

*Monroe County
Clerk of the Legislature*

*Cheryl M. Rozzi
Clerk*



*Casey K. DiCaro
Deputy Clerk*

*David Grant
Assistant Deputy Clerk*

TO: Legislators, Directors, Staff and Media
FROM: Cheryl M. Rozzi, Clerk of the Legislature *ChMZ*
DATE: November 13, 2012
RE: Matters of Urgency – File Nos. 12-0361 – 12-0363

- 12-0361 - Pure Waters Administrative Boards Schedule Public Hearings for Operation and Maintenance Charges for Each of the Monroe County Pure Waters Districts for 2013 and Establishment of Scale of Charges – As a Matter Of Urgency – County Executive Maggie Brooks**
- 12-0362 - Schedule Public Hearings for Assessment Rolls of the Pure Waters Districts for 2013 and Confirmation and Adoption of Assessment Rolls – As a Matter Of Urgency – County Executive Maggie Brooks**
- 12-0363 - Authorize a Contract with Waste Management of New York LLC for Operation & Maintenance of the Monroe County Recycling Center and Program – As A Matter of Urgency – County Executive Maggie Brooks**

Per President Jeffrey R. Adair, the attached communications are declared to be Matters of Urgency pursuant to Section 545-24 (A)(3) of the Rules of the Monroe County Legislature to be considered at the November 13, 2012 meeting of the Monroe County Legislature.

Attachments



Office of the County Executive
Monroe County, New York

Maggie Brooks
County Executive

Daniel M. DeLaus, Jr.
Deputy

OFFICIAL FILE COPY
No. <u>120301</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
URGENT -L

November 13, 2012

Pure Waters Administrative Boards
407 County Office Building
Rochester, New York 14614

Subject: Pure Waters Administrative Boards Schedule Public Hearings for Operation and Maintenance Charges for Each of the Monroe County Pure Waters Districts for 2013 and Establishment of Scale of Charges

Honorable Legislators:

In accordance with §266 of County Law of New York State, the Administrative Boards of the various County Pure Waters Districts ("Districts") are required to hold public hearings and to adopt a scale of charges for the respective districts which charges allocate the costs of operation and maintenance of facilities to the Districts and establish the proportionate factors of surcharge for the treatment of industrial wastes and sewage.

Attached hereto are the proposed charges for each of the County Pure Waters Districts.

The specific legislative actions required are:

1. Schedule a public hearing to consider the proposed 2013 Scale of Charges for the Monroe County Pure Waters Districts.
2. Establish Scale of Charges per the attached schedules for the Gates-Chili-Ogden Sewer District, the Northwest Quadrant Pure Waters District, the Irondequoit Bay South Central Pure Waters District and the Rochester Pure Waters District for 2013.

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

I recommend that this matter receive favorable action by the Administrative Boards of the Monroe County Pure Waters Districts.

Sincerely,

Maggie Brooks
County Executive

110 County Office Building • 39 West Main Street • Rochester, N.Y. 14614

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

2013 PURE WATERS RATES

DISTRICT	2012 RATES	2013 RATES CAPITAL + O/M	PARCEL CHARGE	TOTAL
Northwest Quadrant (1)	\$106.96	\$28.56 + \$77.40*	\$1.00	\$106.96
Ironde. Bay South Central (2)	\$105.49	\$27.39 + \$77.10*	\$1.00	\$105.49
Gates-Chili-Ogden (4)	\$192.29	\$94.69 + \$96.60*	\$1.00	\$192.29
Rochester PWD**	\$235.70	\$87.50 + \$148.20		\$235.70

* Based on average water consumption of 60,000 gallons

** Based on \$65,300 Assessed Valuation and 60,000 gallons of water consumption

DISTRICT	CAPITAL RATES 2012	CAPITAL RATES 2013 [^]	OPERATION & MAINTENANCE RATES 2012	OPERATION & MAINTENANCE RATES 2013
Northwest Quadrant	\$ 28.56/Unit	\$ 28.56/Unit	\$ 1.2900/1,000G W/C	\$ 1.2900/1,000G W/C
Irondequoit Bay South Central	\$ 27.39/Unit	\$ 27.39/Unit	\$ 1.2850/1,000G W/C	\$ 1.2850/1,000G W/C
Gates-Chili-Ogden	\$ 94.69/Unit	\$ 94.69/Unit	\$ 1.6100/1,000G W/C	\$ 1.6100/1,000G W/C
Rochester PWD	\$ 1.34/AV ^{^^}	\$ 1.34/AV ^{^^}	\$ 2.4700/1,000G W/C	\$ 2.4700/1,000G W/C

[^] Capital Rate subject to final adjustment of debt service and assessment values.

