

By Legislators Tucciarello and Antelli

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

MOTION NO. \_\_\_\_\_ OF 2013

**PROVIDING THAT LOCAL LAW (INTRO. NO. 19 OF 2013), ENTITLED "PROHIBITING THE SALE, USE OR POSSESSION OF SYNTHETIC DRUGS AND OTHER SIMILAR COMPOUNDS" BE LIFTED FROM THE TABLE**

BE IT MOVED, that Local Law (Intro. No. 19 of 2013), entitled "PROHIBITING THE SALE, USE OR POSSESSION OF SYNTHETIC DRUGS AND OTHER SIMILAR COMPOUNDS," be lifted from the table.

File No. 13-0004.LL

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

2.1

By Legislators Tucciarello and Antelli

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

MOTION NO. \_\_\_\_\_ OF 2013

**PROVIDING THAT LOCAL LAW (INTRO. NO. 19 OF 2013), ENTITLED "PROHIBITING THE SALE, USE OR POSSESSION OF SYNTHETIC DRUGS AND OTHER SIMILAR COMPOUNDS." BE ADOPTED**

BE IT MOVED, that Local Law (Intro. No. 19 of 2013), entitled "**PROHIBITING THE SALE, USE OR POSSESSION OF SYNTHETIC DRUGS AND OTHER SIMILAR COMPOUNDS.**" be adopted.

File No. 13-0004.LL

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

2.2

By Legislators Tucciarello and Antelli

Intro No. 19

LOCAL LAW NO. \_\_\_\_ OF 2013

**LOCAL LAW ENTITLED "PROHIBITING THE SALE, USE OR POSSESSION OF SYNTHETIC DRUGS AND OTHER SIMILAR COMPOUNDS"**

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

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

**CHAPTER 383. PROHIBITING THE SALE, USE OR POSSESSION OF SYNTHETIC DRUGS AND OTHER SIMILAR COMPOUNDS**

**§383-1. Title.**

This chapter shall be known as the law "Prohibiting the Sale, Use or Possession of Synthetic Drugs and other Similar Compounds."

**§383-2. Legislative Intent.**

The Legislature finds that:

- A. Monroe County, along with communities throughout the country, has experienced increased crimes, emergency room cases, illnesses and deaths linked to the use and abuse of synthetic "designer" drugs and other similar substances or compounds;
- B. Such products are being openly sold and marketed in Monroe County;
- C. While several state legislatures have banned the sale, use and possession of these substances, the New York State Legislature has not done so;
- D. The health, safety and well-being of the citizens of Monroe County is furthered by prohibiting the sale, use or possession of these substances.

**§383-3. Purpose.**

The purpose of this Chapter is to prohibit the sale, use or possession of synthetic drugs and other similar compounds in Monroe County.

**§383-4. Definitions.** As used in this section:

A. "Synthetic Drug" means any product, whether described as tobacco, potpourri, herbs, incense, spice, aromatic, bath salts, synthetic marijuana, synthetic stimulant or any combination thereof, and whether marketed for the purpose of being ingested otherwise marketed which includes, but is not limited to, one or more of the following hallucinogenic substances:

- (1) "Synthetic Cannabinoids" means any substance that is a cannabinoid receptor type 1

(CB1 receptor) agonist as demonstrated by binding studies and function assays or is a structural analog or chemical derivative of any listed compound, as follows:

- a. 2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol
- b. 4-methoxyphenyl-[2-methyl-1-(2-morpholin-4-ylethyl)indol-3-yl]methanone
- c. [(3R)-5-Methyl-3-(morpholin-4-ylmethyl)-2,3-dihydro[1,4]oxazino[2,3,4-*b*]indol-6-yl](naphthalene-1-yl)methanone
- d. (2-Methyl-1-pentyl-1*H*-indol-3-yl)(naphthalen-1-yl)methanone
- e. (2-Methyl-1-propyl-1*H*-indol-3-yl)(naphthalene-1-yl)methanone
- f. Naphthalen-1-yl[1-(pen-4-en-1-yl)-1*H*-indol-3-yl]methanone
- g. 1-pentyl-3-(4-ethyl-1-naphthoyl)indole
- h. 1-pentylindol-3-yl)naphthalen-1-ylmethane
- i. (1-Pentyl-1*H*-indol-3-yl)(4-propylnaphthalen-1-yl)methanone
- j. 3-[(4-methyl-1-naphthaleny)methyl]-1-pentyl-1*H*-indole
- k. 1-[[1*E*]-3-pentylinden-1-ylidene]methyl)naphthalene
- l. 2-(2-methylphenyl)-1-(1-pentyl-1*H*-indol-3-yl)ethanone
- m. 2-(3-methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone
- n. (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone
- o. 1-pentyl-3-(2-iodobenzoyl)indole
- p. [1-[(1-Methyl-2-piperidinyl)methyl]-3-indolyl]-(1-naphthaleny)methanone
- q. 1-[(N-methylpiperidin-2-yl)methyl]3-(adaman-1-oyl)indole
- r. (2-Iodophenyl){1-[1-methylpiperidin-2-yl)methyl]-1*H*-indol-3-yl}methanone
- s. (1-Pentyl-1*H*-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone
- t. [1-(5-Fluoropentyl)-1*H*-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone
- u. Unless specifically exempted or unless listed in another schedule, or approved for use by the Food and Drug Administration as a legitimate pharmaceutical compound, any material, compound, mixture, or preparation which contains any quantity of the above listed compounds, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation or contains a structural analog or chemical derivative of any of the listed compounds.

(2) Substituted Cathinones means any substance that is a structural analog cathinone including any chemical derivatives of cathinone which by definition has a structural substitution on the benzene ring or aliphatic chain or contains a structural analog or chemical derivative of any of the listed compounds, as follows:

- a. 4-Methoxymethcathinone
- b. 3-Fluoromethcathinone
- c. 4-Fluoromethcathinone
- d. 2-Methylmethcathinone
- e. 3-Methylmethcathinone
- f. 2-Ethylethcathinone
- g. 3-Ethylethcathinone
- h. 4-Ethylethcathinone
- i. 2-Methylethcathinone
- j. 3-Methylethcathinone
- k. 4-Methylethcathinone
- l. 4-Fluoroethcathinone
- m. Ethylmethcathinone
- n.  $\beta$ -Keto-methylbenzodioxolypentanamine
- o. 2-(methlamino)-1-phenylpentan-1-one
- p.  $\alpha$ -Pyrrolidinopentiophenone
- q. 3,4-methylenedioxy-N-ethylcathinone
- r.  $\alpha$ -Pyrrolidinopropiophenone
- s. 3,4-Methylenedioxy- $\alpha$  pyrrolidinopropiophenone
- t. (RS)-1-naphthalen-2-yl-2-pyrrolidin-1-ylpentan-1-one
- u. Unless specifically exempted or unless listed in another schedule, or approved for use by the Food and Drug Administration as a legitimate pharmaceutical compound, any material, compound, mixture or preparation which contains any quantity of the above listed compounds, or which contains their salts, isomers and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

(3) Substituted Phenethylamines means any substance that is a structural analog of any phenethylamine scheduled in the public health law, including any chemical derivatives of scheduled phenethylamines which by definition has a structural substitution on the benzene ring or aliphatic chain or contains a structural analog of any of the listed compounds, as follows:

- a. 4-Methylamphetamine
- b. 3-Methylamphetamine
- c. 4-Chloroamphetamine
- d. 4-Fluoroamphetamine
- e. 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine
- f. 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine
- g. 1-(6-Benzofuranyl)-2-propanamine (MDA with a O>C ring substitute)
- h. Unless specifically exempted or unless listed in another schedule, or approved for use by the Food and Drug Administration as a legitimate pharmaceutical compound, any material, compound, mixture, or preparation which contains any quantity of the above listed compounds, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

(4) Substituted phenylpiperazines means any substance that is a chemical analog of Benzylpiperazine (a Schedule I Controlled Substance) or any chemical derivatives of Benzylpiperazine which by definition has a structural substitution on the benzene or piperazine ring or contains a structural analog of any of the listed compounds, as follows:

- a. Trifluoromethylphenylpiperazine
- b. *meta*-Chlorophenylpiperazine
- c. *para*-Chlorophenylpiperazine
- d. *para*-Fluorophenylpiperazine
- e. 4-Methoxyphenylpiperazine
- f. Dibenzylpiperazine
- g. Unless specifically exempted or unless listed in another schedule, or approved for use by the Food and Drug Administration as a legitimate pharmaceutical compound, any material, compound, mixture, or preparation which contains any quantity of the above listed compounds, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and

salts of isomers is possible within the specific chemical designation.

(5) Substituted Tryptamines means any substance that is a structural analog of Dimethyltryptamine, or Psilocin, (Schedule I Controlled Substances) or any chemical derivative of Demethyltryptamine which by definition has a structural substitution on the indole ring of aliphatic chain or contains a structural analog of any of the listed compounds, as follows:

- a. 5-MeO-DALT
- b. Unless specifically exempted or unless listed in another schedule, or approved for use by the Food and Drug Administration as a legitimate pharmaceutical compound, any material, compound, mixture, or preparation which contains any quantity of the above listed compounds, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

(6) Unclassified Structurally

- a. Desoxypropadrol (2-DPMP)
- b. 3-methoxy-phencyclidine
- c. 4-methoxy-phencyclidine
- d. Methoxetamine (Ketamine Analog)
- e. (3-diethylamino-2,2-dimethylpropyl)-4-aminobenzoate
- f. 5,6-Methylenedioxy-2-aminoindane
- g. (5-Iodo-2-aminoindane) 5-iodo-2,3-dihydro-1*H*-inden-2-amine

B. "Structural Analog" means an optical or positional isomer of a chemical derivative of any drug listed in 3306 of the New York Public Health Law (Controlled Substances Act) or any of the substances specifically listed in this law (with the exception of those substances approved by the Food and Drug Administration for use as pharmaceuticals).

