

By Legislators Daniele and O'Brien

Intro. No. 177

RESOLUTION NO. 133 OF 2012

*IN MEMORIAM*

**EXPRESSING REGRET OF THE MONROE COUNTY LEGISLATURE ON THE RECENT PASSING OF UNITED STATES ARMY CAPTAIN BRUCE KEVIN CLARK**

*BE IT RESOLVED*, that the Monroe County Legislature hereby expresses its deep sympathy at the recent passing of Army Captain Bruce Kevin Clark, a resident of Spencerport, a former volunteer with the Spencerport Fire Department and member of the United States Army;

*WHEREAS*, Bruce Kevin Clark, passed away at age 43 on Tuesday, May 1, 2012 in Tarinkot, Afghanistan; and

*WHEREAS*, Captain Bruce Kevin Clark joined the United States Army in 2006 based out of William Beaumont Army Medical Center in El Paso, Texas, after graduating from The College at Brockport with a degree in Nursing; and

*WHEREAS*, Bruce Kevin Clark, was a beloved father and husband as well as a caring and well-respected leader to his friends and colleagues; and

*WHEREAS*, Bruce Kevin Clark is survived by his wife, Susan and their two daughters; and

*WHEREAS*, Bruce Kevin Clark will long be remembered for his dependability, his honor and his selfless service to this nation; and

*BE IT FURTHER RESOLVED*, that the Clerk of the Legislature is hereby requested to forward a copy of this resolution to the bereaved family.

*This resolution was adopted unanimously with each legislator rising in his or her place for a moment of silence.*

File No. 12-0187

**LOCAL LAW ENTITLED "PROHIBITING CYBER-BULLYING IN MONROE COUNTY"**

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

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

**CHAPTER 382. PROHIBITING CYBER-BULLYING IN MONROE COUNTY**

**§382-1. Title.**

This chapter shall be known as the law "Prohibiting Cyber-Bullying in Monroe County."

**§382-2. Legislative Intent.**

The Legislature finds that:

A. Bullying is a long-standing problem among school-aged children in Monroe County and throughout the nation. With increasing accessibility to electronic means of communication, bullying has transformed from a predominately school-based issue to a broader societal problem.

B. Recent studies indicated cyber bullying affects about 1 in 5 students today.

C. A bullied child can no longer count on respite from attacks upon returning home from school. Cyber bullying can be a 24-hour, 7-day a week problem.

D. Several states have enacted laws criminalizing cyber-bullying. To date, the New York State Legislature has failed to take action on this problem. Monroe County should not wait for New York State to act and should implement legislation to discourage and prevent cyber-bullying from occurring.

**§382-3. Purpose.**

The purpose of this section is to ban cyber-bullying against minors in Monroe County.

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

A. County – the County of Monroe, New York.

B. Computer network – shall mean the interconnection of hardware or wireless communication lines with a computer through remote terminals, or a complex consisting of two or more interconnected computers.

C. Cyber-Bullying – shall mean, with intent to harass, annoy, threaten, or place another in fear of personal injury, engaging in a course of conduct or repeatedly committing acts of abusive behavior over a period of time by communication or causing a communication to be sent by mechanical or electronic means, posting statements or images on the internet, through a computer network, or via cell or smart phone. Acts of abusive behavior shall include, but not be limited to: taunting; threatening; intimidating; insulting; tormenting; humiliating; disseminating sexually explicit photographs, either actual or modified, of a minor; disseminating the private,

personal or sexual information, either factual or false, of a minor without lawful authority.

D. Minor – shall mean any natural person or individual under the age of eighteen (18).

E. Person – shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association, or other entity or business organization of any kind.

**§382-5. Prohibitions.**

It shall be unlawful for a person to engage in cyber-bullying against any minor in Monroe County.

**§382-6. Enforcement and Penalties.**

Any person violating the provisions of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding \$1,000 per offense, and/or up to one year's imprisonment.

**§382-7. Severability.**

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

**§382-8 Reverse Preemption.**

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

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

Agenda/Charter Committee; April 23, 2012 – CV: 6-0  
File No. 12-0140.LL

By Legislators Boyce and McCann

Intro. No. 181

MOTION NO. 43 OF 2012

**PROVIDING THAT LOCAL LAW (INTRO. NO. 180 OF 2012), ENTITLED "PROHIBITING CYBER-BULLYING IN MONROE COUNTY" BE TABLED**

BE IT MOVED, that Local Law (Intro. No. 180 of 2012), entitled "PROHIBITING CYBER-BULLYING IN MONROE COUNTY," be tabled.

File No. 12-0140.LL

ADOPTION: Date: May 8, 2012      Vote: 29-0



By Legislators Boyce and McCann

Intro. No. 182

RESOLUTION NO. 134 OF 2012

**FIXING A PUBLIC HEARING ON LOCAL LAW (INTRO. NO. 180 OF 2012), ENTITLED  
"PROHIBITING CYBER-BULLYING IN MONROE COUNTY"**

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 12th day of June, 2012, in the Legislative Chambers in the County Office Building, Rochester, New York on Local Law (Intro. No. 180 of 2012), entitled **"PROHIBITING CYBER-BULLYING IN MONROE COUNTY"**.

