THE LEGISLATURE OF ROCKLAND COUNTY

ILAN S. SCHOENBERGER
LEGISLATOR – DISTRICT 4

CHAIR, BUDGET & FINANCE COMMITTEE

AGENDA
BUDGET & FINANCE COMMITTEE
TUESDAY, JANUARY 31, 2012
7:15 P.M.

ROLL CALL

ADOPTION OF MINUTES FROM JANUARY 10, 2012

1. **BONDS/PUBLIC WORKS MATTERS:**

1-PPW) REF. #5337

APPROVING A CONTRACT IN EXCESS OF $100,000 WITH JMZ ARCHITECTS AND PLANNERS, P.C. TO PROVIDE ARCHITECTURAL/ENGINEERING DESIGN SERVICES FOR THE ROCKLAND COMMUNITY COLLEGE MASTER PLAN UNDER CAPITAL PROJECT NO. 8297 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF GENERAL SERVICES-FACILITIES MANAGEMENT] ($122,000) **(GERALD WALSH, COMMISSIONER OF GENERAL SERVICES-FACILITIES MANAGEMENT)**
DL #2011-05526 rev 1/23/12

(SUBJECT TO APPROVAL OF PPW)

2-PPW) REF. #8293

APPROVING CONTRACT IN EXCESS OF $100,000 WITH HUDSON TRANSIT CORP. TO OPERATE THE TAPPAN ZEEXPRESS BUS SERVICE FOR THE PERIOD FROM JANUARY 1, 2012 THROUGH MARCH 31, 2012 WITH ONE (1) THREE (3) MONTH EXTENSION OPTION FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $1,685,809.68 (NO COUNTY TAX DOLLARS) AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF PUBLIC TRANSPORTATION] ($1,685,809.68) **(T. VANDERBEEK, COMMISSIONER OF PUBLIC TRANSPORTATION) DL #2012-00012**

(SUBJECT TO APPROVAL OF PPW)

3-PPW) REF. 8293

APPROVING CONTRACT IN EXCESS OF $100,000 WITH HUDSON TRANSIT LINES, INC. TO OPERATE THE TRANSPORT OF ROCKLAND (TOR) ROUTE 93 PARTIAL BUS SERVICE FOR THE PERIOD FROM JANUARY 1, 2012 THROUGH MARCH 31, 2012 WITH ONE (1) THREE (3) MONTH EXTENSION OPTION FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $148,043.46 (NO COUNTY TAX DOLLARS) AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF PUBLIC TRANSPORTATION] ($148,043.46)
(T. VANDERBEEK, COMMISSIONER OF PUBLIC TRANSPORTATION) DL #2012-00015

(SUBJECT TO APPROVAL OF PPW)

4-PPW) REF. #2825

APPROVING CONTRACT IN EXCESS OF $100,000 WITH ROCKLAND TRANSIT CORP. TO OPERATE THE TRANSPORT OF ROCKLAND (TOR) BUS SERVICE ROUTES 59, 91, 92, 93, 94, 95, 97, LOOP 1, 2 AND 3 FOR THE PERIOD FROM JANUARY 1, 2012 THROUGH MARCH 31, 2012 WITH ONE (1) THREE (3) MONTH EXTENSION OPTION FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $5,608,573.50 (NO COUNTY TAX DOLLARS) AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF PUBLIC TRANSPORTATION] ($5,608,57.50)
(T. VANDERBEEK, COMMISSIONER OF PUBLIC TRANSPORTATION) DL #2012-00013

(SUBJECT TO APPROVAL OF PPW)

5-PPW) REF. #5906

APPROVING ADDITIONAL PURCHASES AND AUTHORIZING ADDITIONAL EXPENDITURES IN EXCESS OF $100,000 IN AN AMOUNT NOT TO EXCEED $98,000 FOR A TOTAL AMOUNT NOT TO EXCEED $376,911 FROM UNIVERSAL ELECTRIC MOTOR SERVICE, INC. FOR PUMPS-INSPECTION, OVERHAUL, REWIND AND REPAIR SERVICES UNDER RFB-RC-2010-040 FOR THE PERIOD APRIL 28, 2010 THROUGH APRIL 27, 2012 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER [DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING] ($376,911) **(GERALD WALSH, COMMISSIONER OF DGS-PURCHASING) DL #2011-05567**

(SUBJECT TO APPROVAL OF PPW)

6-PPW) REF. #7171

ACCEPTING THE BID OF THE LOWEST BIDDER AND APPROVING A CONTRACT IN EXCESS OF $100,000 WITH HELMER-CRONIN CONSTRUCTION, INC. IN THE AMOUNT OF $1,569,100 FOR THE BASE BID CULTURAL ARTS CENTER GLASS ROOF REHABILITATION AND ALTERNATE NO. 4, SAFETY RAILINGS CAPITAL PROJECT NO. 8291 AND AUTHORIZING EXECUTION OF THE CONTRACT BY THE COUNTY EXECUTIVE [DEPARTMENT OF GENERAL SERVICES-FACILITIES MANAGEMENT] ($1,569,100) **(GERALD WALSH, COMMISSIONER OF DGS-PURCHASING) DL #2011-05370**

(SUBJECT TO APPROVAL OF PPW)

7-PPW) REF. #9323

APPROVING VARIOUS PURCHASES IN EXCESS OF $100,000 UNDER VARIOUS NEW YORK STATE OFFICE OF GENERAL SERVICES CONTRACT FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER [DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING] ($1,520,000) **(GERALD WALSH, COMMISSIONER OF GENERAL SERVICES) DL #2012-00233**

(ADDITIONAL BACK UP WITH COMMITTEE CLERK)

(SUBJECT TO APPROVAL OF PPW)

8-PPW) REF. #7446

APPROVING AN AGREEMENT IN EXCESS OF $100,000 WITH VERIZON BUSINESS NETWORK SERVICES, INC. IN AN AMOUNT NOT TO EXCEED $3,487,869.60 TO PROVIDE TELEPHONE LINE VOICE MAIL SERVICES FOR THE COUNTY OF ROCKLAND AND ROCKLAND COMMUNITY COLLEGE FOR A 48 MONTH TERM AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF GENERAL SERVICES-COMMUNICATIONS] ($3,487,869.60) **(GERALD WALSH, COMMISSIONER OF GENERAL SERVICES-COMMUNICATIONS) DL #2011-05534**

(ADDITIONAL BACK UP WITH COMMITTEE CLERK)

(SUBJECT TO APPROVAL OF PPW)

2. <u>GRANTS/DONATIONS:</u>

2A) REF. #9019

APPROVING THE ACCEPTANCE OF FUNDS IN THE AMOUNT OF $110,000 [NCTD] FROM THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE (OTDA) TO REIMBURSE THE COUNTY FOR ELIGIBLE COSTS ASSOCIATED WITH THE ADMINISTRATION OF THE 2011 SUMMER YOUTH EMPLOYMENT PROGRAM FOR THE PERIOD MAY 1, 2011 THROUGH SEPTEMBER 30, 2011 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL NECESSARY DOCUMENTS [YOUTH BUREAU] ($110,000) **(DAVID K. FARRISON, EXECUTIVE DIRECTOR OF YOUTH BUREAU) DL #2011-05359**

(SUBJECT TO APPROVAL OF MULTI-SERVICES)

2B) REF. #6311

APPROVING THE ACCEPTANCE OF A CONTINUATION GRANT IN THE AMOUNT OF $171,197 FROM THE NYS COMMISSION ON NATIONAL AND COMMUNITY SERVICE FOR THE COUNTY'S AMERICORPS PROGRAM AND APPROPRIATING ANTICIPATED REVENUE IN THE AMOUNT OF $65,000 FROM VARIOUS AMERICORPS PROGRAM HOST SITES WHICH WILL BE USED TO PARTIALLY COVER REMAINING NON-GRANT FUNDED AMERICORPS PROGRAM COSTS WHICH GRANT WILL REQUIRE A LOCAL SHARE IN THE AMOUNT OF $60,000 FOR THE PERIOD OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012 AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL NECESSARY GRANT DOCUMENTS [YOUTH BUREAU] ($171,197) **(DAVID K. FARRISON, EXECUTIVE DIRECTOR OF YOUTH BUREAU) DL #2012-00104**

(SUBJECT TO APPROVAL OF MULTI-SERVICES)

2C) REF. #6704

APPROVING ACCEPTANCE OF CONTINUATION GRANT IN THE AMOUNT OF $135,470 (NCTD) FROM THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES TO SUPPORT THE SPECIAL VICTIMS CENTER-CHILD ADVOCACY PROGRAM FOR THE PERIOD FEBRUARY 1, 2012 THROUGH JANUARY 31, 2013 AND AUTHORIZING EXECUTION OF ALL GRANT DOCUMENTS BY THE COUNTY EXECUTIVE [OFFICE OF THE DISTRICT ATTORNEY] ($135,470) **(THOMAS ZUGIBE, DISTRICT ATTORNEY) DL #2012-00065**

2D) REF. #6704

ACCEPTANCE OF GIFT FROM THE ROCKLAND COUNTY BAR ASSOCIATION OF A PORTRAIT OF JUSTICE ALFRED WEINER TO BE DISPLAYED IN THE COURTROOM LOCATED AT THE ROCKLAND COUNTY COURTHOUSE IN WHICH JUSTICE WEINER PRESIDED [DEPARTMENT OF COUNTY EXECUTIVE] **(C. SCOTT VANDERHOEF, COUNTY EXECUTIVE) DL #2012-00064**

(SUBJECT TO APPROVAL OF MULTI-SERVICES)

3. BUDGET ITEMS: NONE

3A) REF. #9463

APPROPRIATION OF FUNDS [DEPARTMENT OF BUDGET & FINANCE] ($725,000) **(STEPHEN DEGROAT, ACTING COMMISSIONER OF BUDGET & FINANCE) DL #2012-00102**

4. AUTHORIZATIONS:

4A) REF. #9473

APPROVING EXECUTION OF 2012 CONTRACTS WHICH ARE IN EXCESS OF $100,000 TO CONTRACT AGENCIES BOTH WITHIN COUNTY DEPARTMENTS AND OUTSIDE **(HON. ILAN S. SCHOENBERGER, LEGISLATURE) LG #3072**

4B) REF. #9473

A RESOLUTION DELEGATING TO THE COMMISSIONER OF FINANCE OF THE COUNTY OF ROCKLAND, NEW YORK, THE POWER TO AUTHORIZE, FROM TIME TO TIME DURING FISCAL YEAR 2012, THE SALE AND ISSUANCE OF NOT TO EXCEED $55,000,000 TAX ANTICIPATION NOTES OF SAID COUNTY IN ANTICIPATION OF THE COLLECTION OF REAL ESTATE TAXES LEVIED IN FISCAL YEAR 2012 **(STEPHEN DEGROAT, ACTING COMMISSIONER OF BUDGET & FINANCE) DL #2012-00281**

4C) REF. #9473

A RESOLUTION DELEGATING TO THE COMMISSIONER OF FINANCE OF THE COUNTY OF ROCKLAND, NEW YORK, THE POWER TO AUTHORIZE, FROM TIME TO TIME DURING FISCAL YEAR 2012, THE SALE AND ISSUANCE OF NOT TO EXCEED $45,000,000 REVENUE ANTICIPATION NOTES OF SAID COUNTY IN ANTICIPATION OF THE RECEIPT OF COUNTY SALES AND COMPENSATING USE TAX REVENUES, MORTGAGE RECORDING TAX REVENUES, AND REVENUES TO BE RECEIVED FROM THE STATE OF NEW YORK AND FROM THE UNITED STATES OF AMERICA **(STEPHEN DEGROAT, ACTING COMMISSIONER OF BUDGET & FINANCE) DL #2012-00282**

4D) REF. #9126

ADOPTING THE INVESTMENT POLICY FOR THE COUNTY OF ROCKLAND FOR THE YEAR 2012 AND ADOPTING DEPARTMENT OF FINANCE GUIDELINES [DEPARTMENT OF BUDGET & FINANCE] **(STEPHEN DEGROAT, ACTING COMMISSIONER) DL #2012-00283**

5. CONTRACTS/AGREEMENTS:

5A) REF. #8983

APPROVING THE AGREEMENTS WITH VARIOUS LICENSED FOSTER CARE AGENCIES WHICH ARE LISTED ON THE ANNEXED SCHEDULE A AND WHICH MAY EXCEED $100,000 WITH TOTAL EXPENDITURES NOT TO EXCEED THE DEPARTMENT OF SOCIAL SERVICES 2012 BUDGET FOR FOSTER CARE SERVICES AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE AGREEMENTS ON BEHALF OF THE COUNTY [DEPARTMENT OF SOCIAL SERVICES] **(SUSAN SHERWOOD, COMMISSIONER OF SOCIAL SERVICES) DL #2011-05504**

(SUBJECT TO APPROVAL OF MULTI-SERVICES)

5B) REF. #8983

APPROVING THE AGREEMENTS ON THE ATTACHED SCHEDULE A WITH VARIOUS LICENSED DAY CARE AGENCIES, WHICH MAY EXCEED $100,000, WITH TOTAL EXPENDITURES NOT TO EXCEED THE DEPARTMENT OF SOCIAL SERVICES 2012 BUDGET FOR DAY CARE SERVICES AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE AGREEMENTS ON BEHALF OF THE COUNTY [DEPARTMENT OF SOCIAL SERVICES] **(SUSAN SHERWOOD, COMMISSIONER OF SOCIAL SERVICES) DL #2011-05505**

(SUBJECT TO APPROVAL OF MULTI-SERVICES)

