

The Legislature of Rockland County



JAY HOOD, JR.
Legislator, District 3

Chair, Rules Committee

AGENDA
RULES COMMITTEE
Wednesday, March 25, 2015
7:00 PM

ROLL CALL

ADOPTION OF MINUTES, February 26, 2014

A. REFERRAL NO. 4065:

1. SETTING A DATE FOR PUBLIC HEARING A LOCAL LAW AMENDING THE ROCKLAND COUNTY CHARTER ARTICLE III ENTITLED COUNTY EXECUTIVE AND THE ROCKLAND COUNTY ADMINISTRATIVE CODE (CHAPTER 5 OF THE LAWS OF ROCKLAND COUNTY) ARTICLE II ENTITLED LEGISLATIVE BRANCH FOR THE PURPOSE OF ADOPTING TERM LIMITS FOR THE ELECTED POSITIONS OF COUNTY EXECUTIVE AND COUNTY LEGISLATOR (**HONS. CHRISTOPHER J. CAREY, DOUGLAS J. JOBSON, LEGISLATURE**)
2. AMENDING RULE 149-9 OF THE RULES OF THE LEGISLATURE TO REORGANIZE THE ORDER OF BUSINESS FOR LEGISLATIVE SESSIONS (**HON. ALDEN H. WOLFE, LEGISLATURE**)
3. AMENDING RULE 149-21 OF THE RULES OF THE LEGISLATURE REGARDING WITHDRAWAL OF A LOCAL LAW (**HON. ALDEN H. WOLFE, LEGISLATURE**)
4. AMENDING RULE 149-22 OF THE RULES OF THE LEGISLATURE TO REQUIRE MINORITY MEMBERSHIP ON ALL STANDING COMMITTEES (**HON. ALDEN H. WOLFE, LEGISLATURE**)
5. AMENDING RULE 149-26 OF THE RULES OF THE LEGISLATURE TO ELIMINATE THE REQUIREMENT OF SUMMARY STATEMENTS FOR PROPOSED RESOLUTIONS AND LOCAL LAWS IN AGENDAS (**HON. ALDEN H. WOLFE, LEGISLATURE**)
6. AMENDING RULE 149-33 OF THE RULES OF THE LEGISLATURE TO REPLACE THE WORDS "CITIZEN OF ROCKLAND COUNTY" AND "CITIZENS" WITH "MEMBER OR THE PUBLIC" AND "MEMBERS OF THE PUBLIC" (**HON. ALDEN H. WOLFE, LEGISLATURE**)

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DRAFT

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

(Introduced by: Hon. Christopher J. Carey and Hon. Douglas J. Jobson)

A Local Law amending the Rockland County Charter Article III entitled County Executive and the Rockland County Administrative Code (Chapter 5 of the Laws of Rockland County) Article II entitled Legislative Branch for the purpose of adopting term limits for the elected positions of county executive and county legislator.

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

Section 1.

Section 3.01 of the Rockland County Code, entitled *Charter, Article III County Executive*, is hereby amended as follows:

There shall be a County Executive who shall be elected from the county at large for a term of four years beginning with the first day of January next following his or her election. At the time of his or her nomination and election and throughout his or her term of office, he or she shall be a qualified elector of the county. He or she shall hold no other public office and shall devote his or her full time to the duties of ~~his~~ the office and shall receive therefore compensation to be fixed by the County Legislature, which shall not be decreased during his or her term of office. **No person shall serve as County Executive for more than three (3) consecutive four-year terms. The first year for a County Executive for the purpose of calculating years as contained in this section shall commence on or after January 1, 2018. No service for a partial term as County Executive shall be included in calculating the three consecutive four-year terms.**

Section 2.

Section 5-8 of the Rockland County Code, entitled Administrative Code, Chapter 5 Article II, Legislative Branch, Terms of office of County legislators, is hereby amended as follows:

Section 5-8. The term of office of a County Legislator shall be for four years and shall begin on the first day of January immediately succeeding his or her election. ~~[However, notwithstanding the above provision, the term of office of all Legislators elected on November 4, 1997, shall be for two years, commencing January 1, 1998, and expiring on December 31, 1999.]~~ **No person shall serve as a member of the County Legislature for more than three (3) consecutive four-year terms. The first year for any County Legislator for the purposes of calculating years as contained in this section shall commence on or after January 1, 2016. No service for a partial term as a County Legislator shall be included in calculating the three consecutive four-year terms.**

Section 3. Effective date.

This local law shall become effective immediately upon filing in the office of the Secretary of State pursuant to section 27 of the Municipal Home Rule Law.

New material is **bold** and underscored.

