

By Legislators Brew and Smith

Intro. No. 7

MOTION NO. 2 OF 2022

PROVIDING THAT RULES OF THE MONROE COUNTY LEGISLATURE BE SUSPENDED AND MODIFIED FOR THE REGULAR MEETING ON JANUARY 11, 2022

Be It Moved, that Article II, Section 545-6 of the Rules of the Monroe County Legislature, be, and hereby is suspended and modified by prohibiting public in-person access to the Regular Meeting in favor of video viewing or listening to, and recording and later transcription of such proceeding.

ADOPTION: Date: January 11, 2022 Vote: 29-0

By Legislators Brew and Roman

Intro. No. 8

RESOLUTION NO. 1 OF 2022

IN MEMORIAM

EXPRESSING REGRET OF THE MONROE COUNTY LEGISLATURE ON THE RECENT PASSING OF TIM O. MAINS, FORMER ROCHESTER CITY COUNCIL MEMBER

BE IT RESOLVED, that the Monroe County Legislature hereby expresses its deepest sympathy at the recent passing of Tim O. Mains, of Middletown, New York. He was a longtime Rochester, New York public servant who passed away suddenly, Thursday, December 30, 2021; and

WHEREAS, Tim O. Mains was born in Indianapolis, Indiana on August 4, 1948, to parents Charles H. Mains and Gwendolyn Johnston Mains who both pre-deceased him. He is survived by his spouse, David Phillip Gardner whom he joyfully wed in Canada on May 27, 2006; and

WHEREAS, Tim was a dedicated educator receiving the prestigious Golden Apple award for 50 years of service. His long career in education included serving as a teacher, counselor, Teacher Center/Staff Development Director, principal, Director of Internal Operations, and Superintendent of the Jamestown Public Schools and most recently the Pine Bush Central School District; and

WHEREAS, upon his election to the Rochester City Council, Tim was the first openly gay candidate to be elected to public office in New York State history, spending 20 years serving the residents of Rochester; and

WHEREAS, Tim was a pioneer in the struggle for LGBT rights during a time when it was not necessarily safe to be "out," but with others, he helped pave a path towards equity for future LGBTQ+ generations; and

WHEREAS, He was a graduate of Ben Davis High School in Indiana, received a B.S. in Sociology and World History, M.S. in Counsellor Education, M.S. in Educational Administration, M. Ed. In Organizational Leadership and was working on his Doctorate in Educational Policy and Leadership; and

WHEREAS, Tim had a quick wit and positive outlook on life. His full-hearted laugh and warm smile were a testament to his ability to find joy and exude welcome. Tim was a straight-forward, independent, and tenacious educator and legislator with an eye for detail and a commitment to social and economic justice; and

WHEREAS, Tim O. Mains worked tirelessly for his students and community. He will long be remembered for his devotion to public service, especially our community's youth, and his family; and

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

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

File No. 22-0047

ENACTING A LOCAL LAW ENTITLED "AMENDING CHAPTER 357 OF THE MONROE COUNTY CODE TO PROVIDE A TAX EXEMPTION FOR MEMBERS OF VOLUNTEER FIRE COMPANIES OR VOLUNTARY AMBULANCE SERVICES"

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

Section 1. Title. This Local Law shall be a new Article under Chapter 357 of the Monroe County Code entitled "Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers."

Section 2. Purpose and Findings. It is the purpose of this Local Law to implement the authority granted to local taxing jurisdictions by Real Property Tax Law Section 466-k — Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers. The Monroe County Legislature finds and hereby determines that New York Real Property Tax Law Section 466-k makes available a tax exemption for volunteer fire and ambulance service workers at the option of the local municipality. The Monroe County Legislature further finds and determines that Monroe County should exercise said option and implement said tax exemption because it would enhance the ability to recruit and retain the volunteers that are the lifeblood of the volunteer fire and ambulance organizations currently serving the residents of a number of municipalities within Monroe County. Recruiting and retaining sufficient volunteers to serve these important functions is essential to maintaining the high quality of emergency service in our community and saving its taxpayers the significant expense of paid staff.

Section 3. Grant of Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers. Chapter 357 of the Monroe County Code, "Taxation" shall be amended to add "Article XV - Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers" as follows:

Article XV. Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers.

§ 357-55. **Legislative Intent.** The Real Property Tax Law has been amended by the addition of a new § 466-k, which permits Monroe County to grant a partial tax exemption on real property owned by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service or such enrolled member and spouse. Said partial exemption is 10% of the assessed value of such property for all County, part County, and special district purposes.

§ 357-56. **Grant of exemption.** An exemption of 10% of assessed value of property owned by an enrolled member or such enrolled member and spouse is hereby granted from taxation with respect to all County, part County, and special district purposes, subject to the requirements set forth in this Article.

