



MONROE COUNTY

Agenda/Charter Committee

November 23, 2020 5:00 PM

AGENDA

A. ROLL CALL

B. SUSPENSION OF THE RULES

Motion to Suspend the Rules

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 Committee Meeting in favor of video viewing or listening to, and recording and later transcription of such proceeding.

C. PUBLIC FORUM

D. APPROVAL OF MINUTES

February 24, 2020

E. NEW BUSINESS

20-0340

Enact a Local Law Entitled "Gantt's Law for Utilization of Minority and Women-Owned Businesses" - County Legislator Calvin Lee, Jr., County Legislator Sabrina LaMar, County Legislator Frank Keophetlasy, County Legislator Ernest Flagler-Mitchell

20-0341

A Local Law to Establish a Temporary Limit on the Charges Imposed by Third-

party Delivery Services on Restaurants during the Covid-19 Pandemic - County
Legislator Rachel Barnhart

20-0356

Confirmation of Appointments to the Monroe County Board of Health - County
Executive Adam J. Bello

F. OTHER MATTERS

G. ADJOURNMENT

The next meeting of the Agenda Charter Committee is scheduled for Monday,
December 21, 2020 at 5:00 p.m.



ATTACHMENTS:

Description File Name

- February 24, 2020 2.24.20_Agenda_Charter_Draft_Minutes.pdf

Summary of Minutes
AGENDA/CHARTER COMMITTEE
February 24, 2020
5:00 p.m.

Chairwoman Taylor called the meeting to order at 5:00 p.m.

MEMBERS PRESENT: Kathleen A. Taylor (Chair), Sean M. Delehanty (Vice Chair), Steve Brew, Justin F. Wilcox (RMM), Linda Hasman, Dr. Joe Carbone (Ex-Officio)

OTHER MEMBERS PRESENT: Frank X. Allkofer, Karla F. Boyce, George J. Hebert, Matthew Terp, Joshua Bauroth, John B. Baynes, Howard Maffucci

ADMINISTRATION PRESENT: Jeff McCann (Dep. County Executive), Jennifer Cesario (Interim CFO), John Bringewatt (County Attorney), Laura Smith (Chief Dep. County Attorney), Andrea Guzzetta (HR Director), Don Crumb (Dep. County Attorney), Tim Murphy (Real Property Director)

PUBLIC FORUM: There were no speakers.

APPROVAL OF MINUTES: The minutes of January 27, 2020 were approved as submitted.

NEW BUSINESS:

20-0050 - Enact a Local Law Authorizing a Lease with Gallina Development Corp. for Office Space at Calkins Road, Town of Henrietta, New York - County Executive Adam J. Bello

MOVED by Legislator Delehanty, SECONDED by Legislator Brew.
ADOPTED: 5-0

20-0083 - Confirmation of Appointment to the Monroe County Civil Service Commission - County Executive Adam J. Bello

MOVED by Legislator Brew, SECONDED by Legislator Delehanty.
ADOPTED: 5-0

20-0084 - Designation of Official Newspaper - County Executive Adam J. Bello

MOVED by Legislator Brew, SECONDED by Legislator Delehanty.
ADOPTED: 5-0

20-0086 - Confirmation of Reappointments to the New York State Department of Environmental Conservation Region 8 Fish and Wildlife Management Board - County Executive Adam J. Bello

MOVED by Legislator Delehanty, SECONDED by Legislator Brew.
ADOPTED: 5-0

20-0087 - Confirmation of Reappointment to the Monroe County Board of Health - County Executive Adam J. Bello

MOVED by Legislator Brew, SECONDED by Legislator Delehanty.
ADOPTED: 5-0

20-0088 - Enact a Local Law to Repeal Local Law No. 9 of 2019 (Intro. No. 297 of 2019), Entitled "Prohibited Harassment of a Police Officer, Peace Officer or First Responder in Monroe County" - As a Matter of Importance - Democratic Minority Leader Vincent R. Felder and County Legislator Karla F. Boyce

MOVED by Legislator Delehanty, SECONDED by Legislator Brew.
ADOPTED: 5-0

OTHER MATTERS

ADJOURNMENT:

There being no other matters, Chairwoman Taylor adjourned the meeting at 5:11 p.m.

The next Agenda/Charter Committee meeting is scheduled for **Monday, March 23, 2020 at 5:00 p.m.**

Respectfully Submitted,
Jack Moffitt
Clerk of the Legislature



ATTACHMENTS:

Description File Name

▣ 20-0340 R20-0340.pdf



Monroe County Legislature

Black and Asian Democratic Caucus

Calvin Lee, Jr
LEGISLATOR – District 25

Sabrina LaMar
LEGISLATOR – District 27

Frank Keophtlasy
LEGISLATOR – District 28

Ernest Flagler-Mitchell
LEGISLATOR – District 29

October 26, 2020

To the Honorable
Monroe County Legislature
39 West Main Street
Rochester, NY 14614

LEGISLATOR – District 29
OFFICIAL FILE COPY
No. <u>200340</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
AGENDA/CHARTER -L

RE: Enact a Local Law Entitled “Gantt’s Law for Utilization of Minority and Women-Owned Businesses”

Honorable Legislators:

Over the years, minority and women-owned business enterprises have struggled to achieve equitable representation in County procurement. Although Monroe County has made good-faith efforts to hold itself to the state and federal guidelines for minority and women-owned business enterprises, there seems to be a lack of follow-through, especially in the area of professional service contracts.

In 2020 alone, this Honorable Body has undertaken several legislative initiatives to expand and promote diversity in County government, including the Diversity Action Plan, which seeks to encourage diverse representation in all County Departments. However, achieving diversity in the County’s workforce is only one part of diversifying County operations. With an over \$1 billion dollar budget, Monroe County must also achieve diversity in the money it spend on contracts.

Monroe County must facilitate the elimination of discrimination and racism while providing opportunities to minority and women-owned business enterprises. Monroe County needs to be the leader in the community by taking an active approach to promote opportunities for minority and women-owned business enterprises to bid on County projects and participate in procurement. The County Executive must actively be working with the Chief Diversity Officer, Division of Purchasing and Central Services, and newly created Diversity Action Plan Advisory Committee to ensure that these opportunities are being presented, and that the County is promoting inclusivity in all facets.

Therefore, in the interest of promoting diversity in Monroe County government, we recommend that this Honorable Body enact a Local Law entitled “Gantt’s Law for Utilization of Minority and Women-Owned Businesses.” The purpose of this Local Law is to establish clear guidelines for what constitutes a minority and women-owned business enterprise, create a directory of minority and women-owned business enterprises for use by the County and contractors, expand the use of minority and women-owned business enterprises in all areas of County procurement, institute reporting guidelines, conduct training for minority and women-owned business enterprises, and set new goals for the use of minority and women-owned business enterprises in County procurement.

Much of the language used in this proposed local law was adapted from best practices already established by the State of New York, Suffolk County, and Erie County.

The specific legislative actions required are:

1. Schedule and hold a public hearing on the proposed local law.
2. Enact a Local Law entitled “Gantt’s Law for Utilization of Minority and Women-Owned Businesses.”

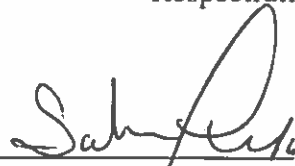
This is a Type II Action pursuant to 6 NYCRR 617.5(c) and is not subject to review under the State Environmental Quality Review Act.

This action will have no impact on the revenues or expenditures of the current Monroe County budget.

Respectfully Submitted,



Calvin Lee, Jr
County Legislator
District 25 - Rochester



Sabrina LaMar
County Legislator
District 27 - Rochester



Frank Keophewasy
County Legislator
District 28 - Rochester



Ernest Flagler-Mitchell
County Legislator
District 29 - Rochester

By Legislators _____ and _____

Intro No. _____

LOCAL LAW NO. ____ OF 2020

ENACT A LOCAL LAW ENTITLED “GANTT’S LAW FOR UTILIZATION OF MINORITY AND WOMEN-OWNED BUSINESSES”

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

Section 1. Resolutions 240 of 2014 and 69 of 1989 are hereby rescinded.

Section 2. Part III, Administrative Local Laws of the Administrative Code and Charter of Monroe County, is hereby amended to add a new chapter to include the following Local Law:

CHAPTER 26, UTILIZATION OF MINORITY AND WOMEN-OWNED BUSINESSES

§ 26-1. Title.

This chapter shall be known as the “Gantt’s Law.”

§ 26-2. Legislative Intent.

- A. This Legislature hereby finds and determines that a need exists within the County of Monroe to recognize and encourage the growth of business enterprises that are owned and operated by women and minorities.
- B. This Legislature also finds business enterprises that are owned and operated by women and minorities have struggled to achieve equitable representation in procurement by the County of Monroe.
- C. This Legislature also finds that previous policies enacted by the County of Monroe regarding business enterprises that are owned and operated by women and minorities only pertained to construction activities.
- D. This Legislature also finds that the County's economy will benefit from the utilization by the County of business enterprises that are owned and operated by women and minorities.
- E. This Legislature further finds that both the state and federal governments have instituted programs that facilitate participation in government contracts by business enterprises that are owned and operated by women and minorities.
- F. Therefore, the purpose of this article is to ensure that minority- and women-owned business enterprises have sufficient opportunity to participate both directly and indirectly in contracting opportunities with Monroe County.

§ 26-3. **Purpose.**

The purpose of this section is to promote and encourage the utilization of minority and women-owned business enterprises in procurement by the County of Monroe and establish clear guidelines for what constitutes a minority and women-owned business enterprise, create a directory of minority and women-owned business enterprises, expand the use of minority and women-owned business enterprises in all areas of County procurement, institute reporting guidelines, conduct training for minority and women-owned business enterprises, and set new goals for the use of minority and women-owned business enterprises in County procurement.

§ 26-4. **Definitions.** As used in this section:

A. **Certified Business** – shall mean a business verified as a minority and women-owned business enterprise pursuant to § 26-5 of this article.

B. **Committee** – shall mean the Diversity Action Plan Advisory Committee established in accordance with Resolution 212 of 2020.

C. **Contractor** – shall mean an individual, a business enterprise, including a sole proprietorship, a partnership, a corporation, a not-for-profit corporation, or any other party to a County contract, or a bidder in conjunction with the award of a County contract or a proposed party to a County contract.

D. **County** – shall mean any County department; or any agency, division, board, office, elected official, commission or bureau of the County or of any County department.

E. **County Contract** – shall mean:

1. a written agreement or purchase order instrument, providing for a total expenditure in excess of fifteen thousand dollars, whereby the County is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the County;
2. a written agreement in excess of sixty thousand dollars whereby the County is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon.

For the purposes of this section, the term "services" shall not include banking relationships, the issuance of insurance policies or contracts, or contracts with the County for the sale of bonds, notes or other securities.

F. **Director** – shall mean the Director of Diversity, Equity and Inclusion – Chief Diversity Officer.

G. **Minority Group Members** – shall mean a United States citizen or permanent resident alien who has and can demonstrate membership in one of the following groups:

- a. Black persons having origins in any of the Black African racial groups;
- b. Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American Descent of either Indian or Hispanic origin, regardless of race;
- c. Native American or Alaskan native persons having origins in any of the original peoples of North America;

- d. Asian and Pacific Islander persons having origins in any of the Far East countries, South East Asia, the Indian subcontinent or the Pacific Islands.

H. Minority-Owned Business Enterprise – shall mean a business enterprise, including a sole proprietorship, partnership or corporation that is:

1. at least fifty-one percent owned by one or more minority group members;
2. an enterprise in which such minority ownership is real, substantial and continuing;
3. an enterprise in which such minority ownership has and exercises the authority to control independently the day-to-day business decisions of the enterprise; and
4. an enterprise authorized to do business in the State of New York state and independently owned and operated.

