



## MONROE COUNTY LEGISLATURE

April 27, 2021 5:30 PM

### **AGENDA - Day 9**

- A. Call to Order
- B. Suspension of the Rules
  - Providing that Rules of the Monroe County Legislature be Suspended and Modified for the Special Meeting on April 27, 2021
- C. Moment of Silent Prayer
- D. Pledge of Allegiance Led by Legislator Jackie Smith
- E. Announcements
- F. Public Forum
- G. Consideration of Motions, Resolutions and Notices
  - 1. Motion to Discharge/Convene/Commit
    - Brew & DiFlorio
    - Providing that File Nos. 21-0125, 21-0130 Through 21-0156 and 21-0163 be Discharged from the Agenda/Charter, Planning and Economic Development, Intergovernmental Relations, Public Safety, Transportation, Human Services, Environment and Public Works, and Ways and Means Committees; Providing that the Legislature Convene a Committee of the Whole; Providing that File Nos. 21-0125, 21-0130 Through 21-0156 and 21-0163 be Committed to the Committee of the Whole
- H. Recess Special Meeting– Convene Committee of the Whole
- I. ROLL CALL
- J. APPROVAL OF MINUTES

March 23, 2021

K. PUBLIC FORUM

L. NEW BUSINESS

1. 21-0125

Taylor & Delehanty

Enacting a Local Law Requiring Motorists to Provide a Minimum of Three Feet of Space When Passing a Bicycle Rider - County Legislators Jackie Smith, Rachel Barnhart, R. Edwin Wilt, Tracy DiFlorio, Frank X. Allkofer, Karla F. Boyce, Fred Ancello, Brian E. Marianetti, Matthew Terp, Paul Dondorfer, Howard Maffucci, Sean M. Delehanty, Steve Brew, Michael Yudelson, Justin Wilcox, George J. Hebert, Dr. Joe Carbone, Joseph D. Morelle, Jr., John B. Baynes, Kathleen Taylor, Robert Colby, Vincent R. Felder, Linda Hasman, Joshua Bauroth, Calvin Lee, Jr., Yversha M. Roman, Sabrina LaMar, Frank Keophetlasy, Ernest S. Flagler-Mitchell

2. 21-0130

Dondorfer & Delehanty

Acceptance of a Grant from the Federal Aviation Administration (Coronavirus Response and Relief Supplemental Appropriations Act Grant Program) Related to the Operation and Maintenance of the Frederick Douglass - Greater Rochester International Airport - County Executive Adam J. Bello

3. 21-0131

Taylor, Dondorfer & Delehanty

Enact a Local Law Establishing a Sustainable Energy Loan Program (OPEN C-PACE) in Monroe County and Authorize a Contract with Energy Improvement Corporation to Administer the Energize NY Open C-PACE Program - County Executive Adam J. Bello and County Legislator Michael Yudelson

4. 21-0132

Dondorfer & Delehanty

Authorize Contracts with Testa Construction Inc., Postler & Jaeckle Corp., Landry Mechanical Contractors Inc., and Billitier Electric, Inc. for the Monroe Community College Finger Lakes Workforce Development Center Project - County Executive Adam J. Bello

5. 21-0133

Dondorfer & Delehanty

Amend the 2021-2026 Capital Improvement Program and the 2021 Capital Budget to Add a Project Entitled "Space Utilization and Renovation of CityPlace" and Authorize Financing for the Project - County Executive Adam J. Bello

6. 21-0134

Dondorfer & Delehanty

Acceptance of Grants from the New York State Department of Environmental Conservation for the Zero Emission Vehicle Infrastructure Project - County Executive Adam J. Bello

7. 21-0135

Boyce & Delehanty

Amend Resolution 122 of 2017 as Amended by Resolution 113 of 2018 to Extend and Increase the Contract with WorkFit Medical, LLC for Sheriff's Employees' Medical Services - County Executive Adam J. Bello

8. 21-0136

Boyce & Delehanty

Authorize a Contract with Roberts Wesleyan College for Rochester Threat Advisory Committee Program Management - County Executive Adam J. Bello

9. 21-0137

Boyce & Delehanty

Acceptance of a Grant from the United States Department of Justice, United States Marshals Service Western District of New York for the United States Marshals Service NY/NJ Regional Fugitive Task Force - Rochester Division - County Executive Adam J. Bello

10. 21-0138

Boyce & Delehanty

Acceptance of a Grant from the New York State Office of Indigent Legal Services for the Offices of the Public Defender and the Conflict Defender for the Provision of Indigent Legal Services - County Executive Adam J. Bello

11. 21-0139

Boyce & Delehanty

Authorize the Creation of Three (3) New Positions in the Public Defender's Office and Authorize the Creation of Nine (9) New Positions in the Conflict Defender's Office as Part of Year 3 Funding of the Statewide Expansion of the

Hurrell-Harring Project Grant - County Executive Adam J. Bello

12. 21-0140

Boyce, Ancello & Delehanty

Authorize an Intermunicipal Agreement with the City of Rochester to Accept Pass Through Funding from the United States Department of Justice for the 2020 Edward Byrne Memorial Justice Assistance Grant Program - County Executive Adam J. Bello

13. 21-0141

Boyce & Dondorfer

Acceptance of a Grant from the United States Department of Justice, Office of Justice Programs, for the FY2020 DNA Capacity Enhancement and Backlog Reduction Program - County Executive Adam J. Bello

14. 21-0142

Boyce & Delehanty

Acceptance of a Grant from the New York State Division of Homeland Security and Emergency Services for the FY2020 State Law Enforcement Terrorism Prevention Program - County Executive Adam J. Bello

15. 21-0143

Boyce & Delehanty

Authorize a Contract with the University of Rochester for Continuing Development and Sustainment of the County's Medical Countermeasure Program - County Executive Adam J. Bello

16. 21-0144

Boyce, Ancello & Delehanty

Amend Resolution 284 of 2020 to Extend the Time Period of the Intermunicipal Agreement with the City of Rochester for the FY2016 Complex Coordinated Terrorist Attack Grant - County Executive Adam J. Bello

17. 21-0145

Wilt & Delehanty

Authorize Contracts with the County of Monroe Industrial Development Agency and Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, DPC for Professional Services for the Monroe County Comprehensive Plan - County Executive Adam J. Bello

18. 21-0146  
Ancello, Smith & Delehanty  
Authorize an Intermunicipal Agreement with the City of Rochester to Provide Water Quality Monitoring for the Beach at Durand Eastman Park - County Executive Adam J. Bello
  
19. 21-0147  
Colby & Delehanty  
Amend the 2021 Capital Budget and Bond Resolution 377 of 2020 to Provide an Increase in Funding for the Highway Lighting Rehabilitation Central Project in the City of Rochester and the Towns of Chili and Gates and Authorize a Contract with Greenman-Pedersen, Inc. for Engineering Services - County Executive Adam J. Bello
  
20. 21-0148  
Colby & Delehanty  
Authorize a Contract with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for Engineering Services for the Middle Road Project in the Town of Henrietta - County Executive Adam J. Bello
  
21. 21-0149  
Dondorfer & Wilt  
Classification of Action and Determination of Significance Pursuant to the State Environmental Quality Review Act for the Acquisition of Real Property for the Culver Road Highway Improvement Project at 4225 Culver Road in the Town of Irondequoit - County Executive Adam J. Bello
  
22. 21-0150  
Colby & Delehanty  
Authorize the Acquisition of Interests in Real Property for the Culver Road Highway Improvement Project at 4225 Culver Road in the Town of Irondequoit - County Executive Adam J. Bello
  
23. 21-0151  
Dondorfer & Wilt  
Classifications of Action and Determination of Significance Pursuant to the State Environmental Quality Review Act for the Acquisition of Real Property for the English Road Highway Improvement Project in the Town of Greece - County Executive Adam J. Bello

24. 21-0152

Colby & Delehanty

Authorize the Acquisition of Interests in Real Property for the English Road Highway Improvement Project in the Town of Greece - County Executive Adam J. Bello

25. 21-0153

Smith & Delehanty

Authorize a Contract with the University of Rochester Medical Center for Medical Services for Monroe Community Hospital - County Executive Adam J. Bello

26. 21-0154

Dondorfer & Delehanty

Amend the 2021-2026 Capital Improvement Program and the 2021 Capital Budget to Add a Project Entitled "Energy Improvement Equipment Acquisition" and Authorize Financing for the Project - County Executive Adam J. Bello

27. 21-0155

Smith & Delehanty

Amend Resolution 431 of 2020, as Amended by Resolution 24 of 2021, Authorize Contracts for the Provision of Mental Health, Developmental Disability, and Alcoholism and Substance Abuse Services in 2021 for the Monroe County Office of Mental Health - County Executive Adam J. Bello

28. 21-0156

Taylor & Delehanty

Enact a Local Law Amending the Code of Ethics of the County of Monroe - County Executive Adam J. Bello and County Legislators Rachel Barnhart, Joshua Bauroth, John B. Baynes, Linda Hasman, Howard Maffucci, Joseph D. Morelle, Jr., Yversha M. Roman, Justin Wilcox, Michael Yudelson

29. 21-0163

Smith & Delehanty

Authorize a Contract with Trybe Ecotherapy, LLC for the Provision of a Pilot Mental Health Program as a Holistic Option for Veterans Struggling with Mental Illness for the Monroe County Department of Veteran Services - As a

Matter of Importance - County Executive Adam J. Bello

M. OTHER MATTERS

N. ADJOURN COMMITTEE OF THE WHOLE

O. Reconvening Special Meeting

*Matters of Urgency*

30. 21.0164.LL

Felder & Flagler-Mitchell

Enacting a Local Law Entitled, "Operation of Off-Road Vehicles on Public Highways in Monroe County"

*For Introductory Purposes Only*

31. 21-0164.LL

Felder & Flagler-Mitchell

Providing that Local Law (Intro No. \_\_\_ of 2021) entitled "Operation of Off-Road Vehicles on Public Highways in Monroe County," be Tabled

32. 21-0164.LL

Felder & Flagler-Mitchell

Fixing a Public Hearing on Local Law (Intro No. \_\_\_ of 2021) entitled, "Operation of Off-Road Vehicles on Public Highways in Monroe County"

*Public Hearing will be held on May 11, 2021 at 6:16 p.m.*

P. Unfinished Business

Q. Adjournment

The next meeting of the Monroe County Legislature is scheduled for Tuesday, May 11, 2021 at 6:00 p.m.

By Legislators Brew and DiFlorio

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

MOTION NO. \_\_\_\_ OF 2021

**PROVIDING THAT RULES OF THE MONROE COUNTY LEGISLATURE BE  
SUSPENDED AND MODIFIED FOR THE SPECIAL MEETING ON APRIL 27, 2021**

Be It Moved, that Article II, Section 545-6 of the Rules of the Monroe County Legislature, be, and hereby is suspended and modified by prohibiting public in-person access to the Special Meeting in favor of video viewing or listening to, and recording and later transcription of such proceeding.

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

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





**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▫	<b>Resolution</b>	<b>Day_9_Motion_for_Committe_of_the_Whole.pdf</b>	<b>Resolution</b>

By Legislators Brew and DiFlorio

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

MOTION NO. \_\_\_\_ OF 2021

**PROVIDING THAT FILE NOS. 21-0125, 21-0130 THROUGH 21-0156 AND 21-0163 BE DISCHARGED FROM THE AGENDA/CHARTER, PLANNING AND ECONOMIC DEVELOPMENT, INTERGOVERNMENTAL RELATIONS, PUBLIC SAFETY, TRANSPORTATION, HUMAN SERVICES, ENVIRONMENT AND PUBLIC WORKS, AND WAYS AND MEANS COMMITTEES; PROVIDING THAT THE LEGISLATURE CONVENE A COMMITTEE OF THE WHOLE; PROVIDING THAT FILE NOS. 21-0125, 21-0130 THROUGH 21-0156 AND 21-0163 BE COMMITTED TO THE COMMITTEE OF THE WHOLE.**

Providing that File Nos. 21-0125, 21-0130 through 21-0156 and 21-0163 be Discharged from the Agenda/Charter, Planning and Economic Development, Intergovernmental Relations, Public Safety, Transportation, Human Services, Environment and Public Works, and Ways and Means Committees;

Be It Moved, that this Legislature be, and hereby does convene a Committee of the Whole in accordance with the Rules of the Monroe County Legislature;

Providing that File Nos. 21-0125, 21-0130 through 21-0156 and 21-0163 be Committed to the Committee of the Whole.

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

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



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>March 23, 2021</b>	<b>3.23.21_Draft_Minutes.pdf</b>	<b>Backup Material</b>

Summary of Minutes  
COMMITTEE OF THE WHOLE  
March 23, 2021

President Carbone called the meeting to order at 5:32 p.m. pursuant to Motion No. 33 of 2021.

MEMBERS PRESENT: Dr. Joe Carbone (Chairman), Frank X. Allkofer\*, Fred Ancello\*, Rachel Barnhart\*, Joshua Bauroth\*, John B. Baynes\*, Steve Brew\*, Robert Colby\*, Sean M. Delehanty\*, Tracy DiFlorio\*, Paul Dondorfer\*, Ernest Flagler-Mitchell\*, Vincent R. Felder\*, Linda Hasman\*, George J. Hebert\*, Frank Keophetlasy\*, Sabrina A. LaMar\*, Calvin Lee, Jr.\*, Howard S. Maffucci\*, Brian E. Marianetti\*, Joseph D. Morelle, Jr.\*, Yversha Roman\*, Matthew Terp\*, Justin Wilcox\*, R. Edwin Wilt\*, Michael Yudelson\*

\* Legislator Participated in the Meeting via Teleconference in Accordance with Executive Order 202.1 and 202.94, issued by Governor Andrew M. Cuomo.

MEMBERS ABSENT: Jackie Smith (Excused), Kathleen A. Taylor

*(Legislator Taylor Joined the Meeting Via Teleconference at 5:39 p.m. and was Present for the Remainder of the Meeting.)*

APPROVAL OF MINUTES: The February 25, 2021 minutes were approved as submitted.

PUBLIC FORUM: There were no speakers.

NEW BUSINESS:

**21-0081 -** Enact a Local Law Entitled, "Business Closure Transparency Act," to Require Report of County Forced Business Closures – President Dr. Joe Carbone

MOVED by Legislator Brew SECONDED by Legislator Delehanty.

ADOPTED: 19-9 *(Legislators Barnhart, Bauroth, Baynes, Hasman, Maffucci, Morelle, Jr., Roman, Wilcox and Yudelson voted no)*

**21-0085 -** Authorize a Contract with CHA Consulting, Inc. for Design Services for the Runway 10-28 Obstruction Removals - Phase II Project at the Frederick Douglass Greater Rochester International Airport– County Executive Adam J. Bello

MOVED by Legislator Dondorder, SECONDED by Legislator Delehanty.

ADOPTED: 28-0

**21-0086 -** Authorize a Cooperative Agreement with the United States Department of Homeland Security, Transportation Security Administration, for Law Enforcement Personnel Reimbursement at the Frederick Douglass Greater Rochester International Airport- County Executive Adam J. Bello

MOVED by Legislator Dondorder, SECONDED by Legislator Delehanty.

ADOPTED: 28-0

- 21-0087 -** Authorize a Joint Agreement with the United States Department of the Interior for the Water Resources Investigations Project - County Executive Adam J. Bello

MOVED by Legislator Dondorder, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0

- 21-0089 -** Amend Resolution 104 of 2019 to Increase and Extend the Contract with the Monroe County Soil and Water Conservation District- County Executive Adam J. Bello

MOVED by Legislator Dondorder, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0

- 21-0090 -** Acceptance of a Grant from the New York State Department of Environmental Conservation for the Climate Smart Communities Project - Regional Community Rating System Strategy Project and Authorize a Contract with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C.- County Executive Adam J. Bello

MOVED by Legislator Dondorfer, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0

- 21-0091 -** Acceptance of a Grant from the New York State Division of Criminal Justice Services for the 2020 Paul Coverdell Forensic Science Improvement Program (Monroe County Crime Lab) - County Executive Adam J. Bello

MOVED by Legislator Dondorfer, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0

- 21-0092 -** Amending Resolution 270 of 2019 as Amended by Resolution 31 of 2020 Authorizing Contract with Securus Technologies, Inc. to Provide Telephone Calls at No Cost to Inmates of the Monroe County Jail and the Monroe Correctional Facility - County Executive Adam J. Bello

MOVED by Legislator DiFlorio, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0

- 21-0093 -** Acceptance of a Grant from the Department of Justice Office of Juvenile Justice and Delinquency Prevention for Improving Outcomes for Justice Involved Youth with Behavioral Health Challenges- County Executive Adam J. Bello

MOVED by Legislator Boyce, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0

- 21-0094 -** Authorize a Contract with Orion Communications, Inc. for a Scheduling Software Solution for the Sheriff's Office - County Executive Adam J. Bello

MOVED by Legislator Boyce, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0

- 21-0095 -** Acceptance of a Grant from the New York State Division of Criminal Justice Services for the Motor Vehicle Theft and Insurance Fraud Prevention Program (Office of the Sheriff)- County Executive Adam J. Bello

- MOVED by Legislator Boyce, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0096 -** Authorize Federal Equitable Sharing Agreements with the United States Department of Justice and the United States Department of the Treasury- County Executive Adam J. Bello
- MOVED by Legislator Boyce, SECONDED by Legislator Dondorfer.  
ADOPTED: 28-0
- 21-0097 -** Acceptance of a Grant from the New York State Division of Criminal Justice Services for the Motor Vehicle Theft and Insurance Fraud Prosecution Program (District Attorney's Office)- County Executive Adam J. Bello
- MOVED by Legislator Boyce, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0098 -** Acceptance of a Grant from the New York State Division of Criminal Justice Services for the Crimes Against Revenue Program- County Executive Adam J. Bello
- MOVED by Legislator Boyce, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0099-** Acceptance of a Grant from the Genesee Transportation Council for the Monroe County High Accident Location Program – County Executive Adam J. Bello
- MOVED by Legislator Colby, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0100 -** Authorize a Contract with Barton & Loguidice, D.P.C. for Engineering Services for the East River Road Project, NYS Thruway I-90 to Ward Road, in the Town of Henrietta - County Executive Adam J. Bello
- MOVED by Legislator Colby, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0101 -** Authorize a Contract with M.L. Caccamise Electric Corp. for Construction Services for the Highway Lighting Rehabilitation North Project in the City of Rochester and Town of Irondequoit- County Executive Adam J. Bello
- MOVED by Legislator Colby, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0 *(Legislator Roman Declared Her Interest Prior to the Vote.)*
- 21-0102-** Authorize a Contract with Keeler Construction Co., Inc. for Construction Services and Authorize a Contract with CSX Transportation, Inc. for the South Winton Road Project in the Towns of Brighton and Henrietta - County Executive Adam J. Bello
- MOVED by Legislator Colby, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0103 -** Acceptance of Three Grants from the CARES Act Provider Relief Fund - HHS Stimulus, COVID Infection/Mortality Rate Incentive Program Distribution to Support Safeguarding Residents from the Perils of the Coronavirus Pandemic at Monroe Community Hospital– County Executive Adam J. Bello

- MOVED by Legislator Hebert, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0104 - Acceptance of Funding from the New York State Office for the Aging and Authorization to Contract with Lifespan of Greater Rochester, Inc. for the Medicare Improvements for Patients and Providers Act- County Executive Adam J. Bello
- MOVED by Legislator Hebert, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0105 - Authorization to Contract with United Way of Greater Rochester, Inc. for the Age Friendly Livable Community Initiative for Older Adults - County Executive Adam J. Bello
- MOVED by Legislator Hebert, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0106 - Amend Resolution 418 of 2020 Authorizing Contract for Monroe County Office for the Aging Programs in 2020-2021 to Amend the Agencies Listed in Attachment A- County Executive Adam J. Bello
- MOVED by Legislator Hebert, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0107 - Authorize a Contract with UltraMobile Imaging, Inc. for COVID-19 Specimen Collection and Point of Care Testing Services for the Monroe County Department of Public Health- County Executive Adam J. Bello
- MOVED by Legislator Hebert, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0108 - Acceptance of a Grant from the University of Rochester for the Pediatric Obesity Prevention Creating Breastfeeding Friendly Communities Program- County Executive Adam J. Bello
- MOVED by Legislator Hebert, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0 (*Legislator Hasman Declared Her Interest Prior to the Vote.*)
- 21-0109 - Acceptance of a Grant from the New York State Division of Criminal Justice Services for the Paul Coverdell Forensic Science Improvement Program (Office of the Medical Examiner's Forensic Toxicology Laboratory)- County Executive Adam J. Bello
- MOVED by Legislator Hebert, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0110 - Authorize a Contract with Troy & Banks, Inc. for a Cost-Recovery Audit of Utility Expenses- County Executive Adam J. Bello
- MOVED by Legislator Delehanty, SECONDED by Legislator Hebert.  
ADOPTED: 28-0
- 21-0111 - Erroneous Assessment - Refund- County Executive Adam J. Bello
- MOVED by Legislator Delehanty, SECONDED by Legislator Hebert.  
ADOPTED: 28-0

- 21-0112 - Erroneous Assessments - Corrections and Cancellations- County Executive Adam J. Bello  
MOVED by Legislator Delehanty, SECONDED by Legislator Hebert.  
ADOPTED: 28-0
- 21-0113 - Authorization to Settle a Lawsuit in the New York State Supreme Court, Monroe County Index Number: 13-10602- County Executive Adam J. Bello  
MOVED by Legislator Delehanty, SECONDED by Legislator Hebert.  
ADOPTED: 28-0
- 21-0114 - Acceptance of a Donation from Carnegie Mellon University to Create an Enrichment, Cognitive Research, and Science Outreach Program at Seneca Park Zoo- County Executive Adam J. Bello  
MOVED by Legislator Allkofer, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0115 - Authorize a Contract with URMCLabs, a Division of the University of Rochester, for Laboratory Services at Monroe Community Hospital- County Executive Adam J. Bello  
MOVED by Legislator Hebert, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0 (*Legislator Hasman Declared Her Interest Prior to the Vote.*)
- 21-0116 - Authorize Appropriation Transfers for COVID-19 Response Actions - County Executive Adam J. Bello  
MOVED by Legislator Hebert, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0
- 21-0120 - Classification of Action and Determination of Significance Pursuant to the State Environmental Quality Review Act for the Sale of County Owned Tax Foreclosure Property Located at 3 Wedgewood Court in the Town of Clarkson- As a Matter of Importance- County Executive Adam J. Bello  
MOVED by Legislator Dondorfer, SECONDED by Legislator Wilt.  
ADOPTED: 28-0
- 21-0121 - Authorize the Sale of County Owned Tax Foreclosure Property Located at 3 Wedgewood Court in the Town of Clarkson - As a Matter of Importance - County Executive Adam J. Bello  
MOVED by Legislator Delehanty, SECONDED by Legislator Hebert.  
ADOPTED: 28-0
- 21-0122- Authorize a Contract with CHA Consulting, Inc. for Evacuation, Scope, Schedule, and Cost Estimation Services for the Frontier Field Major League Baseball Requirements Project -As a Matter of Importance - County Executive Adam J. Bello  
MOVED by Legislator Dondorfer, SECONDED by Legislator Delehanty.  
ADOPTED: 28-0



OTHER MATTERS

ADJOURNMENT:

There being no other matters, President Carbone adjourned the meeting at 7:47 p.m.

