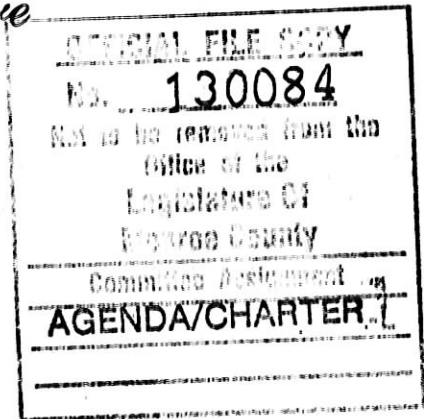




# Monroe County Legislature

**Carmen F. Gumina**  
LEGISLATOR - DISTRICT 8

March 11, 2013



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

**Subject: A Local Law to Regulate Pawnbrokers, Secondhand Dealers and Jewelry and Coin Exchange Dealers**

Honorable Legislators:

I recommend that Your Honorable Body enact a Local Law regulating pawnbrokers, secondhand dealers and jewelry and coin exchange dealers. Law enforcement across our community currently lack a tool that allows them to recover stolen goods that are quickly sold to pawnbrokers, secondhand dealers and jewelry and coin exchange dealers. This local law will require qualifying dealers to hold any second hand merchandise coming into their business for fourteen (14) days. They will also be required to obtain a license each year provided by and filed by the Monroe County Sheriff's Office as well as upload photos of all secondhand merchandise within the first forty-eight (48) hours of receipt, to the Sheriff's electronic records database.

To date, New York State has failed to address this issue; therefore, several communities have enacted similar legislation to provide their law enforcement with a tool to recover stolen merchandise. It is time for Monroe County to address this issue. Therefore, I urge this Legislature to implement this Local Law to regulate pawnbrokers, secondhand dealers and jewelry and coin exchange dealers.

**The specific legislative actions required are:**

1. Schedule and hold a public hearing on this proposed Local Law.
2. Enact a Local Law amending the Monroe County Charter, as attached.

Funding for this local law is available within the 2013 operating budget of the Monroe County Sheriff's Office. No additional net County support is required in the current Monroe County budget.

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

Respectfully submitted,

Carmen F. Gumina  
Monroe County Legislature  
District 8



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

Intro No. \_\_\_\_

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

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

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

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

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

**§382-1. Title.**

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

**§382-2. Legislative Intent.**

The Legislature finds that:

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

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

**§382-3. Purpose.**

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

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

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

B. "Jewelry and Coin Exchange Dealer"- Persons or business establishments engaged in the business of sale, purchase, or exchange of precious metals and/or jewelry for other objects of precious metal,

jewelry, United States currency, bank drafts, other negotiable instruments as defined in the Uniform Commercial Code or any other object or thing of value.

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

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

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

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

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

#### **§382-5. Prohibitions.**

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

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

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

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

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

#### **§382-6. Licensing.**

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

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

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

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

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

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

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



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

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

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

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

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

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

#### **§382-7. General Operation:**

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

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

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

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

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

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

#### **§382-8. Identification Required.**

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

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

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

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

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

F. It shall further be the duty of every pawnbroker, secondhand dealer or jewelry and coin

exchange dealer to take, and maintain, a digital photograph of each article, jewelry or precious metal purchased. The photograph must include the serial number and model number or product key if the item(s) contain those features.

**§382-9. Reporting.**

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

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

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

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

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

- A. Any person violating the provisions of this Chapter shall be guilty of a misdemeanor, and

upon conviction thereof, shall be punished by a fine not to exceed \$200.00 for the first offense, \$1,000 for the second offense, and \$3,000 for each subsequent offense. Each such violation shall constitute a separate and distinct offense.

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

**§382-11. Severability.**

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

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

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

Agenda/Charter Committee;  
File No. 13-0\_\_\_.LL

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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



# Monroe County Legislature

**CARRIE M. ANDREWS**  
DEMOCRATIC MINORITY LEADER

**CARRIE M. ANDREWS**  
LEGISLATURE - DISTRICT 21  
50 ROSEVIEW AVENUE  
ROCHESTER, NEW YORK 14609  
OFFICE: (585) 753-1940  
E-MAIL: carrie\_andrews@hotmail.com

March 11, 2013

To The Honorable  
Monroe County Legislature  
39 West Main Street  
Rochester, NY 14614

OFFICIAL FILE COPY	
No.	130085
Not to be removed from the Office of the Legislature of Monroe County	
Committee Assignment	
<b>Memorializing Referral</b>	-1-

**RE: Memorializing the New York State Legislature and Governor Andrew Cuomo to Open and Unseal the Records from the Attica Prison Riot in 1971**

Honorable Legislators:

The Attica Prison Riot in 1971 is not just one of the darkest events in New York State's history, but the bloodiest prison insurrection in the history of the United States. When the assault on the prison concluded, there were 39 people dead, 10 officers and civilian employees and 29 inmates. Even after decades in court, many of the issues surrounding the riot remain unresolved with much information being withheld.

There remains mystery surrounding some of the events during the uprising and the subsequent assault on the prison by the State Police. In particular, there seems to be conflicting evidence on how many of the officer and civilian employee hostages were killed. Originally it was reported that the hostages were killed by the prisoners slitting their throats. However, recent discoveries by medical examiners reexamining autopsies have disputed these original reports.

In 1976 Governor Hugh Carey declared a general pardon for all of the inmates and officers involved, arguing a clean slate was the only way to move on. This was a very controversial decision by the Governor and prevented investigations into the actions during the assault. Not only that, but the State Archives have not made the full findings of the McKay Commission subject to the Freedom of Information Laws. Keeping this information hidden has led to many years of misinformation, which is a disservice to supporters of justice everywhere.

This bill is of great importance because the general public has the right to know what took place during the Attica Riot and subsequent assault on the prison. Therefore, I urge you to join me in memorializing the New York State Legislature and Governor Andrew Cuomo to have the records from the Attica Prison Riot in 1971 unsealed and made available to the public.

Respectfully Submitted,

*Carrie M Andrews*

Carrie M. Andrews  
Democratic Minority Leader

*Willie J. Lightfoot*

Willie J. Lightfoot  
Assistant Minority Leader

*Cynthia W. Kaleh*

Cynthia W. Kaleh  
Assistant Minority Leader

*Justin Wilcox*

Justin Wilcox  
Legislator – District 14

*Joseph D. Morelle, Jr.*

Joseph D. Morelle, Jr.  
Legislator – District 17

*Glenn J. Gamble*

Glenn J. Gamble  
Legislator – District 22

*Paul E. Haney*

Paul E. Haney  
Legislator – District 23

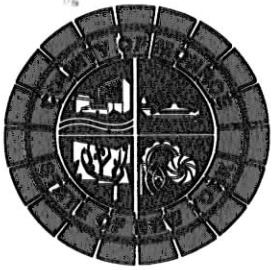
*Joshua Bauroth*

Joshua Bauroth  
Legislator – District 24

*Michael Patterson*

Michael Patterson  
Legislator – District 29





# Monroe County Legislature

**CYNTHIA W. KALEH**

LEGISLATOR - DISTRICT 28

**CYNTHIA W. KALEH**  
LEGISLATOR - DISTRICT 28  
18 FAIRVIEW HEIGHTS  
ROCHESTER, NEW YORK 14613  
OFFICE: (585) 753-1940  
HOME: (585) 647-3929  
FAX: (585) 232-7431  
E-MAIL: cindy@kaltechsupport.com

March 11, 2013

<b>OFFICIAL FILE COPY</b>
No. <b>130086</b>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
<b>Memorializing Referral</b> -L

To The Honorable  
Monroe County Legislature  
39 West Main Street  
Rochester, NY 14614

**RE: Memorializing the New York State Legislature to Pass and Governor Andrew Cuomo to Sign into Law Assembly Bill 622, An Act to Prohibit Smoking in Private Vehicles Where a Minor Less Than 14 Years of Age is a Passenger**

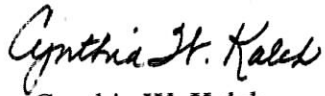
Honorable Legislators:

As we have become more aware of public health hazards, society has responded accordingly. This is especially true in relation to our awareness of tobacco's life threatening effect individuals who smoke and also non-smokers exposed to second hand smoke. While legislation has been passed to ban smoking in workplaces, public places and most modes of transportation, we have neglected to advocate for and protect the most vulnerable.

The time to protect infants and children exposed to health risks while riding in vehicles filled with secondhand smoke is at hand. Infants and children under the age of 14 are the most susceptible to the dangers of second hand smoke as their organs and bodies are not yet fully developed. The health risks are many; including asthma, lung cancer, Sudden Infant Death Syndrome, and heart disease. Second hand smoke can exacerbate severe respiratory infections, such as bronchitis and pneumonia, as well as increase the number of asthma attacks, ear infections and may impede normal lung growth.

