

# The Legislature of Rockland County



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

## AGENDA PLANNING AND PUBLIC WORKS COMMITTEE TUESDAY, MARCH 11, 2014 7:00 P.M.

### ROLL CALL

### ADOPTION OF MINUTES OF 1/14/14

- 1 REF. #6394 -** BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR THE COST OF REPLACEMENT OF THE SAMSONDALE AVENUE BRIDGE OVER CSX RAILROAD IN THE VILLAGE OF WEST HAVERSTRAW, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,600,000; STATING THAT THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,600,000 BONDS HEREIN AUTHORIZED; AND AUTHORIZING \$1,731,200 EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA AND \$324,600 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST OF SAID BONDS  
**(CHARLES VEZZETTI, SUPERINTENDENT, HIGHWAY) DL#2013-04672**
- 2. REF. #6394 -** AMENDING 2014 ADOPTED CAPITAL BUDGET IN THE AMOUNT OF \$4,200,000 INCREASING THE TOTAL PROJECT COST FROM \$37,800,000 TO \$42,000,000 FOR RECONSTRUCTION OF NEW HEMPSTEAD ROAD, TOWNS OF RAMAPO AND CLARKSTOWN, CAPITAL PROJECT NO. 3273 (DEPARTMENT OF HIGHWAYS) (\$42,000,000)  
**(CHARLES VEZZETTI, SUPERINTENDENT, HIGHWAY) DL#2013-05372**
- 3. REF. #6394 -** APPROVING AGREEMENT IN EXCESS OF \$100,000 WITH MONTESANO BROS., INC. FOR THE RECONSTRUCTION OF NEW HEMPSTEAD ROAD, TOWNS OF RAMAPO AND CLARKSTOWN, CAPITAL PROJECT NO. 3273 IN THE ADDITIONAL AMOUNT OF \$4,166,653.49 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$32,714,574.79 AND AUTHORIZING EXECUTION OF THE CONTRACT BY THE COUNTY EXECUTIVE (DEPARTMENT OF HIGHWAYS) (\$32,714,574.79)  
**(CHARLES VEZZETTI, SUPERINTENDENT, HIGHWAY) DL#2013-05375**
- 4. REF. #5906 -** APPROVING AGREEMENT IN EXCESS OF \$100,000 WITH NATIONAL WATER MAIN CLEANING CO. FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$885,852.45 FOR THE SEWER SYSTEM MAINTENANCE PROJECT, CONTRACT SM2014-01 FOR A PERIOD OF 210 CONSECUTIVE CALENDAR DAYS OR UNTIL DECEMBER 31, 2014 WHENEVER IS EARLIEST FROM THE NOTICE TO PROCEED AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE (ROCKLAND COUNTY SEWER DISTRICT NO. 1) (\$885,852.45)  
**(DIANNE PHILIPPS, DIRECTOR, SEWER DISTRICT NO. 1) DL#2013-05404**

- 5. REF. #6803/- 7493** APPROVING PURCHASES IN EXCESS OF \$100,000 FOR COMPREHENSIVE LIQUID BITUMINOUS MATERIALS UTILIZING THE NEW YORK STATE CONTRACT GROUP 31555 AWARD 22669 AND ANY SUCCESSOR CONTRACT IN A TOTAL AMOUNT NOT TO EXCEED \$1,000,000 BY FORMAL PURCHASE ORDER FOR THE PERIOD FROM JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 (DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING) (\$1,000,000)  
**(GERRY WALSH, COMMISSIONER, DGS-PURCHASING) DL#2014-00365**
- 6. REF. #9323** APPROVING PURCHASES IN EXCESS OF \$100,000 FORM ORACLE AMERICA, INC. FOR ANNUAL PEOPLESFT ENTERPRISE AND PEOPLESFT DATABASE MAINTENANCE AND SUPPORT FOR EXISTING LICENSES IN AN AMOUNT NOT TO EXCEED \$252,928.16 IN ACCORDANCE WITH NYS OGS CONTRACT NO. PT64000 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER (DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING) (\$252,928.16)  
**(GERRY WALSH, COMMISSIONER, DGS-PURCHASING) DL#2014-00328**
- 7. REF. #8069** REQUESTING THAT THE NEW YORK STATE ASSEMBLY PASS BILL A. 1198 AND THE NEW YORK STATE SENATE PASS BILL S.1996- AN ACT TO AMEND THE PUBLIC AUTHORITIES LAW TO ALLOW THE NEW YORK STATE THRUWAY AUTHORITY TO OFFER DISCOUNTED TOKENS TO RESIDENTS OF ROCKLAND AND WESTCHESTER FOR TAPPAN ZEE BRIDGE CROSSINGS  
**(HON. CHRISTOPHER CAREY, LEGISLATURE)  
TRANSFER FROM MULTI-SERVICES 2/26/14  
ADDED CO-SPONSORS- CORNELL, WOLFE, GRANT, LOW-HOGAN, JOBSON**

"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."

