

By Legislators Brew and Smith

Intro. No. _____

MOTION NO. _____ OF 2022

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

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

ADOPTION: Date: _____ Vote: _____

By Legislators Roman and Vazquez-Simmons

Intro. No. ____

LOCAL LAW NO. ____ OF 2022

AMENDING MONROE COUNTY CODE CHAPTER 357, ARTICLE XII, TO EXTEND RESIDENTIAL-COMMERCIAL URBAN EXEMPTION (RESCUE) PROGRAM

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

Section 1. Chapter 357, Article XII of the Monroe County Code is hereby amended to read as follows:

ARTICLE XII, Residential-Commercial Urban Exemption Program

§357-46. Authorization for exemption.

Pursuant to §485-a of the Real Property Tax Law, and as provided under this section, this Body hereby authorizes an exemption from real property taxation and special ad valorem levies attributable to the increase in assessed value associated with the conversion to mixed residential-commercial use for properties eligible for said exemption.

§357-47. Eligibility.

An eligible real property must be located within the City of Rochester Center City Zoning District. The cost of the conversion to mixed-use residential-commercial shall have a minimum cost of two hundred fifty thousand dollars (\$250,000) and provided further that as a result of the conversion at least twenty-five percent (25%) of the total developed floor space is used for residential purposes. Moreover, for properties that qualify for participation in the exemption program on the basis of a conversion project that is commenced by means of a building permit issued on or after January 1, 2022:

- A. no less than twenty percent (20%) of the premises' residential units shall be affordable to households earning no more than sixty percent (60%) of the median income for households of the same size in the Rochester Metropolitan Statistical Area ("Area Median Income" or "AMI"); and
- B. prior to hiring and retaining the contractors, consultants, workers and commodity vendors for said conversion project, the developer shall commit to comply with the minority and women business enterprise ("MWBE") and workforce development goals mandated for public works in Rochester City Ordinance No. 2018-54, or a modified or replace by any subsequent ordinances; the developer shall submit to the City of Rochester MWBE Officer ("MWBE Officer") and obtain said MWBE Officer's approval for a detailed plan describes how the developer will seek to achieve the City of Rochester's MWBE and workforce participation goals ("MWBE Plan"), which shall include reporting and documentation requirements; and a property's eligibility for the exemption program may be denied or revoked if the MWBE Officer determines that the conversion project has not been conducted in accordance with an approved MWBE Plan.

This local law shall be in effect for the years of 2004 through ~~2024~~ 2024 assessment rolls. Any property that is granted an exemption on one of those rolls shall remain eligible for the additional years of exemption on that property, provided the property continues to meet the requirements of §485-a.

§357-48. Duration and computation of exemption.

The exemption is calculated as a percentage of the exemption base, which is the increase in assessed value attributable to the conversion. The base shall be determined for each year in which there is such an increase attributed to an eligible conversion. The exemption is to be calculated by the following method:

<u>Year of Exemption</u>	<u>Percentage of Exemption</u>
1 through 8	100% of Exemption Base
9	80% of Exemption Base
10	60% of Exemption Base
11	40% of Exemption Base
12	20% of Exemption Base

§357-49. Application for exemption.

Application for such exemption must be made by the owner or all of the owners of the property on forms prescribed by the State Board to be furnished by the appropriate assessing authority and shall furnish the information and be executed in the manner required or prescribe in such forms and shall be filed in such Assessor's office at least 90 days before the date for filing the final assessment roll.

Section 2. This local law shall take effect immediately upon filing in the office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

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

Matter of Urgency
File No. 22-0049.LL

ENACTED: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____

By Legislators Dondorfer and Baynes

Intro No. ____

LOCAL LAW NO. ____ OF 2022

ENACTING A LOCAL LAW AMENDING CHAPTER 357 OF THE MONROE COUNTY CODE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 4. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

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

File No. 22-0050.LL
Matter of Urgency

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____

By Legislators Dondorfer and Baynes

Intro. No. ____

MOTION NO. ____ OF 2022

PROVIDING THAT LOCAL LAW (INTRO. NO. ____ OF 2022) ENTITLED "TAX EXEMPTION FOR MEMBERS OF VOLUNTEER FIRE COMPANIES OR VOLUNTARY AMBULANCE SERVICES," BE TABLED

Be It Moved, that Local Law (Intro. No. ____ of 2022), Entitled "Tax Exemption for Members of Volunteer Fire Companies or Voluntary Ambulance Services," be, and hereby is, tabled.

File No. 22-0050.LL

ADOPTION: Date: ____ Vote: ____

By Legislators Donofer and Baynes

Intro. No. ____

RESOLUTION NO. ____ OF 2022

FIXING PUBLIC HEARING ON LOCAL LAW (INTRO. NO. ____ OF 2022), ENTITLED "TAX EXEMPTION FOR MEMBERS OF VOLUNTEER FIRE COMPANIES OR VOLUNTARY AMBULANCE SERVICES"

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

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

Section 2. The Clerk of the Legislature is directed to give notice of the time and place of this public hearing, and a description of the proposed local law, to the news media within the County, and shall conspicuously post a copy of said notice in the office of the Clerk at least five days before said hearing. In addition, the Clerk shall cause said notice to be published once in an official newspaper of general circulation within the County at least five days before said hearing.

Section 3. This resolution shall take effect immediately.

File No. 22-0050.LL

ADOPTION: Date: ____ Vote: ____

5.

By Legislators Brew and Smith

Intro. No. ____

RESOLUTION NO. ____ OF 2022

RESCHEDULING NOVEMBER 2022 FULL LEGISLATURE MEETING

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

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

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

Matter of Urgency
File No. 22-0003__

ADOPTION: Date: _____

Vote: _____

By Legislators Smith and Dondorfer

Intro. No. ____

RESOLUTION NO. ____ OF 2022

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

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

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

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

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

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

Matter of Urgency
File No. 22-0043

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____

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

7.

By Legislators Smith and Dondorfer

Intro. No. ____

RESOLUTION NO. ____ OF 2022

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

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

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

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

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

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

Matter of Urgency
File No. 22-0044

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____

8.

By Legislators Smith and Dondorfer

Intro. No. ____

RESOLUTION NO. ____ OF 2022

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

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

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

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

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

Matter of Urgency
File No. 22-0045

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____

By Legislators Smith and Dondorfer

Intro. No. _____

RESOLUTION NO. _____ OF 2022

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

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

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

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

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

Matter of Urgency
File No. 22-0046

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____

By Legislators Brew and Roman

Intro. No. ____

RESOLUTION NO. ____ OF 2022

IN MEMORIAM

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

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

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

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

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

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

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

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

10.2

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

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

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

File No. 22-0047

By Legislators Brew and Smith

Intro. No. ____

RESOLUTION NO. ____ OF 2022

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

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

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

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

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

Matter of Urgency
File No. 22-0048

ADOPTION: Date: _____ Vote: _____