MEMORANDUM

TO:    Legislators, Directors, Staff and Media

FROM:  Diana M. Christodaro, Clerk of the Legislature

DATE:  February 14, 2017


17-0037 Authorize an Intermunicipal Agreement with the City of Rochester for Preparation and Production of MusicFest 2017 in Genesee Valley Park – As a Matter of Urgency – President Anthony J. Daniele

17-0038 Accept the Assets and Liabilities of Upstate Telecommunications Corporation Pursuant to an Order of Dissolution – As a Matter of Urgency – President Anthony J. Daniele

17-0039 Accept the Assets and Liabilities of Monroe Security & Safety Systems Local Development Corporation Pursuant to an Order of Dissolution – As a Matter of Urgency – President Anthony J. Daniele

17-0040 Accept the Assets and Liabilities of Monroe Newpower Corporation Pursuant to an Order of Dissolution – As a Matter of Urgency – President Anthony J. Daniele

Per President Anthony J. Daniele, 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 February 14, 2017 meeting of the Monroe County Legislature.

Attachments
Office of the County Executive  
MONROE COUNTY, NEW YORK

Cheryl Dinolfo  
County Executive

February 13, 2017

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

Subject: Authorize an Intermunicipal Agreement with the City of Rochester for Preparation and Production of MusicFest 2017 in Genesee Valley Park

Honorable Legislators:

I recommend that Your Honorable Body authorize an intermunicipal agreement with the City of Rochester to use a portion of Genesee Valley Park for the preparation and production of MusicFest 2017.

The MusicFest will be held from July 13, 2017 through July 17, 2017. The City of Rochester will be responsible for all facets of this event and the designated portion of Genesee Valley Park, including, but not limited to: set up, security, site containment, traffic, off-site parking, shuttles, ticket sales, insurance, vendors, health department permits, liquor licenses, clean up and repair of any damage to the park during or due to this event.

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 City of Rochester, to use a portion of Genesee Valley Park for the preparation and production of MusicFest 2017.

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

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

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

Sincerely,

Cheryl Dinolfo  
Monroe County Executive

CD:db
By Legislators ______ and ________

Intro. No. ______

RESOLUTION NO. ______ OF 2017

AUTHORIZING INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER FOR PREPARATION AND PRODUCTION OF MUSICFEST 2017 IN GENESSEE VALLEY PARK

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 City of Rochester, to use a portion of Genesee Valley Park for the preparation and production of MusicFest 2017.

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

Matter of Urgency
File No. 17-

ADOPTION: Date: ________ Vote: ________

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ________ VETOED: ________

SIGNATURE: _________________________ DATE: ____________________

EFFECTIVE DATE OF RESOLUTION: __________________________
February 13, 2017

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

Subject: Accept the Assets and Liabilities of Upstate Telecommunications Corporation Pursuant to an Order of Dissolution

Honorable Legislators:

I recommend that Your Honorable Body accept the assets and liabilities of Upstate Telecommunications Corporation (“UTC”) pursuant to an order of dissolution under New York State Not-for-Profit Law.

The County of Monroe issued bonds in October 2016 for the prepayment of its service contract obligation to UTC, and UTC used the prepayment proceeds to redeem its outstanding revenue bonds. Subsequent to the bond redemption the New York State Attorney General filed a petition in State Supreme Court for the dissolution of UTC, to which the County agreed and the Court ordered. To implement the order of dissolution, the assets and liabilities of UTC must be transferred to the County. Upon such transfer, the Department of Information Services will perform all the functions previously contracted to UTC.

Assets to be transferred to the County are detailed in Attachment A, and include cash and capital assets such as photocopiers, computers, data and wireless network components, the Voice Over IP telephone system, and components of the SAP Enterprise Resource Planning system. Liabilities to be transferred to the County are detailed in Attachment B and include such items as accounts payable, and several purchase orders and contracts for goods and services to be received. UTC has sufficient cash and receivables to fully fund the liabilities being transferred and to fund capital projects for the scheduled replacement of computer and related office equipment.

The specific legislative actions required are:

1. Accept the assets of Upstate Telecommunications Corporation pursuant to an order of dissolution, to include cash, prepaid expenses, and capital equipment with a book value of $11,750,414 into internal services fund 9020, and a book value of $2,798,411 into capital fund 1812, as detailed in Attachment A.
2. Accept the assignment of Upstate Telecommunications Corporation liabilities and commitments pursuant to an order of dissolution, to include accounts payable, purchase orders, and contracts for goods and services to be received, with a book value of $80,473, into internal services fund 9020, as detailed in Attachment B.

