

By Legislators Gumina, Howland and Yolevich

PURE WATERS ADMINISTRATIVE BOARD OF THE
IRONDEQUOIT BAY SOUTH CENTRAL
PURE WATERS DISTRICT

Intro. No. 15

RESOLUTION NO. 12I-005 OF 2012

**AUTHORIZING INTERMUNICIPAL AGREEMENT AMONG MONROE COUNTY,
VILLAGE OF SCOTTSVILLE, TOWN OF WHEATLAND AND IRONDEQUOIT BAY SOUTH
CENTRAL PURE WATERS DISTRICT FOR SCOTTSVILLE REGIONAL SANITARY SEWAGE
PUMP STATION AND FORCEMAIN PROJECT**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE
IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT, as follows:

Section 1. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, among Monroe County, the Village of Scottsville, the Town of Wheatland and the Irondequoit Bay South Central Pure Waters District, for the Scottsville Regional Sanitary Sewage Pump Station and Forcemain Project, including an amount not to exceed \$150,000 for engineering services related to the District improvements.

Section 2. Funding for this project, consistent with authorized uses, is included in capital fund 1375 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.

File No. 12-0129

ADOPTION: Date: April 17, 2012 Vote: 28-0

By Legislators Boyce and McCann

Intro. No. 117

A LOCAL LAW ENTITLED "AMENDING MONROE COUNTY CODE RELATED TO THE COMPOSITION OF THE SOLID WASTE REUSE AND RECYCLING LAW ADVISORY COMMITTEE"

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

Section 1. Monroe County Code, Part IV General Local Laws, Article VII, Solid Waste Reuse and Recycling, § 347-32(A)(4) is amended to read as follows:

4. One member from each of the following organizations, each of whom shall be appointed by the Executive and confirmed by the Legislature: the Rochester Business Alliance, the Environmental Management Council, the Monroe County School Boards Association, the Town Supervisors' Association, the Village Mayors' Association, and ~~the Waste Haulers' Association~~ a refuse waste hauler with offices and collection services within Monroe County;

Section 2. This local law shall take effect in accordance with the provisions of Section 21 of the Municipal Home Rule Law and immediately upon filing in the office of the Secretary of State as provided for in Section 27 of the Municipal Home Rule Law.

Agenda/Charter Committee; March 26, 2012 - CV: 5-0
File No. 12-0113.LL

By Legislators Boyce and McCann

Intro. No. 118

MOTION NO. 18 OF 2012

PROVIDING THAT LOCAL LAW (INTRO. NO. 117 OF 2012), ENTITLED "AMENDING MONROE COUNTY CODE RELATED TO THE COMPOSITION OF THE SOLID WASTE REUSE AND RECYCLING LAW ADVISORY COMMITTEE" BE TABLED

BE IT MOVED, that local law (Intro. No. 117 of 2012), entitled "AMENDING MONROE COUNTY CODE RELATED TO THE COMPOSITION OF THE SOLID WASTE REUSE AND RECYCLING LAW ADVISORY COMMITTEE" be tabled.

File No. 12-0113.LL

ADOPTION: Date: April 17, 2012 Vote: 28-0

By Legislators Boyce and McCann

Intro. No. 119

RESOLUTION NO. 86 OF 2012

FIXING A PUBLIC HEARING ON LOCAL LAW (INTRO. NO. 117 OF 2012), ENTITLED "AMENDING MONROE COUNTY CODE RELATED TO THE COMPOSITION OF THE SOLID WASTE REUSE AND RECYCLING LAW ADVISORY COMMITTEE"

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 8th day of May, 2012, in the Legislative Chambers in the County Office Building, Rochester, New York on local law (Intro. No. 117 of 2012), entitled "AMENDING MONROE COUNTY CODE RELATED TO THE COMPOSITION OF THE SOLID WASTE REUSE AND RECYCLING LAW ADVISORY COMMITTEE."

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 resolution shall take effect immediately.

File No. 12-0113.LL

ADOPTION: Date: April 17, 2012 Vote: 28-0

By Legislators Howland and Yolevich

Intro. No. 120

MOTION NO. 19 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 78 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FRANK E. VANLARE AERATION SYSTEM IMPROVEMENTS," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 78 of 2012), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FRANK E. VANLARE AERATION SYSTEM IMPROVEMENTS,**" be lifted from the table.

File No. 12-0078

ADOPTION: Date: April 17, 2012 Vote: 28-0

By Legislators Howland and Yolevich

Intro. No. 121

MOTION NO. 20 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 78 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FRANK E. VANLARE AERATION SYSTEM IMPROVEMENTS," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 78 of 2012), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FRANK E. VANLARE AERATION SYSTEM IMPROVEMENTS,**" be adopted.

File No. 12-0078

ADOPTION: Date: April 17, 2012 Vote: 28-0

By Legislators Howland and Yolevich

Intro. No. 78

RESOLUTION NO. 87 OF 2012

APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FRANK E. VANLARE AERATION SYSTEM IMPROVEMENTS

WHEREAS, the Administrative Board of the Rochester Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the "Frank E. VanLare Aeration System Improvements," all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 17th day of April, 2012, at 6:15 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

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

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Rochester Pure Waters District, at a maximum estimated cost of \$9,000,000, all as more fully described in the preambles hereof.

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

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

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

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

Section 6. The County Executive is hereby authorized and directed to send the Application attached hereto to the New York State Department of Audit and Control.

Section 7. The Administrative Board of the Rochester Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law once approval from the New York State Comptroller has been received consenting to the expenditures for such improvements.

Section 8. The attached Application to the New York State Comptroller for consent to expend funds for such improvements was prepared at the request of the County Legislature and the County Legislature believes the contents of the Application to be accurate

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; February 29, 2012 - CV: 6-0
Ways and Means Committee; February 29, 2012 - CV: 11-0
File No. 12-0078

ADOPTION: Date: April 17, 2012 Vote: 28-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Mary Mols DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 122

RESOLUTION NO. 88 OF 2012

SUPERSEDING BOND RESOLUTION DATED APRIL 17, 2012

RESOLUTION AUTHORIZING THE ISSUANCE OF \$16,000,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE REPLACEMENT OF THE AERATION SYSTEM OF THE FRANK E. VAN LARE WASTE WATER TREATMENT PLANT IN THE ROCHESTER PURE WATERS DISTRICT, IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$16,000,000, AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON MAY 10, 2011 (RESOLUTION NO. 128 OF 2011)

WHEREAS, the Administrative Board of the Rochester Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for the replacement of the aeration system of said District, consisting of multi-year, phased replacement of the aeration system of the Frank E. VanLare Waste Water Treatment Plant, and

WHEREAS, a public hearing was held on April 17, 2012, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

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

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

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

Section 1. For the class of objects or purposes of financing the cost of the replacement of the aeration system of the Frank E. VanLare Waste Water Treatment Plant in the Rochester Pure Waters District in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$16,000,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of an additional \$9,000,000 to pay the cost of the aforesaid class of objects or purposes (\$7,000,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is thirty (30) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 13, 2010, the date of the first obligation issued pursuant to this bond resolution.

Section 2. The maximum estimated cost thereof is now determined to be \$16,000,000, and the plan for the financing thereof is by the issuance of \$16,000,000 bonds of the County herein authorized; provided, however, that to the extent any state and/or federal aid is received for the aforesaid purpose, such aid shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. 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. 128 of 2011, being a bond resolution dated May 10, 2011, except to the extent that any obligations have been issued or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of bonds to be issued therefore from \$7,000,000 to \$16,000,000.

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

Environment and Public Work Committee; February 29, 2012 – CV: 6-0
Ways and Means Committee; February 29, 2012 – CV: 11-0
File No. 12-0078.br

ADOPTION: Date: April 17, 2012 Vote: 28-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Magic Mad's DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 123

MOTION NO. 21 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 81 OF 2011), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FRANK E. VANLARE PRIMARY TANK IMPROVEMENTS," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 81 of 2012), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FRANK E. VANLARE PRIMARY TANK IMPROVEMENTS,**" be lifted from the table.

File No. 12-0080

ADOPTION: Date: April 17, 2012 Vote: 28-0

By Legislators Howland and Yolevich

Intro. No. 124

MOTION NO. 22 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 81 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FRANK E. VANLARE PRIMARY TANK IMPROVEMENTS," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 81 of 2012), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FRANK E. VANLARE PRIMARY TANK IMPROVEMENTS,**" be adopted.

File No. 12-0080

ADOPTION: Date: April 17, 2012 Vote: 28-0

By Legislators Howland and Yolevich

Intro. No. 81

RESOLUTION NO. 89 OF 2012

APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - FRANK E. VANLARE PRIMARY TANK IMPROVEMENTS

WHEREAS, the Administrative Board of the Rochester Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the "Frank E. VanLare Primary Tank Improvements," all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 17th day of April, 2012, at 6:16 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

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

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Rochester Pure Waters District, at a maximum estimated cost of \$3,700,000, all as more fully described in the preambles hereof.

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

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

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

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

Section 6. The County Executive is hereby authorized and directed to send the Application attached hereto to the New York State Department of Audit and Control.

Section 7. The Administrative Board of the Rochester Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law once approval from the New York State Comptroller has been received consenting to the expenditures for such improvements.

Section 8. The attached Application to the New York State Comptroller for consent to expend funds for such improvements was prepared at the request of the County Legislature and the County Legislature believes the contents of the Application to be accurate

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; February 29, 2012 - CV: 6-0
Ways and Means Committee; February 29, 2012 - CV: 11-0
File No. 12-0080

ADOPTION: Date: April 17, 2012 Vote: 28-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Mayor Mark DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 125

RESOLUTION NO. 90 OF 2012

SUPERSEDING BOND RESOLUTION DATED APRIL 17, 2012

RESOLUTION AUTHORIZING THE ISSUANCE OF \$5,700,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF IMPROVEMENTS TO PRIMARY TANKS OF THE ROCHESTER PURE WATER DISTRICT FRANK E. VANLARE WASTE WATER TREATMENT PLANT, IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$5,700,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON MAY 10, 2011 (RESOLUTION NO. 130 OF 2011)

WHEREAS, the Administrative Board of the Rochester Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for the structural improvements to the primary tanks in combination with mechanical and electrical upgrades of the Frank E. VanLare Waste Water Treatment Plant, and

WHEREAS, a public hearing was held on April 17, 2012, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

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

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

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

Section 1. For the class of objects or purposes of financing the cost of improvements to the primary tanks of the Rochester Pure Water District Frank E. VanLare Waste Water Treatment Plant, in and for the County of Monroe, New York (the "County"), including general structural improvements to the primary tanks in combination with mechanical and electrical improvements, there are hereby authorized to be issued \$5,700,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of an additional \$3,700,000 to pay the cost of the aforesaid class of objects or purposes (\$2,000,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, computed from date of the first obligation issued therefor.

Section 2. The maximum estimated cost thereof is \$5,700,000, and the plan for the financing thereof is by the issuance of \$5,700,000 bonds of the County herein authorized; provided, however, that to the extent any state and/or federal aid is received for the aforesaid purpose, such aid shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. 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. 130 of 2011, being a bond resolution dated May 10, 2011, except to the extent that any indebtedness shall have been contracted or encumbrances made thereunder. No bonds or notes have been issued under Resolution No. 130 of 2011. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of the bonds to be issued therefor from \$2,000,000 to \$5,700,000.

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

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

Environment and Public Work Committee; February 29, 2012 – CV: 6-0
Ways and Means Committee; February 29, 2012 – CV: 11-0
File No. 12-0080.br

ADOPTION: Date: April 17, 2012 Vote: 28-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Megan Smith DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 126

MOTION NO. 23 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 84 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM TUNNEL SYSTEM IMPROVEMENTS," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 84 of 2012), entitled, **"APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM TUNNEL SYSTEM IMPROVEMENTS,"** be lifted from the table.

File No. 12-0082

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 127

MOTION NO. 24 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 84 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM TUNNEL SYSTEM IMPROVEMENTS," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 84 of 2012), entitled, **"APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM TUNNEL SYSTEM IMPROVEMENTS,"** be adopted.

File No. 12-0082

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 84

RESOLUTION NO. 91 OF 2012

APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN THE ROCHESTER PURE WATERS DISTRICT - COMBINED SEWER OVERFLOW ABATEMENT PROGRAM TUNNEL SYSTEM IMPROVEMENTS

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

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 17th day of April, 2012, at 6:17 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

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

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

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

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

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

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

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

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

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

Section 6. The County Executive is hereby authorized and directed to send the Application attached hereto to the New York State Department of Audit and Control.

Section 7. The Administrative Board of the Rochester Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law once approval from the New York State Comptroller has been received consenting to the expenditures for such improvements.

Section 8. The attached Application to the New York State Comptroller for consent to expend funds for such improvements was prepared at the request of the County Legislature and the County Legislature believes the contents of the Application to be accurate

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; February 29, 2012 - CV: 6-0
Ways and Means Committee; February 29, 2012 - CV: 11-0
File No. 12-0082

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Margie Marks DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 128

RESOLUTION NO. 92 OF 2012

BOND RESOLUTION DATED APRIL 17, 2012

RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ROCHESTER PURE WATERS DISTRICT IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$1,000,000

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

WHEREAS, a public hearing was held on April 17, 2012, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

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

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

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

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

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

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. 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 constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

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

Environment and Public Work Committee; February 29, 2012 – CV: 6-0
Ways and Means Committee; February 29, 2012 – CV: 11-0
File No. 12-0082.br

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magic Mals DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 129

MOTION NO. 25 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 87 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 87 of 2012), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS,**" be lifted from the table.

File No. 12-0084

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 130

MOTION NO. 26 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 87 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 87 of 2012), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS,**" be adopted.

File No. 12-0084

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 87

RESOLUTION NO. 93 OF 2012

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

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

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 17th day of April, 2012, at 6:18 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

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

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Irondequoit Bay South Central Pure Waters District, at a maximum estimated cost of \$500,000, all as more fully described in the preambles hereof.

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

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

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

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

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

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

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

Environment and Public Works Committee; February 29, 2012 - CV: 6-0
Ways and Means Committee; February 29, 2012 - CV: 11-0
File No. 12-0084

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magie Mols DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 131

RESOLUTION NO. 94 OF 2012

SUPERSEDING BOND RESOLUTION DATED APRIL 17, 2012

RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE IMPROVEMENT OF THE FACILITIES OF THE IRONDEQUOIT BAY/SOUTH CENTRAL PURE WATERS DISTRICT, CONSISTING OF GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$1,500,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON MAY 10, 2011 (RESOLUTION NO. 132 OF 2011)

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

WHEREAS, a public hearing was held on April 17, 2012, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

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

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

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

Section 1. For the class of objects or purposes of financing the cost of the improvement of the facilities of the Irondequoit Bay/South Central Pure Waters District, consisting of general pump station and interceptor improvements in and for the County of Monroe, New York (the "County"), including, but not limited to, (i) the phased reconstruction of the Irondequoit Bay Pump Station's two major force mains that convey District flows to the Frank E. VanLare Waste Water Treatment Plant; (ii) trunk sewer improvements necessary to increase conveyance capacities in the southwest quadrant of the District and, (iii) District-wide enhancements to appurtenant communication and data transmission systems, all as more fully set forth in such map and plan, there are hereby authorized to be issued \$1,500,000 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 \$500,000 to pay the cost of the aforesaid class of objects or purposes (\$1,000,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or

purposes is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 13, 2010, the date of the first obligation issued pursuant to this bond resolution.

Section 2. The maximum estimated cost thereof is now determined to be \$1,500,000, and the plan for the financing thereof is by the issuance of \$1,500,000 bonds of the County herein authorized; provided, however, that to the extent any state and/or federal aid and/or grant is received for the aforesaid purpose, such aid and/or grant shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

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

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

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

addition to those required by Section 52.00 of the Local Finance Law, as the Director of Finance-Chief Financial Officer shall determine.

