

1. Chairman Phillips called to order the Rockland Green Board meeting for Tuesday, December 10, 2024, at 5:00 p.m.

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2. Pledge of Allegiance led by Commissioner Monaghan

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3. Roll call by clerk. There is a quorum.

Present

**Chairman Phillips**  
**Commissioner Hoehmann**  
**Commissioner Hofstein**  
**Commissioner Hood**  
**Commissioner Kenny**  
**Commissioner Jobson**  
**Commissioner Kohut**  
**Commissioner Malowitz**

Present

**Commissioner Monaghan**  
**Commissioner Moroney**  
**Commissioner Paul**  
**Commissioner Powers**  
**Commissioner Sheridan**  
**Commissioner Soskin (via phone)**  
**Commissioner Specht**

Absent

**Commissioner Tursi**  
**Commissioner Wieder**

Staff

Jeremy Apotheker, Jerry Damiani, Izzy Eisenbach, Noreen Gelok, Jeremy Goldstein, Suzanne Haggerty, Ken Murphy

Others

Stephanie Kosmos, Jeffrey Maddox, Teno West

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4. Introduced by: Kohut/Moroney

Unan.

December 10, 2024

**RESOLUTION NO. 60 OF 2024**  
**ADOPTION OF MINUTES, MEETING OF**  
**NOVEMBER 21, 2024**

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5. **Introduced By: Specht/Hood**  
**Opposed: Sheridan/Powers/Hofstein**

**December 10, 2024**

**RESOLUTION NO. 61 of 2024**

**ACCEPTING PROPOSAL AND AWARDING CONTRACT FOR THE BUILD-OUT OF A  
NEW ANIMAL SHELTER LOCATED AT 427 BEACH ROAD IN HAVERSTRAW, NY**

**Pillips:** Mr. Executive Director, can you tell us how we came to this contract?

**Damiani:** Yes. As we continue to advance our initiatives specific to animal management and meeting the requirements of the New York State Standard of Care Act and in continuance of our commitment in providing humane care in an enhanced facility, Rockland Green seeks authorization to award the contract for construction of a new 28,000 square foot facility incorporating the design elements to properly care for over 120 canines, 226 felines and over 213 exotics which includes rabbits, guinea pigs, gerbils, rats, reptiles and birds. On July 25, 2024, Rockland Green issued a request for proposals for the building out of the planned animal shelter. The response was very positive as eight firms submitted proposals by the due date identified in the proposal document. Those firms consisted of Blue City Construction Corp, UniMak LLC, E.W. Howell Construction Group, O'Connor Company of N.C., Norco Construction, Inc., Worth Construction Company, Andron Construction Corp., and Butler Construction Corp.

Blue City proposal was considered non-responsive as they failed to provide the required proposal forms and the proposal security. Butler Construction was the highest with a proposal amount of over \$20,000,000 and as such the team decided not to advance with Butler. During the evaluation period, Norco Construction was unable to provide the proposal security required and the evaluation team determined it would not advance further with Norco Construction. As the interview process continued, Andron Construction Corp. indicated it would not provide any information regarding subcontractors until after the award of the contract, which is in total disregard of the procurement documents. The evaluation team determined without the required information they would not advance Andron's submission. It is important to note that the firms that Rockland Green interviewed and identified to only self-perform less than 18% of the work associated with the planned capital improvements under the procurement. It was critical for those firms proposing to list their subcontractors. As the evaluation progressed, UniMak, which failed to provide any fire suppression in the original proposal, was afforded an interview and subsequently provided a best and final offer. However, the team was concerned with the omission of an important aspect of including any fire suppression pricing. At this point, the team decided that UniMak did not have the full understanding of the work that was required under this procurement, and this was further substantiated by UniMak statement and did not complete a deep dive into the project.

Continuing with the evaluation process, best and final offers were requested and received by Worth Construction Corp. Inc. and E. W. Howell Construction Group and O'Connor Company of N.C., Inc.. Worth Construction Corp. Inc. took exception to the retainage amount as I specified in the RFP and the draft contract. The team was surprised even with submission of best and final offer that Worth Construction Corp. increased its best and final offer by over \$328,000 to a best and final offer of \$16,014,523. While qualified, their submission of an increased price on the request for a best and final offer excluded Worth Construction Corp. from advancing further. As the evaluation process continued, E. W. Howell Construction Group submitted the lowest proposed price of \$14,685,000. The evaluation team unanimously concurred O'Connor Company of N.C. Inc. exhibited a greater understanding of the plans, specifications, and the planned project goal. O'Connor's best and final totaled \$14,774,900 which is \$89,900.000 more than E. W. Howel's or 1% higher. O'Connor's approach with the submittal schedules, daily monitoring, progress updates including phasing in all sequential construction would limit future costs overrides and minimize potential delays in the project schedule.

