

The Legislature of Rockland County



ILAN S. SCHOENBERGER
LEGISLATOR, DISTRICT 4
PLANNING AND PUBLIC WORKS, CHAIR

AGENDA
PLANNING AND PUBLIC WORKS COMMITTEE
TUESDAY, MAY 27, 2014
7:00 P.M.

ROLL CALL

ADOPTION OF MINUTES: MEETINGS OF FEBRUARY 25, MARCH 25, AND MAY 13, 2014

1. REF. #5906 - 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)
(DIANNE T. PHILIPPS, EXECUTIVE DIRECTOR, SEWER DISTRICT)
DL#2014-01891

2. REF. #5906 - 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)
(DIANNE T. PHILIPPS, EXECUTIVE DIRECTOR, SEWER DISTRICT)
DL#2014-01783 REV. 5/20/14

3. REF. #6803 - 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)
(CHARLES VEZZETTI, SUPERINTENDENT HIGHWAY)
DL#2014-01866

4. REF.#9252 - BOND RESOLUTION DATED _____, 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
(GERALD C. WALSH, COMMISSIONER - DGS FACILITIES)
LM#2014-01791

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

Introduced by

Referral No. 5906

RECEIVED

**RESOLUTION NO. 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)**

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

14711

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 _____ Committee of the Legislature has met, considered and 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.

TM:lo
2014-01891
5/13/14

DRAFT

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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TM:lo
2014-01783
5/14/14
rev 5/20/14

DRAFT

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.

LHG:lo
2014-01866
5/13/14



**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

Ref # 9252

EXTRACT OF MINUTES

Meeting of the County Legislature of
the County of Rockland, New York

_____, 2014

* * *

A regular/special meeting of the County Legislature of the County of Rockland,
New York, was held at the Legislative Chambers, in New City, New York, in said County, on
_____, 2014, at _____ o'clock P.M. (Prevailing Time).

The following Legislators were present:

There were absent:

Also present: Laurence O. Toole, Clerk to the Legislature

* * *

Legislator _____ offered the following resolution and
moved its adoption:

RESOLUTION NO. _____ OF 2014

BOND RESOLUTION DATED _____, 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) _____, 2014

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 Legislator

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

AYES:

NOES:

The resolution was declared adopted.

* * *

CERTIFICATE

I, Laurence O. Toole, Clerk to the Rockland County Legislature, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Rockland County Legislature duly called and held on _____, 2014, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said County Legislature and is a true, complete and correct copy thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County this ____ day of _____, 2014.

(SEAL)

Clerk to the County Legislature

NOTICE

The bond resolution, a summary of which is published herewith, has been adopted by the County Legislature on the ___ day of _____, 2014, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Rockland, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Laurence O. Toole
Clerk to the Legislature

RESOLUTION NO. ____ OF 2014

BOND RESOLUTION DATED _____, 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.

object or purpose: to finance the cost of 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.

period of probable usefulness: ten (10) years

amount of obligations to be issued: \$6,000,000

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Clerk to the Rockland County Legislature, in New City, New York.

Dated: _____, 2014
New City, New York