

The Legislature of Rockland County



MICHAEL M. GRANT
LEGISLATOR, DISTRICT 2
PLANNING AND PUBLIC WORKS, CHAIR

AGENDA
PLANNING AND PUBLIC WORKS COMMITTEE
TUESDAY, FEBRUARY 28, 2012
7:00 P.M.

- **ROLL CALL**
 - **ADOPTION OF MINUTES OF 2/14/12**
1. **REFERRAL NO. 7300** BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK , ADOPTED ___2012 AUTHORIZING FINANCING OF THE CORRECTIONAL CENTER SECURITY IMPROVEMENTS AND UPGRADES, STATING THE CURRENT ESTIMATED MAXIMUM COST THEREOF IS \$650,000, APPROPRIATING \$650,000 FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$650,000 BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION **(GERRY WALSH, COMMISSIONER OF DGS) LM# 2012-00220**

 2. **REFERRAL NO. 8293** APPROVING INTERMUNICIPAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF ROCKLAND AND THE TOWN OF CLARKSTOWN USING NEW YORK STATE MASS TRANSPORTATION OPERATION WITHIN ROCKLAND COUNTY OF THE "CLARKSTOWN MINI TRANS" PUBLIC TRANSPORTATION BUS SERVICE FOR THE PERIOD APRIL 1, 2012 THROUGH MARCH 31, 2013 AND AUTHORIZING EXECUTION BY THE COUNTY EXECUTIVE OF THE INTERMUNICIPAL COOPERATION AGREEMENT (DEPARTMENT OF PUBLIC TRANSPORTATION] (NO COUNTY TAX DOLLARS) **(THOMAS VANDERBEEK, COMMISSIONER OF PUBLIC TRANSPORTATION) DL# 2012-00422**

 3. **REFERRAL NO. 8293** APPROVING INTERMUNICIPAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF ROCKLAND AND THE VILLAGE OF SPRING VALLEY USING NEW YORK STATE MASS TRANSPORTATION OPERATING ASSISTANCE (STOA) TO FUND CONTINUED OPERATION WITHIN ROCKLAND COUNTY OF THE "SPRING VALLEY JITNEY" PUBLIC TRANSPORTATION BUS SERVICE FOR THE PERIOD APRIL 1, 2012 THROUGH MARCH 31, 2013 AND AUTHORIZING EXECUTION BY THE COUNTY EXECUTIVE OF THE INTERMUNICIPAL COOPERATION AGREEMENT (NO COUNTY TAX DOLLARS) [DEPARTMENT OF PUBLIC TRANSPORTATION] **(THOMAS VANDERBEEK, COMMISSIONER OF PUBLIC TRANSPORTATION) DL# 2012-00372**

4. **REFERRAL NO. 8896** APPROVING AN AMENDMENT TO AGREEMENT IN EXCESS OF \$100,000 WITH USA CENTRAL STATION ALARM CORPORATION TO PROVIDE CENTRAL ALARM SERVICE TO 44 CONTROL FOR AN ADDITIONAL AMOUNT OF \$58,000 FOR A TOTAL CONTRACT SUM NOT TO EXCEED \$143,892.12 FOR THE PERIOD FROM JANUARY 1, 2012 THROUGH DECEMBER 31, 2012 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [OFFICE OF FIRE AND EMERGENCY SERVICES] (\$143,892.16) (**GORDON WREN JR., DIRECTOR FIRE AND EMERGENCY**) DL# **2011-05529**

5. **REFERRAL NO. 5906** APPROVING APPROPRIATION OF FUNDS IN THE AMOUNT OF \$337,406 FROM THE SEWER'S DESIGNATED FOR SEWER TREATMENT PLANT & COLLECTION SYSTEM ACCOUNT FOR TRUNK REPAIRS ASSOCIATED WITH THE ROBERT PITT DRIVE SEWER UPGRADES PROJECT [ROCKLAND COUNTY SEWER DISTRICT NO. 1] (\$337,406) (**DIANNE PHILIPPS, DIRECTOR, SEWER DISTRICT NO. 1**) DL# **2012-00269**