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

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

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

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

Section 7. This resolution shall supersede Resolution No. 132 of 2011, being a bond resolution dated May 10, 2011, except to the extent that any indebtedness shall have been contracted or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of bonds to be issued therefore from \$1,000,000 to \$1,500,000.

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

Environment and Public Work Committee; February 29, 2012 – CV: 6-0
Ways and Means Committee; February 29, 2012 – CV: 11-0
File No. 12-0084.br

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Margi Marks DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 132

MOTION NO. 27 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 90 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - SOUTH CENTRAL TRUNK SEWER IMPROVEMENTS," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 90 of 2012), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - SOUTH CENTRAL TRUNK SEWER IMPROVEMENTS,**" be lifted from the table.

File No. 12-0086

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 133

MOTION NO. 28 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 90 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - SOUTH CENTRAL TRUNK SEWER IMPROVEMENTS," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 90 of 2012), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - SOUTH CENTRAL TRUNK SEWER IMPROVEMENTS,**" be adopted.

File No. 12-0086

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 90

RESOLUTION NO. 95 OF 2012

APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT - SOUTH CENTRAL TRUNK SEWER IMPROVEMENTS

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

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 17th day of April, 2012, at 6:19 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

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

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

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

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

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

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

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

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

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

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

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

Environment and Public Works Committee; February 29, 2012- CV: 6-0
Ways and Means Committee; February 29, 2012 - CV: 11-0
File No. 12-0086

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magie Moults DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 134

RESOLUTION NO. 96 OF 2012

BOND RESOLUTION DATED APRIL 17, 2012

RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE IMPROVEMENTS TO THE SOUTH CENTRAL TRUNK SEWER OF THE IRONDEQUOIT BAY/SOUTH CENTRAL PURE WATERS DISTRICT, IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$1,000,000

WHEREAS, the Administrative Board of the Irondequoit Bay/South Central Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for improvements of the South Central Trunk Sewer of said District, consisting of repairs, replacement and rehabilitation measures necessary to increase conveyance capacities and maintain structural integrity of the District's South Central Trunk Sewer, all as more fully set forth in such map and plan; and

WHEREAS, a public hearing was held on April 17, 2012, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

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

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

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

Section 1. For the class of objects or purposes of financing the cost of improvements of the South Central Trunk Sewer of said District, consisting of repairs, replacement and rehabilitation measures necessary to increase conveyance capacities and maintain structural integrity of the District's South Central Trunk Sewer, in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$1,000,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of the amount hereby authorized to pay the cost of the aforesaid class of objects or purposes. The period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

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

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An

annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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

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

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

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

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

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

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

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

Environment and Public Work Committee; February 29, 2012 – CV: 6-0
Ways and Means Committee; February 29, 2012 – CV: 11-0
File No. 12-0086.br

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magie Mads DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 135

MOTION NO. 29 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 93 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 93 of 2012), entitled **"APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS,"** be lifted from the table.

File No. 12-0088

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 136

MOTION NO. 30 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 93 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 93 of 2012), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS,**" be adopted.

File No. 12-0088

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 93

RESOLUTION NO. 97 OF 2012

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

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

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 17th day of April, 2012, at 6:20 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

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

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Northwest Quadrant Pure Waters District, at a maximum estimated cost of \$500,000, all as more fully described in the preambles hereof.

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

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

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

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

Section 6. The County Executive is hereby authorized and directed to send the Application attached hereto to the New York State Department of Audit and Control.

Section 7. The Administrative Board of the Northwest Quadrant Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law once approval from the New York State Comptroller has been received consenting to the expenditures for such improvements.

Section 8. The attached Application to the New York State Comptroller for consent to expend funds for such improvements was prepared at the request of the County Legislature and the County Legislature believes the contents of the Application to be accurate

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; February 29, 2012 - CV: 6-0
Ways and Means Committee; February 29, 2012 - CV: 11-0
File No. 12-0088

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: *Magnolia* DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 137

RESOLUTION NO. 98 OF 2012

SUPERSEDING BOND RESOLUTION DATED APRIL 17, 2012

RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF IMPROVEMENTS TO THE FACILITIES OF THE NORTHWEST QUADRANT PURE WATERS DISTRICT, INCLUDING GENERAL IMPROVEMENTS TO VARIOUS PUMP STATIONS AND INTERCEPTORS IN THE DISTRICT, IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$1,000,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON MAY 11, 2011 (RESOLUTION NO. 136 OF 2011)

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

WHEREAS, a public hearing was held on April 17, 2012, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

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

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

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

Section 1. For the class of objects or purposes of financing the cost of improvements to the facilities of the Northwest Quadrant Pure Waters District, in and for the County of Monroe, New York (the "County"), including general improvements to various pump stations and interceptors in the District, there are hereby authorized to be issued \$1,000,000 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 \$500,000 to pay the cost of the aforesaid class of objects or purposes (\$500,000 having been theretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, computed from December 13, 2011, the date of the first obligation issued therefor.

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

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. 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. 136 of 2011, being a bond resolution dated May 11, 2011, except to the extent that any indebtedness shall have been contracted or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of bonds to be issued therefore from \$500,000 to \$1,000,000.

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

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

Environment and Public Work Committee; February 29, 2012 – CV: 6-0
Ways and Means Committee; February 29, 2012 – CV: 11-0
File No. 12-0088.br

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magee Marks DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 138

MOTION NO. 31 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 96 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - NORTHWEST QUADRANT SECONDARY CLARIFIER IMPROVEMENTS," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 96 of 2012), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - NORTHWEST QUADRANT SECONDARY CLARIFIER IMPROVEMENTS,"** be lifted from the table.

File No. 12-0090

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 139

MOTION NO. 32 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 96 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - NORTHWEST QUADRANT SECONDARY CLARIFIER IMPROVEMENTS," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 96 of 2012), entitled "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - NORTHWEST QUADRANT SECONDARY CLARIFIER IMPROVEMENTS," be adopted.

File No. 12-0090

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 96

RESOLUTION NO. 99 OF 2012

APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - NORTHWEST QUADRANT SECONDARY CLARIFIER IMPROVEMENTS

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

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 17th day of April, 2012, at 6:21 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

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

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Northwest Quadrant Pure Waters District, at a maximum estimated cost of \$6,000,000, all as more fully described in the preambles hereof.

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

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

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

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

Section 6. The County Executive is hereby authorized and directed to send the Application attached hereto to the New York State Department of Audit and Control.

Section 7. The Administrative Board of the Northwest Quadrant Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law once approval from the New York State Comptroller has been received consenting to the expenditures for such improvements.

Section 8. The attached Application to the New York State Comptroller for consent to expend funds for such improvements was prepared at the request of the County Legislature and the County Legislature believes the contents of the Application to be accurate

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; February 29, 2012 - CV: 6-0
Ways and Means Committee; February 29, 2012 - CV: 11-0
File No. 12-0090

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Masjo Mook DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

AC 973 (Rev. 7/85)
Cities under 125,000 population
Counties
Towns
Villages

**STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER**

This is the official debt statement form prescribed by the State Comptroller pursuant to section 141.00 of the Local Finance Law for use by counties, towns, villages and cities having a population of less than 125,000 inhabitants.

THOMAS P. DINAPOLI
State Comptroller

INSTRUCTIONS

1. **STATUTORY REFERENCE.** A statutory reference can be found after each item of indebtedness to be included and excluded in the debt statement. For example, §135.00 (a)(1) means "subdivision 1 of paragraph (a) of section 135.00 of the Local Finance Law". Wherever a reference appears, that section of the Local Finance Law should be consulted.
2. **DATE OF PREPARATION.** This statement must not be prepared more than thirty days previous to the date of sale of bonds. Local Finance Law, section 109.00.
3. **FILING.** A debt statement must be filed between three and fifteen days before a municipality sells any bonds which are required to be sold at public sale. The statement must be filed with the State Comptroller and a duplicate copy must be filed with the clerk or corresponding officer of the municipality. It is not necessary to file a copy in the county clerk's office. Local Finance Law, section 109.00.
4. **AVERAGE FULL VALUATION OF TAXABLE REAL ESTATE.** In computing "Average Full Valuation of Taxable Real Estate" on page 5, use last completed assessment roll and four preceding rolls. An assessment roll is one which has been completed, verified and filed by the assessors and for which a state equalization rate has been finalized. The words "For Fiscal Year Ending" refer to the year for which taxes have been or will be extended on the assessment roll rather than the year in which the roll was completed.

The amounts to be used in Column 1 should be the amounts shown on such rolls after the hearing of grievances and the filing of the final completed assessment rolls, regardless of subsequent changes. In Column 1, include the assessed valuations of special franchises but exclude the assessed valuations of all exempt properties to the extent they are exempt from general taxation. Full valuation (Column 3) is determined as follows: Divide the taxable assessed valuations (Column 1) by the final equalization rate (Column 2) established by the State Board of Equalization and Assessment for such valuation. Where boundary changes have occurred and in the case of newly-created municipalities, see section 2.00 (7)(a) of the Local Finance Law. In the case of counties, average full valuation is computed by dividing the taxable assessed valuations on the last completed and four preceding assessment rolls for each of the cities and towns therein by the final equalization rates established for such rolls; provided, however, in a county having a county department of assessment the state equalization rates established for the cities and towns therein on the basis of the county roll shall be applied to the appropriate portions of the county roll. The sum of the quotients thus obtained must then be divided by five.

5. **INCLUSIONS.** Re item 8, Page 5. Include the respective amounts of all several indebtedness and allocated or apportioned joint indebtedness contracted or incurred pursuant to Article II, Title 1-A of the Local Finance Law in relation to a joint service or a joint water, sewage or drainage project. The amount of joint indebtedness to be so included should not exceed the amount of such indebtedness allocated and apportioned to the municipality in the bond or note resolution authorizing such indebtedness to be contracted.

Joint indebtedness to be included arising out of real property liabilities contract liabilities should not exceed the amount of such indebtedness required to be allocated and apportioned to the municipality in the agreement of the participating municipalities in relation to such joint service or project. Where the agreement does not provide for any such allocation or apportionment, or in the case of involuntary joint indebtedness, the amount to be allocated and apportioned and included in the debt statement of a participating municipality should be in the same proportion as the full valuation of the real estate subject to taxation or assessment by such municipality for such joint service or project bears to the full valuation of the real estate subject to taxation or assessment by all of the participating municipalities for such joint service or project. See Local Finance Law, section 15.10. However, if the State Comptroller has issued a certificate allocating and apportioning such joint indebtedness pursuant to the provisions of section 15.10 of the Local Finance Law, the amounts so allocated and apportioned by the State Comptroller should be included in the debt statements of each respective municipality as indebtedness.

6. **GROSS JOINT INDEBTEDNESS.** The aggregate gross amount of all joint indebtedness including borrowings, real property liabilities, contract liabilities, judgments, claims, awards and determinations contracted or incurred and before any apportionment or allocation should be stated at page 5 of the debt statement.

7. EXCLUSIONS:

- (1) Item 1, Page 6. Do not include any tax or revenue obligations, or renewals thereof, which have not been retired within five years after the date such original obligations were issued.
- (2) Item 2, Page 6. Include only obligations issued for objects or purposes other than the financing of capital improvements and contracted to be redeemed in one of the two fiscal years immediately succeeding the year of their issue. Do not include bonds, bond anticipation notes, capital notes, budget notes or obligations which have been issued for the direct financing of improvements or equipment. Do not include serial bonds of an issue having a maximum maturity of more than two years.
- (3) Item 3, Page 6. Do not include joint or several indebtedness contracted pursuant to Article II, Title 1-A of the Local Finance Law to finance a joint water project. Such indebtedness is to be included in Item 14, page 6.
- (4) Items 4 and 5, Page 6. Do not include any indebtedness contracted pursuant to Article II, Title 1-A of the Local Finance Law in relation to a joint service or a joint water, sewage or drainage project. Such indebtedness is to be included in either item 15 or 16 at page 6.
- (5) Item 13, Page 6. Include city indebtedness for education purposes, if any, allocated to the city school district by the State Comptroller pursuant to section 1 of chapter 831 of the Laws of 1951.
- (6) Item 14, Page 6. State the respective amounts of any several indebtedness and the allocated or apportioned amounts of any joint indebtedness contracted or incurred in relation to the financing of a joint water project pursuant to Article II, Title 1-A of the Local Finance Law.
- (7) Items 15 and 16, Page 6. State the respective amounts of any several indebtedness and the allocated or apportioned amounts of any joint indebtedness contracted or incurred in relation to the financing of a joint service and a joint sewage or drainage project pursuant to Article II, Title 1-A of the Local Finance Law and excluded pursuant to the provisions of section 15.20, 123.00 and 124.10 of such law.

8. **VERIFICATION.** Page 9. This debt statement must be verified by the chief fiscal officer of the municipality. See definition of the term "chief fiscal officer" in the Local Finance Law, section 2.00 (5). If a municipality has no chief fiscal officer, then this statement must be verified by the finance board.

The following is a statement of the County of Monroe New York to contract indebtedness, and is prepared as of April 17, 2012 pursuant to Title 8, Article 11 of the Local Finance Law.

DEBT LIMIT

Counties (except Nassau), cities, towns and villages	<u>2,671,002,297</u>
Multiply "Average full valuation" (Page 5), Line 7 by .07 (Nassau County .10)	

TOTAL NET INDEBTEDNESS

Total Inclusions (Page 5)	<u>573,435,700</u>
Less: Total Exclusions (Page 6)	<u>149,530,517</u>
Total Net Indebtedness	<u>423,905,183</u>

NET-DEBT CONTRACTING MARGIN

Debt Limit (Above)	<u>2,671,002,297</u>
Less: Total Net Indebtedness (Above)	<u>423,905,183</u>
Net Debt-Contracting Margin	<u>2,247,097,114</u>

PERCENTAGE OF DEBT- CONTRACTING POWER EXHAUSTED

Divide "Total Net Indebtedness" by "Debt limit" and enter result here	<u>15.87%</u>
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PROPOSED BOND ISSUE

The amount of bonds proposed to be sold at public sale on mmmm dd, yyyy, in connection with which this statement is made and filed is	<u>NA</u>
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The amount of bond anticipation notes heretofore issued in anticipation of the sale and issuance of such bonds and included at "Borrowings" at Item 1 of Inclusions at page 5 is	<u>NA</u>
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STATEMENT OF TOTAL DEBT

AVERAGE FULL VALUATION OF TAXABLE REAL PROPERTY

Line No.	For Fiscal Year Ending	(1) Taxable Assessed Valuation of Real Estate	(2) Final State Equalization Rate	(3) Full Valuation of Taxable Real Property (column 1 + column 2)
1	12/31/2007	\$34,956,933,053	95.3323%	\$36,668,516,966
2	12/31/2008	37,051,122,066	98.3319%	37,679,656,909
3	12/31/2009	37,911,204,768	98.4689%	38,500,703,660
4	12/31/2010	38,481,170,686	99.0998%	38,830,742,623
5	12/31/2011	38,753,584,715	99.0982%	39,106,258,218
6	Total of Lines 1 to 5 Inclusive			\$190,785,878,376
7	Average Full Valuation (1/5 of total of column 3)			\$38,157,175,675

Note: See Instruction 4, Page 1

INCLUSIONS

1. Borrowings. §135.00(a)(1)	\$573,435,700
2. Real Property Liabilities. §135.00(a)(2), §142.00.	0
3. Contract Liabilities. §135.00(a)(3)	0
4. Cities, Towns and Villages: Contract Liabilities: Housing Guarantees; Subsidies. §135.00(a)(4),(a)(4-a),(a)(4-b)	0
5. Cities, Towns and Villages: State Loans to Certain Housing Authorities and Municipalities. §135.00(a)(5)	0
6. Judgments, Claims, Awards and Determinations. §135.00(a)(6)	0
7. Cities, Towns and Villages: Indebtedness Contracted by Certain District Corporations. §135(a)(7)	0
8. Indebtedness Contracted or Incurred Pursuant to Article II, Title 1-A of the Local Finance Law in relation to a Joint Water, Sewage or Drainage Project: (See Instruction 5, Page 2.)	
(a) Borrowings: Several Indebtedness	0
(b) Borrowings: Allocated or Apportioned Joint Indebtedness	0
(c) Real Property Liabilities	0
(d) Contract Liabilities	0
(e) Judgments, Claims, Awards and Determinations	0
Total Inclusions	\$573,435,700

GROSS JOINT INDEBTEDNESS

The aggregate gross amount of all joint indebtedness before apportionment or allocation is	\$573,435,700
(See instruction 6, Page 3.)	

