

*Monroe County  
Clerk of the Legislature*

*Jamie L. Slocum  
Clerk*



*Heather D. Halstead  
Deputy Clerk*

*David Grant  
Assistant Deputy Clerk*

**M E M O R A N D U M**

**TO:** Legislators, Directors, Staff and Media  
**FROM:** Jamie L. Slocum, Clerk of the Legislature *JS*  
**DATE:** August 12, 2014  
**RE:** Matters of Urgency – File Nos. 14-0261 and 14-0262

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**14-0261** Authorize Acquisition of New York State Real Property Located at 375 Rush Scottsville Road in the Town of Rush – As A Matter of Urgency – County Executive Maggie Brooks

**14-0262** Local Law Entitled “Establishment of County of Monroe Wireless Surcharge” – 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 and will be considered at the August 12, 2014 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 County Executive

Stamp: OFFICIAL FILE COPY, No. 140261, Not to be removed from the Office of the Legislature of Monroe County, Committee on Government, URGENT -L

August 12, 2014

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

Subject: Authorize Acquisition of New York State Real Property Located at 375 Rush Scottsville Road in the Town of Rush

Honorable Legislators:

I recommend that Your Honorable Body authorize the acquisition of New York State ("NYS") real property located at 375 Rush Scottsville Road in the Town of Rush (the "Property"), for the purchase price of \$697,384, which is equal to fifty-one percent (51%) of costs incurred by NYS to rehab buildings 67 and 68.

The Property is approximately 53.651 acres of improved and unimproved land, which is part of tax account number 211.02-2-1.1. NYS buildings 67 and 68 at the Industry campus with improvements are included in the purchase. The Property will be used as the new site for the Monroe County Children's Detention Center.

Your Honorable Body, by Resolution No. 309 of 2013, amended the 2014-2019 Capital Improvement Program to add the Children's Detention Center project and by Resolution No. 54 of 2014, authorized financing for the project in the amount of \$9,000,000. New York State has authorized the transfer pursuant to the provisions of Chapter 304 of the Laws of 2014.

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

Environmental assessments were completed for this project and it was determined that there would be no significant effect on the environment.

Funding for this project, consistent with authorized uses, is available in capital fund 1721 and any capital fund(s) created for the same intended purpose.

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

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

Sincerely,

Handwritten signature of Maggie Brooks
Maggie Brooks
County Executive

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By Legislators Colby and Yolevich

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

RESOLUTION NO. \_\_\_\_\_ OF 2014

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

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

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

Section 2. Funding for this project, consistent with authorized uses, is available in capital fund 1721 and any capital fund(s) created for the same intended purpose.

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

Matter of Urgency  
File No. 14-0261

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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



*Office of the County Executive*

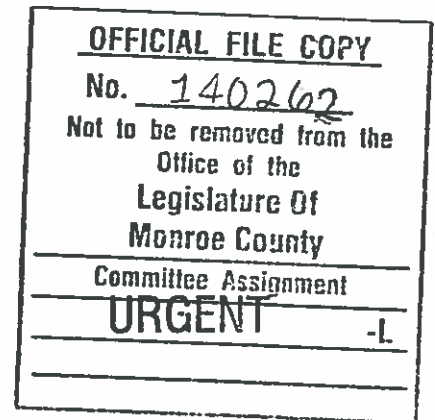
Monroe County, New York

**Maggie Brooks**  
*County Executive*

**Daniel M. DeLaus, Jr.**  
*Deputy County Executive*

August 12, 2014

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



Subject: Local Law Entitled "Establishment of County of Monroe Wireless Surcharge"

Honorable Legislators:

I recommend that Your Honorable Body authorize a Local Law with regard to wireless surcharges in Monroe County.

Pursuant to the recently enacted New York State County Law Section 308-y, this Local Law would establish a wireless surcharge not to exceed thirty cents per month on wireless communications service in the County of Monroe. The additional funds collected through this surcharge will be used by the County for payment of system costs or other costs associated with the design, construction, operation, maintenance and administration of public safety communication networks serving the County.

**The specific legislative actions required are:**

1. Schedule and hold a public hearing on the proposed Local Law.
2. Enact a Local Law entitled "Establishment of County of Monroe Wireless Surcharge".

Environmental assessments were completed for this Local Law and it was determined that there would be no significant effect on the environment.

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

Sincerely,

Maggie Brooks  
County Executive

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

Intro No. \_\_\_\_

LOCAL LAW NO. \_\_\_\_ OF 2014

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

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

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

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

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

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

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

Section 6. This local law shall take effect upon filing with the office of the Secretary of State of New York State.

Matter of Urgency  
File No. 14-0XXX

ADOPTION: Date: \_\_\_\_\_, 2014      Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

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

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

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