

The Legislature of Rockland County



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

**AGENDA
BUDGET & FINANCE COMMITTEE
TUESDAY, JUNE 25, 2013
7:15PM**

ROLL CALL

1. BONDS/PUBLIC WORKS MATTER:

1-PPW) REF. #6394 APPROVING AN INTERMUNICIPAL AGREEMENT IN EXCESS OF \$100,000 BETWEEN THE COUNTY OF ROCKLAND AND THE TOWN OF CLARKSTOWN FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$340,000 (NO COUNTY TAX DOLLARS) FOR REIMBURSEMENT FOR THE MAINTENANCE AND UPKEEP OF PARK AND RIDE LOTS IN THE TOWN FOR THE PERIOD FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2013 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF PUBLIC TRANSPORTATION] (\$340,000). (THOMAS VANDERBEEK, COMMISSIONER, PUBLIC TRANSPORTATION) DL# 2013-02317

(SUBJECT TO APPROVAL OF PPW)

2-PPW) REF. #2825 APPROVING CONTRACT IN EXCESS OF \$100,000 WITH ROCKLAND TRANSIT CORP. TO OPERATE THE TRANSPORT OF ROCKLAND (TOR) BUS SERVICE ROUTES 59, 91, 92, 93, 94, 95, 97, LOOP 1, 2 AND 3 FOR THE PERIOD FROM JULY 1, 2013 THROUGH SEPTEMBER 30, 2013 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$5,706,306.96 (NO COUNTY TAX DOLLARS) AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF PUBLIC TRANSPORTATION] (\$5,706,306.96). (THOMAS VANDERBEEK, COMMISSIONER, PUBLIC TRANSPORTATION) DL# 2013-02510

(SUBJECT TO APPROVAL OF PPW)

3-PPW) REF. #8293 APPROVING CONTRACT IN EXCESS OF \$100,000 WITH HUDSON TRANSIT CORP. TO OPERATE THE TRANSPORT OF ROCKLAND (TOR) ROUTE 93 PARTIAL BUS SERVICE FROM THE PERIOD FROM JULY 1, 2013 THROUGH SEPTEMBER 30, 2013 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$148,043.46 (NO COUNTY TAX DOLLARS) AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF PUBLIC TRANSPORTATION] (\$148,043.46). (THOMAS VANDERBEEK, COMMISSIONER, PUBLIC TRANSPORTATION) DL# 2013-02511

(SUBJECT TO APPROVAL OF PPW)

4-PPW) REF. #8293 APPROVING CONTRACT IN EXCESS OF \$100,000 WITH HUDSON TRANSIT CORP. TO OPERATE THE TAPPAN ZEEEXPRESS BUS SERVICE FOR THE PERIOD FROM JULY 1, 2013 THROUGH SEPTEMBER 30, 2013 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,685,809.68 (NO COUNTY TAX DOLLARS) AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF PUBLIC TRANSPORTATION] (\$1,685,809.68). (THOMAS VANDERBEEK, COMMISSIONER, PUBLIC TRANSPORTATION) DL# 2013-02512

(SUBJECT TO APPROVAL OF PPW)

5-PPW) REF. #9252 APPROVING A FIRST AMENDMENT TO A LICENSE AGREEMENT IN EXCESS OF \$100,000 WITH NEW CINGULAR WIRELESS PCS, LLC TO INCREASE THE CONTRACT SUM IN THE ADDITIONAL AMOUNT OF \$183,049.56 FOR A TOTAL CONTRACT SUM OF \$1,271,127.41 RELATING TO THE ROCKLAND COMMUNITY COLLEGE COMMUNICATIONS TOWER LOCATED AT 145 COLLEGE ROAD, SUFFERN, NEW YORK FOR THE PERIOD FROM JUNE 1, 2013 THROUGH OCTOBER 31, 2029 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [OFFICE OF FIRE AND EMERGENCY SERVICES] (\$1,271,127.41). (GORDON WREN, JR., DIRECTOR, FIRE AND EMERGENCY SERVICES) DL# 2013-01924

(SUBJECT TO APPROVAL OF PPW)

6-PPW) REF. #9252 APPROVING A SECOND AMENDMENT TO LICENSE AGREEMENT IN EXCESS OF \$100,000 WITH NEW CINGULAR WIRELESS PCS, LLC TO INCREASE THE CONTRACT SUM IN THE ADDITIONAL AMOUNT OF \$165,583.68 FOR A TOTAL CONTRACT SUM OF \$1,303,112.72 RELATING TO THE INSTALLATION AND MAINTENANCE OF WIRELESS COMMUNICATIONS EQUIPMENT AT THE VETERAN'S CEMETERY COMMUNICATIONS TOWER LOCATED AT 175 BRICK CHURCH ROAD, NEW HEMPSTEAD, NEW YORK FOR THE PERIOD FROM JUNE 1, 2013 THROUGH OCTOBER 31, 2029 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [OFFICE OF FIRE AND EMERGENCY SERVICES] (\$1,303,112.72). (GORDON WREN, JR., DIRECTOR, FIRE AND EMERGENCY SERVICES) DL# 2013-01930

(SUBJECT TO APPROVAL OF PPW)

2. GRANTS/DONATIONS:

2A) REF. #9361 ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$84,000 (NCTD) FROM THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES (GRANT #WM11839811) TO UPGRADE ROBOT EQUIPMENT WITHIN THE SHERIFF'S BOMB DISPOSAL UNIT FOR THE PERIOD MAY 14, 2013 THROUGH AUGUST 31, 2014 AND AUTHORIZING EXECUTION OF ALL NECESSARY GRANT DOCUMENTS BY THE COUNTY EXECUTIVE [OFFICE OF THE SHERIFF] (\$84,000). (HON. LOUIS FALCO, SHERIFF) DL# 2013-02367

(SUBJECT TO APPROVAL OF PUBLIC SAFETY)

- B) REF. #5327 APPROVING ACCEPTANCE OF FUNDS IN THE AMOUNT OF \$25,014.90 (NCTD) FROM THE UNITED STATES SECRET SERVICE FOR FEDERAL FISCAL YEAR 2013 (OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013) TO BE USED IN CONNECTION WITH THE PARTICIPATION OF THE ROCKLAND COUNTY SHERIFF'S COMPUTER CRIME UNIT IN THE NEW YORK/NEW JERSEY ELECTRONIC CRIMES TASK FORCE [OFFICE OF THE SHERIFF] (\$25,014.90). (HON. LOUIS FALCO, SHERIFF) DL# 2013-02011

(SUBJECT TO APPROVAL OF PUBLIC SAFETY)

3. BUDGET ITEMS:

- 3A) REF. #7992 APPROVING AN INCREASE IN THE SALARY FOR THE POSITION OF MEDICAL DIRECTOR FOR THE COUNTY OF ROCKLAND [DEPARTMENT OF HOSPITALS]. (RICHARD MALONEY, COMMISSIONER, HOSPITALS) DL# 2013-02187
- 3B) REF. #5327 APPROPRIATION OF FORFEITURE FUNDS REQUESTED BY THE OFFICE OF THE SHERIFF TO PROVIDE FUNDING FOR HOLSTERS AND FLASHLIGHTS [OFFICE OF THE SHERIFF] (\$7,881.84). (HON. LOUIS FALCO, SHERIFF) DL# 02088
- (SUBJECT TO APPROVAL OF PUBLIC SAFETY)
- 3C) REF# 9494A ACCEPTING REPORT OF BUDGET & FINANCE COMMITTEE AFTER ITS REVIEW OF THE ROCKLAND COMMUNITY COLLEGE PROPOSED 2013-2014 BUDGET (HON. MICHAEL M. GRANT, LEGISLATURE)
- 3D) REF# 9494B ADOPTION OF THE 2013-2014 ROCKLAND COMMUNITY COLLEGE BUDGET (HON. MICHAEL M. GRANT, LEGISLATURE)
- 3E) REF# 9494C ADOPTION OF THE 2013-2014 BUDGET-RETIRED SENIOR VOLUNTEER PROGRAM (HON. MICHAEL M. GRANT, LEGISLATURE)

4. AUTHORIZATIONS:

- 4A) REF# 3977 APPROVING THE SUBMISSION OF THE CONSOLIDATED/ACTION PLAN FOR FY2013 TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND APPROVING EXECUTION OF BY COUNTY EXECUTIVE OF ALL NECESSARY INSTRUMENTS AND DOCUMENTS [OFFICE OF COMMUNITY DEVELOPMENT] (\$4,796,571) (JOSEPH ABATE, DIRECTOR COMMUNITY DEVELOPMENT) DL2013-02466

(SUBJECT TO THE APPROVAL OF MULTI-SERVICES COMMITTEE)

5. CONTRACTS/AGREEMENTS:

- 5A) REF #5614 APPROVAL OF PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT BETWEEN SUFFERN CDC, LLC, RAYMOURS FURNITURE COMPANY, INC., VILLAGE OF MONTEBELLO, TOWN OF RAMAPO, RAMAPO CENTRAL SCHOOL DISTRICT, COUNTY OF ROCKLAND, AND THE COUNTY OF ROCKLAND INDUSTRIAL DEVELOPMENT AGENCY FOR PROPERTY LOCATED AT 22 HEMION ROAD (A/K/A 30 DUNNIGAN DRIVE) VILLAGE OF MONTEBELLO, TOWN OF RAMAPO, IN THE RAMAPO CENTRAL SCHOOL DISTRICT, TAX MAP SECTION 55.6, BLOCK 1, LOT 3.1 AND SECTION 55.6 BLOCK 1 LOT 3.2 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF FINANCE] [PILOT]. (STEPHEN DEGROAT, COMMISSIONER, FINANCE) DL# 2013-02191