EXCLUSIONS

<p>1. Tax and Revenue Obligations. §136.00(1). \$ <i>(See Instruction 7(a), page 3.)</i></p>	<p><u> \$0</u></p>
<p>2. Obligations Issued for other than Capital Improvements. §136.00(1-a). <i>(See Instruction 7(b), page 3.)</i></p>	<p><u> 0</u></p>
<p>3. Water Indebtedness. §136.00(2). <i>(See Instruction 7(c), page 3.)</i></p>	<p><u> 5,030,222</u></p>
<p>4. Indebtedness Contracted for Self-Liquidating Projects. §136.00(3). <i>(See Instruction 7(d), page 3.)(See also, if applicable, contract payments (§136.00 (3-a))) and rental payments (§136.00 (3-b)(3-c))</i></p>	<p><u> 38,186,410</u></p>
<p>5. Sewer Indebtedness Contracted on or after January 1, 1962, and prior to January 1, 1994. §136.00(4-a).</p>	<p><u> 8,946,640</u></p>
<p>6. Bonds for Pensions. §136.00(4).</p>	<p><u> 0</u></p>
<p>7. Cities and Villages with Population of 5,000 or More: Indebtedness for Housing and Urban Renewal Purposes. §136.00(8). <i>(See also, if applicable, indebtedness for housing or urban renewal purposes (§136.00(8-a)).</i></p>	<p><u> 0</u></p>
<p>8. Towns and Villages with Population of less than 5,000: Subsidies or Guarantees for Housing Purposes. §136.00(9).</p>	<p><u> 0</u></p>
<p>9. Assets of Sinking Funds. §136.00(10).</p>	<p><u> 0</u></p>
<p>10. Refunded and Refunding bonds. §136.00(10-a)(10-b).</p>	<p><u> 62,128,427</u></p>
<p>11. Cash on Hand for Debts. §136.00(11).</p>	<p><u> 2,755,007</u></p>
<p>12. Appropriations. §136.00(12).</p>	<p><u> 32,483,811</u></p>
<p>13. Cities Only: School Indebtedness. §136.00(13). <i>(See Instruction 7(e), page 3)</i></p>	<p><u> 0</u></p>
<p>14. (a) Several Indebtedness Contracted in relation to a joint Water Project. §15.20 (n) (b) Joint Indebtedness Contracted for such Purposes. <i>(See Instruction 7(f), page 3.)</i></p>	<p><u> 0</u> (b) <u> 0</u></p>
<p>15. (a) Several Indebtedness Contracted for a Joint Service and Excluded Pursuant to Local Finance Law, §15.20 and §123.00. (b) The Apportioned or Allocated Amount of any such Joint Indebtedness so excluded. <i>(See Instruction 7(g), page 3.)</i></p>	<p>(a) <u> 0</u> (b) <u> 0</u></p>
<p>16. (a) Several Indebtedness Contracted for a Joint Sewage and/or Drainage Project and Excluded Pursuant to Local Finance Law, §15.20, §123.00, and §124.10. (b) The Apportioned or Allocated Amount of any such Joint Indebtedness so excluded. <i>(See Instruction 7(g), page 3.)</i></p>	<p>(a) <u> 0</u> (b) <u> 0</u></p>
<p>Total Exclusions</p>	<p><u> \$149,530,517</u></p>

SCHEDULE A

PART 1. The following obligations will be sold at the sale in connection with which this debt statement is filed:

Date of Authorization	Type of Obligation	Amount to be Sold	Object or Purpose for which Authorized
NA	NA	\$0	NA
Total		\$0	

PART 2. The following bond anticipation notes have been issued in anticipation of the bonds listed in PART 1 above, and are now outstanding.

Date of Note	Amount	Object or Purpose for which Authorized
NA	\$0	NA
Total	\$0	

The following symbols may be used: Serial Bonds-SB; Statutory Installment Bonds-SIB; Bond Anticipation Note-BAN; Capital Note-CN; Tax Anticipation Note-TAN; Revenue Anticipation Note-RAN; Budget Note-BN; Certificate of Indebtedness-CI; Sinking Fund Bonds-SFB.

SCHEDULE B

PART 1. The following obligations are authorized, unissued and will be sold prior to the sale of the obligations listed in Schedule A, PART 1.

Date of Authorization	Type of Obligation	Amount to be Issued	
NA	NA	\$0	NA
Total		\$0	

PART 2. The following obligations are authorized, unissued and will not be sold prior to the sale of the obligations listed in Schedule A, PART 1.

Date of Authorization	Type of Obligation	Amount Remaining Unissued	
NA	NA	\$0	NA
Total		\$0	

VERIFICATION BY CHIEF FISCAL OFFICER

State of New York)
) ss:
County of Monroe)

Scott M. Adair, being duly sworn, deposes and says: That (s)he is the duly selected, qualified, and acting chief fiscal officer of the COUNTY OF MONROE, New York; that (s)he prepared and has read the foregoing debt statement amendment and knows the contents thereof; that the same is true to his/her own knowledge except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he/she believes it to be true.

Subscribed and sworn to before me this 17th day
of April, 2012.

Signature
Director of Finance/Chief Financial Officer
Title
402 County Office Building
39 W. Main St. Rochester, New York 14614
Mail Address

Notary Public

VERIFICATION BY FINANCE BOARD

Not Necessary if verification is made by chief fiscal officer

State of New York)
) ss:
County of Monroe)

being each duly sworn, depose and say: That they are the duly (elected) (appointed), qualified, and acting members of the finance board of the _____ in the County of _____, New York; that they prepared and each of them has read the foregoing debt statement and knows the contents thereof; that the same is true of their own knowledge except as to the matters therein stated to be alleged upon information and belief; and that as to those matters they believe it to be true.

Subscribed and sworn to before me this ____ day
of _____, 20____.

Notary Public

Attachment #4

April 17, 2012

County of Monroe,
State of New York

Ladies and Gentlemen:

We are counsel to the County of Monroe, New York (the "County") and have been requested to render our opinion concerning matters relating to the increase and improvement of the Monroe County Northwest Quadrant Pure Waters Sewer District (the "District") thereof pursuant to the provisions of Section 268 of the County Law (the "County Law") of the State of New York (the "State").

In connection therewith we have examined:

1. The Constitution of the State and such statutes and regulations thereof, including particularly Sections 254 and 268 of the County Law and the State Environmental Quality Review Act, as we have deemed relevant for purposes of the opinions expressed herein;
2. A copy of the map, plan and estimate of cost prepared pursuant to Section 268 of the County Law in connection with the District improvements;
3. A copy of the application to the State Comptroller for consent to expend monies for the improvements for the District (the "Application");
4. A certified copy of a resolution of the County Legislature dated April 17, 2012 approving the Application and authorizing submission to the State Comptroller for approval; and
5. Such other local laws of the County, and resolutions and other proceedings of the County Legislature as we have deemed relevant for purposes of the opinions expressed herein.

In rendering the opinions expressed herein we have assumed (i) the accuracy and truthfulness of all records, documents and proceedings examined by us which have been executed or certified by officials and officers acting within the scope of their official capacities, and have not independently verified the accuracy and truthfulness thereof, (ii) the accuracy and completeness of the information set forth in the map, plan and estimate of cost including compliance therewith with the requirements set forth in the County Law, and (iii) and all boundary descriptions and descriptions of improvements included in the Application and express no opinion with respect thereto.

Based upon the foregoing it is our opinion that:

- (i) The Application contains all of the information required by applicable statutes and regulations.
- (ii) The County, in relation to the improvement expenditures for the District for which the consent of the State Comptroller is sought, has undertaken all actions and proceedings required by applicable statutes.
- (iii) Based upon discussions with County officials, such officials are not aware of any material pending or threatened lawsuits or claims relating to the proposed District improvements.
- (iv) Any assessments, charges or taxes to be levied or imposed to finance the improvements or services to be provided are authorized by statute and all necessary action has been or will be taken by the County to authorize the imposition or levy of such assessments, charges or taxes.

The scope of our engagement in relation to the increase and improvement of the District has extended solely to the examination of the facts and law incident to rendering the opinions expressed herein with respect to the increase and improvement of the District. We express no opinion, and no opinion should be inferred from the foregoing, with respect to the improvements described in any map, plan and estimate of cost or other material or documents prepared in connection with the increase and improvement of the District, their design, their fitness or suitability for the purposes for which they are intended, or with respect to any estimate of the cost or expense thereof, the levels of and/or computation formulae for any assessments or levies to be imposed to pay the same or debt service on any obligations issued for the financing thereof, or the amounts of any user fees with respect thereto.

The State Comptroller may rely upon the opinions expressed herein as if the same had been addressed to him.

Very truly yours,

EXHIBIT "C"

CMA
CapitalMarketsAdvisors, LLC

4211 North Buffalo Road / Suite 19
Orchard Park, New York 14127
Phone 716-662-3910 / Fax 716-662-6684

March 29, 2012

Andrew K. Bartlett
Manager of Capital Finance & Special Projects
Department of Finance
County of Monroe
39 West Main Street
Rochester, NY 14614

Dear Andy,

At your request, on March 29, 2012, we, as the County's Financial Advisor, were asked to provide an estimated net interest cost for various bond par amounts with a term of 20 years. Based upon the Municipal Market Data ("MMD"), the County's underlying credit rating, and potential market movement in the near term, we believe a net interest cost of 4.50% is a reasonable assumption at this time.

Sincerely,
Capital Markets Advisors, LLC



Rick Ganci
Vice President

REPORT ON
THE MAXIMUM AMOUNT TO BE EXPENDED FOR AN
INCREASE AND IMPROVEMENT OF FACILITIES



SEWERAGE FACILITY IMPROVEMENTS
NORTHWEST QUADRANT PURE WATERS DISTRICT
MONROE COUNTY, NEW YORK

January 2012

Monroe County
Department of Environmental Services
CityPlace, 50 West Main Street, Suite 7100
Rochester, New York 14614-1228

Table of Contents

- I. Summary
- II. Purpose
- III. Proposed Improvements
- IV. User Charges
- V. Conclusions
- VI. Recommendations

I. Summary

1. The Northwest Quadrant Pure Waters District (District) is a County sewer district formed in 1968 to serve the Towns of Greece, Parma, Hamlin, Clarkson, Sweden, and a portion of Ogden, including the Villages of Brockport, Hilton, and Spencerport.
2. The District constructed a wastewater treatment plant and interceptor system, including three pump stations in the early 1970s. The stations include the Island Cottage, Flynn Road, and Buttonwood Pump Stations.
3. Improvements to the Northwest Quadrant Wastewater Treatment Plant (NWQ WWTP) were previously authorized, including replacement of the Buttonwood Force Main influent connection to the WWTP headworks, flow monitoring equipment, design of a second centrifuge installation, replacement of motor control centers, rebuilding the first centrifuge, evaluation of aerators, installation of an additional secondary clarifier and general improvements including the replacement of equipment to maintain environmentally compliant operations and address equipment reaching the end of its useful service life.
4. Improvements to the Island Cottage and Flynn Road Pump Stations were previously authorized, including enhancements to driveway and parking areas for vehicular access and electrical system upgrades to accommodate required emergency backup power systems.
5. Improvements for a major regional sewer project including a new pump station and force main to convey wastewater from the Village of Spencerport, in the Town of Ogden, to existing District sewers in North Gates, in the Town of Gates were previously authorized. The improvements allowed the Village to decommission its wastewater treatment plant, a point source discharge to Northrup Creek, consistent with Monroe County Pure Waters' Master Plan recommendations regarding regional wastewater conveyance, treatment, and water quality initiatives.
6. The District's pump stations and interceptor sewers require additional improvements, including general improvements to various pump stations and interceptor sewers and appurtenant communication and data transmission systems to maintain environmentally compliant operations and address equipment reaching the end of its useful service life.
7. The NWQ WWTP requires additional improvements to the new secondary clarifier to maintain environmentally compliant operations.
8. An Increase and Improvement of Facilities in the amount of \$6,500,000 will be required to finance these improvements.

II. Purpose

1. The purpose of these improvement projects is the repair, replacement, rehabilitation or reconstruction of the District's sewerage facilities, whether or not including land or rights in land, or original furnishings, equipment, machinery or apparatus appurtenant thereto with periods of probable usefulness of 20 years.

III. Proposed Improvements

1. *General Pump Station and Interceptor Improvements*

The District will make general improvements to various pump stations and interceptor sewers, including enhancements to appurtenant communication and data transmission systems.

2. *Northwest Quadrant Secondary Clarifier Improvements*

The District will install an additional secondary clarifier tank and appurtenant mechanical and electrical systems.

3. *Project Cost Summary*

<u>Project</u>	<u>Cost Estimate</u>
General Pump Station and Interceptor Improvements	\$ 500,000
<u>Northwest Quadrant Secondary Clarifier Improvements</u>	<u>\$ 6,000,000</u>
Total Project Costs	\$ 6,500,000

IV. User Charges

The District intends to finance the improvements through the issuance of \$6,500,000 in bonds. Implementation of these improvements could result in an increase of \$0.67 and \$7.99, respectively, for a total increase of \$8.66 to the capital rate portion of the average District homeowner's annual bill. The current capital rate for the average District homeowner is \$28.56. The 2012 rate for an average house in the District is \$106.96, including both operation & maintenance and capital rate portions, based on water consumption of 60,000 gallons.

