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By Legislators Howland and Yolevich

PURE WATERS ADMINISTRATIVE BOARDS OF THE  
ROCHESTER PURE WATERS DISTRICT;  
IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT;  
NORTHWEST QUADRANT PURE WATERS DISTRICT; AND  
GATES-CHILI-OGDEN SEWER DISTRICT

Intro. Nos. \_\_\_\_\_

RESOLUTION NOS. \_\_\_\_ OF 2013

**AMENDING RESOLUTION 42 OF 2012 TO ADD ADDITIONAL FUNDING SOURCES TO  
CONTRACTS WITH ATLANTIC TESTING LABORATORIES, LTD., LABELLA ASSOCIATES,  
P.C., LOZIER ENVIRONMENTAL CONSULTING, INC., LU ENGINEERS AND PARADIGM  
ENVIRONMENTAL SERVICES, INC. FOR PROFESSIONAL ENVIRONMENTAL TESTING  
TERM SERVICES**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARDS OF THE  
ROCHESTER PURE WATERS DISTRICT; IRONDEQUOIT BAY SOUTH CENTRAL PURE  
WATERS DISTRICT; NORTHWEST QUADRANT PURE WATERS DISTRICT; AND GATES-CHILI-  
OGDEN SEWER DISTRICT, as follows:

Section 1. Section 2 of Resolution 42 of 2012 is hereby amended to read as follows:

Funding for these services, consistent with authorized uses, is included in capital funds 1257, 1374, 1499, 1508, 1535, 1540, 1550, 1555, 1558, 1565, 1580, 1581, 1582, 1584, 1586, 1589, 1591, 1596, 1605, 1611, 1614, 1622, 1650, 1657, 1661, 1671, 1672, and 1673 and any capital fund(s) created for the same intended purpose. Funding is also included in the 2013 operating budgets of the Department of Environmental Services, fund 9007, funds center 8572020200, Pure Waters Laboratory and Department of Transportation, fund 9002, funds center 8002040000, Road Maintenance: fund 9002, funds center 8002050000, Consolidated Highway Improvement Program (CHIPS); and fund 9002, funds center 8005010000, Bridge Engineering/Operations, and will be requested in future years' budgets.

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

File No. 13-0099

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

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

By Legislators Quatro and McCann

Intro No. \_\_\_\_

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

**LOCAL LAW ENTITLED "REGULATING PAWNBROKERS, SECONDHAND DEALERS AND JEWELRY AND COIN EXCHANGE DEALERS"**

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 382. REGULATING PAWNBROKERS, SECONDHAND DEALERS AND JEWELRY AND COIN EXCHANGE DEALERS**

**§382-1. Title.**

This Chapter shall be known as the law "Regulating Pawnbrokers, Secondhand Dealers and Jewelry and Coin Exchange Dealers."

**§382-2. Legislative Intent.**

The Legislature finds that:

A. The creation of a uniform, countywide licensing and reporting program for personal property acquired by pawnbrokers, secondhand dealers and jewelry and coin exchange dealers and will curtail the distribution and facilitate the recovery of stolen property in Monroe County.

B. The establishment of such a licensing and reporting system to monitor and track the transactions set forth in this local law is necessary for the protection of the citizens of Monroe County and is reasonable and appropriate for pawnbrokers, secondhand dealers and jewelry and coin exchange dealers.

**§382-3. Purpose.**

The purpose of this Chapter is to establish a uniform licensing and reporting system for pawnbrokers, secondhand dealers and jewelry and coin exchange dealers to assist the law enforcement community in tracing and recovering stolen property.

**§382-4. Definitions.** As used in this section:

A. "Jewelry"- Articles composed (in whole or in part) of gold, silver, or other precious metals, gems or gemstones which, as constructed, are designed to be worn for personal adornment.

B. "Jewelry and Coin Exchange Dealer"- Persons or business establishments engaged in the business of sale, purchase, or exchange of precious metals and/or jewelry for other objects of precious metal, jewelry, United States currency, bank drafts, other negotiable instruments as defined in the Uniform Commercial Code or any other object or thing of value.

C. "Local Law Enforcement Agency" – Any law enforcement agency operating within Monroe County, with jurisdiction over the jewelry and coin exchange dealer, secondhand dealer, and/or pawnbroker.

D. "Pawnbroker"- Any person or business establishment who holds goods as collateral on short term, high interest loans or a person who qualifies as a "Collateral Loan Broker" pursuant to §52 of the New York General Business Law.

E. "Secondhand Article" – Any article or object, with the exception of clothing, books, that has previously been bought or sold at retail and/or which has been previously used and/or is not in a new condition. This shall include any "Gift Card" or other electronic payment device that is usable at a single merchant or an affiliated group of merchants that share the same name, mark, or log, is issued in a specific amount, and may or may not be increased in value or reloaded, or as otherwise defined in Article 26, §396(I) or Article 13, §1315 of the New York State General Business Law.

F. "Secondhand Dealer"- Any person or business establishment who deals in the purchase, sale, exchange or pledge as security for a sum of money of any secondhand article.

G. "Precious Metals"- Gold, silver, platinum, copper or coins, utensils, or objects containing one or more of those metals.

**§382-5. Prohibitions.**

A. It shall be unlawful for a pawnbroker, secondhand dealer or jewelry and coin exchange dealer to purchase any articles, jewelry or precious metals from any person whom such dealer knows to be or has reason to believe to be under the age of eighteen (18) years.