Therefore, the evaluation team, which consisted of Rockland Green's staff, outside consulting architects BDA, civil engineer consultants from EDR and our outside consulting attorney's from West Group Law, unanimously recommends O'Connor Company of N.C. to be awarded the contract for the build out of the new animal shelter.

Based on the build out of over 28,000 square feet and the capacity to care for over 120 canines, 226 felines and up to 213 exotics all in price per square foot is \$527. Substantially less than what the County of Rockland would have entertained an \$18,000,000 project of 15,000 square feet. Their square foot cost was \$1,200.

**Phillips:** Thank you. That was really in depth, and I appreciate that. Any questions?

**Hofstein:** Thank you, Mr. Chairman. Approximately a year ago, when I heard the number of \$16,000,000, when I look at the minutes it was \$18,000,000 back then and I had brought up my concern. I had made mention of when it went to the Rockland County Legislature, we were approached with an estimate of \$15,000,000 there were a number of Legislators that voiced their concern. Now we are looking at this, I heard it was as high as \$22,000,000 and now it is \$18,000,000 that we are projecting. My question is, I was at the meeting where it was presented to the County Executive that Rockland Green could have a shelter for \$7,000,000 to \$8,000,000. I heard comments last night about the scope changes. But, \$7,000,000 to \$8,000,000 and now \$18,000,000 is a substantial difference. I find it very difficult to rationalize that kind of spending. I am an animal lover, so there should be no doubt about that. But to spend this kind of money knowing that we have people that are homeless in Rockland County and people that are questioning where they are going to get their next meal, and we are spending \$18,000,000 on a project that clearly just went out of control.

**Phillips:** Thank you, Commissioner Hofstein. Let me go back in time, because I was at that meeting, and I will regain my time here. When the \$7,000,000 to \$8,000,000 came up but it was completely stated by everybody that was in the know, that number was not a true number, and that number was going to go up. It was anywhere from \$14,000,000 then it was \$18,000,000. As reported in the *Journal*

*News* article that I handed out to everyone. It went from \$7,000,000 to \$18,000,000. Of course, we are all concerned about that. We weren't under the requirements we are under today with New York State Law. Not only that, the organization running the shelter at the time, which I am sure you will agree with me, was one of the most inept unprofessional operations. I will relinquish my time to Commissioner Hofstein so he can answer, do you agree with me they were one of the most inept operation that we have ever seen in government?

**Hofstein:** I would say that it left room for interpretation of how it could have been run properly. I would not say they were the most inept.

**Phillips:** I will reclaim my time. Over thirty-five cats died on their watch. Thirty-five cats. If you don't call that mismanagement and ineptness, then you are playing to somebody. I don't know who it is. But it was a disgrace, and the people paid for it. Not only that, when we went with a new contractor, the facility in Pomona was left as if it were ransacked. The conditions up there were horrible. That is why diseases probably broke out. Mr. Executive Director, didn't we bring in an independent agency to evaluate those conditions of the Hi-Tor shelter at the time?

**Damiani:** Yes, we did.

**Phillips:** Who was that agency?

**Damiani:** ASPCA.

**Phillips:** What were their findings?

**Damiani:** The ASPCA was brought in to do an evaluation of both Hi-Tor at the time as well as Rockland Green. They looked at the agreement that was in place. They said there were misunderstandings between both parties in interpreting the agreement. However, what they viewed was the conditions that were unsanitary, animals allowed to lay in their own waste. Claims that the facility was sanitized, but it clearly wasn't as we have identified in videos shown at subsequent Board meetings. The ASPCA report is pretty in depth.

