

The Legislature of Rockland County



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

**AGENDA
BUDGET & FINANCE COMMITTEE
TUESDAY, NOVEMBER 26, 2013
7:15 PM**

ROLL CALL

ADOPTION OF MINUTES FROM NOVEMBER 12, 2013

I. BONDS/PUBLIC WORKS MATTER:

3PPW) REF. #5906 - APPROVING AN AGREEMENT IN EXCESS OF \$100,000 BETWEEN THE COUNTY OF ROCKLAND ON BEHALF OF THE ROCKLAND COUNTY SEWER DISTRICT NO. 1 AND MONTANA CONSTRUCTION CORP., INC. IN THE AMOUNT OF \$9,284,035.00 FOR A CONTRACT WR03-04A WESTERN RAMAPO SANITARY SEWER SYSTEM, PINE GROVE AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE (ROCKLAND COUNTY SEWER DISTRICT NO. 1) (\$9,284,035.00)
(DIANNE PHILIPPS, DIRECTOR SEWER DISTRICT NO. 1) DL#2013-04239

SUBJECT TO APPROVAL OF PPW 11/26/13

4PPW) REF. #5906 - APPROVING AN AMENDMENT TO AND EXTENSION OF AGREEMENT WITH DVIRKA AND BARTILUCCI CONSULTING ENGINEERS IN THE ADDITIONAL AMOUNT OF \$64,000 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$598,000 FOR ENGINEERING SERVICES FOR DESIGN PHASE AND CONSTRUCTION PHASE FOR ROCKLAND COUNTY SEWER DISTRICT NO. 1 WASTEWATER TREATMENT PLANT MASONRY, ROOFING, STEEL DIGESTER COVER AND BUILDING REHABILITATION PROJECT, EXTENDING THE TERM OF THE AGREEMENT FROM DECEMBER 31, 2013 THROUGH JUNE 1, 2014 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE (ROCKLAND COUNTY SEWER DISTRICT NO. 1) (\$598,000)
(DIANNE PHILIPPS, DIRECTOR SEWER DISTRICT NO. 1) DL#2013-04241 rev.11.19.13

SUBJECT TO APPROVAL OF PPW 11/26/13

5PPW) REF. #5906 - APPROVING AMENDMENT TO OUTSIDE COUNSEL AGREEMENT IN EXCESS OF \$100,000 WITH PANNONE LOPES DEVEREAUX & WEST LLC IN THE ADDITIONAL AMOUNT OF \$550,000 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$1,535,000 FOR SPECIAL COUNSEL SERVICES AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE (ROCKLAND COUNTY SEWER DISTRICT NO. 1) (\$1,535,000)
**(DIANNE T. PHILIPPS, P.E., EXECUTIVE DIRECTOR, SEWER DISTRICT NO. 1)
DL#2013-04431**

2. GRANTS/DONATIONS:

2A) REF. #6704 - APPROVING ACCEPTANCE OF GRANT IN THE AMOUNT OF \$75,000 (NCTD) FROM THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ENHANCE DOMESTIC VIOLENCE PROSECUTIONS THROUGH UNIFORMED EVIDENCE COLLECTIONS IN THE NORTH ROCKLAND AREA FOR THE PERIOD JANUARY 1, 2014 THROUGH DECEMBER 31, 2015 AND AUTHORIZING EXECUTION OF ALL GRANT DOCUMENTS BY THE COUNTY EXECUTIVE (OFFICE OF THE DISTRICT ATTORNEY) (\$75,000)
(THOMAS ZUGIBE, DISTRICT ATTORNEY) DL#2013-04429

2B) REF. #7342 - APPROPRIATION OF FUNDS FROM THE NYS DIVISION OF HOMELAND SECURITY & EMERGENCY SERVICES IN THE AMOUNT OF \$15,605.46 (NCTD) TO REIMBURSE THE SHERIFF RIVER PATROL FOR THE COST OF EQUIPMENT DAMAGED DURING HURRICANE SANDY (OFFICE OF THE SHERIFF) (\$15,605.46)
(LOUIS FALCO, SHERIFF) DL#2013-04551 rev. 11.19.13

3. BUDGET ITEMS:

3A) REF. #9481 - APPROPRIATING THE SUM OF \$1,500 TO V.F.W. CHARLES R. LEWIS POST NO. 8997, STONY POINT, NEW YORK FOR PATRIOTIC OBSERVANCES IN 2013
(HON. DOUGLAS J. JOBSON, LEGISLATURE) LG#3266

4. **AUTHORIZATIONS:** NONE

5. **CONTRACTS/AGREEMENTS:** NONE

6. **ALLOCATION/RECLASSIFICATION OF POSITIONS:** NONE

7. **BIDS:** NONE

8. **TRANSFER OF FUNDS/OTHERS:** NONE

9. **TAX ITEMS:** NONE

10. PUBLIC HEARINGS:

10A) REF. #8203 - SETTING A DATE FOR A PUBLIC HEARING WITH RESPECT TO THE ADOPTION OF A LOCAL LAW AMENDING VARIOUS SECTIONS OF THE COUNTY OF ROCKLAND CODE OF ETHICS, PERMITTING THE ELECTRONIC FILING OF THE ANNUAL STATEMENT OF FINANCIAL DISCLOSURE FOR ROCKLAND COUNTY FORMS A AND B, AND THE NO CONFLICTING INTEREST OR ACTIVITY AFFIDAVIT; REMOVING THE REFERENCE TO INTERNAL REVENUE SERVICE FORM 1040, WHICH IS NO LONGER REQUIRED TO BE SUBMITTED WITH FORM A; AND CLARIFYING THAT MEETINGS OF THE BOARD OF ETHICS ARE OPEN TO THE PUBLIC SUBJECT TO THE RIGHT TO ENTER INTO EXECUTIVE SESSION IN ACCORDANCE WITH THE OPEN MEETINGS LAW
(I. OUSTATCHER, CHAIR, BOARD OF ETHICS) DL#2013-00784

11. LOCAL LAWS/HOME RULES: NONE

12. PRESENTATIONS/DISCUSSIONS:

12A) REF. #9495 - DISCUSSION ITEM: SALARY DECREASE FOR COUNTY EXECUTIVE AND COUNTY CLERK
(HON. EDWIN J. DAY, LEGISLATURE)

13. MISCELLANEOUS: NONE

14. RECEIVE & FILE: NONE

15. CORRESPONDENCE – REVIEW AND DISCUSSION: NONE

“The Rockland County Legislature is committed to full compliance with the Americans with Disabilities Act. To that end, the Legislature is committed to reating 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.”

