

1. Chairman Phillips called to order the Rockland Green Board meeting for Thursday December 14, 2023, at 4:58 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 Foley**  
**Commissioner Hoehmann**  
**Commissioner Hofstein**  
**Commissioner Hood**  
**Commissioner Kenny**  
**Commissioner Kohut**

**Present**

**Commissioner Lynn via phone**  
**Commissioner Monaghan**  
**Commissioner Moroney**  
**Commissioner Powers**  
**Commissioner Soskin**  
**Commissioner Specht**  
**Commissioner Wieder**

**Absent**

**Commissioner Jobson**  
**Commissioner Paul**  
**Commissioner Yeger**

**Staff**

Jeremy Apotheker, Jerry Damiani, Yisroel Eisenbach, Lawrence Garvey, Noreen Gelok, Jeremy Goldstein, Suzanne Haggerty, Ken Murphy

**Others**

Stephanie Kosmos, Teno West

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4. Introduced by: Soskin/Moroney

**Unan.**

**December 14, 2023**

**RESOLUTION NO. 75 OF 2023**  
**ADOPTION OF MINUTES, MEETING OF**  
**NOVEMBER 2, 2023**

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5. Introduced By: Specht/Monaghan

Unan.

December 14, 2023

**RESOLUTION NO. 76 OF 2023**

**APPROVING THE FORM OF AND ADOPTING THE  
GENERAL RESOLUTION (ANIMAL MANAGEMENT SERVICES)**

**Phillips:** Mr. Executive Director, give us a brief summary of this resolution.

**Damiani:** Thank you Mr. Chairman. General resolution specific to animal management services provides the necessary means to effectuate the corporate purpose of the Authority and the cause for the amended act to provide the funding for capital costs of the animal shelter and those planned improvements setting up the structure to issue debt. The general resolution also identifies the obligations, conditions, general terms and provisions of the bond, application of the bond proceeds, funds, accounts, and redemption of the bonds and those convenance.

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6. Introduced By: Hoehmann/Hood

Unan.

December 14, 2023

**RESOLUTION NO. 77 OF 2023**

**APPROVING THE FORM OF AND ADOPTING THE FIRST SUPPLEMENTAL RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$10,000,000 AGGREGATE PRINCIPAL AMOUNT OF BOND ANTICIPATION NOTES (ANIMAL SHELTER PROJECT), SERIES 2024A, THE ISSUANCE OF THE BONDS (ANIMAL SHELTER PROJECT), SERIES 2024A, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF THE NOTE PURCHASE AGREEMENT FOR THE SERIES 2024A BOND ANTICIPATION NOTES; AND AUTHORIZING THE APPROVAL AND EXECUTION OF RELATED DOCUMENTS FOR THE SALE AND ISSUANCE OF SUCH SERIES 2024A NOTES AND SERIES 2024A BONDS**

**Phillips:** Mr. Executive Director, a brief explanation.

**Damiani:** As stated in Section 207 of the general resolution bond anticipation note ban and approving of the first supplemental resolution authorizing the issuance of a ban of up to \$10,000,000 in aggregate principal amount Series 2024A note and providing funds necessary for the purchase of 10 Ecology Lane including those initial construction and capital costs including the costs of the issuance of the 2024A note. The resolution also requires Rockland Green to issue the 2024A bond to provide the necessary fundings to complete the planned capital improvements as well as retire the 2024A note at the maturity date and pay for the costs specifically for the development of the animal shelter.

**Kenny:** This is for the new animal shelter?

**Damiani:** Correct.

**Kenny:** I think the cost estimate is much higher than this ultimately.

**Damiani:** The \$10,000,000 proceeds from the band will be utilized to purchase 10 Ecology Lane as well as have monies readily available in the event we have to prepurchase components of the new animal shelter. There are a lot of stainless-steel components and a lot of separate HVAC systems that have long lead times. We will use those monies through the ban as well as the funding for the improvements and then if we need to issue a separate bond we will do that.

**Phillips:** This is not the end of what it is going to cost us.

**Damiani:** No.

**Phillips:** But we don't have an overall projection right now. One thing we do know is if we purchase the building for a little under \$4,000,000. It is about the only concrete, if I can use that term, that we have right now. I could imagine we are estimating somewhere around \$18,000,000.

**Damiani:** We want to come under that.

**Phillips:** We want to come under that, but the original estimates we would have built the shelter, and we would have been undersized immediately and they came in at \$14,000,000 to \$15,000,000.