Deleted material is [~~in brackets and stricken~~]

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DRAFT

Introduced by:
Hon. Alden H. Wolfe, Sponsor

Referral No.
, 2015

RESOLUTION NO. OF 2015
AMENDING RULE 149-9 OF THE RULES OF THE LEGISLATURE TO
REORGANIZE THE ORDER OF BUSINESS FOR LEGISLATIVE SESSIONS

WHEREAS, §149-9 of the rules of the Legislature sets forth what the order of business shall be for each session; and

WHEREAS, §149-9 currently reads as follow:

§149-9. Order of Business

- A. The order of business shall be:
B.

- (1) Roll call.
- (2) Salute to the Flag.
- (3) Invocation.
- (4) Adoption of minutes.
- (5) Special order of the day.
- (6) Public Participation.
- (7) Presentation of communications.
- (8) Comments from the Chairperson.
- (9) Comments from Legislators (limited to three minutes per Legislator).
- (10) Unfinished business.
- (11) Reports of standing committees.
- (12) Reports of special committees.
- (13) New business.
- (14) Reports of County officers.
- (15) Adjournment.

WHEREAS; the Legislature deems that the functions of government would be better served if items 5-8 of the Order of Business were reorganized; and

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

RESOLVED, that Section 149-9 of the Rules of the Legislature shall read as follows:

§149-9. Order of Business

C. The order of business shall be:

- (1) Roll call.
- (2) Salute to the Flag.
- (3) Invocation.
- (4) Adoption of minutes.
- (5) [~~Special order of the day.~~] **Comments from the Chairperson.**
- (6) [~~Public Participation.~~] **Comments from Legislators (limited to three minutes per Legislator).**
- (7) [~~Presentation of communications.~~] **Special order of the day.**
- (8) [~~Comments from the Chairperson.~~] **Public Participation.**
- (9) [~~Comments from Legislators (limited to three minutes per Legislator).~~] **Presentation of communications**
- (10) Unfinished business.
- (11) Reports of standing committees.
- (12) Reports of special committees.
- (13) New business.
- (14) Reports of County officers.
- (15) Adjournment.

Material to be deleted [bracketed] and struck through
Material to be added **bold and underlined**

LG-2015-01

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DRAFT

Introduced by:
Hon. Alden H. Wolfe, Sponsor

Referral No.
, 2015

RESOLUTION NO. OF 2015
AMENDING RULE 149-21 OF THE RULES OF THE LEGISLATURE
REGARDING WITHDRAWAL OF A LOCAL LAW

WHEREAS, §149-21 of the Rules of the Legislature currently reads as follows:

§ 149-21. Withdrawal or recall of resolution, local law or motion.

- A. Any resolution or motion offered by a member may be withdrawn by the member presenting it at any time before the commencement of the vote on the main question thereon or before an amendment to such resolution or motion has been adopted.
- B. Upon the motion of any of the members presenting a resolution or local law to the Legislature made at any time prior to the return of such resolution or local law by the County Executive pursuant to Section 2.02 of the Rockland County Charter Law, the Legislature may, by the affirmative vote of a majority of its members, recall the same and reconsider its action thereon.

; and

WHEREAS, although the caption of the section is called "Withdrawal or recall of resolution, local law or motion," the section does not explicitly provide for the withdrawal or recall of a local law prior to the full Legislature voting on it or prior to the public hearing; and

WHEREAS, the sponsor of a local law should be afforded the opportunity to change his/her mind and withdraw a local law from consideration before the legislature votes on it, even if a public hearing has already been scheduled; and

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

RESOLVED, that Section 149-21 of the Rules of the Legislature shall read as follows:

§ 149-21. Withdrawal or recall of resolution, local law or motion.

A. Any resolution or motion offered by a member may be withdrawn by the member presenting it at any time before the commencement of the vote on the main question thereon or before an amendment to such resolution or motion has been adopted.

B. In the case of a local law where the date for a public hearing has already been set by resolution of the Legislature, the original sponsor of the local law (or, if more than one sponsor, all sponsors) may withdraw the local law from consideration by the full Legislature in one of the following ways:

(1) in the case where the public hearing has not yet been advertised, the original sponsor may direct the Clerk of the Legislature not to advertise the public hearing in the County's official newspapers and not to place the public hearing on the agenda of the Legislature, or

(2) in the case where the public hearing has already been advertised, the original sponsor may direct the Clerk of the Legislature to cancel the public hearing and issue a press release announcing the cancellation.

C. If a proposed local law is not placed on the desks of the members of the Legislature prior to a scheduled public hearing date in compliance with Municipal Home Rule Law §20, the public hearing shall be automatically cancelled with no further action required.