DRAFT

RESOLVED, That the Legislature of Rockland County approves the Contract No. WR03-04A with Montana Construction Corp., Inc., 80 Contant Ave, Lodi, New Jersey 07644, in the amount of \$9,284,035.00, for the Western Ramapo Sanitary Sewer System, Pine Grove, in 365 calendar days from Notice To Proceed, 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 amendment are authorized for Capital Project No. 6150 of the Rockland County Sewer District No. 1.

TM:lo
2013-04239
11/8/13

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WHEREAS, On June 11, 2009 the agreement was amended in the additional amount of \$263,500, for a total contract amount not to exceed \$444,000, further extending the agreement to December 31, 2010; and

WHEREAS, On January 14, 2011 the agreement was further amended by extending the term of the agreement to September 30, 2011 and on November 10, 2011 extending the terms to June 1, 2012; and

WHEREAS, On July 9, 2012 the agreement was amended in the additional amount of \$90,000 for a total contract amount not to exceed \$534,000, further extending the agreement to December 31, 2013; and

WHEREAS, On September 18, 2013, Dvirka and Bartilucci submitted a proposal for professional engineering services to provide engineering services during construction for the digester cover replacement and rehabilitation in the amount of \$64,000 for a total agreement amount not to exceed \$598,000; and

WHEREAS, This increase is related to the installation of the secondary digester cover and other improvements and is for multiple reviews of submittals requiring more time and oversight of the project, additional M/WBE requirements, and close out of the contract; and

WHEREAS, By Resolution No. 38 of 2013, the Board of Sewer Commissioners approved an amendment of and extension to the agreement with Dvirka and Bartilucci Consulting Engineering Services for engineering services during the construction phase for, and periodic observation of construction of Rockland County Sewer District No. 1 Wastewater Treatment Plant Masonry, Roofing, Steel Digester Cover and Building Rehabilitation Project, in the additional amount of \$64,000, for a total contract sum not to exceed \$598,000, and extending the term of the agreement through June 1, 2014; and

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

WHEREAS, Sufficient funding for this agreement exists in the 2013 Adopted Capital Budget, Capital Project Account No. 6240; and

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

DRAFT

RESOLVED, That the Legislature of Rockland County approves an amendment to the agreement with Dvirka and Bartilucci Consulting Engineers, 330 Crossways Drive, Woodbury, New York 11797, for engineering services during the design phase, construction phase, and periodic observation of construction for Rockland County Sewer District No. 1 Wastewater Treatment Plant Masonry, Roofing, Steel Digester Cover and Building Rehabilitation Project, in the additional amount of \$64,000, for a total contract sum not to exceed \$598,000, and extending the term of the agreement through June 1, 2014, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, Sufficient funding for this agreement exists in the 2013 Adopted Capital Budget, Capital Project Account No. 6240.

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10/28/13
rev 11.19.13

permit enforcement, environmental, litigation, construction, real estate, procurement, and other matters for the period from December 31, 2012 through December 31, 2014; and

WHEREAS, By Resolution 405 of 2012, the Legislature of Rockland County approved a an additional amount of \$450,000 for a total contract sum not to exceed \$985,000 extending term through December 31, 2014; and

WHEREAS, The Sewer District now wishes to further amend the outside counsel agreement with Pannone, Lopes, Devereaux & West, LLC, relating to legal matters, including prosecuting/defending construction claims, continuing assistance with request for proposals, bid documents, intermunicipal agreements, and service agreements in connection with the Advanced Wastewater Treatment Plant post-term operating arrangement, administration of consent orders, procurement and contract advice and other matters; and

WHEREAS, The Sewer District has received a proposal for on-going legal services from Pannone, Lopes, Devereaux & West, LLC dated August 6, 2013 which requests an amendment to the existing agreement in the amount of \$550,000, for a total contract in the amount of \$1,535,000; and

WHEREAS, By Resolution No. 35 of 2013 the Board of Commissioners of the Rockland County Sewer District No. 1 authorized the amendment of the outside counsel agreement between the County on behalf of the Sewer District with Pannone, Lopes, Devereaux & West, LLC, 100 Church Street, 8th Floor, New York, New York 10007, in the additional amount of \$550,000, for a total contract sum not to exceed \$1,535,000, and subject to the approval of the Rockland County Legislature; and

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

WHEREAS, Sufficient funds for the amendment to this agreement exists in the 2013 Operating Budget of the Rockland County Sewer District No. 1, and is contingent upon 2014 Budget Appropriations of the Rockland County Sewer District No. 1; and

WHEREAS, The _____ 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 the amendment to the outside counsel agreement between the County on behalf of the Rockland County Sewer District No. 1, with Pannone, Lopes, Devereaux & West, LLC, 100 Church Street, 8th Floor, New York, New York 10007, in the additional amount of \$550,000, for a total contract sum not to exceed \$1,535,000, relating to legal matters, including Wick’s Law compliance, permit enforcement, environmental, litigation, construction, real estate, procurement and other matters, and extending the term through December 31, 2014, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, Sufficient funds for the amendment to this agreement exists in the 2013 Operating Budget of the Rockland County Sewer District No. 1, and is contingent upon 2014 Budget Appropriations of the Rockland County Sewer District No. 1.

