

Monroe County
Clerk of the Legislature


Diana M. Christodaro
Clerk



David Grant
Deputy Clerk

MEMORANDUM

TO: Legislators, Directors, Staff and Media

FROM: Diana M. Christodaro, Clerk of the Legislature 

DATE: July 10, 2017

RE: Matters of Urgency - File Nos. 17-0207 and 17-0208

-
- 17-0207** Approval of Monroe Community College's 2017-2018 Operating Budget
- As a Matter of Urgency - County Executive Cheryl Dinolfo
- 17-0208** Repeal of Local Law No. 3 of 2014, "Establishment of County of Monroe Wireless Surcharge" and Enact a Local Law Entitled "Imposing the Wireless Communications Surcharge Pursuant to the Authority of Tax Law § 186-g" - As a Matter of Urgency - County Executive Cheryl Dinolfo

Per President Anthony J. Daniele, the attached communication is declared to be a Matter of Urgency pursuant to Section 545-24(A)(3) of the Rules of the Monroe County Legislature and will be considered at the July 11, 2017 meeting of the Monroe County Legislature.

Attachments



Office of the County Executive

MONROE COUNTY, NEW YORK

Cheryl Dinolfo
County Executive

July 7, 2017

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

OFFICIAL FILE COPY	
No.	<u>170207</u>
Not to be removed from the Office of the Legislature Of Monroe County	
Service Assignment	
URGENT	-L

Subject: Approval of Monroe Community College's 2017 – 2018 Operating Budget

Honorable Legislators:

I recommend that Your Honorable Body approve the operating budget of Monroe Community College for the fiscal year September 1, 2017 through August 31, 2018 as submitted by the College.

The proposed 2017 – 2018 Monroe Community College budget has been reviewed by me, as well as the staff of the County's Office of Management and Budget. I concur with the request of the College.

The following resolution was adopted by the Monroe Community College Board of Trustees at their meeting on June 5, 2017:

RESOLVED, that the Board of Trustees of Monroe Community College approves the Operating Budget for the fiscal year September 1, 2017 through August 31, 2018 in the amount of \$122,933,000.

Approval of this budget will provide funding for 11,568 state-aidable full-time equivalent students during the College fiscal year. Adoption by Your Honorable Body is required before the State University of New York can approve its share of the College budget.


The specific legislative actions required are:

1. Schedule and hold a public hearing.
2. Approve the total Monroe Community College operating budget in the amount of \$122,933,000 and a sponsor contribution by the County of Monroe in the amount of \$19,130,000.

The approval of this budget will require an appropriation of \$19,130,000 in the County of Monroe budget year 2018 as the County sponsor contribution.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,


Cheryl Dinolfo
Monroe County Executive

CD:db

By Legislators _____ and _____

Intro. No. ____

RESOLUTION NO. ____ OF 2017

APPROVING MONROE COMMUNITY COLLEGE'S 2017-2018 OPERATING BUDGET

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

Section 1. The operating budget for the fiscal year September 1, 2017 through August 31, 2018, in the amount of \$122,933,000, with a sponsor contribution by the County of Monroe in the amount of \$19,130,000, is hereby approved.

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

Matter of Urgency
File No. 17-0

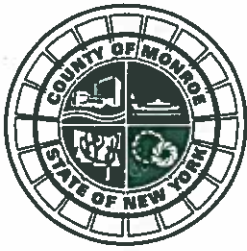
ADOPTION: Date: _____ Vote: ____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive

MONROE COUNTY, NEW YORK

Cheryl Dinolfo
County Executive

July 7, 2017

OFFICIAL FILE COPY	
No. <u>170208</u>	
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
URGENT	-L

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

Subject: Repeal of Local Law No. 3 of 2014, "Establishment of County of Monroe Wireless Surcharge" and Enact a Local Law Entitled "Imposing the Wireless Communications Surcharge Pursuant to the Authority of Tax Law §186-g"

Honorable Legislators:

I recommend that Your Honorable Body repeal Local Law No. 3 of 2014 and enact a Local Law with regard to wireless surcharges in Monroe County.

Pursuant to Part EEE of Chapter 59 of the New York Laws of 2017, authority granted under Article 6 of the County Law to impose a wireless communications surcharge has been repealed as of December 1, 2017. In place of that authority, new authority was enacted granting counties outside of New York City authority to impose a new State administered wireless surcharge pursuant to Tax Law §186-g.

Because the prior County Law authority is repealed as of December 1, 2017, Monroe County must adopt a new enactment imposing the surcharges authorized by Tax Law §186-g effective December 1, 2017 in order for surcharge collections to continue without interruption.

The two significant differences between the wireless surcharges authorized by the County Law and the new Tax Law §186-g are: (a) the collection and administration of the new surcharge will be handled by the New York State Commissioner of Taxation and Finance; and (b) the new surcharge will be assessed on pre-paid wireless communications services in addition to post-paid services.

The specific legislative actions required are:

1. Repeal Local Law No. 3 of 2014, "Establishment of County of Monroe Wireless Surcharge," as of November 30, 2017.
2. Schedule and hold a public hearing on the proposed Local Law.
3. Enact a Local Law entitled "Imposing the Wireless Communications Surcharge Pursuant to the Authority of Tax Law §186-g" effective December 1, 2017.

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

This Local Law is revenue generating and no net County support is required in the current Monroe County budget.

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

Sincerely,


Cheryl Dinolfo
Monroe County Executive

CD:db

2017 JUL 11 AM 11:05
2017 JUL 11 AM 11:05

By Legislators

Intro. No. ____

LOCAL LAW NO. __ OF 2017

REPEAL OF LOCAL LAW NO. 3 OF 2014 “ESTABLISHMENT OF COUNTY OF MONROE WIRELESS SURCHARGE” AND ENACTMENT OF LOCAL LAW ENTITLED “IMPOSING THE WIRELESS COMMUNICATIONS SURCHARGE PURSUANT TO AUTHORITY OF TAX LAW SECTION 186-G”

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

Section 1. Local Law No. 3 of 2014, “Establishment of County of Monroe Wireless Surcharge” is hereby repealed effective November 30, 2017.

Section 2. (a) Pursuant to the authority of Section 186-g of the Tax Law, the County of Monroe hereby imposes a surcharge on wireless communications service in the County of Monroe on: i) wireless communications service provided to a wireless communications customer with a place of primary use within Monroe County, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and ii) the retail sale of prepaid wireless communications service sold within Monroe County, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billings of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent (3%) of its collections of the surcharges imposed by this local law, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

Section 3. The surcharges imposed by this local law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph 8 of Tax Law Section 186-g, and in a like manner as the taxes imposed by Articles 28 and 29 of the Tax Law.

Section 4. All the provisions of Tax Law Section 186-g shall apply to the surcharges imposed by this local law with the same force and effect as if those provisions had been set forth in full in this local law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this local law.

Section 5. Net collections received by the County from the surcharges imposed by this local law shall be expended only upon authorization of the Monroe County Legislature of the County of Monroe and only for payments of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such County of Monroe, as provided in paragraph 9 of Tax Law Section 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. The County of Monroe shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

Section 6. This resolution shall take effect December 1, 2017.

File No. 17-____LL

ADOPTION: Date: _____, 2017

Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____

REC-01/08/10/11/12/13/14/15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100