It is important to safeguard infants and children under the age of 14 against risks to their long term health; especially risks that are easily mitigated. This legislation is a common sense measure to protect infants and children who for no reason but their age cannot insist on clean air as they travel. A trip to the playground should not start in a smoked filled vehicle. Therefore, I urge you to join me in memorializing the New York State Legislature to pass, and Governor Andrew Cuomo to sign into law Assembly Bill 622, An Act to Prohibit Smoking in Private Vehicles Where a Minor Less Than 14 Years of Age is a Passenger.

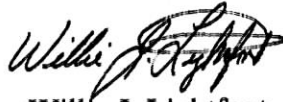
Respectfully submitted,



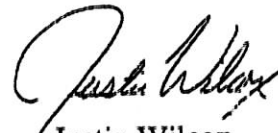
Cynthia W. Kaleh  
Assistant Minority Leader



Carrie M. Andrews  
Democratic Minority Leader



Willie J. Lightfoot  
Assistant Minority Leader



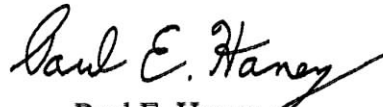
Justin Wilcox  
Legislator - District 14



Joseph D. Morelle, Jr.  
Legislator - District 17



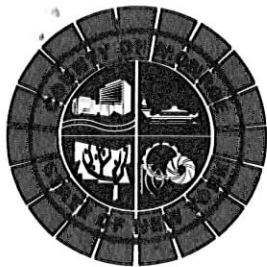
Glenn J. Gamble  
Legislator - District 22



Paul E. Haney  
Legislator - District 23



Michael Patterson  
Legislator - District 29



# Monroe County Legislature

**JUSTIN F. WILCOX**  
LEGISLATOR - DISTRICT 14

**JUSTIN F. WILCOX**  
LEGISLATOR - DISTRICT 14  
75 MIDDLEBROOK LANE  
ROCHESTER, NEW YORK 14618  
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HOME: (585) 473-6631  
FAX: (585) 753-1946  
E-MAIL: jfwilcox@frontiernet.net

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No. <u>130087</u>
Not to be removed from the Office of the Legislature of Monroe County
Committee Assignment
<b>AGENDA/CHARTER-L</b>

March 11, 2013

To The Honorable  
Monroe County Legislature  
39 West Main Street  
Rochester, New York 14614

**Re: Establishing a Temporary Committee to Review the Charter and Administrative Code**

Honorable Legislators:

According to the County Charter, Section C8-7 'Periodic Review,' the Legislature is to appoint a temporary committee every five years to review the Charter and the Administrative Code. The committee also makes recommendations to the County Legislature regarding the need for Charter or Code amendments and the creation of a Charter Commission.

Periodic review of the Charter and Administrative Code is important for several reasons. When the County was established, fewer and simpler laws were necessary. Over the years, to keep pace with our ever changing world, we have added new laws to reflect the complexity and growth of our community. However, we should also revisit existing and potentially outdated laws to ensure their relevance. Only by doing so can we ensure that our government is truly representative and adapts with the times. To be sure, in many ways our governing documents are a reflection of our history, but as living documents, must remain current, effective, and relevant.

Therefore, we propose that this Honorable Body appoint the temporary committee to report its recommendations within six months, as established in the Charter.

**The specific legislative actions required are:**

1. Appoint a temporary committee with the following duties:
  - A. To review the Charter and Administrative Code

B. To make preliminary recommendations to the County Legislature, based on its review, concerning the need for Charter or Code amendment and the creation of a Charter Commission.

2. The Committee shall be composed of seven (7) members, appointed by the President of the Legislature and confirmed by the Legislature, and shall include legislators from both the Majority and Minority Caucuses of the Legislature, at least one representative from the Administration, and at least one citizen member with an interest and/or background in Charter issues.

This proposed local law shall have no impact on the revenues and/or expense of the current Monroe County Budget.

Respectfully Submitted,



Justin Wilcox  
Legislator – District 14



Carrie M. Andrews  
Democratic Minority Leader



Willie J. Lightfoot  
Assistant Minority Leader



Cynthia W. Kaleh  
Assistant Minority Leader



Joseph D. Morelle, Jr.  
Legislator – District 17



Glenn J. Gamble  
Legislator – District 22



Paul E. Haney  
Legislator – District 23



Joshua Bauroth  
Legislator – District 24



Michael Patterson  
Legislator – District 29

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

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

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

Be it enacted by the legislature of the County of Monroe, as follows:

§1. Appoint a temporary committee, pursuant to Section C 8-7 of the Monroe County Charter, with the following duties:

- A. To review the Charter and Administrative Code.
- B. To make preliminary recommendations to the County Legislature, based on its review, concerning the need for Charter or Code amendment and the creation of a Charter Commission.
- C. To take any other actions to fulfill the duties pursuant to Section C 8-7 of the Monroe County Charter.

§2. The Committee shall be composed of seven (7) members, appointed by the President of the Legislature and confirmed by the Legislature, and shall include legislators from both the Majority and Minority Caucuses of the Legislature, at least one representative from the Administration, and at least one citizen member with an interest and/or background in Charter issues.

File No. 13-0\_\_\_\_\_

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

ACTION BY THE COUNTY EXECUTIVE

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

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

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

Added Language is underlined  
Deleted Language is ~~stricken~~



Office of the County Executive

Monroe County, New York

Maggie Brooks
County Executive

Daniel M. DeLaus, Jr.
Deputy County Executive
No. 130083

Not to be removed from the
Office of the
Legislature Of
Monroe County

Committee Assignment

INTROV REL -L

PUBLIC SAFETY
WAYS & MEANS

March 8, 2013

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

Subject: Authorize Intermunicipal Agreements with Other Counties for Forensic Laboratory Services Provided by the Monroe County Crime Laboratory

Honorable Legislators:

I recommend that Your Honorable Body authorize intermunicipal agreements with the counties listed below, for the amounts noted below, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, for the period of January 1, 2013 through December 31, 2013.

Under the terms of the intermunicipal agreements, the Monroe County Crime Laboratory will perform forensic laboratory examinations and provide court testimony as needed.

Table with 2 columns: County, Contract Amount. Rows include Genesee, Livingston, Ontario, Seneca, Wayne, Wyoming, Yates with corresponding amounts.

The specific legislative actions required are:

- 1. Authorize the County Executive, or her designee, to execute an intermunicipal agreement, and any amendments thereto, with Genesee County, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$69,919, for the period of January 1, 2013 through December 31, 2013.
2. Authorize the County Executive, or her designee, to execute an intermunicipal agreement, and any amendments thereto, with Livingston County, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$39,522, for the period of January 1, 2013 through December 31, 2013.
3. Authorize the County Executive, or her designee, to execute an intermunicipal agreement, and any amendments thereto, with Ontario County, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$169,125, for the period of January 1, 2013 through December 31, 2013.

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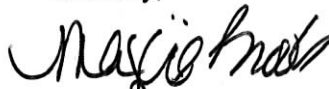


4. Authorize the County Executive, or her designee, to execute an intermunicipal agreement, and any amendments thereto, with Seneca County, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$14,561, for the period of January 1, 2013 through December 31, 2013.
5. Authorize the County Executive, or her designee, to execute an intermunicipal agreement, and any amendments thereto, with Wayne County, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$77,431, for the period of January 1, 2013 through December 31, 2013.
6. Authorize the County Executive, or her designee, to execute an intermunicipal agreement, and any amendments thereto, with Wyoming County, for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$24,805, for the period of January 1, 2013 through December 31, 2013.
7. Authorize the County Executive, or her designee, to execute an intermunicipal agreement, and any amendments thereto, with Yates County for the provision of comprehensive forensic laboratory services by the Monroe County Crime Laboratory, in the amount of \$17,970, for the period of January 1, 2013 through December 31, 2013.

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

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

Sincerely,



Maggie Brooks  
County Executive



Office of the County Executive

Monroe County, New York

Maggie Brooks  
County Executive

Daniel M. DeLaus, Jr.

Deputy County Executive	
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March 8, 2013

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

Subject: Accept a Gift from and Authorize a Contract with the Rochester Civic Garden Center for Improvements to the Warner Castle Gardens in Highland Park

Honorable Legislators:

I recommend that Your Honorable Body authorize the acceptance of a gift from and authorize a contract with the Rochester Civic Garden Center for improvements to the Warner Castle Gardens in Highland Park, with an estimated value of \$18,000.

The Rochester Civic Garden Center provides gardening and horticultural events and education programs at the Warner Castle. The improvements will include garden renovation, an arbor, fencing, and pathways on the Castle grounds.

The specific legislative action required is to authorize the County Executive, or her designee, to accept a gift from, and to execute a contract, and any amendments thereto with, the Rochester Civic Garden Center for improvements to the Warner Castle Gardens in Highland Park, with an estimated value of \$18,000.

An environmental assessment was completed for this project, and it was determined that there would be no significant effect on the environment.

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

The Rochester Civic Garden Center is a not-for-profit corporation, and the records in the Office of the Monroe County Treasurer have indicated that it does not owe any delinquent Monroe County property taxes.