^{^^} AV = Assessed Value

11/8/2012

Zones Of Assessments & Special Service Areas	2012 RATES	2013 RATES CAPITAL + O/M	PARCEL CHARGE	TOTAL
Northwest Quadrant (Local Collection Services)	\$158.10	\$66.50 + \$90.60 ^{***}	\$1.00	\$158.10
Rochester PWD (Zone 2)	\$0.155376	\$100.00		\$100.00

^{***} Based on average water consumption of 60,000 gallons & \$1.51/1,000G W/C

NOTICE OF HEARINGS ON SCALE OF CHARGES

FOR

GATES-CHILI-OGDEN SEWER DISTRICT

NORTHWEST QUADRANT PURE WATERS DISTRICT

IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT

ROCHESTER PURE WATERS DISTRICT

Pursuant to Section 266 of the County Law of the State of New York and Resolution No. 502 of 1971, as amended by Resolution No. 337 of 1974, relating to the Rochester Pure Waters District, and pursuant to Section 266 of the County Law of the State of New York and Resolution Nos. 417 and 418 of 1973, and 449 of 1976, relating to the remaining pure waters districts, as adopted by the County Legislature of the County of Monroe, public hearings will be held by the Administrative Boards of the Gates-Chili-Ogden Sewer District, Northwest Quadrant Pure Waters District, Irondequoit Bay South Central Pure Waters District and the Rochester Pure Waters District at the Legislative Chambers of the County Legislature in the County Office Building in Rochester, New York, on the ___th day of December 2012 on proposed scales of charges for the operation and maintenance of the facilities of the respective Districts as follows:

Rochester Pure Waters District:	_:_ p.m. ET
Gates-Chili-Ogden Sewer District:	_:_ p.m. ET
Northwest Quadrant Pure Waters District:	_:_ p.m. ET
Irondequoit Bay South Central Pure Waters District:	_:_ p.m. ET

SCALE OF CHARGES

These Scales of Charges shall be effective commencing January 1, 2013.

GATES-CHILI-OGDEN SEWER DISTRICT

Operation and Maintenance Charge

\$1.6100 per 1,000 gallons of water consumption (see Notes 1-3).

NORTHWEST QUADRANT PURE WATERS DISTRICT

Operation and Maintenance Charge

\$1.2900 per 1,000 gallons of water consumption (see Notes 1-3).

Operation and Maintenance Charge for properties

Receiving Local Collection System Services

\$1.5100 per 1,000 gallons of water consumption (see Notes 1-3).

IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT

Operation and Maintenance Charge

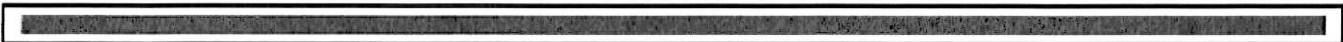
\$1.2850 per 1,000 gallons of water consumption (see Notes 1-3).

ROCHESTER PURE WATERS DISTRICT

Operation and Maintenance Charge

\$2.4700 per 1,000 Gallons of water consumption (see Notes 1-3).

CHARGES FOR RPWD ZONE 2: No Charge - Operation and Maintenance not provided.



NOTES RE: Operation and Maintenance Charge (All Districts):

1. This charge is based upon recent historic water consumption reflecting normal domestic waste water. It will be adjusted for industrial and commercial users based on the quality of sewage and additional cost of treatment.
2. This charge is subject to change based on financial obligations of the District.
3. This charge will be included in the 2013 County Tax Bill as a user charge. Accounts for which water consumption has not been calculated by December 1, 2012 will be billed at 60,000 gallons per unit for the user charge commencing January 1, 2013. All such bills unpaid as of October 1st will be transferred to the County Tax Rolls.
4. In-District and out-of-District agreements may be developed based on but not limited to loadings placed on the total sewerage systems pursuant to the Monroe County Sewer Use Law.

