

PWAB 1

By Legislators Howland and Yolevich

PURE WATERS ADMINISTRATIVE BOARD OF THE  
ROCHESTER PURE WATERS DISTRICT

Intro No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**AUTHORIZING CONTRACT WITH O'BRIEN & GERE FOR PROFESSIONAL  
ENGINEERING SERVICES FOR ROCHESTER PURE WATERS DISTRICT'S LEXINGTON  
AVENUE TUNNEL IMPROVEMENT PROJECT**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE  
ROCHESTER PURE WATERS DISTRICT, as follows:

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract with O'Brien & Gere in the amount of \$139,883, for professional engineering services, for the Rochester Pure Waters District's Lexington Avenue Tunnel Improvement Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. Funding for this project, consistent with authorized uses, is included in capital fund 1653 and any capital fund(s) created for the same intended purpose.

Section 3. This resolution shall take effect immediately.

File No. 12-0184

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

PWAB 2

By Legislators Howland and Yolevich

PURE WATERS ADMINISTRATIVE BOARD OF THE  
ROCHESTER PURE WATERS DISTRICT

Intro No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**AUTHORIZING CONTRACT WITH BERGMANN ASSOCIATES FOR PROFESSIONAL  
ENGINEERING SERVICES FOR ROCHESTER PURE WATERS DISTRICT'S COMBINED  
OVERFLOW ABATEMENT SYSTEM TUNNEL IMPROVEMENT PROJECT**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE  
ROCHESTER PURE WATERS DISTRICT, as follows:

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract with Bergmann Associates, in the amount of \$187,946, for professional engineering services, for the Rochester Pure Waters District's Combined Overflow Abatement System Tunnel Improvement Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. Funding for this project, consistent with authorized uses, is included in capital fund 1653 and any capital fund(s) created for the same intended purpose.

Section 3. This resolution shall take effect immediately.

File No. 12-0186

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

1.

By Legislators Boyce and McCann

Intro. No. \_\_\_\_\_

MOTION NO. \_\_\_\_\_ OF 2012

**PROVIDING THAT LOCAL LAW (INTRO. NO. 180 OF 2012), ENTITLED "PROHIBITING CYBER-BULLYING IN MONROE COUNTY" BE LIFTED FROM THE TABLE**

BE IT MOVED, that Local Law (Intro. No. 180 of 2012), entitled "PROHIBITING CYBER-BULLYING IN MONROE COUNTY," be lifted from the table.

File No. 12-0140.LL

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

2.1

By Legislators Boyce and McCann

Intro. No. \_\_\_\_\_

MOTION NO. \_\_\_\_\_ OF 2012

**PROVIDING THAT LOCAL LAW (INTRO. NO. 180 OF 2012), ENTITLED "PROHIBITING CYBER-BULLYING IN MONROE COUNTY" BE ADOPTED**

BE IT MOVED, that Local Law (Intro. No. 180 of 2012), entitled "PROHIBITING CYBER-BULLYING IN MONROE COUNTY," be adopted.

File No. 12-0140.LL

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_



2-2

By Legislators Boyce and McCann

Intro No. 180

LOCAL LAW NO. \_\_\_\_ OF 2012

**LOCAL LAW ENTITLED "PROHIBITING CYBER-BULLYING IN MONROE COUNTY"**

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

Section 1. Part IV, General Local Laws of the Administrative Code and Charter of Monroe County, is hereby amended to include the following Local Law:

**CHAPTER 382. PROHIBITING CYBER-BULLYING IN MONROE COUNTY**

**§382-1. Title.**

This chapter shall be known as the law "Prohibiting Cyber-Bullying in Monroe County."

**§382-2. Legislative Intent.**

The Legislature finds that:

A. Bullying is a long-standing problem among school-aged children in Monroe County and throughout the nation. With increasing accessibility to electronic means of communication, bullying has transformed from a predominately school-based issue to a broader societal problem.

B. Recent studies indicated cyber bullying affects about 1 in 5 students today.

C. A bullied child can no longer count on respite from attacks upon returning home from school. Cyber bullying can be a 24-hour, 7-day a week problem.

D. Several states have enacted laws criminalizing cyber-bullying. To date, the New York State Legislature has failed to take action on this problem. Monroe County should not wait for New York State to act and should implement legislation to discourage and prevent cyber-bullying from occurring.

**§382-3. Purpose.**

The purpose of this section is to ban cyber-bullying against minors in Monroe County.

**§382-4. Definitions.** As used in this section:

A. County – the County of Monroe, New York.

B. Computer network – shall mean the interconnection of hardware or wireless communication lines with a computer through remote terminals, or a complex consisting of two or more interconnected computers.

C. Cyber-Bullying – shall mean, with intent to harass, annoy, threaten, or place another in fear of personal injury, engaging in a course of conduct or repeatedly committing acts of abusive behavior over a period of time by communication or causing a communication to be sent by mechanical or electronic means, posting statements or images on the internet, through a computer network, or via cell or smart phone. Acts of abusive behavior shall include, but not be limited to: taunting; threatening; intimidating; insulting; tormenting; humiliating;

disseminating sexually explicit photographs, either actual or modified, of a minor; disseminating the private, personal or sexual information, either factual or false, of a minor without lawful authority.

D. Minor – shall mean any natural person or individual under the age of eighteen (18).

E. Person – shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association, or other entity or business organization of any kind.

