

The Legislature of Rockland County



**MICHAEL M. GRANT
LEGISLATOR – DISTRICT 2
CHAIR, BUDGET & FINANCE COMMITTEE**

**AGENDA
BUDGET & FINANCE COMMITTEE
TUESDAY, MAY 28, 2013
7:15 PM**

ROLL CALL

ADOPTION OF MINUTES FROM APRIL 30, 2013 AND MAY 13, 2013

1. BONDS/PUBLIC WORKS MATTER:

2PPW) REF. #6394/ - APPROVING THE PURCHASE IN EXCESS OF \$100,000 OF A SECOND 4-6 9325 TON ROLLER TOW-BEHIND FROM FERGUSON MANUFACTURING CO., INC. FOR THE HIGHWAY DEPARTMENT UNDER BELL COUNTY, TEXAS BID #14-13 IN THE AMOUNT OF \$60,326 AND FOR A TOTAL AMOUNT NOT TO EXCEED \$120,652 WHICH PURCHASE IS TO BE MADE BY FORMAL PURCHASE ORDER (DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING) (\$120,652)
**(GERRY WALSH, COMMISSIONER, DGS PURCHASING) DL#2013-01699
(ADDITIONAL BACK-UP WITH CLERK)**

(SUBJECT TO THE APPROVAL OF PPW 5/28/13)

3PPW) REF. #7442 – BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR UPGRADING AND ACQUISITION OF COMPUTERS AND RELATED EQUIPMENT COUNTYWIDE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,000,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF
(GERALD C. WALSH, COMMISSIONER FACILITIES MGMT.) LM#2013-01773

(SUBJECT TO THE APPROVAL OF PPW 5/28/13)

4PPW) REF. #7442 - BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR DESIGN AND CONSTRUCTION OF THE COUNTY COMPUTER NETWORK DISASTER RECOVERY PROJECT, STATING THE ESTIMATED MAXIMUM COST OF SUCH PROJECT IS \$1,500,000, APPROPRIATING \$750,000 THEREFOR, IN ADDITION TO THE \$750,000 PREVIOUSLY APPROPRIATED; AND AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION
(GERALD C. WALSH, COMMISSIONER FACILITIES MGMT.) LM#2013-01816

(SUBJECT TO THE APPROVAL OF PPW 5/28/13)

5PPW) REF. #5337 - BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR UTILITY PLAN EQUIPMENT IMPROVEMENTS AND UPGRADES FOR ROCKLAND COMMUNITY COLLEGE CAMPUS BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$700,000; STATING THAT THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$700,000 BONDS HEREIN AUTHORIZED; AND AUTHORIZING \$350,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS
(GERALD C. WALSH, COMMISSIONER FACILITIES MGMT.) LM#2013-01696

(SUBJECT TO THE APPROVAL OF PPW 5/28/13)

6PPW) REF. #5337 - BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR ELECTRICAL SYSTEM IMPROVEMENTS AND UPGRADES FOR ROCKLAND COMMUNITY COLLEGE CAMPUS BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$700,000; STATING THAT THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$700,000 BONDS HEREIN AUTHORIZED; AND AUTHORIZING \$350,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS
(GERALD C. WALSH, COMMISSIONER FACILITIES MGMT.) LM#2013-01697

7PPW) REF. #8055 - APPROVING AMENDMENT AND EXTENSION OF AGREEMENT IN EXCESS OF \$100,000 WITH BERGMANN ASSOCIATES IN THE ADDITIONAL AMOUNT OF \$206,000 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,055,952 (LOCAL SHARE 20%) FOR PHASE I ENGINEERING, DESIGN AND RIGHT OF WAY ("ROW") SURVEY INCIDENTALS FOR THE DEVELOPMENT OF QUIET ZONES FOR 14 CROSSINGS ON THE WEST SHORE LINE UNDER RFP-RC-04-037 FOR THE PERIOD FROM DECEMBER 1, 2012 THROUGH DECEMBER 31, 2017 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE (DEPARTMENT OF PLANNING) (\$1,055,952)
(THOMAS B. VANDERBEEK, COMMISSIONER PLANNING (DL#2013-01985)

(SUBJECT TO THE APPROVAL OF PPW 5/28/13)

2. GRANTS/DONATIONS:

2A) REF. #7099 - ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$3,975 (NCTD) RECEIVED TO HELP OFFSET COST OF THE 2012 CIVIL RIGHTS HALL OF FAME INDUCTION CEREMONY LUNCHEON (COMMISSION ON HUMAN RIGHTS) (\$3,975)
(RAM NAGUBANDI, COMMISSIONER, HUMAN RIGHTS) DL#2013-01467)

(SUBJECT TO THE APPROVAL OF MULTI-SERVICES 5/28/13)

2B) REF. #8886 - APPROVING ACCEPTANCE OF CONTINUATION GRANT FROM THE NEW YORK STATE DEPARTMENT OF HEALTH TOBACCO CONTROL PROGRAM FOR YOUTH – REALITY CHECK IN THE AMOUNT OF \$95,614 INCLUDING AN ESTIMATED COST-OF-LIVING ADJUSTMENT (COLA) AWARD OF 10% OR \$9,561, FOR A TOTAL GRANT AMOUNT OF \$105,175 WITH EMPLOYEE HEALTH INSURANCE REIMBURSEMENT REVENUE ESTIMATED TO BE \$1,000 AND A LOCAL SHARE OF \$25,000 FOR THE GRANT PERIOD JULY 1, 2013 THROUGH JUNE 30, 2014 AND AUTHORIZING EXECUTION OF ALL NECESSARY GRANT DOCUMENTS BY THE COUNTY EXECUTIVE (DEPARTMENT OF HEALTH) (\$105,175)
(KATHLEEN HENRY, ACTING COMMISSIONER, HEALTH DEPT.) DL#2013-01623

3. BUDGET ITEMS:

3A) REF. #9481 - APPROPRIATING THE SUM OF \$1,500 TO AMERICAN LEGION NAURASHANK POST 794, NANUET, NEW YORK FOR PATRIOTIC OBSERVANCES IN 2013
(HONS. C. CAREY, P. MORONEY, A. PAUL, LEGISLATURE) LG#3239