5C) REF. #9372

APPROVING AN AMENDMENT TO AN AGREEMENT IN EXCESS OF $100,000 WITH RAMAPO PRACTICE MANAGEMENT, LLC DBA RAMAPO RADIOLOGY ASSOCIATES, PC IN THE ADDITIONAL AMOUNT OF $86,060 FOR A TOTAL CONTRACT SUM NOT TO EXCEED $421,592 FOR RADIOLOGICAL SERVICES TO THE DEPARTMENT OF HOSPITALS/X-RAY UNDER RFP-RC-07-056 FOR THE PERIOD FROM JANUARY 1, 2008 THROUGH DECEMBER 31, 2012 AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE [DEPARTMENT OF GENERAL SERVICES-DIVISION OF PURCHASING] ($421,592) **(GERALD WALSH, COMMISSIONER OF DGS-PURCHASING) DL #2011-05448**

(SUBJECT TO APPROVAL OF MULTI-SERVICES)

5D) REF. #6704

AUTHORIZING THE EXECUTION OF AN INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF ROCKLAND AND THE TOWN OF RAMAPO BY THE COUNTY EXECUTIVE FOR USE OF THE RAMAPO POLICE RANGE FACILITY FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012 AT NO COST TO THE COUNTY [SHERIFF'S DEPARTMENT] **(LOUIS FALCO III, SHERIFF) DL #2012-00146**

6. ALLOCATION/RECLASSIFICATION OF POSITIONS: NONE

7. BIDS: NONE

8. TRANSFER OF FUNDS/OTHERS:

8A) REF. #9463

TRANSFER OF FUNDS DSS MMIS (MEDICAID) TO MEET THE COUNTY'S LOCAL SHARE MATCH FOR FISCAL YEAR 2011 [DEPARTMENT OF BUDGET & FINANCE] ($4,200,000) **(STEPHEN DEGROAT, ACTING COMMISSIONER OF BUDGET & FINANCE) DL #2012-00160**

9. TAX ITEMS:

9A) REF. #5614/8111

CORRECTION OF 2010 TAX ROLLS TOWN OF ORANGETOWN L & H PAINT AND HARDWARE INC. PROPERTY ID#66.38-1-12 118A MAIN STREET NYACK, NY 10960 [DEPARTMENT OF BUDGET & FINANCE] **(STEPHEN DEGROAT, ACTING COMMISSIONER OF BUDGET & FINANCE) DL #2012-00207**

10. PUBLIC HEARINGS: NONE

11. LOCAL LAW/HOME RULE:

11A) REF. #9438

DRAFT LOCAL LAW: A LOCAL LAW IMPOSING A TAX ON THE OCCUPANCY OF HOTEL ROOMS, PURSUANT TO ARTICLE TWENTY-NINE OF THE TAX LAW OF THE STATE OF NEW YORK **(COUNTY EXECUTIVE/LEGISLATURE) DL #2008-04821ELY12412**

12. PRESENTATIONS/DISCUSSION: NONE

13. MISCELLANEOUS:

13A) REF. #7000 — AMENDING AND RESTATING THE MODEL PLAN FOR THE DEFERRED COMPENSATION PLAN FOR THE EMPLOYEES OF THE COUNTY OF ROCKLAND **(L. TOOLE, CHAIR OF DEFERRED COMPENSATION) DL #2011-05506**

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 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."

DRAFT

Introduced by: Referral No.

RESOLUTION NO. OF 2012
APPROVING A CONTRACT IN EXCESS OF $100,000
WITH JMZ ARCHITECTS AND PLANNERS, P.C.
TO PROVIDE ARCHITECTURAL/ENGINEERING DESIGN SERVICES
FOR THE ROCKLAND COMMUNITY COLLEGE MASTER PLAN
UNDER CAPITAL PROJECT NO. 8297
AND AUTHORIZING ITS EXECUTION
BY THE COUNTY EXECUTIVE
[DEPARTMENT OF GENERAL SERVICES – FACILITIES MANAGEMENT]
($122,000)

WHEREAS, On February 17, 2011, the Director of Purchasing received proposals to provide the design services for the Rockland Community College Master Plan Study pursuant to plans and specifications prepared by Facilities Management; and

WHEREAS, Fourteen professional design firms submitted proposals; and

WHEREAS, The proposals were thoroughly reviewed and evaluated by Facilities Management and the Rockland Community College Administration Executive Vice President's office of which two design firms were chosen and interviewed; and

WHEREAS, JMZ Architects and Planners, P.C,. 190 Glen Street, Glens Falls, New York 12801 was unanimously selected by the College Administration and Facilities Management as the most qualified and responsive firm that would be best able to provide the design services required to develop a Master Plan Study for Rockland Community College; and

WHEREAS, The Director of Facilities Management recommends that the County Executive and the Legislature of Rockland County accept and approve a contract in excess of $100,000 with JMZ Architects and Planners, P.C., 190 Glen Street, Glens Falls, New York 12801, to develop the Master Plan Study for Rockland Community College for design services in an amount not to exceed $122,000; and

WHEREAS, Sufficient funding for this project exists in Capital Project Account No. 8297; 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 this resolution; now therefore be it

RESOLVED, That the Legislature of Rockland County approves a contract in excess of $100,000 with JMZ Architects and Planners, P.C., 190 Glen Street, Glens Falls, New York 12801, for design services required to develop a Master Plan Study for Rockland Community College pursuant to plans and specifications prepared by Facilities Management in an amount not to exceed $122,000 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 project is provided in Capital Project Account No. 8297.

TS:MB:lo
2011-05526
1/23/12 rev

DRAFT

Introduced by: Referral No.

RESOLUTION NO. OF 2012
APPROVING CONTRACT IN EXCESS OF $100,000
WITH HUDSON TRANSIT CORP.
TO OPERATE THE TAPPAN ZEEXPRESS BUS SERVICE
FOR THE PERIOD FROM JANUARY 1, 2012 THROUGH MARCH 31, 2012
WITH ONE (1) THREE (3) MONTH EXTENSION OPTION
FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $1,685,809.68
(NO COUNTY TAX DOLLARS)
AND AUTHORIZING ITS
EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF PUBLIC TRANSPORTATION]
($1,685,809.68)

WHEREAS, As required by the Federal Transit Administration, the County of Rockland must competitively bid the contract for the operation of its TAPPAN ZEEXPRESS (TZX) bus service, which bid is in the process of being prepared and therefore, the Department of Public Transportation is requesting that the County enter into an agreement with Hudson Transit Corp. for the period from January 1, 2012 through March 31, 2012 with one (1) option for a three (3) month extension in the interim; and

WHEREAS, The County Executive and the Legislature of Rockland County have been advised by the Department of Public Transportation that, in order to provide continued TAPPAN ZEEXPRESS (TZX) bus service it is necessary for the County to enter into an agreement with Hudson Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for the period January 1, 2012 through March 31, 2012 at a rate of $280,968.28 per month for a three month total of $842,904.84 with one (1) option for a three (3) month extension for a total contract amount not to exceed $1,685,809.68; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County tax dollars; and

WHEREAS, Funds for this agreement are provided by the Metropolitan Transit Authority (MTA) and exist in Account E5410 of the Department of Public Transportation; and

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

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

Referral No.

RESOLVED, That the Legislature of Rockland County hereby approves the contract in excess of $100,000 for operation of the TAPPAN ZEEXPRESS (TZX) bus service with Hudson Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for the period January 1, 2012 through March 31, 2012 at a rate of $280,968.28 per month for a three month total of $842,904.84 with one (1) option for a three (3) month extension for a total contract amount not to exceed $1,685,809.68, and authorizes its execution by the County Executive, subject to the approval of the County Attorney, and be it further

RESOLVED, That the agreement will require the expenditure of no County tax dollars; and be it further

RESOLVED, That sufficient funds for this agreement are provided by Metropolitan Transit Authority (MTA) and exist in Account E5410 of the Department of Public Transportation.

LHG:dc
2012-00012
1/4/12

DRAFT

Introduced by: Referral No.

RESOLUTION NO. OF 2012
APPROVING CONTRACT IN EXCESS OF $100,000
WITH HUDSON TRANSIT LINES, INC.
TO OPERATE THE TRANSPORT OF ROCKLAND (TOR)
ROUTE 93 PARTIAL BUS SERVICE
FOR THE PERIOD FROM JANUARY 1, 2012 THROUGH MARCH 31, 2012
WITH ONE (1) THREE (3) MONTH EXTENSION OPTION
FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED $148,043.46
(NO COUNTY TAX DOLLARS)
AND AUTHORIZING ITS
EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF PUBLIC TRANSPORTATION]
($148,043.46)

WHEREAS, As required by the Federal Transit Administration, the County of Rockland must competitively bid the contract for the operation of its Transport of Rockland (TOR) bus service, which bid is in the process of being prepared and therefore, the Department of Public Transportation is requesting that the County enter into an agreement with Hudson Transit Lines, Inc. for the period from January 1, 2012 through March 31, 2012 with one (1) option for a three (3) month extension in the interim; and

WHEREAS, The County Executive and the Legislature of Rockland County have been advised by the Department of Public Transportation that, in order to provide continued Transport of Rockland (TOR) Route 93 partial bus service, it is necessary for the County to enter into an agreement with Hudson Transit Lines, Inc., 4 Leisure Lane, Mahwah, New Jersey 07430, for the period January 1, 2012 through March 31, 2012 at a rate of $24,673.91 per month for a three month total of $74,021.73 with one (1) option for three a (3) month extensions for a total contract amount not to exceed $148,043.46; and

WHEREAS, Funds for this agreement are provided by the Metropolitan Transit Authority (MTA) and exist in Account E5800 of the Department of Public Transportation; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County tax dollars; and

Referral No.

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

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

RESOLVED, that the Legislature of Rockland County hereby approves the contract in excess of $100,000 with Hudson Transit Lines, Inc., 4 Leisure Lane, Mahwah, New Jersey 07430, for operation of the Transport of Rockland (TOR) Route 93 partial bus service, for the period January 1, 2012 through March 31, 2012 at a rate of $24,673.91 per month for a three month total of $74,021.73 with one (1) option for three a (3) month extensions for a total contract amount not to exceed $148,043.46, 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 agreement are provided by Metropolitan Transit Authority (MTA) and exist in Account E5800 of the Department of Public Transportation, and the agreement will require the expenditure of no County tax dollars.

LHG:dc
2012-00015
1/4/12

DRAFT

Introduced by: Referral No

RESOLUTION NO. OF 2012
APPROVING CONTRACT IN EXCESS OF $100,000
WITH ROCKLAND TRANSIT CORP.
TO OPERATE THE TRANSPORT OF ROCKLAND (TOR)
BUS SERVICE ROUTES 59, 91, 92, 93, 94, 95, 97, LOOP 1, 2 AND 3
FOR THE PERIOD FROM JANUARY 1, 2012 THROUGH MARCH 31, 2012
WITH ONE (1) THREE (3) MONTH EXTENSION OPTION FOR A TOTAL
CONTRACT AMOUNT NOT TO EXCEED $5,608,573.50
(NO COUNTY TAX DOLLARS)
AND AUTHORIZING ITS
EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF PUBLIC TRANSPORTATION]
($5,608,573.50)

WHEREAS, As required by the Federal Transit Administration, the County of Rockland must competitively bid the contract for the operation of its Transport of Rockland (TOR) bus service, which bid is in the process of being prepared and therefore, the Department of Public Transportation is requesting that the County enter into an agreement with Rockland Transit Corp. for the period from January 1, 2012 through March 31, 2012 with one (1) option for a three (3) month extension in the interim; and

WHEREAS, The County Executive and the Legislature of Rockland County have been advised by the Department of Public Transportation that, in order to provide continued Transport of Rockland (TOR) bus service, Routes 59, 91, 92, 93, 94, 95, 97, Loop 1, 2 and 3, it is necessary for the County to enter into an agreement with Rockland Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for the period January 1, 2012 through March 31, 2012 at a rate of $934,762.25 per month for a three month total of $2,804,286.75 with one (1) option for three a (3) month extensions for a total contract amount not to exceed $5,608,573.50; and

WHEREAS, Funds for this agreement are provided by Metropolitan Transit Authority (MTA) and exist in Account E5800 of the Department of Public Transportation; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County tax dollars; 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

Referral No.

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 the contract in excess of $100,000 with Rockland Transit Corp., 4 Leisure Lane, Mahwah, New Jersey 07430, for operation of the TRANSPORT OF ROCKLAND (TOR) bus service, Routes 59, 91, 92, 93, 94, 95, 97, Loop 1, 2 and 3, for the period January 1, 2012 through March 31, 2012 at a rate of $934,762.25 per month for a three month total of $2,804,286.75 with one (1) option for three a (3) month extensions for a total contract amount not to exceed $5,608,573.50, 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 agreement are provided by Metropolitan Transit Authority (MTA) and exist in Account E5800 of the Department of Public Transportation, and the agreement will require the expenditure of no County tax dollars.