**§382-5. Prohibitions.**

It shall be unlawful for a person to engage in cyber-bullying against any minor in Monroe County.

**§382-6. Enforcement and Penalties.**

Any person violating the provisions of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding \$1,000 per offense, and/or up to one year’s imprisonment.

**§382-7. Severability.**

If any clause, sentence, paragraph, section or article of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the proceeding in which such adjudication shall have been rendered.

**§382-8 Reverse Preemption.**

This law shall be null and void on the day that statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this local law or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by Monroe County. The County Legislature may determine via mere resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section.

Section 2. This local law shall take effect immediately upon filing with the Secretary of State pursuant to Section 27 of the New York State Municipal Home Rule Law.

Agenda/Charter Committee; April 23, 2012 – CV: 6-0  
File No. 12-0140.LL

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

**ACTION BY THE COUNTY EXECUTIVE**

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF LOCAL LAW: \_\_\_\_\_

By Legislators Drawe and Boyce

Intro. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**CONFIRMING NOMINATIONS FOR YOUNG CITIZENS OF THE YEAR AND WILLIE W. LIGHTFOOT YOUTH ADVOCATE OF THE YEAR AWARDS**

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

Section 1. In accordance with Resolution No. 225 of 1991, the Legislature hereby confirms the following nominations for the Young Citizen of the Year Award and the Youth Advocate of the Year Award:

**YOUTH CITIZEN OF THE YEAR (Ages 12 and Under)**

- Madison Anderson, Rochester, NY 14617, Legislative District 16
- Meaghan Gartland, Webster, NY 14580, Legislative District 8
- Sarah Geller, Rochester, NY 14610, Legislative District 14
- Jordan Haller, Webster, NY 14580, Legislative District 8
- Lauren Meyers, Webster, NY 14580, Legislative District 8
- Travis Nau, Webster, NY 14580, Legislative District 8
- Taylor Patane, Webster, NY 14580, Legislative District 15
- Lucas Putnam, Honeoye Falls, NY 14472, Legislative District 5
- Ben Sousa, Honeoye Falls, NY 14472, Legislative District 5
- Jon Sousa, Honeoye Falls, NY 14472, Legislative District 5
- Ryan Woodhams, Honeoye Falls, NY 14472, Legislative District 5

**YOUNG CITIZEN OF THE YEAR (Ages 13-15)**

- Latricia Agee, Rochester, NY 14616, Legislative District 6
- Katherine Boyce, Pittsford, NY 14534, Legislative District 5
- Kristina Bracaglia, Honeoye Falls, NY 14472, Legislative District 5
- Katelyn Jenkins, Rochester, NY 14606, Legislative District 26
- Matt Kemp, Fairport, NY 14450, Legislative District 11
- Sean Kenyon, Webster, NY 14580, Legislative District 15
- Beth Martinez, Rochester, NY 14609, Legislative District 21
- Madison Mason, Webster, NY 14580, Legislative District 8
- Bridgette Merriman, Penfield, NY 14526, Legislative District 9
- Rebecca Murray, Penfield, NY 14526, Legislative District 9
- Jordan Paradise, Rochester, NY 14624, Legislative District 3
- Nicholas Pizzarello, Rochester, NY 14616, Legislative District 6
- Marianne Swan, Rochester, NY 14612, Legislative District 1
- Brianna Torrell, Webster, NY 14580, Legislative District 15

**YOUNG CITIZEN OF THE YEAR (Ages 16-21)**

- Jacob Barkin, Ionia, NY 14475, Legislative District 5
- McKenzie Bestram, Pittsford, NY 14534, Legislative District 10
- Danielle Bleier, Spencerport, NY 14559, Legislative District 20
- Jena Bower, Scottsville, NY 14546, Legislative District 12
- Tim Copeland, Pittsford, NY 14534, Legislative District 5
- Christian James Cordaro, Rochester, NY 14616, Legislative District 6
- Julio Cruz Jr., Rochester, NY 14608, Legislative District 28
- Cara Cutaia, Spencerport, NY 14559, Legislative District 20
- Pratisha Date, Pittsford, NY 14543, Legislative District 13

- Valeria Delgado, Webster, NY 14580, Legislative District 8
- Richard DeMeyer, Hilton, NY 14468, Legislative District 1
- Emma DiPasquale, Pittsford, NY 14534, Legislative District 10
- Patrick Egan, Rochester, NY 14624, Legislative District 4
- Connor Firkins, Rochester, NY 14626, Legislative District 19
- Andrew Fowler, Hilton, NY 14468, Legislative District 1
- Jordan Frazier, Rochester, NY 14626, Legislative District 7
- Kaylea Freeza, Rochester, NY 14625, Legislative District 9
- Madeline Gee, Scottsville, NY 14546, Legislative District 12
- Kristy Giovannini, Spencerport, NY 14559, Legislative District 20
- Steven Hilsdorf, Rochester, NY 14624, Legislative District 3
- Amanda Horowitz, Fairport, NY 14450, Legislative District 11
- Janna Karatas, Penfield, NY 14526, Legislative District 9
- Omar Khan, Henrietta, NY 14467, Legislative District 13
- Melissa LaCelle, Spencerport, NY 14459, Legislative District 20
- Alyssa LaRocca, Rochester, NY 14624, Legislative District 3
- Jennifer LeBeau, Rochester, NY 14626, Legislative District 19
- Xiomara Medina, Rochester, NY 14605, Legislative District 22
- Danielle Mueller, Rochester, NY 14616, Legislative District 6
- Katie Offermann, Rochester, NY 14624, Legislative District 3
- Maria Posato, Webster, NY 14580, Legislative District 15
- Nick Potter, Fairport, NY 14450, Legislative District 18
- Bernard Rodgers, Rochester, NY 14609, Legislative District 21
- Jordan Root, Webster, NY 14580, Legislative District 15
- Patrick Salone, Rochester, NY 14612, Legislative District 6
- Andrea Schaertel, Webster, NY 14580, Legislative District 8
- Amanda Schartau, Rochester, NY 14624, Legislative District 3
- Ruth Spragins, Bergen, NY 14416, Legislative District 2
- Jessica Steklof, Rochester, NY 14625, Legislative District 9
- Amanda Stroh, Spencerport, NY 14559, Legislative District 20
- Latasha Teagle, Rochester, NY 14611, Legislative District 27
- Nicole Tondryk, Honeoye Falls, NY 14472, Legislative District 5
- Casey Marie Weaver, NY 14616, Legislative District 7
- Tatiana Williams, Rochester, NY 14606, Legislative District 22
- Ashlee Wilmier, Hamlin, NY, 14464, Legislative District 2