3B) REF. #8709 - REFUNDING BOND RESOLUTION DATED ____, 2013
REFUNDING BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING THE REFUNDING OF ALL OR A PORTION OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID COUNTY, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$21,000,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$21,000,000 REFUNDING BONDS OF SAID COUNTY OR SO MUCH THEREOF AS MAY BE NECESSARY TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN DETERMINATIONS ALL RELATIVE THERETO
(STEPHEN F. DEGROAT, COMMISSIONER, BUDGET & FINANCE) Im#2013-01974

4. AUTHORIZATIONS:

5. CONTRACTS/AGREEMENTS:

5A) REF. #5327 - APPROVING AMENDMENT AND EXTENSION TO AGREEMENT IN EXCESS OF \$100,000 WITH PLANETJ CORPORATION IN THE ADDITIONAL AMOUNT OF \$46,410 FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2013 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$115,910 TO PROVIDE WEB MODULE DEVELOPMENT TO AN EXISTING WEB OBJECT WIZARD (WOW) BASED SET OF APPLICATIONS ALREADY IN PRODUCTION AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE (SHERIFF'S DEPARTMENT) (\$115,910)
(LOUIS FALCO, SHERIFF) DL#2013-01774

- 5B) REF. #9361 - AUTHORIZING THE INTERMUNICIPAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF ROCKLAND AND THE TOWN OF STONY POINT FOR OVERTIME TRAINING REIMBURSEMENT FOR OFFICER DEROSA DURING THE PERIOD AUGUST 1, 2009 THROUGH JULY 31, 2013 UNDER THE STATE HOMELAND SECURITY PROGRAM (SHSP) AND AUTHORIZING THEIR EXECUTION BY THE COUNTY EXECUTIVE (SHERIFF'S DEPARTMENT) (\$3,564.96)
(LOUIS FALCO, SHERIFF) DL#2013-01938
- 5C) REF. #6704 - APPROPRIATION OF FEDERAL FORFEITURE FUNDS REQUESTED BY THE OFFICE OF THE DISTRICT ATTORNEY FOR CONTINUED ACCESS TO THE iSAFE WEB-BASED ACCURATORY INSTRUMENT FOR ALL LAW ENFORCEMENT AGENCIES IN ROCKLAND COUNTY FOR 2013, AS AUTHORIZED BY ROCKLAND'S LAW ENFORCEMENT OVERSIGHT COMMITTEE (OFFICE OF THE DISTRICT ATTORNEY) (\$15,775)
(THOMAS ZUGIBE, DISTRICT ATTORNEY) DL#2013-01864)

6. ALLOCATION/RECLASSIFICATION OF POSITIONS:

7. BIDS:

8. TRANSFER OF FUNDS/OTHERS:

9. TAX ITEMS:

- 9A) REF. #7070 - RELEASING AND DISTRIBUTING 2012/2013 SALES TAX PROCEEDS TO TOWNS AND VILLAGES IN ACCORDANCE WITH AND AS PROVIDED BY NEW YORK STATE LAW (SPONSOR: HON. ILAN S. SCHOENBERGER)

REFERRED TO COMMITTEE FROM FULL LEGISLATURE MEETING OF MAY 21, 2013

10. PUBLIC HEARINGS:

11. LOCAL LAWS/HOME RULES:

12. PRESENTATIONS/DISCUSSIONS:

13. MISCELLANEOUS:

14. RECEIVE & FILE:

- 14A) REF. #4124 - RECEIVE AND FILE FINANCIAL STATEMENTS WITH INDEPENDENT AUDITORS' REPORT PREPARED BY O'CONNOR DAVIES LLP ROCKLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT (A COMPONENT UNIT OF THE COUNTY OF ROCKLAND, NEW YORK) YEAR ENDING DECEMBER 31, 2012
(HON. MICHAEL M. GRANT, LEGISLATURE) LG#3240

15. CORRESPONDENCE – REVIEW AND DISCUSSION:

"The Rockland County Legislature is committed to full compliance with the Americans with Disabilities Act. To that end, the Legislature is committed to creating an accessible environment for all. To request accommodations that you may require, please call Damaris Alvarez at 845-638-5248 (845-708-7899 for TTY/TDD). Please request these accommodations three (3) days in advance so that we can seek to meet your needs."

Introduced by:

Referral No. ^{6394/}9325

6394/9325

**RESOLUTION NO. OF 2013
APPROVING THE PURCHASE IN EXCESS OF \$100,000
OF A SECOND 4-6 TON ROLLER TOW-BEHIND
FROM FERGUSON MANUFACTURING CO. INC.
FOR THE HIGHWAY DEPARTMENT
UNDER BELL COUNTY, TEXAS BID #14-13
IN THE AMOUNT OF \$60,326
AND FOR A TOTAL AMOUNT NOT TO EXCEED \$120,652
WHICH PURCHASE IS TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES - DIVISION OF PURCHASING]
(\$120,652)**

WHEREAS, Pursuant to New York General Municipal Law § 103(16), which is a new "piggybacking" law, "any officer ... of a county ... authorized to make purchases of apparatus, materials, equipment or supplies ... may make such purchases ... as may be required by such county ... through the use of a contract let by the United States of America or any agency thereof, any state or any other county or political subdivision or district therein if such contract was let in a manner that constitutes competitive bidding consistent with state law and made available for use by other governmental entities"; and

WHEREAS, In accordance § 103(16), the Highway Department purchased a 4-6 Ton Roller Tow-Behind from Ferguson Manufacturing Co. Inc. ("Ferguson"), 100 Digital Drive, Clear Lake, Wisconsin, 54005, under Bell County, Texas Bid #14-13 in the amount of \$60,326; and

WHEREAS, The Director of Purchasing and the Superintendent of Highways recommend to the County Executive and the Legislature of Rockland County that the County approve the purchase in excess of \$100,000 of a second 4-6 Ton Roller Tow-Behind from Ferguson for the Highway Department under Bell County, Texas Bid #14-13 in an amount not to exceed \$60,326 and for a total amount not to exceed \$120,652; and

WHEREAS, The County advertised for its own bids for this equipment, and the lowest responsive bid was in the amount of \$79,887; and