NEW USER CONNECTION FEES

The charges for regulating, permitting and connecting to a public sanitary sewer within the District are based on average costs incurred by the District for such new connections.

The proposed fee schedule for new connections is as follows:

Gates-Chili-Ogden Sewer District:

\$300.00 per connection - residential

\$400.00 per connection - non-residential

Northwest Quadrant and Irondequoit Bay South Central Pure Waters Districts:

\$250.00 per connection - residential

\$350.00 per connection - non-residential

Rochester Pure Waters District:

\$300.00 per connection – residential *

\$400.00 per connection – non-residential *

* For the RPWD a storm and sanitary sewer connection will be considered one connection when made at the same time.

SEWER SURCHARGE - APPLICABLE TO ALL DISTRICTS

The owner or lessee of any parcel of real property connected with the District's Sewerage System and discharging any sewage, industrial wastes or other wastes containing acceptable pollutants imparting characteristics that exceed the maximum values established for normal sewage shall be surcharged. The surcharge reimburses the District for increased cost of treating said effluent. The charge shall be arrived at by multiplying the charge for normal sanitary sewage by the surcharge factor. The formula for finding the surcharge factor is as follows:

$$\text{S.F.} = \frac{a(\text{BOD}-300)}{300} + \frac{b(\text{SS}-300)}{300} + \frac{d(\text{P}-10)}{10}$$

Definitions:

S.F. = Surcharge Factor.

BOD = Milligrams per liter of Biochemical Oxygen Demand, as defined in Section 2.12 of the Monroe County Sewer Use Law.

SS = Milligrams per liter of Suspended Solids, as defined in Section 2.55 of the Monroe County Sewer Use Law.

P = Milligrams per liter of Phosphorus, as defined in Section 2.33 of the Monroe County Sewer Use Law.

a = Proportionate cost to treat a lb. of Biochemical Oxygen Demand (BOD) and is established at 0.470.

b = Proportionate cost to treat a lb. of Suspended Solids (SS) and is established at 0.505.

d = Proportionate cost to treat a lb. of Phosphorus (P) and is established at 0.025.

OTHER CHARGES - WHERE APPLICABLE

A. Application Fees for Licenses or Permits under the Sewer Use Law

- (1) Initial Application for License or Permit (3 Year) \$125.00
- (2) Renewal License or Permit Applications (3 Year) \$75.00
- (3) Initial or Renewal Application for Scavenger Waste Permit where application is licensed under Environmental Conservation Law Section 27-0301 of New York State \$30.00
- (4) Specialty Short Term Discharge Permit \$125.00
(Note – permit issued with no fee for wastewater transported to treatment plants. Permit fees already recovered in disposal fee)

B. Septic Tank Hauling Rates

Charge for Scavenger Waste \$42.00/1,000 gallons
(Based on Truck Capacity)

C. Collection System Charges

- (1) Review of Plans and construction monitoring (Due prior to plan approval) \$300.00/lot - minimum of 1 lot
- (2) Inspection of privately constructed sewers (Due prior to plan approval. No charge for existing sewers inside subdivision boundaries.) \$0.50/foot of sewer & laterals - \$50.00 minimum, as applicable
- (3) Sewer Tap (Due when tap requested.) \$100.00
- (4) Pumping Station Maintenance Fee \$10,000/pump station
(Due prior to final acceptance of sanitary sewer. To be included in letter of credit for construction of sewers.)

- | | | |
|-----|---|---|
| (5) | Cleanout Inspection Fee | \$50.00/cleanout -
\$25.00 for repeat
inspections |
| (6) | Interceptor Review and Construction
Monitoring Fee | \$350.00/project |

D. Charges for Private Sewer Maintenance

The following rates shall be charged for tape snaking of private sewer laterals:

Single and Double Dwelling	\$25.00
Four or More Family Dwelling	\$50.00
Commercial Laterals and Conductors	\$50.00

E. Treatment Plant Disposal Fee

Biosolids/Sludge Disposal Fee	\$430.00/dry ton
Residuals Disposal Fee	\$430.00/dry ton

(Based on Minimum of 3% Solids. Solids Content Below 3% will be charged at Minimum.)

