MEMORANDUM

TO: Legislators, Directors, Staff and Media

FROM: Jamie L. Slocum, Clerk of the Legislature

DATE: October 9, 2015

RE: Matters of Urgency – File Nos. 15-0296-15-0300

15-0296 Amend Resolution 289 of 2010 as Amended by Resolution 437 of 2014 to Extend the License and Operating Agreement with the Seneca Park Zoo Society – As a Matter of Urgency – County Executive Maggie Brooks

15-0297 Authorize an Intermunicipal Agreement with the Town of Sweden for the Town to Operate its Dog Park in Conformity with Monroe County Parks Law and to Authorize Reciprocal Benefits for Monroe County and Town of Sweden Off-Leash Dog Areas – As a Matter of Urgency – County Executive Maggie Brooks

15-0298 Amend Local Law No. 3 of 1988, Entitled “Sewer Use Law of Monroe County” – As a Matter of Urgency – County Executive Maggie Brooks

15-0299 Amend Local Law No. 3 of 1988, Entitled “Sewer Use Law of Monroe County” – As a Matter of Urgency – County Executive Maggie Brooks
Eight-Year Review of the Monroe County Eastern Agricultural District #6 – As a Matter of Urgency – County Executive Maggie Brooks

Per President Jeffrey R. Adair, the attached communications are declared to be Matters of Urgency pursuant to Section 545-24 (A) (3) of the Rules of the Monroe County Legislature and will be considered at the October 13, 2015 meeting of the Monroe County Legislature.

Attachments.
October 9, 2015

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

Subject: Amend Resolution 289 of 2010 as Amended by Resolution 437 of 2014 to Extend the License and Operating Agreement with the Seneca Park Zoo Society

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 289 of 2010, as amended by Resolution 437 of 2014, to extend the license and operating agreement with the Seneca Park Zoo Society for one (1) year, through December 31, 2016, with all other terms to remain the same.

Per Resolution 289 of 2010, Your Honorable Body authorized a license and operating agreement with the Seneca Park Zoo Society. Resolution 437 of 2014 extended the license and operating agreement for one (1) additional year, through December 31, 2015. At this time, Monroe County and the Seneca Park Zoo Society wish to extend the license and operating agreement for an additional year. This extension will allow the County to complete and implement the development/strategic plan. It is expected that this plan will recommend business and partnership modifications in the years ahead.

The specific legislative action required is to amend Resolution 289 of 2010, as amended by Resolution 437 of 2014, to extend the license and operating agreement with the Seneca Park Zoo Society for one (1) year, through December 31, 2016, with all other terms to remain the same.

Environmental assessments were completed for this action 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 Seneca Park Zoo Society is a not-for-profit agency, 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 receive favorable action by Your Honorable Body.

Sincerely,

Maggie Brooks
County Executive
By Legislators _____ and _____

Intro. No. ___

RESOLUTION NO. ____ OF 2015

AMENDING RESOLUTION 289 OF 2010 AS AMENDED BY RESOLUTION 437 OF 2014 TO EXTEND LICENSE AND OPERATING AGREEMENT WITH SENeca PARK ZOO SOCIETY

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

Section 1. Resolution 289 of 2010, as amended by Resolution 437 of 2014, is hereby amended to authorize the County Executive, or her designee, to execute an extension of the license and operating agreement with the Seneca Park Zoo Society for one (1) year, through December 31, 2016, with all other terms to remain the same.

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

Matter of Urgency
File No. 15-XXXX

ADOPTION: Date: _____________ Vote: _____________

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _______  VETOED: _______

SIGNATURE: __________________________ DATE: __________________

EFFECTIVE DATE OF RESOLUTION: __________________________
To The Honorable  
Monroe County Legislature  
407 County Office Building  
Rochester, New York 14614

Subject: Authorize an Intermunicipal Agreement with the Town of Sweden for the Town to Operate its Dog Park in Conformity with Monroe County Parks Law and to Authorize Reciprocal Benefits for Monroe County and Town of Sweden Off-Leash Dog Areas

Honorable Legislators:

I recommend that Your Honorable Body authorize an intermunicipal agreement with the Town of Sweden, for the Town to operate its dog park in conformity with Monroe County Parks Law and to authorize reciprocal benefits for Monroe County and Town of Sweden Off-Leash Dog Areas (Dog Parks).