LHG:dc
2012-00013
1/4/12

Introduced by: Referral No

DRAFT

RESOLUTION NO. OF 2012
APPROVING ADDITIONAL PURCHASES AND AUTHORIZING ADDITIONAL EXPENDITURES IN EXCESS OF $100,000 IN AN AMOUNT NOT TO EXCEED $98,000 FOR A TOTAL AMOUNT NOT TO EXCEED $376,911 FROM UNIVERSAL ELECTRIC MOTOR SERVICE, INC. FOR PUMPS – INSPECTION, OVERHAUL, REWIND AND REPAIR SERVICES UNDER RFB-RC-2010-040 FOR THE PERIOD APRIL 28, 2010 THROUGH APRIL 27, 2012 WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER [DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING] ($376,911)

WHEREAS, By Resolution No. 313 of 2010, the Legislature of Rockland County approved the purchases in excess of $100,000 from Universal Electric Motor Service, Inc. ("Universal"), 131 South Newman Street, Hackensack, New Jersey 07601, for pumps – inspection, overhaul, rewind and repair services under RFB-RC-2010-040 (the "RFB") in an amount not to exceed $180,911 for the period from April 28, 2010 through April 27, 2011 with an additional one (1) year option and authorized all purchases to be made by formal purchase orders, subject to the approval of the Director of Purchasing; and

WHEREAS, By Resolution No. 235 of 2011, the Legislature of Rockland County approved additional purchases in excess of $100,000 from Universal Electric Motor Service, Inc. ("Universal"), 131 South Newman Street, Hackensack, New Jersey 07601, for pumps – inspection, overhaul, rewind and repair services under RFB-RC-2010-040 (the "RFB") in an additional amount not to exceed $98,000 for a total amount not to exceed $278,911 for the period from April 28, 2010 through April 27, 2012 and authorized all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and

WHEREAS, The Director of Purchasing exercised the option to renew the RFB for an additional year from April 28, 2011 through April 27, 2012; and

WHEREAS, The current total expenditures against this contract is $244,272.47 not including pending pump repairs; and

WHEREAS, The total estimated expenditures during the remaining months of this contract term is $98,000; and

WHEREAS, The Director of Purchasing recommends to the County Executive and the Legislature of Rockland County that the County approve the additional purchases from Universal in an amount not to exceed $98,000 for a total amount not to exceed $376,911 for the contract term from April 28, 2010 through April 27, 2012; and

WHEREAS, All purchases shall be made by formal purchase order on an as-needed basis with no funds encumbered in advance; and

WHEREAS, Sufficient funds for these purchases exist in the 2012 Operating Budget of the Rockland County Sewer District No. 1; 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 of the Legislature has met, considered and this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby approves the additional purchases from Universal Electric Motor Service, Inc., 131 South Newman Street, Hackensack, New Jersey 07601, for pumps – inspection, overhaul, rewind and repair services under RFB-RC-2010-040 in an amount not to exceed $98,000 for a total amount not to exceed $376,911 for the contract term from April 28, 2010 through April 27, 2012, and hereby authorizes all purchases to be made by formal purchase order, subject to the approval of the Director of Purchasing; and be it further

RESOLVED, That sufficient funding for these purchases is provided for in the 2012 Operating Budget of the Rockland County Sewer District No. 1.

TS:VWJ:lo
2011-05567
1/12/12

Introduced by: Referral No

RESOLUTION NO. OF 2012
ACCEPTING THE BID OF THE LOWEST BIDDER
AND APPROVING A CONTRACT IN EXCESS OF $100,000
WITH HELMER-CRONIN CONSTRUCTION, INC. IN
THE AMOUNT OF $1,569,100
FOR THE BASE BID CULTURAL ARTS CENTER
GLASS ROOF REHABILITATION AND ALTERNATE NO. 4,
SAFETY RAILINGS
CAPITAL PROJECT NO. 8291
AND AUTHORIZING EXECUTION OF THE CONTRACT
BY THE COUNTY EXECUTIVE
[DEPARTMENT OF GENERAL SERVICES – FACILITIES MANAGEMENT]
($1,569,100)

DRAFT

WHEREAS, By Resolution No. 86 of 2011, the Legislature of Rockland County authorized its Clerk to advertise for bids for the Base Bid Cultural Arts Center Glass Roof Rehabilitation under Capital Project Account No. 8291 pursuant to the plans and specifications prepared by Degenshein Architects, Nyack, New York; and

WHEREAS, Bids for this project were publicly advertised and opened by the Clerk to the Legislature on May 5, 2011; and

WHEREAS, Four bids were received for general construction work; and

WHEREAS, Helmer-Cronin Construction Inc., was the lowest bid, and was reviewed and evaluated by the Capital Projects staff in the amount of $1,560,000 for the Base Bid and $9,100 for Alternate No. 4, Safety Railings, for a total contract amount of $1,569,100; and

WHEREAS, Based on the determination of the lowest bid, the Commissioner of General Services and the Director of Facilities Management recommend that the County Executive and the Legislature of Rockland County accept and award the bid to Helmer-Cronin Construction, Inc., 27 Route 210, Stony Point, New York 10980, the lowest bidder, who submitted the lowest responsible bid for general construction in the amount of $1,561,100,000; and

WHEREAS, General Municipal Law §103 requires that contracts for public work involving expenditures of more than $35,000 be awarded to the lowest responsible bidder; and

WHEREAS, Facilities Management has complied with the requirements of Resolution No. 303 of 1996; and

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

WHEREAS, Sufficient funding for this contract is provided for under Capital Project 8291 and is authorized by Resolution No. 574 of 2003, No. 85 of 2011 and Rockland Community College Accounts 10-71711-66600 and 10-71714-66600; and

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

RESOLVED, That the Legislature of Rockland County accepts the bid of $1,569,100 and approves a contract in excess of $100,000 with Helmer-Cronin Construction, Inc., 27 Route 210, Stony Point, New York 10980, the lowest bidder, who submitted the lowest responsible bid in the amount of $1,569,100, for the Base Bid Cultural Arts Center Glass Roof Rehabilitation and Alternate No. 4, Safety Railings, pursuant to plans and specifications prepared by Degenshein Architects, Nyack, New York, and further authorizes execution of the contract by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, Sufficient funding for this contract is provided for under Capital Project 8291 and is authorized by Resolution No. 574 of 2003, No. 85 of 2011 and Rockland Community College Accounts 10-71711-66600 and 10-71714-66600.

DRAFT

TS: lo
2011-05370
12/13/11
rev 1/25/12

Introduced by: Referral No

DRAFT

RESOLUTION NO. OF 2012
APPROVING VARIOUS PURCHASES
IN EXCESS OF $100,000
UNDER VARIOUS NEW YORK STATE
OFFICE OF GENERAL SERVICES CONTRACTS
FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012
WITH ALL PURCHASES TO BE MADE BY FORMAL PURCHASE ORDER
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
($1,520,000)

WHEREAS, The Director of Purchasing requests that the County Executive and the Legislature of Rockland County approve various purchases in excess of $100,000 by formal purchase order under the following New York State Office General Services ("OGS") contracts, and their successor contracts, in the amount listed below:

Contract Title, and Their Successor Contract	Vendor	State Contract Number	Estimated Annual Purchases
Liquid Bituminous Materials (Miscrosurfacing and/or Quick Set Slurry Seal)	New York Bituminous Products, Inc.	PC65446	$700,000
Liquid Bituminous Materials (Surface Treatment Conventional and Fiber Reinvorced)	New York Bituminous. Products, Inc.	PC65114	$350,000
Liquid Bituminous Materials (Joint & Crack Filler/Sealer)	New York Bituminous Products, Inc.	PC65403	$120,000
Road Salt	Atlantic Salt, Inc. Corporation	PC65645	$350,000

; and

WHEREAS, All purchases will be made by formal purchase order, encumbering the funds in advance of the services provided, and shall be in accordance with the approved 2012 Budgets for each County Department which make purchases under these contracts, and their successor contracts; and

WHEREAS, Purchases from these OGS contracts are expected to total approximately $1,520,000;

WHEREAS, Local Law No. 18 of 1996 provides for the Legislature "[t]o 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 hereby approves the various purchases in excess of $100,000 from the following New York State Office General Services contracts, and their successor contracts, for the period from January 1, 2012 through December 31, 2012, subject to the approval of the Director of Purchasing, in the amounts listed below:

Contract Title, and Their Successor Contract	Vendor	State Contract Number	Estimated Annual Purchases
Liquid Bituminous Materials (Miscrosurfacing and/or Quick Set Slurry Seal)	New York Bituminous Products, Inc.	PC65446	$700,000
Liquid Bituminous Materials (Surface Treatment Conventional and Fiber Reinvorced)	New York Bituminous. Products, Inc.	PC65114	$350,000
Liquid Bituminous Materials (Joint & Crack Filler/Sealer	New York Bituminous Products, Inc.	PC65403	$120,000
Road Salt	Atlantic Salt, Inc. Corporation	PC65645	$350,000

; and be it further

RESOLVED, That all of these purchases, which are expected to total approximately $1,520,000, encumbering the funds in advance of the services provided, and shall be in accordance with the approved 2012 Budgets of the County Departments which makes purchases under these contract and their successor contracts.

VWJ:mf
2012-00233
1-23-12

Introduced by: Referral No.

DRAFT

RESOLUTION NO. OF 2012
APPROVING AN AGREEMENT IN EXCESS OF $100,000
WITH VERIZON BUSINESS NETWORK SERVICES, INC.
IN AN AMOUNT NOT TO EXCEED $3,487,869.60
TO PROVIDE TELEPHONE LINE AND VOICE MAIL SERVICES FOR
THE COUNTY OF ROCKLAND AND ROCKLAND COMMUNITY COLLEGE
FOR A 48 MONTH TERM
AND AUTHORIZING ITS EXECUTION BY THE
COUNTY EXECUTIVE
[DEPARTMENT OF GENERAL SERVICES – COMMUNICATIONS]
($3,487,869.60)

WHEREAS, The Department of General Services (DGS) – Communications is requesting an agreement in excess of $100,000 with Verizon Business Network Services, Inc. (Verizon), 14 Corporate Woods Blvd, Albany, New York 12211, to provide telephone line and voice mail services on the County's telephone system for the County of Rockland (County) and Rockland Community College (RCC), in an amount not to exceed $3,487,869.60, for a 48 month term; and

WHEREAS, The Purchasing Division issued a Mini-Bid to telecommunications providers on the New York State Contract which encouraged providers to offer alternative solutions, including Voice Over IP (VOIP) and

WHEREAS, The Purchasing Division received two responses to the Mini-Bid request from Verizon Business Services and PAETEC, and

WHEREAS, Proposals were received from Verizon for the County's current Centrex Service as well as options to roll out VOIP in several smaller county locations as a trial in the future; and

WHEREAS, PATEC's response included VOIP and Hosted VOIP solutions; and

WHEREAS, The DGS Communications Division and RCC reviewed each of the proposals and determined that VOIP technology requires many redundancies to be built into the system to provide 24/7 telephone service in the event of a power failures; and

WHEREAS, The DGS Communications Division has advised that the County's current network has bandwith limitations which would require significant upgrades to provide the redundancies required for VOIP service, and

WHEREAS, The DGS Communications Division and RCC expressed concerns regarding the manpower and skillset knowledge needed to manage a VOIP network and determined additional staff would most likely be needed; and

WHEREAS, The DGS Communications Division has determined an in-depth study needs to be completed to determine which County operations could move to a VOIP network and to identify the infrastructure upgrades that would be necessary; and

WHEREAS, The DGS Communications Divison and RCC have recommended that the County continue with the current Centrex service from Verizion; and

WHEREAS, Lower prices were negotiated with Verizon based on the discount structure provided in the New York State contract #PS63765 for telecommunication services; and

WHEREAS, The amount allocated to the County is $2,847,429.60 and to Rockland Community College is $640,440.00 for a total amount of $3,487,869.60; 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 is provided for in the 2012 Budget of the Department of General Services and Rockland Community College, and is contingent upon future budgets appropriations in 2013, 2014 and 2015; and

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

RESOLVED, That the Legislature of Rockland County approves the agreement in excess of $100,000 with Verizon Business Network Services, Inc., 14 Corporate Woods Blvd., Albany, New York 12211, to provide telephone line and voice mail services on the County's telephone system for the County of Rockland and Rockland Community College, in an amount not to exceed $3,487,869.60, for a 48 month term and authorizes execution of the agreement by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for this agreement is provided for in the 2012 Budget of the Department of General Services and Rockland Community College, and is contingent upon future budget appropriations in 2013, 2014 and 2015.

TS:LG:lo
2011-05534
1/23/12

Introduced by: Referral No.

DRAFT

RESOLUTION NO. OF 2012
APPROVING THE ACCEPTANCE OF FUNDS
IN THE AMOUNT OF $110,000 [NCTD]
FROM THE NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE (OTDA)
TO REIMBURSE THE COUNTY FOR ELIGIBLE COSTS
ASSOCIATED WITH THE ADMINISTRATION OF THE
2011 SUMMER YOUTH EMPLOYMENT PROGRAM
FOR THE PERIOD MAY 1, 2011 THROUGH SEPTEMBER 30, 2011
AND AUTHORIZING THE COUNTY EXECUTIVE
TO EXECUTE ALL NECESSARY DOCUMENTS
[YOUTH BUREAU]
($110,000)

WHEREAS, The Executive Director of the Youth Bureau has advised the County Executive and the Legislature of Rockland County that he has been advised by the Executive Director of the Workforce Investment Board of Rockland County Inc, that the Youth Bureau has been awarded funds in the amount of $110,000 from the New York State Office of Temporary and Disability Assistance (OTDA) to reimburse the County for eligible costs associated with the 2011 Summer Youth Employment Program for the period May 1, 2011 through September 30, 2011; and

WHEREAS, This amount is federally funded but administered by the Workforce Investment Board of Rockland County, Inc.; and

WHEREAS, The County's One-Step Operator, Tomorrows Workplace, provided oversight and mentoring of said program; and

WHEREAS, It is necessary to appropriate these funds to the proper account; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County tax dollars; 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 the acceptance of funds in the amount of $110,000 from the New York State Office of Temporary and Disability Assistance to reimburse the County for eligible costs associated with the administration of the 2011 Summer Youth Employment Program for the period May 1, 2011 through September 30, 2011, and authorizes the County Executive to execute all necessary documents, subject to the approval of the County Attorney; and be it further

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

GENERAL FUND - 2011

Increase Approp. Acct. (Credit):		
A-YB-1250-E5830	RC Youth Employment Program	110,000
Increase Est. Rev. Acct. (Debit):		
A-YB-1250-R4989	Federal Aid - Home & Community Services	110,000

VWJ:lo
2011-05359
12/15/2011

Introduced by: Referral No.