- | | | |
|-----------|--|------------------------|
| F. | <u>Restaurant / Food Processing Grease Disposal Fee</u> | \$250.00/1,000 gallons |
|-----------|--|------------------------|

G. Non-Hazardous Industrial/Commercial Wastewater Disposal Fee

Laboratory and Sampling	\$35.00/1,000 gallons (Minimum) \$75.00/Truckload
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**PROCEDURES FOR INITIATING LOCAL SEWER CONSTRUCTION
AND CONNECTIONS in the Rochester Pure Waters District**

1. A petition requesting the Rochester Pure Waters District to install sewers in a particular area will be submitted to the Administrator of Pure Waters.
2. The Administrator of Pure Waters will have an engineering feasibility report prepared for the project, including a preliminary cost estimate and recommendation.
3. The report and the petition will be presented to the Administrative Board for approval.
4. If the project is approved by the Board, it will then be considered as a Capital improvement project, or as a capital budget item.
5. Whenever a new connection is made to an existing sewer, a connection fee of \$300.00 will be charged by the District. All work and cost for installing a lateral or laterals shall be the property owner's responsibility.

At said public hearings the respective Administrative Boards will hear all persons interested in the subject matter thereof.

An appeal to the County Legislature from any scale of charges established by any of the Administrative Boards and confirmed by the County Legislature may be taken by any person aggrieved. Such appeal may be taken by filing with such Administrative Board and with the Clerk of the Legislature a written notice of appeal specifying the ground thereof, within 15 days of the confirmation of such scale of charges by the Legislature pursuant to Section 266 of the County Law.

Dated: Rochester New York
November ____, 2012

By: _____

Cheryl Rozzi
Clerk of the Monroe County Legislature



Office of the County Executive
Monroe County, New York

Maggie Brooks
County Executive

Daniel M. DeLaus, Jr.
Deputy County Executive

November 13, 2012

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No. <u>120362</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
URGENT -L

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

Subject: Schedule Public Hearings for Assessment Rolls of the Pure Waters Districts for 2013 and Confirmation and Adoption of Assessment Rolls

Honorable Legislators:

I recommend that Your Honorable Body schedule public hearings for the assessment rolls of the Pure Waters Districts for 2013 and confirmation and adoption of assessment rolls.

The specific legislative actions required are:

1. Schedule public hearings on the assessment rolls of the Pure Waters Districts for 2013 to be held on the same date as the public hearing on the proposed Monroe County Budget.
2. Confirm and adopt the assessment rolls of the Gates-Chili-Ogden Sewer District, Northwest Quadrant Pure Waters District, Irondequoit Bay South Central Pure Waters District and Rochester Pure Waters District (Zones 1 and 2) for the year 2013 as prepared by the Pure Waters Division.

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

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

Sincerely,

Maggie Brooks
County Executive

2013 PURE WATERS RATES

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11/8/2012

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Office of the County Executive

Monroe County, New York

Maggie Brooks
County Executive

Daniel M. DeLaus, Jr.
Deputy County Executive

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Committee Assignment
URGENT -L

November 13, 2012

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

Subject: Authorize a Contract with Waste Management of New York, L.L.C. for Operation & Maintenance of the Monroe County Recycling Center and Program

Honorable Legislators:

I recommend that Your Honorable body authorize a contract with Waste Management of New York, L.L.C. ("WMNY"), for the operation of the Monroe County Recycling Center ("Recycling Center") which directly supports the curbside recycling program for a ten-year period commencing January 1, 2013 through December 31, 2022.