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. 12-0140.LL

ADOPTION: Date: May 8, 2012

Vote: 29-0

RESOLUTION NO. 135 OF 2012

**ADOPTING 2012 ANNUAL WORK PROGRAM FOR MONROE COUNTY LEGISLATURE**

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

Section 1. In accordance with Section C2-4(B)(6) of the Monroe County Charter, the Legislature hereby adopts the 2012 Annual Work Program for the Monroe County Legislature, as follows:

**OBJECTIVES OF THE MONROE COUNTY LEGISLATURE**

In response to the tough economic times which face the residents and taxpayers in the State of New York, we, the Monroe County Legislature, intend to utilize policies which create jobs, reduce spending, maintain or reduce property taxes, promote ethical leadership, steward public infrastructure and enhance public safety by enacting the following work plan.

**Jobs**

It shall be the general objective of the Monroe County Legislature to work to create an environment in which private enterprise can grow and be able to flourish. Through careful oversight and strategic utilization of economic incentives, including, but not limited to, PILOT agreements, and facility bonding, we will strive to provide businesses with the ability to create jobs locally while remaining competitive with businesses in other states and countries.

To support this objective the Legislature will:

- **Encourage and seek legislation to facilitate orderly economic expansion and growth, and increase opportunity for discretionary revenues, programmatic, and financial flexibility for the County**
- **Encourage bi-partisan cooperation to facilitate positive relationships with community stakeholders in order to fuel economic development**

**Spending Reductions**

It shall be the general objective of the Monroe County Legislature to reduce and eliminate unfunded state and federal mandated spending. If programs are deemed by the state or federal government to be essential, then they should be fully funded by the state or federal government. In support of this objective, the Legislature will work with the County Executive to lobby both the State and Federal governments for mandate relief.

To support this objective the Legislature will:

- **Oppose unfunded mandates, including County control of the relevant programs and program expenditures and oppose any re-alignment initiatives which fail to fully fund services shifted to the County**
- **Encourage the use of intermunicipal agreements which save expenditures by both county and other municipal partners**

**Property Tax Stability**

It shall be the general objective of the Monroe County Legislature to provide basic government services in a way which does not increase the property tax burden on taxpayers. Monroe County must continue to find innovative ways to pay for required programs without imposing additional property taxes on its residents.

To support this objective the Legislature will:

- **Encourage and seek legislation that protects the County's quality of life, its diverse natural resources, and preserves the essence and history of the County while balancing the economic realities facing taxpayers in our community**
- **Evaluate current and future state budgets for impacts on the County's provision of required services and revenue streams attached to such mandates**

### **Ethical Leadership**

It shall be the general objective of the Monroe County Legislature to promote an environment free of unethical and wasteful government behavior. By leading from example, the Legislature must set a high standard for ethical conduct and personal integrity. Only by this example, are we able to govern effectively.

To support this objective the Legislature will:

- **Promote policies which encourage personal responsibility in and out of the workplace**
- **Encourage usage of the Monroe County Whistleblower Hotline by employees or members of the public who witness or have information regarding unethical, illegal, or unacceptable behavior by Monroe County employees**

### **Infrastructure**

It shall be the general objective of the Monroe County Legislature to oversee county projects and improvements to our infrastructure in a diligent manner considering the costs to taxpayers, the environment, and neighbors.

To support this objective the Legislature will:

- **Ensure projects are being done in a cost effective manner while focusing on projects in areas of need for roads, bridges, and other infrastructure necessities**
- **Consider the environmental impacts of county policies, practices, and infrastructure projects**

### **Public Safety**

It shall be the general objective of the Monroe County Legislature to ensure effective and efficient public safety is provided. Through responsible oversight, the Legislature, working collaboratively with the Monroe County Sheriff's Office, the Monroe County District Attorney, the Monroe County Public Defender, the Monroe County Department of Public Safety, the Monroe County Office of Probation – Community Corrections and other community resource groups, will continue to increase the level of expertise and strategic investment of resources to adequately provide public safety services to our community.

To support this objective the Legislature will:

- **Develop policies which will analyze and seek to reduce the recidivism rate amongst the Monroe County inmate population**
- **Encourage use of technology to streamline the provision of public safety equipment and services**

### **Human Services**

It shall be the general objective of the Monroe County Legislature to thoroughly and effectively review the programs of the Monroe County Department of Human Services in order to assess their efficacy.

To support this objective the Legislature will:

- **Request periodic reporting about programs run by or through the Monroe County Department of Human Services**
- **Discuss and suggest ways to more effectively and cost efficiently provide human services to specific populations in our community including, but not limited to, the elderly, children, and youth**

## **Monroe County Visibility**

It shall be the general objective of the Monroe County Legislature to advocate for this community by highlighting cultural treasures and our economic infrastructure and by continuing to promote diversity in the community and in local government.