§ 357-57. **Eligibility.** Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provided that:

- A. The applicant resides in a city, town, or village within Monroe County which is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
- B. The property is the primary residence of the applicant;
- C. The property is used exclusively for residential purposes; provided, however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes,

such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section;

D. The applicant has been certified in accordance with § 357-61 as enrolled member of an: (1) incorporated volunteer fire company or fire department for at least 2 years, or (2) incorporated voluntary ambulance service for at least 2 years; and

E. The applicant complies with the requirements of § 357-59.

§ 357-58. Grant of lifetime exemption. Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than 20 years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service shall be granted the 10% exemption as authorized by this article for the remainder of his or her life as long as his or her primary residence is located within Monroe County.

§ 357-59. Application. Application for such exemption shall be filed with the assessor for the municipality in which the property is located on or before the taxable status date on a form as prescribed by the Commissioner of Tax and Finance.

§ 357-60. No diminution of benefits. No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of Article 4 of the Real Property Tax Law on the effective date of this article shall suffer any diminution of such benefit because of the provisions of this article.

§ 357-61. Certification. Each incorporated volunteer fire company, incorporated volunteer fire department and incorporated voluntary ambulance service shall file a notice annually with the assessor for the municipality in which the property is located, prior to the applicable taxable status date, certifying its enrolled members with 2 or more years of service. Such notice shall list as of the applicable taxable status date the number of years of service served by each such enrolled member and such enrolled member's address of residence.

Section 4. Severability. 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 5. Effective Date. This local law shall take effect upon filing with the Secretary of State pursuant to Section 27 of the New York Municipal Home Rule Law and the Monroe County Charter.

File No. 22-0050.LL
Matter of Urgency

By Legislators Dondorfer and Baynes

Intro. No. 11

MOTION NO. 3 OF 2022

PROVIDING THAT LOCAL LAW (INTRO. NO. 10 OF 2022) ENTITLED "AMENDING CHAPTER 357 OF THE MONROE COUNTY CODE TO PROVIDE A TAX EXEMPTION FOR MEMBERS OF VOLUNTEER FIRE COMPANIES OR VOLUNTARY AMBULANCE SERVICES," BE TABLED

Be It Moved, that Local Law (Intro. No. 10 of 2022), Entitled "Amending Chapter 357 of the Monroe County Code to Provide a Tax Exemption for Members of Volunteer Fire Companies or Voluntary Ambulance Services," be, and hereby is, tabled.

File No. 22-0050.LL

ADOPTION: Date: January 11, 2022 Vote: 29-0

By Legislators Dondofor and Baynes

Intro. No. 12

RESOLUTION NO. 2 OF 2022

FIXING PUBLIC HEARING ON LOCAL LAW (INTRO. NO. 10 OF 2022), ENTITLED "AMENDING CHAPTER 357 OF THE MONROE COUNTY CODE TO PROVIDE A TAX EXEMPTION FOR MEMBERS OF VOLUNTEER FIRE COMPANIES OR VOLUNTARY AMBULANCE SERVICES"

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

Section 1. That there will be a public hearing at 6:15 P.M. on the 8th day of February, 2022, in the Legislative Chambers in the County Office Building, Rochester, New York on Local Law (Intro. No. 10 of 2022), entitled "AMENDING CHAPTER 357 OF THE MONROE COUNTY CODE TO PROVIDE A TAX EXEMPTION FOR MEMBERS OF VOLUNTEER FIRE COMPANIES OR VOLUNTARY AMBULANCE SERVICES."

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. 22-0050.LL

ADOPTION: Date: January 11, 2022 Vote: 29-0

By Legislators Brew and Smith

Intro. No. 13

RESOLUTION NO. 3 OF 2022

RESCHEDULING NOVEMBER 2022 FULL LEGISLATURE MEETING

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

Section 1. Pursuant to Section C2-9(A) of the Monroe County Charter and Section 545-4(A) of the Rules of the Monroe County Legislature, the November 8, 2022 Full Legislature meeting is hereby rescheduled to meet November 15, 2022.

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

Matter of Urgency
File No. 22-0003

ADOPTION: Date: January 11, 2022 Vote: 29-0

By Legislators Smith and Dondorfer

Intro. No. 14

RESOLUTION NO. 4 OF 2022

AMENDING RESOLUTION 93 OF 2021 ACCEPTING GRANT FROM UNITED STATES DEPARTMENT FOR EMERGENCY RENT ASSISTANCE FOR MONROE COUNTY EVICTION PREVENTION PILOT INITIATIVE 2.0 PROGRAM TO ACCEPT ADDITIONAL FUNDING AND EXTENDING TIME PERIOD

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

Section 1. Section 1 of Resolution 93 of 2021 is hereby amended to read as follows:

The County Executive, or his designee, is hereby authorized to accept a ~~\$15,900,965.70~~ \$16,356,468.89 grant from, and to execute a contract and any amendments thereto with, the United States Department of the Treasury for Emergency Rent Assistance for the Monroe County Eviction Prevention Pilot Initiative 2.0 program, for the period of January 1, 2021 through ~~December 31, 2021~~ September 30, 2022.

