

NOTICE OF MEETING

Notice is hereby given that the Legislature of Rockland County will meet in its Chambers in the Allison-Parris Office Building, New City, New York on Monday, June 2, 2014 at 7:00 P.M., pursuant to the adjournment of the May 20, 2014 meeting.

Very truly yours,

Laurence O. Toole
Clerk to the Legislature

Dated at New City, New York
This 29th day of May 2014

The Legislature of Rockland County convened in regular session pursuant to adjournment of the May 20, 2014 meeting.

A Roll Call being taken, the following Legislators were present and answered to their names:

Christopher J. Carey
Harriet D. Cornell
Michael M. Grant
Douglas J. Jobson
Barry S. Kantrowitz
Nancy Low-Hogan
Joseph L. Meyers
Patrick J. Moroney
John A. Murphy
Aney Paul
Philip Soskin
Frank P. Sparaco
Aron B. Wieder
Jay Hood, Jr., Vice Chairman
Alden H. Wolfe, Chairman

Late: Legislator Toney L. Earl (7:32 p.m.)

Absent: Legislator, Ilan S. Schoenberger

Honorable Douglas J. Jobson, Legislator, District 1, led in the Salute to the Flag and delivered the invocation.

Comments from the Chairperson:

Honorable Alden H. Wolfe

Tonight I'm going to address an issue that has been evolving over the past few months, specifically our relationship with the County Executive. At the beginning of this year, he and I both began our new roles in County government, he as County Executive and me as Chairman of the Legislature. Ed and I have a relationship that goes back to 2006, and I had the highest of hopes for working collaboratively with him. Of course the beginning of the year brought with it many questions from the media about our relationship, and at the time I answered those questions with optimism. Now, as we approach the half way mark of the year, I'm compelled to address what has emerged as a disappointing pattern of behavior.

Along with beautiful weather, this past weekend brought with it a targeted campaign by the County Executive through social media and his own e-mail list to pressure us into putting aside our independent judgment on an important fiscal issue and bow to his will. And this isn't the first time he's resorted to these tactics. He did it a month or so ago when we questioned, as is our right, why he would support an Orange County housing development hooking into our sewer system, and last week he went public on charter reform, as we patiently wait for promised feedback from him on our proposal, now 34 days after our meeting and still counting. What bothers me the most is the fact that on Thursday evening, I saw him in the parking lot and extended an olive branch to him and suggested that we start over and at that point I thought he had agreed.

It seems that when we question his position on an issue he tries to intimidate us through the press, social media and his own e-mail list, spinning the public up with half-truths and outright misinformation. Just this past weekend, his friend wrote and distributed a blog entry on the issue of whether to apply the premium on our recent financing to the deficit. The so-called facts that were referenced in this blog entry were not only so distant from the truth, but the entry also resorted to personal attacks against me. And instead of repudiating the tone of the blog, the County Executive actually offered additional misstatements of fact, which were then posted on Facebook! Even further, later comments posted on Facebook from others, third parties who I have never met before, about conversations had in private meetings between certain Legislators and the County Executive, and also referenced the specific fact that during that week I was out of town in Europe, and that is information that could only have come from one source, and that's Ed Day. Even through the day today I've gotten reports that he's still sending e-mail blasts with the same misinformation asking people to call our office and tell us to vote his way. These types of tactics by the County Executive are a failure of leadership and have absolutely no place in any government.

Trying to force us to make decisions through distortion and intimidation may have worked for him in the schoolyard, but it certainly doesn't work for us here in Rockland County government. It's unbecoming, and the County Executive should know better, particularly given his experience on this board. We're 17 legislators from all corners of the County, chosen by our neighbors to make independent decisions in their best interest. Put simply, we will not be bullied.

As we sit here right now, under the law, and that is the Bond resolution we passed earlier this year that was given to us by County Executive Ed Day, the premium must be applied toward the payment of interest. That is the law right now. The money isn't "unassigned or frozen," his words. There is no inaction or "vacillation," again his words. Tonight is not our "last chance" to vote on the issue, again his words. Not voting tonight will not cost the taxpayers an additional \$250,000, his words, because what he conveniently omits from his public statements on the issue is the fact that even if we do apply the premium to the deficit, he's still going to be short of cash this year and he will still have to borrow money through short term borrowing. If he had been at our committee meeting last week, he'd have heard the Commissioner of Finance say just that. In fact, the letter from him that we got after hours on Friday had a cash flow projection that shows just that. He has invented a crisis that doesn't exist, solely to put pressure on us to do what he wants us to do. This is reliance on political theater as opposed to anything with meaningful substance.

The particular item is not on tonight's agenda because we have not received a clear and concise plan from the County Executive as to how the interest payments would be made next year. We will not be debating it tonight. Despite what the County Executive has publicly said, we have not received "reams" of documentation, his word. In fact, his plan consists of exactly one sentence, received late in the day on Friday as an attachment to this letter: His plan, "The County Executive will include in the proposed County Budget the necessary actions, which may involve cuts to services, raising revenues or a combination of both to pay the debt service in 2015 in the amount of \$6.9 million and \$4.1 million in 2016." That's the plan. What this overly simplistic response to a relevant and critically important question tells me is that the County Executive has no plan at all. And it doesn't matter how many names he attaches to a letter supporting his position. I trust the advice of Nick DeSantis of O'Connor Davies, they are our independent auditor, and they are the consultants for the Legislature. He and his team have advised us to be cautious and insist on a plan before deciding whether to apply the premium to the deficit, and that's exactly what we're doing.

I'm an eternal optimist, likely an unusual quality for someone in elective office. I remain as committed to working collaboratively with the County Executive today as I did on January 1, but it takes two to tango. Someone needs to tell him that last year's election is over - he won! Congratulations! But now it's time for him to stop campaigning and start leading.

Special Order of the Day:

PUBLIC NOTICE

NOTICE is hereby given that a public hearing will be held by the Legislature of Rockland County at its Legislative Chambers, 11 New Hempstead Road, New City, Rockland County, New York, on the **2nd day of June, 2014, at 7:05 P.M.**, prevailing time, to consider adoption of a local law providing for legal consistency between County regulations and municipal building and zoning codes with respect to historical structures.

Dated: New City, New York
May 15, 2014

LAURENCE O. TOOLE
Clerk to the Legislature
Allison-Parris County Office Building
11 New Hempstead Road
New City, New York 10956

The Chairman opened the public hearing at 7:05 p.m. and the following spoke:

- ❖ Joseph Schleimer

Affidavits of publication and a complete transcript of the public hearing are on file in the Office of the Clerk to the Legislature.

**RESOLUTION NO. 257 OF 2014
CLOSE PUBLIC HEARING**

Mr. Grant offered the following resolution, which was seconded by Mr. Carey and unanimously adopted:

RESOLVED, that the public hearing be and it is hereby closed (7:13 p.m.).

There was no vote on this law.

The Chairman opened the public participation portion of the meeting at 7:14 p.m. and the following persons spoke:

- ❖ Jim Flynn, Concerned with County debt
- ❖ Joe Torangelo, Concerned with County debt

Public Participation ended at 7:18 p.m.

Legislator Toney L. Earl arrived at 7:32 p.m.

Comments from Legislators:

Legislator Christopher J. Carey

I just want to let you know, and everyone, under new business this evening I will be bringing up a waiver for immediate need to discuss the bond, the \$11,400,000. Assuming we get that we will want to discuss the issue and give Legislators a chance to vote up or down.

Mr. Meyers

I listened to the comments of Chairman Wolfe with some interest. I actually saw Ed Day's email. I didn't view it as bullying. I viewed it as finally some aspect of vibrant democracy in the County of Rockland. It is not uncommon for an Executive, whether it be a President or Governor, to make their position known and to urge people to contact their Congressman, State Assemblyperson or their State Legislator to get some passage of something. I would hardly call that bullying. I won't get into the aspects of the give and take of politics. Some things are slanted from one side to the other and I am sure that exists on both sides. The characterization of it as bullying is mystifying to me. I was excited when I read it, finally for the first time in the six years that I have been here the County Executive is actually urging something and making attempts to have the residents of the County no about some Legislation that he would like this body to pass. I hope we have more of that as long as it is kept respectful as part of the give and take.

I personally am one of seventeen independent Legislators and I would like to vote on this as one of seventeen Legislators. I didn't ask for a plan. Maybe the leadership asked for plan and I would like to have my say on it by voting on it. I would like to not have others to decide for me what I need before I can vote on something.