WHEREAS, The purchases from the Bell County, Texas bid represent a cost savings to the County in the amount of \$19,561 per purchase for a total of \$39,122; and

WHEREAS, The purchase will be initiated by formal purchase order; and

WHEREAS, Sufficient funding for this purchase is provided for in the 2013 Adopted Capital Budget of the Highway Department, Capital Project #3402; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve the "execution of all contracts in excess of \$100,000 entered into by the County"; and

WHEREAS, The Committees of the Legislature have met, considered and approved this resolution; now therefore be it

RESOLVED, That the Legislature of Rockland County hereby approves the purchase in excess of \$100,000 of a second 4-6 Ton Roller Tow-Behind from Ferguson Manufacturing Co. Inc., 100 Digital Drive, Clear Lake, Wisconsin, 54005, for the Highway Department under Bell County, Texas Bid #14-13 in an amount not to exceed \$60,326 and for a total amount not to exceed \$120,652, which purchase is to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for this purchase is provided for in the 2013 Adopted Capital Budget of the Highway Department, Capital Project #3402.

BB:sc
2013-01699
4-19-2013

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Ref # 7442

RESOLUTION NO. _____ OF 2013

BOND RESOLUTION DATED _____, 2013

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR UPGRADING AND ACQUISITION OF COMPUTERS AND RELATED EQUIPMENT COUNTYWIDE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,000,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Introduced) _____, 2013

(Adopted) _____, 2013

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Rockland, New York (herein called "County"), is hereby authorized to undertake new capital project No. 1474 for the Department of General Services Facilities Management, consisting of upgrading and acquisition of computers and related equipment Countywide, all as more particularly described in the County's 2013 Capital Budget, as amended. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$2,000,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$2,000,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. Bonds of the County in the principal amount of \$2,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter

33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the class of objects or purposes for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 32 of the Law, is five (5) years.

Section 4. The County intends to finance, and the Commissioner of Finance of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the class of objects or purposes described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the total amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement,

are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Rockland, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution, or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. The Clerk of the Rockland County Legislature is hereby directed to publish the foregoing bond resolution, in summary, in the "ROCKLAND JOURNAL NEWS",

West Nyack, New York and the "ROCKLAND COUNTY TIMES", published by Citizen Publishing Corp., Nanuet, New York, each of said newspapers having been designated the official newspapers of the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 9. This Resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter.

* * *

Ref # 7442

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RESOLUTION NO. _____ OF 2013

BOND RESOLUTION DATED _____, 2013

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR DESIGN AND CONSTRUCTION OF THE COUNTY COMPUTER NETWORK DISASTER RECOVERY PROJECT, STATING THE ESTIMATED MAXIMUM COST OF SUCH PROJECT IS \$1,500,000, APPROPRIATING \$750,000 THEREFOR, IN ADDITION TO THE \$750,000 PREVIOUSLY APPROPRIATED; AND AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION.

(Introduced) _____, 2013

(Adopted) _____, 2013

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Rockland, New York (herein called "County"), is hereby authorized to continue existing Capital Project No. 1443 for the Department of General Services Facilities Management, consisting of design and construction of the County Computer Network Disaster Recover Project, including but not limited to mechanical HVAC systems, uninterruptible power supply, emergency generator power, inverters, fire protection, lighting, telephones, cabling, computers, servers, routers, patch panels, and related computer equipment required to provide a functional and operable computer network system, all as more particularly described in the County's 2013 Capital Budget, as amended. The estimated maximum cost of said objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,500,000, and \$750,000 is hereby appropriated therefor, in addition to the \$750,000 previously appropriated pursuant to Resolution No. 18-2009 (the "Previously Appropriated Funds"). The plan of financing includes the expenditure of the Previously

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Appropriated Funds and the issuance of \$750,000 bonds of the County herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. Bonds of the County in the principal amount of \$750,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the objects or purposes for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 89 of the Law, is five (5) years.

Section 4. The County intends to finance, and the Commissioner of Finance of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the specific object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the total amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and

168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Rockland, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution, or a summary hereof, are not substantially complied with,

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and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. The Clerk of the Rockland County Legislature is hereby directed to publish the foregoing bond resolution, in summary, in the "ROCKLAND JOURNAL NEWS", West Nyack, New York and the "ROCKLAND COUNTY TIMES", published by Citizen Publishing Corp., Nanuet, New York, each of said newspapers having been designated the official newspapers of the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 9. This Resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter.

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The adoption of the foregoing resolution was seconded by Legislator

_____ and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

* * *

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Ref. # 5337

RESOLUTION NO. _____ OF 2013

BOND RESOLUTION DATED _____, 2013

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR UTILITY PLANT EQUIPMENT IMPROVEMENTS AND UPGRADES FOR ROCKLAND COMMUNITY COLLEGE CAMPUS BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$700,000; STATING THAT THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$700,000 BONDS HEREIN AUTHORIZED; AND AUTHORIZING \$350,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Introduced) _____, 2013

(Adopted) _____, 2013

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Rockland, New York (herein called "County"), is hereby authorized to undertake new capital project No. 8311 for the Department of General Services Facilities Management, consisting of utility plant equipment improvements and upgrades for heating and air conditioning for Rockland Community College Campus Buildings, all as more particularly described in the County's 2013 Capital Budget, as amended. The estimated total cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$700,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$700,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance a portion of said appropriation, the levy and collection of taxes on all the taxable real property in the County

to pay the principal of and interest on said bonds and notes, and authorizing \$350,000 expected to be received from the State of New York to be expended towards the cost of said specific object or purpose or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. Bonds of the County in the principal amount of \$700,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 13 of the Law, is ten (10) years.

Section 4. The County intends to finance, and the Commissioner of Finance of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the specific object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the total amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and

168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Rockland, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution, or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. The Clerk of the Rockland County Legislature is hereby directed to publish the foregoing bond resolution, in summary, in the "ROCKLAND JOURNAL NEWS", West Nyack, New York and the "ROCKLAND COUNTY TIMES", published by Citizen Publishing Corp., Nanuet, New York, each of said newspapers having been designated the official newspapers of the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 9. This Resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter.