(SUBJECT TO APPROVAL OF ECONOMIC DEVELOPMENT)

6. **ALLOCATION/RECLASSIFICATION OF POSITIONS:**

7. **BIDS:**

8. **TRANSFER OF FUNDS/OTHERS:**

9. **TAX ITEMS:**

- 9A) REF.#5614/8111 CORRECTION OF 2007 TAX ROLLS TOWN OF CLARKSTOWN, CLARKSTOWN CENTRAL SCHOOL DISTRICT PROPERTY ID# 58.19-1-9.26,27 CARLEY COURT WEST NYACK, NEW YORK 10994 [DEPARTMENT OF FINANCE]. (STEPHEN DEGROAT, COMMISSIONER, FINANCE) DL# 2013-00866
- 9B) REF.#5614/8111 CORRECTION OF 2013 TAX ROLLS TOWN OF ORANGETOWN BETH NORMAN AND ABDELLATIF BELFESSA PROPERTY ID# 65.44-2-23, 210 DEPEW AVENUE NYACK, NEW YORK 10960 [DEPARTMENT OF FINANCE]. (STEPHEN DEGROAT, COMMISSIONER, FINANCE) DL# 2013-00950
- 9C) REF.#5614/8111 CORRECTION OF 2013 TAX ROLLS TOWN OF CLARKSTOWN JOSEPH DENOIA PROPERTY ID# 57.12-1-3.1/1440, 118 EAGLE RIDGE WAY NANUET, NEW YORK 10954 [DEPARTMENT OF FINANCE]. (STEPHEN DEGROAT, COMMISSIONER, FINANCE) DL# 2013-00600
- 9D) REF.#5614/8111 CORRECTION OF 2006 TAX ROLLS TOWN OF CLARKSTOWN, CLARKSTOWN CENTRAL SCHOOL DISTRICT PROPERTY ID# 58.19-1-9.26 27 CARLEY COURT, WEST NYACK, NEW YORK 10994 [DEPARTMENT OF FINANCE]. (STEPHEN DEGROAT, COMMISSIONER, FINANCE) DL# 2013-00865
- 9E) REF.#5614/8111 CORRECTION OF 2013 TAX ROLLS TOWN OF ORANGETOWN JACQUELINE HARCHAOUI PROPERTY ID# 68.14-3-35, 62 BUCHANAN STREET PEARL RIVER, NEW YORK 10965 [DEPARTMENT OF FINANCE] (STEPHEN DEGROAT, COMMISSIONER, FINANCE) DL# 2013-00607
- 9F) REF.#5614/8111 CORRECTION OF TAX ROLLS TOWN OF TAX ROLLS TOWN OF ORANGETOWN, MARIA AND DIANA CAIAFA PROPERTY ID# 66.29-1-1.3,78 SICKLESS AVE. NYACK, NEW YORK 10960 (STEPHEN DEGROAT, COMMISSIONER OF BUDGET & FINANCE) DL# 2013-0105
- 9G) REF.#5614/8111 CORRECTION OF 2013 TAX ROLLS TOWN OF ORANGETOWN DIFEO HOLDING LP PROPERTY ID# 65.36-2-44.2, 73N. HIGHLAND AVENUE, NYACK, NEW YORK 10960 [DEPARTMENT OF FINANCE] (STEPHEN DEGROAT, COMMISSIONER OF BUDGET & FINANCE) DL# 2013-00408
- 9H) REF.#6698A ACCEPTING AND APPROVING THE REPORT OF THE BUDGET & FINANCE COMMITTEE WITH REFERENCE TO MORTGAGE TAXES FOR THE PERIOD OCTOBER 1, 2012 THROUGH MARCH 31, 2013 [DEPARTMENT OF BUDGET&FINANCE] (STEPHEN DEGROAT, COMMISSIONER OF BUDGET & FINANCE) DL# 2013-02448

91) REF.#6698B AUTHORIZING THE CLERK TO THE LEGISLATURE TO EXECUTE A WARRANT TO THE COMMISSIONER OF FINANCE DIRECTING THE PAYMENT OF MORTGAGE TAX MONIES FOR THE PERIOD OCTOBER 1, 2012 THROUGH MARCH 31, 2013 [DEPARTMENT OF BUDGET & FINANCE] (STEPHEN DEGROAT, COMMISSIONER OF BUDGET & FINANCE) DL# 2013-02431

9J)REF#5614/8111 -AUTHORIZING THE SALE OF TAX DELINQUENT PROPERTY TO VILLAGE OF SPRING VALLEY, PROPERTY ID NOS. R57.40-1-44.3; R57.40-1-44.4 AND R57.40-1-44.5, LAFAYETTE STREET TOWN OF RAMAPO (DEPARTMENT OF FINANCE) (\$13,414.68)
(STEPHEN DEGROAT, COMMISSIONER, BUDGET & FINANCE) DL#2013-01644

(SENT BACK TO COMMITTEE FROM FULL LEG MTG OF 6/18/13)

10. PUBLIC HEARINGS:

IOA) REF# 9496 SETTING A DATE FOR A PUBLIC HEARING: A LOCAL LAW ESTABLISHING AND ADOPTING A FUND BALANCE MANAGEMENT POLICY WITHIN ROCKLAND COUNTY GOVERNMENT (HON. ALDEN H. WOLFE, LEGISLATURE) 2914 PH

IOB) REF# 9497 SETTING A DATE FOR A PUBLIC HEARING :A LOCAL LAW CREATING THE ROCKLAND COUNTY PUBLIC EMPLOYEE ABUSE PREVENTION ACT (HON. ALDEN H. WOLFE, LEGISLATURE) 3232 PH

11. LOCAL LAWS/HOME RULE:

12. PRESENTATIONS/DISCUSSIONS:

13. MISCELLANEOUS:

13A) REF# 8783 CALLING UPON THE NEW YORK STATE LEGISLATURE TO SUPPORT NEW YORK SENATE BILL S.4183 AND NEW YORK ASSEMBLY BILL A.6480·AN ACT TO AMEND THE EDUCATION LAW RELATION TO CHRONICALLY UNDERPERFORMING SCHOOL DISTRICTS (HON. JOSEPH L. MEYERS, HON. EDWIN J. DAY, LEGISLATURE)
LG# 3233

(SUBJECT TO APPROVAL OF MULTI-SERVICES)

14. RECEIVE & FILE:

15. CORRESPONDENCE-REVIEW AND DISCUSSION:

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

Introduced by:

Referral No.

6394

**RESOLUTION NO. OF 2013
APPROVING AN INTERMUNICIPAL AGREEMENT
IN EXCESS OF \$100,000
BETWEEN THE COUNTY OF ROCKLAND AND
THE TOWN OF CLARKSTOWN
FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$340,000
(NO COUNTY TAX DOLLARS)
FOR REIMBURSEMENT FOR THE MAINTENANCE AND
UPKEEP OF PARK AND RIDE LOTS IN THE TOWN
FOR THE PERIOD FROM JANUARY 1, 2013 THROUGH DECEMBER 31, 2013
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF PUBLIC TRANSPORTATION]
(\$340,000)**

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 Commissioner of the Department of Public Transportation recommends to the County Executive and the Legislature of Rockland County that, the County enter into an intermunicipal agreement to reimburse the Town of Clarkstown for maintenance and upkeep of the Park and Ride lots within the Town, for the period from January 1, 2013 through December 31, 2013, in a total contract sum not to exceed \$340,000; and

WHEREAS, This agreement is 100% funded by the New York State Department of Transportation; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County funds; and

WHEREAS, Sufficient funding for this agreement exists in the adopted 2013 Budget of the Department of Public Transportation; 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 intermunicipal cooperation agreement in excess of \$100,000 with the Town of Clarkstown in a total contract sum not to exceed \$340,000 for maintenance and upkeep of the Park and Ride lots

within the Town, for the period from January 1, 2013 through December 31, 2013, and authorizing its execution by the County Executive, subject to the approval of the County Attorney, and be it further

RESOLVED, This agreement is 100% funded by the New York State Department of Transportation and requires the expenditure of no County funds, and be it further

RESOLVED, Sufficient funding for this agreement exists in the adopted 2013 Budget of the Department of Public Transportation.