**Hofstein:** I am a little concerned in the \$18,000,000 because when this was presented to the Legislature initially, we were talking \$7,000,000 and then the County Executive's staff came and said it went up to \$15,000,000 and we had problems with it. I remember discussions that we had, it was said it was going to be \$7,000,000 to \$8,000,000 and now we are talking \$18,000,000 which is higher than the County Executive's plan.

**Phillips:** If we would have gone with the construction plans that the County Executive had at the time not his fault, but the contractor at the time that was operating the shelter didn't give true amounts of the numbers of animals they had at the shelter. Based upon that, if we were to open that shelter from day one as it was going to be built, it would have been undersized. Because they didn't give us the true figures and the market is nonstop. I think anybody that is involved with any municipal construction knows, we just did a couple of projects in Haverstraw, and the prices are going through the ceiling. But the good thing is that by securing a block building at \$4,000,000 we might be able to eliminate most of the inside cushioning for noise control. In addition to that, it is in a very good area far enough away from residential homes that adds another plus to it. There are no two ways around it. If we are building a facility to house the number of animals that we have today, it has to be bigger. The other wonderful option that this building gives us is we can put a second floor in this building, which we wouldn't be able to do before this. It is a tremendous under task, but we have to build it according to the size of what we need. We can't undercut and from day one be right back where we were having an undersized building for the number of animals. I have to compliment our Executive Director and staff and Four Legs Good for the program that they have been doing with Trap Neuter Release in trapping these feral cats bringing them in and making sure they are getting the inoculations and making sure they are not going to be able to reproduce and that hopefully will start to reduce the population. But if we don't do something soon, we are going

to be in a situation where we are going to be bursting at the seams once again. I think this is our best alternative.

**Hofstein:** But \$18,000,000. We have people I just heard on WRCR radio of people that are in need of food and in desperate need of housing and we are spending \$18,000,000 on this project. I am not sure that is prudent.

**Phillips:** I don't know where else you would go. If we don't have a modern-day facility that houses these animals, they are going to be out there in the wild and we just saw what happened with one of the kittens that somebody picked up to bring to the shelter. If that kitten was left outside, that could have created a disease that could have spread throughout the County of Rockland. This is not something that is a minor thing. It is a very critical thing to get this animal shelter built and build it right. Unfortunately, the prices originally were fictional. They were not anywhere near real prices to build a shelter.

**Hofstein:** So, the \$7,000,000 to \$8,000,000 that I have heard, was?

**Phillips:** A ridiculous figure. We knew that because immediately when the County received the quotes, we were talking \$14,000,000 to \$15,000,000.

**Hofstein:** And the Legislature didn't support that.

**Phillips:** One of the reasons was because we didn't know the true size that we needed to build. We didn't have the real numbers of animals either. Now we have the real numbers of the amount of animals. I think we have to build this shelter. Keep in mind we are getting a building that was built in the private sector. If we built that same building it would probably cost us \$2,000,000 more than what it would cost in the private sector. We bought it for less than \$4,000,000 that is pretty amazing.

**Hofstein:** I understand that, but I was also there when those discussions were taking place with the County Executive and his staff, and we were saying \$15,000,000 was just not acceptable. At that time, we were hearing that we would buy this building and then we would be refurbishing it for \$7,000,000 to \$8,000,000. Now we are looking at \$18,000,000.

**Phillips:** We were hoping. I don't think anyone knew at the time, I remember distinctly saying the prices, because we just built our sports recreation complex, and the prices were going through the ceiling. I cautioned everyone that I don't think the prices are real and I think the shelter needs government oversight. The way it was being run screamed it needed government oversight. The reason we want Rockland Green is because all five Town Supervisors sit on this Board, and we are the ones in charge of animal control throughout Rockland County. I think by us having a hands-on approach, I think we already demonstrated the benefit of having that. If we don't move down the road at this point, it is only going to cost more money. That is the problem.

**Wieder:** If I could put my colleague Legislator Hofstein at ease. The Legislature started years ago even before I got on board to build a Highway Department and the agreed upon price was \$5,000,000. The end price was \$45,000,000 to \$50,000,000. This is how life is. Based on that, they even came recently to the Legislature and asked us to approve \$10,000,000 more so they could finish it up. Based on that, we are getting a bargain.

**Phillips:** Just by having that building there, we got a bargain.

**Kenny:** You mentioned that we will have to bond again for more money later?

**Phillips:** Keep in mind this is a ban, it is not a long-term bond. We have the ability to continue with a ban which makes our interest rates much lower.

**Goldstein:** The intent is to borrow to purchase the building in January with the intent to pay back the ban with the proceeds of the bond deal in the Spring of next year once we have a comprehensive set of drawings and a bid package back on what it is actually going to cost us to outfit the building. We don't know those numbers yet, but this allows us to purchase the building and have some float, as Jerry mentioned, in case we have to prepay for any materials before we do a full bond deal expected next year.