Respectfully Submitted,  
Jack Moffitt  
Clerk of the Legislature



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0125.pdf</b>	<b>Referral Letter</b>



# The Office of the Monroe County Legislature

April 12, 2021

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

OFFICIAL FILE COPY
No. 210125
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
<b>AGENDA/CHARTER</b>

**Subject: Enacting a Local Law Requiring Motorists to Provide a Minimum of Three Feet of Space When Passing a Bicycle Rider**

Honorable Legislators:

Thousands of Monroe County residents ride bicycles for their primary mode of transportation, exercise or recreation. This bi-partisan legislation increases protection for bicyclists, who face unique dangers on the road.

During the years 2018 and 2019, state data indicates 321 bicyclists were injured in crashes with motor vehicles in Monroe County. One of the bicyclists struck by a passing vehicle was Carolyn "Carrie" Ray, a beloved teacher from Clarkson, who died tragically in 2019, as a result of her collision and for whom this bill is named. This Legislation, if enacted, would be known as "Carrie Ray's 3-Foot Passing Law to Protect Bicyclists" in honor of Carrie Ray.

This proposed legislation enacts a 3-foot minimum requirement for vehicles passing bicyclists on roadways. Thirty-three states have passing laws with distance guidelines of 3 feet or more. New York's law only requires a "safe distance" to pass bicyclists, which is too subjective. Suffolk County's Legislature, recognizing the need for a clear standard to ensure bicyclist safety, recently passed a 3-foot distance rule.

The main benefit of this legislation is that drivers would have clarity on what is a minimum safe passing distance and heightened awareness about how to safely pass bicyclists. Penalties exist in current law for unsafe passing.

This legislation recognizes that all of Monroe County's residents have a right to safely use our roads, whether they are on foot, bike, bus or car. Making our roads safer will lead to increased use of bicyclist infrastructure, outside exercise and activity, and enjoyment of living in Monroe County.

**The specific legislative actions required are:**

1. Schedule and hold a public hearing on the proposed local law.


2. Adopt the attached Local Law entitled, "Carrie Ray's 3-Foot Passing Law to Protect Bicyclists" as written.


The legislative action requested in this referral is not an "Action," as that term is defined in 6 NYCRR § 617.2(b), and is not subject to review under the State Environmental Quality Review Act.

This action will have no impact on the revenues or expenditures of the current Monroe County budget.


Respectfully submitted,

  
Jackie Smith  
Monroe County Legislator  
District 2

  
Rachel Barnhart  
Monroe County Legislator  
District 21

  
R. Edwin Wilt  
Monroe County Legislator  
District 1

  
Tracy DiFlorio  
Monroe County Legislator  
District 3

  
Frank X. Allkofer  
Monroe County Legislator  
District 4


  
Karla F. Boyce  
Monroe County Legislator  
District 5


  
Fred Ancello  
Monroe County Legislator  
District 6

  
Brian E. Marianetti  
Monroe County Legislator  
District 7


  
Matthew Terp  
Monroe County Legislator  
District 8


  
Paul Dondorfer  
Monroe County Legislator  
District 9


  
Howard Maffucci  
Monroe County Legislator  
District 10

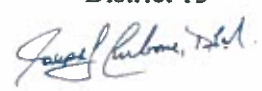
  
Sean M. Delehanty  
Monroe County Legislator  
District 11


  
Steve Brew  
Monroe County Legislator  
District 12


  
Michael Yudelson  
Monroe County Legislator  
District 13


  
Justin Wilcox  
Monroe County Legislator  
District 14

  
George J. Hebert  
Monroe County Legislator  
District 15

  
Dr. Joe Carbone  
Monroe County Legislator  
District 16

  
Joseph D. Morelle, Jr.  
Monroe County Legislator  
District 17

  
John B. Baynes  
Monroe County Legislator  
District 18

  
Kathleen Taylor  
Monroe County Legislator  
District 19



Robert Colby  
Monroe County Legislator  
District 20



Joshua Barouth  
Monroe County Legislator  
District 24



Sabrina LaMar  
Monroe County Legislator  
District 27



Vincent R. Felder  
Monroe County Legislator  
District 22



Calvin Lee, Jr.  
Monroe County Legislator  
District 25



Frank Keophetlasy  
Monroe County Legislator  
District 28



Linda Hasman  
Monroe County Legislator  
District 23



Yversha M. Roman  
Monroe County Legislator  
District 26



Ernest S. Flagler-Mitchell  
Monroe County Legislator  
District 29

By Legislators Smith and Barnhart

Intro No. \_\_\_\_

LOCAL LAW NO. \_\_\_\_ OF 2021

**ENACTING A LOCAL LAW ENTITLED “THREE-FOOT SAFE PASSING LAW”**

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

Section 1. **Title.** This chapter shall be known as “Carrie Ray’s 3-Foot Passing Law to Protect Bicyclists.”

Section 2. **Legislative Intent.** This Legislature hereby finds and determines that it is the duty of Monroe County to protect the health, safety, and welfare of its residents. This Legislature also finds and determines that many Monroe County residents ride bicycles for exercise, recreation, and as a primary mode of transport. This Legislature further finds and determines that when riding on roads, cyclists are vulnerable to the actions of motor vehicle operators. This Legislature determines that vehicles passing bicyclists pose a threat to the health and safety of these bicyclists if passing too closely or from the right side of the road. This Legislature also finds that a minimum passing distance should be established to protect bicyclists in Monroe County. Therefore, the purpose of this law is to establish regulations to protect the health and safety of bicyclists in Monroe County.

Section 3. **Minimum distance requirements for motor vehicles passing bicycles.** The operator of a vehicle that is overtaking, from behind, a bicycle proceeding on the same side of the road shall pass to the left of such bicycle at a distance of at least three (3) feet until safely clear thereof.

Section 4. **Severability.** If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. **Effective Date.** This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

\_\_\_\_ Committee; \_\_\_\_\_, 2021 - CV:  
File No. 21-\_\_\_\_.LL

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

EFFECTIVE DATE OF LOCAL LAW:

Added language is underlined.

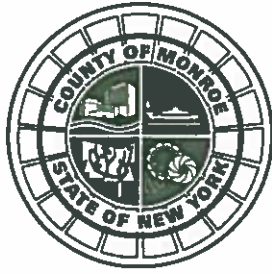
Deleted language is ~~stricken~~.



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0130.pdf</b>	<b>Referral Letter</b>





# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021

<b>OFFICIAL FILE COPY</b>
No. <u>210130</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
<b>ENV. &amp; PUB. WORKS</b>
<b>WAYS &amp; MEANS</b>

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

Subject: Acceptance of a Grant from the Federal Aviation Administration (Coronavirus Response and Relief Supplemental Appropriations Act Grant Program) Related to the Operation and Maintenance of the Frederick Douglass - Greater Rochester International Airport

Honorable Legislators:

I recommend that Your Honorable Body accept a grant from the Federal Aviation Administration (Coronavirus Response and Relief Supplemental Appropriations Act Grant Program) in the amount of \$5,113,191 for payment of expenses needed to operate and maintain the Frederick Douglass - Greater Rochester International Airport.

The effects of COVID-19 continue to significantly reduce the airport revenue generated at the Frederick Douglass - Greater Rochester International Airport that is needed to pay operational and maintenance expenses. Last year, Resolution 163 of 2020 approved by Your Honorable Body, accepted a \$12.9 million grant to assist with the payment of these expenses. This new grant may be used by Monroe County for any purpose for which airport revenues may be lawfully used.

**The specific legislative actions required are:**

1. Authorize the County Executive, or his designee, to accept a \$5,113,191 grant from, and to execute a contract and any amendments thereto with, the Federal Aviation Administration (Coronavirus Response and Relief Supplemental Appropriations Act Grant Program) for payment of expenses needed to operate and maintain the Frederick Douglass - Greater Rochester International Airport.

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2. Authorize the County Executive 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.
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.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) (“routine or continuing agency administration and management, not included new programs or major reordering of priorities that may affect the environment”) and is not subject to further review under the State Environmental Quality Review Act.

Funding for this contract is included in the 2021 operating budget of the Monroe County Department of Aviation, Airport fund 9010, funds center 8101010000, Airport Administration.

This grant is 100% funded by the Federal Aviation Administration. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive

AJB:db



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0131.pdf</b>	<b>Referral Letter</b>



# Office of the County Executive Monroe County Legislature

**Adam J. Bello**  
County Executive

**Michael Yudelson**  
Legislator - District 13

April 9, 2021

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

<b>OFFICIAL FILE COPY</b>
No. <u>210131</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
<del>AGENDA/CHARTER</del>
<del>ENV. &amp; PUB. WORKS</del>
<del>WAYS &amp; MEANS</del>

Subject: Enact a Local Law Establishing a Sustainable Energy Loan Program (OPEN C-PACE) in Monroe County and Authorize a Contract with Energy Improvement Corporation to Administer the Energize NY Open C-PACE Program

Honorable Legislators:

We recommend that Your Honorable Body enact a local law establishing a Sustainable Energy Loan Program (OPEN C-PACE) in Monroe County and authorize a contract with the Energy Improvement Corporation to administer this program for a period of ten (10) years commencing on or about July 1, 2021, with the option to renew for two (2) additional five-year terms.

The Commercial Property Assessed Clean Energy program, known as the Energize NY Open C-PACE Financing Program ("Open C-PACE") in New York, channels private capital to commercial and non-profit building owners to make energy upgrades to existing buildings or build new construction to higher energy standards. Open C-PACE enables building owners to improve their properties, lower operating expenses, and reduce energy consumption.

Open C-PACE differs from traditional bank loans as follows:

- Financing is available up to 100% of the project cost and may be combined with other financing.
- Competitive private financing from EIC-approved capital providers.
- Customizable loan terms up to the expected life of the improvements.
- Benefit assessment lien is subordinate to municipal taxes and senior to other liens (consent from mortgage holder is required).
- Automatically transfers to new owner upon sale of property.

Open C-PACE financing is a public benefit authorized by state law, with repayment secured through a benefit assessment lien on the improved property. The Energy Improvement Corporation ("EIC"), a non-profit, statewide local development corporation, administers Open C-PACE on behalf of its member municipalities. According to New York State Energy, Research, and Development Authority, EIC is the only authorized Open C-PACE program provider in Upstate New York. There are presently 61 member municipalities, including the City of Rochester.

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To offer Open C-PACE, the County must pass a local law and sign an EIC municipal agreement. The County would have no fees to join the program, nor any financial exposure or responsibility to administer the program. Because the City of Rochester offers Open C-PACE within the City limits, the County's Open C-PACE Program would only be available to commercial and non-profit building properties within the County but outside the City municipal boundaries.

Once enabled, the County would provide the public benefit of Open C-PACE financing and EIC would administer the program. EIC would record the lien on the land records, bill the property owner directly, and administer collection of the payment. The capital provider would enforce the Open C-PACE lien only after paying any delinquent municipal taxes owed by the property owner to the municipality.

**The specific legislative actions required are:**


1. Schedule and hold a public hearing on the proposed Local Law.
2. Enact a Local Law establishing a Sustainable Energy Loan Program (OPEN C-PACE) in Monroe County.
3. Upon the effective date of the Local Law, authorize the County Executive, or his designee, to execute a contract, and any amendments thereto, with Energy Improvement Corporation, 2875 Route 35, Katonah, New York 10536, or any subsidiary or successor, to administer the Open C-PACE program for a period of ten (10) years commencing on or about July 1, 2021, with the option to renew for two (2) additional five-year terms.

This is a Type II Action pursuant to 6 NYCRR §6217.5(c)(26) ("routine continuing agency administration and management not including new programs or major reordering of priorities that may affect the environment") and (33) ("adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list") and is not subject to further review under the State Environmental Quality Review Act.

No net County support is required in the current Monroe County budget.

The records in the office of the Monroe County Treasury have indicated that neither the Energy Improvement Corporation, nor its principal officer, Susan Morth, CEO, owe any delinquent Monroe County property taxes.

We recommend this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,  
  
Adam J. Bello  
Monroe County Executive

Sincerely,  
  
Michael Yudelson  
Monroe County Legislator – District 13

By Legislators \_\_\_\_\_ and \_\_\_\_\_

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

LOCAL LAW NO. \_\_\_\_\_ OF 2021

**ENACT A LOCAL LAW TO ESTABLISH A SUSTAINABLE ENERGY LOAN PROGRAM (OPEN C-PACE) IN MONROE COUNTY**

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

Section 1. This local law shall be known as the “Energize NY Open C-PACE Financing Program” and shall read as follows:

**ARTICLE I**

**§1. Legislative findings, intent and purpose, authority.**

- A. It is the policy of both Monroe County and the State of New York to achieve energy efficiency and renewable energy improvements, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. Monroe County finds that it can fulfill this policy by providing property assessed clean energy financing to Qualified Property Owners (as defined below) for the installation of renewable energy systems and energy efficiency measures. This local law establishes a program that will allow the Energy Improvement Corporation (as defined below, “EIC”), a local development corporation, acting on behalf of Monroe County pursuant to the municipal agreement (the “Municipal Agreement”) to be entered into between Monroe County and EIC make funds available to Qualified Property Owners that will be repaid through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this local law and accomplishing an important public purpose. This local law provides a method of implementing the public policies expressed by, and exercising the authority provided by, Article 5-L of the General Municipal Law (as defined below, the “Enabling Act”).
- B. Monroe County is a municipality of the State constituting a tax district as defined in Section 1102 of the RPTL. Monroe County is authorized to execute, deliver and perform the Municipal Agreement and otherwise to implement this Energize NY Open C-PACE Financing Program pursuant to the Constitution and laws of New York, including particularly Article IX of the Constitution, Section 10 of the Municipal Home Rule Law, the Enabling Act and this local law.
- C. This local law, which is adopted pursuant to Section 10 of the Municipal Home Rule Law and the Enabling Act shall be known and may be cited as the “Energize NY Open C-PACE Local Law”.

**§2. Definitions**

- A. Capitalized terms used but not defined herein have the meanings assigned in the Enabling Act.
- B. For purposes of this local law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

**Annual Installment Amount** – shall have the meaning assigned in Section 8, paragraph B.

**Annual Installment Lien** – shall have the meaning assigned in Section 8 paragraph B.

**Authority** – the New York State Energy Research and Development Authority.

**Benefit Assessment Lien** – shall have the meaning assigned in Section 3, paragraph A.

**Benefited Property** – Qualified Property for which the Qualified Property Owner has entered into a Finance Agreement for a Qualified Project.

**Benefited Property Owner** – the owner of record of a Benefited Property.

**EIC** – the Energy Improvement Corporation, a local development corporation duly organized under section 1411 of the Not-For-Profit Corporation Law of the State, authorized hereby on behalf of Monroe County to implement the Program by providing funds to Qualified Property Owners and providing for repayment of such funds from money collected by or on behalf of Monroe County as a charge to be levied on the real property.

**Eligible Costs** – costs incurred by the Benefited Property Owner in connection with a Qualified Project and the related Finance Agreement, including application fees, EIC's Program administration fee, closing costs and fees, title and appraisal fees, professionals' fees, permits, fees for design and drawings and any other related fees, expenses and costs, in each case as approved by EIC and the Financing Party under the Finance Agreement

**Enabling Act** – Article 5-L of the General Municipal Law of the State, or a successor law, as in effect from time to time.

**Finance Agreement** – the finance agreement described in Section 6A of this local law.

**Financing Charges** – all charges, fees, and expenses related to the loan under the Finance Agreement including accrued interest, capitalized interest, prepayment premiums, and penalties as a result of a default or late payment and costs and reasonable attorneys' fees incurred by the Financing Party as a result of a foreclosure or other legal proceeding brought against the Benefited Property to enforce any delinquent Annual Installment Liens.

**Financing Parties** – Third-party capital providers approved by EIC to provide financing to Qualified Property Owners or other financial support to the Program which have entered into separate agreements with EIC to administer the Program in Monroe County.

**Municipal Lien** – a lien on Qualified Property which secures the obligation to pay real property taxes, municipal charges, or governmentally imposed assessments in respect of services or benefits to a Qualified Property.

**Non-Municipal Lien** – a lien on Qualified Property which secures any obligation other than the obligation to pay real property taxes, municipal charges, or governmentally-imposed assessments in respect of services or benefits to a Qualified Property Owner or Qualified Property.

**Program** – the Energize NY Open C-PACE Financing Program authorized hereby.

**Qualified Project** – the acquisition, construction, reconstruction or equipping of Energy Efficiency Improvements or Renewable Energy Systems or other projects authorized under the Enabling Act on a Qualified Property, together with a related Energy Audit, Renewable Energy System Feasibility Study and/or other requirements under or pursuant to the Enabling Act, with funds provided in whole or in part by Financing Parties under the Program to achieve the purposes of the Enabling Act.

**Qualified Property** – Any real property other than a residential building containing less than three dwelling units, which is within the boundaries of Monroe County that has been determined to be eligible to participate in the Program under the procedures for eligibility set forth under this local law and the Enabling Act and has become the site of a Qualified Project.

**Qualified Property Owner** – the owner of record of Qualified Property which has been determined by EIC to meet the requirements for participation in the Program as an owner, and any transferee owner of such Qualified Property.

**RPTL** – the Real Property Tax Law of the State, as amended from time to time.

**Secured Amount** – as of any date, the aggregate amount of principal loaned to the Qualified Property Owner for a Qualified Project, together with Eligible Costs and Financing Charges, as provided herein or in the Finance Agreement, as reduced pursuant to Section 8, paragraph C.

**State** – the State of New York.

### **§3. Establishment of an Energize NY Open C-PACE Financing Program**

- A. An Energize NY Open C-PACE Financing Program is hereby established by Monroe County, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may arrange for the provision of funds by Financing Parties to Qualified Property Owners in accordance with the Enabling Act and the procedures set forth under this local law, to finance the acquisition, construction, reconstruction, and installation of Qualified Projects and Eligible Costs and Financing Charges approved by EIC and by the Financing Party under the Finance Agreement. EIC, on behalf of Monroe County, and with the consent of the Benefited Property Owner, will record a Benefit Assessment Lien on the Benefited Property in the Secured Amount (the “Benefit Assessment Lien”) on the land records of the Monroe County Clerk’s Office. Such recording shall be exempt from any charge, mortgage recording tax, or other fee in the same manner as if recorded by Monroe County.
- B. Before a Qualified Property Owner and a Financing Party enter into a Finance Agreement which results in a loan to finance a Qualified Project, repayment of which is secured by a



Benefit Assessment Lien, a written consent from each existing mortgage holder of the Qualified Property shall be obtained, permitting the Benefit Assessment Lien and each Annual Installment Lien to take priority over all existing mortgages.

**§4. Procedures for eligibility**

- A. Any property owner in Monroe County may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at Monroe County's offices.
- B. Every application submitted by a property owner shall be reviewed by EIC, acting on behalf of Monroe County, which shall make a positive or negative determination on such application based upon the criteria enumerated in the Enabling Act and § 5 of this local law. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC, acting on behalf of Monroe County, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Program in accordance with § 6 of this local law.