I. Office – shall mean the Monroe County Department of Diversity, Equity and Inclusion.

J. Subcontract - shall mean an agreement providing for a total expenditure in excess of fifteen thousand dollars for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon between a contractor and any individual or business enterprise, including a sole proprietorship, partnership, corporation, or not-for-profit corporation, in which a portion of a contractor's obligation under a County contract is undertaken or assumed, but shall not include any construction, demolition, replacement, major repair, renovation, planning or design of real property or improvements thereon for the beneficial use of the contractor.

K. Utilization Plan - shall mean a plan prepared by a contractor and submitted in connection with a proposed County contract. The utilization plan shall identify certified minority and women-owned business enterprises, if known, that have committed to perform work in connection with the proposed County contract as well as any such enterprises, if known, which the contractor intends to use in connection with the contractor's performance of the proposed County contract. The plan shall specifically contain a list, including the name, address and telephone number, of each certified enterprise with which the contractor intends to subcontract.

L. Women-Owned Business Enterprise – shall mean a business enterprise, including a sole Proprietorship, partnership or corporation that is:

1. at least fifty-one percent owned by one or more United States citizens or permanent resident aliens who are women;
2. an enterprise in which the ownership interest of such women is real, substantial and continuing;
3. an enterprise in which such women ownership has and exercises the authority to control independently the day-to-day business decisions of the enterprise; and
4. an enterprise authorized to do business in the State of New York state and independently owned and operated.

§ 26-5. Certification.

A. The Director, in conjunction with the Committee, shall promulgate rules and regulations providing for the establishment of a Countywide certification program, including rules and regulations governing the approval, denial or revocation of any such certification. Such rules and regulations shall include, but not be limited to, such matters as may be required to ensure that the established procedures thereunder shall at least be in compliance with the code of fair procedure set forth in § 73 of the New York Civil Rights Law. The Director shall accept all businesses having or awaiting certification by a state agency.

B. For the purposes of this article, the Office shall be responsible for verifying businesses as being owned, operated, and controlled by minority group members or women and for certifying such verified businesses or may refer such process to an appropriate state agency. The Director shall prepare a directory of certified businesses for use by the County and contractors in carrying out the provisions of this article. The Director shall periodically update the directory and make it publically available on the County's website.

C. Following application for certification pursuant to this section, the Director shall provide the applicant with written notice of the status of the application, including notice of any outstanding deficiencies, within 30 days. Within 60 days of submission of a final completed application, the Director shall provide the applicant with written notice of a determination by the Office approving or denying such certification and, in the event of a denial, a statement setting forth the reasons for such denial. Upon a determination denying or revoking certification, the business enterprise for which certification has been so denied or revoked shall, upon written request made within 30 days from receipt of notice of such determination, be entitled to a hearing before the Committee. In the event that a request for a hearing is not made within such thirty-day period, such determination shall be deemed to be final. The Committee shall conduct a hearing and, upon the conclusion of such hearing, issue a written recommendation to the Director to affirm, reverse or modify such determination of the Director. Such written recommendation shall be issued to the applicant and the Director. The Director, within 30 days, shall, by order, accept, reject or modify such recommendation of the Committee and set forth in writing the reasons therefor. The Director shall serve a copy of such order and reasons therefor upon the business enterprise by personal service or by certified mail, return receipt requested.

§ 26-6. Annual Workshop

The Office shall hold an annual workshop for potential minority and women-owned business enterprise applicants and certified businesses, for the purpose of educating and informing participants about the County's procurement processes and reviewing upcoming procurement opportunities including, but not limited to the Capital Improvement Plan. The workshop shall include all relevant information to allow potential bidders to understand, navigate, and compete in the County's procurement process.

§ 26-7. Goals

The County hereby sets the following goals for insuring the full and equitable participation minority and women-owned business enterprises:

A. the County shall have a level of participation goal of twelve (12) percent for minority-owned business enterprises of the total value of County contracts in a given year;

B. the County shall have a level of participation goal of three (3) percent for women-owned business enterprises of the total value of County contracts in a given year; and

C. the above stated goals shall coincide with the County's good faith efforts to utilize local labor and create local jobs through County contracts.

§ 26-8. Equal Employment Opportunities for Minority Group Members and Women.

A. All County contracts and all documents soliciting bids or proposals for County contracts shall contain or make reference to the following provisions:

1. the contractor shall not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability, sexual orientation, military status, or marital status, and will undertake or continue taking steps to ensure that minority group members and women are afforded equal employment opportunities without discrimination. For purposes of this article, such steps shall include recruitment, employment, job assignments, promotion, upgrading, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;
2. at the request of the County, the contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding to furnish a written statement that such employment agency, labor union, or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability, sexual orientation, military status, or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein; and
3. the contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the County contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability, sexual orientation, military status, or marital status.

B. The contractor shall include the provisions of Subsection A of this section in every subcontract in such a manner that the provisions will be binding upon each subcontractor as to all work done in connection with the County contract.

C. The provisions of this section shall not be binding upon contractors or subcontractors in the performance of work or the provision of services or any other activities that are unrelated, separate, or distinct from the County contract as expressed by its terms.

D. In the implementation of this section, the County shall consider compliance by a contractor or subcontractor with the requirements of any federal and state law concerning equal employment opportunity, which effectuates the purposes of this section. The County shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such law, and if such duplication or conflict exists, the County shall waive the applicability of this section to the extent of such duplication or conflict.

§ 26-9. Requirements

A. The Director, in conjunction with the Committee, shall promulgate rules and regulations that provide measures and procedures to ensure that certified businesses shall be given the opportunity for meaningful participation in the performance of County contracts. Such rules shall require the County to identify those County contracts for which certified businesses are most likely to be available and may set forth additional requirements for outreach to minority businesses particularly with regard to such contracts. Nothing in the provisions of this article shall be construed to limit the ability of any certified business to bid on any contract.

B. The County shall include or require to be included with respect to County contracts for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon, requests for proposals (RFPs), and any other applicable County contracts, such provisions as may be necessary to effectuate the provisions of this article, including but not limited to provisions:

1. requiring contractors to use best efforts to solicit active participation by enterprises identified in the directory of certified businesses provided to the County by the Office; and
2. requiring the parties to agree, as a condition of entering into such contract, to be bound by the provisions of § 26-8 of this article; provided, however, that no such provisions shall be binding upon contractors or in the performance of work or the provision of services that are unrelated, separate or distinct from the County contract as expressed by its terms, and nothing in this section shall authorize the Director or any contracting agency to impose any requirement on a contractor except with respect to a County contract.

C. All requests for proposals, requests for qualifications, and expressions of interest issued by the County shall include approach to minority and women-owned business enterprise utilization in the selection criteria, and shall state that minority and women-owned business enterprise utilization will be used as selection criteria and rated in compliance with the Monroe County Department of Finance - Division of Purchasing and Central Service's Procedure for Service Contracts.

D. In the implementation of this section, the County shall consider compliance with the requirements of any federal or state law concerning opportunities for minority and women-owned business enterprises which effectuate the purpose of this section. The County shall determine whether the imposition of the requirements of any such law duplicate or conflict with the provisions hereof, and if such duplication or conflict exists, the County may waive the applicability of this article to the extent of such duplication or conflict.

§ 26-10. Rules for Utilization of Subcontractors.

A. The Director, in conjunction with the Committee, shall promulgate rules and regulations requiring that all contractors use best efforts to achieve participation in subcontracting by minority and women-owned business enterprises in accordance with goals set by § 26-7 to enhance opportunity for minority and women-owned businesses to reflect the percentage of minority and women-owned businesses available to perform such work.

B. The County shall administer the rules and regulations promulgated by the Director, in conjunction with the Committee, to ensure compliance with the provisions of this section.

1. Such rules and regulations shall require that:
 - a. a contractor submit a utilization plan after bids are opened, when bids are required, or in a contractor's response to an RFP;
 - b. in all cases, prior to the award of a County contract, the County shall review the utilization plan submitted by the contractor within a reasonable period of time, as established by the Director;
 - c. the County notify the contractor in writing within a period of time specified by the Director as to any deficiencies contained in the contractor's utilization plan, as well as the permissible time period within which to cure such deficiencies;
 - d. the contractor submit periodic compliance reports relating to the operation and implementation of any utilization plan; and

- e. the County file a complaint with the Director, or the Committee, in the event a contractor is failing or has failed to comply with the minority- and women-owned business enterprise participation requirements set forth in the County contract and no waiver has been granted pursuant to Subsections E and F of this section.

2. Such rules and regulations shall allow a contractor to:

- a. apply for a partial or total waiver of the minority and women-owned business enterprise participation requirements pursuant to Subsections E and F of this section.
- b. file a complaint with the Director, or the Committee, in the event the County has failed or refused to issue a waiver of the minority and women owned business enterprise participation requirements or has denied such request for a waiver.

C. The rules and regulations promulgated pursuant to this section regarding a utilization plan shall provide that where enterprises have been identified within a utilization plan, a contractor shall use best efforts to utilize such enterprise at least to the extent indicated. The County may require a contractor to indicate, within a utilization plan, what measures and procedures he or she intends to take to comply with the provisions of this article, but may not require, as a condition of award of or compliance with a contract, that a contractor utilize a particular enterprise in performance of the contract.

D. Without limiting other grounds for the disqualification of bids or proposals on the basis of nonresponsibility, the County may disqualify the bid or proposal of a contractor as being nonresponsible for failure to remedy noted deficiencies in the contractor's utilization plan within a period of time specified in regulations promulgated by the Director, in conjunction with the Committee, after receiving notification of such deficiencies from the County. Where failure to remedy any noted deficiency in the utilization plan is a ground for disqualification, that issue and all other grounds for disqualification shall be stated in writing by the County. Where the County states that a failure to remedy any noted deficiency in the utilization plan is a ground for disqualification, the contractor shall be entitled to an administrative hearing, on a record, involving all grounds stated by the County. Such hearing shall be conducted by the appropriate authority of the County to review the determination of disqualification. A final administrative determination made following such hearing shall be reviewable in accordance with law.

E. Where it appears that a contractor, after making its best efforts, cannot comply with the minority and women-owned business enterprise participation requirements set forth in a particular County contract, a contractor may file a written application with the County requesting a partial or total waiver of such requirements setting forth the reasons for the contractor's inability to meet any or all of the participation requirements and an explanation of the efforts undertaken, by the contractor to obtain the required minority and women-owned business enterprise participation. In implementing the provisions of this section, the County shall consider the number and types of minority and women-owned business located in the County, the total dollar value of the County contract, the scope of work to be performed and the project size and term. Based on such considerations, if the County determines there is not a reasonable availability of contractors on the list of certified businesses to furnish services for the project, it shall issue a waiver of compliance to the contractor. In making such determination, the County shall first consider the availability of other business enterprises located in the County and shall thereafter consider the financial ability of certified businesses located in the County to perform the County contract.

F. For purposes of determining if a contractor has used best efforts to comply with the requirements of this section or is entitled to a waiver, the County shall consider:

- 1. Whether the contractor has advertised in general circulation media, trade association, and minority-focus, women-focus, and in such event:

- a. whether or not certified businesses which have been solicited by the contractor exhibited interest in submitting proposals for a particular project by attending a pre-bid conference; and
 - b. whether certified businesses which have been solicited by the contractor have responded in a timely fashion to the contractor's solicitations for timely competitive bid quotations prior to the County's bid date; and
2. Whether there has been written notification to appropriate certified businesses that appear in the directory of certified businesses prepared pursuant to § 26-5 of this article; and
 3. Whether the contractor can reasonably structure the amount of work to be performed under subcontracts in order to increase the likelihood of participation by certified businesses.

