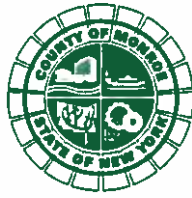


*Monroe County
Clerk of the Legislature*


*Jamie L. Slocum
Clerk*



*Heather D. Halstead
Deputy Clerk*

*David Grant
Assistant Deputy Clerk*

M E M O R A N D U M

TO: Legislators, Directors, Staff and Media
FROM: Jamie L. Slocum, Clerk of the Legislature 
DATE: September 4, 2015
RE: Matters of Urgency – File Nos. 15-0272-15-0275

-
- 15-0272 Enact a Local Law to Authorize a Lease Agreement with Waste Management of New York, LLC for the Ecopark Facility – As A Matter of Urgency – County Executive Maggie Brooks
- 15-0273 Authorize a Lease Agreement with Waste Management of New York, LLC for the Ecopark Facility – As A Matter of Urgency – County Executive Maggie Brooks
- 15-0274 Enact a Local Law to Authorize a Power Purchase Agreement and Leases with Solar Liberty, Inc.; Transfer Parcels from the Solid Waste Fund to the County Internal Service Fund to the County Internal Service Fund and Authorize Interconnection Agreements with RG&E, All Related to the Creation of Solar-Generated Electricity to Benefit Monroe County Pure Waters and Monroe County Facilities – As A Matter of Urgency – County Executive Maggie Brooks

15-0275

Authorize a Power Purchase Agreement and Leases with Solar Liberty, Inc.; Transfer Parcels from the Solid Waste Fund to the County Internal Service Fund to the County Internal Service Fund and Authorize Interconnection Agreements with RG&E, All Related to the Creation of Solar-Generated Electricity to Benefit Monroe County Pure Waters and Monroe County Facilities – As A Matter of Urgency – County Executive Maggie Brooks

Per President Jeffrey R. Adair, the attached communications are declared to be Matters of Urgency pursuant to Section 545-24 (A) (3) of the Rules of the Monroe County Legislature and will be considered at the September 8, 2015 meeting of the Monroe County Legislature.

In addition, the first and third communications will be considered at the Environment & Public Works Committee, the Agenda/Charter Committee and the Ways and Means Committee. The Agenda/Charter committee shall be designated as the lead committee for these referrals.

Attachments.



Office of the County Executive

Monroe County, New York

Maggie Brooks
County Executive

September 4, 2015

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Enact a Local Law to Authorize a Lease Agreement with Waste Management of New York, LLC for the Ecopark Facility

Honorable Legislators:

I recommend that Your Honorable Body enact a Local Law to authorize a lease agreement with Waste Management of New York, LLC ("WMNY"), for the County to continue to lease building space and land located at 2, 6, 8, 9, and 10 Avion Drive, Town of Chili, New York, for the period of September 1, 2015 through December 31, 2028. The base rent for this lease agreement is one dollar (\$1.00) per year.

WMNY and Monroe County share occupancy of the ecopark building located at 10 Avion Drive for household hazardous waste and recycling collection services. The County manages a leaf compost operation on approximately 12.4 acres located at 2, 6, 8, and 9 Avion Drive.

Monroe County previously entered into a license agreement, dated October 22, 2008, with WMNY for leaf compost operations. The license agreement was subsequently amended on July 22, 2011, to include the ecopark building.

The specific legislative actions required are:

1. Schedule and hold a public hearing on the proposed Local Law.
2. Enact a Local Law authorizing the County Executive, or her designee, to execute a lease agreement, and any amendments thereto, with Waste Management of New York, LLC, for the County to lease building space and land located at 2, 6, 8, 9, and 10 Avion Drive, Town of Chili, New York, for the period of September 1, 2015 through December 31, 2028. The base rent for this lease agreement is one dollar (\$1.00) per year.

Environmental assessments were completed for this action and it was determined that there would be no significant effect on the environment.

OFFICIAL FILE COPY
No. <u>150272</u>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
URGENT -L
AGENDA/CHARTER ENV. & PUB. WORKS

WAYS & MEANS

Funding for this lease agreement is included in the 2015 operating budget of the Department of Environmental Services, fund 9007, funds center 8572020100, Pure Waters Industrial Waste, and will be requested in future years budgets. No net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Waste Management of New York, LLC, nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Tara J. Hemmer, President
Christopher P. DeSantis, Vice President
John S. Skoutelas, Assistant Secretary

I recommend that this matter receive favorable action by Your Honorable Body.

