MEMORANDUM

TO: Legislators, Directors, Staff and Media

FROM: Jack Moffitt, Clerk of the Legislature

DATE: November 12, 2019

RE: Matter of Urgency – File Nos. 19-0311 through 19-0312

19-0311 Amend Resolution 178 of 2019, the Standard Work Day and Reporting Resolution for County Elected and Appointed Officials for Retirement Credit Purposes – As a Matter of Urgency – County Executive Cheryl Dinolfo


Per President Dr. Joe Carbone, 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 November 12, 2019 meeting of the Monroe County Legislature.

Attachments
November 12, 2019

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

Subject: Amend Resolution 178 of 2019, the Standard Work Day and Reporting Resolution for County Elected and Appointed Officials for Retirement Credit Purposes

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 178 of 2019, the Standard Work Day and Reporting Resolution for County Elected and Appointed Officials for Retirement Credit Purposes.

The purpose of the amendment is to update the reporting for current County Legislator Kara C. Halstead and former Legislators Mark S. Muoio and LaShay D. Harris. Legislator Halstead was appointed to represent the 18th District on April 12, 2019 with a term ending December 31, 2019. Former Legislator Muoio represented the 21st District and resigned on September 2, 2019. Former Legislator Harris represented the 27th District and resigned on April 29, 2019.

This action is required by the Compilation of Codes, Rules and Regulations of the State of New York, Title 2, Chapter VI, Part 315. The State regulations also require that the Clerk of the Legislature post the Resolution on the County’s website for thirty (30) days and file a certified copy of the Resolution with the Office of the State Comptroller within forty-five (45) days of its adoption.

The specific legislative action required is to amend Resolution 178 of 2019, the Standard Work Day and Reporting Resolution for County Elected and Appointed Officials for Retirement Credit Purposes.

This action 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,

Cheryl Dinolfo
Monroe County Executive

CD: cj
By Legislators Delechanty and Drawe

Intro. No. _____

RESOLUTION NO. _____ OF 2019

AMENDING RESOLUTION 178 OF 2019, STANDARD WORK DAY AND REPORTING RESOLUTION FOR COUNTY ELECTED AND APPOINTED OFFICIALS FOR RETIREMENT CREDIT PURPOSES

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

Section 1. Section 1 of Resolution 178 of 2019 is hereby amended to read as follows:

The County of Monroe hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

<table>
<thead>
<tr>
<th>Title</th>
<th>Name</th>
<th>Standard Work Day (Hrs/day)</th>
<th>Term Begins/Ends</th>
<th>Participates in Employer’s Time Keeping System (Y/N)</th>
<th>Days/Month (based on Record of Activities)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Elected Officials</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>County Executive</td>
<td>Cheryl Dinolfo</td>
<td>8</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>28.04</td>
</tr>
<tr>
<td>County Clerk</td>
<td>Adam Bello</td>
<td>8</td>
<td>1/2017-12/2020</td>
<td>N</td>
<td>22.29</td>
</tr>
<tr>
<td>District Attorney</td>
<td>Sandra Doorley</td>
<td>8</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>29.21</td>
</tr>
<tr>
<td>Sheriff</td>
<td>Todd K. Baxter</td>
<td>8</td>
<td>1/2018-12/2021</td>
<td>N</td>
<td>N/A*</td>
</tr>
<tr>
<td>County Legislator, 1st District</td>
<td>R. Edwin Wilt</td>
<td>6</td>
<td>1/2019-12/2019</td>
<td>N</td>
<td>9.06</td>
</tr>
<tr>
<td>County Legislator, 2nd District</td>
<td>Michael J. Rockow</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>6.14</td>
</tr>
<tr>
<td>County Legislator, 3rd District</td>
<td>Tracy DiPietro</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>10.58</td>
</tr>
<tr>
<td>County Legislator, 4th District</td>
<td>Frank X. Allkosfer</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>N/A*</td>
</tr>
<tr>
<td>County Legislator, 5th District</td>
<td>Karla Boicee</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>8.77</td>
</tr>
<tr>
<td>County Legislator, 6th District</td>
<td>Fred Ancello</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>7.83</td>
</tr>
<tr>
<td>County Legislator, 7th District</td>
<td>Brian Marianoetri</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>8.14</td>
</tr>
<tr>
<td>County Legislator, 8th District</td>
<td>Matthew Tern</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>5.47</td>
</tr>
<tr>
<td>County Legislator, 9th District</td>
<td>Debbie Drawe</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>11.61</td>
</tr>
<tr>
<td>County Legislator, 10th District</td>
<td>Howard S. Maffucci</td>
<td>6</td>
<td>1/2018-12/2019</td>
<td>N</td>
<td>N/A*</td>
</tr>
<tr>
<td>County Legislator, 11th District</td>
<td>Sean Delechaty</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>12.94</td>
</tr>
<tr>
<td>County Legislator, 12th District</td>
<td>Steve Brew</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>11.28</td>
</tr>
<tr>
<td>County Legislator, 13th District</td>
<td>John J. Howland</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>N/A*</td>
</tr>
<tr>
<td>County Legislator, 14th District</td>
<td>Justin F. Wilcox</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>4.1</td>
</tr>
<tr>
<td>County Legislator, 15th District</td>
<td>George J. Hebert</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>17.14</td>
</tr>
<tr>
<td>County Legislator, 16th District</td>
<td>Joseph L. Carbone</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>14.17</td>
</tr>
<tr>
<td>County Legislator, 17th District</td>
<td>Joseph D. Morelle, Jr.</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>6.39</td>
</tr>
<tr>
<td>County Legislator, 18th District</td>
<td>Fanya Creanley</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>43.33</td>
</tr>
<tr>
<td>County Legislator, 19th District</td>
<td>Kara C. Halstead</td>
<td>6</td>
<td>4/2019-12/2019</td>
<td>N</td>
<td>8.11</td>
</tr>
<tr>
<td>County Legislator, 20th District</td>
<td>Kathleen A. Taylor</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>N/A*</td>
</tr>
<tr>
<td>County Legislator, 21st District</td>
<td>Mike Zale</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>11.06</td>
</tr>
<tr>
<td>County Legislator, 22nd District</td>
<td>Mark S. Murolo</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>3.81</td>
</tr>
<tr>
<td>County Legislator, 23rd District</td>
<td>Vincent R. Felder</td>
<td>6</td>
<td>1/2016-12/2019</td>
<td>N</td>
<td>9.77</td>
</tr>
</tbody>
</table>
County Legislator, 23rd District | James M. Sheppard | 6 | 1/2016-12/2019 | N | N/A
County Legislator, 24th District | Joshua P. Bauerth | 6 | 1/2016-12/2019 | N | 12.44
County Legislator, 25th District | John Lightfoot | 6 | 1/2016-12/2019 | N | 10.6
County Legislator, 26th District | Tony Miscieche | 6 | 1/2016-12/2019 | N | 10.5
County Legislator, 27th District | LaShay D. Harris | 6 | 4/2016-12/2019 | N | 8.97
County Legislator, 28th District | Cynthia Kaleh | 6 | 1/2016-12/2019 | N | 19.35
County Legislator, 29th District | Ernest S. Flagler-Mitchell | 6 | 1/2016-12/2019 | N | 7.75

Appointed Officials
Legislative Counsel | Patrick Pardyjak | 6 | 1/2016-12/2019** | N | 2.53

* Elected Official/Legislator has opted out of receiving retirement credits to which he/she is entitled.
** Term is listed solely to comply with 2 NYCRR §315.4.

Section 2. The Clerk of the Legislature is hereby directed to post the Resolution on the County website for thirty (30) days after its adoption.

Section 3. The Clerk of the Legislature is hereby directed to file a certified copy of this Resolution with the Office of the State Comptroller within fifteen (15) days after the public posting period has ended.

Section 4. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 19-

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _______ VETOED: _______

SIGNATURE: ______________________ DATE: ______________________

EFFECTIVE DATE OF RESOLUTION: ______________________

Added language is underlined
Deleted language is striken
To the Honorable
Monroe County Legislature
407 County Office Building
Rochester NY, 14614

Subject: Enacting a Local Law entitled “Checks And Balances for Legislative Equality (CABLE) Act of 2019”

Honorable Legislators:

Periodically, it is the tradition of this Honorable Body to evaluate its powers and procedures to ensure that transparency and accountability are the foundation of Monroe County Government. As the Legislative branch of County government, it is imperative that we identify additional opportunities to provide the checks and balances the taxpayers demand.

