

- Chairman Phillips called to order the Rockland Green Board meeting for Thursday September 29, 2022, at 5:00 p.m.

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- Pledge of Allegiance led by Commissioner Powers

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- Roll call by clerk. There is a quorum.

**Present**

**Chairman Phillips**  
**Commissioner Hoehmann**  
**Commissioner Hofstein via phone**  
**Commissioner Jobson**  
**Commissioner Kohut**  
**Commissioner Lynn via phone**

**Present**

**Commissioner Monaghan**  
**Commissioner Paul**  
**Commissioner Powers**  
**Commissioner Soskin**  
**Commissioner Specht**

**Absent**

**Commissioner Hood**  
**Commissioner Kenny**  
**Commissioner McGowan**  
**Commissioner Moroney**  
**Commissioner Wieder**  
**Commissioner Yeger**

**Staff**

Jerry Damiani, Izzy Eisenbach, Jeremy Goldstein, Suzanne Haggerty, Dee Louis, Ron Ludwig, Ken Murphy

**Others**

Stephanie Kosmos, Teno West

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- Introduced by: Specht/Hoehmann                      Unan.                      September 29, 2022

**RESOLUTION NO. 75 OF 2022**  
**ADOPTION OF MINUTES, MEETING OF**  
**JULY 28, 2022**

**RESOLVED**, that the transcribed Minutes of Rockland Green are approved for the meeting July 28, 2022 as recorded by the Clerk and are hereby adopted.

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5. Introduced by: Paul/Monaghan

September 29, 2022

**RESOLUTION NO 76 OF 2022  
AUTHORIZING APPROVAL OF CHANGE ORDERS TO  
CONTRACT FOR FACILITY IMPROVEMENTS –  
GENERAL CONSTRUCTION AT THE MATERIALS RECOVERY FACILITY**

**WHEREAS**, by Resolution No. 56 of 2021, the Board of Rockland Green authorized award of the contract for Facility Improvements – General Construction at the Materials Recovery Facility (“MRF”) to Butler Construction Group, Inc. (the “Contractor”) dated as of October 13, 2021 (the “Contract”); and

**WHEREAS**, on December 7, 2021, Rockland Green approved certain modifications to the Contract in the form of Change Orders 1, 2 and 3 pursuant to Resolution No. 79 of 2021; and

**WHEREAS**, on January 27, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders 4, 6, 7, 9, 10, 12 and 14 pursuant to Resolution No. 14 of 2022; and

**WHEREAS**, on February 24, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders 16 and 17 pursuant to Resolution No. 27 of 2022; and

**WHEREAS**, on March 24, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders 18 and 19 pursuant to Resolution No. 31 of 2022; and

**WHEREAS**, on April 28, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders 20 and 22 pursuant to Resolution Nos. 39 and 48 of 2022, respectively; and

**WHEREAS**, on May 26, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders 31, 11 and 13 pursuant to Resolution No. 50 of 2022; and

**WHEREAS**, on June 22, 2022, Rockland Green approved certain modifications to the Contract in the form of Changer Order 33 pursuant to Resolution No. 57 of 2022; and

**WHEREAS**, on July 28, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Order 39 pursuant to Resolution No. 68 of 2022; and

**WHEREAS**, the removal and reinstallation of the ceiling grid for work associated with revised drawings from Van Dyk Baler Corp. and additional scope to W&M Fire Protection for installation of new sprinkler main piping are required, and the Contractor has agreed to perform such work for an amount equal to \$5,430.30, to be designated as Change Order 44; and

**WHEREAS**, remediation of additional mold found in the compressor room located in Area 3 of the MRF is required, and the Contractor has agreed to perform such work for an amount equal to \$5,565.00, to be designated as Change Order 45; and

**WHEREAS**, a large granite boulder in the path of the PEMB foundation in Area 4 of the MRF must be removed, and the Contractor has agreed to perform such work for an amount equal to \$12,000.00, to be designated as Change Order 46; and

**WHEREAS**, the installation and location of fire water service into in Area 5 of the MRF is required, and the Contractor has agreed to perform such work for an amount equal to \$22,949.00, to be designated as Change Order 43; and

**WHEREAS**, Rockland Green's Engineer, RRT Engineering, LLC, has reviewed these change orders, copies of which are attached hereto, and agrees with the change orders for the modifications to the work for the values stated therein; now therefore be it

**RESOLVED**, that Rockland Green hereby approves Change Order 44 for an increase in the Contract Price in an amount equal to \$5,430.30; and be it further

**RESOLVED**, that Rockland Green hereby approves Change Order 45 for an increase in the Contract Price in an amount equal to \$5,565.00; and be it further

**RESOLVED**, that Rockland Green hereby approves Change Order 46 for an increase in the Contract Price in an amount equal to \$12,000.00; and be it further

**RESOLVED**, that Rockland Green hereby approves Change Order 43 for an increase in the Contract Price in an amount equal to \$22,949.00; and be it further

**RESOLVED**, that the approval of Change Orders 44, 45, 46 and 43 shall result in an overall increase in the Contract Price by \$45,944.30 for a total amended Contract Price of \$7,981,867.38 for the Contract.

**Phillips:** Authorizing approval of change order to the contract for the facility improvements for general construction at the Materials Recovery Facility. Executive Director, do you want to give us a brief synopsis of this change order.

**Damiani:** Thank you, Mr. Chairman. This is specific to Contract #2 Butler Construction there are four change orders in the amount of \$45,944.30. Change Order 44 in the amount of \$5,430.30 regarding ceiling grid removal due to VDRS revised drawings and relocation of two fire suppression lines both the wet and dry lines to facilitate the installation of the electrical cabinetry. VDRS will be responsible for 50% of this change order in the amount of \$2,715.15.