AFR:mf

2013-04431

10-24-13 r. 11-20-13

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

RESOLVED, That no earlier than January 1, 2014 can this grant be appropriated since this grant does not begin until January 1, 2014; and be it further

RESOLVED, That the Commissioner of Finance is hereby authorized to increase the following accounts no earlier than January 1, 2014 in the amounts indicated:

GENERAL FUND - 2014

Increase Approp. Acct. (Credit):

A - DA - 1165 -GA25 -E3130	Office Supplies	3,000
-E3280	Printed Materials	5,000
-E3290	Operational Supplies	1,200
-E4040	Travel	800
-E4090	Fees for Services, Non-Employee	60,000
-E4140	Conferences & Seminars	5,000

Increase Est. Rev. Acct. (Debit):

A - DA - 1165 -GA25 -R3380	Public Safety Grant(s)	75,000
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MB:mf
2013-04429
11-3-13

DRAFT

Introduced by:
Hon. Douglas J. Jobson, Sponsor

Referral No. 9481

RESOLUTION NO. OF 2013
APPROPRIATING THE SUM OF \$1,500 TO V.F.W. CHARLES R. LEWIS
POST NO. 8997, STONY POINT, NEW YORK
FOR PATRIOTIC OBSERVANCES IN 2013

WHEREAS, the Rockland County Legislature has set aside in the 2013 Budget and designated an account for funding of patriotic observances; and

WHEREAS, the V.F.W. Charles R. Lewis Post No. 8997 is contracting with the County of Rockland to conduct patriotic observances in 2013, for the citizens of Rockland County in memory of all those who have served and/or died for their Country; 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 appropriates the sum of \$1,500, for providing patriotic observance events in the County of Rockland in calendar year 2013; and be it further

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

GENERAL FUND

<u>Increase Approp. Acct.:</u>		
A-CA-7602-5010	VFW Charles R. Lewis Post 8997 P.O. Box 250 Stony Point, NY 10980	\$1,500
 <u>Decrease Approp. Acct.:</u>		
A-LEG-1010-5042	Patriotic Observances	\$1,500

RM/cs
Lg3266
11/13/13; 11/19/13

Introduced by:
Hon.

Referral No. 8203 **DRAFT**

RESOLUTION NO OF 2013
SETTING A DATE FOR A PUBLIC HEARING
WITH RESPECT TO THE ADOPTION OF A LOCAL LAW
AMENDING VARIOUS SECTIONS OF THE COUNTY OF ROCKLAND CODE OF
ETHICS, PERMITTING THE ELECTRONIC FILING OF THE ANNUAL
STATEMENT OF FINANCIAL DISCLOSURE FOR ROCKLAND COUNTY, FORMS A
AND B, AND THE NO CONFLICTING INTEREST OR ACTIVITY AFFIDAVIT;
REMOVING THE REFERENCE TO INTERNAL REVENUE SERVICE FORM 1040,
WHICH IS NO LONGER REQUIRED TO BE SUBMITTED WITH FORM A; AND
CLARIFYING THAT MEETINGS OF THE BOARD OF ETHICS ARE OPEN TO THE
PUBLIC SUBJECT TO THE RIGHT TO ENTER INTO EXECUTIVE SESSION IN
ACCORDANCE WITH THE OPEN MEETINGS LAW

WHEREAS, The County Executive has recommended to the Legislature of Rockland County that it adopt a local law amending various sections of the County of Rockland Code of Ethics, permitting the electronic filing of the Annual Statement of Financial Disclosure for Rockland County, Forms A and B, and the No Conflicting Interest or Activity Affidavit; removing the reference to Internal Revenue Service Form 1040, which is no longer required to be submitted with Form A; and clarifying that meetings of the Board of Ethics are open to the public subject to the right to enter into executive session in accordance with the Open Meetings Law; 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 sets the _____ day of _____, 2013, at _____ p.m., for a public hearing to provide for a local law amending various sections of the County of Rockland Code of Ethics, permitting the electronic filing of the Annual Statement of Financial Disclosure for Rockland County, Forms A and B, and the No Conflicting Interest or Activity Affidavit; removing the reference to Internal Revenue Service Form 1040, which is no longer required to be submitted with Form A; and clarifying that meetings of the Board of Ethics are open to the public subject to the right to enter into executive session in accordance with the Open Meetings Law.

BNB:dc
2013-00784
10-22-13

DRAFT

LOCAL LAW NO. OF 2013

COUNTY OF ROCKLAND COUNTY

STATE OF NEW YORK

A local law amending various sections of the County of Rockland Code of Ethics, permitting the electronic filing of the Annual Statement of Financial Disclosure for Rockland County, Forms A and B, and the No Conflicting Interest or Activity Affidavit; removing the reference to Internal Revenue Service Form 1040, which is no longer required to be submitted with Form A; and clarifying that meetings of the Board of Ethics are open to the public subject to the right to enter into executive session in accordance with the Open Meetings Law.

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

Section 1. Findings and Intent

It is the intent of the Rockland County Legislature to amend, clarify and supplement the existing County of Rockland County Code of Ethics. The reference to Internal Revenue Service Form 1040 shall be removed as that form no longer is required to be submitted with the Annual Statement of Financial Disclosure for Rockland County, Form A. The Code shall be revised to clarify that meetings of the Board of Ethics are open to the public subject to the right to enter into executive session in accordance with the Open Meetings Law, as set forth in Article 7 of the Public Officers Law. Lastly, the County shall create an alternative, electronic method for completing, signing and filing the Annual Statement of Financial Disclosure for Rockland County, Forms A and B, and the No Conflicting Interest or Activity Affidavit for the reasons set forth in the Business Analysis and Risk Assessment conducted by the Board of Ethics, the Department of General Services - Management Information Systems Division and the Department of Law.

Section 2. Section 66-10 shall be amended as follows:

§ 66-10 Financial disclosure statement requirements.