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

Sincerely,

  
Maggie Brooks  
County Executive



# Office of the County Executive

Monroe County, New York

**Maggie Brooks**  
County Executive

**Daniel M. DeLaus, Jr.**

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<b>TRANSPORTATION</b>	<b>-L</b>
<b>WAYS &amp; MEANS</b>	

March 8, 2013

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

**Subject:** Amend the 2013 Capital Budget and Bond Resolution 311 of 2012 to Provide for an Increase in Funding for the Countdown Pedestrian Indication Program as Part of the Upgrading, Expansion and Replacement of Existing Traffic Signal Facilities Project and Authorize Contracts with the New York State Department of Transportation

**Honorable Legislators:**

I recommend that Your Honorable Body amend the 2013 Capital Budget and Bond Resolution 311 of 2012 to provide for an increase in funding for the Countdown Pedestrian Indication Program as part of the Upgrading, Expansion and Replacement of Existing Traffic Signal Facilities project and authorize contracts with the New York State Department of Transportation.

Your Honorable Body, through Bond Resolution 311 of 2012 (Capital Fund 1669), authorized financing for upgrades, replacement and expansion of the County's traffic signal facilities and computerized traffic control systems. As a component of that authorization, this project involves the installation of countdown pedestrian indications that will upgrade each "walking person"/"upraised hand" display signal to solid symbolic figures and give feedback to pedestrians in the form of a countdown clock as to the estimated time they have to cross the intersection leg. This project, combined with several others, will complete Monroe County's implementation of countdown indications at every intersection where pedestrian indications exist now and result in uniform pedestrian displays that are in full compliance with current National Manual of Uniform Traffic Control Devices specifications. Federal funding for this project was made possible from the 2012 Safe Routes to School Program in the amount of \$418,000 and from the 2013 Highway Safety Improvement Program in the amount of \$1,588,800. All federally eligible project costs will be reimbursed by the Federal Highway Administration with overall project administration by Monroe County.

To accept these funds, we are seeking an increase in the funding authorization for the Upgrading, Expansion and Replacement of Existing Traffic Signal Facilities project, Capital Fund 1669. Therefore, it is necessary to amend the 2013 Capital Budget to increase the funding by \$2,098,000, from \$125,000 to \$2,223,000. The breakdown of this increase is as follows: \$418,000 for the 2012 Safe Routes to School Program (100% Federal funds), \$1,588,800 for the 2013 Highway Safety Improvement Program (90% Federal funds, 10% County funds), and \$91,200 for the Monroe County Department of Transportation Traffic Engineering program. The total increase in funding will be supported 88% from the Federal Aid.

**The specific legislative actions required are:**

1. Amend the 2013 Capital Budget to increase the project authorization by \$2,098,000 for the Countdown Pedestrian Indication Program as part of the Upgrading, Expansion and Replacement of Existing Traffic Signal Facilities project from \$125,000 to \$2,223,000, making the total project authorization \$2,223,000.

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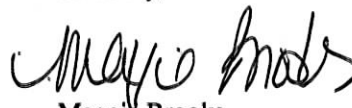
2. Amend Bond Resolution 311 of 2012 (Capital Fund 1669) to increase financing for the Countdown Pedestrian Indication Program as part of the Upgrading, Expansion and Replacement of Existing Traffic Signal Facilities project, Capital Fund 1669, by \$2,098,000 from \$125,000 to \$2,223,000, making the total project authorization \$2,223,000.
3. Authorize the County Executive, or her designee, to execute contracts, and any amendments thereto, with the New York State Department of Transportation for the Countdown Pedestrian Indication Program from the 2012 Safe Routes to School Program and the 2013 Highway Safety Improvement Program as part of the Upgrading, Expansion and Replacement of Existing Traffic Signal Facilities project.

Environmental assessments were completed for the Countdown Pedestrian Indication Program as part of the Upgrading, Expansion and Replacement of Existing Traffic Signal Facilities project, and it was determined that there would be no significant effect on the environment.

Funding for this contract, consistent with authorized uses, will be available in capital fund 1669 once the additional financing authorization requested herein is approved and in any capital fund(s) created for the same intended purpose. No additional net County support is required in the current Monroe County budget.

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

Sincerely,



Maggie Brooks  
County Executive



Office of the County Executive

Monroe County, New York

Maggie Brooks
County Executive

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Daniel M. DeLuis, Jr.
No. 130091
Deputy County Executive
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March 8, 2013

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

Subject: Amend Resolution 154 of 2012 to Increase the Contract with Schneider Laboratories Global, Inc. for the Childhood Lead Primary Prevention Program

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 154 of 2012 to increase the contract with Schneider Laboratories Global, Inc. ("Schneider"), from an amount not to exceed \$18,000 to an amount not to exceed \$21,500, for the Childhood Lead Primary Prevention Program, for the period of April 1, 2012 through March 31, 2013.

By Resolution 154 of 2012, Your Honorable Body authorized the acceptance of a grant from the New York State Department of Health for the Childhood Lead Primary Prevention Program and authorized a contract with Schneider. The purpose of this grant is to reduce the incidence of lead poisoning in Monroe County children by the identification and safe correction of lead hazards in housing units before a child is poisoned.

This amendment will increase the contract with Schneider. Schneider provides analysis of lead in paint and settled dust by wipe and soil. We are conducting lead clearance with lead dust analysis in more properties than originally anticipated, which has led to a need for more sample collection and analysis. The additional monies will cover the costs of the increase in the number of submitted samples.

A Request for Proposals was issued and Schneider Laboratories Global, Inc. was selected as the most qualified to provide these services.

The specific legislative action required is to amend Resolution 154 of 2012 to increase the contract with Schneider Laboratories Global, Inc., 2512 West Cary Street, Richmond, Virginia 23220, for the Childhood Lead Primary Prevention Program, from an amount not to exceed \$18,000 to an amount not to exceed \$21,500, for the period of April 1, 2012 through March 31, 2013.

Funding for this contract is included in the 2013 operating grant budget of the Department of Public Health, fund 9300, funds center 5806110000, Childhood Lead Primary Prevention Grant. No additional net County support is required in the current Monroe County budget.

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

Sincerely,

Maggie Brooks (handwritten signature)

Maggie Brooks
County Executive

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# Office of the County Executive

Monroe County, New York

**Maggie Brooks**  
County Executive

**Daniel M. DeLaus, Jr.**

<del>Deputy County Executive</del>	
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<b>HUMAN SERVICES</b>	<b>-L</b>
<b>WAYS &amp; MEANS</b>	

March 8, 2013

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

Subject: Amend Resolution 169 of 2012 to Accept Additional Funding from the New York State Department of Health for the Immunization Action Plan Program

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 169 of 2012 to accept additional funding from the New York State Department of Health, in the amount of \$24,060, for the Immunization Action Plan Program, for the period of April 1, 2012 through March 31, 2013.

The purpose of this grant is to raise immunization coverage levels for children, to improve standards of immunization practice at the provider level, to vaccinate high-risk population against Hepatitis A and Hepatitis B and to administer the Perinatal Hepatitis B Program. This additional funding will be used to purchase vaccines, including but not limited to Tdap, to be administered to high-risk populations without insurance or means to pay for the cost of the vaccine, and for additional program support costs. This additional funding will bring the grant total to \$324,060.

**The specific legislative actions required are:**

1. Amend Resolution 169 of 2012 to accept an additional \$24,060 from, and to authorize the County Executive, or her designee, to execute a contract and any amendments thereto with, the New York State Department of Health, for the Immunization Action Plan Program, bringing the total program award to \$324,060, for the period of April 1, 2012 through March 31, 2013.
2. Amend the 2013 operating grant budget of the Department of Public Health by appropriating the sum of \$24,060, into fund 9300, funds center 5802050100, Immunization Action Plan Grant.

This grant is 100% funded by the New York State Department of Health. No net County support is required in the current Monroe County budget.

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

Sincerely,

  
Maggie Brooks  
County Executive

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Office of the County Executive

Monroe County, New York

Maggie Brooks
County Executive

Daniel M. DeLaus, Jr.

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March 8, 2013

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

Subject: Amend Resolution 229 of 2012 to Increase the Contracts for the Nutrition Programs

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 229 of 2012 to increase the contracts with the individuals listed in Attachment A, from a total amount not to exceed \$65,776 to a total amount not to exceed \$70,215, for the Nutrition Programs, for the period of October 1, 2012 through September 30, 2013.

By Resolution 229 of 2012, Your Honorable Body authorized the acceptance of a grant from the New York State Department of Health for the Nutrition Programs, which includes the Women, Infant & Children (WIC), and Enhanced Peer Counselor components. The Nutrition Programs provide: nutrition and health education counseling; supplemental food for low-income infants and children up to age five; supplemental food for low-income pregnant, breastfeeding and post-partum women; and education, promotion and support for breastfeeding. This amendment will increase and amend existing contracts with breast feeding peer counselors providing outreach services in the community and allow for more clients to be served.

A Request for Qualifications was issued, with the individuals listed in Attachment A selected as the most qualified to provide the services.

The specific legislative action required is to amend Resolution 229 of 2012 to increase the contracts with the individuals listed in Attachment A, and other approved subcontractors as necessary, for the Nutrition Programs, from a total amount not to exceed \$65,776 to a total amount not to exceed \$70,215, for the period of October 1, 2012 through September 30, 2013.