Change Order 45 in the amount of \$5,565.00 mold was discovered in the compressor room associated with the design build equipment and must be remediated.

Change Order 46 in the amount of \$12,000.00. There was an extremely large boulder that was in the way and impeded the construction of the pre-engineered metal building's foundation.

Change Order 43 in the amount of \$22,949.00 for installation of an 8” water line to supply the new fire suppression room within the new 15,000 square foot addition. The adjusted contract amount is \$7,981,867.38.

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6. Introduced by: Kohut/Jobson

Unan.

September 29, 2022

**RESOLUTION NO. 77 OF 2022  
AUTHORIZING APPROVAL OF CHANGE ORDERS TO  
THE CONTRACT FOR FACILITY IMPROVEMENTS –  
ELECTRICAL AT THE MATERIALS RECOVERY FACILITY  
IN HILLBURN, NEW YORK**

**WHEREAS**, by Resolution No. 67 of 2021, the Board of Rockland Green authorized award of the Contract for Facility Improvements – Electrical at the Materials Recovery Facility in Hillburn, New York between Rockland Green and Fanshawe, Inc. d/b/a Rockland Electric (the “Contractor”) dated as of October 18, 2021 (the “Contract”); and

**WHEREAS**, on February 24, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders EC-02 and EC-03 pursuant to Resolution No. 23 of 2022; and

**WHEREAS**, on April 28, 2022, Rockland Green approved a certain modification to the Contract in the form of Change Order 5R1 pursuant to Resolution No. 42 of 2022; and

**WHEREAS**, on May 26, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders EC-09 and EC-06 pursuant to Resolution No. 51 of 2022 and Change Order EC-10 pursuant to Resolution No. 55 of 2022; and

**WHEREAS**, on June 22, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders 11 and 7 pursuant to Resolution No. 60 of 2022; and

**WHEREAS**, on July 28, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Order EC-04 pursuant to Resolution No. 70 of 2022; and

**WHEREAS**, the addition of a secondary switch to Area 2 and the addition of IT drops in Area 3 and to the Dual Stream Recyclables Processing System are required, and the Contractor has agreed to perform such work for an amount equal to \$35,548.17, to be designated as Change Order EC-12; and

**WHEREAS**, the provision of a new underground primary service from the existing O&R Utility pole through the new primary switch and into the transformer (utilizing existing spare conduit between the utility pole and the transformer) is required, and the Contractor has agreed to perform such work for an amount equal to \$61,705.86, to be designated as Change Order EC-08; and

**WHEREAS**, Rockland Green’s Engineer, RRT Engineering, LLC, has reviewed these change orders, copies of which are attached hereto, and agrees with the Change Orders for the modifications to the work for the values stated therein; now therefore be it

**RESOLVED**, that Rockland Green hereby approves Change Order EC-12 for an increase in the Contract Price in an amount equal to \$35,548.17; and be it further

**RESOLVED**, that Rockland Green hereby approves Change Order EC-08 for an increase in the Contract Price in an amount equal to \$61,705.86; and be it further

**RESOLVED**, that the approval of Change Orders EC-12 and EC-08 shall result in an overall increase of the Contract Price by \$97,254.03 for a total amended Contract Price of \$1,511,275.39.

**Phillips:** Authorizing change order to the contract for facility improvements electrical at the Materials Recovery Facility.

**Damiani:** This involves Contract #5 Rockland Electric. Change Order EC-12 in the amount of \$35,548.17 for the installation of a secondary switch to provide connectivity to the fire rover system that was designed after the award of Contract #5. Additional camera ports are needed for future connectivity within Area 2. As well as additional IT drops within the administration area and Area 3 and the revision to the glass processing system that includes a dust collection system. VDERS will be responsible for \$1,125.54 of the \$35,548.17.

Change Order EC-08 in the amount of \$61,705.86. This is a requirement of the local utility company Orange & Rockland to include a primary switch at the new transformer that will be installed. It is in issuance of a project specific Red Book as well as extending the current primary feed cables. The total amount of the change orders is \$97,254.03 for an amended contract amount of \$1,511,275.39.

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7. Introduced by: Soskin/Powers

Unan.

September 29, 2022

**RESOLUTION NO. 78 OF 2022  
AUTHORIZING APPROVAL OF CHANGE ORDERS TO  
THE CONTRACT FOR FACILITY IMPROVEMENTS –  
FIRE PROTECTION SYSTEM AT THE MATERIALS RECOVERY FACILITY  
IN HILLBURN, NEW YORK**

**WHEREAS**, by Resolution No. 68 of 2021, the Board of Rockland Green authorized award of the Contract for Facility Improvements – Fire Protection System at the Materials Recovery Facility in Hillburn, New York between Rockland Green and W&M Sprinkler NYC, LLC d/b/a W&M Fire Protection Services (the “Contractor”) dated as of October 18, 2021 (the “Contract”); and

**WHEREAS**, on February 24, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders FA-01 and FP-7 pursuant to Resolution No. 24 of 2022; and

**WHEREAS**, on March 24, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders FP-1A, FP-1B, FP-1C, FP-5, FP-6, FP-8, 2 and FP-9 pursuant to Resolution No. 33 of 2022; and

**WHEREAS**, on April 28, 2022, Rockland Green approved a modification to the Contract in the form of Change Order 10 pursuant to Resolution No. 43 of 2022; and

**WHEREAS**, on May 26, 2022, Rockland Green approved a modification to the Contract in the form of Change Order FP-11 pursuant to Resolution No. 52 of 2022; and

**WHEREAS**, on June 22, 2022, Rockland Green approved a modification to the Contract in the form of Change Order FA-02 pursuant to Resolution No. 61 of 2022; and

