

The Legislature of Rockland County



MICHAEL M. GRANT
LEGISLATOR, DISTRICT 2
PLANNING AND PUBLIC WORKS, CHAIR

AGENDA PLANNING AND PUBLIC WORKS COMMITTEE TUESDAY, DECEMBER 11, 2012 7:00 P.M.

- ROLL CALL
 - ADOPTION OF MINUTES OF 11/27/12
1. **REFERRAL NO. 5474** APPOINTING DANIEL O'LEARY TO THE VACANCY ON THE ROCKLAND COUNTY BOARD OF SEWER COMMISSIONERS CREATED BY THE RESIGNATION OF J. MARK REIMER **(HON. HARRIET D. CORNELL, LEGISLATURE) LG #3175**
 2. **REFERRAL NO. 5906** A RESOLUTION APPROVING A \$43,000,000 INCREASE IN COST OF THE WESTERN RAMAPO SEWER EXTENSION OF ROCKLAND COUNTY SEWER DISTRICT NO. 1, BRINGING THE TOTAL COST TO \$168,000,000 AND MAKING OTHER DETERMINATIONS IN CONNECTION THEREWITH. **(DIANNE PHILIPPS, DIRECTOR OF SEWER DISTRICTS NO. 1) DL #2012-04461**
 3. **REFERRAL NO. 9252** APPROVING A SECOND AMENDMENT TO AGREEMENT IN EXCESS OF \$100,000 WITH AMERICAN TOWER MANAGEMENT, LLC FOR THE PUBLIC SAFETY RADIO COMMUNICATIONS SYSTEM REQUIRING THE PLACEMENT OF ADDITIONAL ANTENNAS ON AN EXISTING COMMUNICATION TOWER IN THE ADDITIONAL AMOUNT OF \$500.00 PER MONTH WITH A THREE (3%) PERCENT ANNUAL INCREASE FOR ALL SUBSEQUENT YEARS COMMENCING JANUARY 1, 2013 FOR A TOTAL CONTRACT AMOUNT OF \$483,631.20 (2010-\$88,800.00, 2011-\$91,464.00, 2012-\$94,207.92, 2013-\$103,034.16, 2014-\$106,125.12) AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [OFFICE OF FIRE & EMERGENCY SERVICES] (\$483,631.20) **(GORDON WREN JR., DIRECTOR OF FIRE & EMERGENCY) DL #2012-04115 rev. 11/26/12**

(ADDITIONAL BACK UP W/COMMITTEE CLERK)

4. **REFERRAL NO. 9252** APPROVING A FIRST AMENDMENT TO AGREEMENT IN EXCESS OF \$100,000 WITH NEXTEL OF NEW YORK, INC. FOR THE INSTALLATION OF AN ADDITIONAL SIX (6) REMOTE RADIO HEADS AND THREE (3) COMBINERS AT THE 117 FOOT LEVEL ON THE COUNTY OWNED COMMUNICATIONS TOWER LOCATED AT 175 BRICK CHURCH ROAD IN THE TOWN OF RAMAPO AND INCREASING THE LICENSE FEES PAID TO THE COUNTY OF ROCKLAND BY AN ADDITIONAL \$750.00 PER MONTH FOR ALL SUBSEQUENT YEARS COMMENCING JANUARY 1, 2013 FOR A TOTAL CONTRACT AMOUNT OF \$1,592,119.28 FOR THE PERIOD FROM OCTOBER 25, 2006 THROUGH OCTOBER 24, 2031 [OFFICE OF FIRE & EMERGENCY SERVICES] (\$1,592,119.28) (**GORDON WREN JR., DIRECTOR OF FIRE & EMERGENCY**) DL #2012-04116 rev. 11/27/12
5. **REFERRAL NO. 9323** APPROVING THE PURCHASES IN EXCESS OF \$100,000 FROM ORACLE AMERICA, INC. OF ANNUAL PEOPLESFT ENTERPRISE AND PEOPLESFT DATABASE MAINTENANCE AND SUPPORT FOR EXISTING LICENSES FOR THE DEPARTMENT OF HOSPITALS IN AN AMOUNT NOT TO EXCEED \$104,480.68 FOR THE PERIOD JULY 1, 2012 THROUGH DECEMBER 31, 2012 IN ACCORDANCE WITH NYS OGS CONTRACT NO. PT64000 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER [DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING] (\$104,480.68) (**GERALD WALSH, COMMISSIONER OF DGS-PURCHASING**) DL #2012-04237

(ADDITIONAL BACK UP W/COMMITTEE CLERK)

"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."