By Local Law 11 of 2003, Your Honorable Body established designated off-leash dog areas in Monroe County Parks. These “dog parks” have been established in Ellison Park, Greece Canal Park, and by a similar intermunicipal agreement, with the Town of Henrietta for Lookup Park, with increasing popularity. Monroe County Parks’ off-leash areas are the precedent setting model that the Town of Sweden has chosen to follow with its own “dog park.”

In addition to embracing Monroe County’s off-leash area rules, regulations and fees, the Town of Sweden has also requested reciprocal entry benefits. The County will be responsible for all enrollment and membership management, including processing payments for all dog registrations and will return a portion of the registration fee for each Sweden resident back to the Town.

The specific legislative action required is to authorize the County Executive, or her designee, to enter into an intermunicipal agreement, and any amendments thereto, with the Town of Sweden, to operate its dog park in conformity with Monroe County Parks Law, authorize reciprocal benefits for the use of Monroe County and Town of Sweden Off-Leash Dog Areas (Dog Parks), and to authorize payment to the Town of Sweden for a portion of registration fees paid by Town of Sweden residents.
Environmental assessments were completed for this action and it was determined that there would be no significant effect on the environment.

Approval of this intermunicipal agreement will have no impact on the revenues or expenditures of the current Monroe County budget.

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

Sincerely,

Maggie Brooks
County Executive
By Legislators _____ and _____

Intro. No. ___

RESOLUTION NO. ___ OF 2015

AUTHORIZING INTERMUNICIPAL AGREEMENT WITH TOWN OF SWEDEN FOR THE TOWN TO OPERATE ITS DOG PARK IN COMFORMITY WITH MONROE COUNTY PARKS LAW AND TO AUTHORIZE RECIPROCAL BENEFITS FOR MONROE COUNTY AND TOWN OF SWEDEN OFF-LEASH DOG AREAS

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

Section 1. The County Executive, or her designee, is hereby authorized to enter into an intermunicipal agreement, and any amendments thereto, with the Town of Sweden, to operate its dog park in conformity with Monroe County Parks Law, authorize reciprocal benefits for the use of Monroe County and Town of Sweden Off-Leash Dog Areas (Dog Parks), and to authorize payment to the Town of Sweden for a portion of registration fees paid by Town of Sweden residents.

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

Matter of Urgency
File No. 15-XXXX

ADOPTION: Date: _______________ Vote: __________

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _______ VETOED: _______

SIGNATURE: ______________________ DATE: __________________

EFFECTIVE DATE OF RESOLUTION: ______________________
To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Amend Local Law No. 3 of 1988, Entitled “Sewer Use Law of Monroe County”

Honorable Legislators:

I recommend that Your Honorable Body amend Local Law No. 3 of 1988, entitled “Sewer Use Law of Monroe County” (the Law) to reflect recent changes to the United States Environmental Protection Agency (EPA) general pretreatment regulations, New York State Department of Environmental Conservation regulations, and Monroe County regulations and procedures that have occurred since the Law was last enacted.

The Law was last enacted by the Monroe County Legislature on July 21, 1988. Per Resolution 103 of 2014, Your Honorable Body amended the Law to expand the acceptable pH range of discharges by Industrial Permit Holders. Monroe County relies upon the Law for establishing authority to administer the Monroe County Department of Environmental Services’ Pretreatment Program. The purpose of the Law is to establish rules and regulations governing discharges of sewage, industrial waste and other wastes; provide for the establishment and collection of surcharges; and to prescribe penalties for the violation of rules and regulations. The current Law does not reflect the recent changes the EPA made to the general pretreatment regulations at 40 CFR Part 403.

The EPA considers the modifications to the current Law to be non-substantial. The modifications do not relax Monroe County’s authority, do not relax local pollutant limits, and do not have a significant impact on the operation of the Pretreatment Program. The modifications will have no change on the pollutant loadings accepted at the County’s wastewater treatment plants. EPA has requested an update of the Law and has provided approval of the proposed draft.