A. Types of statements required. [Amended 4-1-2004 by L.L. No. 4-2004]

(1) Every elected official, officer, employee and political party official and every candidate for County elected office shall file an annual statement of financial disclosure containing such information and in such form as is set forth in § 66-11 of this chapter. [Amended 11-7-2007 by L.L. No. 17-2007]

(2) Any person who is required to file an annual statement of financial disclosure shall also file a no conflicting interest or activity affidavit at the same time. Any person who serves on a County board or commission whose title is not listed in Schedule A Editor's Note: Schedule A is included at the end of this chapter. shall file a no conflicting interest or activity affidavit yearly and file same by the date set forth in § 66-10B in the form set forth in this chapter.

(3) Refusal to file no conflicting interest or activity affidavit.

(a) Anyone refusing to execute and affirm the accuracy of the statement of no conflicting interest or activity shall be ineligible for appointment to any County board, commission, committee or similar entity. In the case of confirmations this statement shall be signed at or before the legislative committee meeting taking up and voting on said confirmation.

(b) If any person required to file a no conflicting interest or activity affidavit is presently appointed to any County board, commission, committee or is employed by the County, and such individual presently refuses to sign the aforesaid statement by the date set forth in this statute, that person's appointment shall become immediately voidable and upon resolution of the County Legislature passed by simple majority such appointment (should such person continue to refuse to sign) shall upon passage be void (terminated).

B. Such statement shall be filed on or before the 15th day of May with respect to the preceding calendar year, except that: [Amended 4-2-1991 by L.L. No. 4-1991; 3-16-1993 by L.L. No. 2-1993]

(1) A person who is subject to the reporting requirements of this subsection and who has timely filed with the Internal Revenue Service an application for automatic extension of time in which to file his or her individual income tax return for the immediately preceding calendar or fiscal year shall nonetheless be required to file such financial disclosure statement on or before May 15. However, such a person may, without being subjected to any civil penalty on account of a deficient statement, indicate with respect to any item of the disclosure statement that information with respect thereto is lacking but will be supplied in a supplementary statement of financial disclosure. Such supplementary statement shall be filed on or before the seventh day after the expiration of the period of such automatic extension of time within which to file such individual income tax return, provided that failure to file or to timely file such supplementary statement of financial disclosure or the filing of an incomplete or deficient supplementary statement of financial disclosure shall be subject to the notice and penalty provisions of this chapter respecting annual statements of financial disclosure as if such supplementary statement were an annual statement.

(2) Candidates for County elected office who file designating petitions for nomination at a primary election shall file a financial disclosure statement within two business days after the last day allowed by law for the filing of designating petitions naming said candidates for the next succeeding primary election.

(3) Candidates for independent nomination for County elected office who have not been designated by a party to receive a nomination, shall file a financial disclosure statement within two business days after the last day allowed by law for the filing of individual nominating petitions naming said candidates as candidates for County elected official in the next succeeding general or special election.

(4) Candidates for County elected office who receive the nomination of a party for a special election shall file a financial disclosure statement within two business days after the date of the meeting of the party committee at which they are nominated.

(5) Political party officials, and any other person required to file a financial disclosure statement, who commence employment after May 15 of any year shall file such statement within 30 days after commencing employment or of taking the position of political party official, as the case may be.

(6) A person who is subject to the filing requirement of both Subdivision 2 of § 73-a of the Public Officers Law and of this chapter may satisfy the requirements of this chapter by filing a copy of the financial

disclosure statement filed pursuant to § 73-a of the Public Officers Law with the Rockland County Board of Ethics on or before the filing deadline provided in such § 73-a, notwithstanding the filing deadline otherwise imposed by this subsection.

(7) A person who is subject to the filing requirement of this chapter from more than one political subdivision within Rockland County may satisfy the requirements of this chapter by filing only one annual financial disclosure statement with the Rockland County Board of Ethics. If such political subdivision crosses one or more County boundary lines, then such single filing may be made for any of the counties in which one of such political subdivision is located; provided, however, that the Board of Ethics is notified of the name of the County of such compliance by the person who is subjected to the filing requirements of this chapter, within the time limit for filing specified in this chapter.

(8) A County elected official who is simultaneously a candidate for County elected official shall satisfy the filing deadline requirements of this subsection by complying only with the deadline applicable to one who holds such County elected office.

(9) A candidate whose name will appear on both a party designating petition and on an independent nominating petition for the same office or who will be listed on the election ballot for the same office more than once shall satisfy the filing deadline requirements of this chapter by complying with the earliest applicable deadline only.

(10) Upon the request of any person subject to the filing requirement of this chapter, the Board of Ethics shall grant an additional period of time within which to file such statement, such additional period not to exceed 15 days. Upon a showing to the Board of justifiable cause or undue hardship, such initial additional period may be further extended for a period not to exceed 15 days.

(11) A person who is required to file an annual financial disclosure statement with the Board of Ethics and who is granted an additional period of time within which to file such statement due to justifiable cause or undue hardship, in accordance with required rules and regulations on this subject, shall file such statement within the additional period of time granted.

C. As used in this section, the terms "party," "committee" (when used in conjunction with the term "party"), "designation," "primary," "primary election," "nomination," "independent nomination," "ballot" and "uncontested office" shall have the same meanings as those contained in § 1-104 of the Election Law.

D. The annual financial disclosure statement shall be submitted to the Board of Ethics in a sealed envelope or via e-mail to the e-mail address designated by the Board. The Board shall keep, as a matter of public record, a log of all such filings by name and date on which such filing was received. The Board shall open the same to determine that said form is complete. Thereafter, the Board shall keep electronic copies of the filings in a secured location [closed file] except as hereafter provided.

E. Said financial disclosure statement shall be solely for the purpose of evaluation by the Board of Ethics of the legitimacy of any charges made against any person covered by this chapter as set forth in §§ 66-15 and 66-16 of this chapter.