**WHEREAS**, on July 28, 2022, Rockland Green approved modifications to the Contract in the form of Change Orders FA-03 and FP-12 pursuant to Resolution Nos. 72 and 74 of 2022; and

**WHEREAS**, the replacement of (i) forty-five feet (45') of existing six inch (6") original schedule 10 fire sprinkler main on the west side of the cat walk is required as the result of corrosion, and (ii) the replacement of a ten foot (10') section of the leaking riser on the west side Area 2 is required as such leak does not allow for the pressurization of the main required for the hydrostatic test, and the Contractor has agreed to perform such work for an amount equal to \$12,950.55, to be designated as Change Order FP-13; and

**WHEREAS**, Rockland Green's Engineer, RRT Engineering, LLC, has reviewed this change order, a copy of which is attached hereto, and agrees with the Change Order for modification to the work for the pricing stated therein; now therefore be it

**RESOLVED**, that Rockland Green hereby approves Change Order FP-13 for an increase in the Contract Price in an amount equal to \$12,950.55; and be it further

**RESOLVED**, that the approval of Change Order FP-13 shall result in an overall increase in the Contract Price in an amount equal to \$12,950.55 for a total amended Contract Price of \$1,066,461.95.<sup>1</sup>

**Phillips:** Authorizing approval of change orders to the contract for facility improvements fire protection system at the Materials Recovery Facility.

**Damiani:** This is regarding Contract #6 to W&M Fire Protection Services. Change Order FP-13 in the amount of \$12,950.55 to replace a portion of the facilities original fire suppression on the west side of the facility to complete the hydrostatic testing. Again, the total change order amount is \$12,950.55 for an amended contract amount of \$1,066,461.95.

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<sup>1</sup> The adjusted Contract Price reflects credits related to previously approved Change Orders FA-02 and FP-12 whose costs were lower than the amounts approved therefor.

8. Introduced by: Hoehmann/Specht

Unan.

September 29, 2022

**RESOLUTION NO. 79 OF 2022**

**RATIFY PAYMENT FOR GAS SERVICE  
PROVIDED BY ORANGE & ROCKLAND AT THE  
MATERIALS RECOVERY FACILITY**

**WHEREAS**, the Rockland County Solid Waste Management Authority d/b/a Rockland Green, is a public benefit corporation, duly organized and existing under the New York State Public Authorities Law, Title 13-F; and

**WHEREAS**, by Resolution 21 of 2021 Rockland Green determined that major modifications and upgrades to the Materials Recovery Facility were required, and

**WHEREAS**, as part of its major modifications, Orange & Rockland needs to provide gas facilities at 420 Torne Valley Road, Hillburn, Project# 20210510087; and

**WHEREAS**, the fee for services includes environmental compliance and gas facility installation and service. Additionally, all materials, labor, and equipment are included in the service fee; and

**WHEREAS**, the Rockland Green Board wishes to ratify the payment to Orange & Rockland in the amount of \$813,711.10; now therefore be it

**RESOLVED**, that Rockland Green ratifies the payment of \$813,711.10 to Orange & Rockland for the installation of gas facilities and services to the Materials Recovery Facility.

**Phillips:** Ratify payment for gas service provided by Orange & Rockland at the Materials Recovery Facility.

**Damiani:** Originally when we went out for design, we budgeted \$675,000. Unfortunately, Orange & Rockland requested \$813,711.10 which is a 20% increase from the budgeted amount. We are moving forward with supplying natural gas and moving away from #2 heating oil and this will reduce our carbon emission and greenhouse gas emission. It is beneficial for Rockland Green not only now but in the future as we add additional demand to the Hillburn Campus.

**Phillips:** It is really going to reduce our energy costs going forward.

**Damiani:** Correct.

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9. Introduced by: Monaghan/Powers

Unan.

September 29, 2022

**RESOLUTION NO. 80 OF 2022  
AWARD OF BID FOR PURCHASE AND INSTALLATION OF  
A TRUCK SCALE  
WITHIN THE WEST NYACK TRANSFER STATION**

**WHEREAS**, on September 2, 2022, Rockland Green issued a Request for Bids 2022-06 for the purchase and installation of a truck scale within the West Nyack Transfer Station; and

**WHEREAS**, Advance Scale Company Inc. and Atlantic Scale Company submitted bids in response to the Request for Bids; and

**WHEREAS**, Rockland Green staff and engineer reviewed the bids and determined that the bid submitted by Atlantic Scale Company conformed to the specifications in the Request for Bids; now therefore be it

**RESOLVED**, that the Authority Board hereby awards the bid for the purchase and installation of a truck scale within the West Nyack Transfer Station, RFB 2022-06, in the amount of \$116,875.00 to Atlantic Scale Company, and authorizes the Executive Director to execute an agreement for the performance of the work specified in the bid.

**Phillips:** Award of bid for purchase and installation of a truck scale within the West Nyack Transfer Station.

**Damiani:** Regarding RFB 2022-06 we are looking to create efficiency at the West Nyack Facility. We concluded that installing a scale in the loadout tunnel will create those efficiencies. We issued an RFB and we received two responses and the lowest was \$116,875.00 and the highest was just under \$200,000.

**Phillips:** Not only will this create efficiencies, it will bring greater safety to our workers and to the public.

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10. Introduced By: Kohut/Jobson

Unan.