* * *

DRAFT

The adoption of the foregoing resolution was seconded by Legislator

_____ and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

* * *

DRAFT

Ret. # 5337

RESOLUTION NO. _____ OF 2013

BOND RESOLUTION DATED _____, 2013

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR ELECTRICAL SYSTEM IMPROVEMENTS AND UPGRADES FOR ROCKLAND COMMUNITY COLLEGE CAMPUS BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$700,000; STATING THAT THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$700,000 BONDS HEREIN AUTHORIZED; AND AUTHORIZING \$350,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Introduced) _____, 2013

(Adopted) _____, 2013

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Rockland, New York (herein called "County"), is hereby authorized to undertake new capital project No. 8312 for the Department of General Services Facilities Management, consisting of electrical system improvements and upgrades for Rockland Community College Campus Buildings, all as more particularly described in the County's 2013 Capital Budget, as amended. The estimated total cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$700,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$700,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance a portion of said appropriation, the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said

bonds and notes, and authorizing \$350,000 expected to be received from the State of New York to be expended towards the cost of said specific object or purpose or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. Bonds of the County in the principal amount of \$700,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 5 of the Law, is thirty (30) years.

Section 4. The County intends to finance, and the Commissioner of Finance of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the specific object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the total amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and

168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Rockland, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution, or a summary hereof, are not substantially complied with,

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and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. The Clerk of the Rockland County Legislature is hereby directed to publish the foregoing bond resolution, in summary, in the "ROCKLAND JOURNAL NEWS", West Nyack, New York and the "ROCKLAND COUNTY TIMES", published by Citizen Publishing Corp., Nanuet, New York, each of said newspapers having been designated the official newspapers of the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 9. This Resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter.

* * *

DRAFT

The adoption of the foregoing resolution was seconded by Legislator

_____ and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

* * *

DRAFT

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WHEREAS, more than \$3.6 million was secured for this project in the 2005 federal transportation bill; and

WHEREAS, since this is a federal aid project, the County's share will be 20% and 80% will be reimbursed upon completion and approval of each task; and

WHEREAS, The necessary funding for this agreement is in Capital Account No. 5403; and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve "execution of all contracts in excess of \$100,000 entered into by the County"; and

WHEREAS, The Committee of this Legislature has met, considered and approved this resolution; now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves an amendment to the existing agreement with Bergmann Associates, 28 East Main Street, Suite 200, Rochester, New York 14614, in the amount of \$206,000 for a total contract amount not to exceed \$1,055,952, for Phase I engineering, design and Right of Way ("ROW") survey incidentals for the development of Quiet Zones for 14 crossings on the West Shore Line under RFP-RC-04-037, for the period from December 1, 2012 through December 31, 2017, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That the funding necessary for this agreement is in Capital Account No. 5403.

LHG:mf
2013-01985
5-10-13

GENERAL FUND - 2013

Increase Approp. Acct. (Credit):

A-HRC-8040-E4090	Fees for Services, Non-Employee	3,975
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Increase Est. Rev. Acct. (Debit):

A-HRC-8040-R2770	Unclassified Revenue	3,975
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VWJ:sc
2013-01467
4/19/2013

Introduced by:

Referral No. 8886

DRAFT

**RESOLUTION NO. OF 2013
APPROVING ACCEPTANCE OF CONTINUATION GRANT
FROM THE NEW YORK STATE DEPARTMENT OF HEALTH
TOBACCO CONTROL PROGRAM FOR YOUTH – REALITY CHECK
IN THE AMOUNT OF \$95,614
INCLUDING AN ESTIMATED COST-OF-LIVING ADJUSTMENT (COLA)
AWARD OF 10% OR \$9,561, FOR A TOTAL GRANT AMOUNT OF \$105,175
WITH EMPLOYEE HEALTH INSURANCE REIMBURSEMENT
REVENUE ESTIMATED TO BE \$1,000
AND A LOCAL SHARE OF \$25,000
FOR THE GRANT PERIOD JULY 1, 2013 THROUGH JUNE 30, 2014
AND AUTHORIZING EXECUTION OF ALL NECESSARY
GRANT DOCUMENTS BY THE COUNTY EXECUTIVE
[DEPARTMENT OF HEALTH]
(\$105,175)**

WHEREAS, The Acting Commissioner of the Department of Health has advised the County Executive and the Rockland County Legislature that the New York State Department of Health has awarded the County's Tobacco Control Program for Youth - Reality Check department a continuation grant in the amount of \$95,614, with an estimate Cost-of-Living Adjustment (COLA) award of no more than 10% or \$9,561, for a total grant amount of \$105,175, for the period July 1, 2013 through June 30, 2014; and

WHEREAS, Said grant funds will be used to provide education and programs to reduce youth smoking; and

WHEREAS, An estimated \$1,000 of employee health insurance reimbursement revenue will be appropriated to help offset expenses connected to this program for said period; and

WHEREAS, A local share of \$25,000 is necessary to fund this program for said period and will be provided by available local share match funds not needed in the Department of Health's HIV Reporting & Partner Notification Assistance Program (Dept. 4041); and

DRAFT

WHEREAS, It is necessary to appropriate all said funds to the proper accounts, and

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature to approve "execution of all contracts in excess of \$100,000 entered into by the County;" and

WHEREAS, The _____ Committees of the Legislature have met, considered and _____ approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of a continuation grant from the New York State Department of Health to the Rockland County Health Department in the amount of \$95,614 for the County's Tobacco Control Program for Youth - Reality Check department, with an estimate Cost-of-Living Adjustment (COLA) award of no more than 10% or \$9,561, for a total grant amount of \$105,175, for the period July 1, 2013 through June 30, 2014; and be it further

RESOLVED, That an estimated \$1,000 of employee health insurance reimbursement revenue will be appropriated to help offset expenses connected to this program for said period; and be it further

RESOLVED, That a local share of \$25,000 is necessary to fund this program for said period and will be provided by available local share match funds not needed in the Department of Health's HIV Reporting & Partner Notification Assistance Program (Dept. 4041); and be it further

RESOLVED, That the Legislature of Rockland County hereby authorizes execution of all necessary grant documents by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That the Commissioner of Finance is hereby authorized to increase and decrease the following accounts in the amounts indicated:

GENERAL FUND - 2013

Increase Approp. Acct. (Credit):