3. Amend the 2017 operating budget of the Department of Information Services by appropriating the sum of $8,580,473 into internal services fund 9020, funds center 1902010000, Equipment Lease / Maintenance, for the payment of liabilities totaling $80,473 and for the provision for capital equipment totaling $8,500,000.

4. Authorize the County Executive to reappropriate any unencumbered provision for capital equipment balances in subsequent years budgets.

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

Funding for these actions will be available in the 2017 operating budget of the Department of Information Services, internal services fund 9020, funds center 1902010000, Equipment Lease / Maintenance, once the UTC assets are accepted. No additional net County support is required in the current Monroe County budget.

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

Sincerely,

Cheryl Dinolfo
Monroe County Executive

COD: db
Attachment A
Assets of Upstate Telecommunications Corporation

Accept into Fund 9020:

Cash $8,580,473

Prepaid Expenses:
  SAP, Inc (licenses) $209,883
  Ronco (SmartNet) $39,864
  SHI International (Horizon licenses) $584
  Solarwinds (maintenance toolset) $816

Capital Equipment: $2,918,394

Subtotal $11,750,414

Accept into Capital Fund 1812:

Cash $2,798,411

Subtotal $2,798,411

Total of UTC Assets $14,548,825
Attachment B
Liabilities and Commitments of Upstate Telecommunications Corporation

Accept into Fund 9020:

Accounts Payable:
- Sirius: $8,772
- Relcom: $3,038
- Barclay Damon: $26,996
- Frontier: $1,617
- Xerox: $40,000

Total of UTC Liabilities: $80,473

Commitments (contracts / purchase orders):
- Xerox (copiers): $20,000 average monthly charge, Expires Dec 2018
- Oxya (SAP hosting): $19,700 monthly charge, Expires Jul 2020
- Easy-Access (Hamer tax): $10,750 monthly charge, Expires Dec 2020
- Relcom (phone maintenance): $5,167 monthly charge, Expires Dec 2020
- Frontier Communications: $1,617 monthly charge, Expires May 2019
- One and One (website hosting): $455 monthly charge, Expires Mar 2017
- SAP, Inc. (licenses): $250,000 annual charge, Expires Dec 2020
- Sirius (computer refresh): purchases as needed, Expires at project completion
- Synergy (computer refresh): purchases as needed, Expires at project completion
- Ronco (Smartnet): prepaid by UTC, Expires Oct 2017
- SHI International (Horizon licenses): prepaid by UTC, Expires Apr 2017
- Solarwinds (maintenance toolset): prepaid by UTC, Expires Jun 2017
- Brown and Brown (D&O tail insurance): prepaid by UTC, Expires Feb 2023
By Legislators _______ and _______

Intro. No. ______

RESOLUTION NO. ______ OF 2017

ACCEPTING ASSETS AND LIABILITIES OF UPSTATE TELECOMMUNICATIONS CORPORATION PURSUANT TO ORDER OF DISSOLUTION

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 accept the assets of Upstate Telecommunications Corporation pursuant to an order of dissolution, to include cash, prepaid expenses, and capital equipment with a book value of $11,750,414 into internal services fund 9020, and a book value of $2,798,411 into capital fund 1812, as detailed in Attachment A.

Section 2. The County Executive, or her designee, is hereby authorized to accept the assignment of Upstate Telecommunications Corporation liabilities and commitments pursuant to an order of dissolution, to include accounts payable, purchase orders, and contracts for goods and services to be received, with a book value of $80,473 into internal services fund 9020, as detailed in Attachment B.

Section 3. The 2017 operating budget of the Department of Information Services is hereby amended by appropriating the sum of $8,580,473 into internal services fund 9020, funds center 1902010000, Equipment Lease/Maintenance, for the payment of liabilities totaling $80,473 and for the provision for capital equipment totaling $8,500,000.

Section 4. Funding for these actions will be available in the 2017 operating budget of the Department of Information Services, internal services fund 9020, funds center 1902010000, Equipment Lease/Maintenance, once the UTC assets are accepted.