LHG:mf
2013-02317
6-5-13

Introduced by:

Referral No

2825

**RESOLUTION NO. OF 2013
APPROVING CONTRACT IN EXCESS OF \$100,000
WITH ROCKLAND TRANSIT CORP.
TO OPERATE THE TRANSPORT OF ROCKLAND (TOR)
BUS SERVICE ROUTES 59, 91, 92, 93, 94, 95, 97, LOOP 1, 2 AND 3
FOR THE PERIOD FROM JULY 1, 2013 THROUGH SEPTEMBER 30, 2013
FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$5,706,306.96
(NO COUNTY TAX DOLLARS)
AND AUTHORIZING ITS
EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF PUBLIC TRANSPORTATION]
(\$5,706,306.96)**

WHEREAS, As required by the Federal Transit Administration, the County of Rockland competitively bid the contract for the operation of its Transport of Rockland (TOR) bus service, which bid has been awarded to Brega Transport Corp.; and

WHEREAS, Brega Transport Corp. and the Department of Public Transportation are currently working on a transition process to ensure a smooth and seamless transition of the operation of the Transport of Rockland (TOR) Routes 59, 91, 92, 93, 94, 95, 97, Loop 1, 2 and 3, bus service from Rockland Transit Corp. to Brega Transport Corp.; and

WHEREAS, By Resolution No. 180 of 2013, the Legislature of Rockland County approved an agreement with Rockland Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for the period April 1, 2013 through June 30, 2013 at a rate \$951,051.16 per month for a three month total of \$2,853,153.48, with one (1) option for a three (3) month extension for the operation of the TRANSPORT OF ROCKLAND (TOR) bus service, Routes 59, 91, 92, 93, 94, 95, 97, Loop 1, 2 and 3; and

WHEREAS, It is anticipated that the transition process will be complete and Brega Transport Corp. will begin operation of the Transport of Rockland (TOR) Routes 59, 91, 92, 93, 94, 95, 97, Loop 1, 2 and 3, bus service on or about October 1, 2013; and

WHEREAS, The Department of Public Transportation is requesting that the Legislature of Rockland County exercise the option for a three month extension in the interim with Rockland Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for the period from July 1, 2013 through September 30, 2013, at a rate of \$951,051.16 per month with a maximum contract amount not to exceed \$5,706,306.96 for operation of the TRANSPORT OF ROCKLAND (TOR) bus service, Routes 59, 91, 92, 93, 94, 95, 97, Loop 1, 2 and 3; and

WHEREAS, Funds for this agreement are provided by Metropolitan Transportation Authority (MTA) local discretionary funds, the Federal Transit Administration (FTA), and the State of New York, and exist in Account E5800 of the Department of Public Transportation; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County tax dollars; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the contract in excess of \$100,000 with Rockland Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for operation of the TRANSPORT OF ROCKLAND (TOR) bus service, Routes 59, 91, 92, 93, 94, 95, 97, Loop 1, 2 and 3, for the period July 1, 2013 through September 30, 2013 at a rate of \$951,051.16 per month for a maximum contract amount not to exceed \$5,706,306.96, 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 this agreement are provided by MTA, FTA and the State of New York, and exist in Account E5800 of the Department of Public Transportation, and the agreement will require the expenditure of no County tax dollars.

LHG:mf
2013-02510
6/10/13

Administration (FTA), and the State of New York, and exist in Account E5800 of the Department of Public Transportation; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County tax dollars; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the contract in excess of \$100,000 with Hudson Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for operation of the Transport of Rockland (TOR) Route 93 Partial bus service, for the period July 1, 2013 through September 30, 2013 at a rate of \$24,673.91 per month with a maximum contract amount not to exceed \$148,043.46, 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 this agreement are provided by MTA, FTA and the State of New York, and exist in Account E5800 of the Department of Public Transportation, and the agreement will require the expenditure of no County tax dollars.

LHG:mf
2013-02511
6/10/13

Introduced by:

Referral No. 9293

**RESOLUTION NO. OF 2013
APPROVING CONTRACT IN EXCESS OF \$100,000
WITH HUDSON TRANSIT CORP.
TO OPERATE THE TAPPAN ZEEEXPRESS BUS SERVICE
FOR THE PERIOD FROM JULY 1, 2013 THROUGH SEPTEMBER 30, 2013
FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,685,809.68
(NO COUNTY TAX DOLLARS)
AND AUTHORIZING ITS
EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF PUBLIC TRANSPORTATION]
(\$1,685,809.68)**

WHEREAS, As required by the Federal Transit Administration, the County of Rockland competitively bid the contract for the operation of its TAPPAN ZEEEXPRESS (TZX) bus service, which bid has been awarded to Brega Transport Corp.; and

WHEREAS, Brega Transport Corp. and the Department of Public Transportation are currently working on a transition process to ensure a smooth and seamless transition of the operation of the TAPPAN ZEEEXPRESS (TZX) bus service from Hudson Transit Corp. to Brega Transport Corp.; and

WHEREAS, By Resolution No. 179 of 2013, the Legislature of Rockland County approved an agreement with Hudson Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for the period April 1, 2013 through June 30, 2013 at a rate of \$280,968.28 per month for a three month total of \$842,904.84, with one (1) three (3) month option for extension for the operation of the TAPPAN ZEEEXPRESS (TZX) bus service; and

WHEREAS, It is anticipated that the transition process will be complete and Brega Transport Corp. will begin operation of the TAPPAN ZEEEXPRESS (TZX) bus service on or about October 1, 2013; and

WHEREAS, The Department of Public Transportation is requesting that the Legislature of Rockland County exercise the option for a three month extension in the interim with Hudson Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for the period from July 1, 2013 through September 30, 2013, at a rate of \$280,968.28 per month for a maximum contract amount not to exceed \$1,685,809.68 for the operation of the TAPPAN ZEEEXPRESS (TZX) bus service; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County tax dollars; and

WHEREAS, Funds for this agreement are provided by the Metropolitan Transportation Authority (MTA) local discretionary funds, the Federal Transit Administration (FTA), and the State of New York, and exist in Account E5410 of the Department of Public Transportation; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves the contract in excess of \$100,000 for operation of the TAPPAN ZEEXPRESS (TZX) bus service with Hudson Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for the period July 1, 2013 through September 30, 2013 at a rate of \$280,968.28 per month for a maximum contract amount not to exceed \$1,685,809.68 and authorizes its execution by the County Executive, subject to the approval of the County Attorney, and be it further

RESOLVED, That the agreement will require the expenditure of no County tax dollars; and be it further

RESOLVED, That sufficient funds for this agreement are provided by MTA, FTA and the State of New York, and exist in Account E5410 of the Department of Public Transportation.

LHG:mf
2013-02512
6/10/13

Referral No.

RESOLVED, That the Legislature of Rockland County approves a first amendment to a license agreement in excess of \$100,000 with New Cingular Wireless PCS, LLC, 12555, Cingular Way, Suite 1300 Alpharetta, GA 30004 to install three (3) additional dish antennas on the communications tower located at Rockland Community College at 145 College Road, Suffern, New York and to increase the contract sum in the amount of \$183,049.56 for a total contract sum not to exceed \$1,271,127.41 for the period from June 1, 2013 through October 31, 2029; and be it further

RESOLVED, That the Legislature of Rockland County approves its execution by the County Executive of all necessary documents and instruments necessary to effectuate the purpose and intent of this resolution, subject to the approval of the County Attorney.

TS: lo
2013-01924
06/10/2013
rev. 6-14-13

Market: West
Cell Site Number: NYCNNY2Q03
Cell Site Name: Rockland Community College
Fixed Asset Number: 10108318

WHEREAS, the parties now desire to amend the Agreement to allow the Licensee to install three (3) antennas at the one hundred and twelve (112') foot level of the tower, and the replacement of nine (9) antennas at the one hundred and twelve (112') foot level of the tower, all of which had not been part of the original Agreement. Exhibit "A" of the Agreement is hereby amended and attached hereto. The annual license fee is hereby increased by six hundred dollars (\$600.00) per month to reflect the increase in equipment approved for the site. The new fee shall commence on the first (1st) day of the month following full execution of this First Amendment.

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties agree as follows:

FIRST: Exhibit A of the Agreement shall be replaced by the attached Exhibit A-1, which shall include all changes made as result of this First Amendment. Licensor consents to the installation and operation of additional antennas, associated cables and equipment as more completely described on attached Exhibit A-1. Licensor's execution of this First Amendment will signify icensor's approval of Exhibit A-1. Exhibit A of the Agreement is hereby deleted in its entirety and replaced with the new Exhibit A-1 attached hereto and incorporated herein.

SECOND: License fees shall be increased by six hundred dollars (\$600.00) per month beginning on the first (1st) day of the month following full execution of this First Amendment. The new license fee shall be subject to the annual increase percentage specified in the Agreement.

Market: West
Cell Site Number: NYCNNY2Q03
Cell Site Name: Rockland Community College
Fixed Asset Number: 10108318

THIRD: No equipment change allowed by this First Amendment shall interfere with any other radio operation at this tower. Except as otherwise provided herein, all other terms and conditions of the Agreement shall remain in full force and effect.

FOURTH: Notices. Section 36 of the Agreement is hereby deleted in its entirety and replaced with the following:

NOTICES. All notices, requests, demands and communications hereunder will be given by first class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid, to be effective when properly sent and received, refused or returned undelivered. Notices will be addressed to the parties as follows.

If to Licensee: New Cingular Wireless PCS, LLC
Attn: Network Real Estate Administration
Re: Cell Site #: NYCNNY2Q03; Cell Site Name:
Rockland Community College (NY)
FA No: 10108318
12555 Cingular Way, Suite 1300
Alpharetta, GA 30004

With a copy to: New Cingular Wireless PCS, LLC
Attn: Legal Department
Re: Cell Site #: NYCNNY2Q03; Cell Site Name:

Market: West
Cell Site Number: NYCNNY2Q03
Cell Site Name: Rockland Community College
Fixed Asset Number: 10108318

Rockland Community College (NY)
FA No: 10108318
15 East Midland Ave.
Paramus, NJ 07652

The copy sent to the Legal Department is an administrative step which alone does not constitute legal notice.

If to Licensor: COUNTY OF ROCKLAND
Attn: Mr. Pablo A. Ramos
Office of Fire & Emergency Services
35 Firemen's Memorial Drive
Pomona, New York 10970

With a copy to: Office of the County Attorney
County of Rockland
111 New Hempstead Road
New City, New York 10956

Either party hereto may change the place for the giving of notice to it by thirty (30) days prior written notice to the other as provided herein.

IN WITNESS WHEREOF, the County of Rockland and the Licensee have caused this First Amendment to be executed the day and year last written.