Sincerely,



Maggie Brooks
County Executive

By Legislators _____ and _____

Intro No. _____

LOCAL LAW NO. _____ OF 2015

ENACTING A LOCAL LAW AUTHORIZING LEASE AGREEMENT WITH WASTE MANAGEMENT OF NEW YORK, LLC FOR ECOPARK FACILITY

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The Legislature hereby authorizes the County Executive, or her designee, to execute a lease agreement, and any amendments thereto, with Waste Management of New York, LLC, for the County to lease building space and land located at 2,6,8,9, and 10 Avion Drive, Town of Chili, New York, for the period of September 1, 2015 through December 31, 2028. The base rent for this lease agreement is one dollar (\$1.00) per year.

Section 2. Funding for this lease agreement is included in the 2015 operating budget of the Department of Environmental Services, fund 9007, funds center 8572020100, Pure Waters Industrial Waste, and will be requested in future years' budgets.

Section 3. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

Matter of Urgency
File No. 15-XXXX.LL

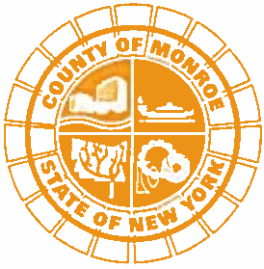
ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____

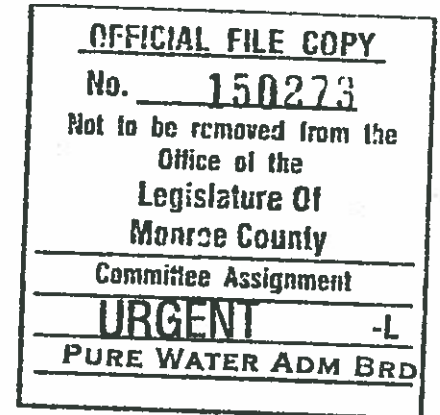


Office of the County Executive

Monroe County, New York

Maggie Brooks
County Executive

September 4, 2015



To The Administrative Boards of the
Gates-Chili-Ogden Sewer District
Irondequoit Bay South Central Pure Waters District
Northwest Quadrant Pure Waters District
Rochester Pure Waters District
407 County Office Building
Rochester, New York 14614

Subject: Authorize a Lease Agreement with Waste Management of New York, LLC for the Ecopark Facility

Honorable Legislators:

I recommend that the Administrative Boards of the Gates-Chili-Ogden Sewer District, Irondequoit Bay South Central Pure Waters District, Northwest Quadrant Pure Waters District and Rochester Pure Waters District authorize a lease agreement with Waste Management of New York, LLC ("WMNY"), for the County to continue to lease building space and land located at 2, 6, 8, 9, and 10 Avion Drive, Town of Chili, New York, for the period of September 1, 2015 through December 31, 2028. The base rent for this lease agreement is one dollar (\$1.00) per year.

WMNY and Monroe County share occupancy of the ecopark building located at 10 Avion Drive for household hazardous waste and recycling collection services. The County manages a leaf compost operation on approximately 12.4 acres located at 2, 6, 8, and 9 Avion Drive.

Monroe County previously entered into a license agreement, dated October 22, 2008, with WMNY for leaf compost operations. The license agreement was subsequently amended on July 22, 2011, to include the ecopark building.

The specific Administrative Boards action required is to authorize the County Executive, or her designee, to execute a lease agreement, and any amendments thereto, with Waste Management of New York, LLC, for the County to lease building space and land located at 2, 6, 8, 9, and 10 Avion Drive, Town of Chili, New York, for the period of September 1, 2015 through December 31, 2028. The base rent for this lease agreement is one dollar (\$1.00) per year.

To The Administrative Boards of the
Gates-Chili-Ogden Sewer District
Irondequoit Bay South Central Pure Waters District
Northwest Quadrant Pure Waters District
Rochester Pure Waters District
September 4, 2015
Page 2

Environmental assessments were completed for this action and it was determined that there would be no significant effect on the environment.