**Phillips:** Didn't they compare it to something?

**Damiani:** That was the New York State Animal Welfare Federation.

**Phillips:** That was the second agency we brought in.

**Damiani:** Correct. It looked like a scene from Appalachia.

**Phillips:** A scene from Appalachia. So, how anyone could sit here tonight and not say that it was one of the most mismanaged programs or sponsored government agencies is beyond me. I wish I could control the market prices. Commissioner Hofstein, I really do. But I am not going to sit here tonight

and let one person claim to be some great fiscally responsible person more than anyone else on this Board when we have worked day and night to make Rockland Green probably the most outstanding agency when it comes to recycling and management of animals. I have told you; it is night and day right now. Four Legs Good has done an incredible job with our Executive Director and our staff. A year ago, we had the minutes where you were completely informed, and anybody could read those minutes tonight and see that we were speaking in the \$18,000,000 range. I know for example the County went out to build a highway garage and that highway garage was supposed to come in under \$20,000,000. Then it went into the low twenties. Then it was \$30,000,000. Today that highway garage is estimated at \$55,000,000 and it may go up to \$60,000,000. I will relinquish my time for an answer from Commissioner Hofstein. Did you state on the floor of the Legislature how anybody could be building a facility worth that kind of money when people are having a difficult time buying food, when we have homeless people? Let me ask you Commissioner, did you state your dissatisfaction with the highway department at \$20,000,000 at \$30,000,000, at \$55,000,000 soon to go to \$60,000,000?

**Hofstein:** Seeing as you want to play this game of back and forth when you relinquish time, first of all I did not say I am the most concerned person fiscally in terms of Rockland Green. But thank you for putting it in there for the dramatics. Let's stay focused on the subject.

**Phillips:** Now you are trying to dodge it. I will reclaim my time. The man didn't want to answer the question.

**Hofstein:** You didn't let me finish.

**Phillips:** You are out of order. The Chair is responsible for the time of each Commissioner. I will recognize you in a minute. But here is my point, right away when he doesn't have an argument, he changes the subject. For years, for decades this County has wanted to build a state-of-the-art shelter for the animals. These animals find themselves in these conditions because of human neglect. I have worked with the Supervisors, I have worked with Legislators, I have worked with the Mayors, and I have worked with the County Executive's staff. We all came together to put something together so we could overcome this. So, we don't have any more of these problems and we did it. I tell you the truth, I wish I can come down and slash this and so does every other representative on Rockland Green. Yet one person all of a sudden decides he is better than everybody else and knows more than everybody else. It is not true. This facility is going to be double the square footage of what the County was going to build. We have 28,000 square feet and the County was going to build 15,000 square feet and we have the ability to add on another 4,000 square feet. We are coming under the square foot amount then what the County was going to be. We can be here all night arguing this. We need to move ahead. We are under an order now which we weren't before when building a shelter first came out. I don't know if you know that Commissioner Hofstein. We are running probably one of the most professional shelters in one of the most horrible conditions that existed in New York State in that building. We need to move on. We can do that tonight or we can drag ourselves back into the past and argue. Our staff came up with not the lowest quote, but it almost was. It is \$89,000 higher. But we believe this company can go in and build a facility and hopefully we can have it done by the end of 2025 if not

some time in the beginning of 2026. I implore everybody let's move on. Let's do the right thing and not play to the fake press who shouldn't be reporting on it because they are completely conflicted.

**Hood:** Mr. Chairman, this has been going on for a long time. It was on the County's rolls for a long time. We planned it out and went out to bid and we did get bids that were around \$18,000,000. The problem is that you have to be mad at the right person or a group and you have to be mad at the construction costs. That's really what it is. Every year you go on, it goes up. I did a little tiny project at my office recently and I am 40% over budget. Nobody realizes what it costs until you have to do something. A firehouse in Thiells is being built, and that is coming in for over \$20,000,000. It's almost like you can't build anything of a certain size for anything less than that. That is what it comes down to. We have been waiting for this project for a long time, and I think if it is delayed any further, it's probably going to go up. What I do want to mention too, and you touched on it, this is a different project. This is a different building. It is much bigger, and it also gives the chance to expand later. Which is probably going to be important because it is growing all the time with the number of cats. That is the other point too with the County, our building would probably have been too small and obsolete by the time it was built. It wouldn't have been big enough. Like the Chairman said, let's get moving on this and let's get it built and let's take care of the animals.

**Paul:** I agree with Commissioner Hood. I see the reasoning. The cost of the materials has increased. The cost of everything has increased. I think this is a fair deal that you have done with the consultants. I think you did a really good job, and I agree with this.