Section 2. The 2022 operating budget of the Department of Finance is hereby amended by appropriating the sum of \$455,503.19 into general fund 9001, funds center 1209070200, Emergency Rental Assistance.

Section 3. The County Executive is hereby authorized to reappropriate for 2022 any unencumbered balances and unexpended commitments of the grant award remaining as of December 31, 2021 in accordance with the grant terms, and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.

Matter of Urgency
File No. 22-0043

ADOPTION: Date: January 11, 2022 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: *Edney Belle* DATE: 1/19/2022

EFFECTIVE DATE OF RESOLUTION: 1/19/2022

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

By Legislators Smith and Dondorfer

Intro. No. 15

RESOLUTION NO. 5 OF 2022

APPROVING COLLECTIVE BARGAINING AGREEMENT BETWEEN MONROE COUNTY EXECUTIVE AND CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. MONROE COUNTY LOCAL 828, UNIT 7400

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

Section 1. The Collective Bargaining Agreement between the Monroe County Executive and the Civil Service Employees Association, Inc. Monroe County Local 828, Unit 7400 for the period of January 1, 2022 through December 31, 2024 is hereby approved.

Section 2. The 2022 Budget Salary Schedule is hereby amended to reflect the agreement with the Civil Service Employees Association, Inc. Local 828, Unit 7400, the applicable Salary Schedule for unrepresented employees is amended commensurate with the modifications to the CSEA Salary Schedule, and the applicable Salary Schedule for the Monroe County Sheriff's Executive Staff is amended commensurate with the modifications to the Sheriff's Command Staff Salary Schedule approved in the Sheriff's Command agreement..

Section 3. The compensation program for unrepresented employees is amended commensurate with the modifications in the CSEA agreement, the compensation program for the Monroe County Sheriff's Executive Staff is amended commensurate with the modifications in the Sheriff's Command agreement, and applicable economic benefits are extended to all employment classes currently covered.

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

Matter of Urgency
File No. 22-0044

ADOPTION: Date: January 11, 2022 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: VETOED:

SIGNATURE:  DATE: 1/19/2022

EFFECTIVE DATE OF RESOLUTION: 1/19/2022

By Legislators Smith and Dondorfer

Intro. No. 16

RESOLUTION NO. 6 OF 2022

APPROVING COLLECTIVE BARGAINING AGREEMENT BETWEEN MONROE COUNTY EXECUTIVE AND THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 158

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

Section 1. The Collective Bargaining Agreement between the Monroe County Executive and the International Union of Operating Engineers, Local 158 for the period of January 1, 2022 through December 31, 2024 is hereby approved.

Section 2. The 2022 Budget Salary Schedule is hereby amended to reflect the agreement with the International Union of Operating Engineers, Local 158.

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

Matter of Urgency
File No. 22-0045

ADOPTION: Date: January 11, 2022 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Osdey Bell DATE: 1/19/2022

EFFECTIVE DATE OF RESOLUTION: 1/19/2022

By Legislators Smith and Dondorfer

Intro. No. 17

RESOLUTION NO. 7 OF 2022

AUTHORIZING SETTLEMENT AGREEMENT IN NEW YORK COORDINATED OPIOID LITIGATION (SUPREME COURT, SUFFOLK COUNTY INDEX NO. 400000/2017)

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

Section 1. The Legislature hereby authorizes the settlement and release of the County's claims in *In re Opioid Litigation* (Supreme Court, Suffolk County Index No. 400000/2017) against Allergan Finance LLC, Allergan Limited, and other affiliated Released Entities as defined in the Allergan New York State Opioid Settlement Agreement.

Section 2. The County Executive, or his designee, is hereby authorized to execute and deliver any and all documents necessary to effectuate such settlement.

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

Matter of Urgency
File No. 22-0046

ADOPTION: Date: January 11, 2022 Vote: 29-0

ACTION BY THE COUNTY EXECUTIVE

APPROVED: ✓ VETOED: _____

SIGNATURE: Clay Bell DATE: 1/19/2022

EFFECTIVE DATE OF RESOLUTION: 1/19/2022

By Legislators Brew and Smith

Intro. No. 18

RESOLUTION NO. 8 OF 2022

CONFIRMING APPOINTMENT OF LEGISLATIVE REPRESENTATIVE TO MONROE COMMUNITY COLLEGE BOARD OF TRUSTEES

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

Section 1. In accordance with the Rules of the Monroe County Legislature and appropriate New York State law, the following appointment made by Monroe County Legislature President Sabrina LaMar is hereby confirmed:

- Honorable Sabrina LaMar, 164 Raeburn Avenue, Rochester, NY 14619, to the Monroe Community College Board of Trustees, as the Legislature's Member to fill the unexpired term of former Legislator Dr. Joe Carbone

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

Matter of Urgency
File No. 22-0048

ADOPTION: Date: January 11, 2022 Vote: 29-0