**§5. Application criteria.** Upon the submission of an application, EIC, acting on behalf of Monroe County, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

- A. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;
- B. The amount financed under the Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property, as determined by EIC;
- C. Sufficient funds are available from Financing Parties to provide financing to the property owner;
- D. The property owner is current in payments on any existing mortgage on the Qualified Property;
- E. The property owner is current on payments, with respect to the Qualified Property, on any real property taxes, municipal charges, and governmentally imposed assessments in respect of services or benefits, including the Monroe County Hotel Room Occupancy Tax, if applicable; and
- F. Such additional criteria, not inconsistent with the criteria set forth above, as the State, Monroe County, or EIC acting on its behalf, or other Financing Parties may set from time to time.

**§6. Energize NY Finance Agreement**

- A. A Qualified Property Owner may participate in the Program through the execution of a finance agreement made by and between the Qualified Property Owner and a Financing Party, to which EIC, on behalf of Monroe County, shall be a third-party beneficiary (the "Finance Agreement"). Upon execution and delivery of the Finance Agreement, the property that is the subject of the Finance Agreement shall be deemed a "Benefited Property").
- B. Upon execution and delivery of the Finance Agreement, the Benefited Property Owner shall be eligible to receive funds from the Financing Party for the acquisition, construction, and installation of a Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, provided the requirements of the Enabling Act, the Municipal Agreement and this local law have been met.
- C. The Finance Agreement shall include the terms and conditions of repayment of the Secured Amount and the Annual Installment Amounts.
- D. EIC may charge fees to offset the costs of administering the Program and such fees, if not paid by the Financing Party, shall be added to the Secured Amount.

**§7. Terms and conditions of repayment.** The Finance Agreement shall set forth the terms and conditions of repayment in accordance with the following:

- A. The principal amount of the funds loaned to the Benefited Property Owner for the Qualified Project, together with Eligible Costs and Financing Charges approved by EIC and by the Financing Party, shall be specially assessed against the Benefited Property and will be evidenced by a Benefit Assessment Lien recorded against the Benefited Property on the land records of the Monroe County Clerk's Office. The special benefit assessment shall constitute a "charge" within the meaning of the Enabling Act and shall be collected in annual installments in the amounts certified by the Financing Party in a schedule provided at closing and made part of the Benefit Assessment Lien. Said amount shall be annually levied, billed, and collected by EIC, on behalf of Monroe County, and shall be paid to the Financing Party as provided in the Finance Agreement.
- B. The term of such repayment shall be determined at the time the Finance Agreement is executed by the Benefited Property Owner and the Financing Party, not to exceed the weighted average of the useful life of the systems and improvements as determined by EIC, acting on behalf of Monroe County.
- C. The rate of interest for the Secured Amount shall be fixed by the Financing Party in conjunction with EIC, acting on behalf of Monroe County, as provided in the Finance Agreement.

**§8. Levy of Annual Installment Amount and Creation of Annual Installment Lien.**

- A. Upon the making of the loan pursuant to the Finance Agreement, the Secured Amount shall become a special Benefit Assessment Lien on the Benefited Property in favor of

Monroe County. The amount of the Benefit Assessment Lien shall be the Secured Amount. Evidence of the Benefit Assessment Lien shall be recorded by EIC, on behalf of Monroe County, on the land records of the Monroe County Clerk's Office. Such recording shall be exempt from any charge, mortgage recording tax, or other fee in the same manner as if recorded by Monroe County. The Benefit Assessment Lien shall not be foreclosed upon by or otherwise enforced by Monroe County.

- B. The Finance Agreement shall provide for the repayment of the Secured Amount in installments made at least annually, as provided in a schedule attached to the Benefit Assessment Lien (the "Annual Installment Amount"). The Annual Installment Amount shall be levied by EIC, on behalf of Monroe County, on the Benefited Property in the same manner as levies for county charges and shall become a lien on the Benefited Property at midnight on the thirty-first day of December of the preceding year (the "Annual Installment Lien") and shall remain a lien until fully paid or otherwise satisfied or cancelled as provided by law. The creation or any recording of the Annual Installment Lien shall be exempt from any charge, mortgage recording tax, or other fee in the same manner as if recorded by Monroe County. Payment to the Financing Party shall be considered payment for this purpose. Such payment shall partly or wholly discharge the Annual Installment Lien. Delinquent Annual Installment Amounts may accrue Financing Charges as may be provided in the Finance Agreement. Any additional Financing Charges imposed by the Financing Party pursuant to the Finance Agreement shall increase the Annual Installment Amount and the Annual Installment Lien for the year in which such overdue payments were first due.
- C. The Benefit Assessment Lien shall be reduced annually by the amount of each Annual Installment Lien when each Annual Installment Lien becomes a lien. Each Annual Installment Lien shall be subordinate to all Municipal Liens, whether created pursuant to the RPTL, the Monroe County Tax Act, or by any other State or local law. No portion of a Secured Amount shall be recovered by Monroe County, EIC, or an assignee upon foreclosure, sale, or other disposition of the Benefited Property unless and until all Municipal Liens are fully discharged. Each Annual Installment Lien, however, shall have priority over all Non-Municipal Liens, irrespective of when created, except as otherwise required by law.
- D. Neither the Benefit Assessment Lien nor any Annual Installment Lien shall be extinguished or accelerated in the event of a default or bankruptcy of the Benefited Property Owner. Each Annual Installment Amount shall be considered a charge upon the Benefited Property and shall be collected by EIC, on behalf of Monroe County, at the same time and in the same manner as real property taxes or county charges. Each Annual Installment Lien shall remain a lien until paid. Amounts collected in respect of an Annual Installment Lien shall be remitted to EIC, on behalf of Monroe County, or the Financing Party, as may be provided in the Finance Agreement.
- E. EIC shall act as Monroe County's agent in collection of the Annual Installment Amounts. If any Benefited Property Owner fails to pay an Annual Installment Amount, the Financing Party may redeem the Benefited Property by paying the amount of all unpaid Municipal Liens thereon, and thereafter shall have the right to collect any amounts in

respect of an Annual Installment Lien by foreclosure or any other remedy available at law. Any foreclosure shall not affect any subsequent Annual Installment Liens.

F. EIC, on behalf of Monroe County, may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens to Financing Parties that provide financing to Qualified Properties pursuant to Finance Agreements. The Financing Parties may sell or assign for consideration any and all Benefit Assessment Liens and Annual Installment Liens received from EIC, on behalf of the Municipality, subject to certain conditions provided in the administration agreement between EIC and the Financing Party. The assignee or assignees of such Benefit Assessment Liens and Annual Installment Liens shall have and possess the same powers and rights at law or in equity as Monroe County would have had if the Benefit Assessment Lien and the Annual Installment Liens had not been assigned with regard to the precedence and priority of such lien, the accrual of interest and the fees and expenses of collection. Notwithstanding the foregoing, no sale or assignment of a Benefit Assessment Lien and/or Annual Installment Lien shall be valid unless notice of such sale is recorded in the Monroe County Clerk's Office against the particular Qualified Property(ies) for which the Benefit Assessment Liens and/or Annual Installment Liens are being sold or assigned.

**§9. Verification and report.** EIC, on behalf of Monroe County, shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Program in such form and manner as the Authority may establish.

**§10. Separability.** If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof involved in the controversy in which such judgment shall have been rendered.

Section 2. This local law shall take effect upon filing with the Secretary of State.

Committee of the Whole; April \_\_\_\_, 2021 - CV:  
File No. 21-

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0132.pdf</b>	<b>Referral Letter</b>



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

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Office of the
Legislature Of
Monroe County
Committee Assignment
ENV. & PUB. WORKS
WAYS & MEANS

April 9, 2021

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

Subject: Authorize Contracts with Testa Construction Inc., Postler & Jaeckle Corp., Landry Mechanical Contractors Inc., and Billitier Electric, Inc. for the Monroe Community College Finger Lakes Workforce Development Center Project

Honorable Legislators:

I recommend that Your Honorable Body authorize contracts with Testa Construction Inc. in the amount of \$2,412,500 for general construction, Postler & Jaeckle Corp. in the amount of \$483,700 for plumbing construction, Landry Mechanical Contractors Inc. in the amount of \$1,968,700 for mechanical and heating, ventilation, and air conditioning construction, and Billitier Electric, Inc. in the amount of \$1,318,100 for electrical construction for the Monroe Community College ("MCC") Finger Lakes Workforce Development Center ("FLWDC") Project.

This project involves the design and construction of MCC's world-class FLWDC to serve the workforce and economic development needs of key areas in the region. The project will involve the design and renovation of existing vacant space, formerly known as Kodak's Building 16, adjacent to the MCC Downtown Campus. The renovations will create new instructional and lab space in an open, industrial-like, and multi-function space. The FLWDC will establish the Region's first education pipeline to high-demand technical manufacturing jobs providing academic and industrial training.

Funding for the project has been secured through the State University of New York (\$6,000,000) and a grant from Empire State Development (\$5,400,000) for total project funding of \$11,400,000.

The following bids were received:

Table with 2 columns: Bidder Name and Bid Amount. Includes Testa Construction Inc. (\$2,412,500), Steve General Contractors, Inc. (2,447,000), Javen Construction Co., Inc. (2,457,000), DiPasquale Construction Corporation (2,520,000), Manning Squires Hennig Co., Inc. (2,559,500), C&S Technical Resources, Inc. (2,657,000), BLM Construction Company Incorporated (2,665,000), Holdsworth Klimowski Construction, LLC (2,667,000), and D'Agostino General Contractors, Inc. (2,684,000).

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<u>Plumbing Construction</u>	<u>Bid Amount</u>
Postler & Jaeckle Corp.	\$483,700
Landry Mechanical Contractors Inc.	487,800
Crosby-Brownlie, Inc.	544,200

<u>Mechanical (HVAC) Construction</u>	<u>Bid Amount</u>
Landry Mechanical Contractors Inc.	\$1,968,700
Postler & Jaeckle Corp.	2,084,000
Bell Mechanical Contractor, Inc.	2,084,000
Pipitone Enterprises, LLC	2,275,000
Leo J Roth Corporation	2,289,300
Crosby-Brownlie, Inc.	2,306,100
John W. Danforth	2,372,000

<u>Electrical Construction</u>	<u>Bid Amount</u>
Billitier Electric, Inc.	\$1,318,100
McMullen Bishop Inc.	1,325,560
Concord Electric Corp.	1,350,000
North Coast Electrical Solutions LLC	1,430,199
Hewitt Young Electric LLC	1,514,600
Mylerson Electric, Inc.	1,685,772

The bids have been reviewed and Testa Construction Inc., Postler & Jaeckle Corp., Landry Mechanical Contractors Inc., and Billitier Electric, Inc. have been determined to be the lowest responsible bidders pursuant to General Municipal Law §103.

**The specific legislative actions required are:**

1. Authorize the County Executive, or his designee, to execute a contract with Testa Construction Inc., 3 Carrington Drive, Rochester, New York 14626 in the amount of \$2,412,500 for general construction for the Monroe Community College Finger Lakes Workforce Development Center Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.
2. Authorize the County Executive, or his designee, to execute a contract with Postler & Jaeckle Corp., 615 South Avenue Rochester, New York 14620, in the amount of \$483,700 for plumbing construction for the Monroe Community College Finger Lakes Workforce Development Center Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.
3. Authorize the County Executive, or his designee, to execute a contract with Landry Mechanical Contractors Inc., 164 Flint Hill Road, LeRoy, New York 14482, in the amount of \$1,968,700 for mechanical and heating, ventilation, and air conditioning construction for the Monroe Community College Finger Lakes Workforce Development Center Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.
4. Authorize the County Executive, or his designee, to execute a contract with Billitier Electric, Inc., 760 Brooks Avenue, Rochester, New York 14619 in the amount of \$1,318,100, for electrical construction, for the Monroe Community College Finger Lakes Workforce Development Center Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(2) ("replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part") and is not subject to further review under the State Environmental Quality Review Act.

Funding for this project, consistent with authorized uses, is included in capital fund 1939 and any capital fund(s) created for the same intended purpose. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Testa Construction, Inc., Postler & Jaeckle Corp., Landry Mechanical Contractors, Inc., Billitier Electric, Inc., nor any of their principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firms are:

Testa Construction Inc.  
Raymond Testa, President

Postler & Jaeckle Corp.  
Erich K. Postler, Chief Executive Officer

Landry Mechanical Contractors Inc.  
James F. Landry, President

Billitier Electric, Inc.  
Ronald D. Billitier, President

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive

AJB:db





**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0133.pdf</b>	<b>Referral Letter</b>



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

April 9, 2021

OFFICIAL FILE COPY
No. 210133
Not to be removed from the
Office of the
Legislature Of
Monroe County
Committee Assignment
ENV. & PUB. WORKS
WAYS & MEANS

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

Subject: Amend the 2021-2026 Capital Improvement Program and the 2021 Capital Budget to Add a Project Entitled "Space Utilization and Renovation of CityPlace" and Authorize Financing for the Project

Honorable Legislators:

I recommend that Your Honorable Body amend the 2021-2026 Capital Improvement Program and the 2021 Capital Budget to add a project entitled "Space Utilization and Renovation of CityPlace" in the amount of \$9,000,000, and authorize financing for the project in the amount of \$9,000,000.

The Department of Environmental Services, in conjunction with the Division of Real Property Tax Services, performed a space utilization analysis in 2017, with a focus on the office space and functions in the Executive Building (36 West Main Street), CityPlace (50 West Main Street), and the Wegman Building (80 West Main Street). A goal of the space utilization study was to maximize the occupancy of owned office space versus leased office space. Based on the amount of office space that the occupants of the Wegman Building (leased) require, and the availability of office space in CityPlace (owned), this project will identify and renovate the necessary office space in CityPlace in order to relocate staff of the Conflict Defender's Office, Pre-Trial Services, and the Office of Mental Health from the Wegman Building to CityPlace.

This project was considered and approved by the Monroe County Planning Board on March 25, 2021.

The specific legislative actions required are:

- 1. Amend the 2021-2026 Capital Improvement Program to add a project entitled "Space Utilization and Renovation of CityPlace" in the amount of \$9,000,000.
2. Amend the 2021 Capital Budget to add a project entitled "Space Utilization and Renovation of CityPlace" in the amount of \$9,000,000.
3. Authorize financing for the project entitled "Space Utilization and Renovation of CityPlace" in the amount of \$9,000,000.

This action is a Type II Action pursuant to 6 NYCRR §617.5(c)(1) (“maintenance or repair involving no substantial changes in an existing structure or facility”) and (2) (“replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part”) and is not subject to further review under the State Environmental Quality Review Act.

Funding for this project, consistent with authorized uses, will be included in the capital fund to be created and any other capital fund(s) created for the same intended purpose. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive

AJB:db



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0134.pdf</b>	<b>Referral Letter</b>

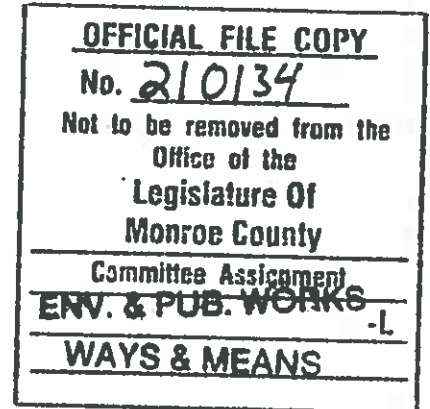


Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

April 20, 2021



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

Subject: Acceptance of Grants from the New York State Department of Environmental Conservation for the Zero Emission Vehicle Infrastructure Project

Honorable Legislators:

I recommend that Your Honorable Body accept grants from the New York State Department of Environmental Conservation ("NYSDEC") in the total amount of \$204,000 for the Zero Emission Vehicle Infrastructure Project.

Monroe County was awarded these grants as part of an initiative by the NYSDEC to increase the number of Zero Emission Vehicles ("ZEV") on the road by installing charging stations throughout the State.

The program, led by the Monroe County Department of Environmental Services, will involve installing ZEV charging stations at various County facilities for use by both the County and the public. The grants require that the stations be Level 2 Charging Stations, which equate to a full-vehicle charge in eight (8) hours. Dual charging stations will be installed at up to five (5) of the following sites: Frontier Field/MCC Downtown Campus Parking Lot, CityPlace, Monroe Community Hospital, 111 Westfall, and the Seneca Park Zoo. This is the first time the County has received these grants.

The specific legislative actions required are:

- 1. Authorize the County Executive, or his designee, to accept grants in the total amount of \$204,000 from the New York State Department of Environmental Conservation for the Zero Emission Vehicle Infrastructure Project.
2. Amend the 2021 operating budget of the Department of Environmental Services by appropriating the sum of \$204,000 into internal services fund 9020, funds center 8675010000 Fleet Maintenance.

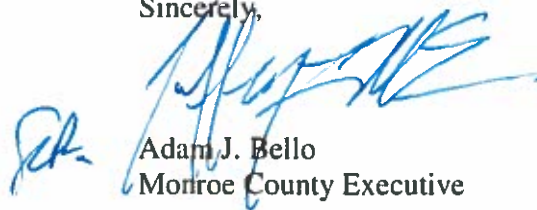
3. Authorize the County Executive to appropriate any subsequent years of the grant awards in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.
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.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(3) (“retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure”) and (9) (“construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities”) and is not subject to further review under the State Environmental Quality Review Act.

These grants require a 20% local match. Funding for this match is included in the 2021 operating budget of the Department of Environmental Services, internal services fund 9020, funds center 8675010000, Fleet Maintenance. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

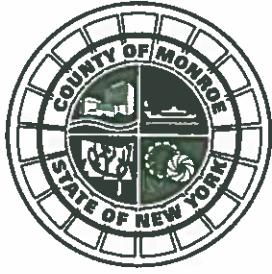
Sincerely,



Adam J. Bello  
Monroe County Executive

AJB:db

See Substitution



Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021

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No. 210134

Not to be removed from the  
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Legislature Of  
Monroe County

Committee Assignment

ENV. & PUB. WORKS

WAYS & MEANS

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

Subject: Acceptance of Grants from the New York State Department of Environmental Conservation for the Zero Emission Vehicle Infrastructure Project

Honorable Legislators:

I recommend that Your Honorable Body accept grants from the New York State Department of Environmental Conservation ("NYSDEC") in the total amount of \$204,000 for the Zero Emission Vehicle Infrastructure Project.

Monroe County was awarded these grants as part of an initiative by the NYSDEC to increase the number of Zero Emission Vehicles ("ZEV") on the road by installing charging stations throughout the State.

The program, led by the Monroe County Department of Environmental Services, will involve installing ZEV charging stations at various County facilities for use by both the County and the public. The grants require that the stations be Level 2 Charging Stations, which equate to a full-vehicle charge in eight (8) hours. Dual charging stations will be installed at up to five (5) of the following sites: Frontier Field/MCC Downtown Campus Parking Lot, CityPlace, Monroe Community Hospital, 111 Westfall, and the Seneca Park Zoo. This is the first time the County has received these grants.

**The specific legislative actions required are:**

1. Authorize the County Executive, or his designee, to accept grants in the total amount of \$204,000 from the New York State Department of Environmental Conservation for the Zero Emission Vehicle Infrastructure Project.
2. Amend the 2021 operating budget of the Department of Environmental Services by appropriating the sum of \$204,000 into internal services fund 9020, funds center 8675010000 Fleet Maintenance.

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3. Authorize the County Executive to appropriate any subsequent years of the grant awards 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.
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.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(3) (“retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure”) and (9) (“construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities”) and is not subject to further review under the State Environmental Quality Review Act.

These grants require a 25% local match. Funding for this match is included in the 2021 operating budget of the Department of Environmental Services, internal services fund 9020, funds center 8675010000, Fleet Maintenance. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive

AJB:db





**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0135.pdf</b>	<b>Referral Letter</b>



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

April 9, 2021

Official File Copy stamp with file number 210135 and committee assignment: PUBLIC SAFETY - L WAYS & MEANS

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

Subject: Amend Resolution 122 of 2017 as Amended by Resolution 113 of 2018 to Extend and Increase the Contract with WorkFit Medical, LLC for Sheriff's Employees' Medical Services

Honorable Legislators:

This matter is being referred to Your Honorable Body at the request of Sheriff Todd K. Baxter.

I recommend that Your Honorable Body amend Resolution 122 of 2017, as amended by Resolution 113 of 2018, to extend the second renewal term of the contract with WorkFit Medical, LLC for Sheriff's employees' medical services from May 1, 2019 through April 30, 2020, to May 1, 2019 through October 31, 2020, and to increase the amount payable for the second renewal term from an amount not to exceed \$160,000 to an amount not to exceed \$201,000.

This increase is to pay outstanding invoices for additional pre-employment physicals of Monroe County Sheriff's Office Jail Bureau applicants conducted by the vendor during the timeframe.