Funding for these contracts is included in the 2013 operation grant budget of the Department of Public Health, fund 9300, fund and center 583010000, Nutrition Programs. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that none of the individuals listed in Attachment A owe any delinquent Monroe County property taxes.

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

Sincerely,

Maggie Brooks (handwritten signature)

Maggie Brooks
County Executive

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**ATTACHMENT A**  
**\*Contractors for**  
**Breastfeeding Peer Counselor positions in**  
**Nutrition Programs**

Beverly Brewer	255 Mobile Drive, Rochester, NY 14616
Tiffany Cragolin	23 Gillette St, Rochester, NY 14609
Mikhael Rolffs	214 East Avenue, East Rochester, NY 14445
Qudsia Mohammadi	315 Shaftsbury Road, Rochester, NY 14610
Jacqueline Lockhart	555 Birr Street, Rochester, NY 14613
Wendy Steltz	18 Fallwood Terrace, Hilton, NY 14468
Ashley Stewart	114 Alliance Avenue, Rochester, NY 14620
Elizabeth Stull	1340-3 Elmwood Avenue, Rochester, NY 14620
Nicole Weigel	2 Lettington Avenue, Rochester, NY 14624
Monique Woods	25 Bock Street, Rochester, NY 14609
Danielle Major	5 Heron Way North, Fairport, NY 14450
Stephanie Lewis	73 Helen Road, Rochester, NY 14623
Keisha Kennedy	3 Bardin Street, Rochester, NY 14615

\*Approved contractors utilized as of January 28, 2013; updated throughout the year



Office of the County Executive

Monroe County, New York

Maggie Brooks
County Executive

Stamp: DANIEL M. DELANEY, Deputy County Executive, Not to be removed from the Office of the Legislature of Monroe County, Committee Assignment: HUMAN SERVICES -L, WAYS & MEANS

March 8, 2013

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

Subject: Amend Resolution 367 of 2012 to Accept Additional Funding from the New York State Department of Health for the Comprehensive HIV/STI/Hepatitis C Prevention, Particularly in Communities of Color Program

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 367 of 2012 to accept additional funding from the New York State Department of Health, in the amount of \$16,040, for the Comprehensive HIV/STI/Hepatitis C Prevention, Particularly in Communities of Color Program, for the period of December 1, 2012 through November 30, 2013.

The purpose of this grant is to provide targeted outreach activities to heterosexual individuals in areas with high rates of sexually transmitted infections (STIs), HIV and Hepatitis C. This additional funding will be used to support Department of Public Health existing staff salary and benefits and other program support costs. This additional funding will bring the grant total to \$216,040.

The specific legislative actions required are:

- 1. Amend Resolution 367 of 2012 to accept an additional \$16,040 from, and to authorize the County Executive, or her designee, to execute a contract and any amendments thereto with, the New York State Department of Health, for the Comprehensive HIV/STI/Hepatitis C Prevention, Particularly in Communities of Color Program, bringing the total program award to \$216,040, for the period of December 1, 2012 through November 30, 2013.
2. Amend the 2013 operating grant budget of the Department of Public Health by appropriating the sum of \$16,040 into fund 9300, funds center 5802030200, Comprehensive HIV/STI/Hepatitis C Prevention Grant.

This grant is 100% funded by the New York State Department of Health. No additional net County support is required in the current Monroe County budget.

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

Sincerely,

Maggie Brooks
Maggie Brooks
County Executive

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# Office of the County Executive

Monroe County, New York

**Maggie Brooks**  
County Executive

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

March 8, 2013

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

**Subject:** Acceptance of a Grant from Health Research, Inc. for the Ryan White Part B Emerging Communities Initiative Program and Authorize a Contract with the University of Rochester

Honorable Legislators:

I recommend that Your Honorable Body accept a grant from Health Research, Inc., in the amount of \$116,691, for the Ryan White Part B Emerging Communities Initiative Program, for the period of April 1, 2013 through March 31, 2014, and authorize a contract with the University of Rochester in an amount not to exceed \$109,038, to provide case management services for the Ryan White Part B Emerging Communities Initiative Program, for the period of April 1, 2013 through March 31, 2014.

The purpose of this grant is to provide long-term case management, supportive services and referrals to health care for HIV-positive clients. Those clients will be eligible for the following services that will be provided by the University of Rochester Infectious Disease Unit staff: assistance in accessing and utilizing HIV medical care; promoting adherence to HIV medications; and assistance with completion of documentation needed to access entitlements such as AIDS Drug Assistance Program (ADAP), Supplemental Security Income (SSI), Social Security Disability (SSD) and other programs as needed. Funds will be used for program administration, clerical services, and to purchase supplies and equipment to run the program. This will be the twelfth year the County has received this grant. This year's funding level represents a decrease of \$6,049 from last year.

A request for proposals was issued with the University of Rochester the sole responder.

**The specific legislative actions required are:**

1. Authorize the County Executive, or her designee, to accept a \$116,691 grant from, and to execute a contract and any amendments thereto with, Health Research, Inc., for the Ryan White Part B Emerging Communities Initiative Program, for the period of April 1, 2013 through March 31, 2014.
2. Amend the 2013 operating grant budget of the Department of Public Health by appropriating the sum of \$24,636 into fund 9300, funds center 5802030200, HIV Emerging Communities Grant.

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3. Authorize the County Executive, or her designee, to execute a contract, and any amendments thereto, with the University of Rochester, 601 Elmwood Avenue, Rochester, New York 14642, to provide case management services for the Ryan White Part B Emerging Communities Initiative Program, in an amount not to exceed \$109,038, for the period of April 1, 2013 through March 31, 2014.
4. Authorize the County Executive 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.
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.

Partial funding is included in the 2013 operating grant budget of the Department of Public Health, fund 9300, funds center 5802030200, HIV Emerging Communities Grant. The appropriated amount will adjust the current funding to that established by the grant.

This grant is 100% funded by Health Research, Inc. No additional net County support is required in the current Monroe County budget.

The University of Rochester is a not-for-profit entity, and the records in the Office of the Monroe County Treasury have indicated that it does not owe any delinquent Monroe County property taxes.

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

Sincerely,



Maggie Brooks  
County Executive





# Office of the County Executive

Monroe County, New York

**Maggie Brooks**  
County Executive

**Daniel M. DeLaus, Jr.**

<i>Deputy County Executive</i>	
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March 8, 2013

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

**Subject:** Acceptance of a Grant from the New York State Department of Health for the Rabies Reimbursement Program and Authorize a Contract with the Genesee Valley Group Health Association dba Lifetime Health Medical Group

Honorable Legislators:

I recommend that Your Honorable Body accept a five-year grant from the New York State Department of Health, in the amount of \$288,227.40, for the Rabies Reimbursement Program, for the period of April 1, 2012 through March 31, 2017, and authorize a contract with the Genesee Valley Group Health Association dba Lifetime Health Medical Group, in an amount not to exceed \$57,645.48, to provide human post-exposure treatment services for the Rabies Reimbursement Program, for the period of January 1, 2013 through December 31, 2013, with the option to renew for four (4) additional one-year terms in an amount not to exceed \$57,645.48 annually.

The purpose of this grant is to provide financial support to local health departments and individuals exposed to rabies when it has been identified in a county. Funds will be used to contract with Genesee Valley Group Health Association dba Lifetime Health Medical Group to provide rabies human post-exposure treatment services. In addition, funds will be used for other rabies control related costs, including specimen preparation and shipment and pet vaccination clinics. This will be the twenty-first year the County has received this grant. This year's funding represents an increase of \$27,994.79 from the previous 12 month period.

A Request for Proposals was issued with Genesee Valley Group Health Association dba Lifetime Health Medical Group the sole responder.

**The specific legislative actions required are:**

1. Authorize the County Executive, or her designee, to accept a \$288,227.40 grant from, and to execute a contract and any amendments thereto with, the New York State Department of Health, for the Rabies Reimbursement Program, for the period of April 1, 2012 through March 31, 2017.
2. Amend the 2013 operating grant budget of the Department of Public Health by appropriating the sum of \$115,290.96 into fund 9300, funds center 5806010000, Rabies Reimbursement Grant.

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3. Authorize the County Executive, or her designee, to execute a contract, and any amendments thereto, with Genesee Valley Group Health Association dba Lifetime Health Medical Group, 800 Carter Street, Rochester, New York 14621, to provide human post-exposure treatment services for the Rabies Reimbursement Program, in an amount not to exceed \$57,645.48, for the period of January 1, 2013 through December 31, 2013, with the option to renew for four (4) additional one-year terms in an amount not to exceed \$57,645.48 annually.
4. Authorize the County Executive 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.
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.

Funding for subsequent years of this grant will be included in future years' budgets.

