

# 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

**MINUTES**  
**PLANNING & PUBLIC WORKS COMMITTEE**  
**TUESDAY, APRIL 28, 2015**  
**7:30 P.M.**

**MEMBERS PRESENT**

HON. I. SCHOENBERGER, CHAIR  
HON. A. WOLFE, VC  
HON. M. GRANT  
HON. A. PAUL  
HON. J. MEYERS  
HON. A. WEIDER

**MEMBERS ABSENT**

HON. P. MORONEY

**OTHERS PRESENT**

N. DOLINER  
HON. P. SOSKIN  
HON. T. EARL  
HON. D. JOBSON  
D. PHILLIPS  
E. YEGER, ESQ  
HON. N. LOW-HOGAN  
HON. C. CAREY  
M. SABER

Chair Schoenberger called the meeting to order at 9:30 p.m.

1. REFERRAL NO. 2806 CONFIRMING THE APPOINTMENT OF PETER BRADLEY, CONGERS, NEW YORK TO THE ROCKLAND COUNTY PLANNING BOARD  
**(EDWIN J. DAY, COUNTY EXECUTIVE) DL#2015-01179**

**DEFERRED**

2. REFERRAL NO. 7300 APPROVING AN AMENDMENT TO A CONTRACT IN EXCESS OF \$100,000 WITH ALARM SPECIALISTS, INC. FOR ALARM SYSTEM INSPECTION, TESTING, MAINTENANCE AND REPAIR SERVICES BY FORMAL PURCHASE ORDER UNDER RFB-RC-2013-071 IN THE ADDITIONAL AMOUNT OF \$50,000 FOR THE PERIOD FROM AUGUST 1, 2014 THROUGH JULY 31, 2015 FOR A TOTAL AMOUNT NOT TO EXCEED \$269,159.67 FROM THE COMMENCEMENT DATE OF AUGUST 1, 2013 THROUGH JULY 31, 2015 [DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING] (\$269,159.67) **(PAUL J. BRENNAN, DIRECTOR DGS-PURCHASING) DL#2015-01395**

**MOTION TO APPROVE**  
**GRANT/WOLFE**

**UNAN**  
**TRANSFER TO B&F**

**ADDED SPONSORS SCHOENBERGER, WOLFE, GRANT, PAUL, WIEDER, JOBSON**

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3. REFERRAL NO. 5906      DISCUSSION ITEM: ON THE CONDEMNATION BY THE ROCKLAND COUNTY SEWER DISTRICT RESULTED IN AN AWARD BY THE SUPREME COURT, STATE OF NEW YORK TO THE PROPERTY OWNER IN EXCESS OF \$8 MILLION DOLLARS ALONG WITH INTEREST AT A COST TO THE TAXPAYERS OF THE ROCKLAND COUNTY SEWER DISTRICT IN EXCESS OF \$12 MILLION DOLLARS ( **HON. ILAN S. SCHOENBERGER, LEGISLATOR** )

Chair Schoenberger stated that representatives from Nixon and Peabody were asked to attend meeting and declined to do so.

Chair Schoenberger asked Thomas Humbach, County Attorney his position on the matter . He stated that it should be thoroughly investigated . He stated that witness disclosure forms are very common and were not done by Nixon and Peabody.

Mr. Humbach stated that he was working with Paul Brennan to get a list of qualified suppliers for the County to have on hand.

Chair Schoenberger asked if there was a statute of limitations. Mr Humbach stated he was sure there was but didn't know the exact time limit and that he would find out and report back.

## **DISCUSSED**

### **ACTION:**

**COUNTY ATTORNEY, THOMAS HUMBACH, IS REQUESTED TO RESPOND IN WRITING TO THE LEGISLATURE THE FOLLOWING:**

- 1. A DETAILED WRITTEN REVIEW OF NIXON PEABODY'S HANDLING OF THE LITIGATION.**
- 2. A WRITTEN OPINION REGARDING WHAT COURSES OF ACTION ARE AVAILABLE TO THE COUNTY WITH RESPECT TO NIXON PEABODY'S HANDLING OF THE LITIGATION AND ANY RELEVANT STATUTES OF LIMITATIONS THAT MUST BE CONSIDERED.**
- 3. COUNTY ATTORNEY IS REQUESTED TO COMPLETE ALL REQUESTED WRITTEN DOCUMENTATION WITHIN THE NEXT EIGHT (8) WEEKS. 6/30/15 PPW MEETING**

**MOTION TO ADJOURN 9:50 P.M.  
WOLFE/GRANT**

**UNAN**

**PPW42815MZ**