G. In the event that the County fails or refuses to issue a requested waiver to a contractor within 30 days of the application therefor pursuant to Subsection E of this section, or if the County denies such application in whole or in part, the contractor may file a complaint with the Director, or the Committee, setting forth the facts and circumstances giving rise to the contractor's complaint together with a demand for relief. The contractor shall serve a copy of such complaint upon the County by personal service or by certified mail, return receipt requested. The County shall be afforded an opportunity to respond to such in writing.

H. If, after the review of a contractor's utilization plan or review of a periodic compliance report and after such contractor has been afforded an opportunity to respond to a notice of deficiency issued by the County in connection therewith, it appears that a contractor is failing or refusing to comply with minority and women-owned business enterprise participation requirements as set forth in the County contract and where no waiver from such requirements has been granted, the County may file a written complaint with the Director, or the Committee, setting forth the facts and circumstances giving rise to the County's complaint together with a demand for relief. The County shall serve a copy of such complaint upon the contractor by personal service or by certified mail, return receipt requested. The contractor shall be afforded an opportunity to respond to such complaint in writing

§ 26-11. Enforcement

Upon receipt of a complaint by that a contractor has violated the provisions of a County contract, which have been included to comply with the provisions of this article, the Director, in conjunction with the Committee, shall attempt to resolve the matter giving rise to such complaint within 30 days of receipt of the complaint. If efforts to resolve such matter to the satisfaction of all parties are unsuccessful, the matter shall be immediately referred to the Department of Law for appropriate action, including, but not limited to, withholding payment due under the contract, or cancellation, termination or suspension of the contract in whole or in part.

§ 26-12. Report

The County Executive, or their designee, shall file a report with the County Legislature no later than April 1st of each year, which details the levels of participation for minority and women-owned business enterprise businesses in County contracts for the prior year. The report shall include the name of each project funded, the total dollars spent for the project, and total dollars spent with minority and women-owned businesses, respectively.

§ 26-13. Severability.

If any clause, sentence, paragraph, section or article of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the proceeding in which such adjudication shall have been rendered.

Section 3. This local law shall take effect sixty-days after filing with the Secretary of State pursuant to Section 27 of the New York State Municipal Home Rule Law.

_____ Committee; _____ - CV: _____

_____ Committee; _____ - CV: _____

File No. 20-____.LL

ADOPTION: Date: _____

Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

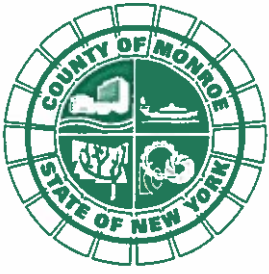
EFFECTIVE DATE OF LOCAL LAW: _____



ATTACHMENTS:

Description File Name

▣ Referral R20-0341.pdf



Monroe County Legislature

RACHEL BARNHART
LEGISLATOR - DISTRICT 21

RACHEL BARNHART
LEGISLATURE - DISTRICT 21
26 NETHERTON ROAD
ROCHESTER, NEW YORK 14609
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OFFICIAL FILE COPY
No. <u>200341</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
AGENDA/CHARTER -L

November 6, 2020

To The Honorable
Monroe County Legislature
39 West Main Street
Rochester, NY 14614

RE: A Local Law to Establish a Temporary Limit on the Charges Imposed by Third-party Delivery Services on Restaurants during the Covid-19 Pandemic

Honorable Legislators:

The Covid-19 pandemic has had a devastating impact on the food service industry, resulting in closures, loss of revenue, layoffs and reduced work hours. This legislation would help restaurants maximize their revenue by temporarily capping commission fees charged by third-party delivery services.

On March 7, 2020 the Governor of the State of New York declared a state of emergency due to the threat posed by Covid-19. On March 14, the Monroe County Executive declared a local state of emergency in response to Covid-19. As of November 4, 2020, New York State has had more than 500,000 cases and nearly 26,000 deaths. Monroe County has had more than 7,000 cases and more than 300 deaths.

The Governor's "New York State on Pause" executive order identified food service establishments as essential businesses and their employees as essential workers. The social distancing measures required to mitigate the spread of Covid-19, including limited on-premises dining, mean that delivery and takeout options from restaurants are critical to their ability to survive and the public's access to food.

Due to the Covid-19 pandemic, the public increasingly relies on third-party food delivery service platforms to facilitate online ordering of food from restaurants. These third-party food delivery services charge commission fees to restaurants based on the purchase price of food ordered. The commission fees charged to restaurants can be up to 30 percent or more of the

purchase price. Restaurants, particularly small independently-owned businesses, have little negotiating power to lower commission fees because few third-party food delivery companies exist in the market. Restaurants are faced with a difficult choice: participate in the platforms at a high price or lose out on potential business.

To protect public health, it is critical that restaurants remain open and offer takeout and delivery services. This Local Law, if enacted, would do the following:

- Cap the delivery fee from third-party food delivery services to food service establishments at 15 percent of the purchase price for each online order.
- Cap the third-party food delivery service's fee for use of their service to 5 percent of the purchase price for an online takeout order or when the food establishment uses their own driver.
- Prohibit third-party food delivery services from reducing the compensation rate paid to a delivery service driver or garnish gratuities in order to comply with the fee caps.

This Local Law would only apply during a declared emergency and for a period 90 days after the end of a declared emergency and only when there are restrictions on on-premises dining at food service establishments.

Third-party food delivery services argue caps on commissions hurt their ability to market the restaurants on their platforms and will lead to reduced business for participating restaurants. However, there is no independent study proving this is true. Furthermore, the caps have the support of restaurant industry associations.

The legislation accomplishes the goal of protecting the health, safety and welfare of Monroe County residents by ensuring restaurants remain open to provide the public with access to food. It also protects small businesses and their workers during a difficult time in our local economy.

The specific legislative actions required are:

1. Schedule and hold a public hearing.
2. Adopt the local law as attached.

This proposal will have no impact on the revenue and/or expenditures of the current Monroe County Budget.

Respectfully Submitted,



Rachel Barnhart
Legislator – District 21

By Legislator Barnhart

Intro. No. _____

LOCAL LAW NO. _____ OF 2020

LOCAL LAW ENTITLED “Local Law to Establish a Temporary Limit on the Charges Imposed by Third-party Delivery Services on Restaurants during the Covid-19 Pandemic

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

Section 1. Title

This local law shall be known as the law “To Establish a Temporary Limit on the Charges Imposed by Third-party Delivery Services on Restaurants during the Covid-19 Pandemic.”

Section 2. Definitions

“Declared emergency” shall mean the period during which the state disaster emergency has been declared by the Governor of the State of New York or a state of emergency has been declared by the County Executive, such declaration is in effect in the County, and there are restrictions on on-premises dining at restaurants in the County.

“Delivery fee” shall mean a fee charged by a third party food delivery service for providing a restaurant with a service that delivers food from such restaurants to customers. The term does not include any other fee that may be charged by a third-party food delivery service to a restaurant, such as fees for listing or advertising the restaurant on the third-party food delivery service platform or fees related to processing the online order.

“Restaurant” shall have the same meaning as provided in §569-50 of the Monroe County Code.

“Online order” shall mean any order placed by a customer through or with the assistance of a platform provided by a third-party food delivery service, including a telephone order.

“Purchase price” shall mean the total price of the items contained in an online order that are listed on the menu of the restaurant where such order is placed. Such term does not include taxes, gratuities and any other fees that may make up the total cost to the customer of an online order.

“Third-party food delivery service” shall mean any website, mobile application or other internet service that offers or arranges for the sale of food and beverages prepared by, and the same-day delivery and same-day pickup of food and beverages from, restaurants located in the County that are owned and operated by different persons.

Section 3. Fee Limits during Declared Emergencies

1. It shall be unlawful for a third-party food delivery service to charge a restaurant a delivery fee that totals more than 15 percent of the purchase price of each online order.

2. It shall be unlawful for a third-party food delivery service to charge a restaurant any fee or fees other than a delivery fee for the use of their service greater than 5 percent of the purchase price of each online order. Any fees or other charges from a third-party food delivery service to a restaurant beyond such maximum 5 percent fee per order, and a delivery fee collected pursuant to subdivision (1) of this section, are unlawful, provided that such a cap shall not apply to a credit card fee that is charged to a third-party food delivery service and is charged in the same amount by the third-party food delivery service to such restaurant.

3. It shall be unlawful for a person to cause a third-party food delivery platform to reduce the compensation rate paid to a delivery service driver or garnish gratuities in order to comply with this section.

4. The requirements of this section only apply during a declared emergency and for a period of 90 days after the end of a declared emergency.

Section 4. Enforcement

If a third-party food delivery service charges a restaurant fees that violate this Local Law, the restaurant shall provide written notice to the third-party food delivery service requesting a refund within seven days. If the third-party food delivery service provider does not provide the refund requested within seven days or the third-party food delivery service continues to charge fees in violation of this Local Law after the initial notice and seven-day cure period, a restaurant may enforce this Chapter by means of a civil action seeking injunctive relief. The prevailing party in any such action shall be entitled to an award of reasonable attorney fees.

Section 5. Severability

If any clause, sentence, paragraph, section, subdivision or other part of this Local Law or its application shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or otherwise invalidate the remainder of this Local Law which shall remain in full force and effect except as limited by such order or judgment.

Section 6. Preemption

This section shall be null and void on the day statewide legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, unless state law specifically exempts from preemption earlier enacted local laws in this area. The County Legislature may determine via resolution whether or not identical or substantially similar statewide legislation or pertinent preempting state or federal regulations have been enacted for the purposes of triggering the provisions in this section.

Section 7. Effective Date

This Local Law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

File No. 20-0_____

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____



ATTACHMENTS:

Description File Name

▣ Referral R20-0356.pdf



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

November 6, 2020

OFFICIAL FILE COPY
No. <u>200356</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
AGENDA/CHARTER -L
HUMAN SERVICES

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

Subject: Confirmation of Appointments to the Monroe County Board of Health

Honorable Legislators:

In accordance with § C6-12 (J) of the Monroe County Charter, I hereby submit to Your Honorable Body for your confirmation, the appointments of the following individuals to serve on the Monroe County Board of Health, for terms to begin immediately and to expire on August 31, 2024.

- Linda L. Clark, M.D, M.S. residing at 237 Red Hickory Drive, Rochester, New York 14626;
- Shannon McCarthy-Leone, Ed.D, RN, C-EFM residing at 12 Matthew Drive, Fairport, New York 14450;
- Don Kamin, Ph.D. residing at 6 Sassafras Lane, Pittsford, New York 14534; and
- Rochester City Councilmember Miguel A. Meléndez, Jr.

The specific legislative action required is to confirm the appointments of Linda L. Clark, M.D, M.S.; Shannon McCarthy-Leone, Ed.D, RN, C-EFM; Don Kamin, Ph.D.; and Councilmember Miguel A. Meléndez, Jr. to the Monroe County Board of Health, in accordance with § C6-12 (J) of the Monroe County Charter, for terms to begin immediately and to expire on August 31, 2024.

The legislative action requested in this referral is not an "Action," as that term is defined in 6 NYCRR § 617.2(b), and is not subject to review under the State Environmental Quality Review Act.