DRAFT

RESOLUTION NO. OF 2012
APPROVING THE ACCEPTANCE OF A CONTINUATION GRANT
IN THE AMOUNT OF $171,197
FROM THE NYS COMMISSION ON NATIONAL AND COMMUNITY SERVICE
FOR THE COUNTY'S AMERICORPS PROGRAM
AND APPROPRIATING ANTICIPATED REVENUE IN THE AMOUNT OF $65,000
FROM VARIOUS AMERICORPS PROGRAM HOST SITES
WHICH WILL BE USED TO PARTIALLY COVER REMAINING NON-GRANT
FUNDED AMERICORPS PROGRAM COSTS
WHICH GRANT WILL REQUIRE A LOCAL SHARE IN THE AMOUNT OF $60,000
FOR THE PERIOD OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012
AND AUTHORIZING THE COUNTY EXECUTIVE
TO EXECUTE ALL NECESSARY GRANT DOCUMENTS
[YOUTH BUREAU]
($171,197)

WHEREAS, The Assistant Director of the Youth Bureau has advised the County Executive and the Legislature of Rockland County that the Rockland County AmeriCorps (RCA) has been awarded a continuation grant in the amount of $171,197 from the New York State Commission on National and Community Service to help fund the AmeriCorps Program for the period October 1, 2011 through September 30, 2012; and

WHEREAS, Enrollees in the AmeriCorps Program work to improve the environmental quality of parks and open spaces in Rockland County through cleanup, beautification and an early literacy program; and

WHEREAS, The Youth Bureau anticipates receiving approximately $65,000 in revenue from the various Host Sites that will be accepting RCA members during this period, which funds will be used to partially cover any remaining non-grant funded AmeriCorps Program costs during this period; and

WHEREAS, The AmeriCorps Program requires a local share in the amount of $60,000 which will be derived from the local share match line of the 2011 budget of the AmeriCorps Program (Dept. 1251); and

WHEREAS, It now is necessary to appropriate these funds to the proper accounts; 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 the acceptance of a continuation grant in the amount of $171,197 from the New York State Commission on

National and Community Service to help fund the AmeriCorps Program for the period October 1, 2011 through September 30, 2012, and authorizes the County Executive to execute all necessary grant documents, subject to the approval of the County Attorney; and be it further

RESOLVED, That Youth Bureau anticipates receiving approximately $65,000 in revenue from the various Host Sites that will be accepting RCA members during this period, which funds will be used to partially cover any remaining non-grant funded AmeriCorps Program costs during this period; and be it further

RESOLVED, That the AmeriCorps Program requires a local share in the amount of $60,000 which will be derived from the local share match line from the 2011 budget of the AmeriCorps Program (Dept. 1251); and be it further

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

GENERAL FUND - 2011

Increase Approp. Acct. (Credit):

A -YB -1251	-E1100	Salaries, Employees	66,615
	-E1800	Relief Positions	124,270
	-E1910	Health	9,000
	-E1911	Dental	1,500
	-E1912	Vision	300
	-E1920	Retirement	21,500
	-E1930	Social Security	14,600
	-E1940	Unemployment Insurance	100
	-E1950	Workers' Compensation	150
	-E1980	MTA Mobility Tax	650
	-E3010	Food	1,020
	-E3130	Office Supplies	1,380
	-E3290	Operational Supplies	4,920
	-E4040	Travel	3,495
	-E4090	Fees for Services-Non-Employee	38,145
	-E5060	Program Costs	8,550

Decrease Approp. Acct. (Debit):

A -YB -1251	-E5390	Local Share Match	60,000

Increase Est. Rev. Acct. (Debit):

A -YB -1251	-R1251	Departmental Fees	65,000
	-R4880	Youth Program Grant(s)	171,195

UNEMPLOYMENT FUND - 2011

Increase Approp. Acct. (Credit):

Q -PER -9050	-E8010	Employee Benefits	100

Increase Est. Rev. Acct. (Debit):

Q -PER -9050	-R2809	Interfund Revenues	100

and be it further

RESOLVED, That should outside funding be reduced and/or eliminated, any position(s) previously created under this grant shall automatically terminate without further action of this Legislature.

VDWJ:mf
2012-00104
1-10-12

Introduced by: Referral No.

DRAFT

RESOLUTION NO. OF 2012
APPROVING ACCEPTANCE OF CONTINUATION GRANT
IN THE AMOUNT OF $135,470 (NCTD)
FROM THE NEW YORK STATE
OFFICE OF CHILDREN AND FAMILY SERVICES TO SUPPORT THE
SPECIAL VICTIMS CENTER-CHILD ADVOCACY PROGRAM
FOR THE PERIOD FEBRUARY 1, 2012 THROUGH JANUARY 31, 2013
AND AUTHORIZING EXECUTION OF ALL GRANT
DOCUMENTS BY THE COUNTY EXECUTIVE
[OFFICE OF THE DISTRICT ATTORNEY]
($135,470)

WHEREAS, The County Executive has been advised that a $135,470 continuation grant from the New York State Office of Children and Family Services has been awarded to the District Attorney's Office to support the Special Victims Center-Child Advocacy Program for the period February 1, 2012 through January 31, 2013; and

WHEREAS, No County tax dollars (NCTD) are required to accept said grant; and

WHEREAS, It is necessary to appropriate these funds to the proper accounts; and

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

RESOLVED, That the Legislature of the County of Rockland hereby approves the acceptance of a $135,470 continuation grant from the New York State Office of Children and Family Services to support the Special Victims Center-Child Advocacy Program for the period February 1, 2012 through January 31, 2013, and authorizes the execution of all necessary grant documents by the County Executive, subject to the approval of the County Attorney; and be it further

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

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

DRAFT

GENERAL FUND - 2012

Increase Approp. Acct. (Credit):

A - DA - 1165 -GA16 -E2010	Furniture & Fixtures	8,134
-E2050	Equipment	1,750
-E2100	Computers	5,300
-E3030	Medical Supplies	500
-E3130	Office Supplies	5,000
-E3280	Printed Materials	2,500
-E3290	Operational Supplies	1,050
-E4040	Travel	4,440
-E4090	Fees for Services, Non-Employee	40,545
-E4140	Conferences & Seminars	10,000
-E4600	Telephone	11,251
-E5060	Program Costs	45,000

Increase Est. Rev. Acct. (Debit):

A - DA - 1165 -GA16 -R3380	Public Safety Grant(s)	135,470

MB:mf
2012-00065
1-6-12

DRAFT

Introduced by: Referral No.

RESOLUTION NO. OF 2012
ACCEPTANCE OF GIFT
FROM THE ROCKLAND COUNTY BAR ASSOCIATION
OF A PORTRAIT OF JUSTICE ALFRED WEINER
TO BE DISPLAYED IN THE COURTROOM LOCATED AT
THE ROCKLAND COUNTY COURTHOUSE IN WHICH
JUSTICE WEINER PRESIDED
(DEPARTMENT OF COUNTY EXECUTIVE)

WHEREAS, The Rockland County Bar Association, Inc. has advised the County Executive that on Thursday, March 15, 2012, there will be an unveiling of a portrait of Justice Alfred Weiner; and

WHEREAS, The portrait would be displayed in the courtroom in which Justice Weiner presided at the Rockland County Courthouse; and

WHEREAS, County Law §215(3) authorizes the Legislature to accept by gift personal property for lawful county purposes; 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 accepts the portrait of Justice Alfred Weiner which will be hung from a wall in the courtroom which Judge Weiner presided in the Rockland County Courthouse, as a gift from the Rockland County Bar Association, Inc.; and

RESOLVED, That the Legislature hereby directs the Clerk to the Legislature to express in writing the appreciation of the County of Rockland to the Rockland County Bar Association, Inc. and the Chief Clerk of the Supreme Court for their gift to the County of Rockland.

VDWJ:mf
2012-00064
1-10-12

DRAFT

Introduced by: Referral No.

RESOLUTION NO. OF 2012
APPROPRIATION OF FUNDS
[DEPARTMENT OF BUDGET AND FINANCE]
($725,000)

WHEREAS, The Acting Commissioner of finance has requested that the Rockland County Legislature approve the appropriation of $725,000 for the payment of the County's portion of Tax Certioraris in department A-FIN-1961 Refunds of Property Tax and Judgments for FY 2011; and

WHEREAS, Since the County Legislature approved an operating bond revenue by Resolution No. 508 of 2011, the Commissioner of Finance is now requesting that a portion of said funds be appropriated in order to balance the payment entries in department A-FIN-1961, 1961 Refunds of Property Tax and Judgments; and

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

RESOLVED, That the Acting Commissioner of Budget and Finance is hereby approves the increase the following accounts in the amounts indicated; and be it further

GENERAL (A) FUND (FY2011)

Increase Appropriation Account:

A-FIN-1961 Refund of Tax Judgments	E5030	Tax Related Costs	$725,000

Increase Est. Revenue Account:

A-UNC-9990 Unclassified Revenue	R5710	Proceeds of Bonds	$725,000

AR:mf
2012-00102
1-9-12

DRAFT

Introduced by:
Hon. Ilan S. Schoenberger, Sponsor

Referral No.

RESOLUTION NO OF 2012
APPROVING EXECUTION OF 2012 CONTRACTS WHICH ARE IN EXCESS OF $100,000 TO CONTRACT AGENCIES BOTH WITHIN COUNTY DEPARTMENTS AND OUTSIDE

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 Legislature has appropriated funds in the 2012 Budget for these programs; and

WHEREAS, agreements have been prepared for these programs; and

WHEREAS, these agreements provide for payment by the County to the providers based upon a specific fee for services; and

WHEREAS, these agreements may exceed the sum of $100,000; and

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

RESOLVED, that the Legislature of Rockland County approves the execution of all 2012 agreements listed on the Schedule "A" attached.

RM/cs
LG3072
1/17/12

2012 BUDGET - CONTRACT AGENCIES/CONTRACTS IN EXCESS OF $100,000

Community Enrichment Programs		
Association for Visually Impaired	$	170,700
Big Brothers Big Sisters	$	106,050
Catholic Community Svc of RC	$	180,000
Child Care Resources of Rockland	$	133,725
Community Improvement Council	$	180,000
Cornell Coop Extention of Rockland	$	288,664
Headstart of Rockland	$	105,975
Rockland Economic Develop	$	350,000
Rockland Schools 21st Century	$	221,100
United Hospice of Rockland	$	100,000
Vounteer Counseling Service	$	180,000

Contracts within Mental Health		
DMH- Dept of Mental Health	$	800,000
DMH - Jawonio	$	1,454,000
DMH- AHRC	$	600,500
DMH - Camp Venture	$	326,300
DMH- Mental Health Association	$	1,527,081
DMH - Rockland Council on Alcoholism	$	385,660
DMH- Mid Hudson Society Epilepsy	$	185,400
DMH - Open Arms	$	231,000
DMH - Loeb House	$	621,139
DMH - St. Dominic's Home	$	574,000
DMH - Rockland Hospital Guild	$	648,000
DMH - West Chester Employ	$	118,000
DMH - Lexington Center for Recover	$	674,120
Town of Clarkstown - Narcotics Control	$	100,000
CANDLE - Narcotics Addiction Control	$	228,182
Village of Haverstraw - Narcotics Control	$	212,151

Contracts within Social Services		
RCDC Human Services	$	108,900
SHARE	$	180,000
Cornell Cooperative Extension - ESNY	$	140,109
Child Care Resources - Family Day Care	$	470,246
Rockland Family Shelter	$	400,679

Contracts within Health Department		
Nyack Hospital - Pre Natal Program	$	1,400,000
VMC Transportation - Consultant EI/Pre K	$	167,000

Contracts within Office for the Aging		
Sohpie's Health Care	$	110,000
A&T Health Care	$	110,000
Home Aides of Rockland	$	204,263
Northern Metropolitan	$	120,000
Meals on Wheels	$	1,855,100
Meals on Wheels - SNAP/Adult Day	$	120,000

DRAFT

RESOLUTION No. _____

TAX ANTICIPATION NOTE RESOLUTION DATED _____, 2012.

A RESOLUTION DELEGATING TO THE COMMISSIONER OF FINANCE OF THE COUNTY OF ROCKLAND, NEW YORK, THE POWER TO AUTHORIZE, FROM TIME TO TIME DURING FISCAL YEAR 2012, THE SALE AND ISSUANCE OF NOT TO EXCEED $55,000,000 TAX ANTICIPATION NOTES OF SAID COUNTY IN ANTICIPATION OF THE COLLECTION OF REAL ESTATE TAXES LEVIED IN FISCAL YEAR 2012.

BE IT RESOLVED by the affirmative vote of the County Legislature of the County of Rockland, New York, as follows:

Section 1. The power to authorize the sale and issuance of not to exceed $55,000,000 tax anticipation notes (the "Notes") of the County of Rockland, New York, in anticipation of the collection of real estate taxes levied in the 2012 fiscal year of said County is hereby delegated to the Commissioner of Finance, the chief fiscal officer.

Section 2. The County Legislature has ascertained and hereby states that (a) at least $55,000,000 of such real estate taxes remains uncollected as of the date hereof for the fiscal year of the County beginning January 1, 2012; (b) no tax anticipation notes have been issued in anticipation of the collection of such real estate taxes; (c) no amount has been included in the annual budget of the County for such fiscal year to offset, in whole or in part, any anticipated deficiency in the collection during such fiscal year of real estate taxes to be levied for such fiscal year; (d) the date of maturity of the notes shall not be extended beyond five (5) years from the date of their issuance, which is the close of the applicable period provided in Section 24.00 of the Local Finance Law for the maturity of the notes; and (e) all earnings from the proceeds of the Notes, if any, shall be applied for payment of interest on the Notes when due and payable or for

payment of other governmental purposes of the County within the meaning of Section 1.148-7(b)(2) of the United States Treasury Regulations in effect or proposed on the date of the notes.