DRAFT

Introduced by:
Hon. Harriet D. Cornell, Sponsor

Referral No.

RESOLUTION NO. OF 2012
APPOINTING DANIEL O'LEARY TO THE VACANCY ON
THE ROCKLAND COUNTY BOARD OF SEWER COMMISSIONERS
CREATED BY THE RESIGNATION OF J. MARK REIMER

WHEREAS, J. Mark Reimer resigned his position as a commissioner on the Rockland County Board of Sewer Commissioners, thereby creating a vacancy on the Rockland County Board of Sewer Commissioners; and

WHEREAS, J. Mark Reimer's resignation was effective on or about December 3, 2012, thereby creating a vacancy on the Rockland County Board of Sewer Commissioners; and

WHEREAS, the Legislature of Rockland County wishes to thank J. Mark Reimer for his years of service to the County of Rockland; and

WHEREAS, J. Mark Reimer was appointed as a Commissioner from that portion of the geographic extension to the boundaries of the Rockland County Sewer District No. 1, as a village trustee from an incorporated village within the said geographic extension; and

WHEREAS, it has been recommended that Daniel O'Leary, of Sloatsburg, New York, a Trustee from an incorporated Village within said geographic extension of the Rockland County Sewer District No. 1 be appointed to replace J. Mark Reimer; and

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

RESOLVED, that the Legislature of Rockland County hereby appoints Daniel O'Leary a member of the Rockland County Board of Sewer Commissioners, as a Trustee from an incorporated village within the said geographic extension of the Rockland County Sewer District No 1, commencing with the passage of this resolution; and be it further

RESOLVED, that the Clerk to the Legislature shall notify the Rockland County Board of Sewer Commissioners and the appointee of this resolution.

LG3175
RM/cs
12/6/12

Introduced by: _____

NEW BUSINESS
Referral No. _____
_____, 2012

RESOLUTION NO. _____ OF 2012

A RESOLUTION APPROVING A \$43,000,000 INCREASE IN COST OF THE WESTERN RAMAPO SEWER EXTENSION OF ROCKLAND COUNTY SEWER DISTRICT NO. 1, BRINGING THE TOTAL COST TO \$168,000,000 AND MAKING OTHER DETERMINATIONS IN CONNECTION THEREWITH.

WHEREAS, By proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, the County Legislature of the County of Rockland, New York, has established a County sewer district designated and known as the Rockland County Sewer District No. 1 ("RCSD"); and

WHEREAS, By proceedings heretofore duly had and taken pursuant to Article 5-A of the County Law, and approving orders of the New York State Comptroller, the County Legislature approved the Western Ramapo Sewer Extension of RCSD for sewer projects in unsewered areas and improvements to sewers in connection with extending service to the Villages of Hillburn and Sloatsburg and a portion of the unincorporated area of the Town of Ramapo, including an advanced wastewater treatment plant, pump stations, a sewer collection system and interconnection line, all at a maximum estimated cost of \$125,000,000; and

WHEREAS, A revised engineer's report and estimate of cost relating to the Western Ramapo Sewer Extension dated June, 2010 and approved by the Board of the RCSD has been filed with the County Legislature indicating that in order to complete the improvements for the Extension, it will be necessary to expend the sum of \$168,000,000, an increase of \$43,000,000 over that previously authorized; and

WHEREAS, On July 2, 2012, the State Comptroller consented to the proposed increase in cost; and