To support this objective the Legislature will:

- **Provide community educational updates regarding Monroe County Government and the role it plays in community life**
- **Promote Monroe County through tourism and business advocacy organizations**

Section 2. This resolution shall take effect immediately.

Agenda/Charter Committee; April 23, 2012 - CV: 6-0  
File No. 12-0052

ADOPTION: Date: May 8, 2012      Vote: 29-0

By Legislators Rockow and Howland

Intro. No. 184

RESOLUTION NO. 136 OF 2012

**APPOINTMENT TO MONROE COUNTY PLANNING BOARD**

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

Section 1. In accordance with the Monroe County Charter, Section C5-7(A), the Legislature hereby confirms the appointment of Paul E. Haney, 424 Broadway, Rochester, New York, 14607, to the Monroe County Planning Board as the Legislature's Minority member.

Section 2. This resolution shall take effect immediately.

File No. 12-0138

ADOPTION: Date: May 8, 2012      Vote: 29-0

By Legislators Howland and Ancello

Intro No. 185

RESOLUTION NO. 137 OF 2012

**CONFIRMING REAPPOINTMENTS TO THE MONROE COUNTY SOIL AND WATER CONSERVATION BOARD**

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

Section 1. In accordance with Article II of the Soil and Water Conservation Districts Law of the State of New York and Monroe County Resolutions 90 and 111 of 1953, the following reappointments to the Monroe County Soil and Water Conservation Board made by Monroe County Legislature President, Jeffrey R. Adair, are hereby confirmed:

- Bill Chase, 5874 E. Henrietta Road, Rush, NY 14543, term to begin immediately and expire on 12/31/2013
- Rollin Pickering, 4561 Nine Mile Point Road, Fairport, NY 14450, term to begin immediately and expire on 12/31/2014
- Thomas Klafehn, 336 McIntosh Road, Churchville, NY 14428, term to begin immediately and expire on 12/31/2013
- Mark Greene, 3170 Clover Street, Pittsford, NY 14534, term to begin immediately and expire on 12/31/2014
- Charles Colby, 265 Colby Street, Spencerport, NY 14559, term to begin immediately and expire on 12/31/2014
- Hon. Richard Yolevich, 1035 Parma-Hilton Road, Hilton, NY 14468, term to begin immediately and expire on 12/31/2014

Section 2. This resolution shall take effect immediately.

File No. 12-0139

ADOPTION: Date: May 8, 2012      Vote: 28-0

By Legislators Hanna and Yolevich

Intro. No. 186

RESOLUTION NO. 138 OF 2012

**ACCEPTING GRANT FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR NIBIN WORKSTATION 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 \$180,000 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Criminal Justice Services, for the NIBIN Workstation Program, for the period of March 1, 2012 through February 28, 2013.

Section 2. The 2012 operating grant budget of the Department of Public Safety is hereby amended by appropriating the sum of \$180,000 into fund 9300, funds center 2408040100, Monroe County Crime Laboratory.

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; April 23, 2012 - CV: 9-0  
Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0147

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_

SIGNATURE: Melvin Marks      DATE: 5/14/12

EFFECTIVE DATE OF RESOLUTION: 5/14/12

By Legislators Gumina, Hanna and Yolevich

Intro. No. 187

RESOLUTION NO. 139 OF 2012

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH TOWN OF PENFIELD FOR PURCHASE OF FUEL FOR VEHICLES OF MONROE COUNTY SHERIFF'S OFFICE**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with the Town of Penfield, for the purchase of fuel for vehicles of the Monroe County Sheriff's Office, for the period of September 1, 2012 through August 31, 2013, with the option to renew for three (3) additional one-year periods, at the rate of ten cents (\$.10) per gallon above the New York State contract price.

Section 2. Funding for this contract is included in the 2012 operating budget of the Sheriff's Office, fund 9001, funds center 3803020000, Sheriff Road Patrol A Zone, and will be requested in future years budgets.

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

Intergovernmental Relations Committee; April 25, 2012 - CV: 5-0

Public Safety Committee; April 23, 2012 - CV: 9-0

Ways and Means Committee; April 25, 2012 - CV: 11-0

File No. 12-0148

ADOPTION: Date: May 8, 2012

Vote: 26-3

*(Legislators W. Lightfoot, Gamble and Patterson voted in the negative.)*

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: \_\_\_\_\_

SIGNATURE: Mary Mads DATE: 5/14/12

EFFECTIVE DATE OF RESOLUTION: 5/14/12



By Legislators Gumina, Hanna and Yolevich

Intro. No. 188

RESOLUTION NO. 140 OF 2012

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH PENFIELD CENTRAL SCHOOL DISTRICT FOR PURCHASE OF FUEL FOR VEHICLES OF MONROE COUNTY SHERIFF'S OFFICE**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with the Penfield Central School District, for the purchase of fuel for vehicles of the Monroe County Sheriff's Office, for the period of September 1, 2012 through August 31, 2013, with the option to renew for three (3) additional one-year periods, at the rate of ten cents (\$.10) per gallon above the New York State contract price.