B. It shall be unlawful for any pawnbroker, secondhand dealer or jewelry and coin exchange dealer to sell, dispose of, destroy, alter or remove from such dealer's premises any articles, jewelry or precious metals until the expiration of fourteen (14) calendar days after the acquisition by such dealer of any such articles, jewelry or precious metals.

C. When requested to do so by the appropriate local law enforcement agency in connection with a law enforcement investigation, it shall be unlawful for any pawnbroker, secondhand dealer or jewelry and coin exchange dealer to sell, dispose of, destroy, alter or remove from such dealer's premises any articles, jewelry or precious metals until the expiration of thirty (30) calendar days from the date of the request. Upon the written request of the law enforcement agency, the property shall be held for up to two additional thirty (30) day periods.

D. Secondhand dealers shall not employ any person who has been convicted within three years of any felony related to the operation of a business or who has had a secondhand dealer's license revoked or denied within the past year.

E. No secondhand dealers shall permit his or her place of business to remain open for the transaction of business any time except between the hours of 8:00 a.m. and 11:00 p.m.

**§382-6. Licensing.**

A. Every pawnbroker, secondhand dealer and jewelry and coin exchange dealer operating within Monroe County is required to be licensed according to this Chapter. The Monroe County Sheriff shall be the licensing authority authorized to issue licenses for pawnbrokers, secondhand dealers and jewelry and coin exchange dealers.

B. Licenses shall expire annually on December 31 after date of issuance.

C. The annual license fee shall be \$250. There shall be a fee of \$10 for replacement of a lost license.

D. An application for a pawnbroker, secondhand dealer's, or jewelry and coin exchange dealer's license (hereinafter "dealer's license") shall be made by the owner (or operator if different than the owner) on forms provided by and filed with the Monroe County Sheriff. The application shall include relevant information relative to the owner or operator, of the business to be conducted at the premises, and the names and dates of birth of all employees, meeting the following requirements:

1. If a secondhand dealer, pawnbroker, or jewelry and coin exchange dealer business as defined above employs over five (5) people at a location, the employee names, dates of birth, and dates of employment shall be kept and made available for inspection by the Sheriff or his representatives for one year.
2. Where the owner is not directly involved with the day to day operation of said business, the operator must also be included on the application. If a partnership, corporation or other business entity is involved, the application must designate an operator who is involved in the day to day operation of the business. In this situation, the secondhand dealer's license shall be issued to the operator; the names, addresses and phone numbers of the partners, officers or principals shall also be listed on the application. All addresses of persons involved shall be home addresses listing street and number.
3. The application shall also require the legal address of the premises where such business is to be carried out and whether the applicant or any officer and operator has previously been involved in the purchase or sale of secondhand goods and, if so, the name of the business, its location and the dates of involvement. The application shall be signed and sworn to before a notary public or other official authorized to administer oaths in the County.
4. The application shall also include any and all e-commerce websites, including Internet store fronts, third party sales outlets as well as any and all written or electronic classified advertisements. The application shall further include any seller names or otherwise identifying names used within those e-commerce sites.

E. Before the issuance of a dealer's license, the Sheriff or his or her representative shall have the right to enter upon such premises during normal business hours for the purpose of making inspections. After a dealer's license has been issued, further inspections of the premises, to ensure compliance with the laws, ordinances and rules and regulations relating to secondhand business, may be made in areas open to the public or other areas with consent.

F. Any change in the facts or information required on said application that occurs after the application has been filed shall be reported by the licensee, in writing, to the Monroe County Sheriff within ten (10) days of the change.

G. All applications for dealer's licenses shall be issued or denied within thirty (30) days after a fully completed application has been received by the Monroe County Sheriff's Office. The applicant shall be notified in writing of any delay which is due to incomplete application, investigative delays, or other reasonable cause.

H. Except as provided in Article 23-A of the New York State Corrections Law, the Sheriff reserves the right to deny a dealer's license to any person convicted of any crime related to the operation of the business. No person who stands convicted of a felony (other than those defined by the Vehicle and Traffic Law) shall be eligible for a license pursuant to this law.

I. No dealer's license shall be issued for a period of one year to any applicant that has been found guilty of operating a business without a secondhand dealer's license.

J. Dealer's licenses shall not be transferred. In the event of any change involving the owner or operator of the business or the business location, a new dealer's license shall be required. A dealer's license shall not be transferred to any person who holds power of attorney.

K. The following entities are exempt from the licensing requirements of this Chapter:

1. Any secondhand dealer that is exempt from taxation under 501(c)(3) or 501(c)(4) of the Internal Revenue Code; or
2. Garage sales, basement sales, porch sales, yard sales and other such events at which a person desires to sell or trade his or her personal used items, household goods, furniture or equipment upon his or her premises, said premises not being a regular place of business or purchase or sale of secondhand items, shall be exempted from the license requirement of this chapter. No more than three such sales shall be conducted by the same person or persons upon the same premises within one calendar year and each such sale shall not exceed three (3) consecutive days.
3. Any Jewelry or Coin Exchange Dealer, whose annual gross retail sales are comprised of less than 15% of Secondhand Articles. Any Jewelry or Coin Exchange Dealer claiming this exemption must provide written proof of its applicability by a certified public accountant within twenty (20) days upon request of any law enforcement agency.
4. Any dealer in secondhand or used motor vehicles.
5. Any sale conducted pursuant to statute or by order of any court.

**§382-7. General Operation:**

A. All dealers covered under this Chapter shall cause the dealer's license and business permit to be posted in a conspicuous place immediately visible upon entering the business establishment.