Market: West
Cell Site Number: NYCNNY2Q03
Cell Site Name: Rockland Community College
Fixed Asset Number: 10108318

**OFFICE OF FIRE AND
EMERGENCY SERVICES**
(Approved for the signature of the
County Executive)

DEPARTMENT OF LAW
(Approved for the signature of the
County Executive)

By: _____
GORDON W. WREN, JR.
Director
Dated: _____

By: _____
THOMAS SIMETI
Deputy County Attorney
Dated: _____

New Cingular Wireless PCS, LLC
By: **AT&T Mobility Corporation**
Its: **Manager**

COUNTY OF ROCKLAND

By: _____
Name: _____
Title: _____
Dated: _____

By: _____
C. SCOTT VANDERHOEF
County Executive
Dated: _____

Market: West
Cell Site Number: NYCNNY2Q03
Cell Site Name: Rockland Community College
Fixed Asset Number: 10108318

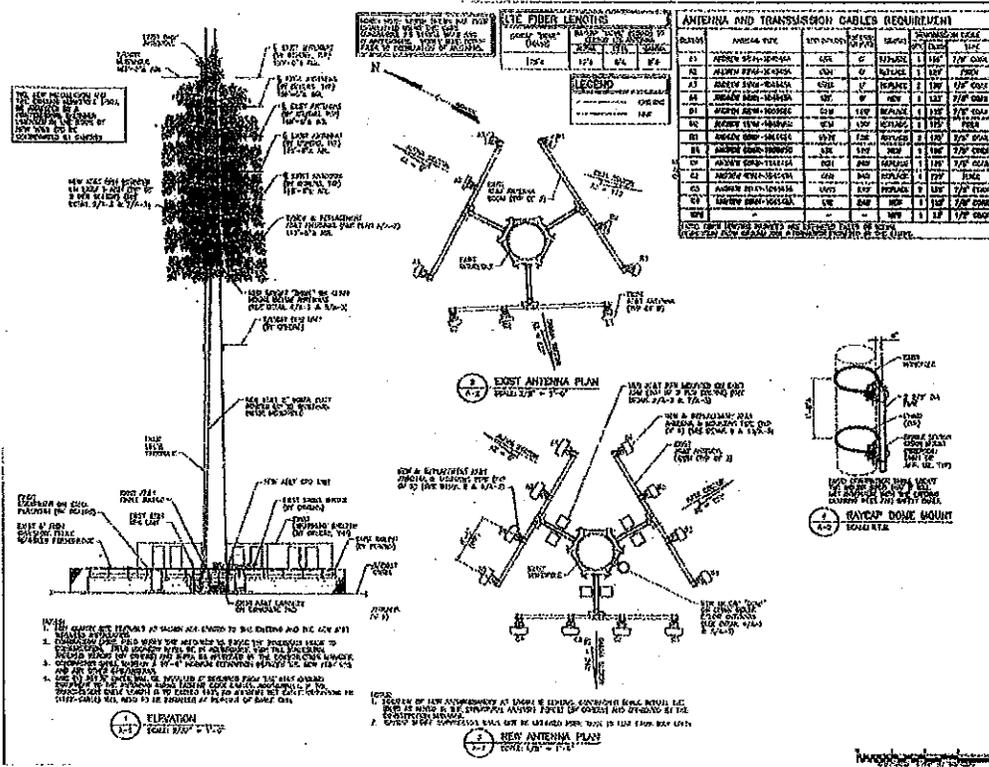
EXHIBIT A-1

See attached exhibits comprised of this page last revision date of 12/17/2012, prepared by Tectonic Engineering.

Notes:

1. THIS EXHIBIT MAY BE REPLACED BY A LAND SURVEY AND/OR CONSTRUCTION DRAWINGS OF THE PREMISES ONCE RECEIVED BY LICENSEE.
2. ANY SETBACK OF THE PREMISES FROM THE PROPERTY'S BOUNDARIES SHALL BE THE DISTANCE REQUIRED BY THE APPLICABLE GOVERNMENTAL AUTHORITIES.
3. WIDTH OF ACCESS ROAD SHALL BE THE WIDTH REQUIRED BY THE APPLICABLE GOVERNMENTAL AUTHORITIES, INCLUDING POLICE AND FIRE DEPARTMENTS.
4. THE TYPE, NUMBER AND MOUNTING POSITIONS AND LOCATIONS OF ANTENNAS AND TRANSMISSION LINES ARE ILLUSTRATIVE ONLY. ACTUAL TYPES, NUMBERS AND MOUNTING POSITIONS MAY VARY FROM WHAT IS SHOWN ABOVE.

Market: West
 Cell Site Number: NYCNNY2Q03
 Cell Site Name: Rockland Community College
 Fixed Asset Number: 10108318



at&t

BLACK & VEATCH

STATE OF NEW YORK
 PROFESSIONAL ENGINEER

ROCKLAND COMMUNITY COLLEGE
 4001 148 COLLEGE ROAD
 SHUFFLEBURY, NY 10981

DATE: 1/15/03
 DRAWING NO: 10108318
 SHEET NO: A-2

Referral No.

WHEREAS, The
considered and

Committee of this Legislature has met,
approved this resolution; now, therefore, be it

RESOLVED, That the Legislature of Rockland County approves a second amendment to a license agreement in excess of \$100,000 with New Cingular Wireless PCS, LLC, 12555, Cingular Way, Suite 1300 Alpharetta, GA 30004 to install three (3) additional dish antennas on the communications tower located at the Veteran's Cemetery located at 175 Brick Church Road, New Hempstead, New York and to increase the contract sum in the amount of \$165,583.68 for a total contract sum of \$1,303,112.72 for a term of twenty-five (25) years for the period from June 1, 2013 through October 31, 2029; and be it further

RESOLVED, That the Legislature of Rockland County approves its execution by the County Executive of all necessary documents and instruments necessary to effectuate the purpose and intent of this resolution, subject to the approval of the County Attorney.

TS:lo
2013-01930
06/10/2013

RESOLVED, That this grant is federally funded but administered by New York State; and be it further

RESOLVED, That no County tax dollars (NCTD) are required to accept said grant; and be it further

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

GENERAL FUND - 2013

Increase Approp. Accts (Credit):

A-SHF-3107-GS36-E5060	Program Costs	84,000
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Increase Est. Rev. Acct. (Debit):

A-SHF-3107-GS36 -R4380	Public Safety Grant(s)	84,000
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MB:mf
2013-02367
6-10-13

Introduced by:

Referral No. 5327

DRAFT

**RESOLUTION NO. OF 2013
APPROVING ACCEPTANCE OF FUNDS
IN THE AMOUNT OF \$25,014.90 (NCTD)
FROM THE UNITED STATES SECRET SERVICE
FOR FEDERAL FISCAL YEAR 2013
(OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013)
TO BE USED IN CONNECTION WITH
THE PARTICIPATION OF THE ROCKLAND COUNTY
SHERIFF'S COMPUTER CRIME UNIT IN THE
NEW YORK/NEW JERSEY ELECTRONIC CRIMES TASK FORCE
[OFFICE OF THE SHERIFF]
(\$25,014.90)**

WHEREAS, The Office of the Sheriff has advised the County Executive and the Rockland County Legislature that they have been awarded additional funds in the amount of \$25,014.90 from the United States Secret Service for federal fiscal year 2013 (October 1, 2012 through September 30, 2013), to be used in connection with the participation of the Rockland County Sheriff's Computer Crime Unit in the New York/New Jersey Electronic Crimes Task Force; and

WHEREAS, These funds were awarded pursuant to the conditions and procedures associated with the reimbursement allocation found in Part III of the Memorandum of Understanding entered into between the County of Rockland/Rockland County Sheriff's Department and the United States Secret Service on or about February 24, 2006; and

WHEREAS, No County tax dollars (NCTD) are required to accept said funds; and

WHEREAS, It is necessary to appropriate these funds to the proper account; and

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

RESOLVED, That the Legislature of Rockland County hereby approves the acceptance of funds in the amount of \$25,014.90 from the United States Secret Service for federal fiscal year 2013 (October 1, 2012 through September 30, 2013), to be used in connection with the participation of the Rockland County Sheriff's Computer Crime Unit in the New York/New Jersey Electronic Crimes Task Force; and authorizes execution of all necessary documents 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 to accept said funds; and be it further

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

GENERAL FUND - 2013

Increase Approp. Accts (Credit):

A-SHF-3114-E5060	Program Costs	25,015
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Increase Est. Rev. Acct. (Debit):

A-SHF-3114-R4389	Federal Aid - Public Safety	25,015
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MB:lo
2013-02011
5/14/13

DEPT

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

RESOLVED, That the Legislature of Rockland County hereby approves the
increase in salary for the position of Medical Director for the Department of Hospitals
from \$150,000 to \$195,000, which increase shall be effective upon the passage of this
resolution.

BB: lo
2013-02187
5/28/13

DRAFT

Introduced by:
Hon. Michael M. Grant, Sponsor

Referral No.