Funding for this lease agreement is included in the 2015 operating budget of the Department of Environmental Services, fund 9007, funds center 8572020100, Pure Waters Industrial Waste, and will be requested in future years budgets. No net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Waste Management of New York, LLC, nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Tara J. Hemmer, President
Christopher P. DeSantis, Vice President
John S. Skoutelas, Assistant Secretary

I recommend that this matter receive favorable action by the Administrative Boards of the Gates-Chili-Ogden Sewer District, Irondequoit Bay South Central Pure Waters District, Northwest Quadrant Pure Waters District and the Rochester Pure Waters District.

Sincerely,


Maggie Brooks
County Executive

By Legislators _____ and _____

PURE WATERS ADMINISTRATIVE BOARD OF THE
GATES-CHILI-OGDEN SEWER DISTRICT
IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT
NORTHWEST QUADRANT PURE WATERS DISTRICT
ROCHESTER PURE WATERS DISTRICT

Intro No. _____

RESOLUTION NO. _____ OF 2015

**AUTHORIZING LEASE AGREEMENT WITH WASTE MANAGEMENT OF NEW YORK, FOR
ECOPARK FACILITY**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE GATES-CHILI-OGDEN SEWER DISTRICT, IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT, NORTHWEST QUADRANT PURE WATERS DISTRICT AND THE ROCHESTER PURE WATERS DISTRICT, as follows:

Section 1. The County Executive, or her designee, is hereby authorized to execute a lease agreement, and any amendments thereto, with Waste Management of New York, for the County to lease building space and land located at 2,6,8,9, and 10 Avion Drive, Town of Chili, New York, for the period of September 1, 2015 through December 31, 2028. The base rent for this lease agreement is one dollar (\$1.00) per year.

Section 2. Funding for this lease agreement is included in the 2015 operating budget of the Department of Environmental Services, fund 9007, funds center 8572020100, Pure Waters Industrial Waste, and will be requested in future years' budgets.

Section 3. This resolution shall take effect immediately.

Matter of Urgency
File No. 15-XXXX

ADOPTION: Date: _____ Vote: _____



Office of the County Executive

Monroe County, New York

Maggie Brooks
County Executive

September 4, 2015

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Enact a Local Law to Authorize a Power Purchase Agreement and Leases with Solar Liberty, Inc.; Transfer Parcels from the Solid Waste Fund to the County Internal Service Fund and Authorize Interconnection Agreements with RG&E, All Related to the Creation of Solar-Generated Electricity to benefit Monroe County Pure Waters and Monroe County Facilities

Honorable Legislators:

I recommend that Your Honorable Body enact a local law to authorize a power purchase agreement (PPA) and leases with Solar Liberty, Inc. ("Solar Liberty"); transfer parcels adjacent to the Gloria Drive Landfill from the Solid Waste Fund to the County Internal Service Fund and authorize Interconnection Agreements with RG&E, all related to the creation of solar-generated electricity to benefit Monroe County Pure Waters and Monroe County facilities.

Monroe County, the Rochester Pure Waters District and the Northwest Quadrant Pure Waters District will contract with Solar Liberty for a twenty-year PPA and leases to generate up to 11 MW of electricity and resell the electricity to RG&E for offsetting credits on the County and the Districts utility bills. It is anticipated that the County will pay Solar Liberty approximately \$1.225 million per year for the electricity generated and will receive approximately \$1.591 million in credits from RG&E, netting \$366,000 annually. The electricity that will be generated annually represents more than the entire yearly electricity usage of the Northwest Quadrant and Gates-Chili-Ogden Pure Waters Districts combined.

A total of five (5) solar arrays of approximately 2 MW each will be installed under this project. Two (2) of the arrays will be located adjacent to the closed Gloria Drive/Northeast Quadrant Landfill in the Town of Penfield. The additional arrays will be located adjacent to the Northwest Quadrant Treatment Plant in the Town of Greece. Each 2 MW array requires a minimum of six (6) acres of land. The land required will be subdivided into separate parcels for each array to comply with the regulations related to the interconnection agreements with RG&E.

The transfer of the parcels adjacent to the Gloria Drive/Northeast Quadrant landfill from the Solid Waste Fund to the County Internal Service Fund is necessary to allow the utility bill credits generated to offset expenses from County facilities.

Several firms were considered, with Solar Liberty, Inc. rated the most qualified to implement all elements of the project.