F. The Board of Ethics shall obtain from the Rockland County Board of Elections lists of all candidates for County elected office and, from such lists, shall determine and officially publish lists of those candidates who have not, within two days after the required date for filing a financial disclosure statement, filed the statement required by this chapter.

Section 3. Section 66-14 shall be amended as follows:

§ 66-14 Availability of Records for Public Inspection.

A. The records of the Board which shall be available for public inspection are:

- (1) Notices of delinquency;
- (2) Notices of reasonable cause;
- (3) Notices of civil assessments imposed under this chapter; and
- (4) Information provided in an annual statement of financial disclosure filed pursuant to this chapter, except the categories of value or amount [and the first and last pages of Internal Revenue Service Form 1040], all of which shall remain confidential. [Amended 5-7-1991 by L.L. No. 5-1991]

B. [Notwithstanding the provisions of Article 7 of the Public Officers Law,] The [no] meetings and [or] proceedings of the Board shall be open to the public, subject to the right to enter into executive session, in accordance with the Open Meetings Law, as set forth in Article 7 of the Public Officers Law. [unless expressly requested to be made public by an individual to whom such meeting or proceeding directly relates. Such a request shall be granted only if the privacy rights of other involved individuals will not be compromised thereby.]

Section 4. §66-10 shall be amended as follows:

§ 66-11 Annual statement of financial disclosure forms.

[Amended 11-7-2007 by L.L. No. 16-2007 Editor's Note: This local law provided that Form A, as set forth in Subsection A below, shall be utilized by persons in positions identified annually by resolution of the Rockland County Legislature, designating which positions are elected officers, employees and appointees who hold policymaking or influencing positions. Form B, as set forth in Subsection B below, shall be the form utilized by volunteer members of boards and commissions as designated in the annual resolution on financial disclosure. Nothing in this section will prevent Form B filers from filing the Form A form if they wish to do so.]

A. Form A. The annual statement of financial disclosure shall contain the information and shall be in the form set forth below:

ANNUAL STATEMENT OF FINANCIAL DISCLOSURE
FOR [ROCKLAND] COUNTY OF ROCKLAND

Calendar Year _____

(PURSUANT TO COUNTY OF ROCKLAND LOCAL LAW NO. 11 OF 1990, AS AMENDED)

1. Name

2. (a) Title of Position

(b) Department, Agency or other Governmental Entity

(c) Address of Present Office

(d) Office Telephone Number

3. (a) Marital Status _____. If married, please give spouse's full name including maiden name where applicable.

(b) List the names of all unemancipated children.

Answer each of the following questions completely, with respect to calendar year, unless another period or date is otherwise specified. If additional space is needed, attach additional pages.

Whenever a "value" or "amount" is required to be reported herein, such value or amount shall be reported as being within one of the following Categories: Category A - under \$50,000; Category B - \$50,000 to under \$100,000; Category C - \$100,000 to under \$250,000; Category D - \$250,000 or over.

A reporting individual shall indicate the Category by letter only.

For the purposes of this statement, anywhere the term "local agency" shall appear, such term shall mean a local agency of the County of Rockland, as defined in § 810 of the General Municipal Law.

4. List any office, trusteeship, directorship, partnership, or position of any nature, including honorary positions, if known, and excluding membership positions, whether compensated or not, held by the reporting individual, or by the spouse or unemancipated child of the reporting individual, with any firm, corporation, association, partnership, or other organization other than the State of New York or Rockland County. If said entity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before, any state or local agency, list the name of any such agency.

Self, Spouse or Child	Position	Organization	State or Local Agency
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5. List the name, address and description of any occupation, employment, trade, business or profession engaged in by the reporting individual, or by the spouse or unemancipated child of the reporting individual. If such activity was licensed by any state or local agency, was regulated by any state regulatory agency or local agency, or, as a regular and significant part of the business or activity of said entity, did business with, or had matters other than ministerial matters before, any state or local agency, list the name of any such agency.

Self, Spouse or Child	Position	Name and Address of Organization	Description	State or Local Agency
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6. List any interest, in excess of \$1,000, excluding bonds and notes, held by the reporting individual, such individual's spouse or unemancipated child, in any contract made or executed by a state or local agency. An "interest" includes membership in a partnership or ownership of more than ten percent of the stock of a corporation. Include the name of the entity which holds such interest and the relationship of the reporting individual or such individual's spouse or such child to such entity and the interest in such contract. Do not list any interest in any such contract on which final payment has been made and all obligations under the contract except from guarantees and warranties have been performed, provided, however, that such an interest must be listed if there has been an ongoing dispute during the calendar year for which this statement is filed with respect to any such guarantees or warranties. Do not list any interest in a contract

made or executed by a state agency after public notice and pursuant to a process for competitive bidding or a process for competitive requests for proposals.

[Self, Spouse or Child	Entity Which Held Interest in Value of Contract	Relation- ship to Entity and Interest in Contract	Contracting State or Agency	Category of Value of Local Contract]
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<u>Self, Spouse or Child</u>	<u>Entity Which Held Interest in Value of Contract</u>	<u>Relationship to Entity and Interest in Contract</u>	<u>Contracting State or Agency</u>	<u>Category of Value of Local Contract</u>
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7. List any position the reporting individual held as an officer of any political party or political organization, as a member of any political party committee, or as a political party district leader. The term "party" shall have the same meaning as "party" in the Election Law. The term "political organization" means any party or independent body as defined in the Election Law or any organization that is affiliated with or a subsidiary of a party or independent body.

8.(a) If the reporting individual practices law, is licensed by the Department of State as a real estate broker or agent or practices a profession licensed by the Department of Education, give a general description of the principal subject areas of matters undertaken by such individual. Additionally, if such an individual practices with a firm or corporation and is a partner or shareholder of the firm or corporation, give a general description of principal subject areas of matters a undertaken by such firm or corporation. Do not list the name of the individual clients, customers or patients.