9494

**RESOLUTION NO. OF 2013
ACCEPTING REPORT OF BUDGET & FINANCE COMMITTEE
AFTER ITS REVIEW OF THE ROCKLAND COMMUNITY COLLEGE
PROPOSED 2013-2014 BUDGET**

WHEREAS, a public hearing has been held on the proposed budget on the 2nd day of July 2013; and

WHEREAS, the _____ Committee has met, considered, and by a _____ vote approved the Budget submitted by the College and the County Executive and approved this resolution, now therefore, be it

RESOLVED, that the Budget and Finance Committee's report on the 2013-2014 Rockland Community College proposed Budget consisting of the schedules attached hereto, be and the same are hereby approved and adopted as set forth in the schedule(s) attached hereto:

LG3245
RM/cs
6/21/13

DRAFT

Introduced by:
Hon. Michael M. Grant, Sponsor

Referral No. 9494

RESOLUTION NO. OF 2013
ADOPTION OF THE 2013- 2014 BUDGET -
RETIRED SENIOR VOLUNTEER PROGRAM

WHEREAS, a public hearing has been held on the 2013-2014 Rockland Community College proposed budget on the 2nd day of July, 2013, which included the budget of the Retired Senior Volunteer Program, as may have been revised by the Legislature; and

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

RESOLVED, that the budget of the Retired Senior Volunteer Program has been filed by the County Executive, and approved by the Legislature of Rockland County, be and the same is hereby adopted as set forth in the schedule(s) attached hereto:

LG3246
RM/cs
6/21/13

Introduced by:

Referral No. 3977

**AMENDING
RESOLUTION NO. 207 OF 2013
APPROVING THE SUBMISSION OF THE
CONSOLIDATED/ACTION PLAN FOR FY2013
TO THE U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT AND APPROVING
EXECUTION OF BY COUNTY EXECUTIVE
OF ALL NECESSARY INSTRUMENTS AND DOCUMENTS
[OFFICE OF COMMUNITY DEVELOPMENT]
(\$4,796,571)**

WHEREAS, By Resolution 207 of 2013 the County of Rockland approved the submission of the Consolidated/Action Plan for FY 2013 to the U.S. Department of Housing and Urban Development (HUD) and approved the execution by the County Executive of all necessary instruments and documents related thereto; and

WHEREAS, The County Executive executed and submitted the County's Consolidated/Action Plan for FY2013 as recommended by the County Consortium, to the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, At that time the County of Rockland was advised by the Department of HUD that its Community Development allocation for the Program Year 2013 would be approximately \$4,700,000; and

WHEREAS, The County of Rockland has recently been advised that HUD has finalized its allocation formula and the County has been notified that its Community Development allocation for Program Year 2013 will be as follows:

	<u>Estimated</u>	<u>Actual</u>
➤ Community Development Block Grant (CDBG)	\$1,921,134.00	\$2,080,766.00
➤ Emergency Solutions Grant (ESG)	\$ 163,457.00	\$ 139,030.00
➤ Home Investment Partnership Program (HOME)	\$ 586,870.00	\$ 575,360.00
➤ HOPWA FY2013	\$ 597,195.00	\$ 597,195.00
➤ Section 108 Loan	\$ 825,000.00	\$ 825,000.00

DRAFT

Introduced by:

Referral No. 5614

**RESOLUTION NO. OF 2013
APPROVAL OF PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT
BETWEEN SUFFERN CDC, LLC, RAYMOURS FURNITURE COMPANY, INC.,
VILLAGE OF MONTEBELLO, TOWN OF RAMAPO, RAMAPO CENTRAL SCHOOL
DISTRICT, COUNTY OF ROCKLAND, AND THE COUNTY OF ROCKLAND
INDUSTRIAL DEVELOPMENT AGENCY FOR PROPERTY LOCATED AT
22 HEMION ROAD (A/K/A 30 DUNNIGAN DRIVE) VILLAGE OF MONTEBELLO,
TOWN OF RAMAPO, IN THE RAMAPO CENTRAL SCHOOL DISTRICT,
TAX MAP SECTION 55.6, BLOCK 1, LOT 3.1 AND SECTION 55.6 BLOCK 1 LOT 3.2
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF FINANCE]
[PILOT]**

WHEREAS, Suffern CDC, LLC and Raymours Furniture Company, Inc. have requested that the County of Rockland Industrial Development Agency finance the acquisition of an existing building and renovations thereof and the acquisition and installation thereto of certain machinery and equipment related thereto, all to be used for a manufacturing, distribution, warehousing facility and administrative office, which Project is located at 22 Hemion Road (a/k/a 30 Dunnigan Drive), Village of Montebello, Town of Ramapo, in the Ramapo Central School District being shown and designated on the Tax Map of the Town of Ramapo as Tax Map Section 55.6 Block 1, Lot 3.1 and Section 55.6 Block 1 Lot 3.2; and

WHEREAS, Suffern CDC, LLC and Raymours Furniture Company, Inc. wish to enter into an agreement with the County of Rockland, for payment of monies in lieu of taxes pursuant to General Municipal Law 925-1, commencing with the applicable tax fiscal year immediately following the first taxable status date the Agency is the owner of record of the Project Realty determined pursuant to the provisions of the Real Property Tax Law, and terminating on the tenth anniversary of the date of commencement, or earlier as provided in the agreement; and

WHEREAS, The County is a party to the Payment in Lieu of Taxes Agreement solely for notice and collection/payment purposes; and

WHEREAS, Suffern CDC, LLC and Raymours Furniture Company, Inc. will continue to pay the full amount of the County tax which they would have paid if the County of Rockland Industrial Development Agency were not involved in the Project; and

Referral No.

WHEREAS, The Village of Montebello, Town of Ramapo, the Ramapo Central School District and the Rockland County Industrial Development Agency have approved the agreement; 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 a Payment In Lieu Of Taxes (PILOT) agreement with Suffern CDC, LLC and Raymours Furniture Company, Inc., the Village of Montebello, the Town of Ramapo, the Ramapo Central School District, County of Rockland and County of Rockland Industrial Development Agency for payment of monies in lieu of taxes in the amount set forth in the attached agreement, and authorizes its execution by the County Executive, subject to the approval of the County Attorney, and only upon the agreement of all parties.

AR:dc
2013-02191
5/20/13

RESOLVED, That the Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2007 Town and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll correct such tax roll and issue a new tax bill accordingly.

AFR:mf
2013-00866
6-17-13
REV. 6-18-13

SCHEDULE A
Town of Clarkstown

OWNER: CLARKSTOWN CENTRAL SCHOOL DISTRICT

PROPERTY ID#: 58.19-1-9.26

**CORRECTION: TAX AMOUNT ON THE 2007 COUNTY & TOWN TAX
ROLL BE CORRECTED TO READ \$717.24 AND A
REDUCTION BE MADE TO THE ACCOUNT IN THE
AMOUNT OF \$ 24,564.97**

**REASON: THE DEED TO THE PROPERTY WAS TRANSFERRED TO
THE SCHOOL DISTRICT ON JANUARY 13, 2005.
MAKING THE ABOVE PROPERTY A TAX-EXEMPT
ENTITY.**

RESOLVED, That the Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2013 Town and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll and issue a new tax bill accordingly.

AFR:mf
2013-00950
6-13-13

**SCHEDULE A
TOWN OF ORANGETOWN**

OWNER: BETH NORMAN & ABDELLATIF BELFESSA

PROPERTY I.D.# 65.44-2-23

CORRECTION: THE TAX AMOUNT OF \$ 6,157.81 ON THE 2013 TOWN/COUNTY TAX ROLL BE CORRECTED TO READ \$ 4,226.87 AND A NEW BILL BE ISSUED.

REASON: THE VILLAGE OF NYACK ERRONEOUSLY RE-LEVIED THE 2012-2013 VILLAGE TAX ON TO THE 2013 TAX ROLL. THIS TAX WAS PAID ON OCTOBER 1, 2012. THIS CREATED A CLERICAL ERROR AS DEFINED IN RPTL §550(2)(H).

RESOLVED, That the Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2013 Town and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll and issue a new tax bill accordingly.

AFR:mf
2013-00600
6-14-13

SCHEDULE A
Town of Clarkstown

OWNER: JOSEPH DENOIA

PROPERTY ID#: 57.12-1-3.1/1440

CORRECTION: TAX AMOUNT ON THE 2013 COUNTY & TOWN TAX ROLL BE CORRECTED TO READ \$4,189.25 AND A CREDIT OR A REFUND BE ISSUED IN THE AMOUNT OF \$4,481.22.

REASON: DUE TO HURRICANE SANDY, THE ELECTRONIC PAYMENT BY PROVIDENT BANK WAS NOT PROPERLY CREDITED; THEREFORE THE SCHOOL RE-LEVY NEEDS TO BE REMOVED FROM THE 2012 COUNTY AND TOWN BILL.

RESOLVED, That the Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2006 Town and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll correct such tax roll and issue a new tax bill accordingly.

AFR:mf
2013-00865
6-17-13
rev. 6-18-13

RECEIVED

SCHEDULE A
Town of Clarkstown

OWNER: CLARKSTOWN CENTRAL SCHOOL DISTRICT

PROPERTY ID#: 58.19-1-9.26

CORRECTION: TAX AMOUNT ON THE 2006 COUNTY & TOWN TAX ROLL BE CORRECTED TO READ \$734.71 AND A REDUCTION BE MADE TO THE ACCOUNT IN THE AMOUNT OF \$ 23,975.65.

REASON: THE DEED TO THE PROPERTY WAS TRANSFERRED TO THE SCHOOL DISTRICT ON JANUARY 13, 2005. MAKING THE ABOVE PROPERTY A TAX-EXEMPT ENTITY.

RESOLVED, That the Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2013 Town and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll and issue a new tax bill accordingly.

AFR:mf
2013-02607
6-13-13

SCHEDULE A
Town of Orangetown

OWNER: JACQUELINE HARCHAOUI

PROPERTY ID#: 68.14-3-35

CORRECTION: TAX AMOUNT ON THE 2013 COUNTY & TOWN TAX ROLL BE CORRECTED TO READ \$ 3,500.07 AND A REFUND BE MADE TO THE ACCOUNT IN THE AMOUNT OF \$ 2,049.96

REASON: DUE TO CLERICAL ERROR HOMEOWNER WAS INCORRECTLY CHARGED A PRO-RATA FEE FOR HOUSE PURCHASED ON 05/16/2012

RESOLVED, That the Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2013 Town and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll and issue a new tax bill accordingly.