V. Conclusions

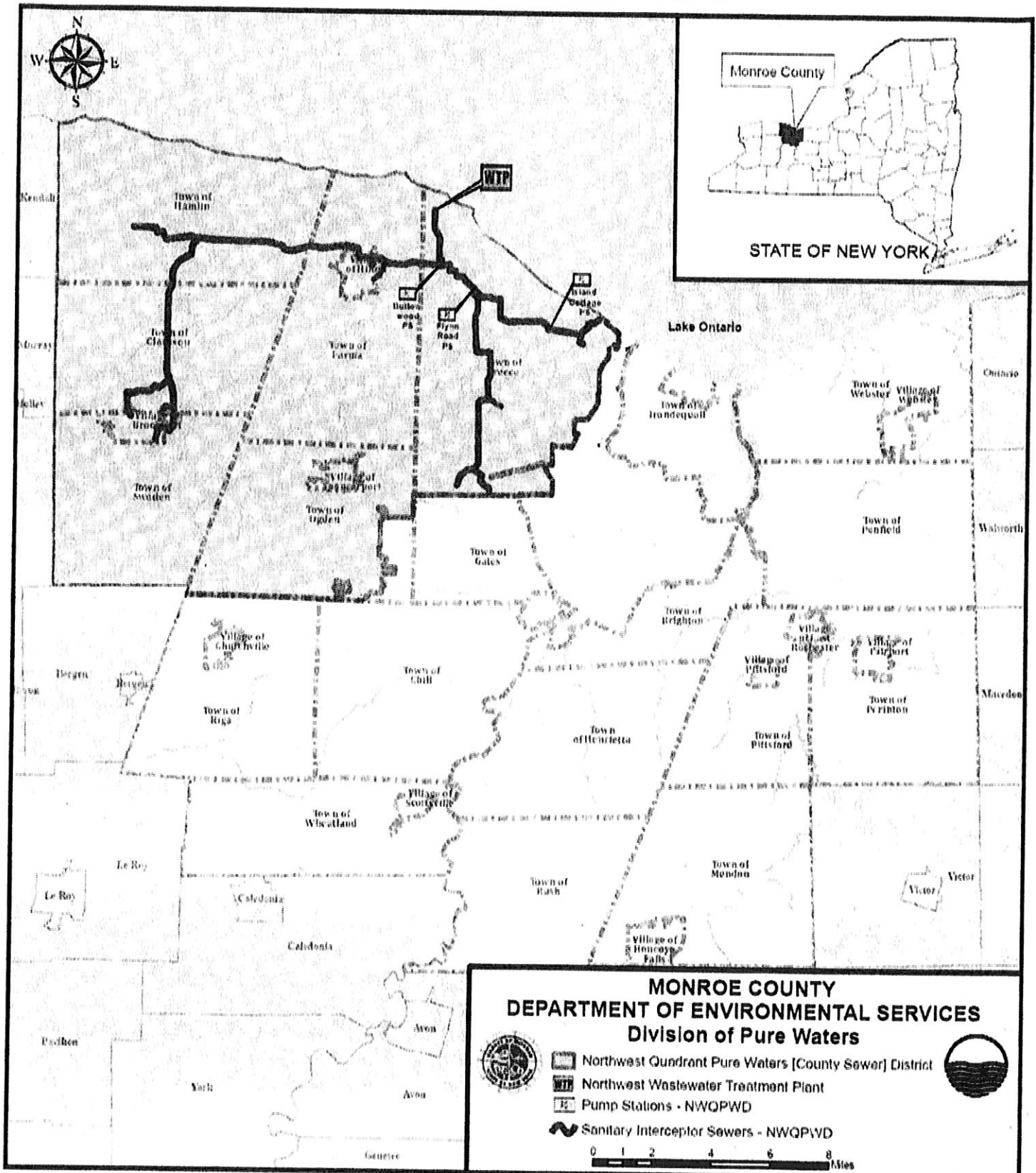
1. Improvements are necessary to maintain the District's sewerage facilities.
2. Approval of the issuance of \$6,500,000 in bonds is necessary to provide for the planning, design, and construction of the proposed improvements.
3. The impact on District user charges resulting from the proposed improvements is reasonable.

VI. Recommendations

The District Administrative Board and County Legislature should take the following specific action:

1. Approve submission to the County Legislature of a request to establish an Increase and Improvement of Facilities in the Northwest Quadrant Pure Waters District at a total cost of \$6,500,000.
2. Adopt a resolution calling for a Public Hearing for the proposed maximum amount to be expended for an Increase and Improvement of Facilities
3. Publish a notice of Public Hearing in the official newspapers of the County not less than 10, or more than 20, days before the hearing.
4. Following the Public Hearing, adopt a resolution approving the Increase and Improvement of Facilities and the maximum amount to be expended; and adopt a bond resolution authorizing issuance of \$6,500,000 in bonds, all subject to the approval of the State Comptroller if required.
5. Authorize filing of applications and execution of Project Financing Agreements and any other necessary documents by the County Executive or the Chief Financial Officer, as appropriate for participation in the New York State Water Pollution Control Revolving Loan Fund (SRF) under the applicable laws of New York State to finance all or a portion of this sewage facility improvement project.

Monroe County Northwest Quadrant Pure Waters District Increase and Improvement of Facilities



THE DAILY RECORD

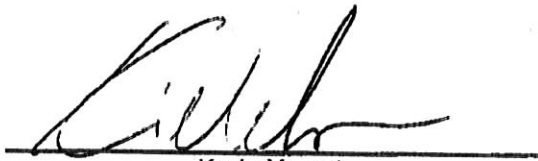
WESTERN NEW YORK'S SOURCE FOR LAW, REAL ESTATE, FINANCE AND GENERAL INTELLIGENCE SINCE 1908

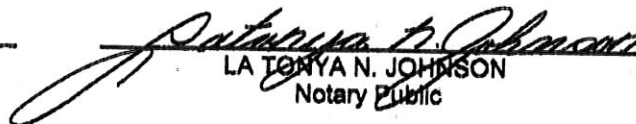
AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK County of Monroe

The undersigned is the Publisher of The Daily Record, a daily newspaper published in Rochester, New York. A notice was published in said paper one times, commencing on 3/23/2012 and ending on 3/23/2012. The text of the notice as published in said paper is as set forth below, or in the annexed exhibit. This newspaper has been designated by the Clerk of Monroe County for this purpose.

Sworn to before me on this 23rd days of March, 2012


Kevin Momot
Publisher


LA TONYA N. JOHNSON
Notary Public

NOTICE OF HEARING BEFORE MONROE COUNTY LEGISLATURE

File No. 12-0090
10063324 3-23-11

PLEASE TAKE NOTICE, that a public hearing will be held by the County Legislature of the County of Monroe on April 17, 2012, at 6:21 p.m. in the County Legislative Chambers in the County Office Building, Rochester, New York, on a proposed resolution (Intro. No. 96 of 2012), entitled "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT - NORTHWEST QUADRANT SECONDARY CLARIFIER IMPROVEMENTS." Copies of this proposed resolution are available for examination in the office of the Clerk of the County Legislature.

This proposed resolution would increase and improve the facilities of said District, consisting of the "General Pump Station and Interceptor Improvements", all as more fully set forth in such map and plan filed with the County Legislature pursuant to Section 268 of the County Law.

The estimated cost of this project is \$6,000,000. The implementation of this project will result in an average cost increase of approximately \$7.99 to the typical property in the District.

CHERRYL M. ROZZI, Clerk
Monroe County Legislature
Dated: March 13, 2012
Rochester, New York

LA TONYA N. JOHNSON
NOTARY PUBLIC, State of New York
Reg. No. 01JO6200636
Qualified in Monroe County
Commission Expires February 9, 2013



AC 973 (Rev. 7/85)
Cities under 125,000 population
Counties
Towns
Villages

EXHIBIT A

STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER
ALBANY, NEW YORK 12236

DEBT STATEMENT

of

COUNTY of MONROE, NEW YORK

PREPARED AS OF

April 17, 2012

FORWARD TO: State of New York
Office of the State Comptroller
Local Government and School Accountability
110 State Street
Albany, New York 12236

By Legislators Howland and Yolevich

Intro. No. 140

RESOLUTION NO. 100 OF 2012

SUPERSEDING BOND RESOLUTION DATED APRIL 17, 2012

RESOLUTION AUTHORIZING THE ISSUANCE OF \$9,000,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF IMPROVEMENTS TO THE WASTE WATER TREATMENT PLANT INCLUDING, BUT NOT LIMITED TO, THE INSTALLATION OF AN ADDITIONAL SECONDARY CLARIFIER TANK AND APPURTENANT MECHANICAL ELEMENTS NECESSARY TO PROVIDE INCREASED HYDRAULIC CAPACITIES OF THE NORTHWEST QUADRANT PURE WATERS DISTRICT IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$9,000,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON MAY 11, 2010 (RESOLUTION NO. 115 OF 2010)

WHEREAS, the Administrative Board of the Northwest Quadrant Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for improvements to the Waster Water Treatment Plant including, but not limited to, installation of an additional secondary clarifier tank and appurtenant mechanical elements necessary to provide increased hydraulic capacities of said District, and

WHEREAS, a public hearing was held on April 17, 2012, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

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

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

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

Section 1. For the class of objects or purposes of financing the cost of improvements to the Waster Water Treatment Plant including, but not limited to, the installation of an additional secondary clarifier tank and appurtenant mechanical elements necessary to provide increased hydraulic capacities in the Northwest Quadrant Pure Waters District in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$9,000,000 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 \$6,000,000 to pay the cost of the aforesaid class of objects or purposes (\$3,000,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 13, 2010, the date of the first obligation issued therefor.

Section 2. The maximum estimated cost thereof is now determined to be \$9,000,000, and the plan for the financing thereof is by the issuance of \$9,000,000 bonds of the County herein authorized;

provided, however, that to the extent any State and/or Federal aid is received for the aforesaid purpose, such aid shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. 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. 115 of 2010, being a bond resolution dated May 11, 2010, except to the extent that any obligations have been issued or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of the bonds to be issued therefor from \$3,000,000 to \$9,000,000.

Section 8. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter and the Clerk of the Legislature is hereby authorized and directed to cause this resolution or a summary hereof to be published, together with a notice attached in substantially the form and in the manner provided by Section 81.00 of the Local Finance Law. This resolution may not be relied upon by the Director of Finance – Chief Financial Officer to let contracts or finance expenditures unless and until the State Comptroller shall consent to the expenditures authorized to be financed hereunder.

Environment and Public Work Committee; February 29, 2012 – CV: 6-0
Ways and Means Committee; February 29, 2012 – CV: 11-0
File No. 12-0090.br

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Magie Mook DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 141

MOTION NO. 33 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 99 OF 2012), ENTITLED "APPROVING AN INCREASE AND IMPROVEMENT OF FACILITIES IN THE NORTHWEST QUADRANT PURE WATERS DISTRICT FOR THE ACQUISITION OF A LOCAL SEWER SYSTEM FROM THE EASTMAN KODAK COMPANY," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 99 of 2012), entitled "APPROVING AN INCREASE AND IMPROVEMENT OF FACILITIES IN THE NORTHWEST QUADRANT PURE WATERS DISTRICT FOR THE ACQUISITION OF A LOCAL SEWER SYSTEM FROM THE EASTMAN KODAK COMPANY," be lifted from the table.

File No. 12-0092

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 142

MOTION NO. 34 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 99 OF 2012), ENTITLED "APPROVING AN INCREASE AND IMPROVEMENT OF FACILITIES IN THE NORTHWEST QUADRANT PURE WATERS DISTRICT FOR THE ACQUISITION OF A LOCAL SEWER SYSTEM FROM THE EASTMAN KODAK COMPANY," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 99 of 2012), entitled "APPROVING AN INCREASE AND IMPROVEMENT OF FACILITIES IN THE NORTHWEST QUADRANT PURE WATERS DISTRICT FOR THE ACQUISITION OF A LOCAL SEWER SYSTEM FROM THE EASTMAN KODAK COMPANY," be adopted.

File No. 12-0092

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 99

RESOLUTION NO. 101 OF 2012

APPROVING AN INCREASE AND IMPROVEMENT OF FACILITIES IN THE NORTHWEST QUADRANT PURE WATERS DISTRICT FOR THE ACQUISITION OF A LOCAL SEWER SYSTEM FROM THE EASTMAN KODAK COMPANY

WHEREAS, the Administrative Board of the Northwest Quadrant Pure Waters District of the County of Monroe, New York, has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York, for a proposed increase and improvement of the facilities of said District, consisting of the District accepting dedication and assuming operation and maintenance responsibilities for the sanitary sewer collection system serving its 303-acre "Eastman Business Park-M" area located in the Town of Greece. These sewerage facilities consist of two (2) pump stations and approximately 13,750 linear feet of force main and gravity sewers. Eastman Kodak Company will complete upgrades to the sewerage facilities to conform to District requirements prior to the dedication, all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 17th day of April, 2012, at 6:22 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

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

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Northwest Quadrant Pure Waters District, at no cost to the District, all as more fully described in the preambles hereof.

Section 2. The cost of such increase and improvement shall be assessed against the future property owners serviced by the facilities and will not present any financial burden to other District rate payers.

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

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

Section 5. The Clerk of the Legislature is hereby authorized and directed to send certified copies of this resolution to the New York State Department of Audit and Control.

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

Environment and Public Works Committee; February 29, 2012 - CV: 6 - 0
Ways and Means Committee; February 29, 2012 - CV: 11 - 0
File No. 12-0092

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: Y VETOED: _____
SIGNATURE: Magic Brock DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 143

MOTION NO. 35 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 102 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT - GENERAL COLLECTION SYSTEM IMPROVEMENTS," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 102 of 2012), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT - GENERAL COLLECTION SYSTEM IMPROVEMENTS,**" be lifted from the table.

File No. 12-0094

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 144

MOTION NO. 36 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 102 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT - GENERAL COLLECTION SYSTEM IMPROVEMENTS," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 102 of 2012), entitled "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT - GENERAL COLLECTION SYSTEM IMPROVEMENTS," be adopted.

File No. 12-0094

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 102

RESOLUTION NO. 102 OF 2012

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

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

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 17th day of April, 2012, at 6:23 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

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

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Gates-Chili-Ogden Sewer District at a maximum estimated cost of \$500,000, all as more fully described in the preambles hereof.

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

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

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

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

Section 6. The County Executive is hereby authorized and directed to send the Application attached hereto to the New York State Department of Audit and Control.

Section 7. The Administrative Board of the Gates-Chili-Ogden Sewer District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law once approval from the New York State Comptroller has been received consenting to the expenditures for such improvements.

Section 8. The attached Application to the New York State Comptroller for consent to expend funds for such improvements was prepared at the request of the County Legislature and the County Legislature believes the contents of the Application to be accurate

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; February 29, 2012 - CV: 6-0
Ways and Means Committee; February 29, 2012 - CV: 11-0
File No. 12-0094

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magic Mads DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 145

RESOLUTION NO. 103 OF 2012

SUPERSEDING BOND RESOLUTION DATED APRIL 17, 2012

RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE IMPROVEMENT OF FACILITIES OF THE GATES-CHILI-OGDEN SEWER DISTRICT CONSISTING OF GENERAL COLLECTION SYSTEM IMPROVEMENTS, AT AN ESTIMATED MAXIMUM COST OF \$1,500,000, IN AND FOR SAID COUNTY, AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON MAY 10, 2011 (RESOLUTION NO. 138 OF 2011)

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

WHEREAS, a public hearing was held on April 17, 2012, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

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

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

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

Section 1. For the class of objects or purposes of financing the cost of the improvement of facilities of the Gates-Chili-Ogden Sewer District, consisting of general collection system improvements, including, but not limited to, i) improvements to various pump stations and collection system infrastructure in the District, ii) improvements to increase conveyance capacity and enhance operational flexibility and iii) enhancements to the appurtenant communication and data transmission systems, for the benefit of said District, in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$1,500,000 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 \$500,000 to pay the cost of the aforesaid class of objects or purposes (\$1,000,000 having been heretofore appropriated from one or more Capital Budgets). The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of the amount hereby authorized to pay the cost of the aforesaid class of objects or purposes. The period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, computed from July 13, 2010, the date of the first obligation issued therefor.

Section 2. The maximum estimated cost thereof is \$1,500,000, and the plan for the financing thereof is by the issuance of \$1,500,000 bonds of the County herein authorized; provided, however, that to the extent any state and/or federal aid is received for the aforesaid purpose, such aid shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. 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. 138 of 2011, being a bond resolution dated May 10, 2011, except to the extent that any indebtedness shall have been contracted or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of bonds to be issued therefore from \$1,000,000 to \$1,500,000.

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

Environment and Public Work Committee; February 29, 2012 – CV: 6-0
Ways and Means Committee; February 29, 2012 – CV: 11-0
File No. 12-0094.br

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magie Mads DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 146

MOTION NO. 37 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 105 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT - CENTRAL GATES PUMP STATION IMPROVEMENTS," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 105 of 2012), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT - CENTRAL GATES PUMP STATION IMPROVEMENTS,**" be lifted from the table.

File No. 12-0096

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 147

MOTION NO. 38 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 105 OF 2012), ENTITLED "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT - CENTRAL GATES PUMP STATION IMPROVEMENTS," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 105 of 2012), entitled "**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT - CENTRAL GATES PUMP STATION IMPROVEMENTS,**" be adopted.

File No. 12-0096

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 105

RESOLUTION NO. 104 OF 2012

APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT – CENTRAL GATES PUMP STATION IMPROVEMENTS

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

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the 17th day of April, 2012, at 6:24 P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

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

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Gates-Chili-Ogden Sewer District, at a maximum estimated cost of \$500,000, all as more fully described in the preambles hereof.

