Federal Transit Administration, under the “Urbanized Area Formula Program” authorized by Section 5307 of Title 2 of the United States Code acceptance, subject to the approval of the County Attorney; and be it further

RESOLVED, That adoption of this resolution and acceptance of this grant does not require the expenditure of any County tax dollars, because, although the \$5,060,000 grant covers 80% of the estimated total cost (\$6,325,000) of all of the projects in the application upon which the award was based, the remaining 20% local share (\$1,265,000) will be provided as follows: \$632,500 (10% of the estimated total cost) will be provided by the New York State Department of Transportation, and \$632,500 (10% of the estimated total cost) will be provided by Rockland County from New York State Metropolitan Transportation Authority (MTA) Special Allocation Funds; and be it further

RESOLVED, That the grant will be used for capital cost of contracting and preventative maintenance costs of the contract for Transport of Rockland (TOR) and Tappan ZEEexpress (TZx) bus services in 2014 and 2015; grants management and training, transportation planning consultants, the purchase of a bus simulator for driver training and Building T capital improvements; and be it further

RESOLVED, That, pursuant to Local Law No. 18 of 1996, the County Executive or his designee is hereby authorized to execute all instruments and documents necessary to the acceptance of this grant, and to do so electronically, using a personal identification number (PIN), or in whatever other manner is required by the United States Department of Transportation, Federal Transit Administration; and be it further

RESOLVED, That these funds have already been appropriated in the 2014 Adopted Budget of the Department of Public Transportation, the 2014 Adopted Capital Project, and are included in the 2015 Proposed Budget of the Department of Public Transportation, and the 2015 Proposed Capital Budget, as set forth in the attached "**Schedule A**".

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WHEREAS, Ken's Tree Care, Inc. has requested a two (2%) percent increase in accordance with the CPI; and

WHEREAS, The Director of Purchasing recommends that the County Executive and the Legislature of Rockland County approve the additional purchases in the amount of \$150,000 from Ken's Tree Care, Inc. for tree cutting and removal services on an as needed basis for Facilities Management, the Drainage Agency and Environmental Resources under the RFB for the period from September 13, 2013 through September 12, 2015, with an option to renew for three (3) additional one (1) year terms; 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 2014 Budget of the Department of General Services - Facilities Management, the Rockland County Drainage Agency and the Division of Environmental Resources and is contingent upon 2015 budget appropriations; and

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

WHEREAS, The 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 additional purchases 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 a total amount not to exceed \$345,208 for the period from September 13, 2013 through September 12, 2015 with an option to renew for three (3) additional one (1) year terms and authorizes all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2014 Budget of the Department of General Services - Facilities Management, the Rockland County Drainage Agency and the Division of Environmental Resources and is contingent upon 2015 budget appropriations.

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WHEREAS, The New York State Environmental Facilities Corporation also has a Hurricane Sandy mitigation loan program that may provide a 25% grant and 0% interest loan; and

WHEREAS, By Resolution No. 57 of 2014, the Board of Sewer Commissioners, approved and accepted the engineering report; and

WHEREAS, Executive Director of the District hereby requests that the Legislature of Rockland County approve and accept the engineering report dated March 10, 2014; and

WHEREAS, The review of this Project indicates the State Environmental Quality Review Act (SEQRA) process classifies this project to be a Type II action determined in the August 19, 2014 review as defined in Section 617.5 (c) (1) of 6 NYCRR Part 617, the Statewide SEQRA regulations and is therefore not subject to the provisions of those regulations, and

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

RESOLVED, That upon the recommendation of the Executive Director, and the Board of Sewer Commissioners, the Legislature of Rockland County hereby approves the engineering report dated March 10, 2014 prepared by District staff and SEQRA Type II action; and

RESOLVED That the Legislature of Rockland County hereby approves and accepts the engineering report, cost estimates and SEQRA Type II action for the Pump Station Emergency Generator & Fuel Oil Storage Tank Replacement and Upgrade (Capital Project No. 6295).