AFR:mf
2013-01057
6-13-13

2013 JUN 13 11:11 AM

SCHEDULE A
Town of Orangetown

=====

OWNER: MARIA & DIANA CAIAFA

PROPERTY ID#: 66.29-1-1.3

**CORRECTION: TAX AMOUNT OF \$ 7483.76 ON THE 2013 COUNTY &
TOWN TAX ROLL BE CORRECTED TO READ \$ 5107.28
AND A REFUND/REDUCTION BE MADE TO THE
ACCOUNT IN THE AMOUNT OF \$ 2,376.48.**

**REASON: THE VILLAGE OF NYACK ERRONEOUSLY RE-LEVIED
THE 2012-2013 ON THE 2013 COUNTY & TOWN BILL.
TAXES WERE PAID AT THE VILLAGE ON SEPTEMBER
26, 2012; WHICH CREATED A CLERICAL ERROR.**

RESOLVED, That the Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2013 Town and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll and issue a new tax bill accordingly.

AFR:mf
2013-00408
6-14-13

SCHEDULE A
Town of Orangetown

OWNER: Difeo Holding LP

PROPERTY ID#: 63.36-2-44.2

CORRECTION: TAX AMOUNT ON THE 2013 COUNTY & TOWN TAX ROLL BE CORRECTED TO READ \$ 7193.49 AND A REDUCTION/REFUND BE MADE TO THE ACCOUNT IN THE AMOUNT OF \$ 4,352.54.

REASON: THE VILLAGE OF NYACK TAXES WERE PAID AT THE VILLAGE ON OCTOBER 2, 2012 AND WERE RE-LEVIED ONTO THE 2013 COUNTY & TOWN BILL IN ERROR

**REPORT OF COMMITTEE
MORTGAGE TAX**

TO THE HONORABLE LEGISLATURE OF ROCKLAND COUNTY

The Budget and Finance Committee has reviewed the apportionment arising from tax on mortgages Collected from October 1, 2012 through March 31, 2013 among the several towns and villages of this County as follows:

**STATEMENT OF MORTGAGE TAX
FOR PERIOD OF SIX MONTHS
ENDING MARCH 31, 2013**

One Quarter of the Tax collected by recording officer pursuant to report to the Legislature of Rockland County	\$4,023,153.39
Total disbursement of Recording Officer	108,643.58
Interest Earned for Period (County Clerk)	26.59
Amount Paid to Commissioner of Finance	3,914,536.40
Interest Earned for Period (Commissioner of Finance)	1,999.65
Net Amount for Distribution to Tax Districts	3,916,536.05

AMOUNT ALLOCATED TO EACH TOWN

CLARKSTOWN	1,284,148.92
HAVERSTRAW	265,768.65
ORANGETOWN	955,012.57
RAMAPO	1,205,449.47
STONY POINT	206,156.44

ASSESED VALUATION OF TOWNS

CLARKSTOWN	4,468,146,800
HAVERSTRAW	3,642,996,414
ORANGETOWN	4,796,238,635
RAMAPO	2,045,975,536
STONY POINT	296,687,790

We have also prepared a warrant which we submit herewith directing the Commissioner of Finance to pay to the Supervisors of the several towns and to village Treasurers, the sums apportioned pursuant to Section 261 of the Tax Law, as amended.

DISTRIBUTION OF TAX TO TOWNS AND VILLAGES

TOWN OF CLARKSTOWN	\$1,250,641.69
Village of Upper Nyack	22,685.93
Village of Spring Valley	8,622.39
Village of Nyack	2,198.91
TOWN OF HAVERSTRAW	198,646.20
Village of Haverstraw	26,777.55
Village of West Haverstraw	28,606.05
Village of Pomona	11,738.85
TOWN OF ORANGETOWN	856,826.88
Village of Grandview	5,137.31
Village of Nyack	48,262.02
Village of Piermont	25,465.68
Village of South Nyack	19,320.68
TOWN OF RAMAPO	801,497.95
Village of Hillburn	7,263.34
Village of New Hempstead	30,460.66
Village of New Square	16,204.28
Village of Pomona	8,709.48
Village of Sloatsburg	16,078.33
Village of Spring Valley	57,873.44
Village of Suffern	62,004.03
Village of Wesley Hills	37,988.05
Village of Chestnut Ridge	54,875.46
Village of Montebello	47,431.77
Village of Kaser	8,812.26
Village of Airmont	56,250.42
TOWN OF STONY POINT	206,156.44

RATE OF DISTRIBUTION OF TAX TO INCORPORATED VILLAGES

Upper Nyack in the Town of Clarkstown	0.01766612
Spring Valley in the Town of Clarkstown	0.00671448
Nyack in the Town of Clarkstown	0.00171235
Haverstraw in the Town of Haverstraw	0.10075512
West Haverstraw in the Town of Haverstraw	0.10763516
Pomona in the Town of Haverstraw	0.04416942
Grandview in the Town of Orangetown	0.00537931
Nyack in the Town of Orangetown	0.05053548
Piermont in the Town of Orangetown	0.02666528
South Nyack in the Town of Orangetown	0.02023081
Hillburn in the Town of Ramapo	0.00602542
New Hempstead in the Town of Ramapo	0.02526913
New Square in the Town of Ramapo	0.01344252
Pomona in the Town of Ramapo	0.00722509
Sloatsburg in the Town of Ramapo	0.01333804
Spring Valley in the Town of Ramapo	0.04800984
Suffern in the Town of Ramapo	0.05143644
Wesley Hills in the Town of Ramapo	0.03151360
Chestnut Ridge in the Town of Ramapo	0.04552282
Montebello in the Town of Ramapo	0.03934779
Kaser in the Town of Ramapo	0.00731035
Airmont in the Town of Ramapo	0.04666344

ASSESSED VALUATIONS OF VILLAGES

Upper Nyack in the Town of Clarkstown	157,869,659
Spring Valley in the Town of Clarkstown	60,002,538
Nyack in the Town of Clarkstown	15,302,021
Haverstraw in the Town of Haverstraw	734,101,090
West Haverstraw in the Town of Haverstraw	784,229,022
Pomona in the Town of Haverstraw	321,818,109
Grandview in the Town of Orangetown	51,600,911
Nyack in the Town of Orangetown	484,760,484
Piermont in the Town of Orangetown	255,786,091
South Nyack in the Town of Orangetown	194,063,617
Hillburn in the Town of Ramapo	24,655,711
New Hempstead in the Town of Ramapo	103,400,037
New Square in the Town of Ramapo	55,006,148
Pomona in the Town of Ramapo	29,564,708
Sloatsburg in the Town of Ramapo	54,578,603
Spring Valley in the Town of Ramapo	196,453,936
Suffern in the Town of Ramapo	210,475,404
Wesley Hills in the Town of Ramapo	128,952,113
Chestnut Ridge in the Town of Ramapo	186,277,151
Montebello in the Town of Ramapo	161,009,248
Kaser in the Town of Ramapo	29,913,593
Airmont in the Town of Ramapo	190,944,497

STATE OF NEW YORK >
COUNTY OF ROCKLAND >

WARRANT OF THE COMMISSIONER OF FINANCE OF ROCKLAND COUNTY

TO: STEPHEN F. DEGROAT
COMMISSIONER OF FINANCE
BUDGET DIRECTOR
NEW CITY, N.Y. 10956

You are hereby notified by the Legislature of Rockland County, State of New York, that the sum of Four Million, Twenty-Three Thousand, One Hundred Fifty-Three and 39/100 (\$4,023,153.39) Dollars arising from tax on Mortgages and interest earned in the amount of Two Thousand, Twenty-Six and 24/100 (\$2,026.24) Dollars for the period between October 1, 2012 and March 31, 2013 inclusive, as reported by the recording officer to the Rockland County Legislature, has this day been apportioned to the several towns and incorporated villages, pursuant to Section 261 of the Tax Law, as amended, having deducted One Hundred Eight Thousand, Six Hundred Forty-Three and 58/100 (\$108,643.58) Dollars expenses of the County Clerk, as allowed by the State Board of Tax Commissioners, which leaves a net balance of Three Million, Nine Hundred Sixteen Thousand, Five Hundred Thirty-Six and 05/100 (\$3,916,536.05) Dollars, which has been apportioned as follows:

To the Supervisor of the Town of Clarkstown for Town purposes	\$ 1,250,641.69
To the Treasurer of Upper Nyack for Village purposes	22,685.93
To the Treasurer of Spring Valley for Village purposes	8,622.39
To the Treasurer of Nyack for Village purposes	2,198.91
To the Supervisor of the Town of Haverstraw for Town purposes	198,646.20
To the Treasurer of Haverstraw for Village purposes	26,777.55
To the Treasurer of West Haverstraw for Village purposes	28,606.05
To the Treasurer of Pomona for Village purposes	11,738.85
To the Supervisor of the Town of Orangetown for Town purposes	856,826.88
To the Treasurer of Grand View for Village purposes	5,137.31
To the Treasurer of Nyack for Village purposes	48,262.02
To the Treasurer of Piermont for Village purposes	25,465.68

To the Treasurer of South Nyack for Village purposes	19,320.68
To the Supervisor of Ramapo for Town purposes	801,497.95
To the Treasurer of Hillburn for Village purposes	7,263.34
To the Treasurer of New Hempstead for Village purposes	30,460.66
To the Treasurer of New Square for Village purposes	16,204.28
To the Treasurer of Pomona for Village purposes	8,709.48
To the Treasurer of Sloatsburg for Village purposes	16,078.33
To the Treasurer of Spring Valley for Village purposes	57,873.44
To the Treasurer of Suffern for Village purposes	62,004.03
To the Treasurer of Wesley Hills for Village purposes	37,988.05
To the Treasurer of Chestnut Ridge for Village purposes	54,875.46
To the Treasurer of Montebello for Village purposes	47,431.77
To the Treasurer of Kaser for Village purposes	8,812.26
To the Treasurer of Airmont for Village purposes	56,250.42
To the Supervisor of Stony Point for Town purposes	206,156.44

You are hereby directed to pay to the respective qualified officers of the several towns and incorporated villages, the sum apportioned to them as appears in the foregoing schedule and for the purposes specified.