B. If the dealer or employee of any establishment covered by this Chapter has reason to believe from the circumstances presented that an item has been stolen or acquired by dishonest means, it shall be his or her duty to immediately report same to the Sheriff or his or her representatives.

C. Any law enforcement agency that confiscates property from a business covered under this Chapter, as evidence or for safekeeping in an investigation or to return to an owner, shall issue a receipt to the business. The receipt shall contain a crime report number which references the investigation.

D. Any dealer covered under this Chapter shall release to a law enforcement agency any item in the dealer's possession when:

1. The item is established to be stolen; and
2. The owner of the item or the victim of a theft has positively identified the item and provided an affidavit of ownership and has made a report of the theft to a law enforcement agency; and
3. The stolen property report describes the item by one or more of the following: date, initials, an insurance record, a photograph, a sales receipt, a serial number, specific damage, or a statement of facts that show the item is one of a kind or a unique engraving; and

4. The secondhand dealer is given a receipt for the item released.

E. Any dealer covered by this Chapter, who is required to relinquish an item pursuant to this provision, is not entitled to demand or condition the release upon any reimbursement from the Law Enforcement Agency, the owner of the item, or the victim of the theft. A dealer who is himself or herself a victim of a crime may seek restitution or reparation in accordance with the New York State Penal Law.

**§382-8. Identification Required.**

A. It shall be the duty of every pawnbroker, secondhand dealer and jewelry and coin exchange dealer to verify the identity of every person from whom a purchase is made through acceptable photographic identification (as detailed below) and to make and to keep a written record of the nature of the evidence submitted by such person to prove identity. The signature of the dealer shall be included in the recording of each transaction.

B. Only the following shall be deemed acceptable evidence of identity: any official document (except a social security account number card) issued by the United States government, any state, county, municipality or subdivision thereof, any public agency or department thereof, or any public or private employer, which requires and bears the signature of the person to whom issued.

C. It shall be the duty of every pawnbroker, secondhand dealer or jewelry and coin exchange dealer to require that every person from whom any article, jewelry or precious metal is purchased sign his/her name in the presence of the pawnbroker, secondhand dealer or jewelry and coin exchange dealer, and to compare the signature on the identifying document, if any, and retain on said premises the person's signature together with the number and description of the identifying document, if any.

D. If the individual is acting as an agent for a principal, proof of the principal's true name, date of birth and residence address.

E. It shall further be the duty of every pawnbroker, secondhand dealer or jewelry and coin exchange dealer to take, and maintain, a copy or digital photo of the identification required by §382-8(B) above.

F. It shall further be the duty of every pawnbroker, secondhand dealer or jewelry and coin exchange dealer to take, and maintain, a digital photograph of each article, jewelry or precious metal purchased. The photograph must include the serial number and model number or product key if the item(s) contain those features.

**§382-9. Reporting.**

A. Every pawnbroker, secondhand dealer and jewelry and coin exchange dealer shall furnish to the Monroe County Sheriff, all information requested by such agency relative to all records required to be kept under this Chapter no later than 48 hours after receipt of any item covered by this law. If any items composed wholly or in part of articles, jewelry or precious metals shall be advertised in any newspaper printed in the County of Monroe as having been lost or stolen, and if any items matching such advertised description or any part thereof shall be in or come into possession of any pawnbroker, secondhand dealer or jewelry and coin exchange dealer upon receiving actual written or oral notice of the similarity of description of such articles, such pawnbroker, secondhand dealer or jewelry and coin exchange dealer shall immediately give information relating thereto to the appropriate local law enforcement agency. No disposition of such items shall be effected until authorization to do so is given to such dealer by the appropriate local law enforcement agency.

B. Every dealer covered by this Chapter shall upload to the Monroe County Sheriff electronic records of all reportable transactions. Each transaction record shall contain all information required by this Chapter and shall be uploaded via Internet connection to an electronic reporting service determined by the Monroe County Sheriff according to the following procedures:

1. Using point of sale software, all dealers covered by this Chapter shall review the compatibility of their software with the electronic reporting service used by the Monroe County Sheriff, and dealers with compliant point of sale software shall electronically upload all required information from their point of sale software to the specified electronic reporting service via internet connection using the upload process or reporting service; or
2. All dealers covered by this Chapter and using point of sale software noncompliant with that utilized by the Monroe County Sheriff's Office or not using point of sale software, shall manually enter all reportable transactions into the electronic reporting service via internet connection.
3. In the event that any dealer covered by this Chapter is unable to successfully upload transaction records via the electronic reporting service within the required 48 hours, the dealer shall, within 24 hours of the unsuccessful upload, notify the Monroe County Sheriff of the reason for the submission failure and provide the Monroe County Sheriff with an estimated time of compliance. Under these circumstances, the dealer shall provide the Monroe County Sheriff a daily electronic data table or spreadsheet of all transactions that would otherwise have been submitted via the electronic reporting service. This data shall either be hand delivered or emailed to the Sheriff no later than one (1) business day after the transaction date.

**§382-10. Enforcement and Penalties.**

Any violation of the provisions of this Chapter shall constitute an offense and shall be punished as follows:

A. Any person violating the provisions of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed \$200.00 for the first offense, \$1,000 for the second offense, and \$3,000 for each subsequent offense. Each such violation shall constitute a separate and distinct offense.

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

**§382-11. 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, paragraph, section or article thereof directly involved in the proceeding in which such adjudication shall have been rendered.

B. This chapter shall not supersede any similar legislation enacted by a local jurisdiction within the County.

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.

1.7

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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



2.

