

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARDS OF
GATES-CHILI-OGDEN SEWER DISTRICT;
IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT;
NORTHWEST QUADRANT PURE WATERS DISTRICT; AND
ROCHESTER PURE WATERS DISTRICT

Intro. No. G2; I2; N3; R2

RESOLUTION NO. 23G-002; 23I-002; 23N-003; 23R-002 OF 2023

**AUTHORIZING CONTRACTS WITH ATLANTIC TESTING LABORATORIES, LTD. AND
CME ASSOCIATES INC. FOR MATERIAL TESTING TERM SERVICES**

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 ROCHESTER PURE WATERS DISTRICT, as follows:

Section 1. The County Executive, or his designee, is hereby authorized to execute contracts, and amendments thereto, with Atlantic Testing Laboratories, Ltd. and CME Associates Inc., for material testing term services for a total annual amount not to exceed \$200,000 for the period of January 1, 2024 through December 31, 2024, with the option to renew for two (2) additional one-year extensions, with escalations for the extensions to be limited to an amount equal to the increase in the previous year's Consumer Price Index (U.S. City Average CPI-U from the Bureau of Labor Statistics).

Section. 2 Funding for these services, consistent with authorized uses, is included in various capital fund(s) and any capital fund(s) created for the same intended purpose.

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

File No. 23-0321

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARDS OF
GATES-CHILI-OGDEN SEWER DISTRICT;
IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT;
NORTHWEST QUADRANT PURE WATERS DISTRICT; AND
ROCHESTER PURE WATERS DISTRICT

Intro. No. G3; I3; N4; R3

RESOLUTION NO. 23G-003; 23I-003; 23N-004; 23R-003 OF 2023

**AUTHORIZING CONTRACT WITH PARADIGM ENVIRONMENTAL SERVICES, INC. AND
ATLANTIC TESTING LABORATORIES, LTD. FOR PROFESSIONAL ENVIRONMENTAL
TESTING TERM SERVICES**

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 ROCHESTER PURE WATERS DISTRICT, as follows:

Section 1. The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, with Paradigm Environmental Services, Inc. and Atlantic Testing Laboratories, Ltd. for environmental testing term services in a total annual amount not to exceed \$300,000 for the period of January 1, 2024 through December 31, 2024, with the option to renew for two (2) additional one-year extensions, with escalations for the extensions to be limited to an amount equal to the increase in the previous year's Consumer Price Index (U.S. City Average CPI-U from the Bureau of Labor Statistics).

Section 2. Funding for this contract, consistent with authorized uses, is included in various capital funds and any capital fund(s) created for the same intended purpose.

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

File No. 23-0323

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARD OF THE
ROCHESTER PURE WATERS DISTRICT

Intro. No. R4

**ESTABLISHING SCALE OF CHARGES FOR ROCHESTER PURE WATERS DISTRICT, COUNTY
SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK**

WHEREAS, the Administrative Board of the Rochester Pure Waters District has, pursuant to §266 of the County Law of the State of New York, established a scale of charges for the operation and maintenance of facilities of the District and setting proportionate factors of surcharge for the treatment of industrial wastes and sewerage received by the District; and

WHEREAS, the Administrative Board of the Rochester Pure Waters District has, pursuant to §266 of the County Law of the State of New York and Resolution No. 502 of 1971, as amended by Resolution No. 337 of 1974, called a public hearing, said hearing having been held on the ___ day of December, 2023, at ___ p.m. ET.

NOW, THEREFORE, BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE ROCHESTER PURE WATERS DISTRICT, as follows:

Section 1.

SCALE OF CHARGES

These Scales of Charges shall be effective commencing January 1, 2024.

ROCHESTER PURE WATERS DISTRICT
Operation and Maintenance Charge

\$2.75 per 1,000 Gallons of water consumption (see Notes 1-3).

CHARGES FOR RPWD ZONE 2: No Charge - Operation and Maintenance not provided.

1. This charge is based upon recent historic water consumption reflecting normal domestic waste water. It will be adjusted for industrial and commercial users based on the quality of sewage and additional cost of treatment.
2. This charge is subject to change based on financial obligations of the District.
3. This charge will be included in the 2024 County Tax Bill as a user charge. Accounts for which water consumption has not been calculated by November 1, 2023 will be billed at 60,000 gallons per unit for the user charge separately commencing January 1, 2024. All such bills unpaid as of October 1st will be transferred to the County Tax Rolls.
4. In-District and out-of-District agreements may be developed based on but not limited to loadings placed on the total sewerage systems pursuant to the Monroe County Sewer Use Law.

NEW USER CONNECTION FEES

The charges for regulating, permitting and connecting to a public sanitary sewer within the District are based on

average costs incurred by the District for such new connections.

The proposed fee schedule for new connections is as follows:

Rochester Pure Waters District:

\$300.00 per connection – residential *

\$400.00 per connection – non-residential *

* For the RPWD a storm and sanitary sewer connection will be considered one connection when made at the same time.

SEWER SURCHARGE - APPLICABLE TO ALL DISTRICTS

The owner or lessee of any parcel of real property connected with the District's Sewerage System and discharging any sewage, industrial wastes or other wastes containing acceptable pollutants imparting characteristics that exceed the maximum values established for normal sewage shall be surcharged. The surcharge reimburses the District for increased cost of treating said effluent. The charge shall be arrived at by multiplying the charge for normal sanitary sewage by the surcharge factor. The formula for finding the surcharge factor is as follows:

$$\text{S.F.} = \frac{a(\text{BOD}-300)}{300} + \frac{b(\text{SS}-300)}{300} + \frac{d(\text{P}-10)}{10}$$

Definitions:

- S.F. = Surcharge Factor.
BOD = Milligrams per liter of Biochemical Oxygen Demand, as defined in Section 2.12 of the Monroe County Sewer Use Law.
SS = Milligrams per liter of Suspended Solids, as defined in Section 2.55 of the Monroe County Sewer Use Law.
P = Milligrams per liter of Phosphorus, as defined in Section 2.33 of the Monroe County Sewer Use Law.
a = Proportionate cost to treat a lb. of Biochemical Oxygen Demand (BOD) and is established at 0.470.
b = Proportionate cost to treat a lb. of Suspended Solids (SS) and is established at 0.505.
d = Proportionate cost to treat a lb. of Phosphorus (P) and is established at 0.025.

OTHER CHARGES - WHERE APPLICABLE

A. Application Fees for Licenses or Permits under the Sewer Use Law

- | | | |
|-----|---|----------|
| (1) | Initial Application for License or Permit (3 Year) | \$125.00 |
| (2) | Renewal License or Permit Applications (3 Year) | \$75.00 |
| (3) | Initial or Renewal Application for Scavenger Waste Permit where application is licensed under Environmental Conservation Law Section 27-0301 of New York State | \$30.00 |
| (4) | Specialty Short Term Discharge Permit (Note – permit issued with no fee for wastewater transported to treatment plants. Permit fees already recovered in disposal fee) | \$125.00 |

B. Septic Tank Hauling Rates

| | |
|---|-----------------------|
| Charge for Scavenger Waste (Based on Truck Capacity) | \$44.00/1,000 gallons |
|---|-----------------------|

C. **Disposal of Vector Spoils**

| | | |
|-----|---|--------------------|
| (1) | Charge for disposal of Vector Spoils (Cu. Yds.) Based on half of vehicle Capacity | \$92.00/Cubic Yard |
|-----|---|--------------------|

| | | |
|-----|--|-------------|
| (2) | Charge for disposal of Vector Spoils (Tons) Based on certified scale house receipt | \$60.00/Ton |
|-----|--|-------------|

D. **Collection System Charges**

| | | |
|-----|--|---------------------------------|
| (1) | Review of Plans and construction monitoring (Due prior to plan approval) | \$300.00/lot - minimum of 1 lot |
|-----|--|---------------------------------|

| | | |
|-----|---|--|
| (2) | Inspection of privately constructed sewers (Due prior to plan approval. No charge for existing sewers inside subdivision boundaries.) | \$0.50/foot of sewer & laterals - \$50.00 minimum, as applicable |
|-----|---|--|

| | | |
|-----|---|-----------------------|
| (3) | Pumping Station Maintenance Fee (Due prior to final acceptance of sanitary sewer. To be included in letter of credit for construction of sewers.) | \$10,000/pump station |
|-----|---|-----------------------|

| | | |
|-----|-------------------------|--|
| (4) | Cleanout Inspection Fee | \$50.00/cleanout - \$25.00 for repeat Inspections |
|-----|-------------------------|--|

| | | |
|-----|--|------------------|
| (5) | Interceptor Review and Construction Monitoring Fee | \$350.00/project |
|-----|--|------------------|

E. **Charges for Private Sewer Maintenance**

The following rates shall be charged for tape snaking of private sewer laterals:

| | |
|------------------------------------|----------|
| Single and Double Dwelling | \$ 25.00 |
| Four or More Family Dwelling | \$ 50.00 |
| Commercial Laterals and Conductors | \$ 50.00 |

F. **Treatment Plant Disposal Fee**

| | |
|--|------------------|
| Biosolids/Sludge Disposal Fee | \$443.00/dry ton |
| Residuals Disposal Fee | \$443.00/dry ton |
| (Based on Minimum of 3% Solids. Solids Content Below 3% will be charged at Minimum.) | |

G. **Restaurant/Food Processing Grease Disposal Fee** \$258.00/1,000 gallons

H. **Non-Hazardous Industrial/Commercial Wastewater Disposal Fee**

| | |
|-------------------------|----------------------------------|
| Laboratory and sampling | \$ 36.00/1,000 gallons (Minimum) |
| | \$ 77.00/Truckload |

Section 2. An appeal to the County Legislature from any scale of charges established by any of the Pure Waters Administrative Board and confirmed by the County Legislature may be taken by any person aggrieved. Such appeal may be taken by filing with such Administrative Board and with the Clerk of the Legislature a written notice of appeal specifying the ground thereof, within fifteen (15) days of the confirmation of such scale of charges by the Legislature pursuant to Section 266 of the County Law of the State of New York.

Section 3. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0352

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARD OF THE
GATES-CHILI-OGDEN SEWER DISTRICT

Intro. No. G4

**ESTABLISHING SCALE OF CHARGES FOR GATES-CHILI-OGDEN SEWER DISTRICT,
COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK**

WHEREAS, the Administrative Board of the Gates-Chili-Ogden Sewer District has, pursuant to §266 of the County Law of the State of New York, established a scale of charges for the operation and maintenance of facilities of the District and setting proportionate factors of surcharge for the treatment of industrial wastes and sewerage received by the District; and

WHEREAS, the Administrative Board of the Gates-Chili-Ogden Sewer District has, pursuant to §266 of the County Law of the State of New York, and Resolution Nos. 417 and 418 of 1973, and Resolution No. 449 of 1976, called a public hearing, said hearing having been held on the ___ day of December, 2023, at ___ p.m. ET.

NOW, THEREFORE, BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE GATES-CHILI-OGDEN SEWER DISTRICT, as follows:

Section 1.

SCALE OF CHARGES

These Scales of Charges shall be effective commencing January 1, 2024.

GATES-CHILI-OGDEN SEWER DISTRICT
Operation and Maintenance Charge

\$3.19 per 1,000 gallons of water consumption (see Notes 1-3).

1. This charge is based upon recent historic water consumption reflecting normal domestic waste water. It will be adjusted for industrial and commercial users based on the quality of sewage and additional cost of treatment.
2. This charge is subject to change based on financial obligations of the District.
3. This charge will be included in the 2024 County Tax Bill as a user charge. Accounts for which water consumption has not been calculated by November 1, 2023 will be billed at 60,000 gallons per unit for the user charge commencing January 1, 2024. All such bills unpaid as of October 1st will be transferred to the County Tax Rolls.
4. In-District and out-of-District agreements may be developed based on but not limited to loadings placed on the total sewerage systems pursuant to the Monroe County Sewer Use Law.

NEW USER CONNECTION FEES

The charges for regulating, permitting and connecting to a public sanitary sewer within the District are based on average costs incurred by the District for such new connections.

The proposed fee schedule for new connections is as follows:

Gates-Chili-Ogden Sewer District:

\$300.00 per connection - residential

\$400.00 per connection - non-residential

SEWER SURCHARGE - APPLICABLE TO ALL DISTRICTS

The owner or lessee of any parcel of real property connected with the District's Sewerage System and discharging any sewage, industrial wastes or other wastes containing acceptable pollutants imparting characteristics that exceed the maximum values established for normal sewage shall be surcharged. The surcharge reimburses the District for increased cost of treating said effluent. The charge shall be arrived at by multiplying the charge for normal sanitary sewage by the surcharge factor. The formula for finding the surcharge factor is as follows:

$$\text{S.F.} = \frac{a(\text{BOD}-300)}{300} + \frac{b(\text{SS}-300)}{300} + \frac{d(\text{P}-10)}{10}$$

Definitions:

- S.F. = Surcharge Factor.
BOD = Milligrams per liter of Biochemical Oxygen Demand, as defined in Section 2.12 of the Monroe County Sewer Use Law.
SS = Milligrams per liter of Suspended Solids, as defined in Section 2.55 of the Monroe County Sewer Use Law.
P = Milligrams per liter of Phosphorus, as defined in Section 2.33 of the Monroe County Sewer Use Law.
a = Proportionate cost to treat a lb. of Biochemical Oxygen Demand (BOD) and is established at 0.470.
b = Proportionate cost to treat a lb. of Suspended Solids (SS) and is established at 0.505.
d = Proportionate cost to treat a lb. of Phosphorus (P) and is established at 0.025.

OTHER CHARGES - WHERE APPLICABLE

A. Application Fees for Licenses or Permits under the Sewer Use Law

- | | | |
|-----|--|----------|
| (1) | Initial Application for License or Permit (3 Year) | \$125.00 |
| (2) | Renewal License or Permit Applications (3 Year) | \$75.00 |
| (3) | Initial or Renewal Application for Scavenger Waste Permit where application is licensed under Environmental Conservation Law Section 27-0301 of New York State | \$30.00 |
| (4) | Specialty Short Term Discharge Permit (Note – permit issued with no fee for wastewater transported to treatment plants. Permit fees already recovered in disposal fee) | \$125.00 |

B. Septic Tank Hauling Rates

Charge for Scavenger Waste \$44.00/1,000 gallons
(Based on Truck Capacity)

C. Disposal of Vector Spoils

- | | | |
|-----|---|--------------------|
| (1) | Charge for disposal of Vector Spoils (Cu. Yds.) Based on half of vehicle capacity. | \$92.00/Cubic Yard |
|-----|---|--------------------|

- | | | |
|-----|--|-------------|
| (2) | Charge for disposal of Vector Spoils (Tons) Based on certified scale house receipt. | \$60.00/Ton |
|-----|--|-------------|

D. Collection System Charges

- | | | |
|-----|---|---|
| (1) | Review of Plans and construction monitoring (Due prior to plan approval) | \$300.00/lot - minimum of 1 lot |
| (2) | Inspection of privately constructed sewers (Due prior to plan approval. No charge for existing sewers inside subdivision boundaries.) | \$0.50/foot of sewer & laterals - \$50.00 minimum, as applicable |
| (3) | Pumping Station Maintenance Fee (Due prior to final acceptance of sanitary sewer. To be included in letter of credit for construction of sewers.) | \$10,000/pump station |
| (4) | Cleanout Inspection Fee | \$50.00/cleanout - \$25.00 for repeat inspections |
| (5) | Interceptor Review and Construction Monitoring Fee | \$350.00/project |

E. Charges for Private Sewer Maintenance

The following rates shall be charged for tape snaking of private sewer laterals:

| | |
|------------------------------------|----------|
| Single and Double Dwelling | \$ 25.00 |
| Four or More Family Dwelling | \$ 50.00 |
| Commercial Laterals and Conductors | \$ 50.00 |

F. Treatment Plan Disposal Fee

| | |
|--|------------------|
| Biosolids/Sludge Disposal Fee | \$443.00/dry ton |
| Residuals Disposal Fee | \$443.00/dry ton |
| (Based on Minimum of 3% Solids. Solids Content Below 3% will be charged at Minimum.) | |

G. Restaurant/Food Processing Grease Disposal Fee \$258.00/1,000 gallons

H. Non-Hazardous Industrial/Commercial Wastewater Disposal Fee

| | |
|-------------------------|----------------------------------|
| Laboratory and sampling | \$ 36.00/1,000 gallons (Minimum) |
| | \$ 77.00/Truckload |

Section 2. An appeal to the County Legislature from any scale of charges established by any of the Pure Waters Administrative Board and confirmed by the County Legislature may be taken by any person aggrieved. Such appeal may be taken by filing with such Administrative Board and with the Clerk of the Legislature a written notice of appeal specifying the ground thereof, within fifteen (15) days of the confirmation of such scale of charges by the Legislature pursuant to Section 266 of the County Law of the State of New York.

Section 3. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0352

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARD OF THE
IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT

Intro. No. I4

ESTABLISHING SCALE OF CHARGES FOR IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK

WHEREAS, the Administrative Board of the Irondequoit Bay South Central Pure Waters District has, pursuant to §266 of the County Law of the State of New York, established a scale of charges for the operation and maintenance of facilities of the District and setting proportionate factors of surcharge for the treatment of industrial wastes and sewerage received by the District; and

WHEREAS, the Administrative Board of the Irondequoit Bay South Central Pure Waters District has, pursuant to §266 of the County Law of the State of New York, and Resolution Nos. 417 and 418 of 1973, and Resolution No. 449 of 1976, called a public hearing, said hearing having been held on the ___ day of December, 2023, at ___ p.m. ET.

NOW, THEREFORE, BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT, as follows:

Section 1.

SCALE OF CHARGES

These Scales of Charges shall be effective commencing January 1, 2024.

IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT
Operation and Maintenance Charge

\$1.62 per 1,000 gallons of water consumption (see Notes 1-3).

Operation and Maintenance Charge for properties Receiving Local
Collection System Services

\$2.75 per 1,000 gallons of water consumption (see Notes 1-3).

1. This charge is based upon recent historic water consumption reflecting normal domestic waste water. It will be adjusted for industrial and commercial users based on the quality of sewage and additional cost of treatment.
2. This charge is subject to change based on financial obligations of the District.
3. This charge will be included in the 2024 County Tax Bill as a user charge. Accounts for which water consumption has not been calculated by November 1, 2023 will be billed at 60,000 gallons per unit for the user charge commencing January 1, 2024. All such bills unpaid as of October 1st will be transferred to the County Tax Rolls.

4. In-District and out-of-District agreements may be developed based on but not limited to loadings placed on the total sewerage systems pursuant to the Monroe County Sewer Use Law.

NEW USER CONNECTION FEES

The charges for regulating, permitting and connecting to a public sanitary sewer within the District are based on average costs incurred by the District for such new connections.

The proposed fee schedule for new connections is as follows:

Irondequoit Bay South Central Pure Waters District:
\$250.00 per connection - residential
\$350.00 per connection - non-residential

SEWER SURCHARGE - APPLICABLE TO ALL DISTRICTS

The owner or lessee of any parcel of real property connected with the District's Sewerage System and discharging any sewage, industrial wastes or other wastes containing acceptable pollutants imparting characteristics that exceed the maximum values established for normal sewage shall be surcharged. The surcharge reimburses the District for increased cost of treating said effluent. The charge shall be arrived at by multiplying the charge for normal sanitary sewage by the surcharge factor. The formula for finding the surcharge factor is as follows:

$$S.F. = \frac{a(BOD-300)}{300} + \frac{b(SS-300)}{300} + \frac{d(P-10)}{10}$$

Definitions:

- S.F. = Surcharge Factor.
BOD = Milligrams per liter of Biochemical Oxygen Demand, as defined in Section 2.12 of the Monroe County Sewer Use Law.
SS = Milligrams per liter of Suspended Solids, as defined in Section 2.55 of the Monroe County Sewer Use Law.
P = Milligrams per liter of Phosphorus, as defined in Section 2.33 of the Monroe County Sewer Use Law.
a = Proportionate cost to treat a lb. of Biochemical Oxygen Demand (BOD) and is established at 0.470.
b = Proportionate cost to treat a lb. of Suspended Solids (SS) and is established at 0.505.
d = Proportionate cost to treat a lb. of Phosphorus (P) and is established at 0.025.

OTHER CHARGES - WHERE APPLICABLE

A. Application Fees for Licenses or Permits under the Sewer Use Law

- (1) Initial Application for License or Permit (3 Year) \$125.00
(2) Renewal License or Permit Applications (3 Year) \$75.00
(3) Initial or Renewal Application for Scavenger Waste Permit where application is licensed under Environmental Conservation Law Section 27-0301 of New York State \$30.00

(4) Specialty Short Term Discharge Permit \$125.00
 (Note – permit issued with no fee for wastewater transported to treatment plants. Permit fees already recovered in disposal fee)

B. Septic Tank Hauling Rates

Charge for Scavenger Waste \$44.00/1,000 gallons
 (Based on Truck Capacity)

C. Disposal of Vector Spoils

(1) Charge for disposal of Vector Spoils (Cu. Yds.) \$92.00/Cubic Yard
 Based on half of vehicle capacity.

(2) Charge for disposal of Vector Spoils (Tons) \$60.00/Ton
 Based on certified scale house receipt.

D. Collection System Charges

(1) Review of Plans and construction monitoring (Due prior to plan approval) \$300.00/lot - minimum of 1 lot

(2) Inspection of privately constructed sewers (Due prior to plan approval. No charge for existing sewers inside subdivision boundaries.) \$0.50/foot of sewer & laterals - \$50.00 minimum, as applicable

(3) Pumping Station Maintenance Fee \$10,000/pump station
 (Due prior to final acceptance of sanitary sewer. To be included in letter of credit for construction of sewers.)