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

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

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

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

Section 6. The County Executive is hereby authorized and directed to send the Application attached hereto to the New York State Department of Audit and Control.

Section 7. The Administrative Board of the Gates-Chili-Ogden Sewer District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law once approval from the New York State Comptroller has been received consenting to the expenditures for such improvements.

Section 8. The attached Application to the New York State Comptroller for consent to expend funds for such improvements was prepared at the request of the County Legislature and the County Legislature believes the contents of the Application to be accurate

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; February 29, 2012 - CV: 6-0
Ways and Means Committee; February 29, 2012 - CV: 11-0
File No. 12-0096

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Masjo Brooks DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

AC 973 (Rev. 7/85)
Cities under 125,000 population
Counties
Towns
Villages

EXHIBIT A

STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER
ALBANY, NEW YORK 12236

DEBT STATEMENT

of

COUNTY of MONROE, NEW YORK

PREPARED AS OF

April 17, 2012

FORWARD TO: State of New York
Office of the State Comptroller
Local Government and School Accountability
110 State Street
Albany, New York 12236

AC 973 (Rev. 7/85)
Cities under 125,000 population
Counties
Towns
Villages

**STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER**

This is the official debt statement form prescribed by the State Comptroller pursuant to section 141.00 of the Local Finance Law for use by counties, towns, villages and cities having a population of less than 125,000 inhabitants.

THOMAS P. DiNAPOLI
State Comptroller

INSTRUCTIONS

1. **STATUTORY REFERENCE.** A statutory reference can be found after each item of indebtedness to be included and excluded in the debt statement. For example, §135.00 (a)(1) means "subdivision 1 of paragraph (a) of section 135.00 of the Local Finance Law". Wherever a reference appears, that section of the Local Finance Law should be consulted.
2. **DATE OF PREPARATION.** This statement must not be prepared more than thirty days previous to the date of sale of bonds. Local Finance Law, section 109.00.
3. **FILING.** A debt statement must be filed between three and fifteen days before a municipality sells any bonds which are required to be sold at public sale. The statement must be filed with the State Comptroller and a duplicate copy must be filed with the clerk or corresponding officer of the municipality. It is not necessary to file a copy in the county clerk's office. Local Finance Law, section 109.00.
4. **AVERAGE FULL VALUATION OF TAXABLE REAL ESTATE.** In computing "Average Full Valuation of Taxable Real Estate" on page 5, use last completed assessment roll and four preceding rolls. An assessment roll is one which has been completed, verified and filed by the assessors and for which a state equalization rate has been finalized. The words "For Fiscal Year Ending" refer to the year for which taxes have been or will be extended on the assessment roll rather than the year in which the roll was completed.

The amounts to be used in Column 1 should be the amounts shown on such rolls after the hearing of grievances and the filing of the final completed assessment rolls, regardless of subsequent changes. In Column 1, include the assessed valuations of special franchises but exclude the assessed valuations of all exempt properties to the extent they are exempt from general taxation. Full valuation (Column 3) is determined as follows: Divide the taxable assessed valuations (Column 1) by the final equalization rate (Column 2) established by the State Board of Equalization and Assessment for such valuation. Where boundary changes have occurred and in the case of newly-created municipalities, see section 2.00 (7)(a) of the Local Finance Law. In the case of counties, average full valuation is computed by dividing the taxable assessed valuations on the last completed and four preceding assessment rolls for each of the cities and towns therein by the final equalization rates established for such rolls; provided, however, in a county having a county department of assessment the state equalization rates established for the cities and towns therein on the basis of the county roll shall be applied to the appropriate portions of the county roll. The sum of the quotients thus obtained must then be divided by five.

5. **INCLUSIONS.** Re item 8, Page 5. Include the respective amounts of all several indebtedness and allocated or apportioned joint indebtedness contracted or incurred pursuant to Article II, Title 1-A of the Local Finance Law in relation to a joint service or a joint water, sewage or drainage project. The amount of joint indebtedness to be so included should not exceed the amount of such indebtedness allocated and apportioned to the municipality in the bond or note resolution authorizing such indebtedness to be contracted.

Joint indebtedness to be included arising out of real property liabilities contract liabilities should not exceed the amount of such indebtedness required to be allocated and apportioned to the municipality in the agreement of the participating municipalities in relation to such joint service or project. Where the agreement does not provide for any such allocation or apportionment, or in the case of involuntary joint indebtedness, the amount to be allocated and apportioned and included in the debt statement of a participating municipality should be in the same proportion as the full valuation of the real estate subject to taxation or assessment by such municipality for such joint service or project bears to the full valuation of the real estate subject to taxation or assessment by all of the participating municipalities for such joint service or project. See Local Finance Law, section 15.10. However, if the State Comptroller has issued a certificate allocating and apportioning such joint indebtedness pursuant to the provisions of section 15.10 of the Local Finance Law, the amounts so allocated and apportioned by the State Comptroller should be included in the debt statements of each respective municipality as indebtedness.

6. **GROSS JOINT INDEBTEDNESS.** The aggregate gross amount of all joint indebtedness including borrowings, real property liabilities, contract liabilities, judgments, claims, awards and determinations contracted or incurred and before any apportionment or allocation should be stated at page 5 of the debt statement.

7. EXCLUSIONS:

- (1) Item 1, Page 6. Do not include any tax or revenue obligations, or renewals thereof, which have not been retired within five years after the date such original obligations were issued.
- (2) Item 2, Page 6. Include only obligations issued for objects or purposes other than the financing of capital improvements and contracted to be redeemed in one of the two fiscal years immediately succeeding the year of their issue. Do not include bonds, bond anticipation notes, capital notes, budget notes or obligations which have been issued for the direct financing of improvements or equipment. Do not include serial bonds of an issue having a maximum maturity of more than two years.
- (3) Item 3, Page 6. Do not include joint or several indebtedness contracted pursuant to Article II, Title 1-A of the Local Finance Law to finance a joint water project. Such indebtedness is to be included in Item 14, page 6.
- (4) Items 4 and 5, Page 6. Do not include any indebtedness contracted pursuant to Article II, Title 1-A of the Local Finance Law in relation to a joint service or a joint water, sewage or drainage project. Such indebtedness is to be included in either item 15 or 16 at page 6.
- (5) Item 13, Page 6. Include city indebtedness for education purposes, if any, allocated to the city school district by the State Comptroller pursuant to section 1 of chapter 831 of the Laws of 1951.
- (6) Item 14, Page 6. State the respective amounts of any several indebtedness and the allocated or apportioned amounts of any joint indebtedness contracted or incurred in relation to the financing of a joint water project pursuant to Article II, Title 1-A of the Local Finance Law.
- (7) Items 15 and 16, Page 6. State the respective amounts of any several indebtedness and the allocated or apportioned amounts of any joint indebtedness contracted or incurred in relation to the financing of a joint service and a joint sewage or drainage project pursuant to Article II, Title 1-A of the Local Finance Law and excluded pursuant to the provisions of section 15.20, 123.00 and 124.10 of such law.

8. **VERIFICATION.** Page 9. This debt statement must be verified by the chief fiscal officer of the municipality. See definition of the term "chief fiscal officer" in the Local Finance Law, section 2.00 (5). If a municipality has no chief fiscal officer, then this statement must be verified by the finance board.

The following is a statement of the County of Monroe New York to contract indebtedness, and is prepared as of April 17, 2012 pursuant to Title 8, Article II of the Local Finance Law.

DEBT LIMIT

Counties (except Nassau), cities, towns and villages	<u>2,671,002,297</u>
Multiply "Average full valuation" (Page 5), Line 7 by .07 (Nassau County .10)	

TOTAL NET INDEBTEDNESS

Total Inclusions (Page 5)	<u>573,435,700</u>
Less: Total Exclusions (Page 6)	<u>149,530,517</u>
Total Net Indebtedness	<u>423,905,183</u>

NET-DEBT CONTRACTING MARGIN

Debt Limit (Above)	<u>2,671,002,297</u>
Less: Total Net Indebtedness (Above)	<u>423,905,183</u>
Net Debt-Contracting Margin	<u>2,247,097,114</u>

PERCENTAGE OF DEBT- CONTRACTING POWER EXHAUSTED

Divide "Total Net Indebtedness" by "Debt limit" and enter result here	<u>15.87%</u>
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PROPOSED BOND ISSUE

The amount of bonds proposed to be sold at public sale on mmmm dd, yyyy, in connection with which this statement is made and filed is	<u>NA</u>
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The amount of bond anticipation notes heretofore issued in anticipation of the sale and issuance of such bonds and included at "Borrowings" at Item 1 of Inclusions at page 5 is	<u>NA</u>
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STATEMENT OF TOTAL DEBT

AVERAGE FULL VALUATION OF TAXABLE REAL PROPERTY

Line No.	For Fiscal Year Ending	(1) Taxable Assessed Valuation of Real Estate	(2) Final State Equalization Rate	(3) Full Valuation of Taxable Real Property (column 1 + column 2)
1	12/31/2007	\$34,956,933,053	95.3323%	\$36,668,516,966
2	12/31/2008	37,051,122,066	98.3319%	37,679,656,909
3	12/31/2009	37,911,204,768	98.4689%	38,500,703,660
4	12/31/2010	38,481,170,686	99.0998%	38,830,742,623
5	12/31/2011	38,753,584,715	99.0982%	39,106,258,218
6	Total of Lines 1 to 5 Inclusive			\$190,785,878,376
7	Average Full Valuation (1/5 of total of column 3)			\$38,157,175,675

Note: See Instruction 4, Page 1

INCLUSIONS

1. Borrowings. §135.00(a)(1).	\$573,435,700
2. Real Property Liabilities. §135.00(a)(2), §142.00.	0
3. Contract Liabilities. §135.00(a)(3).	0
4. Cities, Towns and Villages: Contract Liabilities: Housing Guarantees; Subsidies. §135.00(a)(4),(a)(4-a),(a)(4-b).	0
5. Cities, Towns and Villages: State Loans to Certain Housing Authorities and Municipalities. §135.00(a)(5).	0
6. Judgments, Claims, Awards and Determinations. §135.00(a)(6).	0
7. Cities, Towns and Villages: Indebtedness Contracted by Certain District Corporations. §135(a)(7).	0
8. Indebtedness Contracted or Incurred Pursuant to Article II, Title 1-A of the Local Finance Law in relation to a Joint Water, Sewage or Drainage Project: (See Instruction 5, Page 2.)	
(a) Borrowings: Several Indebtedness.	0
(b) Borrowings: Allocated or Apportioned Joint Indebtedness.	0
(c) Real Property Liabilities.	0
(d) Contract Liabilities.	0
(e) Judgments, Claims, Awards and Determinations.	0
Total Inclusions	\$573,435,700

GROSS JOINT INDEBTEDNESS

The aggregate gross amount of all joint indebtedness before apportionment or allocation is \$573,435,700
 (See instruction 6, Page 3.)

EXCLUSIONS

<p>1. Tax and Revenue Obligations. §136.00(1). \$ <i>(See Instruction 7(a), page 3.)</i></p>	<p>_____ \$0</p>
<p>2. Obligations Issued for other than Capital Improvements. §136.00(1-a). <i>(See Instruction 7(b), page 3.)</i></p>	<p>_____ 0</p>
<p>3. Water Indebtedness. §136.00(2). <i>(See Instruction 7(c), page 3.)</i></p>	<p>_____ 5,030,222</p>
<p>4. Indebtedness Contracted for Self-Liquidating Projects. §136.00(3). <i>(See Instruction 7(d), page 3.) (See also, if applicable, contract payments (§136.00 (3-a))) and rental payments (§136.00 (3-b)(3-c))</i></p>	<p>_____ 38,186,410</p>
<p>5. Sewer Indebtedness Contracted on or after January 1, 1962, and prior to January 1, 1994. §136.00(4-a).</p>	<p>_____ 8,946,640</p>
<p>6. Bonds for Pensions. §136.00(4).</p>	<p>_____ 0</p>
<p>7. Cities and Villages with Population of 5,000 or More: Indebtedness for Housing and Urban Renewal Purposes. §136.00(8). <i>(See also, if applicable, indebtedness for housing or urban renewal purposes (§136.00(8-a)).</i></p>	<p>_____ 0</p>
<p>8. Towns and Villages with Population of less than 5,000: Subsidies or Guarantees for Housing Purposes. §136.00(9).</p>	<p>_____ 0</p>
<p>9. Assets of Sinking Funds. §136.00(10).</p>	<p>_____ 0</p>
<p>10. Refunded and Refunding bonds. §136.00(10-a)(10-b).</p>	<p>_____ 62,128,427</p>
<p>11. Cash on Hand for Debts. §136.00(11).</p>	<p>_____ 2,755,007</p>
<p>12. Appropriations. §136.00(12).</p>	<p>_____ 32,483,811</p>
<p>13. Cities Only: School Indebtedness. §136.00(13). <i>(See Instruction 7(e), page 3)</i></p>	<p>_____ 0</p>
<p>14. (a) Several Indebtedness Contracted in relation to a joint Water Project. §15.20 (n) (b) Joint Indebtedness Contracted for such Purposes. <i>(See Instruction 7(f), page 3.)</i></p>	<p>_____ 0 (b) _____ 0</p>
<p>15. (a) Several Indebtedness Contracted for a Joint Service and Excluded Pursuant to Local Finance Law, §15.20 and §123.00. (b) The Apportioned or Allocated Amount of any such Joint Indebtedness so excluded. <i>(See Instruction 7(g), page 3.)</i></p>	<p>(a) _____ 0 (b) _____ 0</p>
<p>16. (a) Several Indebtedness Contracted for a Joint Sewage and/or Drainage Project and Excluded Pursuant to Local Finance Law, §15.20, §123.00, and §124.10. (b) The Apportioned or Allocated Amount of any such Joint Indebtedness so excluded. <i>(See Instruction 7(g), page 3.)</i></p>	<p>(a) _____ 0 (b) _____ 0</p>
<p>Total Exclusions</p>	<p>_____ \$149,530,517</p>

SCHEDULE A

PART 1. The following obligations will be sold at the sale in connection with which this debt statement is filed:

Date of Authorization	Type of Obligation	Amount to be Sold	Object or Purpose for which Authorized
NA	NA	\$0	NA
Total		\$0	

PART 2. The following bond anticipation notes have been issued in anticipation of the bonds listed in PART 1 above, and are now outstanding.

Date of Note	Amount	Object or Purpose for which Authorized
NA	\$0	NA
Total	\$0	

The following symbols may be used: Serial Bonds-SB; Statutory Installment Bonds-SIB; Bond Anticipation Note-BAN; Capital Note-CN; Tax Anticipation Note-TAN; Revenue Anticipation Note-RAN; Budget Note-BN; Certificate of Indebtedness-CI; Sinking Fund Bonds-SFB.

SCHEDULE B

PART 1. The following obligations are authorized, unissued and will be sold prior to the sale of the obligations listed in Schedule A, PART 1.

Date of Authorization	Type of Obligation	Amount to be Issued	
NA	NA	\$0	NA
Total		\$0	

PART 2. The following obligations are authorized, unissued and will not be sold prior to the sale of the obligations listed in Schedule A, PART 1.

Date of Authorization	Type of Obligation	Amount Remaining Unissued	
NA	NA	\$0	NA
Total		\$0	

VERIFICATION BY CHIEF FISCAL OFFICER

State of New York)
)
County of Monroe) **ss:**

Scott M. Adair, being duly sworn, deposes and says: That (s)he is the duly selected, qualified, and acting chief fiscal officer of the COUNTY OF MONROE, New York; that (s)he prepared and has read the foregoing debt statement amendment and knows the contents thereof; that the same is true to his/her own knowledge except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he/she believes it to be true.

Subscribed and sworn to before me this 17th day
of April, 2012.

