

By Legislators Tucciarello and Andrews

Intro. No. 334

RESOLUTION NO. 261 OF 2014

IN MEMORIAM

EXPRESSING REGRET OF THE MONROE COUNTY LEGISLATURE ON THE RECENT PASSING OF JAMES F. DELEHANTY, FATHER OF LEGISLATOR SEAN M. DELEHANTY

BE IT RESOLVED, that the Monroe County Legislature hereby expresses its deep sympathy at the recent passing of James F. Delehanty, father of Legislator Sean M. Delehanty; and

WHEREAS, James Delehanty passed away on July 7, 2014, following a week spent enjoying time with his family at their beloved summer retreat in the Adirondacks; and

WHEREAS, James lived a life dedicated to his country. As a veteran of the United States Army, he served with the 113th infantry to protect the values and freedoms he held so close; and

WHEREAS, James was an employee of the Otis Elevator Co. for over 32 years where he used his skills to ensure the safety of and provide convenient access for thousands of people. His career was highlighted by his service as a Project Manager at the World Financial Center, which stands across the street from the World Trade Center in New York City; and

WHEREAS, James was a man of great faith who belonged to the Parish of Saint John of Rochester; and

WHEREAS, Despite his accomplishments in the military and in the private sector, the most important part of his life was his family. James is survived by his wife Kathleen and his three children Daniel, Sean and Meghan, as well as by his grandchildren Aidan, Maeve, Finn, Callan, Ada and Hope; and

WHEREAS, James will long be remembered for his deep commitment to his faith, his country and to his family.

BE IT FURTHER RESOLVED, that the Clerk of the Legislature is hereby requested to forward a copy of this resolution to the bereaved family.

This resolution was adopted unanimously with each legislator rising in his or her place for a moment of silence.

File No. 14-0259

By Legislators Tucciarello and Andrews

Intro. No. 335

RESOLUTION NO. 262 OF 2014

IN MEMORIAM

EXPRESSING REGRET OF THE MONROE COUNTY LEGISLATURE ON THE RECENT PASSING OF JERRY J. HELFER, FORMER ASSISTANT COUNTY EXECUTIVE

BE IT RESOLVED, that the Monroe County Legislature hereby expresses its deep sympathy and sorrow at the recent passing of Jerry J. Helfer, who served as Deputy Supervisor for the Town of Greece after his 25 year commitment of public service for Monroe County; and

WHEREAS, Jerry J. Helfer went home to be with his Lord after a brief illness on Sunday, July 13, 2014, days after his 48th birthday. Jerry will forever be remembered not only for his dedication to public service, but also for his love and devotion to his faith, his wife, his family, and friends; and

WHEREAS, Jerry J. Helfer is survived by his mother Elvira and his wife of 8 and a half years, Devan. Jerry was the oldest of his two brothers, John, and Jason, and all followed their late father, John L. Helfer, into public service. He is also survived by his sister in-laws Tammy and Jaimie; nieces and nephews, Justin, Ellie, Emilie, John, Joshua, Juliana, Jordan, Jayna, Jack, Jason and Ryan; father in-law and mother in-law Bruce and Christine Kulp; and

WHEREAS, Jerry was a true gentleman, and his honesty and hard work were the cornerstones of his career in public service. He earned the trust and respect of his friends and colleagues in the Town of Greece, Monroe County and the Republican Party; and

WHEREAS, Jerry loved the Town of Greece, where he served as Town Leader of the Republican Committee. He served the community in various ways, including eleven years on the Greece Town Board and time on the Greece Planning Board, the Zoning Board of Appeals and the Greece Youth Board; and

WHEREAS, Before being appointed as Deputy Supervisor of the Town of Greece, Jerry served as Assistant County Executive under County Executive Maggie Brooks. As liaison for the County Legislature, Jerry became much more than a colleague to this Honorable Body, he was a dear friend; and

WHEREAS, Jerry J. Helfer's service was distinguished not only by the quality of his service to the people of Greece and Monroe County, but also by the quality of the relationships he built during his life. Monroe County, the Town of Greece, and the Republican Party lost a respected colleague, a gentleman, and a good friend. Jerry will be greatly missed.

BE IT FURTHER RESOLVED, that the Clerk of the Legislature is hereby requested to forward a copy of this resolution to the bereaved family.

This resolution was adopted unanimously with each legislator rising in his or her place for a moment of silence.

File No. 14-0260

By Legislators Marianetti and Micciche

PURE WATERS ADMINISTRATIVE BOARD OF THE
GATES-CHILI-OGDEN SEWER DISTRICT

Intro. No. G8

RESOLUTION NO. 14G-007 OF 2014

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH TOWN OF OGDEN TO
PROVIDE SANITARY SEWAGE CONVEYANCE AND TREATMENT SERVICES**

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 Town of Ogden, for the Gates-Chili-Ogden Sewer District to provide sanitary sewage conveyance and treatment services to properties in Ogden's Perry-Ward Sanitary Sewer District.

