

By Legislator Daniele and Legislator O'Brien

Intro. No. 271

RESOLUTION NO. 203 OF 2012

IN MEMORIAM

EXPRESSING REGRET OF THE MONROE COUNTY LEGISLATURE ON THE RECENT PASSING OF RETA BAUCH COLBY

BE IT RESOLVED, that the Monroe County Legislature hereby expresses its deep sympathy at the recent passing of Reta Colby, mother of Monroe County Legislator Robert J. Colby;

WHEREAS, Reta Colby, passed away at age 83 on Saturday, July 14, 2012; and

WHEREAS, Reta received her Bachelor's degree during a time when it was rare for women to attend college. She valued education and insisted her children attend college. After she graduated, Reta worked as a buyer for Sibley's Department Store; and

WHEREAS, She traveled the world with her husband, going everywhere from a Mississippi River Cruise, to touring New Zealand, Europe and Australia. When they were not traveling, she served as a silent advisor to her husband, the Honorable James Colby, when he held public office; and

WHEREAS, Reta, was a beloved wife, mother, and grandmother as well as a caring and well-respected friend and valued member to the community; and

WHEREAS, Reta was predeceased by her husband, the Honorable James A. Colby and her twin sister, Ruth Holman. She is survived by her sister Marie, her children, Jean, Charles, Richard, and Robert, and her grandchildren, Margarita, Chadwick, Camille, Scott, Marc, Sarah, James, and Alexander, and many nieces, nephews, cousins, and friends; and

WHEREAS, Reta, known to her family as a "spirit of fun," will long be remembered for her selflessness, her Sunday dinners and secret recipes, and above all else, her love for her family; and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature is hereby requested to forward a copy of this resolution to the bereaved family.

This resolution was adopted unanimously with each legislator rising in his or her place for a moment of silence.

File No. 12-0232

By Legislators Daniele and O'Brien

Intro. No. 272

RESOLUTION NO. 204 OF 2012

IN MEMORIAM

EXPRESSING REGRET OF THE MONROE COUNTY LEGISLATURE ON THE RECENT PASSING OF PRIVATE FIRST CLASS THEODORE GLENDE

BE IT RESOLVED, that the Monroe County Legislature hereby expresses its deep sympathy at the recent passing of Theodore Glende, Private First Class Soldier of the First Battalion, 503rd Infantry Regiment, 173rd Airborne Brigade Combat Team; and

WHEREAS, Theodore was twenty-three years old and a life-long resident of Rochester, NY. He attended McQuaid Jesuit High School in Brighton and graduated with the class of 2007; and

WHEREAS, While serving on a tour in Kharwar in eastern Afghanistan, Theodore's unit came under the attack of small arms fire and a fellow soldier was injured. Theodore immediately rushed to help him, returning fire; and

WHEREAS, Theodore was providing medical care to his injured comrade when his life was ended, but not before saving the lives of the other soldiers in his unit; and

WHEREAS, The selfless actions of Theodore Glende saved five other lives that day. He made the ultimate sacrifice, not only to the other members of his unit, but to his country as well; and

WHEREAS, Theodore will be greatly missed by his wife, Alexandra, his family and friends, and by his fellow soldiers; and

WHEREAS, Theodore will always be remembered for his loyalty, dedication, service and love for his country; and above all, he will be remembered as a hero: one who gave his life so that others may live.

BE IT FURTHER RESOLVED, that the Clerk of the Legislature is hereby requested to forward a copy of this resolution to the bereaved family.

This resolution was adopted unanimously with each legislator rising in his or her place for a moment of silence.

File No. 12-0233

By Legislators Valerio and Yolevich

Intro. No. 273

MOTION NO. 61 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 266 OF 2012) ENTITLED "APPROVING MONROE COMMUNITY COLLEGE'S 2012-2013 OPERATING BUDGET," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 266 of 2012), entitled "APPROVING MONROE COMMUNITY COLLEGE'S 2012-2013 OPERATING BUDGET," be lifted from the table.

File No. 12-0221

ADOPTION: Date: August 14, 2012 Vote: 29-0

By Legislators Valerio and Yolevich

Intro. No. 274

MOTION NO. 62 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 266 OF 2012), ENTITLED "APPROVING MONROE COMMUNITY COLLEGE'S 2012-2013 OPERATING BUDGET," BE ADOPTED

BE IT MOVED, that Resolution (Intro. No. 266 of 2012), entitled "APPROVING MONROE COMMUNITY COLLEGE'S 2012-2013 OPERATING BUDGET," be adopted.