~~B~~ **D.** Upon the motion of any of the members presenting a resolution or local law to the Legislature made at any time prior to the return of such resolution or local law by the County Executive pursuant to Section 2.02 of the Rockland County Charter Law, the Legislature may, by the affirmative vote of a majority of its members, recall the same and reconsider its action thereon.

Material to be deleted [bracketed] and struck through
Material to be added **bold and underlined**

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DRAFT

Introduced by:
Hon. Alden H. Wolfe, Sponsor

Referral No.
, 2015

RESOLUTION NO. OF 2015
AMENDING RULE 149-22 OF THE RULES OF THE LEGISLATURE TO
REQUIRE MINORITY MEMBERSHIP ON ALL STANDING COMMITTEES

WHEREAS, §149-22(A) of the Rules of the Legislature sets forth general information regarding standing committees and the appointment of members to the standing committees of the Rockland County Legislature; and

WHEREAS; §149-22(1)-(7) list each standing committee and the number of members on the committee; and

WHEREAS, while the subsections pertaining to the Multi-Services, Government Operations, Environmental, Public Safety and Economic Development committees each specify how many members of the committee shall be appointed from the minority party, the subsections pertaining to the Budget and Finance committee and the Planning and Public Works committees do not so specify; and

WHEREAS, although historically the Budget and Finance committee and the Planning and Public Works committees have had two members from the minority party, it is not required at this time by the current Rules of the Legislature; and

WHEREAS, it is the Legislature's belief that each and every standing committee should have representation from both the majority and minority parties to ensure that all viewpoints are heard and considered, and that this should be codified in the Rules;

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

RESOLVED, that Section 149-22 of the Rules of the Legislature shall read as follows:

§149-22. Standing Committees

A. Standing committees and the Chairpersons thereof shall be appointed by the Chairperson of the Legislature. Appointments of minority members of the Legislature, while officially made by the Chairperson, shall be made on the recommendation of the Minority Leader. **Every standing committee shall have at least two representatives**

of the minority party. The Chairperson of each committee may appoint subcommittees thereof. Any subcommittee wherein the member of the standing committee of which it is a part contains members of the two major parties shall have representatives of both parties within its membership. The following committees shall be appointed;

.....

(1) Budget and Finance Committee. This Committee shall consist of 10 members of the Legislature, two of whom shall be appointed from the minority party, and one of whom shall be the Chairperson of the Legislature. Except as to matters particularly assigned to other committees, this Committee shall have referred to it all matters relating to or arising out of the requirements of law and the action of the Legislature with respect to all transfers and appropriations of funds, including appropriations of funds requiring money from contingency; all matters relating to purchasing; all matters relating to the Commissioner of Finance; all matters relating to taxes, equalization rates and distribution of mortgage tax funds; all matters relating to the funding of the community college and the review of the college's tentative budget; the administration of County affairs and County officers; and all matters which will affect the current year's budget;

....

(3) Public Works Committee. This Committee shall consist of seven members of the Legislature, two of whom shall be appointed from the minority party. Except as to matters specifically assigned to other committees, this Committee shall have referred to it all matters relating to or arising out of the requirements of law and the action of the Legislature with respect to highways, park maintenance, cemeteries, drainage, acquisition, development and construction of new facilities and buildings; all matters relating to transportation (public and private), the Planning Board, parks, recreation, conservation, district fish and wildlife, district forest practices, extension services, the Farm Bureau, propagation of game and solid waste disposal; all matters relating to the ecology of the County, energy matters affecting County-owned or County-leased buildings and facilities; and all matters involving similar County functions; all referrals to name County-owned facilities, buildings, parks, roadways and all other County property.

Material to be deleted [bracketed] and struck through
Material to be added **bold and underlined**

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DRAFT

Introduced by:
Hon. Alden H. Wolfe, Sponsor

Referral No.
, 2015

RESOLUTION NO. OF 2015
AMENDING RULE 149-26 OF THE RULES OF THE LEGISLATURE TO
ELIMINATE THE REQUIREMENT OF SUMMARY STATEMENTS FOR
PROPOSED RESOLUTIONS AND LOCAL LAWS IN AGENDAS

WHEREAS, §149-26 of the Rules of the Legislature currently reads as follows:

§ 149-26. Introduction and form of local laws and resolutions.