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RESOLVED, That the Legislature of Rockland County hereby approves an amendment to the 2014 Capital Budget increasing funding in the amount of \$6,650,000 to Capital Account No. 6295, for a total project amount of \$9,650,000, for the Pump Station Emergency Generator & Fuel Oil Storage Tank Replacement and Upgrade Project, and be it further

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

CAPITAL PROJECTS FUND

Increase Approp. Acct.:

H6295	Pump Station Emergency Generator Replacement	6,650,000
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Increase Est. Rev. Acct.:

H5710	Proceeds from Bonds	6,650,000
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of the agreement by \$179,000, for the Village/Town Sewer Extension and Reconstruction Project, for a total amount not to exceed \$754,335.88; and

WHEREAS, On February 23, 2005, the County entered into the third amendment to the agreement with Stearns and Wheler, LLC., increasing the amount of professional services by \$179,000. for a total amount not to exceed \$754,335.88; and

WHEREAS, The Legislature of Rockland County by Resolution No. 620 of 2008, approved an amendment the agreement with Stearns and Wheler, LLC., increasing the amount of professional services by \$65,250, for a total amount not to exceed \$819,858.88; and

WHEREAS, On January 6, 2009, the County entered into the fourth amendment to the agreement with Stearns and Wheler, LLC., increasing the amount of the professional services by \$62,250.88, for a total amount not to exceed \$819,585.88; and

WHEREAS, In a letter dated April 10, 2014, the Town of Stony Point has requested that the District consider extending its boundaries to include the Town for collecting and treating wastewater; and

WHEREAS, Commissioner Andrew Stewart also requested that the study include the Town of Orangetown WWTP evaluation; and

WHEREAS, By Resolution No. 10 of 2014, the Board of Sewer Commissioner's requested that the Sewer District consider extending its boundaries to include the Town of Stony Point for collecting and treating wastewater; and

WHEREAS, GHD has submitted a cost proposal to determine the feasibility of extending the Sewer District boundaries to include the Town of Stony Point in the amount of \$199,800 and for the Town of Orangetown WWTP evaluation in the amount of \$39,400, for a total contract amendment of \$239,200; and

WHEREAS, Sewer District staff have reviewed the cost proposals for additional engineering services and has found them to be acceptable; and

WHEREAS, By Resolution No. 56 of 2014, the Board of Sewer Commissioner's accepted GHD's proposal and approved an amendment to the Agreement with GHD by increasing the professional service by \$239,200 for a total contract amount not to exceed \$1,058,785.88; and

WHEREAS, The Executive Director of the Sewer District has requested that the contract with GHD Consulting Engineers LLC, f/k/a/ Stearns and Wheler, Inc. be amended by increasing the professional services in the amount of \$239,200, for Village/Town Sewer Extensions and Reconstruction Projects (VTSE) to include engineering study for the Town of Stony Point consolidation and the Town of Orangetown Wastewater Treatment Plant evaluation, for a total contract amount not to exceed \$1,058,785.88; 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 the amendment to this agreement is available in the 2014 Adopted Budget of the Rockland County Sewer District No. 1, SWR-8110-E4090; 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 approves an amendment to the contract with GHD Consulting Engineers, LLC f/k/a/ Stearns & Wheler, LLC, One Remington Avenue, Cazenovia, New York 13035, in an additional amount of \$239,200 for Village/Town Sewer Extensions and Reconstruction Projects (VTSE) to include an engineering study for the Town of Stony Point consolidation and the Town of Orangetown Wastewater Treatment Plant evaluation for a total contract not to exceed \$1,058,785.88 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 the amendment to this agreement is available in the 2014 Adopted Budget of the Rockland County Sewer District No. 1, SWR-8110-E4090.

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WHEREAS, The District staff has reviewed the cost proposals for the additional engineering services and has found them to be acceptable; and

WHEREAS, The Executive Director and the Board of Sewer Commissioner's recommends the Legislature of Rockland County approve an amendment to the contract with GHD Consulting Engineers, LLC f/k/a/ Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York 13035, in an additional amount of \$123,700 for engineering for the Wastewater Treatment Plant Project and Collection System Performance Improvements and Asset Management Plan for a total contract not to exceed \$213,700; 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 the amendment to this agreement is available in the 2014 Adopted Budget of the Rockland County Sewer District No. 1, SWR-8120-E4090; 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 approves an amendment to the contract with GHD Consulting Engineers, LLC f/k/a/ Stearns & Wheler, LLC, One Remington Park Drive, Cazenovia, New York 13035, in an additional amount of \$123,700 for engineering for the Wastewater Treatment Plant Project and Collection System Performance Improvements and Asset Management Plan for a total contract not to exceed \$213,700 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 the amendment to this agreement is available in the 2014 Adopted Budget of the Rockland County Sewer District No. 1, SWR-8120-E4090.

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2014-04271
10/8/14

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