C. "Chemical Derivative" means a compound produced by adding an element or chemical group to the ring or aliphatic chain of an existing chemical. The novel chemicals produced are often not subject to existing laws or regulations.

D. "Element" means any substance in the periodic table of elements. Commonly used elements added to synthetic drugs include; F (Fluorine), Cl (Chlorine), Br (Bromine), I (Iodine), etc.

E. "Chemical Group" means a small combination of elements. Commonly used chemical groups added to synthetic drugs include: CH<sub>3</sub> (Methyl), CH<sub>3</sub>CH<sub>2</sub> (Ethyl), CH<sub>3</sub>O (methoxy), OCH<sub>2</sub>O (Methylenedioxy), etc.

#### §383-5. Prohibitions.

A. It shall be unlawful for any person to use, sell or otherwise furnish or provide any

synthetic drug in Monroe County.

B. It shall be unlawful for any person to possess any synthetic drug in Monroe County, unless said synthetic drug is expressly prescribed to said person by a physician, psychiatrist or person otherwise duly licensed and authorized to prescribe medication within the State of New York, and at the time of the alleged violation, the person in possession of the synthetic drug is able to provide written proof to the law enforcement officer(s) that the synthetic drug was so prescribed.

**§383-6. Enforcement and Penalties.**

A. Any person violating the provisions of this Chapter shall be guilty of an unclassified misdemeanor punishable by a fine of up to one thousand dollars (\$1,000) and/or imprisonment of up to one (1) year. Each such violation shall constitute a separate and distinct offense.

B. This Chapter shall be enforced by any local law enforcement agency having jurisdiction.

**§383-7. Severability.**

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

**§383-8. Reverse Preemption.**

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

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

Agenda/Charter Committee; January 28, 2013 - CV: 5-0  
Human Services Committee; January 29, 2013 - CV: 8-0  
File No. 13-0004.LL

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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



3.

By Legislators Howland and Yolevich

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

MOTION NO. \_\_\_\_\_ OF 2013

**PROVIDING THAT RESOLUTION (INTRO. NO. 42 OF 2013), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT - GENERAL COLLECTION SYSTEM IMPROVEMENTS," BE LIFTED FROM THE TABLE**

BE IT MOVED, that Resolution (Intro. No. 42 of 2013), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT - GENERAL COLLECTION SYSTEM IMPROVEMENTS,**" be lifted from the table.

File No. 13-0024

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

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

4.1

By Legislators Howland and Yolevich

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

MOTION NO. \_\_\_\_\_ OF 2013

**PROVIDING THAT RESOLUTION (INTRO. NO. 42 OF 2013), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT - GENERAL COLLECTION SYSTEM IMPROVEMENTS," BE ADOPTED**

BE IT MOVED, that Resolution (Intro. No. 42 of 2013), entitled "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT - GENERAL COLLECTION SYSTEM IMPROVEMENTS," be adopted.

File No. 13-0024

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

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

4.2

By Legislators Howland and Yolevich

Intro. No. 42

RESOLUTION NO. \_\_\_\_\_ OF 2013

**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT – GENERAL COLLECTION SYSTEM IMPROVEMENTS**

WHEREAS, the Administrative Board of the Gates-Chili-Ogden Sewer District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the “Gates-Chili-Ogden Sewer District – General Collection System Improvements,” all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 12<sup>th</sup> day of March, 2013, at 6:16 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing.

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Gates-Chili-Ogden Sewer District, at a maximum estimated cost of \$675,000, all as more fully described in the preambles hereof.

Section 2. The cost of such increase and improvement shall be assessed against the entire geographic area encompassed by the Gates-Chili-Ogden Sewer.

Section 3. The expenditure proposed for such improvement of facilities in the Gates-Chili-Ogden Sewer District is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof; and all real property to be assessed for such expenditure will be benefited by the proposed improvements and no benefited property has been excluded.

Section 4. The increase and improvement of facilities in the Gates-Chili-Ogden Sewer District is hereby approved at the maximum amount to be expended.

Section 5. The County Executive or the Director of Finance – Chief Financial Officer are hereby authorized and directed to file applications and execute Project Financing Agreements and any other necessary documents as appropriate, for participation in the New York State Water Pollution Control Revolving Loan Fund (SFR) under applicable laws of New York State to finance all or a portion of the project.

Section 6. The Clerk of the Legislature is hereby authorized and directed to send certified copies of this resolution to the New York State Department of Audit and Control.

Section 7. The Administrative Board of the Gates-Chili-Ogden Sewer District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law.

Section 8. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; January 30, 2013 - CV: 6-0  
Ways and Means Committee; January 30, 2013 - CV: 6-0  
File No. 13-0024

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

5.1

10409310:55464959.15

Project Ref # 9

By Legislators Howland and Yolevich

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

RESOLUTION NO. \_\_\_\_ OF 2013

SUPERSEDING BOND RESOLUTION DATED MARCH 12, 2013

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,175,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE IMPROVEMENT OF FACILITIES OF THE GATES-CHILI-OGDEN SEWER DISTRICT CONSISTING OF GENERAL COLLECTION SYSTEM IMPROVEMENTS, AT AN ESTIMATED MAXIMUM COST OF \$2,175,000, IN AND FOR SAID COUNTY, AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON APRIL 17, 2012 (RESOLUTION NO. 103 OF 2012)**

WHEREAS, the Administrative Board of the Gates-Chili-Ogden Sewer District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for general collection system improvements to the Gates-Chili-Ogden Sewer District, including, but not limited to, i) improvements to various pump stations and collection system infrastructure in the District, ii) improvements to increase conveyance capacity and enhance operational flexibility and iii) enhancements to the appurtenant communication and data transmission systems, for the benefit of said District; and

WHEREAS, a public hearing was held on March 12, 2013, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

WHEREAS, the requirements of the New York State Environmental Quality Review Act and the regulations promulgated thereunder have been satisfied; and

WHEREAS, it is now desired to provide for the additional financing of such project;

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

Section 1. For the class of objects or purposes of financing the cost of the improvement of facilities of the Gates-Chili-Ogden Sewer District, consisting of general collection system improvements, including, but not limited to, i) improvements to various pump stations and collection system infrastructure in the District, ii) improvements to increase conveyance capacity and enhance operational flexibility and iii) enhancements to the appurtenant communication and data transmission systems, for the benefit of said District, in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$2,175,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of an additional \$675,000 to pay the cost of the aforesaid class of objects or purposes (\$1,500,000 having been heretofore appropriated from one or more Capital Budgets). The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to

provide for the appropriation of the amount hereby authorized to pay the cost of the aforesaid class of objects or purposes. The period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 13, 2010, the date of the first obligation issued therefor.

Section 2. The maximum estimated cost thereof is \$2,175,000, and the plan for the financing thereof is by the issuance of \$2,175,000 bonds of the County herein authorized; provided, however, that to the extent any state and/or federal aid is received for the aforesaid purpose, such aid shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. To the extent not paid from rates, rents or charges, there shall be annually apportioned and assessed upon the several lots and parcels of land within said District, in the manner provided by law, an amount sufficient to pay the principal and interest on said obligations as the same become due, but if not paid from such source, all the taxable real property in said County shall be subject to the levy of ad valorem taxes, sufficient to pay the principal of and interest on said obligations as the same shall become due.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance-Chief Financial Officer, the chief fiscal officer of the County under the Local Finance Law. The Director of Finance-Chief Financial Officer may sell such bonds or notes at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Director of Finance-Chief Financial Officer shall determine is most favorable to the County, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance-Chief Financial Officer, consistent with the provisions of the Local Finance Law. The Director of Finance-Chief Financial Officer may, in the event it is determined to issue variable rate bonds or notes, enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds or notes, as authorized under Section 54.90 of the Local Finance Law. The Director of Finance-Chief Financial Officer is also authorized to enter into such agreements and take such other action as may be necessary or appropriate and lawful to assure that, to the extent possible, (i) interest on the bonds and notes authorized hereby will not be includable in the gross income, for federal income tax purposes, of the recipients thereof, and (ii) to enable the purchaser thereof to comply with Securities and Exchange Commission Rule 15c2-12. The Director of Finance-Chief Financial Officer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for such bonds or notes, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

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

Local Finance Law. Such bonds or notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 52.00 of the Local Finance Law, as the Director of Finance-Chief Financial Officer shall determine.

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

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

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

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

Section 7. This resolution shall supersede Resolution No. 103 of 2012, being a bond resolution dated April 17, 2012, except to the extent that any indebtedness shall have been contracted or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of bonds to be issued therefore from \$1,500,000 to \$2,175,000.

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

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

Environment and Public Works Committee; January 30, 2013 - CV: 6-0  
Ways and Means Committee; January 30, 2013 - CV: 10-0  
File No. 13-0024.br

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

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

6.

By Legislators Howland and Yolevich

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

MOTION NO. \_\_\_\_\_ OF 2013

**PROVIDING THAT RESOLUTION (INTRO. NO. 45 OF 2013), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS," BE LIFTED FROM THE TABLE**

BE IT MOVED, that Resolution (Intro. No. 45 of 2013), entitled **"APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS,"** be lifted from the table.