These appointments will have no impact on the revenues or expenditures of 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

110 County Office Building • 39 West Main Street • Rochester, New York 14614

(585) 753-1000 • fax: (585) 753-1014 • www.monroecounty.gov • e-mail: countyexecutive@monroecounty.gov

SHANNON MCCARTHY-LEONE ED.D, RN

12 Matthew Drive, Fairport, NY 14450 | 585-465-3900 | smccarthyleone@gmail.com

OBJECTIVE

To obtain a position in education and leadership that will allow me to impact future nursing professionals and healthcare outcomes. My current strengths include research experience, leadership, patient education, and student/ staff development, as well as, excellent clinical and assessment skills, academic nursing education experience.

EXPERIENCE

8/2018-present Rochester Regional Health System Rochester, NY

Perinatal Safety Specialist/Risk Manager

- Coordinate Quality and Safety projects for the OB/GYN System
- Nursing and provider education and plan formulations for maternal and newborn safety
- Orientation and coaching for new nursing and resident staff
- Create and develop shared governance model for the OB/GYN system
- Support and foster professional growth for all team members
- Directly develop plans for the new state of the art birthing center
- Work with risk management on system wide prevention and safety plans and education
- Hospital wide coordination of policy and procedures for the OB/GYN patient population.
- Coordinate multidisciplinary team approach to patient with preexisting comorbidities affecting the prenatal, intrapartum and postpartum periods

9/2014- 5/2019 Keuka College Penn Yan, NY

Full-Time Faculty Division of Nursing

- Classroom lecture for baccalaureate and graduate level nursing students
- Courses taught: FYE, Wellness, INS Culture of Health, Genetics, Epidemiology, and Family Health Nursing, Nursing Leadership, Nursing Research, Organizational Systems, Business in Health Care, Health Care Policy, Teaching and Learning Philosophy.
- Faculty representative to the Keuka College Board of Trustees Student Development Committee
- Faculty participant in General Education committee on Wellness and First-year Experience
- Faculty representative on the Student Success Collaborative
- Member Nursing Division Curriculum Committee
- Primary advisor for the Dual Degree Nursing Program students

Secretary STTI Upsilon-Upsilon Chapter

1/13/2014-present Finger Lakes Community College Canandagua, NY

Nursing Instructor/Adjunct Nursing Instructor

Classroom Lecture and Clinical Teaching

1st and 2nd-year associate degree nursing students in fundamentals, adult medical-surgical, and maternal-child course. (NUR 100, NUR 202, NUR 203)

Participates in curriculum development, assessment and evaluation and accreditation processes

1/2013-1/2015 University of Rochester School of Nursing Rochester, NY

Adjunct Clinical Instructor

Clinical teaching for Women's Health Course

2014- 12/16 Newark Wayne Community Hospital Newark, NY

Staff Nurse

Direct patient care pool per diem role on units throughout the hospital

9/1/2004 TO 5/2013 Brighton Surgery Center Rochester, NY

Health History Review Nurse

Under the direction of Anesthesia Medical Director, obtain medical histories, and medical record information for preoperative evaluation. This requires effective communication between the facility, and multiple community institutions, along with providing the patient with the necessary patient education for the preoperative, and postoperative period.

Functioned as a Staff Nurse, also on a regular basis in the Post Anesthesia Care Area, assisting patients in both the Phase I and Phase II recovery periods. The patients are a diverse population, covering all age spans.

12-3/2009 University of Rochester Medical Center Rochester, NY

Nurse Leader/Staff Nurse 1994-2009

Staff Nurse on the High-Risk Labor and Delivery Unit. During my career on the unit, I served as the Night Charge Nurse and advanced to the Nurse Leader role.

Per-Diem staff nurse on Strong Beginnings Birth Center while working at Brighton Surgery Center.

Ambulatory Women's Health 1997-1998

Responsibilities include patient intake, OB/GYN Resident clinical coordination, and office procedure assistant providing conscious sedation.

Staff Nurse Medical Intensive Care Unit 1992-1994

Staff Nurse caring for critically ill medical patients.

EDUCATION

- 5/2018 St John Fisher College Rochester, NY
 Doctoral preparation in Education and Executive Leadership
 Research Dissertation:
Postpartum Maternal Self-Care: The Experience of Women in Rural Communities Following a Cesarean Section Delivery
- 12/2013 Keuka College Penn Yan, NY
 ▪ **Master's in Nursing Education**
 Master's Thesis:
Obstructive Sleep Apnea: Using the STOP-BANG Screening Tool in the Ambulatory Surgical Setting
- 5/2011 Keuka College Penn Yan, NY
 Bachelor's Science in Nursing
- '1991 St. Joseph's Hospital College of Nursing Syracuse, NY
 Associates in Applied Science Nursing

CERTIFICATIONS/ACHIEVEMENTS

Certifications

Registered Professional Nurse, New York State

License Number 440765

Basic Life support 2019

Awards

Upsilon STTI Nancy Bailey Award 4/2018

Dr. Karyl Mammano Excellence in Service Award St. John Fisher College 2018

Awarded the Florence Nightingale Award 5/2011 from Keuka College

AACN Policy Academy 3/2013

Janet Mance Award Keuka College 2013

Inducted into Alpha Sigma Lambda Honor Society 2013

Sigma Theta Tau Nursing Honor Society 2011

Kapa Delta Pi Education Honor Society 2016

ANA: American Nurse Advocacy Institute Health Care Policy Fellowship 2017

Professional Organizations

Member of the American Society of Perianesthesia Nurses (ASPAN) 2010-present

Member Genesee Valley Nurses Association 2011-present

Member American Nurses Association 2009-present

Member New York State Organization of Nurse Executives 2015-present

Member Association of Women, Obstetric and Neonatal Nurses 2009-present

Member Finger Lakes Coalition on the Future of Nursing

Committees

IOM Future of Nursing Coalition Finger Lakes Region

Vice Coordinator ASPAN National Specialty Practice Group: Preadmission Testing 2013-2016

Published: APSAN Specialty Practice Group Preadmission Testing 2013-2016

ASPAN Clinical Practice Team 2013

ANA-NY Membership and Future Nurse Leaders Committee

FLONE Memberships Committee

Keuka College Board of Trustees Student Development Committee

Keuka College Dual Degree Program Co-Coordinator and Academic Advisor

Keuka College Advancement, Retention and Progression Committee

Keuka College Curriculum Committee

Volunteer

Water for Sudan Health Hygiene Initiative

Fairport High School Senior Bash Nurse

Fairport High School Health Career Program Volunteer

EDUCATION

SMCCARTHYLEONE@GMAIL.COM

12 MATTHEW DRIVE • FAIRPORT, NY 14450 • 585-465-3900

St. John Fisher College
Ed.D in Education and Executive Leadership

2018

Dissertation Topic: *Postpartum Maternal Self-Care: The Experience of Women in Rural Communities Following a Cesarean Section Delivery*

Keuka College
Master's in Nursing Education

2013

Capstone: *Improving Nurse Identification of the Ambulatory Obstructive Sleep Apnea Patient: An Evidence-Based Approach*

Keuka College
Bachelor of Science in Nursing

2011

St. Joseph's Hospital Health Center College of Nursing
1991
Associates in Applied Science Nursing

AWARDS

Florence Nightingale Award (Keuka College)
2011

"Combined excellence in academic and clinical achievement; GPA of 3.5 or above; demonstrates a concern for the community and environment." (Keuka College Handbook, 2013).

Alpha Sigma Lambda Honor Society
present

2011-

"Recognizes undergraduate adult students in continuing higher education who achieve academic excellence, while managing responsibilities to family, work, and the community. Chi Alpha Lambda is the chapter at Keuka College. The purpose of the honor society is to provide an association for, and recognition of academically outstanding students in continuing higher education" (Keuka College, 2013).

Sigma Theta Tau Nursing Honor Society
present

2011-

"Membership in the honor society is by invitation to baccalaureate and graduate nursing students who demonstrate excellence in scholarship, and to nurse leaders exhibiting exceptional achievements in nursing" (Keuka College, 2013)

Senator Patricia McGee Nursing Faculty Scholarship

2012

"This scholarship is named after the late Senator McGee who was vital in advancing the issue of the nursing shortage. The program's aim is to increase the number of educators and adjunct faculty members at institutions of nursing education. Awards are given to registered professional nurses enrolling in graduate programs" (New York State Higher Education Corporation, 2013).

Janet Mance Award (Keuka College)

2013

"Academic award requires a GPA of 3.8 or above with strong demonstration of leadership qualities" (Keuka College, 2013).

American Nurse Association American Nurse Advocacy Institute Fellowship

2017

"The fellow is selected by their state nurses association to participate in a year-long fellowship to develop the candidate into stronger political leaders and motivate change in the nursing profession. The fellowship prepares the nurse leader to increase political competence and support the state nursing associations in policy initiatives that impact healthcare and the nursing profession" (American Nurse Association, 2018).

Upsilon Upsilon STTI Nancy Bailey Award

2018

"Award is presented to a member of Upsilon Upsilon who demonstrates high professional standards in practice, administration, and/or teaching, demonstrates outstanding interpersonal skills through encouraging or mentoring others in supporting the goals of the society; and who exemplifies leadership qualities through participation in Upsilon Upsilon activities" (Keuka College, 2013).

Dr. Karyl Mammano Excellence in Service Award St. John Fisher College

2018

"Award presented to a graduate of the St. John Fisher Doctoral Program in Education and Executive leadership who demonstrates a commitment to service and leadership to peers, St. John Fisher College, and the community at large" (St. John Fisher College, 2018.)

TEACHING EXPERIENCE

**Keuka College Assistant Professor of Nursing
2016-Present**

Full-Time online and classroom instruction for the Center for Professional Studies Nursing Bachelor of Science Master's in Nursing Education, and Masters in Nursing Adult/Gerontology Primary Care Nurse Practitioner Program.

- Course taught: FYE, Wellness, INS Culture of Health, Genetics, Epidemiology, and Family Health Nursing, Nursing Leadership, Nursing Research, Organizational Systems, Business in Health Care, Health Care Policy, Teaching and Learning Philosophy.

Finger Lakes Community College

Nursing Instructor for Maternal/Child Health and Medical Surgical content
2014-present

Full-time Faculty till 5/2106, Adjunct presently

**Keuka College Adjunct Instructor of Nursing
2014-2016**

Full-Time online and classroom instruction for the ASAP Nursing Bachelor of Science Program
Course taught: Genetics, Epidemiology, Family Health, Nursing Leadership, and Business for Health Care

**University of Rochester School of Nursing
Adjunct Clinical Faculty Women's Health**

2013-2015

Clinical Instructor for the Accelerated Program for Non- Nurses Women's Health

Educational Internship:

St Joseph's Hospital Health Center College of Nursing

2013

Under the direction of the Nursing Faculty observed and performed educational activities including classroom lecture, validation of student clinical skills, clinical instruction.

**Patient and Family Education
present**

1992-

Throughout nursing career actively participated in direct patient and family education related to diagnosis, medication, procedures, facility procedures and policies, discharge. Utilizing the steps of the Nursing Process to coordinate educational plans

NURSING EXPERIENCE

**Rochester Regional Health
present
Perinatal Safety Specialist**

2018-

Development with system wide administration, providers and staff toward maternal and newborn safety initiatives.

Involves working within nursing education, leadership, research, quality improvement and risk management.