6. **REFERRAL NO. 8293** APPROVING AN INTERMUNICIPAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF ROCKLAND AND THE TOWN OF CLARKSTOWN TO ALLOW THE TOWN OF CLARKSTOWN TO USE VEHICLES THAT THE COUNTY OWNS TO CONTINUE TO PROVIDE "CLARKSTOWN MINI TRANS" BUS SERVICE WITHIN ROCKLAND COUNTY FROM JANUARY 1, 2012 THROUGH DECEMBER 31, 2017 IN ACCORDANCE WITH ITS CONTRACTS WITH THE COUNTY AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE (NO COUNTY TAX DOLLARS) [DEPARTMENT OF PUBLIC TRANSPORTATION] (**THOMAS VANDERBEEK, COMMISSIONER OF PUBLIC TRANSPORTATION**) DL# **2012-00373**

7. **REFERRAL NO. 8293** APPROVING AND INTERMUNICIPAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF ROCKLAND AND THE VILLAGE OF SPRING VALLEY TO ALLOW AND VILLAGE OF SPRING VALLEY TO ALLOW THE VILLAGE OF SPRING VALLEY TO USE VEHICLES THAT THE COUNTY OWNS TO CONTINUE TO PROVIDE 'SPRING VALLEY JITNEY" BUS SERVICE WITHIN ROCKLAND COUNTY COUNTY FROM JANUARY 1, 2012 THROUGH DECEMBER 31, 2017 ACCORDANCE WITH ITS CONTRACTS WITH THE COUNTY AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE (NO COUNTY TAX DOLLARS) [DEPARTMENT OF PUBLIC TRANSPORTATION] (**THOMAS VANDERBEEK, COMMISSIONER OF PUBLIC TRANSPORTATION**) DL# **2012-00369**

8. **REFERRAL NO. 2867** CONFIRMING APPOINTMENTS TO THE ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY (**HON. HARRIET D. CORNELL, LEGISLATOR**)

"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."

BOND RESOLUTION NO. _____ OF 2012

BOND RESOLUTION OF THE COUNTY OF ROCKLAND, NEW YORK, ADOPTED _____, 2012, AUTHORIZING FINANCING OF THE CORRECTIONAL CENTER SECURITY IMPROVEMENTS AND UPGRADES, STATING THE CURRENT ESTIMATED MAXIMUM COST THEREOF IS \$650,000, APPROPRIATING \$650,000 FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$650,000 BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION.

THE LEGISLATURE OF THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Legislature) AS FOLLOWS:

Section 1. Based upon the review of this action by the County of Rockland (herein called the "County"), the Legislature of the County hereby determined that the object or purpose authorized pursuant to this resolution constitutes a Type II Action pursuant to the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law).

Section 2. The County is hereby authorized to finance Capital Project No. 1456 for Facilities Management, consisting of Correctional Center security improvements and upgrades, including incidental expenses in connection therewith. The current estimated maximum cost thereof, including costs incidental thereto and the financing thereof, is \$650,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$650,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and if not paid from other sources, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 3. Bonds of the County in the principal amount of \$650,000 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 the "Law") to finance said appropriation.

Section 4. The following additional matters are hereby determined and declared:

- a) The period of probable usefulness to the purpose for which said \$650,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law is fifteen (15) years; and
- b) The proposed maturity of the bonds authorized by this Resolution will exceed five (5) years.

Section 5. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the County for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

Section 6. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the County, payable as to both principal and interest by general tax from all sources including all the taxable real property within the County without limitation as to rate or amount. 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, and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in

anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 thereof relative to the authorization of the issuance of bonds having substantially level or declining annual debt service, Section 30.00 thereof relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and Sections 50.00, 56.00 to 60.00 and 168.00 thereof, the powers and duties of the County Legislature relative to authorizing bond anticipation notes, or the renewals thereof, and relative to providing for substantially level or declining annual debt service, and prescribing the terms, form and contents, and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, as well as to executing agreements for credit enhancements, are hereby delegated to the Commissioner of Finance, the chief fiscal officer of the County.