Section 3. In the absence of the Commissioner of Finance of the County, the Deputy Commissioner of Finance of the County is hereby authorized to exercise the powers referred to in this resolution.

Section 4. The Notes shall be dated, shall mature, shall be in such denominations and shall bear interest at the rate or rates of interest per annum, determined at the time of the sale of the Notes by the Commissioner of Finance of the County at private or public sale in accordance with the provisions of the Local Finance Law of the State and Chapter 2 of the New York Code of Rules and Regulations. Interest on the Notes shall be paid at maturity.

Section 5. Pursuant to provisions of Section 30.00, 50.00, 56.00 and 60.00, inclusive, of the Local Finance Law, the power to sell, issue and deliver and to prescribe the terms, form and contents of the Notes is hereby delegated to the Commissioner of Finance of the County, as chief fiscal officer of the County. The Commissioner of Finance of the County is hereby authorized to execute the Notes on behalf of the County and the County Clerk is hereby authorized to affix the seal of the County to the Notes and to attest such seal. The Commissioner of Finance of the County is hereby authorized to deliver the Notes to the purchaser thereof upon receipt in full of the purchase price thereof.

Section 6. The County covenants for the benefits of the holders of the obligations authorized herein that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the County which would cause the interest on such obligations to become subject to Federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code")

(except for the alternative minimum tax imposed on corporations by Section 55 of the Code) or subject the County to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations or the proceeds thereof if such action or omission would cause the interest on such obligations to become subject to Federal income taxation under the Code (except for the alternative minimum tax imposed on corporations by Section 55 of the Code) or subject the County to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the obligations or any other provision hereof until the date which is 60 days after the final maturity date or earlier prior redemption date thereof.

Section 7. The County hereby covenants for the benefit of holder(s) of the obligations authorized herein to comply with Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (the "Rule"), and in particular paragraphs (b)(5)(i)(A), (b)(5)(i)(B), and (b)(5)(i)(C) of the Rule, by providing to a nationally recognized municipal securities information repository, as required by the Rule: (1) at least annually, current financial information and (2) notice of any material event; unless an exemption from such paragraphs(s) exists pursuant to the Rule.

Section 8. It is the intent of this County Legislature that this resolution shall remain in full force and effect until December 31, 2012, at which time the powers granted to the Commissioner of Finance shall automatically terminate without further action of this Legislature.

Section 9. The faith and credit of the County hereby is and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this resolution as the same shall become due.

Section 10. The Commissioner of Finance of the County is hereby directed to file with the County Legislature certificates reporting the date of the Notes, the date the notes mature, the

rate of interest of the Notes, the purchaser of the notes and a statement to the effect that the power of the Commissioner of Finance of the County to sell, issue and deliver the Notes is in full force and effect and has not been modified, amended or revoked prior to the delivery of and payment for the notes, and such other certificates as may be delivered to the purchaser or purchasers of the Notes.

Section 11. This resolution shall take effect immediately.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

ABSENT:

EXCUSED:

The resolution was declared adopted.

* * * * *

DRAFT

43116-2-4

RESOLUTION No. _____

REVENUE ANTICIPATION NOTE RESOLUTION DATED _____, 2012.

A RESOLUTION DELEGATING TO THE COMMISSIONER OF FINANCE OF THE COUNTY OF ROCKLAND, NEW YORK, THE POWER TO AUTHORIZE, FROM TIME TO TIME DURING FISCAL YEAR 2012, THE SALE AND ISSUANCE OF NOT TO EXCEED $45,000,000 REVENUE ANTICIPATION NOTES OF SAID COUNTY IN ANTICIPATION OF THE RECEIPT OF COUNTY SALES AND COMPENSATING USE TAX REVENUES, MORTGAGE RECORDING TAX REVENUES, AND REVENUES TO BE RECEIVED FROM THE STATE OF NEW YORK AND FROM THE UNITED STATES OF AMERICA.

WHEREAS, the County of Rockland (the "County"), in the State of New York (the "State"), desires to issue revenue anticipation notes in anticipation of the receipt of County Sales and Compensating Use Tax Revenues, Mortgage Recording Tax Revenues, and revenues to be received from the State of New York and from the United States of America in and for the County in its fiscal year beginning January 1, 2012;

NOW THEREFORE, BE IT RESOLVED by the affirmative vote of the County Legislature of the County of Rockland, New York, as follows:

Section 1. The power to authorize, from time to time during fiscal year 2012, the sale and issuance of not to exceed $45,000,000 revenue anticipation notes (the "Notes") of the County of Rockland, New York, in anticipation of the receipt of County Sales and Compensating Use Tax Revenues, Mortgage Recording Tax Revenues, and revenues to be received from the State of New York and from the United States of America during the fiscal year of said County during which such sale and issuance shall be authorized or for the fiscal year during which such notes shall be issued and sold (hereinafter, the "Revenues"), is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such Notes shall be of such terms, form and contents as may

be determined by said Commissioner of Finance, pursuant to the provisions of the Local Finance Law.

Section 2. The County Legislature has ascertained and hereby states that (a) not less than $45,000,000 of such Revenues remains uncollected as of the date hereof for the fiscal year of the County beginning January 1, 2012; (b) no revenue anticipation notes have been issued in anticipation of the collection of such Revenues; (c) no amount has been included in the annual budget of the County for such fiscal year to offset, in whole or in part, any anticipated deficiency in the collection during such fiscal year of Revenues for such fiscal year; (d) the date of maturity of the Notes shall not be extended beyond the close of the second fiscal year succeeding the fiscal year in which such Notes were issued, which is the close of the applicable period provided in Section 25.00 of the Local Finance Law for the maturity of the Notes; and (e) all earnings from the proceeds of the Notes, if any, shall be applied for payment of interest on the Notes when due and payable or for payment of other governmental purposes of the County within the meaning of Section 1.148-7(b)(2) of the United States Treasury Regulations in effect or proposed on the date of the Notes.

Section 3. In the absence of the Commissioner of Finance of the County, the Deputy Commissioner of Finance of the County is hereby authorized to exercise the powers referred to in this resolution.

Section 4. The Notes shall be dated, shall mature, shall be in such denominations and shall bear interest at the rate or rates of interest per annum, determined at the time of the sale of the Notes by the Commissioner of Finance of the County at private or public sale in accordance with the provisions of the Local Finance Law of the State and Chapter 2 of the New York Code of Rules and Regulations. Interest on the Notes shall be paid at maturity.

Section 5. Pursuant to provisions of Section 30.00, 50.00, 56.00 and 60.00, inclusive, of the Local Finance Law, the power to sell, issue and deliver and to prescribe the terms, form and contents of the Notes is hereby delegated to the Commissioner of Finance of the County, as chief fiscal officer of the County. The Commissioner of Finance of the County is hereby authorized to execute the Notes on behalf of the County and the County Clerk is hereby authorized to affix the seal of the County to the Notes and to attest such seal. The Commissioner of Finance of the County is hereby authorized to deliver the Notes to the purchaser thereof upon receipt in full of the purchase price thereof.

Section 6. The County covenants for the benefits of the holders of the obligations authorized herein that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the County which would cause the interest on such obligations to become subject to Federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the alternative minimum tax imposed on corporations by Section 55 of the Code) or subject the County to any penalties under Section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations or the proceeds thereof if such action or omission would cause the interest on such obligations to become subject to Federal income taxation under the Code (except for the alternative minimum tax imposed on corporations by Section 55 of the Code) or subject the County to any penalties under Section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the obligations or any other provision hereof until the date which is 60 days after the final maturity date or earlier prior redemption date hereof.

Section 7. The County hereby covenants for the benefit of holder(s) of the obligations authorized herein to comply with Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (the "Rule"), and in particular paragraphs (b)(5)(i)(A), (b)(5)(i)(B), and (b)(5)(i)(C) of the Rule, by providing to a nationally recognized municipal securities information repository, as required by the Rule: (1) at least annually, current financial information and (2) notice of any material event; unless an exemption from such paragraphs(s) exists pursuant to the Rule.

Section 8. It is the intent of this County Legislature that this resolution shall remain in full force and effect until December 31, 2012, at which time the powers granted to the Commissioner of Finance shall automatically terminate without further action of this Legislature.

Section 9. The faith and credit of the County hereby is and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this resolution as the same shall become due.

Section 10. The Commissioner of Finance of the County is hereby directed to file with the County Legislature certificates reporting the date of the Notes, the date the Notes mature, the rate of interest of the Notes, the purchaser of the Notes and a statement to the effect that the power of the Commissioner of Finance of the County to sell, issue and deliver the Notes is in full force and effect and has not been modified, amended or revoked prior to the delivery of and payment for the Notes, and such other certificates as may be delivered to the purchaser or purchasers of the Notes.

Section 11. This resolution shall take effect immediately.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

ABSENT:

EXCUSED:

The resolution was declared adopted.

* * * * *

DRAFT

Introduced by: Referral No.

RESOLUTION NO. OF 2012
ADOPTING THE INVESTMENT POLICY FOR THE COUNTY OF ROCKLAND FOR THE YEAR 2012 AND ADOPTING DEPARTMENT OF FINANCE GUIDELINES [DEPARTMENT OF BUDGET AND FINANCE]

WHEREAS, By Resolution No. 668 of 1993, adopted December 7, 1993, the Legislature, in accordance with Section 10, 11, and 6 of the General Municipal Law, adopted an Investment Policy for the County of Rockland; and

WHEREAS, Section 39, of the General Municipal Law requires that the Legislature annually review and readopt said investment policy; and

WHEREAS, The County Executive has referred the attached proposed Investment Policy and the Department of Finance Guidelines to the County Legislature for its approval; and

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

RESOLVED, That in accordance with Section 39 of the General Municipal Law, the Legislature of Rockland County hereby adopts the attached Investment Policy as the Investment Policy for the County of Rockland for the year 2012; and be it further

RESOLVED, That in accordance with said Investment Policy, the Legislature of Rockland County hereby adopts the attached Department of Finance Guidelines for compliance with the Investment Policy; and be it further

RESOLVED, That all depositories of County funds shall file with the Rockland County Legislature, to the attention of the Chairman of the Budget and Finance Committee, three copies of the Community Reinvestment Act compliance documents at the same time that said compliance documents are filed with the Federal Government.

AFR:mf
2012-00283
1-25-12

INVESTMENT POLICY
FOR THE COUNTY OF ROCKLAND

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order:

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Commissioner of Finance, who shall establish written procedures for the operation of the investment program consistent with these investment guidelines and which shall be approved annually by the Rockland County Legislature. Such procedures shall include an adequate control structure to provide a satisfactory level of accountability based on a database or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Rockland to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the County of Rockland to diversify its deposits and investments by financial institutions, by investment instruments, and by maturity scheduling.

VI. INTERNAL CONTROL

It is the policy of the County of Rockland for all money collected by any officer or employee of the government to transfer those funds to the Commissioner of Finance immediately, or within the time period specified by law. The Commissioner of Finance shall advise the legislature if funds are not timely transferred. The Commissioner of Finance is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The banks, dealers and trust companies authorized for the deposit of monies, or purchase of permitted investments, up to the maximum amount of **$110,000,000** are:

HSBC/First Niagara Bank, N.A.	**Citibank, NA**
Wells Fargo Bank, N.A.	**Capital One**
JP Morgan Chase Bank, N.A.	**M & T Bank**
Key Bank	**TD Bank**
Provident Municipal Bank	**Citizens Bank, N.A.**
Hudson Valley Bank, N.A.	

The above-mentioned depositories shall provide to the Commissioner of Finance not later than November 30th of each year, a letter describing their level of compliance with the United States Community Reinvestment Act, stating how they plan to meet the neighborhood banking needs of Rockland's economically underprivileged communities. Within thirty (30) days of receipt the Commissioner of Finance shall provide copies of these responses to the County Executive and the Chairman of the Legislature. The Commissioner of Finance shall be responsible to communicate these reporting requirements of the County Policy to the Depository Banks.

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Sec. 10, all deposits of the County of Rockland, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Sec. 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to this policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90

days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depositary and/or a third party bank or trust company subject to security and custodial agreements. The security agreement shall provide that eligible securities are being pledged to secure local deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Rockland or its custodial bank. The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart

from the general assets of the custodial bank or trust company and will not, under any circumstances, be co-mingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Sec. 11, the County of Rockland authorizes the Commissioner of Finance to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposits;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL Sec. 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the County of Rockland;
- Certificates of Participation (COPs) issued pursuant to GML Sec. 109-b;
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML Sec. 6-c, 6-e, 6-g, 6-h, 6-j, 6-k, 6-m or 6-n.

All investment obligations shall be payable or redeemable at the option of the County of Rockland within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the County of Rockland within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS and DEALERS

The County of Rockland shall maintain a list of financial institutions approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution. All financial institutions with which the local government conducts business must be credit worthy. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the Federal Reserve Bank, as primary dealers. The Commissioner of Finance is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Commissioner of Finance is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative program with another authorized governmental entity pursuant to Article 5G of the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

3. By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the governing board. All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company.

Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company, only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the County of Rockland by the bank, or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Sec. 10. The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be co-mingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York and primary reporting dealers.

- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

XIV. ADOPTION OF INVESTMENT POLICY

- By February 15th of each year, the Commissioner of Finance shall submit the suggested investment policy to the Legislature of Rockland County.
- The Legislature shall adopt said policy by April 1st of each year.

