

32.

By Legislator Taylor and Delehanty

Intro. No. ____

RESOLUTION NO. ____ OF 2020

DIRECTING THE CLERK OF THE LEGISLATURE TO PRESENT REFERRAL 20-0028 ENTITLED "ENACTING A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1997, ENTITLED 'AUTHORIZING LEASE TO DEPAUL ADULT CARE COMMUNITIES, INC.'" (INTRO. 42 OF 2020) TO THE COUNTY EXECUTIVE IN ORDER TO RECOMMENCE THE NOTICE PERIOD FOR THE PUBLIC HEARING TO BE HELD BY THE COUNTY EXECUTIVE

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

Section 1. The Clerk of the Legislature is hereby directed to present Referral 20-0028 Entitled "ENACTING A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1997, ENTITLED 'AUTHORIZING LEASE TO DEPAUL ADULT CARE COMMUNITIES, INC.'" (Intro 42 of 2020) to the County Executive in order to recommence the notice period for the public hearing to be held by the County Executive.

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

Committee of the Whole; April 29, 2020 - CV: 29-0
File No. 20-0166

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

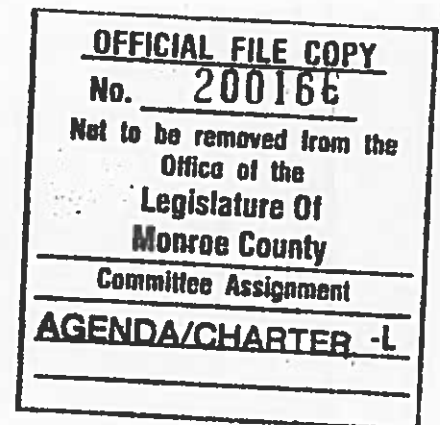
EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive
Monroe County, New York

Adam J. Bello
County Executive

April 24, 2020



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

Subject: Directing the Clerk of the Legislature to Present Referral 20-0028 Entitled "ENACTING A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1997, ENTITLED 'AUTHORIZING LEASE TO DEPAUL ADULT CARE COMMUNITIES, INC.'" (Intro. 42 of 2020) to the County Executive in order to Recommence the Notice Period for the Public Hearing to be Held by the County Executive

Honorable Legislators:

I recommend that Your Honorable Body direct the Clerk of the Legislature to present Referral 20-0028 Entitled "ENACTING A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1997, ENTITLED 'AUTHORIZING LEASE TO DEPAUL ADULT CARE COMMUNITIES, INC.'" (Intro. 42 of 2020) to the County Executive in order to recommence the notice period for the public hearing regarding Referral 20-0028 to be held by the County Executive.

Referral 20-0028 entitled "ENACTING A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1997, ENTITLED 'AUTHORIZING LEASE TO DEPAUL ADULT CARE COMMUNITIES, INC.'" was adopted by Your Honorable Body on March 10, 2020.

Pursuant to Section 20(5) of Municipal Home Law of the State of New York, within ten days after a local law is presented to the County Executive, the County Executive must give notice of a public hearing on the local law and hold the public hearing within twenty days from the date of presentation.

Due to the State of Emergency caused by COVID-19, the public hearing for Local Law 20-0028 could not be held within the time frame set forth in Section 20(5) of Municipal Home Law.

Pursuant to New York Executive Order No. 202.15 issued on April 9, 2020, the County Executive may now hold public hearings remotely, through use of telephone conference, video conference, and/or other similar service.

By the County Legislature's presenting Local Law 20-0028 to the County Executive, the County Executive will be able to timely publish the notification of the public hearing and hold a public hearing in accordance with Section 20(5) of Municipal Home Law and New York Executive Order No. 202.15.

The specific legislative action required is to direct the Clerk of the Legislature to present Referral 20-0028 Entitled "ENACTING A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF 1997, ENTITLED 'AUTHORIZING LEASE TO DEPAUL ADULT CARE COMMUNITIES, INC.'" (Intro. 42 of 2020) to the County Executive in order to recommence the notice period for the public hearing to be held by the County Executive.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c) and is not subject to review under the State Environmental Quality Review Act.

No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,


Adam J. Bello
Monroe County Executive

AJB:db