Highlights of the proposed Law include the following:

- All sections have been reorganized to closely follow the EPA Model Pretreatment Ordinance.
- The current Law and separate Rules and Regulations will be repealed and consolidated into the one (1) proposed Law.
- The proposed Law describes specific processes for obtaining permits including application, renewal, modification, closure and revocation.
- The proposed Law clarifies all reporting requirements and signatory requirements for permittees.
- The Stormwater Ordinance is now one (1) Article in the proposed Law and the previous separate ordinance will be repealed.
• Administrative fines have been increased from $10,000 to $25,000 and language has been added to allow the Director to recover operation and maintenance costs incurred due to negligent or accidental actions of any User.

• The calculation and computation of the sewer surcharge fee has been removed and placed in the scale of charges to allow updates to the computation without modifying the proposed Law.

• The current Law references the Director of Pure Waters and Director of Engineering. The Departments and Directors of Pure Waters and Engineering were repealed through a County Charter amendment in 1992. The powers and duties of both Directors were consolidated into a new title, the Director of Environmental Services. The proposed Law updates all references to the Director consistent with the 1992 County Charter change.

• There are no new financial burdens to the County or Permittees in the proposed Law.

The specific legislative actions required are:

1. Schedule and hold a public hearing on the proposed Local Law.

2. Enact a Local Law to amend Local Law No. 3 of 1988 entitled “Sewer Use Law of Monroe County” by replacing the current Law with the attached Sewer Use Law of Monroe County.

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

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

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

Sincerely,

[Signature]
Maggie Brooks
County Executive
By Legislators _______ and _______

Intro No. ___

LOCAL LAW NO. ___ OF 2015

ENACTING A LOCAL LAW TO AMEND LOCAL LAW NO. 3 OF 1988, SEWER USE LAW OF MONROE COUNTY

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

Section 1. The Legislature hereby enacts a Local Law to amend Local Law No. 3 of 1988 entitled “Sewer Use Law of Monroe County” by replacing the current Law with the attached Sewer Use Law of Monroe County.

Section 2. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

Matter of Urgency
File No. 15-XXXX.LL

ADOPTION: Date: ___________ Vote: ___________

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ___________ VETOED: ___________

SIGNATURE: _________________ DATE: ___________

EFFECTIVE DATE OF LOCAL LAW: ______________________
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 Local Law No. 3 of 1988, Entitled “Sewer Use Law of Monroe County”

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 Rochester Pure Waters District amend Local Law No. 3 of 1988, entitled “Sewer Use Law of Monroe County” (the Law) to reflect recent changes to the United States Environmental Protection Agency (EPA) general pretreatment regulations, New York State Department of Environmental Conservation regulations, and Monroe County regulations and procedures that have occurred since the Law was last enacted.

The Law was last enacted by the Monroe County Legislature on July 21, 1988. Per Resolution 103 of 2014, Your Honorable Body amended the Law to expand the acceptable pH range of discharges by Industrial Permit Holders. Monroe County relies upon the Law for establishing authority to administer the Monroe County Department of Environmental Services’ Pretreatment Program. The purpose of the Law is to establish rules and regulations governing discharges of sewage, industrial waste and other wastes; provide for the establishment and collection of surcharges; and to prescribe penalties for the violation of rules and regulations. The current Law does not reflect the recent changes the EPA made to the general pretreatment regulations at 40 CFR Part 403.

The EPA considers the modifications to the current Law to be non-substantial. The modifications do not relax Monroe County’s authority, do not relax local pollutant limits, and do not have a significant impact on the operation of the Pretreatment Program. The modifications will have no change on the pollutant loadings accepted at the County’s wastewater treatment plants. EPA has requested an update of the Law and has provided approval of the proposed draft.

Highlights of the proposed Law include the following:

- All sections have been reorganized to closely follow the EPA Model Pretreatment Ordinance.
- The current Law and separate Rules and Regulations will be repealed and consolidated into the one (1) proposed Law.
- The proposed Law describes specific processes for obtaining permits including application, renewal, modification, closure and revocation.
- The proposed Law clarifies all reporting requirements and signatory requirements for permittees.
The Stormwater Ordinance is now one (1) Article in the proposed Law and the previous separate ordinance will be repealed.