**Hoehmann:** My recollection is that the numbers with the animals that were being cared for the actual plans that were developed by the County for the Hi-Tor building, were faulty so that if we were well into this process of getting this building that based upon the inaccurate information from Hi-Tor the original plans that were actually developed by the County that the County was ready to go forward and build it would not have worked. We wouldn't have had enough space.

**Phillips:** If we took what the County was going to build and built it at this building, we would have come in under the \$14,000,000 to \$15,000,000. But those numbers were wrong, and it wouldn't have housed the number of animals we have today. We are saving money, but we have to build based upon the number of animals that exist. Not that false number that we were going by. I hope that helps.

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7. Introduced by: **Kohut/Soskin**  
**Powers - abstain.**

**December 14, 2023**

**RESOLUTION NO. 78 OF 2023**  
**APPROVING EXTENSION OF CONSULTING AGREEMENT FOR SHORT-TERM**  
**OPERATION OF THE ANIMAL SHELTER**

**Phillips:** Mr. Executive Director quickly go over this.

**Damiani:** The current consulting agreement expires at the end of this year, and we want to extend the agreement through December 31, 2024.

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8. Introduced By: Hood/Hoehmann

Unan.

December 14, 2023

**RESOLUTION NO. 79 OF 2023  
ACCEPTING THE PROJECT LABOR AGREEMENT FEASIBILITY STUDY AND  
AUTHORIZING THE NEGOTIATION OF A PROJECT LABOR AGREEMENT FOR  
CAPITAL CONSTRUCTION OF THE ROCKLAND GREEN  
RG CARES ANIMAL SHELTER**

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9. Introduced by: Wieder/Soskin  
Kohut - Opposed

December 14, 2023

**RESOLUTION NO. 80 OF 2023  
ESTABLISH THE POSITION OF  
SOLID WASTE COMPLIANCE AIDE  
FOR ROCKLAND GREEN**

**Kenny:** I think it is more appropriate when we create a position it says the value within the resolution.

**Damiani:** It does on the next resolution.

**Kenny:** You have to go through 133 pages of backup to get to the salary. We put the creating position of X at such and such a salary and then we say we are appointing Mr. Smith to the position on our resolution. It changed and there are 133 pages of back up.

**Wieder:** What is the change?

**Kenny:** It was \$100,000 in the backup and now this resolution says \$120,000.

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10. Introduced by: Wieder/Hoehmann  
Kohut - Opposed

December 14, 2023

**RESOLUTION NO. 81 OF 2023  
TO APPOINT A SOLID WASTE COMPLIANCE AIDE  
TO ROCKLAND GREEN**

**Phillips:** Harrison Peck has been our consultant for this position.

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**11. Introduced by: Full Board/Full Board**

**December 14, 2023**

**RESOLUTION NO. 82 OF 2023  
ACCEPTING RESIGNATION OF MEO II  
TO ROCKLAND GREEN**

**Damiani:** Steve Pozzani has retired, and we wish him the best.

**Phillips:** We send him our best regards and wish him a wonderful retirement.

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**12. Tabled**

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**13. Tabled**

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**14. Introduced By: Kohut/Powers**

**Unan.**

**December 14, 2023**

**RESOLUTION NO. 83 OF 2023  
AUTHORIZING DISPOSAL OF SURPLUS EQUIPMENT**

**Damiani:** Declaring a 2010 Komatsu PC300HD-8 excavator that is surplus which is beyond its' useful service capacity.

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**15. New Business**

**Phillips:** Mr. Executive Director, do we have any new business?

**Damiani:** Materials Recovery Facility operation under the SMR agreement Section 6.1 A of the executed agreement requires Rockland Green to provide an initial limited supply of spare parts for the operator.

The parties agreed to those spare parts for the first year of operation as well as single point failure parts. Rockland Green is seeking authorization to purchase the spare parts from the designated design build equipment provider Van Dyke Equipment Systems in the amount of \$127,927.20. I just want to inform the Board this original list in May started at \$1.1 million dollars.

**Introduced By: Foley/Hofstein**

**Unan.**

**December 14, 2023**

**RESOLUTION NO. 84 of 2023  
AUTHORIZING THE ACQUISITION OF THE SPARE PARTS INVENTORY  
FOR THE MATERIALS RECOVERY FACILITY**

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**Damiani:** Purchase order was issued under RFQ 2023-10 where Rockland Green received four responses ranging anywhere from \$85,725 to \$347,160 to repair floor joints at the Hillburn Transfer Station. The purchase order was issued to Infrastructure Repair Services in the amount of \$85,725. There are two change orders totaling \$35,976.99 due to cold water curing and unforeseen field conditions. The adjusted project amount with a credit of \$8,282.20 is adjusted to \$113,419.79.