WHEREAS, Said County Legislature duly adopted a resolution on August 7, 2012, calling a public hearing on the aforesaid increased cost of the Extension in accordance with the provisions of Section 269 of the County Law, said public hearing to be held at the Legislative Chambers, Allison-Parris County Office Building, in New City, New York, in said County, on the 19th day of September, 2012, at 7:10 o'clock P.M., Prevailing Time; and

WHEREAS, Notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, Said public hearing was duly held at the time and place aforesaid; and

WHEREAS, Said County Legislature has duly considered the evidence at said public hearing;

WHEREAS, The _____ Committees of the Legislature have met, considered and approved this resolution; NOW, THEREFORE,

BE IT RESOLVED, by the County Legislature of the County of Rockland, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase the cost of the establishment of the Western Ramapo Sewer Extension of Rockland County Sewer District No. 1 in the County of Rockland, New York as hereinbefore set forth and as more fully described in the aforesaid map and report including an estimate of cost, and the same is hereby authorized at a maximum estimated cost of \$168,000,000, all as more fully described in the preambles hereto.

Section 2. The Clerk of the County Legislature shall, within ten (10) days, cause a certified copy of this resolution to be published in the "ROCKLAND JOURNAL NEWS," published in West Nyack, New York and the "ROCKLAND COUNTY TIMES," published by Citizen Publishing Corp., Nanuet, New York.

Section 3. This resolution is adopted subject to permissive referendum and shall take effect forty-five (45) days after its adoption unless a petition is presented with the required number of signatures requesting a referendum thereon.

APPROVED:

DATED:

AYES:

NOES:

ABSENT:

* * * * *

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF ROCKLAND)

I, the undersigned Clerk of the County Legislature of the County of Rockland, New York (the "Issuer"), DO HEREBY CERTIFY:

- 1) That a meeting of the Issuer was duly called, held and conducted on the ____ day of _____, 2012.
- 2) That such meeting was a **special regular** (circle one) meeting.
- 3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 5) That all members of the Board of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this ____ day of _____, 2012.

(CORPORATE SEAL)

Clerk, County Legislature

NOTICE OF ADOPTION OF RESOLUTION

PLEASE TAKE NOTICE that the County Legislature of the County of Rockland, New York, has, on the _____ day of _____, 2012, duly adopted the resolution published herewith approving the increased cost of the Western Ramapo Sewer Extension of Rockland County Sewer District No. 1, **SUBJECT TO A PERMISSIVE REFERENDUM.**

Dated: New City, New York

_____, 2012

Clerk, County Legislature

EXTRACT OF MINUTES

Meeting of Legislature of
The County of Rockland, New York

_____, 2012

* * *

At a regular meeting of the Legislature of the County of Rockland, New York, held at the Legislative Chambers, Allison-Parris County Office Building, in New City, New York, on _____, 2012.

The following Legislators were present:

There were absent:

Also present:

Legislator _____ offered the following resolution and moved its adoption:

RESOLVED

Referral No.

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

RESOLVED, That the Legislature of Rockland County approves a first amendment to an agreement with Nextel of New York, Inc., a Delaware corporation, with an office at 6391 Sprint Parkway, Mailstop KSOPHT0101Z2650, Overland Park, KS 66251-2650, for the installation of six (6) remote radio heads and three (3) combiners at the 117 foot level of the County-owned communications tower located at 175 Brick Church Road in the Town of Ramapo which will increase the license fees to be paid to the County in the amount of \$750.00 per month for a total contract sum of \$1,592,119.28 beginning the first month following commencement of construction or 180 days following full execution of the amendment through October 24, 2031, and further authorizes its execution and all other necessary documents to effectuate the intent and purpose of this resolution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That the adoption of this resolution does not require the expenditure of any County funds.

TS: lo
2012-04116
11/08/12
11/27/12 rev.

Referral No.