**WILLIE W. LIGHTFOOT YOUTH ADVOCATE OF THE YEAR**

- Johanna Bartlett, Penfield, NY 14526, Legislative District 7
- Betty Brock-Porter, Henrietta, NY 14467, Legislative District 13
- John Carlevatti, Webster, NY 14580, Legislative District 15
- Marie Claus, Fairport, NY 14450, Legislative District 11
- Jeff DeWilde, Rochester, NY 14616, Legislative District 6
- Deanie Estes, Caledonia, NY 14423, Legislative District 12
- Roger Estes, Caledonia, NY 14423, Legislative District 12
- Keith Greer, Penfield, NY 14526, Legislative District 9
- Michelle Hunzek, Fairport, NY 14450, Legislative District 18
- Mary Beth Kowalski, Rochester, NY 14612, Legislative District 7
- Brian Labigan, Rochester, NY 14612, Legislative District 26
- Adam Mattice, Rochester, NY 14607, Legislative District 23
- Betty Miller, Henrietta, NY 14467, Legislative District 13
- David Moriarty, Rochester, NY 14623, Legislative District 13
- George Moses, Rochester, NY 14609, Legislative District 21
- Laura Passero, Penfield, NY 14526, Legislative District 9
- Patrick Phelan, Rochester, NY 14615, Legislative District 19
- Nick Ponterio, Rochester, NY 14620, Legislative District 24
- Brandi Remington, Rochester, NY 14613, Legislative District 23

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Morris Richardson, Rochester, NY 14612, Legislative District 7  
Moses Robinson, Rochester, NY 14611, Legislative District 3  
Rob Unger, Fairport, NY 14450, Legislative District 11

Human Services Committee; May 22, 2012 – CV: 10-0  
File No. 12-0170

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

By Legislators Rockow and Yolevich

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**APPROVING SUBMISSION OF 2012 ANNUAL ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT IN SUBURBAN MONROE COUNTY AND GRANT SUBMISSION TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

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

Section 1. The County Executive, or her designee, is hereby authorized to submit the 2012 Annual Action Plan to the United States Department of Housing and Urban Development and to provide such additional information as may be required by HUD for the Community Development Block Grant, Home Investment Partnerships Program and Emergency Solutions Grants programs.

Section 2. The County Executive, or her designee, is hereby authorized to accept the grant funds in the amount of \$2,576,295 or such other amount as determined by United States Department of Housing and Urban Development, subject to HUD approval of the submission.

Section 3. The sums of \$2,576,295 and \$340,000, which is the estimated Program Income expected to be generated during the program year, are hereby appropriated into fund 9005; funds center 1501010000, Community Development Grants, contingent on United States Department of Housing and Urban Development approval.

Section 4. The County Executive, or her designee, is hereby authorized to execute all contracts, including intermunicipal agreements, and any amendments thereto, that are necessary to carry out the administration of the Community Development Block Grant, Home Investment Partnerships Program, and Emergency Solutions Grants programs.

Section 5. The County Executive, or her designee, is hereby authorized to execute all agreements, debt instruments, and other documents for each loan, grant, relending project or activity which may be approved under the United States Department of Housing and Urban Development Section 108 Loan Guarantee Assistance program, pursuant to Section 168.00 of the Local Finance Law, and to accept, receive and reappropriate funds which are borrowed from HUD or any other party, and relend the same to qualified borrowers.

Section 6. The County Executive, or her designee, is hereby authorized to approve the use of contingency funds or funds reprogrammed from current or prior years pursuant to the United States Department of Housing and Urban Development regulations.

Section 7. The County Executive, or her designee, is hereby authorized to accept, receive and appropriate or reappropriate any funds which accrue to the Community Development Office in the form of program income for use in connection with programs offered or funded by the Community Development Office, which administers the grants. All such income shall be utilized in accordance with the United States Department of Housing and Urban Development regulations governing the use of program income.

Section 8. The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor requirements and to make any necessary funding modifications within grant guidelines to meet contractual commitments.

4.2

Section 9. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 10. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Planning and Economic Development Committee; May 21, 2012 - CV: 5-0  
Ways and Means Committee; May 23, 2012 - CV: 10-0  
File No. 12-0172

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

5.