**Introduced by: Specht/Monaghan**

**Unan.**

**December 14, 2023**

**RESOLUTION NO. 85 OF 2023  
AUTHORIZING APPROVAL OF INFRASTRUCTURE REPAIR SERVICE  
CHANGE ORDERS NO. 1 AND 2 (RFP 2023-10)  
FOR ADDITIONAL MAINTENANCE WORK AND REPAIRS  
AT THE HILLBURN TRANSFER STATION**

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

**Damiani:** No.

**Phillips:** Do any of the Commissioners have any comments?



No Commissioner comments offered.

### **Comment from Public**

**Phillips:** Is there anyone in the public that would like to bring anything before the Board?

**Michelle Torello:** I live in New City. I am the owner of Cotton Tails Rabbit Rescue, and I am here tonight as a lifelong small animal advocate. In 2004 I began volunteering at our County's animal shelter and at that time rabbits were being handed out for \$5. Spaying and neutering rabbits was never considered. Pairs of rabbits were adopted out only to have them returned 3 or 4 months later with litters of babies. I tried to make things better but was quickly dismissed. That is when I first met Nixie. She and Sharon, another Board member, took me seriously and they listened to me. They knew something had to be done about the lack of care being given to the rabbits and small animals. This was taken to the Board of Directors. After a bit of resistance, the small animal program was created. All rabbits were, if medically possible, spayed or neutered prior to adoption. I have been directly involved with the small animal program for 19 years. I am concerned that we are now taking a step back with what has been going on for the past two months. The overpopulation of rabbits in Rockland County is becoming a very serious issue. On January 1 pet stores will no longer be able to sell rabbits. There was a bill passed. But breeders that used to sell the rabbits to the pet stores now are selling them in their neighborhoods.

**Phillips:** Is that legal?

**Michelle Torello:** Unfortunately, yes. What they are doing now is they are housing parents having litters and selling them all over the neighborhood. We spent the past two months picking rabbits up. Some are in bad shape and two of them passed away. The rabbits are housed outside. These are the ones that are adopted as well as the breeders in flimsy hutches with little or no protection from the weather and predators. Most of those who purchased these rabbits only use them for their children's entertainment and they told us this during the summer months. Once fall comes and the weather gets cooler, they open the hutches and let them go. These are domesticated animals. It would take me more time to explain to you how domestic rabbits cannot survive in the wild. When breeders don't sell their babies by eight weeks, we get called telling us to come pick the babies up or they are going to put them out in the woods behind this one breeder's house in Airmont. He said they outgrew themselves as far as being able to be sold. I am here to ask for help. I am asking for some direction in some way that we can work together to try to get control of these neighborhood breeders because it is getting very serious. I project next year the rabbit intakes will probably double what we have had in the past two months. This is a record.

**Phillips:** I think we will probably need State Legislation to do something about this. Nixie, do you have a say on this?

**Nixie Gueits:** Yes, right now there are town resolutions that you can only own four dogs. You can't have a rooster in Clarkstown. You can only have four cats. These are town resolutions and if the towns don't start taking this seriously. If the towns already have resolutions on how many dogs, cats, and farm animals you can have on your property, why can't it be the same?

**Phillips:** Let us go back to our Town attorneys and see if we can pass something. We will ask the Villages to go back to their Village attorneys to see if we can do it locally.

**Hood:** Or County-wide.

**Phillips:** Please look into seeing if you can pass a County law.

**Nixie Gueits:** This law goes into effect January 1 and New York City is now including guinea pigs because you have the same problems with guinea pigs.

**Kohut:** Do you have sample legislation?

**Michelle Torello:** I didn't bring it with me, but I can send you something.

**Phillips:** That would be great.

**Michelle Torello:** Although rabbits can survive alone in the wild, their reproduction rate is extremely high. Here is a quick science lesson. Rabbits have a U or a two-horn uterus. They can hold two pregnancies. They can mate when they are pregnant and then two weeks later, they are pregnant again. Also, rabbits don't go into heat, they don't have seasons like dogs or cats. Upon mating rabbits ovulate. A female rabbit if she is mated with, she gets pregnant. What does that mean? It means they are always fertile. Rabbits can have 12 babies at a time. The gestation period is thirty to thirty-two days which basically means they can get pregnant every month. What is even worse is, they can get pregnant again within two hours of giving birth. To do the math would be a chore, but I can tell you this. Studies have shown that one intact pair of rabbits within four years between them and the offspring they produce, they will produce four million babies. To wrap things up, I am happy to say that nine rabbits were transferred from Rockland Green to my rescue Cotton Tails this week. I look forward to us working together to help the homeless animals of Rockland County.

