

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231-0001

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County of Rensselaer

Local Law No. 1 of the year 2007

A local law Amending Section 3.03 C of the Rensselaer County Charter
(Insert Title)

By: Swartz, Herrington

Be it enacted by the County Legislature of the
(Name of Legislative Body)
County of Rensselaer as follows:

Section 1. Legislative Intent. This legislative body recognizes its obligation to limit the volume of resolutions and related paperwork generated in connection with the performance of its duties and responsibilities, insofar as may be practicable and consistent with the public interest. This Legislative Body also therefore recognizes the fact that we are under serious budget constraints in the County and the spending of county funds needs to be watched closely. The dollar limit on contracts required to be submitted to this legislature for its approval was increased by Local Law #4 of 2006 and before that in 1980.

Section 2. Contractual limit to be decreased. Section 3.03 C of the Rensselaer County Charter shall be and hereby is amended as follows, to wit:

C-Contracts. He/She shall make, sign and implement all contracts as authorized by the County Legislature on behalf of the County within the terms and appropriations approved therefore except that the County Executive may make, sign or implement such contracts not exceeding \$5,000.00 without authorization of the County Legislature.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

Section 3. Effective date. This local law shall take effect upon filing with the office of the Secretary of State of the State of New York, pursuant to the applicable provisions of the Municipal Home Rule Law.

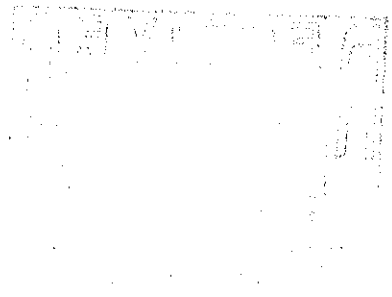
Local Law ADOPTED by the following vote:

Ayes: 18
Nays: 1 (Zweig)
Abstain: 0
January 9, 2007

Approved by the County Executive:

Dated: 1/26/07

Kathleen M. Jimino
Kathleen M. Jimino
County Executive



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County of Rensselaer

Local Law No. 2 of the year 2007

A local law Amending Local Law No. 4 of the Year 2002, as Amended by Local Law No. 2 of the
(Insert Title)
Year 2003 and Local Law No. 2 of the Year 2005

By: Brownell, Herrington, Zweig

Be it enacted by the County Legislature of the
(Name of Legislative Body)
County Rensselaer as follows:

Section 1. Legislative Intent. Millbrook Millwork, Inc. has proposed an expansion of their existing manufacturing facility located at 3565 Route 20, Nassau, New York 12123. Such proposed expansion will add approximately 100 jobs that support on site manufacturing. The project site is not currently within the Rensselaer County Empire Zone. The New York State Department of Economic Development and the Zone Administrative Board of the Rensselaer County Empire Zone have each determined that the proposed expansion is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law. Accordingly, this Legislature hereby finds and determines that inclusion of the site of such proposed expansion in the Rensselaer County Empire Zone will promote the success of the project, assist in the creation of additional jobs within the County of Rensselaer and provide an economic benefit to the citizens and taxpayers of this County.

Section 2. The existing boundary lines of the Rensselaer County Empire Zone as provided by Local Law No. 4 of the year 2002, as previously amended by Local Law No. 2 of the year 2003 and Local Law No. 2 of the year 2005, shall be and hereby are further amended to include those premises more particularly bounded and described as set forth in Schedule A-3, attached hereto and made a part hereof by reference.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

Section 3. This local law shall take effect upon filing in the Office of the Secretary of State as Provided by Section 27 of the Municipal Home Rule Law.

Local Law ADOPTED by the following vote:

Ayes: 19
Nays: 0
Abstain: 0
February 13, 2007

Approved by the County Executive:

Dated: 3/1/07

Kathleen M. Jimino
Kathleen M. Jimino
County Executive

RENSSELAER COUNTY

November 2006

EMPIRE ZONE ADDITION

Legal Description

Millbrook Millworks: +/- 23.82 Acres

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OR BUILDING FOOTPRINT OF LAND SITUATE in the Town of Schodack, County of Rensselaer, State of New York being more particularly described as follows:

Being an irregular shaped parcel identified on the 2005 tax maps for the Town of Schodack, will be added to the Empire Zone, containing the following Tax Map Parcels: 211.-2-21, 211.-2-23, 211.-2-25, and consisting of 23.82 contiguous acres more specifically being located at a point beginning at latitude 42 31 7.95/longitude 73 37 30.33 thence proceeding in an eastern direction to a point located at latitude 42 31 7.47/longitude 73 37 27.99 thence proceeding in a southern direction to a point at latitude 42 31 5.73/longitude 73 37 28.69, thence proceeding in a southeastern direction to a point at latitude 42 31 4.15/longitude 73 37 24.26, thence proceeding in a northeastern direction to a point at latitude 42 31 6.50/longitude 73 37 23.12 thence proceeding in an eastern direction to a point at latitude 42 31 6.13/longitude 73 37 21.33 thence proceeding in a southern direction to a point at latitude 42 31 3.27/longitude 73 37 23.68 thence proceeding in an eastern direction to a point at latitude at 42 31 2.85/longitude 73 37 21.64 thence proceeding in a northern direction to a point at latitude 42 31 5.98/longitude 73 37 20.59, thence proceeding in an eastern direction to a point at latitude 42 31 5.25/longitude 73 37 17.40, thence proceeding in a southern direction to a point at latitude 42 31 0.41/longitude 73 37 20.18, thence proceeding in a southeastern direction to a point at latitude 42 31 0.06/longitude 73 37 19.53 thence proceeding in a southwestern direction to a point at latitude 42 30 53.32/longitude 73 37 27.52 thence proceeding in a northwestern direction to a point at latitude 42 31 1.76/longitude 73 37 35.63 thence proceeding in a northern direction to a point at latitude at 42 31 4.14/longitude 73 37 34.46, thence proceeding in a southeastern direction to a point at latitude 42 31 3.59/longitude 73 37 32.75, thence proceeding in a northeastern direction to the initial point of origination.

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County of Rensselaer _____
3

Local Law No. _____ of the year 2007

A local law Amending Local Law No. 5 of the Year 1997, as Amended by Local Law No. 2 of the
(Insert Title)
of the Year 2004

Sponsored By: Salisbury, Kelleher, Hammond

Be it enacted by the County Legislature _____ of the
(Name of Legislative Body)

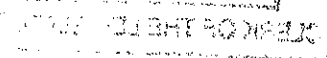
County of Rensselaer _____ as follows:

Section 1. Pursuant to Section 459-c of the Real Property Tax Law, Section Two of Local Law No. 5 of the year 1997, entitled "A LOCAL LAW OF THE COUNTY OF RENSSELAER, NEW YORK GRANTING A PARTIAL TAX EXEMPTION OF REAL PROPERTY OWNED BY PERSONS WITH LIMITED INCOMES WHO ARE DISABLED IN ACCORDANCE WITH THE PROVISIONS OF REAL PROPERTY TAX LAW SECTION 459-c", as amended by Local Law No. 2 of the year 2004, which local law is other-wise known as the "Rensselaer County Disabled Homeowner Tax Exemption Law", is hereby further amended as follows:

Section Two. Persons With Disabilities and Limited Income. Effective as hereinafter provided, there shall be an exemption from taxation for general county purposes to the extent of the percentage of assessed valuation provided in the following schedule, determined by the maximum income exemption eligibility level also provided in the following schedule up to a maximum of fifty percent (50%) of the assessed valuation of real property owned by one (1) or more persons with disabilities, at least one of whom has a disability and whose income as hereinafter defined is limited by reason of such disability:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)



Beginning July 1, 2006:

<u>Annual Income</u>	<u>Percentage of Assessed Valuation Exempt From Taxation</u>
\$26,000 or less	50%
More than \$26,000 but less than \$27,000	45%
\$27,000 or more but less than \$28,000	40%
\$28,000 or more but less than \$29,000	35%
\$29,000 or more but less than \$29,900	30%
\$29,900 or more but less than \$30,800	25%
\$30,800 or more but less than \$31,700	20%
\$31,700 or more but less than \$32,600	15%
\$32,600 or more but less than \$33,500	10%
\$33,500 or more but less than \$34,400	5%

Beginning July 1, 2007:

<u>Annual Income</u>	<u>Percentage of Assessed Valuation Exempt From Taxation</u>
\$27,000 or less	50%
More than \$27,000 but less than \$28,000	45%
\$28,000 or more but less than \$29,000	40%
\$29,000 or more but less than \$30,000	35%
\$30,000 or more but less than \$30,900	30%
\$30,900 or more but less than \$31,800	25%
\$31,800 or more but less than \$32,700	20%
\$32,700 or more but less than \$33,600	15%
\$33,600 or more but less than \$34,500	10%
\$34,500 or more but less than \$35,400	5%

Beginning July 1, 2008:

<u>Annual Income</u>	<u>Percentage of Assessed Valuation Exempt From Taxation</u>
\$28,000 or less	50%
More than \$28,000 but less than \$29,000	45%
\$29,000 or more but less than \$30,000	40%
\$30,000 or more but less than \$31,000	35%
\$31,000 or more but less than \$31,900	30%
\$31,900 or more but less than \$32,800	25%
\$32,800 or more but less than \$33,700	20%
\$33,700 or more but less than \$34,600	15%
\$34,600 or more but less than \$35,500	10%
\$35,500 or more but less than \$36,400	5%

Beginning July 1, 2009

<u>Annual Income</u>	<u>Percentage of Assessed Valuation Exempt From Taxation</u>
\$29,000 or less	50%
More than \$29,000 but less than \$30,000	45%
\$30,000 or more but less than \$31,000	40%
\$31,000 or more but less than \$32,000	35%
\$32,000 or more but less than \$32,900	30%
\$32,900 or more but less than \$33,800	25%
\$33,800 or more but less than \$34,700	20%
\$34,700 or more but less than \$35,600	15%
\$35,600 or more but less than \$36,500	10%
\$36,500 or more but less than \$37,400	5%

Section 2. This local law shall take effect upon filing with the Office of the Secretary of State of the State of New York and shall apply to assessment rolls based upon a taxable status date occurring on or after January 1, 2007.

Local law ADOPTED by the following vote:

Ayes: 19
Nays: 0
Abstain: 0
March 13, 2007

Approved by the County Executive:

Dated: March 29, 2007

Kathleen M. Jimino
Kathleen M. Jimino
County Executive



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County of Rensselaer

Local Law No. 4 of the year 2007

A local law Amending Local Law No. 6 of the Year 1997

Sponsored By: Salisbury, Kelleher, Hammond

Be it enacted by the County Legislature of the

(Name of Legislative Body)

County of Rensselaer as follows:

Section 1. Pursuant to Section 458-a of the Real Property Tax Law of the State of New York, Sections 2, 3 and 4 of Local Law No. 6 of the year 1997, entitled "A LOCAL LAW ADOPTING AN INCREASED MAXIMUM TAX EXEMPTION FOR ALTERNATIVE VETERAN AS AUTHORIZED BY CHAPTER 417 OF THE LAWS OF NEW YORK FOR 1997" are hereby amended as follows:

Section 2. Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided, however, that such exemption shall not exceed twenty-seven thousand dollars or the product of twenty-seven thousand dollars multiplied by the latest state equalization rate for the respective assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less.

Section 3. In addition to the exemption provided in Section 2 of this local law, where the veteran served in a combat theatre or combat zone of operations as documented by the award of a United States campaign ribbon or service medal, qualifying residential real property also shall be exempt from taxation to the extent of ten percent of the assessed value of such property; provided, however, that such exemption shall not exceed eighteen thousand dollars or the product of eighteen thousand dollars multiplied by the latest state equalization rate for the respective assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

Section 4. In addition to the exemptions provided by Sections 2 and 3 of this local law, where the veteran received a compensation rating from the United States Veteran's Administration or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by fifty percent of the veterans disability rating; provided, however, that such exemption shall not exceed ninety thousand dollars or the product of ninety thousand dollars multiplied by the latest state equalization rate for the respective assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less. For the purpose of this section, where a person who served in the active military, naval or air service during a period of war died in service of a service connected disability, such person shall be deemed to have been assigned a compensation rating of one hundred percent.

Section 2. This local law shall take effect upon filing with the office of the Secretary of State of the State of New York and with the Office of the State Comptroller of the State of New York and shall be applied to assessment rolls finalized in 2007.

Local law ADOPTED by the following vote:

Ayes: 19
Nays: 0
Abstain: 0
March 13, 2007

Approved by the County Executive:

Dated: March 29, 2007



Kathleen M. Jimino
County Executive

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County of Rensselaer

Local Law No. 5 of the year 2007

A Local Law to Repeal the Mortgage Recording Tax Imposed by Local Law No. 1 of the
(Insert Title)
Year 2005 and Imposing a New Local Mortgage Tax on Obligations Secured
by a Mortgage on Real Property

By: Salisbury, Kelleher, Hammond

Be it enacted by the County Legislature of the
(Name of Legislative Body)

County of Rensselaer as follows:

Section 1. Local Law No. 1 of the year 2005, which imposed a county recording tax on obligations secured by a mortgage on real property situated in Rensselaer County, is hereby repealed. Such repeal shall not be retroactive in effect. The purpose of such repeal is to insure that the enactment of this Local Law pursuant to Section 253-1 of the Tax Law shall supersede Local Law No. 1 of the Year 2005 and that there shall be an uninterrupted and continuous imposition of such mortgage tax.

