

By Legislators Hughes-Smith and Maffucci

Intro. No. ____

RESOLUTION NO. ____ OF 2025

APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT ENTITLED "REPLACEMENT HEAVY EQUIPMENT" AND AUTHORIZING INTERFUND TRANSFER

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

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the ____ day of _____, 2025, at ____ P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

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

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Rochester Pure Waters District, at a maximum estimated cost of \$750,000, all as more fully described in the preambles hereof.

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

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

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

Section 5. The 2025 Capital Budget is hereby amended to add a project entitled "Replacement Heavy Equipment" in the amount of \$750,000.

Section 6. The Controller is hereby authorized to transfer \$750,000 from the 2025 operating budget of the Department of Environmental Services, Pure Waters fund 9007, funds center 8575010000, Rochester Pure Waters District Special Expense to capital fund 2098 for the "Replacement Heavy Equipment."

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Section 7. The County Executive or the Director of Finance – Chief Financial Officer are hereby authorized to file applications and execute Project Financing Agreements and any other necessary documents as appropriate, for participation in the New York State Water Pollution Control Revolving Loan Fund under applicable laws of New York State to finance all or a portion of the project.

Section 8. The Clerk of the Legislature is hereby authorized and directed to send certified copies of this resolution to the New York State Department of Audit and Control.

Section 9. The Administrative Board of the Rochester Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law.

Section 10. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; December 17, 2024 – CV: 6-0
Ways and Means Committee; December 17, 2024 – CV: 10-0
File No. 24-0438

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

December 6, 2024

OFFICIAL FILE COPY
No. <u>240438</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
ENV. & PUB. WORKS WAYS & MEANS

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

Subject: Increase and Improvement of Facilities in the Rochester Pure Waters District Entitled "Replacement Heavy Equipment;" Amend the 2025 Capital Budget to Add the Project; and Authorize an Interfund Transfer

Honorable Legislators:

I recommend that Your Honorable Body approve a request to establish an Increase and Improvement of Facilities in the Rochester Pure Waters District (the "District") in the amount of \$750,000, consisting of a capital project entitled "Replacement Heavy Equipment"; amend the 2025 Capital Budget to add the project; and authorize an interfund transfer.

The total Increase and Improvements of Facilities in the District is comprised of the "RPWD - General Collection System and Treatment Plant Improvements" project (\$2,500,000), "RPWD - CSOAP Tunnel System Improvements" project (\$1,200,000), "RPWD - FEV SPDES Permit Upgrades" project (\$1,000,000), and the "Replacement Heavy Equipment" (\$750,000), for a total estimated cost of the Increase and Improvement in the amount of \$5,450,000. The "RPWD - CSOAP Tunnel System Improvements," "RPWD - FEV SPDES Permit Upgrades," and "RPWD - General Collection System and Treatment Plant Improvements" projects are under consideration by Your Honorable Body as companion referrals.

The Increase and Improvement of Facilities is necessary to provide funding for the "Replacement Heavy Equipment." This project provides for the purchase of various pieces of heavy equipment essential for the operation and maintenance work on the District's infrastructure. The project is necessary to maintain the reliability and continuity of services to District customers. The estimated cost of the improvements is \$750,000, which shall be provided as cash capital.

Portions of the project may become eligible for financing through the New York State Water Pollution Control Revolving Loan Fund. It is therefore requested that the County have the ability to submit applications and take any necessary steps to utilize this financing vehicle if it becomes available.

The specific legislative actions required are:

1. Hold a Public Hearing for the proposed maximum amount to be expended for an “Increase and Improvement of Facilities in the Rochester Pure Waters District.”
2. Following the Public Hearing, adopt a resolution approving the “Increase and Improvement of Facilities in the Rochester Pure Waters District” at the maximum amount to be expended.
3. Amend the 2025 Capital Budget to add a project entitled “Replacement Heavy Equipment” in the amount of \$750,000.
4. Authorize the Controller to transfer \$750,000 from the proposed 2025 operating budget of the Department of Environmental Services, pure waters fund 9007, funds center 8575010000, Rochester Pure Waters District Special Expense to capital fund 2098 for the “Replacement Heavy Equipment.”
5. Authorize filing of applications and execution of Project Financing Agreements and any other necessary documents by the County Executive or the Director of Finance – Chief Financial Officer, as appropriate, for participation in the New York State Water Pollution Control Revolving Loan Fund under the applicable laws of New York State to finance all or a portion of the project.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(1) (“maintenance or repair involving no substantial changes in an existing structure or facility”) and (2) (“replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part”) and is not subject to further review under the State Environmental Quality Review Act.

Funding for this project, consistent with authorized uses, will be available in capital fund 1925 and any capital fund(s) created for the same intended purpose. The local funding for this project will ultimately be provided by the Rochester Pure Waters District user fees. 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,


Adam J. Bello
Monroe County Executive