Furthermore, the premium, we weren't necessarily anticipating any premium at all and we would have had the problem of how to pay interest in 2015. IN fact, that was something that was sited by a number of Legislators, including me. How are we going to pay that premium? What is the plan for paying the interest starting in 2015? I know their original plan was sales tax revenue and that did not go anywhere at the State level. We never really came up with another plan for paying the interest on the bond. We did pass, I believe, was a law sponsored by Legislator Schoenberger, saying that we had to pay down the debt or deficit and put a certain amount of money aside each year to pay down the deficit. There was no plan associated with that. Some of that said at the time when it was passed that it sounds good to allocate money to pay down the deficit. Where is that money coming from to pay down the deficit each year? There was no answer and no plan. Now suddenly we need a plan.

We do need a plan and the plan is called the 2015 budget. To ask the gentleman down the hall to come up with basically the budget now is what you are essentially asking for. We always wondered how we would pay the interest. You are asking him now to come up with the budget to tell you now he is going to pay the interest, because that is what he needs to answer that question. When we talk about distortion on both sides it is a little distorting to say that we asked for a plan and he hasn't given it. What you have asked for is the 2015 budget now. Of course, he cannot give you that right now. He said he would bite the bullet and reduce expenses to do that. I would like to end the year without having increased in our deficit. That would send a tremendous signal to the rating agencies and others that we have turned the corner. It looks so terrible to have borrowed the \$96,000,000 as a deficit financing measure only to have the outside world looking in and saying it is business as usual.

There are costs associated with it, but that is a cost that taxpayers are going to have to be burdened with. Even if we use this money to pay down the interest for next year and part of the following year that is not a plan either. At some point for the next 15 years we are going to have to pay millions of dollars every single year and we have never had a plan to do that. He is willing to come up with one. Let him do it. It is not exactly the case that this body has been the model of fiscal prudence over the last seven year. Now we are coming in on our white horse saying that we are the guarantors of fiscal prudence for Rockland County. This is nonsense. The leadership of this body didn't do anything when the problems were coming to the floor with our budget. And that has led us to the position that we are in. He was elected popularly and he said he would do something about it starting with his 2015 budget. Let's let him try. We were perfectly happy to let the previous County Executive run us into the ground with the cooperation of this body. Let's let Ed Day try to reverse it. I would like to vote on it today, because I am one of seventeen independently elected County Legislators.

Mr. Wieder

I literally just came back from Albany, being there all day long with a wonderful group of people; an organization that is called "Community United for Formula Change for the East Ramapo School District." The group consists of Haitian Pastors, Orthodox Jewish Rabbi's, community leaders and local activists, and Latino and African American community. It is a group of about 20-25 people. We met with the leadership of the Senate, the Chairperson of the Education Committee in the Senate, and also our State representatives and we were very well received. We submitted a petition that was out there for a couple of weeks and generated 1,500 signatures of people supporting a formula change. We met with the leadership of the Assembly and the Speaker of the Assembly with our State representatives and it was just so fabulous to see how a community is coming together on a positive note on solutions rather than just finger pointing and just being divided. Thank you.

Mr. Kantrowitz

I am the newest member of this Legislature. I was appointed in January and I actually replaced Ed Day. I am not part of the leadership. I wasn't here in years past. I wasn't part of the old Legislature that was fiscally imprudent, as Mr. Meyers implied. One of the first things I did when I got here was I looked at the criticisms of the history of this Legislature. And I looked at the problems that developed over the years. One of the biggest criticisms was that the Legislature did not follow its auditor's recommendations and didn't follow what its own auditor said. When you look at this particular issue of the bond premium, we have auditors and the auditors are very clear. The Legislatures auditors say that you have an existing resolution and you have a law, unless there is a plan and a legitimate justification for changing that law you stick with it.

You can't govern this County on Facebook. You have to govern right here. You can't campaign. The misinformation that is out there is mindboggling. This money is not frozen. This money is not being held up by this Legislature, as numerous comments say. There is a law in place that is a resolution that came from Ed Day's administration that says you have to use any premium you get to reduce the deficit. There is no question. There are not two options. There is one requirement now and Mr. Day had proposed a new option. Inaction doesn't mean there was no decision. The decision is what the decision is. The decision is what the law is. It says you have to apply it to the interest.

I am not against potentially using the \$11,000,000 premium to reduce the deficit if there was a plan in place that explains why we should change it. The plan we got says, "If you release the \$11,000,000 to the deficit I will raise \$6,000,000 or cut \$6,000,000 in 2015 and \$5,000,000 in 2016. If you don't release it to the deficit I am going to cut the same \$11,000,000 in 2015 and 2016 anyway." So, where is the emergency? There is no emergency. This artificial deadline just doesn't exist, it is fear and you can't legislate based upon fear. You have to deal with the facts. The cash flow projections show the need for \$20,000,000. It is not a \$250,000 cost if we don't decide today. We can, Mr. Meyers, consider this at the next Budget and Finance Committee meeting. It can be discussed. Is the County Executive calling for a property tax increase in 2015? A sales tax increase? A mortgage tax increase? In 2015 or 2016, is that part of the plan or not? If there are going to be cuts where are the cuts going to be? Show us not the whole budget, but show us why you want to make this change now. Give us some information on it and then we can vote on it. I am not against the idea, but if I were asked to vote on it today based on the information I have I would vote no. Given some time maybe I will vote yes. Thank you.

Mrs. Cornell

We actually have a Local Law in Rockland County that was passed, which requires the County Executive to produce for the Legislature and for the public a Multi-Year Budget in June. I raised this issue the other night in the Budget and Finance Committee. The Finance Commissioner has indicated that he will return during June with a Multi-Year Plan that will show the financial and fiscal choices by doing one or the other - by either reducing the deficit or paying down the interest. We will see what we need to see, which is what is the best decision for the taxpayers of Rockland County. We have been talking about this in the Budget and Finance Committee for several sessions. We talked directly with the Finance Commissioner. We are trying to find the very best option to support and we have been told that we will have those kinds of figures that will show us what will ultimately be the best decision to help the people of Rockland County and to make the wisest decision.

We need to understand what is going to be the least costly and the most effective way to move forward on behalf of the people of Rockland County. Thank you.

Introduced by:
Hon. Alden H. Wolfe, Sponsor

**RESOLUTION NO 258 OF 2014
AMENDING THE PREVIOUSLY ADOPTED STANDARD WORKDAY
RESOLUTION TO INCLUDE NEWLY APPOINTED COUNTY LEGISLATOR
BARRY KANTROWITZ IN COMPLIANCE WITH THE REQUIREMENTS OF
THE OFFICE OF THE NEW YORK STATE COMPTROLLER**

Chairman Wolfe offered the following resolution, which was seconded by Mr. Grant and adopted:

WHEREAS, by Resolution No. 296 of 2012 (as amended by Resolution No. 371 of 2012), the Rockland County Legislature established a standard workday for elected and appointed officials of the Rockland County Legislature in compliance with the New York State Retirement System. Attached to the resolution was a Schedule A that consisted of a chart providing all the required information for each elected and appointed official of the Rockland County Legislature; and

WHEREAS, on January 6, 2014, by Resolution No. 1 of 2014, Barry S. Kantrowitz was appointed as a Rockland County legislator to replace the Honorable Edwin Day who resigned upon being elected and sworn in as County Executive; and

WHEREAS, the Clerk of the Legislature represents that Legislator Barry S. Kantrowitz has recorded and submitted his work activities for a period of three consecutive months, and the records of work activities submitted by Legislator Barry S. Kantrowitz demonstrate that he has worked an average of at least sixty hours bi-weekly, or 20 days per month; and

WHEREAS, attached as Exhibit A is an amended chart providing all required information for each elected and appointed official of the Rockland County Legislature, including Legislator Barry S. Kantrowitz; now therefore be it

RESOLVED that the Rockland County Legislature hereby amends Resolution No. 296 of 2012 (as amended by Resolution No. 371 of 2012) to add the name of Legislator Barry S. Kantrowitz to the list of Rockland County Legislators who have recorded and submitted their work activities for a period of three consecutive months, and whose record of work activities submitted demonstrates that he has worked an average of at least sixty hours bi-weekly, or 20 days per month, and be it further

RESOLVED, that this resolution shall be posted on the Rockland County website for a minimum of thirty days; be it further

RESOLVED, that the Clerk to the Legislature be and is hereby authorized and directed to file a certified copy of this resolution with an Affidavit of Posting with the Office of the New York State Comptroller within forty-five (45) days of the adoption of this resolution.