(4) Cleanout Inspection Fee \$50.00/cleanout - \$25.00 for repeat Inspections

(5) Interceptor Review and Construction Monitoring Fee \$350.00/project

E. Charges for Private Sewer Maintenance

The following rates shall be charged for tape snaking of private sewer laterals:

Single and Double Dwelling \$ 25.00
 Four or More Family Dwelling \$ 50.00
 Commercial Laterals and Conductors \$ 50.00

F. Treatment Plan Disposal Fee

Biosolids/Sludge Disposal Fee \$443.00/dry ton
 Residuals Disposal Fee \$443.00/dry ton
 (Based on Minimum of 3% Solids. Solids Content Below 3% will be charged at Minimum.)

G. Restaurant/Food Processing Grease Disposal Fee \$258.00/1,000 gallons

Non-Hazardous Industrial/Commercial Wastewater Disposal Fee

| | |
|-------------------------|----------------------------------|
| Laboratory and sampling | \$ 36.00/1,000 gallons (Minimum) |
| | \$ 77.00/Truckload |

Section 2. An appeal to the County Legislature from any scale of charges established by any of the Pure Waters Administrative Board and confirmed by the County Legislature may be taken by any person aggrieved. Such appeal may be taken by filing with such Administrative Board and with the Clerk of the Legislature a written notice of appeal specifying the ground thereof, within fifteen (15) days of the confirmation of such scale of charges by the Legislature pursuant to Section 266 of the County Law of the State of New York.

Section 3. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0352

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARD OF THE
NORTHWEST QUADRANT PURE WATERS DISTRICT

Intro. No. N5

ESTABLISHING SCALE OF CHARGES FOR NORTHWEST QUADRANT PURE WATERS DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK

WHEREAS, the Administrative Board of the Northwest Quadrant Pure Waters District has, pursuant to §266 of the County Law of the State of New York, established a scale of charges for the operation and maintenance of facilities of the District and setting proportionate factors of surcharge for the treatment of industrial wastes and sewerage received by the District; and

WHEREAS, the Administrative Board of the Northwest Quadrant Pure Waters District has, pursuant to §266 of the County Law of the State of New York, and Resolution Nos. 417 and 418 of 1973, and Resolution No. 449 of 1976, called a public hearing, said hearing having been held on the ___ day of December, 2023, at ___ p.m. ET.

NOW, THEREFORE, BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE NORTHWEST QUADRANT PURE WATERS DISTRICT, as follows:

Section 1.

SCALE OF CHARGES

These Scales of Charges shall be effective commencing January 1, 2024.

NORTHWEST QUADRANT PURE WATERS DISTRICT
Operation and Maintenance Charge

\$1.90 per 1,000 gallons of water consumption (see Notes 1-3).

Operation and Maintenance Charge for properties Receiving Local
Collection System Services

\$2.15 per 1,000 gallons of water consumption (see Notes 1-3).

1. This charge is based upon recent historic water consumption reflecting normal domestic waste water. It will be adjusted for industrial and commercial users based on the quality of sewage and additional cost of treatment.
2. This charge is subject to change based on financial obligations of the District.
3. This charge will be included in the 2024 County Tax Bill as a user charge. Accounts for which water consumption has not been calculated by November 1, 2023 will be billed at 60,000 gallons per unit for the user charge commencing January 1, 2024. All such bills unpaid as of October 1st will be transferred to the County Tax Rolls.

4. In-District and out-of-District agreements may be developed based on but not limited to loadings placed on the total sewerage systems pursuant to the Monroe County Sewer Use Law.

NEW USER CONNECTION FEES

The charges for regulating, permitting and connecting to a public sanitary sewer within the District are based on average costs incurred by the District for such new connections.

The proposed fee schedule for new connections is as follows:

Northwest Quadrant Pure Waters District:
 \$250.00 per connection - residential
 \$350.00 per connection - non-residential

SEWER SURCHARGE - APPLICABLE TO ALL DISTRICTS

The owner or lessee of any parcel of real property connected with the District's Sewerage System and discharging any sewage, industrial wastes or other wastes containing acceptable pollutants imparting characteristics that exceed the maximum values established for normal sewage shall be surcharged. The surcharge reimburses the District for increased cost of treating said effluent. The charge shall be arrived at by multiplying the charge for normal sanitary sewage by the surcharge factor. The formula for finding the surcharge factor is as follows:

$$S.F. = \frac{a(BOD-300)}{300} + \frac{b(SS-300)}{300} + \frac{d(P-10)}{10}$$

Definitions:

- S.F. = Surcharge Factor.
- BOD = Milligrams per liter of Biochemical Oxygen Demand, as defined in Section 2.12 of the Monroe County Sewer Use Law.
- SS = Milligrams per liter of Suspended Solids, as defined in Section 2.55 of the Monroe County Sewer Use Law.
- P = Milligrams per liter of Phosphorus, as defined in Section 2.33 of the Monroe County Sewer Use Law.
- a = Proportionate cost to treat a lb. of Biochemical Oxygen Demand (BOD) and is established at 0.470.
- b = Proportionate cost to treat a lb. of Suspended Solids (SS) and is established at 0.505.
- d = Proportionate cost to treat a lb. of Phosphorus (P) and is established at 0.025.

OTHER CHARGES - WHERE APPLICABLE

A. Application Fees for Licenses or Permits under the Sewer Use Law

- (1) Initial Application for License or Permit (3 Year) \$125.00
- (2) Renewal License or Permit Applications (3 Year) \$75.00
- (3) Initial or Renewal Application for Scavenger Waste Permit where application is licensed under Environmental Conservation Law Section 27-0301 of New York State \$30.00
- (4) Specialty Short Term Discharge Permit \$125.00
 (Note – permit issued with no fee for wastewater transported to treatment plants. Permit fees already recovered in disposal fee)

- B. Septic Tank Hauling Rates**
 Charge for Scavenger Waste (Based on Truck Capacity) \$44.00/1,000 gallons
- C. Disposal of Vector Spoils**
- (1) Charge for disposal of Vector Spoils (Cu. Yds.) Based on half of vehicle capacity. \$92.00/Cubic Yard
 - (2) Charge for disposal of Vector Spoils (Tons) Based on certified scale house receipt. \$60.00/Ton
- D. Collection System Charges**
- (1) Review of Plans and construction monitoring (Due prior to plan approval) \$300.00/lot - minimum of 1 lot
 - (2) Inspection of privately constructed sewers (Due prior to plan approval. No charge for existing sewers inside subdivision boundaries.) \$0.50/foot of sewer & laterals - \$50.00 minimum, as applicable
 - (3) Pumping Station Maintenance Fee (Due prior to final acceptance of sanitary sewer. To be included in letter of credit for construction of sewers.) \$10,000/pump station
 - (4) Cleanout Inspection Fee \$50.00/cleanout - \$25.00 for repeat Inspections
 - (5) Interceptor Review and Construction Monitoring Fee \$350.00/project

E. Charges for Private Sewer Maintenance

The following rates shall be charged for tape snaking of private sewer laterals:

| | |
|------------------------------------|----------|
| Single and Double Dwelling | \$ 25.00 |
| Four or More Family Dwelling | \$ 50.00 |
| Commercial Laterals and Conductors | \$ 50.00 |

- F. Treatment Plan Disposal Fee**
 Biosolids/Sludge Disposal Fee \$443.00/dry ton
 Residuals Disposal Fee \$443.00/dry ton
 (Based on Minimum of 3% Solids. Solids Content Below 3% will be charged at Minimum.)
- G. Restaurant/Food Processing Grease Disposal Fee** \$258.00/1,000 gallons
- H. Non-Hazardous Industrial/Commercial Wastewater Disposal Fee**
 Laboratory and sampling \$ 36.00/1,000 gallons (Minimum)
 \$ 77.00/Truckload

Section 2. An appeal to the County Legislature from any scale of charges established by any of the Pure Waters Administrative Board and confirmed by the County Legislature may be taken by any person aggrieved. Such appeal may be taken by filing with such Administrative Board and with the Clerk of the Legislature a written notice of appeal specifying the ground thereof, within fifteen (15) days of the confirmation of such scale of charges by the Legislature pursuant to Section 266 of the County Law of the State of New York.

Section 3. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0352

By Legislators Johns and Smith

Intro. No. R5

MOTION NO. MR1 OF 2023

PROVIDING THAT RESOLUTION (INTRO. NO. R4 OF 2023), ENTITLED "ESTABLISHING SCALE OF CHARGES FOR ROCHESTER PURE WATERS DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK," BE TABLED

BE IT MOVED, that Resolution (Intro. No. R4 of 2023), entitled "ESTABLISHING SCALE OF CHARGES FOR ROCHESTER PURE WATERS DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK," be tabled.

Matter of Urgency
File No. 23-0352

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. G5

MOTION NO. MG1 OF 2023

PROVIDING THAT RESOLUTION (INTRO. NO. G4 OF 2023), ENTITLED "ESTABLISHING SCALE OF CHARGES FOR GATES-CHILI-OGDEN SEWER DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK," BE TABLED

BE IT MOVED, that Resolution (Intro. No. G4 of 2023), entitled "ESTABLISHING SCALE OF CHARGES FOR GATES-CHILI-OGDEN SEWER DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK," be tabled.

Matter of Urgency
File No. 23-0352

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. 15

MOTION NO. M11 OF 2023

PROVIDING THAT RESOLUTION (INTRO. NO. 14 OF 2023), ENTITLED "ESTABLISHING SCALE OF CHARGES FOR IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK," BE TABLED

BE IT MOVED, that Resolution (Intro. No. 14 of 2023), entitled "ESTABLISHING SCALE OF CHARGES FOR IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK," be tabled.

Matter of Urgency
File No. 23-0352

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. N6

MOTION NO. MN1 OF 2023

PROVIDING THAT RESOLUTION (INTRO. NO. N5 OF 2023), ENTITLED "ESTABLISHING SCALE OF CHARGES FOR NORTHWEST QUADRANT PURE WATERS DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK," BE TABLED

BE IT MOVED, that Resolution (Intro. No. N5 of 2023), entitled "ESTABLISHING SCALE OF CHARGES FOR NORTHWEST QUADRANT PURE WATERS DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK," be tabled.

Matter of Urgency
File No. 23-0352

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARD OF THE
ROCHESTER PURE WATERS DISTRICT

Intro. No. R6

RESOLUTION NO. 23R-004 OF 2023

**FIXING PUBLIC HEARING FOR SCALE OF CHARGES FOR ROCHESTER PURE WATERS
DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE ROCHESTER
PURE WATERS DISTRICT, as follows:

Section 1. Pursuant to Section 266 of the County Law of the State of New York and Resolution No. 417 of 1973, there will be a public hearing before the Pure Waters Administrative Board of the Rochester Pure Waters District on December 12, 2023 at 6:15 p.m. ET, in the Legislative Chambers in the County Office Building, Rochester, New York, on the proposed scale of charges for the operation and maintenance of facilities of the District and setting proportionate factors of surcharge for the treatment of industrial wastes and sewage received by the District.

Section 2. An appeal to the County Legislature from any scale of charges established by any of the Administrative Boards and confirmed by the County Legislature may be taken by any person aggrieved. Such appeal may be taken by filing with such Administrative Board and with the Clerk of the Legislature a written notice of appeal specifying the ground thereof, within fifteen (15) days of the confirmation of such scale of charges by the Legislature pursuant to Section 266 of the County Law of the State of New York.

Section 3. The Clerk of the Legislature is hereby authorized and directed to cause a notice of said public hearing to be published once in each of the official newspapers of the County, such publication to be made in each of such papers not less than ten (10) nor more than twenty (20) days before the date for said public hearing.

Section 4. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0352

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARD OF THE
GATES-CHILI-OGDEN SEWER DISTRICT

Intro. No. G6

RESOLUTION NO. 23G-004 OF 2023

FIXING PUBLIC HEARING FOR SCALE OF CHARGES FOR GATES-CHILI-OGDEN SEWER DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE GATES-CHILI-OGDEN SEWER DISTRICT, as follows:

Section 1. Pursuant to Section 266 of the County Law of the State of New York and Resolution No. 417 of 1973, there will be a public hearing before the Pure Waters Administrative Board of the Gates-Chili-Ogden Sewer District on December 12, 2023 at 6:16 p.m. ET, in the Legislative Chambers in the County Office Building, Rochester, New York, on the proposed scale of charges for the operation and maintenance of facilities of the District and setting proportionate factors of surcharge for the treatment of industrial wastes and sewage received by the District.

Section 2. An appeal to the County Legislature from any scale of charges established by any of the Administrative Boards and confirmed by the County Legislature may be taken by any person aggrieved. Such appeal may be taken by filing with such Administrative Board and with the Clerk of the Legislature a written notice of appeal specifying the ground thereof, within fifteen (15) days of the confirmation of such scale of charges by the Legislature pursuant to Section 266 of the County Law of the State of New York.

Section 3. The Clerk of the Legislature is hereby authorized and directed to cause a notice of said public hearing to be published once in each of the official newspapers of the County, such publication to be made in each of such papers not less than ten (10) nor more than twenty (20) days before the date for said public hearing.

Section 4. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0352

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARD OF THE
IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT

Intro. No. I6

RESOLUTION NO. 23I-004 OF 2023

**FIXING PUBLIC HEARING FOR SCALE OF CHARGES FOR IRONDEQUOIT BAY SOUTH
CENTRAL PURE WATERS DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF
MONROE, NEW YORK**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE
IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT, as follows:

Section 1. Pursuant to Section 266 of the County Law of the State of New York and Resolution No. 449 of 1976, there will be a public hearing before the Pure Waters Administrative Board of the Irondequoit Bay South Central Pure Waters District on December 12, 2023 at 6:17 p.m. ET, in the Legislative Chambers in the County Office Building, Rochester, New York, on the proposed scale of charges for the operation and maintenance of facilities of the District and setting proportionate factors of surcharge for the treatment of industrial wastes and sewage received by the District.

Section 2. An appeal to the County Legislature from any scale of charges established by any of the Administrative Boards and confirmed by the County Legislature may be taken by any person aggrieved. Such appeal may be taken by filing with such Administrative Board and with the Clerk of the Legislature a written notice of appeal specifying the ground thereof, within fifteen (15) days of the confirmation of such scale of charges by the Legislature pursuant to Section 266 of the County Law of the State of New York.

Section 3. The Clerk of the Legislature is hereby authorized and directed to cause a notice of said public hearing to be published once in each of the official newspapers of the County, such publication to be made in each of such papers not less than ten (10) nor more than twenty (20) days before the date for said public hearing.

Section 4. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0352

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARD OF THE
NORTHWEST QUADRANT PURE WATERS DISTRICT

Intro. No. N7

RESOLUTION NO. 23N-005 OF 2023

**FIXING PUBLIC HEARING FOR SCALE OF CHARGES FOR NORTHWEST QUADRANT PURE
WATERS DISTRICT, COUNTY SEWER DISTRICT FOR COUNTY OF MONROE, NEW YORK**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE
NORTHWEST QUADRANT PURE WATERS DISTRICT, as follows:

Section 1. Pursuant to Section 266 of the County Law of the State of New York and Resolution No. 418 of 1973, there will be a public hearing before the Pure Waters Administrative Board of the Northwest Quadrant Pure Waters District, on December 12, 2023 at 6:18 p.m. ET, in the Legislative Chambers in the County Office Building, Rochester, New York, on the proposed scale of charges for the operation and maintenance of facilities of the District and setting proportionate factors of surcharge for the treatment of industrial wastes and sewage received by the District.

Section 2. An appeal to the County Legislature from any scale of charges established by any of the Administrative Boards and confirmed by the County Legislature may be taken by any person aggrieved. Such appeal may be taken by filing with such Administrative Board and with the Clerk of the Legislature a written notice of appeal specifying the ground thereof, within fifteen (15) days of the confirmation of such scale of charges by the Legislature pursuant to Section 266 of the County Law of the State of New York.

Section 3. The Clerk of the Legislature is hereby authorized and directed to cause a notice of said public hearing to be published once in each of the official newspapers of the County, such publication to be made in each of such papers not less than ten (10) nor more than twenty (20) days before the date for said public hearing.

Section 4. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0352

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

**PURE WATERS ADMINISTRATIVE BOARD OF THE
ROCHESTER PURE WATERS DISTRICT**

Intro No. R7

RESOLUTION NO. 23R-005 OF 2023

**AUTHORIZING AN INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE
WATERS DISTRICT – GENERAL COLLECTION SYSTEM AND TREATMENT PLANT
IMPROVEMENTS**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE ROCHESTER
PURE WATERS DISTRICT, as follows:

Section 1. The Pure Waters Administrative Board of the Rochester Pure Waters District hereby requests that the Monroe County Legislature approve an Increase and Improvement of Facilities in the Rochester Pure Waters District consisting of a capital project entitled “Rochester Pure Waters District – General Collection System and Treatment Plant Improvements,” at an estimated cost of \$1,900,000.

Section 2. This resolution shall take effect immediately.

File No. 23-0346

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARD OF THE
ROCHESTER PURE WATERS DISTRICT

Intro No. R8

RESOLUTION NO. 23R-006 OF 2023

**AUTHORIZING AN INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE
WATERS DISTRICT – GENESEE VALLEY PUMP STATION**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE ROCHESTER
PURE WATERS DISTRICT, as follows:

Section 1. The Pure Waters Administrative Board of the Rochester Pure Waters District hereby requests that the Monroe County Legislature approve an Increase and Improvement of Facilities in the Rochester Pure Waters District consisting of a capital project entitled “Genesee Valley Pump Station,” at an estimated cost of \$9,500,000.

Section 2. This resolution shall take effect immediately.

File No. 23-0348

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Hebert, Johns and Smith

PURE WATERS ADMINISTRATIVE BOARDS OF
GATES-CHILI-OGDEN SEWER DISTRICT

Intro. No. G7

RESOLUTION NO. 23G-005 OF 2023

**AUTHORIZING INTERMUNICIPAL AGREEMENT BETWEEN GATES-CHILI-OGDEN
SEWER DISTRICT AND TOWN OF CHILI FOR CONVEYANCE AND TREATMENT OF
SEWAGE**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARDS OF THE GATES-
CHILI-OGDEN SEWER DISTRICT, as follows:

Section 1. The County Executive, or his designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, between the Gates-Chili-Ogden Sewer District and the Town of Chili for the operation, maintenance, and treatment of sanitary sewage from Benefit Area #1 and the conveyance and treatment of sanitary sewage from Chili Sewer District #1.

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

File No. 23-0327

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARD OF THE
GATES-CHILI-OGDEN SEWER DISTRICT

Intro No. G8

RESOLUTION NO. 23G-006 OF 2023

**AUTHORIZING AN INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-
OGDEN SEWER DISTRICT – GENERAL COLLECTION SYSTEM IMPROVEMENTS**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE GATES-
CHILI-OGDEN SEWER DISTRICT, as follows:

Section 1. The Pure Waters Administrative Board of the Gates-Chili-Ogden Sewer District hereby requests that the Monroe County Legislature approve an Increase and Improvement of Facilities in the Gates-Chili-Ogden Sewer District consisting of a capital project entitled “Gates-Chili-Ogden Sewer District – General Collection System Improvements” at an estimated cost of \$350,000.

Section 2. This resolution shall take effect immediately.

File No. 23-0344

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARD OF THE
IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT

Intro No. 17

RESOLUTION NO. 231-005 OF 2023

**AUTHORIZING AN INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT
BAY SOUTH CENTRAL PURE WATERS DISTRICT – GENERAL PUMP STATION AND
INTERCEPTOR IMPROVEMENTS**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE IRONDEQUOIT
BAY SOUTH CENTRAL PURE WATERS DISTRICT, as follows:

Section 1. The Pure Waters Administrative Board of the Irondequoit Bay South Central Pure Waters District hereby requests that the Monroe County Legislature approve an Increase and Improvement of Facilities in the Irondequoit Bay South Central Pure Waters District consisting of a capital project entitled “Irondequoit Bay South Central Pure Waters District - General Pump Station and Interceptor Improvements” at an estimated cost of \$400,000.

Section 2. This resolution shall take effect immediately.

File No. 23-0350

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

PURE WATERS ADMINISTRATIVE BOARD OF THE
NORTHWEST QUADRANT PURE WATERS DISTRICT

Intro. No. N8

RESOLUTION NO. 23N-006 OF 2023

**AUTHORIZING AN INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST
QUADRANT PURE WATERS DISTRICT – GENERAL PUMP STATION, INTERCEPTOR AND
TREATMENT PLANT IMPROVEMENTS PROJECT**

BE IT RESOLVED BY THE PURE WATERS ADMINISTRATIVE BOARD OF THE
NORTHWEST QUADRANT PURE WATERS DISTRICT, as follows:

Section 1. The Pure Waters Administrative Board of the Northwest Quadrant Pure Waters District hereby requests that the Monroe County Legislature approve an Increase and Improvement of Facilities in the Northwest Quadrant Pure Waters District consisting of a capital project entitled “General Pump Station, Interceptor and Treatment Plant Improvements” at an estimated cost of \$850,000.

Section 2. Funding for this project, consistent with authorized uses, will be available in capital fund 1924 and any capital fund(s) created for the same intended purpose. The local funding for this project will ultimately be provided by District user fees.

Section 3. This resolution shall take effect immediately.

File No. 23-0342

ADOPTION: Date: November 14, 2023

Vote: 29-0

ENACTING A LOCAL LAW ENTITLED "UNIFORM CODE ENFORCEMENT"

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

Section 1. A new chapter shall be added as Chapter 370 of the Monroe County Code entitled "Uniform Code Enforcement" and shall read as follows:

§ 370-1. Purpose, Intent, and Applicability.