Section 8. 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 such resolution, or a summary thereof, 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 9. This bond resolution shall take effect in accordance with Section C2.02 of the Rockland County Charter, and the Clerk to the Legislature is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the "ROCKLAND JOURNAL NEWS," published in 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 said County for such publication, and such other newspapers designated by the Clerk to the Legislature, each of said newspapers having a general circulation in the County for such publication.

* * * * *

WHEREAS, The New York State Department of Transportation requires a contract between the County and bus service operators, such as the Town, for the operators to adhere to the New York State Department of Transportation's regulations; and

WHEREAS, The County of Rockland and the Town of Clarkstown are municipal corporations as defined by Section 119-n of Article 5-G of the General Municipal Law of the State of New York; and

WHEREAS, Section 119-o of Article 5-G of the General Municipal Law of the State of New York authorizes municipal corporations to contract to perform together that which each is authorized to perform individually, provided that any such agreement to do so "be approved by each participating municipal corporation" "by a majority vote of the voting strength of its governing body;" and

WHEREAS, The County's 2012 Adopted Budget appropriates sufficient funds for the County-wide Mass Transportation Operating Assistance Program, and neither this resolution nor an intermunicipal cooperation agreement pursuant to it will require the expenditure of any County funds; and

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

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RESOLVED, That the Legislature of Rockland County hereby approves, pursuant to Article 5-G of the General Municipal Law, the agreement between the County of Rockland and the Town of Clarkstown for the Town to continue to operate its "Clarkstown Mini Trans" bus service public transportation routes within the Town of Clarkstown for the County from April 1, 2011 through March 31, 2012, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That part of the cost of operating the Town's "Clarkstown Mini Trans" bus service is to be offset by obtaining financial assistance from the State of New York, which, pursuant to its Transportation Law, appropriates funds for this purpose; and be it further

RESOLVED, That the County, through its Department of Public Transportation, which administers the New York State Mass Transportation Operating Assistance (STOA) program, receives funds for bus services, as well as for other municipal and private bus services in Rockland County; and be it further

RESOLVED, That the County's 2012 Adopted Budget appropriates sufficient funds for the County-wide Mass Transportation Operating Assistance Program, and that neither this resolution nor the intermunicipal cooperation agreement hereby approved will require the expenditure of any County funds.

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WHEREAS, The County, through its Department of Public Transportation, administers the New York State Mass Transportation Operating Assistance (STOA) program within Rockland County and receives funds for bus services, as well as for other municipal and private bus services in Rockland County; and

WHEREAS, The New York State Department of Transportation requires a contract between the County and bus service operators, such as the Village, for the operators to adhere to the New York State Department of Transportation's regulations; and

WHEREAS, The County of Rockland and the Village of Spring Valley are municipal corporations as defined by Section 119-n of Article 5-G of the General Municipal Law of the State of New York; and

WHEREAS, Section 119-o of Article 5-G of the General Municipal Law of the State of New York authorizes municipal corporations to contract to perform together that which each is authorized to perform individually, provided that any such agreement to do so "be approved by each participating municipal corporation" "by a majority vote of the voting strength of its governing body;" and

WHEREAS, The County's 2012 Adopted Budget appropriates sufficient funds for the County-wide Mass Transportation Operating Assistance Program, and neither this resolution nor an intermunicipal cooperation agreement pursuant to it will require the expenditure of any County funds; 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 approves, pursuant to Article 5-G of the General Municipal Law, the agreement between the County of Rockland and the Village of Spring Valley for the Village to continue to operate its "Spring Valley Jitney" bus service public transportation routes within the Village of Spring Valley for the County from April 1, 2012 through March 31, 2013, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That part of the cost of operating the Village's "Spring Valley Jitney" bus service is to be offset by obtaining financial assistance from the State of New York, which, pursuant to its Transportation Law, appropriates funds for this purpose; and be it further

