

Monroe County
Clerk of the Legislature

David Grant
Clerk



Frank Keophetlasy
Deputy Clerk

Ian Watkins
2nd Assistant Dep. Clerk

MEMORANDUM

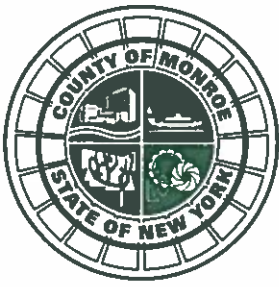
TO: Legislators, Directors, Staff and Media
FROM: David Grant, Clerk of the Legislature
DATE: October 11, 2022
RE: Matters of Urgency – File No. 22-0352 - 22-0353

22-0352 **Authorizing the Acceptance and Payment of Health Care and Mental Hygiene Worker Bonuses to Monroe County Employees** – As a Matter of Urgency – County Executive Adam J. Bello

22-0353 **Enact a Local Law Entitled “Waiver of Residency Requirement for Monroe County Jail Deputies”** – As a Matter of Urgency – County Executive Adam J. Bello

Per President Sabrina LaMar, the attached communications have been declared to be Matters of Urgency pursuant to Section 545-24(A)(3) of the Rules of the Monroe County Legislature and will be considered at the October 11, 2022 regular meeting of the Monroe County Legislature.

Attachments

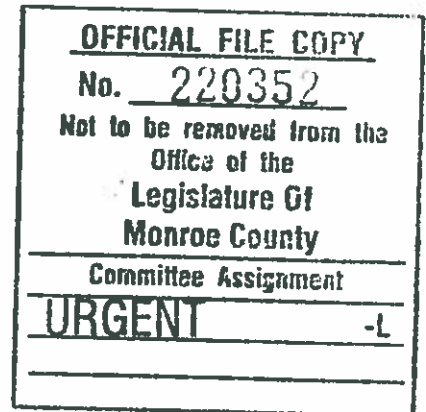


Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

October 11, 2022



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

Subject: Authorizing the Acceptance and Payment of Health Care and Mental Hygiene Worker Bonuses to Monroe County Employees

Honorable Legislators:

I recommend that Your Honorable Body authorize the acceptance and payment of Health Care and Mental Hygiene Worker Bonuses to Monroe County employees pursuant to Section 367-w of New York's Social Services Law ("Section 367-w").

On April 9, 2022, as part of the New York State Budget, Section 367-w was enacted to provide Health Care and Mental Hygiene Worker Bonuses to health care and mental hygiene workers. This legislation is an effort to recruit and retain health care and mental hygiene workers and their support staff.

Section 367-w provides for a bonus of up to \$1,500 per employee based upon hours worked during a six-month vesting period. Section 367-w sets forth a schedule of five vesting periods from October of 2021 through May of 2024. Employees are eligible for a maximum of \$3,000 during the five vesting periods. Employee eligibility is solely determined by Section 367-w and based upon an employee's job title as set forth by the New York State Department of Health.

In early August, the New York State Department of Health released guidelines detailing the process required for Monroe County to submit bonus claims on behalf of its eligible employees. Pursuant to these guidelines, claims are to be submitted through an online claims portal. Claims for the first vesting period, which ran from October 1, 2021 through March 31, 2022 were due by September 2, 2022. On September 1, 2022, Monroe County timely submitted claims on behalf of its eligible employees.

Under Section 367-w, once payment is made by the state to an eligible employer, such as Monroe County, an employer must pay bonuses to its eligible employees within 30 days of receipt of the bonus.

The specific legislative actions required are:

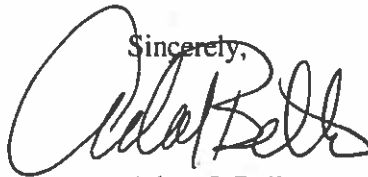
1. Authorize the County Executive, or his designee, to accept Health Care and Mental Hygiene Worker Bonus payments from the State of New York pursuant to Section 367-w in an amount not to exceed \$700,000.
2. Authorize the County Executive, or his designee, to make payment of Health Care and Mental Hygiene Worker Bonus payments to eligible Monroe County employees pursuant to Section 367-w.
3. Amend the 2022 operating budget of Monroe Community Hospital, hospital fund 9012, funds center 6201010000 Administration, in the amount of \$607,300; the Department of Public Health, general fund 9001, funds center 5801010000 Public Health Administration, in the amount of \$49,900; the Department of Aviation, airport fund 9010, funds center 8101010000 Airport Administration, in the amount of \$27,000; the Department of Human Services, general fund 9001, funds center 5701010000 Mental Health Administration, in the amount of \$8,800; and the Office of the Sheriff, general fund 9001, funds center 3801010000 Sheriff Administration, in the amount of \$7,000.

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

Funding for the Health Care and Mental Hygiene Worker Bonuses is being provided by the State of New York pursuant to Section 367-w. No additional net County support is required in the current Monroe County budget.

