

# *Monroe County*

## *Clerk of the Legislature*

**David Grant**  
Clerk



**Nayeliz Santiago**  
Deputy Clerk

**Adina Goldstein**  
2<sup>nd</sup> Assistant Dep. Clerk

### MEMORANDUM

**TO:** Legislators, Directors, Staff and Media  
**FROM:** David Grant, Clerk of the Legislature  
**DATE:** August 25, 2025  
**RE:** Matters of Importance – File Nos. 25-0270 – 25-0272

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#### Matters of Importance:

- 25-0270 - Authorize a Contract with Blue Heron Construction Company LLC for General Construction Services for the Rochester Pure Waters District – Frank E. Van Lare Wastewater Treatment Plant Aeration System Improvements Project – As a Matter of Importance – County Executive Adam J. Bello
- 25-0271 - Authorize a Contract with Blue Heron Construction Company LLC for General Construction Services for the Rochester Pure Waters District – Frank E. Van Lare Wastewater Treatment Plant Aeration System Improvements Project – As a Matter of Importance – County Executive Adam J. Bello
- 25-0272 - Amending Resolution 265 of 1965 to Extend the Expiration Date of the Additional 1% Sales Tax Rate and to Provide for its Distribution – As a Matter of Importance – County Executive Adam J. Bello

These referrals were not made to committee at the preceding meeting of the Legislature on August 12, 2025, but have been determined by Yversha Román, President of the Legislature, to be of sufficient importance to warrant referral between Legislative meetings, pursuant to Section 545-24 (C) of the Rules of the Monroe County Legislature.

Attachments



# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

August 25, 2025

<b>OFFICIAL FILE COPY</b>
No. <b>250270</b>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
<b>ENV. &amp; PUB. WORKS-I.</b>
<b>WAYS &amp; MEANS</b>

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

Subject: Authorize a Contract with Blue Heron Construction Company LLC for General Construction Services for the Rochester Pure Waters District – Frank E. Van Lare Wastewater Treatment Plant Aeration System Improvements Project

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract with Blue Heron Construction Company LLC in the amount of \$2,111,611 for general construction services for the Rochester Pure Waters District – Frank E. Van Lare Wastewater Treatment Plant Aeration System Improvements Project.

The Rochester Pure Waters District owns, operates, and maintains the Frank E. Van Lare Water Resource Recovery Facility located at 1574 Lake Shore Boulevard in the City of Rochester. Improvements are required to enhance the facility's processing of sludge and reduce the organic loading to the facility's aeration system. The project includes the installation of a sludge mixing system for the north sludge holding tank, electrical, instrumentation and controls, and sludge receiving station improvements associated with the operation and monitoring of the new mixing system. Your Honorable Body approved funding for this project by Resolution 9 of 2019.

The following bids were received:

Blue Heron Construction Company LLC	\$ 2,111,611
C.P. Ward, Inc.	\$ 2,248,000

The bids have been reviewed and Blue Heron Construction Company LLC has been determined to be the lowest responsible bidder pursuant to General Municipal Law §103.

**The specific legislative action required is** to authorize the County Executive, or his designee, to execute a contract with Blue Heron Construction Company LLC, 9289 Bonta Bridge Road, Jordan, New York 13080 in the amount of \$2,111,611 for general construction services for the Rochester Pure Waters District – Frank E. Van Lare Wastewater Treatment Plant Aeration System Improvements project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(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, is included in capital fund 1895, 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 Blue Heron Construction Company LLC, nor any of its principal officers, owe any delinquent Monroe County property taxes. The principal officers of the firm are:

Charles Gregory IV, President  
Matthew Rodenhizer, Vice President

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

AJB:db



# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

August 25, 2025

OFFICIAL FILE COPY	
No.	250271
Not to be removed from the Office of the Legislature of Monroe County	
Committee Assignment	
PWAB	-L

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

Subject: Authorize a Contract with Blue Heron Construction Company LLC for General Construction Services for the Rochester Pure Waters District – Frank E. Van Lare Wastewater Treatment Plant Aeration System Improvements Project

Honorable Legislators:

I recommend that Your Honorable Body authorize a contract with Blue Heron Construction Company LLC in the amount of \$2,111,611 for general construction services for the Rochester Pure Waters District – Frank E. Van Lare Wastewater Treatment Plant Aeration System Improvements Project.

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Blue Heron Construction Company LLC	\$ 2,111,611
C.P. Ward, Inc.	\$ 2,248,000

The bids have been reviewed and Blue Heron Construction Company LLC has been determined to be the lowest responsible bidder pursuant to General Municipal Law §103.

**The specific Administrative Board action required** is to authorize the County Executive, or his designee, to execute a contract with Blue Heron Construction Company LLC, 9289 Bonta Bridge Road, Jordan, New York 13080 in the amount of \$2,111,611 for general construction services for the Rochester Pure Waters District – Frank E. Van Lare Wastewater Treatment Plant Aeration System Improvements project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(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.

To The Administrative Board of the  
Rochester Pure Waters District  
August 25, 2025  
Page 2

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Charles Gregory IV, President  
Matthew Rodenhizer, Vice President

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

Sincerely,  


Adam J. Bello  
Monroe County Executive

AJB:db





# Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

August 25, 2025

OFFICIAL FILE COPY	
No.	250272
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
WAYS & MEANS	-L

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

Subject: Amending Resolution 265 of 1965 to Extend the Expiration Date of the Additional 1% Sales Tax Rate and to Provide for its Distribution

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 265 of 1965, as amended, for extending the expiration date of the additional 1% County sales tax rate from November 30, 2025 to November 30, 2027.