Given under our hands and the seal of the Legislature of Rockland County, State of New York,

this day of New City, New York.

 Laurence O. Toole
 Clerk to the Legislature

 Chairman

STATE OF NEW YORK >
COUNTY OF ROCKLAND >

WARRANT OF THE COMMISSIONER OF FINANCE OF ROCKLAND COUNTY

TO: STEPHEN F. DEGROAT
COMMISSIONER OF FINANCE
BUDGET DIRECTOR
NEW CITY, N.Y. 10956

You are hereby notified by the Legislature of Rockland County, State of New York, that the sum of Four Million, Twenty-Three Thousand, One Hundred Fifty-Three and 39/100 (\$4,023,153.39) Dollars arising from tax on Mortgages and interest earned in the amount of Two Thousand, Twenty-Six and 24/100 (\$2,026.24) Dollars for the period between October 1, 2012 and March 31, 2013 inclusive, as reported by the recording officer to the Rockland County Legislature, has this day been apportioned to the several towns and incorporated villages, pursuant to Section 261 of the Tax Law, as amended, having deducted One Hundred Eight Thousand, Six Hundred Forty-Three and 58/100 (\$108,643.58) Dollars expenses of the County Clerk, as allowed by the State Board of Tax Commissioners, which leaves a net balance of Three Million, Nine Hundred Sixteen Thousand, Five Hundred Thirty-Six and 05/100 (\$3,916,536.05) Dollars, which has been apportioned as follows:

To the Supervisor of the Town of Clarkstown for Town purposes	\$ 1,250,641.69
To the Treasurer of Upper Nyack for Village purposes	22,685.93
To the Treasurer of Spring Valley for Village purposes	8,622.39
To the Treasurer of Nyack for Village purposes	2,198.91
To the Supervisor of the Town of Haverstraw for Town purposes	198,646.20
To the Treasurer of Haverstraw for Village purposes	26,777.55
To the Treasurer of West Haverstraw for Village purposes	28,606.05
To the Treasurer of Pomona for Village purposes	11,738.85
To the Supervisor of the Town of Orangetown for Town purposes	856,826.88
To the Treasurer of Grand View for Village purposes	5,137.31
To the Treasurer of Nyack for Village purposes	48,262.02
To the Treasurer of Piermont for Village purposes	25,465.68

To the Treasurer of South Nyack for Village purposes	19,320.68
To the Supervisor of Ramapo for Town purposes	801,497.95
To the Treasurer of Hillburn for Village purposes	7,263.34
To the Treasurer of New Hempstead for Village purposes	30,460.66
To the Treasurer of New Square for Village purposes	16,204.28
To the Treasurer of Pomona for Village purposes	8,709.48
To the Treasurer of Sloatsburg for Village purposes	16,078.33
To the Treasurer of Spring Valley for Village purposes	57,873.44
To the Treasurer of Suffern for Village purposes	62,004.03
To the Treasurer of Wesley Hills for Village purposes	37,988.05
To the Treasurer of Chestnut Ridge for Village purposes	54,875.46
To the Treasurer of Montebello for Village purposes	47,431.77
To the Treasurer of Kaser for Village purposes	8,812.26
To the Treasurer of Airmont for Village purposes	56,250.42
To the Supervisor of Stony Point for Town purposes	206,156.44

You are hereby directed to pay to the respective qualified officers of the several towns and incorporated villages, the sum apportioned to them as appears in the foregoing schedule and for the purposes specified.

Given under our hands and the seal of the Legislature of Rockland County, State of New York,

this day of New City, New York.

 Laurence O. Toole
 Clerk to the Legislature

 Chairman

18. **Referral No. 6707** - Establishing Eight Positions In The Sheriff's Department – Communications Division For The County's Emergency Medical Dispatch (EMD) Program. (Sponsors: Hon. Alden H. Wolfe, Hon. Jay Hood, Jr., Hon. Ilan S. Schoenberger, Hon. Philip Soskin, Hon. Frank P. Sparaco, Hon. Douglas J. Jobson)

360

GRANT/JOBSON, MURPHY, PAUL, SOSKIN: UNAN.

19. **Referral No. 5614/8111**

- a. Authorizing The Sale Of Tax Delinquent Property To Marek Stycos Property ID No. C 35.9-1-4, Town Of Clarkstown [Department Of Finance] (\$10,000.00). (Sponsors: Hon. Alden H. Wolfe, Hon. Jay Hood, Jr., Hon. Ilan S. Schoenberger, Hon. Philip Soskin, Hon. Frank P. Sparaco, Hon. Douglas J. Jobson)

361

GRANT/CAREY, PAUL: UNAN.

- b. Authorizing The Sale Of Tax Delinquent Property To Village Of Spring Valley, Property ID Nos. R57.40-1-44.3; R57.40-1-44.4 And R57.40-1-44.5 Lafayette Street Town Of Ramapo [Department Of Finance] (\$13,414.68). (Sponsors: Hon. Alden H. Wolfe, Hon. Jay Hood, Jr., Hon. Ilan S. Schoenberger, Hon. Philip Soskin, Hon. Frank P. Sparaco, Hon. Douglas J. Jobson)

REFERRED BACK TO COMMITTEE

- c. Authorizing The Sale Of Tax Delinquent Property To Moshe Silber, Property ID No. R54.52-3-1.2 Town Of Ramapo [Department Of Finance] (\$15,620.00). (Sponsors: Hon. Alden H. Wolfe, Hon. Jay Hood, Jr., Hon. Ilan S. Schoenberger, Hon. Philip Soskin, Hon. Frank P. Sparaco, Hon. Douglas J. Jobson)

362

GRANT/EARL, SCHOENBERGER, SOSKIN: UNAN.

RESOLVED, That the Legislature of Rockland County hereby approves acceptance of the offer by Village of Spring Valley, in the amount of \$13,414.68 to purchase the properties identified on the Town of Ramapo Tax Map as R57.40-1-44.3; R57.40-1-44.4 and R57.40-1-44.5, commonly known as 11-13 Lafayette Street, Spring Valley respectively, approves the transfer of title to the parcels by quitclaim deed, and authorizes execution by the County Executive of all necessary documents, subject to the approval of the County Attorney.

AFR:mf

2013-01644

5-3-13

6-12-13; 6-19-13cs

DRAFT

Introduced by:
Hon. Alden H. Wolfe, Sponsor

Referral No. 9496
, 2012

RESOLUTION NO. OF 2012
SETTING A DATE FOR A PUBLIC HEARING:
A LOCAL LAW ESTABLISHING AND ADOPTING A FUND BALANCE
MANAGEMENT POLICY WITHIN ROCKLAND COUNTY GOVERNMENT

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

RESOLVED, that this Legislature hereby sets the _____ day of
_____, 2012, at _____ P.M. for a public hearing to provide for a
local law establishing and adopting a fund balance management policy within
Rockland County government.

Lg2914ph
ELY
6/12/13

DRAFT

**LOCAL LAW NO. OF 2013
COUNTY OF ROCKLAND
STATE OF NEW YORK**

(Introduced by: Hon. Alden H. Wolfe)

A local law establishing and adopting a fund balance management policy within Rockland County government.

Be it enacted by the legislature of the county of Rockland as follows:

Section 1. This law shall be known as "the Rockland County Fiscal Stabilization Act."

Section 2. Legislative Intent.

The Governmental Accounting Standards Board (GASB) is the independent organization that establishes and improves standards of accounting and financial reporting for U.S. state and local governments. Established in 1984 by agreement of the Financial Accounting Foundation (FAF) and 10 national associations of state and local government officials, the GASB is recognized by governments, the accounting industry, and the capital markets as the official source of generally accepted accounting principles (GAAP) for state and local governments. Compliance with GASB's standards is enforced through the laws of some individual states and through the audit process, when auditors render opinions on the fairness of financial statement presentations in conformity with GAAP; and

The Government Finance Officers Association (GFOA) is a professional organization of public officials united to enhance and promote the professional management of governmental financial resources by identifying, developing and advancing fiscal strategies, policies, and practices for the public benefit. In 1993, the GFOA began developing a body of recommended practices in the functional areas of public finance to give GFOA members and other state and local governments more guidance on sound financial management practices. These Recommended Practices were recently reclassified as Best Practices and Advisories. A GFOA Best Practice identifies specific policies and procedures as contributing to improved government management. It aims to promote and facilitate positive change rather than merely to codify current accepted practice. Partial implementation is encouraged as progress toward a recognized goal; and

In March of 2009, GASB issue Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions which was intended to improve the usefulness of information provided to financial report users about fund balance by providing clearer, more structured fund balance classifications, and by clarifying the definitions of existing governmental fund types. Its mandates were required on financial statements for fiscal years first ending June 30, 2011; and

In October of 2009, GFOA issued a "best practice" regarding the Appropriate Level of Unrestricted Fund Balance in the General Fund, which utilized GASB's categories and definitions in recommending that governments establish a formal policy on the level of unrestricted fund balance that should be maintained in the general fund. GFOA stated, "Such a guideline should be set by the appropriate policy body and should provide both a temporal framework and specific plans for increasing or decreasing the level of unrestricted fund balance, if it is inconsistent with that policy;" and

The Rockland County Legislature - the policy body of Rockland County government - being committed to fiscal responsibility and ever mindful of the unpredictability of the surrounding economic climate, wishes to establish and adopt a formal policy regarding fund balance management that will ensure that the County of Rockland remains on solid financial footing in the years to come.