**Phillips:** I want to make one more statement. I have been in this game for a long time. Not only have I been a County Legislator for six years, when I left, they had a tremendous surplus. I have been Director of Finance at the Town of Haverstraw, and I have been Supervisor of the Town of Haverstraw. I have been very fortunate to have gained the trust of my colleagues to be elected Chairman of Rockland Green and Chairman of our wastewater treatment facility and a number of other positions. But I have to tell you, I can recall vividly that a few years ago when the County of Rockland was in such financial crisis, and they came to the Supervisors, and they said we're going to have to pass costs onto the Towns. All five Supervisors know this. One of the things they told us we had to do was take away the funding from probably the most successful law enforcement two units in the history of law enforcement in Rockland County. That was the narcotics taskforce and the intel unit. They took that money away. I could have yelled, screamed, and pleaded, but they were in a financial crisis. Now if it weren't for the Towns of Clarkstown, Ramapo, and Haverstraw, I think Orangetown and Stony Point had to pull out at the time, I may be incorrect, those two units would no longer exist. We knew we had to continue to back those incredibly important units. We were passed on those costs. Now we were passed on other costs and hopefully in 2025 we are going to have a correction because I believe the County wanted to do that. I still work with the County Executive. I didn't go out there and scream and yell about the County Executive. I didn't say hey wait a second. Millions of dollars were passed onto us Commissioner Hofstein. But we worked together. We came back and sat down and worked together. I am proud of the fact that the County is flush now. I am proud that Rockland Green is in a great financial position. There comes a time when you have to make difficult decisions. By God, not a single

person here would want to have to pay any single penny more than what we have to. I will relinquish my time and allow Commissioner Hofstein to reclaim his time.

**Hofstein:** I don't know how we got into an issue of the County and the County history when we are talking about this shelter for the animals, but so much for the dramatics. And yes, in 2025 the County agreed to reimburse the Towns. But during the time when the County was in such financial distress, I do recall the Sheriff coming to the Legislature and saying eighty-five percent of their calls were to backup Haverstraw and Stony Point. I don't recall the County coming to the Towns and saying who is going to reimburse us for eighty-five percent of the calls. But I don't want to move off to a different topic. We are talking about the shelter. I understand the dramatics, it is what it is. I didn't claim to be the most proficient, although that is where you try to put me in that corner about me against the group. Which I think is distasteful and as Chairman, you should know better. If you want unity, you shouldn't look to put me against the others. Yet you are. When I spoke in December of 2023 you called me the next day and you promised me documentation. It's almost a year and I have never got that from you. But I didn't get on a pedestal and start screaming. I understood we will go along and see what's happening. Now here we are, I received a phone call last night at seven-thirty at approximately where we are going. I don't consider that advanced notice, but maybe you do. The bottom line here is I think it is excessive, maybe we can scale down the project. Ultimately, you are going to make that choice and make that recommendation. I am entitled to my vote, and I am entitled to my opinion. If you feel that it is going to raise you by trying to ridicule me and pit me against the rest of the commission, so be it. It is your time because you take it from me and then give it back to me. I appreciate the time, Mr. Chairman and I am entitled to an opinion, and I am voicing it and whether you like that or not, I am sorry if you don't, I am sorry if people are offended, but I did not put myself against anybody. I did not go to the press. I did not get on the radio. I am voicing my opinion here now. That is my obligation. As Chairman, it is your obligation to take the good with the bad whether you agree with it or you don't. Thank you, Mr. Chairman for the time.

**Phillips:** Mr. Executive Director, how many times would you say we asked Hi-Tor to provide data for us and they refused to produce it or didn't do it?

**Damiani:** In the beginning through our needs assessment, we worked with Hi-Tor. But at a point that relationship ended.

**Phillips:** Mr. Executive Director, going through the minutes of one year ago, didn't I state in the minutes that the project was probably going to be a total amount of \$18,000,000 for the bonding?

**Damiani:** Yes.

**Phillips:** One year ago.

**Damiani:** Yes.

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6. Introduced By: Kohut/Hoehmann

December 10, 2024

Opposed: Sheridan/Powers/Hofstein

**RESOLUTION NO. 62 OF 2024**

**APPROVING THE FORM OF AND ADOPTING THE SECOND SUPPLEMENTAL RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$18,000,000 AGGREGATE PRINCIPAL AMOUNT OF SPECIAL OBLIGATION BONDS (ANIMAL SHELTER PROJECT), SERIES 2024A; RATIFYING THE DISTRIBUTION OF THE PRELIMINARY OFFICIAL STATEMENT, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DISTRIBUTION OF AN OFFICIAL STATEMENT, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF THE BOND PURCHASE AGREEMENT FOR THE SERIES 2024A BONDS, AUTHORIZING THE APPROVAL AND EXECUTION OF RELATED DOCUMENTS FOR THE SALE AND ISSUANCE OF SUCH SERIES 2024A BONDS, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF THE CONTINUING DISCLOSURE AGREEMENT AND AUTHORIZING THE AMENDMENT OF CERTAIN PROVISIONS OF THE GENERAL RESOLUTION (ANIMAL MANAGEMENT SERVICES)**

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7. Introduced by: Moroney/Kenny

Unan.