File No. 12-0221

ADOPTION: Date: August 14, 2012 Vote: 29-0

By Legislators Valerio and Yolevich

Intro. No. 266

RESOLUTION NO. 205 OF 2012

APPROVING MONROE COMMUNITY COLLEGE'S 2012-2013 OPERATING BUDGET

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

Section 1. The operating budget for the fiscal year September 1, 2012 through August 31, 2013, in the amount of \$123,309,000, with a sponsor contribution by the County of Monroe in the amount of \$18,380,000, is hereby approved.

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

Matter of Urgency
File No. 12-0221

ADOPTION: Date: August 14, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Magie Brooks DATE: 8/21/12
EFFECTIVE DATE OF RESOLUTION: 8/21/12

By Legislators Hanna and Yolevich

Intro. No. 275

RESOLUTION NO. 206 OF 2012

AMENDING RESOLUTION 222 OF 2009 TO ACCEPT ADDITIONAL FUNDING FROM NEW YORK STATE OFFICE OF VICTIM SERVICES FOR SHERIFF'S VICTIM ASSISTANCE PROGRAM

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

Section 1. Section 1 of Resolution 222 of 2009 is hereby amended to read as follows:

The County Executive, or her designee, is hereby authorized to accept a \$741,562 ~~\$554,812~~ grant from, and to execute a contract and any amendments thereto with, the New York State Office of Victim Services ~~New York State Crime Victims Board~~, for the Sheriff's Victim Assistance Program, for the period of October 1, 2009 through September 30, 2012 ~~2013~~.

Section 2. The 2012 operating grant budget of the Office of the Sheriff is hereby amended by appropriating the sum of \$17,158 into fund 9300, funds center 3803110000, Victim Assistance Program.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Public Safety Committee; July 25, 2012 - CV: 6-0
Ways and Means Committee; July 25, 2012 - CV: 10-0
File No. 12-0224

ADOPTION: Date: August 14, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Maggie Mads DATE: 8/21/12

EFFECTIVE DATE OF RESOLUTION: 8/21/12

Added language is underlined.
Deleted language is ~~stricken~~.

By Legislators Hanna and Yolevich

Intro. No. 276

RESOLUTION NO. 207 OF 2012

ACCEPTING GRANT FROM NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR CRITICAL INFRASTRUCTURE GRANT PROGRAM

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 a \$100,000 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Homeland Security and Emergency Services, for the Critical Infrastructure Grant Program, for the period of May 4, 2012 through July 31, 2013.

Section 2. The 2012 operating grant budget of the Department of Public Safety is hereby amended by appropriating the sum of \$100,000 into fund 9300, funds center 2408030100, Office of Emergency Management.

Section 3. The County Executive is hereby authorized to reappropriate any unencumbered balances during the grant period according to the grantor requirements and to make any necessary funding modifications within grant guidelines to meet contractual requirements.

Section 4. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreement affecting such positions.

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

Public Safety Committee; July 25, 2012 - CV: 7-0
Ways and Means Committee; July 25, 2012 - CV: 10-0
File No. 12-0225

ADOPTION: Date: August 14, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____
SIGNATURE: Margo Marks DATE: 8/21/12
EFFECTIVE DATE OF RESOLUTION: 8/21/12

By Legislators Yolevich and Gumina

Intro. No. 277

RESOLUTION NO. 208 OF 2012

AUTHORIZING CONTRACT WITH PHOENIX BUSINESS CONSULTING, INC. FOR CONSULTING SERVICES FOR SAP PRODUCTION SUPPORT SERVICES

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 execute a contract, and any amendments thereto, with Phoenix Business Consulting, Inc., for consulting services in connection with SAP production support services, for a total amount not to exceed \$175,000, for the period of September 1, 2012 through August 31, 2013, with the option to renew for two (2) additional one-year terms, in a total amount not to exceed \$175,000 per year.

Section 2. Funding for this contract is included in the 2012 operating budget of the Department of Information Services, fund 9020, funds center 1902010000, County-wide Lease and Maintenance, and will be requested in future years' budgets.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Ways and Means Committee; July 25, 2012 - CV: 10-0
File No. 12-0227

ADOPTION: Date: August 14, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Magic Knobe DATE: 8/21/12

EFFECTIVE DATE OF RESOLUTION: 8/21/12

By Legislators Hanna and Yolevich

Intro. No. 278

RESOLUTION NO. 209 OF 2012

AUTHORIZING CONTRACT WITH NEW YORK STATE DEFENDERS ASSOCIATION TO PROVIDE CONTINUED MAINTENANCE AND SOFTWARE SUPPORT FOR PUBLIC DEFENSE CASE MANAGEMENT SYSTEM

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 execute a contract, and any amendments thereto, with the New York State Defenders Association, to provide maintenance and software support for the Public Defense Case Management System, in an amount not to exceed \$25,000, for the period of August 1, 2012 to July 31, 2013, with the option to renew for three (3) additional one-year terms, in annual amounts not to exceed \$25,000 per year.

