

42.

By Legislators Dondorfer and Smith

Intro. No. \_\_\_\_

RESOLUTION NO. \_\_\_\_ OF 2023

**REQUESTING THE LEGISLATURE OF THE STATE OF NEW YORK PURSUANT TO ARTICLE IX OF THE CONSTITUTION TO ENACT INTO LAW ASSEMBLY BILL NO. A.3589 ENTITLED "AN ACT TO AMEND THE RETIREMENT AND SOCIAL SECURITY LAW, IN RELATION TO THE RETIREMENT OF DEPUTY SHERIFFS-CIVIL IN THE COUNTY OF MONROE"**

RESOLVED, that pursuant to Article IX of the Constitution, the Legislature of the County of Monroe does hereby request the enactment of legislation as follows:

Assembly Bill No. A.3589 Entitled "An act to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe"

And be it further

RESOLVED, that this resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Matter of Urgency  
File No. 23-0103.a

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 7, 2023

OFFICIAL FILE COPY	
No.	<u>230103</u>
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
<b>URGENT</b>	-L

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

**Subject:** Home Rule Message for Assembly Bill No. A.3589 Entitled “An Act to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the county of Monroe”

Honorable Legislators:

This matter is being referred to Your Honorable Body at the request of Sheriff Todd K. Baxter.

I recommend that Your Honorable Body adopt a Home Rule Message in regard to the above bill that will change the retirement classification for Deputy Sheriffs-Civil Bureau to Retirement Plan 89-P and allow for retirement after twenty-five (25) years of creditable service.

The Civil Bureau is responsible for the service and enforcement of court orders, process of service, execution of civil judgments, and the collection and eventual sale of property seized (real property and personal property). Civil deputies are fully certified police officers having completed the same law enforcement academy as road deputies, as well as possessing the same powers of arrest and investigation. Both patrol and civil deputies are recorded on the New York State Division of Criminal Justice Police Registry.

Transitioning the Civil Bureau to the twenty-five (25) year retirement eligibility status will bring the Civil Bureau into step with both the Jail Bureau and Court Bureau, both of which are eligible for retirement at twenty-five (25) years, and help retain newly hired staff. In addition, as civil deputies retire, the Sheriff desires to incorporate road deputies into the Civil Bureau, enabling a more flexible use of Sheriff personnel.

**The specific legislative action required is to adopt a Home Rule Message for Assembly Bill No. A.3589 Entitled “An Act to amend the retirement and social security law, in relation to the retirement of deputy sheriffs-civil in the County of Monroe.”**

Monroe County Legislature

April 7, 2023

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This is a Type II Action pursuant to 6 NYCRR §617.5(c)(26) (“routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment”) and is not subject to further review under the State Environmental Quality Review Act.

Adoption of this Home Rule Message will have no impact on the revenues or expenditures of the current Monroe County budget.

I recommend that this matter receive favorable attention by Your Honorable Body.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam Bello". The signature is written in a cursive style with a large initial "A".

Adam J. Bello  
Monroe County Executive

By Legislators \_\_\_\_\_

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Matter of Urgency  
File No. 23-\_\_\_\_\_

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_