The CABLE Act of 2019 will amend the Monroe County Charter and Administrative Code and enhance the Legislature’s oversight on County Operations and ensure that important decisions on contracts and how taxpayer dollars are spent are fully vetted through the Legislative process with the opportunity for input from Monroe County residents. For example, in 2014 when the last omnibus Charter Amendments were enacted, the threshold for Legislative approval of contracts was increased to $20,000 from $5,000 with an understanding that roughly six contracts would fall between those amounts. Today, that number is now over sixty contracts annually. The CABLE Act of 2019 will revert back to the original amount of $5,000 so the Legislature has oversight over those contracts each year.

As Monroe County transitions to its next County Executive, the CABLE Act of 2019 will amend the Monroe County Charter and Administrative Code to ensure for a smooth transition that will enable the Legislature's knowledge and experience to assist the new Administration.

The specific legislative action required is

1. Schedule and hold a Public Hearing on the proposed Local Law.

2. Enact a Local Law entitled “Checks And Balances for Legislative Equality (CABLE) Act of 2019.”

This 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,

Dr. Joe Carbone  
Monroe County Legislature  
President

Brian E. Marianetti  
Monroe County Legislature  
Majority Leader

R. Edwin Wilt  
Monroe County Legislature  
District 1

Mike Rockow  
Monroe County Legislature  
District 2

Tracy DiFlorio  
Monroe County Legislature  
District 3

Frank X. Allkofer  
Monroe County Legislature  
District 4

Karla F. Boyce  
Monroe County Legislature  
District 5

Fred Ancello  
Monroe County Legislature  
District 6

Matthew Terp  
Monroe County Legislature  
District 8

Debbie Drew  
Monroe County Legislature  
District 9

Sean M. Delehanty  
Monroe County Legislature  
District 11

Steve Brew  
Monroe County Legislature  
District 12

John J. Howland  
Monroe County Legislature  
District 13

George J. Hebert  
Monroe County Legislature  
District 15
By Legislators _____ and _______

Intro No. ____

LOCAL LAW NO. ____ OF 2019

LOCAL LAW ENTITLED "CHECKS AND BALANCES FOR LEGISLATIVE EQUALITY (CABLE) ACT OF 2019"

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

Section 1. The Monroe County Charter and Administrative Code are hereby amended to read as follows:

PART I CHARTER
Chapter C. CHARTER

Article II. County Legislature

§ C2-6. Powers and duties.

(7) To create and abolish positions in the classification, compensation plan and salary schedule established by the County Legislature, upon the recommendation of the County Executive, and to delegate such power to the County Executive to such extent and in such manner as shall be set forth in § A3-5 of the Administrative Code.


Added Language is underlined
Deleted Language isStrike through
PART I CHARTER
Chapter C. CHARTER

Article III Executive and Administrative Branch

§ C3-2 Powers and duties.

A. (11) As delegated by the County Legislature and set forth in § A5-5 of the Administrative Code, to create and abolish positions in the classification, compensation plan and salary schedule established by the County Legislature, within budgetary appropriations therefore adopted by the County Legislature.

Added Language is underlined
Deleted Language is strikethrough

§ C3-3 Communication between the County Legislature and the County Executive.


A. Requests for legitimate information allowed. The County Legislature, its committees and its members shall be entitled to request and obtain legitimate information on a County agency from the County Executive or from any County officer or agency head. Responses from the County Executive or any County officer or agency head shall be delivered to the Clerk of the County Legislature within thirty (30) days of the date of the written request.

Added Language is underlined
Deleted Language is strikethrough
PART I CHARTER
Chapter C. CHARTER

Article IV Financial Procedures

§ C4-2 Submission of annual budget.

A. Annual budget defined. On or before November 15, October 15, the County Executive shall submit to the County Legislature the proposed annual budget for the ensuing fiscal year, which budget shall include:


(1) The proposed operating budget, which shall contain all estimated expenditures and revenues for the fiscal year for operating purposes, payments due for debt service and that portion of expenditures for capital projects to be funded from current revenues.

[Amended 6-10-2014 by L. L. No. 2-2014]

(2) The proposed capital budget, as defined in § C4-11A of this Charter.

(3) A summary of the approved capital improvement program for the ensuing six years.

(4) Summaries of the budgets of the Monroe Community Hospital, the Monroe Community College and all authorized agencies for which funds are proposed to be appropriated.