**Unity Health Walk-in Care Center
Staff Nurse**

2014

Provide direct nursing care to patients needing urgent care services across the lifespan

2011 –

**RGHS-Newark Wayne Community Hospital
2016**

2014-

Corporate Float Position floating throughout hospital units providing obstetrical and medical-surgical nursing care to patients across the lifespan

**Brighton Surgery Center
Health History Review Nurse
2013**

2003 –

Working with the Clinical Manager and the Anesthesia Medical director to obtain necessary medical history information and coordinate preoperative testing. Provided direct patient care for surgical patients in the Post Anesthesia Care Unit

**University of Rochester Medical Center Obstetrical Service
Staff Nurse, Clinical Nurse Leader, Ambulatory Women's Health Clinic
2003**

1993-

Served as a staff nurse, and as Clinical Nurse Leader to provide direct care of Obstetrical patients with complex High-Risk Obstetrical population. Care needs included the prenatal, antepartum, intrapartum, and post-partum patients

**University of Rochester Medical Center Medical Intensive Care Unit
Staff Nurse
1993**

1992-

Provided direct patient care to critically ill adult patients

PUBLICATIONS AND PAPERS

Preoperative Education and Social Media

Publication in ASPAN Specialty Practice Group: Preadmission Testing Newsletter

2013

Who Better to Lead Health Care Reform than Nurses?

Opinion Editorial Published in ASPAN Specialty Practice Group: Preadmission Testing Newsletter

2013

Postpartum Maternal Self-Care: The Experience of Women in Rural Communities

2019

Following a Cesarean Section Delivery

New York Perinatal Association Conference

CERTIFICATIONS/LICENSURE

New York State Registered Professional Nurse

1991-present

Basic Life Support

1989-

present

Advanced Cardiac Life Support

2019

Neonatal Resuscitation Program

2019

Perinatal Quality Foundation Fetal Monitoring Certification	2022
NCC Certified EFM	2018
American Association of Colleges of Nurses Policy Academy	2013

MEMBERSHIPS

America Society of PeriAnesthesia Nurses (ASPAN)	2011-present
New York State Finger Lakes Region Action Coalition of the Future of Nursing	2011-present
Genesee Valley Nurses Association	2012-present
National League of Nurses	2012-present
ASPAN Specialty Practice Group; Preadmission Testing Vice-Coordinator	2012-2016
ASPAN Clinical Practice Committee	2013-2016
ASPAN Government Affairs Strategic Work Team	2013
ASPAN Leadership Development Committee	2013-2016
AWHONN	2013-
Present	
AACN Graduate Nurse Student Academy Liaison Keuka College	2011-2013
AACN Graduate Nurse Student Academy Liaison St. John Fisher College	2015-2017
Finger Lakes Organization of Nurse Executives	2016-present
American Nurses Association	2012-present
American Nurse Association ANA-NY Membership and Future Nurse Leader Committees	2017-present
GVNA president elect	2018-
present	
ANAI Nurse Fellowship	2017-2018
ANA-NY Chair membership committee	
2019	
American Society of Legal Nurse Consultants	2017-
present	
Finger Lakes Region Future of Nursing Coalition Leader	2019

VOLUNTEER

- Water for Sudan Health Hygiene Initiative
- Fairport High School Senior Bash Nurse
- Fairport High School Health Career Program Volunteer

LINDA L. CLARK, M.D., M.S.

Clark Occupational Medicine Services

1040 University Avenue
Building 1, First Floor (Suite 100)
Rochester, New York 14607
(585) 227-0072 Phone
(585) 227-9585 Fax
lclark@doctormclark.org

EDUCATION:	<i>A.B. Biology</i> - Brown University; Providence, Rhode Island	1982-1986
	<i>Medical Degree</i> - University of Virginia; Charlottesville, Virginia	1987-1991
	<i>M.S. Epidemiology</i> - SUNY Buffalo; Buffalo, New York Masters' Thesis: Increasing Provider Knowledge and Utilization of Influenza Immunization Practice Guidelines Using a Chart Reminder System	1993-1996
CERTIFICATIONS:	<ul style="list-style-type: none">• <i>Board Certification in Occupational Medicine</i>• <i>Board Certification in General Preventive Medicine and Public Health</i>• <i>Medical Review Officer Certification by MROCC</i>	2000 - present 1997 - present 1997 - present
HONORS:	Fellow, American College of Preventive Medicine Fellow, American College of Occupational and Environmental Medicine Woman of Distinction (Girl Scouts of Western NY) Raymond L. Graves Beloved Community Award	2004 2007 2019 2020
EMPLOYMENT HISTORY:	Linda L. Clark, M.D., M.S., P.C.; Clark Occupational Medicine Services Rochester, New York <i>President/Owner</i> <ul style="list-style-type: none">- Business oversight including staffing management, budget oversight, assessment and selection of practice software (Stix), responding to requests for quotes or proposals, purchasing equipment, supplies and services- Marketing and needs assessments of potential clients- Customer Service assessment, including designing and implementation of client and customer satisfaction- Training and periodic staff assessment- Drug and Alcohol Testing Programming<ul style="list-style-type: none">* Urine drug collection (certified collector and trainer)* Breath Alcohol Technician* Creation and management of consortia (DOT and Non)* Medical Review Officer services- Institution of medical programming<ul style="list-style-type: none">* Respirator Medical Program* TB Surveillance Program* Health Care Worker Periodic Assessment* Audiometric Program Supervision- Fitness for Duty Evaluations- Return to Work Evaluations	2001-Present

- Independent Medical Examinations (I.M.E.) and Disability Evaluations
- Injury and Illness Treatment and Management
- Opioid dependence treatment with Suboxone and other medication –assisted addiction treatment
- On-site occupational health care, including worksite evaluations, disability reviews and return to work assessments

Contractual work

- **General Motors– Rochester Components Plant Physician 1998- present**

- Collaborating with Labor Relations, Safety, Ergonomics and Management to create the safest and most productive working environment
- Interacting with community physicians to safely keep or return employees to work, and collaborate on effective management of occupational and non-occupational conditions;
- Hosting plant tours for community providers
- Support nursing and emergency medical functions
- Supervise various surveillance programs, including hearing conservation, respiratory protection, HAZMAT
- Conduct safety tours and assessments of various jobs in the plant for job accommodations and prevention measures, with safety and ergonomic teams
- Work with management around issues related to business continuity planning
- Collaborate with EAP for effective management of those with mental, emotional and behavioral concerns, including substance abuse
- Work with carrier and community practitioners to manage disability claims
- Serve as a resource to nursing and other staff in the plant

Common Ground Health – Senior Health Advisor 2019-present

2020-present

- African American Health Coalition and Latino Health Coalition
- Sage 2 Commission Support
- Health Literacy – Patient Self-Efficacy Project
- Speak Life! Annual health equity conference planning
- ROCCOVID Clinical Team
- Community representation of the agency

Anthony L. Jordan Health Center

2009 - 2014

Rochester, New York

P.I. Hepatitis C Testing Grant (2014)

Medical Director (2009-2012)

Medical Director of Specialty Programs and Services (2012-2014)

- Liaison between provider staff and administrative staff

- Creating, monitoring practice protocols and treatment guidelines in the Center, to improve quality of care
- Planning continuing education for provider staff and support staff
- Overseeing and monitoring study protocols in the Center
- Coordinating preceptorships for students and residents.
- Working on quality improvement processes, both in coordinating and support roles.
- Maintaining CLIA Waiver status and Operation Certificate in accordance of all applicable New York laws and regulations
- Supervising departmental chiefs and executive oversight of their clinical programming.
 - Pediatrics and Teen Center
 - OB/Gyn
 - Behavioral Health
 - Family Medicine
- Executive oversight of specific programs
 - Suboxone
 - Prevention and Primary Care (HIV, Hepatitis C programming)
 - WIC
 - Urgent Care
 - Behavioral Health
- Responding to grant/ RFP requests
- Monitoring and evaluating health services provided
- Working with various teams to achieve all Center quality improvement goals
 - Patient-Centered Medical Home
 - HRSA health services goals
 - Meaningful Use
 - Diabetes Recognition
- Monitoring referrals and peer review processes
- Overseeing provider credentialing
- Employee Health
 - Disability reviews
 - Work-related incident reviews
 - Return to work assessments
 - Wellness projects
- Clinical duties
 - Clinical preventive medicine, including physical examination and counseling for tobacco cessation, weight management, etc.
 - Opioid dependence management with Suboxone
 - Urgent care
- Community outreach and partnerships
- Other duties as required or requested

Guthrie Clinic
 Sayre, Pennsylvania
Associate Physician

2008 – 2009

- Injury and Illness Treatment and Management
- Training and periodic staff assessment

- Drug and Alcohol Testing
 - * Medical Review Officer services
- Medical surveillance
 - * Respirator Medical Program
 - * TB Surveillance Program
 - * Audiometric Program Supervision
- Fitness for Duty Evaluations
- Return to Work Evaluations
- Independent Medical Examinations (I.M.E.) and Disability Evaluations

CHD Meridian – Eastman Kodak Medical Center

2005 - 2007

Rochester, New York

Site Medical Director

- Audiometric Program Supervisor
- Drug Testing Program Coordinator and Supervisor and MRO
- Injury and Illness Treatment and Management
- Travel Medicine Program Supervisor
- Case Management Medical Consultant
- Respirator Medical Program Supervision
- Review and implementation of multiple assessment and surveillance activities
- Liaison with Kodak Rochester Medical Service personnel
- Interfacing with Kodak supervisors and human resources personnel
- Medical supervision of mid-level providers, contract physicians, nursing and technical staff
- Medical Advisory Board for CHD Meridian
- Health and Wellness Committee for CHD Meridian
- Consultant on software implementation (OHM to Medgate)
- Implementation and Coordination of educational offerings for staff and medical supervisors of CHD Meridian staff and Kodak personnel

OH+R Inc (formerly Occupational Health Connection and Rochester Occupational Center)

1996 - 2001

Rochester, New York

Medical Director (1999-2001)

Center Director (1997-1999)

Associate Medical Director (1996-1997)

Partners In Occupational Health

1995-1996

North Tonawanda, New York

Associate Medical Director

Deaconess Immediate Treatment Center

1994-1996

Buffalo, New York

Urgent Care Physician (per diem)

TRAINING:

SUNY Buffalo – Department of Social and Preventive Medicine

1993-1995

Buffalo, New York

Preventive Medicine Resident

University of Illinois - Department of Urology 1992-1993
Chicago, Illinois
Surgery Resident

Long Island Jewish Medical Center - Department of Surgery 1991-1992
New Hyde Park, New York
Surgery Intern

MEDICAL LICENSURE: **New York** 1993 - present

ACADEMIC APPOINTMENTS: **SUNY – Buffalo – Department of Social and Preventive Medicine** 2009 – present
Research Assistant Professor
Instructor: Occupational Medicine Symposium for residents

University of Rochester School of Medicine and Dentistry – Department of Public Health Sciences 2020 – present
Adjunct Assistant Professor

PROFESSIONAL AFFILIATIONS: **Unity Hospital (Rochester Regional Health)- Department of Internal Medicine (Occupational Medicine)** 1996 – present
Active Attending

Rochester General Hospital (Rochester Regional Health)– Primary Care and Ambulatory Specialty Institute 2018 – present
Active Attending

PROFESSIONAL MEMBERSHIPS:

- American College of Occupational and Environmental Medicine (ACOEM)
- New York College of Occupational and Environmental Medicine (NYOEMA –President (2013-2014) and other offices
- American College of Preventive Medicine (ACPM)
- Monroe County Medical Society (MCMS)
 - Quality Collaborative Committee
 - Committee on Equity and Diversity (Chair)
- Medical Society of the State of New York (MSSNY)
 - Committee to Eliminate Health Disparities (Co-Chair)
 - Worker's Compensation and No-Fault Injury Committee
 - Women Physicians Committee

COMMUNITY ACTIVITIES:

- **Black Physicians Network of Greater Rochester** 2015-present
 - President of Board of Directors and Co-founder (former Secretary and Vice President)
 - Preventing health disparities through increase in Black physicians
 - Community education around issues related to health equity
 - Mentoring those in the pipeline to become physicians, including medical students and residents
 - Networking with one another and with other professionals

- **Community Fighting COVID** 2020-present
 - Convened a collaboration of several organizations in the Rochester community to bring screening and education to the minority community throughout the city. This included the development of appropriate educational materials, soliciting donations and volunteers, marketing, and providing street-level education.