Section 3. Definitions

As used in this article, the following terms shall have the meanings indicated:

- A. COUNTY** – The County of Rockland, New York
- B. FINANCIAL STATEMENTS** – the comprehensive annual financial report
- C. REVENUE** – any received or accrued funds
- D. EXPENDITURE** – any actual or accrued disbursement of funds
- E. SHORTFALL** – any excess of expenditures over revenues
- F. APPROPRIATION** – any budgeted expenditure
- G. DECLARED STATE OF EMERGENCY** – the occurrence of any natural or man-made disaster, rioting, catastrophe, or similar public emergency within the territorial limits of the county, or the reasonable apprehension of immediate danger thereof, and a finding by the County Executive that the public safety is imperiled thereby, as governed by Executive Law §24

Section 4. The Rockland County Legislature hereby adopts the following fund balance management policy:

- A. The most current fund balance classifications as promulgated by GASB shall be used in all financial statements filed on behalf of the County. See attached Schedule A for the current fund balance classifications.
- B. In circumstances when an expenditure is made for a purpose for which amounts are available in multiple fund balance classifications, the County shall follow the following accounting policy in compliance with GASB Statement 54: restricted amounts are used first, followed by committed, assigned, and unassigned amounts, in that order.
- C. The County shall have a targeted minimum unassigned fund balance level of 5% of general fund operations. When revenues exceed budgeted appropriations in any given fiscal year, the surplus shall be appropriated first to the unreserved fund balance. Upon reaching the 5% target for the unassigned fund balance, any additional surplus shall be appropriated to the committed fund for contingencies (a restricted "rainy day" fund to be used for unexpected shortfalls in revenue once the unassigned fund balance is exhausted or insufficient to meet current operating needs) up to an additional 5%. Any further excess funds above 10% of general fund operations shall flow back to the unassigned fund balance.
- D. The committed fund for contingencies, or the "rainy day" fund, shall contain amounts constrained to stabilization and shall be reported as committed fund balance in the general fund.
- E. In the event of a shortfall, monies from the unassigned fund balance shall be appropriated before withdrawing from the "rainy day" fund, unless the shortfall meets one or more of the criteria for appropriating from the "rainy day" fund.
- F. Before any money from the committed "rainy day" fund may be appropriated, one or more of following criteria must be met:
 - a. unforeseen expenses attributed to a declared state of emergency within the County;
 - b. unanticipated decreases in state and/or federal reimbursements during the County fiscal year;
 - c. unanticipated increases in state and/or federal mandates during the County fiscal year;

- d. sums directed to be paid by the County within the same fiscal year by a final, non-appealable judgment or settlement of litigation; or
- e. any other situation that the legislature deems to be of urgent or critical need.

G. Any appropriation from the "rainy day" fund shall be approved by a 2/3 majority of the Legislature.

Section 5. Applicability

This law shall apply to any and all actions occurring on or after the closing of the books on fiscal year 2013.

Section 6. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 7. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

ELY
Lg2914
9/20/12
9/25/12
10/10/12
2/7/13
2/27/13
3/4/13
4/25/13
6/11/13 AHW

DRAFT

Introduced by:
Hon. Alden H. Wolfe, Sponsor

Referral No. 9497

**RESOLUTION NO. _____ OF 2013
SETTING A DATE FOR A PUBLIC HEARING:
A LOCAL LAW CREATING THE ROCKLAND COUNTY PUBLIC EMPLOYEE
ABUSE PREVENTION ACT**

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

RESOLVED, that this Legislature hereby sets the _____ day of _____, 2013, at _____ P.M. for a public hearing to provide for A local law creating the Rockland county public employee abuse prevention act.

Lg3232PH
RM/cs
6/11/13

LOCAL LAW NO. OF 2013
COUNTY OF ROCKLAND
STATE OF NEW YORK

(Introduced by: Hon. Alden H. Wolfe)

A local law creating the Rockland county public employee abuse prevention act.

Be it enacted by the legislature of the county of Rockland as follows:

Section 1. Title.

This local law shall be known as the Rockland county public employee abuse prevention act.

Section 2. Legislative Intent.

It is the intention of the legislature of Rockland county to develop a policy to prevent former employees who have left, separated or retired from county government and have received compensation for unused fringe benefits or incentives to separate or incentives for early retirement or other forms of monetary payments other than wages for days worked, from returning to county employment as an employee, consultant or outside contractor. There have been incidents where those who have received enhanced compensation or enhanced pension credits have returned to county employment, as an employee, and become eligible for additional enhanced compensation or enhanced pension credits on their next termination of employment.

The county has participated in New York State pension incentives and/or created local Rockland county created incentive proposals to encourage employees to terminate employment with the county. These programs were represented as a means to achieve financial savings to the County as a result of terminations of employment, however it was later discovered that some participating employees were rehired or employed again. Therefore the financial benefits sought were not realized or drastically reduced in value.

The legislature, as the appropriating and policy-making arm of county government, has the duty and obligation to ensure that employees who receive enhanced compensation or enhanced pension credits not be rehired. The legislature needs to be able to rely upon savings projections and enforce the intention and/or representations offered; specifically, that there would be savings and/or reduction in personnel of the county workforce when enhanced compensation or enhanced pension credits are received by employees.

In order to obtain the savings and to follow through on the understandings set forth upon agreeing to multiple forms of employment reduction, it is an absolute necessity that re-hiring of individuals who have received enhanced compensation or enhanced pension credits not be rehired by the county executive without the concurrence of the legislature on a verification of the need, necessity and stated duration of such rehiring and protection against additional accruals given to rehired employees after having already been compensated in the first instance.

Section 3. Definitions.

- A. Enhanced compensation shall mean the payment to a retiring or separating employee as an incentive to participate in an offering to terminate employment with the county and also be paid all or some of said employee's unused fringe benefits, steps or any form of termination payment, excluding payment for days worked.
- B. Enhanced pension credits shall mean the addition of days or months of credited service or credited compensation for days not worked as an incentive to participate in an offering to terminate employment with the county, to be included in the calculation of a retiring or separating employee's New York State and Local Retirement Pension.

Section 4. Public Employee Abuse Prevention Restrictions

- A. The county of Rockland shall not rehire or employ as a contractor, consultant or employee, any former Rockland county employee who has previously received enhanced compensation or enhanced pension credits.
- B. No employee who has received enhanced compensation or enhanced pension credits shall be appointed as a non-union employee, whether pending or not pending the taking of civil service test, nor hired as a temporary employee.
- C. The prohibition on rehiring or contracting with former employees who received enhanced compensation or enhanced pension credits may be waived by resolution of the county setting forth the justification and need to rehire said employee and state the duration of his or her reemployment and the compensation rate for said rehired employee.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. Effective date.

This local law shall become effective upon filing with the New York State secretary of state.

RM/cs

4/19/13

lg3232ll

5/21/13; 5/29/13 cs; 6/3/13; 6/7/13; 6/10/13

6/10/13 AHW

DRAFT

Introduced by:

Hon. Joseph L. Meyers, Sponsor

Hon. Edwin J. Day, Sponsor

Referral No. 8783

RESOLUTION NO. OF 2013
CALLING UPON THE NEW YORK STATE LEGISLATURE TO SUPPORT NEW
YORK SENATE BILL S.4183 AND NEW YORK ASSEMBLY BILL A. 6480 – AN ACT
TO AMEND THE EDUCATION LAW IN RELATION TO CHRONICALLY
UNDERPERFORMING SCHOOL DISTRICTS

WHEREAS, S.4183/A.6480 provides for a system of targeted and progressive supports and interventions designed to strengthen and improve school district governance in chronically underperforming school districts as well as a mechanism by which boards of education are held accountable for the academic and/or fiscal performance of their districts where governance problems are a substantial factor in the district's chronic academic and/or fiscal underperformance; and

WHEREAS, this legislation provides authority for the Board of Regents and State Education Department to implement a system of progressive interventions in academically and/or fiscally distressed districts. The Commissioner of Education is permitted to designate a school district as being in: (1) stage one academic and/or fiscal *at-risk status*; (2) stage two academic and/or fiscal *intervention status*; or (3) stage three academic and/or fiscal *restructuring status*. The intervention may include the appointment of an education oversight board in cases where governance problems are a substantial factor in the district's chronic underperformance; and

WHEREAS, this legislation provides that, upon the appointment of an oversight board: (1) all members of the board of education are removed from office; (2) no new board members are elected or appointed while the oversight board is in place; and (3) in certain circumstances, the superintendent of schools would vacate the office and be removed for cause. The oversight board would have the authority to appoint a new superintendent of schools; 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 urges the New York state legislature to pass New York Senate Bill S.4183 and New York State Assembly Bill A.6480 – an Act to amend the Education Law in relation to chronically underperforming school districts, 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, Hon. James G. Skoufis, and Ann G. Rabbitt, 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.

LG3233

RM/cs

4/30/13