September 29, 2022

**RESOLUTION NO. 81 OF 2022**

**AUTHORIZING DISPOSAL OF SURPLUS EQUIPMENT**

**WHEREAS**, in the course of its operations, Rockland Green accumulates unneeded, worn-out or obsolete equipment, computers, furniture, machinery, tools, parts and vehicles for which it has no need; and

**WHEREAS**, upon occasion, Rockland Green deems such property to be “Surplus Equipment;” and

**WHEREAS**, Rockland Green has recently determined that certain pieces of equipment identified on the attached “Schedule A” are Surplus Equipment; and

**WHEREAS**, Rockland Green has the discretion to dispose of Surplus Equipment by various methods, including sale, auction, competitive bidding, and private negotiation, as set forth in its Guidelines for Disposal of Rockland Green Real and Personal Property (“Property Disposal Guidelines”); and

**WHEREAS**, it may be desirable for Rockland Green to negotiate disposition of pieces of Surplus Equipment with municipalities that need such equipment in a manner that may benefit the taxpayers of Rockland County, provided that such disposition is consistent with the Property Disposal Guidelines; now therefore be it

**RESOLVED**, that the Executive Director or his staff are hereby authorized to dispose of the Surplus Equipment listed in the attached “Schedule A” in accordance with the Property Disposal Guidelines.

**Phillips:** Authorizing disposal of surplus equipment. I understand we have a car that was a 2011 that was damaged and we have to auction it off, but first we have to surplus it?

**Damiani:** Yes, that is correct.

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**Phillips:** I understand we have a couple of resolutions under new business?

**Damiani:** Yes, Mr. Chairman. We intended to abandon and replace the existing conduit that is attached to the existing structure in Areas 1 and 2. Unfortunately we cannot marry the new pre-engineered metal building to the existing structure with this conduit in place. This change order is in the amount of \$1,515.10. This change order was originally \$800 more but our Engineer II Dee Louis was able to negotiate that down with savings to Rockland Green.

**Introduced by: Lynn/Hofstein**

**Unan.**

**September 29, 2022**

**RESOLUTION NO. 82 OF 2022  
AUTHORIZING APPROVAL OF A CHANGE ORDER TO  
THE CONTRACT FOR FACILITY IMPROVEMENTS –  
ELECTRICAL AT THE MATERIALS RECOVERY FACILITY  
IN HILLBURN, NEW YORK**

**WHEREAS**, by Resolution No. 67 of 2021, the Board of Rockland Green authorized award of the Contract for Facility Improvements – Electrical at the Materials Recovery Facility in Hillburn, New York between Rockland Green and Fanshawe, Inc. d/b/a Rockland Electric (the “Contractor”), dated as of October 18, 2021, (the “Contract”); and

**WHEREAS**, on February 24, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders EC-02 and EC-03 pursuant to Resolution No. 23 of 2022; and

**WHEREAS**, on April 28, 2022, Rockland Green approved a certain modification to the Contract in the form of Change Order 5R1 pursuant to Resolution No. 42 of 2022; and

**WHEREAS**, on May 26, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders EC-09 and EC-06 pursuant to Resolution No. 51 of 2022 and Change Order EC-10 pursuant to Resolution No. 55 of 2022; and

**WHEREAS**, on June 22, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders 11 and 7 pursuant to Resolution No. 60 of 2022; and

**WHEREAS**, on July 28, 2022, Rockland Green approved a certain modification to the Contract in the form of Change Order EC-04 pursuant to Resolution No. 70 of 2022; and

**WHEREAS**, on this September 29, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders EC-12 and EC-08 pursuant to a resolution approved by the Board; and

**WHEREAS**, conduit on the east side of the building is blocking the new flashing for required roof work, and, therefore, must be demolished, and the Contractor has agreed to perform such work for an amount equal to \$1,515.10, to be designated as Change Order 14; and

**WHEREAS**, Rockland Green's Engineer, RRT Engineering, LLC, has reviewed this change order, a copy of which is attached hereto, and agrees with the Change Order for the modification to the work for the value stated therein; now therefore be it

**RESOLVED**, that Rockland Green hereby approves Change Order 14 for an increase in the Contract Price in an amount equal to \$1,515.10; and be it further

**RESOLVED**, that the approval of Change Order 14 shall result in an overall increase of the Contract Price by \$1,515.10 for a total amended Contract Price of \$1,512,790.49.

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**Phillips:** Authorizing the filing of a certificate of incorporation with the Department of State to establish a subsidiary for the purpose of operating an animal shelter and providing animal management services on behalf of one or more municipalities located in Rockland County.

**Damiani:** When we amended our Act to include animal management and animal care shelter services the State required Rockland Green to create one wholly owned subsidiary. Tasked with that mission, this resolution will create that subsidiary.

**Introduced By: Monaghan/Specht**

**Unan.**

**September 29, 2022**

**RESOLUTION NO. 83 OF 2022  
AUTHORIZING THE FILING OF A CERTIFICATE OF INCORPORATION WITH THE  
DEPARTMENT OF STATE TO ESTABLISH A SUBSIDIARY FOR THE PURPOSE OF  
OPERATING AN ANIMAL SHELTER AND PROVIDING ANIMAL MANAGEMENT  
SERVICES ON BEHALF OF ONE OR MORE MUNICIPALITIES LOCATED IN  
ROCKLAND COUNTY**

**WHEREAS**, Rockland Green is a public benefit corporation, duly organized and existing under the Rockland County Solid Waste Management Authority Act, as set forth under Title 13-M of the Public Authorities Law of the State of New York (the "Act"); and

**WHEREAS**, Rockland Green passed a resolution at its March 25, 2021 meeting approving a proposed amendment to the Act to expand Rockland Green's purposes, powers, and responsibilities to include animal management services, including animal shelter and control services; and

**WHEREAS**, on January 5, 2022, Rockland Green sent a Municipal Home Rule Request to the Rockland County Legislature in connection with the proposed amendment, which was approved and forwarded to the New York State Legislature on May 5, 2022; and