DEPARTMENTAL GUIDELINES FOR COMPLIANCE WITH INVESTMENT POLICY

The objectives of the Investment Policy of the County of Rockland are to protect the safety of principal; to insure that investments mature when the cash is required to finance operations; and to insure a competitive rate of return. The Commissioner of Finance, or his designee, shall adhere to the guidelines established in the adopted Investment Policy. The following are the procedures established to insure compliance with the investment policy:

1. A cash flow statement shall be prepared from the annual budget as adopted by the County Legislature. The Cash Flow statement shall be updated as required to reflect cash needs during the year. An analysis of daily receipts and scheduled disbursements shall be used in order to insure cash to meet current financial obligations.
2. As cash becomes available for investment, all designated banks shall be called to obtain bank rate quotes. Call sheets shall be prepared, noting the bank to whom the call was made, and the banks rate quote.
3. Award to banks shall be made by 11:00 am of the day that quotes are taken, unless circumstances prevent same.
4. Utilize wire transfers of funds to and from the successful banks, whenever cost effective and practicable.
5. Notify any bank requesting same the quotes of that day.
6. The Commissioner of Finance, or his designee, are the authorized individuals to make the investments.

7. To insure internal control, the following functions shall be performed by different department personnel:
    a. Obtaining quotes from the banks;
    b. Preparation of wire transfers as required;
    c. Preparation of daily balances by banks;
    d. All transactions reviewed by the Commissioner of Finance or his designee on a periodic basis.
8. All awards should be consummated in writing with the banks.
9. A daily schedule of investments shall be maintained to ensure that no one institution receives more than the designated amount, and that necessary collateral is pledged.

APPENDIX A

SCHEDULE OF ELIGIBLE SECURITIES

- Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State, or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

Introduced by: DRAFT Referral No.

RESOLUTION NO. OF 2012
APPROVING THE AGREEMENTS
WITH VARIOUS LICENSED FOSTER CARE AGENCIES
WHICH ARE LISTED ON THE ANNEXED SCHEDULE A
AND WHICH MAY EXCEED $100,000
WITH TOTAL EXPENDITURES NOT TO EXCEED
THE DEPARTMENT OF SOCIAL SERVICES
2012 BUDGET FOR FOSTER CARE SERVICES
AND AUTHORIZING THE COUNTY EXECUTIVE
TO EXECUTE THE AGREEMENTS ON BEHALF OF THE COUNTY
[DEPARTMENT OF SOCIAL SERVICES]

WHEREAS, The Commissioner of Social Services is required by Social Services Law § 398 to receive and care for neglected, abused and abandoned children as well as children alleged or adjudicated to be persons in need of supervision or juvenile delinquents who are placed in care by the Family Court; and

WHEREAS, The necessary services are provided to such children through various licensed foster care agencies; and

WHEREAS, Placements are made depending upon the services required and the licensed foster care agency's ability to provide such services; and

WHEREAS, All payments to the licensed foster care agencies are made on a per diem basis for the individual child at rates set by the New York State Office of Children and Family Services and the New York State Department of Education; and

WHEREAS, To provide these required services to the children of Rockland County, the Commissioner of the Department of Social Services requests that the County Executive and the Legislature of Rockland County approve the agreements with the licensed foster care agencies which are listed on the annexed Schedule A; and

WHEREAS, Expenditures to a single agency may exceed $100,000; and

WHEREAS, Reimbursement rates to the County for foster care are either fifty percent (50%) federal/fifty percent (50%) state or forty percent (40%) federal/sixty percent (60%) state based upon the financial reimbursement category for the child placed in the licensed foster care agency and limited by the provisions of the Family and Children's Services Block Grant up to a maximum sum of approximately $3,300,000; 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, Sufficient funding for these agreements exists in the 2012 Budget of the Department of Social Services, budget lines 6109, 6119 and 6123; and

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

RESOLVED, That the Legislature of Rockland County hereby approves the agreements to provide the services required by Social Services Law § 398 with the licensed foster care agencies, which are listed on the annexed Schedule A and which may be in excess of $100,000, at per diem rates set by the New York State Office of Children and Family Services and the New York State Department of Education, and authorizes the County Executive to execute the agreements, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for these agreements exists in the 2012 Budget of the Department of Social Services, budget lines 6109, 6119 and 6123.

AR:lo
2011-05504
1/3/12

Schedule "A"

FOSTER CARE AGENCIES
2012

1. ABBOTT HOUSE
2. ASTOR SERVICES FOR CHILDREN & FAMILIES
3. BERKSHIRE FARM CENTER & SERVICES FOR YOUTH
4. CARDINAL MC CLOSKEY SERVICES
5. CHILDREN'S HOME OF KINGSTON
6. CHILDREN'S HOME OF POUGHKEEPSIE
7. CHILDREN'S HOME OF WYOMING CONFERENCE
8. COMMUNITY MATERNITY SERVICES
9. DOWNEY SIDE, INC.
10. GRAHAM WINDHAM
11. GREEN CHIMNEYS CHILDREN'S SERVICES
12. HILLCREST EDUCATIONAL CENTERS, INC.
13. HILLSIDE CHILDREN'S CENTER
14. JEWISH BOARD OF FAMILY AND CHILDREN'S SERVICES
15. JEWISH CHILD CARE ASSOCIATION
16. JULIA DYCKMAN ANDRUS MEMORIAL, INC.
17. KIDS PEACE NATIONAL CENTERS OF NORTH AMERICA, INC.
18. KIDS PEACE NATIONAL CENTERS, INC.
19. LASALLE SCHOOL FOR BOYS
20. LINCOLN HALL
21. MOUNTAIN LAKE CHILDREN'S RESIDENCE, INC.
22. OCCUPATIONS, INC.
23. OHEL CHILDREN'S HOME AND FAMILY SER VICES
24. PARSONS CHILD AND FAMILY CENTER
25. ST. ANNE INSTITUTE
26. ST. CABRINI HOME, INC.
27. ST. CHRISTOPHER'S INC.
28. ST. JOHN BOSCO CHILD AND FAMILY SERVICES
29. THE CHARLTON SCHOOL
30. THE CHILDREN'S VILLAGE, INC.
31. THE DEVEREUX FOUNDATION
32. THE LAKE GROVE SCHOOL
33. THE WILLIAM GEORGE AGENCY FOR CHILDREN'S SERVICES, INC.
34. VANDERHEYDEN HALL, INC.
35. YONKERS RESIDENTIAL CENTER, INC.
36. YOU GOTTA BELIEVE/THE OLDER CHILD ADOPTION AND PERMANENCY MOVEMENT, INC.

Introduced by: DRAFT Referral No.

RESOLUTION NO. OF 2012
APPROVING THE AGREEMENTS ON THE ATTACHED SCHEDULE A WITH VARIOUS LICENSED DAY CARE AGENCIES, WHICH MAY EXCEED $100,000, WITH TOTAL EXPENDITURES NOT TO EXCEED THE DEPARTMENT OF SOCIAL SERVICES 2012 BUDGET FOR DAY CARE SERVICES AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE AGREEMENTS ON BEHALF OF THE COUNTY [DEPARTMENT OF SOCIAL SERVICES]

WHEREAS, Pursuant to Social Services Law § 410-u, the Commissioner of Social Services is required to provide child care assistance to families receiving family assistance and to other low income families; and

WHEREAS, The Commissioner provides the necessary services to such children through various licensed day care agencies; and

WHEREAS, Children are placed at the various licensed day care agencies depending upon the services required and each licensed day care agency's ability to provide such services; and

WHEREAS, All payments to the licensed day care agencies are made per child on a per diem basis at rates set by the New York State Office of Children and Family Services and the New York State Department of Education; and

WHEREAS, To provide these services to the children of Rockland County, the Commissioner of Social Services requests that the County Executive and the Legislature of Rockland County approve the agreements with the licensed day care agencies listed on the annexed Schedule A; and

WHEREAS, Expenditures to a single agency may exceed $100,000; and

WHEREAS, The County will be reimbursed for its payments to the licensed day care agencies as follows: (i) either fifty percent (50%) federal/fifty percent (50%) state funds or (ii) forty percent (40%) federal/sixty percent (60%) state funds, which funds will be based upon the financial reimbursement category for each child placed in licensed day care and limited by the provisions of the Flexible Fund for Family Services and Child Care Block Grant, up to a maximum sum of approximately $8,100,000; 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, Sufficient funding for these agreements exists in the 2012 Budget of the Department of Social Services, budget line 6055; and

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

RESOLVED, That the Legislature of Rockland County hereby approves the agreements with the licensed day care agencies listed on the annexed Schedule A, which may be in excess of $100,000, to provide the services the Commissioner of Social Services is required to provide pursuant to Social Services Law § 410-u at per diem rates approved by the New York State Office of Children and Family Services and the New York State Department of Education, which the County will be reimbursed for by federal and state funds up to a maximum of approximately $8,100,000, and authorizes the County Executive to execute the agreements, subject to the approval of the County Attorney; and be it further

RESOLVED, That sufficient funding for these agreements exists in the 2012 Budget of the Department of Social Services, budget line 6055.

AR:lo
2011-05505
1/3/12

Schedule "A"

2012 DAY CARE LIST

1. A STARTING PLACE
2. CAMPUS FUN & LEARN CHILD CARE CENTER
3. CENTER MANAGEMENT ASSOCIATES, D/B/A CHILDREN'S CORNER LEARNING CENTER
4. CHILDREN OF AMERICA NYACK, LLC, D/B/A CHILDREN OF AMERICA EDUCATIONAL CHILDCARE
5. CHILDREN OF AMERICA STONY POINT, LLC
6. CONGREGATION YALDAINU, INC.
7. CRICKETTOWN CHILD CARE CENTER
8. HAVERSTRAW DAY CARE, INC.
9. HEADSTART OF ROCKLAND, INC. (NFP)
10. JAWONIO, INC., D/B/A PLAYING AND LEARNING TOGETHER
11. JEWISH COMMUNITY CENTER-Y OF ROCKLAND, INC.
12. KINDERCARE
13. MARTIN LUTHER KING JR. MULTI-PURPOSE CENTER, INC.
14. NEW BEGINNINGS DIGNITY SERVICES, INC.
15. PEACE UNLIMITED CORP., D/B/A PEACE THROUGH PLAY NURSERY SCHOOL
16. RELIABLE CARE ENTERPRISES, INC., D/B/A TUTOR TIME CHILD CARE LEARNING CENTER
17. ROCKLAND AFTER SCHOOL PROGRAM
18. ROCKLAND COUNTY CHAPTER NYSARC, INC., PRIME TIME FOR KIDS
19. ROCKLAND WORKSITE DAY CARE CENTER
20. SAFE-N-SOUND CHILDCARE, INC.
21. THE CHILDREN'S VILLAGE
22. THE JAN & NILES DAVIES LEARNING CENTER
23. THE ROCKLAND COUNTY YMCA
24. TOPS FOR TOTS CHILDREN'S CENTER, INC.
25. TREEHOUSE PLAYGROUP, INC., D/B/A PALISADES SCHOOLHOUSE
26. WEST STREET CHILD CARE LEARNING CENTER, INC.

Introduced by: DRAFT Referral No.

RESOLUTION NO. OF 2011
APPROVING AN AMENDMENT TO
AN AGREEMENT IN EXCESS OF $100,000
WITH RAMAPO PRACTICE MANAGEMENT, LLC DBA
RAMAPO RADIOLOGY ASSOCIATES, PC
IN THE ADDITIONAL AMOUNT OF $86,060
FOR A TOTAL CONTRACT SUM NOT TO EXCEED $421,592
FOR RADIOLOGICAL SERVICES TO THE DEPARTMENT OF HOSPITALS/X-RAY
UNDER RFP-RC-07-056
FOR THE PERIOD FROM JANUARY 1, 2008 THROUGH DECEMBER 31, 2012
AND AUTHORIZING ITS EXECUTION BY THE COUNTY EXECUTIVE
[DEPARTMENT OF GENERAL SERVICES – DIVISION OF PURCHASING]
($421,592)

WHEREAS, The Director of Purchasing advertised for proposals for radiological services under RFP-RC-07-056 for a period of one year with an option to renew for four additional one year terms; and

WHEREAS, Twenty-Five (25) vendors were notified and one proposal was received for said services; and

WHEREAS, On March 6, 2008, the County entered into a contract with Ramapo Radiology Associates, PC, 320 Robinson Avenue & Route 9W, Newburgh, New York 12550, to provide radiological services under RFP-RC-07-056 for a contract sum not to exceed $80,000 for the period from January 1, 2008 through December 31, 2008, and

WHEREAS, By Resolution No.108 of 2009, the County exercised its first option to renew for an additional one year term and entered into an amendment to an agreement with Ramapo Radiology Associates, PC, to provide radiological services to County of Rockland Department of Hospitals/X-ray under RFP-RC-07-056 in the additional amount of $70,000 for a total contract sum not to exceed $150,000 for the period from January 1, 2009 through December 31, 2009; and

WHEREAS, By Resolution No. 50 of 2010, the Legislature of Rockland County approved an amendment to the agreement with Ramapo Practice Management, LLC dba Ramapo Radiology Associates, PC, for radiological services under RFP-RC-07-056 in the additional amount of $14,736 for a total contract sum not to exceed $164,736 for the period from January 1, 2009 through December 31, 2009; and

WHEREAS, By Resolution No. 230 of 2010, the County exercised its second option to renew and entered into an amendment to the agreement with Ramapo Practice Management, LLC dba Ramapo Radiology Associates, PC, for radiological services under RFP-RC-07-056 in the additional amount of $84,736 for a total contract sum not to exceed $249,472 for the period from January 1, 2010 through December 31, 2010; and