- **African American Health Coalition (co-chair 2018-2020) through Common Ground Health** 2003-2020
 - Reviewing data related to African American health
 - Setting priorities for community action related to African American health in the greater Rochester community

- **Trillium Health Care, Inc. Board of Directors** 2016- present
 - Vice-President, Legislative Affairs Committee (Chair, 2019-2020)
 - Chair Pro Temp (2019-2020)
 - Member of Executive Committee
 - Prior membership on Quality, Governance Committees

- **St. Joseph's Neighborhood Center, Board of Directors** 2019-present

- **URMC Community Advisory Council** 2018-present

- **Medical Committee (Vice-Chair), NBLCA Rochester Affiliate** 2008 – 2018
 - Increasing knowledge regarding HIV/AIDS and treatment
 - Conference planning (Faith and Medicine – Working Together to Eliminate Health Disparities)
 - Chair until 2017

- **Vertus Charter School for Boys** 2017-2018
 - Board of Trustees

- **Healthcare Disparities Work Group of FR=EE** 2015-2018
 - Member

- **CTAAB (Community Technology Assessment Advisory Board – Member)** 2012 - 2018

- **University of Rochester Medical Center – Department of Community and Preventive Medicine Residency Advisor Committee** 2012 – 2015

- **Greece Girl Soccer League Board of Directors – Secretary** 2013- 2015

- **Save Our Sisters Board of Directors** (Founder and President) 2003-2009
Community Organization
 - Goal on improving self-esteem and self-reliance of girls in the Greater Rochester area
 - Grant applications and reporting
 - Conference organization and evaluation
 - Fundraising planning and execution
- **Genesee Baptist of Church**
 - Music Committee (2015-2019)
 - Board of Trustees (2017-2019)
 - Technology Committee (2016-2019)
- **American Baptist Church Rochester Genesee Region**
 - Delegate (2015-2019)
 - Executive Board (2017 – present)

PUBLICATIONS:

Internet access and patient portal readiness among patients in a group of inner-city safety-net practices. Sanders MR, Winters P, Fortuna RJ, Mendoza M, Berliant M, Clark L, Fiscella K. J Ambul Care Manage. 2013 Jul-Sep;36(3):251-9.

Process Evaluation of Practice-based Diabetes Prevention Programs: What Are the Implementation Challenges? Carroll J, Winters P, Fiscella K, Williams G, Bauch J, Clark L, Sutton J, Bennett N. Diabetes Educ. 2015 Jun;41(3):271-9.

PRESENTATIONS:

- Social Determinants of Health – Making the Case for COVID
- HIV Epidemiology
- Shoulder Examination
- Low Back Pain – Evaluation and Treatment
- Grand Rounds – Changing Physician Behavior
- Depression and Work
- Pulmonary Function Testing
- Health Literacy
- Urine Drug Screen Collector (Forensic) Training
- Updates on Firefighter Standards
- Health Issues at Work
- Resident Lectures
 - Upper extremity occupational disorders
 - Assessing Work-Relatedness
- Hepatitis C
- Relationship between STI and HIV
- Getting In Sync – Working with your healthcare provider
- Head Injury

PERSONAL INTERESTS:

- Reading for pleasure, including book club
- Singing

- Playing the piano
- Vegetable gardening
- Sports and games with family

REFERENCES: **Provided upon request**

Don Kamin, Ph.D.
585.613.7648
dkamin@nyscit.org

Institute for Police, Mental Health & Community Collaboration
1099 Jay St., Bldg J, 3rd Floor
Rochester, New York 14611

EDUCATION

Postdoctoral Fellow in Forensic Psychology, 9/91 – 8/93
Department of Psychiatry, University of Rochester Medical Center
Rochester, New York

Ph.D., Clinical Psychology, 1992
Ohio University, Athens, Ohio.

Predoctoral Intern, 9/90 – 8/91
Department of Psychiatry, Case Western Reserve University School of Medicine/
University Hospitals of Cleveland, Cleveland, Ohio

M.S., Clinical Psychology, 1987
Ohio University, Athens, Ohio.

B.A., Departmental Honors in Psychology, 1982
Vassar College, Poughkeepsie, New York.

PROFESSIONAL CREDENTIALS

Licensed Psychologist, New York State

Certified Police/ Mental Health Trainer, New York State Bureau for Municipal Police &
New York State Office of Mental Health

Certified Suicide Prevention & Crisis Intervention Trainer, NYS Office of Mental Health &
NYS Commission of Correction

PROFESSIONAL AFFILIATIONS

Crisis Intervention Team (CIT) International, Founding Member
Board of Directors, 2015-current; 1st Vice President, 2018-current

American Psychological Association, Member

New York State Psychological Association, Member

AWARDS

Hero of CIT Award, National Alliance on Mental Illness (NAMI) – New York State, 2019

Public Safety Award, Peace Islands Institute, Upstate New York, 2015

Distinguished Service Award, Rochester (NY) Police Department Commanding Officers (Rosewood Club), 2011

Community Services Award, NAMI-Rochester, 2011

Outstanding Mental Health Professional Award from the Western New York Chapter of the American Foundation for Suicide Prevention, 2010

Law Enforcement Service Award, Brighton (NY) Police Department, 2008

PROFESSIONAL EXPERIENCE

Director, Institute for Police, Mental Health & Community Collaboration 10/14 – current
Rochester, New York

Develop Crisis Intervention Team (CIT) programs across New York in conjunction with the NYS Office of Mental Health. Conduct Sequential Intercept Mapping followed by technical assistance prior to conducting week-long CIT training. Deliver annual CIT train-the-trainer course. Provide consultation and training to other communities and law enforcement agencies outside of New York.

Senior Advisor, Mental Health & Criminal Justice 10/15 – 12/19
Chief, Clinical & Forensic Services 2/10 – 9/15
Supervising Clinical Consultant / Forensic Liaison 7/03 – 1/10
Acting Deputy Director 12/02 – 6/03

Monroe County Office of Mental Health, Rochester, New York

Oversee clinical operations for County Office of Mental Health. Provide clinical consultation and oversight of clinical providers in public mental health system. Function as liaison between public mental health system and criminal justice system. Conduct training for Police, Probation, Parole, and other criminal justice agencies.

Private Practice (part-time) 1994 – 1997; 2012 - 2014
Limited to forensic assessment and consultation

Director, Adult Service Quality & System Development 2/07 – 1/10
Director, Service Quality & System Development 9/06 – 1/07
Director of Performance Management 1/03 – 8/06
Associate Director of Performance Management 9/97 – 12/02

Coordinated Care Services, Inc., Rochester, New York

Responsible for promoting performance improvement activities, overseeing regulatory compliance, conducting site reviews, and overall system planning in conjunction with the Monroe County Office of Mental Health for its contract agencies in Monroe County, New York.

Director of Community Services / County Mental Health Director 5/96 – 9/97
Associate Director of Community Services 1/95 – 5/96
Clinical Consultant 7/94 – 12/94
Wyoming County Department of Mental Health, Warsaw, New York

Responsible for administering, planning, monitoring, and evaluation of mental hygiene services (mental health, alcohol/substance abuse, and developmental disabilities), and the overall administration of the Department.

Staff Psychologist & Coordinator, Emergency Mental Health Services 9/93 – 11/96
Wyoming County Community Hospital, Warsaw, New York

Provided clinical and administrative supervision to Emergency Department clinicians.
Conducted psychological testing and provided consultation on inpatient mental health unit.

Forensic Specialist / Project Coordinator (part-time) 9/93 – 12/96
Allegany Rehabilitation Associates (ARA), Wellsville, New York

Implemented the Forensic Suicide Prevention and Crisis Intervention Project in Allegany, Steuben, and Wyoming Counties (New York). Instructed corrections officers in local jails regarding suicide risk evaluation procedures, general mental health assessment and intervention techniques.

Consulting Psychologist/ Supervising Psychologist 9/93 – 11/96
Wyoming County Mental Health Clinic, Warsaw, New York

Provided clinical supervision and psychological consultation to outpatient mental health clinic.
Conducted and supervised court-ordered evaluations.

Psychology Assistant (part-time) 7/86 – 6/87; 8/88 – 8/90
Tri-County Mental Health and Counseling Services, Inc., Athens, Ohio

Emergency Services/Mobile Crisis Counselor for a community mental health clinic.

Psychology Trainee (part-time) 1/88 – 6/88
Counseling and Psychological Services, Ohio University, Athens, Ohio

Psychology Trainee (part-time) 9/84 – 8/85; 1/86 – 6/86
Department of Psychology, Athens Mental Health Center, Athens, Ohio

Mental Health Counselor 9/82 – 8/84
University of Massachusetts Medical Center, Worcester, Massachusetts

Activities Specialist, Work Program Supervisor & Psychiatric Aide 8/79- 8/80; 6 – 8/81
Yale Psychiatric Institute, Yale University School of Medicine, New Haven, Connecticut

TEACHING / TRAINING EXPERIENCE

CIT Trainer 2015 - current
Institute for Police, Mental Health & Community Collaboration

Helped develop and co-instruct (with law enforcement personnel) week-long CIT trainings across New York State. Developed and delivered CIT train-the-trainer programs (in 2018 & 2019) in New York. Also, helped develop CIT training and CIT train-the-trainer programs in Alamogordo, New Mexico and Huntsville Alabama (in 2019). Conducted a CIT train-the-trainer program in Liberia, West Africa (in 2020).

Adjunct Professor of Criminal Justice 2016 - current
Roberts Wesleyan College

Present lectures to undergraduate classes on the interface of mental illness and law enforcement.

Clinical Associate Professor of Psychiatry **2013 - current**
University of Rochester Medical Center
Present yearly lecture regarding avoiding the criminalization of mental illness to Psychiatry Residents and Forensic Fellows.

Hospital Security Officer Trainer **2016 - 2017**
Institute for Police, Mental Health & Community Collaboration
Developed and co-instructed (with law enforcement) two-day training for hospital security officers in the largest non-profit, non-sectarian hospital in the nation (in New York City).

Co-Instructor **2013 & 2015**
Rochester Institute of Technology
Conducted 3-hour training (with law enforcement co-instructor) for the Department of Public Safety (“Recognizing and responding to mental health issues on the college campus”).

Instructor **March – May 2014**
County-Wide Enhanced In-Service
2-hour in-service presentation on “Mental Hygiene Law Review” and “Communication & De-escalation” presented daily for 7 weeks to law enforcement personnel in Monroe County, New York.

Co-Instructor **2004-2014**
Rochester Police Department, Emotionally Disturbed Persons Response Team (EDPRT)
Helped develop first CIT program in New York State. Instructed Crisis Intervention Team (CIT) course for local law enforcement. Provided case consultation on an ongoing basis.

Master Instructor **2008 - 2015**
NYS Office of Mental Health / NYS Division of Criminal Justice Services
Instructed law enforcement and mental health personnel in content and process of teaching mental health curriculum to recruits and one-day in-service ‘refresher training’ across New York.

Master Instructor / Consultant **2005 - 2016**
National Center for Mental Health & Juvenile Justice
Helped develop one-day in-service curriculum for Crisis Intervention Team (CIT) trained police officers regarding youth and family issues. Traveled nationally conducting train-the-trainer sessions.

Guest Lecturer **2007 - 2010**
Rochester Institute of Technology (RIT), Physician Assistant Program
Delivered annual lecture on schizophrenia and ways to respond to psychotic symptoms.