A-DOH -4064 -E1100	Salaries, Employees	76,705
-E1910	Health	20,500
-E1911	Dental	1,500
-E1912	Vision	300
-E1920	Retirement	10,000
-E1930	Social Security	5,870
-E1940	Unemployment Insurance	150
-E1950	Workers' Compensation	329
-E1980	MTA Mobility Tax	260
-E4040	Travel	1,500
-E4090	Fees for Services, Non-Employee	4,000
-E4140	Conferences & Seminars	500
-E5060	Program Costs	9,561

GENERAL FUND - 2013 (Cont'd)

Decrease Approp. Acct. (Debit):

A-DOH -4041 -E5390	Local Share Match	25,000
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Increase Est. Rev. Acct. (Debit):

A-DOH -4064 -R1211	Allocation-Employee Health Insurance Reimb.	1,000
A-DOH -4064 -R3480	Health Grant(s)	105,175

UNEMPLOYMENT FUND - 2013

Increase Approp. Acct. (Credit):

Q-PER -9050 -E8010	Employee Benefits	150
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Increase Est. Rev. Acct. (Debit):

Q-PER -9050 -R2809	Interfund Revenues	150
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and be it further

RESOLVED, That should outside funding be reduced and/or eliminated, any position(s) previously created under this funding shall automatically terminate without further action of this Legislature.

TS:lo
2013-01623
4/29/13

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Introduced by:

Hon. Christopher J. Carey, Sponsor
Hon. Patrick J. Moroney, Sponsor
Hon. Aney Paul, Sponsor

Referral No. 9481

**RESOLUTION NO. OF 2013
APPROPRIATING THE SUM OF \$1,500 TO
AMERICAN LEGION NAURASHANK POST 794,
NANUET, NEW YORK
FOR PATRIOTIC OBSERVANCES IN 2013**

WHEREAS, the Rockland County Legislature has set aside in the 2013 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the American Legion Naurashank Post No. 794, Nanuet, New York, is contracting with the County of Rockland to conduct patriotic observances in 2013, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; and

WHEREAS, the _____ Committee has met, considered and by a unanimous vote, approved this resolution; now therefore be it

RESOLVED, that the Legislature of Rockland County hereby appropriates the sum of \$1,500 to the American Legion Naurashank Post No. 794, Nanuet, New York, for providing patriotic observance events in Rockland County in calendar year 2013; and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized to increase and decrease the following accounts in the amounts indicated:

GENERAL FUND

Increase Approp. Acct.:

A-CA- 7579-5010	American Legion Naurashank Post 794 30 South Lexow Avenue Nanuet, NY 10954	\$1,500
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Decrease Approp. Acct.:

A-LEG-1010-5042	Patriotic Observances	\$1,500
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RM/cs
LG3239
5/16/13

DRAFT

REF# 8709

RESOLUTION NO. _____ OF 2013

REFUNDING BOND RESOLUTION DATED _____, 2013

REFUNDING BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING THE REFUNDING OF ALL OR A PORTION OF CERTAIN OUTSTANDING SERIAL BONDS OF SAID COUNTY, STATING THE PLAN OF REFUNDING, APPROPRIATING AN AMOUNT NOT TO EXCEED \$21,000,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$21,000,000 REFUNDING BONDS OF SAID COUNTY OR SO MUCH THEREOF AS MAY BE NECESSARY TO FINANCE SAID APPROPRIATION, AND MAKING CERTAIN DETERMINATIONS ALL RELATIVE THERETO.

(Introduced) _____, 2013

(Adopted) _____, 2013

Recitals

Whereas, the County of Rockland, New York (herein called "County"), has heretofore issued on October 1, 2002, its \$16,673,000 Various Purposes Serial Bonds - 2002 (herein called the "2002 Bonds"), now outstanding in the principal amount of \$6,915,000; on June 3, 2003, its \$21,027,000 Various Purposes Serial Bonds - 2003 (herein called the "June 2003 Bonds"), now outstanding in the principal amount of \$13,715,000; and on December 15, 2003, its \$4,000,000 Various Purposes Serial Refunding Bonds - 2003 (herein called the "December 2003 Bonds"), now outstanding in the principal amount of \$890,000; (the respective outstanding amounts of each of the 2002 Bonds, the June 2003 Bonds and the December 2003 Bonds shall be hereinafter collectively referred to as the "Outstanding Bonds"), now outstanding in the principal amount of \$21,520,000; such bonds bearing interest at the rates and on the dates, and being subject to prior redemption as set forth in each such respective bond; and

Whereas, Section 90.10 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), permits the County to refund all or a portion of the outstanding unredeemed maturities of such bonds by the issuance of new bonds, the issuance of which will result in present value debt service savings for the County;

now, therefore,

THE COUNTY LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of the voting strength of said Legislature) AS FOLLOWS:

Section 1. In this resolution, the following definitions apply, unless a different meaning clearly appears from the context:

- a. "Bond To Be Refunded" or "Bonds To Be Refunded" means all or a portion of the Outstanding Bonds of the County.
- b. "Escrow Contract" means the contract to be entered into by and between the County and the Escrow Holder pursuant to Section 9 hereof.
- c. "Escrow Holder" means the bank or trust company designated as such pursuant to Section 9 hereof.
- d. "Present Value Savings" means the dollar savings which result from the issuance of the Refunding Bonds computed by discounting the principal and interest payments on both the Refunding Bonds and the Bonds To Be Refunded from the respective maturities thereof to the date of issue of the Refunding Bonds at a rate equal to the effective interest cost of the Refunding Bonds. The effective interest cost of the Refunding Bonds

shall be that rate which is arrived at by doubling the semi-annual interest rate (compounded semi-annually), necessary to discount the debt service payments on the Refunding Bonds from the maturity dates thereof to the date of issue of the Refunding Bonds and to the bona fide initial public offering price including estimated accrued interest, or, if there is no public offering, to the price bid including estimated accrued interest.