Section 2. Funding for this contract is included in the 2012 operating budget of the Sheriff's Office, fund 9001, funds center 3803020000, Sheriff Road Patrol A Zone, and will be requested in future years budgets.

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

Intergovernmental Relations Committee; April 25, 2012 - CV: 5-0  
Public Safety Committee; April 23, 2012 - CV: 9-0  
Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0149

ADOPTION: Date: May 8, 2012      Vote: 25-4  
*(Legislators W. Lightfoot, Haney, Gamble and Patterson voted in the negative.)*

ACTION BY THE COUNTY EXECUTIVE

APPROVED:   X        VETOED: \_\_\_\_\_  
SIGNATURE:   Margo Marks        DATE:   5/14/12    
EFFECTIVE DATE OF RESOLUTION:   5/14/12

By Legislators Daniele and O'Brien

Intro. No. 189

MOTION NO. 44 OF 2012

**MOTION TO MOVE REMAINING AGENDA ITEM NUMBERS 12-31 AS A WHOLE**

Be It Moved, that the remaining agenda item numbers 12-31 in the May 8, 2012 Full Legislature Meeting be moved as a whole and voted on simultaneously by casting a unanimous vote by the Legislature Body.

ADOPTION: Date: May 8, 2012

Vote: 29-0

By Legislators Hanna and Yolevich

Intro. No. 190

RESOLUTION NO. 141 OF 2012

**ACCEPTING GRANT FROM NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR NY STOP-DWI FOUNDATION HIGH VISIBILITY ROAD CHECK 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 \$5,325 grant from, and to execute a contract and any amendments thereto with, the New York State Governor's Traffic Safety Committee, for the NY STOP-DWI Foundation High Visibility Road Check Project, for the period of March 1, 2012 through September 30, 2012.

Section 2. The 2012 operating grant budget of the Office of the Sheriff is hereby amended by appropriating the sum of \$5,325 into fund 9300, funds center 3803010000, Police Bureau Administration.

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; April 23, 2012 - CV: 9-0  
Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0150

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_

SIGNATURE: Maggie Mook      DATE: 5/14/12

EFFECTIVE DATE OF RESOLUTION: 5/14/12

By Legislators Hanna and Yolevich

Intro. No. 191

RESOLUTION NO. 142 OF 2012

**ACCEPTING GRANT FROM NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR NY STOP-DWI FOUNDATION DRUG RECOGNITION EXPERT CALL OUTS 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 \$1,639.71 grant from, and to execute a contract and any amendments thereto with, the New York State Governor's Traffic Safety Committee, for the NY STOP-DWI Foundation Drug Recognition Expert Call Outs Program, for the period of March 1, 2012 through September 30, 2012.

Section 2. The 2012 operating grant budget of the Office of the Sheriff is hereby amended by appropriating the sum of \$1,639.71 into fund 9300, funds center 3803010000, Police Bureau Administration.

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; April 23, 2012 - CV: 9-0  
Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0151

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_  
SIGNATURE: Margo Marks      DATE: 5/14/12  
EFFECTIVE DATE OF RESOLUTION: 5/14/12

By Legislators Gumina, Hanna and Yolevich

Intro. No. 192

RESOLUTION NO. 143 OF 2012

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER TO SHARE COSTS TO INSTALL AND MAINTAIN GENERATOR AT CITY OF ROCHESTER FIRE DEPARTMENT FACILITY LOCATED AT 1205 N. CLINTON AVENUE**

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

Section 1. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with the City of Rochester, to share costs to install and maintain a generator at the City of Rochester Fire Department facility located at 1205 N. Clinton Avenue.

Section 2. Funding for the fuel and maintenance portion of this agreement is included in the 2012 operating budget of the Department of Public Safety, fund 9001, funds center 2406010000, Division of Public Safety, Communications, and will be requested in future years' budgets.

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

Intergovernmental Relations Committee; April 25, 2012 - CV: 5-0  
Public Safety Committee; April 23, 2012 - CV: 9-0  
Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0152

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_  
SIGNATURE: Margie Marks      DATE: 5/14/12  
EFFECTIVE DATE OF RESOLUTION: 5/14/12

By Legislators Valerio and Yolevich

Intro. No. 193

RESOLUTION NO. 144 OF 2012

**ADOPTING RESOLUTION TO APPROVE AND ENDORSE APPLICATION OF SENECA PARK ZOO SOCIETY FOR NEW YORK STATE ENVIRONMENTAL PROTECTION FUND GRANT FOR EDUCATION COMPLEX AT SENECA PARK ZOO; ACCEPTING GIFT FROM SENECA PARK ZOO SOCIETY FOR DESIGN AND CONSTRUCTION OF AN EDUCATION COMPLEX AT SENECA PARK ZOO; AUTHORIZING CONTRACT WITH SENECA PARK ZOO SOCIETY FOR ACCEPTANCE OF IMPROVEMENTS**

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

Section 1. The Legislature hereby adopts the attached resolution to approve and endorse the application of the Seneca Park Zoo Society for a New York State Environmental Fund grant for an Education Complex at the Seneca Park Zoo.