File No. 13-0026

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

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



7.1

By Legislators Howland and Yolevich

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

MOTION NO. \_\_\_\_ OF 2013

**PROVIDING THAT RESOLUTION (INTRO. NO. 45 OF 2013), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS," BE ADOPTED**

BE IT MOVED, that Resolution (Intro. No. 45 of 2013), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS,**" be adopted.

File No. 13-0026

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

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

7.2

By Legislators Howland and Yolevich

Intro. No. 45

RESOLUTION NO. \_\_\_\_\_ OF 2013

**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS**

WHEREAS, the Administrative Board of the Irondequoit Bay South Central Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the "General Pump Station and Interceptor Improvements," all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 12<sup>th</sup> day of March, 2013, at 6:17 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing.

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Irondequoit Bay South Central Pure Waters District, at a maximum estimated cost of \$450,000, all as more fully described in the preambles hereof.

Section 2. The cost of such increase and improvement shall be assessed against the entire geographic area encompassed by the Irondequoit Bay South Central Pure Waters District.

Section 3. The expenditure proposed for such improvement of facilities in the Irondequoit Bay South Central Pure Waters District is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof; and all real property to be assessed for such expenditure will be benefited by the proposed improvements and no benefited property has been excluded.

Section 4. The increase and improvement of facilities in the Irondequoit Bay South Central Pure Waters District is hereby approved at the maximum amount to be expended.

Section 5. The County Executive or the Director of Finance - Chief Financial Officer are hereby authorized and directed to file applications and execute Project Financing Agreements and any other necessary documents as appropriate, for participation in the New York State Water Pollution Control Revolving Loan Fund (SFR) under applicable laws of New York State to finance all or a portion of the project.

7.3

Section 6. The Clerk of the Legislature is hereby authorized and directed to send certified copies of this resolution to the New York State Department of Audit and Control.

Section 7. The Administrative Board of the Irondequoit Bay South Central Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law.

Section 8. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; January 30, 2013 - CV: 6-0  
Ways and Means Committee; January 30, 2013 - CV: 10-0  
File No. 13-0026

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

81

10409310:55464950.17

Project Ref # 7

By Legislators Howland and Yolevich

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

RESOLUTION NO. \_\_\_\_ OF 2013

SUPERSEDING BOND RESOLUTION DATED MARCH 12, 2013

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,950,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE IMPROVEMENT OF THE FACILITIES OF THE IRONDEQUOIT BAY/SOUTH CENTRAL PURE WATERS DISTRICT, CONSISTING OF GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$1,950,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON APRIL 17, 2012 (RESOLUTION NO. 94 OF 2012)**

WHEREAS, the Administrative Board of the Irondequoit Bay/South Central Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for improvements of the facilities of said District, consisting of general pump station and interceptor improvements, including, but limited to, (i) the phased reconstruction of the Irondequoit Bay Pump Station's two major force mains that convey District flows to the Frank E. VanLare Waste Water Treatment Plant; (ii) trunk sewer improvements necessary to increase conveyance capacities in the southwest quadrant of the District and, (iii) District-wide enhancements to appurtenant communication and data transmission systems, all as more fully set forth in such map and plan; and

WHEREAS, a public hearing was held on March 12, 2013, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

WHEREAS, the requirements of the New York State Environmental Quality Review Act and the regulations promulgated thereunder have been satisfied; and

WHEREAS, it is now desired to provide for the additional financing of such project;

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

Section 1. For the class of objects or purposes of financing the cost of the improvement of the facilities of the Irondequoit Bay/South Central Pure Waters District, consisting of general pump station and interceptor improvements in and for the County of Monroe, New York (the "County"), including, but not limited to, (i) the phased reconstruction of the Irondequoit Bay Pump Station's two major force mains that convey District flows to the Frank E. VanLare Waste Water Treatment Plant; (ii) trunk sewer improvements necessary to increase conveyance capacities in the southwest quadrant of the District and, (iii) District-wide enhancements to appurtenant communication and data transmission systems, all as more fully set forth in such map and plan, there are hereby authorized to be issued \$1,950,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent

inconsistent herewith, is hereby amended to provide for the appropriation of an additional \$450,000 to pay the cost of the aforesaid class of objects or purposes (\$1,500,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 13, 2010, the date of the first obligation issued therefor.

Section 2. The maximum estimated cost thereof is now determined to be \$1,950,000, and the plan for the financing thereof is by the issuance of \$1,950,000 bonds of the County herein authorized; provided, however, that to the extent any state and/or federal aid and/or grant is received for the aforesaid purpose, such aid and/or grant shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. To the extent not paid from rates, rents or charges, there shall be annually apportioned and assessed upon the several lots and parcels of land within said District, in the manner provided by law, an amount sufficient to pay the principal and interest on said obligations as the same become due, but if not paid from such source, all the taxable real property in said County shall be subject to the levy of ad valorem taxes, sufficient to pay the principal of and interest on said obligations as the same shall become due.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance-Chief Financial Officer, the chief fiscal officer of the County under the Local Finance Law. The Director of Finance-Chief Financial Officer may sell such bonds or notes at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Director of Finance-Chief Financial Officer shall determine is most favorable to the County, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance-Chief Financial Officer, consistent with the provisions of the Local Finance Law. The Director of Finance-Chief Financial Officer may, in the event it is determined to issue variable rate bonds or notes, enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds or notes, as authorized under Section 54.90 of the Local Finance Law. The Director of Finance-Chief Financial Officer is also authorized to enter into such agreements and take such other action as may be necessary or appropriate and lawful to assure that, to the extent possible, (i) interest on the bonds and notes authorized hereby will not be includable in the gross income, for federal income tax purposes, of the recipients thereof, and (ii) to enable the purchaser thereof to comply with Securities and Exchange Commission Rule 15c2-12. The Director of Finance-Chief Financial Officer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for such bonds or notes, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

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

Local Finance Law. Such bonds or notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 52.00 of the Local Finance Law, as the Director of Finance-Chief Financial Officer shall determine.

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

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

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

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

Section 7. This resolution shall supersede Resolution No. 94 of 2012, being a bond resolution dated April 17, 2012, except to the extent that any indebtedness shall have been contracted or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of bonds to be issued therefore from \$1,500,000 to \$1,950,000.

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

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

Environment and Public Works Committee; January 30, 2013 - CV: 6-0  
Ways and Means Committee; January 30, 2013 - CV: 10-0  
File No. 13-0026.br

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

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

9.

By Legislators Howland and Yolevich

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

MOTION NO. \_\_\_\_\_ OF 2013

**PROVIDING THAT RESOLUTION (INTRO. NO. 48 OF 2013), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS," BE LIFTED FROM THE TABLE**

BE IT MOVED, that Resolution (Intro. No. 48 of 2013), entitled **"APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS,"** be lifted from the table.

File No. 13-0028

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

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

10.1

By Legislators Howland and Yolevich

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

MOTION NO. \_\_\_\_ OF 2013

**PROVIDING THAT RESOLUTION (INTRO. NO. 48 OF 2013), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS," BE ADOPTED**

BE IT MOVED, that Resolution (Intro. No. 48 of 2013), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS,**" be adopted.

File No. 13-0028

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

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



10.2

By Legislators Howland and Yolevich

Intro. No. 48

RESOLUTION NO. \_\_\_\_ OF 2013

**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS**

WHEREAS, the Administrative Board of the Northwest Quadrant Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the "General Pump Station and Interceptor Improvements," all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 12<sup>th</sup> day of March, 2013, at 6:18 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing.

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Northwest Quadrant Pure Waters District, at a maximum estimated cost of \$450,000, all as more fully described in the preambles hereof.

Section 2. The cost of such increase and improvement shall be assessed against the entire geographic area encompassed by the Northwest Quadrant Pure Waters District.

Section 3. The expenditure proposed for such improvement of facilities in the Northwest Quadrant Pure Waters District is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof; and all real property to be assessed for such expenditure will be benefited by the proposed improvements and no benefited property has been excluded.

Section 4. The increase and improvement of facilities in the Northwest Quadrant Pure Waters District is hereby approved at the maximum amount to be expended.

Section 5. The County Executive or the Director of Finance – Chief Financial Officer are hereby authorized and directed to file applications and execute Project Financing Agreements and any other necessary documents as appropriate, for participation in the New York State Water Pollution Control Revolving Loan Fund (SFR) under applicable laws of New York State to finance all or a portion of the project.

10.3

Section 6. The Clerk of the Legislature is hereby authorized and directed to send certified copies of this resolution to the New York State Department of Audit and Control.

Section 7. The Administrative Board of the Northwest Quadrant Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law.