Section 2. Funding for this contract is included in the 2012 operating budget of the Public Defender's Office, fund 9001, funds center 2601010000, PD Administration, and will be requested in future years' budgets.

Section 3. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Public Safety Committee; July 25, 2012 - CV: 7-0
Ways and Means Committee; July 25, 2012 - CV: 10-0
File No. 12-0228

ADOPTION: Date: August 14, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Margie Brooks DATE: 8/21/12

EFFECTIVE DATE OF RESOLUTION: 8/21/12

By Legislators Howland, Gumina and Yolevich

Intro. No. 279

MOTION NO. 63 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 255 OF 2012), ENTITLED "AMENDING RESOLUTION 155 OF 2011 TO INCREASE AMOUNT OF AN INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER; AUTHORIZING CONTRACTS WITH PARAGON ENVIRONMENTAL CONSTRUCTION, INC. AND BLACKMON-FARRELL, INC. FOR CONSTRUCTION SERVICES FOR MONROE COUNTY MULTI-AGENCY GREEN FUELING STATIONS PROJECT," BE LIFTED FROM THE TABLE

BE IT MOVED, that Resolution (Intro. No. 255 of 2012), entitled "AMENDING RESOLUTION 155 OF 2011 TO INCREASE AMOUNT OF AN INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER; AUTHORIZING CONTRACTS WITH PARAGON ENVIRONMENTAL CONSTRUCTION, INC. AND BLACKMON-FARRELL, INC. FOR CONSTRUCTION SERVICES FOR MONROE COUNTY MULTI-AGENCY GREEN FUELING STATIONS PROJECT," be lifted from the table.

File No. 12-0212

ADOPTION: Date: August 14, 2012 Vote: 29-0

By Legislators Howland, Gumina and Yolevich

Intro. No. 280

MOTION NO. 64 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 255 OF 2012), AS AMENDED, ENTITLED "AMENDING RESOLUTION 155 OF 2011 TO INCREASE AMOUNT OF AN INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER; AUTHORIZING CONTRACTS WITH PARAGON ENVIRONMENTAL CONSTRUCTION, INC. AND BLACKMON-FARRELL, INC. FOR CONSTRUCTION SERVICES FOR MONROE COUNTY MULTI-AGENCY GREEN FUELING STATIONS PROJECT," BE ADOPTED

BE IT MOVED , that Resolution (Intro. No. 255 of 2012), AS AMENDED, entitled "AMENDING RESOLUTION 155 OF 2011 TO INCREASE AMOUNT OF AN INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER; AUTHORIZING CONTRACTS WITH PARAGON ENVIRONMENTAL CONSTRUCTION, INC. AND BLACKMON-FARRELL, INC. FOR CONSTRUCTION SERVICES FOR MONROE COUNTY MULTI-AGENCY GREEN FUELING STATIONS PROJECT," be adopted.

File No. 12-0212

ADOPTION: Date: August 14, 2012 Vote: 29-0

By Legislators Howland and Tucciarello

Intro. No. 281

MOTION NO. 65 OF 2012

PROVIDING THAT INTRO. NO. 255, OF 2012 BE AMENDED

Be It Moved, that Intro No. 255, Section 2, be amended as follows:

2. The County Executive, or her designee, is hereby authorized to execute a contract with ~~Paragon Environmental Construction, Orchard Earth & Pipe Corporation~~, in the amount of ~~\$5,152,680~~ \$5,184,300, for general construction, for Monroe County Multi-Agency Green Fueling Stations Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

File No. 12-0212

Added language is underlined.

Deleted language is ~~stricken~~.