Section 2. The County Executive, or her designee, is hereby authorized to accept a gift, with an estimated value of \$553,780, from the Seneca Park Zoo Society for the design and construction of an Education Complex at the Seneca Park Zoo.

Section 3. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with the Seneca Park Zoo Society to accept a gift of improvements.

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

Recreation and Education Committee; April 24, 2012 - CV: 5-0  
Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0153

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_  
SIGNATURE: Margo Mads      DATE: 5/14/12  
EFFECTIVE DATE OF RESOLUTION: 5/14/12

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

WHEREAS, the Seneca Park Zoo Society is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for an Education Complex to be located in the Seneca Park Zoo, a site located within the territorial jurisdiction of the Legislature of the County of Monroe; and

WHEREAS, as a requirement under the rules of these programs, the Seneca Park Zoo Society must obtain the endorsement of the Legislature of the County of Monroe for an Education Complex to be located in the Seneca Park Zoo;

NOW, THEREFORE, be it resolved that the Legislature of the County of Monroe hereby does approve and endorse the application of the Seneca Park Zoo Society for a grant under the Environmental Protection Fund for an Education Complex to be located in the Seneca Park Zoo.

And further, it is resolved that, the Education Complex to be located in the Seneca Park Zoo shall be forever maintained by Seneca Park Zoo consistent with the rules promulgated by OPRHP.

By Legislators Boyce, Valerio and Yolevich

Intro. No. 194

RESOLUTION NO. 145 OF 2012

**AUTHORIZING CONTRACT WITH ENVIRONMENTAL DESIGN & RESEARCH, LANDSCAPE ARCHITECTURE AND ENGINEERING, P.C. FOR PROFESSIONAL ENGINEERING SERVICES FOR MENDON PONDS PARK MASTER PLAN 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 Environmental Design & Research, Landscape Architecture and Engineering, P.C., in the amount of \$34,415, for professional engineering services, for the Mendon Ponds Park Master Plan 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 1502 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.

Recreation and Education Committee; April 24, 2012 - CV: 5-0  
Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0154

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_

SIGNATURE: Maggio Mads      DATE: 5/14/12

EFFECTIVE DATE OF RESOLUTION: 5/14/12



By Legislators Colby and Yolevich

Intro. No. 195

RESOLUTION NO. 146 OF 2012

SUPERSEDING BOND RESOLUTION DATED MAY 8, 2012

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,419,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE REPLACEMENT OF EDGEMERE DRIVE BRIDGE OVER ROUND POND OUTLET (BIN 3211130), IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$1,419,000, AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON DECEMBER 14, 2010 (RESOLUTION NO. 352 OF 2010)**

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 design and replacement of Edgemere Drive Bridge over Round Pond Outlet (BIN 3211130), in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$1,419,000 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 \$75,000 to pay the cost of the aforesaid class of objects or purposes (\$1,344,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is twenty (20) years, pursuant to subdivision 10 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 \$1,419,000, and the plan for the financing thereof is by the issuance of \$1,419,000 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. 352 of 2010, being a bond resolution dated December 14, 2010, except to the extent that any indebtedness shall have already been contracted or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of bonds to be issued therefor from \$1,344,000 to \$1,419,000.

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; April 25, 2012 – CV: 7-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0  
File No. 12-0155.br

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓      VETOED: \_\_\_\_\_  
SIGNATURE: Maggie Pardo      DATE: 5/14/12  
EFFECTIVE DATE OF RESOLUTION: 5/14/12

By Legislators Colby and Yolevich

Intro. No. 196

RESOLUTION NO.147 OF 2012

SUPERSEDING BOND RESOLUTION DATED MAY 8, 2012

**RESOLUTION AUTHORIZING THE ISSUANCE OF \$10,355,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE RECONSTRUCTION OF JEFFERSON AVENUE BETWEEN AYRAULT ROAD AND NY ROUTE 31F IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$10,355,000, AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON JANUARY 11, 2011 (RESOLUTION NO. 34 OF 2011)**

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 Jefferson Avenue between Ayrault Road and NY Route 31F in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$10,355,000 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 \$1,150,000 to pay the cost of the aforesaid class of objects or purpose (\$9,205,000 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 road 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 therefor.

Section 2. The maximum estimated cost thereof is now determined to be \$10,355,000, and the plan for the financing thereof is by the issuance of \$10,355,000 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. 34 of 2011, being a bond resolution dated January 11, 2011, except to the extent that any indebtedness shall have already been contracted or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and the amount of bonds to be issued therefor from \$9,205,000 to \$10,355,000.