Section 8. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; January 30, 2013 - CV: 6-0  
Ways and Means Committee; January 30, 2013 - CV: 10-0  
File No. 13-0028

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

By Legislators Howland and Yolevich

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

RESOLUTION NO. \_\_\_\_ OF 2013

SUPERSEDING BOND RESOLUTION DATED MARCH 12, 2013

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,450,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF IMPROVEMENTS TO THE FACILITIES OF THE NORTHWEST QUADRANT PURE WATERS DISTRICT, INCLUDING GENERAL IMPROVEMENTS TO VARIOUS PUMP STATIONS AND INTERCEPTORS IN THE DISTRICT, IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$1,450,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON APRIL 17, 2012 (RESOLUTION NO. 98 OF 2012)**

WHEREAS, the Administrative Board of the Northwest Quadrant Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for improvements, including, but not limited to, improvements to various pump stations and interceptors of the District, increase in conveyance capacity of the District's interceptors, facility upgrades to maximize flow distribution and capacities between the District and the Gates-Chili-Ogden Sewer District, and enhancements to the appurtenant communication and data transmission systems; and

WHEREAS, a public hearing was held on March 12, 2013, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

WHEREAS, the requirements of the New York State Environmental Quality Review Act and the regulations promulgated thereunder have been satisfied; and

WHEREAS, it is now desired to provide for the financing of such project;

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

Section 1. For the class of objects or purposes of financing the cost of improvements to the facilities of the Northwest Quadrant Pure Waters District, in and for the County of Monroe, New York (the "County"), including general improvements to various pump stations and interceptors in the District, there are hereby authorized to be issued \$1,450,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of an additional \$450,000 to pay the cost of the aforesaid class of objects or purposes (\$1,000,000 having been theretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, computed from December 13, 2011, the date of the first obligation issued therefor.

Section 2. The maximum estimated cost thereof is \$1,450,000, and the plan for the financing thereof is by the issuance of \$1,450,000 bonds of the County herein authorized; provided, however, that to the extent any state and/or federal aid is received for the aforesaid purpose, such aid shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. To the extent not paid from rates, rents or charges, there shall be annually apportioned and assessed upon the several lots and parcels of land within said District, in the manner provided by law, an amount sufficient to pay the principal and interest on said obligations as the same become due, but if not paid from such source, all the taxable real property in said County shall be subject to the levy of ad valorem taxes, sufficient to pay the principal of and interest on said obligations as the same shall become due.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance-Chief Financial Officer, the chief fiscal officer of the County under the Local Finance Law. The Director of Finance-Chief Financial Officer may sell such bonds or notes at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Director of Finance-Chief Financial Officer shall determine is most favorable to the County, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance-Chief Financial Officer, consistent with the provisions of the Local Finance Law. The Director of Finance-Chief Financial Officer may, in the event it is determined to issue variable rate bonds or notes, enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds or notes, as authorized under Section 54.90 of the Local Finance Law. The Director of Finance-Chief Financial Officer is also authorized to enter into such agreements and take such other action as may be necessary or appropriate and lawful to assure that, to the extent possible, (i) interest on the bonds and notes authorized hereby will not be includable in the gross income, for federal income tax purposes, of the recipients thereof, and (ii) to enable the purchaser thereof to comply with Securities and Exchange Commission Rule 15c2-12. The Director of Finance-Chief Financial Officer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for such bonds or notes, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

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

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

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

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

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

Section 7. This resolution shall supersede Resolution No. 98 of 2012, being a bond resolution dated April 17, 2012, except to the extent that any indebtedness shall have been contracted or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of bonds to be issued therefore from \$1,000,000 to \$1,450,000.

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

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

Environment and Public Works Committee; January 30, 2013 - CV: 6-0  
Ways and Means Committee; January 30, 2013 - CV: 10-0  
File No. 13-0028.br

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

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

12.

By Legislators Howland and Yolevich

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

MOTION NO. \_\_\_\_\_ OF 2013

**PROVIDING THAT RESOLUTION (INTRO. NO. 51 OF 2013), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM (CSOAP) PEDESTRIAN BRIDGE IMPROVEMENTS," BE LIFTED FROM THE TABLE**

BE IT MOVED, that Resolution (Intro. No. 51 of 2013), entitled, **"APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM (CSOAP) PEDESTRIAN BRIDGE IMPROVEMENTS,"** be lifted from the table.

File No. 13-0030

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

13.1

By Legislators Howland and Yolevich

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

MOTION NO. \_\_\_\_\_ OF 2013

**PROVIDING THAT RESOLUTION (INTRO. NO. 51 OF 2013), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM (CSOAP) PEDESTRIAN BRIDGE IMPROVEMENTS," BE ADOPTED**

BE IT MOVED, that Resolution (Intro. No. 51 of 2013), entitled, **"APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM (CSOAP) PEDESTRIAN BRIDGE IMPROVEMENTS,"** be adopted.

File No. 13-0030

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

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

13.2

By Legislators Howland and Yolevich

Intro. No. 51

RESOLUTION NO. \_\_\_\_\_ OF 2013

**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN THE ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM (CSOAP) PEDESTRIAN BRIDGE IMPROVEMENTS**

WHEREAS, the Administrative Board of the Rochester Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the "Rochester Pure Waters District - Combined Sewer Overflow Abatement Program Pedestrian Bridge Improvements", all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 12th day of March, 2013, at 6:19 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing.

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

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

Section 2. The cost of such increase and improvement shall be assessed against the entire geographic area encompassed by the Rochester Pure Waters District.

Section 3. The expenditure proposed for such improvement of facilities in the Rochester Pure Waters District is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof; and all real property to be assessed for such expenditure will be benefited by the proposed improvements and no benefited property has been excluded.

Section 4. The increase and improvement of facilities in the Rochester Pure Waters District is hereby approved at the maximum amount to be expended.

Section 5. The County Executive or the Director of Finance-Chief Financial Officer, as appropriate, is hereby authorized to file applications and execute Project Financing Agreements, and any other necessary documents, for participation in the New York State Water Pollution Control Revolving Loan



13.3

Fund under the applicable laws of New York State to finance all or a portion of this sewage facility improvement project.

Section 6. The Clerk of the Legislature is hereby authorized and directed to send certified copies of this resolution to the New York State Department of Audit and Control.

Section 7. The Administrative Board of the Rochester Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law.

Section 8. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; January 30, 2013 - CV: 6-0  
Ways and Means Committee; January 30, 2013 - CV: 10-0  
File No. 13-0030

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

14.1

10409310:55895550.2

Project Ref # 6

By Legislators Howland and Yolevich

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

RESOLUTION NO. \_\_\_\_ OF 2013

BOND RESOLUTION DATED MARCH 12, 2013

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$900,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE IMPROVEMENT OF THE FACILITIES OF THE ROCHESTER PURE WATERS DISTRICT, CONSISTING OF COMPREHENSIVE STRUCTURAL REHABILITATION OF THE MAPLEWOOD PEDESTRIAN BRIDGE AND ACCESS PATHWAYS, IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$900,000.**

WHEREAS, the Administrative Board of the Rochester Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for improvements of the facilities of said District, consisting of comprehensive structural rehabilitation of the Maplewood Pedestrian Bridge access pathways, all as more fully set forth in such map and plan; and

WHEREAS, a public hearing was held on March 12, 2013, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

WHEREAS, the requirements of the New York State Environmental Quality Review Act and the regulations promulgated thereunder have been satisfied; and

WHEREAS, it is now desired to provide for the financing of such project;

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

Section 1. For the class of objects or purposes of financing the cost of the improvement of the facilities of the Rochester Pure Waters District, consisting of comprehensive structural rehabilitation of the Maplewood Pedestrian Bridge and access pathways, in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$900,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of the amount hereby authorized to pay the cost of the aforesaid class of objects or purposes. The period of probable usefulness of the aforesaid class of objects or purposes is twenty (20) years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The maximum estimated cost thereof is now determined to be \$900,000, and the plan for the financing thereof is by the issuance of \$900,000 bonds of the County herein authorized; provided, however, that to the extent any State and/or Federal aid and/or grant is received for the aforesaid

purpose, such aid and/or grant shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. To the extent not paid from rates, rents or charges, there shall be annually apportioned and assessed upon the several lots and parcels of land within said District, in the manner provided by law, an amount sufficient to pay the principal and interest on said obligations as the same become due, but if not paid from such source, all the taxable real property in said County shall be subject to the levy of ad valorem taxes, sufficient to pay the principal of and interest on said obligations as the same shall become due.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance-Chief Financial Officer, the chief fiscal officer of the County under the Local Finance Law. The Director of Finance-Chief Financial Officer may sell such bonds or notes at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Director of Finance-Chief Financial Officer shall determine is most favorable to the County, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance-Chief Financial Officer, consistent with the provisions of the Local Finance Law. The Director of Finance-Chief Financial Officer may, in the event it is determined to issue variable rate bonds or notes, enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds or notes, as authorized under Section 54.90 of the Local Finance Law. The Director of Finance-Chief Financial Officer is also authorized to enter into such agreements and take such other action as may be necessary or appropriate and lawful to assure that, to the extent possible, (i) interest on the bonds and notes authorized hereby will not be includable in the gross income, for federal income tax purposes, of the recipients thereof, and (ii) to enable the purchaser thereof to comply with Securities and Exchange Commission Rule 15c2-12. The Director of Finance-Chief Financial Officer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for such bonds or notes, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

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

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

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

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

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

Section 7. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 8. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter and the Clerk of the Legislature is hereby authorized and directed to cause this resolution or a summary hereof to be published, together with a notice attached in substantially the form and in the manner provided by Section 81.00 of the Local Finance Law.

Environment and Public Works Committee; January 30, 2013: - CV: 6-0  
Ways and Means Committee; January 30, 2013 - CV: 10-0  
File No. 13-0030.br

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

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

By Legislators Howland and Yolevich

15.

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

MOTION NO. \_\_\_\_\_ OF 2013

**PROVIDING THAT RESOLUTION (INTRO. NO. 54 OF 2013), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM (CSOAP) TUNNEL SYSTEM IMPROVEMENTS," BE LIFTED FROM THE TABLE**

BE IT MOVED, that Resolution (Intro. No. 54 of 2013), entitled, **"APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM (CSOAP) TUNNEL SYSTEM IMPROVEMENTS,"** be lifted from the table.