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No. <u>150274</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
URGENT -L
AGENDA/CHARTER ENV. & PUB. WORKS WAYS & MEANS

The specific legislative actions required are:

1. Schedule and hold a Public Hearing on the proposed Local Law.
2. Enact a Local Law authorizing the County Executive, or her designee, to execute any and all documents, and any amendments thereto, needed for the financing, execution, and implementation, with Solar Liberty, Inc., 6500 Sheridan Dr. #120, Buffalo, New York 14221, for power purchase agreements related to the creation of solar-generated electricity to benefit Monroe County Pure Waters and Monroe County facilities.
3. Authorize the Controller to transfer parcels adjacent to the Gloria Drive/Northeast Quadrant Landfill held as assets in the Solid Waste Fund, fund 9009, to the County Internal Service Fund, fund 9020.

An environmental review will be completed prior to Your Honorable Body taking final action on this matter.

Funding for this project, which will be offset by credits from the interconnection agreements, will be requested in the proposed 2016 Monroe County budget and any future years' budgets. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Solar Liberty, Inc., nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Adam K. Rizzo, President
Nathan T. Rizzo, Vice President

I recommend that this matter receive favorable action by Your Honorable Body.

Sincerely,



Maggie Brooks
County Executive

By Legislators _____ and _____

Intro No. ____

LOCAL LAW NO. ____ OF 2015

ENACTING A LOCAL LAW TO AUTHORIZE A POWER PURCHASE AGREEMENT AND LEASES WITH SOLAR LIBERTY, INC.; TRANSFERRING PARCELS FROM SOLID WASTE FUND TO COUNTY INTERNAL SERVICE FUND AND AUTHORIZING INTERCONNECTION AGREEMENTS WITH RG&E, ALL RELATED TO CREATION OF SOLAR-GENERATED ELECTRICITY TO BENEFIT MONROE COUNTY PURE WATERS AND MONROE COUNTY FACILITIES

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The Legislature hereby authorizes the County Executive, or her designee, to execute any and all documents, and any amendments thereto, needed for the financing, execution, and implementation, with Solar Liberty, Inc., for power purchase agreements related to the creation of solar-generated electricity to benefit Monroe County Pure Waters and Monroe County facilities.

Section 2. The Legislature hereby authorizes the Controller to transfer parcels adjacent to the Gloria Drive/Northeast Quadrant Landfill held as assets in the Solid Waste Fund, fund 9009, to the County Internal Service Fund, fund 9020.

Section 3. Funding for this project, which will be offset by credits from the interconnection agreements, will be requested in the proposed 2016 Monroe County budget and any future years' budgets.

Section 4. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

Matter of Urgency
File No. 15-XXXX.LL

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____



Office of the County Executive

Monroe County, New York

Maggie Brooks
County Executive

September 4, 2015

OFFICIAL FILE COPY
No. <u>15 0275</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
URGENT -L
PURE WATER ADM BRD

To The Administrative Boards of the
Gates-Chili-Ogden Sewer District
Irondequoit Bay South Central Pure Waters District
Northwest Quadrant Pure Waters District
Rochester Pure Waters District
407 County Office Building
Rochester, New York 14614

Subject: Authorize a Power Purchase Agreement and Leases with Solar Liberty, Inc.; Transfer Parcels from the Solid Waste Fund to the County Internal Service Fund and Authorize Interconnection Agreements with RG&E, All Related to the Creation of Solar-Generated Electricity to benefit Monroe County Pure Waters and Monroe County Facilities

Honorable Legislators:

I recommend that the Administrative Boards of the Gates-Chili-Ogden Sewer District, Irondequoit Bay South Central Pure Waters District, Northwest Quadrant Pure Waters District and the Rochester Pure Waters District authorize a power purchase agreement (PPA) and leases with Solar Liberty, Inc. ("Solar Liberty"); transfer parcels adjacent to the Gloria Drive Landfill from the Solid Waste Fund to the County Internal Service Fund and authorize Interconnection Agreements with RG&E, all related to the creation of solar-generated electricity to benefit Monroe County Pure Waters and Monroe County facilities.

Monroe County, the Rochester Pure Waters District and the Northwest Quadrant Pure Waters District will contract with Solar Liberty for a twenty-year PPA and leases to generate up to 11 MW of electricity and resell the electricity to RG&E for offsetting credits on the County and the Districts utility bills. It is anticipated that the County will pay Solar Liberty approximately \$1.225 million per year for the electricity generated and will receive approximately \$1.591 million in credits from RG&E, netting \$366,000 annually. The electricity that will be generated annually represents more than the entire yearly electricity usage of the Northwest Quadrant and Gates-Chili-Ogden Pure Waters Districts combined.