**WHEREAS**, the legislation comprising the amendment to the Act is entitled, “AN ACT to amend the public authorities law, in relation to expanding the Rockland County Solid Waste Authority's purposes, powers, and responsibilities to include providing animal management services through a wholly-owned subsidiary; and to amend the agriculture and markets law, in relation to public authorities providing shelter services for the care of unwanted animals”; and

**WHEREAS**, the proposed amendment passed the New York State Senate on June 1, 2022 and the New York State Assembly on June 3, 2022 and the Governor of New York State signed the amendment into law as Chapter 553 of the Laws of 2022 (“Chapter 553”) on August 17, 2022; and

**WHEREAS**, Chapter 553 authorizes Rockland Green to establish a subsidiary for the purpose of operating an animal shelter and providing animal management services on behalf of one or more municipalities located in Rockland County; and

**WHEREAS**, Chapter 553 provides that Rockland Green may acquire, hold, own, lease, establish, construct, effectuate, operate, maintain, renovate, improve, extend or repair any of its facilities through, and cause any one or more of its powers, duties, functions or activities to be exercised or performed by, no more than one wholly-owned subsidiary corporation of Rockland Green for the sole purposes of operating an animal shelter and providing animal management services on behalf of one or more municipalities located in the County of Rockland pursuant to the agriculture and markets law; and

**WHEREAS**, Chapter 553 also provides that such subsidiary corporation and any of its property, functions and activities shall have all of the privileges, immunities, tax exemptions and other exemptions of Rockland Green and of Rockland Green’s property, functions and activities, and that such subsidiary corporation shall be subject to the restrictions and limitations to which Rockland Green may be subject; now therefore be it

**RESOLVED**, that the Executive Director is hereby authorized to execute and file with the Department of State a certificate of incorporation to establish such subsidiary corporation for the purpose of operating an animal shelter and providing animal management services on behalf of one or more municipalities located in Rockland County in accordance with Chapter 553; and be it further

**RESOLVED**, that the name of the subsidiary corporation shall be “Rockland Green Center for Animal Rescue and Education Services” and shall also be known as “RG CARES”; and be it further

**RESOLVED**, that the Executive Director is authorized and directed to do and cause to be done any and all acts necessary or proper in connection with or for carrying out this resolution.

**Phillips:** Do we have any other new business?

**Damiani:** No.

**Phillips:** Do any of the Board members have anything to bring forth before we go out to the public? Since there are no Board member comments, let's go out to the public. This is your opportunity if you have any comments, suggestions or concerns to address the Board.

### **Public Comment**

**Wayne Kleinman:** I want to talk to you about the animal shelter. I just know the tip of the iceberg what is happening at Hi-Tor, but Mr. Lieberman talks about the petition of 3,000 people that want to move Hi-Tor and that I know about because I wrote the petition. Not once in the petition does it mention to move Hi-Tor. It does mention stopping the fireworks or do something less dramatic to change noiseless fireworks or to do a laser show or a drone show. The whole purpose of the petition was merely for the welfare and wellbeing of the animals.

**Phillips:** But you would agree it was the sound of the fireworks that you were trying to eradicate or at least diminish for the animals?

**Wayne Kleinman:** That I will agree with, but what I don't understand is why Mr. Shawn Reilly refused to change it. My petition was going on for like a year and a half, but people have been trying to change it for over ten years. It should be very simple. I am not saying stop the entertainment or stop the games I am just saying be a little nicer to the animals because it is traumatic for them and it is also traumatic for the people with PTSD, the veterans, people with autism. There are a lot of people the fireworks are upsetting not just the animals.

**Phillips:** Thank you Wayne, we appreciate that.

**Nixie Gueits:** Good evening, my name is Nixie Gueits and I live in New City. I want to address some observations and concerns. I have been a part of the sheltering industry for almost 20 years. I have attended sheltering conferences and I know quite a few places, networked and speak to a lot of people from a lot of different shelters. The numbers just don't seem to make sense to me that I have seen being reported. If it is \$4.2 million to purchase a building and then \$5 million and then an additional \$800,000 to renovate makes no sense unless of course you are planning to look at a facility that is just going to hold animals. The reason shelters are so expensive to build is because they are buildings built to prevent the spread of disease. A lot of the new shelters have a lot of air systems in different rooms because so many conditions that sick animals come in have viruses that are viral and go through the air systems. A shelter I saw in Long Island had a very similar footprint to Hi-Tor. They put in I believe 12 different air systems and it cost them \$1 million in 2016. If you have this building that is \$4.2 million to purchase, and then \$800,000 to do your renovations, I don't think how just that is going to cover the air systems. Then you have the problem of drainage. A lot of shelters have a lot of drains to clean the dog runs. You

can't blast the feces from one end of the run to the other, so you need a lot of drainage. You need drainage in the medical room and drainage in the cat room and a number of other rooms you need like a moat so that when you clean the outside runs and \$800,000 doesn't begin to cover that expense. I was looking at the picture of the building, I think this is the building, and there are a lot of loading dock doors that have to come down. You need windows because there are no windows there is no light that is how animals become enriched, they don't go crazy they need light. I attended a number of workshops back in the day when I was on the Board of Hi-Tor. At these workshops they say light is very, very important. There are no windows on this building so how does that \$800,000 address that issue?

**Phillips:** May I ask where did you get this \$800,000?

**Nixie Gueits:** I am looking at this \$4.2 million to purchase and.

**Phillips:** That has never been put out to the public by us and no one on this Board of Commissioners believes it is only going to be \$800,000 to renovate.