The vote resulted as follows:

Ayes:	15	(Legislators Carey, Cornell, Earl, Grant, Hood, Jr., Jobson, Kantrowitz, Low-Hogan, Meyers, Moroney, Murphy, Paul, Soskin, Wieder, Wolfe)
U.A. Nay:	01	(Legislator Sparaco)
Absent:	01	(Legislator Schoenberger)

STANDARD WORK DAY		AMENDED SCHEDULE "A"					
TITLE	NAME	SS No. (Last 4 Digits)	Registration Number	Standard Work Day (Hrs/Day)	Term Begins/Ends	Participates in Employer's Time Keeping System	Days/Month Based on Record of Activities
Elected Officials							
Legislator	Carey, Christopher	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Cornell, Harriet	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Earl, Tony	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Grant, Michael	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Hood, Jr., Jay	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Jobson, Douglas J.	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Meyers, Joseph	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Murphy, John	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Paul, Arey	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Soskin, Philip	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Sparaco, Frank	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Wieder, Aron	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Wolfe, Alden	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Low-Hogan, Nancy	*	*		6 1/1/12 - 12/31/15	No	20
Legislator	Kantrowitz, Barry	*	*		6 1/6/14 - 12/31/14	No	20
Appointed Officials							
Clerk to the Legislature	Toole, Laurence	*	*		8 1/1/12 - 12/31/12	Yes	20
Deputy Clerk to Legislature	Widmer, Mary	*	*		8 1/1/12 - 12/31/12	Yes	20
Legislative Counsel	McKay, Ricardo	*	*		8 1/1/12 - 12/31/15	Yes	20
Legislative Counsel	Yeger, Eliana	*	*		8 1/1/12 - 12/31/15	Yes	20
Confidential Secretary	Seldel, Chris	*	*		7 1/1/12 - 12/31/12	Yes	20

*Redaction Note: Personal identifying information redacted to protect privacy of individual. Original unredacted copy, logs and recertifications are on file with the Clerk to the Legislature in Legislature's Personnel Files.

Introduced by:

Referral No. 5906

- Hon. Alden H. Wolfe, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Frank P. Sparaco, Sponsor
- Hon. Aron B. Wieder, Sponsor

**RESOLUTION NO. 259 OF 2014
 APPROVING AN INTERMUNICIPAL AGREEMENT IN EXCESS OF \$100,000
 BETWEEN THE COUNTY OF ROCKLAND AND THE ROCKLAND COUNTY DRAINAGE
 AGENCY FOR REIMBURSEMENT OF COSTS ASSOCIATED WITH THE
 PASCACK BROOK BYPASS CULVERT CONSTRUCTION -
 SANITARY SEWER UPGRADE
 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$734,726.20
 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 (ROCKLAND COUNTY SEWER DISTRICT NO. 1)
 (\$734,726.20)**

Mr. Grant offered the following resolution, which was seconded by Mr. Earl, Mr. Soskin and Mr. Wieder and adopted:

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal governments to perform together that which each government is authorized to perform individually and requires that any intermunicipal cooperation agreement be approved by each participating municipal corporation by a majority vote of the voting strength of its governing body; and

WHEREAS, The Rockland County Drainage Agency (RCDA) is currently constructing the Pascack Brook Bypass Culvert (Project) in Spring Valley; and

WHEREAS, The Project required that portions of the Sewer District's Monsey and Hillcrest interceptors be relocated; and

WHEREAS, Rockland County Sewer District No. 1 (District) requested that the RCDA conduct a build out analysis and size the relocated sewer lines accordingly to handle future flows; and

WHEREAS, It is cost effective to upgrade the size of the sewer lines at this time for projected increase in future flows; and

WHEREAS, The RCDA has requested reimbursement for additional engineering costs and for the incremental cost to increase the pipe size of the relocated sewer lines; and

WHEREAS, The District has received a request for reimbursement from RCDA in the amount of \$734,726.20 along with supporting documentation; and

WHEREAS, The staff of the District have reviewed the supporting documentation and cost estimates in detail; and

WHEREAS, The Executive Director of the District recommends to the County Executive and the Legislature of Rockland County that the County enter into an intermunicipal agreement with the RCDA for reimbursement of costs associated with the Pascack Brook Bypass Culvert Construction - Sanitation Sewer Upgrade for a total contract sum not to exceed \$734,726.20; and

WHEREAS, Sufficient funds for this agreement exist in Sewer District No. 1 Operating Budget, Account G-SWR-8120-E4580; and

WHEREAS, By Resolution No. 18 of 2014 the Board of Sewer Commissioners of the District authorized a municipal agreement with Rockland County Drainage Agency; 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 Planning & Public Works and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approve the intermunicipal agreement between the County of Rockland on behalf of the District with the RCDA for reimbursement of costs associated with the Pascack Brook Bypass Culvert Construction - Sanitation Sewer Upgrade for a total amount not to exceed \$734,726.20; and be it further

RESOLVED, That sufficient funds for this agreement exist in Sewer District No. 1 Operating Budget, Account G-SWR-8120-E4580.

The vote resulted as follows:

Ayes:	15	(Legislators Carey, Cornell, Earl, Grant, Hood, Jr., Jobson, Kantrowitz, Low-Hogan, Meyers, Moroney, Murphy, Paul, Soskin, Wieder, Wolfe)
U.A. Nay:	01	(Legislator Sparaco)
Absent:	01	(Legislator Schoenberger)

Introduced by:

Referral No. 5906

- Hon. Alden H. Wolfe, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Frank P. Sparaco, Sponsor
- Hon. Aron B. Wieder, Sponsor

**RESOLUTION NO. 260 OF 2014
 APPROVING AUTHORIZATION OF TRANSFER OF FUNDS
 FOR REIMBURSEMENT TO ROCKLAND COUNTY DRAINAGE AGENCY
 FOR PASCACK BROOK BYPASS CULVERT
 SANITARY SEWER UPGRADE COSTS
 IN THE AMOUNT OF \$734,726.20
 [ROCKLAND COUNTY SEWER DISTRICT NO. 1]
 (\$734,726.20)**

Mr. Grant offered the following resolution, which was seconded by Mr. Earl, Mrs. Paul and Mr. Wieder and adopted:

WHEREAS, The Rockland County Sewer District No. 1 (hereinafter referred to as R.C.S.D. No. 1) requests that the County Executive and the Legislature of Rockland County authorize the transfer of \$734,726.20 to the Rockland County Drainage Agency (hereinafter referred to as R.C.D.A.) from R.C.S.D. No. 1 Operating Budget, account G-SWR-8120-E4580, for Pascack Brook Bypass Culvert Sanitary Sewer Upgrade costs; and

WHEREAS, The Project required that portions of the Monsey and Hillcrest interceptors be relocated; and

WHEREAS, It is cost effective to upgrade the size of the sewer lines at this time for projected increase in flows; and

WHEREAS, R.C.S.D. No.1 requested that the R.C.D.A. conduct a build out analysis and size the relocated sewer lines accordingly to handle future flows; and

WHEREAS, The amount in undesignated fund balance is currently estimated to be \$22,241,290.00; and

WHEREAS, The R.C.S.D. No. 1 proposes to use funds from Undesignated Fund Balance, and requests a transfer in the amount of \$734,726.20 from R.C.S.D. No. 1 Undesignated Fund Balance to R.C.S.D No. 1 Operating Budget, account G-SWR-8120-E4580, to reimburse the R.C.D.A. for the Pascack Brook Bypass Culvert Sanitary Sewer Upgrade costs; and

WHEREAS, The Board of Sewer Commissioners, on April 24, 2014 by Sewer Resolution No. 19 of 2014, is requesting the Legislature of Rockland County approve this request; and

WHEREAS, The Planning & Public Works and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby authorizes the transfer of funds in the amount of \$734,726.20 from the R.C.S.D. No. 1 Undesignated Fund Balance to R.C.S.D No. 1 Operating Budget, account G-SWR-8120-E4580, to reimburse the R.C.D.A. for Pascack Brook Bypass Culvert Sanitary Sewer Upgrade costs; and be it further

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

OPERATING BUDGET

Increase Approp. Acct.:

G-SWR-8120-E4580	Sewer Dept. Trunk Repairs	\$734,727
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Increase Approp. Fund Bal.:

G-SWR-9952-R5990	Undesignated	\$734,727
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The vote resulted as follows:

Ayes:	15	(Legislators Carey, Cornell, Earl, Grant, Hood, Jr., Jobson, Kantrowitz, Low-Hogan, Meyers, Moroney, Murphy, Paul, Soskin, Wieder, Wolfe)
U.A. Nay:	01	(Legislator Sparaco)
Absent:	01	(Legislator Schoenberger)

Introduced by:

Referral No. 6803

- Hon. Alden H. Wolfe, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Aney Paul, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Frank P. Sparaco, Sponsor

**RESOLUTION NO. 261 OF 2014
 AUTHORIZING THE CLERK TO THE LEGISLATURE
 TO ADVERTISE FOR BIDS FOR THE
 2014 RESURFACING PROGRAM FOR COUNTY ROADS
 NEW YORK STATE DEPARTMENT OF TRANSPORTATION
 CONSOLIDATED LOCAL STREET AND HIGHWAY
 IMPROVEMENT PROGRAM (CHIPS)
 NO COUNTY TAX DOLLARS
 (\$2,600,000)
 [DEPARTMENT OF HIGHWAYS]**

Mr. Grant offered the following resolution, which was seconded by Mr. Jobson and Mrs. Paul and unanimously adopted:

WHEREAS, The Superintendent of Highways has recommended that the Clerk to the Legislature be authorized and directed to advertise for bids for the resurfacing of County roads as shown on the attached Schedule "A", pursuant to plans and specifications being prepared by the Rockland County Highway Department; and

WHEREAS, Sufficient funding for this project has been authorized in the 2014 Adopted Capital Budget, Capital Project 3401 (Three Year Road Resurfacing Program) and the operating budget of the County Road Fund, D-CRF-5110-4460, CHIPS account; and

WHEREAS, Funds expended from the D-CRF-5110-4460, account will be reimbursed 100% by the New York State Department of Transportation through its CHIPS Program; and

WHEREAS, The Planning & Public Works and Budget and Finance Committees of the Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Clerk to the Legislature is hereby authorized and directed to advertise for bids for the resurfacing of County roads as shown on the attached Schedule "A", pursuant to plans and specifications being prepared by the Rockland County Highway Department, subject to the approval of the County Attorney; and be it further

RESOLVED, Sufficient funding for this project has been authorized in the 2014 Adopted Capital Budget, Capital Project 3401 (Three Year Road Resurfacing Program) and the operating budget of the County Road Fund, D-CRF-5110-4460, CHIPS account; and be it further

RESOLVED, That funds expended from the D-CRF-5110-4460 account will be reimbursed 100% by the New York State Department of Transportation through its CHIPS Program.



**COUNTY OF ROCKLAND
DEPARTMENT OF HIGHWAYS**

23 New Hempstead Road
New City, New York 10956
(845) 638-5060
Fax: (845) 638-5037
Email: highway@co.rockland.ny.us

C. SCOTT VANDERHOEF
County Executive

CHARLES H. VEZZETTI
Superintendent of Highway

To: Charles H. Vezzetti
Superintendent of Highways

Date: April 24, 2014

From: Andrew M. Connors PE

Re: 2014 Proposed Resurfacing list

Bellow lists the roads that will receive a two-inch overlay as part of our resurfacing program.

Route	Road Name	From	To	Square Yards
90	Short Clove Road	Town Border	NYS Rte 9W	3070
20	Veterans Mem. Drive	Old Middletown Road	Blue Hill Road So.	39990
33	Central Avenue	Route 304	Middletown Road	18834
80	Lake Road	Route 303	NYS Rte 9W	6355
74	Viola Road	NYS Rte 306	Union Road	18331
74	Viola Road	NYS Rte 306	Concord St.	6155
94	Railroad Avenue	NYS Rte 9W	Central Hwy	12538
23	Sickletown Road	Gilbert Ave	Sickletown Bridge	4214
30	Washington Ave	NY/NJ Border	NYS Rte 304	14970
41	Red School House Road	NY/NJ Border	NYS Rte 45	25860
52	Perlman Drive	Pascack Road	New Clarkstown Road	1486
80	Lake Road	Kings Hwy	NYS Rte 303	14649

Schedule "A"

RESOLUTION NO. 262 OF 2014**BOND RESOLUTION DATED JUNE 2, 2014**

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR COSTS OF CONSTRUCTION OF A REDUNDANT BACKUP PUBLIC SAFETY RADIO COMMUNICATIONS FACILITY TO BE LOCATED ON THE NEW CITY GOVERNMENT CENTER CAMPUS (CAPITAL PROJECT NO. 1479), STATING THE ESTIMATED TOTAL MAXIMUM COST THEREOF IS \$6,000,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$6,000,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Adopted) June 2, 2014

Mr. Grant offered the following bond resolution, which was seconded by Mr. Hood, Jr. and Mr. Jobson and by roll call vote was unanimously adopted:

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 Capital Project No. 1479 for the Department of General Services, Facilities Management, consisting of the construction of a Redundant Backup Public Safety Radio Communications Facility to be located on the New City Government Center Campus, all as more particularly described in the County's 2014 Capital Budget, as amended. The estimated maximum cost of said object or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$6,000,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$6,000,000 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 \$6,000,000 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 object or purposes for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 90 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 object 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 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 to 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.

* * *

The adoption of the foregoing resolution was seconded by Legislators Jay Hood, Jr. and Douglas J. Jobson and duly put to a vote on roll call, which resulted as follows:

AYES:	16	(Legislators Carey, Cornell, Earl, Grant, Hood, Jr., Jobson, Kantrowitz, Low-Hogan, Meyers, Moroney, Murphy, Paul, Soskin, Sparaco, Wieder, Wolfe)
NOES:	0	
ABSENT:	01	(Legislator Schoenberger)

The resolution was declared adopted.

Roll Call:

Legislator Murphy - Yes.

Legislator Paul - Yes.

Legislator Soskin- Yes.

Legislator Sparaco - Yes.

Legislator Wieder - Yes.

Legislator Carey - Yes.

Legislator Cornell - Yes.

Legislator Earl - Yes.

Legislator Grant - Yes.

Legislator Jobson - Yes.

Legislator Kantrowitz - Yes.

Legislator Low-Hogan - Yes.

Legislator Meyers - Yes.

Legislator Moroney - Yes.

Vice Chairman Hood, Jr. - Yes.

Chairman Wolfe - Yes.

Introduced by:

Referral No. 9481

Hon. Alden H. Wolfe, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Philip Soskin, Sponsor
Hon. Frank P. Sparaco, Sponsor
Hon. Douglas J. Jobson, Sponsor

**RESOLUTION NO. 263 OF 2014
YEAR-END ADJUSTMENTS TO THE 2013 BUDGET
TO CORRECT NEGATIVE DEPARTMENTS
[DEPARTMENT OF BUDGET & FINANCE]**

Mr. Grant offered the following resolution, which was seconded by Mr. Carey and unanimously adopted:

WHEREAS, The Commissioner of Finance/Budget Director has requested that the Legislature approve various required year-end adjustments to the 2013 Budget to correct negative departments; and

WHEREAS, It is necessary to make certain year-end entries to finalize the County audit for the period ending December 31, 2013, the attached Schedule "A" increases and decreases are necessary in order to correct negative departments resulting from expenses exceeding budget; and

WHEREAS, The Budget & Finance Committee of the Legislature has met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Commissioner of Finance is hereby authorized to increase and decrease the accounts as listed on the attached Schedule "A" in the amounts indicated.