ADOPTION: Date: August 14, 2012

Vote: 29-0

By Legislators Howland, Gumina and Yolevich

Intro. No. 255

RESOLUTION NO. 210 OF 2012
(AS AMENDED BY MOTION NO. 65 OF 2012)

AMENDING RESOLUTION 155 OF 2011 TO INCREASE AMOUNT OF AN INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER; AUTHORIZING CONTRACTS WITH ORCHARD EARTH & PIPE CORPORATION AND BLACKMON-FARRELL, INC. FOR CONSTRUCTION SERVICES FOR MONROE COUNTY MULTI-AGENCY GREEN FUELING STATIONS PROJECT

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

Section 1. Resolution 155 of 2011 is hereby amended to increase the amount of the intermunicipal agreement with the City of Rochester, for the Monroe County Multi-Agency Green Fueling Stations Project, in the amount of \$750,000, from \$3,000,000, for a total authorization of \$3,750,000.

Section 2. The County Executive, or her designee, is hereby authorized to execute a contract with Orchard Earth & Pipe Corporation, in the amount of \$5,184,300, for general construction, for the Monroe County Multi-Agency Green Fueling Stations Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 3. The County Executive, or her designee, is hereby authorized to execute a contract with Blackmon-Farrell, Inc., in the amount of \$431,710, for electrical construction, for the Monroe County Multi-Agency Green Fueling Stations Project, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 4. Funding for this project, consistent with authorized uses, is included in capital fund 1551 and any capital fund(s) created for the same intended purpose.

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

Environment and Public Works Committee; June 27, 2012 – CV: 7-0
Intergovernmental Relations Committee; June 27, 2012 – CV: 5-0
Ways and Means Committee; June 27, 2012 - CV: 11-0
File No. 12-0212

ADOPTION: Date: August 14, 2012 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X VETOED: _____

SIGNATURE: Magie Marks DATE: 8/21/12

EFFECTIVE DATE OF RESOLUTION: 8/21/12

By Legislators Howland, Gumina and Yolevich

Intro. No. 282

MOTION NO. 66 OF 2012

PROVIDING THAT RESOLUTION (INTRO. NO. 258 OF 2012), ENTITLED "RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,950,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF DESIGN AND CONSTRUCTION OF ALTERNATIVE-FUEL DISPENSING STATIONS AS PART OF THE MONROE COUNTY MULTI-AGENCY GREEN FUELING STATIONS PROJECT IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$6,950,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON MAY 10, 2011 (RESOLUTION NO. 156 OF 2011)," BE LIFTED FROM THE TABLE

BE IT MOVED , that Resolution (Intro. No. 258 of 2012), entitled "RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,950,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF DESIGN AND CONSTRUCTION OF ALTERNATIVE-FUEL DISPENSING STATIONS AS PART OF THE MONROE COUNTY MULTI-AGENCY GREEN FUELING STATIONS PROJECT IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$6,950,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON MAY 10, 2011 (RESOLUTION NO. 156 OF 2011)," be lifted from the table.

File No. 12-0212.br

ADOPTION: Date: August 14, 2012 Vote: 29-0

By Legislators Howland, Gumina and Yolevich

Intro. No. 283

MOTION NO. 67 OF 2012

PROVIDING THAT RESOLUTION (INTRO NO. 258 OF 2012) AUTHORIZING THE ISSUANCE OF \$6,950,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF DESIGN AND CONSTRUCTION of ALTERNATIVE-FUEL DISPENSING STATIONS AS PART OF THE MONROE COUNTY MULTI-AGENCY GREEN FUELING STATIONS PROJECT IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$6,950,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON MAY 10, 2011 (RESOLUTION NO. 156 OF 2011),” BE ADOPTED

BE IT MOVED , that Resolution (Intro. No. 258 of 2012), entitled “AUTHORIZING THE ISSUANCE OF \$6,950,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF DESIGN AND CONSTRUCTION of ALTERNATIVE-FUEL DISPENSING STATIONS AS PART OF THE MONROE COUNTY MULTI-AGENCY GREEN FUELING STATIONS PROJECT IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$6,950,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON MAY 10, 2011 (RESOLUTION NO. 156 OF 2011),” be adopted.

File No. 12-0212

ADOPTION: Date: August 14, 2012 Vote: 29-0

By Legislators Howland, Gumina and Yolevich

Intro. No. 258

RESOLUTION NO. 211 OF 2012

SUPERSEDING BOND RESOLUTION DATED AUGUST 14, 2012

RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,950,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF DESIGN AND CONSTRUCTION OF ALTERNATIVE-FUEL DISPENSING STATIONS AS PART OF THE MONROE COUNTY MULTI-AGENCY GREEN FUELING STATIONS PROJECT IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$6,950,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON MAY 10, 2011 (RESOLUTION NO. 156 OF 2011)

NOW, THEREFORE, BE IT RESOLVED BY THE AFFIRMATIVE VOTE OF **NOT LESS THAN TWO-THIRDS OF THE TOTAL VOTING STRENGTH** OF THE LEGISLATURE OF THE COUNTY OF MONROE, NEW YORK, as follows:

Section 1. For the class of objects or purposes of financing the cost of the design and construction of alternative-fuel dispensing stations as part of the Monroe County Green Fueling Stations Project, consisting of alternative-fueling dispensing stations dispensing alternative fuel, such as E-85, E-20, Bio-Diesel, Compressed Natural Gas (CNG), propane, and hydrogen, in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$6,950,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of an additional \$1,636,000 to pay the cost of the aforesaid class of objects or purposes (\$5,314,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is fifteen (15) years, pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law based, in part, on the determination by Jason R. Kennedy, P.E., that the useful life of the aforesaid alternative fuel dispensing stations will be at least fifteen years.

Section 2. The maximum estimated cost thereof is determined to be \$6,950,000, and the plan for the financing thereof is by the issuance of \$6,950,000 bonds of the County herein authorized; provided, however, that to the extent any State and/or Federal aid and/or grant is received for the aforesaid purpose, such aid and/or grant shall be used to redeem any outstanding indebtedness incurred for such purpose or shall be applied, dollar for dollar, to reduce the amount of bonds to be issued for such purpose.

Section 3. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance-Chief Financial Officer, the chief fiscal officer of the County under the Local Finance Law. The Director of Finance-Chief Financial Officer may sell such bonds or notes at public or private sale, at a discount or premium, at fixed or variable rates of interest or at no interest whatsoever, or as capital appreciation bonds, and with such amortization of principal as the Director of Finance-Chief Financial Officer shall determine is

most favorable to the County, and in compliance with any rules of the State Comptroller applicable thereto. Such bonds or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance-Chief Financial Officer, consistent with the provisions of the Local Finance Law. The Director of Finance-Chief Financial Officer may, in the event it is determined to issue variable rate bonds or notes, enter into such agreements as said officer finds reasonable to facilitate the issuance, sale, resale and repurchase of such bonds or notes, as authorized under Section 54.90 of the Local Finance Law. The Director of Finance-Chief Financial Officer is also authorized to enter into such agreements and take such other action as may be necessary or appropriate and lawful to assure that, to the extent possible, (i) interest on the bonds and notes authorized hereby will not be includable in the gross income, for federal income tax purposes, of the recipients thereof, and (ii) to enable the purchaser thereof to comply with Securities and Exchange Commission Rule 15c2-12. The Director of Finance-Chief Financial Officer is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for such bonds or notes, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

Section 5. All other matters, except as provided herein, relating to such bonds or notes, including prescribing whether manual or facsimile signatures shall appear on said bonds or notes, prescribing the method for the recording of ownership of said bonds or notes, appointing the fiscal agent or agents for said bonds or notes, providing for the printing and delivery of said bonds or notes (and if said bonds or notes are to be executed in the name of the County by only facsimile signatures, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, form, denominations, maturities, interest rate or rates, terms of and manner of sale and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Director of Finance-Chief Financial Officer. The Director of Finance-Chief Financial officer may elect to become the fiscal agent for the bonds or notes, or may contract on behalf of the County for this service pursuant to the Local Finance Law. Such bonds or notes shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 52.00 of the Local Finance Law, as the Director of Finance-Chief Financial Officer shall determine.

Section 6. The validity of such bonds and bond anticipation notes, as authorized by this resolution or as authorized by any resolution which this resolution supersedes, may be contested only if:

- 1) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or

- 3) such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution shall supersede Resolution No. 156 of 2011, being a bond resolution dated May 10, 2011 except to the extent that any indebtedness shall have already been contracted or encumbrances made thereunder. The purpose of this superseding bond resolution is to effect the following: to increase the maximum estimated cost of the purpose and to increase the amount of the bonds to be issued therefor from \$5,314,000 to \$6,950,000.

Section 8. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter and the Clerk of the Legislature is hereby authorized and directed to cause this resolution or a summary hereof to be published, together with a notice attached in substantially the form and in the manner provided by Section 81.00 of the Local Finance Law.

Environment and Public Works Committee; June 27, 2012 - CV: 7-0
Intergovernmental Relations Committee; June 27, 2012 - CV: 5-0
Ways and Means Committee; June 27, 2012 - CV: 11-0
File No. 12-0212.br

ADOPTION: Date: August 14, 2012

Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: X

VETOED: _____

SIGNATURE: Maggie Brock DATE: 8/21/12

EFFECTIVE DATE OF RESOLUTION: 8/21/12