This grant is 100% funded by the New York State Department of Health. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Genesee Valley Group Health Association dba Lifetime Health Medical Group, nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Dorothy A. Coleman, CEO, CFO, Treasurer, and Director  
Anne M. Ruflin, President  
Stephen R. Sloan, Secretary and Director  
Christopher C. Booth, Director  
Margaret M. Cassady, Assistant Secretary  
James C. Haefner, Assistant Treasurer

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

Sincerely,



Maggie Brooks  
County Executive



*Office of the County Executive*  
Monroe County, New York

**Maggie Brooks**  
*County Executive*

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

March 8, 2013

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

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<b>WAYS &amp; MEANS</b>	

**Subject:** Authorize Intermunicipal Agreements with Schuyler County and Various Other Counties for Services Provided by the Monroe County Office of the Medical Examiner

Honorable Legislators:

I recommend that Your Honorable Body authorize intermunicipal agreements with Schuyler County and various other counties in New York State, for the provision of comprehensive medicolegal death investigative and forensic pathology services, by the Monroe County Office of the Medical Examiner, for the period of January 1, 2013 through December 31, 2013.

By Resolution 53 of 2011, Your Honorable Body authorized intermunicipal agreements with certain specified counties for services provided by the Monroe County Office of the Medical Examiner. Under the terms of the intermunicipal agreements, the Monroe County Office of the Medical Examiner performs autopsies, investigative field services and conducts a variety of tests on an as-needed basis. Schuyler County and those counties not currently under contract with Monroe County seeking these services will be billed at the prevailing rate, as established by your Honorable Body and listed in the 2013 Monroe County Budget Public Health – Medical Examiner 2013 Fees and Charges Schedule.

**The specific legislative actions required are:**

1. Authorize the County Executive, or her designee, to execute an intermunicipal agreement, and any amendments thereto, with Schuyler County, for the provision of medicolegal death investigative and forensic pathology services by the Monroe County Medical Examiner's Office, on an as-needed basis, invoiced at the prevailing rate as specified in the 2013 Monroe County Budget, for the period of January 1, 2013 through December 31, 2013.

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

These intermunicipal agreements are revenue generating and no net County support is required in the current Monroe County budget.

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

Sincerely,



Maggie Brooks  
County Executive



*Office of the County Executive*  
Monroe County, New York

**Maggie Brooks**  
*County Executive*

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

March 8, 2013

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

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No. <b>130098</b>
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Committee Assignment
<b>ENV. &amp; PUB. WORKSL</b>
<b>WAYS &amp; MEANS</b>

**Subject:** Amend Resolution 42 of 2012 to Add Additional Funding Sources to the Contracts with Atlantic Testing Laboratories, Ltd., LaBella Associates, P.C., Lozier Environmental Consulting, Inc., Lu Engineers and Paradigm Environmental Services, Inc. for Professional Environmental Testing Term Services

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 42 of 2012 to add additional funding sources to the contracts with Atlantic Testing Laboratories, Ltd., LaBella Associates, P.C., Lozier Environmental Consulting, Inc., Lu Engineers and Paradigm Environmental Services, Inc., for environmental testing term services, with all other terms to remain the same.

By Resolution 42 of 2012 Your Honorable Body authorized contracts to provide Monroe County with environmental consulting, sampling and laboratory testing services when asbestos or other potentially hazardous materials are encountered and must be dealt with in accordance with applicable codes and regulations. These contracts establish an agreed upon rate for a variety of environmental consulting, sampling and laboratory testing services so that when services are required, the County is assured of a timely response to projects. These services are available to all County departments, including Monroe Community College and Monroe Community Hospital. Additional funds are necessary to allow continued use by Monroe County Pure Waters and Monroe County Department of Transportation.

**The specific legislative action required is to amend Resolution 42 of 2012 to add additional funding sources to the contracts with Atlantic Testing Laboratories, Ltd., LaBella Associates, P.C., Lozier Environmental Consulting, Inc., Lu Engineers and Paradigm Environmental Services, Inc., for environmental testing term services, with all other terms to remain the same.**

These contracts involve term services and no direct physical activity, and therefore, do not require an environmental review.

Additional funding for these services, consistent with authorized uses, is included in capital funds 1611, 1614, 1622, 1650, 1657, 1661, 1671, 1672 and 1673 and any capital fund(s) created for the same intended purpose. Funding is also included in the 2013 operating budgets of the Department of Environmental Services, fund 9007, funds center 8572020200, Pure Waters Laboratory and Department of Transportation, fund 9002, funds center 8002040000, Road Maintenance; fund 9002, funds center 8002050000, Consolidated Highway Improvement Program (CHIPS); and fund 9002, funds center 8005010000, Bridge Engineering/Operations, and will be requested in future years budgets. No additional net County support is required in the current Monroe County budget.

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

Sincerely,

A handwritten signature in black ink that reads "Maggie Brooks". The signature is written in a cursive, flowing style.

Maggie Brooks  
County Executive



# Office of the County Executive

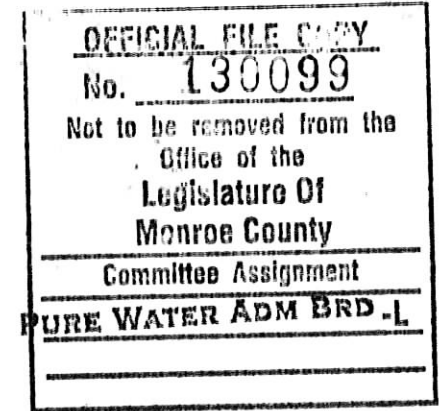
Monroe County, New York

**Maggie Brooks**  
County Executive

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

March 8, 2013

To The Administrative Boards of the  
Gates-Chili-Ogden Sewer District  
Irondequoit Bay South Central Pure Waters District  
Northwest Quadrant Pure Waters District  
Rochester Pure Waters District  
407 County Office Building  
Rochester, New York 14614



**Subject:** Amend Resolution 42 of 2012 to Add Additional Funding Sources to the Contracts with Atlantic Testing Laboratories, Ltd., LaBella Associates, P.C., Lozier Environmental Consulting, Inc., Lu Engineers and Paradigm Environmental Services, Inc. for Professional Environmental Testing Term Services

**Honorable Legislators:**

I recommend that the Administrative Boards of the Gates-Chili-Ogden Sewer District, Irondequoit Bay South Central Pure Waters District, Northwest Quadrant Pure Waters District and the Rochester Pure Waters District amend Resolution 42 of 2012 to add additional funding sources to the contracts with Atlantic Testing Laboratories, Ltd., LaBella Associates, P.C., Lozier Environmental Consulting, Inc., Lu Engineers and Paradigm Environmental Services, Inc., for environmental testing term services, with all other terms to remain the same.

By Resolution 42 of 2012 Your Honorable Body authorized contracts to provide Monroe County with environmental consulting, sampling and laboratory testing services when asbestos or other potentially hazardous materials are encountered and must be dealt with in accordance with applicable codes and regulations. These contracts establish an agreed upon rate for a variety of environmental consulting, sampling and laboratory testing services so that when services are required, the County is assured of a timely response to projects. These services are available to all County departments, including Monroe Community College and Monroe Community Hospital. Additional funds are necessary to allow continued use by Monroe County Pure Waters and Monroe County Department of Transportation.

**The specific Administrative Boards action required is to amend Resolution 42 of 2012 to add additional funding sources to the contracts with Atlantic Testing Laboratories, Ltd., LaBella Associates, P.C., Lozier Environmental Consulting, Inc., Lu Engineers and Paradigm Environmental Services, Inc., for environmental testing term services, with all other terms to remain the same.**

These contracts involve term services and no direct physical activity, and therefore, do not require an environmental review.

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The Administrative Boards of the  
Gates-Chili-Ogden Sewer District  
Irondequoit Bay South Central Pure Waters District  
Northwest Quadrant Pure Waters District  
Rochester Pure Waters District  
March 8, 2013  
Page 2

Additional funding for these services, consistent with authorized uses, is included in capital funds 1611, 1614, 1622, 1650, 1657, 1661, 1671, 1672 and 1673 and any capital fund(s) created for the same intended purpose. Funding is also included in the 2013 operating budgets of the Department of Environmental Services, fund 9007, funds center 8572020200, Pure Waters Laboratory and Department of Transportation, fund 9002, funds center 8002040000, Road Maintenance; fund 9002, funds center 8002050000, Consolidated Highway Improvement Program (CHIPS); and fund 9002, funds center 8005010000, Bridge Engineering/Operations, and will be requested in future years budgets. No additional net County support is required in the current Monroe County budget.

I recommend that this matter receive favorable action by the Administrative Boards of the Gates-Chili-Ogden Sewer District, Irondequoit Bay South Central Pure Waters District, Northwest Quadrant Pure Waters District and the Rochester Pure Waters District.

Sincerely,



Maggie Brooks  
County Executive



Office of the County Executive

Monroe County, New York

Maggie Brooks
County Executive

Stamp: Daniel Madole, Deputy County Executive, Not to be removed from the Office of the Legislature of Monroe County, Committee Assignment: TRANSPORTATION -L, WAYS & MEANS

March 8, 2013

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

Subject: Amend Resolution 43 of 2012 to Add Additional Funding Sources to the Contracts with Atlantic Testing Laboratories, Ltd., CME Associates, Inc., Foundation Design, P.C., and SJB Services, Inc., for Professional Material Testing Term Services

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 43 of 2012 to add additional funding sources to the contracts with Atlantic Testing Laboratories, Ltd., CME Associates, Inc., Foundation Design, P.C., and SJB Services, Inc., for Professional Material Testing Term Services, with all other terms to remain the same.