The specific legislative action required is to amend Resolution 122 of 2017, as amended by Resolution 113 of 2018, to extend the second renewal term of the contract with WorkFit Medical, LLC for Sheriff's employees' medical services from May 1, 2019 through April 30, 2020, to May 1, 2019 through October 31, 2020, and to increase the amount payable for the second renewal term from an amount not to exceed \$160,000 to an amount not to exceed \$201,000.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to review under the State Environmental Quality Review Act.

Funding for this amendment is included in the 2021 operating budget of the Sheriff's Office, fund 9001, funds center 3806010000. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,
Adam J. Bello
Monroe County Executive



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0136.pdf</b>	<b>Referral Letter</b>



# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021

<b>OFFICIAL FILE COPY</b>
No. <u>210136</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
<b>PUBLIC SAFETY &amp; WAYS &amp; MEANS</b>

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

Subject: Authorize a Contract with Roberts Wesleyan College for Rochester Threat Advisory Committee Program Management

Honorable Legislators:

This matter is being referred to Your Honorable Body at the request of Sheriff Todd K. Baxter.

I recommend that Your Honorable Body authorize a contract with Roberts Wesleyan College for Rochester Threat Advisory Committee ("ROCTAC") Program Management in an amount not exceed \$117,000 for the period of January 1, 2021 through December 31, 2022.

Roberts Wesleyan College's Justice and Security Institute will provide program management for the ROCTAC. Program Management will allow a central point of information coordination for the ROCTAC Team. Roberts Wesleyan College's Justice and Security Institute will implement a communication, marketing and training plan along with increasing the awareness of ROCTAC in the Community. Roberts Wesleyan College's Justice and Security Institute will also coordinate ROCTAC cases and data collection.

A request for proposals was issued for this contract and Roberts Wesleyan College's Justice and Security Institute was the sole respondent.

**The specific legislative action required is to authorize the County Executive, or his designee, to execute a contract, and any amendments thereto, with Roberts Wesleyan College, 2301 Westside Drive, Rochester, New York 14624 for Rochester Threat Advisory Committee Program Management in the amount of \$117,000 for the period of January 1, 2021 through December 31, 2022.**

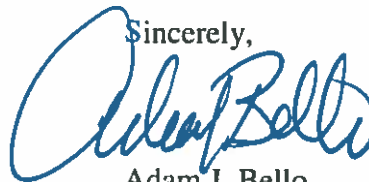
This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) (“routine or continuing agency administration and management, not included new programs or major reordering of priorities that may affect the environment”) and is not subject to further review under the State Environmental Quality Review Act.

Funding for this contract is included in the 2021 Operating Budget of the Sheriff's Office, general fund 9300, funds center 3803010000, Police Bureau Administration. No additional net County support is required in the current Monroe County budget.

Roberts Wesleyan College is a not-for-profit entity, and the records in the Office of the Monroe County Treasury have indicated that it does not owe any delinquent Monroe County property taxes.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive

AJB:jc



**ATTACHMENTS:**

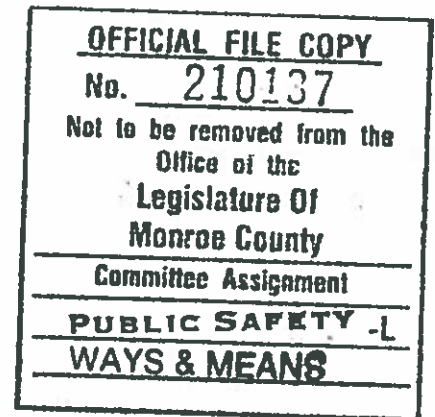
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▢	<b>Referral</b>	<b>R21-0137.pdf</b>	<b>Referral Letter</b>



# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive



April 9, 2021

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

Subject: Acceptance of a Grant from the United States Department of Justice, United States Marshals Service Western District of New York for the United States Marshals Service NY/NJ Regional Fugitive Task Force - Rochester Division

Honorable Legislators:

This matter is being referred to Your Honorable Body at the request of Sheriff Todd K. Baxter.

I recommend that Your Honorable Body accept a grant from the United States Department of Justice, United States Marshals Service ("USMS") Western District of New York in an amount not to exceed \$40,000 for the reimbursement of overtime for the United States Marshals Service New York/New Jersey Regional Fugitive Task Force-Rochester Division for the period of October 1, 2020 through September 30, 2021.

This grant continues to support the collaborative task force with the USMS to investigate, apprehend and arrest violent felony fugitives. The grant will reimburse a portion of the overtime costs associated with the task force services. This will be the twelfth year the County has received this grant. This year's funding represents a \$10,000 decrease from last year.

### The specific legislative actions required are:

1. Authorize the County Executive, or his designee, to accept a grant in an amount not to exceed \$40,000 and to execute a contract, and any amendments thereto, with the United States Department of Justice, United States Marshals Service Western District of New York for the reimbursement of overtime for the United States Marshals Service New York/New Jersey Regional Fugitive Task Force-Rochester Division for the period of October 1, 2020 through September 30, 2021.

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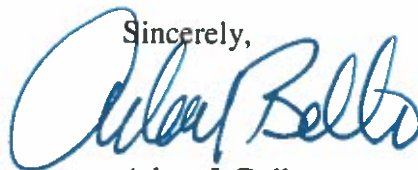
2. Amend the 2021 operating budget of the Office of the Sheriff by appropriating the sum of \$40,000 into general fund 9300, funds center 3803010000, Police Bureau Administration.
3. Authorize the County Executive to appropriate any subsequent years of the grant award in accordance with the grant terms, 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.
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.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not included new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

This grant is 100% funded by the United States Department of Justice, United States Marshals Service Western District of New York. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive





**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0138.pdf</b>	<b>Referral Letter</b>

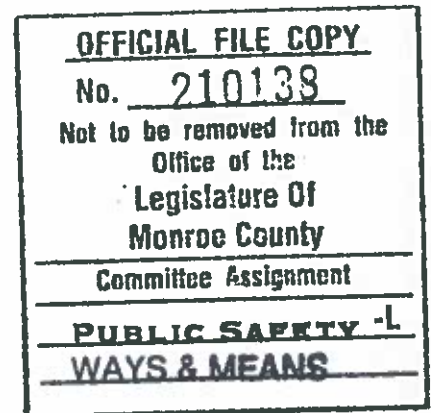


# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021



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

Subject: Acceptance of a Grant from the New York State Office of Indigent Legal Services for the Offices of the Public Defender and the Conflict Defender for the Provision of Indigent Legal Services

Honorable Legislators:

I recommend that Your Honorable Body accept a grant from the New York State Office of Indigent Legal Services in the amount of \$3,184,755 for the Office of the Monroe County Public Defender and the Office of the Monroe County Conflict Defender for the provision of indigent legal services for the period of January 1, 2021 through December 31, 2023.

The Office of the Public Defender will use the funding for all of the salary costs equivalent to eight (8) existing full-time Assistant Public Defender positions, a paralegal, and an investigator. The Office of the Conflict Defender will use the funding for part or all of the salary costs equivalent to three (3) existing full-time Assistant Conflict Defender positions. We have been notified of the funding amounts for the Office of the Monroe County Public Defender (\$2,342,595) and the Office of the Monroe County Conflict Defender (\$842,160) over a three (3) year period. This is the eleventh year the County has received this grant. This year's funding represents the same amount as the last time the County received this grant.

### The specific legislative actions required are:

1. Authorize the County Executive, or his designee, to accept a \$3,184,755 grant from, and to execute a contract and any amendments thereto with, the New York State Office of Indigent Legal Services for the Office of the Monroe County Public Defender and the Office of the Monroe County Conflict Defender for the provision of indigent legal services for the period of January 1, 2021 through December 31, 2023.
2. Amend the 2021 operating budget of the Office of the Public Defender by appropriating the sum of \$780,865, into general fund 9300, funds center 2601010000, Public Defender Administration.

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3. Amend the 2021 operating budget of the Department of Public Safety by appropriating the sum of \$280,720 into general fund 9300, funds center 2402010000, Legal Representation.
4. Authorize the County Executive 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.
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.

This action is a Type II Action pursuant to 6 NYCRR 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

This grant is 100% funded by the New York State Office of Indigent Legal Services. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



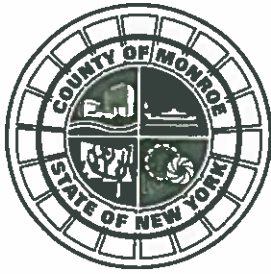
Adam J. Bello  
Monroe County Executive

AJB:db



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0139.pdf</b>	<b>Referral Letter</b>



# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021

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No. <u>210139</u>
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Committee Assignment
<b>PUBLIC SAFETY -L</b>
<b>WAYS &amp; MEANS</b>

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

**Subject:** Authorize the Creation of Three (3) New Positions in the Public Defender's Office and Authorize the Creation of Nine (9) New Positions in the Conflict Defender's Office as Part of Year 3 Funding of the Statewide Expansion of the Hurrell-Harring Project Grant

Honorable Legislators:

I recommend that Your Honorable Body authorize the creation of three (3) new positions in the Public Defender's Office and nine (9) new positions in the Conflict Defender's Office as part of year 3 funding of the Statewide Expansion of the Hurrell-Harring Project Grant. The three (3) new positions in the Public Defender's Office are as follows: three (3) Public Defender Assistant Grade I, Group 19. The nine (9) new positions in the Conflict Defender's Office are as follows: one (1) Special Assistant Conflict Defender, Group 22; four (4) Assistant Conflict Defender Grade I, Group 18; and four (4) Assistant Conflict Defender Grade II, Group 17.

These positions will be fully funded through the Statewide Expansion Hurrell-Harring Project Grant from the New York State Office of Indigent Legal Services pursuant to Resolution 191 of 2019.

**The specific legislative actions required are:**

1. Authorize the County Executive, or his designee, to create three (3) new positions in the Public Defender's Office as part of year 3 funding of the Statewide Expansion of the Hurrell-Harring Project Grant as follows: three (3) Public Defender Assistant Grade I, Group 19.
2. Authorize the County Executive, or his designee, to create nine (9) new positions in the Conflict Defender's Office and as part of year 3 funding of the Statewide Expansion of the Hurrell-Harring Project Grant as follows: one (1) Special Assistant Conflict Defender, Group 22; four (4) Assistant Conflict Defender Grade I, Group 18; and four (4) Assistant Conflict Defender Grade II, Group 17.

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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.

The legislative action requested in this referral is not an "Action," as that term is defined in 6 by NYCRR § 617.2(b), and is not subject to review under the State Environmental Quality Review Act.

Funding for these positions is included in the 2021 operating budget of the Public Defender's Office, general fund 9300, funds center 2601010000, Public Defender Administration and the 2021 operating budget of the Department of Public Safety, general fund 9300, funds center 2402010000, Legal Representation. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



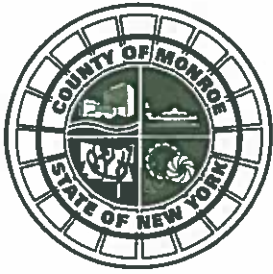
Adam J. Bello  
Monroe County Executive

AJB:db



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0140.pdf</b>	<b>Referral Letter</b>



# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021

<b>OFFICIAL FILE COPY</b>
No. <u>210140</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
<b>PUBLIC SAFETY -L</b>
<b>INTRGOV REL</b>
<b>WAYS &amp; MEANS</b>

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

**Subject:** Authorize an Intermunicipal Agreement with the City of Rochester to Accept Pass Through Funding from the United States Department of Justice for the 2020 Edward Byrne Memorial Justice Assistance Grant Program

Honorable Legislators:

I recommend that Your Honorable Body authorize an intermunicipal agreement with the City of Rochester to accept pass through funding from the United States Department of Justice in the amount of \$64,310 for the 2020 Edward Byrne Memorial Justice Assistance Grant Program for the period of October 1, 2019 through September 30, 2023.

This grant will be used to continue partial funding of the salaries of two (2) Probation Officers who provide increased supervision to high-risk probationers with gang association and a history of violence through Operation Nightwatch. Reduced caseloads allow officers to invest more time in these cases, establish a rapport with the probationer and their families, and work with the probationer to eliminate risk factors associated with recidivism. Unannounced nighttime curfew checks, in collaboration with Rochester Police, provide accountability for Probation conditions. This collaboration brings the Rochester Police Department into homes or locations where the probationer frequents in a different context, and allows them to be part of the restorative process that is inherent in Probation work. This is the twenty-second year that Monroe County has received funding for this program. This cycle's funding represents a decrease of \$7,090 from the previous grant.

**The specific legislative actions required are:**

1. Authorize the County Executive, or his designee, 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 \$64,310 for the 2020 Edward Byrne Memorial Justice Assistance Grant Program for the period of October 1, 2019 through September 30, 2023.

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2. Authorize the County Executive 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.
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.

This is a Type II action pursuant to 6 NYCRR § 617.5(c)(26) (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”) and is not subject to further review under the State Environmental Quality Review Act.

Funding for this grant is included in the 2021 operating budget of the Department of Public Safety, Office of Probation and Community Corrections, general fund 9001, funds center 2403040000, General Supervision.

This grant is 100% funded by the United States Department of Justice. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello

Monroe County Executive

AJB: db



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0141.pdf</b>	<b>Referral Letter</b>



# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021

<b>OFFICIAL FILE COPY</b>
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<b>WAYS &amp; MEANS</b>

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

**Subject:** Acceptance of a Grant from the United States Department of Justice, Office of Justice Programs, for the FY2020 DNA Capacity Enhancement and Backlog Reduction Program

Honorable Legislators:

I recommend that Your Honorable Body accept a grant from the United States Department of Justice, Office of Justice Programs, in the amount of \$339,396 for the FY2020 DNA Capacity Enhancement and Backlog Reduction Program for the period of October 1, 2020 through September 30, 2022.

The purpose of the DNA Capacity Enhancement and Backlog Reduction Program is to increase the capabilities of the Monroe County Crime Laboratory DNA analysis section by providing supplies for casework, mandatory continuing education in human identification science, maintenance of equipment, and expenses related to the continued accreditation of the Laboratory. This program allows the Laboratory to provide more timely services to the region's law enforcement community and judicial system. This is the fifteenth year that the County has received this grant. This year's funding represents a decrease of \$83,666 from the previous grant.

**The specific legislative actions required are:**

1. Authorize the County Executive, or his designee, to accept a \$339,396 grant from, and to execute a contract and any amendments thereto with, the United States Department of Justice, Office of Justice Programs, for the FY2020 DNA Capacity Enhancement and Backlog Reduction Program for the period of October 1, 2020 through September 30, 2022.
2. Amend the 2021 operating budget of the Department of Public Safety by appropriating the sum of \$339,396 into general fund 9300, funds center 2408040100, Monroe County Crime Laboratory.
3. Authorize the County Executive 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.

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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.

This action is a Type II Action pursuant to 6 NYCRR 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and (31) ("purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials") and is not subject to further review under the State Environmental Quality Review Act.

This grant is 100% funded by the United States Department of Justice, Office of Justice Programs. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive

AJB:db



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0142.pdf</b>	<b>Referral Letter</b>

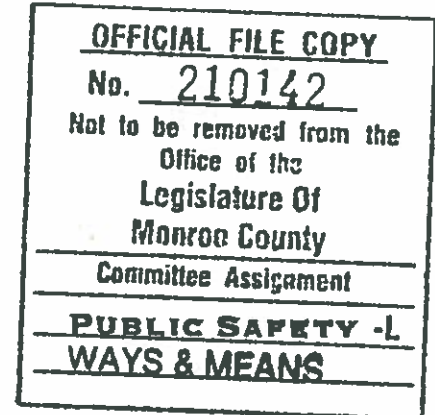


# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021



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

Subject: Acceptance of a Grant from the New York State Division of Homeland Security and Emergency Services for the FY2020 State Law Enforcement Terrorism Prevention Program

Honorable Legislators:

This matter is being referred to Your Honorable Body at the request of Sheriff Todd K. Baxter.

I recommend that Your Honorable Body accept a grant from the New York State Division of Homeland Security and Emergency Services in the amount of \$454,500 for the FY2020 State Law Enforcement Terrorism Prevention Program ("SLETPP") for the period of September 1, 2020 through August 31, 2023.

This grant provides funding for preparedness and prevention activities for terrorist events using weapons of mass destruction involving chemical, biological, radiological, nuclear, and explosive materials. Funds will be used to purchase special operations team equipment and provide training (including backfill and overtime costs) for the Monroe County Sheriff's Office SWAT, Bomb, K9, SCUBA, Crisis Negotiation Team, Rescue Task Force, and Crime Scene Investigation teams. This is the thirteenth year the County has received a SLETPP grant. This year's funding represents an increase of \$329,550.

#### The specific legislative actions required are:

1. Authorize the County Executive, or his designee, to accept a \$170,000 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Homeland Security and Emergency Services for the FY2020 State Law Enforcement Terrorism Prevention Program for the period of September 1, 2020 through August 31, 2023.
2. Amend the 2021 operating budget of the Department of Public Safety by appropriating the sum of \$170,000 into general fund 9300, funds center 2408030100, Office of Emergency Management.
3. Authorize the County Executive, or his designee, to approve and accept a \$284,500 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Homeland Security and Emergency Services for the FY2020 State Law Enforcement Terrorism Prevention Program for the period of September 1, 2020 through August 31, 2023.

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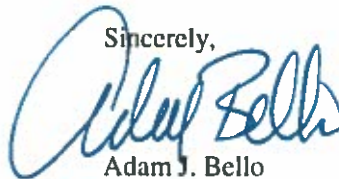
4. Amend the 2021 operating budget of the Office of the Sheriff by appropriating the sum of \$284,500 into general fund 9300, funds center 3803010000, Police Bureau Administration.
5. Authorize the County Executive to appropriate any subsequent years of the grant awards in accordance with the grant terms, to reappropriate any unencumbered balances during the grant periods according to the grantor requirements and to make any necessary funding modifications within grant guidelines to meet contractual requirements.
6. Should funding of these programs be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the programs 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.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and (31) ("purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials") and is not subject to further review under the State Environmental Quality Review Act.

This grant is 100% funded by the Federal Department of Homeland Security (administered by the New York State Division of Homeland Security and Emergency Services). No net County support is required in the current Monroe County Budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive

AJB:db



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0143.pdf</b>	<b>Referral Letter</b>





# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021

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No. <u>210143</u>
Not to be removed from the Office of the Legislature Of Monroe County
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<b>PUBLIC SAFETY -L</b>
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To The Honorable  
Monroe County Legislature  
407 County Office Building  
Rochester, New York 14614

**Subject:** Authorize a Contract with the University of Rochester for Continuing Development and Sustainment of the County's Medical Countermeasure Program

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract with the University of Rochester in an amount not to exceed \$60,000 for continuing development and sustainment of the County's Medical Countermeasure Program for the period of July 1, 2021 through February 28, 2022.

This contract will support the County's Medical Countermeasure Program through which the Monroe County Department of Public Health provides public health emergency preparedness program administration, planning, logistics, and operations development and implementation (including PODs, mass vaccination clinics, and other preparedness drills and exercises). The University of Rochester will provide: support of exercise and drill development and implementation; communication and information management activities; Monroe County Department of Public Health staff and partner training; and completion of other related projects and activities as determined by the Program Manager of the Office of Public Health Preparedness.

A Request for Qualifications was issued for this contract with the University of Rochester the sole responder.

**The specific legislative action required** is to authorize the County Executive, or his designee, to execute a contract, and any amendments thereto, with the University of Rochester, 601 Elmwood Avenue, Rochester, New York 14642, for the continuing development and sustainment of the County's Medical Countermeasure Program in an amount not to exceed \$60,000 for the period of July 1, 2021 through February 28, 2022.

This action is a Type II Action pursuant to 6 NYCRR 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

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Funding for this contract is included in the 2021 operating budget of the Department of Public Safety, general fund 9300, funds center 2408030100, Office of Emergency Management. No additional net County support is required in the current Monroe County budget.

The University of Rochester is a not-for-profit entity, and the records in the Office of the Monroe County Treasury have indicated that it does not owe any delinquent Monroe County Property taxes.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive

AJB:db



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0144.pdf</b>	<b>Referral Letter</b>

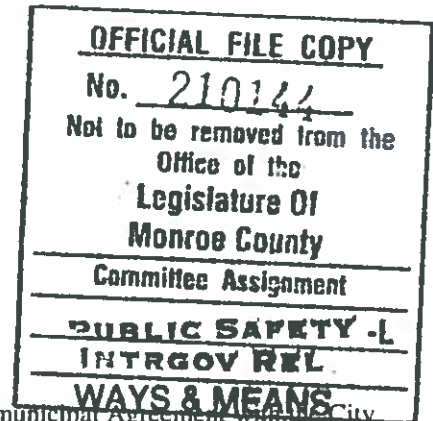


Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

April 9, 2021



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

Subject: Amend Resolution 284 of 2020 to Extend the Time Period of the Intermunicipal Agreement with the City of Rochester for the FY2016 Complex Coordinated Terrorist Attack Grant

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 284 of 2020 to extend the time period of the intermunicipal agreement with the City of Rochester for the FY2016 Complex Coordinated Terrorist Attack ("CCTA") Grant Program for one (1) year, through May 31, 2022.