- A. This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code in property, facilities, structures and buildings under the care, custody, control, and maintenance of the County of Monroe. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, under the care, custody, maintenance, and control of the County of Monroe are subject to the provisions of this local law.
- B. This local law applies only to buildings, facilities, and structures under the care, custody, control, and maintenance of the County of Monroe, which shall include but is not limited to all: (1) buildings, facilities, and structures owned by the County of Monroe; (2) buildings, facilities, and structures on land owned by the County of Monroe, for itself or in trust for and for the benefit of Monroe Community College; and (3) to the extent subject to the Codes, water supply, water distribution system(s), including plants, works, instrumentalities or parts thereof and appurtenances thereto, approaches, connections, dams, reservoirs, water mains and pipe lines, pumping stations and equipment, or any other property incidental to and included in such system or part thereof, and any improvements, extensions, and betterments situated in Monroe County in the custody of, or activities related thereto undertaken by the Monroe County Water Authority.

§ 370-2. Definitions. As used in this local law, the following terms shall have the meanings indicated:

ASSEMBLY AREA shall mean an area in any building, or in any portion of a building, that is primarily used or intended to be used for gathering fifty or more persons for uses including, but not limited to, amusement, athletic, entertainment, social, or other recreational functions; patriotic, political, civic, educational, or religious functions; food or drink consumption; awaiting transportation; or similar purposes.

BUILDING PERMIT shall mean a building permit, construction permit, demolition permit, or other permit that authorizes the performance of work. The term "Building Permit" shall also include a Building Permit which is renewed, amended, or extended pursuant to any provision of this local law.

CERTIFICATE OF COMPLIANCE shall mean a document issued by the County stating that work was done in compliance with approved construction documents and the Codes.

CERTIFICATE OF OCCUPANCY shall mean a document issued by the County certifying that the building or structure, or portion thereof, complies with the approved construction documents that have been submitted to, and approved by the County, and indicating that the building or structure, or portion thereof, is in a condition suitable for occupancy.

CODE ENFORCEMENT OFFICER shall mean the Code Enforcement Officer(s) appointed pursuant § 370-3(B) of this local law.

CODE ENFORCEMENT PERSONNEL shall include the Code Enforcement Officer(s) and all Inspectors.

COUNTY shall mean the County of Monroe.

CODES shall mean the Uniform Code and Energy Code.

DIRECTOR shall mean the Director of Environmental Services.

ENERGY CODE shall mean the New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law.

FCNYS shall mean the most current version of Fire Code of New York State as currently incorporated by reference in 19 NYCRR Part 1225.

FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTION shall mean an inspection performed to determine compliance with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications incorporated therein by reference.

HAZARDOUS PRODUCTION MATERIALS shall mean a solid, liquid, or gas associated with semiconductor manufacturing that has a degree-of-hazard rating in health, flammability, or instability of Class 3 or 4, as ranked by NFPA 704 (Standard Systems for Identification of the Hazards of Materials for Emergency Response), and which is used directly in research, laboratory, or production processes which have, as their end product, materials that are not hazardous.

INSPECTOR shall mean an inspector appointed pursuant to § 370-3(E) of this local law.

MOBILE FOOD PREPARATION VEHICLES shall mean vehicles that contain cooking equipment that produces smoke or grease-laden vapors for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

OPERATING PERMIT shall mean a permit issued pursuant to § 370-10 of this local law. The term "Operating Permit" shall also include an Operating Permit which is renewed, amended, or extended pursuant to any provision of this local law.

ORDER TO REMEDY shall mean an order issued by the Code Enforcement Officer pursuant to § 370-17(A) of this local law.

PERMIT HOLDER shall mean the Person to whom a Building Permit has been issued.

PERSON shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

PMCNYS shall mean the most current version of Property Maintenance Code of New York State as currently incorporated by reference in 19 NYCRR Part 1226.

RCNYS shall mean the most current version of Residential Code of New York State as currently incorporated by reference in 19 NYCRR Part 1220.

REPAIR shall mean the reconstruction, replacement, or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

STOP WORK ORDER shall mean an order issued pursuant to § 370-6 of this local law.

TEMPORARY CERTIFICATE OF OCCUPANCY shall mean a certificate issued pursuant to § 370-7(D) of this local law.

UNIFORM CODE shall mean the New York State Uniform Fire Prevention and Building Code, Subchapter A of Chapter XXXIII of Title 19 of the NYCRR, adopted pursuant to Article 18 of the Executive Law.

§ 370-3. Code Enforcement Officers and Inspectors.

- A. The Office of Code Enforcement Officer is hereby created within the Department of Environmental Services. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code, and this local law.
- B. The Code Enforcement Officer shall have the following powers and duties:
 - i. To receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and the plans, specifications, and construction documents submitted with such applications;
 - ii. Upon approval of such applications, to issue Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits, and to include in terms and conditions as the Code Enforcement Officer may determine to be appropriate for Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits;
 - iii. To conduct construction inspections; inspections to be made prior to the issuance of Certificates of Occupancy, Certificates of Compliance, Temporary Certificates of Occupancy, and Operating Permits; fire safety and property maintenance inspections; inspections incidental to the investigation of complaints; and all other inspections required or permitted under any provision of this local law;
 - iv. To issue Stop Work Orders;

- v. To review and investigate complaints;
 - vi. To issue orders pursuant to § 370-17(A) (Violations) of this local law;
 - vii. To maintain records;
 - viii. To collect fees as set by the Monroe County Legislature;
 - ix. To pursue administrative enforcement actions and proceedings;
 - x. In consultation with the County Attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code, and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code, or this local law; and
 - xi. To exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.
- C. The Code Enforcement Officer shall be appointed by the Director. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain and maintain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.
- D. In the event that the Code Enforcement Officer is unable to serve as such for any reason, another individual shall be appointed by the Director to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of their appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.
- E. One or more Inspectors may be appointed by the Director to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain and maintain such basic training, in-service training, advanced in-service training, and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.
- F. The compensation for the Code Enforcement Officer and Inspectors shall be fixed in the annual budget.

§ 370-4. Building Permits.

- A. **Building Permits Required.** Except as otherwise provided in subdivision (B) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation, or demolition of any building or structure or any portion

thereof, and the installation of a solid fuel burning heating appliance, chimney, or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Code Enforcement Officer.

B. Exemptions. No Building Permit shall be required for work in any of the following categories:

- i. construction or installation of one-story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses), which are used for tool and storage sheds, playhouses, or similar uses, provided the gross floor area does not exceed 144 square feet;
- ii. construction of temporary sets and scenery associated with motion picture, television, and theater uses;
- iii. installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);
- iv. installation of partitions or movable cases less than 5'-9" in height;
- v. painting, wallpapering, tiling, carpeting, or other similar finish work;
- vi. installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;
- vii. replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
- viii. repairs, provided that the work does not have an impact on fire and life safety, such as (i) any part of the structural system; (ii) the required means of egress; or (iii) the fire protection system or the removal from service of any part of the fire protection system for any period of time.

C. Exemption not deemed authorization to perform non-compliant work. The exemption from the requirement to obtain a building permit for work in any category set forth in subdivision (B) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

D. Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the Director or their designee; the owner of the building or structure where the work is to be performed; or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

- i. a description of the location, nature, extent, and scope of the proposed work;
- ii. the tax map number and the street address of any affected building or structure;

- iii. the occupancy classification of any affected building or structure;
- iv. where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and
- v. at least two (2) sets of construction documents (drawings and/or specifications) or any other format requested by the Code Enforcement Officer which (i) describe the location, nature, extent, and scope of the proposed work; (ii) show that the proposed work will conform to the applicable provisions of the Codes; (iii) show the location, construction, size, and character of all portions of the means of egress; (iv) show a representation of the building thermal envelope; (v) show structural information including but not limited to braced wall designs, the size, section, and relative locations of structural members, design loads, and other pertinent structural information; (vi) show the proposed structural, electrical, plumbing, mechanical, fire-protection, and other service systems of the building; (vii) include a written statement indicating compliance with the Energy Code; (viii) include a site plan, drawn to scale and drawn in accordance with an accurate boundary survey, showing the size and location of new construction and existing structures and appurtenances on the site, distances from lot lines, the established street grades and the proposed finished grades, and, as applicable, flood hazard areas, floodways, and design flood elevations; and (ix) evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way, the design professional's registration expiration date, the design professional's firm name (if not a sole practitioner), and, if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number.

E. Construction documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (v) of subdivision (D) of this section. Construction documents which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer in writing or by stamp, or in the case of electronic media, an electronic marking. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

F. Issuance of Building Permits. An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

- G. Building Permits to be displayed. Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.
- H. Work to be in accordance with construction documents. All work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.
- I. Time limits. Building Permits shall become invalid unless the authorized work is commenced within six (6) months following the date of issuance. Building Permits shall expire twenty-four (24) months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.
- J. Revocation or suspension of Building Permits. If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate, or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or suspend the Building Permit until such time as the Permit Holder demonstrates that: (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code, and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.
- K. Fee. The fee, if any, specified in or determined in accordance with the provisions set forth in § 370-18 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

§ 370-5. Construction Inspections.

- A. Work to remain accessible and exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (B) of this section is ready for inspection.
- B. Elements of work to be inspected. The following elements of the construction process shall be inspected, where applicable:
 - i. work site prior to the issuance of a Building Permit;
 - ii. footing and foundation;
 - iii. preparation for concrete slab;
 - iv. framing;
 - v. structural, electrical, plumbing, mechanical, fire-protection, and other similar service systems of the building;
 - vi. fire resistant construction;
 - vii. fire resistant penetrations;
 - viii. solid fuel burning heating appliances, chimneys, flues, or gas vents;

- ix. inspections required to demonstrate Energy Code compliance, including but not limited to insulation, fenestration, air leakage, system controls, mechanical equipment size, and, where required, minimum fan efficiencies, programmable thermostats, energy recovery, whole-house ventilation, plumbing heat traps, and high-performance lighting and controls;
 - x. installation, connection, and assembly of factory manufactured buildings and manufactured homes; and
 - xi. a final inspection after all work authorized by the Building Permit has been completed.
- C. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform construction inspections, a remote inspection may be performed in lieu of an in-person inspection when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or by such authorized Inspector that the elements of the construction process conform with the applicable requirements of the Uniform Code and Energy Code. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.
- D. Inspection results. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to the manner in which the work fails to comply with the Uniform Code or Energy Code, including a citation to the specific code provision or provisions that have not been met. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.
- E. Fee. The fee, if any, specified in or determined in accordance with the provisions set forth in § 370-18 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

§ 370-6. Stop Work Orders.

- A. Authority to issue. The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:
- i. any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
 - ii. any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or
 - iii. any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.
- B. Content of Stop Work Orders. Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

- C. Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.
- D. Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder, and any other Person performing, taking part in, or assisting in the work shall immediately cease all work which is the subject of the Stop Work Order, other than work expressly authorized by the Code Enforcement Officer to correct the reason for issuing the Stop Work Order.
- E. Remedy not exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (A) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under § 370-17 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

§ 370-7. Certificates of Occupancy and Certificates of Compliance.

- A. Certificates of Occupancy and Certificates of Compliance required. A Certificate of Occupancy or Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy or Certificate of Compliance.
- B. Issuance of Certificates of Occupancy and Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy or Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the building, structure, or work prior to the issuance of a Certificate of Occupancy or Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy or Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy or Certificate of Compliance:
 - i. a written statement of structural observations and/or a final report of special inspections,

- ii. flood hazard certifications;
- iii. a written statement of the results of tests performed to show compliance with the Energy Code; and
- iv. where applicable, the affixation of the appropriate seals, insignias, and manufacturer's data plates as required for factory manufactured buildings and/or manufactured homes.

C. Contents of Certificates of Occupancy and Certificates of Compliance. A Certificate of Occupancy or Certificate of Compliance shall contain the following information:

- i. the Building Permit number, if any;
- ii. the date of issuance of the Building Permit, if any;
- iii. the name (if any), address and tax map number of the property;
- iv. if the Certificate of Occupancy or Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy or Certificate of Compliance is issued;
- v. the use and occupancy classification of the structure;
- vi. the type of construction of the structure;
- vii. the occupant load of the assembly areas in the structure, if any;
- viii. any special conditions imposed in connection with the issuance of the Building Permit; and
- ix. the signature of the Code Enforcement Officer issuing the Certificate of Occupancy or Certificate of Compliance and the date of issuance.

D. Temporary Certificate of Occupancy. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate of Occupancy allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate of Occupancy unless the Code Enforcement Officer determines: (1) that the building or structure, or the portion thereof covered by the Temporary Certificate of Occupancy, may be occupied safely; (2) that any required fire and life safety components, such as fire protection equipment and fire, smoke, carbon monoxide, and heat detectors and alarms are installed and operational; and (3) that all required means of egress from the structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate of Occupancy such terms and conditions as he or she deems necessary or appropriate to ensure the health and safety of the persons occupying and using the building or structure and/or performing further construction work in the building or structure. A Temporary Certificate of Occupancy shall be effective for a period of time, not to exceed six (6) months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate of Occupancy. During the specified period of effectiveness of the Temporary Certificate of Occupancy, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

E. Revocation or suspension of certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy, Certification of Compliance, or a Temporary Certificate of Occupancy was issued in error or on the basis of incorrect information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

F. Fee. The fee, if any, specified in or determined in accordance with the provisions set forth in § 370-18 (Fees) of this local law must be paid at the time of submission of an application for a

Certificate of Occupancy, Certificate of Compliance, or for Temporary Certificate of Occupancy.

§ 370-8. Notification Regarding Fire or Explosion. The chief of any fire department providing firefighting services for a property subject to this Local Law shall promptly notify the Code Enforcement Officer of any fire or explosion involving any structural damage, fuel burning appliance, chimney, or gas vent.

§ 370-9. Unsafe Buildings, Structures, and Equipment and Conditions of Imminent Danger. Unsafe buildings, structures, and equipment and conditions of imminent danger owned by Monroe County shall be identified and addressed in accordance with the following procedures:

- A. **General.** When a structure or equipment is found to be unsafe or when a structure is found to be unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of the Building Code.
- B. **Unsafe Structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or to the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.
- C. **Unsafe Equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure that is in such disrepair or condition that the equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.
- D. **Structure unfit for human occupancy.** A structure is unfit for human occupancy whenever the structure is unsafe, unlawful, or because of the degree to which the structure is in disrepair or lacks maintenance or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.
- E. **Unlawful Structure.** An unlawful structure is one found in whole or in part to be occupied by more persons than are permitted under this local law, or that was erected, altered or occupied contrary to law.
- F. **Closing of vacant structures.** If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, a placard of condemnation shall be posted on the premises, and the structure shall be closed up, so as not to be an attractive nuisance.
- G. **Notice.** Whenever a structure or equipment has been condemned under the provisions of this section, a notice shall be posted in a conspicuous place in or about the structure affected by such notice. If the notice pertains to equipment, it shall also be placed on the condemned equipment.
- H. **Prohibited Occupancy.** No person shall occupy a placarded premises or shall operate placarded equipment.
- I. **Removal of Placard.** The placard shall be removed whenever the defect or defects on which the condemnation and placarding action were based have been eliminated.

§ 370-10. Operating Permits.

- A. Operation Permits required. Operating Permits shall be required for conducting any process or activity or for operating any type of building, structure, or facility listed below:
- i. manufacturing, storing, or handling hazardous materials in quantities exceeding those listed in the applicable Maximum Allowable Quantity tables found in Chapter 50 of the FCNYS;
 - ii. buildings, structures, facilities, processes, and/or activities that are within the scope and/or permit requirements of the chapter or section title of the FCNYS as follows:
 1. Chapter 22, "Combustible Dust-Producing Operations." Facilities where the operation produces combustible dust;
 2. Chapter 24, "Flammable Finishes." Operations utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24 of the FCNYS;
 3. Chapter 25, "Fruit and Crop Ripening." Operating a fruit- or crop-ripening facility or conducting a fruit-ripening process using ethylene gas;
 4. Chapter 26, "Fumigation and Insecticidal Fogging." Conducting fumigation or insecticidal fogging operations in buildings, structures, and spaces, except for fumigation or insecticidal fogging performed by the occupant of a detached one-family dwelling;
 5. Chapter 31, "Tents, Temporary Special Event Structures, and Other Membrane Structures." Operating an air-supported temporary membrane structure, a temporary special event structure, or a tent where approval is required pursuant to Chapter 31 of the FCNYS;
 6. Chapter 32, "High-Piled Combustible Storage." High-piled combustible storage facilities with more than 500 square feet (including aisles) of high-piled storage;
 7. Chapter 34, "Tire Rebuilding and Tire Storage." Operating a facility that stores in excess of 2,500 cubic feet of scrap tires or tire byproducts or operating a tire rebuilding plant;
 8. Chapter 35, "Welding and Other Hot Work." Performing public exhibitions and demonstrations where hot work is conducted, use of hot work, welding, or cutting equipment, inside or on a structure, except an operating permit is not required where work is conducted under the authorization of a building permit or where performed by the occupant of a detached one- or two-family dwelling;
 9. Chapter 40, "Sugarhouse Alternative Activity Provisions." Conducting an alternative activity at a sugarhouse;
 10. Chapter 56, "Explosives and Fireworks." Possessing, manufacturing, storing, handling, selling, or using, explosives, fireworks, or other pyrotechnic special effects materials except the outdoor use of sparkling devices as defined by Penal Law section 270;
 11. Section 307, "Open Burning, Recreational Fires and Portable Outdoor Fireplaces." Conducting open burning, not including recreational fires and portable outdoor fireplaces;
 12. Section 308, "Open Flames." Removing paint with a torch, or using open flames, fire, and burning in connection with assembly areas or educational occupancies;
 13. Section 319, "Mobile Food Preparation Vehicles." Operating a mobile food preparation vehicle;
 14. energy storage systems, where the system exceeds the values shown in Table

1206.1 of the FCNYS or exceeds the permitted aggregate ratings in section R327.5 of the RCNYS.

15. buildings containing one or more assembly areas;
 16. outdoor events where the planned attendance exceeds 1,000 persons;
 17. facilities that store, handle or use hazardous production materials;
 18. parking garages as defined in § 370-13(A) of this local law;
 19. buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Monroe County Legislature; and
 20. other processes or activities or for operating any type of building, structure, or facility as determined by resolution adopted by the Monroe County Legislature.
- iii. Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (A) shall be required to obtain an Operating Permit prior to commencing such activity or operation.
- B. Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.
- C. Exemptions. Operating permits shall not be required for processes or activities, or the buildings, structures, or facilities listed in paragraphs (1) through (7) of subdivision (A) of this section, provided that the use is expressly authorized by a certificate of occupancy or certificate of compliance, fire safety and property maintenance inspections are performed in accordance with § 370-11 (Fire Safety and Property Maintenance Inspections) of this local law, and condition assessments are performed in compliance with § 370-13 (Condition Assessments of Parking Garages) of this local law, as applicable.
- D. Inspections. The Code Enforcement Officer or an Inspector shall inspect the subject premises prior to the issuance of an Operating Permit. Such inspections shall be performed either in-person or remotely. Remote inspections in lieu of in-person inspections may be performed when, at the discretion of the Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or Inspector authorized by the Code Enforcement Officer that the premises conform with the applicable requirements of the Uniform Code and the code enforcement program. Should a remote inspection not afford the Code Enforcement Officer sufficient information to make a determination, an in-person inspection shall be performed. After inspection, the premises shall be noted as satisfactory and the operating permit shall be issued, or the operating permit holder shall be notified as to the manner in which the premises fail to comply with either or both of the Uniform Code and the code enforcement program, including a citation to the specific provision or provisions that have not been met.
- E. Multiple Activities. In any circumstance in which more than one activity listed in subdivision (A) of this section is to be conducted at a location, the Code Enforcement Officer may require a

separate Operating Permit for each such activity, or the Code Enforcement Officer may, in their discretion, issue a single Operating Permit to apply to all such activities.

- F. Duration of Operating Permits. Operating permits shall be issued for a specified period of time consistent with local conditions, but in no event to exceed as follows:
- i. One-hundred eighty (180) days for tents, special event structures, and other membrane structures;
 - ii. Sixty (60) days for alternative activities at a sugarhouse;
 - iii. Three (3) years for the activities, structures, and operations determined per paragraph (9) of subdivision (A) of this section, and
 - iv. One (1) year for all other activities, structures, and operations identified in subdivision (A) of this section.
- G. The effective period of each Operating Permit shall be specified in the Operating Permit. An Operating Permit may be reissued or renewed upon application to the Code Enforcement Officer, payment of the applicable fee, and approval of such application by the Code Enforcement Officer.
- H. Revocation or suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.
- I. Fee. The fee, if any, specified in or determined in accordance with the provisions set forth in § 370-18 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

§ 370-11. Fire Safety and Property Maintenance Inspections.

- A. Inspections required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector at the following intervals:
- i. At least once every twelve (12) months for buildings which contain an assembly area;
 - ii. at least once every twelve (12) months for public and private schools and colleges, including any buildings of such schools or colleges containing classrooms, dormitories, fraternities, sororities, laboratories, physical education, dining, or recreational facilities; and
 - iii. at least once every thirty-six (36) months for multiple dwellings and all nonresidential occupancies.
- B. Remote inspections. At the discretion of the Code Enforcement Officer or Inspector authorized to perform fire safety and property maintenance inspections, a remote inspection may be performed in lieu of in-person inspections when, in the opinion of the Code Enforcement Officer or such authorized Inspector, the remote inspection can be performed to the same level and quality as an in-person inspection and the remote inspection shows to the satisfaction of the Code Enforcement Officer or such authorized Inspector that the premises conform with the applicable provisions of 19 NYCRR Part 1225 and the publications incorporated therein by reference and the applicable provisions of 19 NYCRR Part 1226 and the publications

incorporated therein by reference. Should a remote inspection not afford the Code Enforcement Officer or such authorized Inspector sufficient information to make a determination, an in-person inspection shall be performed.