Section 2. This resolution shall take effect immediately.

File No. 14-0230

ADOPTION: Date: August 12, 2014

Vote: 29-0

By Legislators Micciche and Yolevich

PURE WATERS ADMINISTRATIVE BOARD OF THE
ROCHESTER PURE WATERS DISTRICT

Intro No. R22

RESOLUTION NO. 14R-018 OF 2014

AMENDING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT – FLEET CENTER IMPROVEMENTS; AMENDING 2014-2019 CAPITAL IMPROVEMENT PROGRAM; AMENDING RESOLUTION 117 OF 2014; ACCEPTING INCENTIVE AWARD FROM NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT CORPORATION, FOR FLEET CENTER IMPROVEMENTS PROJECT

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

Section 1. The Pure Waters Administrative Board of the Rochester Pure Waters District hereby requests that the Monroe County Legislature approve an Increase and Improvement of Facilities in the Rochester Pure Waters District, consisting of a capital project, entitled “Fleet Center Improvements,” at an estimated cost of \$13,000,000.

Section 2. This resolution shall take effect immediately.

File No. 14-0241

ADOPTION: Date: August 12, 2014

Vote: 29-0

By Legislators Tucciarello and Andrews

Intro. No. 336

MOTION NO. 70 OF 2014

MOTION TO MOVE AGENDA ITEMS 1 THROUGH 15 AS A WHOLE

Be It Moved, that agenda items 1 through 15 at the August 12, 2014 Full Legislature Meeting be moved as a whole and voted on simultaneously by casting a unanimous vote by the Legislature Body.

ADOPTION: Date: August 12, 2014 Vote: 29-0

By Legislators Howland and Ancello

Intro. No. 337

MOTION NO. 71 OF 2014

PROVIDING THAT RESOLUTION (INTRO. NO. 312 OF 2014), ENTITLED "AUTHORIZING ADDITIONS TO THREE MONROE COUNTY AGRICULTURAL DISTRICTS," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 312 of 2014), entitled "AUTHORIZING ADDITIONS TO THREE MONROE COUNTY AGRICULTURAL DISTRICTS," be lifted from the table.

File No. 14-0206

ADOPTION: Date: August 12, 2014

Vote: 29-0

By Legislators Howland and Ancello

Intro. No. 338

MOTION NO. 72 OF 2014

PROVIDING THAT RESOLUTION (INTRO. NO. 312 OF 2014), ENTITLED "AUTHORIZING ADDITIONS TO THREE MONROE COUNTY AGRICULTURAL DISTRICTS," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 312 of 2014), entitled "AUTHORIZING ADDITIONS TO THREE MONROE COUNTY AGRICULTURAL DISTRICTS," be adopted.

File No. 14-0206

ADOPTION: Date: August 12, 2014

Vote: 29-0

By Legislators Howland and Ancello

Intro. No. 312

RESOLUTION NO. 263 OF 2014

AUTHORIZING ADDITIONS TO THREE MONROE COUNTY AGRICULTURAL DISTRICTS

WHEREAS, pursuant to Article 25AA Section 303-b of the Agriculture and Markets Law, the Monroe County Agricultural and Farmland Protection Board has submitted a report recommending the proposed addition of eight (8) parcels to the following three (3) Monroe County Agricultural Districts:

Monroe County Midwestern Agricultural District #1:

- 1356 W. Sweden Road, Town of Sweden, consisting of approximately 45.34 acres, tax account number 113.01-1-4.11, owned by Adam C. & Aimee C. Mesiti.

Monroe County Northwestern Agricultural District #5:

- 5127 Ridge Road West, Town of Parma, consisting of approximately 122 acres, tax account number 072.01-1-21.2, owned by Matthew, Ellen, & Gregory VerHulst.
- 893 Peck Road, Town of Parma, consisting of approximately 11.60 acres, tax account number 056.02-1-24.2 and 899 Peck Road, Town of Parma, consisting of approximately 35.85 acres, tax account number 056.02-1-3.2, owned by Kenneth R. & Theresa M. Troyer.
- 85 Burritt Road, Town of Parma, consisting of approximately 32.63 acres, tax account number 033.03-1-10.1, owned by Edward & Cynthia Arnold.
- 530 Morton Road, Town of Hamlin, consisting of approximately 43.60 acres, tax account number 011.02-1-9, owned by Louis P. Lustumbo.
- 3800 Roosevelt Highway, Town of Hamlin, consisting of approximately 15.16 acres, tax account number 020.03-2-3.21, owned by Roy B. & Martha S. Derosia.

Monroe County Eastern Agricultural District #6:

- 1271 Plank Road, Town of Penfield, consisting of approximately 36.31 acres, tax account number 095.03-1-40.001, owned by Gary & Wendy Smith.