December 10, 2024

**RESOLUTION NO. 63 OF 2024**

**AUTHORIZING (I) THE EXTENSION OF THE INTERAGENCY AGREEMENT FOR ANIMAL SHELTER SERVICES WITH THE TOWNS OF CLARKSTOWN, HAVERSTRAW, RAMAPO AND STONY POINT AND (II) NEGOTIATING LONG-TERM INTERAGENCY AGREEMENTS FOR ANIMAL SHELTER SERVICES WITH THE TOWNS IN ROCKLAND COUNTY**

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8. New Business

**Phillips:** Mr. Executive Director, is there any new business?



**Damiani:** Yes, Mr. Chairman. Under new business we would like authorization to declare surplus agitator 1 and agitator 3 assigned to the Hillburn Cocomposting Facility.

**Introduced By: Jobson/Malowitz**

**Unan.**

**December 10, 2024**

**RESOLUTION No. 64 of 2024**

**AUTHORIZING DISPOSAL OF SURPLUS EQUIPMENT**

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**9. Commissioner's Comments**

**Powers:** Just so you know, tonight on the Committee of Public Works and Budget and Finance Committee, on the agenda is the resolution approving an extension of a lease agreement with Rockland County Solid Waste Management Authority A/K/A Rockland Green for the use of the animal shelter located at 65 Firemen's Memorial Drive, Pomona, NY, Extending the term of the lease for an additional twelve (12) months for the periods January 1, 2025, through December 31, 2025 for the full periods from January 1, 2023 through December 31, 2025, with the option to renew month-to-month to the extent required by Rockland Green, and authorizing its execution by the County Executive. I believe we also authorize your execution.

**Phillips:** Yes. Please express our gratitude so we can continue to do the government's job in the shelter we are in. I can't thank you enough for the cooperation that we received both from the County Executive's office and the legislature. Do we have a motion?

**Introduced by: Powers/Hoehmann**

**Unan.**

**December 10, 2024**

**RESOLUTION NO. 65 OF 2024**

**AUTHORIZING A RENEWAL LEASE WITH ROCKLAND COUNTY IN CONNECTION WITH THE REAL PROPERTY LOCATED AT 65 FIREMEN'S MEMORIAL DRIVE, POMONA, NEW YORK**

**WHEREAS**, Rockland Green's enabling legislation, Title 13-M of the Public Authorities Law of the State of New York (the "Act"), was amended pursuant to Chapter 533 of the laws of 2022 to provide animal management services within Rockland County (the "County"); and

**WHEREAS**, such animal management services commenced on January 1, 2023; and

**WHEREAS**, by Resolution No. 98 of 2022, Rockland Green leased the County Animal Shelter from the County for the use of the County Animal Shelter from January 1, 2023 until December 31, 2024.; and

**WHEREAS**, Rockland Green now requests and has received the permission of the Rockland County Office of the County Executive to move to extend the terms of the current lease for an additional twelve (12) months, for the period January 1, 2025, through December 31, 2025, with the option to renew month-to-month to the extent required by Rockland Green, so now therefore be it

**RESOLVED**, that the Board of Rockland Green authorizes the extension of the Lease Agreement with the County of Rockland for the use of the County Animal Shelter, as herein specified, authorizing the Executive Director of Rockland Green to take all appropriate actions to effectuate the extension and terms of said lease.

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**Monaghan:** I have to leave and get up to Stony Point where I have two meetings.

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## 10. Public Comment

**Phillips:** Is there anyone in the public that would like to bring any questions or concerns before the Board?

Jennifer Dunn  
Nixie Gueits  
Maureen Benedict

**Phillips:** Motion to close the public comments.

**Hoehmann:** Moved

**Specht:** Seconded

**Phillips:** Motion to adjourn?

**Hoehmann:** Moved

**Specht:** Seconded

The meeting was adjourned at 5:40 p.m.

Respectfully Submitted,  
Suzanne Haggerty