Administrative fines have been increased from $10,000 to $25,000 and language has been added to allow the Director to recover operation and maintenance costs incurred due to negligent or accidental actions of any User.

The calculation and computation of the sewer surcharge fee has been removed and placed in the scale of charges to allow updates to the computation without modifying the proposed Law.

The current Law references the Director of Pure Waters and Director of Engineering. The Departments and Directors of Pure Waters and Engineering were repealed through a County Charter amendment in 1992. The powers and duties of both Directors were consolidated into a new title, the Director of Environmental Services. The proposed Law updates all references to the Director consistent with the 1992 County Charter change.

There are no new financial burdens to the County or Permittees in the proposed Law.

The specific Administrative Boards action required is to request the Monroe County Legislature to amend Local Law No. 3 of 1988 entitled “Sewer Use Law of Monroe County.”

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

This proposed Local Law will have no impact on the revenues or expenditures of 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,

[Signature]
Maggie Brooks
County Executive
By Legislators _______ and _______

PURE WATERS 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

Intro No. _____
RESOLUTION NO. _______ OF 2015

ENACTING A LOCAL LAW TO AMEND LOCAL LAW NO. 3 OF 1988, SEWER USE LAW OF
MONROE COUNTY

BE IT RESOLVED BY THE PURE WATERS 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, as follows:

Section 1. The Pure Waters 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 hereby request the Monroe County Legislature to amend Local Law No. 3 of 1988 entitled
“Sewer Use Law of Monroe County.”

Section 2. This resolution shall take effect immediately.

Matter of Urgency
File No. 15-XXXX

ADOPTION: Date: ___________ Vote: ___________
To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Eight-Year Review of the Monroe County Eastern Agricultural District #6

Honorable Legislators:

I recommend that Your Honorable Body approve the continuation and modification of the Monroe County Eastern Agricultural District #6 ("District"). Pursuant to Article 25AA of the NYS Agriculture and Markets Law, a report has been prepared by the Monroe County Agricultural and Farmland Protection Board on the eight-year review of the District.

The report recommends continuation of the present District, which is located in the Towns of Brighton, Henrietta, Mendon, Penfield, Perinton, Pittsford, Rush and Webster, and modification of the District by adding approximately 122 acres and removing approximately 216 acres. These modifications result in a loss of 95 acres from the Eastern Agricultural District.

In accordance with Article 25AA, the Agricultural and Farmland Protection Board report and recommendation should be the subject of a public hearing held by the Legislature’s Planning & Economic Development Committee at a place within the District, in its present form, or otherwise readily accessible to it. The Legislature has the option to continue the District in its present form; continue and modify the District; or terminate the District. I am recommending the continuation and modification of the District.

The specific legislative actions required are:

1. Hold a public hearing on the continuation and modification of the Monroe County Eastern Agricultural District #6 as set forth in the report prepared by the Monroe County Agricultural and Farmland Protection Board within the District, in its present form, or a place readily accessible to the District.

2. Consider the recommendations and facts presented at the hearing relative to the continuation of the Monroe County Eastern Agricultural District #6 with the following modifications:

   a. Add four parcels (approximately 122 acres) to the Eastern Agricultural District #6:

      • tax account number 223.02-1-12, 1056 Cheese Factory Rd., Town of Mendon, consisting of approximately 16 acres;

      • tax account number 110.01-2-1.1, 1454 Fairport Nine Mile Point Rd., Town of Penfield, consisting of approximately 48 acres;
b. Remove twenty-seven (27) parcels (approximately 216 acres) from the Eastern Agricultural District #6:

- tax account number 094.04-1-35.1, 1035 Plank Road, Town of Penfield, consisting of approximately 8.1 acres; and
- tax account number 094.04-1-35.2, 1025 Plank Road, Town of Penfield, consisting of approximately 49.5 acres.