- e. “Redemption Date” means July 15, 2013 or such later date as may be determined by the Commissioner of Finance in the final refunding financial plan.
- f. “Refunding Bond” or “Refunding Bonds” means all or a portion of the \$21,000,000 bonds of the County of Rockland, authorized pursuant to Section 2 hereof.
- g. “Refunding Bond Amount Limitation” means an amount of Refunding Bonds sufficient to pay the sum of (i) the principal amount of Bonds To Be Refunded, (ii) the aggregate amount of unmatured interest payable on each Bonds To Be Refunded to and including the applicable Redemption Date, (iii) redemption premiums payable on such Bonds To Be Refunded as of such applicable Redemption Date, as hereinabove referred to in the Recitals hereof, and (iv) costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the refunding financial plan, and of executing and performing the terms and conditions

of the Escrow Contract and all fees and charges of the Escrow Holder as referred to in Section 9 hereof.

Section 2. The Legislature of the County (herein called "Legislature"), hereby authorizes the refunding of the Bonds To Be Refunded of the County, more particularly described and referred to in the Recitals hereof, and appropriates an amount not to exceed \$21,000,000 therefor to accomplish such refunding. The plan of financing said appropriation includes the issuance of not to exceed \$21,000,000 Refunding Bonds and the levy and collection of a tax upon all the taxable real property within the County to pay the principal of and interest on said Refunding Bonds as the same shall become due and payable. Bonds of the County in the maximum principal amount of \$21,000,000, are hereby authorized to be issued pursuant to the provisions of the Law. The proposed financial plan for the refunding in the form attached hereto as Exhibit A (the "refunding financial plan") prepared for the County by Capital Markets Advisors, LLC and hereby accepted and approved, includes the deposit of all the proceeds of said Refunding Bonds with an Escrow Holder pursuant to an Escrow Contract as authorized in Section 9 hereof, the payment of all costs incurred by the County in connection with said refunding from such proceeds, and the investment of a portion of such proceeds by the Escrow Holder in certain obligations, the principal of and interest, together with the balance of such proceeds to be held uninvested, shall be sufficient to pay (1) the principal of and interest on the Bonds To Be Refunded becoming due and payable on and prior to the Redemption Date and (2) the principal of and premium on the Bonds To Be Refunded to be called for redemption prior to maturity on the Redemption Date.

Section 3. The Bonds To Be Refunded referred to in Section 1 hereof are the aggregate unmatured outstanding balance of three (3) consolidated issues of bonds originally

issued pursuant to various bond resolutions of the County, adopted on their respective dates and authorizing various capital improvements for the County. In accordance with the refunding financial plan, the Refunding Bonds authorized in the aggregate principal amount not to exceed \$21,000,000 have been allocated to the component issues of the Bonds To Be Refunded, and shall mature in amounts and at dates to be determined. The Commissioner of Finance, the chief fiscal officer of the County, is hereby authorized to approve all details of the final refunding financial plan not contained herein.

Section 4. The issuance of the Refunding Bonds will not exceed the Refunding Bond Amount Limitation. The maximum period of probable usefulness (“PPU”) of each issue comprising the Bonds to be Refunded, commencing at the date of issuance of the first bond anticipation notes issued in anticipation of the sale of said bonds, is set forth in the following table:

2002 Bonds

<u>Resolution No.</u>	<u>Description</u>	<u>Maximum Life</u>
619-00	Reconstruction of Court House	19
427-95	Property Reassess	7
594-00	Correctional Center – Plans & Specs	5
299-02	Jail Fire Alarm Upgrade	5
410-00	Court House HVAC & Renovations	9
186-02	Sheriff-Digital Photo Equipment	5
447-01	Personal Software	5
277-01	Election Equipment	10
512-02	Computer Hardware	5
120-02	Budget Department Hardware	5
380-02	Veteran's Cemetery	5
435-02	Distance Learning Center	10
203-00	FTC Improvements	9
261-02	Hudson River Park	15
428-02	Open Space Property-Clausland Mountain	30
671-00	Health Center Site Improvement/Plan	5
451-00	Furniture-Department of Health	4
183-02	Upgrade County-Wide Computer Network	5
108-01	HC Improvement Building J	19
76-99	North Main/New City	12
330-00	Suffern Lane Retaining Wall	5
628-00	Middletown Road Reconstruction-Plans	4
686-00	Washington/Main St. Reconstruction/Plans	5
260-02	Highway Department Equipment	10
497-99	Geographic Information System	3
488-00	Various County Drainage Improvements	30
80-00	Various County Drainage Improvements	28
28-02	RCC Water System Improvements	40
445-01	RCC Computer Technology Equipment	5
684-00	Laundry Equipment Building E	5
466-00	Building A Reconstruction	20
185-02	Building A Reconstruction	20
517-02	Building A Reconstruction	20
616-00	Hospital Diagnostic Equipment	4
264-01	Patient Info System	5

June 2003 Bonds

<u>Resolution No.</u>	<u>Description</u>	<u>Maximum Life</u>
135-02	Reconstruction of County Courthouse	20
595-00	County Jail Housing Unit	20
344-01	Sheriff's Complex Roofs	20
108-03	Land and BONY Acquisition	30
261-02	Land Acquisition and Park Construction	15
720-02	Land Acquisition for Park	15
184-02	Improvements to Building J	20
704-02	Sickletown Road Bridge	20
26-03	Rockland Road Bridge	20
27-03	Bridge Street Drawbridge	20
486-97	Nauraushaun Brook	30
262-02	Gagen and McNamara Road Reconstruction	15
488-00	Drainage Improvements	30
28-02	RCC Water System	40
409-00	Building A Kitchen Facilities	20
410-00	Construction of the Improvements at the County Courthouse Building	10
203-00	Construction of improvements to Curbs and Sidewalks at the Fire Training Center	10
94-03	Construction of Infrastructure Improvements of the Fire Training Center	10
122-03	Acquisition of Certain Parcels of Real Property located in the County for Parkland Purposes	5
175-01	Construction of Additional Childcare Classroom Space	10
260-02	Acquisition of Highway Department Equipment	10
160-03	Acquisition of Highway Department Equipment	10
511-02	Construction of Drainage Improvements to Pascack Brook	10
363-00	Construction of Improvements to HVAC to Building A	10

December 2003 Bonds

<u>Resolution No.</u>	<u>Description</u>	<u>Maximum Life</u>
772-80	Sewer District Improvements	40

Section 5. The aggregate amount of estimated Present Value Savings as set forth in the proposed refunding financial plan attached hereto as Exhibit A, computed in accordance with subdivision two of paragraph b of Section 90.10 of the Law is \$678,856.26.