This grant provides funding to enhance preparedness and build capacity to prepare for, prevent, and respond to complex coordinated terrorist attacks. Monroe County works collaboratively with the City of Rochester in response and recovery of such events. Funds will be used to cover backfill and overtime costs incurred by the City of Rochester resulting from CCTA exercise development and participation.

Funding for this grant was accepted by Your Honorable Body in Resolution 169 of 2018.

The specific legislative action required is to amend Resolution 284 of 2020 to extend the time period of the intermunicipal agreement with the City of Rochester for one (1) year, through May 31, 2022, for the FY2016 Complex Coordinated Terrorist Attack Grant Program.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to review under the State Environmental Quality Review Act.

Funding for this agreement is included in the 2021 operating budget of the Department of Public Safety, general fund 9300, funds center 2408030100, Office of Emergency Management. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely
[Signature of Adam J. Bello]

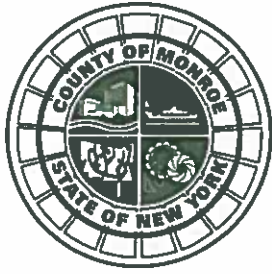
Adam J. Bello
Monroe County Executive

AJB:db



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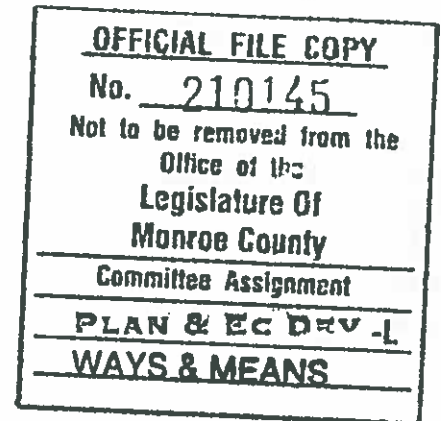


# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021



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

Subject: Authorize Contracts with the County of Monroe Industrial Development Agency and Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, DPC for Professional Services for the Monroe County Comprehensive Plan

Dear Honorable Legislators:

I recommend that Your Honorable Body authorize a contract with the County of Monroe Industrial Development Agency to accept \$200,000 for general planning purposes and to authorize a contract with Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, DPC ("EDR") in the amount of \$184,953 for professional consulting services for the Monroe County Comprehensive Plan for the period of June 1, 2021 through May 31, 2023, with the option to renew for one (1) year at no additional cost.

Monroe County's last Comprehensive Plan was adopted over forty years ago. This year, 2021, marks the bicentennial of Monroe County and an updated Comprehensive Plan will be a blueprint that guides decision-making for the County, its municipalities, and its residents for at least the next decade. The Plan will focus on a wide array of issues, but at the highest level will address topics of social justice, economic growth, workforce development, quality of life, and environmental sustainability and resiliency. The Plan process will lead to a community inspired vision; community supported goals; and implementable strategies to guide policy and investment within and throughout the County. Upon completion, the Plan will be made available to the County of Monroe Industrial Development Agency to inform its policies and procedures to advance the job opportunities, health, general prosperity, and economic welfare of the people of Monroe County.

A Request for Proposals was issued for this contract and EDR was selected as the most qualified to provide this service.

**The specific legislative actions required are:**

1. Authorize the County Executive to execute a contract, and any amendments thereto, with the County of Monroe Industrial Development Agency to accept \$200,000 for general planning services for the period of June 1, 2021 through May 31, 2023.
2. Amend the 2021 operating budget of the Department of Planning and Development by appropriating the sum of \$200,000 into general fund 9300, funds center 1401010000, Planning Services.

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3. Authorize the County Executive to execute a contract, and any amendments thereto, with Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, DPC, 274 North Goodman Street, Suite B260, Rochester, New York 14607, in the amount of \$184,953 for professional consulting services for the Monroe County Comprehensive Plan for the period of June 1, 2021 through May 31, 2023, with the option to renew for one (1) year at no additional cost.

Entering into contracts with the County of Monroe Industrial Development Agency and EDR are Type II Actions pursuant to 6 NYCRR § 617.5(c)(24) (“information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action”) and (27) (“conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action”) and is not subject to further review under the State Environmental Quality Review Act.

This contract is 100% funded by the County of Monroe Industrial Development Agency. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, DPC, nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Jo Anne C. Gagliano, RLA, President  
Thomas F.J. Dussing, P.E., Vice President  
Michael Tamblin, P.E., Vice President

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive

AJB:al



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0146.pdf</b>	<b>Referral Letter</b>





Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

April 9, 2021

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Monroe County
Committee Assignment
INTRGOV REC. -1
HUMAN SERVICES
WAYS & MEANS

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

Subject: Authorize an Intermunicipal Agreement with the City of Rochester to Provide Water Quality Monitoring for the Beach at Durand Eastman Park

Honorable Legislators:

I recommend that Your Honorable Body authorize an intermunicipal agreement with the City of Rochester in an amount not to exceed \$10,000 for Monroe County to provide water quality monitoring for the beach at Durand Eastman Park for the period of January 1, 2021 through December 31, 2021, with two (2) one-year options to renew at Monroe County's discretion.

Under the terms of the intermunicipal agreement, Monroe County will provide water quality sample collection, analytical services, and interpretation of results. The sampling results from the previous seasons will be used to refine an operational model similar to the one employed at Ontario Beach. The final parameters for the model shall be determined by the Monroe County Department of Public Health and will be used to make decisions on whether to open or close the beach for water quality reasons at Durand Eastman Park. Monroe County will be reimbursed by the City of Rochester on a fee-for-service basis.

The specific legislative action required is to authorize the County Executive, or his designee, to execute an intermunicipal agreement, and any amendments thereto, with the City of Rochester for Monroe County to provide water quality monitoring for the beach at Durand Eastman Park in an amount not to exceed \$10,000 for the period of January 1, 2021 through December 31, 2021, with two (2) one-year options to renew at Monroe County's discretion.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

This agreement is revenue generating. No net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely
Adam Bello

Adam J. Bello
Monroe County Executive



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0147.pdf</b>	<b>Referral Letter</b>



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

April 9, 2021

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No. 210147
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Committee Assignment
TRANSPORTATION -L
WAYS & MEANS

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

Subject: Amend the 2021 Capital Budget and Bond Resolution 377 of 2020 to Provide an Increase in Funding for the Highway Lighting Rehabilitation Central Project in the City of Rochester and the Towns of Chili and Gates and Authorize a Contract with Greenman-Pedersen, Inc. for Engineering Services

Honorable Legislators:

I recommend that Your Honorable Body amend the 2021 Capital Budget and Bond Resolution 377 of 2020 to provide an increase in funding for the Highway Lighting Rehabilitation Central Project in the City of Rochester and the Towns of Chili and Gates and authorize a contract with Greenman-Pedersen, Inc. in the amount of \$389,957.85 for engineering services.

This project involves the rehabilitation of the Highway Lighting on I-390 from Chili Avenue to the Genesee River, I-490 from the Genesee River to the I-590 interchange, and the Inner Loop from I-490 to E. Main Street in the City of Rochester and the Towns of Chili and Gates. The project will involve upgrading the lighting system to LED lights, as well as replacement/repairs to a portion of the light poles and foundations, lighting conduits, and electrical cable. The current revised total project estimate is \$4,750,000. The current schedule is to conduct preliminary engineering and final design during 2021/2022 with an anticipated construction start in 2023.

A request for proposals was issued for this contract and Greenman-Pedersen, Inc. was selected as the most qualified to provide this service.

A cost breakdown of these services is as follows:

Table with 2 columns: Service Type and Amount. Rows: Design Services (\$344,616.49), Special Services (45,341.36), Total (\$389,957.85)

The specific legislative actions required are:

- 1. Amend the 2021 Capital Budget to increase funding for the Highway Lighting Rehabilitation Central Project in the City of Rochester and the Towns of Chili and Gates in the amount of \$30,000 from \$370,000 to \$400,000 for a total project authorization of \$400,000.

2. Amend Bond Resolution 377 of 2020 to increase financing for the Highway Lighting Rehabilitation Central Project in the City of Rochester and the Towns of Chili and Gates, capital fund 1992, in the amount of \$30,000 from \$370,000 to \$400,000 for a total project authorization of \$400,000.
3. Authorize the County Executive, or his designee, to execute a contract with Greenman-Pedersen, Inc., 400 Andrews Street, Suite 6100, Rochester, New York 14604, in the amount of \$389,957.85 for engineering services for the Highway Lighting Rehabilitation – Central Project in the City of Rochester and the Towns of Chili and Gates, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(1) (“maintenance or repair involving no substantial changes in an existing structure or facility”) and (2) (“replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part”) and is not subject to further review under the State Environmental Quality Review Act.

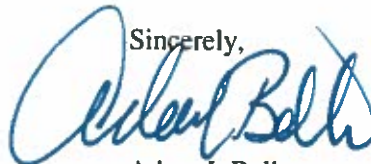
Funding for this contract, consistent with authorized uses, will be available in capital fund 1992 once the additional financing authorization herein is approved and in any other capital fund(s) created for the same intended purpose. No additional net County support is required in the current Monroe County budget.

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

Steven Greenman, Chairman of the Board  
Christer Ericson, President and Chief Executive Officer  
Michael Buoncore, Executive VP and Chief Financial Officer

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive



**ATTACHMENTS:**

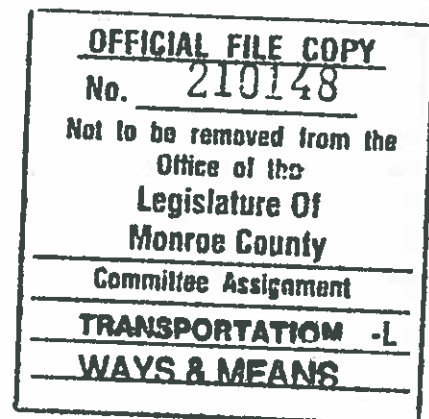
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▢	<b>Referral</b>	<b>R21-0148.pdf</b>	<b>Referral Letter</b>



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive



April 9, 2021

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

Subject: Authorize a Contract with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. for Engineering Services for the Middle Road Project in the Town of Henrietta

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. in the amount of \$342,876.63 for engineering services for the Middle Road Project in the Town of Henrietta.

Middle Road is a County owned road with the limits for this project being from Erie Station Road to Lehigh Station Road in the Town of Henrietta. This project will involve rehabilitation of the road including milling and resurfacing, culvert replacement, drainage improvements, edge treatments, paved shoulders, signs, and pavement markings. The current total project estimate is \$3,580,000. The current schedule is to conduct preliminary engineering and final design during 2021/2022 with an anticipated construction start in 2023.

A request for proposals was issued for this contract and Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C. was selected as the most qualified to provide this service.

A cost breakdown of these services is as follows:

Table with 2 columns: Service Type and Amount. Rows: Design Services (\$192,192.64), Special Services (150,683.99), Total (\$342,876.63)

The specific legislative action required is to authorize the County Executive, or his designee, to execute a contract with Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., 280 East Broad Street, Rochester, New York 14604, in the amount of \$342,876.63 for engineering services for the Middle Road Project in the Town of Henrietta, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(2) (“replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part”) and (5) (“repaving of existing highways not involving the addition of new travel lanes”) and is not subject to further review under the State Environmental Quality Review Act.

Funding for this contract, consistent with authorized uses, is included capital fund 1995 and in any capital fund(s) created for the same intended purpose. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Pieter V. Giovencio, President/CEO  
Scott W. Lockwood, CFO  
Richard Chelotti, Sr. Vice President  
Andrew Raud, Sr. Vice President

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,  


Adam J. Bello  
Monroe County Executive



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0149.pdf</b>	<b>Referral Letter</b>

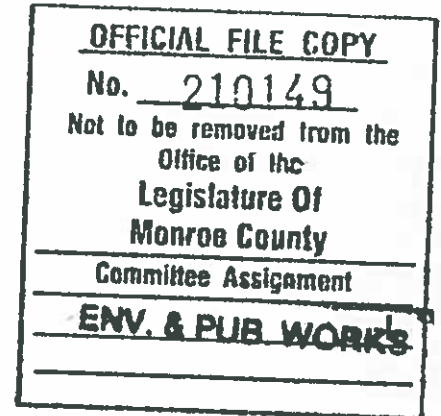




Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive



April 9, 2021

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

Subject: Classification of Action and Determination of Significance Pursuant to the State Environmental Quality Review Act for the Acquisition of Real Property for the Culver Road Highway Improvement Project at 4225 Culver Road in the Town of Irondequoit

Honorable Legislators:

I recommend that Your Honorable Body determine whether the Acquisition of Real Property for the Culver Road Highway Improvement Project located at 4225 Culver Road in the Town of Irondequoit may have a significant adverse impact on the environment pursuant to the State Environmental Quality Review Act ("SEQRA").

The proposed acquisition is as follows:

Table with 3 columns: Parcel, Owner, Offered Amount. Row 1: Map 172, Providence Durand Housing Development Fund Company, Inc, \$1.00

The acquisition of real property located at 4225 Culver Road in the Town of Irondequoit has been preliminarily classified as an Unlisted action. The SEQRA regulations found at 6 NYCRR Part 617 requires that no agency shall carry out or approve an Action until it has complied with the requirements of SEQRA.

The specific legislative actions required are:

- 1. Determine that the acquisition of real property located at 4225 Culver Road in the Town of Irondequoit is an Unlisted action.

2. Make a determination of significance regarding the acquisition of real property located at 4225 Culver Road in the Town of Irondequoit pursuant to 6 NYCRR § 617.7.
3. Authorize the County Executive, or his designee, to take such actions to comply with the requirements of the State Environmental Quality Review Act, including without limitation, the execution of documents and the filing, distribution and publication of the documents required under the State Environmental Quality Review Act, and any other actions to implement the intent of this resolution

This designation will have no impact on the revenues or expenditures of the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive

AJB:db

## Short Environmental Assessment Form

### Part I - Project Information

#### Instructions for Completing

Part I - Project Information. The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part I. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part I - Project and Sponsor Information</b>			
Name of Action or Project: Acquisition of Permanent Easement at 4225 Culver Road, in the town of Irondequoit			
Project Location (describe, and attach a location map): 4225 Culver Road in the Town of Irondequoit.			
Brief Description of Proposed Action: This action is for the acquisition of a Permanent Easement to allow signage necessary along Culver Road at 4225 Culver Road in the Town of Irondequoit.			
Name of Applicant or Sponsor: Monroe County		Telephone: (585) 7531233	
		E-Mail:	
Address: 39 West Main Street			
City/PO: Rochester		State: New York	Zip Code: 14614
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0 019 acres	
b. Total acreage to be physically disturbed?		0 00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0 019 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Name Not named, Reason Environmentally sensitive, Agency Rochester, City of, Date 3-14-86 If Yes, identify: Durand Eastman Park	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public private water supply? If No, describe method for providing potable water:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Bald Eagle, Least Bittern	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Monroe County</u> Date: _____		
Signature: <u><i>Anthony Pegg</i></u> Title: <u>Director Real Property Services</u>		

**PRINT FORM**



Agency Use Only (If applicable)

Project:

Date:

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing.		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**PRINT FORM**

Agency Use Only (If applicable)

Project: \_\_\_\_\_

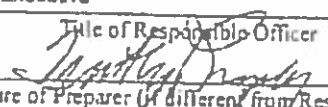
Date: \_\_\_\_\_

**Short Environmental Assessment Form  
Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Environmental Mapper indicates that the subject property, or an adjoining property is in an environmentally sensitive area, has been designated as sensitive for archaeological sites and contains a species of animal, or associated habitats listed as threatened or endangered

This action is for the acquisition of the property and does not include the physical alteration nor disturbance of the property. It is limited to the placement of road signs. Therefore, there this action will not result in any significant adverse environment impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Monroe County _____ Name of Lead Agency	_____ Date
Adam J Bello _____ Print or Type Name of Responsible Officer in Lead Agency	_____ County Executive
_____ Signature of Responsible Officer in Lead Agency	_____ Title of Responsible Officer  Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**





**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0150.pdf</b>	<b>Referral Letter</b>

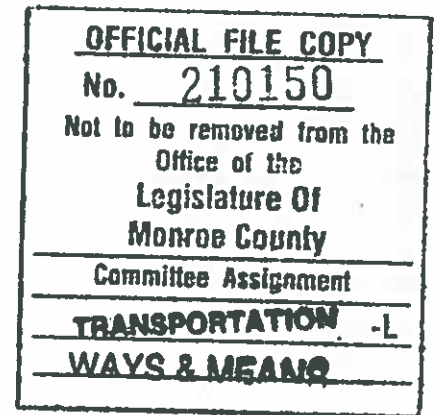


Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

April 9, 2021



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

Subject: Authorize the Acquisition of Interests in Real Property for the Culver Road Highway Improvement Project at 4225 Culver Road in the Town of Irondequoit

Honorable Legislators:

I recommend that Your Honorable Body authorize the acquisition of interests in real property for the Culver Road Highway Improvement Project in the Town of Irondequoit from the property owners described as follows:

Table with 3 columns: Parcel, Owner, Amount. Row 1: Map 172, Providence Durand Housing Development Fund Company, Inc., \$1.00

The specific legislative action required is to authorize the County Executive, or his designee, to acquire the referenced property interests and execute all documents necessary for the Culver Road Highway Improvement Project at 4225 Culver Road at tax identification number 062.19-1-36 in the Town of Irondequoit by contract and/or the Eminent Domain Procedure Law, along with any amendments for unanticipated damages, within the total capital fund(s) appropriation.

The provisions of the New York State Environmental Quality Review Act shall be complied with prior to Your Honorable Body undertaking, funding, or approving the action requested in this referral.

No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that the individual property owner(s) listed above do not owe any delinquent Monroe County property taxes.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,
Adam J. Bello
Monroe County Executive

110 County Office Building • 39 West Main Street • Rochester, New York 14614

(585) 753-1000 • fax: (585) 753-1014 • www.monroecounty.gov • e-mail: countyexecutive@monroecounty.gov



**ATTACHMENTS:**

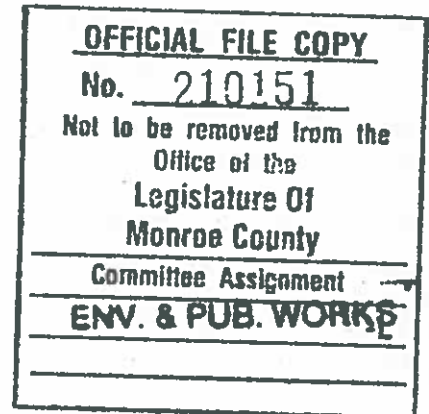
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▣	<b>Referral</b>	<b>R21-0151.pdf</b>	<b>Referral Letter</b>



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive



April 9, 2021

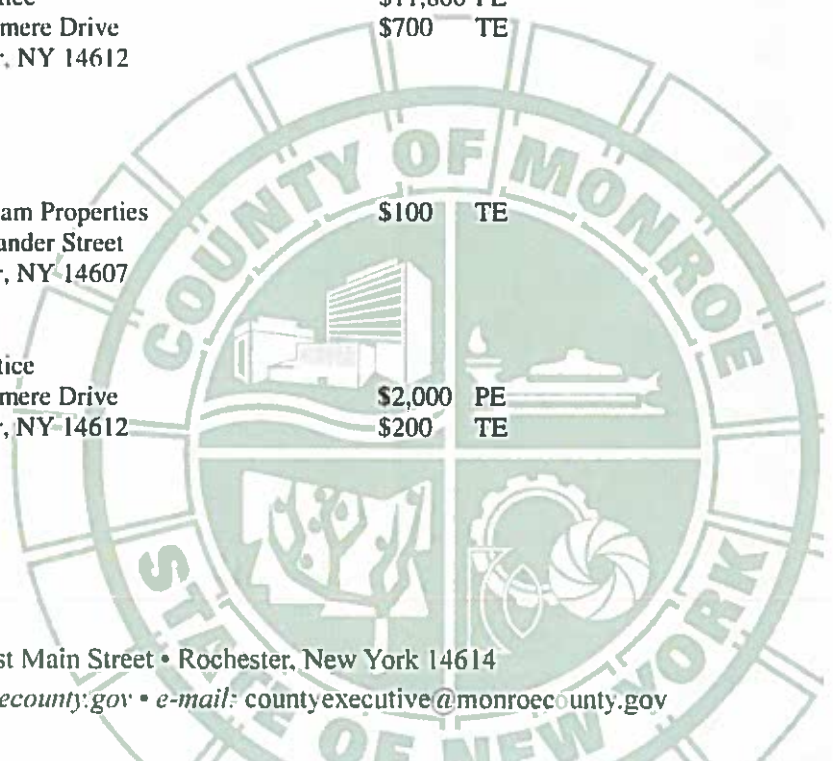
To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Classification of Action and Determination of Significance Pursuant to the State Environmental Quality Review Act for the Acquisition of Real Property for the English Road Highway Improvement Project in the Town of Greece

Honorable Legislators:

I recommend that Your Honorable Body determine whether the acquisition of real property for the English Road Highway Improvement Project in the Town of Greece may have a significant adverse impact on the environment pursuant to the State Environmental Quality Review Act ("SEQRA"):

Table with 3 columns: Parcel, Owner, Amount. Contains details for Maps 14, 15, 16, and 17, including parcel descriptions, owner names, and amounts.