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; April 24, 2012 – CV: 7-0  
Ways and Means Committee; April 25, 2012 – CV: 11-0  
File No. 12-0156.br

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

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

SIGNATURE: Mag's Mads      DATE: 5/14/12

EFFECTIVE DATE OF RESOLUTION: 5/14/12



By Legislators Colby and Yolevich

Intro. No. 197

RESOLUTION NO. 148 OF 2012

**AUTHORIZING DEPARTMENT OF TRANSPORTATION TO ADVERTISE FOR BIDS FOR INTELLIGENT TRANSPORTATION SYSTEM CAMERA AND DYNAMIC MESSAGE SIGN DEPLOYMENT PROJECT, PHASE III**

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

Section 1. The Department of Transportation is hereby authorized to advertise for bids for the Intelligent Transportation System Camera and Dynamic Message Sign Deployment Project, Phase III.

Section 2. Funding for this project, consistent with authorized uses, is included in capital fund 1410 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; April 24, 2012 - CV: 7-0  
Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0157

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_

SIGNATURE: Naylo Marks      DATE: 5/14/12

EFFECTIVE DATE OF RESOLUTION: 5/14/12

By Legislators Valerio, Gumina, Colby, Yolevich and Tucciarello

Intro. No. 198

RESOLUTION NO. 149 OF 2012

**AUTHORIZING ADVERTISEMENT FOR BIDS; AUTHORIZING INTERMUNICIPAL AGREEMENT WITH TOWN OF CHILI IN CONJUNCTION WITH PAUL ROAD/FISHER ROAD CORRIDOR PROJECT IN TOWN OF CHILI**

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

Section 1. The Department of Transportation is hereby authorized to advertise for bids for the Paul Road/Fisher Road Corridor project in the Town of Chili.

Section 2. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with the Town of Chili, for reimbursement to the County of the proportional local share of construction costs related to the Paul Road/Fisher Road Corridor project in the Town of Chili, in the estimated amount of \$126,000, with the final amount to be determined upon project completion.

Section 3. Funding for this project, consistent with authorized uses, is included in capital fund 1433 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.

Intergovernmental Relations Committee; April 25, 2012 – CV: 5-0  
Transportation Committee; April 24, 2012 - CV: 7-0  
Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0158

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_  
SIGNATURE: Mary Marks      DATE: 5/14/12  
EFFECTIVE DATE OF RESOLUTION: 5/14/12



By Legislators Colby and Yolevich

Intro. No. 199

RESOLUTION NO. 150 OF 2012

**AUTHORIZING CONTRACT WITH VILLAGER CONSTRUCTION, INC. FOR CONSTRUCTION SERVICES FOR PREVENTATIVE MAINTENANCE – HIGHWAYS PROGRAM PROJECT, PHASE II**

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 \$2,044,018.40, for construction services, for the Preventative Maintenance – Highways Program Project, Phase II, 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 available in capital funds 1511, 1611 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; April 24, 2012 - CV: 7-0  
Ways and Means Committee; April 25, 2012- CV: 11-0  
File No. 12-0159

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_

SIGNATURE: *Mary Ann*      DATE: 5/14/12

EFFECTIVE DATE OF RESOLUTION: 5/14/12

By Legislators Yolevich and Gumina

Intro. No. 200

RESOLUTION NO. 151 OF 2012

**AUTHORIZING ACQUISITION OF INTEREST IN REAL PROPERTY FOR INTELLIGENT TRANSPORTATION SYSTEM CAMERA AND DYNAMIC MESSAGE SIGN DEPLOYMENT PROJECT, PHASE III 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 Intelligent Transportation System Camera and Dynamic Message Sign Deployment project, phase III, in the Town of Greece, by contract and/or 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 Area = 0.751 acre 3177 Latta Road T.A. # 045.03-3-13.101 Town of Greece	Wegmans Food Markets, Inc. 1500 Brooks Avenue Rochester, NY 14603	\$1

Section 2. Funding for this acquisition, consistent with authorized uses, is included in capital fund 1410 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.

Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0160

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_

SIGNATURE: Mary Mads      DATE: 5/14/12

EFFECTIVE DATE OF RESOLUTION: 5/14/12

By Legislators Drawe and Yolevich

Intro. No. 201

RESOLUTION NO. 152 OF 2012

**AMENDING RESOLUTION 306 OF 2011 TO ACCEPT ADDITIONAL FUNDING FROM NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE FOR 2011-2012 HOME ENERGY ASSISTANCE PROGRAM**

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

Section 1. Section 1 of Resolution 306 of 2011 is hereby amended to read as follows:

The County Executive, or her designee, is hereby authorized to accept a \$1,686,629 ~~\$1,382,279~~ grant from, and execute a contract and any amendments thereto with, the New York State Office of Temporary and Disability Assistance, for the 2011-2012 Home Energy Assistance Program, for the period of October 1, 2011 through September 30, 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 \$304,350 into fund 9300, funds center 5117010000, Home Energy Assistance Program.