- tax account number 111.01-1-8.1, 1724 Kennedy Rd., Town of Penfield, consisting of approximately 20 acres;
- tax account number 111.01-1-9.1, 1748 Kennedy Rd., Town of Penfield, consisting of approximately 31 acres;
- tax account number 177.04-1-15.11, Clover St., Town of Pittsford, consisting of approximately 76 acres;
- tax account number 178.03-2-1.12, 178.03-4-29, 178.03-4-30, 178.03-4-31, 178.03-4-32, 178.03-4-33, 178.03-4-34, 178.03-4-35, 178.03-4-36, 178.03-4-37, 178.03-4-38, 178.03-4-39, 178.03-4-40, 178.03-4-41, 178.03-4-42, 178.03-4-43, 178.03-4-44, 178.03-4-45, 178.03-4-46, 178.03-4-47, 178.03-4-48, 178.03-4-49 and 178.03-4-50, all in the Town of Pittsford, totaling approximately 75.363 acres and which formerly comprised tax account numbers 178.03-2-1.1, 178.03-2-1.2, and 178.03-2-3.11.
- tax account number 066.03-1-6.115, 1720 Boulder Industrial Pkwy., Town of Webster, consisting of approximately 14 acres.

An environmental review will be completed prior to Your Honorable Body taking final action on this matter.

Continuation and modification of the Monroe County Eastern Agricultural District will have no impact on the revenues or expenditures of the current Monroe County budget.

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

Sincerely,

Maggie Brooks
County Executive
By Legislators _____ and _____

Intro. No. _____

RESOLUTION NO. _____ OF 2015

EIGHT-YEAR REVIEW OF MONROE COUNTY EASTERN AGRICULTURAL DISTRICT #6

WHEREAS, the Monroe County Planning Board and the Monroe County Agricultural and Farmland Protection Board have submitted a joint report on the eight-year review of the Monroe County Eastern Agricultural District #6 (the “District”); and

WHEREAS, the joint report recommends the continuation of this District, in the Towns of Brighton, Henrietta, Mendon, Penfield, Perinton, Pittsford, Rush and Webster, with the following modifications:

a. Add four parcels (approximately 122 acres) to the Eastern Agricultural District: tax account number 223.02-1.12 at 1056 Cheese Factory Road, Mendon, consisting of approximately 16 acres; tax account number 110.01-2-1.1 at 1454 Fairport Nine Mile Point Road, Penfield, consisting of approximately 48 acres; tax account number 094.04-1-35.1 at 1035 Plank Road, Penfield, consisting of approximately 8.1 acres; and tax account number 094.04-1-35.2 at 1025 Plank Road, Penfield, consisting of approximately 49.5 acres.

b. Remove twenty-seven parcels (approximately 216 acres) from the Eastern Agricultural District: tax account number 111.01-1-8.1 at 1724 Kennedy Road, Penfield, consisting of approximately 20 acres; tax account number 111.01-1-9.1 at 1748 Kennedy Road, Penfield, consisting of approximately 31 acres; tax account number 177.04-1-15.11 at Clover Street, Pittsford, consisting of approximately 76 acres; tax account numbers 178.03-2-1.12, 178.03-4-29, 178.03-4-30, 178.03-4-31, 178.03-4-32, 178.03-4-33, 178.03-4-34, 178.03-4-35, 178.03-4-36, 178.03-4-37, 178.03-4-38, 178.03-4-39, 178.03-4-40, 178.03-4-41, 178.03-4-42, 178.03-4-43, 178.03-4-44, 178.03-4-45, 178.03-4-46, 178.03-4-47, 178.03-4-48, 178.03-4-49 and 178.03-4-50, Pittsford, consisting of approximately 75.363 acres which formerly comprised tax account numbers 178.03-2-1.1, 178.03-2-1.2 and 178.03-2-3.11; and tax account number 066.03-1-6.115, 1720 Boulter Industrial Parkway, Webster, consisting of approximately 14 acres.

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

Section 1. The Legislature hereby approves the continuation of the Monroe County Eastern Agricultural District #6, with the addition of the foregoing parcels of land in the Towns of Mendon and Penfield; and the removal of the foregoing parcels in the Towns of Penfield, Pittsford and Webster, as recommended above.

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

Matter of Urgency
Planning and Economic Development Committee; October 19, 2015 – CV: _____
File No. 15-XXXX
ADOPTION: Date: ___________ Vote: ___________

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ___________ VETOED: ___________

SIGNATURE: __________________________ DATE: ___________

EFFECTIVE DATE OF RESOLUTION: __________________________