File No. 13-0032

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

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

161

By Legislators Howland and Yolevich

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

MOTION NO. \_\_\_\_\_ OF 2013

**PROVIDING THAT RESOLUTION (INTRO. NO. 54 OF 2013), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM (CSOAP) TUNNEL SYSTEM IMPROVEMENTS," BE ADOPTED**

BE IT MOVED, that Resolution (Intro. No. 54 of 2013), entitled, **"APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM (CSOAP) TUNNEL SYSTEM IMPROVEMENTS,"** be adopted.

File No. 13-0032

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

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

16.2

By Legislators Howland and Yolevich

Intro. No. 54

RESOLUTION NO. \_\_\_\_\_ OF 2013

**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN THE ROCHESTER PURE WATERS DISTRICT – COMBINED SEWER OVERFLOW ABATEMENT PROGRAM (CSOAP) TUNNEL SYSTEM IMPROVEMENTS**

WHEREAS, the Administrative Board of the Rochester Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the “Rochester Pure Waters District – Combined Sewer Overflow Abatement Program (CSOAP) Tunnel System Improvements”, all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 12th day of March, 2013, at 6:20 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing.

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Rochester Pure Waters District at a maximum estimated cost of \$2,700,000, all as more fully described in the preambles hereof.

Section 2. The cost of such increase and improvement shall be assessed against the entire geographic area encompassed by the Rochester Pure Waters District.

Section 3. The expenditure proposed for such improvement of facilities in the Rochester Pure Waters District is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof; and all real property to be assessed for such expenditure will be benefited by the proposed improvements and no benefited property has been excluded.

Section 4. The increase and improvement of facilities in the Rochester Pure Waters District is hereby approved at the maximum amount to be expended.

Section 5. The County Executive or the Director of Finance-Chief Financial Officer, as appropriate, is hereby authorized to file applications and execute Project Financing Agreements, and any other necessary documents, for participation in the New York State Water Pollution Control Revolving Loan

16.3

Fund under the applicable laws of New York State to finance all or a portion of this sewage facility improvement project.

Section 6. The Clerk of the Legislature is hereby authorized and directed to send certified copies of this resolution to the new York State Department of Audit and Control.

Section 7. The Administrative Board of the Rochester Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law.

Section 8. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; January 30, 2013 - CV: 6-0  
Ways and Means Committee; January 30, 2013 - CV: 10-0  
File No. 13-0032

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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



17.1

10409310:55891885.2

Project Ref # 5

By Legislators Howland and Yolevich

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

RESOLUTION NO. \_\_\_\_ OF 2013

SUPERSEDING BOND RESOLUTION DATED MARCH 12, 2013

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$3,700,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ROCHESTER PURE WATERS DISTRICT, IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$3,700,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON APRIL 17, 2012 (RESOLUTION NO. 92 OF 2012)**

WHEREAS, the Administrative Board of the Rochester Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of a comprehensive evaluation of and improvements to Pure Waters' Combined Sewer Overflow Abatement Program (CSOAP) Tunnel System. Improvements will include grit and debris removal to restore hydraulic capacity and structural rehabilitation to ensure physical integrity throughout the Tunnel System; and

WHEREAS, a public hearing was held on March 12, 2013, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

WHEREAS, the requirements of the New York State Environmental Quality Review Act and the regulations promulgated thereunder have been satisfied; and

WHEREAS, it is now desired to provide for the additional financing of such project;

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

Section 1. For the class of objects or purposes of financing the cost of the increase and improvement of the facilities of the Rochester Pure Waters District, consisting of comprehensive evaluation of and improvements to Pure Waters' Combined Sewer Overflow Abatement Program (CSOAP) Tunnel System of the Rochester Pure Waters District in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$3,700,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of an additional \$2,700,000 to pay the cost of the aforesaid class of objects or purposes (\$1,000,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The maximum estimated cost thereof is \$3,700,000, and the plan for the financing thereof is by the issuance of \$3,700,000 bonds of the County herein authorized; provided, however, that to the extent any State and/or Federal aid and/or grant is received for the aforesaid purpose, such aid and/or grant shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. To the extent not paid from rates, rents or charges, there shall be annually apportioned and assessed upon the several lots and parcels of land within said District, in the manner provided by law, an amount sufficient to pay the principal and interest on said obligations as the same become due, but if not paid from such source, all the taxable real property in said County shall be subject to the levy of ad valorem taxes, sufficient to pay the principal of and interest on said obligations as the same shall become due.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance-Chief Financial Officer, the chief fiscal officer of the County under the Local Finance Law. The Director of Finance-Chief Financial Officer may sell such bonds or notes at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Director of Finance-Chief Financial Officer shall determine is most favorable to the County, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance-Chief Financial Officer, consistent with the provisions of the Local Finance Law. The Director of Finance-Chief Financial Officer may, in the event it is determined to issue variable rate bonds or notes, enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds or notes, as authorized under Section 54.90 of the Local Finance Law. The Director of Finance-Chief Financial Officer is also authorized to enter into such agreements and take such other action as may be necessary or appropriate and lawful to assure that, to the extent possible, (i) interest on the bonds and notes authorized hereby will not be includable in the gross income, for federal income tax purposes, of the recipients thereof, and (ii) to enable the purchaser thereof to comply with Securities and Exchange Commission Rule 15c2-12. The Director of Finance-Chief Financial Officer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for such bonds or notes, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

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

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

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

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

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

Section 7. This resolution shall supersede Resolution No. 92 of 2012, being a bond resolution dated April 17, 2012, except to the extent that any indebtedness shall have already been contracted or encumbrances made thereunder. No bonds or notes have been issued under Resolution No. 92 of 2012. The purpose of this superseding bond resolution is to effect the following: to expand the scope of the aforesaid purpose, to increase the maximum estimated cost of the purpose and to increase the amount of the bonds to be issued therefor from \$1,000,000 to \$3,700,000.

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

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

Environment and Public Works Committee; January 30, 2013 - CV: 6-0  
Ways and Means Committee; January 30, 2013 - CV: 10-0  
File No. 13-0032.br

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

By Legislators Daniele and Quatro

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

RESOLUTION NO. \_\_\_\_ OF 2013

**CONFIRMING APPOINTMENTS OF LEGISLATIVE REPRESENTATIVES TO THE COUNCIL OF GOVERNMENTS, FISHERY ADVISORY BOARD, MONROE COUNTY EMS ADVISORY BOARD, ENVIRONMENTAL MANAGEMENT COUNCIL AND MONROE COUNTY WATER AUTHORITY**

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

Section 1. In accordance with Resolution No. 361 of 1981 and Section 545-24(A)2 of the Rules of the Monroe County Legislature, the following appointments made by Monroe County Legislature President Jeffrey R. Adair, are hereby confirmed:

- Mike Patterson, 1547 N. Goodman St., Rochester, New York 14621, to the Council of Governments as the Legislature's Minority Party Liaison.
- Joseph D. Morelle Jr., 25 Clarington Street, Rochester, New York 14609, to the Fishery Advisory Board as the Legislature's Minority Party Member.
- Carmen F. Gumina, 1082 Everwild View, Webster, New York 14580, to the Fishery Advisory Board as the Legislature's Majority Party Member.
- Ciaran T. Hanna, 126 Bent Oak Trail, Fairport, New York 14450, to the Monroe County EMS Advisory Board as the Legislature's Member.
- Cynthia Kaleh, 18 Fairview Heights, Rochester, New York 14613, to the Environmental Management Council as the Legislature's Minority Party Member.
- Carrie M. Andrews, 50 Roseview Avenue, Rochester, New York 14609, to the Monroe County Water Authority as the Legislature's Minority Party Liaison.

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

File No. 13-0046

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

By Legislators Rockow and Yolevich

19.

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**ACCEPTING GRANT FROM COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY**

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$265,000 grant from, and to execute a contract and any amendments thereto with, the County of Monroe Industrial Development Agency, for economic development activities, staff services and office expenses, for the period of January 1, 2013 through December 31, 2013.

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

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

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

Planning and Economic Development Committee; February 25, 2013 - CV: 5-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0050

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

By Legislators Rockow and Yolevich

20.

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**ACCEPTING GRANT FROM MONROE COUNTY INDUSTRIAL DEVELOPMENT CORPORATION**

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$65,000 grant from, and to execute a contract and any amendments thereto with, the Monroe County Industrial Development Corporation, to support economic development activities in Monroe County, for the period of January 1, 2013 through December 31, 2013.

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

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

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

Planning and Economic Development Committee; February 25, 2013 - CV: 5-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0051

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

21.

By Legislators Rockow and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING CONTRACT WITH GREATER ROCHESTER ENTERPRISE FOR GENERAL OPERATING EXPENSES**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with the Greater Rochester Enterprise, for general operating support, in the amount of \$50,000, for the period of January 1, 2013 through December 31, 2013.

Section 2. Funding for this contract is included in the 2013 operating budget of the Planning and Development Department, fund 9001, funds center 1403010000, Economic Development.

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

Planning and Economic Development Committee; February 25, 2013- CV: 5-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0052

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

22.

By Legislators Rockow and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**APPROVING PUBLIC EMPLOYEES BLANKET BOND FOR GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

WHEREAS, the County of Monroe has appropriated the sum of \$29,989 as its share of the 2013 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

WHEREAS, pursuant to Section 119-00 of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the Monroe County Legislature; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated David S. Zorn, Executive Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Blanket Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$500,000.