WHEREAS, By Resolution No. 100 of 2011, the County exercised its third option to renew and entered into an amendment to the agreement with Ramapo Practice Management, LLC dba Ramapo Radiology Associates, PC, for radiological services under RFP-RC-07-056 in the additional amount of $86,060 for a total contract sum not to exceed $335,532 for the period from January 1, 2011 through December 31, 2011; and

WHEREAS, Ramapo Radiology has held their original pricing submitted with RFP-RC-07-056 for the fourth option of the agreement; and

WHEREAS, The Commissioner of Hospitals and the Director of Purchasing recommend that the County exercise its fourth option to renew for an additional one year term and enter into an amendment to the agreement with Ramapo Practice Management dba Ramapo Radiology Associates, PC, 320 Robinson Avenue & Route 9W, Newburgh, New York 12550, to provide radiological services to the County of Rockland Department of Hospitals/X-ray under RFP-RC-07-056 in the additional amount of $86,060, for a total contract sum not to exceed $421,592 for the period from January 1, 2012 through December 31, 2012; and

WHEREAS, All purchases shall be made by formal purchase order under an agreement encumbering the funds in advance of services; and

WHEREAS, That sufficient funds for this amendment to the agreement exists in the 2012 Adopted Budget for the Department of Hospitals; 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 of the Legislature have met, considered and this resolution, now, therefore, be it

RESOLVED, That the Legislature of Rockland County hereby exercises its fourth option to renew for an additional one year term and approves the amendment to the agreement in excess of $100,000 with Ramapo Practice Management dba Ramapo Radiology Associates, PC, 320 Robinson Avenue & Route 9W, Newburgh, New York 12550, to provide radiological services to the County of Rockland Department of Hospitals/X-ray under RFP-RC-07-056 in the additional amount of $86,060, for a total contract sum not to exceed $421,592 for the period from January 1, 2012 through December 31, 2012, and authorizes its execution by the County Executive, subject to the approval of the County Attorney; and be it further

RESOLVED, That all purchases shall be made by formal purchase order under an agreement encumbering the funds in advance of services; and be it further

RESOLVED, That sufficient funds for this amendment to the agreement exists in the 2012 Adopted Budget of the Department of Hospitals.

TS: lo
2011-05448
12/21/2011 rev.01/19/2012

Introduced by: Referral No.

RESOLUTION NO. OF 2012
AUTHORIZING THE EXECUTION OF
AN INTERMUNICIPAL AGREEMENT
BETWEEN THE COUNTY OF ROCKLAND
AND THE TOWN OF RAMAPO
BY THE COUNTY EXECUTIVE
FOR USE OF THE RAMAPO POLICE RANGE FACILITY
FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012
AT NO COST TO THE COUNTY
[SHERIFF'S DEPARTMENT]

WHEREAS, Article 5-G of the General Municipal Law authorizes municipal governments to perform together that which each government is authorized to perform individually and requires that any intermunicipal cooperation agreement be approved by each participating municipal corporation by a majority vote of the voting strength of its governing body; and

WHEREAS, The County of Rockland through its Sheriff's Department and the Town of Ramapo desire to enter into an intermunicipal agreement for the use of the Ramapo Police Range Facility by the Sheriff's Department and the Rockland County Police Academy for firearms training for the period January 1, 2012 through December 31, 2012; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County funds; 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 the execution by the County Executive of an intermunicipal agreement between the County of Rockland through its Sheriff's Department and the Town of Ramapo for the use of the Ramapo Police Range Facility by the Sheriff's Department and the Rockland County Police Academy for firearms training for the period January 1, 2012 through December 31, 2012, subject to the approval of the County Attorney.

MB:lo
2012-00146
1/13/12

Introduced by: Referral No.

DRAFT

RESOLUTION NO. OF 2011
TRANSER OF FUNDS
DSS MMIS (MEDICAID)
TO MEET THE COUNTY'S LOCAL SHARE MATCH
FOR FISCAL YEAR 2011
(DEPARTMENT OF BUDGET AND FINANCE)
($4,200,000)

WHEREAS, The County Executive and the Legislature has been advised by the Acting Commissioner of Finance that a transfer of funds to the Department of Social Services – Medicaid-MMIS (Dept. 6102) is now necessary in order to meet the County's local share match for the fiscal year 2011 and

WHEREAS, A total of $4,200,000 is required to be transferred to the Department of Social Services – Medicaid – MMIS (Dept. 6102) in order to meet the County's local share match for the fiscal year 2011; and

WHEREAS, In order to accept the inter-governmental (ITG) transfer revenue the County must account for the transaction by making a corresponding 50% match; and

WHEREAS, The IGT is accounted for as an expense entry for the Department of Social Services and a revenue entry for the Department of Hospitals; and

WHEREAS, It is necessary to appropriate these funds to the proper accounts; and

WHEREAS, The adoption of this resolution does not involve the expenditure of any County funds; and

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

RESOLVED, That the Legislature of Rockland County hereby approves a transfer of funds to the Department of Social Services – Medicaid – MMIS (Dept. 6102) in order to meet the County's local share match for the fiscal year 2011; and be it further

RESOLVED, That this resolution does not involve the expenditure of any County funds; and be it further

RESOLVED, That the Commissioner of Finance is hereby authorized to increase the following accounts as indicated.

GENERAL (A) FUND (2011)

Increase Appropriation Account:

A-DSS-6102 MMIS (Medicaid)	E5390 Local Share Match	$4,200,000

Decrease Appropriation Account:

A-TRF-9525 Contribution to EH Fund	E9010 Contribution	$4,200,000

AR:mf
2012-00160
1-17-12

DRAFT

Introduced by: Referral No.

DRAFT

RESOLUTION NO. OF 2012
CORRECTION OF 2010 TAX ROLLS
TOWN OF ORANGETOWN
L & H PAINT AND HARDWARE INC.
PROPERTY ID# 66.38-1-12
118A MAIN STREET
NYACK, NY 10960
[DEPARTMENT OF BUDGET AND FINANCE]

WHEREAS, An application for the correction of the tax rolls for the 2010 Town and County Real Property Taxes levied against property located in the Town of Orangetown, as indicated on the annexed Schedule "A", has been filed by L & H Paint and Hardware Inc., with the Real Property Tax Service Officer, pursuant to §556 of the Real Property Tax Law; and

WHEREAS, This parcel was charged for thirteen (13) operation and maintenance unit charges when it should have been seven (7) units; and

WHEREAS, This created a clerical error as defined in Real Property Tax Law Section 550(2)(e); and

WHEREAS, The tax amount of $7,058.95 on the 2010 Town and County tax roll should be corrected to read $6,031.39 and a refund be issued in the amount of $1,027.56; and

WHEREAS, The correction is over $1,000.00 and requires Legislative approval; and

WHEREAS, The Real Property Tax Service Officer has investigated the application in accordance with the requirements of Section 554 and 556 of the Real Property Tax Law; and

WHEREAS, The Real Property Tax Service Officer has recommended approval of said application; and

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

RESOLVED, That the Rockland County Legislature hereby approves the application, as indicated on the annexed Schedule "A", for correction of the 2010 Town

and County tax rolls and hereby requests that the officer having jurisdiction of the tax roll correct such tax roll and issue a refund accordingly.

AFR:mf
2012-00207
1-18-12

DRAFT

SCHEDULE A
Town of Orangetown

OWNER: **TOWN OF ORANGETOWN**

PROPERTY I.D.# 66.38-1-12

CORRECTION: **TAX AMOUNT OF $7,058.95 ON THE 2010 TOWN/COUNTY TAX ROLL BE CORRECTED TO READ $6,031.39 AND A REFUND BE ISSUED IN THE AMOUNT OF $1,027.56.**

REASON: **THE PARCEL WAS CHARGED FOR THIRTEEN OPERATION & MAINTENANCE UNIT CHARGES WHEN IT SHOULD HAVE BEEN SEVEN UNITS CREATING A CLERICAL ERROR.**

DRAFT

LOCAL LAW NO. OF 2012

COUNTY OF ROCKLAND

STATE OF NEW YORK

A local law imposing a tax on the occupancy of hotel rooms, pursuant to article twenty-nine of the tax law of the state of New York.

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

Section 1. Short title.

This local law shall be known as the Rockland County Hotel Room Occupancy Tax Law.

Section 2. Definitions.

When used in this local law the following terms shall mean:

A. Person. An individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.

B. Hotel. A building or portion of it which is regularly used and kept open as such for the lodging of guests, and that has more than seven rooms that contain beds and are available for sleeping overnight. The term "hotel" includes an apartment hotel, a motel, or a boarding house, whether or not meals are served.

C. Occupancy. The use or possession, or the right to the use or possession, of any room in a hotel.

D. Occupant. A person who, for a consideration, uses, possesses, or has the right to use or possess, any room in a hotel under any lease, concession, permit, right of access, license to use or other agreements, or otherwise.

E. Operator. Any person operating a hotel in the county of Rockland, including but not limited to the owner or proprietor of such premises, lessee, sub-leases, mortgages in possession, licensee or any other person otherwise operating such hotel.

F. Permanent Resident. Any occupant of any room or rooms in a hotel for at least thirty consecutive days shall be considered a permanent resident with regard to the period of such occupancy.

G. Rent. The consideration received for occupancy valued in money, whether received in money or otherwise.

H. Room. Any room or rooms of any kind in any part or portion of a hotel, which is available for or let out for any purpose other than a place of assembly. A place of assembly includes but is not limited to any room or hall, as well as any adjoining preparatory rooms, in a hotel that are rented or leased for the purpose of hosting events, parties or ceremonial occasions such as weddings, bar mitzvahs or confirmations, and that are not used for sleeping or overnight use.

I. Commissioner of Finance. The commissioner of finance of Rockland County.

Section 3. Imposition of tax.

On or after the first day of April 2012, there is hereby imposed and there shall be paid a tax of three percent upon the rent for every occupancy of a room or rooms in a hotel in this county, except that the tax shall not be imposed upon a permanent resident.

Section 4. Transactional provisions.

The tax imposed by this local law shall be paid upon any occupancy on or after the first day of April, 2012 although such occupancy is pursuant to a prior contract, lease or other arrangement. Where rent is paid on a weekly, monthly or other term basis, the rent shall be subject to the tax imposed by this local law to the extent that it covers any period on or after the first day of April, 2012, and such rent shall be apportioned on the basis of the ration of the number of days falling within said period to the total number of days covered thereby.

Section 5. Exempt organizations.

A. Except as otherwise provided in this section, any use or occupancy by any of the following shall not be subject to the tax imposed by this local law:

(1) The state of New York, or any of its agencies, instrumentalities, public corporations (including a public corporation created pursuant to agreement or compact with another state or Canada) or political subdivisions;

(2) The United States of America, and any of its agencies and instrumentalities, insofar as it is immune from taxation;

(3) The United Nations or any international organization of which the United States of America is a member;

(4) Any corporation, association, trust, or community chest, fund, foundation, or limited liability company, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary or educational purposes, or to foster national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, no substantial part of

the activities of which is carrying on propaganda, or otherwise attempting to influence legislation, (except as otherwise provided in subsection (h) of section five hundred one of the United States internal revenue code of nineteen hundred fifty-four, as amended), and which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office;

(5) A post or organization of past or present members of the armed forces of the United States, or an auxiliary unit or society of, or a trust or foundation for, any such post or organization:

(a) organized in this state,

(b) at least seventy-five percent of the members of which are past or present members of the armed forces of the United States and substantially all of the other members of which are individuals who are cadets, or are spouses, widows, widowers, ancestors, or lineal descendants of past or present members of the armed forces of the United States or of cadets, and

(c) no part of the net earnings of which inures to the benefit of any private shareholder or individual.

(6) The following Indian nations or tribes residing in New York state: Cayuga, Oneida, Onondaga, Poospatuck, Saint Regis Mohawk, Seneca, Shinnecock, Tonawanda and Tuscarora, where it is the purchaser, user or consumer.

B. Where any organization described in paragraph (4) of subdivision "A" of this section carries on its activities in furtherance of the purposes for which it was organized, in premises in which, as part of said activities, it operates a hotel, occupancy of rooms in the premises and rents therefrom received by such corporation or association shall not be subject to tax hereunder.

Section 6. Territorial limitations.

The tax imposed by this local law shall apply only within the territorial limits of the county of Rockland.

Section 7. Administration and collection.

The tax imposed by this local law shall be administered and collected by the commissioner of finance or other fiscal officer of the county of Rockland by such means and in such manner as other taxes which are now collected and administered by such officers in accordance with the county charter or as otherwise may be provided by local law. All of the provisions under article twenty-eight of the tax law of the state of New York relating to or applicable to the administration and collection of the taxes imposed by that article shall apply to the taxes imposed by this local law, with the same force and effect as if those provisions had been incorporated in full into this local law except as otherwise provided in section twelve hundred fifty of the tax law.

Section 8. Returns.

1. Every operator shall file with the commissioner of finance a return of occupancy and of rents and of the taxes payable thereon for the periods ending the last day of February, May, August and November on and after April 1, 2012. Such returns shall be filed within 20 days from the expiration of the period covered thereby. The commissioner of finance may permit or require returns to be made by other periods and upon such dates as he may specify. If the commissioner of finance deems it necessary in order to ensure the payment of the tax imposed by this chapter, he may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this section and upon such dates as he may specify.

2. The forms of return shall be prescribed by the commissioner of finance and shall contain such information as he may deem necessary for the proper administration of this chapter. The commissioner of finance may require amended returns to be filed within 20 days after notice and to contain the information specified in the notice.

Section 9. Disposition of revenues.