**Nixie Gueits:** I am just looking at the numbers that I have been reading. For example, Westchester adjusted their shelter. They were 6,000 square feet and then they built another 6,000 square feet to a tune of \$4.5 million. The taxpayers are going to be on the hook for this. We had a building in the Bronx about 15,000 square feet with one loading dock and I know what it is like to heat that place. But I also know that for an animal shelter you don't need 16 or 20-foot ceilings. I don't know this building and I don't know the height of the ceilings, but an animal shelter needs just standard ceiling height and now you have all this expense for heating the building. Again, I don't know the building and I haven't seen it, but we had a factory for many years and also being in the shelter industry flooring in an animal shelter has very few seams in it because of all the feces and urine that can get trapped in the seams. The main purpose is to protect against the spread of disease. How is this going to happen in this building? It is the height of that building that is going to be a big nut to crack.

**Phillips:** You sound like you have a good amount of experience with this, so I am going to ask a favor. Could you give Ms. Haggerty your phone number so that way if we want to reach out to you and ask you for some consulting advice.

**Nixie Gueits:** Sure.

**Arlene Kahn:** Thank you for having us here to speak tonight. Some of you may know me because I administrate the Rockland County Cat Parents page. I administrate the Town of Ramapo Community page. I like to say that on the cat's page I prevent fights and on the Town of Ramapo page I referee cat fights. My little joke. I did serve on rebuild Hi-Tor Animal Shelter with Don Franchino, so I have been around the block.

**Phillips:** A good man.

**Arlene Kahn:** A very good man. The intension Rockland Green has poised and ready to take over the running of the Hi-Tor Animal Shelter.

**Phillips:** We are going down that road. It is obvious to anyone that has been reading the newspaper or listening to what we have been doing and we have found a building and I don't think it is any secret. The building is off Beach Road and is a 15,000 square foot building. We are in the process of talking to a number of consultants and I would like to have staff sit down with Nixie about that facility. We believe it can work, but it takes time. We are building a recreation center and whether it is in Haverstraw or any other town that is taking any task on to build, the supply chain right now is absolutely horrible. We have been waiting on electrical panels from China for months. We have to come up with some type of solution for an interim come January 1. We may reach back out to Hi-Tor to explore that. We all have the same goal and that is to make sure these animals have a safe wonderful place for their lives. I have said it before and you are going to hear me regurgitate this, these poor animals are in these facilities because of human neglect. There is no reason why they have to be constantly caged and live in conditions that you wouldn't want your pet living in. We are trying to build a facility that people would be proud of and people would like. It is going to take some time, but I think when we look at the numbers that came in on the building from scratch, they were astronomical. We probably would have ended up somewhere around \$18 to \$20 million. That is a tremendous amount of money. We are looking at alternatives, but I guarantee you everybody from the Supervisors, Legislators, Mayors and the County Executive's Office have one single-minded purpose in mind and that is to build a beautiful shelter that everybody could be proud of.

**Arlene Kahn:** I want to applaud you for bringing Nixie on board as a possible advisor because she knows her stuff. You said something about human neglect. I take exception to that if I understand that you are insinuating the staff and management at Hi-Tor.

**Phillips:** No, I am saying where it originated from. I am saying that people either bought these animals and they at one point or another said I can't have it any longer. Or, in many instances they end up abandoning these animals. Our animal control officers have to go out and pick them up and bring them to the shelter. Again, it is not any way for any life to have to be caged. So, we are trying to come up with some really good things that people would like to see.

**Arlene Kahn:** I am glad you corrected that I misinterpreted what you meant. At the last meeting I had asked I don't know and I assume a lot of the public doesn't know either we heard you on WRKR and read about you on Rockland Business Journal, I have no idea what your plan is when you say take over, I have heard that a lot, what does that mean and I am beginning to resent that I don't even understand what your role is going to be and I think I am not alone.

**Phillips:** I think all of us in these discussions have been looking at different options whether we go out and find a vendor that would operate the shelter or whether we have a quasi some public staff and government staff with an operator. I think the idea most of us is let's see if we can get an operator to come in the private sector who has some experience and knowledge of shelters and let's see if we can assist them with some staff if necessary and have them try to operate it. I have said this at a previous meeting that I am going to repeat it we want volunteers. Because those people that are volunteering are extremely passionate and they care about these animals. But we are moving down this road to come up with the best formula and I think you will agree with me one of the problems has been the fact that they have not had the financial ability to really operate the shelter the way it should be. Now we have said to ourselves it is time for us to have good oversight and accountability and make sure not only the budget

is there but the medical expenses, veterinarians, the food expenses that the need and a life for these animals that everybody could be proud of. That is where we are going. We don't have an answer yet. We are trying to get there. We have multiple things juggling in the air between the building and most people I think are aware when you go into the government sector, we have guidelines and laws which we must abide by. We have to go out and get appraisals, we have to abide by the New York State building fire code. It is hard to go out to the public and say, here is our answer right now this is where we are going Arlene because we don't have all the answers. We are getting there but it is going to take some time.

**Arlene Kahn:** I want to commend you for the fact that this is the only Town, County or Village that I have every been to where somebody actually responds to us and I do want to commend you for that.

**Phillips:** I am the Chair, but I can assure you that all the members here, if they were the Chair, they would be responding to you as well because everybody wants to get this done. That is the wonderful thing we may have different ideas on how to do it, but we all want to get it done and we want to hear from people who have been in this business and working within the business. We need the whole Rockland County community to get involved with this. First, we need a building and a plan and that is what we are working on right now.

**Arlene Kahn:** Let's set up some community focused groups. As far as the location, I have been involved in thinking of locations with Don Franchino for some time. I for one am very happy with Hi-Tor's current location and I will tell you why and then I will address the elephant in the room which is the fireworks. What I personally love about the present location is it is quiet and pristine and right off the highway. Maybe most importantly there is beautiful space to walk the dogs whether it is down by the ballpark or down by the hiking fields it is a perfect location. The only thing I heard of is to why you folks want to move, and I don't know if it is unanimous, is the fireworks. I also started stop the fireworks near Hi-Tor animal shelter, that was my first foray with activism. The new shelter is promising to be sound proofed. I have to be honest with you, the fireworks if the new shelter is soundproof which it will be I feel like this is a bunch of baloney. I feel like there is something fishy here as to why you want to move from a perfect location since it won't be a factor.