Signature
Director of Finance/Chief Financial Officer
Title
402 County Office Building

39 W. Main St. Rochester, New York 14614
Mail Address

Notary Public

VERIFICATION BY FINANCE BOARD

Not Necessary if verification is made by chief fiscal officer

State of New York)
)
County of Monroe) **ss:**

being each duly sworn, depose and say: That they are the duly (elected) (appointed), qualified, and acting members of the finance board of the _____ in the County of _____, New York; that they prepared and each of them has read the foregoing debt statement and knows the contents thereof; that the same is true of their own knowledge except as to the matters therein stated to be alleged upon information and belief; and that as to those matters they believe it to be true.

Subscribed and sworn to before me this ____ day
of _____, 20____.

Notary Public

REPORT ON
THE MAXIMUM AMOUNT TO BE EXPENDED FOR AN
INCREASE AND IMPROVEMENT OF FACILITIES



SEWERAGE FACILITY IMPROVEMENTS
GATES-CHILI-OGDEN SEWER DISTRICT
MONROE COUNTY, NEW YORK

January 2012

Monroe County
Department of Environmental Services
CityPlace, 50 West Main Street, Suite 7100
Rochester, New York 14614-1228

Table of Contents

- I. Summary
- II. Purpose
- III. Proposed Improvements
- IV. User Charges
- V. Conclusions
- VI. Recommendations

I. Summary

I. Summary

1. The Gates-Chili-Ogden Sewer District (District) is a County sewer district formed in 1956 to serve the Towns of Gates, Chili and Ogden.
2. The District constructed a wastewater treatment plant and sewer system in the years 1959 through 1962.
3. The District has constructed improvements to the treatment plant and sewer system since the original construction.
4. The treatment plant was shut down in 1998 as a result of construction of a pump station and force main.
5. Improvements to the District sewer system were previously authorized including improvements to the existing collection facilities, including pump stations, force mains, and gravity sewers in order to maintain adequate service to the residences and businesses served by the system, and to reduce the infiltration and inflow in the system.
6. Improvements for two new pump stations and force main and appurtenances to convey leachate and wastewater from Monroe County's Mill Seat Landfill and the Village of Churchville, in the Town of Riga, to the District's King Road Trunk Sewer near Union Street (NYS Route 259), in the Town of Chili were previously authorized. The improvements allowed the Village to decommission its wastewater treatment plant, a point source discharge to Black Creek, consistent with Monroe County Pure Waters' Master Plan recommendations regarding regional wastewater collection, treatment, and water quality initiatives and eliminated the landfill's practice of hauling leachate and wastewater off-site for treatment.
7. Improvements to the Trolley (North Gates) service area including construction of a new relief sewer to convey wastewater to existing District Sewers on Ferrano Street in the City of Rochester were previously authorized.
8. Improvements to the Trolley (North Gates), Central Gates, Southwest, Riverdale, and Airport Pump Stations were previously authorized, including replacing pump systems and appurtenant structural, electrical, instrumentation, control, architectural, and HVAC systems to complement the new pump systems and meet current standards.
9. The Central Gates Pump Station requires additional improvements including major mechanical, electrical and structural improvements.

10. The sewer collection system requires additional improvements including the general repair, replacement, rehabilitation or reconstruction of sewers and pump stations and enhancements to appurtenant communication and data transmission systems to maintain environmentally compliant operations and address equipment reaching the end of its useful service life.
11. An Increase and Improvement of Facilities in the amount of \$3,000,000 will be required to finance these improvements.

II. Purpose

1. The purpose of these improvement projects is the repair, replacement, rehabilitation or reconstruction of the District's sewerage facilities, specifically the Central Gates Pump Station and various pump stations and collection system infrastructure, whether or not including land or rights in land, or original furnishings, equipment, machinery or apparatus appurtenant thereto with periods of probable usefulness of 20 years.

III. Proposed Improvements

1. *General Collection System Improvements*

The District will make general improvements to various pump stations and collection system infrastructure, including enhancements to appurtenant communication and data transmission systems.

2. *Central Gates Pump Station Improvements*

The District will make major mechanical, electrical and structural improvements to the station.

3. *Project Cost Summary*

<u>Project</u>	<u>Cost Estimate</u>
General Collection System Improvements	\$ 500,000
<u>Central Gates Pump Station Improvements</u>	<u>\$2,500,000</u>
Total Project Costs	\$3,000,000

IV. User Charges

The District intends to finance the improvements through the issuance of \$3,000,000 in bonds. Implementation of each of these improvements could result in an increase of \$1.30 and \$6.35, respectively, for a total increase of \$7.65 to the capital rate portion of the average District homeowner's annual bill. The current capital rate for the average District homeowner is \$94.69. The 2012 rate for an average house in the

District is \$192.29, including both operation & maintenance and capital rate portions, based on water consumption of 60,000 gallons.

V. Conclusions

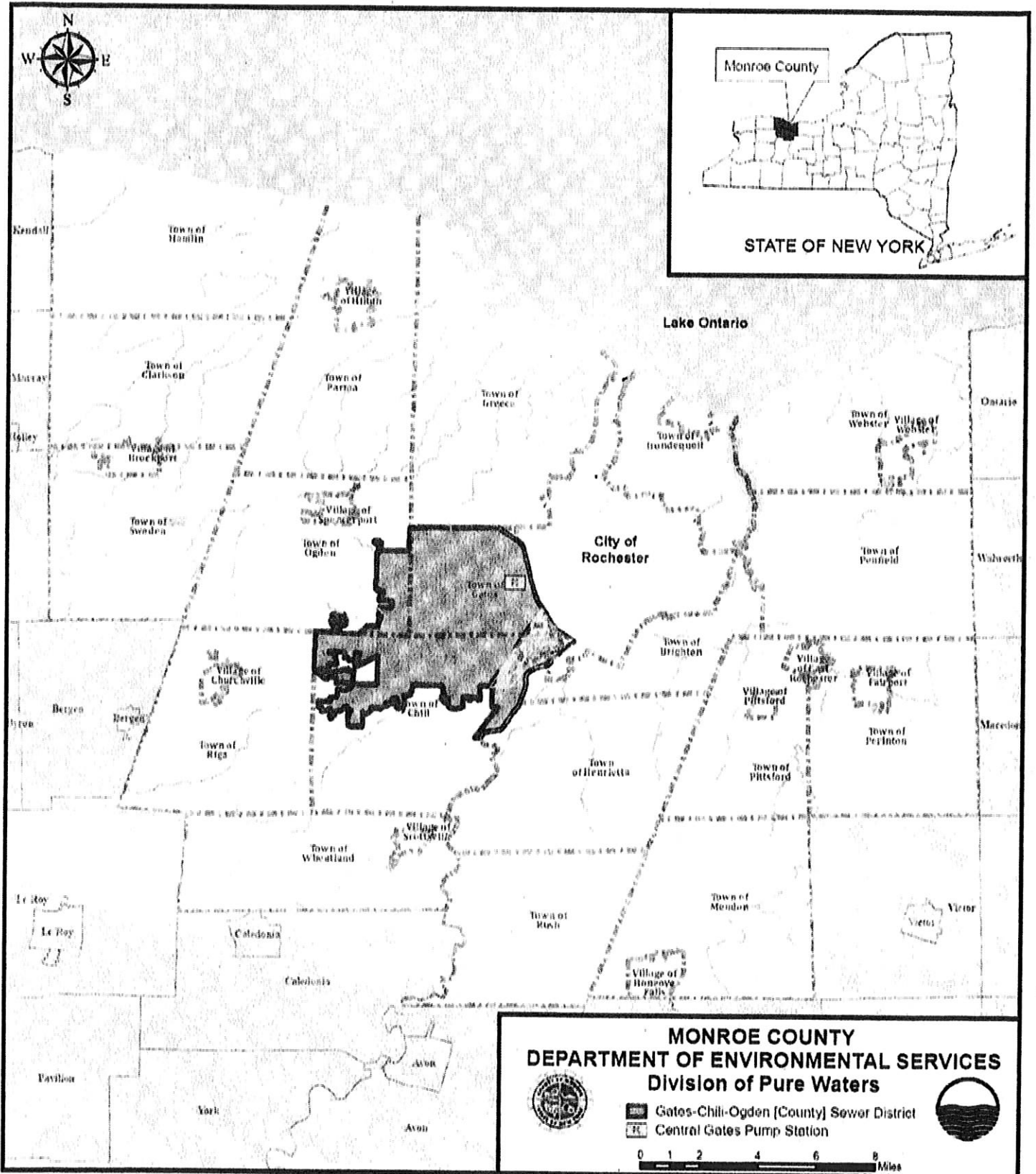
1. Improvements are necessary to maintain the District's sewerage facilities.
2. Approval of the issuance of \$3,000,000 in bonds is necessary to provide for the planning, design, and construction of the proposed improvements.
3. The impact on District user charges resulting from the proposed improvements is reasonable.

VI. Recommendations

The District Administrative Board and County Legislature should take the following specific action:

1. Approve submission to the County Legislature of a request to establish an Increase and Improvement of Facilities in the Gates-Chili-Ogden Sewer District at a total cost of \$3,000,000.
2. Adopt a resolution calling for a Public Hearing for the proposed maximum amount to be expended for an Increase and Improvement of Facilities
3. Publish a notice of Public Hearing in the official newspapers of the County not less than 10, or more than 20, days before the hearing.
4. Following the Public Hearing, adopt a resolution approving the Increase and Improvement of Facilities and the maximum amount to be expended; and adopt a bond resolution authorizing issuance of \$3,000,000 in bonds, all subject to the approval of the State Comptroller if required.
5. Authorize filing of applications and execution of Project Financing Agreements and any other necessary documents by the County Executive or the Chief Financial Officer, as appropriate for participation in the New York State Water Pollution Control Revolving Loan Fund (SRF) under the applicable laws of New York State to finance all or a portion of this sewage facility improvement project.

Monroe County
Gates-Chili-Ogden Sewer District
Increase and Improvement of Facilities



THE DAILY RECORD

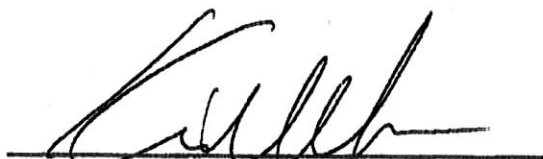
WESTERN NEW YORK'S SOURCE FOR LAW, REAL ESTATE, FINANCE AND GENERAL INTELLIGENCE SINCE 1908

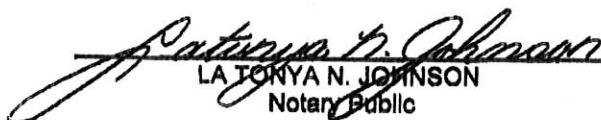
AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK County of Monroe

The undersigned is the Publisher of The Daily Record, a daily newspaper published in Rochester, New York. A notice was published in said paper one time, commencing on 3/23/2012 and ending on 3/23/2012. The text of the notice as published in said paper is as set forth below, or in the annexed exhibit. This newspaper has been designated by the Clerk of Monroe County for this purpose.

Sworn to before me on this 23rd days of March, 2012


Kevin Momot
Publisher


LA TONYA N. JOHNSON
Notary Public

NOTICE OF HEARING BEFORE MONROE COUNTY LEGISLATURE

10063340 3-23-11

PLEASE TAKE NOTICE, that a public hearing will be held by the County Legislature of the County of Monroe on April 17, 2012, at 6:24 p.m. in the County Legislative Chambers in the County Office Building, Rochester, New York, on a proposed resolution (Intro. No. 105 of 2012), entitled "APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT - CENTRAL GATES PUMP STATION IMPROVEMENTS." Copies of this proposed resolution are available for examination in the office of the Clerk of the County Legislature.

This proposed resolution would increase and improve the facilities of said District, consisting of the "Central Gates Pump Station Improvements", all as more fully set forth in such map and plan filed with the County Legislature pursuant to Section 268 of the County Law.

The estimated cost of this project is \$2,500,000. The implementation of this project will result in an average cost increase of approximately \$6.35 to the typical property in the District.

CHIRYI. M. ROZZI, Clerk
Monroe County Legislature
Dated: March 13, 2012
Rochester, New York

File No. 12-0096

LA TONYA N. JOHNSON
NOTARY PUBLIC, State of New York
Reg. No. 01JOB200838
Qualified in Monroe County
Commission Expires February 9, 2013



Attachment #4

April 17, 2012

County of Monroe,
State of New York

Ladies and Gentlemen:

We are counsel to the County of Monroe, New York (the "County") and have been requested to render our opinion concerning matters relating to the increase and improvement of the Monroe County Gates-Chili-Ogden Sewer District (the "District") thereof pursuant to the provisions of Section 268 of the County Law (the "County Law") of the State of New York (the "State").

In connection therewith we have examined:

1. The Constitution of the State and such statutes and regulations thereof, including particularly Sections 254 and 268 of the County Law and the State Environmental Quality Review Act, as we have deemed relevant for purposes of the opinions expressed herein;
2. A copy of the map, plan and estimate of cost prepared pursuant to Section 268 of the County Law in connection with the District improvements;
3. A copy of the application to the State Comptroller for consent to expend monies for the improvements for the District (the "Application");
4. A certified copy of a resolution of the County Legislature dated April ____, 2012 approving the Application and authorizing submission to the State Comptroller for approval; and
5. Such other local laws of the County, and resolutions and other proceedings of the County Legislature as we have deemed relevant for purposes of the opinions expressed herein.

In rendering the opinions expressed herein we have assumed (i) the accuracy and truthfulness of all records, documents and proceedings examined by us which have been executed or certified by officials and officers acting within the scope of their official capacities, and have not independently verified the accuracy and truthfulness thereof, (ii) the accuracy and completeness of the information set forth in the map, plan and estimate of cost including compliance therewith with the requirements set forth in the County Law, and (iii) all boundary descriptions and descriptions of improvements included in the Application and express no opinion with respect thereto.

County of Monroe

April 17, 2012

Page 2

Based upon the foregoing it is our opinion that:

- (i) The Application contains all of the information required by applicable statutes and regulations.
- (ii) The County, in relation to the improvement expenditures for the District for which the consent of the State Comptroller is sought, has undertaken all actions and proceedings required by applicable statutes.
- (iii) Based upon discussions with County officials, such officials are not aware of any material pending or threatened lawsuits or claims relating to the proposed District improvements.
- (iv) Any assessments, charges or taxes to be levied or imposed to finance the improvements or services to be provided are authorized by statute and all necessary action has been or will be taken by the County to authorize the imposition or levy of such assessments, charges or taxes.

The scope of our engagement in relation to the increase and improvement of the District has extended solely to the examination of the facts and law incident to rendering the opinions expressed herein with respect to the increase and improvement of the District. We express no opinion, and no opinion should be inferred from the foregoing, with respect to the improvements described in any map, plan and estimate of cost or other material or documents prepared in connection with the increase and improvement of the District, their design, their fitness or suitability for the purposes for which they are intended, or with respect to any estimate of the cost or expense thereof, the levels of and/or computation formulae for any assessments or levies to be imposed to pay the same or debt service on any obligations issued for the financing thereof, or the amounts of any user fees with respect thereto.

The State Comptroller may rely upon the opinions expressed herein as if the same had been addressed to him.

Very truly yours,

CMA
CapitalMarketsAdvisors, LLC

4211 North Buffalo Road / Suite 19
Orchard Park, New York 14127
Phone 716-662-3910 / Fax 716-662-6684

March 29, 2012

Andrew K. Bartlett
Manager of Capital Finance & Special Projects
Department of Finance
County of Monroe
39 West Main Street
Rochester, NY 14614

Dear Andy,

At your request, on March 29, 2012, we, as the County's Financial Advisor, were asked to provide an estimated net interest cost for various bond par amounts with a term of 20 years. Based upon the Municipal Market Data ("MMD"), the County's underlying credit rating, and potential market movement in the near term, we believe a net interest cost of 4.50% is a reasonable assumption at this time.