All of the revenues resulting from the imposition of tax authorized by this local law shall be paid into the treasury of the county of Rockland and shall be credited to and deposited in the general fund of the county; and may thereafter be allocated at the discretion of the legislature of the county of Rockland for any county purpose.

Section 10. Penalties and interest

Any person failing to file a return or to pay or pay over any tax to the commissioner of finance within the time required by or pursuant to this local law shall be subject to a penalty of five percent of the amount of tax due. In addition to the aforementioned penalty, interest at the rate of one percent of such tax shall accrue for each additional month, not including the month when such return was required to be filed or such tax became due. Such penalties and interest shall be paid and disposed of in the same manner as other revenues from this local law. Any unpaid penalties and interest may be enforced in the same manner as the tax imposed by this local law.

Section 11. Construction and enforcement.

This local law shall be construed and enforced in conformity with articles twenty-eight and twenty-nine of the tax law of the state of New York pursuant to which the same is enacted and which are incorporated in this law by this reference.

Section 12. Records to be kept.

Every operator shall keep records of every occupancy and of all rent paid, charged or due thereon and of the tax payable thereon, in such form as the commissioner of finance may by regulation require. Such records shall be available for inspection and examination at any time upon demand by the commissioner of finance or his duly authorized agent or employee and shall be preserved for a period of three years, except that the commissioner of finance may consent to their destruction within that period or may require that they be kept longer.

Section 13. Promulgation of rules and regulations.

The commissioner of finance is hereby empowered to promulgate and amend suitable rules and regulations prescribing the necessary forms for carrying into effect the provisions of this article relating to tax on the occupancy of hotel rooms.

Section 14. Severability.

If any provision of this local law or the application thereof shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law but shall be confined in its operation to the provision thereof directly involved in the controversy in which such judgment shall have been rendered and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 15. Effective date.

This local law shall take effect on the first day of April, 2012, except that certificates of registration may be filed with the commissioner of finance, and certificates of authority to collect tax may be issued by the commissioner of finance prior to said date.

AFR:dc
2008-04821
11/07/08
r. 12/23/08
r. RM/cs
1/15/09
EY/cs
2/20/09
one exemp
ELY
2/26/09
1/11/12
1/18/12

Introduced by Referral No.

DRAFT

RESOLUTION NO. OF 2011
AMENDING AND RESTATING THE MODEL PLAN FOR THE DEFERRED COMPENSATION PLAN FOR THE EMPLOYEES OF THE COUNTY OF ROCKLAND

WHEREAS, The New York State Deferred Compensation Board (the "*Board*"), pursuant to Section 5 of the New York State Finance Law ("*Section 5*") and the Regulations of the New York State Deferred Compensation Board (the "*Regulations*"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of the County of Rockland (the "*Model Plan*") and offers the Model Plan for adoption by local employers; and

WHEREAS, The County of Rockland, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the County of Rockland; and

WHEREAS, Effective August 26, 2011 the Board amended the Model Plan to adopt provisions

- Reorganizing and updating sections to improve the overall readability and eliminate unnecessary numerical references (annual limits) from the Model Plan document.
- Including employer elections within the plan document including: suspension of deferrals following an unforeseeable emergency withdrawal, automatic distributions from small and inactive accounts, loan design parameters and Roth deferrals and in-plan conversions are permissive. The Model Plan document includes a Schedule A where the employer may indicate the election of one or more of these provisions.
- Clarifying the first date a participant may make deferrals in compliance with Code Section 457(b) and timing requirements for any subsequent changes to deferral rates or allocations between pre-tax and after-tax deferrals.
- Clarifying compensation available for deferral for purposes of calculating contributions and recognizes that employers use various methods in determining the order of deductions taken before a deferral percentage is applied.
- Including provisions related to HEART Act of 2008 regarding treatment of differential pay and qualifying distributions for active military service in compliance with the HEART Act, including suspension of deferrals for six months following distribution.
- Making technical recognition of the waiver of Required Minimum Distributions ("RMDs") for 2009.

- Clarifying that a beneficiary form must be received in good order to be considered valid.
- Clarifying that the Model Plan will only accept rollovers from Eligible Retirement Plans comprised of pre-tax amounts and amounts may be rolled in by participants, beneficiaries (other than inherited accounts) and alternate payees. Model Plans may roll account balances out to Eligible Retirement Plans that include post-tax amounts if the receiving plan separately accounts for them.
- Clarifying that a beneficiary of a deceased participant may roll a distribution directly to a Roth IRA, in addition to plan participants.
- Including language allowing for future delivery of participant communications through electronic means, where appropriate.
- Codifying that periodic and lump sum payments must be a minimum of $100 per payment, unless the Committee selects a different minimum, and sets a maximum annual number of partial distributions.
- Clarifying that the $50,000 loan limit includes the highest loan value in the last twelve months from the Model Plan and other employer plans. Regarding participants who have defaulted on a Plan loan, subsequent loans would not be allowed until defaulted loan is repaid. Removes requirement that a participant must wait until the term of the original loan expires before applying for a new loan, assuming the defaulted loan is repaid.
- Providing guidance on the handling of the receipt of special proceeds such as SEC settlements payable to former participants.
- Allowing a surviving spouse beneficiary to name a beneficiary on their account.
- Including the 5 year option for non-spousal beneficiaries to receive distributions and makes distribution rules consistent for pre- and post-age 70½ deaths.
- Allowing earlier distributions due to severance of employment as long as a balance of $500 remains in the account for 45 days after a severance from employment.
- Providing that outstanding loans from another New York state 457(b) plan may be allowed to be transferred or rolled in with a full account transfer.
- Removing the Power of Attorney Language since the acceptance of a power of attorney is governed by State law and not required in the Model Plan document.
- Clarifying the requirement that Committee actions must be taken at a public meeting in accordance with Article 7 of the Public Officers Law.

Referral No.

- Limiting indemnification to Committee Members only.

WHEREAS, The Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, Upon due deliberation, the Legislature of the County of Rockland has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the County of Rockland by adopting the amended Model Plan; and

WHEREAS, the Deferred Compensation Committee has approved this resolution; and

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

RESOLVED, That the Legislature of the County of Rockland hereby amends the Deferred Compensation Plan for Employees of the County of Rockland by adopting the amended Model Plan effective August 26, 2011, including the optional provisions in Schedule A, in the form attached hereto as Exhibit A.

JJF:dc
2011-05506
12/21/11

Schedule "A"

ROCKLAND COUNTY DEFERRED COMPENSATION PLAN
18 NEW HEMPSTEAD ROAD
NEW CITY, NEW YORK 10956

DATE: **December 16, 2011**

TO: **Honorable C. Scott Vanderhoef**
County Executive

Jeffrey Fortunato, Esq.
Acting County Attorney

FROM: **Laurence O. Toole, Chair** L.O.T.
R.C. Deferred Compensation Board

SUBJECT: **Model Plan Document Amendments**

On Thursday, December 8, 2011, the Rockland County Deferred Compensation Board voted unanimously to approve the attached amendments to our Model Plan Document. This measure is the result of deliberations by the New York State Deferred Compensation Board with administrators [The Hartford] and sponsors [Rockland] on amendments to the Model Plan Documents for Deferred Compensation Plans in New York State. The amendments incorporate all relevant changes in law that have occurred since the prior revision and reorganize the document into an easier format for review.

We, therefore, respectfully request that you prepare the appropriate referral for your consideration/approval and subsequent review by the County Legislature for adoption.

If you should require any additional information, please feel free to contact me.

LOT:srl

Enclosure

modelplandocreferral12811.doc

General Description of Amendments to the Model Plan Document

The following is a description of the changes to the Model Plan document, as amended and restated through August 26, 2011. Many of these changes are reorganizational in nature or changes required by law.

Organizational and General Administrative Items

1. **General Reorganization and Updating of Sections.** A primary objective of the amendments is to improve the overall readability and eliminate unnecessary numerical references (annual limits) from the Model Plan document. Footnotes (to be deleted in final printed version) provide helpful instructions to the employer. Sections dealing specifically with Qualified Domestic Relations Orders and Rollovers were created from existing sections.

2. **Employer Elections Within the Plan Document.** A number of plan provisions, such as suspension of deferrals following an unforeseeable emergency withdrawal, automatic distributions from small and inactive accounts, loan design parameters and Roth deferrals and in-plan conversions are permissive. The Model Plan document includes a Schedule A where the employer may indicate the election of one or more of these provisions and replaces the need for separate documents.

3. **Effective Date of Participation.** Clarifies the first date a participant may make deferrals in compliance with Code Section 457(b). No initial Enrollment Application or deferral change will be effective before the first payroll date in the calendar month following the month in which the Enrollment Application is filed or deferral change was requested. An exception is permitted for new employees who submit an Enrollment Application on or before their first date of employment.

4. **Compensation Available for Deferral.** Clarifies the definition of compensation for purposes of calculating contributions and recognizes that employers use various methods in determining the order of deductions taken before a deferral percentage is applied.

5. **HEART Act of 2008.** Includes provisions related to treatment of differential pay and qualifying distributions for active military service in compliance with the HEART Act, including suspension of deferrals for six months following distribution.

6. **2009 Waiver of Required Minimum Distributions ("RMDs").** Makes technical recognition of the waiver of RMDs for 2009.

7. **Beneficiary Election Good Order Requirement.** Clarifies the requirement that a beneficiary form must be received in good order to be considered valid.

8. **Rollover Clarification.** Clarifies that the Model Plan will only accept rollovers from Eligible Retirement Plans comprised of pre-tax amounts. The Model Plan may also require documentation from the distributing plan that the incoming rollover is in compliance with

federal law. Amounts may be rolled in by participants, beneficiaries (other than inherited accounts) and alternate payees. Model Plans may roll account balances out to Eligible Retirement Plans that include post-tax amounts if the receiving plan separately accounts for them.

9. **Beneficiary Rollover to Roth IRA Account.** Clarifies that a beneficiary of a deceased participant may roll a distribution directly to a Roth IRA, in addition to plan participants.

10. **Electronic Delivery.** Includes language allowing for future delivery of participant communications through electronic means, where appropriate.

11. **Periodic and Lump Sum Payments Minimum of $100.** Codifies that periodic and lump sum payments must be a minimum of $100 per payment. The Committee may choose a different threshold amount and set a maximum annual number of partial distributions.

12. **Plan Loans.** Clarifies that the $50,000 loan limit includes the highest loan value in the last twelve months from the Model Plan and other employer plans. Regarding participants who have defaulted on a Plan loan, subsequent loans would not be allowed until defaulted loan is repaid. Removes requirement that a participant must wait until the term of the original loan expires before applying for a new loan, assuming the defaulted loan is repaid.

13. **Removal of Power of Attorney Language.** The acceptance of a power of attorney is governed by State law and not required in the Model Plan document.

14. **Special Proceeds Procedures.** Provides guidance on the handling of the receipt of special proceeds such as SEC settlements payable to former participants.

15. **Public Meeting Requirements.** Clarifies the requirement that Committee actions must be taken at a public meeting in accordance with Article 7 of the Public Officers Law.

Plan Design Items

1. **Spousal Beneficiary Elections.** When the beneficiary of a Model Plan participant dies, any remaining account balance passes to his or her estate. The previous Model Plan document did not permit any beneficiary to select a subsequent beneficiary. The new Model Plan document allows a surviving spouse beneficiary to name a beneficiary on their account.

2. **Addition of 5 Year Rule for Beneficiaries.** The previous Model Plan document required a non-spouse beneficiary to elect payments based on his or her life expectancy starting the year after the date of death. If the participant dies before age 70½, the RMD rules also allow an alternative whereby the account is distributed by no later than December 31 of the fifth anniversary of the participant's death. The new Model Plan document includes this option and makes distribution rules consistent for pre- and post-age 70½ deaths.

3. **Modification of the 45-Day Waiting Period for Distributions.** The previous Model Plan document required a 45-day waiting period before distributions could be made due to

severance of employment or attainment of age 70½. The new Model Plan document removes the limitation for age 70½ distributions and allows earlier distributions due to severance of employment as long as a balance of $500 remains in the account for 45 days after a severance from employment.

4. **Unforeseeable Emergency Withdrawals.** Suspension of deferrals following an Unforeseeable Emergency withdrawal is an optional provision. The new Model Plan document permits the plan sponsor to elect to suspend deferrals for six months by indicating that election on Schedule A. The participant will designate the amount of this distribution to be made from his or her pre-tax account and/or Roth contributions account.

5. **457(b) Loan Transfers.** Provides that outstanding loans from another New York State 457(b) plan may be allowed to be transferred or rolled in with a full account transfer.

6. **Limit Indemnification to Committee Members Only.** The previous Model Plan document extended indemnification to service providers, which may not be appropriate and may be inconsistent with the Committee's contract with service providers. The new Model Plan document limits indemnification to the Committee members.

Newly Enacted Provisions

1. **Roth Designated Contributions.** The Small Business Jobs Act of 2010 authorizes plan sponsors to permit plan participants to make Roth (post-tax) contributions to a public employer sponsored deferred compensation plan. Model Plan sponsors may elect to allow participants to make both pre-tax deferrals and Roth designated contributions within the plan. The initiation of Roth contributions or any subsequent change to a deferral rate will not be effective before the first payroll date in the calendar month following the month in which the deferral rate change is requested. The combined maximum of pre-tax deferrals and Roth designated contributions may not exceed the limits of the plan. The Model Plan provides that loans may only be made from pre-tax assets.

2. **Roth In-Plan Conversions.** The Small Business Jobs Act of 2010 also authorizes plan sponsors to permit plan participants to convert some or all of their pre-tax assets to a Roth designated account within the plan. The plan must permit participants to make Roth designated contributions for a plan sponsor to elect the in-plan conversion option.