By Resolution 43 of 2012 Your Honorable Body authorized contracts to provide Monroe County with material testing and inspection services when it is necessary to determine either the quality of the work being performed or subsurface soil conditions. These contracts establish an agreed upon rate for a variety of material testing and inspection services so that when services are required, the County is assured of a timely response to projects. These services are available to all County departments, including Monroe Community College and Monroe Community Hospital. Additional funds are necessary to allow continued use by the Monroe County Department of Transportation.

The specific legislative action required is to amend Resolution 43 of 2012 to add additional funding sources to the contracts with Atlantic Testing Laboratories, Ltd., CME Associates, Inc., Foundation Design, P.C., and SJB Services, Inc., for Professional Material Testing Term Services, with all other terms to remain the same.

These contracts involve term services and no direct physical activity, and therefore, do not require an environmental review.

Additional funding for these services, consistent with authorized uses, is included in capital funds 1611, 1614, 1622, 1650, 1657, 1661, 1671, 1672 and 1673 and any capital fund(s) created for the same intended purpose. Funding is also included in the 2013 operating budget of the Department of Transportation, fund 9002, funds center 8002040000, Road Maintenance; fund 9002, funds center 8002050000, Consolidated Highway Improvement Program (CHIPS); and fund 9002, funds center 8005010000, Bridge Engineering/Operations, and will be requested in future years budgets. No additional net County support is required in the current Monroe County budget.

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

Sincerely,

Handwritten signature of Maggie Brooks

Maggie Brooks
County Executive

110 County Office Building • 39 West Main Street • Rochester, N.Y. 14614

(585) 753-1000 • fax: (585) 753-1014 • www.monroecounty.gov • e-mail: countyexecutive@monroecounty.gov



Office of the County Executive

Monroe County, New York

Maggie Brooks
County Executive

Daniel M. DeLaus, Jr.
Deputy County Executive

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Committee Assignment
ENV. & PUB. WORKS
WAYS & MEANS

March 8, 2013

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

Subject: Authorize a Contract with LaBella Associates, P.C. for Professional Engineering Services for the Monroe County Hall of Justice Elevator Improvements Project

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract with LaBella Associates, P.C., in the amount of \$166,240, for professional engineering services, for the Monroe County Hall of Justice Elevator Improvements Project.

The Monroe County Hall of Justice (HOJ) was constructed in the 1960s and includes the 6-story building located at 99 Exchange Boulevard in the City of Rochester. Building systems and equipment including the six (6) original passenger elevators are over fifty (50) years old and reaching the end of their useful service life due to age and obsolescence. The elevators are essential to the daily operation of the building and no longer function reliably. They require significant maintenance and are frequently out of service due to the difficulty acquiring replacement parts. Improvements will include evaluating and upgrading or replacing elevator cars and mechanicals, supporting electrical and security systems and ancillary building modifications necessary to comply with current codes. This project is necessary to maintain the reliability and continuity of services to users of the HOJ.

LaBella Associates, P.C. was the sole responder to a Request for Proposals for these services, and based upon a review of their proposal they were determined to be qualified to perform the services. LaBella Associates, P.C. propose to provide basic design and special services in the amount of \$166,240. A cost breakdown of these services is as follows:

Table with 2 columns: Service Type and Amount. Rows: Basic Design Services (\$125,800), Special Services (\$40,440), Total (\$166,240)

The specific legislative action required is to authorize the County Executive, or her designee, to execute a contract with LaBella Associates, P.C., 300 State Street, Suite 201, Rochester, New York 14614, in the amount of \$166,240, for professional engineering services, for the Monroe County Hall of Justice Elevator Improvements Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

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This project involves engineering services and no direct physical activity, and therefore does not require an environmental review.

Funding for this contract, consistent with authorized uses, is including in capital fund 1668 and any capital fund(s) created for the same intended purpose. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither LaBella Associates, P.C., nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Sergio Esteban, Chief Executive Officer  
Robert A. Healy, President  
Michael S. Schaffron, Vice President  
Richard T. VenVertloh, Vice President

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

Sincerely,

  
Maggie Brooks  
County Executive



Office of the County Executive

Monroe County, New York

Maggie Brooks
County Executive

Daniel M. DeLaus, Jr.

Deputy County Executive
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WAYS & MEANS

March 8, 2013

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

Subject: Authorize Contracts with Villager Construction, Inc. and Blackmon-Farrell Electric, Inc., for Construction Services for the Rochester Pure Waters District's Frank E. VanLare Wastewater Treatment Plant Primary Tank Improvement Project - Phase II

Honorable Legislators:

I recommend that Your Honorable Body authorize contracts with Villager Construction, Inc., in the amount of \$3,728,975, for plumbing construction, and Blackmon-Farrell Electric, Inc., in the amount of \$662,800, for electrical construction, for the Rochester Pure Waters District's (District) Frank E. VanLare Wastewater Treatment Plant Primary Tank Improvements Project - Phase II.

The District owns, operates, and maintains the Frank E. VanLare Wastewater Treatment Plant (Plant) located at 1574 Lakeshore Boulevard in the City of Rochester. The Plant's five (5) west primary tanks were constructed in the early 1900's, and were updated in the early 1970's. In addition, the Plant was expanded at that time and the three (3) east primary tanks were added. The west and east primary equipment is now forty (40) years old and is costly to maintain. In addition, replacement parts are difficult to obtain. The existing equipment has exceeded its useful service life and needs replacement. Phase I improvements included mechanical, electrical and painting work that was completed in the fall of 2012. Phase II improvements will include additional mechanical and electrical work and is scheduled to be completed in the fall of 2015. The project is necessary to maintain the primary treatment and subsequent biological processes and maintain continuity of services to District customers.

The following bids were received on January 17, 2013:

Table with 2 columns: Bid Item and Bid Amount. Rows include Plumbing Construction (Villager Construction, Inc., Crane-Hogan Structural Systems, Inc., John W. Danforth Company, C.O. Falter Construction Corp.) and Electrical Construction (Blackmon-Farrell Electric, Inc., Dow Electric, Inc., Hewitt-Young Electric).

The bids have been reviewed and the Department of Environmental Services recommends contract awards to Villager Construction, Inc., in the amount of \$3,728,975 for plumbing construction, and Blackmon-Farrell Electric, Inc. in the amount of \$662,800, for electrical construction, both as the lowest responsible bidders.

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**The specific legislative actions required are:**

1. Authorize the County Executive, or her designee, to execute a contract with Villager Construction, Inc., 425 Old Macedon Center Road, Fairport, NY 14450, in the amount of \$3,728,975, for plumbing construction, for the Rochester Pure Waters District Frank E VanLare Wastewater Treatment Plant Primary Tank Improvements Project - Phase II, and any amendments necessary to complete the project within the total capital fund(s) appropriation.
2. Authorize the County Executive, or her designee, to execute a contract with Blackmon-Farrell Electric, Inc., 57 Halstead Street, Rochester NY 14610, in the amount of \$662,800, for electrical construction, for the Rochester Pure Waters District Frank E VanLare Wastewater Treatment Plant Primary Tank Improvements Project - Phase II, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

An environmental assessment was completed for the Rochester Pure Waters District Frank E VanLare Wastewater Treatment Plant Primary Tank Improvement Project - Phase II and it was determined that there would be no significant effect on the environment.

Funding for this project, consistent with authorized uses, is included in capital fund 1603 and any capital fund(s) created for the same intended purpose. Funding is also included in the 2013 operating budget of the Department of Environmental Services, fund 9007, funds center 8575010000, Rochester Pure Waters District Special Expense, and will be requested in future years' budgets. No additional net County support is required in the current Monroe County budget.

The records in the Office of the Monroe County Treasury have indicated that neither Villager Construction, Inc., nor Blackmon-Farrell Electric, Inc., nor any of their principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firms are:

Villager Construction, Inc.  
Richard K. Clark, President/Treasurer  
Timothy O. Lawless, Secretary

Blackmon-Farrell Electric, Inc.  
Stephen P. Smiley, President/Secretary  
Thomas R. Meisenzahl, Treasurer

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

Sincerely,

  
Maggie Brooks  
County Executive



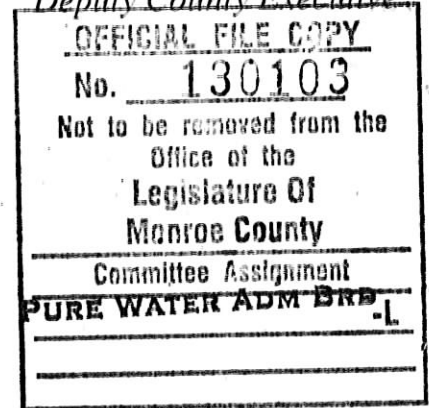


Office of the County Executive

Monroe County, New York

Maggie Brooks
County Executive

Daniel M. DeLaus, Jr.
Deputy County Executive



March 8, 2013

To The Administrative Board of the
Rochester Pure Waters District
407 County Office Building
Rochester, New York 14614

Subject: Authorize Contracts with Villager Construction, Inc. and Blackmon-Farrell Electric, Inc., for
Construction Services for the Rochester Pure Waters District's Frank E. VanLare Wastewater
Treatment Plant Primary Tank Improvement Project - Phase II

Honorable Legislators:

I recommend that the Administrative Board of the Rochester Pure Waters District authorize contracts with
Villager Construction, Inc., in the amount of \$3,728,975, for plumbing construction, and Blackmon-Farrell Electric,
Inc., in the amount of \$662,800, for electrical construction, for the Rochester Pure Waters District's (District) Frank E.
VanLare Wastewater Treatment Plant Primary Tank Improvements Project - Phase II.