A total of five (5) solar arrays of approximately 2 MW each will be installed under this project. Two (2) of the arrays will be located adjacent to the closed Gloria Drive/Northeast Quadrant Landfill in the Town of Penfield. The additional arrays will be located adjacent to the Northwest Quadrant Treatment Plant in the Town of Greece. Each 2 MW array requires a minimum of six (6) acres of land. The land required will be subdivided into separate parcels for each array to comply with the regulations related to the interconnection agreements with RG&E.

The transfer of the parcels adjacent to the Gloria Drive/Northeast Quadrant landfill from the Solid Waste Fund to the County Internal Service Fund is necessary to allow the utility bill credits generated to offset expenses from County facilities.

To The Administrative Boards of the
Gates-Chili-Ogden Sewer District
Irondequoit Bay South Central Pure Waters District
Northwest Quadrant Pure Waters District
Rochester Pure Waters District
September 4, 2015
Page 2

Several firms were considered, with Solar Liberty, Inc. rated the most qualified to implement all elements of the project.

The specific Administrative Boards actions required are:

1. Authorize the County Executive, or her designee, to execute any and all documents, and any amendments thereto, needed for the financing, execution, and implementation, with Solar Liberty, Inc., 6500 Sheridan Dr. #120, Buffalo, New York 14221, for power purchase agreements related to the creation of solar-generated electricity to benefit Monroe County Pure Waters and Monroe County facilities.
2. Authorize the Controller to transfer parcels adjacent to the Gloria Drive/Northeast Quadrant Landfill held as assets in the Solid Waste Fund, fund 9009, to the County Internal Service Fund, fund 9020.

An environmental review will be completed prior to Your Honorable Body taking final action on this matter.

Funding for this project, which will be offset by credits from the interconnection agreements, will be requested in the proposed 2016 Monroe County budget and any future years' budgets. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Solar Liberty, Inc., nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Adam K. Rizzo, President
Nathan T. Rizzo, Vice President

I recommend that this matter receive favorable action by the Administrative Boards of the Gates-Chili-Ogden Sewer District, Irondequoit Bay South Central Pure Waters District, Northwest Quadrant Pure Waters District and the Rochester Pure Waters District.

Sincerely,



Maggie Brooks
County Executive

By Legislators _____ and _____

PURE WATERS ADMINISTRATIVE BOARD OF THE
GATES-CHILI-OGDEN SEWER DISTRICT
IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT
NORTHWEST QUADRANT PURE WATERS DISTRICT
ROCHESTER PURE WATERS DISTRICT

Intro No. _____

RESOLUTION NO. _____ OF 2015

AUTHORIZING POWER PURCHASE AGREEMENT AND LEASES WITH SOLAR LIBERTY, INC.; TRANSFERRING PARCELS FROM SOLID WASTE FUND TO COUNTY INTERNAL SERVICE FUND AND AUTHORIZING INTERCONNECTION AGREEMENTS WITH RG&E, ALL RELATED TO CREATION OF SOLAR-GENERATED ELECTRICITY TO BENEFIT MONROE COUNTY PURE WATERS AND MONROE COUNTY FACILITIES

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE GATES-CHILI-OGDEN SEWER DISTRICT, IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT, NORTHWEST QUADRANT PURE WATERS DISTRICT AND THE ROCHESTER PURE WATERS DISTRICT, as follows:

Section 1. The Legislature hereby authorizes the County Executive, or her designee, to execute any and all documents, and any amendments thereto, needed for the financing, execution, and implementation, with Solar Liberty, Inc., for power purchase agreements related to the creation of solar-generated electricity to benefit Monroe County Pure Waters and Monroe County facilities.

Section 2. The Legislature hereby authorizes the Controller to transfer parcels adjacent to the Gloria Drive/Northeast Quadrant Landfill held as assets in the Solid Waste Fund, fund 9009, to the County Internal Service Fund, fund 9020.

Section 3. Funding for this project, which will be offset by credits from the interconnection agreements, will be requested in the proposed 2016 Monroe County budget and any future years' budgets.

Section 4. This resolution shall take effect immediately.

Matter of Urgency
File No. 15-XXXX

ADOPTION: Date: _____ Vote: _____