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

Section 1. The Legislature hereby approves the Public Employees Blanket Bond for the Genesee/Finger Lakes Regional Planning Council required pursuant to Section 119-00 of the General Municipal Law of the State of New York.

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

Planning and Economic Development Committee; February 25, 2013 - CV: 5-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0053

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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



23.

By Legislators Rockow and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING ANNUAL CONTRIBUTION TO GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL**

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

Section 1. The Legislature hereby authorizes the payment of Monroe County's 2013 contribution to the Genesee/Finger Lakes Regional Planning Council in the amount of \$29,989.

Section 2. Funding for this contribution is included in the 2013 operating budget of the Planning and Development Department, fund 9001, funds center 1402040000, Genesee/Finger Lakes Regional Planning Council.

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

Planning and Economic Development Committee; February 25, 2013 - CV: 5-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0054

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

24.

By Legislators Rockow and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**ACCEPTING GRANT FROM GENESEE TRANSPORTATION COUNCIL FOR LAND USE PROJECT**

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$15,000 grant from, and to execute a contract and any amendments thereto with, the Genesee Transportation Council, for a Land Use Project, for the period of April 1, 2013 through March 31, 2014.

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

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

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

Planning and Economic Development Committee; February 25, 2013 - CV: 5-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0055

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

By Legislators Hanna and Yolevich

25.

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING CONTRACT WITH LEGAL AID SOCIETY OF ROCHESTER FOR LEGAL REPRESENTATION SERVICES IN FAMILY LAW AND DOMESTIC VIOLENCE**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with the Legal Aid Society of Rochester, for legal representation services in family law and domestic violence, in the amount of \$35,000, for the period of January 1, 2013 through December 31, 2013.

Section 2. Funding for this contract is included in the 2013 operating budget of the Department of Public Safety, fund 9001, funds center 2410160000, Unified Court System, Legal Aid Society.

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

Public Safety Committee; February 25, 2013 - CV: 8-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0056

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

26.

By Legislators Hanna and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**ACCEPTING GRANT FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR MOTOR VEHICLE THEFT AND INSURANCE FRAUD PROSECUTION PROGRAM**

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$117,054 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Criminal Justice Services, for the Motor Vehicle Theft and Insurance Fraud Prosecution Program, for the period of January 1, 2013 through December 31, 2013.

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

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

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

Public Safety Committee; February 25, 2013 - CV: 8-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0057

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

By Legislators Colby and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING ACQUISITION OF INTEREST IN REAL PROPERTY FOR CONSTRUCTION AND MAINTENANCE OF TRAFFIC SIGNAL EQUIPMENT AT ELMGROVE ROAD IN TOWN OF GATES**

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

Section 1. The County Executive, or her designee, is hereby authorized to acquire the referenced property interest and execute all documents necessary for the construction and maintenance of traffic signal equipment at Elmgrove Road in the Town of Gates, by contract and/or the Eminent Domain Procedure Law, along with any amendments for unanticipated damages, within the total capital fund(s) appropriation.

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 88 Parcel 1 PE 0.176 Acre 789 Elmgrove Road T.A. # 118.11-1-71 Town of Gates	Tech Park Owner, LLC 250 Green Point Avenue Brooklyn, NY 11222	\$1

Section 2. Funding for this acquisition is included in the 2013 operating budget of the Department of Transportation, fund 9002, funds center 8004030000, Signal Maintenance/Operations.

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

Transportation Committee; February 26, 2013 - CV: 6-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0058

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

By Legislators Colby and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING ACQUISITION OF INTERESTS IN REAL PROPERTY FOR COMPLETION OF EDGEWOOD AVENUE BRIDGE REPLACEMENT PROJECT OVER ALLENS CREEK IN TOWN OF BRIGHTON**

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

Section 1. The County Executive, or her designee, is hereby authorized to acquire the referenced property interests and execute all documents necessary for completion of the Edgewood Avenue Bridge Replacement Project over Allens Creek in the Town of Brighton, by contract and/or the Eminent Domain Procedure Law, along with any amendments for unanticipated damages within the total capital fund(s) appropriation.

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 14 Parcel 1 P.E. 1188 sf 2407 Monroe Avenue T.A. # 137.19-1-1 Town of Brighton	Sherwin-Williams Development Corp. 101 Prospect Avenue, N.W. Cleveland, OH 44115	\$7,500
Map 15 Parcel 1 P.E. 520 sf 66 Edgewood Avenue T.A. # 137.19-1-3 Town of Brighton	Kristen Jentons 66 Edgewood Avenue Rochester, NY 14618	\$ 1,600
Map 16 Parcel 1 P.E. 505 sf 17 Edgewood Avenue T.A. # 137.18-2-68 Town of Brighton	Jyoti M. Nanavati 17 Edgewood Avenue Rochester, NY 14618	\$ 4,700
Map 17 Parcel 1 P.E. 946 sf Edgewood Avnue T.A. # 137.18-2-69 Town of Brighton	Stonybrook Tract Association 115 Stonybrook Drive Rochester, NY 14618	\$2,000

Section 2. Funding for these acquisitions, consistent with authorized uses, is included in capital fund 1578 and any capital fund(s) created for the same intended purpose.

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

Transportation Committee; February 26, 2013 - CV: 6-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0059

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

By Legislators Colby and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING ACQUISITION OF INTERESTS IN REAL PROPERTY FOR COMPLETION OF CULVER ROAD HIGHWAY PROJECT IN TOWN OF IRONDEQUOIT**

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

Section 1. The County Executive, or her designee, is hereby authorized to acquire the referenced property interests and execute all documents necessary for the Culver Road Highway Project in the Town of Irondequoit, by contract and/or the Eminent Domain Procedure Law, along with any amendments for unanticipated damages, within the total operating account(s) appropriation.

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 170 Parcel 1 PE 0.058 Acre 2701 Culver Road T.A. # 092.06-4-24 Town of Irondequoit	Roxbury Management, LLC 2701 Culver Road Rochester, NY 14622	\$1
Map 171 Parcel 1 PE 0.020 Acre 2701 Culver Road T.A. # 092.06-4-24 Town of Irondequoit	Roxbury Management, LLC 2701 Culver Road Rochester, NY 14622	\$1

Section 2. Funding for these acquisitions is included in the 2013 operating budget of the Department of Transportation, fund 9002, funds center 8003010000, Highway Permits.

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

Transportation Committee; February 26, 2013 - CV: 6-0  
Ways and Means Committee; February 27, 2013 - CV: 11-0  
File No. 13-0060

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

30.

By Legislators Colby and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING ACQUISITION OF INTERESTS IN REAL PROPERTY FOR COMPLETION OF MENDON CENTER ROAD CULVERT PROJECT AT IRONDEQUOIT CREEK TRIBUTARY IN TOWN OF MENDON**

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

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

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 10	Mark D. Garvey	
Parcel 1 P.E. 692 sf	Karen M. Garvey	\$700
Parcel 2 T.E. 3683 sf	1245 Mendon Center Road	\$2,200
1245 Mendon Center Road	Honeoye Falls, NY 14472	
T.A. # 215.01-1-15.11		
Town of Mendon		

Section 2. Funding for these acquisitions, consistent with authorized uses, is included in capital fund 1441 and any capital fund(s) created for the same intended purpose.

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

Transportation Committee; February 26, 2013 - CV: 6-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0061

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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



Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING ACQUISITION OF INTERESTS IN REAL PROPERTY FOR COMPLETION OF PINNACLE ROAD HIGHWAY REHABILITATION PROJECT FROM RUSH MENDON ROAD TO RUSH-HENRIETTA TOWN LINE IN TOWN OF RUSH**

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

Section 1. The County Executive, or her designee, is hereby authorized to acquire the referenced property interests and execute all documents necessary for completion of the Pinnacle Road Highway Rehabilitation Project from Rush Mendon Road to the Rush-Henrietta Town line in the Town of Rush, by contract and/or the Eminent Domain Procedure Law, along with any amendments for unanticipated damages within the total capital fund(s) appropriation.

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 143 Parcel 145 T.E. 1092 sf 2782 Pinnacle Road T.A. # 214.01-1-49 Town of Rush	Kevin R. Kinnally Margaret M. Kinnally 2782 Pinnacle Road Rush, NY 14543	\$150
Map 144 Parcel 146 T.E. 1187 sf 2471 Pinnacle Road T.A. # 203.03-1-48.121 Town of Rush	Manning Living Trust Harold D. Manning Doreen H. Manning 2471 Pinnacle Road Rush, NY 14543	\$200
Map 145 Parcel 147 P.E. 95 sf 415 Jeffords Road T.A. # 203.03-1-36 Town of Rush	Gerard Carey Catherine Carey 415 Jeffords Road Rush, NY 14543	\$150
Map 146 Parcel 148 P.E. 673 sf 420 Jeffords Road T.A. # 203.03-1-3.154 Town of Rush	Glen Menendez Ann Menendez 420 Jeffords Road Rush, NY 14543	\$400
Map 147 Parcel 149 T.E. 766 sf 2237 Pinnacle Road T.A. # 203.01-1-1 Town of Rush	Ann Marie Miller George R. Miller Christine H. Miller 2237 Pinnacle Road Rush, NY 14543	\$150

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Section 2. Funding for these acquisitions, consistent with authorized uses, is included in capital fund 1673 and any capital fund(s) created for the same intended purpose.