By Legislators Quatro and McCann

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

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

**PROVIDING THAT LOCAL LAW (INTRO. NO. \_\_\_\_\_ OF 2013), ENTITLED "REGULATING PAWNBROKERS, SECONDHAND DEALERS AND JEWELRY AND COIN EXCHANGE DEALERS," BE TABLED**

BE IT MOVED, that Local Law (Intro. No. \_\_\_\_\_ of 2013), entitled, "REGULATING PAWNBROKERS, SECONDHAND DEALERS AND JEWELRY AND COIN EXCHANGE DEALERS," be tabled.

File No. 13-0084.LL

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

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

By Legislators Quatro and McCann

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

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

**FIXING A PUBLIC HEARING ON LOCAL LAW (INTRO. NO. \_\_\_\_\_ OF 2013), ENTITLED "REGULATING PAWNBROKERS, SECONDHAND DEALERS AND JEWELRY AND COIN EXCHANGE DEALERS"**

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

Section 1. That there will be a public hearing at 6:15 P.M. on the 14th day of May, 2013, in the Legislative Chambers in the County Office Building, Rochester, New York on Local Law (Intro. No. \_\_\_\_\_ of 2013), entitled "REGULATING PAWNBROKERS, SECONDHAND DEALERS AND JEWELRY AND COIN EXCHANGE DEALERS."

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

Section 3. This local law shall take effect immediately.

Agenda/Charter Committee; March 25, 2013 – CV: 4-1  
File No. 13-0084.LL

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

By Legislators Quatro and McCann

4.

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

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

**ENACTING A LOCAL LAW AUTHORIZING SALE BY PUBLIC AUCTION OF THREE PARCELS OF COUNTY OWNED REAL PROPERTY INCLUDING IMPROVEMENTS IN THE CITY OF ROCHESTER**

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

Section 1. The Legislature hereby authorizes the sale of three parcels of County owned real property by public auction. Parcel #1 is located at 34 St. Paul Street, in the City of Rochester, situated on a .44 acre site and has a building containing approximately 133,077 square feet; Parcel #2 is located at 150 East Main Street, in the City of Rochester, situated on a .88 acre site and has a building containing approximately 302,318 square feet; and Parcel #3 is located at 37 South Fitzhugh Street, in the City of Rochester, situated on a .20 acre site and has a building containing approximately 70,208 square feet.

Section 2. The County Executive, or her designee, is hereby authorized to conduct such sale by public auction and to sell such property to the highest bidder, provided, however, no sale shall be authorized for less than owner's reserve. The County reserves the right to reject all bids. The County Executive, or her designee, is authorized to execute all necessary documents, deeds and agreements to effectuate such sale.

Section 3. This local law modifies the provisions of New York State County Law §215, to the extent that it provides, that no sale shall be authorized for less than owner's reserve.

Section 4. This local law shall be subject to a referendum on petition and shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

Agenda Charter Committee; March 27, 2013 – CV: 5-0  
File No. 13-0106.LL

ENACTED: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

5.

By Legislators Quatro and McCann

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

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

**PROVIDING THAT LOCAL LAW (INTRO. NO. \_\_\_\_\_ OF 2013), ENTITLED "ENACTING A LOCAL LAW AUTHORIZING SALE BY PUBLIC AUCTION OF THREE PARCELS OF COUNTY OWNED REAL PROPERTY INCLUDING IMPROVEMENTS IN THE CITY OF ROCHESTER," BE TABLED**

BE IT MOVED, that Local Law (Intro. No. \_\_\_\_\_ of 2013), entitled, "ENACTING A LOCAL LAW AUTHORIZING SALE BY PUBLIC AUCTION OF THREE PARCELS OF COUNTY OWNED REAL PROPERTY INCLUDING IMPROVEMENTS IN THE CITY OF ROCHESTER," be tabled.

File No. 13-0106.LL

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

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

By Legislators Quatro and McCann

6.

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

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

**FIXING A PUBLIC HEARING ON LOCAL LAW (INTRO. NO. \_\_\_\_\_ OF 2013), ENTITLED "ENACTING A LOCAL LAW AUTHORIZING SALE BY PUBLIC AUCTION OF THREE PARCELS OF COUNTY OWNED REAL PROPERTY INCLUDING IMPROVEMENTS IN THE CITY OF ROCHESTER."**

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

Section 1. That there will be a public hearing at 6:16 P.M. on the 14th day of May, 2013, in the Legislative Chambers in the County Office Building, Rochester, New York on Local Law (Intro. No. \_\_\_\_\_ of 2013), entitled "ENACTING A LOCAL LAW AUTHORIZING SALE BY PUBLIC AUCTION OF THREE PARCELS OF COUNTY OWNED REAL PROPERTY INCLUDING IMPROVEMENTS IN THE CITY OF ROCHESTER."

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

Section 3. This local law shall be subject to a referendum on petition and shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

Agenda Charter Committee; March 27, 2013 – CV: 5-0  
File No. 13-0106.LL

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

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

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

**AUTHORIZING INTERMUNICIPAL AGREEMENTS WITH OTHER COUNTIES FOR FORENSIC LABORATORY SERVICES PROVIDED BY MONROE COUNTY CRIME LABORATORY**

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 Genesee County, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$69,919, for the period of January 1, 2013 through December 31, 2013.

Section 2. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with Livingston County, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$39,522, for the period of January 1, 2013 through December 31, 2013.

Section 3. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with Ontario County, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$169,125, for the period of January 1, 2013 through December 31, 2013.

Section 4. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with Seneca County, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$14,561, for the period of January 1, 2013 through December 31, 2013.