Schedule 'A'

COUNTY OF ROCKLAND
FY 2013

1 of 2

GENERAL (A) FUND

Increase Approp. Acct. (Credit):

A	DOH	4043	Ryan White Part B
A	DOH	4083	Health Care Eff & Afford Law
A	DOH	4014	Chronic Disease
A	AUD	1320	County Auditor
A	AUD	1320	County Auditor
A	UNC	1031	COBRA
A	UNC	1989	Municipal Assistance
A	DMH	4300	Department of Mental Health
A	DSS	6109	Family Assistance
A	FIN	9730	Bond Anticipation Notes
A	FIN	1961	Refunds of Tax Judgements

E1940	Unemployment	100
E1940	Unemployment	100
E1920	Retirement	300
E7250	General Services Allocation	4,600
E7100	Central Services Allocation	5,500
E1910	Health Insurance	27,000
E4920	Reimburse Municipalities	122,000
E5060	Program Costs	197,000
E5060	Program Costs	422,000
E5000	Principal	997,000
E5030	Tax Related Costs	1,301,000
	Total	\$ 3,046,500

Decrease Approp. Acct. (Debit):

A	EXE	1237	Office of Empl Rights & Training
A	DMH	4366	Lexington Center for Recovery
A	DMH	4366	Lexington Center for Recovery
A	DOH	4010	Department of Health
A	DOH	4048	Physically Handicapped Children
A	DSS	6055	Purchase of Svcs Day Care Pg
A	FIN	9710	Serial Bonds
A	FIN	9770	Revenue Anticipation Notes
A	FIN	9760	Tax Anticipation Notes
A	UNC	1032	Surviving Dependents

E5080	Program Costs	10,000
E5010	Contract Agency	139,800
E5390	Local/Share Match	58,000
E4090	Fees for Services, Non-Employee	98,000
E4090	Fees for Services, Non-Employee	28,000
E5060	Program Costs	1,723,000
E5010	Interfund Transfers	853,000
E5010	Interest	102,000
E5010	Interest	32,000
E1910	Health Insurance	27,000
	Total	\$ 3,046,500

SEWER (G) FUND

Increase Approp. Acct. (Credit):

G	SWR	9715	Serial Bonds
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E5010	Interfund Transfers	244,000
	Total	\$ 244,000

Decrease Approp. Acct. (Debit):

G	SWR	9732	Bond Anticipation Notes
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E5000	Principal	244,000
	Total	\$ 244,000

UNEMPLOYMENT (Q) FUND

Increase Approp. Acct. (Credit):

Q	PER	9050	Unemployment Fund
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E5010	Employee Benefits	97,000
	Total	\$ 97,000

Increase Est. Rev. Acct. (Debit):

Q	PER	9050	Unemployment Fund
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R2809	Interfund Revenues	97,000
	Total	\$ 97,000

Schedule 'A'

2 of 2

WORKERS COMPENSATION (S) FUND

Increase Approp. Acct. (Credit):

S	WCC	1710	Workers Compensation Consortium	E5881	Workers Comp. Payments	347,000
					Total	<u>\$ 347,000</u>

Increase Est. Rev. Acct. (Debit):

S	WCC	1710	Workers Compensation Consortium	R2221	Workers Comp Consortium-County	285,000
S	WCC	1710	Workers Compensation Consortium	R2222	Workers Comp Consortium-Others	70,000
S	WCC	1710	Workers Compensation Consortium	R2224	Workers Comp Consortium-RCC	12,000
					Total	<u>\$ 347,000</u>

DEBT SERVICE (V) FUND

Increase Approp. Acct. (Credit):

V	DSV	9901	Contribution to General (A) Fund	E9010	Interfund Transfers	70,000
					Total	<u>\$ 70,000</u>

Increase Est. Rev. Acct. (Debit):

V	DSV	9950	Unallocated Debt Service	R2770	Unclassified Revenue	70,000
					Total	<u>\$ 70,000</u>

Introduced by:

Referral No. 4249

- Hon. Michael M. Grant, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Frank P. Sparaco, Sponsor
- Hon. Douglas J. Jobson, Sponsor

**RESOLUTION NO. 264 OF 2014
 APPROVING AMENDMENT TO
 OCTOBER 1, 2013 THROUGH JANUARY 31, 2014
 LEASE AGREEMENT COSTING \$82,000 (NCTD)
 BETWEEN DEPAULIS ENTERPRISES III, LTD
 AND THE COUNTY OF ROCKLAND FOR LEASING OF OLD LOCATION
 CONNECTED TO THE DISTRICT ATTORNEY'S DRUG TASK FORCE
 BY EXTENDING LEASE PERIOD FROM
 FEBRUARY 1, 2013 TO APRIL 30, 2014
 AT AN ADDITIONAL COST OF \$17,800 (NCTD),
 MAKING TOTAL OCTOBER 1, 2013 THROUGH APRIL 30, 2014
 LEASE COST \$99,800 (NCTD)
 AND AUTHORIZING THE EXECUTION OF THIS
 AMENDED AGREEMENT BY THE COUNTY EXECUTIVE
 [DISTRICT ATTORNEY'S OFFICE]
 (\$99,800)**

Mr. Grant offered the following resolution, which was seconded by Mr. Moroney and unanimously adopted:

WHEREAS, By Resolution No. 67 of 2014, the Legislature of Rockland County approved a lease agreement with DePaulis Enterprises III, Ltd., 39 Murray Drive, Chester, New York 10918 for the District Attorney's Drug Task Force's old location from October 1, 2013 through January 31, 2014; and

WHEREAS, Cost for said lease period was \$82,000; and

WHEREAS, The District Attorney is requesting that the County approve an amendment to this lease agreement with DePaulis Enterprises III, Ltd., 39 Murray Drive, Chester, New York 10918, for leasing of old location connected to the District Attorney's Drug Task Force, by extending lease period from February 1, 2014 to April 30, 2014, at an additional cost of \$17,800, making total October 1, 2013 through April 30, 2014 lease cost \$99,800; and

WHEREAS, No County tax dollars (NCTD) are required for said lease amendment since existing non-federal forfeiture appropriations within the 2014 Operating Budget of the District Attorney (Dept. FA03, line E4500) will cover said additional cost; and

WHEREAS, The Budget & Finance Committee of the Legislature has met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves an amendment of an October 1, 2013 through January 31, 2014 lease agreement costing \$82,000 between DePaulis Enterprises III, Ltd., 39 Murray Drive, Chester, New York 10918, for leasing of old location connected to the District Attorney's Drug Task Force, by extending period from February 1, 2014 to April 30, 2014, at an additional cost of \$17,800, making total October 1, 2013 through April 30, 2014 lease cost \$99,800, and authorizes the execution of this amended agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That no County tax dollars (NCTD) are required for said lease amendment since existing non-federal forfeiture appropriations within the 2014 Operating Budget of the District Attorney (Dept. FA03, line E4500) will cover said additional cost.

Introduced by:

Referral No. 9126

Hon. Michael M. Grant, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Philip Soskin, Sponsor
Hon. Frank P. Sparaco, Sponsor
Hon. Douglas J. Jobson, Sponsor

**RESOLUTION NO. 265 OF 2014
AMENDING THE INVESTMENT POLICY FOR THE
COUNTY OF ROCKLAND FOR THE YEAR 2014
TO INCLUDE THE ADDITION OF
GREATER HUDSON BANK AND
ADOPTING DEPARTMENT OF FINANCE GUIDELINES
[DEPARTMENTS OF BUDGET AND FINANCE]**

Mr. Grant offered the following resolution, which was seconded by Mr. Sparaco and unanimously adopted:

WHEREAS, By Resolution No. 668 of 1993, adopted December 7, 1993, the Legislature, in accordance with Section 10, 11, and 6 of the General Municipal Law, adopted an Investment Policy for the County of Rockland; and

WHEREAS, Section 39, of the General Municipal Law requires that the Legislature annually review and readopt said investment policy; and

WHEREAS, By Resolution No. 56 of 2014 the County adopted the Investment Policy for the County of Rockland for the year 2014 and the Department of Finance guidelines for compliance with the Investment Policy; and

WHEREAS, The Commissioner of Finance is requesting that the Rockland County Legislature and the County Executive amend the Investment Policy adopted by Resolution No. 56 of 2014 to include the addition of the Greater Hudson Bank: and

WHEREAS, The County Executive has referred the attached proposed amended Investment Policy and the Department of Finance Guidelines to the County Legislature for its approval; and

WHEREAS, The Budget & Finance Committee of the Legislature has met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That in accordance with Section 39 of the General Municipal Law, the Legislature of Rockland County hereby adopts the attached amended Investment Policy which includes the addition of Greater Hudson Bank as the Investment Policy for the County of Rockland for the year 2014; and be it further

RESOLVED, That in accordance with said amended Investment Policy, the Legislature of Rockland County hereby adopts the attached Department of Finance Guidelines for compliance with the amended Investment Policy; and be it further

RESOLVED, That Greater Hudson Bank will be notified by the Department of Finance that all depositories of County funds shall file with the Rockland County Legislature, to the attention of the Chairman of the Budget and Finance Committee, three copies of the Community Reinvestment Act compliance documents at the same time that said compliance documents are filed with the Federal Government.

**INVESTMENT POLICY
FOR THE COUNTY OF ROCKLAND**

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order:

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Commissioner of Finance, who shall establish written procedures for the operation of the investment program consistent with these investment guidelines and which shall be approved annually by the Rockland County Legislature. Such procedures shall include an adequate control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Rockland to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the County of Rockland to diversify its deposits and investments by financial institutions, by investment instruments, and by maturity scheduling.