Section 5. The County Executive is hereby authorized to reappropriate any unencumbered provision for capital equipment balances in subsequent years budgets.

Section 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 17-

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: Accept the Assets and Liabilities of Monroe Security & Safety Systems Local Development Corporation Pursuant to an Order of Dissolution

Honorable Legislators:

I recommend that Your Honorable Body accept the assets and liabilities of Monroe Security & Safety Systems Local Development Corporation ("M3S") pursuant to an order of dissolution under New York State Not-for-Profit Law.

The County of Monroe issued bonds in October 2016 for the prepayment of its service contract obligation to M3S, and M3S used the prepayment proceeds to redeem its outstanding revenue bonds. Subsequent to the bond redemption the New York State Attorney General filed a petition with the State Supreme Court for the dissolution of M3S, to which the County agreed and the Court ordered. To implement the order of dissolution, the assets and liabilities of M3S must be transferred to the County. Upon such transfer, the Department of Public Safety and the Department of Environmental Services will perform all the functions previously contracted to M3S.

Assets to be transferred to the County are detailed in Attachment A, and include cash and capital assets such as a fiber network, P25 communications infrastructure equipment, security monitoring equipment, and mobile and portable radio equipment. Non-valued assets to be transferred include various permits, licenses, easements, and rights-of-way. Liabilities to be transferred to the County are detailed in Attachment B and include such items as accounts payable, and several purchase orders and contracts for goods and services to be received. M3S has sufficient cash and receivables to fully fund the liabilities being transferred and to fund capital projects for the scheduled replacement of communications and security equipment.

The specific legislative actions required are:

1. Accept the assets of Monroe Security & Safety Systems Local Development Corporation pursuant to an order of dissolution, to include cash, prepaid expenses, and capital equipment with a book value of $56,212,071 into general fund 9001, a book value of $5,350,000 into internal services fund 9020, and a book value of $383,580 into capital fund 1812, as detailed in Attachment A, and other non-valued permits, licenses, easements, and rights-of-way.
2. Accept the assignment of Monroe Security & Safety Systems Local Development Corporation liabilities and commitments pursuant to an order of dissolution, to include accounts payable, purchase orders, and contracts for goods and services to be received, with a book value of $71,326, into general fund 9001, as detailed in Attachment B.

3. Amend the 2017 operating budget of the Department of Public Safety by appropriating the sum of $8,939,617 into general fund 9001, funds center 2406010000, Public Safety Communications, for the payment of liabilities and commitments totaling $2,239,617 and for the provision for capital equipment totaling $6,700,000.

4. Amend the 2017 operating budget of the Department of Environmental Services by appropriating the sum of $150,000 into internal services fund 9020, funds center 8610010000, Fire Alarm/Security Maintenance, for the provision for capital equipment.

5. Authorize the County Executive to reappropriate any unencumbered provision for capital equipment balances in subsequent years budgets.

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

Funding for these actions will be available in the 2017 operating budgets of the Department of Public Safety, general fund 9001, funds center 2406010000, Public Safety Communications, and the Department of Environmental Services, internal services fund 9020, funds center 8610010000, Fire Alarm/Security Maintenance, once the M3S assets are accepted. No additional net County support is required in the current Monroe County budget.

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

Sincerely,

[Signature]

Cheryl Dinolfo
Monroe County Executive

CD:db
Attachment A
Assets of Monroe Security & Safety Systems Local Development Corporation

Accept into Fund 9001:

Cash $8,939,617
Accounts Receivable:
  Monroe Ambulance $1,221
  Town of Penfield $2,081
Prepaid Expenses:
  Brite Computers (net motion) $65,661
  Simplex Grinell (fire alarm) $138
  Harris Corp (emergency services) $4,000
  Davis Ulmer (fire inspection) $13,264
Capital Equipment: $47,186,089

Subtotal $56,212,071

Accept into Fund 9020:

Cash $150,000
Capital Equipment $5,200,000

Subtotal $5,350,000

Accept into Capital Fund 1812:

Cash $383,580

Subtotal $383,580

Total of M3S Assets $61,945,651
Attachment B
Liabilities and Commitments of Monroe Security & Safety Systems Local Development Corporation

Accept into Fund 9001:

Accounts Payable:
- Securitas $32,400
- Barclay Dannon $29,308
- Frontier $2,996
- Hutton Communications $301
- Control Services $2,748
- Technical Services Group $1,711
- Simplex Grinnell $1,862