(b) List the name, principal address and general description or the nature of the business activity of any entity in which the reporting individual or such individual's spouse had an investment in excess of \$1,000, excluding investments in securities and interests in real property.

9. For this reporting period, list each source of gifts, excluding campaign contributions, in excess of \$1,000, received by the reporting individual or such individual's spouse or unemancipated child from the same donor, excluding gifts from a relative. Include the name and address of the donor. The term "gifts" does not include reimbursements, which term is defined in Item 10. Indicate the value (by category) and nature of each

Self, Spouse or Child	Name of Donor	Address	Category of Nature of Gift	Category of Value
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10. Identify and briefly describe the source of any reimbursements for expenditures, excluding campaign expenditures and expenditures in connection with official duties reimbursed by the political subdivision for which this statement has been filed, in excess of \$1,000 from each such source. For purposes of this item, the term "reimbursements" shall mean any travel-related expenses provided by nongovernmental sources and for activities related to the reporting individual's official duties, such as speaking engagements, conferences, or factfinding events. The term "reimbursements" does not include gifts reported under Item 9.

Source	Description
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11. List the identity and value, by category, if reasonably ascertainable, of each interest in a trust, estate or other beneficial interest, including retirement plans other than retirement plans of the State of New York or the City of New York, and deferred compensation plans established in accordance with the Internal Revenue Code, in which the reporting individual held a beneficial interest in excess of \$1,000 at any time during the preceding year. Do not report interests in a trust, estate or other beneficial interest established by or for, or the estate of, a relative.

[Identity

Category of Value*]

Identity

Category of Value*

*The value of such interest shall be reported only if reasonably ascertainable.

12. (a) Describe the terms of, and the parties to, any contract, promise, or other agreement between the reporting individual and any person, firm, or corporation with respect to the employment of such individual after leaving office or position (other than a leave of absence).

(b) Describe the parties to and the terms of any agreement providing for continuation of payments or benefits to the reporting individual in excess of \$1,000 from a prior employer other than the political subdivision for which this statement is filed. (This includes interests in or contributions to a pension fund, profit-sharing plan, or life or health insurance; buyout agreements; severance payments; etc.)

13. List below the nature and amount, by category, of any income in excess of \$1,000 from each source for the reporting individual and such individual's spouse for the taxable year last occurring prior to the date of filing. "Nature of income" includes, but is not limited to, salary for government employment, income from other compensated employment, whether public or private, directorships and other fiduciary positions, contractual arrangements, teaching income partnerships, honorariums, lecture fees, consultant fees, bank and bond interest, dividends, income derived from a trust, real estate rents, and recognized gains from the sale or exchange of real or other property. Income from a business or profession and real estate rents shall be reported with the source identified by the building address in the case of real estate rents and otherwise by the name of the entity and not by the name of individual customers, clients or tenants, with the aggregate net income before taxes for each building address or entity. The receipt of maintenance received in connection with a matrimonial action, alimony and child support payments shall not be listed.

Self/Spouse

Source

Nature

Category of Amount

14. List the sources of any deferred income in excess of \$1,000 from each source to be paid to the reporting individual following the close of the calendar year for which this disclosure statement is filed, other than deferred compensation reported in Item 11, above. Deferred income derived from the practice of a profession shall be listed in the aggregate and shall identify as the source, the name of the firm, corporation, partnership or association through which the income was derived, but shall not identify individual clients.

Source	Category of Amount
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15. List each assignment of income in excess of \$1,000 and each transfer other than to a relative during the reporting period for which this statement is filed for less than fair consideration of an interest in a trust, estate or other beneficial interest, securities or real property, by the reporting individual, in excess of \$1,000, which would otherwise be required to be reported herein and is not or has not been so reported.

Item Assigned or Transferred	Assigned or Transferred to	Category of Value
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16. List below the type and market value of securities held by the reporting individual or such individual's spouse from each issuing entity in excess of \$1,000 at the close of the taxable year last occurring prior to the date of filing, including the name of the issuing entity. Do not include securities held by the reporting individual issued by a professional corporation. Whenever an interest in securities exists through a beneficial interest in a trust, the securities held in such trust shall be listed only if the reporting individual has knowledge thereof except where the reporting individual or the reporting individual's spouse has transferred assets to such trust for his or her benefit. In that event, such securities shall be listed unless they are not ascertainable by the reporting individual because the trustee is under an obligation or has been instructed in writing not to disclose the contents of the trust to the reporting individual (e.g., a "blind trust"). Securities of which the reporting individual or the reporting individual's spouse is the owner of record but in which such individual or the reporting individual's spouse has no beneficial interest shall not be listed. Indicate percentage of ownership if the reporting person or the reporting person's spouse holds more than five percent of the stock of a corporation in which the stock is publicly traded, or more than ten

percent of the stock of a corporation in which the stock is not publicly traded. Also list securities owned for investment purposes by a corporation, more than fifty percent of the stock of which is owned or controlled by the reporting individual or such individual's spouse. For the purpose of this item, the term "securities" shall mean bonds, mortgages, notes, obligations, warrants and stocks of any class, investment interests in limited or general partnerships and certificates of deposits, and such other evidences of indebtedness and certificates of interest as are usually referred to as "securities."

The market value for such securities shall be reported only if reasonably ascertainable and shall not be reported if the security is an interest in a general partnership that was listed in Item 8(a) or if the security is corporate stock, not publicly traded, in a trade or business of a reporting individual or a reporting individual's spouse.

[Self/ Spouse	Issuing Entity	Type of Security	Category of Market Value as of the Close of the Taxable Year Last Occurring Prior to the Filing of This Statement	Percentage of Corporate Stock Owned or Controlled]
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<u>Self/ Spouse</u>	<u>Issuing Entity</u>	<u>Type of Security</u>	<u>Category of Market Value as of the Close of the Taxable Year Last Occurring Prior to the Filing of This Statement</u>	<u>Percentage of Corporate Stock Owned or Controlled</u>
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17. List below the location, size, general nature, acquisition date, market value and percentage of ownership of any real property in which any vested or contingent interest in excess of \$1,000 is held by the reporting individual or the reporting individual's spouse. Also list real property owned for investment purposes by a corporation more than fifty percent of the stock of which is owned or controlled by the reporting individual or such individual's spouse. Do not list any real property which is the primary or secondary personal residence of the reporting individual or the reporting individual's spouse, except where there is a co-owner who is other than a relative.