RESOLVED, That the County, through its Department of Public Transportation, which administers the New York State Mass Transportation Operating Assistance (STOA) program, receives funds for bus services, as well as for other municipal and private bus services in Rockland County; and be it further

RESOLVED, That the County's 2012 Adopted Budget appropriates sufficient funds for the County-wide Mass Transportation Operating Assistance Program, and that neither this resolution nor the intermunicipal cooperation agreement hereby approved will require the expenditure of any County funds.

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WHEREAS, Sufficient funding exists for this amendment to the agreement in the 2012 Adopted Budget of the Office of Fire and Emergency Services; and

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

RESOLVED, That the Legislature of Rockland County approves an amendment of an agreement with USA Central Alarm Corporation, 28 Willett Avenue, Port Chester, New York 10573 to provide central alarm services to 44 Control for an additional amount of \$58,0000 for a total contract sum not to exceed \$143,892.16 for the period between January 1, 2012 through December 31, 2012 with three (3) additional one year terms; and be it further

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

RESOLVED, That sufficient funding exists for this amendment to the agreement in the 2012 Adopted Budget of the Office of Fire and Emergency Services.

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RESOLVED, That the Legislature of Rockland County hereby appropriates \$337,406 of funds in balance sheet account G-8898 (Designated for Sewer Treatment Plant & Collection System) to the Sewer's 2012 Operating Budget for trunk repairs associated with the Robert Pitt Drive Sewer Upgrade Project; and be it further

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

SEWER FUND - 2012

Increase Approp. Acct. (Credit):

G-SWR-8120-E4580	Trunk Repairs	337,406
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Increase Approp. Fund Bal. (Debit):

G-SWR-9952-R5990	(Designated for Sewer Treatment Plant & Collection System)	337,406
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2012-00269

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Referral No.

public, as set forth in the June 27, 2011 Agreement, but for no other purpose whatsoever and for no other benefit whatsoever to any other persons, (the Town being expressly forbidden to use the VEHICLES for purposes such as, but not limited to, charter, school, or other non-commuter uses); and

WHEREAS, This agreement requires the expenditure of no County tax dollars, because the County owns the VEHICLES, which were purchased with Federal Transit Administration funds (80%); New York State Department of Transportation funds (10%) and MTA Special Allocation funds (10%); and

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

RESOLVED, That the Legislature of Rockland County hereby approves, pursuant to Article 5-G of the General Municipal Law, the intermunicipal agreement between the County of Rockland and the Town of Clarkstown for the Town to possess, operate, maintain, and use the following VEHICLES, as identified in the attached **SCHEDULE "A"** from January 1, 2012 through December 31, 2017 now, therefore, be it

RESOLVED, That such agreement shall provide for the Town to possess, operate, and maintain the VEHICLES solely to continue to operate its "Clarkstown Mini Trans" bus service for the public, as set forth in the June 27, 2011 Agreement, but for no other purpose whatsoever and for no other benefit whatsoever to any other persons, (the Town being expressly forbidden to use the VEHICLES for purposes such as, but not limited to, charter, school, or other non-commuter uses); and be it further

RESOLVED, That the Legislature hereby authorizes execution of that agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That this agreement requires the expenditure of no County tax dollars, because the County owns the VEHICLES, which were purchased with Federal Transit Administration funds (80%); New York State Department of Transportation funds (10%) and MTA Special Allocation funds (10%).

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Referral No.

