

1. Chairman Phillips called to order the Rockland Green Board meeting for Thursday September 21, 2023, at 11:10 a.m.

\*\*\*

2. Pledge of Allegiance led by Commissioner Specht

\*\*\*

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

**Present**

**Chairman Phillips**  
**Commissioner Hoehmann**  
**Commissioner Kenny**  
**Commissioner Kohut**  
**Commissioner Foley**  
**Commissioner Lynn (via phone)**

**Present**

**Commissioner Monaghan**  
**Commissioner Powers**  
**Commissioner Soskin**  
**Commissioner Specht**  
**Commissioner Yeger**

**Absent**

**Commissioner Hood**  
**Commissioner Hofstein**  
**Commissioner Jobson**  
**Commissioner Moroney**  
**Commissioner Paul**  
**Commissioner Wieder**

**Staff**

Jeremy Apotheker, Jerry Damiani, Jeremy Goldstein, Suzanne Haggerty, Ken Murphy

**Others**

Lee Apotheker, Stephanie Kosmos, Josh Meyer, Teno West

\*\*\*

**Phillips:** I am going to make a motion to go into Executive Session to talk about contractual matters.

**Specht:** Moved

**Hoehmann:** Seconded

**Phillips:** Motion to come out of Executive Session.

**Soskin:** Moved

**Kohut:** Seconded

\*\*\*

4. Introduced By: Specht/Kohut

Unan.

September 21, 2023

**RESOLUTION NO. 56 of 2023**  
**APPROVING TERMINATION OF SHORT-TERM ANIMAL SHELTER AND**  
**OPERATION SERVICES AGREEMENT WITH HI-TOR ANIMAL CARE**  
**CENTER, INC.**

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

**WHEREAS**, the Act was amended pursuant to Chapter 553 of the laws of 2022 to empower Rockland Green to provide animal management services within the County of Rockland (the “County”) including the provision of an animal shelter and shelter operations; and

**WHEREAS**, Rockland Green’s obligations to perform animal management services commenced on January 1, 2023; and

**WHEREAS**, on December 29, 2022 Rockland Green entered into a lease agreement with the County, which commenced on January 1, 2023, for the use of the County’s existing animal shelter (the “Shelter”) through December 31, 2024, to allow Rockland Green the time required to develop a new animal shelter at a different location; and

**WHEREAS**, as December 20, 2022 pursuant to Resolution No. 112 of 2022, Rockland Green entered into an agreement (the “Agreement”) with Hi-Tor Animal Care Center, Inc. (the “Contractor”) for the operation of the Shelter on behalf of Rockland Green; and

**WHEREAS**, the Agreement provided for a term of January 1, 2023 through December 31, 2024; and

**WHEREAS**, since the commencement of the Agreement in January of 2023, there have been numerous events of default caused by the Contractor as set forth in the attached findings statement (the “Findings Statement”); and

**WHEREAS**, certain defaults are not possible to cure and other such defaults go to the very essence of the Agreement and undermine the entire contractual relationship with Rockland Green; now therefore be it

**RESOLVED**, that the Board of Rockland Green hereby terminates the Agreement with the Contractor; and be it further

**RESOLVED**, that the Executive Director of Rockland Green shall have the right to do all things necessary to carry out such termination of the Agreement and is hereby authorized to execute such other documents and perform such other actions as may be necessary to carry out the intent of this resolution.

\*\*\*

5. Introduced by: Soskin/Yeger  
Powers – Abstain

September 21, 2023

**RESOLUTION NO. 57 OF 2023**  
**APPROVING A CONSULTING AGREEMENT FOR SHORT-TERM OPERATION OF THE**  
**ANIMAL SHELTER**

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

**WHEREAS**, the Act was amended pursuant to Chapter 553 of the laws of 2022 to empower Rockland Green to provide animal management services within the County of Rockland (the “County”) including the provision of animal shelter and shelter operations; and

**WHEREAS**, Rockland Green commenced providing animal management services on January 1, 2023 and had contracted with the then exiting animal shelter service provider (the “Contractor”) to provide such services on behalf of Rockland Green; and

**WHEREAS**, pursuant to Resolution 56 of 2023 the Board has approved the termination of the existing shelter service agreement due to significant breaches and defaults under the agreement by the Contractor; and

**WHEREAS**, Rockland Green now requires the service of a replacement operator to operate the shelter and ensure the proper care of animals at the shelter; and

**WHEREAS**, Rockland Green wishes for Four Legs Good, a not for profit corporation in Rockland County, to provide consulting services on an interim basis; and

**WHEREAS**, Four Legs Good is able to provide such consulting services in order to ensure the continued operation of the shelter; and

**WHEREAS**, payment for such services provided by Four Legs Good will be provided on a pass-through basis with no mark-up, payable by Rockland Green; now therefore be it

**RESOLVED**, that Four Legs Good is hereby engaged to provide consulting services for the operation of the animal shelter; and be it further

**RESOLVED**, that the consultant agreement with Four Legs Good for shelter services shall be substantially in the form presented at this meeting, with such amendments, modifications, changes and omissions thereto as the Executive Director of Rockland Green may negotiate and approve as in the best interests of Rockland Green and not inconsistent with the terms of this resolution, and the execution of the agreement shall constitute conclusive evidence of the valid authorization hereunder of any such amendment, modification, change or omission; and be it further

**RESOLVED**, that the Executive Director is hereby authorized and directed to execute documents to effectuate such arrangement consistent with this Resolution.

\*\*\*

**6. New Business**

No new business.

\*\*\*

**7. Commissioner's Comment**

No comments offered.

\*\*\*

**8. Public Comment**

**Phillips:** Is there anyone in the public that would like to speak. Since there are no public comments, do we have a motion to adjourn?

**Hoehmann:** Moved

**Kenny:** Seconded

The meeting was adjourned at 11:40 a.m.

Respectfully submitted,  
Suzanne Haggerty