Sincerely,
Capital Markets Advisors, LLC



Rick Ganci
Vice President

By Legislators Howland and Yolevich

Intro. No. 148

RESOLUTION NO. 105 OF 2012

BOND RESOLUTION DATED APRIL 17, 2012

RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF IMPROVEMENT OF THE CENTRAL GATES PUMP STATION FACILITIES OF THE GATES-CHILI-OGDEN SEWER DISTRICT IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$2,500,000

WHEREAS, the Administrative Board of the Gates-Chili-Ogden Sewer District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for the improvement of the Central Gates Pump Station facilities of said District including, but not limited to, major mechanical, electrical and structural improvements, all as more fully set forth in such map and plan; and

WHEREAS, a public hearing was held on April 17, 2012, pursuant to Section 268 of the County Law, and thereafter this Legislature of the County of Monroe, New York determined that it was in the public interest to undertake the aforesaid improvements; and

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

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

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

Section 1. For the class of objects or purposes of financing the cost of improvement of the Central Gates Pump Station facilities of the Gates-Chili-Ogden Sewer District in and for the County of Monroe, New York (the "County") including, but not limited to, major mechanical, electrical and structural improvements, there are hereby authorized to be issued, for the benefit of said District, \$2,500,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of the amount hereby authorized to pay the cost of the aforesaid class of objects or purposes. The period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The maximum estimated cost thereof is now determined to be \$2,500,000, and the plan for the financing thereof is by the issuance of \$2,500,000 bonds of the County herein authorized; provided, however, that to the extent any state and/or federal aid and/or grant is received for the aforesaid purpose, such aid and/or grant shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. To the extent not paid from rates, rents or charges, there shall be annually apportioned and assessed upon the several

lots and parcels of land within said District, in the manner provided by law, an amount sufficient to pay the principal and interest on said obligations as the same become due, but if not paid from such source, all the taxable real property in said County shall be subject to the levy of ad valorem taxes, sufficient to pay the principal of and interest on said obligations as the same shall become due.

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

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

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

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

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

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

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

Section 8. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter and the Clerk of the Legislature is hereby authorized and directed to cause this resolution or a summary hereof to be published, together with a notice attached in substantially the form and in the manner provided by Section 81.00 of the Local Finance Law. This resolution may not be relied upon by the Director of Finance – Chief Financial Officer to let contracts or finance expenditures unless and until the State Comptroller shall consent to the expenditures authorized to be financed hereunder.

Environment and Public Work Committee; February 29, 2012 – CV: 6-0
Ways and Means Committee; February 29, 2012 – CV: 11-0
File No. 12-0096.br

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Mary Snow DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 149

MOTION NO. 39 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 110 OF 2012), ENTITLED "CONSENTING TO AN ASSIGNMENT AND MODIFICATION OF A GROUND LEASE AT GREATER ROCHESTER INTERNATIONAL AIRPORT WITH UNITED STATES POSTAL SERVICE TO WESTOVER CAR RENTAL, LLC DBA THRIFTY CAR RENTAL," BE LIFTED FROM THE TABLE

BE IT MOVED, that resolution (Intro. No. 110 of 2012), entitled "CONSENTING TO AN ASSIGNMENT AND MODIFICATION OF A GROUND LEASE AT GREATER ROCHESTER INTERNATIONAL AIRPORT WITH UNITED STATES POSTAL SERVICE TO WESTOVER CAR RENTAL, LLC DBA THRIFTY CAR RENTAL," be lifted from the table.

File No. 12-0100

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 150

MOTION NO. 40 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 110 OF 2012), ENTITLED "CONSENTING TO AN ASSIGNMENT AND MODIFICATION OF A GROUND LEASE AT GREATER ROCHESTER INTERNATIONAL AIRPORT WITH UNITED STATES POSTAL SERVICE TO WESTOVER CAR RENTAL, LLC DBA THRIFTY CAR RENTAL" BE ADOPTED

BE IT MOVED, that resolution (Intro. No. 110 of 2012), entitled "CONSENTING TO AN ASSIGNMENT AND MODIFICATION OF A GROUND LEASE AT GREATER ROCHESTER INTERNATIONAL AIRPORT WITH UNITED STATES POSTAL SERVICE TO WESTOVER CAR RENTAL, LLC DBA THRIFTY CAR RENTAL," be adopted.

File No. 12-0100

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Howland and Yolevich

Intro. No. 110

RESOLUTION NO. 106 OF 2012

CONSENTING TO AN ASSIGNMENT AND MODIFICATION OF A GROUND LEASE AT GREATER ROCHESTER INTERNATIONAL AIRPORT WITH UNITED STATES POSTAL SERVICE TO WESTOVER CAR RENTAL, LLC DBA THRIFTY CAR RENTAL

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

Section 1. The County Legislature shall schedule and hold a public hearing relating to this proposed Resolution.

Section 2. The County Executive, or her designee, is hereby authorized to execute on behalf of the Monroe County Airport Authority, any documents and amendments thereto, necessary to consent to the assignment and modification of the ground lease with the United States Postal Service to Westover Car Rental, LLC dba Thrifty Car Rental.

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

Environment and Public Works Committee; February 29, 2012 - CV: 6-0
Ways and Means Committee; February 29, 2012 - CV: 11-0
File No. 12-0100

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magic Mads DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Hanna and Micciche

Intro. No. 151

RESOLUTION NO. 107 OF 2012

CONFIRMING APPOINTMENTS TO 911 OPERATING PRACTICES BOARD

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

Section 1. In accordance with Resolution 361 of 1981, as amended by Resolution 23 of 1995, the appointments made by Jeffrey R. Adair, President of the Legislature, of John Lightfoot, 52 Dr. Samuel McCree Way, Rochester, New York 14608 and Anthony Micciche, 100 Dunsmere Drive, Rochester, New York 14615 to the 911 Operating Practices Board, for terms to expire on December 31, 2014, are hereby confirmed.

Section 2. This resolution shall take effect immediately.

File No. 12-0105

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Valerio and Drawe

Intro. No. 152

RESOLUTION NO. 108 OF 2012

APPOINTMENT TO CORNELL COOPERATIVE EXTENSION OF MONROE COUNTY

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

Section 1. In accordance with the Constitution of the Cornell Cooperative Extension of Monroe County, Legislator Robert J. Colby, 261 Colby Street, Spencerport, New York 14559 is hereby appointed as the Legislature representative on the Cornell Cooperative Extension of Monroe County.

Section 2. This resolution shall take effect immediately.

File No. 12-0106

ADOPTION: Date: April 17, 2012 Vote: 29-0

By Legislators Hanna and Yolevich

Intro. No. 153

RESOLUTION NO. 109 OF 2012

ACCEPTING GRANT FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR SUPERVISION AND MONITORING COSTS OF IGNITION INTERLOCK DEVICES PROGRAM

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

Section 1. The County Executive, or her designee, is hereby authorized to accept an \$187,813 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Criminal Justice Services, for reimbursement of supervision and monitoring costs of the Ignition Interlock Devices Program, for the period of October 1, 2011 through September 30, 2012.

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

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

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

Public Safety Committee; March 26, 2012 - CV: 9-0
Ways and Means Committee; March 28, 2012- CV: 11-0
File No. 12-0114

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Maggio Marks DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Hanna and Yolevich

Intro. No. 154

RESOLUTION NO. 110 OF 2012

ACCEPTING GRANT FROM NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$307,368 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Homeland Security and Emergency Services, for the State Law Enforcement Terrorism Prevention Program, for the period of September 1, 2011 through August 31, 2014.

Section 2. The 2012 operating budget of the Department of Public Safety is hereby amended by appropriating the sum of \$307,368 into fund 9300, funds center 2408030100, Office of Emergency Management.

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

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

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

Public Safety Committee; March 26, 2012 - CV: 9-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0115

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magie Mark DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Hanna and Yolevich

Intro. No. 155

RESOLUTION NO. 111 OF 2012

ACCEPTING GRANT FROM NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR STATE HOMELAND SECURITY PROGRAM; AUTHORIZING CONTRACT WITH MONROE COMMUNITY COLLEGE

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 \$741,368 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Homeland Security and Emergency Services, for the State Homeland Security Program, for the period of September 1, 2011 through August 31, 2014.

Section 2. The 2012 operating grant budget of the Department of Public Safety is hereby amended by appropriating the sum of \$741,368 into fund 9300, funds center 2408030100, Office of Emergency Management.

Section 3. The County Executive, or her designee, is hereby authorized to execute four (4) contracts, and any amendments thereto, with Monroe Community College, in the total amount of \$216,700, for the State Homeland Security Program, for the period of September 1, 2011 through August 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.

Public Safety Committee; March 26, 2012 - CV: 9-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0116

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: Magie Brooks DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Boyce and Yolevich

Intro. No. 156

RESOLUTION NO. 112 OF 2012

AUTHORIZING CONTRACT WITH KEELER CONSTRUCTION CO., INC. FOR CONSTRUCTION SERVICES FOR JOHN STREET EXTENSION PROJECT IN TOWN OF HENRIETTA

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract with Keeler Construction Co., Inc., in the amount of \$1,820,490.12, for construction services, for the John Street Extension 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 1230 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 27, 2012 - CV: 6-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0117

ADOPTION: Date: April 17, 2012 Vote: 29-0

(Legislator Rockow declared his interest prior to the vote.)

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Masjo Mark DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Tucciarello and Yolevich

Intro. No. 157

RESOLUTION NO. 113 OF 2012

AUTHORIZING CONTRACTS WITH CLARK PATTERSON LEE FOR ENGINEERING SERVICES AND NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR COLDWATER ROAD BRIDGE OVER LITTLE BLACK CREEK PROJECT IN TOWN OF GATES

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

Section 1. The County Executive, or her designee, is hereby authorized to execute a contract with Clark Patterson Lee, in the amount of \$152,149.23, for engineering services for the Coldwater Road Bridge over Little Black Creek project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. The County Executive, or her designee, is hereby authorized to execute an agreement, and any amendments thereto, with the New York State Department of Transportation for the Coldwater Road Bridge over Little Black Creek project.

Section 3. Funding for these contracts, consistent with authorized uses, is included in capital fund 1621 and any capital fund(s) created for the same intended purpose.

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

Transportation Committee; March 27, 2012 - CV: 6-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0118

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Margie Moulis DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Colby and Yolevich

Intro. No. 158

RESOLUTION NO. 114 OF 2012

AUTHORIZING ACQUISITION OF INTEREST IN REAL PROPERTY FOR JOHN STREET HIGHWAY PROJECT IN TOWN OF HENRIETTA

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

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

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 15 Parcel 1 PE 1,368 sf 291 Jefferson Road T.A. # 161.01-1-18 Town of Henrietta	Fastrac Markets, L.L.C. 6500 New Venture Gear Drive Suite 100 East Syracuse, NY 13057	\$1

Section 2. Funding for this acquisition is included in the 2012 operating budget of the Department of Transportation, fund 9002, funds center 8003010000, Highway Permits.

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

Transportation Committee; March 27, 2012 - CV: 6-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0119

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Masjo Moutis DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Antelli and Yolevich

Intro. No. 159

RESOLUTION NO. 115 OF 2012

AUTHORIZING ACQUISITION OF INTEREST IN REAL PROPERTY FOR LONG POND ROAD BRIDGE IMPROVEMENT PROJECT AT ROUND POND CREEK IN TOWN OF GREECE

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

Section 1. The County Executive, or her designee, is hereby authorized to acquire the referenced property interest and execute all documents necessary for the Long Pond Road Bridge Improvement Project at Round Pond Creek, P.N. 4754.77, in the Town of Greece, by contract and/or the Eminent Domain Procedure Law, along with any amendments for unanticipated damages, within the total capital fund(s) appropriation.

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 243 Parcel 1 PE 1737 sf 1150 Long Pond Road T.A. # 074.10-4-36 Town of Greece	Frederick W. Metzger Lorraine Metzger 1150 Long Pond Road Rochester, NY 14626	\$1

Section 2. Funding for this acquisition, consistent with authorized uses, is included in capital fund 1579 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 27, 2012 - CV: 6-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0120

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Magie Marks DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Valerio and Yolevich

Intro. No. 160

RESOLUTION NO. 116 OF 2012

AUTHORIZING ACQUISITION OF INTERESTS IN REAL PROPERTY FOR PAUL ROAD/FISHER ROAD CORRIDOR HIGHWAY PROJECT IN TOWN OF CHILI

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

Section 1. The County Executive, or her designee, is hereby authorized to acquire the referenced property interests and execute all documents necessary for the Paul Road/Fisher Road Corridor Highway Project at Jetview Drive from Paul Road (CR 168) to Chili Avenue (NY Rte. 33A), P.N. 4754.24, in the Town of Chili, by contract and/or the Eminent Domain Procedure Law, along with any amendments for unanticipated damages, within the total capital fund(s) appropriation.

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 25 Parcel 1 PE 800 sf 100 International Blvd. T.A. # 147.01-1-8.4 Town of Chili	Rochester Cornerstone Group – RICC, LLC 366 White Spruce Boulevard Rochester, NY 14623	\$1
Map 26 Parcel 1 PE 890 sf Parcel 2 TE 4448 sf 2 Jetview Drive T.A. # 147.10-1-14 Town of Chili	Toyoda-Koki Automotive Torsen North America, Inc. 2 Jetview Drive Rochester, NY 14624	\$1
Map 27 Parcel 1 PE 831 sf 400 International Blvd. T.A. # 147.01-1-8.311 Town of Chili	Rochester Cornerstone Group – RICC, LLC 366 White Spruce Boulevard Rochester, NY 14623	\$1

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

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

Transportation Committee; March 27, 2012 - CV: 6-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0121

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____

VETOED: _____

SIGNATURE: _____

DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____

4/27/12

By Legislators Colby and Yolevich

Intro. No. 161

RESOLUTION NO. 117 OF 2012

AUTHORIZING ACQUISITION OF INTERESTS IN REAL PROPERTY FOR PORTLAND AVENUE IMPROVEMENT PROJECT IN TOWN OF IRONDEQUOIT

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

Section 1. The County Executive, or her designee, is hereby authorized to acquire the referenced property interests and execute all documents necessary for the Portland Avenue Improvement Project from the Rochester city limit north to Titus Avenue, P.N. 4754.29, in the Town of Irondequoit, by contract and/or the Eminent Domain Procedure Law, along with any amendments for unanticipated damages, within the total capital fund(s) appropriation.

<u>Parcel</u>	<u>Owner</u>	<u>Amount</u>
Map 13 A	Rochester General Hospital	\$1
Parcel 2 TE 1304 sf	1425 Portland Avenue	
Parcel 3 PE 1750 sf	Rochester, New York 14621	
Parcel 4 TE 942 sf		
Parcel 5 PE 6192 sf		
1425 Portland Avenue		
T.A. # 091.51-1-2.001		
Town of Irondequoit		

Section 2. Funding for these acquisitions, consistent with authorized uses, is included in capital fund 1488 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 27, 2012 - CV: 6-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0122

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Margie Mack DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Drawe and Yolevich

Intro. No. 162

RESOLUTION NO. 118 OF 2012

ACCEPTING GRANT FROM NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR CHILD CARE FACILITATED ENROLLMENT PROJECT

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$2,110,118 grant from, and to execute a contract and any amendments thereto with, the New York State Office of Children and Family Services, for the Child Care Facilitated Enrollment Project, for the period of January 1, 2012 through December 31, 2012.

Section 2. The 2012 operating grant budget of the Department of Human Services, Division of Social Services, is hereby amended by appropriating the sum of \$1,444,500 into fund 9300, funds center 5113020000, Day Care – Low Income.

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 27, 2012 - CV: 9-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0123

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Masce Mark DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Drawe and Yolevich

Intro. No. 163

RESOLUTION NO. 119 OF 2012

ACCEPTING GRANT FROM 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 accept a \$520,458 grant from, and to execute a contract and any amendments thereto with, the New York State Department of Health, for the Early Intervention Program, for the period of October 1, 2011 through September 30, 2012.

