

2014 Charter Review Committee

Table of Proposals

Proposer	Topic/ Charter Section	Recommendation
President Jeffrey Adair	C7-3 Monroe Community College	No Recommended Changes
President Jeffrey Adair	C7-4 Monroe County Library System Board of Trustees	No Recommended Changes
President Jeffrey Adair	C2-8 County Legislature: <i>County Code</i>	1. Subsection (B), suggesting the Monroe County Charter and Administrative Code be uploaded to the Monroe County Website. Direct staff to execute the language that will be included in the up to date charter.
President Jeffrey Adair	C2-9 County Legislature: <i>Organization; Committees; Meetings</i>	1. Subsection (B)(3), suggesting email be included in as a portal of communication used by the Clerk of the Legislature for notices. Direct staff to execute the language that will be included in the up to date charter.
President Jeffrey Adair	C2-10 County Legislature: <i>Clerk of the Legislature and Staff</i>	1. Subsection (G), suggesting that the proceedings be copied in an electronic format and be distributed in addition to a bound copy version. Direct staff to execute the language that will be included in the up to date charter.
Legislator Debbie Drawe	C6-11 (except C6-11(D)) Department of Human and Health Services	<ol style="list-style-type: none"> 1. Change the word "Director" to "Commissioner" as that is the proper title for the position and is the title confirmed by New York State. 2. Delete section (B)(5) and move it to C6-12 (Department of Public Health) as the only section that was monitored by the Department of Human Services for Early Intervention which is no longer in existence on the local level. 3. Delete last sentence of subsection (C)(1) as Department of Human Services is not tasked with managing the county home and infirmary. 4. Subsection (E)(3), the related board is now called the Council of Elders. Delete the actual numbers listed for membership allow for the Council to change with time.

Proposer	Topic/ Charter Section	Recommendation
Legislator Debbie Drawe	C6-11(D) Department of Human and Health Services	<p>Complete rewrite of this section of the Office of Mental Health as the current language is not relevant to how that office operates and furthermore, a large portion of the section was written for a non-charter county, which does not apply to Monroe County.</p> <ol style="list-style-type: none"> 1. Codify the requirements for the Office of Mental Health as prescribed by Mental Hygiene Law Article 41. Establish a local government unit (MHL 41.05) which provides for how services are provided to the County and reimbursement received from the State. 2. Add language for local plan (MHL 41.05(e)) which will provide for oversight/coordination of services. 3. Subsections (6) and (7) do not apply to Monroe County. The members of the Community Service Board have no fiscal responsibility and we do not provide a clinic. Furthermore, the county does not participate in joint mental health service. 4. Subsection (13), the Community Service Board is an advisory panel only and their powers should be changed to reflect as such. The current language again applies to a non-charter county.

Proposer	Topic/ Charter Section	Recommendation
Legislator Debbie Drawe	6-12 Department of Public Health	<ol style="list-style-type: none"> 1. Subsection (F), changing the head of the department to the title of Commissioner as required by the Public Health Law. Specifically, 10 NYCRR 11.10 and 10 NYCRR 11.11, based upon the size of Monroe County the proper title for the head of the department should be a Commissioner. Change subsection (F) to reflect the proper title and also to include the mandatory term for service. Accordingly, throughout the entire section, the title should be changed appropriately. 2. Subsection (A), language should be corrected since the other reference section of the Charter is inaccurate and furthermore, the Office of Mental Health is now controlled under C-11. 3. Subsection (J), one possible addition for membership to the Board would be community members, 1 citizen member appointed from the city and 1 citizen appointed from the County, (which has been a recommendation from the State.) Also, although reference is made to compensation of Board members, our members are not actually paid for their service. 4. Add the following language under subsection (J)(6) which is provided under State law, “and for a second or subsequent offence by a fine not exceeding \$500 or by imprisonment not exceeding 15 days, or both”
Legislator Debbie Drawe	6-17 Monroe Community Hospital	<ol style="list-style-type: none"> 1. The term “hospital” should be changed to “facility.” 2. Delete section (B)(1)(b)[11] and (B)(3)(d)[3] as they no longer apply. 3. Delete term “Director of Finance” throughout this section as it is confusing since MCH has its own CFO, which is ultimately the County Executive who is the governing body of Monroe Community Hospital. 4. Delete the following under Subsection (B)(1)(a) for the executive health director appointment which requires vendor's approval. This does not occur, as it is a county position decision. 5 Subsection (D) should be deleted in its entirety. The Medical Advisory Council is not in existence nor is it reasonable to use for administration of Monroe Community Hospital.