WHEREAS, this report recommends the addition of the eight (8) parcels described above to the Monroe County Midwestern Agricultural District #1, Monroe County Northwestern Agricultural District #5, and Monroe County Eastern Agricultural District #6.

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

Section 1. The Legislature hereby approves and adopts the proposed addition of: one (1) parcel to the Monroe County Midwestern Agricultural District #1; six (6) parcels to the Monroe County Northwestern Agricultural District #5; and one (1) parcel to the Monroe County Eastern Agricultural District #6, as described above and as recommended by the Monroe County Agricultural and Farmland Protection Board.

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

Planning and Economic Development Committee; June 23, 2014 - CV: 5-0
Planning and Economic Development Committee; July 28, 2014 - CV: 5-0
File No. 14-0206

ADOPTION: Date: August 12, 2014 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED:

SIGNATURE: Maye Moody DATE: 8/19/14

EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Valerio and Yolevich

Intro. No. 339

MOTION NO. 73 OF 2014

PROVIDING THAT RESOLUTION (INTRO. NO. 329 OF 2014), ENTITLED "APPROVING MONROE COMMUNITY COLLEGE'S 2014-2015 OPERATING BUDGET," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 329 of 2014), entitled "APPROVING MONROE COMMUNITY COLLEGE'S 2014-2015 OPERATING BUDGET," be lifted from the table.

File No. 14-0237

ADOPTION: Date: August 12, 2014

Vote: 29-0

By Legislators Valerio and Yolevich

Intro. No. 340

MOTION NO. 74 OF 2014

PROVIDING THAT RESOLUTION (INTRO. NO. 329 OF 2014), ENTITLED "APPROVING MONROE COMMUNITY COLLEGE'S 2014-2015 OPERATING BUDGET," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 329 of 2014), entitled "APPROVING MONROE COMMUNITY COLLEGE'S 2014-2015 OPERATING BUDGET," be adopted.

File No. 14-0237

ADOPTION: Date: August 12, 2014

Vote: 29-0

By Legislators Valerio and Yolevich

Intro. No. 329

RESOLUTION NO. 264 OF 2014

APPROVING MONROE COMMUNITY COLLEGE'S 2014-2015 OPERATING BUDGET

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

Section 1. The operating budget for the fiscal year September 1, 2014 through August 31, 2015, in the amount of \$126,900,000, with a sponsor contribution by the County of Monroe in the amount of \$18,880,000, is hereby approved.

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

Matter of Urgency
File No. 14-0237

ADOPTION: Date: August 12, 2014

Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Masjo Madds DATE: 8/19/14

EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Ancello and Yolevich

Intro. No. 341

RESOLUTION NO. 265 OF 2014

ACCEPTING GRANT FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR DISTRICT ATTORNEY'S OFFICE, OFFICE OF THE SHERIFF, AND DEPARTMENT OF PUBLIC SAFETY, OFFICE OF PROBATION AND COMMUNITY CORRECTIONS, FOR GUN INVOLVED VIOLENCE ELIMINATION PARTNERSHIP

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 \$1,136,032 grant from, and to execute contracts and any amendments thereto with, the New York State Division of Criminal Justice Services, for the Gun Involved Violence Elimination Partnership, for the District Attorney's Office, the Office of the Sheriff, and the Department of Public Safety, Office of Probation and Community Corrections, for the period of July 1, 2014 through June 30, 2015.

Section 2. The 2014 operating grant budget of the Office of the Sheriff is hereby amended by appropriating the sum of \$103,595 into fund 9300, funds center 3803010000, Police Bureau Administration.

Section 3. The 2014 operating grant budget of the Department of Public Safety, Office of Probation and Community Corrections is hereby amended by appropriating the sum of \$87,790 into fund 9300, funds center 2403050000, Central Services.

Section 4. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with Boys and Girls Clubs of Rochester, Inc., to continue its Accelerated Reading Program, in the amount of \$18,000, for the period of July 1, 2014 through June 30, 2015.

Section 5. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, 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.

Public Safety Committee; July 28, 2014 - CV: 8-0
Ways and Means Committee; July 30, 2014 - CV: 10-0
File No. 14-0224

ADOPTION: Date: August 12, 2014 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magee Moody DATE: 8/19/14
EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Ancello and Yolevich

Intro. No. 342

RESOLUTION NO. 266 OF 2014

AUTHORIZING CONTRACT WITH NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR REIMBURSEMENT OF FY2014 EMERGENCY MANAGEMENT PERFORMANCE GRANT

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 the New York State Division of Homeland Security and Emergency Services, for reimbursement of County expenses related to the FY2014 Emergency Management Performance Grant, in the amount of \$285,906, for the period of October 1, 2013 through September 30, 2015.

Section 2. Funding for this program is included in the 2014 operating budget of the Department of Public Safety, fund 9001, funds center 2408030100, Office of Emergency Management.