Section 5. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with Wayne County, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$77,431, for the period of January 1, 2013 through December 31, 2013.

Section 6. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with Wyoming County, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$24,805, for the period of January 1, 2013 through December 31, 2013.

Section 7. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with Yates County, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$17,970, for the period of January 1, 2013 through December 31, 2013.

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

Intergovernmental Relations Committee; March 27, 2013 - CV: 5-0  
Public Safety Committee; March 25, 2013 - CV: 8-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0088

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

By Legislators Valerio and Yolevich

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

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

**ACCEPTING GIFT FROM AND AUTHORIZING CONTRACT WITH ROCHESTER CIVIC GARDEN CENTER FOR IMPROVEMENTS TO WARNER CASTLE GARDENS IN HIGHLAND PARK**

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 gift from, and to execute a contract, and any amendments thereto, with the Rochester Civic Garden Center for improvements to the Warner Castle Gardens in Highland Park, with an estimated value of \$18,000.

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

Recreation and Education Committee; March 26, 2013 - CV: 5-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0089

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 CONTRACTS WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR COUNTDOWN PEDESTRIAN INDICATION 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 New York State Department of Transportation for the Countdown Pedestrian Indication Program from the 2012 Safe Routes to School Program and the 2013 Highway Safety Improvement Program as part of the Upgrading, Expansion and Replacement of Existing Traffic Signal Facilities project.

Section 2. Funding for this contract, consistent with authorized uses, is available in capital fund 1669 and in 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; March 26, 2013 - CV: 7-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0090

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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



10.1

By Legislators Colby and Yolevich

10409310:55896302.1

Project Ref # 33

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

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

SUPERSEDING BOND RESOLUTION DATED APRIL 9, 2013

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,598,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF UPGRADING, EXPANSION AND REPLACEMENT OF EXISTING TRAFFIC SIGNAL FACILITIES, AT AN ESTIMATED MAXIMUM COST OF \$2,223,000 AND EXISTING TRAFFIC RELATED ROADWAY LIGHTING FACILITIES, AT AN ESTIMATED MAXIMUM COST \$375,000, IN EACH CASE, IN AND FOR SAID COUNTY, AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON DECEMBER 11, 2012 (RESOLUTION NO. 311 OF 2012)**

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 classes of objects or purposes of financing (a) the cost of upgrading, expansion and replacement of existing traffic signal facilities, in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$2,223,000 bonds of the County, pursuant to the provisions of the Local Finance Law, and (b) the cost of upgrading, expansion and replacement of existing roadway lighting facilities, in and for the County, there are hereby authorized to be issued \$375,000 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 \$2,098,000 bonds of the County pursuant to the provisions of the Local Finance Law, allocated entirely to the aforesaid traffic signal facility class of objects or purposes. The periods of probable usefulness of the aforesaid classes of objects or purposes are ten (10) years, pursuant to subdivision 72(a) of paragraph a of Section 11.00 of the Local Finance Law, for the upgrading, expansion and replacement of existing traffic signal facilities and five (5) years, pursuant to subdivision 32 of said paragraph a, for the upgrading, expansion and replacement of existing roadway lighting.

Section 2. The maximum estimated costs thereof are \$2,223,000 and \$375,000, respectively, and the plan for the financing thereof is by the issuance of \$2,598,000 bonds of the County herein authorized; apportioned between said classes of objects or purposes according to their estimated maximum costs; 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. 311 of 2012, being a bond resolution dated December 11, 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. 311 of 2012. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the aforesaid traffic signal facilities class of objects or purposes and to increase the amount of the bonds to be issued therefor from \$125,000 to \$2,223,000.

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.

Transportation Committee; March 26, 2013 - CV: 7-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0090.br

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

By Legislators Drawe and Yolevich

11.

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

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

**AMENDING RESOLUTION 154 OF 2012 TO INCREASE CONTRACT WITH SCHNEIDER LABORATORIES GLOBAL, INC. FOR CHILDHOOD LEAD PRIMARY PREVENTION PROGRAM**

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

Section 1. Section 4 of Resolution 154 of 2012 is hereby amended to read as follows:

The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with Schneider Laboratories Global, Inc., for the Childhood Lead Primary Prevention Program, in an amount not to exceed ~~\$18,000~~ \$21,500, for the period of April 1, 2012 through March 31, 2013.

Section 2. Funding for this contract is available in the 2013 operating budget of the Department of Public Health, fund 9300, funds center 5806110000, Childhood Lead Primary Prevention Grant.

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

Human Services Committee; March 26, 2013 - CV: 9-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0091

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

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

12.

By Legislators Drawe and Yolevich

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

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

**AMENDING RESOLUTION 169 OF 2012 TO ACCEPT ADDITIONAL FUNDING FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR IMMUNIZATION ACTION PLAN PROGRAM**

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

Section 1. Section 1 of Resolution 169 of 2012 is hereby amended to read as follows:

The County Executive, or her designee, is hereby authorized to accept a ~~\$300,000~~ \$324,060 grant from, and to execute a contract and any amendments thereto with, the New York State Department of Health, for the Immunization Action Plan Program, for the period of April 1, 2012 through March 31, 2013.

Section 2. The 2013 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$24,060, into fund 9300, funds center 5802050100, Immunization Action Plan Grant.

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

Human Services Committee; March 26, 2013 - CV: 9-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0092

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 229 OF 2012 TO INCREASE CONTRACTS FOR NUTRITION PROGRAMS**

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

Section 1. Section 3 of Resolution 229 of 2012 is hereby amended to read as follows:

The County Executive, or her designee, is hereby authorized to execute contracts, and any amendments thereto, with the individuals listed in Attachment A, and other subcontractors as necessary, for the Nutrition Programs, in a total amount not to exceed ~~\$65,776~~ \$70,215, for the period of October 1, 2012 through September 30, 2013.