**Phillips:** We also heard a number of complaints because of the Fire Training Center has a smoke house. Many of you may not be aware but when you have to be trained as a volunteer firefighter you have to go through a lot of different types of training. One of them is being in the smokehouse. It is a building they go in and they normally have to have black masks on and they fill the house full of smoke and they have to maneuver themselves around and sometimes find a person in the room, then a lot of black smoke gets released into the air. I think you nailed it right on the head, everyone is looking for a very serene and beautiful site. I think this is a beautiful sight and I think you will find this is a beautiful site down by the Hudson River. There is also property we may be able to work with the Town of Haverstraw. We closed about 25 years ago and turned the landfill into a beautiful park. We have eagles there and vistas there that are absolutely gorgeous. We talked about making some kind of municipal agreement where we can allow people to walk around that section of the park as well. I think it is a very pretty park. People talk about the site next door that may be developed into some type of facility that is yet to be seen. There have been a lot of things proposed there and have not come to fruition.



**Arlene Kahn:** It needs to be right off of a highway though.

**Phillips:** Why a highway. Why would you want to risk a dog getting loose and being hit?

**Arlene Kahn:** Well not right off of a highway, but how Hi-Tor is now. For the public's convenience.

**Phillips:** Have you ever come down to the Paul Piperato Haverstraw Bay County Park.

**Arlene Kahn:** I go to the polar plunge every year.

**Phillips:** Okay. Well, it is absolutely beautiful down there.

**Arlene Kahn:** I have heard of a location which was with trucks and toxic fumes.

**Phillips:** That is not anywhere near there. I think some people were trying to discourage the idea. Give us a chance.

**Arlene Kahn:** Okay, I am going to speak to my friends who is advising me on the Hi-Tor location and rebuild project.

**Ilan Shulein:** My name is Ilan Shulein and I live in Haverstraw. Mr. Phillips is my Supervisor so I will address you as the Chairman. Thank you for the opportunity to talk. I have here from *Rockland County Business Journal* that is discussing some parts of for operating through Hi-Tor. Basically, the heading here is "Warehouse Being Eyed Is On The Market For \$4.2 Million; Massive Warehouse Project Proposed For Across Road On Ecology Lane". The current place being considered is a 15,000 square-foot building and the address is 427 Beach Road. Is this correct, Mr. Chairman?

**Phillips:** I don't know that you would call it Beach Road. I would say Ecology Lane and Beach Road.

**Ilan Shulein:** It is 3.69 acres and sits east of the Joint Regional Sewage Facility.

**Phillips:** It is the Haverstraw Water Recovery Facility. It is a multi-million-dollar operation, and it deserves to be called by the correct name.

**Ilan Shulein:** I understand, Mr. Chairman. Basically, you go to the bathroom, and they take care of it.

**Phillips:** No, basically we are taking dirty water and turning it into very clean water and depositing it back into the Hudson river. Cleaner than it ever has been before.

**Ilan Shulein:** It sounds terrific. This facility is located far away from residential areas and there is a very good reason for it.

**Phillips:** There was a reason for it. The old traditional wastewater treatment plant you have to introduce oxygen into the wastewater. So, the system that used to exist called it an eggbeater system with these big, long arms that would whip up these gigantic pools of wastewater and when you introduce oxygen

in that way you create odors and smells. We had a major over \$14 million renovation back in 2003 and we changed the entire systems and so did about every other wastewater treatment plant in Rockland County. So now you introduce oxygen through the bottom by percolating it forced air into the pipes and you don't get that smell. You get a very earthy smell. If anything, when Minisceongo was there at lower tide it could get more of an earthy smell from Minisceongo. But we eliminated those odors.

**Ilan Shulein:** So why this location? I want to take a look to see what it is all about. This is quite a large building. This building is 15,000 square feet as indicated before is that in agreement. It sits on 3.69 acres. This whole area is industrial.

**Phillips:** There is a beautiful 60-acre park there, the largest marina on the East Coast is there and to the South there is the beautiful Village of West Haverstraw's Pecks Pond Park there in which you can walk dogs around.

**Ilan Shulein:** Maybe you should be a tour guide. These beautiful scenes you just pictured are nonexistent. I saw it with my own eyes, it is industrial.

**Phillips:** Have you been to the Town of Haverstraw and the Hudson Valley Radio Control Club air show where we literally had thousands of people during the day come there because the Hudson Valley Radio Control Club goes there when there is good weather, and they are flying all different sorts of aircraft. Do you think they would come if it was a highly commercialized area? It is not anymore. That was decades ago.

**Ilan Shulein:** I was there, and I saw the area.

**Phillips:** Okay, so we will agree to disagree.

**Ilan Shulein:** It is zoned as industrial.

**Phillips:** You are making a false statement. Go look at the Town of Haverstraw zoning map.

**Ilan Shulein:** Just people go there for a few hours is fine and nice but living there continuously and that is what you are doing if you decide to move animals there is a whole different story.

**Phillips:** So, the County park is in a very polluted area you are saying?

**Ilan Shulein:** This area is also a flood zone it is prone to floods. It is an AE zone which is subject to 100-year floods which occur more frequently because of climate change.