The District owns, operates, and maintains the Frank E. VanLare Wastewater Treatment Plant (Plant)
located at 1574 Lakeshore Boulevard in the City of Rochester. The Plant's five (5) west primary tanks were
constructed in the early 1900's, and were updated in the early 1970's. In addition, the Plant was expanded at that
time and the three (3) east primary tanks were added. The west and east primary equipment is now forty (40) years
old and is costly to maintain. In addition, replacement parts are difficult to obtain. The existing equipment has
exceeded its useful service life and needs replacement. Phase I improvements included mechanical, electrical and
painting work that was completed in the fall of 2012. Phase II improvements will include additional mechanical and
electrical work and is scheduled to be completed in the fall of 2015. The project is necessary to maintain the primary
treatment and subsequent biological processes and maintain continuity of services to District customers.

The following bids were received on January 17, 2013:

Table with 2 columns: Bid Item and Bid Amount. Rows include Plumbing Construction (Villager Construction, Inc. \$3,728,975; Crane-Hogan Structural Systems, Inc. 3,906,328; John W. Danforth Company 5,799,772; C.O. Falter Construction Corp. 5,918,252) and Electrical Construction (Blackmon-Farrell Electric, Inc. \$ 662,800; Dow Electric, Inc. 711,474; Hewitt-Young Electric 1,063,000).

The bids have been reviewed and the Department of Environmental Services recommends contract awards
to Villager Construction, Inc., in the amount of \$3,728,975, for plumbing construction, and Blackmon-Farrell Electric,
Inc., in the amount of \$662,800, for electrical construction, both as the lowest responsible bidders.

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**The specific Administrative Board actions required are:**

1. Authorize the County Executive, or her designee, to execute a contract with Villager Construction, Inc., 425 Old Macedon Center Road, Fairport, NY 14450, in the amount of \$3,728,975, for plumbing construction, for the Rochester Pure Waters District Frank E. VanLare Wastewater Treatment Plant Primary Tank Improvements Project - Phase II, and any amendments necessary to complete the project within the total capital fund(s) appropriation.
2. Authorize the County Executive, or her designee, to execute a contract with Blackmon-Farrell Electric, Inc., 57 Halstead Street, Rochester NY 14610, in the amount of \$662,800, for electrical construction, for the Rochester Pure Waters District Frank E. VanLare Wastewater Treatment Plant Primary Tank Improvements Project - Phase II, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

An environmental assessment was completed for the Rochester Pure Waters District Frank E. VanLare Wastewater Treatment Plant Primary Tank Improvements Project - Phase II and it was determined that there would be no significant effect on the environment.

Funding for this project, consistent with authorized uses, is included in capital fund 1603 and any capital fund(s) created for the same intended purpose. Funding is also included in the 2013 operating budget of the Department of Environmental Services, fund 9007, funds center 8575010000, Rochester Pure Waters District Special Expense, and will be requested in future years budgets. No additional net County support is required in the current Monroe County budget.


The records in the Office of the Monroe County Treasury have indicated that neither Villager Construction, Inc., nor Blackmon-Farrell Electric, Inc., nor any of their principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firms are:

Villager Construction, Inc.  
Richard K. Clark, President/Treasurer  
Timothy O. Lawless, Secretary

Blackmon-Farrell Electric, Inc.  
Stephen P. Smiley, President/Secretary  
Thomas R. Meisenzahl, Treasurer

I recommend that this matter receive favorable action by the Administrative Board of the Rochester Pure Waters District.

Sincerely,

  
Maggie Brooks  
County Executive



*Office of the County Executive*  
Monroe County, New York

**Maggie Brooks**  
*County Executive*

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

March 8, 2013

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

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Committee Assignment
<b>WAYS &amp; MEANS</b> -L

**Subject: Erroneous Assessment - Refund**

**Honorable Legislators:**

I recommend that Your Honorable Body approve the refund and levy of certain Monroe County taxes in the Town of Greece as per the attached list prepared by the Department of Finance, Real Property Tax Services.

The refund is requested because of a clerical error as described by statute.

**The specific legislative action required is approval of the taxpayer's application.**

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

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

Sincerely,

**Maggie Brooks**  
County Executive

Listed below is pertinent information from an application for the refund of property taxes. The Real Property Tax Service Agency has the original application and support material available for review if needed. I am recommending the correction and refund of these Monroe County taxes because the same is erroneous. Listed below is the applicant's name, address, property location, tax year(s), tax account number, refund amount and reason for correction.

**Town of Greece:** COMIDA 1000 Lee Road LLC, 815 Whitney Road, Fairport, NY 14450 (property location: 1000-1050 Lee Road). Tax Account No. 089.04-1-2.101/642 requires a \$17,729.14 refund for tax year 2012. Pure Waters Capital needs to be partially cancelled due to the fact that there was a water leak.

The necessary procedure to be followed by the Monroe County Legislature regarding this refund is for that body, by resolution, to approve this application, to authorize and direct the Controller to draw an order on the Director of Finance payable from the Erroneous Assessment Account for the heretofore stated sums and to authorize and direct the County Director of Real Property Tax Services to mail a duplicate copy of the approved application to said taxpayer.



*Office of the County Executive*

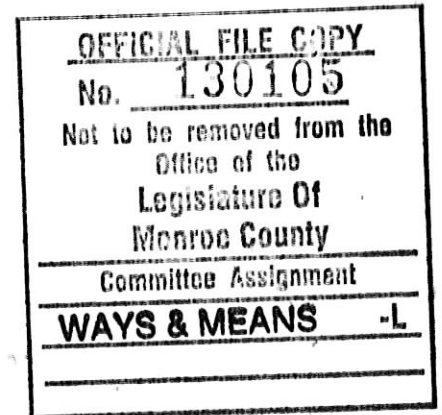
Monroe County, New York

**Maggie Brooks**  
*County Executive*

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

March 8, 2013

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



**Subject: Erroneous Assessments - Corrections and Cancellations**

**Honorable Legislators:**

I recommend that Your Honorable Body approve the corrections and cancellations of certain Monroe County taxes in the City of Rochester and the Towns of Perinton, Henrietta, Greece and Sweden as per the attached list prepared by the Department of Finance, Real Property Tax Services.


The corrections and cancellations are requested because of clerical errors as described by statute.

**The specific legislative action required is approval of the taxpayers' applications.**

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

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

Sincerely,

  
Maggie Brooks  
County Executive

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Listed below is pertinent information from applications for corrected tax roll. Real Property Tax Service Agency has the original applications and support material available for review if needed. The Real Property Tax Director is recommending the correction and cancellation of certain Monroe County taxes because the same are erroneous.

The tax account hereinafter set forth lists the tax account number, applicant owner, property location, tax year(s), amount of taxes currently due, amount of corrected taxes, amount of taxes to be cancelled and the reason for their correction.