110 County Office Building • 39 West Main Street • Rochester, New York 14614

(585) 753-1000 • fax: (585) 753-1014 • www.monroecounty.gov • e-mail: countyexecutive@monroecounty.gov

Map 18 Parcel 1 TE 2,436 sf English Road T.A. # 059.01-3-55 Town of Greece	Town of Greece I Vince Tofany Blvd Rochester, NY 14612	\$100 * TE Waived
Map 19 Parcel 1 PE 2,250 sf 18 Old English Drive T.A. # 059.11-3-68 Town of Greece	Ladd D. Dromgold Cathy H. Dromgold 18 Old English Road Rochester, NY 14616	\$3,400 PE
Map 20 Parcel 1 PE 378 sf Parcel 2 TE 2,034 sf English Road T.A. # 059.11-1-12 Town of Greece	Jack R. Ritter Aaron S. Ritter 1300 English Road Rochester, NY 14616	\$400 PE \$200 TE
Map 21 Parcel 1 PE 1,254 sf Parcel 2 TE 2,579 sf T.A. # 059.11-1-13 Town of Greece	Jack R. Ritter Aaron Ritter 1300 English Road Rochester, NY 14616	\$1,800 PE \$400 TE

The acquisition of real property located at the addresses defined above in the Town of Greece have been preliminarily classified as an Unlisted action. The SEQRA regulations found at 6 NYCRR Part 617 requires that no agency shall carry out or approve an Action until it has complied with the requirements of SEQRA.

**The specific legislative actions required are:**

1. Determine that the acquisition of real properties located at the above listed addresses in the Town of Greece is an Unlisted action.
2. Make a determination of significance regarding the acquisitions of real property identified above in the Town of Greece pursuant to 6 NYCRR 617.7.
3. Authorize the County Executive, or his designee, to take such actions to comply with the requirements of the State Environmental Quality Review Act, including without limitation, the execution of documents and the filing, distribution and publication of the documents required under the State Environmental Quality Review Act, and any other actions to implement the intent of this resolution.

This designation will have no impact on the revenues or expenditures of the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive

## Short Environmental Assessment Form Part 1 - Project Information

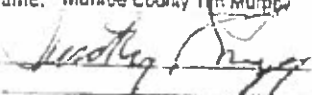
### Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: English Road Reconstruction Project			
Project Location (describe, and attach a location map): 1700 English Rd 059.01-3-58 11, 1687 English Rd 059.01-6-8, 1630 English Rd 059.01-3-56 14, 1677 English Rd 059.01-6-9, English Rd 059.01-3-55			
Brief Description of Proposed Action: The action is for replacement of a box culvert that allows a class C stream to flow under English Road and easement acquisition for right-of-way related to this roadwork. Replacement of the culvert will entail removal and re-installation of a culvert with temporary impacts to the class C stream, that requires a Protection of Waters Permit from the New York State Department of Environmental Conservation. Limited easements will be acquired on several parcels. Temporary Easements for construction work will be needed at 1700, 1687, 1680, and 1677 English Drive. Permanent easements of approximately 68 acres of land will be acquired on 1687 and 1677. Easement acquisition has been requested by New York State Department of Transportation to ensure sufficient right of way to operate and maintain English Road			
Name of Applicant or Sponsor: Monroe County		Telephone: 585-753-1233	
Address: 39 West Main Street		E-Mail:	
City/PO: Rochester		State: NY	Zip Code: 14614
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval.		NO	YES
3. a. Total acreage of the site of the proposed action?		0.086 acres	
b. Total acreage to be physically disturbed?		0.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.086 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input checked="" type="checkbox"/> Parkland			

		NO	YES	N A
5. Is the proposed action,	a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public private water supply? If No, describe method for providing potable water: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Although NYI indicates that PUBH and PFD 1/SS1A may be present on the site. However, based on a site visit on November 29, 2019 confirmed that no federal wetlands or state wetlands are present in the work area. Accordingly, no wetlands will be impacted by this action.				

14 Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Monroe County Tim Murphy	Date	3-2-21
Signature: 	Title: Director	

**PRINT FORM**



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbook. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Map data © OpenStreetMap contributors, and the GIS User Community

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No

Agency Use Only (If applicable)

Project:

Date:

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**PRINT FORM**

Project: \_\_\_\_\_  
 Date: \_\_\_\_\_

**Short Environmental Assessment Form  
 Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The action is for replacement of a box culvert that allows a class C stream to flow under English Road and easement acquisition for right-of-way related to this roadwork. Although, no moderate to large impacts have been identified on the project site, it is host to both a stream and wetlands that need be evaluated for adverse environmental impacts.

Replacement and rehabilitation of the existing box culvert may temporarily impact the stream and wetlands. All disturbance will be temporary, limited to the period of construction, and will not encroach on or permanently alter existing nearby wetlands. Site visits have confirmed that no federal wetlands or state mapped wetlands or wetland checkzones are located in or adjacent to the proposed project and construction area. Additionally, Monroe County anticipates a Protection of Waters Permit to engage in stream disturbance pursuant to New York State Law. Monroe County will follow all requirements to work in the stream, including time constraints, and remedial measures that are required by the New York State Department of Environmental Conservation. Accordingly, after consideration of the potential impacts to the stream and wetlands, it has been determined that no significant adverse environmental impacts from this action will occur.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

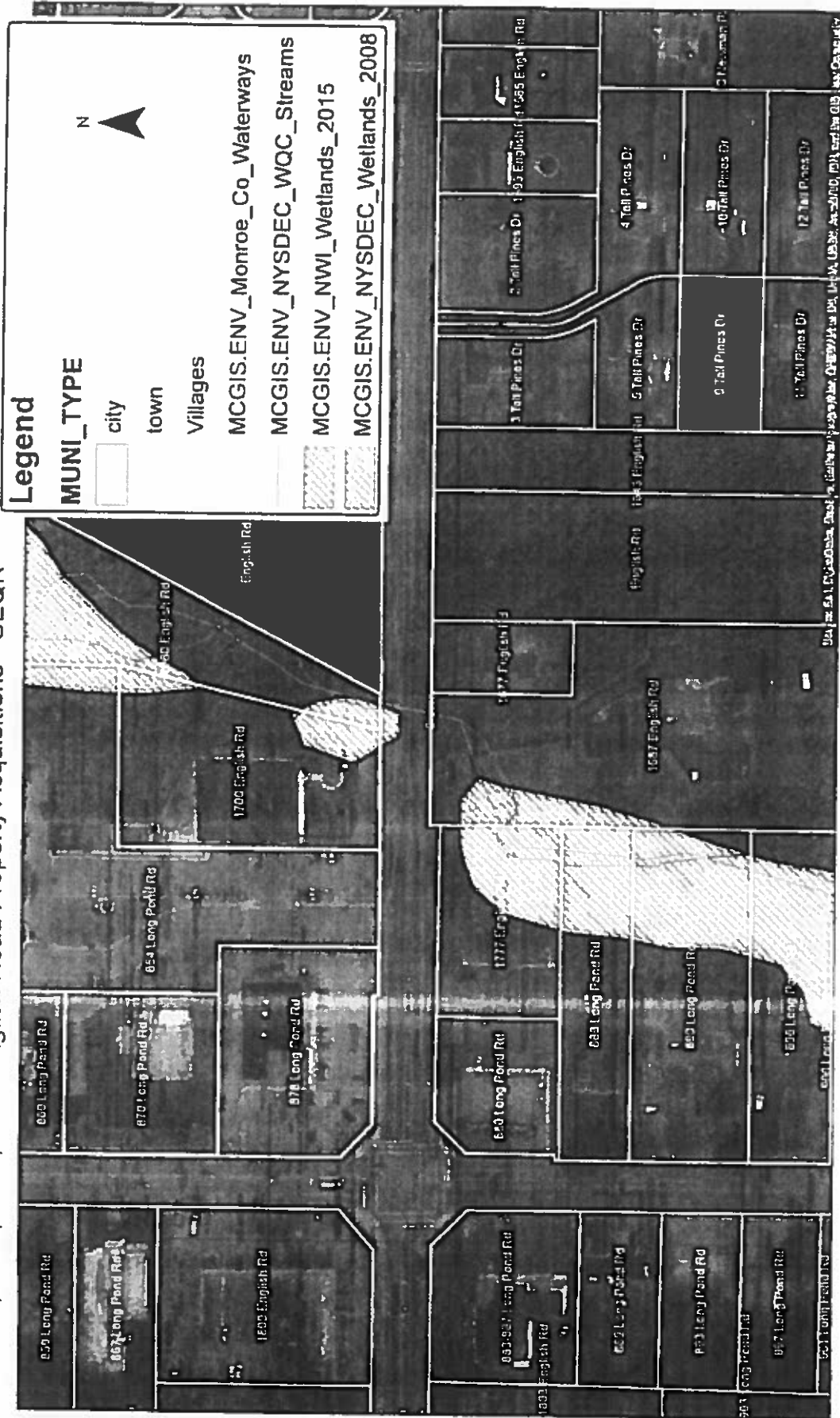
Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Monroe County

Name of Lead Agency	Date
Adam J Bello	County Executive
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**

# 1700, 1687, 1680, 1677 English Road Property Acquisitions - SEQR



Data Source: National Wetlands Inventory, 2015; NYS DEC Freshwater Wetlands Map 2008; Monroe County Office of Real Property Services.  
Map prepared by Monroe County Department of Planning & Development. This map is for GENERAL PLANNING PURPOSE ONLY and is provided without guarantee for any specific or implied use.



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0152.pdf</b>	<b>Referral Letter</b>

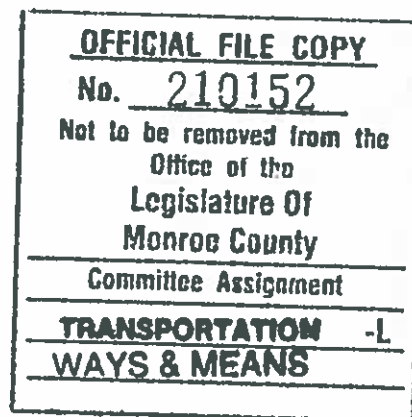


# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021



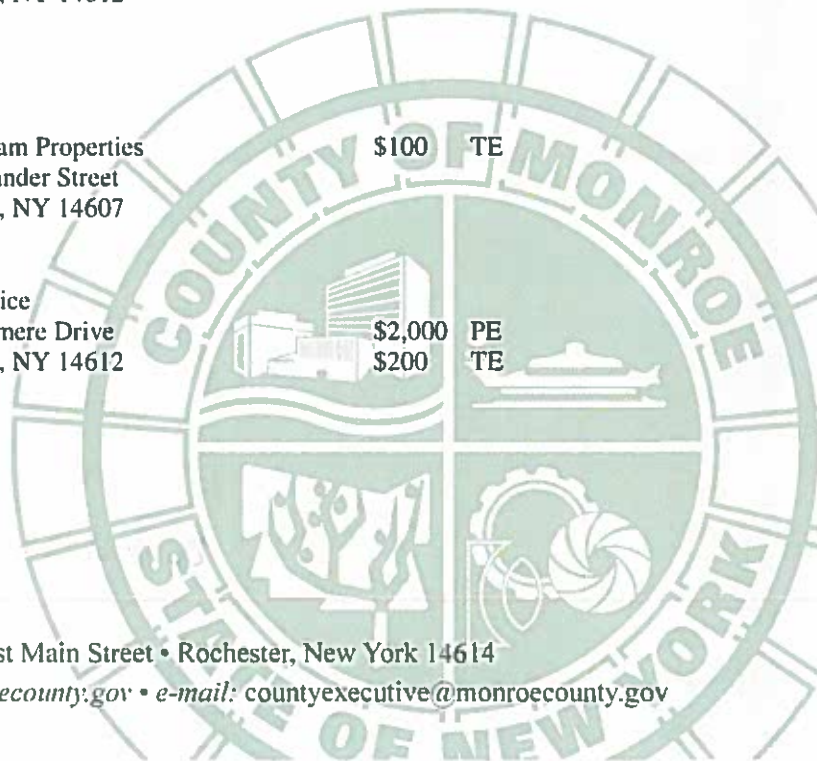
To The Honorable  
Monroe County Legislature  
407 County Office Building  
Rochester, New York 14614

Subject: Authorize the Acquisition of Interests in Real Property for the English Road Highway Improvement Project in the Town of Greece

Honorable Legislators:

I recommend that Your Honorable Body authorize the acquisition of interests in real property for the English Road Highway Improvement Project in the Town of Greece from the property owners described as follows:

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 14 Parcel 1 TE 1264 sf 1700 English Road T.A. # 059.01-3-56.11 Town of Greece	1700 English Road LLC Buckingham Properties 259 Alexander Street Rochester, NY 14607	\$700 TE
Map 15 Parcel 1 PE 2,314 sf Parcel 2 TE 1,426 sf 1687 English Road T.A. # 059.01-6-8 Town of Greece	English Pines Management. LLC Brian Justice 212 Edgemere Drive Rochester, NY 14612	\$11,800 PE \$700 TE
Map 16 Parcel 1 TE 1,084 sf 1680 English Road T.A # 059.01-3-56.14 Town of Greece	846 LPR Buckingham Properties 259 Alexander Street Rochester, NY 14607	\$100 TE
Map 17 Parcel 1 PE 586 sf Parcel 2 TE 1,273 sg 1677 English Road T.A. #059.01-6-9 Town of Greece	Brian Justice 212 Edgemere Drive Rochester, NY 14612	\$2,000 PE \$200 TE



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Map 18 Parcel 1 TE 2,436 sf English Road T.A. # 059.01-3-55 Town of Greece	Town of Greece 1 Vince Tofany Blvd Rochester, NY 14612	\$100 * TE Waived
Map 19 Parcel 1 PE 2,250 sf 18 Old English Drive T.A. # 059.11-3-68 Town of Greece	Ladd D. Dromgold Cathy H. Dromgold 18 Old English Road Rochester, NY 14616	\$3,400 PE
Map 20 Parcel 1 PE 378 sf Parcel 2 TE 2,034 sf English Road T.A. # 059.11-1-12 Town of Greece	Jack R. Ritter Aaron S. Ritter 1300 English Road Rochester, NY 14616	\$400 PE \$200 TE
Map 21 Parcel 1 PE 1,254 sf Parcel 2 TE 2,579 sf T.A. # 059.11-1-13 Town of Greece	Jack R. Ritter Aaron Ritter 1300 English Road Rochester, NY 14616	\$1,800 PE \$400 TE

**The specific legislative action required is to authorize the County Executive, or his designee, to acquire the referenced property interests and execute all documents necessary for the English Road Highway Improvement Project at the tax identification numbers identified above in the Town of Greece by contract and/or the Eminent Domain Procedure Law, along with any amendments for unanticipated damages, within the total capital fund(s) appropriation.**

The provisions of the New York State Environmental Quality Review Act shall be complied with prior to Your Honorable Body undertaking, funding, or approving the action requested in this referral.

Funding for these acquisitions is included in the 2021 operating budget of the Department of Transportation, road fund 9002, funds center 8002050000, Consolidated Local Street and Highway Improvement Program (CHIPS). No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that the individual property owner(s) listed above do not owe any delinquent Monroe County property taxes.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,  


Adam J. Bello  
Monroe County Executive



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0153.pdf</b>	<b>Referral Letter</b>





# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021

<b>OFFICIAL FILE COPY</b>
No. <u>210153</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
<b>HUMAN SERVICES -L</b>
<b>WAYS &amp; MEANS</b>

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

Subject: Authorize a Contract with the University of Rochester Medical Center for Medical Services for Monroe Community Hospital

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract with the University of Rochester Medical Center ("University"), in an amount not to exceed \$2,501,323 to provide medical services for Monroe Community Hospital ("MCH") for the period of May 1, 2021 through April 30, 2022, with the option to renew for four (4) additional one-year terms at a rate of increase not to exceed 2.25% per year.

This will be the 56<sup>th</sup> year that MCH and the University have maintained an affiliation agreement for physician services for patients of MCH. The provision for medical services to be provided to MCH through this contract is permitted pursuant to Section C6-17(B)(5) of the Monroe County Charter. Through the contract, the University will provide all of the medical services for MCH required by the New York State Department of Health. The contract will include a Medical Director and medical staff to develop and monitor standards of medical practice within MCH, and coordinate patient care and all related issues with MCH Administration.

A Request for Proposals was issued with the University of Rochester Medical Center selected as the most qualified to provide this service.

The specific legislative action required is to authorize a contract with the University of Rochester Medical Center, 601 Elmwood Avenue, Rochester, New York 14642, to provide medical services for Monroe Community Hospital in the amount of \$2,501,323, for the period of May 1, 2021 through April 30, 2022, with the option to renew for four (4) additional one-year terms at a rate of increase not to exceed 2.25% per year.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

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Funding for this contract is included in the 2021 operating budget of Monroe Community Hospital, fund 9012, funds center 6205060000, Medical Administration and will be requested in future years' budgets. No additional net County support is required in the current Monroe County budget.

The University of Rochester Medical Center is a not-for-profit agency, and the records in the Office of the Monroe County Treasury have indicated that it does not owe any delinquent Monroe County property taxes.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0154.pdf</b>	<b>Referral Letter</b>



# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021

<b>OFFICIAL FILE COPY</b>
No. <u>210154</u>
Not to be removed from the Office of the Legislature Of Monroe County
<del>Committee Assignment</del>
<b>ENV. &amp; PUB. WORKS</b>
<b>WAYS &amp; MEANS</b>

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

**Subject:** Amend the 2021-2026 Capital Improvement Program and the 2021 Capital Budget to Add a Project Entitled "Energy Improvement Equipment Acquisition" and Authorize Financing for the Project

Honorable Legislators:

I recommend that Your Honorable Body amend the 2021-2026 Capital Improvement Program and the 2021 Capital Budget to add a project entitled "Energy Improvement Equipment Acquisition" in the amount of \$12,900,000 and authorize financing for the project in an amount not to exceed \$12,900,000.

By Resolution Nos. 128 of 2013, 217 of 2013, 115 of 2017, and 116 of 2017, Your Honorable Body authorized certain energy improvement projects at the Monroe County Correctional Facility, the Monroe County Civic Center Complex, and various facilities of the Rochester Pure Waters District. The acquisition and installation of the energy improvement equipment was financed under agreements with New York Power Authority ("NYPA") as variable rate loans, with each of the interest rates adjusted annually on January 1 based on NYPA's cost of borrowing.

NYPA's changing financial position has resulted in their demand that Monroe County refinance the existing loan from outside sources. The fixed-rate financing program recommended by NYPA, however, includes interest and fees exceeding what Monroe County could obtain on the open market under current economic conditions. As such, we are requesting authority to issue County general obligation bonds to purchase the energy improvement equipment currently securing the NYPA loans.

To avoid issuing bonds over a longer period than the remaining loan terms, the annual bond maturities will be structured to closely resemble the current loan repayment schedule.

This project is scheduled to be considered by the Monroe County Planning Board on April 29, 2021.

**The specific legislative actions required are:**

1. Amend the 2021-2026 Capital Improvement Program to add a project entitled "Energy Improvement Equipment Acquisition" in the amount of \$12,900,000.

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2. Amend the 2021 Capital Budget to add a project entitled "Energy Improvement Equipment Acquisition" in the amount of 12,900,000.
3. Authorize financing for the project entitled "Energy Improvement Equipment Acquisition" in an amount not to exceed \$12,900,000.

The legislative action is a Type II action pursuant to 6 NYCRR §617.5(c)(29) ("investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt") and is not subject to further review under the State Environmental Quality Review Act.

Funding for this project, consistent with authorized uses, will be included in the capital fund to be created and any other capital fund(s) created for the same intended purpose. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam Bello", written over the typed name.

Adam J. Bello  
Monroe County Executive

AJB:db



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0155.pdf</b>	<b>Referral Letter</b>

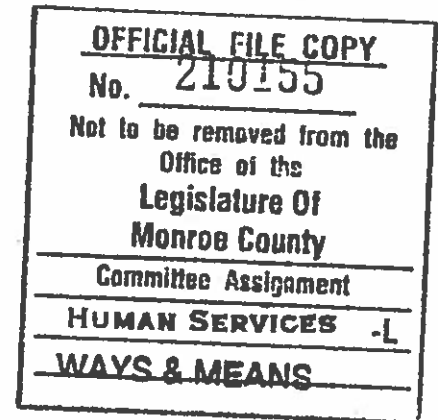


# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

April 9, 2021



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

Subject: Amend Resolution 431 of 2020, as Amended by Resolution 24 of 2021, Authorize Contracts for the Provision of Mental Health, Developmental Disability, and Alcoholism and Substance Abuse Services in 2021 for the Monroe County Office of Mental Health

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 431 of 2020, as amended by Resolution 24 of 2021, authorizing contracts for the provision of Mental Health, Developmental Disability, and Alcoholism and Substance Abuse Services in 2021 from an amount not to exceed \$40,120,086 to an amount not to exceed \$41,120,086 for the period of January 1, 2021 through December 31, 2021.