**Phillips:** Sandy was probably the worst that we had along the river in my lifetime. Sandy did not flood this property. Not only that, when the owner of the property had the build he had to come before the planning board and he had to elevate the property so that the building would not be in the flood zone. So, everybody knows, even on top of Hi-Tor mountain, is a flood zone. It is a degree of what you rate the flood zones. You go from the most severe to the most mild. So that is how the government labels a

flood zone. So, everything is in a flood zone, it is just that you have to label what is severe to what is not.

**Ilan Shulein:** Across from this proposed shelter Haverstraw is looking into a 454,000 square-foot warehouse. This building we are talking about is only 15,000 square feet which is quite large. If this nasty warehouse is 454,000 square feet, it is about 30 times larger than the current proposed shelter. This distribution center has 76 -bay which is a lot on 34 acres. This project requires an environmental cleanup. In the Village of West Haverstraw, I am questioning the noise and the impact of this huge amount of truck traffic and the question here is if it is a problem for people because something so nasty is there it is a disaster for animals. I would like to touch on other comments from previous speakers before me. I went to Hi-Tor and talked to the manager regarding the fireworks it happens only on major holidays. It doesn't happen all the time. The people from the stadium work with the shelter and they play music to mitigate the noise, so it doesn't hurt the animals. The smoke happens maybe every 3 or 4 months for the training.

**Phillips:** We appreciate your comments.

**Wayne Finklestein:** You made a point that there is no planned development but once you build a shelter and it is there and it is developed, what contingency plan do you have to move the shelter?

**Phillips:** If what happens?

**Wayne Finklestein:** That this piece of land is developed with a 454,000 square foot warehouse.

**Phillips:** We will try to intervene on any application that goes before the Village of West Haverstraw Board to make sure that they are aware that we are putting in an animal shelter there. It is in its infant stages. I think you are going to be extremely pleased with what we do.

**Wayne Finklestein:** So, you are saying it is going to be developed.

**Phillips:** No, I am saying if it is going to be developed and it is a long way from being developed. I am sure they are giving you the maximum size I don't think it would be close to that size if built.

**Wayne Finklestein:** Why don't you just build where Hi-Tor sits right now?

**Phillips:** Because to build there is about \$18 to \$20 million.

**Wayne Finklestein:** To retrofit the existing building?

**Phillips:** To build a new building at that site. We were told that the existing building is so dilapidated it needs to be taken down.

**Wayne Finklestein:** It has been reported that the budget is \$5 million. So, what is the budget?

**Phillips:** We are working on that right now. That is the most basic question we have to find out. We think that putting the shelter at another location will eliminate some of the things we have to do with the building. But not only that, by getting a building that is already built and a block building we are getting a much stronger and better-looking building than what was being proposed.

**Wayne Finklestein:** With everything that has to be done in a shelter it may cost more to retrofit a building that was meant for a warehouse.

**Phillips:** I find that hard to believe.

**Wayne Finklestein:** Don't you think you should have looked at that first?

**Phillips:** Yes, that is why we looked at other buildings.

**Wayne Finklestein:** You are going to pay \$4.2 million for a building?

**Phillips:** We don't know what the final price is.

**Wayne Finklestein:** All your saving, which you are not saving because it is more money to retrofit a building that was built for another purpose.

**Phillips:** I am going to disagree with you on that.

**Wayne Finklestein:** You should get the numbers.

**Phillips:** Wayne that is what we all want to do and that is what we are in the process of trying to do now. Before any of us can go out and hire experts to go in there, we need to know if we have some terms of agreement, we don't have to purchase it, but we have to have some terms of agreement with the owner and then we can go out and say here is the building we are looking at we want to do this to it. Somebody mentioned the height of the ceilings. There is no reason why we couldn't put a second floor on whether it is initially or later down the road. We have a lot of options there. Give us a chance, that is all I am saying. We want something that the people of Rockland will be proud of. We are heading in that direction. We need your help.

**Wayne Finklestein:** I think if it is all transparent, you will get the public's help and if you also accept what people who are very involved in the current shelter if you welcome them in you will get everyone's help.

**Phillips:** I said it before and I will say it again, if you are a volunteer, we want you.

**Wayne Finklestein:** It seems like it is moving along without the public being involved.

**Phillips:** First you have to get appraisals.

**Wayne Finklestein:** In the previous plans there has been \$500,000 for architects. How do you expect to get this building that might cost more to retrofit than start from scratch with proper flooring and drainage when you have to chop up all the floors.

**Phillips:** They can do things where you don't have to chop up the whole floor. Give us a chance. I think you are going to like what we are doing. Do any of the Commissioners like to comment?

**Monaghan:** Yes, Mr. Chairman. When I was in a meeting when we found out with the Legislators that the price went from \$8 million to double that cost and there was no vote but what I took out of the meeting was I do not believe if we were never even in the meeting the Supervisors and the Legislators there that was going to be passed to spend that money. Nobody expected that cost. So, it became, what do we do? If it is not going to happen that was the feel that I took I don't know that for a fact. There were Legislators on both sides who voiced concern about not approving to spend that enormous amount of money for a shelter. At that time, the Board felt we had to look. We know a shelter has to be built for the care of the animals. It is very easy to say okay we are going to do nothing and then we are stuck with Hi-Tor. It's easy to be quick and it is even easier to do nothing. But we have to say, let's look at what is there let's look at the options. When Senator Ken Zebrowski secured a half a million dollars years ago, that was supposed to be a big cost to help to build that shelter. When you look at the cost of \$16 million it is a small percent, but I want it to be known that we have to look at options. Because I don't believe it would have moved forward. That is my opinion.

**Phillips:** With that I would like to close the meeting. Do we have a motion to adjourn?

**Hoehmann:** Moved

**Monaghan:** Seconded

**Phillips:** Thank you everyone for coming out. Please stay in touch with us.

The meeting was adjourned at 6:03 p.m.

Respectfully submitted,  
Suzanne Haggerty