Section 6. (a) Said \$21,000,000 Refunding Bonds shall be sold at private sale, and the Commissioner of Finance, the chief fiscal officer of the County, is hereby authorized to execute a purchase contract on behalf of the County for the sale of said Refunding Bonds, provided that the terms and conditions of such sale shall be approved by the State Comptroller, and further providing that prior to the issuance of the Refunding Bonds the Commissioner of Finance shall have filed with the Legislature a certificate approved by the State Comptroller setting forth the Present Value Savings to the County resulting from the issuance of the Refunding Bonds; (b) in connection with such sale, the County hereby authorizes the preparation of an Official Statement and approves its use in connection with such sale, and, further, consents to the distribution of a Preliminary Official Statement prior to the date said Official Statement is executed and available for distribution; (c) the Commissioner of Finance is hereby further authorized and directed to take any and all actions necessary to accomplish said refunding, and to execute any contracts and agreements for the purchase of and payment for services rendered or to be rendered the County in connection with said refunding including the preparation of the refunding financial plan referred to in Section 2.

Section 7. Each of the Refunding Bonds authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Law and said Refunding Bonds shall be general obligations of the County payable as to both principal and interest by a general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said Refunding Bonds and provision shall be made annually in the budget of the County for (a) the amortization and redemption of the Refunding Bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Sections 21.00, 50.00, 56.00, 90.10 and 168.00 of the Law, the powers and duties of the Legislature relative to (i) prescribing the terms, form and contents of the Refunding Bonds, (ii) the sale and issuance of the Refunding Bonds, (iii) the making of determinations to issue Refunding Bonds and provide for substantially level or declining debt service, (iv) authorizing and executing agreements for credit enhancement of the Refunding Bonds, and (v) executing the Escrow Contract described in Section 9 and the Official Statement referred to in Section 6, are hereby delegated to the Commissioner of Finance as the chief fiscal officer of the County.

Section 9. Prior to the issuance of the Refunding Bonds the County shall contract with a bank or trust company located and authorized to do business in New York State for the purpose of having such bank or trust company act as the Escrow Holder of the proceeds, inclusive of any premium from the sale of the Refunding Bonds, together with all income derived from the investment of such proceeds. The Escrow Contract shall contain such terms and conditions as shall be necessary in order to accomplish the refunding financial plan,

including provisions for the Escrow Holder without further authorization or direction from the County, except as otherwise provided therein, (a) to make all required payments of principal, interest and redemption premiums to the appropriate paying agent with respect to the Bonds To Be Refunded, (b) to pay costs and expenses incidental to the issuance of the Refunding Bonds, including the development of the refunding financial plan, and of executing and performing the terms and conditions of the Escrow Contract and all of its fees and charges as the Escrow Holder, (c) at the appropriate time or times to cause to be given on behalf of the County the notices of redemption authorized to be given pursuant to Section 12 hereof, and (d) to invest the moneys held by it consistent with the provisions of the final refunding financial plan. The Escrow Contract shall be irrevocable and shall constitute a covenant with the holders of the Refunding Bonds.

Section 10. The proceeds, inclusive of any premium, from the sale of the Refunding Bonds, immediately upon receipt, shall be placed in escrow by the County with the Escrow Holder in accordance with the Escrow Contract. All moneys held by the Escrow Holder shall be invested only in direct obligations of the United States of America or in obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates when such moneys will be required to make payments in accordance with the refunding financial plan. Any such moneys remaining in the custody of the Escrow Holder after the full execution of the Escrow Contract shall be returned to the County and shall be applied by the County only to the payment of the principal of or interest on the Refunding Bonds then outstanding.

Section 11. That portion of such proceeds from the sale of the Refunding Bonds, together with interest earned thereon, which shall be required for the payment of the principal of and interest on the Bonds To Be Refunded, including any redemption premiums, in accordance with the refunding financial plan, shall be irrevocably committed and pledged to such purpose and the holders of the Bonds To Be Refunded shall have a lien upon such moneys and the investments thereof held by the Escrow Holder. The pledge and lien provided for herein shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledge and lien, need be filed or recorded.

Section 12. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Law, the Legislature hereby elects to call in and redeem all the Bonds To Be Refunded which are subject to prior redemption according to their terms on the Redemption Date. The sum to be paid therefor on the Redemption Date shall be the par value thereof, the accrued interest to the Redemption Date and the redemption premiums, if any. The Escrow Holder is hereby authorized and directed to cause notice(s) of such call for redemption to be given in the name of the County by mailing such notice(s) to the registered holders of the Bonds To Be Refunded which are subject to prior redemption at least thirty days prior to such Redemption Date. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Bonds To Be Refunded subject to prior redemption on the Redemption Date and the direction to the Escrow Holder to cause notice thereof to be given as provided in this section shall become

irrevocable and the provisions of this section shall constitute a covenant with the holders, from time to time, of the Refunding Bonds, provided that this section may be amended from time to time as may be necessary to comply with the requirements of paragraph a of Section 53.00 of the Law, as the same may be amended from time to time.

Section 13. The validity of the Refunding Bonds may be contested only if:

(a) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money; or

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(c) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. The Clerk of the Rockland County Legislature is hereby directed to publish the foregoing bond resolution, in summary, in the "ROCKLAND JOURNAL NEWS", West Nyack, New York and the "ROCKLAND COUNTY TIMES", published by Citizen Publishing Corp., Nanuet, New York, each of said newspapers having been designated the official newspapers of the County for such publication, together with a notice in substantially the form prescribed in Section 81.00 of the Local Finance Law of the State of New York.

Section 15. This resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter.