C. Inspections permitted. In addition to the inspections required by subdivision (A) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector authorized to perform fire safety and property maintenance inspections at any time upon:

- i. the request of the owner of the property to be inspected or an authorized agent of such owner;
- ii. receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or
- iii. receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

D. OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit, or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator or other authorized entity under Executive Law section 156-e and Education Law section 807-b.

E. Notwithstanding any other provision of this section to the contrary, the Code Enforcement Officer may accept an inspection performed by the Office of Fire Prevention and Control or other authorized entity pursuant to sections 807-a and 807-b of the Education Law and/or section 156-e of the Executive Law, in lieu of a fire safety and property maintenance inspection performed by the Code Enforcement Officer or by an Inspector, provided that:

- i. The Code Enforcement Officer is satisfied that the individual performing such inspection satisfies the requirements set forth in 19 NYCRR section 1203.2(e);
- ii. The Code Enforcement Officer is satisfied that such inspection covers all elements required to be covered by a fire safety and property maintenance inspection;
- iii. Such inspections are performed no less frequently than once a year;
- iv. A true and complete copy of the report of each such inspection is provided to the Code Enforcement Officer; and
- v. In the event violations of applicable codes, rules and regulations pertaining to fire safety are found during inspections and OFPC does not take appropriate actions to ensure that violations are promptly remedied, the Code Enforcement Officer may take the appropriate action prescribed by § 370-17 (Violations) of this local law upon receipt of each such report.

F. Fee. The fee, if any, specified in or determined in accordance with the provisions set forth in § 370-18 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

§ 370-12. Complaints.

- A. The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply with the Uniform Code, the Energy Code, this local law, or any other local law or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code.
- B. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:
 - i. performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;
 - ii. if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in § 370-17 (Violations) of this local law;
 - iii. if appropriate, issuing a Stop Work Order; and/or
 - iv. if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

§ 370-13. Condition Assessment of Parking Garages.

- A. Definitions. For the purposes of this section:
 - i. the term “condition assessment” means an on-site inspection and evaluation of a parking garage for evidence of deterioration of any structural element or building component of such parking garage, evidence of the existence of any unsafe condition in such parking garage, and evidence indicating that such parking garage is an unsafe structure;
 - ii. the term “deterioration” means the weakening, disintegration, corrosion, rust, or decay of any structural element or building component, or any other loss of effectiveness of a structural element or building component;
 - iii. the term “parking garage” means any building or structure, or part thereof, in which all or any part of any structural level or levels is used for parking or storage of motor vehicles, excluding:
 - i. buildings in which the only level used for parking or storage of motor vehicles is on grade;
 - ii. an attached or accessory structure providing parking exclusively for a detached one- or two-family dwelling; and
 - iii. a townhouse unit with attached parking exclusively for such unit;
 - iv. the term “professional engineer” means an individual who is licensed or otherwise authorized under Article 145 of the Education Law to practice the profession of engineering in the State of New York and who has at least three years of experience performing structural evaluations;
 - v. the term “responsible professional engineer” means the professional engineer who performs a condition assessment, or under whose supervision a condition assessment is performed, and who seals and signs the condition assessment report. The use of the term “responsible professional engineer” shall not be construed as limiting the professional responsibility or liability of any professional engineer, or of any other licensed professional, who participates in the preparation of a condition assessment without being the responsible professional engineer for such condition assessment;
 - vi. the term “unsafe condition” includes the conditions identified as “unsafe” in section 304.1.1, section 305.1.1, and section 306.1.1 of the PMCNYS; and
 - vii. the term “unsafe structure” means a structure that is so damaged, decayed, dilapidated,

or structurally unsafe, or is of such faulty construction or unstable foundation, that partial or complete collapse is possible.

- B. Condition Assessments – general requirements. The owner or operator of each parking garage subject to this Local Law shall cause such parking garage to undergo an initial condition assessment as described in subdivision (C) of this section, periodic condition assessments as described in subdivision (D) of this section, and such additional condition assessments as may be required under subdivision (E) of this section. Each condition assessment shall be conducted by or under the direct supervision of a professional engineer. A written report of each condition assessment shall be prepared, and provided to the County, in accordance with the requirements of subdivision (F) of this section. Before performing a condition assessment (other than the initial condition assessment) of a parking garage, the responsible professional engineer for such condition assessment shall review all available previous condition assessment reports for such parking garage.
- C. Initial Condition Assessment. Each parking garage shall undergo an initial condition assessment as follows:
- i. Parking garages constructed on or after August 29, 2018, shall undergo an initial condition assessment following construction and prior to a certificate of occupancy or certificate of compliance being issued for the structure.
 - ii. Parking garages constructed prior to August 29, 2018, shall undergo an initial condition assessment as follows:
 - i. if originally constructed prior to January 1, 1984, then prior to October 1, 2019;
 - ii. if originally constructed between January 1, 1984 and December 31, 2002, then prior to October 1, 2020; and
 - iii. if originally constructed between January 1, 2003 and August 28, 2018, then prior to October 1, 2021.
 - iii. Any parking garage constructed prior to the effective date of the local law enacting this provision that has not undergone an initial condition assessment prior to that effective date shall undergo an initial condition assessment prior to six (6) months after the effective date of this local law.
- D. Periodic Condition Assessments. Following the initial condition assessment of a parking garage, such parking garage shall undergo periodic condition assessments at intervals not to exceed three (3) years.
- E. Additional Condition Assessments.
- i. If the latest condition assessment report for a parking garage includes a recommendation by the responsible professional engineer that an additional condition assessment of such parking garage, or any portion of such parking garage, be performed before the date by which the next periodic condition assessment would be required under subdivision (C) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of such parking garage identified by the responsible professional engineer) to undergo an additional condition assessment no later than the date recommended in such condition assessment report.
 - ii. If the County becomes aware of any new or increased deterioration which, in the

judgment of the County, indicates that an additional condition assessment of the entire parking garage, or of the portion of the parking garage affected by such new or increased deterioration, should be performed before the date by which the next periodic condition assessment would be required under subdivision (C) of this section, the owner or operator of such parking garage shall cause such parking garage (or, if applicable, the portion of the parking garage affected by such new or increased deterioration) to undergo an additional condition assessment no later than the date determined by the County to be appropriate.

- iii. Condition Assessment Reports. The responsible professional engineer shall prepare, or directly supervise the preparation of, a written report of each condition assessment, and shall submit such condition assessment report to the Director. Such condition assessment report shall be sealed and signed by the responsible professional engineer, and shall include:
 - i. an evaluation and description of the extent of deterioration and conditions that cause deterioration that could result in an unsafe condition or unsafe structure;
 - ii. an evaluation and description of the extent of deterioration and conditions that cause deterioration that, in the opinion of the responsible professional engineer, should be remedied immediately to prevent an unsafe condition or unsafe structure;
 - iii. an evaluation and description of the unsafe conditions;
 - iv. an evaluation and description of the problems associated with the deterioration, conditions that cause deterioration, and unsafe conditions;
 - v. an evaluation and description of the corrective options available, including the recommended timeframe for remedying the deterioration, conditions that cause deterioration, and unsafe conditions;
 - vi. an evaluation and description of the risks associated with not addressing the deterioration, conditions that cause deterioration, and unsafe conditions;
 - vii. the responsible professional engineer's recommendation regarding preventative maintenance;
 - viii. except in the case of the report of the initial condition assessment, the responsible professional engineer's attestation that they reviewed all previously prepared condition assessment reports available for such parking garage, and considered the information in the previously prepared reports while performing the current condition assessment and while preparing the current report; and
 - ix. the responsible professional engineer's recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed. In making the recommendation regarding the time within which the next condition assessment of the parking garage or portion thereof should be performed, the responsible professional engineer shall consider the parking garage's age, maintenance history, structural condition, construction materials, frequency and intensity of use, location, exposure to the elements, and any other factors deemed relevant by the responsible professional engineer in their professional judgment.

- F. Review Condition Assessment Reports. The County shall take such enforcement action or actions in response to the information in such condition assessment report as may be necessary or appropriate to protect the public from the hazards that may result from the conditions described in such report. In particular, but not by way of limitation, the County shall, by Order to Remedy or such other means of enforcement as the County may deem appropriate, require

the owner or operator of the parking garage to repair or otherwise remedy all deterioration, all conditions that cause deterioration, and all unsafe conditions identified in such condition assessment report pursuant to paragraphs (2) and (3) of subdivision (F). All repairs and remedies shall comply with the applicable provisions of the Uniform Code. This section shall not limit or impair the right of the County to take any other enforcement action, including but not limited to suspension or revocation of a parking garage's operating permit, as may be necessary or appropriate in response to the information in a condition assessment report.

- G. The County shall retain all condition assessment reports for the life of the parking garage. Upon request by a professional engineer who has been engaged to perform a condition assessment of a parking garage, and who provides the County with a written statement attesting to the fact that he or she has been so engaged, the County shall make the previously prepared condition assessment reports for such parking garage (or copies of such reports) available to such professional engineer. The County shall be permitted to require the owner or operator of the subject parking garage to pay all costs and expenses associated with making such previously prepared condition assessment reports (or copies thereof) available to the professional engineer.
- H. This section shall not limit or impair the right or the obligation of the County:
- i. to perform such construction inspections as are required by § 370-5 (Construction Inspections) of this local law;
 - ii. to perform such periodic fire safety and property maintenance inspections as are required by § 370-11 (Fire Safety and Property Maintenance Inspections) of this local law; and/or
 - iii. to take such enforcement action or actions as may be necessary or appropriate to respond to any condition that comes to the attention of the County by means of its own inspections or observations, by means of a complaint, or by any other means other than a condition assessment or a report of a condition assessment.

§ 370-14. Climatic and Geographic Design Criteria.

- A. The Code Enforcement Officer shall determine the climatic and geographic design criteria for buildings and structures constructed as required by the Uniform Code. Such determinations shall be made in the manner specified in the Uniform Code using, where applicable, the maps, charts, and other information provided in the Uniform Code. The criteria to be so determined shall include but shall not necessarily be limited to, the following:
- i. design criteria to include ground snow load; wind design loads; seismic category; potential damage from weathering, frost, and termite; winter design temperature; whether ice barrier underlayment is required; the air freezing index; and the mean annual temperature;
 - ii. heating and cooling equipment design criteria for structures within the scope of the RCNYS. The design criteria shall include the data identified in the Design Criteria Table found in Chapter 3 of the RCNYS; and
 - iii. flood hazard areas, flood hazard maps, and supporting data. The flood hazard map shall include, at a minimum, special flood hazard areas as identified by the Federal Emergency Management Agency in the Flood Insurance Study for the community, as amended or revised with:
 - i. the accompanying Flood Insurance Rate Map (FIRM);
 - ii. Flood Boundary and Floodway Map (FBFM); and
 - iii. related supporting data along with any revisions thereto.

- B. The Code Enforcement Officer shall prepare a written record of the climatic and geographic design criteria determined pursuant to subdivision (A) of this section, shall maintain such record within the office of the Code Enforcement Officer, and shall make such record readily available to the public.

§ 370-15. Record Keeping. The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

- A. all applications received, reviewed and approved or denied;
- B. all plans, specifications and construction documents approved;
- C. all Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;
- D. all inspections and tests performed;
- E. all statements and reports issued;
- F. all complaints received;
- G. all investigations conducted;
- H. all condition assessment reports received;
- I. all fees charged and collected; and
- J. all other features and activities specified in or contemplated by sections 4 through 14, inclusive, of this local law.

All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

§ 370-16. Program Review and Reporting.

- A. The Code Enforcement Officer shall annually submit to the County Executive a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in § 370-15 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.
- B. The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf the County, on a form prescribed by the Secretary of State, a report of the activities of the County relative to administration and enforcement of the Uniform Code.
- C. The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, true and complete copies of the records and related materials the County is required to maintain; true and complete copies of such portion of such records and related materials as may be requested by the Department of State; and/or such excerpts, summaries, tabulations, statistics, and other information and accounts of its activities in connection with administration and enforcement of the Uniform Code and/or Energy Code as may be requested by the Department of State.

§ 370-17. Violations.

- A. **Orders to Remedy.** The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. An Order to

Remedy shall be in writing; shall be dated and signed by the Code Enforcement Officer; shall specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; shall specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; and shall include a statement substantially similar to the following:

“The person or entity served with this Order to Remedy must completely remedy each violation described in this Order to Remedy by [specify date], which is thirty (30) days after the date of this Order to Remedy.”

- B. The Order to Remedy may include provisions ordering the person or entity served with such Order to Remedy: (1) to begin to remedy the violations described in the Order to Remedy immediately, or within some other specified period of time which may be less than thirty (30) days; to continue diligently to remedy such violations until each such violation is fully remedied; and, in any event, to complete the remedying of all such violations within thirty (30) days of the date of such Order to Remedy; and/or (2) to take such other protective actions (such as vacating the building or barricading the area where the violations exist) which are authorized by this local law or by any other applicable statute, regulation, rule, local law or ordinance, and which the Code Enforcement Officer may deem appropriate, during the period while such violations are being remedied. The Code Enforcement Officer shall cause the Order to Remedy, or a copy thereof, to be served on the owner of the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy. The Code Enforcement Officer shall be permitted, but not required, to cause the Order to Remedy, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by registered mail or certified mail within five (5) days after the date of the Order to Remedy; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.
- C. Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code.
- D. Penalties. In addition to such other penalties as may be prescribed by State law, any Person who violates any provision of this local law or any term, condition, or provision of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be punishable by a fine of not more than \$200 per day of violation; and any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to pay a civil penalty of not more than \$200 for each day or part thereof during which such violation continues. The civil penalties provided by this paragraph shall be recoverable in an action instituted in the name of Monroe County.
- E. Injunctive Relief. An action or proceeding may be instituted in the name of Monroe County, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy, Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Order to Remedy, or other notice

or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Order to Remedy or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this County, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the County Attorney.

- F. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in § 370-6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in § 370-6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 382 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 382 of the Executive Law.

§ 370-18. Fees. A fee schedule shall be established each year in the annual budget. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy, Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

§ 370-19. Intermunicipal Agreements. Monroe County Legislature may, by resolution, authorize an agreement with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

Section 2. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 3. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

By Legislators McCabe and Brew

Intro. No. 399

MOTION NO. 77 OF 2023

PROVIDING THAT LOCAL LAW (INTRO. NO. 398 OF 2023), ENTITLED “UNIFORM CODE ENFORCEMENT”, BE TABLED

BE IT MOVED, that Local Law (Intro. No. 398 of 2023) entitled “Uniform Code Enforcement” be tabled.

File No. 23-0326.LL

ADOPTION: Date: November 14, 2023

Vote: 28-0

By Legislators McCabe and Brew

Intro. No. 400

RESOLUTION NO. 315 OF 2023

**FIXING A PUBLIC HEARING ON LOCAL LAW (INTRO. NO. 398 OF 2023) ENTITLED
“UNIFORM CODE ENFORCEMENT”**

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

Section 1. That there will be a public hearing at 6:19 P.M. on the 12th day of December, 2023, in the Legislative Chambers in the County Office Building, Rochester, New York on Local Law (Intro. No. 398 of 2023) Entitled “Uniform Code Enforcement”.

Section 2. The Clerk of the Legislature is directed to give notice of the time and place of this public hearing, and a description of the proposed local law, to the news media within the County, and shall conspicuously post a copy of said notice in the office of the Clerk at least five days before said hearing. In addition, the Clerk shall cause said notice to be published once in the official newspapers of general circulation within the County at least five days before said hearing.

Section 3. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

File No. 23-0326.LL

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Dondorfer and Smith

Intro. No. 401

ENACTING A LOCAL LAW ENTITLED "AUTHORIZING A LEASE BY NEGOTIATION WITH 150 BELLWOOD DRIVE, LLC FOR USE AND OCCUPANCY OF SPACE AT 150 BELLWOOD DRIVE, TOWN OF GREECE, NEW YORK"

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

Section 1. The County Executive, or his designee, is hereby authorized to execute a lease by negotiation, and any amendments thereto, with 150 Bellwood Drive, LLC, for a total term of ten (10) years, for the purpose of providing approximately 20,400 square feet of space at 150 Bellwood Drive, Town of Greece, at a cost of \$12.00 per square foot for years one (1) through five (5); \$13.80 per square foot for years six (6) through (10), on a triple net basis. The lease may be renewed for two (2) additional five (5) year terms upon mutual consent of the parties, at the cost of \$15.87 per square foot for years eleven (11) through fifteen (15) and \$18.25 per square foot for years sixteen (16) through twenty (20).

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

File No. 23-0353.LL

By Legislators Dondorfer and Smith

Intro. No. 402

MOTION NO. 78 OF 2023

PROVIDING THAT LOCAL LAW (INTRO. NO. 401 OF 2023), ENTITLED “AUTHORIZING A LEASE BY NEGOTIATION WITH 150 BELLWOOD DRIVE, LLC FOR USE AND OCCUPANCY OF SPACE AT 150 BELLWOOD DRIVE, TOWN OF GREECE, NEW YORK,” BE TABLED

BE IT MOVED, that Local Law (Intro. No. 401 of 2023), entitled, “AUTHORIZING A LEASE BY NEGOTIATION WITH 150 BELLWOOD DRIVE, LLC FOR USE AND OCCUPANCY OF SPACE AT 150 BELLWOOD DRIVE, TOWN OF GREECE, NEW YORK,” be tabled.

File No. 23-0353.LL

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Dondorfer and Smith

Intro. No. 403

RESOLUTION NO. 316 OF 2023

FIXING A PUBLIC HEARING ON LOCAL LAW (INTRO. NO. 401 OF 2023), ENTITLED "AUTHORIZING A LEASE BY NEGOTIATION WITH 150 BELLWOOD DRIVE, LLC FOR USE AND OCCUPANCY OF SPACE AT 150 BELLWOOD DRIVE, TOWN OF GREECE, NEW YORK"

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

Section 1. That there will be a public hearing at 6:20 P.M. on the 12th day of December, 2023, in the Legislative Chambers in the County Office Building, Rochester, New York on Local Law (Intro. No. 401 of 2023), entitled "AUTHORIZING A LEASE BY NEGOTIATION WITH 150 BELLWOOD DRIVE, LLC FOR USE AND OCCUPANCY OF SPACE AT 150 BELLWOOD DRIVE, TOWN OF GREECE, NEW YORK."

Section 2. The Clerk of the Legislature is directed to give notice of the time and place of this public hearing, and a description of the proposed local law, to the news media within the County, and shall conspicuously post a copy of said notice in the office of the Clerk at least five days before said hearing. In addition, the Clerk shall cause said notice to be published once in an official newspaper of general circulation within the County at least five days before said hearing.

Section 3. This resolution shall take effect immediately.

File No. 23-0353.LL

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Hebert, Allkofer and Smith

Intro. No. 404

RESOLUTION NO. 317 OF 2023

AUTHORIZING INTERMUNICIPAL AGREEMENT WITH CITY OF ROCHESTER SUPPORTING DEVELOPMENT OF ARTS AND CULTURAL PLAN FOR CITY OF ROCHESTER AND MONROE COUNTY

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

Section 1. The County Executive, or his designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with the City of Rochester in an amount not to exceed \$25,000, together with in-kind contributions, to support the development of an Arts and Cultural Plan for the City of Rochester and Monroe County.

Section 2. Funding for this contract is included in the 2023 operating budget of Monroe County Cultural and Education Services, general fund 9001, funds center 8902010000, Authorized Agencies.

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

Intergovernmental Relations Committee; October 23, 2023 - CV: 5-0
Recreation and Education Committee; October 24, 2023 - CV: 4-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0309

ADOPTION: Date: November 14, 2023 Vote: 27-2
(Legislators Keller and McCabe Voted in the Negative.)

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Adel Bellis DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Hebert and DiFlorio

Intro. No. 405

RESOLUTION NO. 318 OF 2023

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH TOWN OF HENRIETTA
TRANSFERRING OWNERSHIP OF TOWN-OWNED LAND TO MONROE COUNTY**

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

Section 1. The County Executive, or his designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with the Town of Henrietta, to transfer ownership of town-owned land to Monroe County.

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

Intergovernmental Relations Committee; October 23, 2023 - CV: 5-0
File No. 23-0310

ADOPTION: Date: November 14, 2023

Vote: 24-5

(Legislators DiFlorio, Hebert, Keller, McCabe and Milne Voted in the Negative.)

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Chad Bell DATE: ~~11/22~~ 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Hebert and DiFlorio

Intro. No. 406

MOTION NO. 79 OF 2023

PROVIDING THAT INTRO. NO. 405 OF 2023 BE TABLED

Be It Moved, that Intro. No. 405 of 2023 be, and hereby is, tabled.

File No. 23-0310

FAILED: Date: November 14, 2023

Vote: 5-24

(Legislators DiFlorio, Hebert, Keller, Milne and Vazquez Simmons Voted in the Positive.)

By Legislators Johns, Allkofer and Smith

Intro. No. 407

RESOLUTION NO. 319 OF 2023

AMENDING 2023-2028 CAPITAL IMPROVEMENT PROGRAM AND 2023 CAPITAL BUDGET TO ADD PROJECT ENTITLED "HENRIETTA COUNTY PARK MASTER PLAN IMPROVEMENTS" AND AUTHORIZING INTERFUND TRANSFER

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

Section 1. The 2023-2028 Capital Improvement Program is hereby amended to add a project entitled "Henrietta County Park Master Plan Improvements" in the amount of \$30,000.