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

Transportation Committee; February 26, 2013 - CV: 6-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0062

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

32.

By Legislators Boyce, Colby and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER IN CONJUNCTION WITH SOUTH CLINTON AVENUE WATER SUPPLY CONDUIT MODERNIZATION, CONDUIT 2 & 3 PHASE II PROJECT IN TOWN OF BRIGHTON**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with the City of Rochester, for reimbursement from the County to the City of appropriate costs relating to the South Clinton Avenue Water Supply Conduit Modernization, Conduit 2 & 3 Phase II Project, in the estimated amount of \$95,000, with the final amount to be determined upon project completion.

Section 2. Funding for this agreement, consistent with authorized uses, is included in capital fund 1671 and any capital fund(s) created for the same intended purpose.

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

Intergovernmental Relations Committee; February 27, 2013 - CV: 4-0  
Transportation Committee; February 26, 2013 - CV: 6-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0063

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

33.

By Legislators Colby and Yolevich

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

RESOLUTION NO. \_\_\_\_ OF 2013

**AUTHORIZING CONTRACT WITH SEALAND CONTRACTORS CORP. FOR CONSTRUCTION SERVICES FOR PORTLAND AVENUE PROJECT IN TOWN OF IRONDEQUOIT**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract with Sealand Contractors Corp., in the amount of \$3,873,000.42, for construction services, for the Portland Avenue Project in the Town of Irondequoit, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. Funding for this contract, consistent with authorized uses, is included in capital funds 1488, 1574, 1671 and any capital fund(s) created for the same intended purpose.

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

Transportation Committee; February 26, 2013 - CV: 6-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0064

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

By Legislators Colby and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING CONTRACT WITH CRANE-HOGAN STRUCTURAL SYSTEMS, INC. FOR CONSTRUCTION SERVICES FOR KLEM ROAD BRIDGE PROJECT AT MILL CREEK TRIBUTARY IN TOWN OF WEBSTER**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract with Crane-Hogan Structural Systems, Inc., in the amount of \$379,473.70, for construction services, for the Klem Road Bridge Project at Mill Creek Tributary in the Town of Webster, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. Funding for this contract, consistent with authorized uses, is included in capital fund 1532 and any capital fund(s) created for the same intended purpose.

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

Transportation Committee; February 26, 2013 - CV: 6-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0065

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

35.

By Legislators Colby and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING CONTRACT WITH KEELER CONSTRUCTION CO., INC. FOR CONSTRUCTION SERVICES FOR PAUL ROAD - FISHER ROAD CORRIDOR PROJECT IN TOWN OF CHILI**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract with Keeler Construction Co., Inc., in the amount of \$3,172,382.56, for construction services, for the Paul Road - Fisher Road Corridor Project in the Town of Chili, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. Funding for this contract, consistent with authorized uses, is included in capital fund 1433 and any capital fund(s) created for the same intended purpose.

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

Transportation Committee; February 26, 2013 - CV: 6-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0066

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

By Legislators Colby and Yolevich

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

36.1

RESOLUTION NO. \_\_\_\_ OF 2013

SUPERSEDING BOND RESOLUTION DATED MARCH 12, 2013

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,100,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE CONSTRUCTION, REHABILITATION AND IMPROVEMENT OF THE PAUL ROAD-FISHER ROAD CORRIDOR IN AND FOR SAID COUNTY, AND SUPERSEDING THE BOND RESOLUTION ADOPTED DECEMBER 9, 2008 (RESOLUTION NO. 335 OF 2008)**

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

Section 1. For the class of objects or purposes of financing the cost of the construction, rehabilitation and improvement of the Paul Road-Fisher Road Corridor, including, as needed, drainage, pavement markings and other improvements in connection therewith, in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$5,100,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of an additional \$100,000 to pay the cost of the aforesaid class of objects or purposes (\$5,000,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is fifteen (15) years, pursuant to clauses (c), (d) and/or (e) of subdivision 20 of paragraph a of Section 11.00 of the Local Finance Law (it being hereby determined that such Corridor improvements shall be of flexible pavement, rigid base or rigid pavement as described in said clauses (c), (d) or (e)), computed from July 14, 2009, the date of the first obligation issued therefor.

Section 2. The maximum estimated cost thereof is now determined to be \$5,100,000, and the plan for the financing thereof is by the issuance of \$5,100,000 bonds of the County herein authorized; provided, however, that to the extent any State and/or Federal aid and/or grant is received for the aforesaid purpose, such aid and/or grant shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

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

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

36.2

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

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

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

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

Section 7. This resolution shall supersede Resolution No. 335 of 2008, being a superseding bond resolution dated December 9, 2008, except to the extent that any indebtedness shall have already been contracted or encumbrances made thereunder for the class of objects or purposes for which such resolution was adopted. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of bonds to be issued therefor from \$5,000,000 to \$5,100,000.

Section 8. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations. Other than as specified in this resolution, no monies are, or are



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reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

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

Transportation Committee; February 26, 2013 - CV: 6-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0066.br

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

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

37.

By Legislators Colby and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING CONTRACT WITH CRANE-HOGAN STRUCTURAL SYSTEMS, INC. FOR CONSTRUCTION SERVICES FOR TWIN BRIDGE ROAD BRIDGE PROJECT OVER OATKA CREEK IN TOWN OF WHEATLAND**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract with Crane-Hogan Structural Systems, Inc., in the amount of \$691,948.59, for construction services, for the Twin Bridge Road Bridge Project over Oatka Creek in the Town of Wheatland, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. Funding for this contract, consistent with authorized uses, is included in capital fund 1534 and any capital fund(s) created for the same intended purpose.

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

Transportation Committee; February 26, 2013 - CV: 6-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0067

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

38.1

By Legislators Colby and Yolevich

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

RESOLUTION NO. \_\_\_\_ OF 2013

SUPERSEDING BOND RESOLUTION DATED MARCH 12, 2013

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,212,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE REHABILITATION OF TWIN BRIDGE ROAD BRIDGE OVER OATKA CREEK (BIN 3317380), IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$1,212,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED DECEMBER 11, 2012 (RESOLUTION NO. 301 OF 2012)**

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

Section 1. For the specific object or purpose of financing the cost of the rehabilitation or replacement of the Twin Bridge Road Bridge over Oatka Creek, in the Town of Wheatland (BIN 3317380), in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$1,212,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of an additional \$100,000 to pay the cost of the aforesaid class of objects or purposes (\$1,112,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid specific object or purpose is twenty (20) years, pursuant to subdivision 10 of paragraph a of Section 11.00 of the Local Finance Law, computed from June 27, 2012, the date of the first obligation issued therefor.

Section 2. The maximum estimated cost thereof is \$1,212,000 and the plan for the financing thereof is by the issuance of \$1,212,000 bonds of the County herein authorized; provided, however, that to the extent any State and/or Federal aid and/or grant is received for the aforesaid purpose, such aid and/or grant shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

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

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance-Chief Financial Officer, the chief fiscal officer of the County under the Local Finance Law. The Director of Finance-Chief Financial Officer may sell such bonds or notes at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Director of Finance-Chief Financial Officer shall determine is most favorable to the County, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance-Chief Financial Officer, consistent with the provisions of the Local Finance Law. The Director of Finance-Chief Financial Officer may, in the event it is determined to issue variable rate bonds or notes, enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds or notes, as authorized under Section 54.90 of the

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

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

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

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

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

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

Section 7. This resolution shall supersede Resolution No. 301 of 2012, being a superseding bond resolution dated December 11, 2012, except to the extent that any indebtedness shall have already been contracted or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and to increase the amount of the bonds to be issued therefor from \$1,112,000 to \$1,212,000.

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

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter and the Clerk of the Legislature is hereby authorized and directed to cause this resolution or a summary

38.3

hereof to be published, together with a notice attached in substantially the form and in the manner provided by Section 81.00 of the Local Finance Law.

Transportation Committee; February 26, 2013 - CV: 6-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0067.br

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

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

By Legislators Drawe and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AMENDING RESOLUTION 22 OF 2012 TO ACCEPT ADDITIONAL FUNDING FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM**

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

Section 1. Section 1 of Resolution 22 of 2012 is hereby amended to read as follows:

The County Executive, or her designee, is hereby authorized to accept a \$185,254 ~~\$180,552~~ grant from, and to execute a contract and any amendments thereto with, the New York State Department of Health, for the Children with Special Health Care Needs Program, for the period of October 1, 2011 through September 30, 2014.

Section 2. The 2013 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$4,702 into fund 9300, funds center 5803010000, Children with Special Health Care Needs Grant.

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

Human Services Committee; February 26, 2013 - CV: 7-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0068

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

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

40.

By Legislators Drawe and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AMENDING RESOLUTION 23 OF 2012 TO ACCEPT ADDITIONAL FUNDING FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR PUBLIC HEALTH CAMPAIGN - COUNTY TUBERCULOSIS PROGRAM**

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

Section 1. Section 1 of Resolution 23 of 2012 is hereby amended to read as follows:

The County Executive, or her designee, is hereby authorized to accept a \$286,253 ~~\$265,000~~ grant from, and to execute a contract and any amendments thereto with, the New York State Department of Health, for the Public Health Campaign - County Tuberculosis Program, for the period of March 31, 2012 through March 30, 2013.

Section 2. The 2013 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$21,253 into fund 9300, funds center 5802020000, Public Health Campaign - TB Control Grant.