The Recycling Center, located at 384 Lee Road, Rochester, New York 14606, processes both containers and paper from the curbside recycling "blue box" program. This proposed contract will provide continuous and reliable operation of the Recycling Center, utilize the existing 42,000 sq. ft. building, upgrade the existing dual-stream process system to a current state-of-the-industry single-stream process system. Single-stream technology simplifies separation by residents and increases the quantity of recyclables collected. WMNY will provide the capital investment and equipment upgrades to a single-stream process system and manage the facility and program. The County will remain the owner of the Recycling Center and receive a Host Fee to support the County's comprehensive recycling program. Key provisions of the contract are as follows:

- WMNY will assume all operating costs including labor, materials, supplies, utilities and equipment to receive and process all recyclable materials delivered to the Recycling Center on a continuous basis in full compliance with all applicable federal, state and local laws, permits and regulations.
- WMNY will upgrade the existing dual-stream process system within twenty four (24) months to a current state-of-the-industry single-stream process system so that it is capable of processing 6,800 tons per month.
- WMNY will receive all County curbside "blue box" recyclable materials at no charge to the County or its residents consistent with the County's current recycling program.
- WMNY will honor the agreement between the County and the City of Rochester regarding solid waste and recyclable materials, dated April 28, 2009 through its expiration.

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- WMNY will deliver to the Recycling Center from its collection operation in Rochester, New York all recyclable materials collected from its residential curbside accounts in the County and by its commercial accounts in the County when it is commercially reasonable to deliver such recyclable materials to the Recycling Center.
- WMNY will retain all revenue generated from the sale of recovered materials.
- The County will replace at least one (1) of the two (2) balers before the end of the fifth contract year, or in the alternative, WMNY may purchase the replacement of one (1) of the balers and offset the Host Fee in the amount of \$1.50 per ton until WMNY is reimbursed in full for the purchase and installation thereof.

WMNY will pay or provide to the County as follows:

- \$6.50 per ton fee for each ton of recovered material sold from recyclable materials delivered to the Recycling Center ("Host Fee").
- An additional \$1.00 per ton for all tons of recovered materials sold at the Recycling Center when the tons of recovered materials sold in a given month exceeds 4,200 tons.
- A revenue sharing incentive equal to an additional \$0.25 per ton of recovered material to the Host Fee for every dollar that the blended value of the recovered material is above \$110 per ton.
- Services and/or improvements, with a value not to exceed \$100,000, to the Recycling Center Education Center, preparation/distribution of promotional materials for the program, or other similar projects intended to enhance the recycling in the County.

A Request for Proposals was issued for this contract and Waste Management of New York, L.L.C. was selected as most qualified to provide this service.

The specific legislative action required is to authorize the County Executive, or her designee, to execute a contract, and any amendments thereto, with Waste Management of New York, L.L.C., 425 Perinton Parkway, Fairport, New York 14450, for the operation of the Monroe County Recycling Center, for a ten-year period commencing January 1, 2013 through December 31, 2022, with payment provisions as follows:

(a) WMNY will pay a host fee to the County as follows:

- \$6.50 per ton fee for each ton of recovered material sold from recyclable materials delivered to the Recycling Center ("Host Fee").
- An additional \$1.00 per ton for all tons of recovered materials sold at the Recycling Center when the tons of recovered materials sold in a given month exceeds 4,200 tons.
- A revenue sharing incentive equal to an additional \$0.25 per ton of recovered material to the Host Fee for every dollar that the blended value of the recovered materials is above \$110 per ton.

- Services and/or improvements, with a value not to exceed \$100,000, to the Recycling Center Education Center, preparation/distribution of promotional materials for the program, or other similar projects intended to enhance the recycling in the County.

(b) The County shall replace at least one (1) of the two (2) balers before the end of the fifth contract year, or in the alternative, WMNY may purchase the replacement of one (1) of the balers and off-set the Host Fee in the amount of \$1.50 per ton until WMNY is reimbursed in full for the purchase and installation thereof.

Funding for the baler replacement (as part of this contract), consistent with authorized uses, is included in capital fund 1456 and any capital fund(s) created for the same intended purpose. This contract is revenue generating and no net County support is required in the current Monroe County budget.

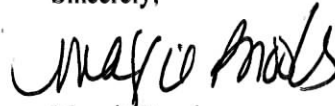
An environmental assessment was completed for this contract, and it was determined that there would be no significant effect on the environment.

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

Tara Hemmer, President
Don P. Carpenter, Vice President, CFO, Controller
Brian J. Bauman, Vice President
Dennis Wilt, Vice President

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

Sincerely,



Maggie Brooks
County Executive