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

Human Services Committee; April 24, 2012 - CV: 8-0  
Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0161

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_  
SIGNATURE: Magic Marks      DATE: 5/14/12  
EFFECTIVE DATE OF RESOLUTION: 5/14/12

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

By Legislators Drawe and Yolevich

Intro. No. 202

RESOLUTION NO. 153 OF 2012

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

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

Section 1. The County Executive, or her designee, is hereby authorized to accept a \$122,740 grant from, and to execute a contract and any amendments thereto with, Health Research, Inc., for the Ryan White Part B Emerging Communities Initiative Program, for the period of April 1, 2012 through March 31, 2013.

Section 2. The 2012 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$122,740 into fund 9300, funds center 5802030200, HIV Emerging Communities Grant.

Section 3. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with the University of Rochester, to provide case management services, for the Ryan White Part B Emerging Communities Initiative Program, in an amount not to exceed \$114,576, for the period of April 1, 2012 through March 31, 2013.

Section 4. The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor requirements and to make any necessary funding modifications within grant guidelines to meet contractual commitments.

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

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

Human Services Committee; April 24, 2012 - CV: 8-0  
Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0162

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_

SIGNATURE: Magdo Mats      DATE: 5/14/12

EFFECTIVE DATE OF RESOLUTION: 5/14/12

RESOLUTION NO. 154 OF 2012

**ACCEPTING GRANT FROM NEW YORK STATE DEPARTMENT OF HEALTH; AUTHORIZING INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER AND CONTRACTS WITH SCHNEIDER LABORATORIES GLOBAL, INC., CORNELL UNIVERSITY AND CATHOLIC FAMILY CENTER FOR CHILDHOOD LEAD PRIMARY 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 \$802,276 grant from, and to execute a contract and any amendments thereto with, the New York State Department of Health, for the Childhood Lead Primary Prevention Program, for the period of April 1, 2012 through March 31, 2013.

Section 2. The 2012 operating grant budget of the Department of Public Health is hereby amended by appropriating the sum of \$601,707 into fund 9300, funds center 5806110000, Childhood Lead Primary Prevention Grant.

Section 3. The County Executive, or her designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with the City of Rochester, for the Childhood Lead Primary Prevention Program, in an amount not to exceed \$280,000, for the period of April 1, 2012 through March 31, 2013.

Section 4. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with Schneider Laboratories Global, Inc., for the Childhood Lead Primary Prevention Program, in an amount not to exceed \$18,000, for the period of April 1, 2012 through March 31, 2013.

Section 5. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with Cornell University, for the Childhood Lead Primary Prevention Program, in an amount not to exceed \$37,200, for the period of April 1, 2012 through March 31, 2013.

Section 6. The County Executive, or her designee, is hereby authorized to execute a contract, and any amendments thereto, with Catholic Family Center, for the Childhood Lead Primary Prevention Program, in an amount not to exceed \$25,650, for the period of April 1, 2012 through March 31, 2013.

Section 7. 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 8. 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 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Intergovernmental Relations Committee; April 25, 2012 - CV: 5-0  
Human Services Committee; April 24, 2012 - CV: 8-0  
Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0163

ADOPTION: Date: May 8, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: \_\_\_\_\_  
SIGNATURE: Mayo Marks DATE: 5/14/12  
EFFECTIVE DATE OF RESOLUTION: 5/14/12

By Legislators Howland and Yolevich

Intro. No. 204

RESOLUTION NO. 155 OF 2012

**AUTHORIZING CONTRACT WITH CHA CONSULTING, INC., FOR DESIGN SERVICES FOR CONSTRUCT NEW TAXIWAY "P" FROM RUNWAY 10-28 TO TAXIWAY "F" PROJECT AT GREATER ROCHESTER INTERNATIONAL AIRPORT**

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 CHA Consulting, Inc., for design services for the Construct New Taxiway "P" from Runway 10-28 to Taxiway "F" Project at the Greater Rochester International Airport, in the amount of \$127,000, along with 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 1608 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; April 25, 2012 - CV: 7-0  
Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0164

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_  
SIGNATURE: Margo Proby      DATE: 5/14/12  
EFFECTIVE DATE OF RESOLUTION: 5/14/12

By Legislator Yolevich and Gumina

Intro. No. 205

RESOLUTION NO. 156 OF 2012

**AUTHORIZING SALE OF COUNTY OWNED TAX FORECLOSURE PROPERTY LOCATED AT 46 ERIE STATION ROAD 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 sell the real property listed below at 46 Erie Station Road in the Town of Henrietta, to Eric Zielinski, for the purchase price of \$30,000.