[Self/ Spouse/ Other Party	Location	Size	General Nature	Acquisi- tion Date	Category of Market Value	Percentage of Ownership]
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<u>Self/ Spouse/ Other Party</u>	<u>Location</u>	<u>Size</u>	<u>General Nature</u>	<u>Acquisition Date</u>	<u>Category of Market Value</u>	<u>Percentage of Ownership</u>
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18. List below all notes and accounts receivable, other than from goods or services sold, held by the reporting individual at the close of the taxable year last occurring prior to the date of filing and other debts owed to such individual at the close of the taxable year last occurring prior to the date of filing, in excess of \$1,000, including the name of the debtor, type of obligation, date due and the nature of the collateral securing payment of each, if any, excluding securities reported in Item 16, above. Debts, notes and accounts receivable owed to the individual by a relative shall not be reported.

Name of Debtor	Type of Obligation, Date Due, and Nature of Collateral, if any	Category of Amount
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19. List below all liabilities (e.g., monies owed) of the reporting individual and such individual's spouse, in excess of \$5,000 as of the date of filing of this statement, other than liabilities to a relative. Do not list liabilities incurred by, or guarantees made by, the reporting individual or such individual's spouse or by any proprietorship, partnership or corporation in which the reporting individual or such individual's spouse has an interest, when incurred or made in the ordinary course of the trade, business or professional practice of

the reporting individual or such individual's spouse. Include the name of the creditor and any collateral pledged by such individual to secure payment of any such liability. A reporting individual shall not list any obligation to pay maintenance in connection with a matrimonial action, alimony or child support payments. Revolving charge account information shall only be set forth if the liability thereon is in excess of \$5,000 at the time of filing. Do not include any loan issued in the ordinary course of business by a financial institution to finance educational costs, the cost of home purchase or improvements for a primary or secondary residence, or purchase of a personally owned motor vehicle, household furniture or appliances. If any such reportable liability has been guaranteed by any third person, list the liability and name the guarantor.

Name of Creditor or Guarantor	Type of Liability and Collateral, if any	Category of Amount
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The requirements of law relating to the reporting of financial interests are in the public interest and no adverse inference of unethical or illegal conduct or behavior will be drawn merely from compliance with these requirements.

[-----]
 [(Signature of Reporting Individual)]

[-----]
 [Date (month/day/year)]

If you are submitting this form electronically, you must agree to the statement below:

By checking this box, typing in my name and today's date and e-mailing this document to the Board of Ethics, I understand and agree that I am electronically signing and filing this Annual Statement of Financial Disclosure for Rockland County. I understand that by signing and submitting this Statement in this fashion, it is the legal equivalent of having placed my handwritten signature on the submitted Statement and this attestation. I also understand and agree that by electronically signing and submitting this Statement in this fashion, I am certifying that I personally completed this Statement, that I reviewed its entire contents and that I am affirming the truth of the information contained therein.

 (Type Name of Reporting Individual)

 (Date (month/day/year))

If you are NOT submitting this form electronically, you must sign and date it below and submit a hard copy to the Board of Ethics.

 (Signature of Reporting Individual)

 (Date (month/day/year))

B. Form B. The annual statement of financial disclosure shall contain the information and shall be in the form set forth below. Answer each of the questions completely, and if additional space is needed, attach additional pages.

ROCKLAND COUNTY
ANNUAL STATEMENT OF FINANCIAL DISCLOSURE

Calendar Year _____

Last Name First Name Middle Initial

Current Employer/Business Title/Position

Advisory Council/Board/Commission/Appointment(s)

Work Address Work Phone No.

Home Address Home Phone No.

Marital Status: _____ If married, please give spouse's full name, including maiden name where applicable.

List the names of all children under 21 living with you at home:

The purpose of this disclosure statement is to identify potential conflicts that may exist between private and public life with respect to your duties while an elected official, officer, employee, political party official, candidate for County elected office or serving on a voluntary Rockland County board, commission or

advisory council. Please follow all directions carefully and attach additional pages if necessary. Disclosure of the information on this form is required for compliance with the Rockland County Code of Ethics and New York General Municipal Law.

1. Outside Employment and Business. List the name of every employer or business from which you were paid more than \$2,500 for services performed or for goods sold or produced, whether you were a paid member, officer, director, or employee during the reporting period. Do not list the County of Rockland as an employer (this information is covered in question 3 below) or individual customers or clients of the business. Do not list businesses in which you were an investor only (these are identified in question 2 below). Identify the nature and type of the business, such as a partnership, corporation, limited-liability company, or sole proprietorship, and list your relationship(s) to the employer or business (i.e., owner, partner, officer, director, member, employee and/or shareholder) and state your position with the employer. Provide the same information for your spouse.

Name	Relation[-]ship to you	Name of Employer or Business	Nature of Business	Type of Business	Position Held
e.g.: John Doe	Husband	ABC Realty	Real Estate	Partner[-]ship	Employee

2. Privately held investments. List the name of any privately held entity in which, during the reporting period, you had an ownership interest of at least 20% of the entity or an investment with a total value of at least \$50,000 in the entity. Do not list any entity listed in response to question 1 above or any publicly traded entity. Identify the nature of the business and the type of business (e.g., corporation, limited-liability company, partnership). Provide the same information for your spouse or children under 21 living with you at home.