Section 2. For the period commencing January 1, 2008, there is hereby imposed in the County of Rensselaer a tax of twenty-five cents (\$0.25) for each one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within such county and recorded on or after the date upon which such tax takes effect and a tax of twenty-five cents (\$0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00).

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(1)

Section 3. The tax imposed by this Local Law shall be administered, collected and paid as provided in Section 253-1 of the Tax Law and shall be in addition to the taxes imposed by Section 253 of the Tax Law, except that all references contained in Section 253-1 of the Tax Law to the "Commissioner of Finance of Rensselaer County" shall be deemed references to the Chief Fiscal Officer of Rensselaer County.

Section 4. This Local Law shall expire three years from the effective date hereof, provided further, however, that such expiration shall not preclude the adoption and enactment of additional Local Laws by the County of Rensselaer pursuant to the provisions of Section 253-1 of the Tax Law upon the expiration of this Local Law or any subsequent Local Law adopted and enacted pursuant to the provisions thereof.

Section 5. This Local Law shall take effect only on the first day of a calendar month, provided a certified copy hereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at the Commissioner's Office in Albany, New York at least thirty days prior to the date this Local Law shall take effect. Certified copies of this Local Law shall also be filed with the Rensselaer County Clerk, the Secretary of State of the State of New York and the New York State Comptroller within five days after the enactment of this Local Law. This Local Law shall take effect January 1, 2008.

Local Law ADOPTED by the following vote:

Ayes: 13

Nays: 6 (Fasoldt, Grimm, Hammond, Harrington, O'Brien, Zweig)

Abstain: 0

May 8, 2007

Approved by the County Executive:

Dated: 5/21/07

Kathleen M. Jimino
Kathleen M. Jimino
County Executive

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County of Rensselaer

Local Law No. 6 of the year 2007

A local law Amending Local Law No. 1 of 1993
(Insert Title)

By: Kelleher

Be it enacted by the County Legislature of the
(Name of Legislative Body)

County of Rensselaer as follows:

1. Section 1 of Local Law No. 1 of 1993 is amended to read as follows:

Section 1. LEGISLATIVE INTENT. The Rensselaer County Legislature recognizes that clear, accurate item pricing is a basic consumer right that is not protected under current State law. It is the intent of this local law to ensure that consumer goods offered for sale in Rensselaer County are clearly, accurately and adequately marked as to their selling prices. This Legislature does, at the same time, recognize the numerous efficiencies and economies available to food retailers through use of computer-assisted checkout systems (together with shelf tag labeling) as the primary method of pricing consumer goods. It is the intention of this Legislature to require retail stores that sell food to place individual item prices on products that they sell and to require accuracy at the checkout registers. It is also the intention of this Legislature to provide for a waiver of the item pricing requirement for certain stores that demonstrate and maintain a very high level of computer-assisted pricing accuracy and that provide certain consumer protections and services that enhance the ability of consumers to record and verify individual item prices.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(1)

2. The first sentence of Subsection H of Section 2 is amended to read as follows:

H. "retail store" shall mean a store selling stock keeping units at retail including, but not limited to, grocery retailers, pharmacies and department stores.

3. Subsection A of Section 3 is amended to read as follows:

A. Subject to Section 6, every person, firm partnership, corporation or association which sells, offers for sale or exposes for sale in a retail store a stock keeping unit that bears a Universal Product Code shall disclose to the consumer the item price of each stock keeping item, by causing such to be conspicuously, clearly and plainly marked, stamped, tagged or affixed thereto in Arabic numerals.

4. Subsection of E of Section 5 is amended to read as follows:

E. SCANNER PENALTIES. In the event that the programmed computer price exceeds the item, shelf, sale or advertised price of any stock keeping item, the store will be subject to the following penalties: the retail store shall correct the pricing contained in the computer-assisted checkout system prior to the inspector leaving the store for the first two violations; thereafter, the store shall be assessed a penalty up to five hundred dollars where the accuracy level as determined by the inspector is ninety-seven percent, a penalty up to seven hundred fifty dollars where the accuracy level as determined by the inspector is ninety-six percent, a penalty up to one thousand dollars where the accuracy level is ninety-five percent, and a penalty up to one thousand five hundred dollars where the accuracy level as determined by the inspector falls below ninety-five percent. The above penalties shall be doubled where the inspector determines a continued or re-occurring violation upon a third or subsequent inspection.

5. Subsection of F of Section 5 is amended to read as follows:

F. Jurisdiction. The provisions of this section and the regulations promulgated hereunder shall be enforced by the Rensselaer County Legislative Enforcement Officer. Cases of unpaid penalties shall be referred to the Rensselaer County Attorney for appropriate legal action.