By Legislators Hanna and Yolevich

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**AUTHORIZING CONTRACT WITH HEALTH CARE SUPPORT ADVISORS, INC. FOR MONROE COUNTY SHERIFF'S OFFICE TO CONDUCT CRIMINAL BACKGROUND CHECKS ON HCSA MEMBERS' POTENTIAL EMPLOYEES**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with Health Care Support Advisors, Inc. (HCSA), for the Sheriff's Office to conduct criminal background checks on potential employees of nursing homes which are served by HCSA, in an amount not to exceed \$80,000, for the period of June 16, 2012 through June 15, 2013, with the option to renew for two (2) additional one-year periods upon mutual consent of both parties. Each renewal will be for an amount consistent with the Sheriff's costs to provide the requested service.

Section 2. Funding for these services is included in the 2012 operating budget of the Office of the Sheriff, fund 9001, funds center 3806010000, Staff Services Administration.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Public Safety Committee; May 21, 2012 - CV: 7-0  
Ways and Means Committee; May 23, 2012 - CV: 10-0  
File No. 12-0173

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_



6.

By Legislators Hanna and Yolevich

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**AUTHORIZING CONTRACT WITH BONNIE PARK, PH.D., FOR JUVENILE AND FAMILY PSYCHOLOGICAL SERVICES FOR MONROE COUNTY OFFICE OF PROBATION - COMMUNITY CORRECTIONS**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with Bonnie Park, Ph.D., for juvenile and family psychological services, in the amount of \$20,000, for the period of July 1, 2012 through December 31, 2012, with the option to renew for three (3) additional one-year terms, in an amount not to exceed \$40,000 annually.

Section 2. Funding for this contract is included in the 2012 operating budget of the Department of Public Safety, fund 9001, funds center 2403010000, Office of Probation - Community Corrections, and will be requested in future years' budgets.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Public Safety Committee; May 21, 2012 - CV: 7-0  
Ways and Means Committee; May 23, 2012 - CV: 10-0  
File No. 12-0174

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

7.

By Legislators Gumina, Hanna, and Yolevich

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER TO ACCEPT PASS THROUGH FUNDING FROM UNITED STATES DEPARTMENT OF JUSTICE FOR 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with the City of Rochester, to accept pass through funding from the United States Department of Justice, in the amount of \$93,204, for the 2012 Edward Byrne Memorial Justice Assistance Grant Program, for the period of October 1, 2012 through September 30, 2013.

Section 2. The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor requirements and to make any necessary funding modifications within grant guidelines to meet contractual commitments.

Section 3. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 4. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Intergovernmental Relations Committee; May 23, 2012 – CV: 5-0  
Public Safety Committee; May 21, 2012 - CV: 7-0  
Ways and Means Committee; May 23, 2012 - CV: 10-0  
File No. 12-0175

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

By Legislators Colby and Yolevich

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**AUTHORIZING ACQUISITION OF INTERESTS IN REAL PROPERTY FOR SALT ROAD CULVERT IMPROVEMENT PROJECT AT FOUR MILE CREEK IN TOWN OF WEBSTER**

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

Section 1. The County Executive, or her designee, is hereby authorized to acquire the referenced property interests and execute all documents necessary for the Salt Road Culvert Improvement project at Four Mile Creek in the Town of Webster by contract and/or the Eminent Domain Procedure Law, along with any amendments for unanticipated damages, within the total capital fund(s) appropriation.

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 15	Glenn F. Taggart	
Parcel 1 PE 1249 sf	Irene E. Taggart	\$ 700
Parcel 2 TE 61 sf	873 Salt Road	\$ 350
873 Salt Road	Webster, NY 14580	
T.A. #080.02-2-35		
Town of Webster		
Map 16 R	Robert N. Pinkney	
Parcel 1 PE 1267 sf	1695 Lake Road	\$1,410
Parcel 2 TE 267 sf	Ontario, NY 14519	\$ 50
Parcel 3 TE 178 sf		\$ 50
Parcel 4 TE 413 sf		\$ 50
1629-1645 Ridge Road		
T.A. #081.01-1-13		
Town of Webster		
Map 17	G. Peter Wilbert	
Parcel 1 PE 1394 sf	Richard Wilbert	\$1,215
Parcel 2 TE 220 sf	Ronald Wilbert	\$ 150
1615 Ridge Road	Sharon Wilbert	
T.A. #080.02-2-34	Barbara Reiber	
Town of Webster	1575 Ridge Road	
	Webster, NY 14580	

Section 2. Funding for these acquisitions, consistent with authorized uses, is included in capital fund 1571 and any capital fund(s) created for the same intended purpose.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

8.2

Transportation Committee; May 22, 2012 - CV: 7-0  
Ways and Means Committee; May 23, 2012 - CV: 10-0  
File No. 12-0176

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

By Legislators Colby and Yolevich

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**AUTHORIZING ACQUISITION OF INTERESTS IN REAL PROPERTY FOR REDMAN ROAD CULVERT IMPROVEMENT PROJECT AT WEST CREEK TRIBUTARY IN TOWN OF CLARKSON**

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

Section 1. The County Executive, or her designee, is hereby authorized to acquire the referenced property interests and execute all documents necessary for the Redman Road Culvert Improvement Project at West Creek Tributary in the Town of Clarkson by contract and/or the Eminent Domain Procedure Law, along with any amendments for unanticipated damages, within the total capital fund(s) appropriation.