Instructor **2007**
Basic Hostage/Crisis Negotiations Course, Public Safety Training Center, Rochester, New York
Taught sessions on empathy and negotiating with different personality types.

Co-Instructor **2007 - 2014**
Course in Police Supervision, Public Safety Training Facility, Monroe Community College
Conducted annual two-hour session entitled “A Supervisor’s Guide to Recognizing & Responding to Emotional Disturbance”

Co-Instructor / Consultant **7/07, 1/08 & 6/08**
The State University of New York (SUNY) Police
Helped develop and deliver 2-day trainings on mental health assessment and intervention to SUNY Police in the aftermath of the Virginia Tech shootings.

Co-Instructor / Consultant 6/06, 7/06, 9/06, 3/07, 6/08
NYS Division of Criminal Justice Services
Taught one-week Crisis Intervention Officer Training (CIOT) course for law enforcement personnel.

Instructor / Coordinator 1/06 – 5/09
Monroe County Mental Health Court Training Series
Coordinated and conducted trainings for court personnel with little or no formal background in mental health and related issues.

Instructor 1993 - 1996
Rural Police Training Institute, Genesee Community College, Batavia, New York
Taught state-mandated 14-hour mental health curriculum to law enforcement officers during police academy training.

Seminar Leader Summer, 1993
Ontario County Jail, Canandaigua, New York
Conducted series of weekly seminars given for corrections officers focusing on assessment and management of inmates with mental illness.

Instructor 1/93 – 5/93
University of Rochester School of Medicine and Dentistry, Rochester, New York
Small group discussion leader for first year medical school course. Discussions and role-plays focused on interviewing skills, patient-physician relationships, fundamentals of psychopathology, and psychiatric diagnosis.

Psychosocial Skills Trainer 1/89 – 5/89
Ohio University College of Osteopathic Medicine, Athens, Ohio
Taught 20 first year medical students basic interviewing skills through the use of demonstrations, group exercises, and individual supervision of videotaped interviews with simulated patients.

Teaching Associate Fall, 1989
Department of Psychology, Ohio University, Athens, Ohio
Taught Introductory Psychology to 135 undergraduate students.

PUBLICATIONS

Usher, L., Watson, A.C., Bruno, R., Andriukaitis, S., **Kamin, D.**, Speed, C. & Taylor, S. (2019). Crisis Intervention Team (CIT) Programs: A Best Practice Guide for Transforming Community Responses to Mental Health Crises. Memphis: CIT International.

Kamin, D. (2012, 2017; second edition). A Forensic Manual for Directors of Community Services. A technical assistance project prepared for the NYS Conference of Local Mental Hygiene Directors, Inc. Albany, NY.

Kamin, D. & Wildman, L. (2011). Law enforcement and hospital security approaches to preventing and responding to workplace violence: The importance of collaboration. In Workplace Violence in Mental and General Healthcare Settings, M.R. Privitera, Editor. Jones & Bartlett, Boston.

Kamin, D. & Zastowny, T. R. (2000). Using a county-wide database to improve performance. In Behavioral Outcomes & Guidelines Sourcebook, 2001 Edition, K.M. Coughlin, Editor. Faulkner & Gray, New York, 164-170.

Kamin, D. & Zastowny, T. R. (2000). Information management and performance improvement in behavioral health care: A perspective from the field for the new millennium. NYS Psychologist, 12, 26-30.

Kamin, D., Garske, J. P., Sawyer, P. K., & Rawson, J. C. (1993). Effects of explicit time-limits on the initial therapeutic alliance. Psychological Reports, 72, 443-448.

Silverstein, S.M., Knight, R.A., Schwarzkopf, S.B., West, L.L., Osborn, L.M., & **Kamin, D. (1996).** Configural and context effects in perceptual organization in schizophrenia. Journal of Abnormal Psychology, 105, 410-420.

INVITED PRESENTATIONS

Kamin, D. (2020, September). Testimony before the New York State Bar Association's Task Force on Racial Injustice and Police Reform.

Scully, S. & Kamin, D. (2019, October). Criminal Justice Partnering Through the Stepping Up Initiative. National Alliance on Mental Illness (NAMI) – New York State, Annual Education Conference, Albany, NY.

Cochran, S., Saunders, M. Kamin, D., & Strode, P. (2019, August & 2018, August). Starting or improving your CIT program: Using the Core Elements. Presented at the annual Crisis Intervention Team International Conference, Seattle, Washington (& Kansas City, Missouri).

Kamin, D., Hatch, M., Giuliano, M., & Florida, R. (2018, October). The sometimes forgotten part of CIT programs: Transforming crisis response systems. National Alliance on Mental Illness (NAMI) – New York State, Annual Education Conference. Albany, NY.

Kamin, D. (2018, January). Recognizing and Responding to Mental Illness in the Courtroom. Continuing Legal Education (CLE) session sponsored by Onondaga County Bar Association. Syracuse, NY.

Kamin, D. & Gagne, S. (2017, November). We've come a long way since Mayberry: Update on CIT & how to advocate for implementation in your community. National Alliance on Mental Illness (NAMI) – New York State, Annual Education Conference. Albany, NY

Kamin, D., Burch, W., & Shapiro, M. (2016, September). Order in the Court? Part I: Mental Illness. NYS Magistrates Association Annual Conference. Lake Placid, NY.

Kamin, D. (2016, March). Understanding and managing the risk of violence in the context of mental health courts. Regional Mental Health Court Team Training sponsored by the NYS Office of Court Administration, Rochester, NY.

Kamin, D. (2016, February). Taking the first few steps on the behavioral change stairway: A presentation to the Western New York Crisis Negotiators working group. Williamsville, New York. Coordinated by the Buffalo, New York Office of the Federal Bureau of Investigation (FBI).

Kamin, D. (2015, December). Law enforcement-based diversion strategies for youth with mental health needs. Diversion Certificate Program, Center for Juvenile Justice Reform. Georgetown University.

Kamin, D. (2015, November). An update on CIT programs in NYS. National Alliance on Mental Illness (NAMI) – New York State, Annual Education Conference. Albany, NY.

Abreu, D., Kamin, D., Horton, G., & Potter, P. (2015, November). Exploring how jail diversion and other criminal justice initiatives can be a vehicle to drive recovery. National Alliance on Mental Illness (NAMI) – New York State, Annual Education Conference. Albany, NY.

Abreu, D. & Kamin, D. (2015, September). Ensuring justice and treatment for all: Criminal justice and mental health policy implications. New York Association of Psychiatric Rehabilitation Services (NYAPRS) 33rd Annual Conference. Kerhonkson, NY.

Abreu, D., Kamin, D. & Rosenberg, S. (2015, April). Ensuring Justice and treatment for all: Criminal justice and mental health policy implications. New York Association of Psychiatric Rehabilitation Services (NYAPRS) 11th Annual Executive Seminar on Systems Transformation. Albany, NY.

Kamin, D. (2015, March). Decreasing incarceration and increasing access to treatment. Part of a panel presentation entitled “Nuestra Salud: Latino Health & Mental Health Awareness in NYS,” at the annual Somos El Futuro Conference. Albany, NY.

Kamin, D., Giuliano, M., & Coffey, J. (2014, December). Correction Officer training for positive outcomes. NYS Correctional Medical and Behavioral Health Care Workshop: Understanding the Present and Preparing for the Future. Albany, NY.

Kamin, D. (2014, November). Preventing the criminalization of mental illness. Association of Community Living Agencies in Mental Health Annual Conference. Bolton Landing, NY.

Kamin, D. (2014, November). Solutions to the criminal justice-mental illness interface in NYS. National Alliance on Mental Illness (NAMI) – New York State, Annual Education Conference. Albany, NY.

Kamin, D. (2014, October). Mental illness in the courtroom. 7th Judicial District Fall Festival. Canandaigua, NY.

Kamin, D. (2014, September). A review and update on Crisis Intervention Team (CIT) Programs. New York Association of Psychiatric Rehabilitation Services (NYAPRS) 32nd Annual Conference. Kerhonkson, NY.

Kamin, D. (2013, October; 2014, April; 2014, June). Identifying mental illness in the courtroom. Best Practices in Working with People with Mental Illness in the NYC Criminal Courts. Academy for Justice-Informed Practice, Lincoln Medical and Mental Health Center, Bronx, NY. / CUNY School of Law, Queens, NY/ National Grid Auditorium, Brooklyn, NY.

Kamin, D., Giuliano, M., Gould, B., Adduci, K. & Shorter, J. (2013, November). A blueprint for implementing CIT in your community. NAMI-New York State Annual Education Conference, Albany, NY

Kamin, D. (2013, August). Recognizing the signs & symptoms of mental illness. Forum on Mental Health Issues & the NYS Courts, Practising Law Institute, New York City.

Kamin, D. (2013, June). Recognizing mental illness in the courtroom. State-wide telecast from the NYS Judicial Institute, White Plains, NY.

Kamin, D. (2013, May). Mental Illness & Violence: Public Perception & Reality. NYS Catholic Conference of Bishops, Public Policy Committee. Albany, NY.

Kamin, D. (2013, April). The interface between mental illness, violence & law enforcement: Hope for the future. National Alliance on Mental Illness (NAMI) of Otsego County. Oneonta, NY

Kamin, D. (2013, March). Gun violence – what can we do about it? A mental health perspective. Monroe County Bar Center for Education Speakers Forum. Rochester, NY

Kamin, D. (2013, March). Mental illness & violence: Public perception & reality (plus a few clinical tips) Livingston County Mental Health Services, Geneseo, NY

Kamin, D. (2013, March). Recognizing and responding to mental illness: An introduction for criminal court judges. Presented at the New York State Judicial Institute, Criminal Court of the City of New York, One Day Seminar for Criminal Court Judges, Brooklyn, NY.

Kamin, D. (2012, December). Partnering with law enforcement to prevent the criminalization of mental illness. Psychology Department, Binghamton University, Binghamton, New York.

Kamin, D. (2012, May). An introduction to Crisis Intervention Teams. Presented at the Auburn (NY) Behavioral Health Court 2nd Annual Community Collaboration – Problem-Solving Approach to Mental Illness in the Criminal Justice System. Auburn, New York.

Kamin, D. (2009, June). Recognizing and responding to mental illness: An introduction for mental health court planning teams. Presented at the New York State Unified Court System’s Mental Health Courts / Mental Health Court Connections Training Workshop, Binghamton, New York.

Kamin, D. (2008, November). Increasing jail diversion through county-wide collaboration: Examples from Monroe County. Presented at the 26th Annual NAMI-New York State Educational Conference, Albany, New York.

Kamin, D. (2008, June, July, August). Recognizing and responding to mental illness: An introduction for Judges. Presented at the New York State Judicial Institute Summer Seminars, Rye Brook, New York.

Kamin, D. (2008, May). An introduction to mental illness for criminal justice professionals. Presented at the New York State Unified Court System’s Mental Health Court / Mental Health Court Connections Training Workshop. Syracuse, New York.

Kamin, D. (2008, June). Implementing pre-booking jail diversion programs in New York City. Panel presentation at Fordham University Law School. Sponsored by Rights for Imprisoned People with Psychiatric Disabilities.

Kamin, D. (2008, February). Law enforcement-based front-end diversion for juveniles. Presented at the Models for Change. Mental Health / Juvenile Justice Action Network, Front-End Diversion SIG Meeting. Austin, Texas.

Wildman, L. & Kamin, D. (2007, February). Questions to ask when starting a Crisis Intervention Team (CIT). Presented to the Police Mental Health Coordination Project, Buffalo, New York.