RESOLUTION NO. \_\_\_\_\_ OF 2014

BOND RESOLUTION DATED \_\_\_\_\_, 2014

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, AUTHORIZING FINANCING FOR THE COST OF REPLACEMENT OF THE SAMSONDALE AVENUE BRIDGE OVER CSX RAILROAD IN THE VILLAGE OF WEST HAVERSTRAW, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,600,000; STATING THAT THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,600,000 BONDS HEREIN AUTHORIZED; AND AUTHORIZING \$1,731,200 EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA AND \$324,600 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(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 establish a new capital project for the Department of Highway, consisting of replacement of the Samsondale Avenue Bridge over CSX Railroad in the Village of West Haverstraw, all as more particularly described in the County's 2014 Capital Budget, as amended. The estimated total cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$3,600,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$3,600,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, 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, and authorizing \$1,731,200 expected to be received from the United States of America and \$324,600 expected to be received

from the State of New York to be expended towards the cost of said specific object or purpose or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. Bonds of the County in the principal amount of \$3,600,000 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 specific object or purpose for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) 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 specific object or purpose 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 respective amounts of 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

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:

NOTICE

This 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.

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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 THE COST OF REPLACEMENT OF THE SAMSONDALE AVENUE BRIDGE OVER CSX RAILROAD IN THE VILLAGE OF WEST HAVERSTRAW, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,600,000; STATING THAT THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,600,000 BONDS HEREIN AUTHORIZED; AND AUTHORIZING \$1,731,200 EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA AND \$324,600 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

object or purpose:      to finance the cost of replacement of the Samsondale Avenue Bridge over CSX Railroad in the Village of West Haverstraw, all as more particularly described in the County's 2014 Capital Budget, as amended.

period of probable usefulness:      twenty (20) years

amount of obligations to be issued:      \$3,600,000

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



**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 Highways

**MEMORANDUM**

November 1, 2013

TO: C. Scott Vanderhoef  
County Executive

FROM: Charles H. Vezzetti *C.H.V.*  
Superintendent of Highways

SUBJECT: Creation of Capital Project and Bonding Request  
Replacement of Samsondale Avenue Bridge over CSX Railroad

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The Samsondale Avenue Bridge over CSX Railroad in the Village of West Haverstraw requires replacement. It had recently been flagged during semiannual state inspections for serious structural defects. Although those defects have been temporarily repaired, we have determined that inferior materials and construction, when the bridge was constructed, will result in continued deterioration and structural decay.

We have secured \$2,164,000 in matched federal aid for the replacement project. Design funding, to initiate the project, is programmed on the Transportation Improvement Program for Federal Fiscal Year 2014. We estimate the project to cost approximately \$3,600,000 which includes design, construction, construction inspection and also railroad flagging and review costs. We will petition the State and regional MPO for the additional federal funding required. We do not anticipate right-of-way acquisition will be needed as sufficient easements were procured at the time the existing bridge was built.

To initiate the project I respectfully request that the County Attorney be directed to prepare a referral to the Legislature creating and funding a capital account in the amount of \$3,600,000. The Highway Department has begun the process of selecting a consultant for the design of the project so as soon as the capital account is established and funding is appropriated the project can be initiated.

A copy of the final SEQR Determination is attached. Please call me if you need additional information about this project. Thank you.