Governor Kathleen C. Hochul has signed into law enabling legislation authorizing Monroe County to extend the expiration date of the additional 1% County sales tax rate from November 30, 2025 to November 30, 2027.

**The specific legislative action required is to amend Resolution 265 of 1965, as amended, to extend the expiration date of the additional 1% County sales tax rate from November 30, 2025 to November 30, 2027, and to provide for its distribution.**

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c) and is not subject to review under the State Environmental Quality Review Act.

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,

A handwritten signature in blue ink, reading "Adam J. Bello", is written over a faint, large circular watermark of the Monroe County seal.

Adam J. Bello  
Monroe County Executive

AJB:db

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

RESOLUTION NO. \_\_ OF 2025

**EXTENSION OF ADDITIONAL ONE PERCENT TAX ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK; AMENDING RESOLUTION NO. 265 OF 1965, AS LAST AMENDED BY RESOLUTION NO. 268 OF 2023**

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

Section 1. The first sentence of Section 2 of Resolution No. 265, as enacted in nineteen hundred sixty-five, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after August 1, 1965, there is hereby imposed and there shall be paid a tax of 3 percent upon, and for the period commencing December 1, 1993, and ending November 30, [2025] 2027 there is hereby imposed and there shall be paid an additional tax of one percent upon:

Section 2. Subdivision (h) of Section 3 of Resolution No. 265, as enacted in nineteen hundred sixty-five, as amended, is amended to read as follows:

(h) With respect to the additional tax of one percent imposed for the period commencing December 1, 1993, and ending November 30, [2025]2027, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section shall apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c), and (d) to an effective date shall be read as referring to December 1, 1993, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1993, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1993. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1993, any transaction which may not be subject to the additional one percent rate of tax imposed effective on that date.

Section 3. Section 4 of Resolution No. 265, as enacted in nineteen hundred sixty-five, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after March 1, 1993, except as otherwise exempted under this enactment,

(A) of any tangible personal property purchased at retail,

(B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user,

(i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or

(ii) if items are used as such or incorporated into a structure, building, or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or buildings on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business,

(C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two,

(D) of any tangible personal property, however, acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed,

(E) of any telephone answering service described in subdivision (b) of section two, and

(F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing March 1, 1993 and ending November 30, [2025]2027, the tax shall be at the rate of four percent, and on and after December 1, [2025]2027, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph (3) of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 1993, and ending November 30, [2025]2027, the tax shall be at the rate of four percent, and on and after December 1, [2025]2027, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing March 1, 1993, and ending November 30, [2025]2027, the tax shall be at the rate of four percent, and on and after December 1, [2025]2027, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph (3) of subdivision (b) of section one.



(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing March 1, 1993, and ending November 30, ~~[2025]~~2027, the tax shall be at the rate of four percent, and on and after December 1, ~~[2025]~~2027, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph (3) of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing March 1, 1993, and ending November 30, ~~[2025]~~2027, the tax shall be at the rate of four percent, and on and after December 1, ~~[2025]~~2027 the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

Section 4. Paragraph (D) of subdivision (1) of Section 11 of Resolution No. 265, as enacted in nineteen hundred sixty-five, as amended, is amended to read as follows:

(D) With respect to the additional tax of one percent imposed for the period beginning December 1, 1993 and ending November 30, ~~[2025]~~2027, in respect to the use of property used by the purchaser in this County prior to December 1, 1993.

Section 5. Subdivision (i) of Section 14 of Resolution No. 265, as enacted in nineteen hundred sixty-five, as amended, is amended to read as follows:

(i) Notwithstanding any provision of this resolution to the contrary, net collections from the additional one percent rate of sales and compensating use taxes imposed, respectively, by sections two and four of this resolution, for the period commencing December 1, ~~[2023]~~2025, and ending November 30, ~~[2025]~~2027, shall be distributed and allocated by the County as follows: for the period of December 1, ~~[2023]~~2025 through November 30, ~~[2025]~~2027 in cash, five percent to the school districts in the area of the county outside the city of Rochester, three percent to the towns located within the county, one and one-quarter percent to the villages located within the county, and ninety and three-quarter percent to the city of Rochester and county of Monroe. The amount of the

ninety and three-quarters percent to be distributed and allocated to the city of Rochester and county of Monroe shall be distributed and allocated to each so that the combined total distribution and allocation to each from the sales tax revenues pursuant to sections 1262 and 1262-g of the New York Tax Law and section two of Chapter [58]251 of the Laws of [2023]2025 shall result in the same total amount being distributed and allocated to the city of Rochester and county of Monroe. The amount so distributed and allocated to the county shall be used for county purposes. The foregoing cash payments to the school districts shall be allocated on the basis of the enrolled public school pupils, thereof, as such term is used in subdivision (b) of section 1262 of the New York Tax Law, residing in the county of Monroe. The cash payments to the towns located within the county of Monroe shall be allocated on the basis of the ratio which the population of each town, exclusive of the population of any village or portion thereof located within a town, bears to the total population of the towns, exclusive of the population of the villages located within such towns. The cash payments to the villages located within the county shall be allocated on the basis of the ratio which the population of each village bears to the total population of the villages located within the county. The term population as used in this section shall have the same meaning as used in subdivision (b) of section 1262 of the New York Tax Law.

Section 6. This enactment shall take effect December 1, 2025.

Deleted language is [bracketed]  
Added language is underlined

Matter of Urgency  
File No.

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

ACTION BY THE COUNTY EXECUTIVE

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

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

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_