DRAFT

WHEREAS, The amendment to the license agreement with American Tower Management, LLC will increase the fees paid by the County an additional \$500.00 per month with a three (3%) percent annual increase for all subsequent years commencing January 1, 2013; and

WHEREAS, The total contract amount for the lease agreement with American Tower Management, LLC shall not exceed the total sum of \$483,631.20; and

WHEREAS, Funding for the 2011 and 2012 portion of this agreement is provided by available funds in Fire and Emergency Services Capital Project # 1860 (Rockland County Public Safety Communication System) and funding for subsequent years will be considered for appropriations in the 2013 and 2014 Operating Budget of Fire and Emergency Services; 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 approves a second amendment to the license agreement with American Tower Management, LLC, 10 Presidential Way, Woburn, MA 01801 for the placement of additional antennas on an existing communications tower which are necessary for the Public Safety Communications System and an increase in the fees paid by the County of an additional \$500.00 per month with a three (3%) percent annual increase for all subsequent years commencing January 1, 2013 for a total contract sum in the amount of \$483,631.20 and further authorizes its execution and all other documents necessary to effectuate the purpose and intent of this resolution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That funding for the 2011 and 2012 portion of this agreement is provided by available funds in Fire and Emergency Services Capital Project # 1860 (Rockland County Public Safety Communication System) and that funding for subsequent years will be considered for appropriations in the 2013 and 2014 Operating Budget of Fire and Emergency Services.

TS: lo
2012-04115
11/08/12
11/26/12 rev.

Introduced by:

Referral No.

**RESOLUTION NO. OF 2012
APPROVING THE PURCHASES
IN EXCESS OF \$100,000
FROM ORACLE AMERICA, INC.
OF ANNUAL PEOPLESOFT ENTERPRISE AND PEOPLESOFT
DATABASE MAINTENANCE AND SUPPORT FOR EXISTING LICENSES
FOR THE DEPARTMENT OF HOSPITALS
IN AN AMOUNT NOT TO EXCEED \$104,480.68
FOR THE PERIOD JULY 1, 2012 THROUGH DECEMBER 31, 2012
IN ACCORDANCE WITH NYS OGS CONTRACT NO. PT64000
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
(\$104,480.68)**

DRAFT

WHEREAS, The New York State Office of General Services (NYS OGS) has issued an award to Oracle America, Inc., 1910 Oracle Way, Reston, VA. 20190, for Oracle PeopleSoft Enterprise and PeopleSoft Database maintenance and support for existing licenses under NYS OGS Contract No. PT64000 for the period from June 26, 2008 through June 25, 2013 with five (5) year renewal options; and

WHEREAS, The County is authorized to use NYS contracts for the procurement of such services; and

WHEREAS, The initial purchase of software maintenance was awarded under RFP-RC-004-007 and was purchased in advance as part of the original capital project for the County's Financial and Human Resource system, but the maintenance contract that was purchased is complete; and the County now must purchase annual software maintenance; and

WHEREAS, Software maintenance is required to receive annual tax updates for the payroll system, software upgrade licenses and system fixes as they become available; and

WHEREAS, The Director of Purchasing requests that the County Executive and the Legislature of Rockland County approve the purchases in excess \$100,000 from Oracle America, Inc. for Oracle PeopleSoft Enterprise and PeopleSoft Database maintenance and support for existing licenses in an amount not to exceed \$104,480.68 for the period from July 1, 2012 through December 31, 2012 in accordance with the terms and conditions specified in NYS OGS Contract No. PT64000; and

WHEREAS, All purchases shall be made by formal purchase order; and

DRAFT

WHEREAS, Sufficient funding for these purchases is provided for in the 2012 Adopted Capital Budget, Capital Project 1462; 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 purchases in excess of \$100,000 from Oracle America, Inc., 1910 Oracle Way, Reston, VA. 20190, for Oracle PeopleSoft Enterprise and PeopleSoft Database maintenance and support for existing licenses in an amount not to exceed \$104,480.68 for the period from July 1, 2012 through December 31, 2012 in accordance with the terms and conditions specified in NYS OGS Contract No. PT64000; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2012 Adopted Capital Budget, Capital Project 1462.

BB:mf
2012-04237
10-26-12
rev. 12-4-12