* * *

The adoption of the foregoing resolution was seconded by _____

and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

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Exhibit A

Proposed Refunding Financial Plan

County of Rockland, New York

\$19,555,000 Refunding Serial Bonds, 2013

Rockland Pricing Spread from 10/2012 - 4.22.13

Project Summary

Dated 06/15/2013 | Delivered 06/15/2013

	2002 Bonds	2003 Bonds	2003 Ref. Bonds	Issue Summary
Sources Of Funds				
Par Amount of Bonds	\$6,825,000.00	\$11,850,000.00	\$880,000.00	\$19,555,000.00
Reoffering Premium	247,919.80	1,044,943.10	36,739.70	1,329,602.60
Total Sources	\$7,072,919.80	\$12,894,943.10	\$916,739.70	\$20,884,602.60
Uses Of Funds				
Total Underwriter's Discount (0.600%)	40,950.00	71,100.00	5,280.00	117,330.00
Costs of Issuance	40,136.79	69,688.06	5,175.15	115,000.00
Deposit to Net Cash Escrow Fund	6,990,460.56	12,754,063.71	903,014.82	20,647,539.09
Rounding Amount	1,372.45	91.33	3,269.73	4,733.51
Total Uses	\$7,072,919.80	\$12,894,943.10	\$916,739.70	\$20,884,602.60
Flow of Funds Detail				
State and Local Government Series (SLGS) rates for Date of OMP Candidates	4/23/2013	4/23/2013	4/23/2013	4/23/2013
Primary Purpose Fund Solution Method	Net Funded	Net Funded	Net Funded	Net Funded
Total Cost of Investments	\$6,990,460.56	\$12,754,063.71	\$903,014.82	\$20,647,539.09
Interest Earnings @ 0.030%	172.36	314.48	22.26	509.10
Total Draws	\$6,990,632.92	\$12,754,378.19	\$903,037.08	\$20,648,048.19
PV Analysis Summary (Net to Net)				
Net PV Cashflow Savings @ 2.441%(AIC)	241,462.46	429,664.73	25,874.93	678,856.26
Contingency or Rounding Amount	1,372.45	91.33	3,269.73	4,733.51
Net Present Value Benefit	\$242,834.91	\$429,756.06	\$29,144.66	\$683,589.77
Net PV Benefit / \$20,505,000 Refunded Principal	3.512%	3.384%	3.275%	3.334%
Net PV Benefit / \$19,555,000 Refunding Principal	3.558%	3.627%	3.312%	3.496%
Bond Statistics				
Average Life	1.872 Years	5.566 Years	2.163 Years	4.124 Years
Average Coupon	3.7251538%	4.3595475%	3.7157246%	4.2438385%
Net Interest Cost (NIC)	2.1051436%	2.8830583%	2.0628024%	2.7404456%
Bond Yield for Arbitrage Purposes	2.4412738%	2.4412738%	2.4412738%	2.4412738%
True Interest Cost (TIC)	2.0479738%	2.7146834%	2.0058478%	2.5902720%
All Inclusive Cost (AIC)	1.7273649%	2.6030850%	1.7285067%	2.4412738%

2013 Refunding 2 - 4.22.1 | Issue Summary | 4/23/2013 | 11:48 AM

RESOLVED, That the Legislature of Rockland County hereby approves the amendment and extension in excess of \$100,000 with PlanetJ Corporation, 1821 Kelson Place, Escondido, Calif 92029, for the extended period from January 1, 2013 through December 31, 2013, in an additional amount of \$46,410, for a total contract sum not to exceed \$115,910 for the Sheriff's Department, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for said additional amount exists within Sheriff grant department's GS06, GS07 and GS26.

MB:lo
2013-01774
4/30/13

DRAFT

RESOLVED, That the Legislature of Rockland County hereby approves the intermunicipal cooperation agreement between the County of Rockland and the Town of Stony Point for \$ 3,564.96 for Officer Derosa for overtime training reimbursement to the Police Department for counter-terrorism training and backfill, and authorizes execution of the intermunicipal agreements by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That funding for these agreements is currently appropriated within the State Homeland Security Program (SHSP) grant (Dept. GS22).

MB:lo
2013-01938
5/6/12

DRAFT

DRAFT

GENERAL FUND - 2013

Increase Approp. Acct. (Credit):

A-DA-1165-FA01-E4500 Forfeiture Funds - Services 15,775

Increase Approp. Fund Bal. (Debit):

A-UNC-9990-R5990 (Designated for Law Enforcement - Federal Proceeds) 15,775

MB:lo
2013-01864
4/30/13
5/17/13

NO VOTE

Introduced by:
Hon. Ilan S. Schoenberger, Sponsor

NEW BUSINESS
Referral No. 7070
May 21, 2013

RESOLUTION NO. OF 2013
RELEASING AND DISTRIBUTING 2012/2013 SALES TAX PROCEEDS TO TOWNS
AND VILLAGES IN ACCORDANCE WITH AND AS PROVIDED BY NEW YORK
STATE LAW

WHEREAS, in accordance with New York State Law, Rockland County distributes 1/8 of 1 percent of sales tax monies to Rockland County towns and villages based upon their per capita population; and

WHEREAS, in accordance with New York State Law, Rockland County also distributes 1/8 of 1 percent of sales tax monies to towns and villages with police departments based upon their membership or composition; and

WHEREAS, the Legislature of Rockland County has become aware that the administration has failed to disburse sales tax monies to said towns and villages in accordance with New York State law for 2012/2013; and

WHEREAS, upon information and belief, the County is withholding the sales tax distribution to towns as a set off for the chargebacks to the towns for community college students; and

WHEREAS, upon information and belief, the County is also withholding the sales tax distribution to the villages, although there are no chargebacks to the villages; and

WHEREAS, the withholding of funds to the towns and/or villages by the County is a bad policy since the towns and/or villages rely upon said monies to balance their budgets and to provide necessary services to their residents and further contributes to the deterioration of a working relationship between various levels of municipal governments; and

WHEREAS, pursuant to the Rockland County Charter, the Legislature is the policy determining body of the County; now therefore be it

RESOLVED, that the Legislature of Rockland County, as the policy determining body, hereby declares that the withholding of sales tax sharing with the towns and villages as provided within New York State Law, by the County of Rockland, is contrary to the best interests of the County, the towns and villages and our residents and taxpayers and such action should therefore should not be engaged in by the County of Rockland; and be it further

RESOLVED, that the Legislature of Rockland County hereby directs the Commissioner of Finance to release the sales tax monies due the towns and/or villages in accordance with New York State law and in accordance with this policy as set forth in this resolution forthwith.

LG3238

ISS/cs

5/15/13

5/21/13; 5/22/13