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 37 Parcel 1 PE 1958 sf Redman Road T.A. #039.01-1-14.1 Town of Clarkson	Terrance K. Howatt 1301 Dake Road Brockport, NY 14420	\$1,000
Map 38 Parcel 1 PE 1319 sf 2863 Redman Road T.A. #039.01-1-1 Town of Clarkson	Jeffrey H. Knapp 2863 Redman Road Clarkson, NY 14464	\$1,700

Section 2. Funding for these acquisitions, consistent with authorized uses, is included in capital fund 1407 and any capital fund(s) created for the same intended purpose.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Transportation Committee; May 22, 2012 - CV: 7-0  
Ways and Means Committee; May 23, 2012 - CV: 10-0  
File No. 12-0177

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

10.

By Legislators Drawe and Yolevich

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**ACCEPTING GRANT FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR IMMUNIZATION ACTION PLAN PROGRAM; AUTHORIZING CONTRACT WITH UNIVERSITY OF ROCHESTER**

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$300,000 grant from, and to execute a contract and any amendments thereto with, the New York State Department of Health, for the Immunization Action Plan Program, for the period of April 1, 2012 through March 31, 2013.

Section 2. The 2012 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$75,000 into fund 9300, funds center 5802050100, Immunization Action Plan Grant.

Section 3. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with the University of Rochester, for the Immunization Action Plan Program, in an amount not to exceed \$81,979, for the period of April 1, 2012 through March 31, 2013.

Section 4. The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor requirements and to make any necessary funding modifications within grant guidelines to meet contractual commitments.

Section 5. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Human Services Committee; May 22, 2012 - CV: 9-0  
Ways and Means Committee; May 23, 2012 - CV: 10-0  
File No. 12-0178

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

**ACTION BY THE COUNTY EXECUTIVE**

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**ACCEPTING GRANT FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR SUPPORT OF MONROE COUNTY NURSE FAMILY PARTNERSHIP PROGRAM; AMENDING RESOLUTION 294 OF 2011 TO INCREASE CONTRACTS WITH VISITING NURSE SERVICE OF ROCHESTER AND MONROE COUNTY, INC. AND NURSE-FAMILY PARTNERSHIP (NATIONAL SERVICE OFFICE)**

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$2,707,360 grant from, and to execute a contract and any amendments thereto with, the New York State Department of Health for support of the Monroe County Nurse-Family Partnership program, for the period of September 30, 2011 through September 29, 2016.

Section 2. The 2012 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$676,840, into fund 9300, funds center 5803050000, Nurse-Family Partnership.

Section 3. Resolution 294 of 2011 is hereby amended to amend the contract with Visiting Nurse Service of Rochester and Monroe County, Inc., to a total amount not to exceed \$1,096,464, for the Nurse-Family Partnership program, for the period of January 1, 2012 through December 31, 2012.

Section 4. Resolution 294 of 2011 is hereby amended to amend the contract with Nurse-Family Partnership (National Service Office), to a total amount not to exceed \$31,000, for the Nurse-Family Partnership program, for the period of January 1, 2012 through December 31, 2012.

Section 5. The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor requirements and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.

Section 6. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 7. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Human Services Committee; May 22, 2012 - CV: 9-0  
Ways and Means Committee; May 23, 2012 - CV: 10-0  
File No. 12-0179

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

By Legislators Valerio and Yolevich

12.

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**AUTHORIZING SALE OF PERMANENT EASEMENT AND TEMPORARY EASEMENT ON PROPERTY OWNED BY MONROE COUNTY, AS TRUSTEE FOR MONROE COMMUNITY COLLEGE TO TOWN OF BRIGHTON, ACTING FOR AND ON BEHALF OF BRIGHTON CONSOLIDATED SEWER DISTRICT FOR MONROE COMMUNITY COLLEGE SANITARY SEWER PROJECT**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract, for the sale of a permanent easement on property owned by Monroe County, as Trustee for Monroe Community College, consisting of 4.178 acres to the Town of Brighton, acting for and on behalf of the Brighton Consolidated Sewer District, for the Monroe Community College Sanitary Sewer Project for \$1, and for the sale of a temporary easement on property owned by Monroe County, as trustee for Monroe Community College, consisting of 6.949 acres to the Town of Brighton, acting for and on behalf of the Brighton Consolidated Sewer District, for the Monroe Community College Sanitary Sewer Project for \$1, and to execute all necessary documents for the conveyances.

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Parcel PE (4.178 acres)	Town of Brighton	\$1
Parcel TE (6.949 acres)	2300 Elmwood Avenue	\$1
Monroe Community College East Henrietta Road (Tax ID#149.14-1-1./BRC) and 1048 East Henrietta Road (Tax ID#149.14-1-1./RHC) Rochester, NY 14623	Rochester, NY 14618	

Section 2. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Recreation and Education Committee; May 22, 2012 - CV: 5-0  
Ways and Means Committee; May 23, 2012 - CV: 10-0  
File No. 12-0180

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_



By Legislators Yolevich and Gumina

13.1

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ of 2012

**MORTGAGE TAX DISTRIBUTION**

WHEREAS, in compliance with Section 261 of the Tax Law, the County Clerk and the Director of Finance have filed with the Clerk of the Legislature and the New York State Tax Commission a joint report (File No. 12-0182), showing the total amount of Mortgage Tax allocated to the various tax districts in Monroe County to be \$6,127,197.80, for the period October 1, 2011 through March 31, 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. That the Controller be, and he hereby is, authorized and directed to draw checks on the Mortgage Tax Fund and to make payment on or before June 15, 2012, as follows: one to the City of Rochester, Treasurer, in the amount of \$821,370.53 and one to the Supervisor of each Town and to the Village Treasurer of each Village pursuant to the Distribution Table, as follows:

**MORTGAGE TAX DISTRIBUTION TO  
THE SEVERAL TAX DISTRICTS OF MONROE COUNTY**

Brighton	\$	361,877.00
Chili		301,142.70
Clarkson		63,145.65
*Brockport Village		101.19
East Rochester		30,068.66
Gates		164,715.32
Greece		812,391.86
Hamlin		63,231.32
Henrietta		467,376.02
Irondequoit		349,129.97
Mendon		122,948.31
Honeoye Falls Village		12,483.92
Ogden		154,834.11
Spencerport Village		14,348.73
Parma		118,030.41
Hilton Village		18,357.95
Penfield		462,254.30
Perinton		585,331.99
Fairport Village		29,965.20
Pittsford		443,036.23
Pittsford Village		13,173.40
Riga		40,850.85
Churchville Village		7,969.80
Rush		35,253.89
Sweden		61,690.89

13.2

*Brockport Village	13,204.28
Webster	508,080.25
Webster Village	26,012.92
Wheatland	20,592.35
Scottsville Village	4,227.80
Town and Village Totals	<u>\$5,305,827.27</u>
City of Rochester	<u>821,370.53</u>
TOTAL	<u>\$6,127,197.80</u>
*Brockport Total:	\$ 13,305.47

Section 2. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Ways and Means Committee; May 23, 2012 – CV: 10-0  
File No. 12-0182

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

14.

By Legislators Howland and Yolevich

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**AUTHORIZING CONTRACT WITH O'BRIEN & GERE FOR PROFESSIONAL ENGINEERING SERVICES FOR ROCHESTER PURE WATERS DISTRICT'S LEXINGTON AVENUE TUNNEL IMPROVEMENT PROJECT**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract with O'Brien & Gere, in the amount of \$139,883, for professional engineering services, for the Rochester Pure Waters District's Lexington Avenue Tunnel Improvement Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. Funding for this project, consistent with authorized uses, is included in capital fund 1653 and any capital fund(s) created for the same intended purpose.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; May 23, 2012 - CV: 7-0  
Ways and Means Committee; May 23, 2012 - CV: 10-0  
File No. 12-0183

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

**ACTION BY THE COUNTY EXECUTIVE**

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

15.

By Legislators Howland and Yolevich

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**AUTHORIZING CONTRACT WITH BERGMANN ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES FOR ROCHESTER PURE WATERS DISTRICT'S COMBINED OVERFLOW ABATEMENT SYSTEM TUNNEL IMPROVEMENT PROJECT**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract with Bergmann Associates, in the amount of \$187,946, for professional engineering services, for the Rochester Pure Waters District's Combined Overflow Abatement System Tunnel Improvement Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. Funding for this project, consistent with authorized uses, is included in capital fund 1653 and any capital fund(s) created for the same intended purpose.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; May 23, 2012 – CV: 7-0  
Ways and Means Committee; May 23, 2012 – CV: 11-0  
File No. 12-0185

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

**ACTION BY THE COUNTY EXECUTIVE**

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

16.

By Legislators Colby and Yolevich

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**AUTHORIZING CONTRACT WITH C.P. WARD, INC., FOR CONSTRUCTION SERVICES FOR BURNT MILL ROAD BRIDGE OVER BLACK CREEK PROJECT IN TOWN OF RIGA**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract with C.P. Ward, Inc., in the amount of \$478,318, for construction services, for the Burnt Mill Road Bridge over Black Creek project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. Funding for this contract, consistent with authorized uses, is included in capital fund 1577 and any capital fund(s) created for the same intended purpose.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Transportation Committee; May 22, 2012 - CV: 7-0  
Ways and Means Committee; May 23, 2012- CV: 11-0  
File No. 12-0188

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

**ACTION BY THE COUNTY EXECUTIVE**

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

By Legislators Colby and Yolevich

17.1

Intro. No. \_\_\_\_

RESOLUTION NO. \_\_\_\_ OF 2012

SUPERSEDING BOND RESOLUTION DATED JUNE 12, 2012

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$747,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE RESTORATION OF BURNT MILL ROAD BRIDGE OVER BLACK CREEK (BIN 3317300), INCLUDING RELATED INCIDENTAL IMPROVEMENTS, IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$747,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON DECEMBER 13, 2011 (RESOLUTION NO. 337 OF 2011)**

**BE IT RESOLVED BY THE AFFIRMATIVE VOTE OF NOT LESS THAN TWO-THIRDS OF THE TOTAL VOTING STRENGTH OF THE LEGISLATURE OF THE COUNTY OF MONROE, NEW YORK, as follows:**