- A. A local law shall be introduced only by a member of the Legislature. The Legislator(s) who originally conceived and submitted a local law or resolution shall be known and listed on such as the "sponsor(s)." Any other Legislator(s) wishing to co-sponsor a local law or resolution may at any time, either prior to or at the time of review of such local law or resolution by the committee, or at the full Legislature, join in support and shall also be known as the "co-sponsor(s)." With respect to resolutions and/or local laws submitted to the Legislature by any unit of County government, as opposed to items submitted by a Legislator, any Legislator, at any time, shall be designated as a sponsor if requested. Any printing or publishing of a local law shall contain the name of all sponsors of said legislation on its face.
- B. Local laws and resolutions shall be in the form required by the provisions of the Municipal Home Rule Law, the rules of this Legislature and such other procedural laws and rules as may be adopted relating thereto.
- C. All resolutions submitted to the Legislature shall be in plain English. The caption shall contain a simple, plain English summary as to what the resolution wishes to accomplish or enact. There shall also be stated in the body of the resolution the intent of the resolution, in plain English.
- D. The agendas for the full legislative meetings, in addition to listing each resolution and local law caption in plain English referred to in Subsection C above, shall have a one- or two-sentence summary statement of purpose and effect of said proposed resolution listed with the caption. Any proposed resolution or local law submitted to the Clerk to the Legislature shall contain, at the bottom of the resolution or local law, the drafter's one- or two-sentence summary, which will then be inserted on the agenda of the full legislative meeting as a part of that resolution's caption.

; and

WHEREAS; §149-26(D), requiring a summary statement is unnecessary as captions on the agenda provide the necessary summary of the subject matter of a proposed resolution or local law; and

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

RESOLVED, that Section 149-26 of the Rules of the Legislature shall read as follows:

§ 149-26. Introduction and form of local laws and resolutions.

- A. A local law shall be introduced only by a member of the Legislature. The Legislator(s) who originally conceived and submitted a local law or resolution shall be known and listed on such as the "sponsor(s)." Any other Legislator(s) wishing to co-sponsor a local law or resolution may at any time, either prior to or at the time of review of such local law or resolution by the committee, or at the full Legislature, join in support and shall also be known as the "co-sponsor(s)." With respect to resolutions and/or local laws submitted to the Legislature by any unit of County government, as opposed to items submitted by a Legislator, any Legislator, at any time, shall be designated as a sponsor if requested. Any printing or publishing of a local law shall contain the name of all sponsors of said legislation on its face.
- B. Local laws and resolutions shall be in the form required by the provisions of the Municipal Home Rule Law, the rules of this Legislature and such other procedural laws and rules as may be adopted relating thereto.
- C. All resolutions submitted to the Legislature shall be in plain English. The caption shall contain a simple, plain English summary as to what the resolution wishes to accomplish or enact. There shall also be stated in the body of the resolution the intent of the resolution, in plain English.
- ~~D. The agendas for the full legislative meetings, in addition to listing each resolution and local law caption in plain English referred to in Subsection C above, shall have a one or two sentence summary statement of purpose and effect of said proposed resolution listed with the caption. Any proposed resolution or local law submitted to the Clerk to the Legislature shall contain, at the bottom of the resolution or local law, the drafter's one or two sentence summary, which will then be inserted on the agenda of the full legislative meeting as a part of that resolution's caption.~~

Material to be deleted [bracketed] and struck through

Material to be added **bold and underlined**

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Introduced by:
Hon. Alden H. Wolfe, Sponsor

Referral No.
, 2015

RESOLUTION NO. OF 2015
AMENDING RULE 149-33 OF THE RULES OF THE LEGISLATURE TO REPLACE THE
WORDS "CITIZEN OF ROCKLAND COUNTY" AND "CITIZENS" WITH "MEMBER OF THE
PUBLIC" AND "MEMBERS OF THE PUBLIC"

WHEREAS, §149-33 of the Rules of the Legislature currently reads as follows:

§ 149-33. Recognition of citizens.

During any regular meeting of the Legislature, for a portion of the meeting, not to exceed 40 minutes, any citizen of Rockland County, on a first-come-first-served basis, may be recognized by the Chairperson for the purpose of addressing the Legislature on any subject. Each person so recognized may speak for a period not to exceed two minutes unless the time is extended by a majority vote of the Legislature.

; and

WHEREAS; the right to speak during the Public Participation portion of a meeting of the full legislature is not limited to citizens of Rockland County; rather, any member of the public who wishes to speak for two minutes may do so; and

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

RESOLVED, that Section 149-33 of the Rules of the Legislature shall read as follows:

§ 149-33. Recognition of [citizens] **members of the public**.

During any regular meeting of the Legislature, for a portion of the meeting, not to exceed 40 minutes, any **member of the public** [~~citizen of Rockland County~~], on a first-come-first-served basis, may be recognized by the Chairperson for the purpose of addressing the Legislature on any subject. Each person so recognized may speak for a period not to exceed two minutes unless the time is extended by a majority vote of the Legislature.

Material to be deleted [bracketed] and struck through
Material to be added **bold and underlined**

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