WHEREAS, The County Executive and the Legislature of Rockland County have been advised that the Department of Public Transportation recommends that the County enter into an intermunicipal agreement with the Village for the Village to possess, operate, maintain, and use the VEHICLES as identified in the attached **SCHEDULE "A"** from January 1, 2012 through December 31, 2017 solely to continue to operate its "Spring Valley Jitney" bus service for the public, as set forth in the July 28, 2011 Agreement, but for no other purpose whatsoever and for no other benefit whatsoever to any other persons, (the Village being expressly forbidden to use the VEHICLES for purposes such as, but not limited to, charter, school, or other non-commuter uses); and

WHEREAS, This agreement requires the expenditure of no County tax dollars, because the County owns the VEHICLES, which were purchased with Federal Transit Administration funds (80%); New York State Department of Transportation funds (10%) and MTA Special Allocation funds (10%); and

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

RESOLVED, That the Legislature of Rockland County hereby approves, pursuant to Article 5-G of the General Municipal Law, the intermunicipal agreement between the County of Rockland and the Village of Spring Valley for the Village to possess, operate, maintain, and use the following VEHICLES, as identified in the attached **SCHEDULE "A"** from January 1, 2012 through December 31, 2017, now, therefore, be it

RESOLVED, That such agreement shall provide for the Village to possess, operate, and maintain the VEHICLES solely to continue to operate its "Spring Valley Jitney" bus service for the public, as set forth in the July 28, 2011 Agreement, but for no other purpose whatsoever and for no other benefit whatsoever to any other persons, (the Village being expressly forbidden to use the VEHICLES for purposes such as, but not limited to, charter, school, or other non-commuter uses); and be it further

RESOLVED, That the Legislature hereby authorizes execution of that agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That this agreement requires the expenditure of no County tax dollars, because the County owns the VEHICLES, which were purchased with Federal Transit Administration funds (80%); New York State Department of Transportation funds (10%) and MTA Special Allocation funds (10%).

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Schedule A

Village of Spring Valley / Spring Valley Jitney Buses (each bus has a 5-year useful life)

BUS #	YEAR/MAKE	VIN #	USE DATE
SVJ-101	2005 Ford E-450	1FDXE45P56HA53408	8/22/2005
SVJ-102	2005 Ford E-450	1FDXE45P76HA53409	8/22/2005

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Introduced by:
Hon. Harriet D. Cornell, Sponsor

Referral No.

RESOLUTION NO. OF 2012
CONFIRMING APPOINTMENTS TO THE
ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY

WHEREAS, pursuant to Chapter 434 of the Laws of 1993, also known as Title 13-M of the Public Authorities Law of the State of New York, Rockland County was granted the power and authority to establish a Rockland County Solid Waste Management Authority; and

WHEREAS, Section 2053-c provides for the Rockland County Solid Waste Management Authority to consist of seventeen (17) members, to serve for a term of two (2) years; and

WHEREAS, eight (8) of the seventeen (17) members shall be members of the County Legislature; five (5) of the eight (8) members to be appointed by the Chair of the Legislature and three (3) of the eight (8) members to be appointed by the Minority Leader of the County Legislature, subject to, in each case, confirmation by a majority of the County Legislature; and

WHEREAS, pursuant to Resolution 11 of 2012, the Rockland County Legislature confirmed the legislative appointments to the Solid Waste Management Authority, reserving its confirmation of the two mayoral appointments until recommendations were received from the Rockland County Conference of Mayors; and

WHEREAS, the Rockland County Conference of Mayors, pursuant to its resolution dated January 31, 2012 recommends the appointment of Mayor Dennis Kay of the Village of Airmont and Mayor Lawrence Lynn of the Village of Grand View-On-Hudson to Legislature for appointment to the Rockland County Solid Waste Management Authority; and

WHEREAS, the Village of Airmont and the Village Grand View-On-Hudson of have signed the Intermunicipal Recyclables Managements agreements; and

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

RESOLVED, that the Legislature of Rockland County hereby confirms the appointment of Mayor Dennis Kay of the Village of Airmont and Mayor Lawrence Lynn of the Village of Grand View-On-Hudson to the Rockland County Solid Waste Management Authority which terms will expire on or about January 15, 2014.