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

Human Services Committee; February 26, 2013 - CV: 7-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0069

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

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

By Legislators Drawe and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AMENDING RESOLUTION 366 OF 2012 TO ACCEPT ADDITIONAL FUNDING FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR HEALTHY MOM - HEALTHY BABY PROGRAM**

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

Section 1. Section 1 of Resolution 366 of 2012 is hereby amended to read as follows:

The County Executive, or her designee, is hereby authorized to accept a \$353,963 ~~\$327,683~~ grant from, and to execute a contract and any amendments thereto with, the New York State Department of Health, for the Healthy Mom - Healthy Baby Program, for the period of October 1, 2012 through September 30, 2013.

Section 2. The 2013 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$26,280, into fund 9300, funds center 5803010000, Healthy Mom - Healthy Baby Grant.

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

Human Services Committee; February 26, 2013 - CV: 7-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0070

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

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



42.

By Legislators Drawe and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**ACCEPTING GRANT FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR PUBLIC HEALTH CAMPAIGN - COUNTY TUBERCULOSIS PROGRAM**

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$265,000 grant from, and to execute a contract and any amendments thereto with, the New York State Department of Health, for the Public Health Campaign - County Tuberculosis Program, for the period of March 31, 2013 through March 30, 2014.

Section 2. The 2013 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$67,555 into fund 9300, funds center 5802020000, Public Health Campaign - TB Control Grant.

Section 3. The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor requirements and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.

Section 4. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

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

Human Services Committee; February 26, 2013 - CV: 7-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0071

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

43.

By Legislators Drawe and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**ACCEPTING GRANT FROM NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS FOR MEDICAL RESERVE CORPS CAPACITY BUILDING PROGRAM**

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$4,000 grant from, and to execute a contract and any amendments thereto with, the National Association of County and City Health Officials, for the Medical Reserve Corps Capacity Building Program, for the period of January 1, 2013 through December 31, 2013.

Section 2. The 2013 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$4,000 into fund 9300, funds center 5801090000, Medical Reserve Corps Capacity Building Grant.

Section 3. The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor requirements and to make any necessary funding modifications within grant guidelines to meet contractual commitments.

Section 4. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

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

Human Services Committee; February 26, 2013 - CV: 7-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0072

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

44.

By Legislators Drawe and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING CONTRACTS FOR PRESCHOOL SPECIAL EDUCATION PROGRAM**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute contracts, and any amendments thereto, with the approved schools, agencies and individuals specified in Attachment A, and additional approved subcontractors as needed, for Preschool Special Education services, in a total amount not to exceed \$25,750,000 annually, for the period of July 1, 2013 through June 30, 2016.

Section 2. Funding for these contracts is included in the 2013 operating budget of the Department of Public Health, fund 9001, funds center 5807500000, Special Children's Services.

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

Human Services Committee; February 26, 2013 - CV: 7-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0073

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

By Legislators Howland and Yolevich

45.

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING ADDITIONAL PROJECTS TO APPROVED PASSENGER FACILITY CHARGE PROGRAM AT GREATER ROCHESTER INTERNATIONAL AIRPORT**

WHEREAS, Monroe County has pledged an effort to obtain the maximum financial assistance for improvements at the Greater Rochester International Airport ("Airport"); and

WHEREAS, a passenger facility charge ("PFC") is a user fee authorized by Federal Law and the laws of the State of New York, and imposed only on eligible enplaned passengers utilizing the Airport; and

WHEREAS, the Monroe County Airport Authority ("Authority"), after thorough investigation, has determined that the funds generated by adopting and collecting a PFC are needed to accomplish projects designed to enhance capacity, safety and development of the Airport; and

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

Section 1. The County authorizes the following additional six (6) projects to the approved Passenger Facility Charge Program at the Greater Rochester International Airport designated by the Monroe County Airport Authority to enhance capacity, safety, and security of the Airport, as follows:

1. Rehabilitate Terminal Apron
2. Acquire Snow Removal Equipment
3. Acquire Glycol Recovery Vehicles
4. Improve Terminal Building
  - (a) HVAC System Upgrade
  - (b) Passenger Security Exit Lane Renovation
  - (c) Restroom Renovated & FIDS/Paging System
5. Acquire Security Equipment
6. Passenger Loading Bridges

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

Environment and Public Works Committee; February 27, 2013 - CV: 5-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0074

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

46.

By Legislators Hanna and Yolevich

Intro. No. \_\_

RESOLUTION NO.: \_\_ OF 2013

**ACCEPTING GRANT FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR STOP VIOLENCE AGAINST WOMEN PROGRAM**

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$45,700 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Criminal Justice Services, for the Stop Violence Against Women Program, for the period of January 1, 2013 through December 31, 2013.

Section 2. The 2013 operating grant budget of the Department of Public Safety, Office of Probation and Community Corrections, is hereby amended by appropriating the sum of \$45,700 into fund 9300, funds center 2403040000, General Supervision Division.

Section 3. The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor requirements and to make any necessary funding modifications within grant guidelines to meet contractual commitments.

Section 4. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

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

Public Safety Committee; February 25, 2013 - CV: 8-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0075

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

By Legislators Hanna and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING CONTRACT WITH PRE-TRIAL SERVICES CORPORATION OF MONROE COUNTY BAR ASSOCIATION FOR ALTERNATIVES TO INCARCERATION PROGRAMS FOR 2013**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with the Pre-Trial Services Corporation of the Monroe County Bar Association, for the Pre-Trial Release/Pre-Trial Diversion Programs, the Felony DWI Diversion Program and Jail Utilization Systems Team (JUST) programs, in the amount of \$1,299,513, for the period of January 1, 2013 through December 31, 2013.

Section 2. Funding for this contract is included in the 2013 operating budget of the Department of Public Safety, fund 9001, funds center 2403060000, Alternatives to Incarceration Administration, and fund 9001, funds center 2405020000, STOP-DWI, Felony Diversion.

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

Public Safety Committee; February 25, 2013 - CV: 8-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0076

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

48.

By Legislators Hanna and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING CONTRACT WITH CATHOLIC FAMILY CENTER FOR PROVISION OF GIRLS  
CIRCLE CURRICULUM TO PROBATION-INVOLVED YOUTH**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with Catholic Family Center, for the provision of the Girls Circle Curriculum to probation-involved youth, in the amount of \$30,000, for the period of January 1, 2013 through December 31, 2013, with the option to renew for two (2) additional one-year terms, in an amount not to exceed \$30,000 annually.

Section 2. Funding for this contract is included in the 2013 operating grant budget of the Department of Public Safety, fund 9001, funds center 2403020100, Office of Probation – Juvenile and Family Services Division, and will be requested in future years' budgets.

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

Public Safety Committee; February 25, 2013 - CV: 8-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0077

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

49.

By Legislators Hanna and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**ACCEPTING GRANT FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR CRIMES AGAINST REVENUE PROSECUTION PROGRAM**

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$206,000 grant from, and to execute a contract and any amendments thereto, with the New York State Division of Criminal Justice Services, for the Crimes Against Revenue Prosecution Program in the District Attorney's Office, for the period of January 1, 2013 through December 31, 2013.

Section 2. Funding for this program is included in the 2013 operating grant budget of the District Attorney's Office, fund 9300, funds center 2510010000, Economic Crime Bureau.

Section 3. The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor's requirements, and to make any necessary funding modifications within grant guidelines to meet contractual commitments.

Section 4. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

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

Public Safety Committee; February 25, 2013 - CV: 8-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0078

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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



50.

By Legislators Hanna and Yolevich

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AMENDING RESOLUTION 264 OF 2010 TO ACCEPT ADDITIONAL FUNDING FROM UNITED STATES BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES FOR ATF-MONROE COUNTY SHERIFF'S OFFICE EXPLOSIVES TASK FORCE**

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

Section 1. Section 1 of Resolution 264 of 2010 is hereby amended to read as follows:

The County Executive, or her designee, is hereby authorized to accept a \$50,000 ~~\$40,000~~ grant from, and to execute a contract and any amendments thereto with, the United States Bureau of Alcohol, Tobacco, Firearms and Explosives, for the ATF-Monroe County Sheriff's Office Explosives Task Force, ~~in four (4) annual \$10,000 payments;~~ for the period of October 1, 2010 through September 30, 2014.

Section 2. The 2013 operating grant budget of the Office of the Sheriff is hereby amended by appropriating the sum of \$20,000 into fund 9300, funds center 3803010000, Police Bureau Administration.

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

Public Safety Committee; February 25, 2013 - CV: 8-0  
Ways and Means Committee; February 27, 2013 - CV: 10-0  
File No. 13-0079

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

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

§1.

By Legislators Yolevich and Howland

Intro. No. \_\_

RESOLUTION NO. \_\_ OF 2013

**AUTHORIZING SETTLEMENT OF CLAIM ENTITLED, "IN THE MATTER OF THE DEVELOPMENT AND IMPLEMENTATION OF A REMEDIAL ACTION PROGRAM AT THE FRONTIER CHEMICAL ROYAL AVENUE SITE, NIAGARA FALLS, NY BY THE FRONTIER CHEMICAL SITE PRP GROUP"**

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

Section 1. The Legislature hereby authorizes settlement of the claim entitled "In the Matter of the Development and Implementation of a Remedial Action Program at the Frontier Chemical Royal Avenue Site, Niagara Falls, NY by the Frontier Chemical Site PRP Group" for \$37,556.72.

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

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

Ways and Means Committee; February 27, 2013 – CV: 10-0  
File No. 13-0080

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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