VI. INTERNAL CONTROL

It is the policy of the County of Rockland for all money collected by any officer or employee of the government to transfer those funds to the Commissioner of Finance immediately, or within the time period specified by law. The Commissioner of Finance shall advise the legislature if funds are not timely transferred. The Commissioner of Finance is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The banks, dealers and trust companies authorized for the deposit of monies, or purchase of permitted investments, up to the maximum amount of **\$110,000,000** are:

HSBC/First Niagara Bank, N.A.	Citibank, NA
Wells Fargo Bank, N.A.	Capital One
JP Morgan Chase Bank, N.A.	M & T Bank
Key Bank	TD Bank
Sterling National Bank	Citizens Bank, N.A.
Hudson Valley Bank, N.A.	Greater Hudson Bank

The above-mentioned depositories shall provide to the Commissioner of Finance not later than November 30th of each year, a letter describing their level of compliance with the United States Community Reinvestment Act, stating how they plan to meet the neighborhood banking needs of Rockland's economically underprivileged communities. Within thirty (30) days of receipt the Commissioner of Finance shall provide copies of these responses to the County Executive and the Chairman of the Legislature. The Commissioner of Finance shall be responsible to communicate these reporting requirements of the County Policy to the Depository Banks.

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Sec. 10, all deposits of the County of Rockland, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Sec. 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to this policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90

days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements. The security agreement shall provide that eligible securities are being pledged to secure local deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Rockland or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart

from the general assets of the custodial bank or trust company and will not, under any circumstances, be co-mingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Sec. 11, the County of Rockland authorizes the Commissioner of Finance to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposits;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL Sec. 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the County of Rockland;
- Certificates of Participation (COPs) issued pursuant to GML Sec. 109-b;
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML Sec. 6-c, 6-e, 6-g, 6-h, 6-j, 6-k, 6-m or 6-n.

All investment obligations shall be payable or redeemable at the option of the County of Rockland within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the County of Rockland within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS and DEALERS

The County of Rockland shall maintain a list of financial institutions approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution. All financial institutions with which the local government conducts business must be credit worthy. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the Federal Reserve Bank, as primary dealers. The Commissioner of Finance is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Commissioner of Finance is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative program with another authorized governmental entity pursuant to Article 5G of the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

3. By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the governing board. All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company, only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the County of Rockland by the bank, or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Sec. 10. The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York and primary reporting dealers.

- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

XIV. ADOPTION OF INVESTMENT POLICY

- By February 15th of each year, the Commissioner of Finance shall submit the suggested investment policy to the Legislature of Rockland County.
- The Legislature shall adopt said policy by April 1st of each year.

**DEPARTMENTAL GUIDELINES FOR COMPLIANCE
WITH INVESTMENT POLICY**

The objectives of the Investment Policy of the County of Rockland are to protect the safety of principal; to insure that investments mature when the cash is required to finance operations; and to insure a competitive rate of return. The Commissioner of Finance, or his designee, shall adhere to the guidelines established in the adopted Investment Policy. The following are the procedures established to insure compliance with the investment policy:

1. A cash flow statement shall be prepared from the annual budget as adopted by the County Legislature. The Cash Flow statement shall be updated as required to reflect cash needs during the year. An analysis of daily receipts and scheduled disbursements shall be used in order to insure cash to meet current financial obligations.
2. As cash becomes available for investment, all designated banks shall be called to obtain bank rate quotes. Call sheets shall be prepared, noting the bank to whom the call was made, and the banks rate quote.
3. Award to banks shall be made by 11:00 am of the day that quotes are taken, unless circumstances prevent same.
4. Utilize wire transfers of funds to and from the successful banks, whenever cost effective and practicable.
5. Notify any bank requesting same the quotes of that day.
6. The Commissioner of Finance, or his designee, are the authorized individuals to make the investments.

7. To insure internal control, the following functions shall be performed by different department personnel:
 - a. Obtaining quotes from the banks;
 - b. Preparation of wire transfers as required;
 - c. Preparation of daily balances by banks;
 - d. All transactions reviewed by the Commissioner of Finance or his designee on a periodic basis.
8. All awards should be consummated in writing with the banks.
9. A daily schedule of investments shall be maintained to ensure that no one institution receives more than the designated amount, and that necessary collateral is pledged.

APPENDIX A
SCHEDULE OF ELIGIBLE SECURITIES

- ◆ Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- ◆ Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- ◆ Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State, or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- ◆ Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

Introduced by:

Referral No. 9209

- Hon. Philip Soskin, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Aney Paul, Sponsor
- Hon Barry Kantrowitz, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Patrick J. Moroney, Sponsor
- Hon. Michael M. Grant, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Frank P. Sparaco, Sponsor

**RESOLUTION NO. 266 OF 2014
 APPROVING A SECOND AMENDMENT AND EXTENSION TO
 AN AGREEMENT IN EXCESS OF \$100,000
 WITH NTS DATA SERVICES, LLC TO PURCHASE A SCANFLOW SOFTWARE MODULE IN
 THE ADDITIONAL AMOUNT OF \$45,000.00 AND EXTENDING THE TERM FROM
 DECEMBER 31, 2015 TO DECEMBER 31, 2018
 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$539,126.66
 TO PROVIDE CONTINUED SUPPORT AND MAINTENANCE FOR THE
 TEAM VOTER REGISTRATION, SIGN-IT! SIGNATURE DIGITIZATION,
 IMAGE-IT FULL DOCUMENT IMAGING, THE ELECTION
 MANAGEMENT COMPONENTS OF E-SUITE (PETITION, CANDIDATE AND
 ELECTED OFFICIAL MANAGEMENT)
 AND IMS INTERFACE MESSAGING SYSTEMS
 FOR THE PERIOD FROM JANUARY 1, 2008 THROUGH DECEMBER 31, 2018 AND
 AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
 [BOARD OF ELECTIONS]
 (\$539,126.66)**

Mr. Grant offered the following resolution, which was seconded by Mr. Soskin and unanimously adopted: r

WHEREAS, By Resolution No. 150 of 2013, the Legislature of Rockland County approved an amendment to an agreement with NTS Data Services, LLC, 1342 Military Road, Niagara Falls, New York 14304, a sole source provider, for voter registration, signature digitization, full document imaging, election management, election night reporting and interface message systems maintenance and support, for a total contract sum not to exceed \$494,126.66 for the period from March 1, 2008 through December 31, 2015; and

WHEREAS, The Commissioners of the Board of Elections are requesting that the County Executive and Legislature of Rockland County approve a second amendment and extension to the agreement with NTS Data Services, LLC, 1342 Military Road, Niagara Falls, New York 14304, to purchase Scanflow software module at an additional cost of \$45,000.00 and to extend the term of the agreement from December 31, 2015 to December 31, 2018 for a total contract sum not to exceed \$539,126.66 for the period from January 1, 2008 through December 31, 2018; and

WHEREAS, The Scanflow software module will greatly improve the current operational capabilities of the Rockland County Board of Elections; and

WHEREAS, The Rockland County Board of Election has received pre-approval from the New York State Board of Elections to be fully reimbursed for this purchase; 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, Sufficient funds for the amendment to this agreement exist within the 2014 Operating budget of the Board of Elections, Grant Department BOE-GB02-E5060; and

WHEREAS, The Multi-Services and Budget and Finance Committees of this Legislature have met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves a second amendment and extension to the agreement with NTS Data Services, LLC, 1342 Military Road, Niagara Falls, New York 14304, to purchase Scanflow software module at an additional cost of \$45,000.00 and to extend the term of the agreement from December 31, 2015 to December 31, 2018 for a total contract sum not to exceed \$539,126.66 for the period from January 1, 2008 through December 31, 2018, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funds for the amendment to this agreement exist within the 2014 Operating budget of the Board of Elections, Grant Department BOE-GB02-E5060.