Section 2. The 2023 Capital Budget is hereby amended to add a project entitled "Henrietta County Park Master Plan Improvements" in the amount of \$30,000.

Section 3. The Controller is hereby authorized to appropriate the fund balance for an interfund transfer in the amount of \$30,000 and is authorized to transfer to the capital fund to be established for the "Henrietta County Park Master Plan Improvements" project.

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

Environment and Public Works Committee; October 23, 2023 - CV: 7-0

Recreation and Education Committee; October 23, 2023 - CV: 4-0

Ways and Means Committee; October 24, 2023 - CV: 11-0

File No. 23-0311

ADOPTION: Date: November 14, 2023

Vote: 24-5

(Legislators DiFlorio, Hebert, Keller, McCabe and Milne Voted in the Negative.)

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Adrian Bell DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Brew and Roman

Intro. No. 408

MOTION NO. 80 OF 2023

MOTION TO MOVE AGENDA ITEMS 10-32 AS A WHOLE EXCEPT FOR ITEM NOS. 16, 30 AND 31

Be It Moved, that agenda items 10-32, except for agenda items 16, 30 and 31, at the November 14, 2023 Full Legislature Meeting be moved as a whole and voted on simultaneously by casting a unanimous vote by the Legislature Body.

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Keller and Smith

Intro. No. 409

RESOLUTION NO. 320 OF 2023

ACCEPTING GRANT FROM UNIVERSITY OF ROCHESTER FOR BREASTFEEDING FRIENDLY NEW YORK PROGRAM

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

Section 1. The County Executive, or his designee, is hereby authorized to accept a \$120,000 grant from, and to execute a contract and any amendments thereto with, the University of Rochester for the Breastfeeding Friendly New York Program for the period of July 1, 2023 through June 30, 2028.

Section 2. The 2023 operating budget of the Department of Public Health is hereby amended by appropriating the sum of \$24,000 into general fund 9300, funds center 5803010000, Maternal/Child Administration.

Section 3. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.

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.

Human Services Committee; October 24, 2023 – CV: 9-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0312

ADOPTION: Date: November 14, 2023

Vote: 29-0

(Legislators Hasman and Long Declared Their Interest Prior to the Vote.)

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Adaj Bello DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Keller and Smith

Intro. No. 410

RESOLUTION NO. 321 OF 2023

ACCEPTING GRANT FROM NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES FOR 2023-2024 AID TO CRIME LABORATORIES GRANT PROGRAM (OFFICE OF THE MEDICAL EXAMINER)

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

Section 1. The County Executive, or his designee, is hereby authorized to accept a \$102,108 grant from, and to execute a contract and any amendments thereto with, the New York State Division of Criminal Justice Services for the 2023-2024 Aid to Crime Laboratories Grant Program related to the Office of the Medical Examiner for the period of July 1, 2023 through June 30, 2024.

Section 2. The 2023 operating budget of the Department of Public Health is hereby amended by appropriating the sum of \$23,652 into general fund 9300, funds center 5804020000, Forensic Laboratory.

Section 3. Partial funding for this grant is included in the 2023 operating budget of the Department of Public Health, general fund 9300, funds center 5804020000, Forensic Laboratory. The appropriated amount will adjust the current funding to that established by the grant.

Section 4. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.

Section 5. 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 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Human Services Committee; October 24, 2023 - CV: 9-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0313

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Robert Bell DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Keller and Smith

Intro. No. 411

RESOLUTION NO. 322 OF 2023

ACCEPTING FUNDING FROM NEW YORK STATE OFFICE OF MENTAL HEALTH AND NEW YORK STATE OFFICE OF ADDICTION SERVICES AND SUPPORTS AND AMENDING RESOLUTION 393 OF 2022, AS AMENDED BY RESOLUTIONS 142 AND 225 OF 2023, AND RESOLUTION ADOPTED PURSUANT TO REFERRAL 23-0287, AUTHORIZING CONTRACTS FOR PROVISION OF MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND ALCOHOLISM AND SUBSTANCE ABUSE SERVICES IN 2023 FOR MONROE COUNTY OFFICE OF MENTAL HEALTH

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

Section 1. The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, to accept funding in the amount of \$2,162,925 from the New York State Office of Mental Health and \$253,071 from the New York State Office of Addiction Services and Supports for the period of January 1, 2023 through December 31, 2023.

Section 2. The 2023 operating budget of the Department of Human Services, Office of Mental Health, is hereby amended by appropriating the sums of \$2,162,925 into general fund 9001, funds centers 5702010000, Mental Health Services and \$253,071 into general fund 9001, funds center 5702030000, Alcohol and Other Substance Abuse Services.

Section 3. Section 1 of Resolution 393 of 2022, as amended by Resolution 142 and 225 of 2023, and the resolution adopted pursuant to Referral 23-0287, is hereby amended to read as follows:

The County Executive, or his designee, is hereby authorized to execute contracts, and any amendments thereto, with the agencies listed in Attachment A and any other agencies as necessary to provide mental health, developmental disability, and alcoholism and substance abuse services for Monroe County residents in an amount not to exceed ~~\$46,161,225~~ \$48,577,221 for the period of January 1, 2023 through December 31, 2023.

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

Human Services Committee; October 24, 2023 - CV: 9-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0314

ADOPTION: Date: November 14, 2023 Vote: 29-0
(Legislators Hasman and Long Declared Their Interest Prior to the Vote.)

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Cedric Bell DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

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

By Legislators Keller and Smith

Intro. No. 412

RESOLUTION NO. 323 OF 2023

ACCEPTING GRANTS FROM NEW YORK STATE OFFICE FOR THE AGING FOR COMMUNITY SERVICE FOR THE ELDERLY PROGRAM, EXPANDED IN-HOME SERVICES FOR THE ELDERLY PROGRAM AND WELLNESS IN NUTRITION PROGRAM AND AMENDING RESOLUTION 395 OF 2022, AS AMENDED BY RESOLUTION 112 OF 2023 AND RESOLUTION 217 OF 2023, AUTHORIZING CONTRACT FOR MONROE COUNTY OFFICE FOR THE AGING PROGRAMS IN 2023-2024

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

Section 1. The County Executive, or his designee, is hereby authorized to accept a total of \$647,540 in grants from, and to execute a contract and any amendments thereto with, the New York State Office for the Aging for the Community Service for the Elderly Program, the Expanded In-Home Services for the Elderly Program, and the Wellness in Nutrition Program for the period of April 1, 2023 through March 31, 2024.

Section 2. The 2023 operating budget of the Department of Human Services, Office for the Aging, is hereby amended by appropriating the sum of \$505,508 into general fund 9001, funds center 5501030000, Support Services Contracts and the sum of \$142,032 into general fund 9001, funds center 5501040000, Nutrition Service Contracts.

Section 3. Section 1 of Resolution 395 of 2022, as amended by Resolution 112 of 2023 and Resolution 217 of 2023, is hereby amended to read as follows:

The County Executive, or his designee, is hereby authorized to execute contracts, applications, and any amendments thereto, with the agencies listed in Attachment A in an amount not to exceed ~~\$8,916,572~~ \$9,564,112 for the period of January 1, 2023 through March 31, 2024.

Section 4. Partial funding for this grant is included in the 2023 operating budget of the Monroe County Department of Human Services, Office for the Aging, general fund 9300 and general fund 9001; funds centers 5501030000, Support Service Contracts; 5501040000, Nutrition Service Contracts, and 5501050000, Education, Training, Wellness Contracts Education.

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

Human Services Committee; October 24, 2023 - CV: 9-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0315

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: Cedric Keller DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

Added language is underlined

Deleted language is ~~stricken~~

2023-24 ANTICIPATED CONTRACT SERVICES and 2000

| Vendor and Program Services | VENDOR TOTAL | SERVICE TOTAL | PROGRAM DESCRIPTION |
|--|--|---------------|---|
| Adult Day TBD Formerly Rochester Regional Health; Respite Adult Day Social Adult Day Care | \$0,000 \$8,179 | 108,179 | These are social model adult day care programs that help physically and cognitively impaired frail Older Adults (60+) to continue living in the community. |
| Caregiver Assistance & Resources Alzheimer's Disease and Related Disorders Association, Inc.: Caregiver Education and Support Lifespan of Greater Rochester, Inc.: Caregiver Resource Center & Grandparents Caregiver Program Long Term Care Ombudsman(LTCOP) | 112,862 110,752 26,183 | 249,797 | Caregiver education programs, training and support groups and information & assistance offered to individuals diagnosed with early to mid-stage Alzheimer's disease and other memory related disorders. The Caregiver Resource Center (CRC) is a State funded program which provides resources and support to Informal Family Caregivers. A Kinship care program provides support group and educational training sessions, designed to support eligible caregivers and help sustain their efforts to provide care for grandchildren, or other younger relatives, children in family-like relationships such as godparents or close family friends. Advocacy services that receive, investigate, and resolve complaints and concerns of residents in long-term care facilities |
| Counseling and Assistance Services Lifespan of Greater Rochester, Inc.: ECO-Elderly Community Outreach Program Financial Management Services HHCAP Services HHCAP Volunteer Stipend | 153,964 130,453 145,013 8,700 | 438,130 | Caseworkers provide community outreach, public education, referrals, assessments, short term problem solving, counseling and advocacy for Older Adults Financial Management program assists Older Adults in applying for benefits such as Medicare and EPIC. This program also provides bill paying assistance and household budgeting The HHCAP program assists older adults, and Medicare eligible individuals, in need of information and assistance regarding health insurance. Lifespan will provide a stipend to HHCAP volunteers that help meet the needs of older New Yorkers applying for Medicare Part B and Part D to lower their health insurance costs |
| Expanded In-Home Services Catholic Family Center of the Diocese of Rochester: Expanded In Home Services for Elderly Program: | 4,374,993 | 4,174,993 | Assists cognitively impaired frail Older Adults to continue living independently in the community by providing case management, developing care plans, and providing in-home services. This program also provides ancillary services such as social adult day programs, home delivered meals, personal emergency response units, home modification and repair and assistive equipment. Home Health Agencies provide housekeeper chore services and personal care. Consumer Directed Services provides service options for families or guardians. |

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|---|---|----------------|---|
| <p>Elder Abuse Prevention Services Lifespan of Greater Rochester, Inc.:</p> <p>Elder Abuse Intervention and Respite</p> | <p>20,000</p> | <p>20,000</p> | <p>Emergency Respite is designed for individuals & caregivers in need of services who are not eligible under Title XIX and have no other resources to pay. Services include but are not limited to emergency transportation, day care, and in-home chore services.</p> |
| <p>Health and Wellness Programs for Seniors Lifespan of Greater Rochester, Inc.:</p> <p>Matter of Balance Program</p> <p>Lifespan of Greater Rochester, Inc.:</p> <p>Chronic Disease Self Management</p> <p>Paths/Pearls Older Adult Depression and Screening</p> <p>Aging Mastery Program</p> <p>Geriatric Addiction Program</p> <p>Oasis Rochester Recreation, Education and Wellness Program</p> | <p>60,000</p> <p>10,000</p> <p>59,941</p> <p>23,859</p> <p>35,000</p> <p>10,918</p> | <p>219,699</p> | <p>The Matter of Balance Program is an evidence based falls prevention program.</p> <p>The Chronic Disease Self Management Program (CDSMP) is an evidence based training program that teaches skills to manage chronic conditions, such as arthritis, hypertension, diabetes, cancer, and heart disease, and significantly improve the health and well-being of older adults in the community and prevent falls.</p> <p>The Older Adult Wellness Programs includes depression screening, and counseling services. These evidence based programs include the Program to Encourage Active, Rewarding Lives (PEARLS) and Providing Assessment and Treatment for Home-bound Seniors (PATHS).</p> <p>The Aging Mastery Program (AMP) is an evidence-based program developed by the National Council on Aging. AMP teaches an individual new tools and strategies for managing their health effectively, improving their quality of life, and making positive changes in their life.</p> <p>Geriatric Addictions Program (GAP) provides case assistance and uses motivational intervention harm reduction model to support older adults to take steps to decrease their misuse of drugs, alcohol, etc., and minimize harm their behavior is causing their health.</p> <p>Utilizing evidence based interventions, this program provides educational, informational, cultural, health and fitness programming to maintain/improve health and wellness for Older Adults.</p> |
| <p>Home Support & In Home Services</p> <p>Catholic Family Center of the Diocese of Rochester: Assisted Transportation (STAR)</p> <p>In Home support (Star)</p> <p>UnMet Needs Program</p> | <p>142,048</p> <p>175,048</p> <p>300,236</p> | <p>617,332</p> | <p>The STAR program provides assisted transportation to older adults. Assisted transportation involves the transportation, including escort services to a person who has difficulties (physical or cognitive) using vehicular transportation.</p> <p>In-home services involve providing non-medical services such as personal care, home repairs, etc. to assist individuals who have physical or cognitive difficulties.</p> <p>The UnMet needs provides ancillary items and services to older adults in order to maintain their independence.</p> |

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| <p>Information, Case Assistance & Special events</p> <p>Coordinated Care Services, Inc.</p> <p>Contract Administration, Fiduciary Services and Employer of Record Services</p> <p>Daniel Jones Lifespan of Greater Rochester, Inc.</p> <p>Computer Training for Seniors</p> <p>Eldersource Information & Assistance/Community Care Connections</p> <p>Lifespan of Greater Rochester, Inc. NY Connects Choices for Long Term Care</p> | <p>175,813</p> <p>10,000</p> <p>276,189</p> <p>818,135</p> | <p>1,487,587</p> | <p>This contract provides Contract Administration and Fiduciary Services for MCOFA. This contract provides Employer of Record Services to assist MCOFA in performing required tasks including Program Monitoring, Outreach & Public Education.</p> <p>Provide older adults with computer, internet and social networking skills to enhance their lives and keep them connected.</p> <p>Eldersource is a single source information, referral, case assistance & counseling program for services to Older Adults and their Informal Family Caregivers. Community Care Connections is a part of Eldersource and provides more intensive case assistance and linkage to healthcare providers for enhanced service provision and improved outcomes.</p> <p>NY Connects is the Aging and Disability Resource Center. This program provides information, assistance and referral about long term care services and supports, options counseling, and assistance in applying for benefits. This program also convenes the Monroe County Long Term Care Council, responsible for analyzing gaps and barriers in the long term care system, and No Wrong Door work stream to ensure consistency across systems of care.</p> |
| <p>Legal Services for the Elderly Legal Assistance of Western NY, Inc. Legal Services for the Elderly</p> | <p>197,717</p> | <p>197,717</p> | <p>This program provides low income Older Adults legal assistance and advocacy. Assistance is provided for help with Social Security, SSA, Medicaid, housing problems, spousal rights, utility issues, Health Care Proxy, and Powers of Attorney.</p> |
| <p>Management Services Coordinated Care Services, Inc. Contract Administration, Fiduciary Services and Employer of Record Services</p> | <p>17,508</p> | <p>17,508</p> | <p>CCS provides management & administration of contracts for various Monroe County Administrative and Employer Record Services.</p> |
| <p>Nutrition Services: Home Delivered Meals UR Medicine Home Care, Community Services, Inc.</p> <p>Meals on Wheels Program</p> | <p>1,540,948</p> | <p>1,540,948</p> | <p>Home Delivered Meals are provided to persons age 60 and over who are homebound, living alone, and are unable to prepare their own meals due to frailty or illness.</p> |

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|---|------------------------------|----------------|---|
| <p>Nutrition Services: Senior Center Catering Goodwill of the Finger Lakes, Inc.</p> <p>Catering Services for the Congregate Nutrition Program</p> <p>Goodwill of the Finger Lakes, Inc. Registered Dietitian Services for the Nutrition Program</p> | <p>416,386</p> <p>61,615</p> | <p>478,001</p> | <p>Nineteen senior meal nutrition sites serve senior attendees age 60 and over with a hot nutritionally balanced meal. Emergency, shelf-stable meals are also provided to seniors throughout the winter months.</p> <p>Registered Dietitian (RD) will provide RD services for various aspects of the nutrition program. Duties performed include nutritional education, counseling, screening and presentations.</p> |
| <p>Nutrition Services: Senior Centers of Monroe County</p> | | | <p>4,396,487</p> |
| <p>Baden Street Settlement of Rochester, Inc. MARC Senior Center</p> | <p>51,814</p> | | <p>Senior Centers in Monroe County provide social activities, wellness programs, special events and meals to persons age 60 and over, their spouse and disabled adult children in a congregate setting. Recreational programming, social activities, case management services and other quality of life initiatives assist seniors to reduce isolation. These centers help seniors to remain living independently within the community of their choice.</p> |
| <p>Charles Settlement House, Inc.: Charles Settlement House Senior Center</p> | <p>92,809</p> | | |
| <p>Town of Chili: Chili Senior Center</p> | <p>56,786</p> | | |
| <p>The Community Place of Greater Rochester, Inc.: Community Place Senior Center</p> | <p>88,180</p> | | |
| <p>Town of Gates: Gates Community B Senior Center</p> | <p>37,293</p> | | |
| <p>Town of Greece: Greece Community B Senior Center</p> | <p>24,215</p> | | |
| <p>Town of Henrietta: Henrietta Senior Center</p> | <p>13,511</p> | | |
| <p>Ibero American Action League, Inc.: Centro de Oro Senior Center</p> | <p>138,159</p> | | |
| <p>Town of Irondequoit: Irondequoit Senior Center</p> | <p>91,177</p> | | |
| <p>Lifespan of Greater Rochester, Inc.: Lifespan Senior Center Programs Walk Center</p> | <p>117,791</p> | | |
| <p>Lifespan of Greater Rochester, Inc.: Lifespan Senior Center Programs Lily Café</p> | <p>25,868</p> | | |
| <p>Lifetime Assistance, Inc.: The Lodge on the Canal</p> | <p>26,080</p> | | |
| <p>Monroe Community Hospital MCH Cafeteria</p> | <p>18,941</p> | | |
| <p>Prayer House Church of God by Faith Senior Center</p> | <p>35,868</p> | | |
| <p>Southwest Neighborhood Association: Southwest Senior Center</p> | <p>611,368</p> | | |
| <p>Town of Ogden: Ogden Senior Center</p> | <p>82,174</p> | | |
| <p>Town of Parma: Hilton-Parma Senior Center</p> | <p>28,349</p> | | |
| <p>Town of Pittsford: Pittsford Senior Center</p> | <p>48,848</p> | | |
| <p>Town of Webster: Webster Senior Center</p> | <p>77,671</p> | | |
| <p>Town of Wheatland: Wheatland Senior Center</p> | <p>29,081</p> | | |
| <p>TBO Personal News Sites</p> | <p>25,000</p> | | |

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|--|--|--------------------|---------------|--|
| Transportation Services | | | 869,110 | |
| Lifespan of Greater Rochester, Inc.: Mobility Management Medical Motors Service of Rochester and Monroe County, Inc. Senior Center Transport Medical Transportation Senior Center Transport | | 61,500 | | Provide mobility management services in an effort to increase efficiencies in the Finger Lakes Region. These services will help older adults to travel across neighboring regions for health care social events, and routine business. |
| | | 869,110 | | Transportation services are provided for Older Adults to and from area Senior Centers, Social Adult Day Programs, recreational centers, airports, shopping, business services and dialysis. |
| Total O/A Contract Budget Proposal | | \$ 9,548,011 | \$ 9,548,011 | Total O/A Contract Services Funds Requested |
| | | 9,548,011 | 9,548,011 | |
| OFFICE FOR THE AGING CONTRACTS | | | | |
| Anticipated Program Revenue | | \$ 213,128 | \$ 181,106 | 97.1% Percent of Federal, State, and Program Revenue |
| Net County Support Requested | | 213,128 | 213,128 | 100% Percent of Net County Support for O/A Contracted Services |
| Total O/A Contract Budget Proposal | | \$ 9,548,011 | \$ 9,548,011 | Amount of Net County Match Subject for O/A Contracted Services |
| | | 9,548,011 | 9,548,011 | |
| | | Cost Center | Amount | 2023 Anticipated Contract Services Fund uses |
| | | 55000000 | 17,500 | Contract Management/CCM: 55000000 |
| | | 55003000 | 216,861 | Support Services: County Funding |
| | | 55003000 | 5,430,900 | Support Services: State/Federal Funding |
| | | 55003000 | 371,316 | Support Services: ARPA Federal Funding |
| | | 55004000 | 47,616 | Nutrition Services: County Funding |
| | | 55004000 | 2,452,183 | Nutrition Services: State/Federal Funding |
| | | 55004000 | 360,000 | Nutrition Services: ARPA Federal Funding |
| | | 55005000 | 662,709 | Education & Wellness: State Funding |
| | | 55005000 | | Education & Wellness: County Funding |
| | | Dept. 5500 | \$ 9,540,111 | O/A Contract Total |
| | | | 8,920 | MCH Income |

By Legislators Dondorfer and Smith

Intro. No. 413

RESOLUTION NO. 324 OF 2023

AUTHORIZING CONTRACT WITH NORTH AMERICAN FAMILY INSTITUTE FOR YOUTH AND POLICE ENGAGEMENT PROGRAM

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

Section 1. The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, with the North American Family Institute for a youth and police engagement program in an amount not to exceed \$90,000 for the period of January 1, 2024 through December 31, 2024, with the option to renew for two (2) additional one year terms in an amount not to exceed \$90,000 in the second year and \$18,000 in the third year.

Section 2. Funding for this agreement is included in the 2023 operating budget of the Department of Public Safety, general fund 9301, funds center 2403020100 Juvenile Services Family Division.