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

Sincerely,



Adam J. Bello
Monroe County Executive

By Legislators _____ and _____

Intro. No. _____

RESOLUTION NO. _____ OF 2022

AUTHORIZING ACCEPTANCE AND PAYMENT OF HEALTH CARE AND MENTAL HYGIENE WORKER BONUSES TO MONROE COUNTY EMPLOYEES

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

Section 1. The County Executive, or his designee, is hereby authorized to accept Health Care and Mental Hygiene Worker Bonus payments from the State of New York pursuant to Section 367-w in an amount not to exceed \$700,000.

Section 2. The County Executive, or his designee, is hereby authorized to make payment of Health Care and Mental Hygiene Worker Bonus payments to eligible Monroe County employees pursuant to Section 367-w.

Section 3. The 2022 operating budget of Monroe Community Hospital, hospital fund 9012, funds center 6201010000 Administration, is amended in the amount of \$607,300; the Department of Public Health, general fund 9001, funds center 5801010000 Public Health Administration, is amended in the amount of \$49,900; the Department of Aviation, airport fund 9010, funds center 8101010000 Airport Administration, is amended in the amount of \$27,000; the Department of Human Services, general fund 9001, funds center 5701010000 Mental Health Administration, is amended in the amount of \$8,800; and the Office of the Sheriff, general fund 9001, funds center 3801010000 Sheriff Administration, is amended in the amount of \$7,000.

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

Matter of Urgency
File No. 22-0

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

October 11, 2022

OFFICIAL FILE COPY	
No. <u>220353</u>	
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
URGENT	-L

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

Subject: Enact a Local Law Entitled "Waiver of Residency Requirement for Monroe County Jail Deputies"

Honorable Legislators:

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

I recommend that Your Honorable Body enact a local law entitled "Waiver of Residency Requirement for Monroe County Jail Deputies."

Over the course of the past year, staffing levels at the Monroe County Jail for the position of Deputy Sheriff Jailer ("Deputy Jailer") have reached a critical level. The Monroe County Sheriff's Office has encountered significant difficulty in both recruiting and retaining qualified Deputy Jailors. The volume of individuals taking civil service examinations for Deputy Jailer has significantly decreased. The new civil service list, after the written examination and agility test have been conducted, includes only 44 eligible individuals, whereas in past years that number would have been four or five times higher. Traditionally, less than half of the candidates make it through the vetting and background process. There are currently fifty-six (56) Deputy Jailer vacancies in the Monroe County Jail. There are also twelve (12) Deputy Jailors who are scheduled to transfer to the road patrol or other local police agencies and an additional fifty (50) Deputy Jailors will be eligible for retirement in the coming year.

Currently, Deputy Jailors are required to reside in Monroe County. The proposed local law will help to ease staffing levels among Deputy Jailors and will allow Deputy Jailors to reside not only in Monroe County, but in any other county within New York. Several other counties in our region have enacted local laws with residency waivers in order to increase staffing levels for jailors. With the closing of state correctional facilities, Monroe County would like to attract mid-career correctional officers from the state who are interested in joining Monroe County as Deputy Jailors as well as other qualified candidates who do not reside in Monroe County. This local law will allow Monroe County to recruit qualified candidates for the Monroe County Jail at a time when staffing levels are critically low.

The specific legislative action required is:

1. Schedule and hold a public hearing on the proposed Local Law.
2. Enact a Local Law entitled "Waiver of Residency Requirement for Monroe County Jail Deputies."

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Bello", written over the word "Sincerely,".

Adam J. Bello
Monroe County Executive

By Legislators _____ and _____

Intro No. _____

LOCAL LAW NO. ____ OF 2022

ENACT A LOCAL LAW ENTITLED "WAIVER OF RESIDENCY REQUIREMENT FOR MONROE COUNTY JAIL DEPUTIES"

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

Section 1. A new chapter shall be added as Chapter 390 of the Monroe County Code entitled "Waiver of Residency Requirement for Monroe County Jail Deputies" and shall read as follows:

§ 1 Definitions. Defined terms used in this local law shall have the same meaning as ascribed to them below:

COUNTY shall mean Monroe County.

JAIL DEPUTY shall mean an individual employed by the Monroe County Sheriff's Department as a Deputy Sheriff Jailor or Corrections Officer in the Monroe County Jail.

§ 2 Residency Requirement. Public Officers Law § 3, as amended or changed, is hereby amended and superseded in its application to the County as follows: provisions of Public Officers Law § 3, as amended or changed, requiring a person to be a resident of the political subdivision or municipal corporation of the state for which he or she shall be chosen or which his or her official functions are required to be exercised, shall not prevent a person from holding the position of Jail Deputy, provided that such person resides within New York State.

Section 2. 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 3. This local law shall take effect in accordance with the provisions of the Municipal Home Rule Law and the Monroe County Charter.

_____ Committee; _____, 2022 - CV:
File No. 22-____.LL

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____