The FIT program was established in September 2017 as a partnership between the Monroe County Office of Mental Health and every law enforcement agency in Monroe County. Its purpose is to provide mental health intervention to individuals who come into contact with law enforcement. The goal is to de-escalate crisis situations and avoid unnecessary emergency department visits and arrests. FIT program staff respond to 9-1-1 calls jointly with law enforcement and also separately respond to referrals and make follow-up visits to individuals as needed. Since its start, the program has resulted in a significant number of individuals being diverted from repeated law enforcement contacts and emergency department visits, while becoming connected to treatment and supports.

With this requested additional funding, Coordinated Care Services, Inc. will expand the FIT Program by hiring twelve (12) additional Mobile Forensic Specialists. Additional positions will be added to the program through other funding sources.

**The specific legislative action required is to amend Resolution 431 of 2020, as amended by Resolution 24 of 2021, authorizing contracts for the provision of Mental Health, Developmental Disability, and Alcoholism and Substance Abuse Services in 2021 from an amount not to exceed \$40,120,086 to an amount not to exceed \$41,120,086 for the period of January 1, 2021 through December 31, 2021.**

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Monroe County Legislature - April 27, 2021

This action is a Type II Action pursuant to 6 NYCRR 617.5(c)(26) (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”) and is not subject to further review under the State Environmental Quality Review Act.

Funding for this contract increase is included in the 2021 operating budget of the Department of Human Services, general fund 9001, funds center 5702010000, Mental Health Services. No additional net County support is required in the current Monroe County budget.

Coordinated Care Services, Inc. is a not-for-profit agency and the records in the Office of the Monroe County Treasury have indicated that it does not owe any delinquent Monroe County property taxes.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,  


Adam J. Bello  
Monroe County Executive

AJB:db





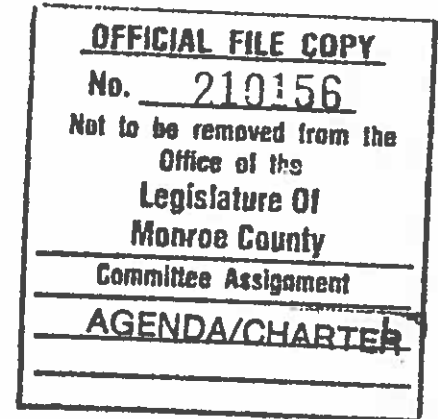
**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0156.pdf</b>	<b>Referral Letter</b>



# Office of the County Executive Monroe County Legislature

April 9, 2021



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

Subject: Enact a Local Law Amending the Code of Ethics of the County of Monroe

Honorable Legislators:

We recommend that Your Honorable Body enact a Local Law amending the Code of Ethics of the County of Monroe (the "Code of Ethics") to address harassment and sexual harassment involving members of the public and limit County employees and officers from doing business with the County during and after their employment or term.

Monroe County follows all federal and state laws regarding harassment and sexual harassment in the workplace, and requires its officers and employees to pursue a course of conduct which will not raise suspicion among the public that they are likely to be engaged in acts that are in violation of the public's trust. However, it is critical for the County to demonstrate that sexual harassment, unwanted sexual attention, and degrading or abusive behavior can never be tolerated. It is the responsibility of this Honorable Body to build a culture of respect and dignity for all persons, including the residents we serve.

This amendment to the Code of Ethics makes it clear, in no uncertain terms, that County officers and employees that engage in harassment or sexual harassment are in violation of the Code of Ethics. Through this amendment, Monroe County is affirmatively stating that any harassment, including towards members of the public, will not be allowed. The amendment also expressly empowers the Board of Ethics to fully investigate complaints or allegations it receives regarding harassment or sexual harassment. Last, this amendment to the Code of Ethics limits County employees and officers from doing business with the County during and after their employment or term.

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Monroe County Legislature • April 27, 2021 • (585) 753-1000 • Fax: (585) 753-1014 • [www.monroecounty.gov](http://www.monroecounty.gov) • e-mail: [countyexecutive@monroecounty.gov](mailto:countyexecutive@monroecounty.gov)

**The specific legislative actions required are:**

1. Schedule and hold a Public hearing on the proposed Local Law.
2. Enact the Local Law amending the Code of Ethics.

The legislative action requested in this referral is not an "Action," as that term is defined in 6 NYCRR § 617.2(b), and is not subject to review under the State Environmental Quality Review Act.

This Local Law will have no impact on the revenues or expenditures of the current Monroe County budget.

We recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive



Rachel Barnhart  
Monroe County Legislator  
District 21



Joshua Bauroth  
Monroe County Legislator  
District 24



John B. Baynes  
Monroe County Legislator  
District 18



Linda Hasman  
Monroe County Legislator  
District 23



Howard Maffucci  
Monroe County Legislator  
District 10



Joseph D. Morelle, Jr.  
Monroe County Legislator  
District 17



Yversha M. Roman  
Monroe County Legislator  
District 26



Justin Wilcox  
Monroe County Legislator  
District 14



Michael Yudelson  
Monroe County Legislator  
District 13

By Legislators \_\_\_\_\_ and \_\_\_\_\_

Intro No. \_\_\_\_

LOCAL LAW NO. \_\_\_\_ OF 2021

**ENACTING A LOCAL LAW AMENDING THE CODE OF ETHICS OF THE COUNTY OF MONROE**

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

**Section 1.** Section 45-3 of the Administrative Local Laws of Monroe County is amended to read as follows:

**INTEREST**

A pecuniary or material benefit accruing to a municipal officer or employee, unless the context otherwise requires, and shall be deemed to include the business or financial affairs of the officer's or employee's spouse, minor children and dependents; a firm, partnership or association in which such officer or employee is a member or employee; a corporation of which such officer or employee is an officer, director or employee; and a corporation any stock of which is owned or controlled directly or indirectly by such officer or employee.

**HARASSMENT**

Verbal, written, or physical conduct that: (1) is based on an individual's protected class under federal, state or local law; (2) is unwelcome; and (3) rises above the level of what a reasonable victim of harassment or discrimination with the same protected characteristic would consider petty slights or trivial inconveniences.

**MUNICIPAL AGENCY**

Any department of the County of Monroe or division, board, district, commission or bureau of any department of the County, including but not limited to the Gates-Chili-Ogden Sewer District, Irondequoit Bay Pure Waters District, Northwest Quadrant Pure Waters District, Rochester Pure Waters District, and the Monroe County local social services district.

**OFFICER OR EMPLOYEE**

An officer or employee of the County of Monroe, whether paid or unpaid, including members of the Monroe County Legislature, and of any administrative board, commission or other agency of the Monroe County.

**SEXUAL HARASSMENT**

Harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. It includes unwelcome conduct, such as sexual advances, requests for sexual favors, sex stereotyping or other verbal, written, or physical conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender.

**Section 2.** Section 45-4 of the Administrative Local Laws of Monroe County is amended to read as follows:

§ 45-4 General standard of conduct.

No officer or employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or ~~professional~~ activity or incur any obligation of any nature which is in conflict with the proper discharge of his duties in the public interest.

**Section 3.** Section 45-5 of the Administrative Local Laws of Monroe County is amended to read as follows:

§ 45-5 Interest in business or professional dealings with County.

No officer or employee of the County of Monroe shall have an interest, direct or indirect, in any manner whatsoever except by operation of law, in any business or professional dealings with the County of Monroe or any ~~agency~~Municipal Agency thereof.

**Section 4.** Section 45-6 of the Administrative Local Laws of Monroe County is amended to read as follows:

§ 45-6. Representing other persons or corporations in transactions with County.

No officer or employee of the County of Monroe shall act as attorney, agent, broker, representative or employee in business or professional dealings with the County or any ~~agency~~Municipal Agency thereof ~~for any person or corporation in which he has a direct or indirect interest.~~

**Section 5.** Section 45-8 of the Administrative Local Laws of Monroe County is amended to read as follows:

§ 45-8. Incompatible employment.

- A. No officer or employee shall engage in, solicit, negotiate for or promise to accept private employment or render services for private interest when such employment or service creates a conflict with or impairs the proper discharge of his official duties.
- B. Employees in the Management and Professional classification must seek approval for any outside employment pursuant to the County's Dual Employment Policy, as may be amended from time to time.
- C. If an officer or employee's outside employment creates a conflict with or impairs the proper discharge of his official duties with respect to a particular matter, the officer or employee must recuse himself from that matter. Such recusal shall be made in writing on a form prescribed by the County Law Department and shall be a matter of public record.

**Section 6.** Section 45-9 of the Administrative Local Laws of Monroe County is amended to read as follows:

§ 45-9. Future employment.

- A. No officer or employee shall, after the termination of service or employment with such municipality, appear or practice before any ~~board or agency~~ Municipal Agency of the County of Monroe in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.
- B. No person who has served as a County officer or employee in the Management and Professional classification shall within a period of two years after the termination of such service or employment appear or practice before any Municipal Agency of the County of Monroe or receive compensation for any services rendered by such former officer or employee on behalf of any person, firm, corporation, or association in relation to any case, proceeding, or application or other matter before such Municipal Agency of the County of Monroe.

**Section 7.** Section 45-12 of the Administrative Local Laws of Monroe County is amended to read as follows:

§ 45-12 Gifts.

No officer or employee shall, directly or indirectly, solicit any gift or accept or receive any gift having more than a nominal value, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or in any other form, from any person, firm, corporation or other entity that has a direct or indirect interest in any contract for the provision of goods or services to the County of Monroe or any ~~agency~~ Municipal Agency thereof. The term "gift" shall be defined pursuant to New York Legislative Law §1-c(j) as amended from time to time. Any local development corporation contracting with the County of Monroe shall include the requirements of the County Code of Ethics in its code of ethics.

**Section 8.** Section 45-13 of the Administrative Local Laws of Monroe County is amended to read as follows:

§ 45-13. Course of conduct.

A. Every officer or employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts that are in violation of his trust. He should not use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others. He should not by his conduct give reasonable basis for the impression that any person can improperly influence him or unduly enjoy his favor in the performance of his official duties or that he is affected by the kinship, position or influence of any party or person.

B. It shall be a violation of the Code of Ethics of the County of Monroe for an officer or employee to engage in harassment or sexual harassment.

**Section 9.** Section 45-23 of the Administrative Local Laws of Monroe County is amended to read as follows:

§ 45-23 Penalties for offenses.

Any contract willfully entered into by or with Monroe County or any agency thereof in which there is an interest prohibited by this chapter shall be null and void and wholly unenforceable. In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code, including engaging in harassment or sexual harassment conduct, may be fined, suspended, censured, or removed from office or employment, as the case may be, in the manner provided by law.

**Section 10.** Section 45-25(B) of the Administrative Local Laws of Monroe County is amended to read as follows:

B. The Board may also accept from the general public, an officer or employee, or from its own members and consider any complaint or allegation of conflict of interest, harassment, or sexual harassment on the part of any officer or employee of Monroe County. All such complaints or allegations are to be kept in the confidential records of the Board. Should the Board determine that there is apparent merit in the complaint or allegation, it shall send a written invitation to the officer or employee so charged to appear at a private meeting of the Board and explain the apparent conflict of interest, allegation of harassment, or allegation of sexual harassment. Should: (1) such officer or employee fail to appear in response to such invitation or should he appear and; (2) such officer or employee fail to satisfy the Board that there is no conflict of interest; or (3) the Board substantiates an allegation that the employee

or officer engaged in harassment or sexual harassment, the Board shall send a written report on the matter to the County Executive. ~~The report~~ Reports concerning conflicts of interest shall not be made public except by the County Executive or by the unanimous vote of the Board. Reports finding that the employee or officer engaged in harassment or sexual harassment shall be made public with any identifying information regarding the compliant(s), witness(es), and victim(s) redacted. In the event the Board receives a complaint or allegation that involves harassment or sexual harassment in the workplace, such complaint shall be referred to the Monroe County Department of Human Resources and shall be subject to the provisions of the Monroe County Policy on Unlawful Discrimination and Harassment, as amended or changed.

**Section 11.** If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 12.** This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

\_\_\_\_\_ Committee; \_\_\_\_\_, 2021 - CV:  
File No. 21-\_\_\_\_.LL

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

Added language is underlined.  
Deleted language is ~~stricken~~.



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0163.pdf</b>	<b>Referral Letter</b>





*Office of the County Executive*

Monroe County, New York

Adam J. Bello  
County Executive

April 22, 2021

<b>OFFICIAL FILE COPY</b>
No. <u>210163</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
<b>HUMAN SERVICES -L</b>
<b>WAYS &amp; MEANS</b>

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

**Subject:** Authorize a Contract with Trybe Ecotherapy, LLC for the Provision of a Pilot Mental Health Program as a Holistic Option for Veterans Struggling with Mental Illness for the Monroe County Department of Veteran Services

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract with Trybe Ecotherapy, LLC in an amount not to exceed \$125,000 for the provision of mental health services for the Monroe County Department of Veteran Services for the period of May 1, 2021 through April 30, 2022.

This contract will support the Monroe County response to the unacceptably high overdose and suicide rates within the Veteran community by providing a holistic and alternative approach that is not otherwise offered to Veterans. In regard to the pilot component, Trybe Ecotherapy, LLC will provide data to be analyzed by Monroe County and presented as evidence to determine the program's efficacy and potential for expansion.

A request for proposals was issued with Trybe Ecotherapy, LLC the sole responder.

**The specific legislative action required is to authorize the County Executive, or his designee, to execute a contract, and any amendments thereto, with Trybe Ecotherapy, LLC, 185 Caroline Street, Rochester, New York 14620, for the provision of mental health services for the Monroe County Department of Veteran Services in an amount not to exceed \$125,000 for the period of May 1, 2021 through April 30, 2022.**

This action is a Type II Action pursuant to 6 NYCRR 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

110 County Office Building • 39 West Main Street • Rochester, New York 14614

(585) 753-1000 • fax: (585) 753-1014 • [www.monroecounty.gov](http://www.monroecounty.gov) • e-mail: [countyexecutive@monroecounty.gov](mailto:countyexecutive@monroecounty.gov)

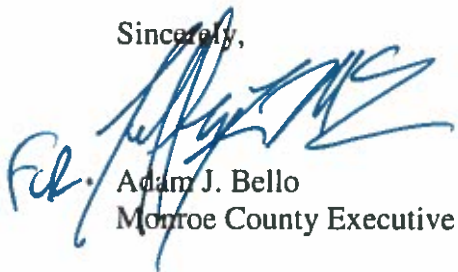
Funding for this contract is included in the 2021 operating budget of the Veterans Service Agency Department, general fund 9001, funds center 7401010000, Veterans Service Agency. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Trybe Ecotherapy, LLC, nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the company are:

Lyndsay Cray, CEO  
Meredith Rutherford, Chief Strategy Officer

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Fcb. Adam J. Bello  
Monroe County Executive



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▣	<b>Referral</b>	<b>R21-0164.pdf</b>	<b>Referral Letter</b>
▣	<b>Resolution</b>	<b>ITEM_30.pdf</b>	<b>Resolution</b>



# Monroe County Legislature

**Vincent R. Felder**  
Democratic Minority Leader

**Ernest Flagler-Mitchell**  
Black & Asian Caucus Leader

April 27, 2021

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

<b>OFFICIAL FILE COPY</b>
No. <b>210164</b>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
<b>URGENT</b> -L

**Subject: Enact a Local Law Entitled, "Operation of Off-Road Vehicles on Public Highways in Monroe County"**

Honorable Legislators:

For over a year, our community has seen a steady increase in the use of All-Terrain Vehicles (ATVs) and other off-road vehicles across Monroe County. Constituents across the County have reported this increase first-hand; loud dirt bikes and ATVs, small, motorized bikes weaving in and out of traffic, and witness accounts of tragedies caused by the same. It is clear that action must be taken to protect both the safety and quality of life for residents.

The current laws do not provide the clarity to our law enforcement required to take the necessary actions against these unregistered, uninspected, unlawful and dangerous vehicles. The majority of these pertinent vehicles are not supposed to be or intended to be driven on roads used for vehicular traffic. This problem is only exacerbated by the common group usage of these vehicles which creates additional proximity hazards for vehicle users in the group and all those around them.

In the past year alone, the operation of such off-road vehicles has created a number of unnecessary tragedies, injuries, and even fatalities – even one is too many. The rampant unlawful usage of these vehicles continues to create a safety hazard and quality of life detriment for nearly all facets of our community. Lawful motorists and pedestrians are put at risk from unregistered off-road vehicles, often invisible due to their small size and high speeds, and residents in their homes are forced to deal with modified exhausts and large groups which produce excessive noise impacting the quality of life and causing disruptions.

Monroe County is home to a diverse and vibrant community of individuals who all deserve to have the highest quality of life provided to them and their safety protected. This issue is boundless, impacting residents of all types and from all communities. This legislation will provide law enforcement with the comprehensive tools they need and deserve to address this issue for the betterment of all.

**The specific legislative actions required are:**

1. Schedule and hold a public hearing.
2. Adopt the local law as attached.

The legislative action requested in this referral is not an “Action,” as that term is defined in 6 NYCRR § 617.2(b) and is not subject to review under the State Environmental Quality Review Act.

This action would have no net impact on the current revenue and/or expenditures of the 2021 Monroe County budget.

Respectfully Submitted,



Vincent R. Felder  
Monroe County Legislature  
Democratic Minority Leader



Ernest Flagler-Mitchell  
Monroe County Legislature  
Black & Asian Caucus Leader

By Legislator Felder and Legislator Flagler-Mitchell

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

LOCAL LAW NO. \_\_\_\_\_ OF 2021

ENACT A LOCAL LAW ENTITLED "OPERATION OF OFF-ROAD VEHICLES ON PUBLIC HIGHWAYS IN MONROE COUNTY"

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

**Section 1. Title.** This local law shall be known as the law "Operation of Off-Road Vehicles on Public Highways in Monroe County."

**Section 2. Legislative Intent.** To create an additional Chapter of the General Locals Laws of Monroe County pertaining to the operation of off-road vehicles in Monroe County to be enacted as follows.

**Section 3. Definitions**

- A. **Off-Road Vehicle.** Includes All-Terrain Vehicles (ATVs) as defined in Section 2281(1) of the New York State Vehicle and Traffic Law, all off-highway motorcycles as defined by Section 125-a of the New York State Vehicle and Traffic law, and motocross or dirt bikes, dune buggies, go-carts, and any and all other types of motorized trail bikes or vehicles with a primary intention for off-road use but no including non-motorized bikes.
- B. **Operate.** To ride in or on, other than as a passenger, or use or control the operation of an off-road vehicles in any manner regardless of if said off-road vehicle is underway.
- C. **Public Highway.** Any highway, road, alley, street, avenue, public place, public driveway, or any other public way.

**Section 4. Unlawful Conduct and Hazardous Operation of Off-Road Vehicles.**

- A. Unless otherwise permitted by Article 48-c of the New York State Vehicle and Traffic Law or other applicable law, it shall be unlawful to operate an off-road vehicle on any public highway in Monroe County.
- B. No person shall operate an ATV or any vehicle on the roadways of the County of Monroe unless it is covered by liability insurance; nonetheless, said ATV, or any vehicle that is not street legal may be operated by authorize government officials, the Monroe County Sheriff's Office, the Rochester Police Department, the New York State Police, the Federal Bureau of Investigation or the Bureau of Alcohol, Tobacco, Firearms and Explosives, in furtherance of their official duties.

**Section 5. Operation of Off-Road Vehicles in County Parks.** Chapter 323 of the General Local Laws of Monroe County shall continue to govern the use of off-road vehicles in Monroe County parks.

**Section 6. Required Protective Gears:**

- A. Operators and passengers must wear a United States Department of Transportation (USDOT) approved helmet while riding an ATV.

**Section 7. Penalties:**

- A. In addition to any other applicable penalties permitted by law, a police officer or peace officer may immediately impound any off-road vehicle that has been operated in breach of the above sections.
- B. Any off-road vehicle impounded pursuant to this section shall be stored by the pertinent police department or enforcement agency pending identification of the owner.
  - 1. Proof of Ownership. Acceptable proof of ownership are:
    - a. For a new off-road vehicle – the Manufacturer’s Certificate or Statement of Origin (MCO or MSO), an out-of-state title certificate or registration certificate; or,
    - b. For a used off-road vehicle – a completed “Certification of Sale or Transfer” (MV-51) plus the MCO or MSO; or, a New York State transferable registration signed over to the current operator by the previous owner;
    - c. If an off-road vehicle has never been registered and current operator/owner do not have these acceptable documents, one must complete and submit a “Statement of Ownership” through the Department of Motor Vehicle (MV-51B).
      - 1. Law Enforcement shall record the Vehicle Identification Number (VIN) and provide the same to the alleged owner upon request
  - 2. Off-Road Vehicles Without Required Registration
    - a. If registration of off-road vehicle is not so required, other indicia of ownership may be utilized to identify the proper off-road vehicle owner.
- C. Such owner shall be sent notice of such impoundment by certified mail within five days after the impoundment.
- D. The law enforcement agency shall not be liable for any damages arising out of the provision of an erroneous name or address of such owner.
- E. The owner of the impounded off-road vehicle may redeem the same upon satisfactory proof of ownership and payment of a redemption fee of \$500 to the impounding police department if it is the first time such vehicle has been impounded pursuant to this Local Law, or \$2,000 if such vehicle has previously been impounded pursuant to this Local Law. Such impounded off-road vehicle may only be released to the owner of the off-road vehicle or to his or her agent as evidenced by a written, notarized agent agreement or duly executed power of attorney.
- F. At no time shall this Local Law apply to the operation of an off-road vehicle as an emergency vehicle by any authorized emergency, police or civil department.