Section 1. For the class of objects or purposes of financing the cost of the restoration of Burnt Mill Road Bridge over Black Creek (BIN 3317300), including related incidental improvements, in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$747,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of an additional \$270,000 to pay the cost of the aforesaid class of objects or purposes (\$477,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is ten (10) years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The maximum estimated cost thereof is \$747,000, and the plan for the financing thereof is by the issuance of \$747,000 bonds of the County herein authorized; provided, however, that to the extent any state and/or federal aid and/or grant is received for the aforesaid purpose, such aid and/or grant shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance-Chief Financial Officer, the chief fiscal officer of the County under the Local Finance Law. The Director of Finance-Chief Financial Officer may sell such bonds or notes at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Director of Finance-Chief Financial Officer shall determine is most favorable to the County, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be

prescribed by said Director of Finance-Chief Financial Officer, consistent with the provisions of the Local Finance Law. The Director of Finance-Chief Financial Officer may, in the event it is determined to issue variable rate bonds or notes, enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds or notes, as authorized under Section 54.90 of the Local Finance Law. The Director of Finance-Chief Financial Officer is also authorized to enter into such agreements and take such other action as may be necessary or appropriate and lawful to assure that, to the extent possible, (i) interest on the bonds and notes authorized hereby will not be includable in the gross income, for federal income tax purposes, of the recipients thereof, and (ii) to enable the purchaser thereof to comply with Securities and Exchange Commission Rule 15c2-12. The Director of Finance-Chief Financial Officer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for such bonds or notes, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

Section 5. All other matters, except as provided herein, relating to such bonds or notes, including prescribing whether manual or facsimile signatures shall appear on said bonds or notes, prescribing the method for the recording of ownership of said bonds or notes, appointing the fiscal agent or agents for said bonds or notes, providing for the printing and delivery of said bonds or notes (and if said bonds or notes are to be executed in the name of the County by only facsimile signatures, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, form, denominations, maturities, interest rate or rates, terms of and manner of sale and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Director of Finance-Chief Financial Officer. The Director of Finance-Chief Financial officer may elect to become the fiscal agent for the bonds or notes, or may contract on behalf of the County for this service pursuant to the Local Finance Law. Such bonds or notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 52.00 of the Local Finance Law, as the Director of Finance-Chief Financial Officer shall determine.

Section 6. The validity of such bonds and bond anticipation notes, as authorized by this resolution or as authorized by any resolution which this resolution supersedes, may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or

- 3) such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution shall supersede Resolution No. 337 of 2011, being a bond resolution dated December 13, 2011, except to the extent that any encumbrances have been made thereunder. No bonds or notes have been issued under Resolution No. 337 of 2011. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of bonds to be issued therefor from \$477,000 to \$747,000.

17.3

Section 8. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter and the Clerk of the Legislature is hereby authorized and directed to cause this resolution or a summary hereof to be published, together with a notice attached in substantially the form and in the manner provided by Section 81.00 of the Local Finance Law.

Transportation Committee; May 22, 2012 – CV: 7-0  
Ways and Means Committee; May 23, 2012 – CV: 11-0  
File No. 12-0188.br

ADOPTION: Date: \_\_\_\_\_

Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_



By Legislators Colby and Yolevich

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**AUTHORIZING CONTRACT WITH VILLAGER CONSTRUCTION, INC., FOR CONSTRUCTION SERVICES FOR EAST RIDGE ROAD PROJECT IN TOWN OF IRONDEQUOIT**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract with Villager Construction, Inc., in the amount of \$9,923,133, for construction services, for the East Ridge Road project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. Funding for this contract, consistent with authorized uses, is included in capital fund 1353 and any capital fund(s) created for the same intended purpose.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Transportation Committee; May 22, 2012 - CV: 7-0  
Ways and Means Committee; May 23, 2012- CV: 11-0  
File No. 12-0189

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

By Legislators Colby and Yolevich

19.1

Intro. No. \_\_\_\_

RESOLUTION NO. \_\_\_\_ OF 2012

SUPERSEDING BOND RESOLUTION DATED JUNE 12, 2012

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$13,500,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE RECONSTRUCTION AND IMPROVEMENT OF PORTIONS OF EAST RIDGE ROAD FROM CITY LINE TO CULVER ROAD IN AND FOR SAID COUNTY, AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON DECEMBER 9, 2008 (RESOLUTION NO. 343 OF 2008)**

BE IT RESOLVED BY THE AFFIRMATIVE VOTE OF NOT LESS THAN TWO-THIRDS OF THE TOTAL VOTING STRENGTH OF THE LEGISLATURE OF THE COUNTY OF MONROE, NEW YORK, as follows:

Section 1. For the class of objects or purposes of financing the cost of the reconstruction and improvement of portions of East Ridge Road from City Line to Culver Road in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$13,500,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of an additional \$4,210,000 to pay the cost of the aforesaid class of objects or purposes (\$9,290,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is fifteen (15) years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law, computed from July 19, 2006, the date of the first obligation issued therefor.

Section 2. The maximum estimated cost thereof is now determined to be \$13,500,000, and the plan for the financing thereof is by the issuance of \$13,500,000 bonds of the County herein authorized; provided, however, that to the extent any State and/or Federal aid and/or grant is received for the aforesaid purpose, such aid and/or grant shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance-Chief Financial Officer, the chief fiscal officer of the County under the Local Finance Law. The Director of Finance-Chief Financial Officer may sell such bonds or notes at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Director of Finance-Chief Financial Officer shall determine is most favorable to the County, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance-Chief Financial Officer, consistent with the provisions of the Local