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

Public Safety Committee; July 28, 2014 - CV: 8-0
Ways and Means Committee; July 30, 2014 - CV: 10-0
File No. 14-0225

ADOPTION: Date: August 12, 2014 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED:

SIGNATURE: Margie Mosley DATE: 8/19/14

EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Ancello and Yolevich

Intro. No. 343

RESOLUTION NO. 267 OF 2014

ACCEPTING THREE ALTERNATIVES TO INCARCERATION GRANTS FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR PRETRIAL PROGRAM, ENHANCED PRETRIAL PROGRAM, AND DOMICILE RESTRICTION 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 accept a \$170,494 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Criminal Justice Services, for the Alternatives to Incarceration Grant, for the Pretrial Program, for the period of July 1, 2014 through June 30, 2015.

Section 2. The County Executive, or her designee, is hereby authorized to accept a \$105,533 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Criminal Justice Services, for the Alternatives to Incarceration Grant, for the Enhanced Pretrial Program, for the period of July 1, 2014 through June 30, 2015.

Section 3. The County Executive, or her designee, is hereby authorized to accept a \$51,961 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Criminal Justice Services, for the Alternatives to Incarceration Grant, for the Domicile Restriction Program, for the period of July 1, 2014 through June 30, 2015.

Section 4. Funding for these grants is included in the 2014 operating budget of the Department of Public Safety, Office of Probation and Community Corrections, fund 9001, funds center 2403060000, Alternatives to Incarceration.

Section 5. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, 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 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.

Public Safety Committee; July 28, 2014 - CV: 8-0
Ways and Means Committee; July 30, 2014 - CV: 10-0
File No. 14-0226

ADOPTION: Date: August 12, 2014 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Margie Probst DATE: 8/19/14
EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Ancello and Yolevich

Intro. No. 344

RESOLUTION NO. 268 OF 2014

ACCEPTING GRANT FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR LOCAL REENTRY COORDINATION AND SERVICES PROGRAM AND AUTHORIZING CONTRACT WITH DELPHI DRUG AND ALCOHOL COUNCIL, INC.

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 \$353,280 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Criminal Justice Services, for the Local Reentry Coordination and Services Program, for the period of July 1, 2014 through June 30, 2015.

Section 2. The 2014 operating grant budget of the Department of Public Safety, Office of Probation and Community Corrections, is hereby amended by appropriating the sum of \$353,280 into fund 9300, funds center 2403010000, Probation Administration.

Section 3. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with Delphi Drug and Alcohol Council, Inc., for coordination and provision of the Local Reentry services, in the amount of \$343,280, for the period of July 1, 2014 through June 30, 2015.

Section 4. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, 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.

Public Safety Committee; July 28, 2014 - CV: 8-0
Ways and Means Committee; July 30, 2014 - CV: 10-0
File No. 14-0227

ADOPTION: Date: August 12, 2014 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Margo Mosk DATE: 8/19/14

EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Marianetti, Ancello and Yolevich

Intro. No. 345

RESOLUTION NO. 269 OF 2014

AUTHORIZING INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER TO ACCEPT PASS THROUGH FUNDING FROM UNITED STATES DEPARTMENT OF JUSTICE FOR 2014 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 \$90,565, for the 2014 Edward Byrne Memorial Justice Assistance Grant Program, for the period of October 1, 2014 through September 30, 2015.

Section 2. The 2014 operating grant budget of the Department of Public Safety, Office of Probation and Community Corrections, is hereby amended by appropriating the sum of \$4,565 into fund 9300, funds center 2403040000, General Supervision Division.

Section 3. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, 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 4. 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 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Intergovernmental Relations Committee; July 28, 2014 - CV: 5-0

Public Safety Committee; July 28, 2014 - CV: 8-0

Ways and Means Committee; July 30, 2014 - CV: 10-0

File No. 14-0228

ADOPTION: Date: August 12, 2014

Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Mayo Mads DATE: 8/19/14

EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Marianetti and Micciche

Intro. No. 346

RESOLUTION NO. 270 OF 2014

AUTHORIZING INTERMUNICIPAL AGREEMENT WITH TOWN OF OGDEN TO PROVIDE SANITARY SEWAGE CONVEYANCE AND TREATMENT SERVICES

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 Town of Ogden, for the Gates-Chili-Ogden Sewer District to provide sanitary sewage conveyance and treatment services to properties in Ogden's Perry-Ward Sanitary Sewer District.

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

Intergovernmental Relations Committee; July 28, 2014 - CV: 5-0
Environment and Public Works Committee; July 30, 2014 - CV: 6-0
File No. 14-0229

ADOPTION: Date: August 12, 2014 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Margie Mack DATE: 8/19/14
EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Colby and Yolevich

Intro. No. 347

RESOLUTION NO. 271 OF 2014

ACCEPTING GRANT FROM HEALTH RESEARCH, INC. FOR EXPANDED PARTNER SERVICES PILOT 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 accept a \$50,000 grant from, and to execute a contract and any amendments thereto with, Health Research, Inc., for the Expanded Partner Services Pilot Program, for the period of July 1, 2014 through December 31, 2014.