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

Public Safety Committee; October 24, 2023 – CV: 9-0
Ways and Means Committee; October 24, 2023 – CV: 11-0
File No. 23-0316

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: *Okey Bell* DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Dondorfer and Smith

Intro. No. 414

RESOLUTION NO. 325 OF 2023

ACCEPTING GRANT FROM NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR HIGHWAY SAFETY PROGRAM

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

Section 1. The County Executive, or his designee, is hereby authorized to accept a \$109,300 grant from, and to execute a contract and any amendments thereto with, the New York State Governor's Traffic Safety Committee for the Highway Safety Program for the period of October 1, 2023 through September 30, 2024.

Section 2. The 2023 operating budget of the Department of Public Safety is hereby amended by appropriating the sum of \$109,300 into general fund 9300, funds center 2405100000, Traffic Safety Program.

Section 3. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, 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 commitments.



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; October 24, 2023 - CV: 9-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0317

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED:  VETOED: _____
SIGNATURE:  DATE: 11/21/2023
EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Keller and Smith

Intro. No. 415

RESOLUTION NO. 326 OF 2023

AMENDING RESOLUTION 18 OF 2023 EXTENDING TIME PERIOD OF BIPOC PEER ADVOCATE TRAINING AND DEVELOPMENT PROGRAM GRANT FROM SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION AND AUTHORIZING CONTRACT WITH HOUSE OF MERCY, INC. FOR BLACK, INDIGENOUS, AND PEOPLE OF COLOR PEER TRAINING AND DEVELOPMENT PROGRAM

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

Section 1. Section 1 of Resolution 18 of 2023 is hereby amended to read as follows:

The County Executive, or his designee, is hereby authorized to accept a grant in the amount of \$265,000 from, and to execute a contract and any amendments thereto with, the Substance Abuse and Mental Health Services Administration for the Monroe County BIPOC Peer Advocate Training and Development Program for the period of September 30, 2022 through September 29, ~~2023~~ 2024.

Section 2. The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, with House of Mercy, Inc. to operate a BIPOC Peer Advocate Training and Development Program in an amount not to exceed \$265,000 for the period of September 30, 2022 through September 29, 2024.

Section 3. Funding for this contract is included in the 2023 operating budget of the Department of Human Services, Office of Mental Health, general fund 9300, funds center 5702030000, Alcohol and Other Substance Abuse Services.

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

Human Services Committee; October 24, 2023 - CV: 9-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0319

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Cedric Bell DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Johns and Smith

Intro. No. 416

RESOLUTION NO. 327 OF 2023

AUTHORIZING CONTRACTS WITH ATLANTIC TESTING LABORATORIES, LTD. AND CME ASSOCIATES INC. FOR MATERIAL TESTING TERM SERVICES

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

Section 1. The County Executive, or his designee, is hereby authorized to execute contracts, and amendments thereto, with Atlantic Testing Laboratories, Ltd. and CME Associates Inc., for material testing term services for a total annual amount not to exceed \$200,000, for the period of January 1, 2024 through December 31, 2024, with the option to renew for two (2) additional one-year extensions, with escalations for the extensions to be limited to an amount equal to the increase in the previous year's Consumer Price Index (U.S. City Average CPI-U from the Bureau of Labor Statistics).

Section 2. Funding for these services, consistent with authorized uses, is included in various capital fund(s) and any capital fund(s) created for the same intended purpose.

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

Environment & Public Works Committee; October 23, 2023 - CV: 7-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0320

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Cedric Bell DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Johns and Smith

Intro. No. 417

RESOLUTION NO. 328 OF 2023

AUTHORIZING CONTRACT WITH PARADIGM ENVIRONMENTAL SERVICES, INC. AND ATLANTIC TESTING LABORATORIES, LTD. FOR PROFESSIONAL ENVIRONMENTAL TESTING TERM SERVICES

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

Section 1. The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, with Paradigm Environmental Services, Inc. and Atlantic Testing Laboratories, Ltd. for environmental testing term services in a total annual amount not to exceed \$300,000 for the period of January 1, 2024 through December 31, 2024, with the option to renew for two (2) additional one-year extensions, with escalations for the extensions to be limited to an amount equal to the increase in the previous year's Consumer Price Index (U.S. City Average CPI-U from the Bureau of Labor Statistics).

Section 2. Funding for this contract, consistent with authorized uses, is included in various capital funds and any capital fund(s) created for the same intended purpose.

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

Environment & Public Works Committee; October 23, 2023 - CV: 7-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0322

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE:  DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Johns, Allkofer, and Smith

Intro. No. 418

RESOLUTION NO. 329 OF 2023

AMENDING 2023-2028 CAPITAL IMPROVEMENT PROGRAM TO ADD PROJECT ENTITLED "CONSTRUCTION OF A 9/11 FIRST RESPONDERS MEMORIAL AT HIGHLAND PARK," AND AUTHORIZING ACCEPTANCE OF GRANT FROM DORMITORY AUTHORITY OF STATE OF NEW YORK

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

Section 1. The 2023-2028 Capital Improvement Program is hereby amended to add a project entitled "Construction of a 9/11 First Responders Memorial at Highland Park" in the amount of \$250,000.

Section 2. The County Executive, or his designee, is hereby authorized to accept a grant of \$250,000 from, and to execute contracts, and any amendments thereto, with the Dormitory Authority of the State of New York.

Section 3. Funding for this project, consistent with authorized uses, will be included in the capital fund to be created and any other capital fund(s) created for the same intended purpose.

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

Environment and Public Works Committee; October 23, 2023 – CV: 7-0
Recreation and Education Committee; October 23, 2023 - CV: 4-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0324

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Orlando Belle DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Johns, Allkofer and Smith

Intro. No. 419

RESOLUTION NO. 330 OF 2023

BOND RESOLUTION DATED NOVEMBER 14, 2023

RESOLUTION AUTHORIZING THE ISSUANCE OF \$250,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE CONSTRUCTION OF A 9/11 FIRST RESPONDERS MEMORIAL AT HIGHLAND PARK, IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$250,000

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, as follows:

Section 1. For the object or purpose of financing the cost of the construction of a 9/11 First Responders Memorial at Highland Park in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$250,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of the amount hereby authorized to pay the cost of the aforesaid specific object or purpose. The period of probable usefulness of the aforesaid specific object or purpose is fifteen (15) years, pursuant to subdivision 19(c) of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The maximum estimated cost thereof is \$250,000, and the plan for the financing thereof is by the issuance of \$250,000 bonds of said County herein authorized; provided, however, that to the extent any state and/or federal aid and/or grant and/or gift is received for the aforesaid purpose, the County Executive, or his designee, is hereby authorized to accept and shall use such funds to redeem any outstanding indebtedness incurred for such purpose or apply it, 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, 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 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 8. 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 publish this resolution or a summary hereof to be published, together with a notice attached in substantially the form and in the manner prescribed by Section 81.00 of the Local Finance Law.

Environment & Public Works Committee; October 24, 2023 – CV: 7-0
Recreation and Education Committee; October 24, 2023 – CV: 4-0
Ways and Means Committee; October 24, 2023 – CV: 11-0
File No. 23-0324.br

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ _____ VETOED: _____

SIGNATURE: Osdey Belto _____ DATE: 11/21/2023 _____

EFFECTIVE DATE OF RESOLUTION: 11/21/2023 _____

By Legislators Johns and Smith

Intro. No. 420

RESOLUTION NO. 331 OF 2023

AUTHORIZING CONTRACT WITH LABELLA ASSOCIATES, D.P.C. FOR MONROE COMMUNITY COLLEGE WOLK HEALTH CARE CENTER PROJECT

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

Section 1. The County Executive, or his designee, is hereby authorized to execute a contract with LaBella Associates, D.P.C. for professional engineering services for the Monroe Community College Wolk Health Care Center Project in the amount of \$140,000, and any amendments necessary to complete the project within the total capital fund(s) appropriation.

Section 2. Funding for this project, consistent with authorized uses, is included in capital fund 2045 and any capital fund(s) created for the same intended purpose.

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

Environment and Public Works Committee; October 23, 2023 – CV: 7-0
Ways and Means Committee; October 24, 2023 – CV: 11-0
File No. 23-0325

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE:  DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Hebert, Johns, and Smith

Intro. No. 421

RESOLUTION NO. 332 OF 2023

AUTHORIZING INTERMUNICIPAL AGREEMENT BETWEEN GATES-CHILI-OGDEN SEWER DISTRICT AND TOWN OF CHILI FOR CONVEYANCE AND TREATMENT OF SEWAGE

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

Section 1. The County Executive, or his designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, between the Gates-Chili-Ogden Sewer District and the Town of Chili for the operation, maintenance, and treatment of sanitary sewage from Benefit Area #1 and the conveyance and treatment of sanitary sewage from Chili Sewer District #1.

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

Intergovernmental Relations Committee; October 23, 2023 - CV: 5-0
Environment and Public Works Committee; October 23, 2023 - CV: 7-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0328

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____
SIGNATURE: *Cedric Bell* DATE: 11/21/2023
EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Dondorfer and Smith

Intro. No. 422

RESOLUTION NO. 333 OF 2023

ACCEPTING GRANT FROM NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR POLICE TRAFFIC SERVICES PROGRAM

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

Section 1. The County Executive, or his designee, is hereby authorized to accept a \$21,220 grant from, and to execute a contract and any amendments thereto with, the New York State Governor's Traffic Safety Committee for the Police Traffic Services Program for the period of October 1, 2023 through September 30, 2024.

Section 2. The 2023 operating budget of the Office of the Sheriff is hereby amended by appropriating the sum of \$21,220 into general fund 9300, funds center 3803010000, Police Bureau Administration.

Section 3. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.

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; October 24, 2023 - CV: 9-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0329

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Adley Bell DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Dondorfer and Smith

Intro. No. 423

RESOLUTION NO. 334 OF 2023

ACCEPTING GRANT FROM NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE FOR NEW YORK STATE'S HIGHWAY SAFETY PROGRAM

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

Section 1. The County Executive, or his designee, is hereby authorized to accept an \$11,500 grant from, and to execute a contract and any amendments thereto with, the New York State Governor's Traffic Safety Committee for the New York State's Highway Safety Program for the period of October 1, 2023 through September 30, 2024.

Section 2. The 2023 operating budget of the Office of the Sheriff is hereby amended by appropriating the sum of \$11,500 into general fund 9300, funds center 3803010000, Police Bureau Administration.

Section 3. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.

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; October 24, 2023 - CV: 9-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0330

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: DeWay Bell DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Johns and Smith

Intro. No. 424

RESOLUTION NO. 335 OF 2023

AUTHORIZING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND CONVEYING 600 RIDGE ROAD TO TOWN OF WEBSTER

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

Section 1. The County Executive, or his designee, is hereby authorized to execute an agreement, and any amendments thereto, with the New York State Department of Environmental Conservation regarding 600 Ridge Road, Webster, New York.

Section 2. The County Executive, or his designee, is hereby authorized to execute all documents necessary for the conveyance of 600 Ridge Road, Webster, New York to the Town of Webster.

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

Environment and Public Works Committee; October 23, 2023 - CV: 7-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0331

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Ordey Belto DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Keller and Smith

Intro. No. 425

RESOLUTION NO. 336 OF 2023

AMENDING RESOLUTION 282 OF 2021, AS AMENDED BY RESOLUTIONS 330 OF 2022 AND 108 OF 2023 ACCEPTING ADDITIONAL FUNDING FROM UNITED STATES DEPARTMENT OF THE TREASURY FOR EMERGENCY RENTAL ASSISTANCE 2 PROGRAM, MONROE COUNTY EVICTION PREVENTION PILOT INITIATIVE 2.0

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

Section 1. Section 1 of Resolution 282 of 2021, as amended by Resolution 330 of 2022 and 108 of 2023, is hereby amended to read as follows:

The County Executive, or his designee, is hereby authorized to accept a ~~\$22,322,502.23~~ \$22,804,829.48 grant from, and to execute a contract and any amendments thereto with, the United States Department of the Treasury for the Emergency Rental Assistance 2 program for the period of March 11, 2021 through September 30, 2025.

Section 2. The 2023 operating budget of the Department of Finance is hereby amended by appropriating the sum of \$482,327.25 into general fund 9001, funds center 1209070200, Emergency Rental Assistance.

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

Human Services Committee; October 24, 2023 - CV: 9-0
Ways and Means Committee; October 24, 2023 - CV: 11-0
File No. 23-0332

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Orday Bello DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

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

By Legislators Hebert, Dondorfer, and Smith

Intro. No. 426

RESOLUTION NO. 337 OF 2023

AUTHORIZING INTERMUNICIPAL AGREEMENTS WITH TOWNS OF GREECE AND IRONDEQUOIT PROVIDING TOWNS PARTIAL REIMBURSEMENT OF INTEROPERABLE RADIO COMMUNICATIONS EQUIPMENT INSTALLATIONS WITHIN TOWNS' PUBLIC SAFETY FACILITIES

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

Section 1. The County Executive, or his designee, is hereby authorized to execute intermunicipal agreements with the Towns of Greece and Irondequoit in a total aggregate amount not to exceed \$20,000, and any amendments thereto, to provide the towns a partial reimbursement of interoperable radio communications equipment installations within the towns' public safety facilities.

Section 2. Funding for these agreements is included in the 2023 operating budget of the Department of Public Safety, general fund 9001, funds center 2406010000, Public Safety Communications.

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

Intergovernmental Relations Committee; October 23, 2023 - CV: 5-0

Public Safety Committee; October 24, 2023 - CV: 9-0

Ways and Means Committee; October 24, 2023 - CV: 11-0

File No. 23-0333

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Cedric Bold DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Johns and McCabe

Intro. No. 427

RESOLUTION NO. 338 OF 2023

CLASSIFICATION OF ACTION AND DETERMINATION OF SIGNIFICANCE PURSUANT TO STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR ALDRICH ROAD SIDEWALK PROJECT IN TOWN OF PERINTON

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

Section 1. The Monroe County Legislature determines that the Aldrich Road Sidewalk Project in the Town of Perinton is an Unlisted action.

Section 2. The Monroe County Legislature has reviewed and considered the Short Environmental Assessment Form dated September 29, 2023, and has considered the potential environmental impacts of the Aldrich Road Sidewalk Project in the Town of Perinton pursuant to the requirements of State Environmental Quality Review Act and has found that the proposed action will not result in any significant adverse environmental impacts. The Monroe County Legislature hereby issues and adopts the Negative Declaration attached hereto and made a part hereof and determines that an environmental impact statement is not required.

Section 3. The County Executive, or his designee, is hereby authorized to take such actions to comply with the requirements of the State Environmental Quality Review Act, including without limitation, the execution of documents and the filing, distribution, and publication of the documents required under the State Environmental Quality Review Act, and any other actions to implement the intent of this resolution.

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

Environment and Public Works Committee; October 23, 2023 - CV: 7-0
File No. 23-0338

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____
SIGNATURE: Cedric Bell DATE: 11/21/2023
EFFECTIVE DATE OF RESOLUTION: 11/21/2023

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

| | | | |
|---|--|-------------------------|---------------------------------|
| Part 1 - Project and Sponsor Information | | | |
| Name of Action or Project: Calkins Road Highway Improvement Project | | | |
| Project Location (describe, and attach a location map): Calkins Road between East Henrietta Road and Pinnacle Road | | | |
| Brief Description of Proposed Action: Monroe County is acquiring easements in relation to a Monroe County DOT road improvement project that will improve the condition of the pavement surface by resurfacing travel lanes; paving and widening the existing shoulder; and updating drainage, including replacement of an existing culvert near Bard Road. | | | |
| Name of Applicant or Sponsor: Monroe County | | Telephone: 585-753 1233 | |
| | | E-Mail: | |
| Address: 39 West Main St | | | |
| City/PO: Rochester | | State: NY | Zip Code: 14614 |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | | | NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: | | | NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? | | _____ 12.61 acres | |
| b. Total acreage to be physically disturbed? | | _____ 0 acres | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | _____ .30 acres | |
| 4. Check all land uses that occur on, are adjoining or near the proposed action: | | | |
| 5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) | | | |
| <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): | | | |
| <input type="checkbox"/> Parkland | | | |

| | | | |
|---|-------------------------------------|-------------------------------------|-------------------------------------|
| 5. Is the proposed action, | NO | YES | N/A |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a. A permitted use under the zoning regulations? | | | |
| b. Consistent with the adopted comprehensive plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: N/A _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ N/A _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A _____ | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? | NO | YES | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ N/A - Based on further review, no wetlands were indicated in the project site. _____ | NO | YES | |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |

| | | |
|--|-------------------------------------|-------------------------------------|
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban | | |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. Is the project site located in the 100-year flood plan? | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, | NO | YES |
| a. Will storm water discharges flow to adjacent properties? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If Yes, briefly describe: _____ _____ | | |
| 18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ | NO | YES |
| N/A. Based on further review, there is not a hazardous waste site on site or adjoining the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE | | |
| Applicant/sponsor/name: <u>Amy Granda</u> | Date: <u>9/29/23</u> | |
| Signature: <u><i>Amy Granda</i></u> | Title: <u>Dir. of Real Property</u> | |

Agency Use Only (If applicable)

| | |
|----------|-------------|
| Project: | Caldns Road |
| Date: | 2022.09.29 |

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

| | No, or small impact may occur | Moderate to large impact may occur |
|--|-------------------------------------|------------------------------------|
| 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Will the proposed action result in a change in the use or intensity of use of land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Will the proposed action impair the character or quality of the existing community? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Will the proposed action impact existing: | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a. public / private water supplies? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. public / private wastewater treatment utilities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Will the proposed action create a hazard to environmental resources or human health? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

PRINT FORM

Agency Use Only (If applicable)

Project: Calkins Road

Date: 2023.09.29

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Part 1 of the EAF indicates the site contains or is near wetlands. Based on further review, there are no wetlands on or adjacent to the easements being sought. Accordingly, no wetlands will be impacted from this sale and the action will not result in any significant adverse environmental impacts.

| | |
|--|--|
| <input type="checkbox"/> | Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required. |
| <input checked="" type="checkbox"/> | Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. |
| Monroe County | <u>11/21/2023</u> |
| Name of Lead Agency | Date |
| Adam J. Bello | County Executive |
| Print or Type Name of Responsible Officer in Lead Agency | Title of Responsible Officer |
| <u>Adam Bello</u> | <u>Amy Grande</u> |
| Signature of Responsible Officer in Lead Agency | Signature of Preparer (if different from Responsible Officer) |

PRINT FORM

By Legislators McCabe and Smith

Intro. No. 428

RESOLUTION NO. 339 OF 2023

AUTHORIZING CREATION OF MONROE COUNTY LAND BANK

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

Section 1. The Monroe County Legislature hereby authorizes the creation of the Monroe County Land Bank as follows:

- a. Name of the land bank: Monroe County Land Bank
- b. Number of initial members of the board of directors: 7
- c. Names of the individuals to serve on the Monroe County Land Bank board of directors and the length of terms:
 - i. Robert Franklin, Monroe County Director of Finance (ex-officio)
 - ii. Thalia Wright, Monroe County Commissioner of Human Services (ex-officio)
 - iii. Ana Liss, Monroe County Director of Planning and Development (ex-officio)
 - iv. Amy Grande, Monroe County Real Property Director (ex-officio)
 - v. Majority Appointment – Deborah Campanella (3 year term)
 - vi. Minority Appointment – Kevin Purcell (3 year term)
 - vii. County Executive Appointment – Orlando Ortiz (3 year term)

The ex-officio members may designate, in writing, another individual from their department to serve on the Board. Citizen members appointed by the County Legislature and the County Executive shall be a resident of Monroe County.

Section 2. The Monroe County Legislature hereby approves the proposed articles of incorporation for inclusion in the application to be sent to Empire State Development and filed with the Secretary of State in accordance with New York State Not-for-Profit Corporation Law.

Section 3. The County Executive, or his designee, is hereby authorized to execute all documents necessary for the creation of the Monroe County Land Bank.

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

Agenda/Charter Committee; October 23, 2023 – CV: 5-0
Ways and Means Committee; October 24, 2023 – CV: 11-0
File No. 23-0340

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: Orlando Bellis DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

CERTIFICATE OF INCORPORATION
of
Monroe County Land Bank Corporation

**Under Sections 402 and 1603 of the Not-For-Profit
Corporation Law of the State of New York**

THE UNDERSIGNED, being over the age of eighteen years, for the purpose of forming a land bank as a not-for-profit corporation pursuant to Section 402 and Article 16 of the Not-For-Profit Corporation Law of the State of New York (the "NFPCL"), hereby certifies as follows:

FIRST: The name of the corporation is Monroe County Land Bank Corporation (hereinafter "Corporation").

SECOND: The Corporation will be a corporation authorized by Section 1603 of the NFPCL and as defined in subparagraph (a)(5) of Section 102 of the NFPCL and, as provided in Section 1603(f) of the NFPCL, will be a charitable corporation as defined in Section 201 of the NFPCL. The Corporation is a public instrumentality of, but separate and apart from, the County of Monroe.

THIRD: The Corporation is to be formed and operated for the purpose of acquiring and redeveloping vacant, abandoned, donated, and tax-delinquent properties in the County of Monroe, New York. The lawful public or quasi-public objective which the Corporation will achieve is restoring properties to productive use and the revitalization of neighborhoods in Monroe County to productive use in order to eliminate the harms and liabilities caused by such properties, and lessen the burden of government and act in the public interest. In furtherance of said purpose, the Corporation's powers shall include all powers and duties granted land bank corporations as set forth in Article 16 of the NFPCL, as it may be amended from time-to-time, which powers are incorporated herein by reference as if fully stated herein, and shall also include:

- (a) Any other act or thing incidental to or connected with the foregoing purpose or in advancement thereof, but not for the pecuniary profit or financial gain of its members, directors, officers, or any private person.**
- (b) In general, to perform any and all acts and things, and exercise any and all powers which may now or hereafter be lawful for the Corporation to do or exercise under and pursuant to the laws of the State of New York for the purpose of accomplishing and of the foregoing purposes of the Corporation.**

FOURTH: The operations of the Corporation will be conducted within the territory of the County of Monroe. Pursuant to NFPCL Section 1603(d), the Corporation shall operate only in those portions of Monroe County outside of the City of Rochester.