(5) The budget message, as specified in § A6-10 of the Administrative Code.

Added Language is underlined
Deleted Language is stricken
PART I CHARTER
Chapter C. CHARTER

Article VI County Executive Departments/Offices/Bureaus

§ C6-3 Appointment of management staff within departments; County Executive as department head.

A. Appointment of management staff within departments. Within departments, department heads may appoint and dismiss, subject to the Civil Service Law of the State of New York, with the approval of the County Legislature, and other applicable law, deputy directors, division heads or administrators, other management staff and other personnel in accordance with County guidelines and procedures established from time to time.

B. County Executive as department head. The County Executive may, if authorized by the County Legislature, serve as the director or head of one or more of the departments or other agencies specified in this Article. Whenever so authorized, the County Executive shall appoint, with the approval of the County Legislature, a deputy director for such department or other agency.

Added Language is underlined
Deleted Language is strikethrough

§ C6-5 Department of Finance; Office of the Controller; Office of Management and Budget; Office of Financial Services.


E. Office of Financial Services. There shall be within the Department of Finance an Office of Financial Services, under the direction of the Director of Finance - Chief Financial Officer, which shall consist of the following divisions:

(3) Division of Purchasing and Central Services.

(a) Division established. Administrator. There shall be a Division of Purchasing and Central Services, the head of which shall be the Administrator of Purchasing and Central Services.

(b) Powers and duties. The Administrator of Purchasing and Central Services shall have the following powers and duties:

[1] To make all purchases of supplies, materials, equipment and services for the County.

[2] To contract, with the approval of the County Legislature, for all public work for the County.

[3] To contract for the rental or servicing of equipment for the County, in accordance with requirements for competitive bidding and advertising set forth in the Administrative Code or, in the absence of such code provisions, as set forth in applicable law.

[4] To purchase for civil divisions within the County, if approved by the County Legislature and the governing boards of such divisions, on such basis as may be mutually agreed upon.

[5] To sell any surplus supplies, materials or equipment, and to make such other sales as may be authorized by the County Legislature.

[6] To enter into and execute all contracts or other agreements necessary to carry out his or her duties hereunder, as authorized by the County Legislature, the County Executive or pursuant to the Administrative Code or other applicable law.

[7] To transfer supplies, materials and equipment among County departments, offices and other agencies, subject to the approval of the heads thereof and the County Executive.
To be responsible for the proper maintenance of all current inventories of supplies, materials and equipment owned or under the jurisdiction of the County, and to oversee the keeping of records and the operation of any storeroom or warehouse operated by the County.

To establish, provide or approve suitable specifications or standards for all supplies, materials, equipment, services and public work to be purchased for the County; to inspect all deliveries to determine their compliance with such specifications and standards; and to accept or reject such deliveries in accordance with the results of any inspection.

To invite or require competitive bidding before making any purchase or sale, in accordance with requirements therefor set forth in the Administrative Code or, in the absence of such code provisions, as set forth in applicable law.

To furnish supplies, materials, equipment, contractual services or public work to County departments, offices or other agencies only upon receipt of properly approved requisitions and only if an unencumbered appropriation sufficient to pay for the same is available.

To have charge over and supervise a central duplicating service, copying machines, a central mail room and such other central services as may be determined and assigned by the County Executive.

To provide information to Minority and Women Business Enterprises (MWBE) firms of upcoming construction, engineering and architectural services procurements, and report to the Legislature with an MWBE registration list annually.

[Added 6-10-2014 by L.L. No. 2-2014[1]]

[1] Editor's Note: This local law also renumbered former Subsection E(3)(b)[11] as Subsection E(3)(b)[13].

To require MWBE utilization plans for construction, engineering and architectural services prior to contract award.

[Added 6-10-2014 by L.L. No. 2-2014]

To perform such other duties as may be required by the Administrative Code and other laws.

§ C6-6 Department of Law.

B. Powers and duties. The County Attorney shall have the following powers and duties:


(1) To serve as the legal advisor for the County and, on its behalf in County matters, of its officers and agencies.

(2) To serve as legal advisor to the County Legislature.

(3) To advise all County officers and employees in all County matters of a legal nature and, where in the interests of the County, prepare all necessary papers and written instruments in connection therewith.