Section 2. The 2014 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$50,000 into fund 9300, funds center 5802030200, Expanded Partner Services Pilot Grant.

Section 3. The County Executive, or her designee, is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, 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 4. 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 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Human Services Committee; July 29, 2014 - CV: 9-0
Ways and Means Committee; July 30, 2014 - CV: 10-0
File No. 14-0231

ADOPTION: Date: August 12, 2014 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magie Moots DATE: 8/19/14
EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Ancello and Yolevich

Intro. No. 348

RESOLUTION NO. 272 OF 2014

AUTHORIZING CONTRACT WITH PASSERO ASSOCIATES, ENGINEERING, ARCHITECTURE & SURVEYING, P.C. FOR PROFESSIONAL ENGINEERING SERVICES FOR SHERIFF MARINE UNIT OFFICE 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 Passero Associates, Engineering, Architecture & Surveying, P.C., in the amount of \$47,883, for professional engineering services, for the Sheriff Marine Unit Office 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 1642 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.

Public Safety Committee; July 28, 2014 - CV: 8-0
Ways and Means Committee; July 30, 2014 - CV: 10-0
File No. 14-0232

ADOPTION: Date: August 12, 2014 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: 1 VETOED: _____

SIGNATURE: Margo Mads DATE: 8/19/14

EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Yolevich and Rockow

Intro. No. 349

RESOLUTION NO. 273 OF 2014

AUTHORIZING CONTRACT WITH HEALTH ECONOMICS GROUP, INC. FOR ADMINISTRATION OF MONROE COUNTY'S SELF-INSURED EMPLOYEE/RETIREE DENTAL INSURANCE PLAN

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 Economics Group, Inc. to act as the Third Party Administrator of Monroe County's Self-Insured Employee/Retiree Dental Insurance Plan, in an amount not to exceed \$115,000 per year, for the period of July 1, 2014 through June 30, 2017, with the option to renew for three (3) additional three-year terms.

Section 2. Funding for this contract is available within the benefits appropriations of each County department.

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

Ways and Means Committee; July 30, 2014 - CV: 10-0
File No. 14-0233

ADOPTION: Date: August 12, 2014 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: VETOED:
SIGNATURE: Meygo Mats DATE: 8/19/14
EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Yolevich and Rockow

Intro. No. 350

RESOLUTION NO. 274 OF 2014

AUTHORIZING SETTLEMENT OF LAWSUIT, ENTITLED "ALEXANDER SANTOS V. COUNTY OF MONROE"

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

Section 1. The Legislature hereby authorizes the settlement of the Santos lawsuit for \$75,000.

Section 2. The County Executive, or her designee, is hereby authorized to execute and deliver any and all documents necessary to effectuate such settlement.

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

Ways and Means Committee; July 30, 2014 - CV: 10-0
File No. 14-0234

ADOPTION: Date: August 12, 2014 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Melissa Mads DATE: 8/19/14

EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Boyce and Yolevich

Intro. No. 351

RESOLUTION NO. 275 OF 2014

AUTHORIZING TERM CONTRACT WITH BONADIO & CO. LLP FOR PROFESSIONAL AUDITING SERVICES RELATING TO DEPARTMENT OF TRANSPORTATION CONSULTANT AGREEMENTS

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 Bonadio & Co. LLP, for auditing services related to Department of Transportation consultant agreements, in an amount not to exceed \$50,000, for the period of September 1, 2014 through August 31, 2015, with the option to renew for two (2) additional one-year periods.

Section 2. Funding for this contract, consistent with authorized uses, is included in various capital funds, and any future capital funds, relating to the project to which the audited consultant agreement pertains.

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

Transportation Committee; July 29, 2014 - CV: 5-0
Ways and Means Committee; July 30, 2014 - CV: 10-0
File No. 14-0235

ADOPTION: Date: August 12, 2014 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magye Mools DATE: 8/19/14
EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Valerio and Gumina

Intro. No. 352

ADOPTING RESOLUTION TO APPROVE AND ENDORSE APPLICATION OF SENECA PARK ZOO SOCIETY FOR NEW YORK STATE DEPARTMENT OF PARKS, RECREATION AND HISTORIC PRESERVATION, ENVIRONMENTAL PROTECTION FUND GRANT FOR REDESIGN OF INTERPRETIVE GRAPHICS AND DISPLAYS FOR ROCKY COASTS EXHIBIT AT SENECA PARK ZOO

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

Section 1. The Legislature hereby adopts the attached resolution to approve and endorse the application of the Seneca Park Zoo Society for a New York State Department of Parks, Recreation and Historic Preservation, Environmental Protection Agency grant for a redesign of the interpretive graphics and displays for the Rocky Coasts exhibit at the Seneca Park Zoo.