Name	Relation[-]ship to you	Name of Entity	Nature of Business	Type of Business
e.g.: Mary Doe	Self	R&D Investiga[-]tions	Private Investiga[-]tions	Corpor[-]ation

3. Rockland County employment. List any and all relatives, defined with respect to this question only as your spouse, children, siblings, parents or in-laws, including yourself, who were employed by the County of Rockland in a permanent, full-time capacity during the reporting period. Please include the position or title and the department.

[Name	Relationship to you	Position Held/Title	County Department
e.g.: Ralph Roe	Father-in-law	Attorney	Law Department]

<u>Name</u>	<u>Relationship to you</u>	<u>Position Held/Title</u>	<u>County Department</u>
<u>e.g.: Ralph Roe</u>	<u>Father-in-law</u>	<u>Attorney</u>	<u>Law Department</u>

4. Government and not-for-profit positions. List each office or position, whether paid or unpaid, that you held during the reporting period with any federal, state or municipal government entity or with any not-for-profit organization. Do not list entities where you were only a member but had no office or position. Do not list entities where you only volunteered in a non-policymaking, non-administrative capacity, such as a neighborhood Girl Scout leader or a Little League coach. Do not list any office or position reported elsewhere on this form.

Entity or Organization	Position
e.g. Salvation Army	Board Member

5. List each gift worth \$75 or more that you or your spouse received from any person, firm or entity that has or had a matter pending during the reporting period before you, your department or the board, commission or counsel upon which you serve. For purposes of this question, "matter pending" means a formal request for a contract, goods, services, funding, license or permit. A "gift" means anything of value for which you or your spouse paid nothing or paid less than the fair market value and may be in the form of money, services, reduced interest on a loan, travel, travel reimbursements, entertainment, hospitality, or in any other form. Note that separate gifts from the same or affiliated donor during the reporting period must be added together for purposes of the \$75 threshold.

Name	Relationship to you	Donor of Gift	Nature of Gift
e.g.: Mary Doe	Self	XYZ Corp.	Free trip to Atlantic City

The reporting of information in this statement is required by the New York State General Municipal Law and the Laws of Rockland County. Improper use of the information contained in this statement by any third person or entity in violation of privacy or other rights is separately punishable in accordance with the law. Please be advised that, pursuant to New York State law, this statement is available in its entirety for public inspection and reproduction, but any information within the statement deemed exempt by New York State law or the Laws of Rockland County shall be redacted accordingly.

I certify that all of the above information is true to the best of my knowledge and that within the past two weeks I have read the attached summary of the Rockland County Code of Ethics.

[Dated _____ Signature]

If you are submitting this form electronically, you must agree to the statement below:

By checking this box, typing in my name and today's date and e-mailing this document to the Board of Ethics, I understand and agree that I am electronically signing and filing this Annual Statement of Financial Disclosure for Rockland County. I understand that by signing and submitting this Statement in this fashion, it is the legal equivalent of having placed my handwritten signature on the submitted Statement and this attestation. I also understand and agree that by electronically signing and submitting this Statement in this fashion, I am certifying that I personally completed this Statement, that I reviewed its entire contents and that I am affirming the truth of the information contained therein.

 Type Name of Reporting Individual

 Date (month/day/year)

If you are NOT submitting this form electronically, you must sign and date it below and submit a hard copy to the Board of Ethics.

Signature of Reporting Individual

Date (month/day/year)

C. Required filings.

(1) All members of Rockland County boards who are not identified as persons who shall file either Form A or B financial disclosure forms shall annually file with the County Ethics Board by the date set forth for filing annual financial disclosure forms the "no conflicting interest or activity affidavit" of the County. Failure to file shall be subject to sanctions as set forth in the law.

(2) Chairpersons of the County boards shall file the Form B (short form) financial disclosure affidavit, except when all board members of a board are required to file Form A (long form) per the annual list of policymaking or influencing positions.

(3) All board members and employees of public authorities in Rockland County identified in New York State Public Authorities Law § 2825(3) shall file the Rockland County Form B (short form) as set forth in § 66-11B financial disclosure law.

Section 5. §66-11.2 shall be amended as follows:

§ 66-11.2 No conflicting interest or activity affidavit.

[Added 4-1-2004 by L.L. No. 4-2004] The no conflicting interest or activity form shall be as follows:

DISCLOSURE, ACKNOWLEDGEMENT AND AFFIRMATION OF NO CONFLICTING INTEREST OR ACTIVITY, WHICH WOULD CONSTITUTE A PERSONAL GAIN OR A CONFLICT OF INTEREST

(Short-Form Disclosure Affirmation)

With full knowledge and awareness I affirm that I do not have, I have not engaged in, and I will not engage in any activity that would provide a personal or pecuniary gain to myself, my spouse, or my dependent(s) from the activity (activities) in which I now give (or am about to give) my services, to the County of Rockland or any affiliated or associated board, commission or agency thereof.

[Dated _____ 200]

[-----]

[Signature]

[-----]

[Printed Name]

[-----]

[Board or Activity]

If you are submitting this form electronically, you must agree to the statement below:

By checking this box, typing in my name and today's date and e-mailing this Affidavit to the Board of Ethics, I understand and agree that I am electronically signing and filing this No Conflicting Interest or Activity Affidavit for Rockland County. I understand that by signing and submitting this Affidavit in this fashion, it is the legal equivalent of having placed my handwritten signature on the Affidavit and this attestation. I also understand and agree that by electronically signing and submitting this Affidavit in this fashion, I am certifying that I personally completed this Affidavit, that I reviewed its entire contents and that I am affirming the truth of the information contained therein.

Type Name of Reporting Individual

Date (month/day/year)

Board or Activity

Email Address

If you are NOT submitting this form electronically, you must complete this section, sign and date it, and submit a hard copy to the Board of Ethics.

Signature of Reporting Individual

Date (month/day/year)

Type Name of Reporting Individual Board or Activity

Email Address

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 local 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 New York State Secretary of State.

BNB:dc
2013-00824
2-27-13

Material to be removed is in [brackets]

New Material is underscored or in red font (new signature boxes)