Finance Law. The Director of Finance-Chief Financial Officer may, in the event it is determined to issue variable rate bonds or notes, enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds or notes, as authorized under Section 54.90 of the Local Finance Law. The Director of Finance-Chief Financial Officer is also authorized to enter into such agreements and take such other action as may be necessary or appropriate and lawful to assure that, to the extent possible, (i) interest on the bonds and notes authorized hereby will not be includable in the gross income, for federal income tax purposes, of the recipients thereof, and (ii) to enable the purchaser thereof to comply with Securities and Exchange Commission Rule 15c2-12. The Director of Finance-Chief Financial Officer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for such bonds or notes, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

Section 5. All other matters, except as provided herein, relating to such bonds or notes, including prescribing whether manual or facsimile signatures shall appear on said bonds or notes, prescribing the method for the recording of ownership of said bonds or notes, appointing the fiscal agent or agents for said bonds or notes, providing for the printing and delivery of said bonds or notes (and if said bonds or notes are to be executed in the name of the County by only facsimile signatures, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, form, denominations, maturities, interest rate or rates, terms of and manner of sale and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Director of Finance-Chief Financial Officer. The Director of Finance-Chief Financial officer may elect to become the fiscal agent for the bonds or notes, or may contract on behalf of the County for this service pursuant to the Local Finance Law. Such bonds or notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 52.00 of the Local Finance Law, as the Director of Finance-Chief Financial Officer shall determine.

Section 6. The validity of such bonds and bond anticipation notes, as authorized by this resolution or as authorized by any resolution which this resolution supersedes, may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- 3) such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution shall supersede Resolution No. 343 of 2008, being a bond resolution dated December 9, 2008, except to the extent that any indebtedness shall have already been contracted or encumbrances made thereunder for the class of objects or purposes for which such resolution was adopted. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of bonds to be issued therefor from \$9,290,000 to \$13,500,000.

Section 8. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

19.3

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter and the Clerk of the Legislature is hereby authorized and directed to cause this resolution or a summary hereof to be published, together with a notice attached in substantially the form and in the manner provided by Section 81.00 of the Local Finance Law.

Transportation Committee; May 22, 2012 – CV: 7-0  
Ways and Means Committee; May 23, 2012 – CV: 11-0  
File No. 12-0189.br

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

20.

By Legislators Rockow, Hanna, Valerio, Colby, Drawe, Howland, Gumina, Yolevich

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**ADOPTING 2013-2018 CAPITAL IMPROVEMENT PROGRAM**

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

Section 1. The Legislature hereby adopts the proposed 2013-2018 Capital Improvement Program of the County of Monroe, as submitted by County Executive Maggie Brooks, in its entirety.

Section 2. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

- Planning and Economic Development Committee; May 21, 2012 – CV: 3-2
  - Public Safety Committee; May 21, 2012 – CV: 4-3
  - Recreation and Education Committee; May 22, 2012 – CV: 3-2
  - Transportation Committee; May 22, 2012 - CV: 4-3
  - Human Services Committee; May 22, 2012 – CV: 6-3
  - Environment and Public Works Committee; May 23, 2012 – CV: 4-3
  - Intergovernmental Relations Committee; May 23, 2012 – CV: 3-2
  - Ways and Means Committee; May 23, 2012 – CV: 7-4
- File No. 12-0190

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

**ACTION BY THE COUNTY EXECUTIVE**

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

21.

By Legislators Rockow, Hanna, Valerio, Colby, Drawe, Howland, Gumina, Yolevich

Intro. No. \_\_\_\_\_

MOTION NO. \_\_\_\_\_ OF 2012

**PROVIDING THAT RESOLUTION (INTRO. NO. \_\_\_\_\_ OF 2012), "ADOPTING 2013-2018 CAPITAL IMPROVEMENT PROGRAM," BE TABLED**

BE IT MOVED, that Resolution (Intro. No. \_\_\_\_\_ of 2012), entitled "ADOPTING 2013-2018 CAPITAL IMPROVEMENT PROGRAM," be tabled.

File No. 12-0190

ADOPTION: Date: \_\_\_\_\_

Vote: \_\_\_\_\_

22.

By Legislators Rockow, Hanna, Valerio, Colby, Drawe, Howland, Gumina, Yolevich

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2012

**FIXING PUBLIC HEARING FOR ADOPTION OF 2013-2018 CAPITAL IMPROVEMENT PROGRAM**

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

Section 1. The Legislature hereby fixes a public hearing to be held before the Monroe County Legislature on \_\_\_\_\_, 2012, at \_\_\_\_\_, at the County Legislative Chambers, County Office Building, Rochester, New York, on the proposed 2013-2018 Capital Improvement Program of the County of Monroe, submitted by County Executive Maggie Brooks.

Section 2. The Clerk of the Legislature is hereby directed to publish the legal notice of such public hearing at least once in one (1) daily newspaper of general circulation in the County, at least ten (10) days before the date set for the hearing.

Section 3. This resolution shall take effect immediately.

Planning and Economic Development Committee; May 21, 2012 – CV: 3-2

Public Safety Committee; May 21, 2012 – CV: 4-3

Recreation and Education Committee; May 22, 2012 – CV: 3-2

Transportation Committee; May 22, 2012 - CV: 4-3

Human Services Committee; May 22, 2012 – CV: 6-3

Environment and Public Works Committee; May 23, 2012 – CV: 4-3

Intergovernmental Relations Committee; May 23, 2012 – CV: 3-2

Ways and Means Committee; May 23, 2012 – CV: 7-4

File No. 12-0190

ADOPTION: Date: \_\_\_\_\_

Vote: \_\_\_\_\_