FIFTH: The powers of the Corporation set forth in paragraph THIRD hereof will be subject to the following limitations:

- (a) All income and earnings of the Corporation will be used exclusively for its corporate purpose or accrue and be subject to the Corporation's responsibilities.
- (b) The property of the Corporation is irrevocably dedicated to charitable purposes.
- (c) No part of the income or earnings of the Corporation will inure to the benefit or profit of, nor will any distribution of its property or assets be made to, any member, director or officer of the Corporation, or private person, corporate or individual, or to any other private interest, except that the Corporation may repay loans made to it and may repay contributions (other than dues) made to it, to the extent that any such contribution may not be allowable as a deduction in computing taxable income under the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations promulgated thereunder.
- (d) No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation (except as otherwise provided in Section 501(h) of the Code). No part of the activities of the Corporation shall be the participating in or intervening, directly or indirectly, any political campaign on behalf of or in opposition of any candidate for public office.
- (e) The Corporation will not engage in any activities not permitted to be carried on by an organization exempt from federal income taxation pursuant to Section 501(c)(3) of the Code, as amended, and the regulations promulgated thereunder.
- (f) As provided in Section 1611(f) of the NFPCL, any bonds or other obligations of the Corporation shall not be a debt of the County of Monroe or of the State of New York, and shall so state on their face, nor shall the County nor the State of New York, nor any revenues or any property of the County or of the State of New York, be liable therefor.

SIXTH: In the event of the dissolution of the Corporation or the winding up of its affairs, the Board of Directors shall, after paying or making provisions for the payment of all debts and liabilities of the Corporation of whatsoever kind or nature, distribute all of the remaining assets and property of the Corporation to the County of Monroe as set for in Section 1613 of the NFPCL.

SEVENTH: The office of the Corporation will be located in Monroe County, New York.

EIGHTH: The Corporation will be initially managed by a board of directors (the "Board of Directors"). There shall be seven (7) members of the Board of Directors, consisting of four (4) ex officio members and three (3) appointed members. The term for the appointed members will be three (3) years. The Board of Directors shall be as follows:

1. The Monroe County Director of Finance
2. The Monroe County Commissioner of Human Services
3. The Monroe County Director of Planning and Development
4. The Monroe County Real Property Director
5. A citizen appointed by the Majority members of the Monroe County Legislature

6. A citizen appointed by the Minority members of the Monroe County Legislature
7. A citizen appointed by the County Executive

The ex-officio members may designate, in writing, another individual from their department to serve on the Board. Citizen members appointed by the County Legislature and the County Executive shall be a resident of Monroe County.

Chairperson: The Board of Directors as a whole shall select a Chairperson amongst themselves by a majority vote, on an annual basis.

The names and addresses of the initial Board of Directors are as follows:

Robert Franklin, Monroe County Director of Finance (ex-officio)
402 County Office Building
39 W. Main Street
Rochester, NY 14614

Thalia Wright, Monroe County Commissioner of Human Services (ex-officio)
111 Westfall Road
Rochester, NY 14620

Ana Liss, Monroe County Director of Planning and Development (ex-officio)
1150 City Place
50 W. Main Street
Rochester, NY 14614

Amy Grande, Monroe County Real Property Director (ex-officio)
304 County Office Building
39 W. Main Street
Rochester, NY 14614

Deborah Campanella
814 Robertson Road
Churchville, NY 14428

Kevin Purcell
166 Hillside Avenue
Rochester, NY 14610

Orlando Ortiz
455 Pardee Road
Rochester, NY 14609

NINTH: The duration of the Corporation shall be perpetual.

TENTH: The Secretary of State of New York is designated as agent of the Corporation upon whom process against it may be served. The post office address to which the Secretary of State will mail a copy of any process against the Corporation served upon him or her is: Monroe County Land Bank, Attn: Monroe County Attorney, 307 County Office Building, 39 West Main Street, Rochester, New York 14614.

ELEVENTH: The By-laws of the Corporation may be adopted or amended by a majority of the Directors of the Corporation upon 10 days' notice to all of the Directors.

TWELFTH: The Corporation shall indemnify each Member, each Director, each officer, and, to the extent authorized by the Board of Directors, each other person authorized to act for the Corporation or on its behalf, to the full extent to which indemnification is permitted under the Not-For-Profit Corporation Law.

THIRTEENTH: The Corporation reserves the right to amend, alter, change or repeal any provision contained in this Certificate of Incorporation, in any manner now or hereafter provided herein or by statute; provided, however, that the Corporation will not amend, alter, change or repeal any provision of this Certificate of Incorporation without the affirmative vote of at least a majority of the entire Board of Directors.

IN WITNESS WHEREOF, this certificate has been subscribed by the undersigned this _____ day of _____.

By Legislators Keller and Smith

Intro. No. 429

AUTHORIZING CONTRACT WITH METRIX MARKETING, INC. FOR IMPLEMENTATION OF EMPLOYMENT RECRUITMENT AND RETENTION ADVERTISING CAMPAIGN

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

Section 1. The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, with Metrix Marketing, Inc. for implementation of an employment recruitment and retention advertising campaign in an amount not to exceed \$370,000 for the period of October 1, 2023 through September 30, 2024, with the option to renew for four (4) additional one-year terms in an amount not to exceed \$370,000 per year.

Section 2. Funding for this contract is included in the 2023 operating budget of the Department of Communications and Special Events, general fund 9001, funds center 1801010000, Communications and the Department of Human Services, general fund 9001, funds center 5102010000, Child and Family Services Administration and will be included in future year budgets.

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

Human Services Committee; October 24, 2023 – CV: 9-0
Ways and Means Committee; October 24, 2023 – CV: 9-2
File No. 23-0318

By Legislators Barnhart and Vazquez Simmons

Intro. No. 430

MOTION NO. 81 OF 2023

PROVIDING THAT INTRO. NO. 429 OF 2023 BE AMENDED

Be It Moved, that Intro. 429 No. of 2023, be amended as follows:

Section 1. The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, with Metrix Marketing, Inc. for implementation of an employment recruitment and retention advertising campaign in an amount not to exceed \$370,000 for the period of October 1, 2023 through September 30, 2024 ~~with the option to renew for four (four) additional one year terms in an amount not to exceed \$370,000 per year.~~

Section 2. Funding for this contract is included in the 2023 operating budget of the Department of Communications and Special Events, general fund 9001, funds center 1801010000, Communications and the Department of Human Services, general fund 9001, funds center 5102010000, Child and Family Services Administration ~~and will be included in future year budgets.~~

File No. 23-0318

Added language is underlined.

Deleted language is ~~stricken~~.

ADOPTION: Date: November 14, 2023

Vote: 16-13

(Legislators Brew, Allkofer, Colby, Delebanty, Dondorfer, Johns, Maffucci, McCabe, Milne, Morris, Smith, Taylor and Yudelson Voted in the Negative.)

By Legislators Keller and Smith

Intro. No. 431

MOTION NO. 82 OF 2023

PROVIDING THAT INTRO. NO. 429 OF 2023 BE ADOPTED AS AMENDED BY MOTION NO. 81 OF 2023

Be It Moved, that Intro. 429 No. of 2023, be adopted as amended by motion no. 81 of 2023.

File No. 23-0318

ADOPTION: Date: November 14, 2023

Vote: 27-2

(Legislators Brew and Allkofer Voted in the Negative.)

By Legislators Keller and Smith

Intro. No. 429

RESOLUTION NO. 340 OF 2023
(As Amended by Motion No. 81 of 2023)

AUTHORIZING CONTRACT WITH METRIX MARKETING, INC. FOR IMPLEMENTATION OF EMPLOYMENT RECRUITMENT AND RETENTION ADVERTISING CAMPAIGN

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

Section 1. The County Executive, or his designee, is hereby authorized to execute a contract, and any amendments thereto, with Metrix Marketing, Inc. for implementation of an employment recruitment and retention advertising campaign in an amount not to exceed \$370,000 for the period of October 1, 2023 through September 30, 2024.

Section 2. Funding for this contract is included in the 2023 operating budget of the Department of Communications and Special Events, general fund 9001, funds center 1801010000, Communications and the Department of Human Services, general fund 9001, funds center 5102010000, Child and Family Services Administration.

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

Human Services Committee; October 24, 2023 – CV: 9-0
Ways and Means Committee; October 24, 2023 – CV: 9-2
File No. 23-0318

ADOPTION: Date: November 14, 2023

Vote: 27-2

(Legislators Brew and Allkofer Voted in the Negative.)

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Adrian Bell DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Smith, Hebert, Johns and Delechanty

Intro. No. 432

RESOLUTION NO. 341 OF 2023

AMENDING 2023-2028 CAPITAL IMPROVEMENT PROGRAM TO ADD PROJECT ENTITLED "ALDRICH ROAD SIDEWALKS"; AUTHORIZING APPROPRIATION AND TRANSFERRING OF COMMITTED FUND BALANCE; AUTHORIZING INTERMUNICIPAL AGREEMENT WITH TOWN OF PERINTON FOR SIDEWALK INSTALLATION IN CONJUNCTION WITH ALDRICH ROAD CULVERT PROJECT

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

Section 1. The 2023-2028 Capital Improvement Program is hereby amended to add a project in 2023 entitled "Aldrich Road Sidewalks" in the amount of \$1,300,000.

Section 2. The Controller is hereby authorized to appropriate and transfer the committed fund balance in an amount not to exceed \$650,000 from general fund 9001 to the capital fund to be established for the Aldrich Road Sidewalks Project.

Section 3. The County Executive, or his designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with the Town of Perinton for reimbursement to Monroe County of appropriate design and construction costs relating to the installation of sidewalks and curbing in conjunction with the Aldrich Road Culvert Project in the Town of Perinton in the estimated amount of \$650,000, with the final amount to be determined upon project completion.

Section 4. Funding for this project, consistent with authorized uses, will be included in the capital fund to be created and any other 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.

Ways and Means Committee; October 24, 2023 - CV: 11-0
Intergovernmental Relations Committee; October 23, 2023 - CV: 5-0
Environment and Public Works Committee; October 23, 2023 - CV: 7-0
File No. 23-0339

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Cedric Bell DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Smith, Hebert, Johns and Delehanty

Intro. No. 433

RESOLUTION NO. 342 OF 2023

BOND RESOLUTION DATED NOVEMBER 14, 2023

RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,300,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE THE COST OF THE CONSTRUCTION OF ALDRICH ROAD SIDEWALKS, IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$1,300,000

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, as follows:

Section 1. For the object or purpose of financing the cost of the construction of Aldrich Road sidewalks, in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$1,300,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of the amount hereby authorized to pay the cost of the aforesaid specific object or purpose. The period of probable usefulness of the aforesaid specific object or purpose is ten (10) years, pursuant to subdivision 24 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The maximum estimated cost thereof is \$1,300,000, and the plan for the financing thereof is by the issuance of \$1,300,000 bonds of said County herein authorized; provided, however, that to the extent any state and/or federal aid and/or grant and/or gift is received for the aforesaid purpose, the County Executive, or his designee, is hereby authorized to accept and shall use such funds to redeem any outstanding indebtedness incurred for such purpose or apply it, 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, 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 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 8. 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 publish this resolution or a summary hereof to be published, together with a notice attached in substantially the form and in the manner prescribed by Section 81.00 of the Local Finance Law.

Ways and Means Committee; October 24, 2023 – CV: 11-0

Intergovernmental Relations Committee; October 24, 2023 – CV: 5-0

Environment & Public Works Committee; October 24, 2023 – CV: 7-0
File No. 23-0339.br

ADOPTION: Date: November 14, 2023 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE:  DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Johns and Smith

Intro. No. 434

APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT – GENERAL PUMP STATION, INTERCEPTOR AND TREATMENT PLANT IMPROVEMENTS

WHEREAS, the Administrative Board of the Northwest Quadrant Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the “General Pump Station, Interceptor and Treatment Plant Improvements,” all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the _____ day of _____, 2023, at _____ P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing.

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Northwest Quadrant Pure Waters District, at a maximum estimated cost of \$850,000, all as more fully described in the preambles hereof.

Section 2. The cost of such increase and improvement shall be assessed against the entire geographic area encompassed by the Northwest Quadrant Pure Waters District.

Section 3. The expenditure proposed for such improvement of facilities in the Northwest Quadrant Pure Waters District is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof; and all real property to be assessed for such expenditure will be benefited by the proposed improvements and no benefited property has been excluded.

Section 4. The increase and improvement of facilities in the Northwest Quadrant Pure Waters District is hereby approved at the maximum amount to be expended.

Section 5. The Controller is hereby authorized to transfer \$850,000 from the proposed 2024 operating budget of the Department of Environmental Services, Pure Waters fund 9007, funds center 8573010000, Northwest Quadrant Pure Waters District Special Expense, Provision for Capital Projects, to capital fund 1924 for the “Northwest Quadrant Pure Waters District – General Pump Station, Interceptor and Treatment Plant Improvements.”

Section 6. The County Executive or the Director of Finance – Chief Financial Officer are hereby authorized to file applications and execute Project Financing Agreements and any other necessary documents as appropriate, for participation in the New York State Water Pollution Control Revolving Loan Fund under the applicable laws of New York State to finance all or a portion of the project.

Section 7. The Clerk of the Legislature is hereby authorized and directed to send certified copies of this resolution to the New York State Department of Audit and Control.

Section 8. The Administrative Board of the Northwest Quadrant Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law.

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 23-0341

By Legislators Johns and Smith

Intro. No. 435

MOTION NO. 83 OF 2023

PROVIDING THAT RESOLUTION (INTRO. NO. 434 OF 2023), ENTITLED “APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT – GENERAL PUMP STATION, INTERCEPTOR AND TREATMENT PLANT IMPROVEMENTS,” BE TABLED

BE IT MOVED, that Resolution (Intro. No. 434 of 2023), entitled, “**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT – GENERAL PUMP STATION, INTERCEPTOR AND TREATMENT PLANT IMPROVEMENTS,**” be tabled.

File No. 23-0341

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. 436

RESOLUTION NO. 343 OF 2023

CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED INCREASE AND IMPROVEMENT OF FACILITIES IN NORTHWEST QUADRANT PURE WATERS DISTRICT – GENERAL PUMP STATION, INTERCEPTOR AND TREATMENT PLANT IMPROVEMENTS

WHEREAS, the Administrative Board of the Northwest Quadrant Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the “General Pump Station, Interceptor and Treatment Plant Improvements,” all as more fully set forth in such map and plan; and

WHEREAS, said map and plan have been duly filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement as shown by the aforesaid estimate of cost is \$850,000; and

WHEREAS, the estimated cost of such project to the typical property in the District is \$0.00 per year as these funds will be provided as cash capital; and

WHEREAS, such cost shall be assessed against the entire geographic area encompassed by the Northwest Quadrant Pure Waters District; and

WHEREAS, it is now desired to call a public hearing to consider said increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law.

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

Section 1. A meeting of the County Legislature of the County of Monroe, New York, shall be held at the Legislative Chambers in the County Office Building, in Rochester, New York, in said County, on the 12th day of December, 2023, at 6:21 P.M., for the purpose of conducting a public hearing upon the aforesaid proposal to increase and improve the facilities of the Northwest Quadrant Pure Waters District in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The County Legislature is hereby authorized and directed to cause a copy of this resolution to be published once in The Daily Record and The Rochester Business Journal, the official newspapers of said County, not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 3. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0341

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. 437

APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT – GENERAL COLLECTION SYSTEM IMPROVEMENTS

WHEREAS, the Administrative Board of the Gates-Chili-Ogden Sewer District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the “Gates-Chili-Ogden Sewer District – General Collection System Improvements,” all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the ___ day of ___, 2023 at ___ P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing.

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Gates-Chili-Ogden Sewer District, at a maximum estimated cost of \$350,000, all as more fully described in the preambles hereof.

Section 2. The cost of such increase and improvement shall be assessed against the entire geographic area encompassed by the Gates-Chili-Ogden Sewer District.

Section 3. The expenditure proposed for such improvement of facilities in the Gates-Chili-Ogden Sewer District is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof; and all real property to be assessed for such expenditure will be benefited by the proposed improvements and no benefited property has been excluded.

Section 4. The increase and improvement of facilities in the Gates-Chili-Ogden Sewer District is hereby approved at the maximum amount to be expended.

Section 5. The Controller is hereby authorized to transfer \$350,000 from the proposed 2024 operating budget of the Department of Environmental Services, Pure Waters fund 9007, funds center 8571010000, Gates-Chili-Ogden Sewer District Special Expense, Provision for Capital Projects, to capital fund 1923 for the Gates-Chili-Ogden Sewer District – General Collection System Improvements.

Section 6. The County Executive or the Director of Finance – Chief Financial Officer are hereby authorized to file applications and execute Project Financing Agreements and any other necessary documents as appropriate, for participation in the New York State Water Pollution Control Revolving Loan Fund under applicable laws of New York State to finance all or a portion of the project.

Section 7. The Clerk of the Legislature is hereby authorized and directed to send certified copies of this resolution to the New York State Department of Audit and Control.

Section 8. The Administrative Board of the Gates-Chili-Ogden Sewer District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law.

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 23-0343

By Legislators Johns and Smith

Intro. No. 438

MOTION NO. 84 OF 2023

PROVIDING THAT RESOLUTION (INTRO. NO. 437 OF 2023), ENTITLED “APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT – GENERAL COLLECTION SYSTEM IMPROVEMENTS,” BE TABLED

BE IT MOVED, that Resolution (Intro. No. 437 of 2023), entitled, “**APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT – GENERAL COLLECTION SYSTEM IMPROVEMENTS,**” be tabled.

File No. 23-0343

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. 439

RESOLUTION NO. 344 OF 2023

CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED INCREASE AND IMPROVEMENT OF FACILITIES IN GATES-CHILI-OGDEN SEWER DISTRICT – GENERAL COLLECTION SYSTEM IMPROVEMENTS

WHEREAS, the Administrative Board of the Gates-Chili-Ogden Sewer District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the “Gates-Chili-Ogden Sewer District – General Collection System Improvements,” all as more fully set forth in such map and plan; and

WHEREAS, said map and plan have been duly filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement as shown by the aforesaid estimate of cost is \$350,000; and

WHEREAS, the estimated cost of such project to the typical property in the District is \$0.00 per year as these funds will be provided as cash capital; and

WHEREAS, such cost shall be assessed against the entire geographic area encompassed by the Gates-Chili-Ogden Sewer District; and

WHEREAS, it is now desired to call a public hearing to consider said increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law.

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

Section 1. A meeting of the County Legislature of the County of Monroe, New York, shall be held at the Legislative Chambers in the County Office Building, in Rochester, New York, in said County, on the 12th day of December, 2023, at 6:22 P.M., for the purpose of conducting a public hearing upon the aforesaid proposal to increase and improve the facilities of the Gates-Chili-Ogden Sewer District in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The County Legislature is hereby authorized and directed to cause a copy of this resolution to be published once in The Daily Record and The Rochester Business Journal, the official newspapers of said County, not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 3. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0343

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. 440

APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT – GENERAL COLLECTION SYSTEM AND TREATMENT PLANT IMPROVEMENTS

WHEREAS, the Administrative Board of the Northwest Quadrant Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the “General Pump Station, Interceptor and Treatment Plant Improvements,” all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the ____ day of _____, 2023, at ____ P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing.

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Rochester Pure Waters District, at a maximum estimated cost of \$1,900,000, all as more fully described in the preambles hereof.

Section 2. The cost of such increase and improvement shall be assessed against the entire geographic area encompassed by the Rochester Pure Waters District.

Section 3. The expenditure proposed for such improvement of facilities in the Rochester Pure Waters District is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof; and all real property to be assessed for such expenditure will be benefited by the proposed improvements and no benefited property has been excluded.

Section 4. The increase and improvement of facilities in the Rochester Pure Waters District is hereby approved at the maximum amount to be expended.

Section 5. The Controller is hereby authorized to transfer \$1,900,000 from the proposed 2024 operating budget of the Department of Environmental Services, Pure Waters fund 9007, funds center 8575010000, Rochester Pure Waters District Special Expense, Provision for Capital Projects, to capital fund 1925 for the “Rochester Pure Waters District – General Collection System and Treatment Plant Improvements.”

Section 6. The County Executive or the Director of Finance – Chief Financial Officer are hereby authorized to file applications and execute Project Financing Agreements and any other necessary documents as appropriate, for participation in the New York State Water Pollution Control Revolving Loan Fund under the applicable laws of New York State to finance all or a portion of the project.

Section 7. The Clerk of the Legislature is hereby authorized and directed to send certified copies of this resolution to the New York State Department of Audit and Control.

Section 8. The Administrative Board of the Rochester Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law.

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 23-0345

By Legislators John and Smith

Intro. No. 441

MOTION NO. 85 OF 2023

PROVIDING THAT RESOLUTION (INTRO. NO. 440 OF 2023), ENTITLED “APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - GENERAL COLLECTION SYSTEM AND TREATMENT PLANT IMPROVEMENTS,” BE TABLED

BE IT MOVED, that Resolution (Intro. No. 440 of 2023), entitled, **“APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - GENERAL COLLECTION SYSTEM AND TREATMENT PLANT IMPROVEMENTS,”** be tabled.