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

Recreation and Education Committee; July 30, 2014 - CV: 3-0
File No. 14-0236

By Legislators Carbone and Marianetti

Intro. No. 353

MOTION NO. 75 OF 2014

PROVIDING THAT INTRO. NO. 352 OF 2014 BE AMENDED

Section 1. The title of Intro No. 352 is hereby amended to read as follows:

“Adopt a Resolution to Approve and Endorse the Application of the Seneca Park Zoo Society for a New York State ~~Department~~ Office of Parks, Recreation and Historic Preservation, Environmental Protection Fund Grant for a Redesign of the Interpretive Graphics and Displays for the Rocky Coasts Exhibit at the Seneca Park Zoo.”

Section 2. Section 1 of Intro No. 352 is hereby amended to read as follows:

The Legislature hereby adopts the attached resolution to approve and endorse the application of the Seneca Park Zoo Society for a New York State ~~Department~~ Office of Parks, Recreation and Historic Preservation, Environmental Protection ~~Agency~~ Fund grant for a redesign of the interpretive graphics and displays for the Rocky Coasts exhibit at the Seneca Park Zoo.

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

File No. 14-0236

ADOPTION: Date: August 12, 2014

Vote: 29-0

Added language is underlined

Deleted language is ~~stricken~~

By Legislators Valerio and Gumina

Intro. No. 352

RESOLUTION NO. 276 OF 2014
(As Amended by Motion No. 75 of 2014)

ADOPTING RESOLUTION TO APPROVE AND ENDORSE APPLICATION OF SENECA PARK ZOO SOCIETY FOR NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION, ENVIRONMENTAL PROTECTION FUND GRANT FOR REDESIGN OF INTERPRETIVE GRAPHICS AND DISPLAYS FOR ROCKY COASTS EXHIBIT AT SENECA PARK ZOO

Section 1. The Legislature hereby adopts the attached resolution to approve and endorse the application of the Seneca Park Zoo Society for a New York State Office of Parks, Recreation and Historic Preservation, Environmental Protection Fund grant for a redesign of the interpretive graphics and displays for the Rocky Coasts exhibit at the Seneca Park Zoo.

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

Recreation and Education Committee; July 30, 2014 - CV:
File No. 14-0236

ADOPTION: Date: August 12, 2014 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magic Mook DATE: 8/19/14
EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Micciche and Yolevich

Intro. No. 354

AMENDING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT – FLEET CENTER IMPROVEMENTS; AMENDING 2014-2019 CAPITAL IMPROVEMENT PROGRAM; AMENDING RESOLUTION 117 OF 2014; ACCEPTING INCENTIVE AWARD FROM NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT CORPORATION, FOR FLEET CENTER IMPROVEMENTS PROJECT

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

Section 1. The 2014-2019 Capital Improvement Program is hereby amended by moving funding from 2015 and 2016, in the amount of \$7,600,000 to 2014, and increasing the funding, in the amount of \$3,500,000 from \$7,600,000 to \$11,100,000.

Section 2. Section 1 and 2 of Resolution 117 are hereby amended to read as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Rochester Pure Waters District at a maximum estimated cost of ~~\$1,900,000~~ \$13,000,000, all as more fully described in the preambles hereof.

Section 2. The 2014 Capital Budget is hereby amended to include a new project entitled "Fleet Center Improvements" project, in the amount of ~~\$1,900,000~~ \$13,000,000.

Section 3. The Legislature hereby authorizes filing of applications and execution of Project Financing Agreements and any other necessary documents by the County Executive or the Director of Finance – Chief Financial Officer, as appropriate, for participation in the New York State Water Pollution Control revolving Loan Fund (SRF) under the applicable laws of New York State to finance all or a portion of the project.

Section 4. The County Executive, or her designee, is hereby authorized to accept an incentive award from, and to execute a contract and any amendments thereto, with the New York State Energy Research and Development Authority, for the New Construction Program, in an amount not to exceed \$15,000, for the "Fleet Center Improvements" project.

Section 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; July 30, 2014 - CV: 5-1

Ways and Means Committee; July 30, 2014 - CV: 8-2

File No. 14-0240

Added language is underlined.

Deleted language is ~~stricken~~.

By Legislators Micciche and Yolevich

Intro. No. 355

MOTION NO. 76 OF 2014

PROVIDING THAT RESOLUTION (INTRO. NO. 354 OF 2014), ENTITLED "AMENDING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FLEET CENTER IMPROVEMENTS; AMENDING 2014-2019 CAPITAL IMPROVEMENT PROGRAM; AMENDING RESOLUTION 117 OF 2014; ACCEPTING INCENTIVE AWARD FROM NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT CORPORATION, FOR FLEET CENTER IMPROVEMENTS PROJECT," BE TABLED

BE IT MOVED, that Resolution (Intro. No. 354 of 2014), entitled, "AMENDING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FLEET CENTER IMPROVEMENTS; AMENDING 2014-2019 CAPITAL IMPROVEMENT PROGRAM; AMENDING RESOLUTION 117 OF 2014; ACCEPTING INCENTIVE AWARD FROM NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT CORPORATION, FOR FLEET CENTER IMPROVEMENTS PROJECT," be tabled.