**City of Rochester: Tax Account No. 135.13-1-1.002/LS13, County of Monroe, 1135 Brooks Avenue, Rochester, NY 14624. Property Location: 1135 Brooks Avenue. Tax Year: 2011. Amount of Taxes Currently Due: \$4,574.66. Amount of Corrected Taxes Due: \$424.52. Amount of Taxes to be Cancelled: \$4,150.14. This parcel is owned by a municipal corporation. It qualifies and is eligible for a governmental organization exemption. Due to a clerical error the exemption was not placed on this parcel.**

**City of Rochester: Tax Account No. 135.13-1-1.002/LS13, County of Monroe, 1135 Brooks Avenue, Rochester, NY 14624. Property Location: 1135 Brooks Avenue. Tax Year: 2012. Amount of Taxes Currently Due: \$3,784.01. Amount of Corrected Taxes Due: \$424.52. Amount of Taxes to be Cancelled: \$3,359.49. This parcel is owned by a municipal corporation. It qualifies and is eligible for a governmental organization exemption. Due to a clerical error the exemption was not placed on this parcel.**

**Town of Perinton: Tax Account No. 152.15-2-16.2, Jefferson Park Apartments, 183 East Main St., Rochester, NY 14604. Property Location: 120 Jefferson Avenue. Tax Year: 2013. Amount of Taxes Currently Due: \$44,079.53. Amount of Corrected Taxes Due: \$10,613.79. Amount of Taxes to be Cancelled: \$33,465.74. This parcel is owned by a wholly exempt housing development company. It qualifies and is eligible for a housing development organization exemption. Due to a clerical error the total exemption amount was not placed on this parcel.**

**Town of Perinton: Tax Account No. 152.11-1-23.1, Board of Cooperative Educational Services, 41 O'Connor Road, Fairport, NY 14450. Property Location: 41 O'Connor Road. Tax Year: 2013. Amount of Taxes Currently Due: \$23,874.28. Amount of Corrected Taxes Due: \$9,545.93. Amount of Taxes to be Cancelled: \$14,328.35. This parcel is owned by a wholly exempt not-for-profit educational organization. It qualifies and is eligible for a not-for-profit educational organization exemption. Due to a clerical error the total exemption amount was not placed on this parcel.**

**Town of Perinton: Tax Account No. 153.05-1-14, Fairport Apartments, 1030 Whitney Road East, Fairport, NY 14450. Property Location: 1030 Whitney Road East. Tax Year: 2013. Amount of Taxes Currently Due: \$27,877.88. Amount of Corrected Taxes Due: \$20,754.40. Amount of Taxes to be Cancelled: \$7,123.48. This parcel is owned by a wholly exempt not-for-profit organization. It qualifies and is eligible for a not-for-profit organization exemption. Due to a clerical error the total exemption amount was not placed on this parcel.**

**Town of Henrietta: Tax Account No. 176.06-1-73.2, John W. and George E. Moore, 2811 East Henrietta Road, Henrietta, NY 14467. Property Location: 2811 East Henrietta Road. Tax Year: 2013. Amount of Taxes Currently Due: \$14,988.88. Amount of Corrected Taxes Due: \$6,726.46. Amount of Taxes to be Cancelled: \$8,262.42. This parcel has two water meters, one being used only for irrigation purposes. Thus incorrect pure waters capital and O/M charges were placed on the property.**

**Town of Greece: Tax Account No. 088.04-4-63, Town of Greece, One Vince Tofany Blvd., Rochester, NY 14612. Property Location: Gates-Greece Town Line Road. Tax Year: 2013. Amount of Taxes Currently Due: \$11,218.22. Amount of Corrected Taxes Due: \$0.00 Amount of Taxes to be Cancelled: \$11,218.22. This parcel is owned by a wholly exempt municipal corporation. It qualifies and is eligible for a municipal corporation exemption. Due to a clerical error the exemption amount was not placed on this parcel.**

**Town of Sweden: Tax Account No. 084.04-1-25.001, COMIDA/Big Fella Enterprises, 21 Eisenhower Drive, Brockport, NY 14420. Property Location: 21 Eisenhower Drive Tax Year: 2013. Amount of Taxes Currently Due: \$22,911.55. Amount of Corrected Taxes Due: \$947.92 Amount of Taxes to be Cancelled: \$21,963.63. This parcel is owned by COMIDA, a wholly exempt organization. The parcel was billed under the PILOT agreement. Due to a clerical error the parcel was removed from the exempt portion of the assessment roll, resulting in duplicate billing.**



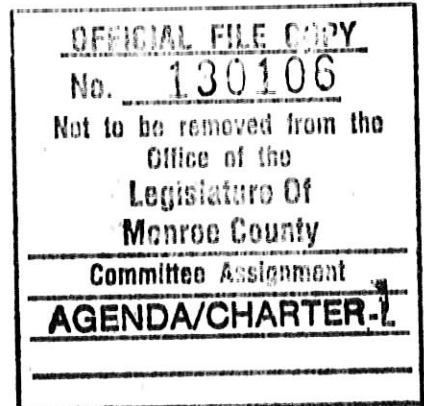


*Office of the County Executive*  
Monroe County, New York

**Maggie Brooks**  
*County Executive*

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

March 8, 2013



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

**Subject: Enact a Local Law Authorizing the Sale of Three Parcels of County Owned Real Property Including Improvements by Public Auction in the City of Rochester**

Honorable Legislators:

I recommend that Your Honorable Body enact a Local Law authorizing the sale of three (3) parcels of County owned real property including improvements by public auction in the City of Rochester.

**Parcels #1 and #2**

Parcel #1 is located at 34 St. Paul Street, also known as tax parcel 121.23-2-2. Parcel #1 is situated on a .44 acre site and has a building that contains approximately 133,077 square feet.

Parcel #2 is located at 150 East Main Street, also known as tax parcel 122.23-2-5.001. Parcel #2 is situated on a .88 acre site and has a building that contains approximately 302,318 square feet.

**Parcel #3**

Parcel #3 is located at 37 South Fitzhugh Street also known as tax parcel 121.30-1-36. Parcel #3 is situated on a .20 acre site and has a building that contains approximately 70,208 square feet.

Parcels #1 and #2 will be sold together. Parcel #3 will be sold separately. The parcels are to be sold to the highest bidder. The terms of sale will provide that no bid will be accepted for less than the owner's reserve. The County will reserve the right to reject all bids.

**The specific legislative actions required are:**

1. Schedule and hold a public hearing relating to this local law to sell by public auction three (3) parcels of County owned real property including improvements located in the City of Rochester.
2. Enact a local law to sell by public auction three (3) parcels of County owned real property including improvements located in the City of Rochester.

An environmental assessment will be completed for the sale of the property prior to Your Honorable Body taking any action on this matter.

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

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

Sincerely,

  
Maggie Brooks  
County Executive

By Legislators Yolevich and Gumina

Intro. No.

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

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

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

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

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

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

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

Ways and Means Committee; March 27, 2013 – CV:

File No. 13- .LL

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

**ACTION BY THE COUNTY EXECUTIVE**

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

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

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



*Office of the County Executive*  
Monroe County, New York

**Maggie Brooks**  
*County Executive*

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

March 8, 2013

<b>OFFICIAL FILE COPY</b>	
No.	<b>130107</b>
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
<b>WAYS &amp; MEANS</b>	<b>-I-</b>

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

**Subject:** Approval of Issuance of Water System Revenue Bonds by the Monroe County Water Authority

**Honorable Legislators:**

I recommend that Your Honorable Body approve the issuance of \$17,750,000 Water System Revenue Bonds by the Monroe County Water Authority (the "Authority") to enable the Authority to refinance all or a portion of a bond anticipation note (BAN) which it issued in 2009.

The Authority has requested that it be authorized to refinance a BAN that was issued to the New York State Environmental Facilities Corporation in 2009 in the amount of \$35,500,000. The BAN calls for principal forgiveness of up to 50% when converted to permanent financing. New York State Public Authorities Law Section 1098 requires the approval of the Monroe County Legislature before the Authority can take the steps necessary to issue the Water System Revenue Bonds. The Authority would then be able to determine the terms and provisions upon which such bonds shall be issued as it deems prudent and reasonable.

**The specific legislative action required is to approve the issuance of \$17,750,000 Water System Revenue Bonds, plus any incidental costs of issuance and the funding of a Debt Service Reserve Fund, by the Monroe County Water Authority to refinance all or a portion of the bond anticipation note which it issued in 2009.**

This issuance of Water System Revenue Bonds by the Authority will have no impact on the revenues or expenditures of the current Monroe County budget.

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

Sincerely,

  
Maggie Brooks  
County Executive

110 County Office Building • 39 West Main Street • Rochester, N.Y. 14614

(585) 753-1000 • fax: (585) 753-1014 • [www.monroecounty.gov](http://www.monroecounty.gov) • e-mail: [countyexecutive@monroecounty.gov](mailto:countyexecutive@monroecounty.gov)



*Office of the County Executive*  
Monroe County, New York

**Maggie Brooks**  
County Executive

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

March 8, 2013

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

<b>OFFICIAL FILE COPY</b>
No. <u>130108</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment <b>HUMAN SERVICES</b> -L

**Subject: Confirmation of Reappointments to the Monroe County Board of Health**

**Honorable Legislators:**

I recommend that Your Honorable Body confirm the following reappointments to serve on the Monroe County Board of Health, for terms to begin immediately and to expire on August 31, 2016, pursuant to Monroe County Charter, § C6-12 (J).

Mr. Jeffrey Dodge  
432 Manitou Beach Road  
Hilton, New York 14468

Mr. Matthew Haag  
951 Park Avenue  
Rochester, New York 14610

Mr. Edward Kremer  
933 Mile Square Road  
Pittsford, New York 14534

Dr. E. Daniel Quatro  
637 Contempri Way  
Webster, New York 14580

**The specific legislative action required is to confirm the reappointments of Mr. Jeffrey Dodge, Mr. Matthew Haag, Mr. Edward Kremer, and Dr. E. Daniel Quatro to serve on the Monroe County Board of Health for terms to begin immediately and to expire on August 31, 2016. This action is required pursuant to Monroe County Charter, § C6-12 (J).**

This action will have no impact on the revenues or expenditures of the current Monroe County budget.

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

Sincerely,

  
Maggie Brooks  
County Executive