Section 2. Funding for these contracts is included in the 2013 operating grant budget of the Department of Public Health, Fund 9300, funds center 5803010000, Nutrition Programs.

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

Human Services Committee; March 26, 2013 - CV: 9-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0093

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 367 OF 2012 TO ACCEPT ADDITIONAL FUNDING FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR COMPREHENSIVE HIV/STI/HEPATITIS C PREVENTION, PARTICULARLY IN COMMUNITIES OF COLOR PROGRAM**

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

Section 1. Section 1 of Resolution 367 of 2012 is hereby amended to read as follows:

The County Executive, or her designee, is hereby authorized to accept a ~~\$200,000~~ \$216,040 grant from, and to execute a contract and any amendments thereto with, the New York State Department of Health, for the Comprehensive HIV/STI/Hepatitis C Prevention, Particularly in Communities of Color Program, for the period of December 1, 2012 through November 30, 2013.

Section 2. The 2013 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$16,040 into fund 9300, fund center 5802030200, Comprehensive HIV/STI/Hepatitis C Prevention Grant.

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

Human Services Committee; March 26, 2013 - CV: 9-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0094

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

15.

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

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

**ACCEPTING GRANT FROM HEALTH RESEARCH, INC. FOR RYAN WHITE PART B EMERGING COMMUNITIES INITIATIVE PROGRAM; AUTHORIZING CONTRACT WITH UNIVERSITY OF ROCHESTER**

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 \$116,691 grant from, and to execute a contract and any amendments thereto with, Health Research, Inc., for the Ryan White Part B Emerging Communities Initiative Program, for the period of April 1, 2013 through March 31, 2014.

Section 2. The 2013 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$24,636 into fund 9300, funds center 5802030200, HIV Emerging Communities Grant.

Section 3. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with the University of Rochester, to provide case management services for the Ryan White Part B Emerging Communities Initiative Program, in an amount not to exceed \$109,038, for the period of April 1, 2013 through March 31, 2014.

Section 4. 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 5. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Human Services Committee; March 26, 2013 - CV: 9-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0095

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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



By Legislators Drawe and Yolevich

16.

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

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

**ACCEPTING GRANT FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR RABIES REIMBURSEMENT PROGRAM; AUTHORIZING CONTRACT WITH GENESEE VALLEY GROUP HEALTH ASSOCIATION DBA LIFETIME HEALTH MEDICAL GROUP**

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 \$288,227.40 grant from, and to execute a contract and any amendments thereto with, the New York State Department of Health, for the Rabies Reimbursement Program, for the period of April 1, 2012 through March 31, 2017.

Section 2. The 2013 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$115,290.96 into fund 9300, funds center 5806010000, Rabies Reimbursement Grant.

Section 3. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with Genesee Valley Group Health Association dba Lifetime Health Medical Group, to provide human post-exposure treatment services for the Rabies Reimbursement Program, in an amount not to exceed \$57,645.48, for the period of January 1, 2013 through December 31, 2013, with the option to renew for four (4) additional one-year terms in an amount not to exceed \$57,645.48 annually.

Section 4. 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 5. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

Section 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Human Services Committee; March 26, 2013 - CV: 9-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0096

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

By Legislators Boyce, Drawe and Yolevich

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

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

**AUTHORIZING INTERMUNICIPAL AGREEMENTS WITH SCHUYLER COUNTY AND VARIOUS OTHER COUNTIES FOR SERVICES PROVIDED BY MONROE COUNTY MEDICAL EXAMINER'S OFFICE**

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 Schuyler County, for the provision of medicolegal death investigative and forensic pathology services by the Monroe County Medical Examiner's Office, on an as-needed basis, invoiced at the prevailing rate as specified in the 2013 Monroe County Budget, for the period of January 1, 2013 through December 31, 2013.

Section 2. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with various other counties in New York State not currently under contract with Monroe County, for the provision of medicolegal death investigative and forensic pathology services by the Monroe County Medical Examiner's Office, on an as-needed basis, invoiced at the prevailing rate as specified in the 2013 Monroe County Budget, for or during the period of January 1, 2013 through December 31, 2013.

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

Intergovernmental Relations Committee; March 27, 2013 - CV: 5-0  
Human Services Committee; March 26, 2013 - CV: 9-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0097

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

**AMENDING RESOLUTION 42 OF 2012 TO ADD ADDITIONAL FUNDING SOURCES TO CONTRACTS WITH ATLANTIC TESTING LABORATORIES, LTD., LABELLA ASSOCIATES, P.C., LOZIER ENVIRONMENTAL CONSULTING, INC., LU ENGINEERS AND PARADIGM ENVIRONMENTAL SERVICES, INC. FOR PROFESSIONAL ENVIRONMENTAL TESTING TERM SERVICES**

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

Section 1. Section 2 of Resolution 42 of 2012 is hereby amended to read as follows:

Funding for these services, consistent with authorized uses, is included in capital funds 1257, 1374, 1499, 1508, 1535, 1540, 1550, 1555, 1558, 1565, 1580, 1581, 1582, 1584, 1586, 1589, 1591, 1596, 1605, 1611, 1614, 1622, 1650, 1657, 1661, 1671, 1672, and 1673 and any capital fund(s) created for the same intended purpose. Funding is also included in the 2013 operating budgets of the Department of Environmental Services, fund 9007, funds center 8572020200, Pure Waters Laboratory and Department of Transportation, fund 9002, funds center 8002040000, Road Maintenance; fund 9002, funds center 8002050000, Consolidated Highway Improvement Program (CHIPS); and fund 9002, funds center 8005010000, Bridge Engineering/Operations, and will be requested in future years' budgets.