(4) To prosecute or defend all actions or proceedings of a civil nature by or against the County.

(5) To prepare resolutions, legislation, legalizing acts and local laws to be presented for action by the County Legislature, together with notices and other items in connection therewith.

(6) To represent petitioners in and upon request of Family Courts, pursuant to § 254 of the Family Court Act of the State of New York.

(7) To appear on behalf of and represent petitioners in proceedings instituted pursuant to the Uniform Support of Dependents Law, Article 3-A, Domestic Relations Law of the State of New York.
(8) To initiate and execute tax foreclosure proceedings.
(9) To appoint one or more Deputy County Attorneys, subject to the approval of the County Executive.
(10) To create divisions of the Department as required, with approval of the County Executive.
(11) Upon the approval of the County Legislature, retain outside counsel, when deemed necessary based upon his/her investigation and review of the facts and circumstances of a matter.
(12) [1]To perform such additional acts and related duties as may be prescribed by law, by the Administrative Code, by the County Executive or by resolution of the County Legislature.
[1] Editor's Note: Former Subsection B(11), regarding management of County real property holdings, was repealed 11-14-2000 by L.L. No. 6-2000, approved 12-12-2000.

Added Language is underlined
Deleted Language is striken

§ C6-20 Department of Environmental Services.

A. Department established; Director. There shall be a Department of Environmental Services, the head of which shall be the Director of Environmental Services.

B. Powers and duties. The Director shall have the following powers and duties:

(1) To be responsible for the development, operation and maintenance of all sewage treatment and disposal facilities and trunk sewer systems constructed by the County, including additions thereto.
(2) To make agreements with the various municipalities or districts to assume responsibility for the operation and maintenance of any existing treatment and disposal facilities, trunk lines and transmission lines and any additions thereto.
(3) To plan, operate services and develop the necessary regulations and powers relating to County facilities for flood control and drainage control.
(4) To be responsible for the planning, development, operation and maintenance of all solid waste handling facilities owned or contracted for by the County.
(5) To make agreements with the various municipalities or districts for the handling of solid waste.
(6) To manage resource recovery facilities in such a way as to maximize recycling and minimize the use of landfills.
(7) To create divisions of this Department as required, with approval of the County Executive.
(8) To provide technical engineering, design, land survey and architectural support when necessary to County departments, offices and agencies.
(9) To ensure that the materials used in the construction of County facilities meet quality specifications.
(10) [2]To operate and maintain the facilities of the County to meet current and future needs of County residents.
[Added 1-14-2003 by L.L. No. 6-2003, approved 1-30-2003[3]]
[2] Editor's Note: Former Subsection B(10), regarding management of County real property holdings, added 11-14-2000 by L.L. No. 6-2000, was repealed 6-10-2014 by L.L. No. 2-2014. This local law also renumbered former Subsection B(11) through (14) as Subsection B(10) through (13), respectively.
[3] Editor's Note: Section 3 of this local law was subject to permissive referendum. No valid petition requesting same was filed as of 3-31-2003.
(11) To be responsible for the design, construction, maintenance, alterations, renovations, and operation of all county buildings, grounds and equipment to meet current and future needs of county residents.

(12) To develop and implement, with the approval of the County Legislature, the most effective and efficient management methods for maintenance, distribution and replacement of rolling stock motor equipment owned and leased by the county for purposes of providing county services.
[Added 1-14-2003 by L.L. No. 6-2003, approved 1-30-2003]

(13) To perform such other duties as may be required by the Administrative Code and other laws.

Added Language is underlined
Deleted Language is struck thorough
Part II ADMINISTRATIVE CODE

Chapter A. ADMINISTRATIVE CODE

Part 2. Legislature and Executive

Article V. County Executive

§ A5-5 Delegation to County Executive of power to create and abolish positions.
In accordance with the provisions of § C2-6C(7) and § C3-2A(11) of the County Charter, the County Executive is delegated the power to create and abolish positions in the classification, compensation plan and salary schedule established by the County Legislature in group 15 and below and within budgetary appropriations theretofore adopted by the County Legislature. [Intentionally omitted]

§ A5-6. Delegation to County Executive and President of Legislature power to authorize, enter into and execute agreements and contracts.
[Amended 9-8-1998 by L.L. No. 3-1998, Editor’s Note: This local law was subject to permissive referendum. No valid petition requesting same was filed as of 11-16-1998, approved 10-1-1998]