<u>Parcel</u>	<u>Offeror</u>	<u>Offered Amount</u>
TA # 187.02-2-7 46 Erie Station Road Town of Henrietta	Eric Zielinski	\$30,000

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

Ways and Means Committee; April 25, 2012- CV: 11-0  
File No. 12-0165

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_

SIGNATURE: Margie Marks      DATE: 5/14/12

EFFECTIVE DATE OF RESOLUTION: 5/14/12

RESOLUTION NO. 157 OF 2012

**DIRECTING CORRECTION, CANCELLATION AND LEVY OF CERTAIN MONROE COUNTY TAXES IN TOWN OF GATES**

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

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

<u>City/Town</u>	<u>Tax Account #</u>	<u>Year</u>	<u>Amount Currently Due</u>	<u>Amount of Corrected Tax</u>	<u>Amount of Taxes To Be Cancelled</u>
Gates	133.12-1-2	2012	\$10,457.33	\$6,209.58	\$4,247.75

Following are the assessed owners:

<u>Tax Account Number</u>	<u>Name and Mailing Address</u>
133.12-1-2	Satriales LLC 670 Trabold Road Rochester, NY 14624

Section 2. The Controller is hereby authorized and directed to draw an order on the Monroe County Director of Finance, Chief Financial Officer payable from the Erroneous Assessment Account for the sum of \$4,247.75.

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

Monroe County	508.23
Gates Chili Central School District (262601)	<u>3,739.52</u>
	\$4,247.75

Section 4. The Application for Corrected Real Property Tax, and duplicate copy thereof, for the tax account number set forth in Section 1 hereof is marked approved, and the correct amount of taxes as set forth in Section 1 hereof is entered on such application and duplicate copy thereof.

Section 5. It is hereby ordered that the corrected taxes for said tax account number is 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 the application that has been marked approved, and also to mail to the applicant a notice of approval for the 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; April 25, 2012 - CV: 11-0  
File No. 12-0166

ADOPTION: Date: May 8, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: *[Signature]* VETOED: \_\_\_\_\_  
SIGNATURE: *[Signature]* DATE: 5/14/12  
EFFECTIVE DATE OF RESOLUTION: 5/14/12



RESOLUTION NO. 158 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>
2012	\$48,649.12	Rochester	106.81-2-2.001	University of Rochester

Section 2. The Controller is hereby authorized and directed to draw an order on the Monroe County Director of Finance, Chief Financial Officer payable from the Erroneous Assessment Account for the total sum of \$48,649.12, payable to the above named entity 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 O/M Gallon (RT222)	\$48,649.12

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

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

Ways and Means Committee; April 25, 2012 -CV: 11-0  
File No. 12-0167

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_

SIGNATURE: Mary Ann Probst      DATE: 5/14/12

EFFECTIVE DATE OF RESOLUTION: 5/14/12

By Legislators Yolevich and Gumina

Intro. No. 208

RESOLUTION NO. 159 OF 2012

**ACCEPTING GRANT FROM NEW YORK STATE BOARD OF ELECTIONS FOR VOTING ACCESS FOR INDIVIDUALS WITH DISABILITIES POLLING PLACE ACCESS IMPROVEMENT 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, on behalf of the Monroe County Board of Elections, a \$28,467 grant from, and to execute a contract and any amendments thereto with, the New York State Board of Elections, for the Voting Access for Individuals with Disabilities Polling Place Access Improvement Program, for the period of January 1, 2012 through September 30, 2016.

Section 2. The 2012 operating grant budget of the Monroe County Board of Elections is hereby amended by appropriating the sum of \$28,467 into fund 9300; funds center 2001010000, Elections Administration.

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.

Ways and Means Committee; April 25, 2012 - CV: 11-0  
File No. 12-0168

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X      VETOED: \_\_\_\_\_  
SIGNATURE: Magie Probst      DATE: 5/14/12  
EFFECTIVE DATE OF RESOLUTION: 5/14/12

By Legislators Rockow and Howland

Intro. No. 209

RESOLUTION NO. 160 OF 2012

**AUTHORIZING MONROE COUNTY TO ACT AS LEAD MUNICIPALITY TO SUBMIT AN APPLICATION ON BEHALF OF FINGER LAKES REGION TO NEW YORK STATE ENERGY AND RESEARCH DEVELOPMENT AUTHORITY FOR FUNDING FOR THE CLEANER, GREENER COMMUNITIES REGIONAL SUSTAINABILITY PLANNING PROGRAM FOR DEVELOPMENT OF REGIONAL SUSTAINABILITY PLAN**

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

Section 1. Monroe County, is hereby authorized to act as the lead municipality to submit an application on behalf of the Finger Lakes Region to the New York State Energy and Research Development Authority for funding for the Cleaner, Greener Communities Regional Sustainability Planning program for the development of a regional sustainability plan.

Section 2. The County Executive, or her designee, is hereby authorized to submit an application on behalf of the Finger Lakes Region to the New York State Energy and Research Development Authority for funding for the Cleaner, Greener Communities Regional Sustainability Planning program for the development of a regional sustainability plan.

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

Planning and Economic Development Committee; April 23, 2012 - CV: 5-0  
File No. 12-0169

ADOPTION: Date: May 8, 2012      Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

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

SIGNATURE: Magie Knott      DATE: 5/14/12

EFFECTIVE DATE OF RESOLUTION: 5/14/12