Total of M3S Liabilities $71,326

Commitments (contracts / purchase orders):
- Securitas (security) $22,000 average monthly charge Expires Dec 2017
- Harris Corporation (project launch) $7,970,025 remaining Expires Mar 2019
- Pericle Communications (tower study) $36,000 remaining Expires at project completion
- Frontier (pole attachment) $1,498 monthly charge Expires Sep 2017
- Frontier (underground conduit) included w/ pole attachment Expires Sep 2017
- RG&E (pole attachment) $1,629 annual charge Expires Mar 2021
- Village of Fairport (pole attachment) 2,904 annual charge Expires May 2021
- Simplex Grinnell (DVT surveillance) $11,600 remaining Expires at project completion
- Brite Computers (net motion) prepaid by M3S Expires Apr 2019
- Simplex Grinnell (fire alarm) prepaid by M3S Expires Aug 2017
- Brown and Brown (D&O tail insurance) prepaid by M3S Expires Feb 2023
- Systems Access Agreement no fee Expires Dec 2025
- Village of Spencerport (pole attachment) no fee Expires on 60-days’ notice
By Legislators __________ and __________

Intro. No. ______

RESOLUTION NO. ______ OF 2017

ACCEPTING ASSETS AND LIABILITIES OF MONROE SECURITY & SAFETY SYSTEMS LOCAL DEVELOPMENT CORPORATION PURSUANT TO ORDER OF DISSOLUTION

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 accept the assets of Monroe Security & Safety Systems Local Development Corporation pursuant to an order of dissolution, to include cash, prepaid expenses, and capital equipment with a book value of $56,212,071 into internal services fund 9001, a book value of $5,350,000 into internal services fund 9020, and a book value of $383,580 into capital fund 1812, as detailed in Attachment A, and other non-valued permits, licenses, easements, and rights-of-way.

Section 2. The County Executive, or her designee, is hereby authorized to accept the assignment of Monroe Security & Safety Systems Local Development Corporation liabilities and commitments pursuant to an order of dissolution, to include accounts payable, purchase orders, and contracts for goods and services to be received, with a book value of $71,326 into general fund 9001, as detailed in Attachment B.

Section 3. The 2017 operating budget of the Department of Public Services is hereby amended by appropriating the sum of $8,939,617 into general fund 9001, funds center 2406010000, Public Safety Communications, for the payment of liabilities and commitments totaling $2,239,617 and for the provision for capital equipment totaling $6,700,000.

Section 4. The 2017 operating budget of the Department of Environmental Services is hereby amended by appropriating the sum of $150,000 into internal services fund 9020, funds center 8610010000, Fire Alarm/Security Maintenance, for the provision for capital equipment.

Section 5. Funding for these actions will be available in the 2017 operating budget of the Department of Public Safety, general fund 9001, funds center 2406010000, Public Safety Communications, and the Department of Environmental Services, internal fund services fund 9020, funds center 8610010000, Fire Alarm/Security Maintenance, once the M3S assets are accepted.

Section 6. The County Executive is hereby authorized to reappropriate any unencumbered provision for capital equipment balances in subsequent years budgets.

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

Matter of Urgency
File No. 17-

ADOPTION: Date: __________ Vote: __________

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ________ VETOED: ________

SIGNATURE: _______________________ DATE: __________________

EFFECTIVE DATE OF RESOLUTION: __________________________
Office of the County Executive
MONROE COUNTY, NEW YORK

Cheryl Dinolfo
County Executive

February 13, 2017

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

Subject: Accept the Assets and Liabilities of Monroe Newpower Corporation Pursuant to an Order of Dissolution

Honorable Legislators:

I recommend that Your Honorable Body accept the assets and liabilities of Monroe Newpower Corporation ("MNP") pursuant to an order of dissolution under New York State Not-for-Profit Law.

The County of Monroe issued bonds in October 2016 for the prepayment of its service contract obligation to MNP, and MNP used the prepayment proceeds to redeem its outstanding revenue bonds. Subsequent to the bond redemption the New York State Attorney General filed a petition with the State Supreme Court for the dissolution of MNP, to which the County agreed and the Court ordered. To implement the order of dissolution, the assets and liabilities of MNP must be transferred to the County. Upon such transfer, the Department of Environmental Services will perform all the functions previously contracted to MNP.