Section 2. The 2012 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$387,439 into fund 9300, funds center 5807010000, Early Intervention Administration Grant.

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

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

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

Human Services Committee; March 27, 2012 - CV: 9-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0124

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Margie Knobs DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Drawe and Yolevich

Intro. No. 164

RESOLUTION NO. 120 OF 2012

ACCEPTING GRANT FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR INFERTILITY PREVENTION PROJECT – SENTINEL SURVEILLANCE PROGRAM

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$350,000 grant from, and to execute a contract and any amendments thereto with, the New York State Department of Health, for the Infertility Prevention Project – Sentinel Surveillance Program, for the five-year period of January 1, 2012 through December 31, 2016.

Section 2. The 2012 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$281,400 into fund 9300, funds center 5802030100, Infertility Prevention Project – Sentinel Surveillance Grant.

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

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

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

Human Services Committee; March 27, 2012 - CV: 9-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0125

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magie Marks DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

RESOLUTION NO. 121 OF 2012

AUTHORIZING CONTRACTS WITH JAVEN CONSTRUCTION COMPANY, INC., JUPITER ENVIRONMENTAL SERVICES, INC., LANDRY MECHANICAL CONTRACTORS, INC., B&B MECHANICAL CONTRACTORS, INC., AND BLACKMON-FARRELL ELECTRIC, INC., FOR MONROE COUNTY PUBLIC SAFETY BUILDING RENOVATION PROJECT PHASE IV B

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 Javen Construction Company, Inc., in the amount of \$1,050,500, for general construction, for the Monroe County Public Safety Building Renovation Project Phase IV B, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. The County Executive, or her designee, is hereby authorized to execute a contract with Jupiter Environmental Services, Inc., in the amount of \$49,990, for hazardous materials, for the Monroe County Public Safety Building Renovation Project Phase IV B, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 3. The County Executive, or her designee, is hereby authorized to execute a contract with Landry Mechanical Contractors, Inc., in the amount of \$337,000, for HVAC, for the Monroe County Public Safety Building Renovation Project Phase IV B, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 4. The County Executive, or her designee, is hereby authorized to execute a contract with B&B Mechanical Contractors, Inc., in the amount of \$178,000, for plumbing, for the Monroe County Public Safety Building Renovation Project Phase IV B, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 5. The County Executive, or her designee, is hereby authorized to execute a contract with Blackmon-Farrell Electric, Inc., in the amount of \$356,000, for electrical, for the Monroe Public Safety Building Renovation Project Phase IV B, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 6. Funding for this project, consistent with authorized uses, is included in capital fund 1595 and any capital fund(s) created for the same intended purposes.

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

Environment and Public Works Committee; March 28, 2012 - CV: 7-0
Ways and Means Committee; March 28, 2012- CV: 11-0
File No. 12-0126

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: *Magie Muth* DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 166

RESOLUTION NO. 122 OF 2012

AUTHORIZING CONTRACTS WITH CLARK PATTERSON LEE FOR PROFESSIONAL ENGINEERING SERVICES AND LECHASE CONSTRUCTION SERVICES, LLC FOR CONSTRUCTION MANAGEMENT SERVICES, FOR MONROE COMMUNITY COLLEGE PUBLIC SAFETY BUILDING/BUILDING 21 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 Clark Patterson Lee, in the amount of \$806,369, for professional engineering services, for the Monroe Community College Public Safety Building/Building 21 Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. The County Executive, or her designee, is hereby authorized to execute a contract with LeChase Construction Services, LLC, in the amount of \$62,792, for construction management services, for the Monroe Community College Public Safety Building/Building 21 Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 3. Funding for this project, consistent with authorized uses, is included in capital fund 1639 and any capital fund(s) created for the same intended purposes.

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

Environment and Public Works Committee; March 28, 2012 - CV: 4-3
Ways and Means Committee; March 28, 2012- CV: 11-0
File No. 12-0127

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Magie Howland DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Gumina, Howland and Yolevich

Intro. No. 167

RESOLUTION NO. 123 OF 2012

AUTHORIZING INTERMUNICIPAL AGREEMENT AMONG MONROE COUNTY, VILLAGE OF SCOTTSVILLE, TOWN OF WHEATLAND AND IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT FOR SCOTTSVILLE REGIONAL SANITARY SEWAGE PUMP STATION AND FORCEMAIN 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 an intermunicipal agreement, and any amendments thereto, among Monroe County, the Village of Scottsville, the Town of Wheatland and the Irondequoit Bay South Central Pure Waters District, for the Scottsville Regional Sanitary Sewage Pump Station and Forcemain Project, including an amount not to exceed \$150,000 for engineering services related to the District improvements.

Section 2. Funding for this project, consistent with authorized uses, is included in capital fund 1375 and any capital fund(s) created for the same intended purpose.

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

Intergovernmental Relations Committee; March 28, 2012 – CV: 5-0
Environment and Public Works Committee; March 28, 2012 - CV: 7-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0128

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magic Marks DATE: 4/17/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 168

RESOLUTION NO. 124 OF 2012

AUTHORIZING CONTRACT WITH PARRONE ENGINEERING FOR PROFESSIONAL ENGINEERING SERVICES FOR MONROE COMMUNITY COLLEGE PARKING & LOOP ROAD 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 Parrone Engineering, in the amount of \$298,810, for professional engineering services, for the Monroe Community College Parking & Loop Road Improvements Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. Funding for this project, consistent with authorized uses, is included in capital fund 1647 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 and Public Works Committee; March 28, 2012 - CV: 7-0

Ways and Means Committee; March 28, 2012 - CV: 11-0

File No. 12-0130

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Margo Mark DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Yolevich and Gumina

Intro. No. 169

RESOLUTION NO. 125 OF 2012

DIRECTING CORRECTION, CANCELLATION AND LEVY OF CERTAIN MONROE COUNTY TAXES IN CITY OF ROCHESTER AND TOWN OF PENFIELD

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:

City/Town	Tax Account #	Year	Amount Currently Due	Amount of Corrected Tax	Amount of Taxes To Be Cancelled
Rochester	061.30-1-8.006	2012	\$ 9,015.14	\$ 6,468.73	\$ 2,546.41
Penfield	138.07-3-78.999	2012	17,430.92	13,075.91	4,355.01
Penfield	138.08-1-65	2012	4,588.84	140.01	4,448.83
			\$31,034.90	\$19,684.65	\$11,350.25

Following are the assessed owners:

Tax Account Number

Name and Mailing Address

061.30-1-8.006

Genesee Marina, Inc.
118 Petten Street
Rochester, NY 14614

138.07-3-78.999

Allens Creek Valley Homeowners Association, Inc.
130 Linden Oaks Drive, Suite A
Rochester, NY 14625

138.08-1-65

Handicapped Childrens Camp of Monroe County
270 Winfield Road
Rochester, NY 14622

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 \$11,350.25.

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

Pure Waters Capital Charge (RT221)	817.41
Pure Waters O/M Gallon (RT222)	1,729.00
Pure Waters #02 Capital Charge (PE202)	4,355.01
Sewer O&M-C (PE742)	1,653.18
Sewer Debt Service (PE745)	<u>2,795.65</u>
	\$11,350.25

Section 4. The Applications for Corrected Real Property Taxes, and duplicate copies thereof, for tax account numbers set forth in Section 1 hereof are marked approved, and the correct extension of taxes in the amount 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 are in the amount set forth in Section 1 hereof, and the officer having jurisdiction of the tax roll is hereby directed to correct such roll.

Section 6. The Director of Real Property Tax Services is hereby authorized and directed to transmit immediately to the officer having jurisdiction of the tax roll 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 28, 2012 - CV: 11-0
File No. 12-0131

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Mary Jo Hobbs DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

RESOLUTION NO. 126 OF 2012

DIRECTING THE REFUND OF CERTAIN MONROE COUNTY TAXES LEVIED AND COLLECTED AGAINST PROPERTY IN CITY OF ROCHESTER

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>
2010	\$2,561.36	Rochester	047.78-1-73	City of Rochester
2011	2,716.71	Rochester	047.78-1-73	City of Rochester
2010	3,128.03	Rochester	061.30-1-8.005	Genesee Marina, Inc.
2011	<u>3,116.99</u>	Rochester	061.30-1-8.006	Genesee Marina, Inc.
	\$11,523.09			

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 \$11,523.09, 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 Charges (RT221)	\$2,707.66
Pure Waters O/M Gallon (RT222)	<u>\$8,815.43</u>
	\$11,523.09

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

Section 5. The Director of Real Property Tax Services is hereby authorized and directed to mail to the applicant the duplicate copy of each 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 28, 2012 -CV: 11-0
File No. 12-0132

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Magie Mook DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Ancello

Intro. No. 171

RESOLUTION NO. 127 OF 2012

CONFIRMING APPOINTMENT OF DIRECTOR OF AVIATION

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

Section 1. In accordance with Section C2-6(C)(9) of the Monroe County Charter and Section A4-3 of the Monroe County Administrative Code, the appointment of Michael A. Giardino, 140 Atwell Street, Rochester, New York 14612, to the position of Director of Aviation for the County of Monroe is hereby confirmed.

Section 2. This resolution shall take effect immediately.

Environment and Public Works Committee; March 28, 2012 - CV: 7-0
File No. 12-0133

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Masso Moads DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Yolevich and Gumina

Intro. No. 172

RESOLUTION NO. 128 OF 2012

APPROVING AMENDED AND RESTATED MONROE COUNTY DEFERRED COMPENSATION PLAN, AS PREVIOUSLY ADOPTED BY NEW YORK STATE DEFERRED COMPENSATION BOARD

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

Section 1. The Legislature hereby approves the Amended and Restated Monroe County Deferred Compensation Plan effective as of January 1, 2012, as previously adopted by the New York State Deferred Compensation Board, and adopted by the Monroe County Deferred Compensation Committee, in accordance with Local Law No. 4 of 1998 and Chapter 41 of the Monroe County Code.

Section 2. The Clerk of the Legislature is hereby authorized and directed to send a certified copy of this resolution to the Director of the Monroe County Department of Human Resources, who shall maintain a certified copy of the Amended Plan, for information and inspection at all times, as required by Local Law No. 4 of 1998.

Section 3. The Director of the Monroe County Department of Human Resources is hereby authorized and directed to file the Amended Plan, and all necessary documentation, with the President of the New York State Civil Service Commission, the State of New York, and any other appropriate regulatory agency, as may be required.

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

Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0134

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Maggi Marks DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Hanna and Yolevich

Intro. No. 173

RESOLUTION NO. 129 OF 2012

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

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$206,600 grant from, and to execute a contract and any amendments thereto, with the New York State Division of Criminal Justice Services, for the Crimes Against Revenue Prosecution unit in the District Attorney's Office, for the period of January 1, 2012 through December 31, 2012.

Section 2. The 2012 operating grant budget of the District Attorney's Office is hereby amended by appropriating the sum of \$5,610 into fund 9300, funds center 2507010000, Financial and Computer Crime Unit.

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

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

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

Public Safety Committee; March 26, 2012 - CV: 9-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0135

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magie Motis DATE: 4/17/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Howland and Yolevich

Intro. No. 174

RESOLUTION NO. 130 OF 2012

AUTHORIZING CONTRACT WITH VILLAGER CONSTRUCTION, INC. FOR CONSTRUCTION SERVICES; AUTHORIZING CONTRACT WITH MONROE COUNTY WATER AUTHORITY FOR WESTFALL ROAD PHASE III PROJECT IN TOWN OF BRIGHTON AND CITY 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 execute a contract with Villager Construction, Inc., in the amount of \$4,761,331.30, for construction services, for the Westfall Road Phase III project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with the Monroe County Water Authority, for reimbursement to the County of appropriate costs relating to the installation of water main in conjunction with the Westfall Road Phase III project, in the estimated amount of \$119,000, with the final amount to be determined upon project completion.

Section 3. Funding for these services, consistent with authorized uses, is included in capital fund 1409 and any capital fund(s) created for the same intended purpose.

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

Transportation Committee; March 27, 2012 - CV: 6-0
Ways and Means Committee; March 28, 2012 - CV: 11-0
File No. 12-0136

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Magie Brooks DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Colby and Yolevich

Intro. No. 175

RESOLUTION NO. 131 OF 2012

SUPERSEDING BOND RESOLUTION DATED APRIL 17, 2012

RESOLUTION AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE RECONSTRUCTION OF PORTIONS OF WESTFALL ROAD FROM E. HENRIETTA ROAD TO S. CLINTON AVENUE (INCLUDING A PORTION PURSUANT TO SECTION 131-K OF THE HIGHWAY LAW), IN AND FOR SAID COUNTY, AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON DECEMBER 9, 2008 (RESOLUTION NO. 344 OF 2008)

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

Section 1. For the class of objects or purposes of financing the cost of the reconstruction of portions of Westfall Road from E. Henrietta Road to S. Clinton Avenue (including a portion pursuant to Section 131-k of the Highway Law) including, but not limited to, addition of auxiliary lanes, traffic signal improvements, structural overlay, roadway and off-roadway drainage improvements, retaining walls, landscaping and installation of watermain, in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$7,000,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of the amount hereby authorized to pay the cost of the aforesaid class of objects or purposes (\$3,410,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is [fifteen (15) years, pursuant to clauses (c), (d) and/or (e) of subdivision 20 of paragraph a of Section 11.00 of the Local Finance Law (it being hereby determined that such roads shall be of flexible pavement, rigid base or rigid pavement as described in said clauses (c), (d) or (e)), computed from July 13, 2010, the date of the first obligation issued pursuant to the bond resolution which this bond resolution supersedes. It is hereby further determined that the \$170,000 proceeds of the July 13, 2010 borrowing were applied to the costs of the class of objects or purposes described in Resolution No. 344 of 2008, all of which are also costs of the aforesaid class of objects or purposes.

Section 2. The maximum estimated cost thereof is now determined to be \$7,000,000, and the plan for the financing thereof is by the issuance of \$7,000,000 bonds of the County herein authorized; provided, however, that to the extent any State and/or Federal aid and/or grant is received for the aforesaid purpose, such aid and/or grant shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

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

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

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

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

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

Section 7. This resolution shall supersede Resolution No. 344 of 2008, being a bond resolution dated December 9, 2008, except to the extent that any indebtedness shall have already been contracted or encumbrances made thereunder for the class of objects or purposes for which such resolution was adopted. The purpose of this superseding bond resolution is to effect the following: to revise the stated purpose to include certain additional costs, and to increase the maximum estimated cost of the purpose and the amount of bonds to be issued therefor from \$3,410,000 to \$7,000,000.

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 27, 2012 – CV: 6-0
Ways and Means Committee; March 28, 2012 – CV: 11-0
File No. 12-0136.br

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE Magro Marks DATE: 4/27/12
EFFECTIVE DATE OF RESOLUTION: 4/27/12

By Legislators Drawe, Howland and Yolevich

Intro. No. 176

RESOLUTION NO. 132 OF 2012

AMENDING RESOLUTION 18 OF 2012 TO ACCEPT ADDITIONAL FUNDING FROM NEW YORK STATE DEPARTMENT OF HEALTH FOR RABIES REIMBURSEMENT PROGRAM

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

Section 1. Section 1 of Resolution 18 of 2012 is hereby amended to read as follows:

The County Executive, or her designee, is hereby authorized to accept a \$136,507.59 ~~\$124,680~~ 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 January 1, 2008 through March 31, 2012.

Section 2. The 2012 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$11,827.59 into fund 9300, funds center 5806010000, Rabies Reimbursement Grant.

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

Matter of Urgency
File No. 12-0137

ADOPTION: Date: April 17, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: Margo Mark

DATE: 4/27/12

EFFECTIVE DATE OF RESOLUTION: 4/27/12

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