Proposer	Topic/ Charter Section	Recommendation
Deputy County Executive Dan Delaus	A5-6 Delegation to County Executive	1. Power to authorize, enter into and execute agreements and contracts. Proposal is to increase the CE's authority to allow her to enter into contracts in excess of \$5,000, up to \$20,000.
Deputy County Executive Dan Delaus	A7-1 County Clerk	Revise inconsistent elective term language from 3 to 4 years to reflect state law and current practice.
Legislator John Lightfoot	C6-18 Department of Public Safety	Several wordsmithing and typographical changes (replace "firemen" with "firefighter", replace "public safety laboratory" with "county crime laboratory"); Elimination of outdated provisions relating to fire prevention code and training duties which are handled by another unit; Revision of outdated provisions regarding membership of Fire Advisory Board.
Legislator John Lightfoot	C7-7 Sheriff's Department	Revise inconsistent elective term language from 3 to 4 years to reflect state law and current practice.
Legislator John Lightfoot	C7-8 District Attorney's Office:	No Recommended Changes.
Legislator John Lightfoot	Article V Planning Functions	Charter, Article 5 Planning Function. The amount of detail contained in the Charter and Code relating to the planning function is outdated and does not reflect current planning practices in County government. The detail regarding the Comprehensive Development Plan and Annual Planning program is unnecessary and has been superseded by changes made in 1997 to Section 239-d of the New York State General Municipal Law that govern County Comprehensive Plans. The State guidelines should be incorporated by reference and much of the current language in the Charter and Code relating to the Comprehensive Plan and Annual Planning Program should be deleted. The other changes to Section C5-4 reflect the fact that roles and activities assigned to Planning and Development are today carried out by other departments (major street plan) and the County Executive's Office (advisory reviews on County Department Activities).

Proposer	Topic/ Charter Section	Recommendation
Legislator John Lightfoot	Administrative Code Changes.	The revisions suggested to the Administrative Code mirror the changes noted above to the Charter. The detail on the Comprehensive Development Plan and Annual Planning program are pared back and reference New York State General Municipal Law instead. Detail on the content and procedures for the Comprehensive Development Plan and Annual Planning Program are simplified or eliminated. Details on the role and responsibilities of the Director of Planning and Development are revised or eliminated to reflect changes in the Department structure and function. Finally, updating references to the Department of Planning and Development are noted as the renaming of the department in 1992 was not reflected in the Administrative Code.
Citizen Member Jared C. Lusk Esq.	C6-4 Department of Communications	No Recommended Changes.
Citizen Member Jared C. Lusk Esq.	C6-6 Department of Law	No Recommended Changes.
Citizen Member Jared C. Lusk Esq.	C6-7 Department of Human Resources	<ol style="list-style-type: none"> 1. Human resources currently consists of two divisions, Civil Service Support and Employment Support Services. As such, Charter Sections C6-7 (9) and (10) should be changed to a duty, instead of a reference to a specific office. Furthermore, the term “Affirmative Action” is outdated. “Equal Employment Opportunity” is a better term that reflects the full responsibilities of the function. 2. C6-7 D and E should be deleted. The Human Relations Commission has been defunct for over 20 years and its functions are now performed by the New York State Division of Human Rights and the US Equal Employment Opportunity Commission. 3. §C6-7 C – Refers to the Civil Service Commission. Many other counties use the Personnel Officer Model. Would like staff to look into this model to see if any savings/efficiency improvements to County and Civil Service operations.
Citizen Member Jared C. Lusk Esq.	C6-10 Department of Information Services	1. Suggest inclusion of “data security” under the responsibilities of the Director of Information Services.

Proposer	Topic/ Charter Section	Recommendation
Citizen Member Jared C. Lusk Esq.	C6-16 Veterans Service Agency	<ol style="list-style-type: none"> 1. §(1) To provide information and counsel to former members of the Armed Forces of the United States. (Added language.) 2. §(2) To provide information and aid in the processing of claim applications and various papers for these veterans. (Added language.) 3. §(3) Delete this section. VSA does not plan for provision of adequate plots; all burials and memorial benefits are per New York State and Federal law. 4. §(4) To provide information and aid in the processing of applications for veterans’ benefits on behalf of the survivors of veterans. (Added language.) 5. §(5) To plan and participate in appropriate memorial services and other community events. (Added language.)
Citizen Member Jared C. Lusk Esq.	C6-19 Department ofTransportation	<ol style="list-style-type: none"> 1. §C6-19 B(7) In addition to city, town and village units of government, and New York State. Additionally, modify the services language to add “traffic” to highway and bridge. 2. §C6-19 B(8) Delete references to rail and water facilities 3. §C6-19 B(10) Section 239-K of General Municipal Law should now be Section 239-e 4. §C6-19 B(12) Delete Monumentation program – it is now a part of the County Survey area and the unit belongs in DES. 5. §C6-19 B(13) Delete land survey and architectural support since DOT does not provide. 6. Consider adding language including responsibility for computerized traffic signal control center which manages all traffic signal devices, including signals, flashers, and monitoring cameras. 7. §A14-1 G (1) states that the Director of Transportation shall prepare and submit to the Director of Planning his/her proposed standards regarding lighting and height structures near the Airport. This duty now belongs to the Director of Aviation.