**Jennifer Dunn:** I live in New City. I am the small animal coordinator at the shelter currently. In the last few months, we have taken in over 50 intakes of small animals. I have been working with the shelter since January and these numbers in the last two months have exceeded that for the entire year. We did have some transfers that carried over from Hi-Tor roughly 25.

**Phillips:** What kind of small animals are we talking about?

**Jennifer Dunn:** Rabbits and guinea pigs. We had a couple of rats come in but that is minimal, and I got them right back out. The real issue is guinea pigs and rabbits, and it is very similar with getting pregnant. The guinea pigs get pregnant right after giving birth if not separated from the male. We also have a situation that in the past two months Eugene Levy Park is now a dumping ground for rabbits and guinea pigs. We had an intake on November 20 a gentleman was at the park with his son and when he went back to his car there was a white bunny sitting at his door. He picked the rabbit up and brought it over to the shelter and surrendered it as a stray. That is not the only time. A few months ago, we had two guinea pigs and another rabbit that was dumped. It is a very easy dumping ground because there are no cameras, and it is isolated. One of the issues with it being a dumping ground is because it is going to attract predators.

Now this is a park where there are kids and people walking and exercising. Rabbits and guinea pigs are prey animals. You are increasing the predators into the area.

**Phillips:** What do you want us to do?

**Jennifer Dunn:** We need to make stronger and better laws for rabbits and guinea pigs. There is no protection. These animals have been considered livestock.

**Phillips:** We are in agreement with you. I am going to ask you to go out there and get something that we can all adopt either on a County-wide basis or each municipality or both. Can you do that? Are there other municipalities that you think already have legislation?

**Jennifer Dunn:** New York City that I am aware of. But they are considered to be livestock animals like farm animals, but they are not. They are domesticated. As you go further up state that is how they are housed.

**Phillips:** If you could come up with something, I think we are all willing to adopt this. But we need something like a template to go by. You could send something to Jerry Damiani, our Executive Director or any of the Town Supervisors.

**Jennifer Dunn:** How it comes to these numbers that are so great. Pet stores were this past year selling rabbits misgendering them. I had a litter of fourteen that came in last month, she got them from a local pet store here in the County. She was told it was one gender and she already had a rabbit at home and now we have 12 babies in the shelter. Because of the situation with this local pet store. Guinea pigs too. We adopted out a guinea pig and they went to Pet Smart, and they said this is a friend for your guinea pig it is the same gender. We got two surrenders from that coming in. Misgendering and also the backyard breeder we have to have laws put in place for this. The breeder from Airmont is selling all of his rabbits.

**Phillips:** If you have any legislation, I think all Supervisors would like to know so we can start and try to shut these people down.

**Hoehmann:** I have to go to a holiday lighting in Congers, I am sorry I have to go.

**Foley:** This is going to be my last meeting and want to thank the Board for having me on and I want to say I really appreciate the work everyone does here it is a lot more complicated than it looks from the outside.

**Phillips:** This is also Mayor Lynn's last meeting so on behalf of all the Commissioners we would like to thank Commissioner Lynn and Commissioner Foley for the work they have done and for your patience and understanding. Thank you.

**Marge Hook:** From what I remember when Clarkstown passed the regulation that you cannot have anymore than 5 or 4 dogs, and a certain amount of cats, they did it inhouse I may be wrong, but I am pretty sure it was passed unanimously by the Board. George was on the Board at that time because this goes back to Alex Gromack.

**Phillips:** We will all go back and look to see if we can come up with the same consistent legislation among all the municipalities. If Commissioner Hood can pass it on a County-wide level, I am sure he will get that passed as well.

**Marge Hook:** Well, why can't somebody go after this kid that is breeding these animals?

**Phillips:** Without legislation we can't. We need to know that the legislation exists, or we have to develop it.

**Marge Hook:** When I was at Hi-Tor we had a man that used to come in and take the rabbits and I found out that he was killing them and eating them. I wish you all a Merry Christmas and a Happy Hanukkah.

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**Phillips:** Since there are no other public comments do we have a motion to adjourn? Thank you everyone for being here.

**Hood:** Moved

**Kenny:** Seconded

The meeting was adjourned at 5:35 p.m.

Respectfully submitted,  
Suzanne Haggerty