File No. 23-0345

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. 442

RESOLUTION NO. 345 OF 2023

CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT - GENERAL COLLECTION SYSTEM AND TREATMENT PLANT IMPROVEMENTS

WHEREAS, the Administrative Board of the Rochester Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the "General Collection System and Treatment Plant Improvements," all as more fully set forth in such map and plan; and

WHEREAS, said map and plan have been duly filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement as shown by the aforesaid estimate of cost is \$1,900,000; and

WHEREAS, the estimated cost of such project to the typical property in the District is \$0.00 per year; as these funds will be provided as cash capital; and

WHEREAS, such cost shall be assessed against the entire geographic area encompassed by the Rochester Pure Waters District; and

WHEREAS, it is now desired to call a public hearing to consider said increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law.

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

Section 1. A meeting of the County Legislature of the County of Monroe, New York, shall be held at the Legislative Chambers in the County Office Building, in Rochester, New York, in said County, on the 12th day of December, 2023, at 6:23 P.M., for the purpose of conducting a public hearing upon the aforesaid proposal to increase and improve the facilities of the Rochester Pure Waters District in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The County Legislature is hereby authorized and directed to cause a copy of this resolution to be published once in The Daily Record and The Rochester Business Journal, the official newspapers of said County, not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 3. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0345

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. 443

APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT – GENESEE VALLEY PUMP STATION

WHEREAS, the Administrative Board of the Rochester Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the “Genesee Valley Pump Station,” all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the ____ day of _____, 2023, at ____ P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing.

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Rochester Pure Waters District, at a maximum estimated cost of \$9,500,000, all as more fully described in the preambles hereof.

Section 2. The cost of such increase and improvement shall be assessed against the entire geographic area encompassed by the Rochester Pure Waters District.

Section 3. The expenditure proposed for such improvement of facilities in the Rochester Pure Waters District is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof; and all real property to be assessed for such expenditure will be benefited by the proposed improvements and no benefited property has been excluded.

Section 4. The increase and improvement of facilities in the Rochester Pure Waters District is hereby approved at the maximum amount to be expended.

Section 5. The County Executive or the Director of Finance – Chief Financial Officer are hereby authorized to file applications and execute Project Financing Agreements and any other necessary documents as appropriate, for participation in the New York State Water Pollution Control Revolving Loan Fund under the applicable laws of New York State to finance all or a portion of the project.

Section 6. The Clerk of the Legislature is hereby authorized and directed to send certified copies of this resolution to the New York State Department of Audit and Control.

Section 7. The Administrative Board of the Rochester Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law.

Section 8. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 23-0347

By Legislators Johns and Smith

Intro. No. 444

MOTION NO. 86 OF 2023

PROVIDING THAT RESOLUTION (INTRO. NO. 443 OF 2023), ENTITLED “APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT – GENESEE VALLEY PUMP STATION,” BE TABLED

BE IT MOVED, that Resolution (Intro. No. 443 of 2023), entitled, **“APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT – GENESEE VALLEY PUMP STATION,”** be tabled.

File No. 23-0347

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. 445

RESOLUTION NO. 346 OF 2023

CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED INCREASE AND IMPROVEMENT OF FACILITIES IN ROCHESTER PURE WATERS DISTRICT – GENESEE VALLEY PUMP STATION

WHEREAS, the Administrative Board of the Rochester Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the “Genesee Valley Pump Station,” all as more fully set forth in such map and plan; and

WHEREAS, said map and plan have been duly filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement as shown by the aforesaid estimate of cost is \$9,500,000; and

WHEREAS, the estimated cost of such project to the typical property in the District is \$5.85 per year; and

WHEREAS, such cost shall be assessed against the entire geographic area encompassed by the Rochester Pure Waters District; and

WHEREAS, it is now desired to call a public hearing to consider said increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law.

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

Section 1. A meeting of the County Legislature of the County of Monroe, New York, shall be held at the Legislative Chambers in the County Office Building, in Rochester, New York, in said County, on the 12th day of December, 2023, at 6:24 P.M., for the purpose of conducting a public hearing upon the aforesaid proposal to increase and improve the facilities of the Rochester Pure Waters District in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The County Legislature is hereby authorized and directed to cause a copy of this resolution to be published once in The Daily Record and The Rochester Business Journal, the official newspapers of said County, not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 3. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0347

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. 446

APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT – GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS

WHEREAS, the Administrative Board of the Irondequoit Bay South Central Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the “Irondequoit Bay South Central Pure Waters District – General Pump Station and Interceptor Improvements,” all as more fully set forth in such map and plan; and

WHEREAS, the County Legislature of the County of Monroe has called a public hearing on the aforesaid increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law, and said public hearing held on the ___ day of ___, 2023, at ___ P.M. in the Legislative Chambers of the County Office Building, Rochester, New York, in said County; and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof has been submitted to said County Legislature; and

WHEREAS, said County Legislature has duly considered the evidence given at said public hearing.

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities in the Irondequoit Bay South Central Pure Waters District, at a maximum estimated cost of \$400,000, all as more fully described in the preambles hereof.

Section 2. The cost of such increase and improvement shall be assessed against the entire geographic area encompassed by the Irondequoit Bay South Central Pure Waters District.

Section 3. The expenditure proposed for such improvement of facilities in the Irondequoit Bay South Central Pure Waters District is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof; and all real property to be assessed for such expenditure will be benefited by the proposed improvements and no benefited property has been excluded.

Section 4. The increase and improvement of facilities in the Irondequoit Bay South Central Pure Waters District is hereby approved at the maximum amount to be expended.

Section 5. The Controller is hereby authorized to transfer \$400,000 from the proposed 2024 operating budget of the Department of Environmental Services, Pure Waters fund 9007, funds center 8574010000, Irondequoit Bay South Central Pure Waters District Special Expense, Provision for Capital Projects, to capital fund 1976 for the “Irondequoit Bay South Central Pure Waters District – General Pump Station and Interceptor Improvements.”

Section 6. The County Executive or the Director of Finance – Chief Financial Officer are hereby authorized to file applications and execute Project Financing Agreements and any other necessary documents

as appropriate, for participation in the New York State Water Pollution Control Revolving Loan Fund under applicable laws of New York State to finance all or a portion of the project.

Section 7. The Clerk of the Legislature is hereby authorized and directed to send certified copies of this resolution to the New York State Department of Audit and Control.

Section 8. The Administrative Board of the Irondequoit Bay South Central Pure Waters District of said County is hereby directed to proceed with the improvements in the manner set forth in Section 262 of the County Law.

Section 9. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency
File No. 23-0349

By Legislators Johns and Smith

Intro. No. 447

MOTION NO. 87 OF 2023

PROVIDING THAT RESOLUTION (INTRO. NO. 446 OF 2023), ENTITLED “APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT – GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS,” BE TABLED

BE IT MOVED, that Resolution (Intro. No. 446 of 2023), entitled, **“APPROVING INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT – GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS,”** be tabled.

File No. 23-0349

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. 448

RESOLUTION NO. 347 OF 2023

CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED INCREASE AND IMPROVEMENT OF FACILITIES IN IRONDEQUOIT BAY SOUTH CENTRAL PURE WATERS DISTRICT – GENERAL PUMP STATION AND INTERCEPTOR IMPROVEMENTS

WHEREAS, the Administrative Board of the Irondequoit Bay South Central Pure Waters District of the County of Monroe, New York has heretofore duly caused to be prepared, pursuant to Section 268 of the County Law, a map and plan by an engineer duly licensed by the State of New York for a proposed increase and improvement of the facilities of said District, consisting of the “Irondequoit Bay South Central Pure Waters District – General Pump Station and Interceptor Improvements,” all as more fully set forth in such map and plan; and

WHEREAS, said map and plan have been duly filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement as shown by the aforesaid estimate of cost is \$400,000; and

WHEREAS, the estimated cost of such project to the typical property in the District is \$0.00 per year as these funds will be provided as cash capital; and

WHEREAS, such cost shall be assessed against the entire geographic area encompassed by the Irondequoit Bay South Central Pure Waters District; and

WHEREAS, it is now desired to call a public hearing to consider said increase and improvement of facilities in accordance with the provisions of Section 268 of the County Law.

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

Section 1. A meeting of the County Legislature of the County of Monroe, New York, shall be held at the Legislative Chambers in the County Office Building, in Rochester, New York, in said County, on the 12th day of December, 2023, at 6:25 P.M., for the purpose of conducting a public hearing upon the aforesaid proposal to increase and improve the facilities of the Irondequoit Bay South Central Pure Waters District in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The County Legislature is hereby authorized and directed to cause a copy of this resolution to be published once in The Daily Record and The Rochester Business Journal, the official newspapers of said County, not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 3. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0349

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. 449

CONFIRMING AND ADOPTING ASSESSMENT ROLLS OF PURE WATERS DISTRICTS FOR 2024 AND CONFIRMATION OF AND ADOPTION OF ASSESSMENT ROLLS

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

Section 1. The assessment rolls of the Gates-Chili-Ogden Sewer District, Northwest Quadrant Pure Waters District, Irondequoit Bay South Central Pure Waters District and Rochester Pure Waters District, for the year 2024, as prepared by the Pure Waters Division of the Monroe County Department of Environmental Services and considered at public hearings on December ____, 2023 are hereby confirmed and adopted.

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

Matter of Urgency

File No. 23-0351

By Legislators Johns and Smith

Intro. No. 450

MOTION NO. 88 OF 2023

PROVIDING THAT RESOLUTION (INTRO. NO. 449 OF 2023), ENTITLED "CONFIRMING AND ADOPTING ASSESSMENT ROLLS OF PURE WATERS DISTRICTS FOR 2024," BE TABLED

BE IT MOVED, that Resolution (Intro. No. 449 of 2023), entitled "CONFIRMING AND ADOPTING ASSESSMENT ROLLS OF PURE WATERS DISTRICTS FOR 2024," be tabled.

File No. 23-0351

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Johns and Smith

Intro. No. 451

RESOLUTION NO. 348 OF 2023

SCHEDULING PUBLIC HEARINGS FOR ASSESSMENT ROLLS OF PURE WATERS DISTRICTS FOR 2024 AND CONFIRMATION AND ADOPTION OF ASSESSMENT ROLLS

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

Section 1. That pursuant to the County Law of the State of New York providing that the Ways and Means Committee shall hold public hearings on the assessment rolls of the Pure Waters Districts, this County Legislature does hereby fix December 7, 2023, in the Legislative Chambers in the County Office Building at Rochester, New York, as the place for such public hearings for the following districts:

| | |
|--|--------------|
| Gates-Chili-Ogden Sewer District | 5:31 p.m. ET |
| Northwest Quadrant Pure Waters District | 5:32 p.m. ET |
| Irondequoit Bay South Central Pure Waters District | 5:33 p.m. ET |
| Rochester Pure Waters District | 5:34 p.m. ET |

and further cause to appear public notices of said hearings in The Daily Record and in the Rochester Business Journal; said notices to state that the assessment rolls have been completed and that the Ways and Means Committee will meet to hear and consider any objections which may be made to the rolls at said hearing; the notices to appear not less than ten (10) days nor more than twenty (20) days before the date specified for the hearing. The Clerk of the Legislature shall cause such notices to be published.

Section 2. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0351

ADOPTION: Date: November 14, 2023 Vote: 29-0

By Legislators Dondorfer and Smith

Intro. No. 452

RESOLUTION NO. 349 OF 2023

AMENDING 2023-2028 CAPITAL IMPROVEMENT PROGRAM AND 2023 CAPITAL BUDGET TO ADD PROJECT ENTITLED "RIOC LEASEHOLD IMPROVEMENTS;" AND AUTHORIZING APPROPRIATION AND TRANSFER FUND BALANCE

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

Section 1. The 2023-2028 Capital Improvement Program is hereby amended to add a project entitled "RIOC Leasehold Improvements" in the amount of \$1,207,500.

Section 2. The 2023 capital budget is hereby amended to add a project entitled "RIOC Leasehold Improvements" in the amount of \$1,207,500.

Section 3. The Monroe County Legislature hereby authorizes the appropriation and transfer of fund balance in an amount not to exceed \$1,207,500 from general fund 9001 to the capital fund to be established for the RIOC Leasehold Improvements project.

Section 4. Funding for this lease is included in the 2023 Operating Budget of the Office of the Sheriff, fund 9001, funds center 3803050200, Regional Investigative Operations Center and will be requested in future years' budgets. Funding for the "RIOC Leasehold Improvements" project, consistent with authorized uses, will be included in the capital fund to be created, and any other 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.

Matter of Urgency
File No. 23-0353

ADOPTION: Date: November 14, 2023

Vote: 27-2

(Legislators Delvecchio Hoffman and Hughes-Smith Voted in the Negative.)

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Cedaf Belle DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Smith and Delehanty

Intro No. 453

RESOLUTION NO. 350 OF 2023

**AUTHORIZING INTERFUND TRANSFER TO ESTABLISHED PROJECT
"REPLACEMENT OF VOTING MACHINES"**

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, as follows:

Section 1. The Controller is hereby authorized to transfer \$1,000,000 from the 2023 operating budget of the Board of Elections, general fund 9001, fund center 2003010000, BOE Support, to capital fund 1996 for the project "Replacement of Voting Machines" to be included with Resolution No. 351 of 2023, which together authorize this project at an estimated maximum cost of \$12,000,000.

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

Matter of Urgency
File No. 23-0354

ADOPTION: Date: November 14, 2023

Vote: 28-1

(Legislator Vazquez Simmons Voted in the Negative.)

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: *Orlando Ballis* DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Smith and Delehanty

Intro. No. 454

RESOLUTION NO. 351 OF 2023

SUPERSEDING BOND RESOLUTION DATED NOVEMBER 14, 2023

RESOLUTION AUTHORIZING THE ISSUANCE OF \$11,000,000 BONDS OF THE COUNTY OF MONROE, NEW YORK, TO FINANCE COSTS OF REPLACEMENT OF VOTING MACHINES IN AND FOR SAID COUNTY, AT AN ESTIMATED MAXIMUM COST OF \$12,000,000 AND SUPERSEDING THE BOND RESOLUTION ADOPTED ON OCTOBER 11, 2022 (RESOLUTION NO. 295 OF 2022, AS AMENDED)

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, as follows:

Section 1. For the object or purpose of financing the cost of the replacement of voting machines in and for the County of Monroe, New York (the "County"), there are hereby authorized to be issued \$11,000,000 bonds of the County, pursuant to the provisions of the Local Finance Law. The duly adopted current Capital Budget of the County, to the extent inconsistent herewith, is hereby amended to provide for the appropriation of an additional \$1,500,000 to pay the cost of the aforesaid class of objects or purposes (\$10,500,000 having been heretofore appropriated from one or more Capital Budgets). The period of probable usefulness of the aforesaid class of objects or purposes is ten (10) years, pursuant to subdivision 31 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The maximum estimated cost thereof is \$12,000,000, and the plan for the financing thereof is by the appropriation of \$1,000,000 from Capital fund 1996 and by the issuance of \$11,000,000 bonds of said County herein authorized, provided, however, that to the extent any state and/or federal aid and/or grant and/or gift is received for the aforesaid purpose. the County Executive, or his designee, is hereby authorized to accept and shall use such funds to redeem any outstanding indebtedness incurred for such purpose or apply it, 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, 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. 295 of 2022, being a bond resolution dated October 11, 2022, except to the extent that any indebtedness shall have 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 to \$12,000,000, and to provide \$11,000,000 bonds therefor, an increase of \$1,500,000 over the \$9,500,000 bonds authorized under Resolution No. 295 of 2022.

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 publish this resolution or a summary hereof to be published, together with a notice attached in substantially the form and in the manner prescribed by Section 81.00 of the Local Finance Law.

Matter of Urgency
File No. 23-0354.br

ADOPTION: Date: November 14, 2023

Vote: 28-1

(Legislator Vasquez Simmons Voted in the Negative.)

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ _____ VETOED: _____

SIGNATURE: Adrian Belts DATE: 11/21/2023

EFFECTIVE DATE OF RESOLUTION: 11/21/2023

By Legislators Smith and Delehanty

Intro. No. 455

ADOPTION OF 2024 MONROE COUNTY BUDGET AND ESTABLISHING 2024 CLASSIFICATION, COMPENSATION AND SALARY SCHEDULE FOR MONROE COUNTY EMPLOYEES

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

Section 1. A public hearing, pursuant to Section C4-3 of the Monroe County Charter having been held on December ____, 2023, this Legislature, pursuant to Section C4-4 of the Charter, hereby adopts the Annual Budget for the fiscal year 2024, beginning January 1, 2024, together with all fees, charges and amendments or revisions to fees and charges, set forth therein, as submitted by Adam J. Bello, County Executive, under File No. 23-0355, and as set forth in the attached financial summaries.

Section 2. There be and hereby is established a 2024 Classification, Compensation and Salary Schedule for Monroe County employees, as described and contained in the 2024 Monroe County Budget, and as follows:

Authorized Positions by Department

Job Titles Listed Alphabetically

Job Titles by Salary Group

Salary Schedules

- Elected Officials
- Daily, Flat and Hourly Rates
- Management/Professional Personnel
- Collective Bargaining Units
 - Civil Service Employees Association
 - Federation of Social Workers
 - Deputy Sheriff's Association
 - Operating Engineers
 - Airport Firefighters

Section 3. This resolution shall take effect in accordance with Section C4-4 of the Monroe County Charter.

Matter of Urgency
File No. 23-0355

By Legislators Smith and Delehanty

Intro. No. 456

MOTION NO. 89 OF 2023

PROVIDING THAT RESOLUTION (INTRO. NO. 455 OF 2023), ENTITLED "ADOPTION OF 2024 MONROE COUNTY BUDGET AND ESTABLISHING 2024 CLASSIFICATION, COMPENSATION AND SALARY SCHEDULE FOR MONROE COUNTY EMPLOYEES," BE TABLED

BE IT MOVED, that Resolution (Intro. No. 455 of 2023), entitled "ADOPTION OF 2024 MONROE COUNTY BUDGET AND ESTABLISHING 2024 CLASSIFICATION, COMPENSATION AND SALARY SCHEDULE FOR MONROE COUNTY EMPLOYEES," be tabled.

Matter of Urgency
File No. 23-0355

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Smith and Delehanty

Intro. No. 457

RESOLUTION NO. 352 OF 2023

FIXING PUBLIC HEARING ON COUNTY EXECUTIVE'S PROPOSED 2024 MONROE COUNTY BUDGET

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

Section 1. Pursuant to Section C4-3 of the Monroe County Charter and Section A6-12 of the Monroe County Administrative Code, there will be a public hearing before the Ways and Means Committee of the Monroe County Legislature at 5:35 p.m., Eastern Standard Time, on the 7th day of December, 2023, in the Legislative Chambers in the County Office Building, Rochester, New York, on the County Executive's Proposed 2024 Monroe County Budget.

Section 2. The Clerk of the Legislature is directed to cause notice of said public hearing to be published at least once in one or more daily newspapers of general circulation in the County, which publication shall be made at least five (5) days before the date of said hearing. The notice shall state the time, place and purpose of the hearing and shall include the salaries of the County Legislature. In addition, the Clerk of the Legislature is directed to cause a summary of said budget, as submitted by the County Executive, to be published at least once in one or more daily newspapers of general circulation in the County, which publication shall be made at least five (5) days before the date of said hearing.

Section 3. The salaries to be paid during the fiscal year 2024 to County Legislators, together with the salaries to be paid to the President, Vice-President, Majority and Minority Leaders, Assistant Majority and Minority Leaders, Chairperson of the Ways and Means Committee, Standing Committee Chairpersons, Legislature Clerk, County Executive, Sheriff and County Clerk shall be as follows:

| | |
|---|---------------------|
| Legislators | \$28,500 |
| President | \$73,500 |
| Vice-President | \$32,250 |
| Majority, Minority, and Independent Leaders | \$36,000 |
| Assistant Majority, Minority, and Independent Leaders | \$31,000 |
| Chairperson of Ways and Means Committee (stipend) | \$3,750 |
| Standing Committee Chairpersons (stipend) | \$2,125 |
| Legislature Clerk | \$56,100 - \$96,900 |
| County Executive | \$180,000 |
| Sheriff | \$175,000 |
| County Clerk | \$115,000 |

The above salary schedule shall be duly published in the Notice of Hearing referred to in Section 2 above.

Section 4. This resolution shall take effect immediately.

Matter of Urgency
File No. 23-0355

ADOPTION: Date: November 14, 2023

Vote: 29-0

By Legislators Roman, Barnhart, Delvecchio Hoffman, Hughes-Smith and Vazquez Simmons

Intro No. 458

ALLOCATION OF FUNDING TO STUDY THE FEASIBILITY OF A PUBLICLY OWNED UTILITY IN MONROE COUNTY

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

Section 1: The Legislature approves to commit general fund unassigned fund balance in the amount of \$1,000,000 for the specific purpose of studying the feasibility of a public utility in Monroe County.

Section 2: Authorizes the County Executive or his designee to enter into an intermunicipal agreement with the City of Rochester for the purpose of implementing the study, with such agreement submitted to the Legislature for approval.

Section 3: Authorizes the County Purchasing Department to develop a Request for Proposals (RFP) for a consultant to perform the study.

Section 4: Authorizes the County Executive or his designee to create an RFP Advisory Committee, comprised of relevant stakeholders and community leaders to assist in the development of criteria for the study.

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

Matter of Urgency
File No. 23-0356

FAILED: Date: November 14, 2023

Vote: 12-17

(Legislators Roman, Barnhart, Blankley, Burgess, Delvecchio Hoffman, Frazier, Hasman, Hughes-Smith, Long, Misula, Vazquez Simmons and LaMar Voted in the Positive.)