File No. 14-0240

ADOPTION: Date: August 12, 2014 Vote: 29-0

By Legislators Micciche and Yolevich

Intro. No. 356

RESOLUTION NO. 277 OF 2014

FIXING PUBLIC HEARING ON RESOLUTION (INTRO. NO. 354 OF 2014) ENTITLED "AMENDING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FLEET CENTER IMPROVEMENTS; AMENDING 2014-2019 CAPITAL IMPROVEMENT PROGRAM; AMENDING RESOLUTION 117 OF 2014; ACCEPTING INCENTIVE AWARD FROM NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT CORPORATION, FOR FLEET CENTER IMPROVEMENTS PROJECT"

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

Section 1. That there will be a public hearing at 6:15 P.M. on the 9th day of September, 2014, in the Legislative Chambers in the County Office Building, Rochester, New York on Resolution (Intro. No. _354 of 2014), entitled **"AMENDING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FLEET CENTER IMPROVEMENTS; AMENDING 2014-2019 CAPITAL IMPROVEMENT PROGRAM; AMENDING RESOLUTION 117 OF 2014; ACCEPTING INCENTIVE AWARD FROM NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT CORPORATION, FOR FLEET CENTER IMPROVEMENTS PROJECT."**

Section 2. The Clerk of the Legislature is directed to give notice of the time and place of this public hearing, and a description of the proposed resolution, to the news media within the County, and shall conspicuously post a copy of said notice in the office of the Clerk at least five days before said hearing. In addition, the Clerk shall cause said notice to be published once in the official newspaper of general circulation within the County at least five days before said hearing.

Section 3. This resolution shall take effect immediately.

Environment and Public Works Committee; July 30, 2014 - CV: 5-1
Ways and Means Committee; July 30, 2014 - CV: 8-2
File No. 14-0240

ADOPTION: Date: August 12, 2014 Vote: 29-0

By Legislators Boyce and Yolevich

Intro. No. 357

RESOLUTION NO. 278 OF 2014

SUPERSEDING BOND RESOLUTION DATED AUGUST 12, 2014

RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,675,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE RECONSTRUCTION AND WIDENING OF LONG POND ROAD PHASE V (FROM LARKIN CREEK TO LAKE ONTARIO STATE PARKWAY), IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$3,675,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON MARCH 11, 2014 (RESOLUTION NO. 141 OF 2014)

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 widening of Long Pond Road Phase V (from Larkin Creek to Lake Ontario State Parkway), in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$3,675,000 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 \$125,000 to pay the cost of the aforesaid class of objects or purposes (\$3,550,000 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 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 18, 2008, the date of the first obligation issued therefor.

Section 2. The maximum estimated cost thereof is \$3,675,000 and the plan for the financing thereof is by the issuance of \$3,675,000 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. 141 of 2014, being a bond resolution dated March 11, 2014, except to the extent that any indebtedness shall have already been contracted or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and to increase the amount of the bonds to be issued therefor from \$3,550,000 to \$3,675,000.

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.

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.

File No. 14-0242.br

ADOPTION: Date: August 12, 2014

Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Mauro Motta DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____

8/19/14
8/19/2014

By Legislators Colby and Yolevich

Intro. No. 358

RESOLUTION NO. 279 OF 2014

AUTHORIZING ACQUISITION OF NEW YORK STATE REAL PROPERTY LOCATED AT 375 RUSH SCOTTSVILLE ROAD IN TOWN OF RUSH

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

Section 1. The County Executive, or her designee, is hereby authorized pursuant to the provisions of Chapter 304 of the Laws of 2014 to effectuate the transfer and conveyance of certain State real property with the New York State Commissioner of General Services for the real property located at 375 Rush Scottsville Road in the Town of Rush, which includes approximately 53.651 acres and buildings 67 and 68, (part of tax account number 211.01-2-1.1), for the purchase price of \$697,384, and to execute any agreements or other documents as necessary to complete the transfer.

Section 2. Funding for this project, consistent with authorized uses, is available in capital fund 1721 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.