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

Environment & Public Works Committee; March 27, 2013 - CV: 7-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0098

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 Colby and Yolevich

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

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

**AMENDING RESOLUTION 43 OF 2012 TO ADD ADDITIONAL FUNDING SOURCES TO CONTRACTS WITH ATLANTIC TESTING LABORATORIES, LTD., CME ASSOCIATES, INC., FOUNDATION DESIGN P.C., AND SJB SERVICES, INC., FOR PROFESSIONAL MATERIAL TESTING TERM SERVICES**

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

Section 1. Section 2 of Resolution 43 of 2012 is hereby amended to read as follows:

Funding for these services, consistent with authorized uses, is included in capital funds 1257, 1374, 1499, 1508, 1535, 1540, 1550, 1555, 1558, 1565, 1580, 1581, 1582, 1584, 1586, 1589, 1591, 1596 and 1605, 1611, 1614, 1622, 1650, 1657, 1661, 1671, 1672 and 1673 and any capital fund(s) created for the same intended purpose. Funding is also included in the 2013 operating budget of the Department of Transportation, fund 9002, funds center 8002040000, Road Maintenance; fund 9002, funds center 8002050000, Consolidated Highway Improvement Program (CHIPS); and fund 9002, funds center 8005010000, Bridge Engineering/Operations, and will be requested in future years budgets.

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

Transportation Committee; March 27, 2013 - CV: 7-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0100

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

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

20.

By Legislators Howland and Yolevich

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

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

**AUTHORIZING CONTRACT WITH LABELLA ASSOCIATES, P.C. FOR PROFESSIONAL ENGINEERING SERVICES FOR MONROE COUNTY HALL OF JUSTICE ELEVATOR IMPROVEMENTS PROJECT**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract with LaBella Associates, P.C., in the amount of \$166,240, for professional engineering services, for the Monroe County Hall of Justice Elevator Improvements Project, 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 1668, 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.

Environment & Public Works Committee; March 27, 2013 - CV: 7-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0101

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

21.

By Legislators Yolevich and Howland

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

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

**DIRECTING REFUND OF CERTAIN MONROE COUNTY TAXES LEVIED AND COLLECTED AGAINST PROPERTY IN TOWN OF GREECE**

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

Section 1. A portion of the Monroe County taxes in the following amounts shall be refunded:

<u>Year</u>	<u>Amount</u>	<u>City or Town</u>	<u>Tax Acct. No.</u>	<u>Refunded To:</u>
2012	\$17,729.14	Greece	089.04-1-2.101/642	COMIDA, 1000 Lee Road, LLC

Section 2. The Controller is hereby authorized and directed to draw an order on the Director of Finance - Chief Financial Officer payable from the Erroneous Assessment Account for the total sum of \$17,729.14, payable to the above named person(s) in the above listed amount.

Section 3. The following amount shall be levied against the following account:

<u>Accounts</u>	<u>Amounts</u>
Pure Waters Capital (GR201)	\$10,213.64
Pure Waters O/M Gallon (GR211)	\$7,515.50

Section 4. The Application for Refund of Real Property Taxes, and duplicate copies thereof, for the tax account number set forth in Section 1 hereof, is hereby marked approved, and the amount of the refund set forth in Section 1 hereof is hereby entered on such application and duplicate copies thereof.

Section 5. The Director of Real Property Tax Services is hereby authorized and directed to mail to the applicant the duplicate copy of the application that has been marked approved.

Section 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Ways and Means Committee; March 27, 2013 -CV: 11-0  
File No. 13-0104

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

22.1

By Legislators Yolevich and Howland

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

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

**DIRECTING CORRECTION, CANCELLATION AND LEVY OF CERTAIN MONROE COUNTY TAXES IN CITY OF ROCHESTER AND TOWNS OF PERINTON, HENRIETTA, GREECE AND SWEDEN**

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

Section 1. The Director of Finance - Chief Financial Officer is hereby authorized and directed to cancel certain Monroe County taxes as set forth and levied against the following properties:

<u>City/Town</u>	<u>Tax Account #</u>	<u>Year</u>	<u>Amount Currently Due</u>	<u>Amount of Corrected Tax</u>	<u>Amount of Taxes To Be Cancelled</u>
Rochester	135.13-1-1.002/LS13	2011	4,574.66	424.52	4,150.14
Rochester	135.13-1-1.002/LS13	2012	3,784.01	424.52	3,359.49
Perinton	152.15-2-16.2	2013	44,079.53	10,613.79	33,465.74
Perinton	152.11-1-23.1	2013	23,874.28	9,545.93	14,328.35
Perinton	153.05-1-14	2013	27,877.88	20,754.40	7,123.48
Henrietta	176.06-1-73.2	2013	14,988.88	6,726.46	8,262.42
Greece	088.04-4-63	2013	11,218.22	0.00	11,218.22
Sweden	084.04-1-25.001	2013	<u>22,911.55</u>	<u>947.92</u>	<u>21,963.63</u>
			\$153,309.01	\$49,437.54	\$103,871.47

Following are the assessed owners:

Tax Account Number

Name and Mailing Address

135.13-1-1.002 /LS13

County of Monroe  
39 West Main Street  
Rochester, NY 14614

152.15-2-16.2

Jefferson Park Apartments  
183 East Main Street  
Rochester, NY 14604

152.11-1-23.1

Board of Cooperative Educational Services  
41 O'Connor Road  
Fairport, NY 14450

153.05-1-14

Fairport Apartments  
1030 Whitney Road East  
Fairport, NY 14450

176.06-1-73.2

John W. and George E. Moore  
2811 East Henrietta Road  
Henrietta, NY 14467

088.04-4-63

Town of Greece  
One Vince Tofany Boulevard  
Rochester, NY 14612

084.04-1-25.001

COMIDA/Big Fella Enterprises  
21 Eisenhauer Drive  
Brockport, NY 14420

22.2

Section 2. The Controller is hereby authorized and directed to draw an order on the Director of Finance - Chief Financial Officer payable from the Erroneous Assessment Account for the sum of \$103,871.47.

Section 3. The Director of Finance - Chief Financial Officer is authorized and directed to levy the following amounts against the following accounts:

Monroe County	24,486.30
Town of Perinton	3,412.68
Perinton Fire Protection (PR105)	131.65
Perinton Ambulance (PR110)	11.68
Fairport School	39,532.55
Pure Waters #5 Capital (HR205)	2,163.81
Pure Waters #5 O/M (HR215)	6,098.61
Greece Town Wide Drainage (GR733)	11,218.22
Town of Sweden	3,154.36
Brockport School	<u>13,661.61</u>
	\$103,871.47

Section 4. The Applications for Corrected Real Property Taxes, and duplicate copies thereof, for the tax account numbers set forth in Section 1 hereof are marked approved, and the correct extension of taxes in the amounts set forth in Section 1 hereof are entered on each such application and duplicate copy thereof.

Section 5. It is hereby ordered that the corrected taxes for said tax account numbers in the amount set forth in Section 1 hereof, and the officers having jurisdiction of the tax rolls are hereby directed to correct such rolls.

Section 6. The Director of Real Property Tax Services is hereby authorized and directed to transmit immediately to the officers having jurisdiction of the tax rolls a certified copy of this resolution and the original of each application that has been marked approved, and also to mail to the applicants a notice of approval for each application that has been marked approved.

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

Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0105

ADOPTION: DATE: \_\_\_\_\_ VOTE: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

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

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

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



By Legislators Yolevich and Howland

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

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

**APPROVING ISSUANCE OF WATER SYSTEM REVENUE BONDS BY MONROE COUNTY WATER AUTHORITY**

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

Section 1. The Legislature hereby consents to the issuance of \$17,750,000 Water System Revenue Bonds, plus any incidental costs of issuance and the funding of a Debt Service Reserve Fund, by the Monroe County Water Authority to refinance all or a portion of the bond anticipation note which it issued in 2009.

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

Ways and Means Committee; March 27, 2013 – CV: 10-1  
File No. 13-0107

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

24.

By Legislators Drawe and Quatro

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

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

**CONFIRMATION OF REAPPOINTMENTS TO MONROE COUNTY BOARD OF HEALTH**

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

Section 1. In accordance with Section C6-12() of the Monroe County Charter, the reappointments to the Monroe County Board of Health by County Executive Maggie Brooks of the following, for terms to begin immediately and to expire on August 31, 2016, are hereby confirmed:

- Mr. Jeffrey Dodge, 432 Manitou Beach Road, Hilton, New York 14468
- Mr. Matthew Haag, 951 Park Avenue, Rochester, New York 14610
- Mr. Edward Kremer, 933 Mile Square Road, Pittsford, New York 14534
- Dr. E. Daniel Quatro, 637 Contempri Way, Webster, New York 14580

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

Human Services Committee; March 26, 2013 – CV: 9-0  
File No. 13-0108

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

25.

By Legislators Drawe and Yolevich

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

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

**ACCEPTING GRANT FROM NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR SAFE HARBOUR PLAN FOR SEXUALLY EXPLOITED CHILDREN**

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 \$124,444 grant from, and to execute a contract and any amendments thereto with, the New York State Office of Children and Family Services, for the Safe Harbour Plan for Sexually Exploited Children, for the period of October 1, 2012 through December 31, 2013.

Section 2. The 2013 operating grant budget of the Department of Human Services, Division of Social Services, is hereby amended by appropriating the sum of \$124,444 into fund 9300, funds center 5118010000, Safe Harbour 2012-2013.

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; March 26, 2013 - CV: 9-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0111

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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

By Legislators Drawe and Quatro

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

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

**AUTHORIZING AGREEMENTS WITH NEW YORK STATE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION 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 agreements, and any amendments thereto, with the New York State Department of Health, for Monroe County's participation in the Early Intervention Program, for the period of April 1, 2013 through March 31, 2018.

Section 2. Funding for this program is included in the 2013 operating budget of the Department of Public Health, fund 9001, funds center 5807000000, Special Children's Services, 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.

Human Services Committee; March 26, 2013 - CV: 9-0  
File No. 13-0112

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 RAMSEY CONSTRUCTORS, INC. FOR CONSTRUCTION SERVICES FOR HIGHWAY REHABILITATION PROGRAM, PINNACLE ROAD PROJECT 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 execute a contract with Ramsey Constructors, Inc., in the amount of \$1,444,444.44, for construction services, for the Highway Rehabilitation Program, Pinnacle Road project in the Town of Rush, 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 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; March 26, 2013 - CV: 7-0  
Ways and Means Committee; March 27, 2013 - CV: 11-0  
File No. 13-0113

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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