C: S. De Grout  
L. Grant  
File



# DRAFT

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 an amendment to the 2014 Capital Budget to increase funding in the amount of \$37,800,000 to \$42,000,000 an increase of \$4,200,00 in the Capital Project No. 3273 for reconstruction of New Hempstead Road; and be it further

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

## CAPITAL PROJECTS FUND

### Increase Approp. Acct.:

H3273	County Route 80 Cooridor Study, EA & Construction - New City Revitalization	4,200,000
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### Increase Est. Rev. Acct.:

H2770	Other Unclassified Revenue (Utility Reimbursement)	1,578,452
H3098	State Aid	30,073
H4098	Federal Aid	2,065,573
H5710	Proceeds from Bonds	525,902



# DRAFT

WHEREAS, Costs related to the Utility Portion of the work on the New Hempstead Road project in the amount of \$1,578,452 will be reimbursed to the County by the utility companies; and

WHEREAS, Costs attributed to the road reconstruction (e.g. drainage pipe, excavation, asphalt and curbing) are eligible for reimbursement to the County as follows, Federal Aid in the amount of \$2,065,573 and State Aid in the amount of \$30,073; and

WHEREAS, Additional costs related to decorative street lighting, electric service connections and ancillary improvements in the amount of \$492,557 are not eligible for Federal and State reimbursement and therefore, are the County's local share; 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 Rockland County Legislature hereby approves an amendment to the contract with Montesano Bros, Inc., 76 Plain Avenue, New Rochelle, New York 10801, in the additional amount of \$4,166,653.49, for a total contract sum not to exceed \$32,714,574.79, for additional construction costs related to the reconstruction of New Hempstead Road Capital Project No. 3273 for the period through July 31, 2014, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That costs related to the Utility Portion of the work on the New Hempstead Road project in the amount of \$1,578,452 will be reimbursed to the County by the utility companies; and be it further

RESOLVED, That costs attributed to the road reconstruction (e.g. drainage pipe, excavation, asphalt and curbing) will be reimbursed to the County as follows, Federal Aid in the amount of \$2,065,573 and State Aid in the amount of \$30,073; and be it further

RESOLVED, That sufficient funding for the County's local share of \$492,557 has been authorized in the 2014 Amended Capital Budget, Capital Project No. 3273.

LHG:lo  
2014-05375  
1/15/14



**DRAFT**

WHEREAS, Sufficient funding for this agreement exists in the 2014 Operating Budget of the Rockland County Sewer District No. 1.

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 execution of an agreement in excess of \$100,000 with National Water Main Cleaning Co., 875 Summer Avenue, Newark, New Jersey 07104, for the 2014 Sewer System Maintenance Project, Contract SM2014-01 in an amount not to exceed \$885,852.45, for a period of 210 calendar days from the Notice to Proceed or December 31, 2014 whichever is earliest, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement exists in the 2014 Operating Budget of the Rockland County Sewer District No. 1.

TM:lo  
2013-05404  
12/30/13



# DRAFT

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

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

RESOLVED, That the Legislature of Rockland County approves the purchases in excess of \$100,000 under NYS OGS Contract No. Group 31555 Award 22669 and any successor contract for Comprehensive Liquid Bituminous Materials (Chip Seal in the amount of \$250,000 and Microseal in the amount of \$750,000) for a total amount not to exceed \$1,000,000 for the period from January 1, 2014 through December 31, 2014 and authorizes the purchases to be made by formal purchase order, subject to the approval of the Department of Budget and Director of Purchasing; and be it further

RESOLVED, That sufficient funding for this contract is provided for the 2014 Budget of the Department of Highways.

TS:lo  
2014-00365  
2/11/14



# DRAFT

WHEREAS, Under the NYS OGS contract, the price to purchase of Oracle Database Enterprise Edition- Processor Perpetual for the period from February 11, 2014 through February 10, 2015 is \$32,149.64 (3% increase over previous cost); and

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

WHEREAS, The Director of Purchasing requests that the County Executive and the Legislature of Rockland County approve purchases in excess \$100,000 from Oracle America, Inc., 1910 Oracle Way, Reston, VA 20190 for annual Oracle PeopleSoft Enterprise and PeopleSoft Database maintenance and support for existing licenses in an amount not to exceed \$252,928.16 in accordance with the terms and conditions specified in NYS OGS Contract No. PT64000; and

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

WHEREAS, Sufficient funding for these purchases is provided for in the 2014 Adopted Budget of the Department of General Services M DGS-2300-4220; and

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

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

RESOLVED, That the Legislature of Rockland County hereby approves purchases in excess \$100,000 from Oracle America, Inc., 1910 Oracle Way, Reston, VA 20190 for annual Oracle PeopleSoft Enterprise and PeopleSoft Database maintenance and support for existing licenses in an amount not to exceed \$252,928.16 in accordance with the terms and conditions specified in NYS OGS Contract No. PT64000; and

RESOLVED, That sufficient funding for these purchases is provided for in the 2014 Adopted Budget of the Department of General Services M DGS-2300-4220.

TS: lo  
2014-00328  
02/10/14