**Section 8. Severability.** If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgement shall be rendered.

**Section 9. Effective Date.** This local law shall take effect after filing with the Secretary of State pursuant to Section 27 of New York Municipal Home Rule Law and the Monroe County Charter.

Matter of Urgency  
File No. 21-\_\_\_\_.LL

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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



By Legislators Felder and Flagler-Mitchell

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

LOCAL LAW NO. \_\_\_\_\_ OF 2021

**ENACT A LOCAL LAW ENTITLED "OPERATION OF OFF-ROAD VEHICLES ON PUBLIC HIGHWAYS IN MONROE COUNTY"**

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

**Section 1. Title.** This local law shall be known as the law "Operation of Off-Road Vehicles on Public Highways in Monroe County."

**Section 2. Legislative Intent.** To create an additional Chapter of the General Locals Laws of Monroe County pertaining to the operation of off-road vehicles in Monroe County to be enacted as follows.

**Section 3. Definitions**

- A. Off-Road Vehicle. Includes All-Terrain Vehicles (ATVs) as defined in Section 2281(1) of the New York State Vehicle and Traffic Law, all off-highway motorcycles as defined by Section 125-a of the New York State Vehicle and Traffic law, and motocross or dirt bikes, dune buggies, go-carts, and any and all other types of motorized trail bikes or vehicles with a primary intention for off-road use but no including non-motorized bikes.
- B. Operate. To ride in or on, other than as a passenger, or use or control the operation of an off-road vehicles in any manner regardless of if said off-road vehicle is underway.
- C. Public Highway. Any highway, road, alley, street, avenue, public place, public driveway, or any other public way.

**Section 4. Unlawful Conduct and Hazardous Operation of Off-Road Vehicles.**

- A. Unless otherwise permitted by Article 48-c of the New York State Vehicle and Traffic Law or other applicable law, it shall be unlawful to operate an off-road vehicle on any public highway in Monroe County.
- B. No person shall operate an ATV or any vehicle on the roadways of the County of Monroe unless it is covered by liability insurance; nonetheless, said ATV, or any vehicle that is not street legal may be operated by authorize government officials, the Monroe County Sheriff's Office, the Rochester Police Department, the New York State Police, the Federal Bureau of Investigation or the Bureau of Alcohol, Tobacco, Firearms and Explosives, in furtherance of their official duties.

**Section 5. Operation of Off-Road Vehicles in County Parks.** Chapter 323 of the General Local Laws of Monroe County shall continue to govern the use of off-road vehicles in Monroe County parks.

**Section 6. Required Protective Gears:**

- A. Operators and passengers must wear a United States Department of Transportation (USDOT) approved helmet while riding an ATV.

**Section 7. Penalties:**

- A. In addition to any other applicable penalties permitted by law, a police officer or peace officer may immediately impound any off-road vehicle that has been operated in breach of the above sections.
- B. Any off-road vehicle impounded pursuant to this section shall be stored by the pertinent police department or enforcement agency pending identification of the owner.
  - 1. Proof of Ownership. Acceptable proof of ownership are:
    - a. For a new off-road vehicle – the Manufacturer’s Certificate or Statement of Origin (MCO or MSO), an out-of-state title certificate or registration certificate; or,
    - b. For a used off-road vehicle – a completed “Certification of Sale or Transfer” (MV-51) plus the MCO or MSO; or, a New York State transferable registration signed over to the current operator by the previous owner;
    - c. If an off-road vehicle has never been registered and current operator/owner do not have these acceptable documents, one must complete and submit a “Statement of Ownership” through the Department of Motor Vehicle (MV-51B).
      - 1. Law Enforcement shall record the Vehicle Identification Number (VIN) and provide the same to the alleged owner upon request
  - 2. Off-Road Vehicles Without Required Registration
    - a. If registration of off-road vehicle is not so required, other indicia of ownership may be utilized to identify the proper off-road vehicle owner.
- C. Such owner shall be sent notice of such impoundment by certified mail within five days after the impoundment.
- D. The law enforcement agency shall not be liable for any damages arising out of the provision of an erroneous name or address of such owner.
- E. The owner of the impounded off-road vehicle may redeem the same upon satisfactory proof of ownership and payment of a redemption fee of \$500 to the impounding police department if it is the first time such vehicle has been impounded pursuant to this Local Law, or \$2,000 if such vehicle has previously been impounded pursuant to this Local Law. Such impounded off-road vehicle may only be released to the owner of the off-road vehicle or to his or her agent as evidenced by a written, notarized agent agreement or duly executed power of attorney.
- F. At no time shall this Local Law apply to the operation of an off-road vehicle as an emergency vehicle by any authorized emergency, police or civil department.

**Section 8. Severability.** If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgement shall be rendered.

**Section 9. Effective Date.** This local law shall take effect after filing with the Secretary of State pursuant to Section 27 of New York Municipal Home Rule Law and the Monroe County Charter.

Matter of Urgency  
File No. 21-0164.LL

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0164.pdf</b>	<b>Referral Letter</b>
▢	<b>Resolution</b>	<b>ITEM_31.pdf</b>	<b>Resolution</b>



# Monroe County Legislature

**Vincent R. Felder**  
Democratic Minority Leader

**Ernest Flagler-Mitchell**  
Black & Asian Caucus Leader

April 27, 2021

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

<b>OFFICIAL FILE COPY</b>	
No.	<b>210164</b>
Not to be removed from the Office of the Legislature of Monroe County	
Committee Assignment	
<b>URGENT</b> -L	

**Subject: Enact a Local Law Entitled, "Operation of Off-Road Vehicles on Public Highways in Monroe County"**

Honorable Legislators:

For over a year, our community has seen a steady increase in the use of All-Terrain Vehicles (ATVs) and other off-road vehicles across Monroe County. Constituents across the County have reported this increase first-hand; loud dirt bikes and ATVs, small, motorized bikes weaving in and out of traffic, and witness accounts of tragedies caused by the same. It is clear that action must be taken to protect both the safety and quality of life for residents.

The current laws do not provide the clarity to our law enforcement required to take the necessary actions against these unregistered, uninspected, unlawful and dangerous vehicles. The majority of these pertinent vehicles are not supposed to be or intended to be driven on roads used for vehicular traffic. This problem is only exacerbated by the common group usage of these vehicles which creates additional proximity hazards for vehicle users in the group and all those around them.

In the past year alone, the operation of such off-road vehicles has created a number of unnecessary tragedies, injuries, and even fatalities – even one is too many. The rampant unlawful usage of these vehicles continues to create a safety hazard and quality of life detriment for nearly all facets of our community. Lawful motorists and pedestrians are put at risk from unregistered off-road vehicles, often invisible due to their small size and high speeds, and residents in their homes are forced to deal with modified exhausts and large groups which produce excessive noise impacting the quality of life and causing disruptions.

Monroe County is home to a diverse and vibrant community of individuals who all deserve to have the highest quality of life provided to them and their safety protected. This issue is boundless, impacting residents of all types and from all communities. This legislation will provide law enforcement with the comprehensive tools they need and deserve to address this issue for the betterment of all.

**The specific legislative actions required are:**

1. Schedule and hold a public hearing.
2. Adopt the local law as attached.

The legislative action requested in this referral is not an “Action,” as that term is defined in 6 NYCRR § 617.2(b) and is not subject to review under the State Environmental Quality Review Act.

This action would have no net impact on the current revenue and/or expenditures of the 2021 Monroe County budget.

Respectfully Submitted,



Vincent R. Felder  
Monroe County Legislature  
Democratic Minority Leader



Ernest Flagler-Mitchell  
Monroe County Legislature  
Black & Asian Caucus Leader

By Legislator Felder and Legislator Flagler-Mitchell

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

LOCAL LAW NO. \_\_\_\_\_ OF 2021

ENACT A LOCAL LAW ENTITLED "OPERATION OF OFF-ROAD VEHICLES ON PUBLIC HIGHWAYS IN MONROE COUNTY"

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

**Section 1. Title.** This local law shall be known as the law "Operation of Off-Road Vehicles on Public Highways in Monroe County."

**Section 2. Legislative Intent.** To create an additional Chapter of the General Locals Laws of Monroe County pertaining to the operation of off-road vehicles in Monroe County to be enacted as follows.

**Section 3. Definitions**

- A. **Off-Road Vehicle.** Includes All-Terrain Vehicles (ATVs) as defined in Section 2281(1) of the New York State Vehicle and Traffic Law, all off-highway motorcycles as defined by Section 125-a of the New York State Vehicle and Traffic law, and motocross or dirt bikes, dune buggies, go-carts, and any and all other types of motorized trail bikes or vehicles with a primary intention for off-road use but no including non-motorized bikes.
- B. **Operate.** To ride in or on, other than as a passenger, or use or control the operation of an off-road vehicles in any manner regardless of if said off-road vehicle is underway.
- C. **Public Highway.** Any highway, road, alley, street, avenue, public place, public driveway, or any other public way.

**Section 4. Unlawful Conduct and Hazardous Operation of Off-Road Vehicles.**

- A. Unless otherwise permitted by Article 48-c of the New York State Vehicle and Traffic Law or other applicable law, it shall be unlawful to operate an off-road vehicle on any public highway in Monroe County.
- B. No person shall operate an ATV or any vehicle on the roadways of the County of Monroe unless it is covered by liability insurance; nonetheless, said ATV, or any vehicle that is not street legal may be operated by authorize government officials, the Monroe County Sheriff's Office, the Rochester Police Department, the New York State Police, the Federal Bureau of Investigation or the Bureau of Alcohol, Tobacco, Firearms and Explosives, in furtherance of their official duties.

**Section 5. Operation of Off-Road Vehicles in County Parks.** Chapter 323 of the General Local Laws of Monroe County shall continue to govern the use of off-road vehicles in Monroe County parks.

**Section 6. Required Protective Gears:**

- A. Operators and passengers must wear a United States Department of Transportation (USDOT) approved helmet while riding an ATV.

**Section 7. Penalties:**

- A. In addition to any other applicable penalties permitted by law, a police officer or peace officer may immediately impound any off-road vehicle that has been operated in breach of the above sections.
- B. Any off-road vehicle impounded pursuant to this section shall be stored by the pertinent police department or enforcement agency pending identification of the owner.
  - 1. Proof of Ownership. Acceptable proof of ownership are:
    - a. For a new off-road vehicle – the Manufacturer’s Certificate or Statement of Origin (MCO or MSO), an out-of-state title certificate or registration certificate; or,
    - b. For a used off-road vehicle – a completed “Certification of Sale or Transfer” (MV-51) plus the MCO or MSO; or, a New York State transferable registration signed over to the current operator by the previous owner;
    - c. If an off-road vehicle has never been registered and current operator/owner do not have these acceptable documents, one must complete and submit a “Statement of Ownership” through the Department of Motor Vehicle (MV-51B).
      - 1. Law Enforcement shall record the Vehicle Identification Number (VIN) and provide the same to the alleged owner upon request
  - 2. Off-Road Vehicles Without Required Registration
    - a. If registration of off-road vehicle is not so required, other indicia of ownership may be utilized to identify the proper off-road vehicle owner.
- C. Such owner shall be sent notice of such impoundment by certified mail within five days after the impoundment.
- D. The law enforcement agency shall not be liable for any damages arising out of the provision of an erroneous name or address of such owner.
- E. The owner of the impounded off-road vehicle may redeem the same upon satisfactory proof of ownership and payment of a redemption fee of \$500 to the impounding police department if it is the first time such vehicle has been impounded pursuant to this Local Law, or \$2,000 if such vehicle has previously been impounded pursuant to this Local Law. Such impounded off-road vehicle may only be released to the owner of the off-road vehicle or to his or her agent as evidenced by a written, notarized agent agreement or duly executed power of attorney.
- F. At no time shall this Local Law apply to the operation of an off-road vehicle as an emergency vehicle by any authorized emergency, police or civil department.

**Section 8. Severability.** If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgement shall be rendered.



**Section 9. Effective Date.** This local law shall take effect after filing with the Secretary of State pursuant to Section 27 of New York Municipal Home Rule Law and the Monroe County Charter.

Matter of Urgency  
File No. 21-\_\_\_\_.LL

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

By Legislators Felder and Flagler-Mitchell

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

MOTION NO. \_\_\_\_ OF 2021

**PROVIDING THAT LOCAL LAW (INTRO. NO. \_\_\_\_ OF 2021), ENTITLED "BUSINESS CLOSURE TRANSPARENCY ACT" BE TABLED**

BE IT MOVED, that Local Law (Intro. No. \_\_\_\_ of 2021), entitled "BUSINESS CLOSURE TRANSPARENCY ACT," be tabled.

File No. 21-0164.LL

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

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



**ATTACHMENTS:**

	<b>Description</b>	<b>File Name</b>	<b>Type</b>
▢	<b>Referral</b>	<b>R21-0164.pdf</b>	<b>Referral Letter</b>
▢	<b>Resolution</b>	<b>ITEM_32.pdf</b>	<b>Resolution</b>



# Monroe County Legislature

**Vincent R. Felder**  
Democratic Minority Leader

**Ernest Flagler-Mitchell**  
Black & Asian Caucus Leader

April 27, 2021

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

<b>OFFICIAL FILE COPY</b>
No. <b>210164</b>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
<b>URGENT</b> -L

**Subject: Enact a Local Law Entitled, "Operation of Off-Road Vehicles on Public Highways in Monroe County"**

Honorable Legislators:

For over a year, our community has seen a steady increase in the use of All-Terrain Vehicles (ATVs) and other off-road vehicles across Monroe County. Constituents across the County have reported this increase first-hand; loud dirt bikes and ATVs, small, motorized bikes weaving in and out of traffic, and witness accounts of tragedies caused by the same. It is clear that action must be taken to protect both the safety and quality of life for residents.

The current laws do not provide the clarity to our law enforcement required to take the necessary actions against these unregistered, uninspected, unlawful and dangerous vehicles. The majority of these pertinent vehicles are not supposed to be or intended to be driven on roads used for vehicular traffic. This problem is only exacerbated by the common group usage of these vehicles which creates additional proximity hazards for vehicle users in the group and all those around them.

In the past year alone, the operation of such off-road vehicles has created a number of unnecessary tragedies, injuries, and even fatalities – even one is too many. The rampant unlawful usage of these vehicles continues to create a safety hazard and quality of life detriment for nearly all facets of our community. Lawful motorists and pedestrians are put at risk from unregistered off-road vehicles, often invisible due to their small size and high speeds, and residents in their homes are forced to deal with modified exhausts and large groups which produce excessive noise impacting the quality of life and causing disruptions.

Monroe County is home to a diverse and vibrant community of individuals who all deserve to have the highest quality of life provided to them and their safety protected. This issue is boundless, impacting residents of all types and from all communities. This legislation will provide law enforcement with the comprehensive tools they need and deserve to address this issue for the betterment of all.

**The specific legislative actions required are:**

1. Schedule and hold a public hearing.
2. Adopt the local law as attached.

The legislative action requested in this referral is not an “Action,” as that term is defined in 6 NYCRR § 617.2(b) and is not subject to review under the State Environmental Quality Review Act.

This action would have no net impact on the current revenue and/or expenditures of the 2021 Monroe County budget.

Respectfully Submitted,



Vincent R. Felder  
Monroe County Legislature  
Democratic Minority Leader



Ernest Flagler-Mitchell  
Monroe County Legislature  
Black & Asian Caucus Leader

By Legislator Felder and Legislator Flagler-Mitchell

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

LOCAL LAW NO. \_\_\_\_\_ OF 2021

ENACT A LOCAL LAW ENTITLED "OPERATION OF OFF-ROAD VEHICLES ON PUBLIC HIGHWAYS IN MONROE COUNTY"

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

**Section 1. Title.** This local law shall be known as the law "Operation of Off-Road Vehicles on Public Highways in Monroe County."

**Section 2. Legislative Intent.** To create an additional Chapter of the General Locals Laws of Monroe County pertaining to the operation of off-road vehicles in Monroe County to be enacted as follows.

**Section 3. Definitions**

- A. **Off-Road Vehicle.** Includes All-Terrain Vehicles (ATVs) as defined in Section 2281(1) of the New York State Vehicle and Traffic Law, all off-highway motorcycles as defined by Section 125-a of the New York State Vehicle and Traffic law, and motocross or dirt bikes, dune buggies, go-carts, and any and all other types of motorized trail bikes or vehicles with a primary intention for off-road use but no including non-motorized bikes.
- B. **Operate.** To ride in or on, other than as a passenger, or use or control the operation of an off-road vehicles in any manner regardless of if said off-road vehicle is underway.
- C. **Public Highway.** Any highway, road, alley, street, avenue, public place, public driveway, or any other public way.

**Section 4. Unlawful Conduct and Hazardous Operation of Off-Road Vehicles.**

- A. Unless otherwise permitted by Article 48-c of the New York State Vehicle and Traffic Law or other applicable law, it shall be unlawful to operate an off-road vehicle on any public highway in Monroe County.
- B. No person shall operate an ATV or any vehicle on the roadways of the County of Monroe unless it is covered by liability insurance; nonetheless, said ATV, or any vehicle that is not street legal may be operated by authorize government officials, the Monroe County Sheriff's Office, the Rochester Police Department, the New York State Police, the Federal Bureau of Investigation or the Bureau of Alcohol, Tobacco, Firearms and Explosives, in furtherance of their official duties.

**Section 5. Operation of Off-Road Vehicles in County Parks.** Chapter 323 of the General Local Laws of Monroe County shall continue to govern the use of off-road vehicles in Monroe County parks.

**Section 6. Required Protective Gears:**

- A. Operators and passengers must wear a United States Department of Transportation (USDOT) approved helmet while riding an ATV.

**Section 7. Penalties:**

- A. In addition to any other applicable penalties permitted by law, a police officer or peace officer may immediately impound any off-road vehicle that has been operated in breach of the above sections.
- B. Any off-road vehicle impounded pursuant to this section shall be stored by the pertinent police department or enforcement agency pending identification of the owner.
  - 1. Proof of Ownership. Acceptable proof of ownership are:
    - a. For a new off-road vehicle – the Manufacturer’s Certificate or Statement of Origin (MCO or MSO), an out-of-state title certificate or registration certificate; or,
    - b. For a used off-road vehicle – a completed “Certification of Sale or Transfer” (MV-51) plus the MCO or MSO; or, a New York State transferable registration signed over to the current operator by the previous owner;
    - c. If an off-road vehicle has never been registered and current operator/owner do not have these acceptable documents, one must complete and submit a “Statement of Ownership” through the Department of Motor Vehicle (MV-51B).
      - 1. Law Enforcement shall record the Vehicle Identification Number (VIN) and provide the same to the alleged owner upon request
  - 2. Off-Road Vehicles Without Required Registration
    - a. If registration of off-road vehicle is not so required, other indicia of ownership may be utilized to identify the proper off-road vehicle owner.
- C. Such owner shall be sent notice of such impoundment by certified mail within five days after the impoundment.
- D. The law enforcement agency shall not be liable for any damages arising out of the provision of an erroneous name or address of such owner.
- E. The owner of the impounded off-road vehicle may redeem the same upon satisfactory proof of ownership and payment of a redemption fee of \$500 to the impounding police department if it is the first time such vehicle has been impounded pursuant to this Local Law, or \$2,000 if such vehicle has previously been impounded pursuant to this Local Law. Such impounded off-road vehicle may only be released to the owner of the off-road vehicle or to his or her agent as evidenced by a written, notarized agent agreement or duly executed power of attorney.
- F. At no time shall this Local Law apply to the operation of an off-road vehicle as an emergency vehicle by any authorized emergency, police or civil department.

**Section 8. Severability.** If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgement shall be rendered.

**Section 9. Effective Date.** This local law shall take effect after filing with the Secretary of State pursuant to Section 27 of New York Municipal Home Rule Law and the Monroe County Charter.

Matter of Urgency  
File No. 21-\_\_\_\_.LL

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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



By Legislators Felder and Flagler-Mitchell

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

RESOLUTION NO. \_\_\_\_ OF 2021

**FIXING A PUBLIC HEARING ON LOCAL LAW (INTRO. NO. \_\_\_\_ OF 2021) ENTITLED  
"OPERATION OF OFF-ROAD VEHICLES ON PUBLIC HIGHWAYS IN MONROE COUNTY"**

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 11th day of May, 2021, in the Legislative Chambers in the County Office Building, Rochester, New York on Local Law (Intro. No. \_\_\_\_ of 2021), entitled "Operation of Off-Road Vehicles on Public Highways in Monroe County".

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 an official newspaper of general circulation within the County at least five days before said hearing.

Section 3. This resolution shall take effect immediately.

File No. 21-0164.LL

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

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