Kamin, D. (2005, September). Law Enforcement-Based Jail Diversion. Presented at the National Policy Academy on Improving Services for Youth with Mental Health and Co-Occurring Disorders Involved with the Juvenile Justice System, Bethesda, Maryland.

Kamin, D. (2000, October). Using clinical event data to improve performance. Presented at the Ohio Department of Mental Health Information Technology Conference: Strategies for Data Based Clinical Decision Making, Perrysville, Ohio.

OTHER PRESENTATIONS

Hatch, M. & Kamin, D. (2020, August). Two Great Examples of Transforming Crisis Response Systems. Presented at the annual Crisis Intervention Team International (virtual) Conference.

von Hemert, T., Kamin, D., Bruno, R., Strode, P., & Watson, A. (2018, October). The Crisis Intervention Team (CIT) model: What we have learned after 30 years. Presented at the 4th International Conference on Law Enforcement & Public Health, Toronto, Canada.

Saunders, M., Cochran, S., Kamin, D., & Severoni, T. (2018, August). Advanced/in-service training: Lessons learned from our four-city pilot. Presented at the annual Crisis Intervention Team International Conference, Kansas City, Missouri.

Kamin, D., von Hemert, T., & Wallschlaeger, J. (2017, August). Models & advice for conducting advanced/in-service training. Presented at the annual Crisis Intervention Team International Conference, Fort Lauderdale, Florida

Kamin, D. (2016, April). A train-the-trainer workshop for teaching empathy and de-escalation. Presented at the annual Crisis Intervention Team International Conference, Chicago.

Kamin, D. & Giuliano, M. (2016, April). Unlocking the labyrinth: The use of system mapping to facilitate CIT development. Presented at the annual Crisis Intervention Team International Conference, Chicago.

Kamin, D., Tobin, T., & Volpe, J. (2016, April). Statewide CIT program implementation in New York. Presented at the annual Crisis Intervention Team International Conference, Chicago.

Saunders, M., Usher, L., Kamin, D., Cochran, V., & Denes, A. (2014, October). CIT: To legislate or not to legislate – that is the question. Presented at the annual Crisis Intervention Team International Conference, Monterey, California.

Kamin, D. (2013, October). Preparing for public dialogue about the relationship between violence and mental illness. Presented at the annual Crisis Intervention Team International Conference, Hartford, Conn.

Kamin, D., Pyers, L., & Amdur, E. (2012, August). Understanding police culture before CIT training: Activities for non-law enforcement personnel. Presented at the annual Crisis Intervention Team International Conference, Las Vegas Nevada.

Kamin, D. & Eddy, L. (2012, August). A CIT for youth in-service: Description and experience in Washington State. Presented at the annual Crisis Intervention Team International Conference, Las Vegas, Nevada.

Kamin, D. (2011, September). A train-the-trainer workshop for teaching empathy: An encore presentation. Presented at the annual Crisis Intervention Team International Conference, Virginia Beach, Virginia.

Cocozza, J., Kamin, D. & Gatlin, C. (2011, September). CIT for youth: A one-day in-service curriculum. Presented at the annual Crisis Intervention Team International Conference, Virginia Beach, Virginia.

Kamin, D. (2010, June). A train-the-trainer workshop for teaching empathy. Presented at the annual Crisis Intervention Team International Conference, San Antonio, Texas.

Skowrya, K., Kamin, D., Sayre, S., & Denes, A. (2010, June). Crisis intervention teams for youth: Training law enforcement to respond to youth. Presented at the annual Crisis Intervention Team International Conference, San Antonio, Texas.

Kamin, D., Gatlin, C., & Davis, A. (2010, March). Crisis intervention teams for youth. Presented at the GAINS Center Conference, Orlando.

Kamin, D. & Wildman, L. (2010, March). A model to develop crisis intervention teams in healthcare settings. Presented at the GAINS Center Conference, Orlando.

Kamin, D., Jewell, T., & Hodgeman, D. (2010, March). Assessing the overlap between mental health system clients and jail inmates. Presented at the GAINS Center Conference, Orlando.

Putney, D. & Kamin, D. (2010, March). Releasing jail detainees from custody for the purposes of hospitalization. Presented at the GAINS Center Conference, Orlando.

VanCamp, K., Kamin, D., & Marks, P. (2009, June). Enhancing mental health court effectiveness through multi-intercept collaboration. Presented at the Mental Health Court / Co-Occurring Disorders Forum at National Association of Drug Court Professionals Annual Training Conference. Anaheim, California.

Fisler, C., Rhoades, S.L., & Kamin, D. (2009, June). Ethical issues in mental health courts. Panel presentation at the Mental Health Court / Co-Occurring Disorders Forum at the National Association of Drug Court Professionals Annual Training Conference, Anaheim, California.

Kamin, D. & Chakedis, V. (2008, September). Police mental health training in NYS: Where we've been & where we're headed. Presented at the New York Association of Psychiatric Rehabilitation Services (NYAPRS) 26th Annual Conference, Ellenville, New York.

Kamin, D. & Voelkl, T. (2008, March). Multi-jurisdiction crisis intervention task force increases collaboration between police and mental health. Presented at the GAINS Center Conference, Washington, D.C.

Kamin, D., Cross, W., & Wildman, L. (2008, March). From the classroom to the streets: Assessing transfer of training. Presented at the GAINS Center Conference, Washington, D.C.

Kamin, D., Cross, W., & Berardini, D. (2006, April). Assessment of Crisis Intervention Team (CIT) Training Outcomes. Presented at the GAINS Center Conference, Boston.

Jewell, T., Corry, R., Kamin, D., Zastowny, T. R., & Rosenberg, L. (2003, February). An approach for implementation of evidence-based practices: Partnerships between state mental health authorities, county governments, university psychiatry departments, and community agencies. Paper presented at the National Association for State Mental Health Program Directors Research Institute's 13th Annual Conference on State Mental Health Agency Services Research, Program Evaluation, and Policy. Baltimore, Maryland.

Kamin, D., Wilder, A., & Boss, P. (2002, December). The use of core measures to facilitate a county-wide performance improvement project. Presented at the 12th Annual Institute on Mental Health Management Information, Albany, New York.

Kamin, D., Wilder, A., & Zastowny, T. R. (2001, November). Use of core measures to promote performance improvement: Initial steps in one community. Presented at Evaluation Conference 2001: Evidence-Based Practices and Quality Improvement in Behavioral Healthcare, Richmond, Virginia.

Kamin, D., Wilder, A., & Zastowny, T. R. (2001, May). Data-driven identification of high risk individuals to assist county service planning. Presented at the 50th Annual Conference on Mental Health Statistics, Washington, D.C.

Wilder, A., Kamin, D., Gravino, G., Zastowny, T.R., & Boss, P. (2000, November). Identifying high cost populations and high frequency utilization patterns: Methodological considerations and case examples with Medicaid data. Presented at the 10th annual Institute on Mental Health Management Information, Albany, New York.

Kamin, D., Williams, R., & Zastowny, T. R. (1999, November). Opportunities for system wide performance improvement via a county-wide mental health database. Presented at the ninth annual Institute on Mental Health Management Information, Albany, New York.

Osborn, L.M., Silverstein, S.M., Matteson, S., West, L., Kamin, D., & Schwarzkopf, S. (1994, May). Visual organization, memory and thought disorder in schizophrenia. Paper presented at the 49th annual meeting of the Society for Biological Psychiatry, Philadelphia.

Silverstein, S.M., Knight, R.A., West, L., Osborn, L., Kamin, D., & Schwarzkopf, S. (1994, May). Perceptual organization in acute and remitted schizophrenic patients. Paper presented at the 49th annual meeting of the Society for Biological Psychiatry, Philadelphia.

Silverstein, S.M., Knight, R.A., West, L., Osborn, L., Kamin, D., & Canada, L. (1993, October). Perceptual organization and thought disorder in schizophrenia. Paper presented at the annual meeting of the Society for Research in Psychopathology, Chicago.

Kamin, D. & Garske, J. P. (1992, March). The practice of brief therapy: A survey of characteristics, attitudes, and outcomes. Paper presented at the annual meeting of the Southeastern Psychological Association, Knoxville, Tennessee.

Zborowski, M.J., Garske, J. P., Russo, A.M., & Kamin, D. (1990, August). Toward the development of a model for predicting schizotypal pathology. Paper presented at the 98th annual convention of the American Psychological Association, Boston

Zborowski, M.J., Garske, J.P., Kamin, D., & Russo, A.M. (1990, May). Construct validation study of the Per-Mag scale: An examination of schizotypal personality disorder among high scoring males using structured clinical interviews. Paper presented at the 62nd annual convention of the Midwestern Psychological Association, Chicago.

Kamin, D., Garske, J. P., Sawyer-Stotts, P., & Rawson, J. C. (1987, August). Effects of time-limited counseling on the therapeutic alliance. Paper presented at the 95th annual meeting of the American Psychological Association, New York City.

Kamin, D. (1981, October). An investigation of reported mass psychogenic illness. Paper presented at the 21st annual meeting of the New England Psychological Association, Waltham, Mass.

SELECTED LOCAL PRESENTATIONS

Kamin, D. (2017, October). Efforts to avoid the criminalization of mental illness. Civilian Review Board/Police & Community Relations, Center for Dispute Settlement, Rochester, New York.

Kamin, D. & Tornstrom, M. (2014, May). Identifying and reacting to mental illness in the field. Presented at the 20th Annual STEP EMS Conference, Rochester, New York.

Marrocco, M. & Kamin, D. (2013, September & October). Assessing violence in individuals with mental illness. Presented to Rochester General Health System staff at Rochester Mental Health Clinic and Genesee Mental Health Center.

Kamin, D. (2012, December). Connecting: An abbreviated and overly simplistic guide to hostage negotiation. Monroe County Sheriff's Office, Hostage Negotiation Team In-Service Training.

Kamin, D. (2012, April). Treatment - whether you want it or not: The intersection of mental illness, mental hygiene law, and the criminal justice system. New Directions of Greater Rochester Recovery Center.

Kamin, D. (2012, 2007, March). Recognizing & responding to emotional disturbance: An introduction & overview. Presented at the 18th (and 13th) Annual STEP EMS Conference, Rochester, New York.

Kamin, D. (2012, September; 2013, March, 2013, September). Recognizing and responding to mental illness: A brief guide for U of R medical students working with the homeless. Presented to URMC Medical Student Health Outreach Group.

Kamin, D. (2011, November). Preventing the criminalization of mental illness: National trends & local efforts. Public Health Grand Rounds, University of Rochester Medical Center.

Kamin, D. (2018, 2017, 2012, 2011, 2010 & 2009, August). Avoiding the criminalization of individuals with mental illness. Presented at the weekly seminar for the University of Rochester Medical Center Forensic Psychiatry Fellows and Residents.

Kamin, D. (2010, October). A quizzical exploration of the overlap of mental illness and the criminal justice system. Presented to the NAMI-Rochester Criminal Justice Advocacy Committee.

Kamin, D., Carapella, R., & Hall, K. (2010, October). Suicide and other challenges for EMS professionals. Presented to the Webster, NY Fire Department.

Kamin, D., Tornstrom, M, Nasra, G. & Caldwell, L. (2010, May). Everything you always wanted to know about accessing emergency psychiatric services: An EMS provider in-service. Presented at the 16th Annual STEP EMS Conference. Rochester, New York.

Kamin, D. (2010, March). Justice for all: Treatment for some – When mental illness meets law enforcement. Presented at Leadership Rochester's Justice for All Day.

Marrocco, M. & Kamin, D. (2009, June). Mental illness and violence: Predicting the unpredictable. Presented to Rochester General Health System staff at Rochester Mental Health Clinic, Genesee Mental Health Center, and Rochester General Hospital.