Proposer	Topic/ Charter Section	Recommendation
Citizen Member Jared C. Lusk Esq.	C6-20 – Department of Environmental Services	<p>General Update to entire section. The Charter makes reference to a title of Engineering Operations Manager which does not currently exist. The current title is Chief of Engineering and Facilities Management. Suggest updating t the section to reflect this.</p> <p>§C6-20 (10) This section provides DES Director with responsibility “To plan and implement necessary management of County real property holdings through purchases, sales, leases or other property transactions, all subject to applicable law.” This responsibility should be reassigned to the Director of Real Property Tax Services in the Department of Finance to reflect the actual division of labor.</p> <p>§C6-20 (12) This section should delete references to the security of county buildings as that is the responsibility of the Director of Public Safety. Suggested language – “To be responsible for the design, construction, maintenance, alterations, renovations and operation and security of all county buildings, grounds and equipment to meet current and future needs of county residents.”</p>
Citizen Member Jared C. Lusk Esq.	C6-21 Department of Aviation	<ol style="list-style-type: none"> 1. §C6-21 B(4) – Add the term “regulations” in addition to “laws” in order to include FAA and TSA 2. Should update entire section to change references to “Airport Manager” to “Airport Director” to reflect current title and responsibilities.
Citizen Member John DiCaro Esq.	C4-2 Submission of the Annual Budget	<p>A. Annual Budget defined. On or before November 15, the County Executive shall submit to the County Legislature the proposed annual budget for the ensuing fiscal year, which the budget shall include.</p> <ol style="list-style-type: none"> 1. The proposed operating budget, which shall contain all estimated expenditures and revenues for the fiscal year for operating purposes, payments due for debt service and that portion of expenditures for capital projects to be funded from current revenues. The proposed operating budget shall also contain the basis for estimates of yields of existing and authorized revenue sources. (Strikethrough last sentence)

Proposer	Topic/ Charter Section	Recommendation
Citizen Member John DiCaro Esq.	C4-7 Allotment of Appropriations	(Delete entire section) There shall be an allotment system for appropriations of the County which shall require that each spending agency submit to the County Executive a quarterly work program for the ensuing fiscal year. The details of the allotment system shall be set for in §A8-2 of the Administrative Code.
Citizen Member John DiCaro Esq.	A6-11 Budget Available as Public Record	Upon submission, the proposed annual budget shall become a public record in the office of the Clerk of the County Legislature as required by §4-2B of the Charter. Copies of a summary of the same shall be made available by the County Executive for distribution throughout the county to the news media; libraries; city, town and village halls; school district offices; and the like. <u>A summary of the same shall be made available for download by the County Executive by publication on the County Website.</u> (Add last sentence)
Citizen Member John DiCaro Esq.	A8-3 Annual Report	Pursuant to §C4-8 of the Charter, the County Executive shall prepare an annual report for each fiscal year and file such report with the County Legislature. Such report shall depict the financial condition of the county. It shall provide balance sheets and revenue and expense statements. Copies of such report or summaries thereof shall be made available by the County Executive for distribution throughout the county to the news media; libraries; city, town and village halls; school district offices; and the like for download on the County Website. Such report or a summary thereof may be published in one (1) or more newspapers of general circulation in the county, at the discretion of the County Executive. (Delete strickthrough sentence)
Citizen Member Frederick Holbrook Esq.	C6-1 ,2,3 Administrative Code Part 1, Article I, Charter Article I & VIII	Draft of a provision permitting referenda,.
Citizen Member Frederick Holbrook Esq.	C6-1 ,2,3 Administrative Code Part 1, Article I, Charter Article I & VIII	Draft of a provision permitting a recall of a county elected official.
Citizen Member Frederick Holbrook Esq.	C6-1 ,2,3 Administrative Code Part 1, Article I, Charter Article I & VIII	Draft of a provision reducing the size of the legislature.