Introduced by:

Referral No. 1591

Hon. Michael M. Grant, Sponsor
Hon. Alden H. Wolfe, Sponsor
Hon. Harriet D. Cornell, Sponsor
Hon. Toney L. Earl, Sponsor
Hon. Jay Hood, Jr., Sponsor
Hon. Philip Soskin, Sponsor
Hon. Frank P. Sparaco, Sponsor
Hon. Douglas J. Jobson, Sponsor

**RESOLUTION NO. 267 OF 2014
APPROVING AMENDMENT TO AGREEMENT WITH HARRIS BEACH, PLLC
IN EXCESS OF \$100,000 FOR BOND COUNSEL SERVICES
UNDER RFP-RC-2012-030
FOR AN ADDITIONAL AMOUNT OF \$170,000 FOR A
TOTAL AMOUNT NOT TO EXCEED \$340,000
FROM JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 WITH
AN OPTION TO RENEW FOR THREE (3) ADDITIONAL ONE YEAR
TERMS AND AUTHORIZING EXECUTION OF THE
AGREEMENT BY THE COUNTY EXECUTIVE
[DEPARTMENT OF FINANCE]
(\$340,000)**

Mr. Grant offered the following resolution, which was seconded by Mrs. Low-Hogan and unanimously adopted:

WHEREAS, The Director of Purchasing advertised for proposals for bond counsel services to the county of Rockland under RFP-RC-2012-030; and

WHEREAS, Through the electronic bid notification system, seventy-nine firms were notified of the solicitation; nineteen firms downloaded the specifications, proposals were received from six firms: Harris Beach, PLLC; Hawkins Delafield & Wood, LLP; Mintz Levin Cohn Ferris Glovsky and Popeo PC; Orrick Herrington & Sutcliffe, LLP; Ruskin Moscov Faltischek PC; and Squire Sanders (US), LLP; and

WHEREAS, The proposals were reviewed by an evaluation committee comprised of members from the Department of Law and the Department of Finance, and there was a short list comprised of the top four firms who were interviewed via teleconference and Best and Final pricing was requested and received; and

WHEREAS, Based upon the written proposal evaluations, the interviews and follow-up cost proposal submitted, and compatibility of judgment, the County Attorney has determined that Harris Beach, PLLC is the firm which would offer the best value to the County; and recommended that the County enter into a contract with Harris Beach, PLLC for bond counsel services; and

WHEREAS, By Resolution No. 176 of 2013 the County Executive and the Legislature of Rockland County approved an agreement with Harris Beach, PLLC in excess of \$100,000 for Bond Counsel Services under RFP-RC-2012-030 for a total amount of \$120,000 for the period from contract finalization through December 31, 2013 with an option to renew for four additional one year terms; and

WHEREAS, By Resolution No. 31 of 2014 the County Executive and the Legislature of Rockland County approved an agreement with Harris Beach, PLLC in excess of \$100,000 for Bond Counsel Services under RFP-RC-2012-030 for an additional amount of \$50,000 for a total amount not to exceed of \$170,000 for the period from contract finalization through December 31, 2013 with an option to renew for four additional one year terms; and

WHEREAS, The Director of Purchasing and the Commissioner of Finance request that the Legislature approve an agreement with Harris Beach, PLLC, 455 Hamilton Avenue, Suite 1206, White Plains, New York 10601, for bond counsel services under RFP-RC-2012-030 for an additional amount of \$170,000 for a total amount not to exceed \$340,000 for the period of January 1, 2014 through December 31, 2014, with the option to renew for three (3) additional one year terms; and

WHEREAS, Services of bond counsel are necessary to the Department of Finance and the Department of Law for the issuance of bonds for the financing of capital improvements; and

WHEREAS, With the exception of Revenue Anticipation Notes and Tax Anticipation Notes, the funds required for this agreement are incidental to the cost of the capital investment financed by the bond and require no additional increase in the 2014 Budget of the Department of Finance; and

WHEREAS, Sufficient funds exist in the 2014 Adopted Budget of the Department of Finance and the 2014 Adopted Capital Budget; 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 Budget & Finance Committee of the Legislature has met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves entering into an agreement with Harris Beach, PLLC, 455 Hamilton Avenue, Suite 1206, White Plains, New York 10601, for bond counsel services under RFP-RC-2012-030 for an additional amount of \$170,000 for a total amount not to exceed \$340,000 for the period of January 1, 2014 through December 31, 2014, with the option to renew for three (3) additional one year terms; and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funds exist in the 2014 Adopted Budget of the Department of Finance and the 2014 Adopted Capital Budget.

Introduced by:

Referral No. 7994

- Hon. Michael M. Grant, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Frank P. Sparaco, Sponsor
- Hon. Douglas J. Jobson, Sponsor
- Hon. Christopher J. Carey, Sponsor

**RESOLUTION NO. 268 OF 2014
CONFIRMING APPOINTMENT OF
ROBERT E. BERGMAN, JR.
OF PEARL RIVER, NEW YORK
AS COUNTY AUDITOR**

Mr. Grant offered the following resolution, which was seconded by Mr. Carey, Mr. Jobson, Mr. Moroney and Mr. Hood, Jr. and unanimously adopted:

WHEREAS, County Charter §18.01 provides that the County Executive shall appoint the County Auditor, for the term of office for which the County Executive is elected, subject to confirmation by the Legislature; and

WHEREAS, Pursuant to the County Charter §18.01, the County Auditor shall be appointed on the basis of his or her experience and qualifications for the duties of the office; and

WHEREAS, The County Executive has appointed Robert E. Bergman, Jr., of Pearl River, New York as County Auditor, subject to legislative confirmation; and

WHEREAS, Robert E. Bergman, Jr., has been serving as the Acting County Auditor since January 2014, he holds a Masters degree in Public Administration and a Bachelors degree in Political Science, and formerly served as the County of Rockland's Commissioner of Budget and Finance; and

WHEREAS, The Budget & Finance Committee of the Legislature has met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby confirms the appointment of Robert E. Bergman, Jr., of Pearl River, New York, as County Auditor; and

RESOLVED, That the salary of the County Auditor shall be \$55,000 per annum as set forth in Resolution No. 154 of 2014; and

RESOLVED, That any future salary increases shall be by resolution or local law, as appropriate.

Introduced by:

Referral No. 7311

- Hon. Michael M. Grant, Sponsor
- Hon. Alden H. Wolfe, Sponsor
- Hon. Harriet D. Cornell, Sponsor
- Hon. Toney L. Earl, Sponsor
- Hon. Jay Hood, Jr., Sponsor
- Hon. Philip Soskin, Sponsor
- Hon. Frank P. Sparaco, Sponsor
- Hon. Douglas J. Jobson, Sponsor

**RESOLUTION NO. 269 OF 2014
CONFIRMING THE REAPPOINTMENT OF
KAREN ANN CASSA HAVERSTRAW, NEW YORK AS
THE ROCKLAND COUNTY
DIRECTOR OF INSURANCE AND RISK MANAGEMENT**

Mr. Grant offered the following resolution, which was seconded by Mr. Earl, Mr. Jobson, Mr. Kantrowitz, Mrs. Paul, Mr. Soskin and Mr. Wolfe and unanimously adopted:

WHEREAS, Section 3.02 of the County Charter provides that the County Executive appoint the head of every county department, subject to legislative confirmation; and

WHEREAS, The County Executive has reappointed Karen Ann Cassa, Haverstraw, New York, to serve as the Rockland County Director of Insurance and Risk Management, subject to legislative confirmation; and

WHEREAS, The Budget & Finance Committee of the Legislature has met, considered and unanimously approved this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby confirms the reappointment of Karen Ann Cassa, Haverstraw, New York, to the position of Rockland County Director of Insurance and Risk Management, to serve at the pleasure of the County Executive, at a salary set forth in the 2014 County Budget.

Referral No. 8347, Confirming The Appointment Of Thomas E. Humbach As County Attorney For The County Of Rockland was referred back to the Multi-Services Committee.

