

June 1, 2006

SPECIAL MEETING: A Special Meeting of the Village of Honeoye Falls Board of Trustees was called to order at 7:00 p.m.

PRESENT: Mayor Milne, Trustee Pavelsky, Trustee Clark

Resolution Authorizing Attorney Peter Skivington to represent the Village of Honeoye Falls as it relates to Monroe County v City of Rochester, et al Index No. 5646/06

WHEREAS, the Village of Honeoye Falls along with its sister Villages have been named as individual defendants in an action brought by the County of Monroe seeking declaratory judgement interpreting various provisions of New York State Law which may negatively affect each municipality's share of sales tax revenue; and

WHEREAS

- The Village of Honeoye Falls strongly believes that an early judicial determination of the validity of the County's intended action regarding the "Medicaid sales tax intercept option" is of vital importance to the Village of Honeoye Falls, as same will have a significant impact on the Village's administration of its budget and related fiscal concerns;
- The Village of Honeoye Falls generally agrees that the current plan of sales tax increase is the best option presented to us at this time;
- The Village of Honeoye Falls unequivocally states that regardless of the resolution to both the "intercept plan" question and "sales tax increase" proposal, that the Village of Honeoye Falls must be made whole as a result of these matters. Any action by Monroe County that results in a loss of sales tax revenue to the Village of Honeoye Falls will cause either a substantial cut in services or property tax increases, neither of which can be supported by the residents whom we serve;
- The Village of Honeoye Falls generally has no opposition to the imposition of the injunctive relief sought by Monroe County in the above referenced litigation; and

WHEREAS

- The Village of Honeoye Falls, along with its sister Villages throughout Monroe County, must be actively represented and defended in this lawsuit;
- All of the Villages share a common interest and must act on their behalf regarding this lawsuit and have representation separate from the towns, school districts and other parties named in the lawsuit to assure our interests are properly defended;
- Based on the parties common interests, legal representation by each individual municipality would be unnecessarily duplicative and wasteful.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS, that the Village of Honeoye Falls does hereby approve the hiring of Peter Skivington, Attorney to represent the Village's interest in the matter of Monroe County v City of Rochester, et al Index No. 5646/06 at the rate of \$175.00 per hour, total cost of services rendered shall be divided equally between the Villages who have also retained Mr. Skivington's services; the Village hereby reserves its right to select separate counsel anytime hereafter as necessary and in the best interests of the Village of Honeoye Falls.

Resolution moved by Trustee Pavelsky, seconded by Trustee Clark.

Resolution duly adopted.

ADJOURN: Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Richard B. Milne
Mayor