Matter of Urgency
File No. 14-0261

ADOPTION: Date: August 12, 2014

Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: *Maqie Mook* DATE: 8/19/14

EFFECTIVE DATE OF RESOLUTION: 8/19/2014

By Legislators Ancello and Yolevich

Intro No. 359

LOCAL LAW ENTITLED "ESTABLISHMENT OF COUNTY OF MONROE WIRELESS SURCHARGE"

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

Section 1. Pursuant to the authority of Section 308-y of the County Law, the County of Monroe hereby imposes a surcharge of thirty cents per month on wireless communications service in the County of Monroe. The surcharge shall be imposed on each wireless communications device and shall be reflected and made payable on bills rendered for wireless communications service that is provided to a customer whose place of primary use is within the county. For purposes of this local law, the term "place of primary use" shall mean the street address that is representative of where the customer's use of the wireless communications service primarily occurs, which address must be: (a) the residential street address or the primary business street address of the customer; and (b) within the licensed service area of the wireless communications service supplier. A wireless communications service supplier may treat the address used by such supplier for any wireless communications customer under a service contract or agreement in effect on September 29, 2014 as that customer's place of primary use for the remaining term of such service contract or agreement, excluding any extension or renewal of such service contract or agreement, for purposes of determining the taxing jurisdiction with respect to taxes on wireless communications service. Such surcharge shall be added by such wireless communications service suppliers to the billings of their customers as of November 17, 2014.

Section 2. Each wireless communications service supplier serving the County of Monroe shall act as collection agent for the county and shall remit the funds collected pursuant to this local law to the Director of Finance - Chief Financial Officer of the County of Monroe. Such funds shall be remitted no later than thirty (30) days after the last business day of the month. Each wireless communications service supplier shall be entitled to retain, as an administrative fee, an amount equal to two percent (2%) of its collections of the surcharge imposed by this local law. The surcharge required to be collected by such wireless communications service suppliers shall be added to and separately stated in their billings to customers.

Section 3. Each wireless communications service customer who is subject to the provisions of this local law shall be liable to the County of Monroe for the surcharge until it has been paid to the county, except that payment to a wireless communications service supplier is sufficient to relieve such customer from further liability for such surcharge.

Section 4. No wireless communications service supplier shall have a legal obligation to enforce the collection of any surcharge imposed by this local law; provided, however, that whenever the wireless communications service supplier remits the funds collected to the County of Monroe, it shall also provide the county with the name and address of any customer refusing or failing to pay a surcharge imposed by this local law and shall state the amount of such surcharge remaining unpaid.

Section 5. Each wireless communications service supplier shall annually provide to the County of Monroe an accounting of the surcharge amounts billed and collected.

Section 6. This local law shall take effect upon filing with the office of the Secretary of State of New York State.
Matter of Urgency
File No. 14-0262

By Legislators Ancello and Yolevich

Intro. No. 360

MOTION NO. 77 OF 2014

**PROVIDING THAT LOCAL LAW (INTRO. NO. 359 OF 2014), ENTITLED
"ESTABLISHMENT OF COUNTY OF MONROE WIRELESS SURCHARGE," BE TABLED**

BE IT MOVED, that Local Law (Intro. No. 359 of 2014), entitled, "ESTABLISHMENT OF
COUNTY OF MONROE WIRELESS SURCHARGE," be tabled.

File No. 14-0262

ADOPTION: Date: August 12, 2014 Vote: 29-0

By Legislators Ancello and Yolevich

Intro. No. 361

RESOLUTION NO. 280 OF 2014

FIXING A PUBLIC HEARING ON LOCAL LAW (INTRO. NO. 359 OF 2014), ENTITLED "ESTABLISHMENT OF COUNTY OF MONROE WIRELESS SURCHARGE"

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

Section 1. That there will be a public hearing at 6:16 P.M. on the 9th day of September, 2014, in the Legislative Chambers in the County Office Building, Rochester, New York on Local Law (Intro. No. 359 of 2014), entitled "ESTABLISHMENT OF COUNTY OF MONROE WIRELESS SURCHARGE."

Section 2. The Clerk of the Legislature is directed to give notice of the time and place of this public hearing, and a description of the proposed local law, to the news media within the County, and shall conspicuously post a copy of said notice in the office of the Clerk at least five days before said hearing. In addition, the Clerk shall cause said notice to be published once in the official newspapers of general circulation within the County at least five days before said hearing.

Section 3. This local law shall take effect immediately.

Matter of Urgency
File No. 14-0262

ADOPTION: Date: August 12, 2014 Vote: 29-0

By Legislators Yolevich and Rockow

Intro. No. 362

RESOLUTION NO. 281 OF 2014

CONFIRMING APPOINTMENT TO MONROE COUNTY BOARD OF ETHICS

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

Section 1. The appointment of Mr. Scott M. Adair, CPA, 338 Bennington Hills, West Henrietta, New York 14586, as a member of the Monroe County Board of Ethics, is hereby confirmed, pursuant to Article 18, Section 808 of the General Municipal Law of the State of New York and Section 45-24 of the Code of Ethics of the County of Monroe.

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

Matter of Urgency
File No. 14-0263

ADOPTION: Date: August 12, 2014 Vote: 29-0
(President Adair declared his interest prior to the vote.)

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: *Magno Molez* DATE: *8/19/14*
EFFECTIVE DATE OF RESOLUTION: _____ *8/19/2014*