6. A new Section 6 is added as follows:

Section 6. WAIVER OF ITEM PRICING REQUIREMENTS BASED UPON PRICING ACCURACY; CONSUMER PROTECTIONS.

- A. Every retail store which uses a computer-assisted checkout system and which otherwise would be required to item price as provided herein may make application in writing for a waiver of said item pricing requirement. The application shall be submitted to an enforcement officer designated by the County. A separate application shall be required for each store.
- B. Every retail store subject to this Local Law may apply in writing to the designated enforcement officer for a waiver from the item pricing requirements as contained herein. All written requests for an item pricing waiver shall include an annual waiver application fee made payable to the County in an amount to be determined by the County.
- C. Upon receipt of an application and fee as provided in subsections A and B of this section, the designated enforcement officer shall cause to be conducted two scanner accuracy inspections of the store for which the application has been submitted. These inspections shall be conducted on two separate days and shall consist of comparing the shelf, sale or advertised price of any stock keeping unit with the computer-assisted checkout system price. In the event that any violations are detected, penalties shall be assessed as provided in Section 5, subsection E. If, considering both inspections together, the number of stock keeping units found to be in violation does not exceed two percent of all stock keeping units inspected, then the designated enforcement officer shall grant to the applicant a revocable waiver from item pricing requirements provided that the applicant has paid all outstanding penalties assessed in connection with this local law. Any store with a current waiver shall not be subject to the item pricing provisions set forth in Section 3 herein.
- D. In the event that total violations in excess of two percent are discovered in the inspections provided for in subsection C herein, the designated enforcement officer shall not grant a waiver to the applicant. Such a store may reapply for a waiver by submitting another application with the required fee.
- E. Any retail store that obtains an annual waiver from item pricing shall be required to:
1. Display easy-to-read and properly located shelf tags or signs on every stock keeping unit or group of stock keeping units of the same brand, size and price. Shelf tags shall contain all pricing information required by section 214-h of the New York State Agriculture and Markets Law, as such law is amended from time to time.

2. Post a notice for the consumer, in a conspicuous location, of the granting of the item pricing waiver which shall indicate consumer rights with respect to the accurate pricing of items and price discrepancies.
3. Designate and make available a price check scanner to enable consumers to confirm the price of a stock keeping item. This price check scanner shall be in a location convenient to consumers with a sign of sufficient sized lettering identifying this unit to consumers. This scanner may be used by the retail store to meet unanticipated customer checkout needs.
4. Assist county inspectors with store inspections. The retail store shall make store personnel or hand-held price scanners available to a county inspector to assist with price accuracy inspections. Inspections of retail stores may be unannounced, provided however, that the inspector shall notify the store upon arrival.
5. Item price certain stock keeping units that are too large or too heavy to be price scanned by the consumer in a reasonably simple manner. These stock keeping units shall include all items over six pounds of net weight.

Following a hearing a retail store failing to comply with any of the requirements of this subsection E shall be subject to a penalty in the amount of no more than three hundred dollars per violation and the loss of the annual waiver.

- F. An annual waiver from item pricing that has been granted shall be deemed automatically renewed and therefore valid until such time as a store falls below 98% accuracy on two consecutive pricing accuracy inspections. Failure to meet the scanning accuracy requirement or failure to pay the annual application fee shall subject the retail store to the item pricing requirements upon expiration of the annual waiver.
- G. In the event that the designated enforcement officer is unable to conduct inspections pursuant to subsection C of this section within thirty days of receipt of a completed written waiver application, such enforcement officer shall grant a temporary waiver pending completion of the inspections. If, upon completion, the item pricing inspections detect a violation rate of two percent or less, the enforcement officer shall issue an annual waiver. If the inspections detect a violation rate in excess of two percent, the temporary waiver shall be immediately revoked and the item pricing provisions of this Local Law shall apply.

7. Existing Sections 6, 7 and 8 are renumbered as Sections 7, 8 and 9 respectively.

8. This local law shall take effect immediately.

Prior to the vote a motion was made by Mrs. O'Brien, with a second by Mrs. Fasoldt to table the Local Law Amending Local Law #1 of 1993.

Motion to Table DEFEATED by the following vote:

Ayes: 7

Nays: 10 (Brearton, Brownell, Goodermote, Herrington, McHugh, Mirch, Reid, Stammel, Swartz, Kelleher)

Abstain: 0

Local Law ADOPTED by the following vote:

Ayes: 13

Nays: 4 (Grimm, Hammond, Harrington, O'Brien)

Abstain: 0

July 11, 2007

Approved by the County Executive:

Dated: 8/2/07

Kathleen M. Jimino
Kathleen M. Jimino
County Executive