A. Except as set forth in Subsection B below and in accordance with the provisions of § C2-6C(13) and § C3-2A(17) of the County Charter and within budgetary appropriations adopted by the County Legislature, the County Executive is delegated the power to authorize, enter into and execute any agreement or contract on behalf of the County for goods and services where the total consideration thereof is $20,000 $5,000 or less and any lease, rental, occupancy or other agreement for space needed for County activities for a term or terms not to exceed five years.
[Amended 6-10-2014 by L. L. No. 2-2014]

B. In accordance with provisions of § C2-6C(13) and § C2-4B(10) of the County Charter, the President of the Legislature is delegated the power to authorize, enter into and execute any agreement or contract on behalf of the County for the operation of the County Legislature, its staff and committees, and for goods and services where the total consideration thereof is $5,000 or less.

Added Language is underlined
Deleted Language is stricken
§ 25-2 Responsibilities of Purchasing Manager; public bidding procedures.

A. The County Purchasing Manager shall be responsible for ensuring that all purchase contracts and public works contracts administered by the Division of Purchasing are made in accordance with requirements of all public purchasing and other contract laws.

B. In connection with the performance of his/her powers and duties as set forth in the Monroe County Charter, the Purchasing Manager shall:

   (1) Act to procure for the county the highest quality supplies and services at the least expense to the county.
   (2) Establish uniform specifications for the county so that volume discounts may be obtained where practical.
   (3) Endeavor to obtain as full and open competition as possible on all purchases and sales.
   (4) Prescribe rules and procedures for the uniform procurement of supplies and service for the county.

C. Except as otherwise provided in the Monroe County Charter or Administrative Code or by law, it shall be unlawful for any county official or employee of any county agency, except for persons under the direct supervision and control of the Purchasing Manager, or to whom he has delegated such authority, to order the purchase of or enter into a purchase contract for any materials, supplies, equipment or apparatus or related services.

D. Public bids shall be required, received and read in accordance with all provisions of law. Advertisements for public bids shall be made in an official newspaper designated by the County Legislature.

E. Award of purchase contracts which result from public bids shall be made to the lowest responsive and responsible bidder in accordance with the requirements of the General Municipal Law. Award of public works contracts and equipment leases which result from public bids shall be made, with the approval of the County Legislature, to the lowest responsive and responsible bidder in accordance with the requirements of the General Municipal Law. In cases where two or more responsible bidders submit identical bids as to price, and all other terms and conditions are identical, preference may be given to a bidder whose place of business is within Monroe County. Otherwise, award may be made by drawing lots, or by whatever other method is deemed appropriate by the Purchasing Manager, or all bids may be rejected and new bids sought by readvertisement.

F. In the absence of public bidding requirements, all purchase contracts and public works contracts shall, wherever feasible and cost effective, be based on at least three competitive quotations and shall be awarded to the lowest responsive and responsible bidder. The Purchasing Manager may solicit quotations by such method or methods, including direct mail and telephone, as he/she shall deem suitable.

G. In the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of the county require immediate action which cannot await competitive bidding, purchase contracts or public works contracts may be let without such competitive bidding upon certification by the county official requesting the emergency purchase or public work contract using procedures promulgated by the Purchasing Manager and approved by the County Attorney.
H. In accordance with the General Municipal Law, the Purchasing Manager may, with the approval of the County Legislature, enter into a purchase contract with a single supplier without carrying out public bidding procedures if the supplier receives designation as a sole source vendor under procedures promulgated by the Purchasing Manager and approved by the County Attorney.

I. In accordance with § 408-a of the County Law, the Purchasing Manager is authorized to include a provision in any county contract which permits purchases under such contract by any political subdivision, fire company or district located in whole or in part in Monroe County; provided, however, that the political subdivision, fire company or district accepts sole responsibility for any payment to the vendor.

Added Language is underlined
Deleted Language is striken

Section 2. 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.

Section 3. 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.

Matter of Urgency
File No. 19-0XXX

ADOPTION: Date: ____________, 2019       Vote: ________

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _________    VETOED: _______

SIGNATURE: __________________________    DATE: __________

EFFECTIVE DATE OF LOCAL LAW: _______________________

Added Language is underlined
Deleted Language is striken