Introduced by:

Referral No. 8735

Hon. Barry S. Kantrowitz, Sponsor
Hon. Aney Paul, Co-Sponsor
Hon. Michael M. Grant, Co-Sponsor
Hon. Aron B. Wieder, Co-Sponsor
Hon. Nancy Low-Hogan, Co-Sponsor
Hon. John A. Murphy, Co-Sponsor
Hon. Douglas J. Jobson, Co-Sponsor

**RESOLUTION NO. 270 OF 2014
REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL A.6988
AND THE NEW YORK STATE SENATE PASS BILL S.4815 ESTABLISHING
AN ENTERPRISE FRAUD PROGRAM OFFICE**

Mrs. Paul offered the following resolution, which was seconded by Mr. Kantrowitz and unanimously adopted:

WHEREAS, the prevalence of fraud, waste, abuse and improper payments is pervasive and growing in many government programs, and the public is footing the bill; and

WHEREAS; the following are just a few examples of fraud and waste:

- 1) according to the Government Accountability Office, over \$70 billion in improper Medicaid and Medicare payments are made each year;
- 2) according to the U.S. Department of Labor, the 2011 unemployment insurance payment error rate was 11.2% and resulted in \$5.7 billion in improper payments; and
- 3) in the 2012 filing season, the IRS estimated losses due to identify theft at \$5 billion;

and

WHEREAS, these debilitating costs to the State are found in many agencies and programs, and are created by a variety of different problems and inefficiencies; and

WHEREAS, the collective cost of the fraud, waste, abuse and improper payments adversely affects the State budget, impedes economic development, and depletes benefits intended for citizens in need. While individual agencies may attempt to combat these improper behaviors on their own, they are out of their depths and are severely outmatched in their attempts; the entities involved in committing fraud and abusing government programs are becoming increasingly sophisticated in their schemes and tactics, and often work in organized rings or networks to steal from any and all government programs; and

WHEREAS, detecting the methods of these organizations requires state-of-the-art technology and constant vigilance that is beyond the capabilities of agencies and programs tasked with other important full-time responsibilities; and

WHEREAS, identifying possible waste, fraud, abuse and improper payments at the earliest possible point would reduce losses and prevent erroneous payments from being made, potentially providing millions if not billions of dollars in cost-savings to the State; and

WHEREAS, modern technologies and practices exist and have been successfully used in the commercial sector for many years and have been found to greatly reduce losses associated with fraud, waste, and improper payments. Integrating this state-of-the-art fraud detection and prevention technology into State government would greatly help agencies reduce their losses to fraudulent behaviors; and

WHEREAS, for this modern technology to most efficiently be deployed, a government office should be created that can devote its undivided attention to effectively combating waste, fraud, abuse and improper payments across various government offices and programs. An enterprise approach coordinates the efforts of many agencies and incorporates data from multiple sources, allowing the State to better detect improper behaviors across agencies and programs, and to leverage economics of scale to reduce overall costs for fraud detection and prevention across all state government programs; and

WHEREAS, bills A.6988 and S.4815 would amend the Executive Law to establish an Enterprise Fraud Program Office to provide for the detection and prevention of fraud, waste, abuse and improper payments in state government; and

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

RESOLVED, that the Legislature of Rockland County hereby urges the New York State Assembly to pass Bill A.6988 and the New York State Senate to pass Bill S.4815 establishing an Enterprise Fraud Program Office, and that the Governor of New York sign such legislation; and be it further

RESOLVED, That the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, Hon. William J. Larkin, Jr., New York State Senators, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, and Hon. James G. Skoufis, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Debate:

Mr. Kantrowitz

It is my privilege to discuss this proposed legislation that is pending up at the State level. One of the first things I got hit with when I became a Legislator were questions about Medicaid, because it showed up on our real-estate tax bills for the first time this past year. People were up in a tizzy about it so I met with the Commissioner of Social Services and I learned some startling facts. It costs Rockland County between \$1,500,000 - \$1,600,000 a week in Medicaid expenses. We have, out of the 312,000 residents; we have 77,000 Medicaid recipients in Rockland County. There are a number of programs that exist that serve a tremendously great purpose to those who need it and there are some questions as to whether or not there are some who are taking advantage of the programs. The Legislation that is before us today deals with modern technology. There are different agencies throughout the State that are task with the responsibility of looking at fraud in different sections - insurance, Medicaid, Workers Compensation and more. These different agencies have never been tied together with modern technology. They are not taking advantage of computerized systems to pool their resources. This bill and the resolution that I submitted supports it and really makes a statement that as Legislators and government officials we recognize the importance of providing aid to those who need it and with respect to those who are taking advantage of the system we are going to take some steps to cut that out. I think that given the budget constraints we have and given the concerns of the community over waste and expenditures this is an excellent bill to support.

There was a long article by Anne Pinzow covering just this issue back in April and Anne points out numerous statistics about the existence of fraud and how difficult it is to catch when there is not a unified approach. I will say through my discussions with the District Attorney in this County and Susan Sherwood, Commissioner of Social Services, our County happens to be doing an exemplary job in fraud detection. Not so much around the State. The problem that our County is experiencing is it is limited by what the County is allowed to do. I see some people in the audience shaking their head, but they may not know the State basically runs the investigations of fraud down here. While our County is making efforts, statewide it is a problem. I hope I get the support of the entire Legislature tonight on this issue. Thank you.

Statement Of Emergency For The Waiver Of The Rules To Consider Proposed Resolution Under New Business:

Legislator Christopher J. Carey

If \$11,000,000 of premium bonds is applied to the deficit then our much needed cash flow borrowing will be largely reduced to approximately \$10,000,000 or possibly eliminated entirely. Currently the \$11,000,000 premium, as required by State law, must be held in a separate reserve account and cannot be used by the County for its operations. It will stay in the reserve account until 2015 when a portion will be used for debt. The urgency of making the decision of the use the \$11,000,000 premium is due to the \$60,000,000 RAM payment due on June 13, 2014. Our cash balance after that payment dwindles to approximately \$15,000,000 at the end of June and to a negative -\$3,200,000 by August and continues to decline to a negative -\$15,700,000 by year-end. A RAN borrowing takes at least thirty days to obtain the funding once approved by the Legislature. It is imperative that a decision be made now so we can obtain the necessary cash funding to pay our bills.

Chairman Alden H. Wolfe

While I don't agree with the characterization I believe that a prima facie description of an emergency has been made so I will entertain the motion.

**RESOLUTION NO. - OF 2014
WAIVE THE RULES OF THE LEGISLATURE
TO CONSIDER PROPOSED RESOLUTION
UNDER NEW BUSINESS**

Mr. Carey offered the following motion to waive the rules to consider Referral No. 9495 - Providing For An Immediate Need Waiver To Place Onto The June 2, 2014 Agenda Of The Rockland County Legislature, The Bond Resolution Of The County Of Rockland, New York, Amending The Bond Resolution Adopted February 4, 2014 In Relation To Financing The Cost Of Liquidating Current Deficits In The County's General Fund As Of December 31, 2010, December 31, 2011 And December 31, 2012 At The Estimated Maximum Cost Of \$125,607,865, under New Business Waiver, which was seconded by Mr. Jobson, Mr. Meyers and Mr. Moroney;

RESOLVED, that the Rules of the Legislature be waived to consider Item 12 A, under New Business, has failed.

The vote resulted as follows:

Ayes:	06	(Legislators Carey, Jobson, Meyers, Moroney, Murphy, Sparaco)
Nays:	10	(Legislators Cornell, Earl, Grant, Hood, Jr., Kantrowitz, Low-Hogan, Paul, Soskin, Wieder, Wolfe)
Absent:	01	(Legislator Schoenberger)

**ADJOURNMENT IN MEMORY OF
PATRICIA LACOMBE**

Mr. Murphy offered the following memorial, which was seconded by Mr. Carey and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Patricia Lacombe.

**ADJOURNMENT IN MEMORY OF
GIOVANNA MINUTO**

Mr. Murphy offered the following memorial, which was seconded by Chairman Wolfe and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Giovanna Minuto.

**ADJOURNMENT IN MEMORY OF
JACK EXELBERT**

Chairman Wolfe offered the following memorial, which was seconded by Mr. Kantrowitz and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Jack Exelbert.

**ADJOURNMENT IN MEMORY OF
MAURICE ARMAND MARIOTTI**

Mr. Hood, Jr. offered the following memorial, which was seconded by Mr. Grant and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Maurice Armand Mariotti.

**ADJOURNMENT IN MEMORY OF
GERMANIA MARCHAND**

Mr. Hood, Jr. offered the following memorial, which was seconded by Mr. Grant and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Germania Marchand.

**ADJOURNMENT IN MEMORY OF
SISTER MARIE THOMAS MCGUIRE OP.**

Mr. Murphy offered the following memorial, which was seconded by Mr. Moroney and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Sister Marie Thomas McGuire OP.

**ADJOURNMENT IN MEMORY OF
JANET K. HOGAN**

Mr. Murphy offered the following memorial, which was seconded by Mr. Jobson and unanimously approved:

RESOLVED, that the Legislature of Rockland County adjourn this meeting in memory of Janet K. Hogan.

**RESOLUTION NO. 271 OF 2014
ADJOURNMENT**

Mr. Murphy offered the following resolution, which was seconded by Mr. Jobson and Mr. Wieder and unanimously adopted (7:51 p.m.)

RESOLVED, that the meeting of the Legislature is hereby adjourned to Tuesday, June 17, 2014 at 6:00 p.m.

Respectfully Submitted,

Darcy Shapin-Greenberg
Proceedings Clerk