Assets to be transferred to the County are detailed in Attachment A, and include cash and capital equipment used to produce electricity and steam. Non-valued assets to be transferred include various, easements and rights-of-way. Liabilities to be transferred to the County are detailed in Attachment B and include such items as accounts payable, and several purchase orders and contracts for goods and services to be received. MNP has sufficient cash and receivables to fully fund the liabilities being transferred.

The specific legislative actions required are:

1. Accept the assets of Monroe Newpower Corporation pursuant to an order of dissolution, to include cash and capital equipment, with a book value of $9,720,059 into internal services fund 9020, and with a book value of $498,224 into capital fund 1812, as detailed in Attachment A.
2. Accept the assignment of Monroe Newpower Corporation liabilities and commitments pursuant to an order of dissolution, to include accounts payable, purchase orders, and contracts for goods and services to be received, with a book value of $47,613, into internal services fund 9020, as detailed in Attachment B.

3. Amend the 2017 operating budget of the Department of Environmental Services by appropriating the sum of $487,613 into internal services fund 9020, funds center 8645020000, Iola Powerhouse for the payment of liabilities and commitments.

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

Funding for these actions will be available in the 2017 operating budget of the Department of Environmental Services, internal services fund 9020, funds center 8645020000, Iola Powerhouse, once the MNP assets are accepted. No additional net County support is required in the current Monroe County budget.

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

Sincerely,

Cheryl Dinolfo
Monroe County Executive
Attachment A
Assets of Monroe Newpower Corporation

Accept into Fund 9020:

Cash ........................................ $487,613
Capital Equipment: ..................... $9,232,446

Subtotal .................................. $9,720,059

Accept into Capital Fund 1812:

Cash ........................................ $498,224

Subtotal .................................. $498,224

Total of MNP Assets ..................... $10,218,283
Attachment B  
Liabilities and Commitments of Monroe Newpower Corporation

Accept into Fund 9020:

<table>
<thead>
<tr>
<th>Accounts Payable:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Kistler</td>
<td>$27,225</td>
</tr>
<tr>
<td>O'Connell Electric</td>
<td>$9,021</td>
</tr>
<tr>
<td>Barclay Damon</td>
<td>$11,367</td>
</tr>
</tbody>
</table>

Total of MNP Liabilities $47,613

Commitments (contracts / purchase orders):

| Siemens (O&M agreement)                 | $80,490 monthly charge | Expires Dec 2017 |
| National Fuel Resources (natural gas)   | $125,000 average monthly charge | Expires Dec 2017 |
| RG&E (electricity)                     | $60,000 average monthly charge prepaid by MNP | No expiration |
| Brown and Brown (D&O tail insurance)   |                             | Expires Feb 2023 |
| Outstanding Inverse Condemnation (Appeal of Dismissal) | | |
By Legislators _________ and __________

Intro. No. ______

RESOLUTION NO. ______ OF 2017

ACCEPTING ASSETS AND LIABILITIES OF MONROE NEWPOWER CORPORATION PURSUANT TO ORDER OF DISSOLUTION

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 accept the assets of Monroe Newpower Corporation pursuant to an order of dissolution, to include cash and capital equipment, with a book value of $9,720,059 into internal services fund 9020, and with a book value of $498,224 into capital fund 1812, as detailed in Attachment A.

Section 2. The County Executive, or her designee, is hereby authorized to accept the assignment of Monroe Newpower Corporation liabilities and commitments pursuant to an order of dissolution, to include accounts payable, purchase orders, and contracts for goods and services to be received, with a book value of $47,613, into internal services fund 9020, as detailed in Attachment B.

Section 3. The 2017 operating budget of the Department of Environmental Services is hereby amended by appropriating the sum of $487,613 into internal services fund 9020, funds center 8645020000, Iola Powerhouse for the payment of liabilities and commitments.

Section 4. Funding for these actions will be available in the 2017 operating budget of the Department of Environmental Services, general fund 9020, funds center 8645020000, Iola Powerhouse, once the MNP assets are accepted.

Section 5. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 17-

ADOPTION: Date: ___________ Vote: ___________

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _________ VETOED: _________

SIGNATURE: ___________________________ DATE: _______________________

EFFECTIVE DATE OF RESOLUTION: ____________________________